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as contemplated by the Constitution. If the amendment of the Senator from Alabama prevails, sections 147, 148, and following will stand and an election will take place according to those sections. The broad question is thus presented to the Senate whether they will have an election in the intermediate term or whether they will not have one.

In the argument which I attempted to make the other day, as well as in the argument made by the Senator from Massachusetts and others favoring this bill, the difficulties and troubles attending these elections were set forth. I quoted from Story himself to show that this was a very questionable authority under the Constitution, and as we are now attempting to guard against all these difficulties and troubles my honest conviction is that we had better have no election and avoid this question that Story lays so much stress upon in the second volume of his Commentaries.

Mr. GEORGE. I desire to say in response to the Senator from Arkansas that if the Senate acting on nominations made by the President were to act as was very felicitously set forth by the Senator from Massachusetts once in executive session, there would be some force in the reply which the Senator from Arkansas has made to my objections. We all know that instead of acting on the idea that we give our advice to the President in reference to nominations and appointments, we have in the main I think abdicated that duty, in practice at least and have inserted in the Constitution in lieu of the words "advice and consent" the word "acquiesce;" we simply acquiesce in the nominations of the President.

For that reason I think the part that we shall perform in the election of a successor in the shape of a Cabinet officer will not be a part which gives our sanction and our deliberate judgment to the choice of that officer as the constitutional successor to the President.

Mr. INGALLS. The attempt of this bill to separate the Presidential office in case of the emergencies that are named herein from the political power of the people appears to me to be unwise and untenable. I desire to amend the first section of the bill by a proviso as follows:

Provided, That whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session or if it would not meet in accordance with law within twenty days thereafter, it shall be the duty of the Secretary of State to issue a proclamation convening Congress in extraordinary session, giving twenty days notice of the time of meeting.

It appears to me that the emergency which would occur in the case of the death of the President and Vice-President, and the fact of there being neither a President *pro tempore* of the Senate nor Speaker of the House, would be so great that it would be necessary for the preservation of our institutions that Congress should be immediately called into session to take consideration with regard to what should be done.

Mr. MORGAN. Does the Senator from Kansas offer that as a substitute for my amendment?

Mr. INGALLS. No, sir; I offer it as an amendment to section 1.

Mr. SAULSBURY. Will the Senator from Kansas allow me to call his attention to the fact that his amendment says "it shall be the duty of the Secretary of State?" Would it not be better to say "the officer upon whom the duties of President shall be devolved"? It might be possible that the Secretary of State, the Secretary of War, and the Secretary of the Navy should have all died before that duty was performed, even though it is specified that it shall be done within twenty days. Therefore I suggest whether it would not be proper that his amendment, instead of saying "the Secretary of State," should say "the officer upon whom the duties of the office shall devolve."

Mr. INGALLS. Probably that would be better. I will accept the suggestion made by the Senator from Delaware and modify my amendment accordingly.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The amendment will be read as modified.

The amendment of Mr. INGALLS as modified was read, as follows:

Provided, That whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session or if it would not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

Mr. GARLAND. I do not know exactly what the Senator from Kansas would want with Congress here, especially under this bill, inasmuch as the bill provides already for the succession. As I heard the amendment read it does not specify what Congress shall do about the matter when it gets here. In other words, there is already a full vesting of the authority to carry on the succession; and the duty of Congress here would be nothing as to this measure or as to providing any further for the succession. But if the Senator from Kansas thinks that it is an extraordinary occasion that Congress should convene upon, the Constitution is already ample upon that point, and says that the President may, when in his opinion an extraordinary occasion arises, call Congress together. That is not the literal language of the Constitution, but that is it substantially. So we are determining in advance when the President, or the person acting as President, shall call Congress together. I think the provision to that extent would be unconstitutional; but yet I can not see from any explanation made of it what relevancy it has to this bill.

Mr. INGALLS. The Senator from Arkansas finds fault with my amendment because it does not prescribe what Congress shall do when it assembles. The reason why I can not do that is because I do not know what would happen. It has been said by some distinguished observer of human affairs that it is generally the unexpected that occurs. I think that the student of our history will learn that the emergencies which have occurred to require the interposition of Congress have been those against which statutes did not and could not provide. It is evident, however, if there should be neither President nor Vice-President, and if the powers and duties of the Presidential office were to devolve upon persons not chosen by the people, there would be an emergency which requires the political action of Congress in order to decide what should be done to possibly avoid the dangers of anarchy and confusion.

I am myself entirely opposed to the theory of this bill, that the Secretary of State acting as President should be intrusted with the duties of the Presidential office for a considerable period of time, if it should happen to be a large fraction of the Presidential term. Such I do not believe to be the intendment of the Constitution; nor do I believe it to be in accordance with the spirit of our institutions.

Mr. SHERMAN. I think the amendment of the Senator from Kansas is a very wise one. If the unexpected and unforeseen event contemplated by his amendment should occur, many questions of difficulty are likely to arise. For instance, the new President would desire probably to change his Cabinet in some respects, and it would be very inconvenient for him to remove or suspend one of his Cabinet officers, as he has the power to do under existing law, and appoint another, unless that appointment should be confirmed by the Senate. The presence of the Senate, therefore, seems to be very important in case of a devolution of the office of President upon any one by operation of law.

Not only that, but other questions might arise, unforeseen questions, which would require the action of Congress to solve. It might be necessary to pass a law in an emergency to expedite an election for President, so as to change existing law.

It seems to me this provision, therefore, is a very wise safeguard against an unforeseen contingency. I shall vote for it with great pleasure, while I entirely accord with the general principles of the bill. It seems to me that the legislative power ought to be convened to meet any unforeseen difficulties that might stand in the way of a President constituted under this proposed law. There may be a question as to whether the Secretary of State is entitled to act as President. He may be a person not born in the United States, and therefore not entitled to perform the duties of President. He may not have the requisite qualifications. I think the interregnum ought to be as brief as possible, and that to meet any possible questions which may arise the legislative power ought to be here present to aid him in the discharge of his duties, or to provide for the contingency that may happen in that event.

I shall therefore vote for this amendment with great pleasure.

Mr. LAPHAM. The amendment of the Senator from Kansas certainly can have no operative effect if we should adopt it. We by this bill, if it is to become a law, clothe the Secretary of State with the exercise of all the powers and duties of the executive office on the happening of a contingency. One of those powers, and one left entirely in his discretion, is the assembling of the two Houses of Congress in extraordinary session. Suppose we pass this amendment; it can not control his official action under the Constitution. He may obey it or he may disobey it. Suppose we order Congress to be called together when he does not wish to have Congress assembled? If we make it imperative on him to call Congress together when he himself does not consider it necessary, what is Congress to do? They can not change his position by any legislation. The most that they could do would be to repeal the law we are now considering, and leave this question afloat again.

It seems to me that the amendment is entirely useless, and can perform no valuable office in any possible view of the case.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama [Mr. MORGAN].

Mr. GARLAND. Does not the amendment of the Senator from Kansas precede it, it being to perfect the first section of the bill?

Mr. MORGAN. My amendment was pending at the time the Senator from Kansas suggested his amendment.

The PRESIDING OFFICER. The amendment of the Senator from Alabama was pending when the amendment of the Senator from Kansas was offered. Is the Senate ready for action on the amendment of the Senator from Alabama?

Mr. FRYE. Let the amendment of the Senator from Alabama be read.

The ACTING SECRETARY. In section 3, line 1, it is proposed to strike out "sections" and insert "section;" and after "146," to strike out the words "one hundred and forty-seven, one hundred and forty-eight, one hundred and forty-nine, and one hundred and fifty;" and after "statutes," in line 4, to strike out "are" and insert "is;" so as to make the section read:

That section 146 of the Revised Statutes is hereby repealed.

Mr. MORGAN. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. ANTHONY. I understand that by voting "yea" we vote to strike out the provision that the Secretary of State shall hold for the term for which the President was elected.

Mr. MORGAN. I do not comprehend the Senator's question.

Mr. ANTHONY. What is the effect of the amendment?

Mr. MORGAN. The effect of the amendment is to leave the law regulating the election of President in the case of vacancy in the Presidency and Vice-Presidency to stand just as it is.

Mr. ANTHONY. If the amendment is voted down, how will it stand?

Mr. MORGAN. If it is voted down, then we shall have no law on that subject.

Mr. ALLISON. In that case the Cabinet officers will continue during the term?

Mr. MORGAN. They will continue during the full Presidential term.

Mr. ANTHONY. To vote "nay" is to vote that the person upon whom the powers and duties of the office devolve shall hold for the term for which the President was elected?

Mr. MORGAN. For the term for which he was elected, and that would be to reverse the vote that the Senate has just now taken.

Mr. INGALLS. Unless Congress should otherwise in the mean time determine.

Mr. GEORGE. Let the amendment be reported again. I want the section read as it would stand if the amendment should be adopted.

The ACTING SECRETARY. If amended as proposed, section 3 would then read:

That section 146 of the Revised Statutes is hereby repealed.

Mr. GARLAND. Now I will make an explanation if the Senate will listen to me.

Mr. INGALLS. Let us have section 146 of the Revised Statutes read.

Mr. GARLAND. I will read it.

Mr. MORGAN. I send to the Secretary's desk and ask to have read sections 146, 147, and 148.

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. MORGAN. I beg pardon.

Mr. GARLAND. Section 146 of the Revised Statutes is in the following words:

In case of removal, death, resignation, or inability of both the President and Vice-President of the United States, the President of the Senate, or, if there is none, then the Speaker of the House of Representatives, for the time being, shall act as President until the disability is removed or a President elected.

The bill repeals this section 146. The amendment of the Senator from Alabama leaves that repeal to stand as to section 146. The bill also repeals sections 147, 148, 149, and 150. The amendment of the Senator from Alabama will reinstate sections 147, 148, 149, and 150 if it passes, which permit an election. The bill from the committee dispenses with an election entirely. That is the position the question is in.

A "yea" vote upon the amendment of the Senator from Alabama leaves out section 146 and keeps in sections 147, 148, 149, and 150, which provide for the election. That is all there is of it.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the Senator from Alabama [Mr. MORGAN].

The Principal Legislative Clerk proceeded to call the roll.

Mr. BROWN (when his name was called). On this question I am paired with the Senator from Illinois [Mr. DAVIS].

Mr. CALL (when his name was called). I am paired with the Senator from Oregon [Mr. GROVER] on this question. I do not know how he would vote, and therefore I refrain from voting.

The roll-call having been concluded, the result was announced—yeas 25, nays 29; as follows:

YEAS—25.

Aldrich,	Dawes,	McMillan,	Sherman,
Allison,	George,	Mahone,	Vance,
Anthony,	Harrison,	Miller of Cal.,	Vest,
Blair,	Ingalls,	Morgan,	Williams.
Cameron of Pa.,	Jonas,	Pendleton,	
Coke,	Jones of Florida,	Rollins,	
Conger,	McDill,	Saulsbury,	

NAYS—29.

Barrow,	Frye,	Lamar,	Sewell,
Beck,	Garland,	Lapham,	Slater,
Butler,	Groome,	Logan,	Van Wyck,
Camden,	Hale,	Maxey,	Walker,
Cameron of Wis.,	Hampton,	Miller of N. Y.,	Windom.
Chilcott,	Hawley,	Platt,	
Cockrell,	Hoar,	Pugh,	
Davis of W. Va.,	Jackson,	Sawyer,	

ABSENT—22.

Bayard,	Farley,	Johnston,	Plumb,
Brown,	Ferry,	Jones of Nevada,	Ransom,
Call,	Gorman,	Kellogg,	Saunders,
Davis of Ill.,	Grover,	McPherson,	Voorhees.
Edmunds,	Harris,	Mitchell,	
Fair,	Hill,	Morrill,	

So the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Kansas [Mr. INGALLS]. It will be again read.

The ACTING SECRETARY. At the end of section 1 it is proposed to add the following proviso:

Provided, That whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session or if it would not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The amendment of which the Senator from New Hampshire [Mr. BLAIR] gave notice will now be reported.

The ACTING SECRETARY. It is proposed to amend the bill by striking out, in the first section, after the word "Interior," in the sixteenth line, to the end of the eighteenth line, in the following words:

Shall act as President until the disability is removed, or a President shall be elected,

And to insert in lieu thereof—

Shall forthwith, by proclamation, assemble both Houses of Congress, and shall act as President until Congress shall otherwise provide by law, or until a President shall have been elected and inaugurated into office. And if he shall fail forthwith to issue such proclamation, or if he shall neglect to issue such proclamation at any time upon written request of a quorum of each House of Congress, the Congress shall assemble immediately; and a quorum of each House being assembled, the Congress shall provide for the proper discharge of the executive power until there shall be a President; and Congress being so assembled shall provide by law for the election of a President;

So as to read:

That in case of removal, death, resignation, or inability of both the President and Vice-President of the United States, the Secretary of State, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Treasury, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of War, or if there be none, or in case of his removal, death, resignation, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Postmaster-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Navy, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Interior, shall forthwith by proclamation assemble both Houses of Congress, &c.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BLAIR].

The amendment was rejected.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is, Will the Senate concur in the amendments made as in Committee of the Whole?

Mr. MORGAN. I desire to reserve a separate vote on the last amendment I offered.

Mr. HOAR. There can be no separate vote on that; it was lost.

The PRESIDING OFFICER. If the Senator from Alabama desires action upon his amendment, it will have to be offered again in the Senate.

Mr. MORGAN. I will renew it in the Senate.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. INGALLS. I renew in the Senate the amendment I offered as in Committee of the Whole.

The PRESIDING OFFICER. The amendment will be reported.

The ACTING SECRETARY. At the end of section 1 it is proposed to add:

Provided, That whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session, or if it would not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

Mr. INGALLS. Upon the adoption of that amendment I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 29, nays 26; as follows:

YEAS—29.

Anthony,	Groome,	Mahone,	Sherman,
Blair,	Harrison,	Miller of Cal.,	Slater,
Call,	Hawley,	Morgan,	Vance,
Cameron of Pa.,	Ingalls,	Pendleton,	Vest,
Coke,	Jackson,	Rollins,	Williams.
Conger,	Jonas,	Saulsbury,	
Edmunds,	McDill,	Sawyer,	
George,	McMillan,	Sewell,	

NAYS—26.

Barrow,	Dawes,	Lamar,	Pugh,
Beck,	Frye,	Lapham,	Van Wyck,
Butler,	Garland,	Logan,	Voorhees,
Camden,	Gorman,	Maxey,	Walker,
Cameron of Wis.,	Hale,	Miller of N. Y.,	Windom.
Chilcott,	Hampton,	Morrill,	
Davis of W. Va.,	Hoar,	Platt,	

ABSENT—21.

Aldrich,	Fair,	Johnston,	Plumb,
Allison,	Farley,	Jones of Florida,	Ransom,
Bayard,	Ferry,	Jones of Nevada,	Saunders.
Brown,	Grover,	Kellogg,	
Cockrell,	Harris,	McPherson,	
Davis of Ill.,	Hill,	Mitchell,	

So the amendment was agreed to.

Mr. MORGAN. I consider the amendment adopted by the Senate at this moment as a sufficient regulation in respect of providing for an election in the event that the two offices become vacant. If Congress meets immediately under the call of the Secretary of State, who then acts as President, it can then provide for whatever emergency may arise. Perhaps it would be wiser to leave it to the judgment of Congress, which may then assemble. I shall not therefore press the amendment which a moment ago I said I would offer again in the Senate.

Mr. SAULSBURY. I ask the Senator from Alabama, if we enact this law vesting in the Secretary of State the power to act as President, whether it would be competent for Congress to divest him of the authority to which he would become under the law entitled after Congress should meet subsequent to his having become possessed of the office? I hope the Senate will put all questions of that kind at rest and that the Senator will renew his amendment and that it may be adopted in the Senate.

Mr. HOAR. Will my friend permit me to suggest to him that the Senator from Alabama has already provided for that by providing that the Secretary of State shall only hold until an election, so that it leaves the law-making power under the Constitution to provide for an election?

Mr. ANTHONY. But we provide for that election under the eye of an existing administration. The person upon whom the powers and duties of the Presidential office will devolve will have the power to veto any act that Congress may pass. I think that the Senator from Alabama had better renew his amendment.

Mr. EDMUNDS. No, you had better give the Secretary of State the kingly power and be done with it.

Mr. SHERMAN. I call the attention of the Senator from Alabama to the fact that there being no law on the statute-book providing for an election, and this officer being by law to continue until an election is held according to the terms of the Constitution, he would necessarily hold his office for the residue of the Presidential term. I doubt very much whether the new Congress could interfere with that officer when he once entered on the discharge of the duties of the office. Besides, the language of the first amendment of the Senator from Alabama, which has already been adopted, provides that he shall hold until an election is held. There is no election to be held except the constitutional election at the quadrennial period. It seems to me if the Senate desires to secure the election of a President this term should be as short as possible, and the Senator from Alabama ought to insist on his amendment, unless the Senate shall vote it down.

Mr. MORGAN. The Senate took such a strange course upon it that I felt a little embarrassed by pressing it on its attention. After having voted in my first amendment by quite a considerable majority, which carried away the proposition of the honorable Senator from Massachusetts and of the committee that this succession of routine officers should hold the term until the next regular Presidential election, I took it for granted that the Senate had come to an intelligent conclusion about this matter and that they really desired that the term should be held for the four years unless in the mean time Congress might intervene to prevent such a condition of affairs as that. Really it was in deference to the opinion of the Senate thus expressed that I concluded I would not trespass upon its time by pressing my amendment, though at the time I had the honor to offer the amendment I thought it was a necessary sequence of the adoption of the first proposition which the Senate adopted into the bill that there should remain a law for regulating the election.

The only difference between my present attitude and that which has been taken by the Senate in adopting the amendment of the Senator from Kansas is, he provides that the Congress which meets upon the proclamation of the acting President, immediately upon the happening of these conditions or contingencies, may or may not provide for an election. The Senate has concluded that the existing law shall not remain in force so as to secure an election. So I thought it was perhaps more in accordance with the judgment of the Senate that we should leave to Congress to provide for the case of an election when the contingency should occur.

The Senator from Rhode Island [Mr. ANTHONY] makes a very important suggestion, one that I confess had not occurred to my mind, that the incumbent, the President at that time, might veto any law that we should enact, for the purpose of continuing himself in power. I confess that that has great weight upon my judgment. As it had slipped my mind, I will now ask the Senate to vote again upon the amendment which I had the honor to offer before, which leaves the law to stand precisely as it is now as to the time of holding the election and the manner of conducting it, but takes out of the statute the only provision which is in conflict with the attitude the Senate has taken upon the adoption of the amendment I offered in reference to the length of the term and in reference also to the persons upon whom the duties of the office shall devolve.

I will therefore renew the proposition to amend which I offered before.

Mr. ANTHONY. It is to be observed in support of this amendment that the Congress, when it convenes, which would have the power to enact, will also have the power to repeal, and if this amendment should be found to be an embarrassment the Congress can repeal it. Certainly it is much better that we should have some mode of security in regard to the matter.

Mr. HOAR. I hope the Senate will adhere to its original purpose. I think the American people, with great preponderance of opinion, prefer that the constitutional term should go on rather than to make necessary by law the great inconvenience of an election in the interval. The time passes by very rapidly. The term of four years is an infinitely shorter period now than it was one hundred years ago in all things which make time seem rapid and make a term brief in national history. When that first law was adopted the country consisted of thirteen States on the seaboard and between four and five million people. Now we are more than 50,000,000, and very likely before the contingency which we are to-day providing for occurs it may be requiring 100,000,000 people to undergo the embarrassment, the excitement, and the insecurity of business which grows out of a sudden Presidential election.

I hope the four years' period will be preserved, and that the bill as reported from the committee will be retained.

Mr. MCMILLAN. Mr. President, as my votes upon this question have indicated, I am opposed to the theory incorporated in the bill providing for the succession of the Presidency in case of the death of the President and Vice-President of the United States. I think the succession should have remained as it was provided by the existing act of Congress. I believe that was the principle which the fathers of the country intended should be adhered to. I believe it is the expression of the republican principle, and to that I adhere. But if that principle is to be departed from, then I think the people should have the earliest opportunity of expressing their views as to the choice of the Executive of this nation.

I have entire confidence in republican institutions, and in the development of them as we find them in this country. If Providence brings this country into circumstances which render necessary the election of a President to fill a vacancy, I have implicit confidence that the people are prepared to meet it. They will do it intelligently, and they have a right to express their opinion as to the choice of their rulers. This whole bill and all these provisions indicate a want of confidence in republican institutions which I do not feel. I see no indication in this country—I see no indication anywhere—that this republican principle upon which we have relied is not as safe and as strong as ever it was.

Mr. MORGAN. Mr. President, if we had allowed the succession to the Presidency to remain exactly where the law puts it now, in the President of the Senate and in the Speaker of the House, would any Senator here be prepared to move the repeal of the existing law providing for an election of a President? Would any Senator here upon principle feel himself authorized to take the election away from the hands of the people, to which it was committed in 1792, and where it has been from that time to this, if the law should stand unaffected or unrepealed in any other particular?

I sympathize entirely with the sentiments and opinions expressed by the honorable Senator from Minnesota [Mr. MCMILLAN] that this is a popular Government, that the powers of this Government are derived from the people expressed through the Constitution and the laws and their official agents, and that it is not very becoming or wise in us to intimate a want of confidence in their judgment, their integrity, their virtue in conducting elections. The elections for President and Vice-President in the United States are not mobs. According to my observation during the elections I have had the opportunity to participate in they have been among the most solemn of public occasions; and while there is occasionally some imputation of fraud by the one party against the other, still, in the main, the people of the United States come up with deliberation and solemnity in the expression of their very highest power of election, and I am not at all afraid to risk them.

But to vote down this law which now exists giving to the people the right to have an election is to do two things: It is, first, to reverse the expression which the Senate has given of its opinion to-day that this office shall not continue in the hands of its incumbent not elected by the people until the end of a term, for we have made that expression here to-day very solemnly and by a very decided majority; and it is also to take from the people that which they now have under law, the right, as soon as Congress shall determine that it is expedient, to vote for the election of a President and Vice-President, and Congress in 1792 determined that it was expedient that that should be done within a given number of days and months after the two offices should become vacant.

I do not see any reason for this radical upturning of the act of 1792; but I think I have seen very clearly, at least to the satisfaction of my own conscience, a necessity for changing the succession from the officers upon whom it is devolved now by law to the executive department of this Government.

Mr. JONES, of Florida. I understand the Senator to say that this bill, if passed without his amendment, will take away from the people the right to elect the Chief Magistrate of this nation in the event of the death or removal or disability of the President and Vice-President.

Mr. MORGAN. It will take it away until the end of the four years' term, or until Congress shall otherwise direct by law. And then comes the objection (and I think it is a very weighty one indeed) of a Congress assembled here by proclamation, as is required to be done by the amendment we have adopted on the motion of the Senator from Kansas [Mr. INGALLS], in which I concurred, that that Congress shall have the fram-

ing of the laws for the purpose of conducting an election to provide the succession; that it shall be done under the eyes of the President of the United States, himself in office, and who would have all the temptations of that enormous power to induce him to veto a bill which the Congress might pass for the election of his successor.

I think we had better make as slight an innovation as we possibly can on the existing laws, and if we have felt ourselves compelled to make an innovation to the extent of changing the order of succession——

Mr. LAPHAM. Let me ask the Senator if he thinks two-thirds of both Houses would not be ready to overrule the Secretary of State who should obstruct an election?

Mr. MORGAN. The majority rule in this Government is one of the most sacred principles; and the two-thirds rule is never adopted except for the purpose of bringing the powers of one department against another. The two-thirds rule is a rule of parliamentary convenience, and it may be a rule for the prevention of calamitous evils to a country where a Congress, under the excitement of some great pressure, might go to an extent in legislation that the President himself would think very injurious to the welfare of the country; but the majority rule is the rule of the Constitution; it is the rule that controls in all our deliberations when we are deliberating; and I do not think there is any occasion for us to put ourselves in reach of the dangers of not finding a two-thirds majority to overrule the President when he might veto a bill which stood right in his path to glory and renown. "Lead us not into temptation" is one of the maxims and one of the utterances that I think every legislator ought to keep before his mind in respect to himself and everybody else connected with the Government.

Mr. HOAR. Mr. President, the Senator from Minnesota in advocating this amendment says that he regrets that its opponents, the framers of this bill, have not the confidence that he has in the people. I think we show greater confidence in the people than that honorable Senator when we undertake to carry out as nearly as we can the behests and the principles of the Constitution which the people have enacted and to which they are still attached. The people have decided and remain of opinion that that decision of theirs was wise, that there should be a change in the executive policy of this Government but once in four years. The Senator might as well advocate a Presidential election once in two years or annually, as the governors of some States are chosen, and reproach those who undertook to resist that innovation with the suggestion that they were not sincere friends of republican liberty, or had not as much confidence in the people of this Republic as himself.

The people incorporated in their Constitution the principle that the executive policies of this country should be changed but once in four years, and they expected to provide what five hundred times to one would secure the continuity of executive power in the same hands for four years. They thought that this Constitution with the legislation under it was to represent and secure the popular will, which was the sober, deliberate, carefully expressed, and well ascertained popular will, and not a sudden breeze or gust of popular emotion; and they meant that it should take the people of America four years to change their mind on the great questions of State. We are carrying out the old principle and scheme of this Constitution when we provide as fully and completely as this bill now seems to me to do that the opinion, the constitutional construction, the legislative and executive policy on which the people set their stamp of approbation at the last election should be tried and remain in force for four years.

When the Constitution was adopted the question was not between four years and a shorter term, but between four years and six or even a longer term, some persons preferring an executive office for life. When the original statute which we now propose to repeal was enacted it was a triumph of the reactionary party, if you may so call them; it was a triumph of the party who desired to diminish the control of the people over the Executive, over James Madison, who represented more than any other one man or more than any other ten men the opinion which had prevailed in the Constitution of the United States in regard to the scheme of the executive power, and whose arguments on that subject in the Federalist had gone so far to win the American people to the support of the Constitution.

Mr. President, we have already by the amendment of the Senator from Kansas (which, although I did not vote for it, preferring on the whole the scheme of the bill, it seemed to me there were strong and grave arguments for), provided for the assembling of Congress within twenty days after the emergency takes place, so that they may in their discretion determine whether it is wise to have an election or not.

Mr. JONES, of Florida. Mr. President, I sincerely hope that the amendment of my friend from Alabama may be adopted, because it will give a force to this bill that it will not otherwise possess. Since this legislation has been pending the Senator from Massachusetts has called into the debate the name of Madison, but I would call to the memory of Democrats a memorable instance in the history of the Government at the time of the great controversy between Burr and Jefferson. That long protracted controversy, which came near driving this country into revolution, is a memorable event at least to Democrats. When a very powerful party in this Government attempted to ignore the popular will and to find a remedy for that difficulty in enactments of Congress, just like this, when it was proposed to give the office of President to the Chief-Justice or the Secretary of State, both Federalists, the Democratic spirit of this country rose like one man and said that the moment that law passed the Middle States would arm—that was said in 1801—and that it should not be permitted to remain on the statute-book for a single day, and that the people of America had elected their President and their Vice-President and they should go into their offices cost what it might.

The election as we know went into the House of Representatives, where the controversy was protracted for a long time. The Federal party came forward and said, "We will remedy this thing by an act of Congress and we will declare the election a nullity and give the office of President to Mr. Marshall as Secretary of State or to Mr. Jay as Chief-Justice." Mr. Jefferson served notice upon his political adversaries at that time that when that bill was passed it would not be permitted to stand, and that the American people never would submit to having a President made in that way, because they never would recognize the right of any man to that office who had not derived his title from the people.

I do not say that this will not be constitutional, but it is not in keeping with the traditions of the country; it is undemocratic and unrepublican in its tendency. That is my objection to it in all sincerity and in all earnestness, and I say that no temporary President, under the Constitution of the United States as it stands to-day, has a right to remain in that office one moment longer than would be necessary to bring the question before the people in accordance with the amendment of my friend from Alabama. The Constitution never intended that the appointee designated by the act of Congress should hold that position for one hour longer than it was necessary to have the opinion of the people upon that great question, and this bill gives that appointee the office during the entire term.

It is not necessary to repeat what I have said, but I thought I would refer to what occurred in 1801, to show the sentiment of the people at that time in regard to making Presidents by act of Congress.

Mr. ANTHONY. Mr. President, to vote down this amendment is to declare that we have greater confidence in the members of the Cabinet than we have in the presiding officers of the two Houses of Congress elected by them. The statute of 1792 intrusts the Presidential office only for a short time to the person on whom it devolves; but this bill if unamended gives to him the office for the term for which the President was elected, showing a greater degree of confidence in the members of the Cabinet appointed by the President, it is true with the advice and consent of the Senate, than in the presiding officers of the two bodies elected by themselves.

If I were to alter this provision as it has stood for nearly a hundred years I would shorten it. There is much reason for shortening it, because the improved modes of communication have rendered the limits of the country much nearer to each other than they were when the Constitution was adopted. It is not near as far now from Eastport to Brownsville as it was from Concord to Savannah at the time the Constitution was adopted.

Mr. SAULSBURY. I regard this amendment of the Senator from Alabama as a very important one. I do not regard it as very important whether the President *pro tempore* of the Senate or the Secretary of State shall fill the office of President temporarily. So far as the mere change from the President *pro tempore* of the Senate to one of the Secretaries of the Executive Departments is concerned, I think it is a very unimportant matter.

But we have undertaken by this bill not only to transfer the duties of the office of President, in case of the contingency of the death of the President and Vice-President, from the President *pro tempore* of the Senate or the Speaker of the House to the heads of the Executive Departments, but we propose by this bill to fix the tenure by which they shall hold the office. We have said and declared in this bill that they shall hold it until the regular Presidential election. The Senator from Kansas has offered an amendment that Congress may be convened and shall be convened by the person upon whom the duties of the President shall devolve within a certain limited time.

But suppose Congress comes together, you have already by this act vested in the person then acting as President the full Presidential term for which the late President was elected, and I doubt very much whether it would be competent for Congress, if it did meet under the provisions of the amendment of the Senator from Kansas, to divest the Secretary of State, if he should be the incumbent, of the office which had been devolved upon him under this bill. He is there legally under the authority of law for a definite term, and I question very much whether Congress, subsequent to his entering upon the discharge of the duties of the office, could divest him of the right to hold that office, the right to the emoluments of the office, the right to discharge the duties of the office. I think, therefore, that the amendment of the Senator from Kansas is not a remedy, but that we must preserve the provisions of the statutes as embraced in the amendment of the Senator from Alabama; otherwise the Secretary of State if he enters on the discharge of the duties of the Presidential office will remain to the end of the full term despite of any disposition on the part of Congress to change it.

I shall certainly not vote for this bill unless the amendment of the Senator from Alabama shall be a part of it. I will not vote to take

from the people of this country, in the contingency which is contemplated by this bill, the right to select their President. I will not vote that the Secretary of State, the Secretary of War, or the Secretary of the Navy shall be invested with the duties of that office any longer than is absolutely necessary in order that the Presidential office may be regularly filled by the people of this country. We all know that the Secretaries of the Departments are not chosen with reference to this office. Do the Congress of the United States propose in this bill to supersede the people of the country, to make a President for a full term? Suppose, for instance, this law had been upon the statute-book at the time of the incapacity or death of President Garfield and the Vice-President had not been living, the Secretary of State, Mr. Blaine, would have become the President for almost a full term. Though the people of this country had never voted for him for President, though the people of this country had never contemplated that he would be President, yet under the provisions of this bill he would have been the President, and I conceive fully vested with authority to discharge those duties, for almost the full term, and there would have been no competency in Congress after the enactment of this law to divest him of the powers with which he was invested under the bill.

I am therefore opposed to this bill, and shall vote against it unless there is some such provision as that proposed by the Senator from Alabama inserted, so as to secure to the people of this country the right to choose the Chief Magistrate of the United States in the contingency contemplated by the bill.

Mr. LOGAN. If I understand the amendment of the Senator from Alabama, it is the reinstatement in this bill of the law repealed by the bill providing for an election within a certain length of time after notice is given by the Secretary of State. That is the proposition. I agreed to this bill as reported by the Senator from Massachusetts, and I must say that I am somewhat surprised at the arguments which have been made against this proposition. I do not understand the bill as reported by the Senator from Massachusetts to be taking away the right of the people to elect a President at all.

Mr. MORGAN. I will say to the honorable Senator that the bill as reported by the committee repeals the sections providing for an election.

Mr. LOGAN. I understand that; but the whole argument of the Senator from Alabama and of the Senator from Rhode Island and of the Senator from Delaware and of the Senator from Florida has been that we were taking away from the people their right to elect a President. Now let us see whether that is so or not. I believe the people adopted this Constitution, and they provided in the Constitution that "in case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may by law provide for the case of removal, death, resignation, or inability both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected."

The people having adopted this Constitution giving Congress the power to provide some officer who shall occupy and perform the duties of President under the Constitution, this bill, following the provisions of the Constitution, certainly does not deprive the people of the right of electing a President. They have elected a President, and after that election the death, resignation, or inability to perform the duties occurs; then it devolves upon the Vice-President. If it devolves upon the Vice-President, and no inability occurs so far as he is concerned, he performs the duties for the residue of the four years, does he not?

The Vice-President has not been elected President by the people, but by virtue of the Constitution adopted by the people he performs the duties for four years, or whatever part of the term shall not have expired at the time of the death or disability of the President. There is one case. Let us take the case as it exists to-day. The Senators who have argued this proposition insist that the office shall devolve upon the President *pro tempore* of the Senate or the Speaker of the House of Representatives. Suppose an inability of the President should occur to-day; then the duties of the President of the United States would devolve upon the President *pro tempore* of the Senate as the present law is. The term as a Senator of the President of the Senate expires on the 4th of March. Between now and the 4th of March under the law as it exists you can not elect a President of the United States. There is one difficulty that you are in under the law as it exists now. "Why not?" a Senator asks. Because there is not time under the law to do it.

Mr. PENDLETON. I did not mean to interrupt the Senator by a side remark, but I understand the Senator to say that we could not between now and the 4th of March elect a President *pro tempore* of the Senate.

Mr. LOGAN. Not at all. The Senator misunderstood me. I said you could not elect a President by the people between now and the 4th of March.

Mr. MORGAN. The reason of that is the fact that the Presidential office is held now by the Vice-President.

Mr. LOGAN. I recognize that fact, and that is the fact I am speaking about. As the laws stand to-day there is a difficulty that ought in some way to be remedied as I have suggested.

Suppose another case. Suppose the Presidential functions should devolve upon the President *pro tempore* of the Senate and his Senatorial term should expire, or, in other words, he should become incapacitated from performing the duties, and there should be no Speaker of the House of Representatives, which has occurred and will occur again; suppose after the 4th of March next, before Congress meets again, this inability should occur, where would you be? There would be no Speaker until next December, when Congress would meet; and who then would perform the duties of President of the United States? There would be an interregnum, for no officer would be authorized by law to perform those duties.

If this bill means anything it means this—and in that particular I think it is correct so far as the principle is concerned, and I think it does mean much—it means to remedy these defects which now exist in the law in reference to the succession to the Presidential office. Further than that, it means that when the President shall be incapacitated or when the President shall die or resign, and inability shall attach to the Vice-President, then some provision shall be made for what purpose? For the purpose of carrying out the will of the people. When Senators tell us that the people are not to be consulted, I say this bill does consult the wishes of the people in this: the President of the United States is elected by the people on a certain theory or principle; if he appoints a Secretary of State, that Secretary of State is appointed with views agreeing with his own views, his views being in accordance with the majority of the people who elected him.

Therefore this bill, devolving the duties of President of the United States on the Secretary of State, devolves those duties upon a person who is in accord at the time with the views, the sentiments of the people who have elected the President. To that extent, then, it agrees with the will of the people. The people under this Constitution having given the authority to Congress to designate some person who shall perform the duties of that office until an election shall be held for President, having agreed to this Constitution and given that power to Congress, it will not do to say that this bill takes the power out of the hands of the people to elect a President of the United States or to have their choice. That is going too far and that is saying too much. That is saying more than is said in the Constitution; it is saying more than the people themselves ask shall be said for them.

I am as much in favor of the people having their views about every question that comes up, I think, as any Senator on this floor, and I would be probably as unlikely to run against their views as any other Senator. If I thought this bill deprived the people of any right that they have under the Constitution I certainly should not support it; but I do not believe so, and this thing of all the time calling the people up on many questions in order to make an argument that does not exist, merely—I will not say to call attention from the main point, but to alarm somebody for fear some right is being taken away from them, is not always as legitimate an argument as might be made.

In my judgment to-day if an amendment was proposed to the Constitution to have the election for President every six years two-thirds of the people of this country would vote for it. I believe that our elections generally in the different States are too frequent. I believe that some of the States where they elect a governor every year have too frequent elections. In my State it is different; we elect our governor once in four years; but in many States they elect once every year a governor and other State officers. In this country to-day the people, in my judgment, are willing and would be glad to adopt an amendment to the Constitution making the term of the President six years, and also providing that he should hold but for one term. I believe the people would vote for that. I would vote for it to-day, as far as I am concerned, and I believe I would truly represent my constituents in doing so.

So when you call the attention of the people to the fact that they are being robbed of some right because they are not permitted to elect a President every four weeks, the intelligent people of this country do not believe any such stuff; for that is all it is. We are not robbing the people of any right whatever. They elect their President every four years. They have given us power under this Constitution to provide in case of the inability, death, or resignation of both President and Vice-President the manner in which the office shall be filled afterward. They have given consent to that. Having given their consent, when Congress provides for that office being filled in any way that is proper under the Constitution you carry out the will of the people of the United States, and you do not deprive them of any right that they have except that right which they themselves have delegated to us in reference to providing for the performance of the duties of this office.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Alabama [Mr. MORGAN].

Mr. JONES, of Florida. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GARLAND (when his name was called). I am paired on this question with the Senator from Vermont [Mr. EDMUNDS], who, I believe, if here, would vote for the amendment, and I should vote against it.

Mr. PENDLETON (when his name was called). I am paired upon this question with the Senator from Nebraska [Mr. VAN WYCK]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. CALL. I am paired with the Senator from Oregon [Mr. GROVER].

Mr. MORGAN. I announce the pair between the Senator from Georgia [Mr. BROWN] and the Senator from Illinois [Mr. DAVIS].

The result was announced—yeas 28, nays 24; as follows:

YEAS—28.

Aldrich,	Dawes,	Jones of Florida,	Saulsbury,
Allison,	George,	McDill,	Sawyer,
Anthony,	Groome,	McMillan,	Sherman,
Blair,	Harrison,	Mahone,	Vance,
Coke,	Hill,	Miller of Cal.,	Vest,
Conger,	Ingalls,	Morgan,	Williams,
Davis of W. Va.,	Jonas,	Rollins,	Windom.

NAYS—24.

Barrow,	Cockrell,	Lamar,	Platt,
Beck,	Frye,	Lapham,	Pugh,
Butler,	Hampton,	Logan,	Sewell,
Camden,	Hawley,	Maxey,	Slater,
Cameron of Wis.,	Hoar,	Miller of N. Y.,	Voorhees,
Chilcott,	Jackson,	Morrill,	Walker.

ABSENT—24.

Bayard,	Fair,	Hale,	Mitchell,
Brown,	Farley,	Harris,	Pendleton,
Call,	Ferry,	Johnston,	Plumb,
Cameron of Pa.,	Garland,	Jones of Nevada,	Ransom,
Davis of Ill.,	Gorman,	Kellogg,	Saunders,
Edmunds,	Grover,	McPherson,	Van Wyck.

So the amendment was agreed to.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. Shall the bill pass?

Mr. CALL. I ask the indulgence of the Senate for just five minutes while I state the reasons that govern my vote on this bill.

The bill proposes that the two Houses of Congress shall divest themselves of the power which they now have by law of designating the choice of the President of the Senate and the Speaker of the House to the Presidential successors in the contingencies provided by the Constitution. And it provides by law that the President shall nominate, and by and with the advice and consent of the Senate shall appoint, his own successor. The act of 1792 provides that the Senate in one contingency shall designate the succession and the House the other. The question, then, is whether it is wiser to deposit the power of designating the President's successor in the President alone, or to deposit it in the Senate, composed of Senators chosen by all the States; and in the other case in the Representatives elected by all the people.

The theory of the bill distrusts the safe and convenient exercise of this power by the Senate or the House, and finds safety in its exercise by the President alone. The theory of the act of 1792 reposes entire confidence in the exercise of this power by the Senate or by the House.

Some Senators have found a sufficient reason for the support of this bill in the fact that if the President nominates his successor his administrative policy may and probably will be continued. They find a change in a matter of economical and administrative policy a sufficient reason for doing what the Constitution itself fails to do, seeking to provide the unconstitutional organism of the country for some special administrative policy; but a mere question of economical or administrative policy can not affect the constitutional organisms of the country, and if the Constitution has failed to endeavor to provide for any specific administration in the organism of the country Congress can not and ought not to control.

Others have found that the separate and distinct functions of the coordinate departments of the Government demand that the person who is to exercise them shall be chosen by the President.

I shall not examine these reasons in detail. I merely wish to say that none of the propositions which have been advocated in support of this bill maintain its theory and support its chief conclusion, that the Senate and the House of Representatives respectively can not be safely trusted to provide for the contingencies of the constitutional succession by continuing the functions of their respective officers until their successors shall be chosen. And that, on the other hand, the President can be more safely trusted to this end.

The great principle of our form of Government is in the control of the exercise of political power, through Senators chosen by States and Representatives and a President elected by the people. If this principle be established, then it is manifest that all legislation which seeks to provide a depositary of power should be in aid and not in derogation of this principle.

To vest the power of appointment of a successor in the contingencies named in the President is certainly not in the line of or in aid of the control of political power of this Government by the States and by the people, since without a change of the Constitution by amendment when this bill shall have passed, neither the Senate nor the House can exercise the powers now vested in them by law nor get back into the position where they are at this time, without the consent of the Executive, the President of the United States.

For these reasons I shall vote against this bill, concurring in the clear and able presentation of the question made by the Senator from Vermont [Mr. EDMUNDS], and in his opinion, that this power is more safely lodged in the Senators representing all the States and in the Representatives of the people in the other House of Congress.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. JONES, of Florida, called for the yeas and nays, and they were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Oregon [Mr. GROVER]. If he were here, I should vote "nay."

Mr. FARLEY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. I do not know how he would vote if he were present, but I should vote "nay."

Mr. JACKSON (when Mr. HARRIS's name was called). My colleague [Mr. HARRIS], who is necessarily absent, has a general pair with the Senator from Kansas [Mr. INGALLS]. I do not know how my colleague would vote on this question.

Mr. INGALLS (when his name was called). I am paired generally with the Senator from Tennessee [Mr. HARRIS], as announced by his colleague; and if he were here, I should vote for the bill as amended.

Mr. PENDLETON (when his name was called). I am paired with the Senator from Nebraska [Mr. VAN WYCK].

The roll-call was concluded.

Mr. MORGAN. I announce the pair between the Senator from Georgia [Mr. BROWN] and the Senator from Illinois [Mr. DAVIS].

Mr. ROLLINS. The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON]. I do not know how either would vote.

The result was announced—yeas 40, nays 13; as follows:

YEAS—40.

Aldrich,	Dawes,	Hoar,	Platt,
Anthony,	Frye,	Jackson,	Pugh,
Barrow,	Garland,	Lamar,	Rollins,
Beck,	Gorman,	Lapham,	Saulsbury,
Butler,	Groome,	Logan,	Sawyer,
Camden,	Hale,	McDill,	Sewell,
Cameron of Wis.,	Hampton,	Maxey,	Sherman,
Chilcott,	Harrison,	Miller of N. Y.,	Slater,
Conger,	Hawley,	Morgan,	Walker,
Davis of W. Va.,	Hill,	Morrill,	Windom.

NAYS—13.

Blair,	George,	Miller of Cal.,	Williams.
Cockrell,	Jonas,	Vance,	
Coke,	Jones of Florida,	Vest,	
Edmunds,	McMillan,	Voorhees,	

ABSENT—23.

Allison,	Fair,	Johnston,	Pendleton,
Bayard,	Farley,	Jones of Nevada,	Plumb,
Brown,	Ferry,	Kellogg,	Ransom,
Call,	Grover,	McPherson,	Saunders,
Cameron of Pa.,	Harris,	Mahone,	Van Wyck.
Davis of Ill.,	Ingalls,	Mitchell,	

So the bill was passed.

SUPPORT OF COMMON SCHOOLS.

Mr. BLAIR. Mr. President, I now desire to call up the special order of the day and ask that the bills be laid before the Senate.

The ACTING SECRETARY. The bill (S. 151) to aid in the establishment and temporary support of common schools, and the bill (S. 936) to establish an educational fund, and apply a portion of the proceeds of the public lands to public education, and to provide for the more complete endowment and support of colleges for the advancement of scientific and industrial education, were made the special order for to-day.

Mr. BLAIR. I wish to say before proceeding with the consideration of these bills that on the 5th of December they were made the special order of the day for this day at 2 o'clock, with the following understanding: As Senate bill No. 151 was reached on the Calendar, and was in order for consideration, I said this to the Senate:

That bill relates to an appropriation of public funds for the temporary use of the common schools of the country. It is reported unanimously by the Committee on Education and Labor, which committee has also reported a bill for the same general purpose, Order of Business No. 124 on the Calendar, page 5, being Senate bill No. 936. They have a similar idea; but one is for the establishment of a permanent fund, the interest whereon shall be appropriated to the benefit of the common schools of the country, while the bill just reached proposes temporary aid to a larger and more substantial degree. I suppose it can hardly be expected that this subject will be disposed of under the five-minute rule. I therefore wish to ask that both bills may be considered together and be made the special order for Tuesday, the 9th day of January next, at 2 o'clock in the afternoon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire that the two bills indicated by him be considered together and be made the special order for the hour and day named by him? The Chair hears none, and it is so ordered.

Senate bill 151, the bill to aid in the establishment and temporary support of common schools, is the first in order of these two bills. Senate bill 936 is the one providing for the establishment of a permanent fund, the interest whereof shall be appropriated to that object from year to year as it shall accrue. That bill is the bill with which the Senate has been familiar for several years. There are no new provisions in it. It was discussed at great length during the last Congress, and if I remember aright it was passed by a strong majority. It provides that the annual income from sales of public lands, together with one-half of the net proceeds from the bonded railroads from year to year, shall be made a fund, or an amount equivalent to the receipts from these sources, the interest whereof shall be appropriated annually upon the basis of illit-

eracy for ten years to come, afterward upon the basis of population, to the support of the common schools of the country, at least two-thirds of the amount of such interest, the remaining one-third to be appropriated to the support and maintenance of the agricultural colleges of the country until such time as by the accumulations of the fund one-third of the interest thereon shall give to each of the agricultural colleges an income not exceeding $30,000. When that point shall have been attained, then the entire proceeds, the interest upon the fund, shall be appropriated to the common schools of the country upon the basis of population, that relating to distribution upon the basis of illiteracy only holding for the first ten years after the establishment of the fund.

Now, Mr. President, the Senator from Vermont [Mr. MORRILL], who has been familiar with this bill for many years, and feels a special interest in it, and who is confident that it may be passed without debate, desires to call the attention of the Senate to it in the first instance; and I have assented that if the Senate will take up and pass bill No. 936 under this arrangement, and without interfering with the understanding which I have read to the Senate, and without debate, I hope such action will be taken by the Senate, but reserving my right to interrupt and to object and to retain the floor, as is understood between myself and the Senator from Vermont, if debate should follow. Reserving that right, I now yield to the Senator from Vermont for the purpose of presenting that bill and asking immediate action upon it.

Mr. MORRILL rose.

Mr. LOGAN. I should like, before the Senator proceeds, to say that the bill can not pass without debate. I offered a bill in the Senate a considerable time ago, which was referred to the Committee on Education and Labor, which has never had an opportunity of seeing daylight since, although I went before the committee and thought a majority of them were favorable to it; but still I can not get it reported back to the Senate, even to be laid on the table. I notify the Senator now that he will not pass the bill without debate and without amendments being offered. I think I am prepared to show that the proposition to distribute this money according to illiteracy is a proposition to ask a certain number of States to pay taxes to educate the others. I do not think the country is in favor of any such proposition. I am in favor of an educational fund myself; but I want it to be distributed among the children of the country, and I am for a much larger fund than either of these Senators is for.

I only rose for the purpose of notifying the Senator that the bill would not pass without debate; and inasmuch as we have remained here to a late hour this evening, I move that the Senate adjourn.

Mr. MORRILL. I hope the Senator will not take me off the floor.

Mr. LOGAN. Not at all; but I thought the suggestion of the Senator from New Hampshire was that the bill should pass without debate.

Mr. MORRILL. The Senator from New Hampshire yielded to me.

Mr. LOGAN. I beg the Senator's pardon.

Mr. BLAIR. I yielded subject to my right to interpose an objection if debate should follow, because if there is to be debate on these bills I desire to retain the floor.

Mr. LOGAN. I did not notice that the Senator from Vermont was occupying the floor.

Mr. MORRILL. I was on the floor and yielded to the Senator from Illinois.

Mr. EDMUNDS. I rise to a question of order, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont will state the question of order.

Mr. EDMUNDS. I ask the Chair to tell us what bill is now before the Senate, for I do not know any rule or law by which two bills can be before the Senate at the same time.

Mr. MORRILL. Senate bill 936 is before the Senate.

Mr. EDMUNDS. I should like to hear the Chair tell us.

Mr. BLAIR. I do not assert that Senate bill 936 is before the Senate unless by unanimous consent it can be so considered and can be acted upon without debate.

Mr. MORRILL. The Senator from New Hampshire can not expect that a bill of this importance shall go without some few words. I want to speak five minutes on it myself.

Mr. EDMUNDS. I want to find out what is before the Senate.

The PRESIDING OFFICER. The Chair decides that Senate bill No. 151 is the first bill in order and was first made the special order.

Mr. EDMUNDS. Will the Chair please have the title of it read, so that we can all understand what it is?

The PRESIDING OFFICER. The title will be read.

The ACTING SECRETARY. A bill (S. 151) to aid in the establishment and temporary support of common schools.

Mr. EDMUNDS. Very good. Now we know where we are.

Mr. HOAR. May I inquire who has the floor?

The PRESIDING OFFICER. The Senator from New Hampshire desires to retain the floor, but the Chair understood he had yielded to the Senator from Vermont.

Mr. EDMUNDS. He can not retain it and give it out.

The PRESIDING OFFICER. The Chair understands that; but a question of order came up while he was on the floor. The Chair decided the point of order, and the Senator from Vermont [Mr. MORRILL] now has the floor.

Mr. GEORGE. Will the Senator from Vermont allow me to introduce an amendment?

Mr. MORRILL. I shall not occupy three minutes myself.

Mr. BLAIR. Before the Senator from Vermont proceeds, I wish to understand which bill is before the Senate.

The PRESIDING OFFICER. The Chair has decided that Senate bill 151 first came in order.

Mr. MORRILL. Mr. President, I supposed that the arrangement with my friend from New Hampshire was clear and decided, that the bill which was introduced by me and reported by the committee was to come up first, because that was one that would not be likely to excite any considerable debate. So far as I am concerned I do not desire, having discussed this question many times in the last twenty years, to occupy more than five minutes of time if I can reach a vote, and I do not think there will be any extended discussion upon it. I believe it might have been passed in the morning hour. But I desire to say also that at 2 o'clock to-morrow, much as I favor education and educational bills, I shall ask the Senate to shove aside all business and take up the tariff bill reported by the Committee on Finance.

Mr. BLAIR. The understanding between myself and the Senator from Vermont was clear and distinct that I should take the floor, call up the special order, and then, without losing my right to the floor or to proceed, I would, if there were unanimous consent that his bill be acted upon without debate, yield the floor, and his bill could be acted upon without debate. I stated that understanding, and the Senator from Illinois rose in his place and notified the Senator from Vermont that his bill could not pass without debate, and showed indications of a prolonged discussion. At all events, it is very evident that the Senator from Vermont, who might be satisfied to speak but five minutes, can not control the Senate at large.

Mr. LOGAN. Will the Senator allow me just a moment? The notice I gave applied to both bills if the same provision is in the two in reference to the distribution of this fund according to illiteracy.

Mr. BLAIR. That provision is in both bills.

Mr. LOGAN. A bill can not pass with that provision in it, without debate. I say it can not for the reason that I do not think our people propose to pay the taxes for the schooling of others when they get none of the benefit themselves. They want to distribute the fund among the different States and Territories according to population.

Mr. BLAIR. Mr. President——

Mr. WINDOM. I ask the Senator to yield to a motion to go into executive session.

Mr. INGALLS. Before that motion is put I wish to offer an amendment to Senate bill No. 151, to strike out in section 7 all after the word "provided," in line 6, and insert what I send to the Chair.

The PRESIDING OFFICER. The amendment will be printed.

Mr. GEORGE. I wish to offer an amendment to Senate bill No. 151.

The PRESIDING OFFICER. The amendment will be received and printed.

Mr. WINDOM. I insist on my motion.

The PRESIDING OFFICER. The Senator from Minnesota moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty-six minutes spent in executive session the doors were reopened, and (at 5 o'clock and 42 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January* 9, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

Mr. CAMP and Mr. COLERICK appeared in their seats to-day.

MIXED COMMISSION ON VENEZUELAN CLAIMS.

Mr. RICE, of Massachusetts. I ask unanimous consent——

Mr. ELLIS. I call for the regular order.

Mr. BLOUNT. I hope the gentleman from Louisiana [Mr. ELLIS] will withhold the demand for the regular order for a moment until he hears the proposition of the gentleman from Massachusetts.

Mr. PAGE. I demand the regular order.

Mr. BLOUNT. I am sure the gentleman from California [Mr. PAGE] would not object to the proposition of the gentleman from Massachusetts if he would hear it.

Mr. PAGE. I would not object; only I want all the time possible to get through with the shipping bill.

Mr. BLOUNT. This matter will not take five minutes.

Mr. RICE, of Massachusetts. I ask unanimous consent to offer for adoption a resolution fixing as a special order for January 10, and from day to day thereafter until disposed of, the joint resolution (H. Res. 277) providing for a new mixed commission in accordance with the treaty of April 25, 1866, with the United States of Venezuela. This resolution

merely gives opportunity for the consideration at some time (if the time may occur) of this resolution, in accordance with the request of the President in a special message.

The SPEAKER. The resolution sent to the desk by the gentleman from Massachusetts will be read.

Mr. PAGE. Will it provoke any discussion?

Mr. RICE, of Massachusetts. No, sir.

The Clerk read as follows:

Resolved, That the Committee of the Whole House on the state of the Union be discharged from the further consideration of House joint resolution No. 277, entitled "A joint resolution providing for a new mixed commission, in accordance with the treaty of April 25, 1866, with the United States of Venezuela," and that said joint resolution be made the special order for Wednesday, January 10, immediately after the morning hour, and from day to day thereafter until disposed of, not to interfere with revenue or general appropriation bills.

Mr. MILLS. Will the gentleman agree to modify his resolution by adding "said joint resolution to be considered in the House as in Committee of the Whole"?

The SPEAKER. Is there objection to the adoption of this resolution?

Mr. JOYCE. Will this interfere with previous special orders?

The SPEAKER. Certainly not; as the Chair has frequently held, it will have to take its order.

Mr. MILLS. As I understand, the gentleman from Massachusetts agrees to the modification just suggested by me.

Mr. RICE, of Massachusetts. I do.

The SPEAKER. Is there objection to the adoption of the resolution with the modification suggested by the gentleman from Texas, that the joint resolution be considered in the House as in Committee of the Whole?

Mr. PAGE. I object to that.

Mr. BLOUNT. If the nature of this proposition were understood neither the gentleman from California nor any other gentleman would object to it for an instant. It involves the honor of this country in the matter of the Venezuela award.

Mr. ROBINSON, of Massachusetts. I hope the gentleman from California will withdraw his objection. I think this is a very important proposition.

Mr. PAGE. Very well; I withdraw the objection.

There being no objection, the resolution was considered and adopted.

WILLIAM F. KELLOGG.

Mr. JOYCE, by unanimous consent, submitted the following resolution; which was referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be, and is hereby, authorized and directed to pay to William F. Kellogg, for services rendered as messenger, the difference between the pay of a laborer and that of a messenger from January 6, 1882, to August 9, 1882, $284.17.

ANDREW ALBRO.

Mr. WEST, by unanimous consent, introduced a bill (H. R. 7234) for the relief of Andrew Albro; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JUDICIAL PROCEEDINGS IN HARDEMAN COUNTY, TENNESSEE.

Mr. MOORE. I ask unanimous consent to have taken from the Speaker's table for present consideration the bill (S. 1860) to attach the county of Hardeman, in the State of Tennessee, to the eastern division of the western district of Tennessee.

The bill was read, as follows:

Be it enacted, &c., That from and after the passage of this act the territory embraced in the county of Hardeman, in the State of Tennessee, as now constituted, shall be attached to and compose a part of the eastern division of the western district of Tennessee; and all process issued against defendants residing in said county of Hardeman shall be returned to Jackson; and all civil causes of action which have accrued in said county of which the courts of the United States have jurisdiction shall be cognizable in the court at Jackson; but all offenses committed in said county against the laws of the United States before the passage of this act shall be cognizable in the court of the western division of the western district of Tennessee, held at Memphis; and actions or proceedings now pending at Memphis against defendants residing in said county of Hardeman may, on the application of either party, be transferred to the court at Jackson; and in case of such transfer, all papers and files therein, with copies of all journal entries, shall be transferred to the office of the clerk of the court at Jackson, and the same shall proceed in all respects as though originally commenced in said court.

There being no objection, the House proceeded to the consideration of the bill; which was read three times, and passed.

Mr. MOORE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CLAIMS ALLOWED UNDER THE ACT OF JULY 4, 1864.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting a list of claims allowed under the act of July 4, 1864; which was referred to the Committee on War Claims, and ordered to be printed.

IMPROVEMENTS IN NAVAL ENGINEERING.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of the Navy, transmitting, in response to a House resolution of the 5th instant the report of Passed Assistant Engineer John A. Tobin, of the United States Navy, on the latest improvements in naval engineering in Great Britain; which was referred to the Committee on Naval Affairs.

ORDER OF BUSINESS.

Mr. PAGE. I now call for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

Mr. PAGE. I move that the morning hour for the call of committees be dispensed with.

The motion was agreed to (two-thirds voting in favor thereof).

AMERICAN SHIPPING.

Mr. PAGE. I now call up the unfinished business—the bill (H. R. 7061) to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen.

Mr. SPRINGER. The gentleman from Maine [Mr. MURCH] yesterday yielded to me the remaining portion of his time.

The SPEAKER. The gentleman from Florida desires to speak this morning for ten minutes, and if the gentleman from Illinois has no objection he will be recognized at this time.

Mr. SPRINGER. I certainly have no objection if it does not come out of my time.

The SPEAKER. It will not come out of the time of the gentleman from Illinois. The Chair now recognizes the gentleman from Florida [Mr. BISBEE] for ten minutes.

Mr. BISBEE. Mr. Speaker, section 22 of the pending bill proposes to prohibit the States from taxing any ships, steamers, or vessels employed exclusively in the foreign carrying trade; and the question arises whether Congress has the power to exempt in such cases. I think there are fatal objections to this section and that they rest upon familiar and fundamental grounds. It is not denied, if I understand the theory of our Government correctly, that a State may do anything not prohibited by its own constitution or the Constitution of the United States. Each State government is sovereign within its own constitutional sphere. The only limitation I can find in the Constitution upon the power of taxation by the States touching commerce is the prohibition of levying duties on exports and imports or tonnage tax upon ships.

Now, it seems to me as an original question that it is perfectly obvious we have no power to exempt property in ships owned by a citizen of New York from taxation by the State of New York. The power of a State to tax is plenary and sovereign within its own constitutional limits as the power of the Federal Government.

I will not take up time in discussion, but will proceed to call the attention of the House to some decisions of the Supreme Court of the United States, because I think this question has passed beyond an original question and has become *res adjudicata*. In the first place I call attention to the case known as the Passenger cases (in 7 Howard, 402). Those cases arose out of legislation in the States of New York and Massachusetts, where they undertook to levy a tax on foreign passengers.

Justice McLean said:

A State can not regulate commerce, but it may do many things which more or less affect it. It *may tax a ship* or other vessels used in commerce the same as any other property owned by its citizens. A State may tax the stages in which the mail is transported, but this does not regulate the conveyance of the mail any more than taxing a ship regulates commerce.

Again, a case arose in the State of California where the law provided for an assessment of taxes upon property in ships. It is known as Hayes *vs.* The Pacific Mail Steamship Company (17 Howard, 598). Justice Nelson said:

In this the home port of the vessels of the plaintiffs was the port of New York, where they were duly registered, and where all the individual owners are resident, and where is also the principal place of business of the company, and where it is admitted the capital invested is subject to State, county, and other local taxes.

In a more recent case (12 Wallace, 213), by the unanimous opinion of the Supreme Court of the United States in the case known as the State tonnage-tax cases, which arose in the State of Alabama, Justice Clifford, speaking for the court, said:

Ships and vessels owned by individuals, belonging to the commercial marine, are regarded as the private property of their owners, and not as the instruments or means of the Federal Government, and as such, when viewed as property, they are plainly within the taxing power of the States, as they are not withdrawn from the operation of that power by any express or implied prohibition contained in the Federal Constitution.

He said further:

The opposite theory is indefensible in principle, contrary to the generally received opinion, and is wholly unsupported by any judicial determination. Direct adjudication to support that proposition is not to be found in the reported decisions of this court; but there are several cases which state such a tax if levied by a State would be legal, and no doubt is entertained the concession is properly made. Taxes levied by a State on ships and vessels owned by the citizens of the State as property based on the valuation of the same as other property is not within the prohibition of the Constitution.

Now, Mr. Speaker, it is the settled law by the Supreme Court of the United States that property of a ship owned by citizens of a State is subject to taxation by that State. It necessarily follows that we have no power to exempt it from State taxation. We can not exempt from taxation property clearly subject to taxation by the States and take

from the power of a State to tax when that power is unrestrained by any provision of the Constitution of the United States.

Mr. SPRINGER. Mr. Speaker, I was surprised on reading the report of the majority, as well as the minority, members of the joint committee on American shipping, to find it conceded by the unanimous judgment of that committee that registered vessels employed exclusively in the foreign carrying trade could be exempted by Congress from any State or municipal taxation. That committee, having concluded that this power to exempt from taxation rested with Congress, incorporated in the bill the twenty-second section, which provides—

That all registered ships, steamers, or vessels employed exclusively in the foreign carrying trade, &c., are hereby exempted from all State or municipal taxation.

The minority report of the committee is signed by GEORGE G. VEST, ROBERT M. MCLANE, and S. S. COX.

On page 20 of the report of the committee is presented an argument by the minority in favor of this power; and to support it the case of Weston *vs.* The State of Missouri is referred to, and also the case of the Western Union Telegraph Company *vs.* The State of Texas.

The case of Weston *vs.* The State of Missouri, although not given in full here, is to the effect, as quoted by this statement of the opinion of the Supreme Court, that:

Commerce is a term of the largest import. It comprehends intercourse for the purpose of trade in any and all its forms, including the transportation, purchase, sale, and exchange of commodities between the citizens of one country and the citizens and subjects of other countries, and between the citizens of different States. The power to regulate it embraces all the instruments by which such commerce may be conducted.

This opinion was pronounced by Mr. Justice Field, and is reported in 91 United States Reports, page 280.

That was cited by this special committee as authority for the twenty-second section of this bill; and also, as I have said, the case of the Western Union Telegraph Company, to which I will refer further on in my argument. This Weston case cited by the committee rose out of an act of the State of Missouri imposing a tax upon those dealing in certain articles manufactured out of the State and required them to pay a higher license than was required by those dealing in articles manufactured in the State. The Supreme Court held that this was a discrimination against interstate commerce which the State had no right to make, and was therefore unconstitutional. In the case of the Western Union Telegraph Company against Texas, referred to by the committee (reported in 105 U. S. Reports, page 464), the committee were of opinion, quoting from that decision, that it sustained the doctrine laid down in the twenty-second section of the bill. On the contrary, Mr. Speaker, the case referred to by the committee does not sustain the doctrine laid down by this section, but unquestionably the reverse of it in my judgment. I desire to ask your special attention to the case, as it was relied upon by the committee to sustain a most extraordinary doctrine, namely, that Congress might exempt the property of citizens of the States engaged in foreign commerce from State taxation. Chief-Justice Wait delivered the opinion of the court, and in that opinion it is stated:

The Western Union Telegraph Company having accepted the restrictions and obligations of this provision of Congress—

Referring to the act of Congress by which these telegraph companies became under obligations to the Government to transfer their property to the United States upon certain conditions, and also the right to build their lines over postal roads, navigable rivers, and on the public domain——

It occupies in Texas the position of an instrument of foreign and interstate commerce and of a Government agent for the transmission of messages upon public business.

Its property in the State—

"Its property," mark the language:

Its property in the State is subject to taxation the same as other property, and it may undoubtedly be taxed in a proper way on account of its occupation and business.

Mr. SINGLETON, of Illinois. What property is referred to?

Mr. SPRINGER. The property of the Western Union Telegraph Company in the State of Texas.

Mr. REAGAN. It is the right to send messages just as cargoes are sent on a ship.

Mr. SPRINGER. The law of Texas provides that the telegraph companies shall pay a tax of 1 cent for every full-rate message sent and one-half cent for every message less than full rate. The Supreme Court regarded this tax, in so far as it embraced messages to be sent out of the State, as an interference with interstate commerce. The court also held that the property of the company, real and personal, in the State was subject to taxation by State laws the same as other property, and they held—

And its property may undoubtedly be taxed in a proper way on account of its occupation and business.

Mr. REAGAN. Will the gentleman from Illinois permit me at this point to interrupt him for the purpose of getting at the real point in that decision?

Mr. SPRINGER. Certainly.

Mr. REAGAN. It is not the taxation of the local property that they are discussing in that connection, but it is the property in the right to charge for the transmission of messages that they are discussing; and it will mislead if the proposition is argued here upon the idea that it is with reference to the right to tax their local property. And while I will not take issue with the gentleman in his interpretation because I have not studied the subject, I would like him to state to the House in his argument if the property in the right to send messages is interstate property, and may be regulated as an instrument of commerce, how he will distinguish that from the right to send cargoes in ships that are interstate to foreign commerce? It is the right to transport or transmit, not the mere ownerships of local property, that is covered by that decision.

Mr. SPRINGER. The distinction, Mr. Speaker, is this, and is held through all the decisions of the court, that the State could tax the property which is within its limits according to its valuation. But where the property is engaged in commerce, whether internal within the State, if the tax be laid, as a tonnage tax, or generally as commerce among the States or with foreign nations, that the States could not levy a tax which would amount to a commercial regulation or interfere in any way with that commerce.

The difference is this: The State may not tax the commerce but it may tax the instrument or the means of commerce. It may not tax the tonnage of a vessel but it may tax the vessel itself. It can not tax the freights carried among the States, as in the State of Pennsylvania cases, but it may tax the gross receipts of the corporation engaged in transportation, and it may tax the car, the boat, and the vessel.

I desire to call the attention of the House to the "Passenger cases" decided, in 7 Howard, page 402. Mr. Justice McLean delivered the opinion of the court in these cases. It is there stated:

A State can not regulate foreign commerce, but it may do many things which more or less affect it. It may tax a ship or other vessel used in commerce the same as other property owned by its citizens.

Now, here is a positive decision of the Supreme Court upon a case precisely in point as to property which this bill undertakes to exempt from State taxation.

Mr. REAGAN. I desire the gentleman from Illinois to observe the distinction between a decision on a point before the court and reasoning which merely illustrates another point. That is merely reasoning to illustrate another point, and not a decision on that point.

Mr. SPRINGER. I assure the honorable gentleman the reasoning of the court in all cases has been in this line; and I will show him after a time a case precisely in point; and there is no adverse opinion in any decision of the court, and no conflict on the subject in any of the reported cases. I will indicate presently where the line was drawn by the Supreme Court.

It may tax—

Therefore the Supreme Court held, by Justice McLean, a State—

May tax a ship or other vessel used in commerce the same as other property owned by its citizens. A State may tax the stages in which the mail is transported, but this does not regulate the conveyance of the mail any more than taxing a ship regulates commerce. And yet in both instances the tax on the property in some degree affects its use.

This decision is in 7 Howard, page 402; and there has been no adverse opinion nor any conflicting opinion so far as I can find in the books.

I call attention of gentlemen to another case, a very important one, known as the State Tonnage-tax case. The syllabus of that case is this:

Although taxes levied, as on property, by a State upon vessels owned by its citizens, and based on a valuation of the same, are not prohibited by the Federal Constitution, yet taxes can not be imposed on them by the State "at so much per ton of the registered tonnage."

Because that is a tonnage tax, which the Constitution expressly prohibits.

Such taxes are within the prohibition of the Constitution that "no State shall, without the consent of Congress, lay any duty of tonnage."

Nor is the case varied by the fact that the vessels were not only owned by citizens of the State, but exclusively engaged in trade between places within the State.

See 12 Wallace, 204.

In this case I read further from the opinion of the court:

Power to tax, with certain exceptions, resides with the States independent of the Federal Government, and the power when confined within its true limits may be exercised without restraint from any Federal authority.

The court say that the power of the State to tax for its own purposes, when exercised within the limits of the State authority, can not be restrained by any Federal authority; yet this bill proposes to restrain the States from taxing the property of its citizens and corporations within their limits.

Mr. SINGLETON, of Illinois. Has my colleague any authority which denies to Congress the power to exempt vessels engaged in foreign commerce from taxation?

Mr. SPRINGER. I will answer my colleague, who is a strict constructionist. If there be such a power it must be expressed in the Constitution or deducible directly from some of the express powers in the Constitution. The States never intended to give up any of their rights except those specified in the instrument. The gentleman does not find it laid down in the Constitution that the General Government may exempt any property in the States from taxation. The exemptions in the Constitution are well defined and well understood and the courts have always uniformly decided as to their limit.

I read from the case in 12 Wallace:

They [the States] can not, however, without the consent of Congress, lay any duty of tonnage, nor can they levy any imposts or duties on imports or exports, except what may be absolutely necessary for executing their inspection laws, as without the consent of Congress they are unconditionally prohibited from exercising any such power. Outside of those prohibitions the power of the States to tax extends to all objects within the sovereign power of the States, except the means and instruments of the Federal Government. But ships and vessels owned by individuals and belonging to the commercial marine are regarded as the private property of their owners and not as the instruments or means of the Federal Government, and as such, when viewed as property, they are plainly within the taxing power of the States, as they are not withdrawn from the operation of that power by any express or implied prohibition contained in the Federal Constitution.

Mr. SINGLETON, of Illinois. Does my colleague mean to insist that the State has the power to prohibit foreign commerce?

Mr. SPRINGER. I have not asserted any such proposition.

Mr. SINGLETON, of Illinois. Then, I ask my colleague another question: whether the State may not, by the exercise of the taxing power for which my colleague contends, prohibit foreign commerce and drive every vessel from the ocean?

Mr. SPRINGER. There is a case reported in 3 Wallace, 713—Gilman against the city of Philadelphia—wherein the court did hold that a State might obstruct a navigable stream within its own limits by placing a bridge over it. I need not cite that case. I desire now to call the attention of the House to two other cases originating in the State of Pennsylvania. One was the case known as the State freight tax case, the Reading Railroad Company *vs.* the State of Pennsylvania, reported in 15 Wallace, 232. I will read the syllabus of the case:

1. The transportation of freight, or of the subjects of commerce, is a constituent part of commerce itself.
2. A tax upon freight, transported from State to State, is a regulation of commerce among the States.
3. Whenever the subjects in regard to which a power to regulate commerce is asserted are in their nature national, or admit of one uniform system or plan of regulation, they are exclusively within the regulating control of Congress.
4. Transportation of passengers or merchandise through a State, or from one State to another, is of this nature.
5. Hence a statute of a State imposing a tax upon freight taken up within the State and carried out of it, or taken up without the State and brought within it, is repugnant to that provision of the Constitution of the United States which ordains that "Congress shall have power to regulate commerce with foreign nations and among the several States, and with the Indian tribes."

The Supreme Court in that case held that the law of Pennsylvania which imposed such a tax upon freight taken up within the State and sent without the State, or freight brought from without the State and dropped within the State, was an interference with interstate commerce, and to that extent declared the law void.

I will now refer to a case directly in point, the decision of which will be found in the same book, 15 Wallace, page 292. That was another case of the Reading Railroad Company against the State of Pennsylvania. The case arose under a law of that State which imposed a tax upon the gross receipts of corporations engaged in transportation, whether by water or land. The provision of the law is this, and I desire to call the attention of gentlemen to it:

In addition to the taxes now provided by law, every railroad, canal, and transportation company incorporated under the laws of this Commonwealth, and not liable to the tax upon income under existing laws, shall pay to the Commonwealth a tax of three-fourths of 1 per cent. upon the gross receipts of said company.

This was the case upon which the Supreme Court drew the line. In the case heretofore cited, wherein the Commonwealth undertook to tax the freight rates in the State, the law was held to be unconstitutional and void. But when the State imposed a tax on the gross receipts of the corporations the argument made was to this effect: "This is the same as the other case; it interferes with interstate commerce, it interferes with foreign commerce, and therefore the law of Pennsylvania taxing the gross receipts of transportation companies must be declared void by the Supreme Court." But the Supreme Court did not agree to that. Between the tax upon gross receipts and the tax upon the freight itself the court drew the line as to State and Federal power with reference to State taxation.

I ask gentlemen to consider the opinion of the court in this case, which was pronounced by Mr. Justice Strong. I read from page 293:

No doubt every tax upon personal property, or upon occupations, business, or franchises, affects more or less the subjects and the operations of commerce. Yet it is not everything that affects commerce that amounts to a regulation of it within the meaning of the Constitution. We think it may safely be asserted that the States have authority to tax the estate, real and personal, of all their corporations, including carrying companies, precisely as they may tax similar property when belonging to natural persons, and to the same extent.

Here is a case for my learned friend from Texas [Mr. REAGAN] which is precisely in point, a case where a State imposes a tax on the gross receipts of the transportation companies within the State, which tax the Supreme Court held to be constitutional and within the power of the State and did not interfere with it, and I presume it is the law of Pennsylvania to-day. If you may tax the gross receipts of a corporation you may tax the real property, as the court here holds. Said the court in this case (I quote further from the same case):

We think it may safely be asserted that the States have authority to tax the estate, real and personal, of all their corporations, including carrying companies, precisely as they may tax similar property when belonging to natural persons, and to the same extent.

This bill not only exempts transportation companies from State taxation, but it exempts the property that belongs to individuals from the same tax if the property is engaged in foreign commerce. The court does not intimate and never has intimated that the States were in any way prohibited from or could be by the General Government prohibited from taxing the property within the State according to a rate of valuation. A ship engaged in foreign commerce may not touch the port of a particular State more than once in a dozen years. But it is registered in a port of that State, and at the place of its registration it has its *situs*, and is there liable to be listed as a piece of property under the laws of the State and taxed according to State authority. The court further says in this same case:

We think also that such taxation may be laid upon a valuation, or may be an excise, and that in exacting an excise tax from their corporations the States are not obliged to impose a fixed sum upon the franchises or upon the value of them, but they may demand a graduated contribution, proportioned either to the value of the privileges granted or to the extent of their exercise or to the results of such exercise. No mode of effecting this and no forms of expression which have not a meaning beyond this can be regarded as violating the Constitution. A power to tax to this extent may be essential to the healthy existence of the State governments, and the Federal Constitution ought not to be so construed as to impair, much less destroy, anything that is necessary to their efficient existence.

Mr. SINGLETON, of Illinois. Will my colleague allow me to ask him one question?

Mr. SPRINGER. Certainly.

Mr. SINGLETON, of Illinois. Would the State of Illinois have the right to tax a vessel engaged in foreign commerce, say between Boston and Liverpool.

Mr. SPRINGER. I can only answer my colleague by assuming a case that may exist. If that vessel is registered in the city of Chicago and owned there, has its *situs* there, then under the law and the decision of the Supreme Court it is subject to taxation in the State of Illinois the same as other property in that State.

Mr. SINGLETON, of Illinois. Let me put to my colleague one other question. Suppose a vessel is anchored or cabled to the land in New York, in the navigable waters of the United States, is that vessel properly within the jurisdiction of the State?

Mr. SPRINGER. I must answer again that the ship has its *situs* where its registry is.

Mr. SINGLETON, of Illinois. Its *situs* is upon the navigable waters, which are exclusively under the control of Congress.

Mr. SPRINGER. But all vessels must be registered in some port, and in that port it is liable to taxation, according to the laws of the State.

I desire to call attention further to this case of the Reading Railroad Company *vs.* The State of Pennsylvania. I quote further from pages 293, 294:

Is, then, the tax imposed by the act of February 23, 1866, a tax upon freight transported into or out of the State, or upon the owner of freight for the right of thus transporting it? Certainly it is not directly. Very manifestly it is a tax upon the railroad company, measured in amount upon the extent of its business, or the degree to which its franchise is exercised. That its ultimate effect may be to increase the cost of transportation must be admitted. So it must be admitted that a tax upon any article of personal property that may become a subject of commerce, or upon any instrument of commerce, affects commerce itself. If the tax be upon the instrument, such as a stage-coach, a railroad car, or a canal, or steamboat, its tendency is to increase the cost of transportation. Still, it is not a tax upon transportation, or upon commerce, and it has never been seriously doubted that such a tax may be laid.

Never until this committee reported the twenty-second section of this bill.

Mr. ROBESON. I understood the gentleman to state that a ship has its *situs* where it is registered. I am not disputing that proposition; but I wish to ask the gentleman under what law that is so?

Mr. SPRINGER. Under the registry laws of Congress.

Mr. ROBESON. Under what registry law?

Mr. SPRINGER. Under the law of Congress approved December 31, 1792, which requires vessels to be registered by the collector of the district nearest the residence of the owner.

Mr. ROBESON. Passed under the power of the United States to regulate commerce?

Mr. SPRINGER. Yes, sir; certainly.

Mr. ROBESON. That is all.

Mr. SPRINGER. In the case of Hayes *vs.* The Pacific Mail Steamship Company, reported in 17 Howard, page 596, the Supreme Court held that a vessel must be taxed at the place where it is registered. The State of California undertook to tax the steamers of the Pacific Mail Steamship Company, and the court held that that State could not tax those vessels because they were registered in the port of New York; that being registered in the city of New York that State was their *situs*, and there only were they liable to taxation.

Mr. MOULTON. That is an exception to the general rule as to personal property.

Mr. SPRINGER. As my colleague [Mr. MOULTON] well says, that is an exception to the general rule as to personal property. The ship must of necessity move; its home is upon the sea; and in order to fix it for the purpose of legal restraint or government regulation, and the citizenship of its flag (if I may use such a term), it must have a registry in some port, and that is where the ship has its abode—its *situs*. In pursuance of this idea the law requires that the name of the port where the vessel belongs shall clearly appear upon the vessel itself, so as to be read and known in whatever port of the world the vessel may be.

I have referred to some of the authorities upon this subject; but the other cases I have examined are all to the same effect. The States have not, under any provision of the Constitution or by virtue of any authority conferred upon the General Government, relinquished their right to tax within the State the property of its citizens.

What would be the effect of the doctrine contained in the twenty-second section of this bill? The power of Congress to make this exemption, if it exists, must be derived from that clause of the Constitution conferring upon Congress the power to regulate commerce among the States and with foreign nations. If this power includes the right to adopt such a provision as this twenty-second section, there would exist in Congress a similar power to exempt from taxation every railroad car in the United States and the property of all railroads engaged in interstate or foreign commerce. Not only would Congress be authorized to enact such an exemption, but the decisions of the Supreme Court are to the effect that taxes laid by any State in restraint of interstate or national commerce are void. Therefore, even in the absence of legislation by Congress, the courts would be compelled to enjoin the collection of such taxes by any of the State governments if the twenty-second section of this bill can be constitutionally enacted into law and upheld by the courts.

You need no clause in this bill with regard to taxation. The provisions of the Constitution on this subject are self-acting; they point out the limit of State and national taxation. If these vessels engaged in foreign commerce can be exempted from State taxation they are already exempt under the provisions of the Constitution, and no law of Congress can either enlarge or diminish the power of the States to tax this property.

What, then, would be the effect of enacting this provision? It would recognize as constitutional the power of the General Government to tax exclusively the cars engaged in the railroad traffic of the country, to tax all steamboats, omnibuses, and stage coaches engaged in interstate commerce. It would transfer from State jurisdiction all the vast property of transportation companies, and confer upon the General Government an exclusive power of taxation with respect to such property, because the power to exempt from taxation includes the power to tax.

Mr. SINGLETON, of Illinois. Will my colleague define for me interstate commerce?

Mr. SPRINGER. I will very gladly do so. I will not define it in my own language, but will refer my colleague to a judicial decision for its definition. I need not undertake to define this commerce myself, when it has already received judicial interpretation, and is therefore authoritatively settled.

I quote from the decision of Justice Washington (in Corfield *vs.* Coryell, 4 Washington's circuit court, 379):

> Commerce with foreign nations, and among the several States, can mean nothing more than intercourse with those nations and among those States for the purposes of trade, be the object of the trade what it may, and thus intercourse must include all the means by which it can be carried on, whether by the free navigation of the waters of the several States, or by a passage overland through the States, where such passage becomes necessary to the commercial intercourse between the States.

This would be a sufficient answer to my colleague if it came from myself; but as it comes from a court of the United States it should not only answer him but should answer all the members of the House who have supposed we should enact into legislation the principle contained in section 22 of this bill.

Mr. SINGLETON, of Illinois. What was the question before the court?

Mr. SPRINGER. I will not take the trouble to recite the case in full, but will hand the report over to my friend and let him look at it. I have not time now to quote further from the case, especially as it is not pertinent to the argument in which I am engaged.

I desire to ask members to consider in passing this important section whether they are not violating article 10 of the Constitution, which provides as follows:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The powers of the General Government in reference to taxation are laid down in the clauses of the Constitution to which I shall call attention. In the first article, clause 3, the Constitution provides that Representatives and direct taxes shall be apportioned among the several States according to population. If the power of the General Government to exempt vessels from taxation by the States is claimed, the power to tax these vessels must also exist, because the power to exempt from taxation, as I have already stated, includes the power to tax. The power to tax can exempt as well as tax. Therefore a tax on vessels would be a direct tax upon property, and such tax could only be laid by the General Government by being apportioned among the several States according to population. The taxing power of the General Government in regard to duties and imposts is as follows:

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.—*Article* 1, *section* 8, *clause* 1.

The SPEAKER. The gentleman's time has expired.

Mr. SPRINGER. In a moment. The other provisions of the Constitution on the subject of taxation relate to the tonage tax and prohibit the States without the consent of Congress from laying any imposts or duties on imports or exports and duties on articles exported from any State and prescribe the conditions under which capitation and direct taxes may be laid. But nowhere in the Constitution are the States prohibited from taxing any of the property of its citizens as property.

I ask consent of the House to print as a part of my remarks the decision of the Supreme Court in the case of The Wheeling, Parkersburgh and Cincinnati Transportation Company *vs.* The City of Wheeling, reported in 99 United States Reports, page 273. The case is directly in point and the opinion reviews all the authorities. Mr. Justice Clifford delivered the opinion of the court. It is as follows:

> Power to impose taxes for legitimate purposes resides in the States as well as in the United States, but the States can not without the consent of Congress lay any duty of tonnage nor can they levy any imposts or duties on imports or exports, except what may be absolutely necessary for executing their inspection laws, as without the consent of Congress they are prohibited from exercising any such power. Outside of those prohibitions the power of the States extends to all objects within their sovereign power, except the means and instruments of the Federal Government. (State tonnage tax cases, 12 Wall., 212.)
>
> Taxes levied by a State upon ships or vessels as instruments of commerce and navigation are within the clause of the Constitution which prohibits the States from levying any duty of tonnage without the consent of Congress, and it makes no difference whether the ships or vessels taxed belong to the citizens of the State which levies the tax or to the citizens of another State, as the prohibition is general, withdrawing altogether from the States the power to lay any duty of tonnage under any circumstances without the consent of Congress.
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> Pending the controversy in the subordinate State court the parties by consent filed in the case an agreed statement of facts, from which and the pleadings it appears that the plaintiffs commenced an action of assumpsit against the defendants to recover back certain sums of money which the latter involuntarily paid to the former as taxes wrongfully assessed, as they allege, upon four certain steamboats which they owned, and which for four years or more they employed in carrying passengers and freight between the port of Wheeling and other ports on the Ohio River.
>
> It appears that the plaintiffs are an incorporated company organized under the law of the State, and that the defendants are a municipal corporation chartered as a city under the law of the same State. Authority is vested in the city to assess, levy, and collect an annual tax, under such regulations as they may prescribe by ordinance, for the use of the city, on personal property in the city, not to exceed in any one year 50 cents on every $100 of the assessed valuation thereof. By the same law it is provided that personal property shall be deemed to include all subjects of taxation which the assessors, acting under the laws of the State, are or shall be by law required to enter on their books as such property for the purpose of State taxation. Pursuant to that law taxes were assessed, for the several years mentioned, against the plaintiffs for the appraised value of the four steamboats and the furniture of the same, which they owned and used as aforesaid, it appearing that the plaintiffs' principal place of business was Wheeling and that three of the steamboats were usually lying at the wharf or at the bank of the river within the corporate limits of the city.
>
> Throughout the whole period each of the steamboats was duly enrolled and licensed as coasting vessels under the laws of the United States, and the agreed statement shows that the plaintiffs paid for each all dues, fees, and charges which were properly demandable under those laws. Payment of the taxes was made under protest and in order to escape the seizure and sale of the steamboats.
>
> Service was made, and the parties having waived a jury and filed an agreed statement of facts as before stated, submitted the case to the court of original jurisdiction. Hearing was had and the court rendered judgment in favor of the defendants. Exceptions were filed by the plaintiffs and they removed the case into the supreme court of the State, called the court of appeals, where the judgment of the subordinate court was affirmed. Though defeated in both of the State courts, the plaintiffs sued out the present writ of error and removed the cause into this court.
>
> Since the transcript was entered here the plaintiffs have assigned for error that the State court of appeals erred in holding that the taxes levied are not within the constitutional prohibition that no State, without the consent of Congress, shall lay any duty of tonnage.
>
> Ships or vessels of ten or more tons' burden, duly enrolled and licensed, if engaged in commerce on waters which are navigable by such vessels from the sea, are ships and vessels of the United States, entitled to the privileges secured to such vessels by the act for enrolling and licensing ships or vessels to be employed in the coasting trade. (1 Stat. at Large, 305; 1 *Id.*, 287.)
>
> Authorities to show that the States are prohibited from subjecting any such ship or vessel to any duty of tonnage is scarcely necessary, as that proposition is universally admitted, the only question which can properly arise in the case presented for decision being whether the tax as imposed by State authority is or is not a tonnage duty within the meaning of the Constitution. Tonnage duties can not be levied, but it is too well settled to admit of question that taxes levied by a State upon ships or vessels owned by the citizens of the State, as property, based on a valuation of the same as property, to the extent of such ownership, are not within the prohibition of the Constitution.
>
> Power to tax for the support of the State governments exists in the States independently of the National Government, and it may well be assumed that where there is no cession of contradictory or inconsistent jurisdiction in the United States, nor any restraining compact in the Constitution, the power in the States to tax for the support of the State authority reaches all the property within the State which is not properly regarded as the instruments or means of the Federal Government. (Nathan *vs.* Louisiana, 8 How., 82; Brown *vs.* Maryland, 12 Wheat., 448; Weston *vs.* Charleston, 2 Pet., 467.)
>
> Beyond question these authorities show that all subjects over which the sovereign power of a State extends are objects of taxation, the rule being that the sovereignty of a State extends to everything which exists by its own authority or is introduced by its permission, except those means which are employed by Congress to carry into execution the powers given by the people to the Federal Government, whose laws made in pursuance of the Constitution are supreme. (McCulloch *vs.* Maryland, 4 Wheat., 429; Savings Society *vs.* Coite, 6 Wall., 604.)
>
> Annual taxes upon ships and vessels for the support of the State governments as property, upon a valuation as other personal property, are everywhere laid; nor is it believed that it requires much argument to prove that the opposite theory is unsound and indefensible in principle, as it is contrary to the generally received opinion and wholly unsupported by any judicial determination. Instead of that there are many cases in which the courts in refuting the authority of the States to lay duties of tonnage have admitted that the owners of ships may be taxed to the extent of their interest in the same for the value of the property. Assessments of the kind, when levied for municipal purposes, must be made against the owner of the property, and can only be made in the municipality where the owner resides.
>
> Though a ship, when engaged in the transportation of passengers, said Taney, Ch. J., is a vehicle of commerce and within the power of regulation granted to

Congress, yet it has always been held that the power to regulate commerce, as conferred, does not give to Congress the power to tax the ship nor prohibit the State from taxing it as the property of the owner when he resides within their own jurisdiction; and he adds that the authority of Congress to tax ships is derived from the express grant of power in the eighth section of the first article, to lay and collect taxes, *duties*, imposts, and excises, and that the inability of the States to tax the ship as an instrument of commerce arises from the express prohibition contained in the tenth section of the same article. (Passenger Cas., 7 How., 479.)

Support to that view is also derived from one of the numbers of the Federalist, which has ever been regarded as entitled to weight in any discussion as to the true intent and meaning of the provisions of our fundamental law. By that number it is maintained that no right of taxation which the States had previously enjoyed was surrendered, unless expressly prohibited, and that the right of the States to tax was not impaired by any affirmative grant of power to the General Government, that duties on imports were a part of the taxing power, and that the States would have had a right, after the adoption of the Constitution, to lay duties on imports and exports if they had not been expressly prohibited from doing so by that instrument. (Federalist, No. 32.) From which it follows, if the writer of that publication is correct, that the power granted to regulate commerce did not prohibit the States from laying import duties upon merchandise imported from foreign countries, that the commercial clause does not apply to the right of taxation in either sovereignty, the taxing power being a distinct and separate power from the power to regulate commerce, and that the right of taxation in the States remains over every subject where it before existed, with the exception only of those expressly or impliedly prohibited.

Neither imposts nor duties on imports or exports can be levied by a State except what may be absolutely necessary for executing its inspection laws, nor can a State levy any duty of tonnage without the consent of Congress. State power of taxation is doubtless very comprehensive, but it is not without limits, as appears from what has already been remarked, to which it may be added that State tax laws can not restrain the action of the national authority, nor can they abridge the operation of any law which Congress may constitutionally pass. They may extend to every object of value not excepted as aforesaid within the sovereignty of the State, but they can not reach the means and instruments of the Federal Government, nor the administration of justice in the Federal courts, nor the collection of the public revenue, nor interfere with any constitutional regulation of Congress.

Power to tax its citizens or subjects in some form is an attribute of every government, residing in it as part of itself, and hence it follows that the power to tax may be exercised at the same time upon the same objects of private property by the State and by the United States without inconsistency or repugnancy. (McCulloch vs. Maryland, 4 Wheat., 429; Prov. Bank vs. Billings, 4 Pet., 568.)

Such power exists in the State as one conferred or not prohibited by the State constitution, and in the Congress by express grant. Hence the existence of such powers is perfectly consistent, though the two governments in exercising the same act entirely independent of each other as applied to the property of the citizens.

Legislative power to tax, as a general proposition, extends to all proper objects of taxation within the sovereign jurisdiction of a State, but the power of a State of the Union to lay taxes does not extend to the instruments of the National Government, nor to the constitutional means to carry into execution the powers conferred by the Federal Constitution. Tax laws of the State can not restrain the action of the National Government, nor can they circumscribe the operation of any constitutional act of Congress. They may extend to every object of value belonging to the citizen within the sovereignty of the State, not within the express exemptions of the Constitution, or those which are necessarily implied as falling within the category of means or instruments to carry into execution the powers granted by the fundamental law. (Day vs. Buffington, 3 Cliff., 387.)

Power to levy taxes, said Marshall, Ch. J., could not be considered as abridging the right of the States on that subject, it being clear that the States might have exercised the power to levy duties on imports or exports had the Constitution contained no prohibition upon the subject, from which he deduces the proposition that the prohibition is an exception from the acknowledged power of the States to levy taxes, and that the prohibition is not derived from the power of Congress to regulate commerce. (Gibbons vs. Ogden, 9 Wheat., 201.)

States, said Mr. Justice McLean, can not regulate foreign commerce, but he held in the same case that they may tax a ship or other vessel used in commerce the same as other property owned by its citizens, or they may tax the stages in which the mail is transported, as that does not regulate the conveyance of the mail any more than the taxing the ship regulates commerce, though he admitted that the tax in both instances affected in some degree the use of the property, which undoubtedly is correct. (Passenger Cas., 7 How., 402.)

Enrolled vessels engaged in conveying passengers and freight, which were owned by citizens of the State of New York, entered the port of San Francisco, and while there were compelled to pay certain taxes. Payment having been made under protest, the owners of the vessels brought suit to recover back the amount, and Mr. Justice Nelson, in disposing of the case here, in behalf of the court held "that the vessels were not, in any proper sense, abiding within the limits of California so as to become incorporated with the other personal property of the State; that they were there but temporarily, engaged in lawful trade and commerce, with their *situs* at the home port where the vessels belonged and where the owners were liable to be taxed for the capital invested and where the taxes had been paid," which shows to a demonstration that the owners of ships and vessels are liable to taxation for their interest in the same upon a valuation as for other personal property. (Hays vs. Ship Co., 17 How., 599.)

Ships, when duly registered or enrolled, are instruments of commerce and are to be regarded as means employed by the United States in execution of the powers of the Constitution; and therefore they are not subject to State regulations. (Sinnot vs. Davenport, 22 How., 227.)

Such instruments or means are not given by the people of a particular State, but by the people of all the States, and upon principle as well as authority should be subjected to that government only which belongs to all.

Taxation, beyond all doubt, is the exercise of a sovereign power, and it must be admitted that all subjects over which the sovereign power of a State extends are objects of taxation; but it is equally clear that those objects over which it does not extend are exempt from State taxation, from which it follows that the means and instruments of the General Government are exempt from taxation. (McCulloch vs. Maryland, 4 Wheat., 429.)

Tonnage duties on ships by the States are expressly prohibited, but taxes levied by a State upon ships or vessels owned by the citizens of the State as property, based on a valuation of the same as property, are not within the prohibition, for the reason that the prohibition, when properly construed, does not extend to the investments of the citizens in such structures.

Duties of tonnage, says Cooley, the States are forbidden to lay, but he adds that the meaning of the prohibition seems to be that vessels must not be taxed as vehicles of commerce, according to capacity, it being admitted that they may be taxed like other property. (Cooley's Const., Lim., 4th ed., 606.)

"Vessels are taxable as property," says the same author, and he adds that "possibly the tax may be measured by the capacity when they are taxed only as property and not as vehicles of commerce," which may be true if it clearly appears that the tax is to the owner in the locality of his residence, and is not a tax upon the ship as an instrument of commerce. (Cooley on Taxation, 61.)

Whatever more general or more limited view may be entertained of the true meaning of the clause, says Mr. Justice Miller, it is perfectly clear that a duty, tax, or burden imposed under the authority of the State, which is by the law imposing it to be measured by the capacity of the vessel, and is in its essence a contribution claimed for the privilege of arriving and departing from a port in the United States, is within the prohibition. (Cannon vs. New Orleans, 20 Wall., 581; Tonnage Cases, 12 *Id.*, 210; Peete vs. Morgan, 19 *Id.*, 582.)

Decided cases of the kind everywhere deny to the States the power to tax ships as the instruments of commerce, but they all admit, expressly or impliedly, that the State may tax the owners of such personal property for their interest in the same. Corresponding views are expressed by Mr. Burroughs in his valuable treatise upon taxation. He says that vessels of all kinds are liable to taxation as property in the same manner as other personal property owned by citizens of the State; that the prohibition only comes into play where they are not taxed in the same manner as the other property of the citizens, or where the tax is imposed upon the vessel as an instrument of commerce, without reference to the value as property. (Burroughs on Taxation, 91; Johnson vs. Drummond, 20 Gratt., 419.)

Property in ships and vessels, say the court of appeals of Maryland, before the Federal Constitution was adopted, was within the taxing power of the State, and they held that such property since that time, when belonging to a citizen of the State living within her territory and subject to her jurisdiction, and protected by her laws, is a part of his capital in trade, and, like other property, is the subject of State taxation. (Howell vs. The State, 3 Gill, 14; Perry vs. Torrence, 8 Ohio, 522.)

Beyond all doubt the taxes in this case were levied against the owners as property, upon a valuation as in respect to all other personal property, nor is it pretended that the taxes were levied as duties of tonnage. Congress has prescribed the rates of measurement and computation in ascertaining the tonnage of American ships and vessels, and in the light of those regulations Burroughs says that the word tonnage means the contents of the vessel expressed in tons, each of one hundred cubical feet (page 89).

Homans says that the word has long been an official term, intended originally to express the burden that a ship would carry, in order that the various dues and customs levied upon shipping might be imposed according to the size of the vessel, or rather in proportion to her capability of carrying burden.—*Homans's Dic., Com. and Nav.*, Tonnage.

Tested by these definitions and the authorities already cited, it is as clear as anything in legal decision can be, that the taxes levied in this case are not duties of tonnage, within the meaning of the Federal Constitution. Taken as a whole the contention of the plaintiffs is not that the taxes in question are duties of tonnage, but their proposition is that ships and vessels, when duly enrolled and licensed for the coasting trade, are not subject to State taxation in any form, and that the owners of the vessels can not be taxed for the same as property, even when valued as other personal property, as the basis of State or municipal taxation.

Opposed as that theory is to the settled rule of construction that the commercial clause of the Constitution neither confers, regulates, nor prohibits taxation, it is not deemed necessary to give the theory much further consideration. (Gibbons vs. Ogden, 9 Wheat., 201.) By that authority it is settled that the power to tax and the power to regulate and prohibit taxation are given in the Constitution by separate clauses, and that those powers are altogether separate and distinct from the power to regulate commerce, from which it follows, as a necessary consequence, that the enrollment of a ship or vessel does not exempt the owner of the same from taxation for his interest in the ship or vessel as property, upon a valuation of the same as in the case of other personal property.

Judgment affirmed.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. BLACKBURN, from the Committee on Appropriations, reported back the amendments of the Senate to the bill (H. R. 7050) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1884, and for other purposes, and moved that they be non-concurred in.

Mr. HOLMAN. The amendments are not numerous, and I ask that they be read.

Mr. BLACKBURN. There are only four of them.

The amendments were read, and then were non-concurred in.

Mr. BLACKBURN moved to reconsider the vote by which the amendments of the Senate were non-concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CONSULAR AND DIPLOMATIC BILL.

On motion of Mr. BURROWS, of Michigan, by unanimous consent, the amendments of the Senate to the bill (H. R. 6957) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1884, and for other purposes, were taken from the Speaker's table and non-concurred in.

AMERICAN SHIPPING.

The SPEAKER. The House resumes the consideration of the bill (H. R. 7061) to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen. The Chair recognizes the gentleman from Alabama [Mr. HERBERT] as entitled to the floor.

Mr. HERBERT. Mr. Speaker, I shall not detain the House at any length in the discussion of the pending proposition; but I hope I may be able in the short time I shall occupy the floor to advance some views on this bill which have not heretofore been sufficiently considered by this House.

This bill is one of great importance. We propose by it to extend to the sea the same system of protection which has so long obtained upon the land. That system has brought us, I might say, many blessings, but at the same time we have paid for them at a fearful cost; and before we undertake to adopt upon the seas this same system of protection I think it behooves us to stop and consider well the cost.

It is admitted on all hands that this bill proposes to enter upon a system of subsidies. This is simply the first step. By this bill we propose to subsidize ship-building. The report of the committee indicates that after we have done this, in order to restore our carrying trade we must take another step and subsidize those who run ships. Both of these steps

are necessary to be taken before we can restore the carrying trade of the United States. In my opinion, Mr. Speaker, it is important that we should have a merchant marine. It is important we should have trained sailors. To have ships and sailors would aid us in case of a war with foreign nations, or in case of a war between any of the great nations which now carry the commerce of the world.

Another argument usually spread before the people in very attractive form is that we pay nearly tens of millions of dollars to foreigners to carry our commerce, and that we ought to save that money by doing our own carrying. This argument on its face is worth little or nothing. We pay others to carry for us and they do it for less than we could do it for ourselves. The compensation they receive is small, smaller than our capitalists could afford to undertake it for.

Mr. Speaker, it may be unpatriotic to say it, but the farmer in the West who sends his wheat to Europe, or the cotton-grower in the South who sends his cotton to Liverpool, just like the merchant in Boston, cares very little whether that cotton or wheat or that freight is carried in foreign bottoms or in American bottoms. If foreigners, compelled by their necessities to be seafaring people, and enjoying the benefits of cheap money and low interest, can carry for less than the American whose capital pays better in other employments, it is a matter of dollars and cents better for the producers and shippers of freight to have the foreigner do it.

Still, though the argument about saving freights as a matter of economy is deceptive and worthless, nevertheless we ought to have trained sailors and more vessels, because in case of a war between foreign nations (those nations which now do our carrying trade) our commerce would suffer.

What, then, is the simplest remedy for us to adopt? Is it to pass this bill? Is it to encourage in this manner and promote the building of ships? Suppose, as one of the gentlemen said on this floor on yesterday, the war which he says is imminent should break out to-day between European nations; how long would it take to build a merchant marine even under this law? Why, the war might be over and irreparable disaster inflicted on our commerce before ships could be built to carry our freights.

But if an amendment which has been proposed to this bill were passed, allowing American citizens to buy ships wherever they can be bought and to sail them under the American flag, the merchant ships of the countries at war with each other could be transferred to the American flag almost instantaneously. We might purchase in a fortnight more vessels than could be built in years. Therefore, as a remedy for the evils that would afflict us in the case of a foreign war, certainly free ships would be far better than this bill, which at most could only provide for building them up very slowly.

Then let us look at this bill in another aspect. Its sole purpose is by a system of subsidies to secure the building of ships in America. It is confessed by the committee itself that it will not secure the running of ships by Americans. This they say will remain to be done by still further subsidies. Let us, before proceeding to take this initial step, count the actual cost of it. Who are interested in the bill? What classes are urging it here? I send to the Clerk a recent number of the American Protectionist, and ask to have read the clause which I have marked:

The Clerk read as follows:

319 BROADWAY, NEW YORK, *December* 23, 1882.

DEAR SIR: As chairman of the sub-committee on shipping, appointed by the national tariff convention, I take the liberty of calling your attention to the report, No. 1827, of the joint Congressional and the bill H. R. 7061 now before the House of Representatives, which will be called up early in January. The passage of this measure is of the most vital importance to American shipping and of our industries generally, as will be seen by the annexed schedule of industries affected by ship-building, and whose ruin would be certain if a free-ship bill is ever passed by Congress.

To secure the passage of the joint committee bill it is necessary that manufacturers and others in favor of protection to American industries should at once bring to bear upon Congress all legitimate agencies within their control. Will you, if it is possible, assist in this effort by meeting with others of like views at Willard's Hotel, Washington, District of Columbia, on Monday, January 8, 1883? If you can not be present there, please write to the Congressman from your district and the Senators from your State and secure their votes and active influence in behalf of the bill. Please send to the undersigned, at the office of the American Protectionist, No. 319 Broadway, New York, the names of the Senators and Representatives to whom you write, the nature of the replies received from them, and your opinion as to their probable course.

This is the first question that comes up in this session of Congress that directly bears upon the question of protection, and upon its decision will largely depend the disposition of the tariff bill.

Yours, respectfully,

H. C. CALKINS, *Chairman.*
MARCUS HANLON, *Secretary.*

Mr. HERBERT. Here we see, Mr. Speaker, a call made by the chairman of the shipping committee, which is seeking to carry this bill through Congress, upon all of the industries supposed to be interested in the passage of it. It is usual when a subsidy is sought at the hands of Congress for the subsidists and their friends to flock to Washington. It has been usual for them to use every influence they could possibly bring to bear and every means in their power to induce Congressmen to favor and pass their measures; and I certainly must say that I like the manner of this gentleman. It is, to say the least, honest, honorable in him to publish to the world a call on all the industries who may be interested in this subsidy to be granted here to come to Washington and urge it through in person.

But I want to interpret that letter a little. Right after that follows a list of the industries interested in American ships, as follows:

FREE SHIPS MEAN FREE TRADE—INDUSTRIES INTERESTED IN AMERICAN SHIPS.

Material and outfits for steamers completed and contracted for by John Roach & Son, from January 1, 1880, to January 1, 1882.

Pig-iron, 3,450 tons		$86,250 00
Manufactured iron plates, angles, bars, rivets, forgings, &c., 47,824,000 lbs		1,673,840 00
Copper, 805,000 lbs		193,200 00
Lead, 127,500 lbs		8,925 00
Lumber, 6,750,000 feet		306,000 00
Coal, 18,000 tons		80,000 00
		2,357,215 00
Anchors	9,780 96	
Chains	22,968 42	
Boats	16,650 00	
Life-rafts	6,660 00	
Steam windlasses, manufactured by the American Ship Windlass Company, Providence, Rhode Island	30,200 00	
Capstans, steam and hand	8,200 00	
Life-preservers	8,670 00	
Hose	4,265 00	
Fire-buckets	1,977 00	
Axes	300 00	
Deck lines	14,736 80	
Lamps and lanterns	16,800 00	
Nautical instruments	6,425 00	
Flags	4,200 00	
Rigging wire, Manila, and blocks	23,900 00	
Sails and awnings	21,630 00	
Canvas for decks	12,850 00	
Plumbing and brassing	43,500 00	
Steam-pumps	27,800 00	
Steam-gauges	3,300 00	
Upholstery, bedding, linen, &c	91,562 64	
Carpets	31,516 60	
Silverware	24,707 40	
Stoves and kitchen and cooking utensils	17,809 60	
Crockery and glassware	11,600 41	
Gas and steam pipe and fittings	28,000 00	
Hoisting-engines	35,600 00	
Spars for masts	12,500 00	
Paints and oils	65,000 00	
Joiners' hardware, locks, screws, &c	10,700 00	
Covering for boilers, pipes, &c	18,000 00	
Engineers' tools and instruments	9,000 00	
Drawing-paper, tracing-cloth, &c	3,500 00	
Cabin and state-room furniture, chairs, tables, brushes, pails, baskets, cuspidors, &c	15,675 00	
Glass for side lights and windows	5,860 00	
Porcelain and glass name-plates	2,500 00	
		674,350 83
Total amount		3,031,565 83

The ship-yards of Harlan & Hollingsworth, Cramp & Sons, and others, use goods of the same character.

Being interpreted this circular is an open call to the protected industries, who have received so much from the hands of Congress, to flock to Washington and lobby through more subsidies, more of the people's money. It says to the iron and steel, "Look at the list and see what fat picking there is for you if this bill passes. John Roach, in his ship-yard, has used $2,357,000 worth of iron and steel in the last year. The bill proposes to help him buy more iron and more steel and compels him to buy it from you. Therefore come to Washington and help lobby through. The people who will pay this subsidy are at home at work on their farms or at labor in their shops or behind their counters. Let them stay there; let us go to Washington and push through this subsidy."

The list is complete and the appeal is made to all who are interested directly or remotely in the subsidy to come and join the noble army of lobbyists—to manufacturers of the fire-buckets, deck lines, of nautical instruments, of flags, of rigging, sails and awning, canvas, upholstery, bedding, carpets, of silverware, of stoves, kitchen and cooking utensils, cutlery, and glassware, paint, oils, and other things too numerous to mention.

These gentlemen, in response to that letter, were to hold a meeting last night in this city for the purpose of urging the passage of this bill. By their combined strength they propose to put it through. They do not represent the people who have the taxes to pay, but only a small proportion of the tax-payers and the laborers.

I wish to God the farmers of this country had it in their power to combine; had it in their power to bring to bear their influence to secure their rights against these powerful combinations which seek to dictate to Congress what laws they shall pass. But after all, Mr. Speaker, they have that power if they would only exercise it. They have only to combine at the polls with other classes of consumers of manufactured merchandise and elect Representatives who will protect their rights. They have the power to do it; and if the farmers of the West would only lay aside those prejudices that have in times past bound them to the protectionists, then through their Representatives here they could command legislation that would be just and fair, legislation that would not take money out of the pockets of some and put it into the pockets of others.

The gentleman from Maryland [Mr. MCLANE] said on yesterday that this was not a question of tariff, that the tariff had nothing to do with it. It is true this is not a tariff bill, but you see here those who are interested in it, and if the tariff has nothing to do with the bill the tariff men shall have something to do with it. And here as it ever is whenever a new step in the direction of protection is proposed the

monopolists come to the front in solid array to strengthen the combinations by which they intend to control in their own interests the legislation of the country. Thus have they taken millions and billions of dollars from the people.

But now let us go to the bill. I am in favor of many of its propositions. I believe we ought to put American shipping as far as possible on the same footing with the shipping of other nations. I think the provisions of this bill which repeal restrictions heretofore put upon American shipping are right and proper and they have my hearty support. But there are some provisions I can not agree to. For instance—and I desire to call the attention of the members of this committee to it—section 14 provides:

That section 2514 of the Revised Statutes be amended so as to read as follows:
"SEC. 2514. That all articles and materials of foreign production needed for the repair of vessels engaged in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, and all ship stores, cordage, rigging, canvas for sails, and coal to be used and consumed on board of any such vessel, may be withdrawn from bonded warehouses free of duty, under such regulations as the Secretary of the Treasury may prescribe."

Now, if I can get the attention of the committee to this question I desire to ask them why they propose this change in section 2514. That section now provides that American vessels, and American vessels only, may withdraw without the payment of the duty these foreign products from bonded warehouses. What is the purpose of extending this privilege to other vessels, of putting foreign vessels on the same footing with American vessels? Why, I thought this bill was intended to benefit the American shipping! Instead of that, when you find a statute on the books which does provide for a protection to the American shipowner, relieving him of taxation as to these foreign products which he wishes to withdraw from the warehouse, you extend that also to foreigners; you find it does not include ship-stores, and so you broaden it and make it include ship-stores and those other articles. That is all very proper, but why you extend to foreigners a privilege heretofore only granted to Americans I can not conceive.

There certainly can be no treaty which requires you to do this. That statute has been on the books for years, and I have heard no complaint of the violation of any treaty. There could be no treaty—of course I have not looked through them all, but there could be no treaty by which the United States could surrender its right to give a bonus to its own shipping, as it did in this section 2514, which simply relieves from taxation *pro tanto* or to that extent the American shippers. Now, this bill, confessedly for the purpose of aiding American shipping, comes in and extends that privilege also to foreign ships. Unless some good reason be given for this I shall move, when we come to consider this bill by sections, to strike out the privilege to foreign ships to withdraw these stores from the warehouse without duty.

I said this bill was a protectionist measure. So it is; and protection is always inconsistent with itself. No bill, no system of protection can be framed which will not bristle with absurdities and self-contradictions. This bill is an illustration.

The full-blown protectionists will tell you free trade is never a blessing at all; and yet when they want to encourage a particular industry—shipping in this case—they give to it free trade here in this section as to certain things. Now, if you wanted to encourage farmers would you not give them a little of the same sort of blessing? If free trade is an encouragement to shipping would it not be an encouragement to farming? And yet every time any step is taken in that direction protectionists cry out that is all wrong.

Mr. Speaker, I do not wish to be misunderstood; I am not a free trader; that is to say, that while I believe in the theory of free trade I also know we must have revenue. This I believe in collecting mostly by a tariff on imported goods, so I am for a tariff for revenue. I would also recognize existing facts when we come to revise the tariff, and I would not suddenly strike down the industries which have grown up under the fostering care and protection of the law so as to bring distress upon the country. But I believe wise statesmanship would lead us by wise measures constantly in the direction of tariff for revenue, instead of making new strides in protection. That is what we contend for on this side. But I am digressing.

I come now to section 18 of this bill. Other gentlemen have criticised it, but it seems to me they have not got down to the marrow of it yet. It occurs to me, with all due deference to the distinguished gentlemen composing this committee, that they themselves do not properly appreciate the magnitude and extent of the subsidy proposed to be granted by that eighteenth section. I say so because on reading their report I find on pages 6 and 7 a statement by them that in order to find out what would be the practical working of the plan proposed by this section, they submitted this question to the Delaware River Iron Ship-building and Engine Works Company; and that some officer of that corporation made a calculation upon two or four—I do not remember the number precisely—ships just constructed by them, and ascertained that this would be giving a subsidy on passenger ships of $34 per ton, and a subsidy on iron steamships for freight of $15 per ton.

That simple calculation seems to have satisfied the committee, and therefore they adopted this section seemingly on the idea that the ratio of subsidy would be about the same in all cases. I do not say that calculation did not apply to those ships; but would it apply to all other ships? The principle of this section 18 is to give on each American article used in building or equipping a ship a rebate equal to what the tariff would be on a similar article if imported. And so the section leaves it to the ship-builder or the owner, or both combined, to say of what material the ship shall be built. This applies not only to the building of the ship, but to its equipment and its furnishing. Now, it is human nature that the builder or the owner, in selecting the material, will take that on which he will make the greatest profit. As to some manufactures the difference between the English and the American article is nothing like so great as the tariff.

On all such articles as that, the owner who wanted a ship built would make large profits. I can show you, I think, that under this bill a builder could at John Roach's works, in Philadelphia, construct a ship of steel cheaper than he could build a ship of iron.

Looking over in the list I sent to the Clerk's desk to be read, the list of articles used by John Roach in the construction of ships, I made a calculation to see how much his 3,450 tons of iron cost him per ton, and it was something between $22 and $23 per ton. Now suppose he were to build a ship of steel? According to the newspapers he would find that American steel can be laid down on American soil to-day for $40 per ton. The tariff on steel is $28 per ton. Now if he should select steel instead of iron with which to build his vessel, the Government would pay him $28 per ton, in the way of rebate, and he himself would pay only $12 per ton for the steel used in that vessel. If he should build it of iron he would get a rebate of only $7 per ton, and $7 from $22 would leave $15. Therefore the iron would cost the builder $15 per ton and the steel would cost him only $12 per ton.

Now, gentlemen of the committee, is that what you mean? Did you mean to give to the builder or to the owner of vessels under this bill the right to choose the material in that way so that the greatest profits would always come to the builder by the Government paying the largest proportion of the cost of the article? In the case I have mentioned the people of this country, when a vessel was built under this law of steel, would pay $28 toward the material while the owner paid only $12.

And so in regard to the furnishing of ships. Take the article of carpeting. An immense profit would be made on that article, because there is very little difference between English and American prices of that article. The tariff on blankets is 98 per cent. That is prohibitory. That rebate would give the ship-owner an immense profit. So of the rebate on silverware and on many other articles.

From all such things the ship-owner who made a contract for a ship under this bill would make a profit, while the American people would pay nobody can tell how much. I have not undertaken to be accurate in all my figures. It is not necessary to the argument. The figures I have used are sufficiently accurate for illustration.

Now, the committee say in their report that they think the amount paid by the Government would be about $34 per ton for passenger steamers, and $15 per ton for freight steamers. Then why not put it at that amount? Why not say you propose to pay that amount in money taken out of the Treasury, for that is where you obtain the money? Why not pay a sum certain, so that the people of the United States will know that whenever under this law a hundred thousand tons of iron freighting ships are constructed, upon which a bonus of $15 a ton is paid, that would be a million and a half of dollars, while if you build a hundred thousand tons of steel ships, on which the bonus is $28, they would pay $2,800,000?

These figures would look rather ugly, but you ought to be open and square with the people and let them know just exactly how much they will have to pay if we pass this bill.

Mr. LORD. Will the gentleman from Alabama [Mr. HERBERT] allow me to interrupt him for a single moment?

Mr. HERBERT. Certainly.

Mr. LORD. I wish to inquire of the gentleman whether he has observed that there was offered yesterday an amendment which was acceptable to a majority of the committee having charge of this bill, which provides that the amount to be paid under this bill shall not in any one single year exceed the amount collected on tonnage duties, which would be about one and a half millions of dollars; also that the drawback on any one article should not exceed 35 per cent.? Such an amendment was offered yesterday and appears in the RECORD to-day, and gentlemen on the floor having charge of the bill have expressed willingness to make it a part of the bill. I call the attention of the gentleman to that fact simply because it takes all the force out of the remark of the gentleman that the rebate under this bill may run up to very large figures.

Mr. HERBERT. I observed that such an amendment was offered, but I did not observe that the committee had expressed a willingness to adopt it. I certainly did not suppose they would agree to an amendment which would utterly emasculate their bill.

Mr. LORD. Never mind; they will take the risk of that. I am obliged to the gentleman for his courtesy, but I wished him to understand that in offering that amendment it was announced to the House that it was with the consent and approbation of the committee having charge of the bill.

Mr. HERBERT. I did not observe that. I want to say, however,

that I am glad if you have accepted an amendment of that kind. Still, it does not answer the argument I have made. As I said, it will emasculate this bill, for that would not be a drop in the bucket. Here is John Roach, who has used so many millions of dollars' worth of materials in two years in the construction of his ships, and you say that under this bill, with the amendment you have agreed to adopt, you will undertake to revive shipping by a bonus of $2,200,000.

Mr. LORD. Not $2,200,000. The tonnage duties have never reached more than $1,500,000 in a year. My friend from New York understands what that is.

Mr. COX, of New York. Last year it amounted to $1,200,000.

Mr. LORD. I supposed that it was $1,500,000.

Mr. HERBERT. That would be a very little sugar-plum for these subsidists. But even if it is limited in that way, it does not take from the force of my argument. If you are to expend for this purpose one and a half millions of the people's money, why do you leave it to these owners or builders of ships to select the materials and the price? You say this is for the benefit of ship-building, but the section gives the bonus to whom?

Mr. PAGE. To the ship-owners.

Mr. HERBERT. Not to the ship-builders, but to the ship-owners. I will ask the gentleman to state what the purpose of that was?

Mr. PAGE. That the ship-owner may have ships manufactured in the United States of American materials and by American labor.

Mr. HERBERT. So it all comes to that at last. The committee proposes to give this protection to the owner, whoever he may be, not to the builder. Our protective laws heretofore have been bad enough; they have undertaken to protect American citizens and enable them to get money out of the Treasury; but this proposition protects foreign citizens. Who are to-day the owners of the ships engaged in the commerce of this country? The English, the Norwegians, and the Danes; they do our carrying trade; and under this eighteenth section you propose to give them this protection in order that they may come in and compete with Americans.

Mr. PAGE. Is the gentleman aware that an act passed in 1860 provides that a foreign citizen—Dom Pedro, if you please—may come to the United States and order a ship built here; and if it is built to be taken out of the United States—to be taken to Brazil, for instance—a drawback of 90 per cent. is allowed upon all duty paid on foreign materials used in the construction of such a ship? The gentleman proposes to deny to American citizens having steamships engaged in the foreign trade of the United States the same protection which by the act of 1860, section 3019 of the Revised Statutes, is now given to foreigners.

Mr. HERBERT. Will the gentleman answer my question?

Mr. PAGE. I will if I can.

Mr. HERBERT. The gentleman has stated that if a vessel is constructed for a foreign government there is a rebate of 90 per cent.

Mr. PAGE. I did not say "government."

Mr. HERBERT. I will ask him whether there is any law to prevent private citizens from buying a vessel from an American citizen?

Mr. PAGE. Private citizens?

Mr. HERBERT. Yes, sir; private citizens who wish to run passenger steamships or freight steamers; is there any law to prevent them from buying such steamers from an American citizen?

Mr. PAGE. I do not know any law that prevents one citizen from selling a vessel to another citizen. I do know a law that prevents a citizen of the United States or any one else from buying a vessel built in a foreign country and getting an American register for it.

Mr. HERBERT. That is exactly the converse of my proposition. That is to say, you do know a law which I say ought to be repealed——

Mr. PAGE. And which we say ought not to be repealed.

Mr. HERBERT. Which prevents Americans from buying ships abroad; but at the same time when I ask the gentleman whether any law prevents foreigners from coming here and buying our ships, the gentleman does not answer the question. I say there is no such law.

Mr. PAGE. There is no law to prevent foreigners coming here and having a ship built at a ship-yard on the Delaware; and this Government says, "If that ship is built of foreign materials we will grant to the foreign citizen a drawback of 90 per cent. of the tariff duty paid upon such materials if it is built entirely of foreign material."

Mr. MOULTON. Will the gentleman allow me to call his attention to the fact that at the last session of this Congress when a bill on this subject was presented here and when an amendment was offered by my friend from Virginia [Mr. TUCKER] giving the American citizen the same privilege that you proposed to give to foreigners, the Republicans sat back in their seats and refused to vote; so that the bill was defeated? This is a matter of record.

Mr. PAGE. I do not remember the action referred to by the gentleman from Illinois.

Mr. HERBERT. I do not wish my time further taken up. But as I was saying this section is not for the protection of the American ship-owner, but for the protection of the owner, be he Norwegian, Swede, Italian, or Englishman.

Mr. PAGE. Will the gentleman let me answer his question?

Mr. HERBERT. No, sir; I can not yield further. The gentleman has admitted that any of these people under this provision will have the right to come in and get a bonus from the Government upon their ships. Your bill is not for the benefit of the American ship-owner or the American ship-builder, but for the benefit of any foreigner who may see proper to come in and compete with Americans; and in a majority of cases foreigners will get the rebate you propose to give, in this, because they have more capital; they can run vessels more cheaply; they can get labor at lower rates than we can.

Mr. PAGE. Now, will the genleman let me answer him?

Mr. HERBERT. No, sir, not now; the gentleman can answer in his own time; he will have the right to close this debate.

Mr. ROBINSON, of Massachusetts. Will the gentleman from Alabama yield to me for a word?

Mr. HERBERT. Yes, sir.

Mr. ROBINSON, of Massachusetts. The gentleman from Illinois [Mr. MOULTON] has referred to some action on this subject at the last session. He will bear in mind that the bill to which he has referred came before the House under the operation of what was called the "Pound rule," under which there was no opportunity for debate, the rule being designed to allow the passage of bills to which there was no real objection. The bill having come before the House in that way, a proposition was made to amend it very substantially, a proposition upon which there could be no debate; and very naturally we did not wish to go into the consideration of the question under such circumstances.

Mr. MOULTON. It was only an amendment to insert two words—the words "and domestic"—putting Americans upon the same footing as foreigners.

Mr. ROBINSON, of Massachusetts. But that amendment of two words might lead to two days' debate. Besides that bill related to the coastwise trade.

Mr. HERBERT. The gentleman must excuse me; my time is about to expire, and I can not yield further. I have said that I am in favor of encouraging by all proper and wise legislation American shipping and American ship-owning. Therefore, I am in favor of free ships. I believe that if we are allowed to buy ships anywhere and everywhere in the world, then in case of war (and it is to provide against the emergency of war we are most particularly anxious to have ships of our own) we could buy ships to do our carrying trade, as everybody knows, much more easily and much more speedily than we could construct them.

Mr. RANNEY. After the war had begun?

Mr. HERBERT. Yes, sir; after the war had begun we could buy ships abroad. It was done during the late war.

Then again the theory of this bill is to put the American ship-builder on an equality with the Englishman. If this is what you want to do, why not do it by a simple, straightforward, plain method, which would give the American ship-builder free material without giving the opportunities for fraud which are given by this bill?

I would be willing to vote for a bill of that kind. But this proceeds on the theory you are giving him free material. As I have shown by a brief glance at a list of articles used by John Roach for two years in constructing his ships it goes much further. It gives a great deal more. If this system should be adopted, no man can tell to what extent it would involve our Treasury. I am satisfied that under the provisions of this bill if it be adopted as reported by the committee an American ship-builder could build vessels more cheaply than they could be constructed on the Clyde; yes, so much more cheaply that if the Treasury of the United States will only hold out you can break up ship-building in England. Are Congressmen here ready to pledge this Government to foot the bills?

One word further. You propose in the bill, as stated by the gentleman from California [Mr. PAGE], in my language and not in his, to sell all these American ships which are to be built to foreigners or anybody else who wants them. Your ship-builders can not afford to compete with foreign ship-builders, but you propose to enable them to do so by giving to each purchaser a bonus out of the Treasury of the United States. That is the shape of this present subsidy which you admit is only the first step toward increasing the number of American ships and American sailors.

Your next step is to be another subsidy—a subsidy to any American who will buy these ships and run them. By this means you are to establish new American lines, lines to Brazil, lines to the Mediterranean and to China and all over the world. The cry is here in speeches that in this way we must open up new markets for American manufactures. Right here, if you keep up as you intend to do your present tariff system, you will encounter another difficulty, that must also be met and overcome by a subsidy. Your goods are so high priced that foreigners do not want them. They can buy more cheaply elsewhere.

If you would change your tariff we might manufacture cheaply. The South is even now sending cotton goods to China because we have the raw material at our doors and other natural advantages. If you would let her have machinery free of duty she could supply cotton goods to the world. But you will not do it. So if you would let Northern manufacturers have raw materials free they could in many things compete with the outside world. But you will not do it. So your goods are and will remain high priced. You compel our own people to buy them because you will not let them have any other; but you can not

compel foreigners. How, then, will you induce them to take your high-priced articles?

Under your present tariff you can do it only in this way: when you get lines of steamers built by subsidies and run by subsidies, then let the captains of these vessels which are to carry American-made goods to the Mediterranean and Brazil take along with them from the Treasury of the United States subsidies in their pockets to pay every purchaser of these high-priced goods so much for buying a blanket and so much for buying a hat, so much for this and so much for that. In that way, by carrying out completely your idea of subsidies you can have ships and ship-owners and sailors and foreign commerce, provided there is no limit to the Treasury and no limit to the patience of the people of the United States.

I yield now the balance of my time to the gentleman from Georgia [Mr. HAMMOND].

Mr. HAMMOND, of Georgia. Mr. Speaker, I did not intend to say a word about this bill and rather think I had better not now, but I will give the benefit of the doubt the other way. [Laughter.]

The real occasion for my speaking is this: I was out of the House yesterday on other public business and entered as the gentleman from Maryland [Mr. MCLANE] was about finishing, and he alluded to my distinguished colleague, Mr. Stephens, now governor of Georgia, as a great Jeffersonian Democrat and then cited Jefferson as in favor of a bill of this character. Had he quoted the language of Jefferson, instead of drawing a conclusion from it, I would have been content. His speech would have been its own answer. But in default of his doing that I desire to call attention to the quotation. I find it in the argument made by Mr. John Roach before this select committee, and assume that it is correct. I know nothing to the contrary.

In the first place I call attention to the state of facts which called for the remarks. It was in the early history of the Government. We were having our contention with England as to the mastery of the sea. She was occasionally seizing our vessels trading where she had forbidden us to trade. We were on the eve of war. England was marching up to that acme of insult whereby she sought to arrest and search our ships. It was about under these circumstances that Mr. Jefferson spoke. It is suggested that it was in 1793. If it was that early it was a little ahead of the things I have mentioned, but his language was this:

> But on the seaboard they are open to injury, and they have there, too, a commerce which must be protected.

That is, our vessels——

Mr. MCLANE, of Maryland. No, not our vessels, but our country.

Mr. HAMMOND, of Georgia. I will read it as John Roach quoted it:

> Our navigation involves still higher considerations. As a branch of industry it is valuable; but as a resource of defense essential. The position and circumstances of the United States leave them nothing to fear from their land-board, and nothing to desire beyond their present rights. But on the seaboard they are open to injury, and they have there, too, a commerce which must be protected. This can only be done by possessing a respectable body of citizen seamen, and of artisans and establishments in readiness for ship-building. If particular nations grasp at undue shares (of commerce or carrying), and more especially if they seize on the means of the United States to convert them into aliment for their own strength and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded, or it will be disarmed of its defense, its productions will be at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce. The carriage of our own commodities, if once established in another channel, can not be resumed in the moment we desire. If we lose the seamen and artisans whom it now occupies, we lose the present means of marine defense, and time will be requisite to raise up others when disgrace or losses shall bring home to our feelings the evils of having abandoned them.

I thank the gentleman for making me requote it to get it, and correctly, because it only gives emphasis to the idea I intend to present. Mr. Jefferson was arguing that the United States was in a condition of danger, that it might be attacked, that the United States might suffer injury upon the sea, that the United States might have to protect at sea the commerce of its citizens. Therefore, he said, this could only be done by possessing a respectable body of citizen seamen, and of artisans and establishments in readiness for ship-building.

We have the establishments (our navy-yards, &c.) ready for ship-building. If we have not we ought to make them, if we need them, under the Constitution of the United States, which says Congress may "provide and maintain a navy." We have not the citizen seamen. We have been told by the gentleman from Maine [Mr. DINGLEY] that the seamen of England and the United States are both about 90 per cent. foreigners to the flags under which they sail. If the gentleman thinks that Congress should build a navy let him say so and let this Congress so provide. This doctrine uttered here by Jefferson was a mere declaration that while we were threatened we should "in time of peace prepare for war." That is the whole of it.

Now a great change——

Mr. MCLANE, of Maryland. Will the gentleman allow me a moment just here? It has a much more general signification than the gentleman gives it. It has nothing to do with being threatened with war. It speaks of the general policy of the country at all times, whether threatened or not.

Mr. HAMMOND, of Georgia. I beg to read again:

> If particular nations grasp at undue shares (of commerce or carrying), and more especially if they seize on the means of the United States to convert them into aliment for their own strength, and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded, or it will be disarmed of its defense, its productions will be at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce.

He alluded to the very seizure which the English made about then, perhaps after that, because we would trade with the French colonists against English prohibition. He alluded to the very measures which led up to the war of 1812.

Now, if that is what we are after, if we are preparing for war, for God's sake let us say so like honest men and go inside the Constitution and build our navy. This Congress, Mr. Speaker, will not say so. There is now no nation on the earth seizing, attempting to seize, or attempting to search our vessels. There is no nation on earth undertaking to take any advantage of us, except in that legitimate manner which grows out of the possession of cheaper material, cheaper labor, and other like surroundings.

I do not wish to encourage any such idea, that we ought to be prepared for war. I know it is easy for gentlemen to complain of how awkward our situation would be if the whole world were to get mad and go to cutting each other's throats at once. My consolation is in two propositions: First, that "sufficient unto the day is the evil thereof;" and, second, that the whole world is not going thus to play the fool. I remember a few years ago when I read in Dickens's Household Words, "Let but a single American cotton crop fail, ten million looms would cease their busy hum, and two million English mouths would starve for lack of food to feed them." And yet I lived to see five crops of Southern cotton fail to England, and not a mill was closed nor an English babe was starved.

War makes new trades, opens up new channels of thought and enterprise; necessity brings forth inventions. We in the South, without a ship, without a shop, without a tool, built vessels that drove your Navy like pigeons in fright from the oceans.

Again I say the world will not so play the fool. That day is past. The densely populated countries of Europe, where they crowd each other for room, are frequently at war; but mainly because they are ready for it at all times. It is that readiness that begets the disposition to war. We occupy an entirely different position. We have land enough; we have all that we need for one hundred years, and we need not seek for more room. For a thousand years we will not seek for conquest unless we forget the fundamental principles of our Government. Instead of war we stand rather upon that idea so beautifully expressed by a poet:

> Peace greatness becomes; calm power doth guide
> With far more imperial stateliness
> Than all the swords of violence can do,
> And easier gains the end she tends unto.

Mark how I emphasize "peace" and "calm!" If as a mere economic proposition you can get cheap ships, all right. The farmer in the West, the farmer in the South, will be glad to have relief from any burden on the transportation of his products, and will hail with delight any relief from the oppression which now rests on him by reason of unjust transportation laws. But in an economic point of view it is to them entirely immaterial whether the flag that covers the wheat or floats over the cotton bears the Stars and Stripes of America or the lion of England.

Should I grant that politically I feel some degree of anxiety that our Government should protect itself, by being ready, from insult and from the aggressions which sometimes indiscreet conduct of statesmen might bring upon her, yet I would say, as I have said already, do it under the Constitution by building a navy for purposes offensive and defensive, but not by a sham; not by getting some man's ship to educate foreigners to carry our flag when the purpose is not defense, but protection of a particular interest.

I beg to say one other word with regard to the legal power asserted in this bill. I have not thought very much about it; but from the decisions which were cited this morning by the gentleman from Florida [Mr. BISBEE] and the gentleman from Illinois [Mr. SPRINGER] it is apparent that the exact question made in this case has never been before the Supreme Court. The Supreme Court has never had the question before it how far a State might tax in opposition to the expressed will of Congress that there should not be taxation on ships. I think it is perfectly clear, however, from what the gentlemen have said and cited, that the Supreme Court would hold that no State's sovereign right of taxation could be taken away by the declaration of Congress that it should not be exercised on ships. I do not understand that Congress has any right to exempt anything from taxation. I know that the Constitution gives it the power to levy taxes, excise duties, and imposts, and declares that all of them except "taxation" shall be "uniform throughout the United States." But the power to tax for her own exchequer and the power to forbid Georgia to tax for means to protect and educate her people are very different and distinct things.

The language of the Supreme Court in the decision in 12 Wallace, which is quoted in the body of the speech of the gentleman from Maryland [Mr. MCLANE] on yesterday, put there, I think, by the gentleman from Kentucky [Mr. KNOTT], practically declares what would be the opinion of the Supreme Court on this subject. I quote this express language in it:

> But ships and vessels owned by individuals and belonging to the commercial marine are regarded as the private property of their owners and not as the in-

struments or means of the Federal Government, and as such, when viewed as property, they are plainly within the taxing power of the States, as they are not withdrawn from the operation of that power by any express or implied prohibition contained in the Federal Constitution.

Now, I grant that there was no question before the court growing out of legislation by Congress opposed by legislation of the State: and yet there is a declaration of the court that there is no express power or any implied power in the Constitution of the United States denying that the State may tax a ship, because, being the private property of the citizen of the State, its dominion is complete over it when considered as property. And if gentlemen are in doubt, as the committee seem to have been, about the constitutionality of this section, they should give the benefit of the doubt against it not for its exercise. I am not sure that my fears are well grounded, because I have not thought upon this matter deliberately. But it seems to me that this may be the entering-wedge for a very wide digression from the path which has been trod for a hundred years in this country. We have never claimed it by Congress. Why does it come to be claimed now?

There is another important factor in all this question. When the iron ship began to be built in England to traverse the ocean we began to build the iron railway to traverse our continent. We began to go to California. Our people found other interests larger to them than their shipping interests—their railroads cutting the great farms of the South and West. And now we have millions piled up in railroad cars and engines which day by day speed across State lines as if they were unknown even in geography.

These engines and cars are under the same clause of the Constitution which takes care of foreign trade. They are engaged in interstate commerce. If you can exempt the ship built for one because he trades with foreign countries, you may exempt the engines and cars that belong to Gould and Vanderbilt, and perhaps the railroads owned by them because they are engaged in interstate commerce. What a boon it would be to the monopolists of this country, instead of going to the States and begging them, one by one, to be lenient in taxation, to learn that an act of a single Congress signed by a President would forever wipe off the burdens of taxation from their shoulders. As this principle seems to open the way for that grand possible harm, I beg gentlemen to think of it deliberately before they vote for such a thing.

Mr. SINGLETON, of Illinois. I ask the gentleman from Georgia before he takes his seat if there is such a thing as interstate commerce known to the Constitution?

Mr. HAMMOND, of Georgia. The Constitution names it. I suppose the Constitution knows what it is talking about. The Supreme Court has been familiar with it for years.

Mr. SINGLETON, of Illinois. I am not talking about the Supreme Court. I am talking about the Constitution. I ask the gentleman to quote that portion of the Constitution which names it.

Mr. HAMMOND, of Georgia. I will quote it:

Congress shall have power * * * to regulate commerce with foreign nations and among the several States——

Mr. SINGLETON, of Illinois. That is not interstate commerce.

Mr. HAMMOND, of Georgia. Commerce among the States is interstate commerce.

Mr. SINGLETON, of Illinois. My dear sir, no.

Mr. HAMMOND, of Georgia. The gentleman understands that I am giving a familiar term for the same thing.

Mr. SINGLETON, of Illinois. That "commerce among the States" was the commerce which existed between the States and foreign countries at the time of the adoption of the Constitution. It was that commerce which led to the adoption of the Constitution, and hence it is described as "commerce with foreign nations and among the several States," because it was that commerce which the States were trying each for itself to regulate and could not do so, and the Federal Government was empowered to regulate the commerce which the States could not regulate.

Mr. HAMMOND, of Georgia. The States undertook to regulate the commerce coming within or through their borders, just as Pennsylvania and California did in the cases cited this morning. And this interstate commerce is what we mean by commerce among States.

Mr. SINGLETON, of Illinois. Yes.

Mr. HAMMOND, of Georgia. The Supreme Court says that the "commerce among the States" is a matter to be regulated by the Government of the United States.

Mr. SINGLETON, of Illinois. Can there be such a thing as commerce *in transitu?*

Mr. HAMMOND, of Georgia. It is very easy for a gentleman of the age, experience, and learning of my friend from Illinois [Mr. SINGLETON] to ask me questions which I do not know how to answer.

Mr. SINGLETON, of Illinois. Very well.

Mr. HAMMOND, of Georgia. Particularly would I not like to be compelled to answer such questions when my time is now limited to five minutes.

Mr. SINGLETON, of Illinois. I simply wanted the gentleman to answer that question in order to determine whether he is correct in regard to the power of Congress to deprive the States of their present right to tax railroad cars and railroad property within the State. The gentleman says that if Congress has the power to enact laws exempting ships from taxation, it may also enact laws exempting railroad cars and other railroad property from taxation. That proposition I deny, because the power to regulate commerce with foreign nations is expressly given by the Constitution to Congress, together with every other power necessary to the execution of that power.

Mr. HAMMOND, of Georgia. But the same Constitution, in the same line, reads, "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

Mr. SINGLETON, of Illinois. Yes, "among the several States," because it was there at the time the Constitution was adopted, and it was that commerce which the Federal Government was to regulate.

Mr. HAMMOND, of Georgia. I am not undertaking to decide what the law is. I merely said that I was alarmed lest it be so; that is all. That is enough to make me pause when one asks me to take a step that nobody before ever thought of taking. That it is which gives me pause, and will make me vote against this bill, even if there were no other objection to its passage.

[During the delivery of the speech of Mr. HAMMOND, of Georgia, the following proceedings occurred:

The SPEAKER *pro tempore* (Mr. MOREY). The time of the gentleman has expired.

Mr. LADD. I yield what time he requires to the gentleman from Georgia [Mr. HAMMOND] to complete his remarks.

Mr. PAGE. There appears to be some misunderstanding about the money that would be allowed under the eighteenth section.

Mr. SPRINGER. Will the gentleman from California indulge me one moment? I understand the gentleman from Maine [Mr. LADD] was entitled to the floor, and he desires to yield a portion of his time to the gentleman from Georgia that he may complete his argument. I ask the gentleman from California to withhold what he was about to state until that is done.

Mr. LADD. I yield ten minutes to the gentleman from Georgia, or so much of it as he requires.

Mr. PAGE. I do not understand that the gentleman from Maine [Mr. LADD] is entitled to the floor in his own right for an hour.

Mr. HAMMOND, of Georgia. I will only want about two minutes.

Mr. PAGE. I shall oppose the gentleman from Maine [Mr. LADD] taking the floor after the two minutes have expired.

The SPEAKER *pro tempore*. The gentleman from Maine [Mr. LADD] is recognized, and yields to the gentleman from Georgia. How much times does he yield?

Mr. PAGE. Before the gentleman from Maine takes the floor in his own right I desire to offer an amendment. But I do not want to offer it till the gentleman from Georgia [Mr. HAMMOND] has concluded.

Mr. REED. I think the recognitions should alternate from one side to the other.

The SPEAKER *pro tempore*. The gentleman from Georgia will proceed.

Mr. HAMMOND, of Georgia, then continued and concluded his remarks as printed above.]

Mr. PAGE. I send now to the Clerk's desk an amendment, which I ask may be read and considered as pending. I offer this by instructions of a majority of the Committee on Commerce, who have been consulted with reference to it, in order that the question may be settled at once in the minds of the members of this House in regard to the amount of money that would be involved in the eighteenth section of this bill.

The Clerk read as follows:

Amend by inserting after the word "rods," in the fifteenth line of section 18, the following:

"*Provided also*, That the amount of drawback paid under this section shall not exceed $10 per net ton of admeasurement in the case of a sailing vessel, and $25 per ton in the case of a steamship; and that the entire amount of drawback paid in any one year shall not exceed the amount of tonnage tax collected in such year."

Mr. BUCKNER. I desire to say that this morning I presented at the Clerk's desk, under the order of the House yesterday, a substitute for section 18, which involves to some extent the same question as that indicated in the amendment of the gentleman from California.

Mr. LADD. I now yield ten minutes of my time to my colleague [Mr. REED].

Mr. REED. I can not expect in the time I have to make anything like an exhaustive argument on this subject. My purpose simply is to group together certain facts, which will be admitted on all sides, in order that we may understand what the evil is which we have to remedy, and what is the remedy which is actually proposed by this bill.

This bill does not deal with domestic commerce, because domestic or coastwise commerce has thus far taken care of itself. It deals solely with foreign commerce, and outside of a few provisions calculated to remove burdens from the ship-owner, it relates to the possible building of iron ships by American citizens.

I have listened to the remarks which have been made, especially by the gentleman from New York [Mr. COX], with somewhat of surprise. In fact, the anxiety of free-traders in regard to commerce is something which for my part I can not understand.

The principle of free trade is that you should be allowed to buy whatever you want in the cheapest market, no matter where that market is,

whether it be in this country or in a foreign country, and no matter whether it employs our laboring men or employs the laboring men of other lands. The doctrine is that if we can get the thing cheaper we make a profit, and that it is robbery to prevent us from getting things cheapest.

Now, if that be true in regard to manufactures it ought to be equally true in regard to transportation. If the products of manufacture can be brought to this country for less freight in a foreign bottom, there would be no occasion, on free-trade principles, to inquire what flag floats at the masthead or what capitalists are gaining the profit of that transportation. It ought on free-trade principles to be enough to say that it is cheaper than we can do it; therefore we ought to let them do it. How anybody professing the principles of the gentleman from New York can reconcile it with his consistency to be anxious about transporting goods ourselves when somebody else can do it at a less rate I fail to apprehend.

But I will tell you why in my judgment it is desirable for us to have a commerce. It is because we are not a combination of traders; it is because we are a nation; and we must fit ourselves as a nation for the contingencies of life. Among those contingencies is war. Every nation must be prepared for war. Not as my friend from Georgia [Mr. HAMMOND] says, with armaments, for, as he said a moment before in the self-same speech, those very armaments are liable to precipitate war. But every nation must be prepared to get ready for war. This is to be accomplished not by having an enormous navy, but by having the capability of building an enormous navy promptly when required. Here you have the protection which the gentleman from Georgia wants, with an absence of the danger he deplores, and which I deplore with him. I believe with him that the only blessed time for this world will be when the sword is beaten into the plowshare and the spear into the pruning-hook, and there shall be war on earth no more. But we must take mankind as we find them; we must take the world as it is; we must keep ourselves in such a position that we may be ready to repel nations that attack us. That is the reason we need a commerce; that is why we need to have sailors and ships.

But perhaps some one will say, "Why not buy your ships already made?" The answer to that is that when we need war-ships it may be at the moment we are at war with the very nation from which we have been buying our ships. We must have ship-yards; we must have plants in those ship-yards; we must so encourage ship-building that when war comes we shall be ready and equipped within ourselves.

Let me illustrate this question still further in the line of the remarks of the gentleman from Georgia [Mr. HAMMOND]. He says that the South built the Merrimac, which ran into and overthrew our fleet. That may be true; I accept his statement for the purposes of this argument, but they only did that in a single instance. Had they possessed within their borders the capability of furnishing the munitions of war, I am very much afraid that this House would have not been adorned by the presence of my friend from Georgia.

Mr. HAMMOND, of Georgia. The gentleman is mistaken. He was there as a quartermaster; but I was not there at all. [Laughter.]

Mr. REED. Well, I was not there at all. The gentlemen need not be the least bit afraid. I never was under fire any more than he was; I was as safe during the war as he himself. [Laughter.]

The doctrine I am at this moment arguing is put forth in the latest history of the Southern States, the author of which declares that among the disadvantages which those States had to contend against in the late war was that when the munitions of war which they bought abroad were exhausted and a cordon of ships surrounded their ports and the Northern armies swung across their country, they were beaten because they had not the materials for manufacturing the articles suitable for carrying on the war.

I say—and it is no discredit to them to say—that a smaller number of people, less brave than they, have maintained their independence against greater odds than they had to meet, and it was because they were sufficient unto themselves. In the North we had manufactures of all kinds; we were ready to make munitions of war; we could do it; our people lost not a moment of employment. The war rather increased than limited our manufactures and our prosperity. I say that the very example which my friend from Georgia presents is an argument on our side. We ought to be in a condition to build our own war vessels.

What is this proposition for free ships? It militates against every proper principle. Free ships! Why, sir, is there anything else that is admitted into this country free of duty? If not one other manufactured thing is admitted free of duty, why should ships be so admitted? The difficulty with the shipping trade to-day is that citizens of the United States can make more money in some other business. Now, if you want commerce you must pay for it; you must pay for starting it; you must pay to put it on its feet. That costs something. Gentlemen ought either to be willing to step up and pay what is necessary to start this business, or else they ought forever to hold their peace about it. Let them not clamor one moment that we must have commerce, and the next moment say, "We will never consent to pay the price for it." Do not demand a thing and then refuse the indispensable means of securing that thing.

What is this bill? It is very simple. It removes from wooden ships certain onerous duties, like the three months' extra wages in foreign ports; and when perfected by the amendments it will give builders of iron ships a drawback which will enable them to build ships in this country, and compete with the ships built in England. But the nation's interest is in this—that it will cause to be built ship-yards so well equipped that if we should ever be in danger of war we shall have the means of building ships at once. As a matter of mere economy it is cheaper to-day to give to these ship-builders this necessary drawback to enable them to make good ships than it is to build a vast navy and keep it on the seas. To so encourage iron-ship building in this country that we may order a navy when we require it is greater economy than to build a navy and keep it afloat for the indefinite number of years during which we shall never want it.

These considerations are general. I refrain from going any more into particulars; but I do feel that this question ought to be understood upon a proper basis. It ought to be understood that we are adopting these measures as a nation, not as an agglomeration of traders. We are doing it as a people. We are not doing it primarily as a matter of money-making, although we believe that when American ingenuity is fairly directed toward this end, and American manufactures duly encouraged, we shall after a proper period be able to compete *pari passu* with the nations of the world.

Mr. LADD. I now yield ten minutes to the gentleman from Georgia [Mr. SPEER].

Mr. SPEER. Mr. Speaker, my honorable colleague [Mr. HAMMOND], who referred to the language of Jefferson on this subject, has not, I think, read the entire passage from which he quoted with the care it deserves. I am not willing that the friends of this measure should be deprived of the weight properly belonging to the authority of Mr. Jefferson. I contend that his language did not, as insisted by my colleague, allude to the immediate presence of the war of 1812, or to the Navy, but to a precise condition of affairs such as that under which this country now suffers.

Referring to that nation whose marine resources may be invaded by other nations which grasp at an undue share of commerce or the carrying trade, Mr. Jefferson says:

> Its productions will be at the mercy of the nation which has possessed itself exclusively of the means of carrying them.

Carrying what? The productions of the nation. Then certainly the nation carrying the productions is not at war with the nation whose productions it carries.

> And its politics may be influenced by those who command its commerce.

Just, for instance, as the politics of this country possibly may be influenced by the demands and arguments of the British interests, who carry our freights in order that the production of the American ship-builder and American ship-owner shall be stricken down that the British may maintain the monopoly.

> The carriage of our own commodities, if once established in another channel, can not be resumed in the moment we desire. If we lose the seamen and artisans whom it now occupies we lose the present means of marine defense, and time will be requisite to raise up others, when disgrace or losses shall bring home to our feelings the evils of having abandoned them.

This, sir, was the language of Jefferson; and he foretold as if by foreknowledge the national troubles which this measure is to avoid.

But we need not depend alone on the opinion of Jefferson. Madison and Washington have spoken contemporaneously with him in similar terms, and the British historian Alison, in describing the war of 1812, which began thirteen years after this report of Mr. Jefferson, declares that one of the greatest resources of the American Navy was the fact that the trained and skilled seamen might be drawn at will from the immense number of our merchant marine. We were mainly victorious in sea fights in that war. Now we have no such merchant marine, and gentlemen see that the Government itself is reduced to the humiliating necessity of establishing school-ships and enlisting apprentices in order to train from the beginning seamen for our Navy.

Why is it true, Mr. Speaker, that a ship can be built cheaper in Great Britain than in this country? We have abounding ores, we have an abundance of materials, our transportation is cheaper, we have as fine mechanical appliance, we have as great ingenuity; then why is it? It is because the British laborer is content to work for 60 per cent. less than the laborer engaged in American ship-building. The gentleman from Texas [Mr. REAGAN] took a comprehensive view of the subject in his speech yesterday. He will avoid the difficulty. He wishes to reduce the entire schedule of taxation, and thus break down the price of commodities so that the purchasing power of the wage of the American laborer will be as great as that of the British laborer. Now, sir, this is scarcely feasible. The difference in the purchasing power of the wage of the American laborer is now only 15 per cent. less than that of the British, according to the report of the bureau of labor of Massachusetts, while the difference in wages is 60 per cent., and therefore the American laborer has 45 per cent. advantage over the British laborer, and the British builder 45 per cent. advantage over the American builder. And for my part I wish to see the American laborer keep the advantage.

The logic of the gentleman from Texas and those who think with him is that the American workman gets too many dollars, wears too many good clothes, eats too much nutritious food; that his wife wears a bonnet which perhaps is too ornate, and his little children go to school in clothes too warm, and perhaps are too well educated.

I repeat, sir, I am glad the American laborer has those advantages, and I would be interested to see the gentleman from Texas [Mr. REAGAN] go before an audience of laboring men and argue and admit, as he did yesterday, that there must be a nominal reduction in the wages of American labor in order to have free ships. It will be difficult to satisfy that thinking auditory of laboring men that a nominal reduction is not a real reduction. And the mechanic and laborer will be apt to conclude that the comprehensive scheme in the reduction of the prices of commodities contemplated by the gentleman from Texas [Mr. REAGAN] will fail somewhere, and while admitting free ships will certainly strike down at one blow the wages of the American laboring classes and deprive their families of comfort and their old age of shelter and home.

But there is another reason why this free-ship clause should not be adopted. It makes our country absolutely dependent on other countries. It will take an expenditure of $200,000,000 in the next ten years, according to the figures given by those who understand the facts, to restore our merchant marine to what it should be. Suppose that money should be expended in Great Britain. Can we stand the drain, to begin with? It is a loss to that extent to America.

We should not consider merely the interests of the ship-owner. We should legislate and think for all. What is the wealth of the country and in what does it consist? It consists in what remains after the country has subsisted. If an American owner in this country buys from an American ship-builder he pays perhaps 15 per cent. more for his ship, but 85 per cent. remains to him and all to his country. If he buys from a British ship-builder he pays 15 per cent. less for his ship, but 85 per cent. is lost to the country. It is our policy, therefore, while looking to the interest of the ship-owner to look likewise to the interest of the ship-builder, but above all to look to and carefully guard the interest of the American laboring man, whose wages, whose skill and brain and muscle are 90 per cent. of the cost of these ships.

Our products are carried now in foreign bottoms. Suppose the cloud of war which is almost constantly hanging over European nations culminates and bursts, and Russia, Germany, Austria, Italy, France, or England are involved in war, their navies will sweep the seas. Our products being carried in the bottoms of these countries, will they not be subject to capture by their privateersmen or by their men of war? We will find when our great lines of railroad terminating at our sea-ports have carried the grain and meat of the West and the cotton of the South and placed them in foreign ships lying at our wharves, a little outside the bar there will be seen a cruiser under a foreign and belligerent flag waiting to sink or burn the ships of the nation carrying our goods, and with it sink or burn our products.

No, sir; we should have a merchant marine of our own. We should be independent in fact as well as in name. The flag of our country should float, as it once floated, in every sea at the masthead of our own vessels, and that should be the ambition and desire of every man who feels a pride in the name American.

And besides this, Mr. Speaker, one other thought. Our merchant marine is the nursery of our seamen. On our merchant marine depends our Navy. They go down together *pari passu*. Our merchant marine has gone down. Our navy is a collection of rotten hulks, and to-day America with all of its greatness is liable to insult upon the sea or in its harbors by the very smallest maritime power of Europe, or even of the South American republics, without the means of resenting it. Build up our merchant marine and you necessarily build up the Navy. Build up the Navy and the name of America will be respected wherever its tall masts and swift prows bear the flag of our country.

Mr. LADD. Mr. Speaker, the question of the restoration of our merchant marine to its once proud position is a question of the very highest and most vital importance. If I am able to understand the drift of the debate in this House there is no difference in the minds of men as to the necessity for this. All agree that we need to restore our marine. The only difference of opinion is as to the mode of doing it. And perhaps it is wise that we should differ.

Can we afford longer to delay the consideration of this important question? Can we afford to allow our commerce to run down from 82 per cent. in 1840 to 15 per cent. in our own bottoms in the present year? Have the gentlemen who have been interested in this debate thought for a moment as to whom we are fighting in this great contest for the carrying trade of the ocean? We are fighting a power, gentlemen, that defeated and destroyed the power of Spain when the eastern section of our country was first settled. We are fighting a power that threw every obstacle in the way of our progress while we were colonies. We are fighting for the dominion of the ocean against a power that has taken at all times every advantage of our mistakes. Ah, gentlemen, they take advantage of our mistakes as they took advantage of the first prosperity we had, when our country began to flourish and we had acquired California. You all remember that our war with Mexico and the acquisition of California brought about the invention of the clipper ship. England immediately repealed her laws and admitted our clipper ships under her register; and the clipper ships we built were to be the models of the steamers which she runs to-day, and which ply to every port in the known world. She has taken advantage of everything that we did in the way of improvement, and has taken advantage, as I have said, also of our mistakes. Her history for the last twenty years, if one had to record it, would be found to be one of prudence and wisdom in the management of her affairs, while ours for the same period is a history of mistakes and blunders repeated.

Now, gentlemen, we need this commerce. The West needs it; the South needs it. There is no use to talk in this enlightened age about any class or section of the country that can do without ocean commerce. It is essential for the life of all sections. Gentlemen talk of war. Why, gentlemen, our merchant marine is the nursery of our Navy, and for a navy we have nothing. It was the old theory of the Democratic party to nurse and protect the American marine and encourage our sailors and to encourage our fisheries. Why, in 1819 what did the Democratic party do? They passed a law giving a bounty to every fisherman who had a given number of men in his employment to go upon the ocean; and this bounty was retained in the interest of that industry until it had become a flourishing and important branch of our trade.

I am afraid only that this bill will not accomplish the object it is designed to effect. I have my fears and they come from this: I know the force of capital. I know what broke down our shipping in the past. You gentlemen may not believe me—for it is a part of your politics not to believe this—but it is a fact. It was the great commercial panic that sprung from your funding legislation here that gave the ship-builders their deathblow. Let me illustrate briefly.

A friend of mine in 1868 built and owned a ship. At the same time he could have invested in your Government bonds that would have paid 6 per cent. free of taxation. He kept the ship for three years, paying 3 per cent. local taxation. She earned nothing and he was finally forced to sell the ship in Europe and put his money in 6 per cent. bonds. They appreciated at the rate of 2 per cent. a year. I am afraid, sir, that we have not the capital necessary to build up this shipping interest again. We have the industry, we have the muscle, but we have not the capital. England has the capital, and this is one of the great reasons why this bill will not accomplish the object designed. If we had the capital and if we could loan our ship-builders money at 3 per cent., and insure them that it would be continued for such time as they needed it, we could protect our commerce and it would again flourish upon the ocean. But as long as we have this system of funding and refunding and cheating and gouging, playing tricks upon one another here for the purpose of making one man rich and another poor, there is no use to talk about restoring our commerce. The real foundation of our commerce is a low rate of interest and the bone and muscle that exists upon our Atlantic coast.

What destroyed our commerce upon the ocean?

I am not going into a long argument to show what destroyed our commerce; but there are some points from which no man can get away from. We, in this country, have failed to say to commercial men, "We will pass laws and we will support a system which will eventuate in the perpetuity of our ocean commerce." We have directed our attention to building immense lines of railroad; we have directed our attention to building up monopolies by high tariffs. Gentlemen, it is not the high-tariff principle that will make a commercial nation; not much. The basis of a commercial nation is those laws and those enactments that will make all classes flourish and prosper. We can with our present debt have a tariff high enough. We are obliged for the next twenty or thirty years to have a tariff high enough. And when we have a tariff for revenue we can have a tariff giving incidental protection and every interest in this country will be sufficiently protected.

Let us then adopt a wise and conservative course. Let us encourage the trade with South America. We cannot compete with England on the Atlantic for the next twenty years. It would be very surprising if we could; but we can open trade with South America and Mexico. We can continue our Pacific trade around the world. We can restore our ocean commerce. But we have got to do it upon the true principle of supporting and protecting our labor and by a low rate of interest.

The trouble with our legislation on this subject has been the "teetering" process. We have nothing stable.

Let me read to you something that will illustrate another great cause of the decline of our ocean commerce: In 1869 the Suez Canal was opened. We had at that time a very extensive commerce with China and with India around the Cape of Good Hope and Cape Horn. The Suez Canal was opened in 1869, and that canal shortened the distance and took the place of one-half of our eastern tonnage. Let me read: During the first two years of the opening of the Suez Canal, to December 31, 1874, there passed through it 4,781 vessels of 6,643,368 tons; of which 2,588 entered from the Mediterranean and 2,193 from the Red Sea. Of these 3,286 were British, 394 were French, 281 Austrian, 235 Italian, 121 Ottoman, 109 Dutch, 85 Egyptian, 83 German, 61 Spanish, and the remainder of other nationalities, only 8 being American. Eight American ships passed through the Suez Canal and 3,300 British vessels.

You now see how a large part of our commerce was displaced by steamers. Formerly sailing vessels could do that business, and did it with China and the Indian Ocean. When the Suez Canal was opened our trade all came to the Red Sea, passed through that canal by steamer, and reached Great Britain and the rest of the world.

There are several other causes that led to the reduction of our commerce. We ought not to be discouraged. The report of the minority of your committee is discouraging indeed. But, gentlemen, we ought not to be discouraged. Had we kept up with the times, had we adopted new machinery when the propeller was invented, had we not been at war, had we not been talking about slavery, had not our politicians occupied themselves with inciting the North against the South, and vice versa, had it not been for that great struggle that commenced in 1856 when the Whig party went down—had it not been for all this, we should have known what steam was doing and we should have prepared ourselves to have met the improvements of the world. Being thus occupied, England came in; and you see the result?

Now let me state a fact. When we subsidized what is called the Collins line of steamers from New York there was such a difference in freights that every ton of goods carried in those steamers could now be carried for four-tenths of what it then cost. How is that? The British ship owners adopted the new machinery and the propeller and they saved in coal, and when they saved in coal they got larger freighting capacity in a ship. For instance, if it took fifty tons of coal less to run one steamer than another the space that would have been occupied by those fifty tons could be occupied by freight.

The real secret of the success of England in commerce upon the ocean has been her cheapening of the material that carries the freightage—nothing more and nothing less. Part of the reason that we have not equaled England in commerce is this: we had no capital to do it. Why, every man knows in the East, if you do not know it in the West, that we sold our ships and sold our yards for a 6 per cent. bond and hid it away, expecting to keep it until the day of want. The bond was not taxed; and Yankees understood what that meant, because we paid 2½ or 3 per cent. local taxation. Now Massachusetts has abolished the local tax on shipping.

Eight years ago I made the statement in the newspapers that no ship could live in the United States registered in Maine, because our local tax killed the earnings and killed the ship. I was taken up by a Philadelphia paper and asked where I got my authority. I made this reply: The Englishman pays no tax at all in dull times. There may be a period of five years of hard times in England when the ships of the merchant of England pays no tax. When it is a hard year and he makes nothing he pays no tax. The man owning a hundred ships pays not one cent if he makes nothing with them; he goes to the assessor and is allowed to make out a schedule, and he says, "on the whole, my ships have earned nothing," and he pays nothing, having no income.

But how is it here? He pays 2½ to 3 per cent. local taxation. That is enough to kill any industry in this country, and every man knows it. The real industry of New England for the last hundred years has never earned more than 3 per cent. per annum; and how in God's name can a people under those circumstances pay 3 per cent. local tax?

Gentlemen talk about the constitutionality of this bill now pending before the House; about the right of taxing shipping by the States. Why should our shipping be taxed? We meet an English ship upon the ocean, side by side, the one is taxed and the other is not taxed. I believe the Supreme Court will decide that every ton of shipping engaged in the foreign trade may be exempted by the United States from taxation; or if possibly they decide otherwise, then an appeal can be made to the States. I understand New York, Massachusetts, and Pennsylvania have already adopted this principle. When we were subsidizing railroads and when our banks were declaring 25 per cent. dividends where in God's name could you find fools to buy ships? No, gentlemen; shipping is an industry that is founded on economy. It has been brought up to its present height by the vigorous Anglo-Saxon blood which, wherever it has been planted it has been a success upon the ocean.

We want to make no encroachments on the South or on the West. We want to stand in the front rank of nations and build up the commerce of the country, so that when perchance war and trouble come upon us you will find us as you found us in the war of 1812, prepared for the conflict, when Massachusetts and the other New England States furnished the material with which we whipped John Bull on the ocean, the only place where we ever did whip him.

Can we afford now, when our commerce has run down to 15 per cent. of what it was, to talk hour in and hour out about whether or not the court will decide this bill to be constitutional? We have a duty to perform to our country. As we extend west, as we add to our numbers and our strength, every year calls upon us to nurse, protect and preserve that marine which is our only safety in time of trouble.

Mr. PAGE. I understand that the gentleman from California, my colleague [Mr. ROSECRANS], desires thirty minutes, and the gentleman from Indiana [Mr. HOLMAN] desires twenty minutes. Then, after the gentleman from New Jersey [Mr. ROBESON] shall have concluded his remarks, I propose to close the general debate in ten or fifteen minutes, and at the end of that time to ask that the further consideration of this bill be under the five-minute rule.

Mr. ROSECRANS. I will yield for a moment to my friend from Maryland [Mr. MCLANE].

Mr. MCLANE, of Maryland. I merely wish to say that my reference to the report of Mr. Jefferson was to the original text, and not to any testimony taken before the committee. I referred to Mr. Jefferson's commercial report to Congress in response to a resolution of Congress. It was prepared in 1792, and sent to Congress in the early part of 1793. The argument which I made, and the conclusions which I presented to the House, were founded upon the text of that report of Mr. Jefferson, not upon any testimony before the committee.

Mr. ROSECRANS. I desire, Mr. Speaker, to present to the House a few of the reasons why I shall support the bill reported by the committee, with certain amendments which have already been sent up. In the few remarks which I propose to make I do not intend to enter into a general discussion of the bill.

From the report of that committee it would seem that a great nation, consisting of over fifty millions of people, has a commerce which is decadent, and that that decadence has run through a course of years, and has now reached a point so low as to excite the alarm and apprehension of all classes of our citizens.

Fifty millions of people in this country are engaged principally in production. Nearly 80 per cent. of that production is agricultural. The value of the products of labor depends largely upon the question of transportation. Our problem to-day respects that portion of the products of labor which is to be transported to foreign countries. The question we are confronted with is, Shall we own the transportation or shall it be owned by foreign nations?

It seems to be conceded on all hands that when the cost of that transportation amounts to between one hundred and one hundred and fifty millions of dollars only, as it is at present, the question is of some importance to the laborers of this country, to the workers and to the producers, as to who shall have that money. The general sentiment seems to be that $100,000,000 distributed among those who transport and those who own the material to be transported would be a large addition to the income of our country.

I notice a general concurrence of sentiment on the part of most of the members of this body, at least those who have spoken upon this subject, that the first duty of Congress toward the country is to remove such restrictions as it can which now prevent American citizens from entering into foreign commerce. Consequently there is a general concurrence in the propriety of seventeen sections of this bill.

But when it comes to the eighteenth section, by which further encouragement is proposed to be given, there is a divergence of sentiment. My honorable friend from Texas [Mr. REAGAN] says that in the present condition of this country the eighteenth section would impose burdens upon labor, already in an unhealthy condition—labor which is employed in manufacturing processes at prices which are artificial and due to stimulation. And he regrets that this bill seems to propose to continue that system and to place additional labor on stilts, that is, the labor employed in building vessels.

The report of the committee has shown the House that it is not alone the men who own the capital nor the men who own the tools and the buildings and the yards necessary for the construction of ships who are the beneficiaries in this business of constructing ships. There are from thirty to forty different trades and occupations, all of which, with the labor employed in them, are partakers in the benefits, if there are any, of this great business. Therefore it is not solely a question of building up capital, but of providing additional occupation and remuneration for artisans and laborers.

With proper restrictions, with the amendments which have already been indicated, I shall support the eighteenth section of this bill. I shall vote for it in the interest of labor. I believe that the building up of an American commercial marine is in the interest of labor. If I did not believe it was in the interest of labor I would not vote for it.

As long as production goes on in this country, capital and labor will concur; they are concurrent factors in production. But they are competitors for the division of the profits, and in that competition labor in this country has always been behindhand and is behindhand now.

The value of the products of labor is so affected and controlled by the rates of transportation that anything which can be done in reason to build up and insure abundant transportation is in the interest of labor.

Where will all the products of our labor in excess of what is consumed in this country find a market in the years to come? We have a laboring population pouring into this country annually at the rate of from four hundred to five hundred thousand adults, capable of earning more than they can consume. Whatever they can earn more than they can consume must find a market somewhere.

It is a fact that our domestic market amounts to about 85 per cent. of what we produce in this country; the rest we have to sell abroad as surplus, or we must suffer the loss of it. I do not see anything more reasonable than to look at the interests which the producing classes have in organizing cheap transportation. I can not see how by passing this bill, with proper amendments, we shall diminish the chances of

cheap transportation abroad. On the contrary, I can see how we shall increase them somewhat, and how by these means we shall pay the insurance which we would willingly pay upon a future. Upon what future? Why, sir, if any other nation owns the means of transporting what we sell abroad—$400,000,000 or $500,000,000 worth, $600,000,000 or $700,000,000 worth, sometimes $800,000,000 or $900,000,000 worth—then, in case of angry disputes with that nation, we are subject to all the contingencies of its being able to dictate terms about interest and settlements involved on account of its control of our commerce; and should the disputes lead to war our exportation would be suspended and our commerce abroad be at its mercy.

If there were nothing else to be considered, if the question of earnings were left out of the case, this is no small consideration. But we are not only subject to the control which the ownership of the means of transportation gives to another nation with respect to these large interests. The immense capital which controls these interests can also intervene to secure legislation adverse to the interests of production. We want to be insured against all that. Therefore it seems to me we can afford to make some small annual sacrifices in order to have increased certainty of cheap transportation and to have the control of a portion at least of the transportation in our own hands, so that if a war should arise we can not be shut out from our accustomed markets.

Some of my friends, who know that I consider the protective principle *per se* as the simple principle of transferring the property of one man to another by law, wonder how it is that I do not adopt the opposite extreme and hold that free trade, as it is called, is the panacea for the evils of the world. I do not believe that the doctrine of protection *per se* can be defended by anybody; and in point of fact its advocates never do defend it as a principle; they simply defend it in view of certain local and peculiar circumstances which require it, that labor may be developed and made prosperous. Development of labor, not protection, is the end which justifies what otherwise would be unjustifiable. In the same way the doctrine of free trade can not be successfully attacked except by an argument based on the special circumstances of a people at a given time and place. What is free trade *per se?* It is the surrender of the weak to the strong. That is not the ordinary definition of it; but that in the last analysis is the effect of the doctrine when applied without reference to the peculiar circumstances of a particular nation. Those circumstances are such as make protection necessary for the development of productive labor. That is what justifies departure from the principles of free trade.

I take the ground that the legislation which is best for any country is that, all other things being equal, which evokes the largest amount of productive industry. On that ground I say, as we are in the habit of looking at questions in this House with reference to protection on the one hand or free trade on the other, I am not bound by either of those principles. If this matter were to be decided without reference to the great national question involved—to which I was delighted to hear my friend from Maryland [Mr. McLANE] allude so well and forcibly yesterday—if this were to be discussed simply as a question of the annual division of profits between capital and labor, I would not be bound to oppose this bill because I favor what in general terms is called free trade, nor would I be bound to vote for it because I favor protection.

I am neither a protectionist nor a free-trader. I believe in such legislation as will make the industry of the country most productive. I believe that between capital and labor there has to be an annual division of the profits of production; that labor competes with capital for its share of those profits; that labor is relatively the weaker of the two, and therefore relatively the one to be protected all the time by Government, the true object and duty of which is not to surrender the weak to be devoured by the strong nor to subordinate the strong to the weak, but to protect the weak against the strong and to do justice to the latter. Hence the primary aim of government should be to see that labor is properly cared for. It is upon this ground that I would undertake by wise legislation to educate the people who can create your commercial marine and make it available in that profitable manner to which I have alluded. At the same time it should be remembered that we are preparing for the contingency of a foreign war. The millenium will probably never arrive during our time. Therefore we must be prepared; and as the gentleman from Maine [Mr. REED] has well said, the best and cheapest preparation, the one that imposes the least burden upon labor, is that preparation which creates great workshops, which provides machinery and tools suitable to the manufacture of vessels of war or vessels of commerce, which prepares these materials so that they cost the people very little, and has them all ready so that in time of need we may be able to create a military marine, a war marine, on short notice. In the same way, by promoting foreign commerce and increasing the number of our young men who learn to become sailors and ship-masters, we shall prepare the material for an American navy in time of war, prepare it at a cheap rate, and keep it employed so as to be earning something. For this reason alone this bill ought to be supported.

Mr. Speaker, our experience in life furnishes us with that which ought to guide us as a nation in the management of our affairs. Wise communities bring within their body the mechanics and the professional men they need and educate them to follow in the footsteps of those who come as pioneers. This is the system of apprenticeship. You can not be provided with the things necessary to make a community prosperous without going to some antecedent expense. Do we by this bill propose to-day to do anything more than follow this same principle of prudence by a little antecedent expense on the part of this nation, levied on the body of the people and the labor of the country, albeit, as at first appears, without return? Even if there were no direct return, I say that this object of building up new and highly important industries and preparing to manage its own affairs will justify our nation in such an expenditure as a matter of prudence for the benefit of the producer. I can not see, therefore, why this bill should be objected to as another great protective measure. It may seem obnoxious to this objection at the first blush, but on examination the objections give way to the wiser and more considerate policy of securing for ourselves the carrying of a large portion at least of our foreign trade, now so large and bound to increase for all time to come.

I think the interest of fifty millions of people in this country engaged in production and sharing the commerce of the world, which last year amounted to nearly $1,500,000, demands something of this kind at our hands.

Mr. ROBESON. Nearly $1,600,000.

Mr. ROSECRANS. And it will continue to grow and the interest of this country in it will increase. It is at present sufficient to warrant any sacrifice called for by this bill, which I hope will be passed at an early day.

Mr. HOLMAN. Mr. Speaker, while it is true that the American people, in the main, are interested in the productive industries of their own country, it would be impossible that a people occupying a country teeming with all the productions of field and shop, of mine and forest, and washed by the waves of the two great oceans, should not desire strongly to participate largely in the commerce and carrying trade of the world. And in the past, as in the present, it has been the conviction of all considerate men that ship-building, that instrument and agency of the commerce of the world and of the intercourse between the nations, should not be neglected. The importance of this industry has never been overlooked. It has been the policy, therefore, of the people of the United States for more than a century to encourage in a large degree the building of ships. That policy is especially seen in the old-time and unrevised and permanent legislation which limits the vessels engaged in the coastwise trade to those constructed in the United States; and it is a policy which has been approved by the wise and considerate statesmen of past generations.

And for my own part, sir, I am compelled to regard it a wise policy, which ought not to be disturbed. It is in harmony with the common interests of our people, and a measure of public safety. This coastwise trade is widespread and international in its proportions, for such is the magnitude of our country that its coastwise trade assumes the proportions of a foreign commerce. The commerce which controls our vast coasts on two oceans, and passes from the Atlantic to the Pacific Ocean around the continent, is equal in its magnitude to the trade which passes between many other great and prosperous nations. This grand coastwise trade, embracing the commerce of the great lakes of the north and the great inland rivers, is of itself enough to build up a commercial navy, and in the years which have gone by the ships engaged in that immense trade have been confined to those built in the United States. Such has been our policy in the past, and such it will be in the future.

So, then, Mr. Speaker, having in this country from the beginning built the ships which have been engaged in carrying on our extended coastwise commerce, we are not in the condition of a people entering upon the policy of ship-building and seeking for methods to encourage it. We have already an established policy, which has founded ship-yards in every region favorable to the building of ships. Under the protection of our domestic commercial policy, ship-yards have existed and flourished under all conditions and now exist and flourish. This policy maintains ship-yards sufficient to meet every possible emergency of war, supplemented by the extensive navy-yards of the United States. This encouragement of ship-building for the domestic trade is for the benefit of all our people, for it is a measure of national safety and secures to our own people the control of their domestic commerce.

The magnitude of this commerce which is confined to the ships and vessels built in the United States is seen in the fact that in 1882 it employed vessels of the aggregate tonnage of 2,873,638 tons, an increase of 227,627 tons over the preceding year. Here is our safety as a maritime power: Ship-yards, transports, skilled workmen and sailors for every emergency.

We are told that the pending bill is designed to promote the foreign commerce of the United States. How does it promote commerce? How does it encourage or enlarge the commerce of the United States? Ships are but the instruments of commerce. There is now and has always been an active competition for the carrying of the products of one people to another, an active, jostling competition among ships for the freights of the world, and always will be. The commerce of the United States, with their more than 50,000,000 of people, and with countless, varied, and flourishing industries and vast productions, hap-

pily does not depend upon the accident of whether ship-building or ship-owning is profitable to our capitalists or not. Our commerce is a part of the commerce of the world and the citizens of all maritime nations seek the fruits of our labor. No ship-building encouraged by subsidies can promote or increase the magnitude of our commerce.

This bill in effect, Mr. Speaker, proposes to promote by subsidies a single private industry—not commerce, but the building of ships, instruments of commerce. Does it propose to promote the building of ships to carry the products of America abroad? Is that its design? We have ships aggregating 1,259,492 of tonnage, floating the flag of the United States, engaged in foreign commerce, engaged in commerce with other nations. Do they transport your products abroad? They are engaged in the common carrying trade of the world wherever the best cargoes are offered. Ships built under this subsidy system would not be identified with our commerce or carry our products to the markets of the world, unless we paid the best freights. With them it is but a question of pecuniary profit. This bill proposes to encourage a single private industry engaged in the building of ships by free gifts from the Treasury, and not to promote American commerce. A subsidy for the building of ships for the foreign trade with 1,259,492 tonnage unsubsidized on the ocean and iron-ship building in active progress!

In order to give this special industry encouragement it is proposed to give a bonus to those engaged in ship-building—to the capitalist wishing a ship—equal to the duty imposed upon the materials, whether of iron, wood, or other material which enter into the construction of the ship. How would that operate? Take, for instance, wooden ships—I see the gentleman from Maine gives me his attention—suppose we pay a subsidy for the building of wooden ships. Thirteen years ago, when wooden ships were still being built, exclusively, this House made a special effort to enter upon the policy of encouraging the building of iron ships as well as wooden by a system of subsidies like that which is now suggested, only a little more modest, but it failed. What is the testimony on the subject of wooden ships? I shall quote from the testimony taken by this joint committee, as I presume the committee brought before it the wisest and most experienced experts in the ship-building industry, and here I find the testimony of John Codman, of New York, a gentleman well known as extensively identified with shipping interests. He testifies as follows:

Your first question is: Why can not this country build iron, steel, or wooden vessels as well and as cheaply as they are built in Scotland, England, or other countries?

Answer. We can and do build wooden vessels as well and as cheaply as vessels of good quality are built elsewhere, and cheaper than they can be built in Great Britain. It was for this very reason, in days before the era of extensive iron-ship building, that England repealed her navigation laws, which were then similar to our own, in order that her people might still have their share of the carrying trade, even if they could not compete in ship-building, an example that now, when circumstances are reversed, we would do well to imitate. In wooden-ship building the proportion of cost in material as compared with labor is far greater than in iron-ship building. The cost of plant is infinitely less, and the cheapness of the wood compensates for the difference of labor. Finally, this part of the question may be set at rest by considering the small demand there is now for wooden ships for the great purposes of ocean commerce.

We can not build iron and steel vessels as well as they are built elsewhere, partly because competition is wanting. We need abundant foreign as well as the extremely limited home competition that we have in order to arouse the talent and energy of our own ship-builders.

So, then, we can build wooden ships in the United States cheaper than they can in England, notwithstanding we impose a duty on timber brought from other countries to the United States and especially from the Dominion of Canada. We are able here, then, on our own soil, according to the testimony of this ship-building expert, to build wooden ships as cheaply as any nation in the world; and yet we are asked to pay a subsidy to encourage the building of wooden ships! Can anything be more absurd? I find in the report on commerce and navigation for 1881, the last issued, that vessels of the aggregate tonnage of 28,671 tons built in the United States were actually sold to foreigners in 1881! And yet we are to pay a subsidy for building them!

So much for wooden ships.

Now, sir, as to iron ships. We are discussing this subject as though we were trying to revive ship-building as a lost industry. Take the testimony, as reported by this joint committee, of one of the shrewdest and most experienced men identified with that industry in this country; I refer to Mr. John Roach, of New York, the great ship-builder. He says in his testimony:

I signed two contracts to build two sailing ships at $75 a ton, the parties with whom I made this contract finding it to their interests to build them at home.

John Roach also testified in answer to questions of Senator VEST, of Missouri, a member of the joint committee, as follows:

Mr. VEST. In what year did we begin building steamships in this country?

Mr. ROACH. There were a few iron vessels built many years ago, yet there were no large vessels built until 1870.

Mr. CRAMP (interrupting). There were some sea-going vessels built before the war, but not very large ones.

Mr. VEST. Have Americans continued to improve in this species of ship-building since 1870?

Mr. ROACH. Yes, sir.

Mr. VEST. Has the manufacture of them increased the construction of iron steamships here?

Mr. ROACH. Yes, sir.

Mr. VEST. Then how has it decreased since the panic of 1873? The Treasury Department reports a gradual falling off since 1873. The following is the table given:

[From annual reports of the Register of the Treasury.]

Year ended June 30—	Sailing vessels.	Steam-vessels.	Total.
	Tons	*Tons.*	*Tons.*
1868		2,801	2,801
1869	1,039	3,545	4,584
1870	679	7,602	8,281
1871	2,067	13,412	15,479
1872		12,766	12,766
1873		26,548	26,548
1874		33,097	33,097
1875		21,632	21,632
1876		21,346	21,346
1877		5,927	5,927
1878		26,960	26,960
1879		22,008	22,008
1880	44	25,538	25,582

Mr. ROACH. It must be a mistake if it is represented as having fallen off. The iron steamships in the foreign trade from 1870 to the present time have increased over 600 per cent. I have myself built 8,500 tons of steamships in the foreign trade and they are all afloat except two.

Mr. VEST. Do you mean the California trade?

Mr. ROACH. Yes, sir; between California, Australia, Mexico, China, and Japan, west coast of South America and Brazil, and the Havana trade.

Mr. CALKINS (interrupting). There is one line alone in the foreign trade that has had 20,000 tons built.

Mr. ROACH. I will have built from the 1st of March this year to the 1st of March next year 32,000 tons of iron steamships, 15,000 tons of which are for the foreign trade.

Mr. VEST. Are these tables submitted by the Treasury Department correct? If so, with increased facilities and building more cheaply, why is it that the American ship-yards have not built more? Why a falling off between 1874 and 1880?

Mr. ROACH. There was a great deal of inland or coasting tonnage built in that time. We have built over 150,000 tons of coastwise steamers. Probably there is no nation in the world that has as good ocean freight steamers as the United States, except Great Britain.

After stating the number of ships which had been built, he speaks as follows:

Ocean-going steam tonnage built in the United States since 1872: Number of vessels, 145; tonnage, 257,563.

What a grand showing this is! We have built in ten years more steam ocean-going tonnage than England possessed in 1860, though she began to build the iron ship in 1840, and had liberally encouraged the establishment of ship-yards, paying millions yearly in contracts to induce the investment of capital in the foreign carrying trade.

More than that, in these ten years we have built four times as much steam tonnage as we owned in 1860, while that was made up of old side-wheelers not fit for ocean carrying, and have built considerably more than one-half as much steam tonnage as was owned by the world in 1860. The ships are first-class, and their carrying capacity is equal to 772,659 tons of sail, the most approved estimates, based on experience, making one ton of steam equal in carrying capacity to three tons of sail.

Besides this we now have in the foreign trade 80,000 tons of iron screw-steamers, or ten times more than we had in 1860.

This same experienced and accomplished ship-builder further testified before the joint committee, touching this subject of subsidies, as follows (page 114 of the report):

With respect to bounties to ship-builders, however, I am unqualifiedly opposed, and for the following reason: The bounty so given will enable the builder to construct his ship for less money. It is really in such a case in reduction of the cost of the ship, or at any rate an element of certain profit. Such being the case, what is to prevent a builder after his bounty has been paid from selling the vessel to a foreign owner, thus putting his cheap ship in competition with such of our vessels as were built earlier? Again, if bounty should be paid to the builder, and the ship should be sold to a foreign owner or lost, the bounty would be lost and the country would be in no respect the gainer, except in the profits of labor in her construction.

Then as to the iron ships how does the case stand? During the last year, as shown by the report of this joint committee, there were built by the firm of John Roach & Son three iron vessels for the foreign trade of 6,200 tons. The same firm had in progress at that time, that is, the time this testimony was taken, a few months ago, to be completed in April, 1883, five iron ships of 9,500 tons. Harlan & Hollingsworth, another firm of iron-ship builders, constructed during the same period, that is, the year 1882, one ship for foreign trade—many for domestic trade of iron—but one for the foreign trade of 3,244 tons. William Cramp & Sons, another ship-building establishment, was shown to have built during the same period, 1882, three ships of 7,600 tons. In all, eight large iron ships of an aggregate tonnage of 25,344 tons. Besides each of these firms have built each year for the preceding ten years iron ships for the foreign trade and a much larger number for the domestic.

Now these three firms alone, as shown by the report of this committee, constructed last year and have ready to be completed by April, 1883, iron ships amounting to a tonnage of more than 25,000 tons, and all this without subsidy. How does that illustrate the provisions of the bill which you are considering, especially this extraordinary eighteenth section? It is bringing back to us after thirteen years all of the propositions embodied in the report made to Congress by Hon. John Lynch, of Maine, when this subsidy scheme for this special and limited industry was first suggested and urged upon Congress.

Now, sir, what is the effect of this eighteenth section on an iron ship?

I quote from the report of the joint committee, page 6. After quoting the eighteenth section, the joint committee say:

For the purpose of illustrating what would be the practical working of the foregoing plan, we have obtained from the Delaware River Iron Ship Building and Engine Works a schedule of the materials actually used in constructing two first-class passenger and freight iron steamships for the Pacific trade of 2,131 tons each, having a speed of thirteen knots. It appears that 3,709,845 pounds of iron, mainly in the form of plates, angles, and bars, were used in the construction of the hull, engines, boilers, &c., of each steamship. The duty on this iron, if imported in these forms, would average under the present tariff about 1¾ cents per pound, or about $26 for each ton of the steamship.

The duty on other materials used in the hull, equipment, and furniture of the steamship would carry up the drawback allowed from the Treasury to about $34. As the cost of each of the steamships to which we have referred was $286,317, or $134 per ton, the net cost to the original owner of a similar steamship, under the foregoing plan, after deducting the "drawback," would be about $100 per ton, which, from all the information obtained by your committee, would be substantially the cost of a similar steamship built on the Clyde.

At $34 per ton the owner of an ordinary iron ship of 4,000 tons would receive a bounty of $136,000!

The eighteenth section of the bill is as follows:

SEC. 18. That when any vessel, whether steam or sail, shall be constructed and equipped in the United States for the foreign trade, including the trade between the Atlantic and the Pacific ports of the United States, *in whole or in part of materials of* the production of the United States, the owner or owners of such vessel shall be entitled to receive and collect from the United States a drawback or sum equal in amount to the duty which would have been collected upon imported materials of like description and of equal quality with the American materials used in the construction, equipment, engines, boilers, and other appurtenances of such steam or sail vessel: *Provided*, That in ascertaining such drawback the duties on such iron or steel materials shall be computed on iron and steel advanced in manufacture not beyond the point of plates, angles, bars, and rods: *And provided further*, That this section shall apply only to vessels commenced after the passage of this act.

This joint committee therefore find and report that under your protective tariff the material for one ton of an iron ship costing $134 would include $34 of protection to the iron interest, and therefore in building an iron ship you must pay not the workmen who build the ship but to the capitalist who owns it a bonus of $34 for each ton of the ship to equalize things. Thirty-four dollars, then, per ton is the bounty proposed to be paid to these iron-ship capitalists; and if this law had been in force during the last year and applied to those which were built and which are to be completed by the time I have specified, April, 1883, and built on a profit to the builder, as we are justified in presuming, this bill would have given the capitalists who built them a bounty of $861,696. This is a startling fact. Why, sir, how can the honorable gentleman from California [Mr. PAGE], who does me the honor to hear me, in the presence of the people of this country, when this ship-building industry is now reviving, when a gentleman largely identified with it testifies as a fact that the work is steadily growing and their business increasing, propose to pay annually hundreds of thousands of dollars out of the public Treasury as a bonus for the building of ships, and that, too, sir, when ships, iron ships, have been already built and are now being built upon a profit to the manufacturers? I do not understand how such a proposition can be made.

Mr. PAGE. Will the gentleman allow me to ask him a question in this connection?

Mr. HOLMAN. Certainly.

Mr. PAGE. In reference to this eighteenth section of the bill, I would like the gentleman from Indiana to state to the House if in the event that this section should become a law, whether John Roach or any other ship-builder upon the Delaware or any where else would get a direct benefit other than an increase in the amount of work done at their yards?

Mr. HOLMAN. I think it is too plain for doubt as to who gets the benefit or bounty.

Mr. PAGE. It is very clear the ship-owner gets it.

Mr. HOLMAN. Yes; the ship-owner gets the bounty, not the ship-builder, not the enterprising manufacturer, not the toiling laborer whose sledge strikes and rings on the iron ribs of the rising ship. They are not here asking for any such measure as this. From the provisions of this bill the mechanic and laboring man receive nothing. No, sir; it is a bonus simply to the man who owns the ship when completed, a ship which may perhaps be at once engaged in the trade between Malta or Calcutta and Liverpool, a subsidy to a ship to enter the carrying trade of the world, not for the benefit of the commerce of the United States, but for the profits of trade. Our ship-building will be carried on and increased by gradual processes without subsidy. When it is profitable our people will force their way into the world's commerce without subsidy. It will become a part of the growth of our country when the carrying trade becomes more profitable than other enterprises, and not till then. Subsidy has never yet established, and never will, a solid and prosperous business in the United States.

The causes which have operated in the last twenty years to diminish ship-building in this country have been in some degree removed, and the people will go on as they did in former years in developing and increasing this branch of industry, when it will be advantageous to capital, and not until then. A thorough and careful revision of the tariff must precede the success of an industry which comes in direct competition with the rest of the world.

It is shown by this testimony now before the House that when these ships are built they will leave your coast, or else you will have to pay an annual subsidy to run them. Our capitalists are not satisfied with the moderate profits which other capitalists require and are satisfied with; hence this clamor for subsidy.

But, sir, there is an effort made I fear in this very report to underestimate the extent of your shipping interest. It is put down here in the tables before the House at 2,684,943 tons, when the report of your statistical bureau informs us that our tonnage is 4,133,130 tons, domestic and foreign. The larger portion I admit is what is engaged in our domestic trade. Four millions! while that of Great Britain counts up but to nine. Why should we feel apprehensive of the result while we are at the head of the nations in all the true elements of greatness?

The great productive power of the world, even in the matter of ship-building we are the second of the nations; even with all the disadvantages under which we are laboring, under the exactions of oppressive taxation, we are, even as a maritime power, the second of the nations, the only nation ranking higher in that respect being the nation that rests entirely upon her carrying trade and commerce, and affords, as this report well shows, to pay out millions a year to support her carrying trade, which is the source of wealth and subsistence to all her people. Monarchies can afford to pay subsidies, whereas here the building of ships is an interest common to but a small number of our people. Can you afford to tax the labor of all our people to aid capitalists to build ships? Can we afford to tax labor, not to promote our commerce but to enable capitalists to engage in competition with other nations in the carrying trade of the world?

But, sir, I base my objection to this measure on far higher grounds than any money consideration. It is not the money involved that most excites my anxiety about this measure, but I protest that the just pride which the American people feel in the relation of their country to the other nations of the world should not be invoked in support of a policy so entirely and essentially antagonistic to the true genius and spirit of our institutions and to the spirit of the Constitution of the United States. The policy of giving a subsidy, drawn from the industries of the whole people and resting upon all labor, for the benefit of a few is wholly indefensible, unless you are justified in taxing all labor to make a few great fortunes, for that is the true meaning of all subsidies. This subsidy is not for the swarthy laborer who wields the sledge, weary with the heavy task, but of the man who lives off of the labor of other men, and whose capital is invested in the building of the ship; to him this is a protected, a favored industry—nothing less and nothing more. It is under the principle of subsidy that in all ages the "rich have grown richer and the poor poorer."

Are the representatives of the American people prepared to vote a tax upon their constituents, upon the laboring men everywhere, on the farm, in the mine, in the workshop, that a few favored men shall get ships cheaper to jostle with the ships of the other nations in carrying on the shipping of the world and make fortunes?

Mr. SMITH, of Illinois. Will the gentleman from Indiana allow me——

Mr. HOLMAN. My friend will please excuse me. I have got but a minute left; otherwise I would be very glad to yield. If this is simply a measure in the interest of capital, it is sheer favoritism in legislation, the most odious of class legislation, for the benefit of the few at the expense of the labor of all. Have laboring men been here asking for this legislation? I have heard some gentlemen appeal to them.

[Here the hammer fell.]

Mr. WELLBORN. I ask that by unanimous consent the gentleman from Indiana [Mr. HOLMAN] be allowed to proceed for five minutes more.

There was no objection.

Mr. HOLMAN. I wish in the five minutes now allowed me to enter my solemn protest against this entire system of subsidy. Are the people of this country asking for this legislation? Let me again inquire, are the laboring men even of your cities asking for it? Are they to be benefited by it? No one will assert they will be. I have never seen a lobby of laboring men here asking for legislation. Yet this Capitol swarms with lobbies. I find published in the Nautical Gazette an open letter addressed to that comparatively small body of gentlemen who are interested in this bill to promote the carrying trade:

TO ALL INTERESTED IN AMERICAN SHIPPING.

Call for meeting at Willard's Hotel, Washington, D. C., January 8, 1883.

319 BROADWAY, NEW YORK, *December 23, 1882.*

DEAR SIR: As chairman of the sub-committee on "shipping," appointed by the national tariff convention, I take the liberty of calling your attention to the report, No. 1827, of the joint Congressional and the bill (H. R. No. 7061) now before the House of Representatives, which will be called up early in January. The passage of this measure is of the most vital importance to American shipping and of our industries generally, as will be seen by the annexed schedule of industries affected by ship-building, and whose ruin would be certain if a "free-ship" bill is ever passed by Congress.

To secure the passage of the joint committee bill it is necessary that manufacturers and others in favor of protection to American industries should at once bring to bear upon Congress all legitimate agencies within their control. Will you, if it is possible, assist in this effort, by meeting with others of like views, at Willard's Hotel, Washington, District of Columbia, on Monday, January 8, 1883? If you can not be present there, please write to the Congressman from your district and Senators from your State, and secure their votes and active influence in behalf of the bill. Please send to the undersigned, at the office of the American Protectionist, No. 319 Broadway, New York, the names of Senators and Rep-

resentatives to whom you write, the nature of the replies received from them, and your opinion as to their probable course.

This is the first question that comes up in this session of Congress that directly bears upon the question of protection, and upon its decision will largely depend the disposition of the tariff bill.

Yours, respectfully,

H. C. CALKIN, *Chairman.*
MARCUS HANLON, *Secretary.*

To secure the passage of this joint committee bill it is necessary that capitalists interested in building ships should meet at the capital. This is a touching appeal. It is necessary "that they should bring to bear upon Congress all legitimate agencies within their control." "Write to Congressman of your district." Certainly!

Mr. Speaker, when a measure affecting the whole people, beneficial to all the American people, is before Congress, a just and honest measure, do we hear of lobbies gathering at the Capitol to force the subject on the attention of Congress? Are the representatives of the people so remiss in their duty that when a just measure is brought forward affecting their constituents, and calculated to promote their interests, it is necessary a lobby should be formed to promote it and remind members of their duty? This appeal for help, this gathering of the lobbies of elegant gentlemen too plainly tells how subsidies are gained, how class legislation is secured. This organized movement on Congress was fixed for the 8th of January, yesterday. To-day is the 9th. Yesterday the bill was under discussion. This letter was written on the 23d day of December last.

And is another subsidy to be carried through Congress by the old methods? I will not believe it.

Has Congress ever granted a subsidy that did not result in discredit and the public injury? Not one.

Sir, has it come to this that a measure sought to be carried by an appeal to national pride, claimed to be for the benefit of the whole American people and calculated to promote their industries, yet at war with every principle of republican government, can be carried through Congress by the questionable methods of an organized lobby? Is the appeal to national pride but a shelter? Are the people to be benefited by the passage of this bill? No; no, sir. If this was legislation for the benefit of the people, if this was legislation for the common good, there would be no lobby here.

[Here the hammer fell.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a joint resolution of the following title; in which the concurrence of the House was requested:

A joint resolution (S. R. 120) granting permission to Ensign L. K. Reynolds, United States Navy, to accept the decoration of the Royal and Imperial Order of Francis Joseph from the Government of Austria.

The message also announced that the Senate insisted on its amendments, disagreed to by the House, to the bill (H. R. 6957) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1884, and for other purposes, asked a conference with the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. ALLISON, Mr. HALE, and Mr. BECK.

The message further announced that the Senate insisted on its amendments, disagreed to by the House, to the bill (H. R. 7050) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1884, and for other purposes, asked a conference with the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. LOGAN, Mr. RANSOM, and Mr. COCKRELL.

AMERICAN SHIPPING.

The House resumed the consideration of the shipping bill.

Mr. ROBESON. Mr. Speaker, I had supposed, that there were some principles which had been settled by the teachings of statesmen and by the experience of nations. One of them, which had received its firmest lodgment in my mind, was that a nation which was to be free, powerful, and progressive, and was to exercise its full and legitimate influence upon the progress of the world and the civilization of the race, must contain and hold within itself the means of its own independence, the material of its own development, and the weapons of its own power.

Every writer upon political economy who has studied the history of nations in the light of their experience has reached that conclusion. The wise men who established our own Government, who made our Constitution and inaugurated our policy and enacted our laws, were unanimous in the assent that they gave to it. There was no dispute of it from the Federalist of Massachusetts, from the Democrat of Virginia, or from the American patriot anywhere.

The concurrent testimony of Washington, of Hamilton, of Madison, of Adams, of Jefferson, and later on of Webster, of Bayard, of Cass, and of Polk, is spread upon the records of Congress, declaring in unanimous voice to those who follow after and represent their principles that these can be made effective, lasting, and dominant only through those means which tend to encourage the productive industry of our own people and to keep within our hands the materials of our independence, the weapons of our defense, and the means of intercourse and influence with the other nations of the earth.

Indeed, there was not one of the elder statesmen of the Republic, not one representative man who was before the American people of even the last generation (of whom I know anything), who did not declare that it was a clear duty of American legislation, and in accord with the principles of all parties, to protect as far as might be the commerce and carrying trade of the American Republic.

We have a continent as an inheritance. Our shores are washed by the waves of either ocean. Mighty rivers divide our land, emptying into the Pacific, into the Atlantic, and into the Gulf. God has given us this country and its possibilities and the freedom we enjoy for ourselves not only, but for the development of our principles and for the extending of our influence all over the world.

And there has been no party and never was an American statesman until within the last generation who has dissented from the proposition that it was the duty of our national legislation to take all the means that were necessary to keep within our grasp, so far as might be, the dominion of the seas, that common arena where progressive nations meet and measure their power in war and peace.

We may judge of the principles of the past by our situation to-day. The laws now on our statute-book protect and have always protected our coastwise commerce—how? By direct embargo, do we not? All our shipping, which we absolutely control wherever our Government can reach it, wherever we have the power to lay our hand on it, is protected by prohibitory legislation, by legislation which declares that no other ships than those that we build, own, and control shall enter upon that trade. That is a legacy of the past left us by the wisdom of our fathers of all parties, and with the common assent of statesmen.

And under the same instruction we endeavor to protect our foreign commerce, also. How? Not effectively, because our foreign commerce is not within our own boundaries nor fully subject to our own control; but so far as we can by the registry laws of old enactment which remain upon our statute-books; by express provision, reaching as far as American legislation can reach, we endeavor to protect our foreign commerce, by absolute prohibition. Our laws now provide that no ship shall carry our flag or bear an American registry that was not built in this country and is not owned here. That is the legacy that we have received from the more concentrated and less sentimental patriotism of the past.

This is one legacy from the wise statesmen of all parties who founded our Government, established our principles, and gave direction to our laws.

And until the present generation no man has dared to dispute the declaration of Jefferson and disregard the admonition of Washington that if we were to be free, if we were to be powerful, if we were to be independent in peace and strong in war, we must keep within our own control that commerce which marks our relations with other nations, the vehicle of our influence and impression in peace, the nursery of independence of foreign power, and the weapon of our strength in foreign war.

The statute-books reveal and prove the fact, that the fixed policy of our legislation has been and is to protect American commerce wherever it can be reached—the coasting trade by an absolute embargo, and the foreign trade, as far as our laws can reach it, by prohibition.

We now find, in the progress of events, that the protection to our foreign trade which our fathers thought sufficient, and which under the then condition of our industry and the then situation of our trade was sufficient, now fails to protect it by reason of new conditions affecting the commerce of the world. We find that day by day, month by month, and year by year our proportionate share of that trade fades away, and dwindles in comparison with the trade and the influence of other people not more enterprising nor more favored by nature. And we are to-day brought face to face with this issue, whether we will give up our foreign trade altogether or whether we will help it further; that is all. There is no question of new principle about it. The propriety of keeping up that trade has been decided and admitted all down the line of our history.

There never was—and gentlemen will pardon me if I speak plainly on this subject—there never was an attempt to break through this principle under the Constitution. It was only when, outside of the Constitution, certain interests combined in the endeavor to establish an agricultural-military empire, depending for its trade, its commerce, and its manufactures upon England, that an attempt was made to overthrow it. That endeavor and that wish has been abandoned; those ideas are given up; and the gentlemen who so bravely and so ably maintained them have come back into the bosom of the Government which was established on the old idea and should be pursued along the line of the old principles.

Now, Mr. Speaker and gentlemen, is this carrying trade worth protecting? It is not a question of commerce. That we have not and will not lose so long as we produce and consume. We had last year, in round numbers, $1,600,000,000 worth of commerce, including our export and import trade. Nearly 90 per cent. of it was carried in foreign bottoms, the money thus paid by American producers and American consumers going to build up English commerce and English manufactures. We paid for carrying that over $200,000,000 out of the price to the consumer and to the producer; for it must be remembered that the cost of the

transportation is a tax upon the price of the article to the producer and to the consumer also; but if the consumer buys in the markets of the world, the charge falls on the producer.

Now this is important, not only as a matter of trade and commerce, not only as a matter of money, of wealth, development, and progress at home, but it is important also as a matter of influence abroad, through all the avenues which we ought to control.

Why have we lost our influence on this continent, to say nothing of the Old World? Do we control to-day as we ought to control, and dominate as we ought to dominate, as the responsible nation of this continent, its policy and its interests, its principles, its development and progress? No; it is given up to England. We control nothing on the Spanish main, nothing in eastern or western South America. Their trade, their development, their civilization, their progress, their foreign and domestic policy, have faded away from under our influence, which controlled and directed them in the elder days of our power; and they respond now to the touch of English interests and are controlled by English policy. Why is it, gentlemen? Open your eyes, shake off the shackles of old opposition, break from the allurements of foreign influence, and rise to the height of this great question. It is because England has maintained her commerce, has opened whenever it was necessary the doors of her Treasury, has subsidized carrying trade, has stripped the burden from her commerce, has established her lines with South America on both oceans and with the East with wise provisions and statesmanlike liberality. There is not one line of commercial trade which England has established around the world that she has not taken care to establish on a firm basis, by so protecting and sustaining it that it may not only so maintain itself but drive out all competition. When that was accomplished she has sometimes left it to work out its own destiny.

If gentlemen desire to see this thing go on, if they wish to stand up before the American people and say, "We have a continent which we can plow; we have lands which we can cultivate; we will build a Chinese wall around ourselves and be sufficient unto ourselves as long as we are let alone," why that is another and an intelligible view of the question. But let them not forget that no merely agricultural people has ever been a progressive people; that no purely agricultural people has ever accumulated wealth or developed power, and that no purely agricultural people has ever been independent except in the mere sense of governmental freedom. They have always been dependent on the will, dominated by the policy, and controlled by the interests of others.

There surely is but one question in this matter. We are called upon by the press in all portions of the country—I do not speak of that as a controlling argument for myself, but it is an argument with some people—we are called upon by the intelligent demands of our people expressed through the public press to do something to put our carrying trade on the same basis with our other industries, on an even basis with that of other countries, on the basis where our fathers left it. The metropolitan press teem with it, the chambers of commerce of every city are full of it, the merchants of every city petition, literary articles in reviews and magazines crowd it upon our attention. Political parties resolve about it, and political representatives hasten to spring to their feet and say, "Yes! yes! yes! we desire to revive American commerce;" but when put to the test they will not give the means of doing it. They are in favor of the war, but opposed to carrying it on.

How is it to be revived? By removing its burdens, by fostering and protecting it, not—and let gentlemen understand this—not by fostering and protecting its rivals.

This bill is an attempt in the right direction. It goes by no means as far as I would go; but yet it is an attempt, and I support it because it receives the assent of my committee, and because it is the best thing I can hope to get for the present. In order that we may know how we are to remove the burdens complained of we must first examine and determine what they are.

We find first they consist of various petty and small annoyances which grow out of a system of navigation laws adapted to other conditions and enacted under other circumstances. These we sweep away as far as may be, with due regard to the protection they give to persons and individual interests. But gentlemen will observe that there is not one of them we sweep away the sweeping away of which is not a direct charge upon the public Treasury. You take away fees here; you sweep away what seem to be exactions there; you exempt from this tax and that assessment, but by so doing you take away those fees which are provided by the laws to go into the Treasury, and for the discharge of certain expenses which the policy of the Government has determined ought to be met and paid by the General Government.

You sweep away consular fees. You must maintain your consuls then out of your Treasury. You take away the charges which are paid by masters for seamen discharged abroad. Then you must pay for bringing home your waifs and your sick seamen discharged in foreign countries, and pay for it out of the Treasury.

You sweep away taxation. There is some dispute about whether that should be done by the General Government or by the States. But, whether it is done by the States or by the Government, it surely comes out either of the local or the national Treasury. The truth of the matter is you can not have your omelet unless you are willing to break eggs. [Laughter and applause.] The real question here is whether the carrying trade is worth all we here seek to give for it, and that is all there is to consider. This bill as amended by the committee provides in effect for the appropriation of the tonnage tax to this purpose. What is the tonnage tax? It is the tax levied by law on the shipping which enters our ports. Last year it amounted to about $1,450,000, of which only about $200,000 came from our own vessels, the rest being made up of the tax on foreign ships.

But this small concession is resisted. In whose interest? I know of no lobby here of which the gentleman from Indiana [Mr. HOLMAN] spoke. I and those who agree with me are speaking in the interest of the American people, in support of a patriotic policy established by our fathers, and I hope the gentlemen who speak in what seems to me to be the interest of English capital are not subjected to any lobby influence, foreign or domestic.

Gentlemen, the question which is presented to you is simply, is the foreign carrying trade of your country, which is fading away under the changed condition of things and because of the accumulated subsidies of foreign governments, worth the tonnage tax or not? Eighty-five per cent. of it is derived from foreign ships. Is it worth it? Will you give it in response to the demands of your country's interest? "No," says the gentleman from New York and those who follow him, "but I have a sovereign remedy for all the ills of our struggling ship-building and our dying carrying trade, without paying anything out of the Treasury. We will build up American ship-building and employ American labor by opening the markets of your country to the capital and labor of foreign ship-builders. We will maintain ship-building on the Hudson and the Delaware, and re-establish your carrying trade; we will make you respectable in peace and powerful in war by abandoning the protection which has proved insufficient, and letting you buy of the ship-builders of the Tyne and the Clyde. We will commit suicide for fear we will die. That is what we will do, and we will do it for fear some man, who is enterprising enough and brave enough to maintain American industry and employ American labor against this odds, will make some money in doing it. And the ship-builders on the Tyne and Clyde will say, "Well done. We will take care with our cheap labor, with our cheap capital, with our subsidies, with our exemption from national taxation, that all competition shall be closed out. We will take hold, occupy, and supply your markets. We will control your carrying trade, monopolize the transportation of your produce, and take our toll of your American labor. We will have your country no longer a drain upon our working population. You shall hold out no more inducements to foreign immigration. You shall either give up that or you must put down the price of your labor so that our men will stay at home, or if they go away to your country will be no better off than they were with us."

Mr. SPRINGER. May I interrupt the gentleman to ask him a question?

Mr. ROBESON. Certainly.

Mr. SPRINGER. Do I understand him to say that he is of opinion that the donation of a subsidy amounting to this tonnage tax of about a million and a quarter of dollars per annum would enable our ship-builders to compete successfully with the English ship-builders?

Mr. ROBESON. I am of opinion that it will do something toward it. And what is the reason why the gentleman is not willing even to do that? He would not only not do that, but would open the floodgates of the Tyne and the Clyde to swallow up our manufacturing industry in the victory of English capital and English labor. But when gentlemen seek to do that thing I want them to understand that that is just what it means before the world, and that is what the American people will understand it to mean.

But to return to the practical question. All agree that we shall sweep away the small burdens which weigh upon our commerce, but in brushing them away we establish the principle of the larger things. What is the real burden upon American ship-building in its competition with that of England? It is the higher price of American labor—50 per cent. more than foreign labor of like character by the actual tables and computations, by the official records of your Treasury Department. That is the difference, and you must meet the question which presents itself threefold—whether you will compel a reduction of the price of your labor; whether you will abandon ship-building altogether, or whether you think it valuable enough to induce you to supply the difference in the price of labor out of the tonnage tax, 85 per cent. of which comes from foreign owners; whether you will apply this tax, which many seek to repeal, to building up our shipping interests, re-establishing as far as it may our carrying trade, and employing at remunerative prices American labor.

I know that there are some gentlemen who have been so long watch-dogs of the Treasury that we cannot pay out a penny even to get back a dollar without shrinking from it as if it were a crime. But as I had the honor to suggest the other day, when my friend from New York reminded me that my ideas were in accord with what had already been said by a wise and philosophic statesman of another age, and with this sanction I will venture again to say, that parsimony is not always economy. Economy often demands expense, and great expense. Parsimony,

on the other hand, in refusing to provide and contribute expense when necessary is the most wasteful policy that an individual or a nation can indulge in. Again, in regard to this proposed remedy of free ships. In the first place, I do not see that this proposition is in accord with the purposes of this bill. This is a bill to encourage American commerce, to build up American ship-building, and to give back to our country the American building and carrying trade. How does an amendment which takes the burdens from foreign ships remedy the difficulty or remove the burdens from American shipping and re-establish the American carrying trade?

Mr. CANNON. Will the gentleman allow me to interrupt him for just a moment?

Mr. ROBESON. Certainly.

Mr. CANNON. I wish to ask the gentleman if I am to understand that this bill provides that the ships which shall be built under a bounty from the Government shall be built for the American people and float the American flag, or are they designed to be built for the markets of the world?

Mr. ROBESON. As the law now stands, any ship built for the markets of the world has a full drawback of all the duties paid upon the material employed in its construction.

Mr. CANNON. Not upon the domestic material.

Mr. ROBESON. Very well, admit it; but you can bring in foreign material made by foreign labor, practically free, and put it into a ship for the markets of the world; but when you get the American laborers to make that material you will not give them the benefit of the drawbacks you give to the foreign material produced by foreign labor. Does that answer the proposition?

Mr. CANNON. No. My question, if the gentleman will permit me, is this: The gentleman stated, if I understood him aright, that the object of this bill was to put ships upon the ocean which would sail the American flag, so that our foreign carrying trade would be in ships carrying the American flag instead of the British.

Mr. ROBESON. That is what I said, but not all I said.

Mr. CANNON. Now, I want to know if that is the effect of the bill; whether it is not rather to give a bounty out of the Treasury of the United States to our ship-builders equal to the difference between the cost of building ships here and abroad, and let them sell that ship to an English subject or anybody else?

Mr. ROBESON. It must be built for the American trade—an American vessel and sail under an American register. Now, I do not say that that ship may not be sold abroad at some future time if you choose. But suppose it is sold, will the gentleman say it is not for the benefit of our country to do for our ship-builders what we in common with every other government try to do to encourage them to enter into competition with the world, and to build ships with American labor which may go into the foreign markets and bring the foreign money home here for the re-employment of our labor, for the development of our resources, for the enlargement of our wealth and power, and for our safety and strength?

Mr. CANNON. If the gentleman will allow me again for a moment, as I do not want to be misunderstood. I meant to say that as the price of labor in the United States is one and one-half, where it is one in Great Britain, that if you are to enable our ship-builders to compete with foreign ship-builders permanently, you must permanently give by bounty out of the Treasury enough to make up the difference.

Mr. ROBESON. I answer by saying that when we establish ship-yards here, build ships, employ skilled labor, and carry on the trade of building ships in this country, we employ American labor, whether it goes into our carrying trade or into the carrying trade of any other country.

But I say also that if we can build our ships here as cheaply as they can be procured abroad, they will take in the progress of time our carrying trade, because that is the tendency of all such trade, as proved by the history of all nations. No nation has ever had a carrying trade for any length of time that did not build its own ships, and I appeal to the teachings of history for the proof of that proposition.

Again, what does this remedy of free ships mean? It means that our struggling ship-building to-day, which is just able to be kept alive because in old times men invested their capital in property and instructed their children in skilled workmanship—it means that that interest which is now just able to live shall die because the capital on the Clyde pays 4 per cent. while ours pays 6, because the tax on an ocean line in England is 2 pence on the pound of net income and ours is on the whole value of the property employed, and because we pay to our skilled labor, to our independent workmen, 40 to 50 per cent. more than is paid to the workmen abroad. That is what it means.

Oh, but, say gentlemen, if you do not give us free ships we are going to have no competition in this country. Why, you will have nothing to compete with; that is all. Give if you choose the drawback that is proposed in the eighteenth section, which my friend from Illinois [Mr. SPRINGER] seems to think will not be sufficient to maintain American ship-building—and I agree with him, it is not enough—but give that. It is said if you do this the business will all run into some individual's hands. Why of course it will if you have free ships; because nobody will stay in the trade except possibly those who have their capital invested in large plants, their trade organized, and who can not get it out. But give it adequate protection and American enterprise will build up ship-building on the Hudson, on the Connecticut, on the Delaware, on the Mississippi, on the James, and wherever iron and coal can be brought together cheaply. Then you will have healthy home competition which brings down prices, which you can not have by driving American enterprise out of the business, but only by making it compete on equal terms with the cheap capital, the immense resources, the cheap taxation of Europe.

But there are other considerations in this free-ship question. England is the great owner and producer of iron ships to-day. France competes with her for iron-ship building by means of large subsidies on building and running ships. The English ship-builder finds it so profitable that he wants to increase his market, that he wants to open the American market for his trade, to sell us those ships that are too much worn out, if you choose, or of such a construction that they do not meet the competition which exists at home.

And there is yet another thing which I beg you will consider. The peace of Europe is guaranteed to-day by its commerce. England is pacific, although her disposition is dominant and exacting, because she owns a large carrying trade all over the world. Pass this free-ship clause as you have it to-day, and to-morrow she can go to war with Germany and with Russia, or any other nation, and transfer her carrying trade to the neutrality of the United States, by transfers and mortgages, keep it safe under the protection of our neutrality, and when the war is over retransfer it, making us a cat's paw, not only of her commercial interests but of her national policy. Are we so enthralled? Does the influence of the commercial interests of our great cities which have become metropolitan, so metropolitan that our great importing houses are the mere agents of foreign manufacturers—does their influence so dominate us that the National Legislature, in defiance of the traditions of all parties and the teachings of every statesman, are willing to respond to the demands of foreign capital and foreign interests?

I have said, Mr. Speaker, that this a question of labor. Now I am one of those men who believe in keeping up the price of American labor, so long at least as it is to be kept up at the cost of foreign interests. I believe in keeping up this price upon broad principles, which I will state. It is because, at last, the power of our Government rests upon American labor and upon the men who perform it; and because I wish them to have enough pay to arouse their ambition, to excite their interest and to give them the possibility of individual accumulation and advancement. The progress of every community is made up of the successes of the persons who compose it. The trials, the struggles, the achievements, the successes of each individual make the successes of the community of which he is a member and the development of the country in which he lives. I wish every workingman in the country to have something over at the end of the week, so that he will have a stake in the community; so that he will be hopeful, ambitious, and independent:

> Not for to hide it in the hedge,
> Nor for a train attendant;
> But for the glorious privilege
> Of being independent.

[Applause.]

If we are to have a government depending upon workingmen, and that government is to be free and independent of foreign influence, the workingman must be independent. I want every American laborer, if possible, to have a home, because there is where he gets the education which makes him a good citizen. Good principles are not always learned in the school-house, not always from the pulpit even, but in that domestic circle where are gathered the memories of the past, the enjoyments of the present, and the hopes of the future; not in the tenement house or the grog shop, but around that family hearthstone where old age counsels, where childhood prattles, and where the love of woman inspires. [Applause.] The principles are the same, Mr. Speaker, which make home happy and empires great. And who shall estimate the value to a nation of a million homes of industrious, independent, ambitious, free men, who have a stake in the country and an interest in its development and progress?

And if you are to have your country free and powerful and progressive in the future, let me say to you, men of all parties, you must protect American labor, even if you do feel when you are doing it as if a dollar was slipping from your fingers, which looks at the time as big as a cart-wheel.

This, then, is the question. We protect every other industry that we have, and we are able to protect them because they are within our boundaries. We protect our coastwise shipping because that is within our control. Will you, when you find that your present laws are not sufficient to protect your foreign carrying trade, extend a new protection to that trade by giving it the benefit of the tonnage tax?

I do not propose to detain this House with details. They have been fully gone over by my friend from Maine [Mr. DINGLEY] and by other gentlemen who have discussed this question; and they will be more fully discussed when we come to consider this bill by sections. But I have risen to say that I do not believe that under the teachings of the past and under the pressure of the present any man will be bold enough

here or elsewhere to stand up in the face of the American people and say directly that our American shipping industry and carrying trade is not worth the preservation. If that be true, then no man will be bold enough to say that we are to preserve it by reducing the price of American labor. Thus he will be forced to admit that we must adopt some other means if we preserve it at all.

When we have arrived at the position that we must save it, that we can not save it by reducing the price of American labor, then who will stand up and say that we shall not give it at least the poor pittance of the tonnage tax derived from foreign bottoms? Answer this by your action in the presence of the American people.

I know that this subject has been clouded in the past by political discussions and by those agencies of intelligence that are gathered in great importing centers. But when the people come to understand the question throughout this land, they will hold their Representatives responsible for the positions which they here take and the principles which they here advocate.

Mr. PAGE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAGE. After the previous question shall have been ordered, will I be entitled to an hour to conclude the debate on this bill?

The SPEAKER. The gentleman will have an hour to close debate after the previous question shall have been ordered on the engrossment and third reading of the bill.

Mr. PAGE. Then I ask unanimous consent that we now proceed to consider the bill by sections under the five-minute rule.

The SPEAKER. Unanimous consent has been given to consider this bill in the House as in Committee of the Whole. If unanimous consent be now given that general debate be terminated, the Chair will direct the Clerk to proceed to read the bill by sections, as though the House was in Committee of the Whole on the state of the Union. Is there objection to closing general debate at this time? [After a pause.] The Chair hears none and general debate is closed. The Clerk will now proceed to read the bill by sections for amendment.

The Clerk read as follows:

Be it enacted, &c., That section 4131 of the Revised Statutes be amended so as to read as follows:

"SEC. 4131. Vessels registered pursuant to law, and no others, except such as shall be duly qualified according to law for carrying on the coast trade and fisheries, or one of them, shall be deemed vessels of the United States, and entitled to the benefits and privileges appertaining to such vessels; but they shall not enjoy the same longer than they shall continue to be wholly owned by citizens and to be commanded by a citizen of the United States."

SEC. 2. That section 4219 of the Revised Statutes be amended by striking out the following words from the last clause: "And any vessel any officer of which shall not be a citizen of the United States shall pay a tax of 50 cents per ton."

SEC. 3. That section 4580 of the Revised Statutes be amended so as to read as follows:

"SEC. 4580. Upon the application of any seaman to a consular officer for a discharge, if it appears to such officer that said seaman is entitled to his discharge under any act of Congress or according to the general principles or usages of maritime law as recognized in the United States, the officer shall discharge said seaman, and require from the master of said vessel, before such discharge shall be made, payment of the wages which may then be due said seaman. When a seaman is discharged by reason of inability to perform his duties, whether in consequence of illness or other causes, the master shall be required to pay him only the wages due at the time of discharge. But if any seaman is discharged in consequence of any hurt or injury received while in the service of the ship, or illness caused by a want of such food, water, accommodations, medicines, or anti-scorbutics as are required by law, the master shall be required to pay the expense of providing the necessary surgical and medical advice, with attendance and medicines, until said seaman is cured or dies, or is brought back to some port in the United States."

Mr. CRAPO. I wish to inquire of the gentleman in charge of this bill whether section 3, just read by the Clerk, makes any difference in the method of settling with seamen discharged from whalers at a foreign port? The object of my inquiry is this: Whale-ships are fitted out for long voyages and to distant seas, and the officers and crews are compensated, not by fixed wages but by a lay or share of the earnings of the entire voyage. Now, when a seaman is discharged at a foreign port during his voyage it is impossible to determine the exact amount due him at that time. The present method of settlement is to give to that seaman an order upon the owner of the vessel and to have that settled at home. The reason of this will be apparent by a single illustration. A whale-ship sails from New Bedford for the Arctic Ocean. One of the seamen on board that ship is discharged at a port in Japan, six months from home, the ship having made no catch whatever. He has served on board the vessel, we will say, one-sixth of the time required for the voyage. Now, by the law as it stands at present, although there is no oil or bone on the vessel, no whales have been taken, he would receive one-sixth of his lay in the whole voyage. Does this proposed section change that law?

Mr. DINGLEY. It makes no change in that respect.

The SPEAKER. No amendment is pending.

Mr. DINGLEY. I move to strike out the last word, for the purpose of saying to the gentleman from Massachusetts [Mr. CRAPO] that the modification proposed by this bill does not change the mode of settlement with seamen engaged on whaling vessels. The only change is that the exaction of three months' extra wages is stricken out; otherwise the law remains as it now is.

Mr. REAGAN. If the gentleman from Massachusetts [Mr. CRAPO] will refer to that portion of the section beginning in line 7 he will see that the payment of wages must be made before the seaman is discharged; that he can not be discharged until payment is made.

Mr. DINGLEY. I withdraw my *pro forma* amendment.

The Clerk read as follows:

SEC. 4. That section 4583 of the Revised Statutes be amended so as to read as follows:

"SEC. 4583. No payment of extra wages shall be required, upon the discharge of any seaman in a foreign country upon the termination of his agreement, or in cases where vessels are wrecked or stranded, or condemned as unfit for service. If any consular officer, upon the complaint of any seaman that he has fulfilled his contract, or that the voyage is continued contrary to his agreement, is satisfied that the contract has expired, or that the voyage has not been continued by circumstances within the control of the master, he shall discharge the mariner; but in case the consular officer shall be satisfied that the master has designedly continued the voyage, he shall require from said master the payment of one month's extra pay over and above the wages due at the time of discharge; but in case the master of the vessel shall provide said seaman with adequate employment on board some other ship bound to the port at which he was originally shipped, or to some other port, as may be agreed upon by him, or furnish the means of sending him back to such port, or provide him with a passage home, or deposit with the consular officer such a sum of money as is by such officer deemed sufficient to defray the expenses of his subsistence and passage home, then no payment of extra wages shall be required."

Mr. DINGLEY. I move to amend the fourth section of this bill by inserting after the word "agreement," in line 5, the words "or by his own request;" so that it will read "upon the discharge of any seaman in a foreign country upon the termination of his agreement or by his own request." I may say with reference to that amendment that the New York Chamber of Commerce desires that it shall be made, and on examination the committee are satisfied that the request should be complied with.

The amendment was adopted.

Mr. MURCH. I move to amend by inserting after the word "service," in line 7 of the section last read, the provision which I send to the desk.

The Clerk read as follows:

Any master of any vessel of the United States in any port of the United States shall have the right to employ, contract with, and ship the whole or any part of his crew without the intervention or assistance of any shipping commissioner or similar officer now or hereafter exercising or claiming to exercise the functions of a shipping commissioner or shipping agent under the laws of the United States or of any of the States. In contracting with such crew or any member thereof the said master of such vessel shall have power to contract with said seamen for a trip or round voyage, or for an outward, homeward, or partial trip or voyage, and such contracts shall determine the discharges of such seamen so contracting. Whenever any seaman contracting with any such master of any vessel of the United States shall, pursuant to his said contract, be discharged in any foreign port, he shall first be paid the wages due him at the time of such discharge, and such payment shall be duly certified by the United States consul or other official representative at such port of discharge upon the papers of the vessel discharging such seaman. But whenever any master of a vessel of the United States shall discharge any seaman in a foreign port for other cause than mutiny, insubordination, or the termination of the term of service contracted for, the seaman so discharged shall have and be entitled to receive from the master of such vessel, in addition to the wages that may have been earned and due at the time of such discharge, a sum equal to the cost of his passage home, at the rate of 50 cents per day for each day's sail by a sailing vessel from the place of discharge. But no seaman not a citizen of the United States shall be entitled to such homeward passage as herein provided for, in addition to his wages, in the absence of a specific agreement providing therefor between the said seaman and the master of such vessel.

Mr. PAGE. I ask the gentleman from Maine [Mr. MURCH] to withhold this amendment until we reach section 13, when it will be in order. It is not germane to this section.

Mr. MURCH. The gentleman from California will allow me to say that the question of the discharge of seamen in foreign ports is so interwoven in these several sections that I do not know exactly where this amendment ought to come in.

Mr. PAGE. If it comes in at all, it ought to be offered as an amendment to section 13. I hope the gentleman will withdraw it for the present.

Mr. MURCH. I will withdraw it for the present with the understanding that it shall apply to any part of the bill——

Mr. PAGE. I do not accept the amendment, but agree that the gentleman may offer it. It will be germane to the thirteenth section.

Mr. MURCH. Unless I can have the amendment apply to the several sections of the bill I shall insist on offering it now.

Mr. COX, of New York. Section 13 was drawn in a hurry and very inartificially. It embraces only two lines. It was intended to be perfected. I welcome the amendment of the gentleman from Maine, and no doubt the committee will accept it. I hope so.

Mr. PAGE. Perhaps so.

Mr. COX, of New York. A portion of it, at least.

Mr. MURCH. Section 13 applies to the shipping of seamen. This amendment applies not only to that, but to the discharge of seamen in foreign ports. It seems to me the amendment will come in very well here.

Mr. PAGE. Let me be understood; I have no objection to the gentleman offering the amendment.

The SPEAKER. The Chair thinks that no point of order would lie against it.

Mr. MURCH. Very well; I withdraw the amendment for the present.

The Clerk read as follows:

SEC. 5. That section 4582 of the Revised Statutes be amended so as to read as follows:

"SEC. 4582. Whenever a vessel belonging to a citizen of the United States is

sold in a foreign country, and her company discharged, it shall be the duty of the master to produce to the consul or officer the certified list of his ship's company, and also the shipping articles, and to pay to said consul or officer for every seaman so discharged one month's pay over and above the wages which may then be due to such seaman; but in case the master of the vessel so sold shall provide such seaman with adequate employment on board some other ship bound to the port at which he was originally shipped, or to such other port as may be agreed upon by him, or furnish the means of sending back to such port, or provide him with a passage home, or deposit with the consular officer such a sum of money as is by such officer deemed sufficient to defray the expenses of his subsistence and passage home, then no payment of extra wages shall be required."

SEC. 6. That section 4600 of the Revised Statutes be amended so as to read as follows:

"SEC. 4600. It shall be the duty of consular officers to reclaim deserters and discountenance insubordination by every means within their power, and where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where deserters are apprehended, consular officers shall inquire into the facts; and if he is satisfied that the desertion was caused by unusual or cruel treatment, the seaman shall be discharged, and receive, in addition to his wages to the time of his discharge, one month's pay, or the master shall provide him with adequate employment on board some other ship bound to the port at which he was originally shipped, or to such other port as may be agreed upon by him, or furnish the means of sending him back to such port, or provide him with a passage home, or deposit with the consular officer such a sum of money as is by such officer deemed sufficient to defray the expenses of his subsistence and passage home. And the officer discharging him shall enter upon the crew-list and shipping-articles the cause of discharge and the particulars in which the cruelty or unusual treatment consisted, and the facts as to his discharge, or re-engagement, as the case may be, and subscribe his name thereto officially."

SEC. 7. That section 4581 of the Revised Statutes be amended so as to read as follows:

"SEC. 4581. That if any consular officer, when discharging any seaman, shall neglect to require the payment of and collect the extra wages and charges required to be paid in the case of the discharge of any seaman, he shall be accountable to such seaman to the full amount thereof; and if any seaman shall, after his discharge, have incurred any expense for board or other necessaries at the place of his discharge, before shipping again, such expense shall be paid out of the wages to which he shall be entitled, which shall be retained for that purpose, and the balance only paid over to him."

Mr. ANDERSON. I move to strike out the section last read. I do this for the purpose of inquiring of the gentleman in charge of this bill what changes these several sections in regard to sailors make in the present law?

Mr. DINGLEY. Under section 4580 of the Revised Statutes a consul of the United States has authority to discharge any seaman in a foreign port, and under the law as it is now he has also the right practically to exact three months' wages when such seaman is discharged, the question whether this charge should be imposed on the vessel being left entirely to the judgment of the consul, without appeal. The several sections which have just been read provide that when a seaman is discharged no extra wages shall be exacted except in three cases: first, when a vessel is disposed of abroad; second, when the master of the vessel designedly proceeds beyond the port to which the seaman shipped; third, when the seaman has been maltreated by the master of a vessel and is discharged on that account.

In all other cases of discharge of seamen by a consul, the payment of wages is exacted only to the time of the discharge, except that when a seaman is injured on board of a vessel or contracts disease in consequence of insufficient provisions the master of the vessel is made liable for the expense of medical attendance and anything else the sailor may require till he recovers. These are in substance the changes wrought by the sections just read; and I may add that they are substantially the English law, which has existed upon the statute-book of Great Britain for twenty-eight years, and has been found to work well, not only in the interest of the vessel, but also in the interest of the seaman.

Mr. ANDERSON. Are the changes proposed in this bill in the interest of the sailor, or in the interest of the ship-owner?

Mr. DINGLEY. In the interest of both.

Mr. ANDERSON. And where the two interests conflict——

Mr. DINGLEY. Where the two interests conflict, they are in the interest of the sailor.

Mr. ANDERSON. I withdraw my motion.

The Clerk read as follows:

SEC. 8. That section 4584 of the Revised Statutes be amended so as to read as follows:

"SEC. 4584. Whenever any consular officer, upon the discharge of any seaman, receives the wages due to said seaman, he shall at once pay the same to the said seaman, except as provided in section 4581 of the Revised Statutes."

SEC. 9. That section 4578 of the Revised Statutes be amended so as to read as follows:

"SEC. 4578. All masters of vessels belonging to citizens of the United States and bound to some port of the same are required to take such destitute seamen on board their vessels, at the request of the consuls, vice consuls, commercial agents, or vice-commercial agents, respectively, and to transport them to the port in the United States to which such vessel may be bound, on such terms, not exceeding $10 for each person, as may be agreed between the master and the consul or officer. But for long voyages and peculiar disabled condition of such seamen, there shall be allowed to the officer or owner of such vessel such reasonable compensation, not to exceed 30 cents per day, in addition to the allowances herein provided, as shall be deemed equitable by the collector of the port in the United States which the vessel may first reach, the same to be paid under such regulations as may be prescribed by the Secretary of the Treasury. Every such master who refuses the same, on the request or order of such consul or officer, shall be liable to the United States in a penalty of $100 for each seaman so refused. The certificate of any such consul or officer, given under his hand and official seal, shall be presumptive evidence of such refusal in any court of law having jurisdiction for the recovery of the penalty. No master of any vessel shall, however, be obliged to take a greater number than two men to every one hundred tons burden of the vessel on any one voyage."

Mr. PAGE. The committee recommend an amendment, on page 7, in section 9, to insert the words "the same to be paid under such regulations as may be prescribed by the Secretary of the Treasury."

The SPEAKER. The bill is being reported as it is recommended by the Committee on Commerce, and those words are included.

Mr. PAGE. All right then.

The Clerk read as follows:

SEC. 10. That no fees shall hereafter be charged by any consular officer for any certificate, manifest, or other official service to American vessels engaged in the foreign trade, or to the owners, officers, or seamen of such vessels. Consular officers who are now paid in whole or in part by fees shall make a detailed report to the Secretary of the Treasury of the services performed in accordance with this section, with the fees heretofore allowed in such cases, and shall be entitled to receive the amount thereof in the same manner as is provided by law in case of other compensation payable by the United States.

Mr. ANDERSON. What will be the effect of that provision on the compensation of consuls?

Mr. DINGLEY. This section abolishes all consular fees for services to American vessels. They amounted last year to near $100,000, and came into the Treasury and were paid out in a large number of cases as part compensation to consuls. The effect will be to relieve vessels in our foreign trade from fees now imposed on them and a serious burden, and place the vessels of the United States upon substantially the same basis as English vessels. I will say that England spends over a million of dollars for the support of a consular system devoted entirely to the extension of British commerce and assistance of English vessels. We propose to apply the same principle to American vessels engaged in the foreign trade.

Mr. ANDERSON. This section if adopted, then, will place our ships in respect to fees, &c., in foreign ports on the same basis with English vessels?

Mr. DINGLEY. It will.

Mr. BROWNE. How will it affect our consuls?

Mr. DINGLEY. Not at all.

Mr. BROWNE. How are they to be reimbursed?

Mr. DINGLEY. The last portion of the section provides that if consuls perform service they shall make return to the Secretary of the Treasury and the fees heretofore allowed, where the compensation is partly by fees, shall be paid out of the Treasury. The compensation of the consul will be the same as if this had not been passed.

Mr. MURCH. Consular fees are now about $800,000.

Mr. DINGLEY. That includes manifests for shipment of goods. This does provide for those.

Mr. MURCH. I wish to do away with them all. I move an amendment to that effect, which I ask the Clerk to read.

The Clerk read as follows:

SEC. —. All consular fees or fees now by law charged or collected by consuls, consular officers, agents, or commercial agents of the United States from or upon seamen, masters, or ships of the United States are hereby abolished, and the demand or collection of any and all such fees is hereby forbidden.

Mr. DINGLEY. I make the point of order against that amendment. It relates to manifests for shipment of goods, and we are dealing with vessels.

Mr. MURCH. We should not only relieve vessels, but citizens.

Mr. DINGLEY. But that is not the subject we are dealing with. It is not germane.

Mr. MURCH. If it is out of order I will withdraw it.

The Clerk read as follows:

SEC. 11. That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages to any other person, or to pay any person any remuneration for the shipment of seamen. Any person paying such advance wages or such remuneration, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not less than four times the amount of the wages so advanced or remuneration so paid, and may be also imprisoned for a period not exceeding six months, at the discretion of the court. The payment of such advance wages or remuneration shall in no case absolve the steamer, ship, or vessel, or the master or owner thereof, from full payment of wages after the same shall have been actually earned, and shall be no defense to a libel, suit, or action for the recovery of such wages: *Provided*, That this section shall not apply to such fees as by any law of the United States may be collected by any shipping commissioner or other officer of the United States for the shipment of seamen. This section shall apply as well to foreign vessels as to vessels of the United States; and any foreign vessel, the master, owner, consignee, or agent of which has violated this section, or induced or connived at its violation, shall be refused a clearance from any port of the United States.

Mr. MURCH. I submit the following substitute for that section:

The Clerk read as follows:

SEC. —. Masters, agents, or owners of vessels may contract with seamen for the prosecution of a passage or voyage to or from any domestic or foreign port at the office of the owner, consignee, or agent of their vessel, or on board of such vessel, not less than eighteen hours prior to the clearance of such vessel, and may pay advance wages or not as such master, agent, or owner and the seaman may mutually agree; such advance shall be paid to the seaman in person, and no orders shall be given to pay advance wages of such seaman to any person except to some member of his family, upon the written order of the seaman on whose account such advance wages may be paid.

Mr. PAGE. Is it not in order first to perfect the text of the section?

The SPEAKER. Undoubtedly.

Mr. CRAPO. Then I desire to offer an amendment to the text.

The SPEAKER. The gentleman from Maine moves to strike out section 11, and insert what has been read. Pending that, the gentleman from Massachusetts moves to amend the original text. The Clerk will read the proposed amendment.

The Clerk read as follows:

Amend section 11 by inserting after the word "seaman," in the nineteenth line, the words "*And provided further*, That this section shall not apply to vessels engaged in the whaling business."

Mr. PAGE. There is no objection to that.

Mr. CANDLER. I wish to offer an amendment to further perfect the section.

The SPEAKER. The question is first on the amendment offered by the gentleman from Massachusetts [Mr. CRAPO].

Mr. COX, of New York. As I understand it the amendment has been accepted by the chairman of the committee?

The SPEAKER. The gentleman can not accept the amendment; the House must act upon it.

Mr. CRAPO. I desire to say, Mr. Speaker, in support of this amendment that I assent to everything that has been said during the course of this debate in reference to the evils of the present system of advance wages and the abuses consequent upon it, so far as it applies to the ordinary merchant marine. But the application of this section, as reported by the committee, will work a hardship to men engaged in the whaling service, for this reason: They are fitted for long voyages—four or five years. Now, it is necessary for the crews of the whaling vessels to procure outfits for that long time. They must have a kit or outfit different from that necessary in an ordinary merchant vessel; and they can procure that much more economically if they can have an advance from the owner which will enable them to go into the stores or trading places at the home ports and buy their clothing and equipments, and get the necessary articles for their long absence. This amendment simply enables them to do that.

The SPEAKER. The question is on the amendment suggested by the gentleman from Massachusetts.

The amendment was agreed to.

Mr. CANDLER. I wish now to offer an amendment for the further perfecting of the text of the section.

The Clerk read as follows:

After the words "United States," in the twenty-third line of the eleventh section, insert "but nothing in this section shall be so construed as to prevent a seaman from giving an order for a portion of his wages when earned."

Mr. REAGAN. That, if adopted, would nullify the section. I call the attention of the gentleman from Maine to the fact that it will render this provision entirely inoperative. I suggest, if it is intended to preserve the section, that it is better not to adopt the amendment, because it provides simply a substitute for the advance-wages system and does not remedy the evil.

Mr. COX, of New York. I believe that every provision, as has been said, or that every proposition that may be made, either in England or here, in respect to these advances will be somehow or other avoided and evaded. People will get their blood-money. These advances will be made, and although we are not now legislating in a practical way as I believe, nevertheless this provision is a moral humanitarian speech in the body of the bill, and I would like to see it preserved as it is if for no other purpose than merely for its moral emphasis.

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. CANDLER. Before that I would like simply to change the word "order" in the amendment to "allotment."

Mr. HEWITT, of New York. Let it be read as modified.

The Clerk read as follows:

Provided, That nothing in this section shall be so construed as to prevent a seaman from giving an order for an allotment of his wages when earned.

Mr. McCOOK. Before voting upon this amendment I think the gentleman from Massachusetts should explain it, because it appears to me to be a practical nullification of what precedes it. If this section is intended to correct the evils of blood-money, this amendment would seem to prohibit that good result.

Mr. DINGLEY. The gentleman is right in that.

Mr. McCOOK. I am glad to know that I am right, and hope it will be voted down.

Mr. COX, of New York. Let it be again read.

The amendment was again reported.

Mr. HEWITT, of New York. That is entirely too broad.

Mr. DINGLEY. I move to amend the amendment by inserting after the word "wages" the words "to his wife, mother, or for the benefit of his children."

Mr. COX, of New York. I desire to offer an amendment to the amendment.

The SPEAKER. That would not be now in order.

Mr. CANDLER. I appreciate the importance of stopping this system of advance wages. It has been one of the most cruel evils that owners of ships have had to contend with. For years we have tried to cure it or bring about a reform. At the same time, we must remember that every sailor when he goes upon a long voyage must have the right to give an allotment of his wages or something to his wife and children for their support during his absence. You can not deny the privilege of his making some arrangement for his family so that they may receive a portion of his money after it has been earned. Otherwise you impose a hardship upon them. That is the object of the amendment. We do everything we can to stop the system of advance wages, but we do not wish to deprive a man of the privilege of making a provision with his ship-owners for his wife and children by which they can receive the pay that he has earned while he is gone upon the voyage.

Mr. REAGAN. Mr. Speaker, as the amendment of the gentleman from Massachusetts is proposed to be amended by the gentleman from Maine, I take it that there can be no objection to it. But if adopted in its original form it will change the purposes of the section, and the purpose, I think, has not been stated. It is to protect the seaman against the rapacity and greed of the boarding-house keepers, who get them drunk and induce them to draw their wages before they are earned, wages which do not benefit them, because they go into the hands of these vultures. If, therefore, the amendment of the gentleman from Massachusetts is adopted without the limitation put upon it by the gentleman from Maine, I do not believe it will cure the evil. I hope, therefore, if adopted at all it will be with the amendment which has been suggested.

The SPEAKER. The first question is on the amendment of the gentleman from Maine [Mr. DINGLEY] to the amendment of the gentleman from Massachusetts [Mr. CANDLER].

Mr. DINGLEY. I will modify my amendment so as to insert after the word "wages" the words "for the benefit of his family." I desire to say the amendment of the gentleman from Massachusetts, unmodified, would allow the seaman to allot his wages to his landlord.

Mr. CANDLER. A man in many cases will have others dependent upon him with the same claims, almost, as those of members of his family. You should go further than the members of his family. The man may have an adopted son, for instance. You have no right to take from a man, after he has earned his money, the right to dispose of it; and you can not name the parties to whom it is to be paid.

I have the deepest interest in this bill. When we were making the original report from the Committee on Commerce this particular clause was studied very carefully by the friends of the sailor; and while they endeavored to guard it in every way they could, they did not wish to take from him the rights that belong to every man. They would shield him from the blood-money, but they would not prevent him from paying the money after he had earned it to the members of his family or others dependent upon him. You should extend it further than by saying "members of his family." You do not protect him against the landlord by saying that. All we can do is to say there shall be no advance wages paid; but after the ship has sailed and the seaman is on his voyage you should not deny him the right to pay the money he has earned; but he may pay it to any one to whom he is obliged to pay it, or to whom it is his duty to pay it.

The question being taken on Mr. DINGLEY'S amendment to the amendment offered by Mr. CANDLER, it was not agreed to.

The SPEAKER. The question recurs on the amendment offered by the gentleman from Massachusetts [Mr. CANDLER].

The question being taken, the Speaker stated that in the opinion of the Chair the "noes" had it.

Mr. THOMAS and Mr. CANDLER called for a division.

The House again divided; and there were—ayes 31, noes 39.

So (no further count being called for) the amendment was not agreed to.

The SPEAKER. The question recurs on the motion made by the gentleman from Maine on the right [Mr. MURCH], which is to strike out the whole of section 11 and insert what has been read.

Mr. MURCH. Before concluding, I shall ask that my amendment be again read for the information of the House. [Cries of "Vote!" "Vote!"] I ask to be heard upon that amendment.

The SPEAKER. The gentleman from Maine [Mr. MURCH] is entitled to the floor.

Mr. MURCH. The only practical solution of this question of advance wages is to endow the seaman with the responsibilities of manhood. If you deny to the seaman the right to make a free contract you are trespassing upon personal rights. I say the American seaman today is capable and intelligent enough to make his own contract. The only way that you can get over this question of advance wages is to relegate the whole matter to the master of the ship and the sailor himself, with the provision I have inserted there that it shall not be given to a landlord; that is, it shall be paid directly to the sailor himself eighteen hours previously to the sailing of the ship, and he may on his own volition and written order leave a portion of his pay with his family.

I say when you deny this right to the American sailor you are denying him the right to maintain his family and to provide in his absence for the maintenance and education of his family. I say the American sailor has rights under the Constitution of the United States just as sacred as those of any gentleman on this floor or any other citizen of the United States; and when you attempt to abridge his prerogative of contracting as he sees fit with the master of a vessel for the performance of any duty you are trespassing upon personal rights, which you have no right to do.

In that amendment—and I shall ask that it be read again at the close of my remarks that the House may understand it—I provide that the order may be made in favor of any member of his family. He may not have a wife; he may have a motherless child for whom it is right he should make some provision.

I have some practical knowledge of the working of this system of

advance wages. I have had it myself and have found it very convenient when going on a long voyage to have the means of providing clothing for the inclemencies of a northern or southern climate. When you take away this right you subject the sailor to privations he can not provide against unless he has money. I ask that my substitute be again read as a part of my remarks.

Mr. BUCKNER. I move that the House do now adjourn.

Mr. PAGE. The gentleman from Missouri has not the floor for making that motion.

The SPEAKER. Does the gentleman from Missouri insist on his motion?

Mr. McCOOK. The gentleman from Maine [Mr. MURCH] had not completed his speech. He called for the reading of his amendment as a part of his remarks.

The SPEAKER. The Chair did not so understand the gentleman from Maine.

Mr. MURCH. Yes, sir; I called for the reading of the substitute as a part of my remarks.

The SPEAKER. The substitute offered by the gentleman from Maine will be again reported.

The Clerk read as follows:

SEC. —. Masters, agents, or owners of vessels may contract with seamen for the prosecution of a passage or voyage to or from any domestic or foreign port at the office of the owner, consignee, or agent of their vessel, or on board of such vessel, not less than eighteen hours prior to the clearance of such vessel, and may pay advance wages or not as such master, agent, or owner and the seaman may mutually agree; such advance shall be paid to the seaman in person, and no orders shall be given to pay advance wages of such seaman to any person except to some member of his family, upon the written order of the seaman on whose account such advance wages may be paid.

Mr. MURCH. I yield one minute to the gentleman from Missouri [Mr. HASELTINE].

The SPEAKER. The gentleman from Maine has no time to yield. His five minutes have expired.

Mr. HASELTINE. Mr. Speaker, I am opposed to section 11 of the bill. I am opposed to degrading and humiliating the laboring men placed on our vessels. The laboring man upon a ship should have the same right to ask for assistance, and the officer to render assistance, as other independent Americans. I would not degrade seamen upon American vessels. I would not allow the Stars and Stripes, the emblem of freedom of the great American Republic, to float over a degraded humanity.

Sir, I am willing to vote for any reasonable bill to encourage shipbuilding and every other industry. I would offer every reasonable encouragement to enterprise and industry to develop the resources of this great country. If we accept the statistics of the gentleman from Maine, we built ships successfully until 1855. From that period there was a decadence. It was not the low tariff of 1855 or the high tariff after 1860 which caused this decadence of American shipping. The financial crisis of 1857, with a shrinking volume of money, had much to do with this matter. During the four years of war a large part of our shipping was driven from the ocean. Other nations had the most favorable opportunity to get possession of the carrying trade. Our national policy after the war in shrinking the volume of money until 1878 had much to do with the decadence in American ship-building.

When capitalists could invest their money in railroads and national banks to pay them from 10 to 25 per cent., we could not expect them to build ships to be placed in competition with the vessels built with 3 and 4 per cent. money of other nations. When a large part of the materials necessary to ship-building are cheaper in other countries, when foreign labor is 45 per cent. cheaper, and when the capital necessary to the purchase of such materials and labor is so much cheaper in other nations, we cannot hope to compete successfully in such carrying trade. Trade regulates itself. The same great law of demand and supply pertains to the shipping industry that controls all other industries.

When the volume of money was contracted by putting it into interest-bearing bonds and exempting the bonds from taxation, when money paid better in non-taxable bonds and banks, the land was filled with millions of unemployed men. When in 1878 Congress remonetized silver, stopped the destruction of paper money, and increased the volume of money $400,274,983 within two years and ten months from the 1st of January, 1879, all industries revived and laboring men were employed. In 1880 we built 8,174 miles of new lines of railroads; in 1881 we built 8,242 miles of new lines of railroads. As money became more plenty and interest cheaper we could build railroads, cities, and towns, and we could improve our rivers and harbors. When the volume of money shall be increased equal to the demands of business, when money will pay better in building ships than building railroads and establishing banks, then may we expect to compete successfully with the cheap money, cheap materials, and cheap labor of other countries.

When wooden vessels were principally used instead of iron, and we had the immense pine forests of Maine to supply cheap materials, we could compete successfully with all other nations. Hence until the financial crisis of 1857 American ship-building was a success. The emancipation of slave labor during the war, the change of materials for ship-building from wood to iron, the contraction of the volume of money, the greater profits from the investment of money in other enterprises, has prevented our successful competition with the cheaper materials, cheaper labor, and cheaper money of other nations. We may pass this bill and remove all the burdens which we propose to remove by this bill, we may even donate large subsidies, yet the cheaper money and cheaper labor will give the successful competition to other nations.

We passed a bill prohibiting Chinese immigration, to protect our laboring classes. It was right to do so. Our civilization, with equality of political privileges, with schools and churches, with a reasonable supply of food and comforts for the laboring classes, could not be placed in competition with the lower civilization of the Chinese Empire. We could not afford to degrade the American laborer by such competition. Sir, notwithstanding all the patriotic speeches which have been made about our commerce in American bottoms, carrying the American flag, we can not afford to cheapen the labor of our people, to degrade Americans to a level with Chinese coolies, chattel slaves, or the pauperized laborers of monarchical governments. Since the war our national policy has been changed. A large amount of special legislation in the interest of capital invested in bonds, railroads, and national banks has thrown capital into other channels. When the Government shall cease to grant special privileges to build millionaire monopolies, when it shall assume its high perogatives of controling the transportation by just and equitable laws, and the issuing and controling the money of the country, then will trade and commerce be regulated by the law of supply and demand.

Why should capitalists invest their money in ship-building and foreign commerce in competition with all the cheap money and cheap labor of all other nations when they have such special privileges, subsidies, and other inducements offered them for interstate commerce; when they can establish their lines of transportation through the rich States of the West and South, and make their own freight rates, with but little or no competition; when our Government permits them to take such rent as they choose from all the farms of the great Western and Southern States, and by means of this uncontrolled system of injustice to become millionaires within a few years? We can not expect our Goulds and Vanderbilts and millionaire bankers to invest their money in competition with the cheap labor and cheap money of other nations.

Mr. CANDLER. I rise to oppose the amendment of the gentleman from Maine [Mr. MURCH]. His amendment will defeat entirely the purpose which the committee had in view in preparing this section. It is in opposition to the labors of the philanthropists and the friends of humanity in this country for twenty-five or thirty years past.

There is not a seamen's aid society in this country, there is not a representative of a seamen's bethel, there is not a board of trade or a congregation of merchants, who have not expressed themselves in favor of rooting out this pernicious system of advance wages.

Mr. MURCH. Has the sailor asked this?

Mr. CANDLER. The sailors have asked it. Every man who came before the shipping commission who could properly represent the sailors, except the representatives of the sailors' boarding-houses, declared that it was our duty to root out this system of advance wages.

In my remarks the other day I mentioned that in our committee-room were petitions representing ten thousand of the best and most influential men in this country in favor of the eleventh section of this bill. In 1854, in the city of Boston, we called at our exchange the first meeting in favor of rooting out this evil. It was presided over by one who had been a prominent member of Congress from that State. It was repeated in Philadelphia, and John Welsh presided there, a gentleman well known to members in this House.

I hope members will consider well before they at this time destroy all the efforts which have finally culminated in the action of this committee to save the sailors from the landlords who have corrupted and degraded them for the last forty years. Had my amendment been adopted, so that a man could allot his pay after it was earned to his wife, his children, or any others dependent upon him, it would in spirit have accomplished all that the gentleman desires to accomplish by his amendment, and it should have been adopted.

Mr. SINGLETON, of Illinois. Is not the question of contract between sailors and masters of vessels on shore a question which belongs to the State?

The SPEAKER. The time for debate upon the pending amendment has been exhausted.

Mr. ROBESON. I would like to ask, as a matter of parliamentary information, whether or not after this section shall have been completed it will be competent to move a substitute for the original section with an allotment clause attached to it?

The SPEAKER. The pending motion is one to strike out and insert. Should that be voted down, the Chair thinks that another motion of the same kind would be in order.

Mr. MURCH. I would like to be heard for one moment.

The SPEAKER. The time for debate upon the pending amendment has been exhausted.

Mr. MURCH. I ask unanimous consent to make a single statement. I think the labors of the committee have been in the interest of the shipping master altogether; charity and manhood has had but very little to do with it. I notice that there was a large meeting of sailors, with others, in Philadelphia the other day protesting against this provision.

Mr. CANDLER. Who organized that meeting?

Mr. MURCH. I do not care by whom it was organized, and I can not find in the testimony before the committee where one single sailor has testified.

Many MEMBERS. Vote! vote!

Mr. WISE, of Virginia. I move that the House now adjourn.

Mr. PAGE. I hope the gentleman from Virginia will allow the gentleman in charge of this bill to manage it.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. BURROWS, of Michigan. The gentleman from Virginia [Mr. WISE] withdraws the motion to adjourn, to enable me to ask unanimous consent that the bill (H. R. 6957) making appropriations for the consular and diplomatic services of the Government for the fiscal year ending June 30, 1884, and for other purposes, returned from the Senate with amendments, be taken from the Speaker's table, and that the House further insist upon its disagreement to the amendments of the Senate to that bill and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

There was no objection, and it was so ordered.

The SPEAKER announced as the conferees on the part of the House on the disagreeing votes of the two Houses on the bill Mr. BURROWS of Michigan, Mr. ROBESON of New Jersey, and Mr. COX of New York.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. BLACKBURN. I move that the House agree to the request of the Senate for a conference upon the disagreeing votes of the two Houses upon the amendments of the Senate to the bill of the House No. 7050, making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1884, and for other purposes.

There was no objection, and it was so ordered.

The SPEAKER announced as the conferees on the part of the House upon the disagreeing votes of the two Houses on said bill Mr. BLACKBURN of Kentucky, Mr. RYAN of Kansas, and Mr. BUTTERWORTH of Ohio.

ORDER OF BUSINESS.

Mr. PAGE. I move that the House now adjourn.

The SPEAKER. Before submitting that motion the Chair will submit sundry personal requests of members.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. TALBOTT, for ten days, on account of sickness.

To Mr. SPAULDING, an extension for one week, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave for the withdrawal of papers was granted to Mr. ELLIS, in the case of Mrs. Marion Twiggs Myers and others, heirs of the late General Twiggs, now before the Committee on War Claims.

ARKANSAS, NEW MEXICO AND PACIFIC RAILROAD.

Mr. DUNN (by request), by unanimous consent, introduced a bill (H. R. 7235) to incorporate the Arkansas, New Mexico and Pacific Railroad Company, and for other purposes; which was read a first and second time, referred to the Committee on Pacific Railroads, and ordered to be printed.

The motion of Mr. PAGE was then agreed to; and accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ALDRICH: The petition of western distillers and exporters, for legislation relating to the exportation of distilled spirits—to the Committee on Ways and Means.

Also, the petition of ship-owners of New York, Boston, Philadelphia, Baltimore and Wilmington, for the passage of the bill submitted by the Joint Select Committee on American Ship-building—to the Committee on Commerce.

By Mr. BAYNE: Nine petitions of citizens of the twenty-third Congressional district of Pennsylvania, and three petitions of citizens of the first Congressional district of West Virginia, relating to the duty on tin-plates—severally to the Committee on Ways and Means.

By Mr. BELTZHOOVER: The petitions of citizens of York County, Pennsylvania, containing over 600 names, praying for an increase of duty on imported tobacco—severally to the same committee.

Also, the resolutions adopted by the manufacturers, dealers, and workingmen engaged in the tobacco trade in Philadelphia, Pennsylvania, asking for a repeal of the tax on tobacco, &c., and a rebate on all unbroken packages—to the same committee.

Also, the petition of D. W. Eberly and 77 others, of Mechanicsburgh; of William Black and others, of Jefferson; and of William L. Shavetts and others, of Huntersville, Pennsylvania, for reduction of the duty on sugar—severally to the same committee.

By Mr. BINGHAM: The petition of workingmen, consumers of tin-plates and sheet-iron, protesting against any increase of duty on same—to the same committee.

By Mr. BRAGG: The petition of H. Brichkeim and 71 others, citizens of Sheboygan, Wisconsin, for reduction of duty on sugar—to the same committee.

By Mr. CAMP: Eight petitions of citizens of New York, for reduction of duty on sugar—severally to the same committee.

Also, the petition of J. H. Harvey and others, for increase of duty on imported tobacco—to the same committee.

By Mr. CAMPBELL: The petition of citizens of Williamsburgh, Pennsylvania, for reduction of duty on sugar—to the same committee.

By Mr. CANDLER: The petition of Cyrus Wakefield and others, of Massachusetts, for passage of the bill for relief of certain settlers on what is known as the Ontonagon land grant, in the State of Michigan—to the Committee on the Judiciary.

By Mr. CARPENTER: The petition of W. F. Carleton and 67 others, citizens of Spirit Lake, Iowa, for reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. CASWELL: The petition of A. M. Doggett and others, and of O. W. Brenizer and others, of Wisconsin, for reduction of duty on sugar—severally to the same committee.

By Mr. COLERICK: The petition of John Mitchell and others, citizens of Kendallville, Indiana, asking that all qualified physicians be made equal before the law in the Government service—to the Select Committee on Reform in the Civil Service.

Also, the petition of General S. Schaefer and 59 others, citizens of Waterloo, Indiana, for a reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. COVINGTON: The petition of Hall, Brother & Co. and others, citzens of Worcester County, Maryland, for a reduction of duty on sugar—to the same committee.

By Mr. CRAPO: The petition of John Smith and 145 others, relating to the duty on tin and terne plates—to the same committee.

By Mr. CULLEN: The petition of Bennett & Ryale and 175 others, merchants of Ottawa, Joliet, and Peru, Illinois, for a reduction of the duty on sugar—to the same committee.

By Mr. DAVIDSON: A bill making an appropriation for the improvement of Choctawhatchee River, the harbor of Apalachicola, Florida, of Apalachicola River, of East Bay and Blackwater River, of Escambia River, and of the harbor of Pensacola, Florida—to the Committee on Commerce.

By Mr. G. R. DAVIS: The petition of W. C. Culbrolson and others, and of F. B. Stockbridge and others, for passage of the bill granting relief to certain settlers on the Ontonagon land grant, in Michigan—severally to the Committee on the Judiciary.

Also, the petition of W. H. Hannah and others, and of Nelson Evenden & Co. and others, protesting against any increase of duty on tin-plates—severally to the Committee on Ways and Means.

By Mr. DE MOTTE: The petition of John W. Wood and 77 others, citizens of Valparaiso, Indiana, for reduction of duty on sugar—to the same committee.

By Mr. DEUSTER: The petition of Henry Kroeger and 70 others, and of Roundy, Peckham & Co. and 10 others, of Milwaukee, Wisconsin, for reduction of duty on sugar—to the same committee.

By Mr. DINGLEY: The petition of James Dempsey and 75 others, citizens of Lewiston, Maine, for reduction of duty on sugar—to the same committee.

By Mr. DOWD: The petition of Paul B. Means and others, for establishment of a post-route in North Carolina—to the Committee on the Post-Office and Post-Roads.

By Mr. FORD: The petition of citizens of Burlington Junction and Fairfax, State of Missouri, for a reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. HITT: The petition of J. A. McCune and 76 others, of Sterling, Illinois, for reduction of duty on sugar—to the same committee.

By Mr. HOGE: The petition of William H. Graham and 32 others, citizens of Grafton, West Virginia, for reduction of duty on sugar—to the same committee.

By Mr. HUMPHREY: The petition of Henry Bichman and 39 others, of Fountain City, Wisconsin, for reduction of duty on sugar—to the same committee.

By Mr. HUTCHINS: The petition of citizens of Westchester County, New York, for reduction of duty on sugar—to the same committee.

By Mr. P. JONES: The petition of citizens of New Jersey relative to the duty on tin-plates—to the same committee.

By Mr. KETCHAM: The petition of Ormsbee & Brothers and 57 others, of Matteawan, and of James H. Thompson and 75 others, of Patterson, New York, for reduction of duty on sugar—severally to the same committee.

By Mr. LACEY: The petition of William Wintersteen and 45 others, citizens of Homer, and of C. M. Ambrose and 29 others, citizens of Vermontville, Michigan, for reduction of duty on sugar—severally to the same committee.

Also, the petition of Patrick Casey and 36 others, of Jackson, and of William Murdy and 165 others, of Jackson, Michigan, for a duty of 2½ cents per pound on tin-plates—severally to the same committee.

Also, the petition of M. H. Kern and others, and of B. M. Colwell and others, for passage of the bill granting relief to certain settlers on the land grant known as Ontonagon, in the State of Michigan—severally to the Committee on the Judiciary.

By Mr. McCLURE: The petition of citizens of Burbank, Ohio, for reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. R. M. McLANE: The petition of John C. Matthews and 162 others, protesting against an increase of duty on tin-plates—to the same committee.

By Mr. MILLER: The petition of D. S. Jones and 101 others, of West Middlesex, and of Thomas Perry and 29 others, of Wheatland, Pennsylvania, for increase of duty on tin-plates—severally to the same committee.

Also, papers relating to claim of Mary W. Douthett—to the Committee on Claims.

By Mr. MUTCHLER: The petition of A. R. Groner and others, relating to the duty on tin-plates—to the Committee on Ways and Means.

By Mr. NEAL: The petition of Charles Sisford and 51 others, citizens of Ohio, for reduction of duty on sugar—to the same committee.

By Mr. NOLAN: The petition of George Stevenson, jr., and others, of Knowersville; of Charles C. Bullock and others, of Albany, and of P. W. Waggoner and others, of Guilderland Centre, New York, for reduction of duty on sugar—severally to the same committee.

By Mr. PEIRCE: The petition of James Collett, of Indiana, for passage of the bill to grant relief to certain settlers within the limits of the so-called Ontonagan land grant in Michigan—to the Committee on the Judiciary.

Also, the petition of James J. Morrison and 39 others, and of Thomas E. Lewis and 37 others, citizens of the eighth Congressional district of Indiana, praying that the mode of imposing the duty on imported tin-plates be changed—to the Committee on Ways and Means.

Also, the petition of J. N. Larrick and 79 others, of Darlington, Indiana, for reduction of duty on sugar—to the same committee.

By Mr. RICH: The petition of 76 citizens of Mount Clemens, and of 61 citizens of Marlette, Michigan, for reduction of the duty on sugar—severally to the same committee.

By Mr. RYAN: The petition of citizens of Kansas, relating to the duty on tin-plates—to the same committee.

By Mr. SCRANTON: The petition of J. Gardner Sanderson concerning duty on Portland cement—to the same committee.

By Mr. SHALLENBERGER: The petition of R. E. King & Co. and others, of Industry, Beaver County, Pennsylvania, for reduction of duty on sugar—to the same committee.

By Mr. SHERWIN: The petition of citizens of Aurora, Illinois, for a reduction of duty on sugar—to the same committee.

By Mr. SKINNER: The petition of 68 citizens of Theresa, Jefferson County, New York, for reduction of duty on sugar—to the same committee.

By Mr. A. H. SMITH: The petition of 21 citizens of Lancaster County, Pennsylvania, for increase of duty on Sumatra tobacco—to the same committee.

Also, the petition of 75 citizens of Lancaster County, Pennsylvania, for repeal of tax on tobacco—to the same committee.

By Mr. SPARKS: The petition of Amos Watts, P. E. Hosmer, and 108 others, citizens of Nashville, Washington County, Illinois, protesting against the passage of a bankrupt law—to the Committee on the Judiciary.

Also, the petition of James Buchanan and 78 others, citizens of Brownstown, Illinois, for reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. STRAIT: The petition of S. P. Flake and 37 others, of Farmington; of John Preiss and 78 others, of Glencoe; and of Henry Anderson and 51 others, of Montivideo, Minnesota, for reduction of duty on sugar—severally to the same committee.

By Mr. TALBOTT: Six petitions of citizens of Maryland, for reduction of duty on sugar—severally to the same committee.

Also, the petition of Hopper & Bro. and 200 others, citizens of Harford County, Maryland, protesting against increase of duty on tin-plates—to the same committee.

By Mr. TAYLOR: The petition of C. Westlake & Co. and others, of R. McCready, of James J. Davis and others, and of Noah Morgan and others, of Ohio, relating to the tariff—to the same committee.

Also, the petition of H. C. Henry and 278 others, for reduction of duty on sugar—to the same committee.

Also, the petition of Locke Hughes, S. W. Warner, and others, consumers of tin-plate and sheet-iron, protesting against increasing present duties on raw material for the same—to the same committee.

By Mr. VAN VOORHIS: The petition of Isaac T. Merritt and 109 others, citizens of Albion, New York, for reduction of duty on sugar—to the same committee.

By Mr. WALKER: The petition of citizens of Reno City and Eldredville, Pennsylvania, for reduction of duty on sugar—to the same committee.

By Mr. WARD: The petition of citizens of Unionville, Chester County, and of Downingtown, Pennsylvania, for reduction of duty on sugar—severally to the same committee.

By Mr. WARNER: The petition of Lewis W. Morgan, for relief—to the Committee on War Claims.

Also, the petition of citizens of the fifth Congressional district of Tennessee, relative to the duty on tin-plates—to the Committee on Ways and Means.

By Mr. WEBBER: Twelve petitions of citizens of Michigan, praying for the passage of the bill H. R. 6235, to grant relief to certain settlers within the limits of the so-called Ontonagon land grant, in Michigan—severally to the Committee on the Judiciary.

By Mr. C. G. WILLIAMS: The petition of William H. Williams and 53 others, of Racine, Wisconsin, for reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. YOUNG: Memorial of Cigar-makers' Union, No. 30, of Cincinnati, Ohio, protesting against reduction of tariff on imported cigars—to the same committee.

SENATE.

WEDNESDAY, *January* 10, 1883.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, reporting, in compliance with the provisions of the sundry civil appropriation act of August 7, 1882, the condition of the libraries of that Department and its bureaus, and favoring certain appropriations therefor; which was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. LAPHAM. I have a communication from the Board of Trade and Transportation of New York showing that the remonstrance against the passage of a bankrupt bill which was placed in my hands a week or ten days since and which I presented to the Senate is one which was prepared a year ago or more, long prior to the petition which I had the honor to present to the Senate in favor of the Lowell bill. The communication states that a large number of those who signed the remonstrance at that time have now petitioned for the passage of the Lowell bill, and it is accompanied with letters of two firms certifying to that fact. Although they signed the remonstrance against the bankruptcy bill as it existed formerly, they are now in favor of the adoption of the Lowell bill. I ask that this communication, with the accompanying letters, be referred to the Judiciary Committee, that the matter may be brought to the attention of the member of that committee having charge of the subject.

The PRESIDENT *pro tempore*. The communication should lie on the table, as the bill upon the subject has been reported.

Mr. LAPHAM. Very well.

The PRESIDENT *pro tempore*. It will lie on the table.

Mr. LAPHAM presented the petition of citizens of Chenango County, New York, praying for the passage of the bill granting a pension of $40 a month to soldiers and sailors who have lost a limb in the service; which was referred to the Committee on Pensions.

Mr. PLATT. In connection with the presentation of the last petition, I ought perhaps to say that the Senate Committee on Pensions intended to have disposed of that matter at the last session of the committee, which was yesterday, but the chairman of the committee [Mr. MITCHELL] has been called home by the illness of his children, and on that account it was impossible to finish its consideration.

Mr. SEWELL presented a petition of the New Jersey Temperance Alliance, officially signed, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Grand Temple of Honor and Temperance of New Jersey, officially signed, representing over 200 members, praying for an amendment of the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages throughout the national domain; which was referred to the Committee on Education and Labor.

Mr. BUTLER presented the petition of Professor E. Cooke and the faculty of the Claflin University, of Orangeburgh, South Carolina, praying for national aid to education; which was ordered to lie on the table.

Mr. PENDLETON. I present the petition of J. P. Wintermute, grand worthy patriarch, and E. J. Morris, grand scribe Grand Division Sons of Temperance of the State of Ohio, claiming to speak for ninety divisions and 3,500 members of that order, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia. At their request I move its reference to the Committee on the District of Columbia.

The motion was agreed to.

Mr. COCKRELL. I am requested by Mr. A. M. Powell, of Washington city, under date of January 10, 1883, to present to the Senate the petition of Wellington Wright, H. M. Jameson, and other citizens of the State of Missouri, praying for the prohibition of the manufacture

and sale of all alcoholic beverages in the District of Columbia. I move that it be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. HAWLEY. I present a precisely similar petition of the Templars of Honor and Temperance of Connecticut, officially signed, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia. I move its reference to the Committee on the District of Columbia.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Chair presents a similar petition of Elijah Mendenhall and others, citizens of Ohio, which will have a similar reference.

Mr. VEST presented a petition of Mills Creek Grange, No. 1926, Ralls County, praying for the establishment of a Department of Agriculture; which was ordered to lie on the table.

Mr. INGALLS presented a petition of stone-cutters employed on the Washington Monument, praying for compensation during the time occupied in the obsequies of the late President Garfield; which was referred to the Committee on Appropriations.

Mr. CHILCOTT presented a petition of the Grand Lodge of Good Templars of Colorado, officially signed, representing 1,593 members, praying for an amendment to the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages throughout the national domain; which was referred to the Committee on Education and Labor.

Mr. BLAIR presented a petition of the Independent Order of Good Templars of Oregon, officially signed, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. MORRILL presented a petition of the Woman's Christian Temperance Union of Vermont, officially signed, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. LOGAN presented a petition of citizens of Sacramento, California; a petition of Olney Post, No. 92, Department of Illinois, Grand Army of the Republic; a petition of citizens of Lawrence County, Illinois; a petition of citizens of Moultrie County, Illinois, praying for the passage of a bill to increase the pensions of one-armed and one-legged soldiers and sailors; which were referred to the Committee on Pensions.

He also presented a memorial of the Board of Trade of Chicago, favoring an appropriation for the construction of the Hennepin Canal; which was referred to the Committee on Commerce.

He also presented a petition of the Chicago Trade and Labor Assembly, praying for immediate settlement of the tax question for the reason that the unsettled condition of the tobacco market has thrown many workmen out of employment; which was ordered to lie on the table.

Mr. SHERMAN presented a petition of the Sons of Temperance of Ohio, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. MILLER, of New York, presented the petition of Marcus Hendrick and others, citizens of Delaware County, New York, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. DAWES presented a petition of the Massachusetts Temperance Alliance, Rev. A. A. Miner, president, Charles A. Hovey, secretary, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. BARROW. The Committee on Claims have had under consideration the petition of Collin Adams praying payment of the proceeds of the sale of certain cotton seized by the Army of the United States, and have instructed me to report the same back adversely. I ask that it be placed on the Calendar.

The PRESIDENT *pro tempore*. A petition or memorial can not be placed on the Calendar.

Mr. GARLAND. Let the motion to discharge the committee go on the Calendar. That will accomplish the object the Senator has in view.

The PRESIDENT *pro tempore*. The Calendar is kept for resolutions and bills. To go on the Calendar the report must be put in the form of a resolution.

Mr. GARLAND. Is not the motion to discharge in the nature of a resolution?

The PRESIDENT *pro tempore*. The Senator had better withdraw the report and hereafter report a resolution to go on the Calendar.

Mr. BARROW. It was out of courtesy to the Senator from Tennessee [Mr. HARRIS], who is absent, that I asked to have the case placed on the Calendar.

The PRESIDENT *pro tempore*. The Senator can withdraw the report and afterward present a resolution from the committee in regard to the matter.

Mr. BARROW. Very well; I withdraw the report.

The PRESIDENT *pro tempore*. The report is withdrawn.

Mr. BARROW, from the Committee on Claims, to whom was referred the bill (S. 2206) for the relief of Charles L. Dahler, submitted an adverse report thereon, which was ordered to be printed; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1225) for the relief of B. B. Conor, of Louisville, Kentucky, submitted an adverse report thereon, which was ordered to be printed; and the bill was postponed indefinitely.

Mr. BARROW. I am instructed by the Committee on Claims, to whom was referred the bill (S. 1626) for the relief of Charles Murphy, to report it adversely. I ask that it be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, to whom was referred the bill (S. 2261) for the relief of Ludwig Kramer, asked to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

BILLS INTRODUCED.

Mr. BLAIR asked and, by unanimous consent, obtained leave to introduce a bill (S. 2341) to prohibit the manufacture, importation, and sale of intoxicating liquors as a beverage in the District of Columbia; which was read twice by its title.

Mr. BLAIR. I have not examined the specific provisions of the bill, although I would be in favor of one making the provision specified. I introduce the bill by request of the National Temperance Society; and I move that it be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. WILLIAMS asked and, by unanimous consent, obtained leave to introduce a bill (S. 2342) granting a pension to Minerva Smith; which was read twice by its title, and referred to the Committee on Pensions.

THE FISHERIES TREATY.

Mr. FRYE asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. 123) providing for the termination of articles Nos. 18 to 25, inclusive, and article 30 of the treaty between the United States of America and her Britannic Majesty concluded at Washington, May 8, 1871; which was read twice by its title.

Mr. FRYE. Mr. President, as I am exceedingly anxious that this joint resolution shall not be pigeon-holed in committee I desire to call the attention of the Committee on Foreign Relations to the subject. As the chairman of the committee is absent I would like the attention of the Senator from Alabama [Mr. MORGAN] as a member of the Committee on Foreign Relations. I have presented a joint resolution to give notice of the abrogation of certain articles of the treaty of 1871 with Great Britain, and I am very anxious that it shall receive immediate and careful attention on the part of the Committee on Foreign Relations.

Mr. MORGAN. That is the fisheries treaty?

Mr. FRYE. Yes, sir. Article 18 of that treaty provides that we may have the liberty to fish within certain Canadian waters named. Article 19 provides that they may have the liberty to fish in our waters north of the thirty-ninth parallel. Another article provides that whereas her Britannic Majesty thinks that the privileges granted to us worth a great deal more than the privileges granted to them, therefore payment shall be made for the excess of value between the privileges, and provides for an arbitration. Arbitration was had, and by gross mismanagement on the part of our Government and by skillful diplomacy on the part of the Canadian authorities they recovered $5,500,000, which we paid.

In view of the fact that for a hundred years almost we have refused to pay our own citizens for spoliations by the French; in view of the fact that Ben Holladay, for instance, for fifteen years has been dancing in attendance on Congress to recover a just claim, in my opinion, of three or four or five hundred thousand dollars; in view of thousands of like cases that was a most munificent gift to the Dominion of Canada, because every single cent of it was a gift; the privilege which they granted to us was not worth so much to us by 100 per cent. or 500 per cent. as the privilege which we granted to them.

For instance, take 1881: we caught in 1881, as is shown by the report of the Boston fish bureau, in the Gulf of Saint Lawrence, and under the privilege granted to us in article 18, 490 barrels of mackerel—no other fish, not a halibut—only 490 barrels of mackerel; and under the privileges we granted to them in return, to fish in our waters above the thirty-ninth parallel, they and we caught 391,189 barrels of mackerel. Where we took one barrel of mackerel in their waters under article 18, they took one hundred barrels of mackerel in our waters.

What other privileges did they give us? The privilege to get bait for mackerel fishing in the Canadian waters. What is that worth? We buy our bait there and pay for it, every dollar that it is worth, and just as much as we were obliged to pay before; so that really all that we get is the privilege to fish there. That privilege is not worth one cent a year; it is not worth anything, I mean to say; and their privilege to fish in our waters is of immense value to them; and yet we paid $5,500,000. Well, we can not get that back.

But what more? Under article 21 of the same treaty again, in return

for this valueless privilege which they accorded to us under article 18, we agreed to allow them to export into the United States during the whole term of this treaty free of duty all of their fish caught in their water or ours. In 1881, in the Boston and Gloucester collection districts alone, the remission of duty to the Canadians under article 21 of this treaty was a little over $300,000. We took four hundred and seventy-nine barrels of mackerel in their water, for which we paid five million and a half, and in 1881, in two collection districts alone, $300,000 more.

That that treaty should be terminated at the earliest possible moment, without the loss of a single hour, must be entirely clear to every Senator. When can it be done? And to that I wish to call the attention of Senators.

By article 33 the foregoing articles, 18 to 25, inclusive, and article 30—those are the articles which relate to these privileges between us and the Dominion of Canada—may be terminated after the end of ten years and two years more of the continuance of the notice. The article provides that the notice can be given at the end of ten years, and that the treaty shall then continue two years, and shall continue indefinitely unless the notice is given.

The treaty was made, to be sure, in 1871; but proclamation of the treaty was made some time later, and a protocol touching articles 18 to 25, inclusive, and article 30 was added on the 7th day of June, 1873. The provision of the treaty was that after that protocol it should take effect on the 1st day of July next; so that the treaty took effect, so far as these articles were concerned, July 1, 1873, and, as I understand the terms of the treaty, the ten years would not expire until July, 1883. I am not certain under the terms of the treaty that we can even give notice of its termination until the ten years are absolutely concluded. The Senator from Alabama, on looking at the protocol on page 372 of the Book of Treaties, will see the language. It is somewhat peculiar:

Each of the high contracting parties being at liberty to give such notice to the other at the end of the said period of ten years—

It does not say they shall not give notice before, but it goes on—

or at any time afterward.

The implication is that you can not give notice at any time before; but can not the Congress of the United States, which will not be in session in July, 1883, make a provision of law by which the President on the 2d day of July, 1883, shall be required to give this notice, which shall terminate forever this iniquitous treaty between us and them touching these fishing privileges?

Mr. MORGAN. I did not hear the motion or resolution that the honorable Senator introduced. Is it a joint resolution, or is it a bill?

Mr. FRYE. I introduced a joint resolution, drawn without any special care and without any special reference to this article of the treaty. I did it simply to bring the matter now before we adjourn (because it requires early action if the treaty is to be terminated in July) to the notice of the Senators on the Committee on Foreign Relations, and I ask them to examine and themselves report such legislation as in their judgment will enable us on the 2d day of July, 1883, to give this notice which is required; and even then we will have to submit to this treaty for two years longer.

Mr. MORGAN. I hope the Senator will put his motion in such shape as that the Committee on Foreign Relations can take real and substantial jurisdiction of the subject. It would probably not be worth while, or at least it would be a little presumptuous in us, merely to advise the President in advance of the termination of the treaty of the opinion of the Senate, or even of the opinion of the two Houses, that it should be terminated. While I have no doubt that would be influential, we are to presume nevertheless that the Executive will do his duty for the people of the country. I have not any doubt at all, under the decisions of our Supreme Court, of our power to abrogate the treaty. Of course that is a harsh measure. Neither have I any doubt that by law we can require the President to give the notice under that treaty in accordance with its terms, and terminate the treaty in two years.

Mr. FRYE. If the Senator will allow me, that seems to me is the better way to do.

Mr. MORGAN. Then I ask the Senator to put his motion in such form as to give the committee substantial jurisdiction of the subject, or by the order of the Senate, so that we shall not be left in doubt as to how far the Senate intends we shall go in reporting back a measure.

Mr. FRYE. I will do that with pleasure at a subsequent day. I will have the resolution which I have now presented referred to the Committee on Foreign Relations.

The joint resolution was referred to the Committee on Foreign Relations.

AMENDMENTS TO BILLS.

Mr. MAHONE submitted an amendment intended to be proposed by him to the bill (H. R. 5538) to reduce internal-revenue taxation; which was ordered to lie on the table and be printed.

Mr. SEWELL submitted an amendment intended to be proposed by him to the bill (H. R. 7077) making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House insisted on its disagreement to the amendments of the Senate to the bill (H. R. 6957) making appropriations for the consular and diplomatic services of the Government for the fiscal year ending June 30, 1884, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. J. C. BURROWS of Michigan, Mr. G. M. ROBESON of New Jersey, and Mr. S. S. COX of New York, the conferees on the part of the House.

The message also announced that the House insisted on its disagreement to the amendments of the Senate to the bill (H. R. 7050) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1884, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. J. C. S. BLACKBURN of Kentucky, Mr. THOMAS RYAN of Kansas, and Mr. BENJAMIN BUTTERWORTH of Ohio, conferees on the part of the House.

The message further announced that the House had passed the bill (S. 2150) to provide for extra work in the Government Printing Office in cases of emergency.

The message also announced that the House had agreed to some and disagreed to other amendments of the Senate to the following bills:

A bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes; and

A bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes.

PRESIDENTIAL DISABILITY.

Mr. INGALLS. I ask for the adoption of the following resolution:

Resolved, That the Committee on the Judiciary be directed to inquire what legislation, if any, is necessary to ascertain and determine when the powers and duties of the Presidential office shall devolve upon the Vice-President in case of the inability of the President to discharge the same, and in what manner the removal of disability may be ascertained under the Constitution; and to report hereon by bill or otherwise.

Mr. GARLAND. Let that lie over, Mr. President.

The PRESIDENT *pro tempore*. The resolution will lie over.

STATE NATIONAL BANK OF BOSTON.

Mr. HOAR. The Senator from Arkansas [Mr. GARLAND] day before yesterday reported the bill (H. R. 700) for the relief of the State National Bank of Boston, Massachusetts, adversely from the Judiciary Committee. My attention was called away at the moment and the bill was postponed indefinitely. The Senator intended to call my attention to it, but he saw I was called away. I desire to have the bill placed upon the Calendar.

Mr. GARLAND. The proper course is by unanimous consent to reconsider the vote by which the bill was indefinitely postponed, and then let it go on the Calendar.

The PRESIDENT *pro tempore*. As usual that is done, if there be no objection.

Mr. GARLAND. I have none.

The PRESIDENT *pro tempore*. The vote will be regarded as reconsidered, and the bill will be placed on the Calendar.

HOUSE BILLS ON CALENDAR.

The PRESIDENT *pro tempore*. The morning business is over. The Calendar is now in order.

Mr. COCKRELL. Mr. President, there are quite a number of bills upon the Senate Calendar which have passed the House of Representatives, have come to the Senate, been referred to the committees of the Senate, reported favorably, many of them without amendment. I would suggest that it would greatly expedite the business of the Senate and relieve Senators if we should this morning take up the Calendar of unobjected House bills and act upon them instead of calling the regular Calendar. I make that motion, that we go on in that way until we get through with the House bills.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none, and the House bills will be called in their order.

P. F. LONERGAN.

The bill (H. R. 4704) for the relief of P. F. Lonergan was considered as in Committee of the Whole. It is a direction to the Secretary of the Treasury to investigate the claim of P. F. Lonergan, of Pike County, Missouri, for $646.48, being the amount of income tax alleged to have been unlawfully collected of him on his salary and compensation as sheriff and collector of the county of Pike, Missouri; and in case the Secretary shall be satisfied that such claim, or any part thereof, was unlawfully collected, he shall refund the same to Lonergan, or his personal representatives.

Mr. INGALLS. If there is a report let it be read.

The Acting Secretary read the following report, submitted by Mr. HARRIS May 12, 1882:

The Committee on Finance, to whom was referred the bill (H. R. 4704) for the relief of P. F. Lonergan, have had the same under consideration, and after ex-

amination adopt the following report of the House Committee on Ways and Means:

"The facts we find to be that during the years 1867, 1868, and 1869 the claimant, P. F. Lonergan, was the sheriff and collector of the revenue for the county of Pike, in the State of Missouri; that for the years aforesaid there was assessed against him by the United States assessor for the fourth district of Missouri an income tax derived solely from the emoluments of said offices of sheriff and collector, as follows:

For the year 1867	$172 45
For the year 1868	247 25
For the year 1869	226 78
Making in the aggregate	646 48

which several amounts so assessed the claimant was compelled to and did pay to the collector of said fourth district.

"It is admitted by the Internal Revenue Commissioner that, the facts above being established, the taxes above assessed were, under the decisions of the Supreme Court (Buffington *vs.* Day, 11 Wall., 113; Same *vs.* John Ritchie), illegally assessed, and that, under existing law, if application had been made to refund the amount on or before June 6, 1873, the same would have been refunded to claimant, because of his being assessed for taxes on his income as a State official. There seems to be no evidence on file in the Treasury Department that claimant made application to be repaid the amount of this illegal assessment within the time prescribed; but the claimant states that he did make his application in time, and that Commissioner Pleasanton replied to this application that sheriffs or collectors were not State officers, and on this ground did not consider his claim; but the letter of the commissioner he was not able to find. Hence this application to Congress. And your committee are of opinion that he ought to be repaid the amount thus illegally collected, and therefore recommend the passage of the bill."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TAXES ON BANKERS AND BROKERS.

The joint resolution (H. Res. 190) to refer certain claims to the Court of Claims was considered as in Committee of the Whole. The resolution proposes to refer to the Court of Claims, under the provisions of section 1059 of the Revised Statutes, the same as though not barred by the statute of limitations, the claims arising within the former thirty-second internal-revenue district of New York prior to June 6, 1872, of those persons, members of the stock exchange of that city, from whom moneys were illegally collected, as substantially shown by the decision of the Supreme Court in the cases of Bailey *vs.* Clark, Dodge, and others (reported in 21 Wallace, 286), where such claimants have not heretofore been repaid such moneys.

Mr. CONGER. Why are the other bills passed over? Why jump from Order of Business 683 to Order of Business 708?

The PRESIDENT *pro tempore*. It is an arrangement to call up House bills and none other this morning. When that order is completed the Senate will go back to the Calendar regularly.

Mr. SHERMAN. Read the report.

Mr. CONGER. I want to inquire whether there is any specification of claims in the bill? I heard none.

Mr. LAPHAM. Perhaps a brief statement from me will satisfy the Senator——

Mr. SHERMAN. We had better have the report read.

Mr. LAPHAM. I can state the facts in much less time than the reading of the report will require.

Mr. CAMERON, of Wisconsin. The report is very brief, made by the Senator from Tennessee [Mr. JACKSON] from the Committee on Claims.

Mr. JACKSON. The report will explain the whole case. Let that be read.

The Acting Secretary read the following report, submitted by Mr. JACKSON May 17, 1882:

The Committee on Claims, to whom was referred the joint resolution (H. Res. 190) to refer certain claims to the Court of Claims, respectfully report as follows:

Your committee have considered the subject-matter of this resolution, and find the facts as they appear from the evidence to be clearly set forth in the report of the House Committee on Claims made at this session of Congress, from which report the following is an extract:

"In the years 1869, 1870, 1871, and a part of 1872, certain taxes were imposed and collected by the collector of internal revenue in the thirty-second collection district of New York upon sums of borrowed money claimed to be the capital of certain bankers and brokers transacting business in said district, which taxes were claimed at the time to be illegal, and were paid under protest. Said collection district is believed to be the only district in the United States in which such rule of taxation was adopted.

"A committee from the New York Stock Exchange was therefore appointed to represent such members of that body as were thus taxed in the said district illegally, as they believed, and to take such steps as were necessary to secure the legal rights of the parties and to recover, if practicable, the sums which they were from time to time compelled to pay. The said committee thereupon conferred with the attorney for the United States in reference thereto. At this conference the said district attorney advised them that it would be useless for all the complainants to bring suits for the recovery of said taxes; that one suit, as a test case, would settle the whole principle; that all claims for taxes of this character alleged to have been illegally collected would abide the results of such test case; that if any of said parties were repaid their money all would be; and that a great number of suits would only make needless expense for both sides without any advantage to either.

"Acting upon this advice, a number of the parties in interest—among them the smaller tax-payers, who could not well afford the expense of unnecessary litigation—did not bring their suits, and took no further steps to prosecute their individual claims pending the decision of the test case agreed upon. In so doing they relied upon what they supposed to be a reasonable and valid arrangement as much in the interest of the Government as in their own interest.

"Two test cases were accordingly instituted and carried through the circuit court and to the Supreme Court of the United States. These were the cases of Bailey, collector, *vs.* Clark, Dodge, and others, reported in 21 Wall. (88 U. S.) Reports, page 284. The Supreme Court, at the October term, 1874, finally decided in favor of the plaintiffs and against the legality of the taxes complained of.

"In the mean time, however, June 6, 1872, Congress had passed an act (17 Stat., 257) containing a provision that all claims for refund of taxes collected prior to that date must be presented within one year; so that before the decision of the Supreme Court was made the claims of all those persons who had relied upon the arrangement with the district attorney were technically cut off from consideration, and the claimants from any means of redress.

"The parties thus unwittingly involved in difficulty have since then repeatedly petitioned Congress for relief; and the Judiciary Committees of the House in both the Forty-fifth and Forty-sixth Congresses have on two occasions unanimously reported in favor of a bill directing the Treasury Department to refund all taxes of this description on application of the proper claimants; but in each instance the bill went upon the Calendar and was never reached.

"In view of the somewhat exceptional circumstances of the case this committee are also satisfied that the petitioners and the parties in question are entitled to some relief. It is true that any agreement or assurance by the district attorney could neither enlarge nor abridge the legal rights of any of these parties; nor do the committee understand the petitioners to assume that it did. But the claimants do allege that the Government can not equitably insist on inflicting further hardship upon them for the offense of reposing too great confidence in such an agreement. They point out the fact that the Government has not suffered in any way, but has rather profited by the circumstance; that the proposals of the attorney for the United States had reference to the interests of the United States not less than to those of these parties; and that the arrangement made was strictly in the line of the policy of the law, which, so far as practicable, discourages needless litigation. These suggestions are not without force, and seem to have been regarded as conclusive by the Judiciary Committee.

"Your committee, however, are of opinion that the proposed measures of relief heretofore reported have been perhaps broader than the necessities of the case demand. They also consider that in determining the facts in these claims at the present day, more than ten years after most of the transactions involved, it would be desirable to provide for a close and, if possible, a judicial scrutiny of each case. They are therefore of opinion that these claims should be sent to a court where both sides will be represented and exact justice may be done."

The resolution was passed in the House of Representatives by a nearly unanimous vote.

Your committee are disposed to concur in the view that the relief for which it provides ought not to be refused. The Government officers wrongfully exacted the moneys in question, without equity and, as the Supreme Court decided, without warrant of law. If under these circumstances the claimants acted in good faith in not multiplying suits and, at the suggestion of the attorney of the United States, agreed to abide the issue of a test case which should settle all their rights, it is certainly no more than reasonable to give them a day in court. The resolution strictly limits the relief to those who bring themselves within the equities of the agreement referred to; and with this qualification it seems to be free from any fair or reasonable objection.

Your committee report back the joint resolution and recommend its passage.

Mr. CONGER. My recollection in regard to that report may be at fault, but I am of the impression that it was understood that the agreement of the district attorney there referred to should be further investigated to see if the district attorney did really make such an agreement.

Mr. LAPHAM. The resolution requires proof of that.

Mr. CONGER. The resolution assumes that there was such an agreement and makes it one of the conditions of jurisdiction; but it seems to me that inquiry could have been made by the committee or those interested in the passage of the resolution, and some proof more than the mere assertion that such an agreement was made should be presented to the committee and embodied in the report. I may have been mistaken about my understanding of that matter, however.

Mr. JACKSON. I will state to the Senator that there was proof that there was such an agreement. That proof was before the committee, but the committee were uncertain as to who would have the benefit of that agreement, and hence they referred all the cases to the Court of Claims.

Mr. CONGER. I do not question that the report was made in accordance with the ultimate conclusions of the committee, but I was speaking of my own understanding about it when the matter was before the committee. I supposed inquiry was to be made before the report was made as to the fact of such an agreement and that embodied in the report, and that that was to have been done before the report was made; but I may have been mistaken. I think that should have been done.

Mr. LAPHAM. There was before the Judiciary Committee of the House on two occasions when I had charge of this matter proof by affidavit of the gentlemen who negotiated this arrangement with the public prosecutor in behalf of the claimants and of the assistant district attorney, who himself made the arrangement for the benefit of the Government, conclusive evidence on both sides that in good faith the arrangement was made that these claims should rest in abeyance until the two test cases were decided.

That occurred during one session of Congress when the honorable Senator from Michigan was a member of the Judiciary Committee of the House, and we unanimously reported upon that evidence that the Treasury should pay these assessments without any other inquiry whatever. That was the bill recommended by the House committee then.

Mr. CONGER. But this is a provision that all who claim to-day an interest in that class of claims may bring suit, whether they had the suits pending or not. The measure that was before the Judiciary Committee of the House provided that those whose suits had been commenced and were in abeyance might have the benefit.

Mr. LAPHAM. Not at all. No one commenced suit except in the two cases that came to the Supreme Court and tested the question. All the rest forbore to commence action under the arrangement made with the public prosecutor. It was an arrangement made in good faith. It was clearly proved, and so clearly proved that the House committee at two sessions of Congress, I drawing and making the report myself, reported that these sums thus illegally assessed should be repaid out of the Treasury. Now, the House, from greater caution, have provided in

this joint resolution that instead of these claims being paid from the Treasury the question shall go to the Court of Claims, where each claimant must establish as matter of fact that he was a party to the arrangement with the public prosecutor which induced him not to commence an action.

It seems to me that there can be no sort of question about the propriety of this resolution. This district was the only district in the United States where the collector of internal revenue undertook to assess borrowed money as capital of the banks and bankers. He did undertake it in this district, and he collected considerable sums of money. The Supreme Court held that that was illegal in the Bailey case, and the money was refunded. These claimants simply are permitted to come in and prove the same state of facts, prove that they were parties to the arrangement with the public prosecutor, and that is the excuse which they make for not having brought their actions.

Mr. EDMUNDS. It is rather a dangerous proceeding to bind the Treasury of the United States by an agreement made by a district attorney of the United States that somebody need not sue the United State within the statute of limitations, and abide the event of some suit that has been brought, and thus subject the United States to indefinite suits within indefinite times after the statute has run, and after often the proof had been lost that would be available for the defense.

Mr. LAPHAM. Will my friend from Vermont permit me to correct him in one respect? There was no statute of limitations when this arrangement was made. The statute which is in the way was passed pending the Bailey case in the courts, passed after the arrangement, and operated as a bar before the final decision of the Supreme Court.

Mr. EDMUNDS. The people who had made such an arrangement are supposed, like all other citizens of the United States, to have had notice of the passage of an act of Congress which created the statute of limitations if it did not exist before, and they are presumed to have known perfectly well, whether they were lawyers or not, that no district attorney of the United States had any more authority than I had to make any such engagement or to enter into any such understanding. I think it safe to say that. And therefore the question comes right around again whether there being a statute of limitations within whose provisions these gentlemen might have brought themselves and tried their suits in the time of them and upon proof then existing, they are to be excused from doing that because a district attorney of the United States—and so far as I understand it even without the direction of the Secretary of the Treasury who I agree in point of law would have no more authority than the district attorney—but the district attorney alone so far as I understand it engaged that the United States would waive the statute of limitations. The question is whether you can carry on a government in that way?

Then there is another thing in the resolution that is somewhat curious. There certainly has been existing for a great many years a statute of the United States which says that no person in interest shall be a witness in his own behalf in a case against the United States. Now, for some reason or other—and undoubtedly I suppose it to be a good one by the promoters of this measure in the other House—I see there is inserted a clause that these parties may be witnesses contrary to the general and positive prohibition applicable to all other suits against the United States. Is that right? Why do you make this special change in the law for the benefit of these particular people, even if on other grounds you would waive the statute of limitations? The ground of this statute securing the United States was that inasmuch as there was on the part of the United States no definite private party to protect its interests but only public agents who changed from time to time, it would be dangerous and unjust to allow claimants against the United States to support their claims by their individual testimony. Accordingly the law has been all the time, as it regards suits against the United States in the Court of Claims, that no person in interest should be a witness against the United States, but he must stand just as the opposite party does, and that is prove his claim by his own agents and other witnesses as according to the course of the common law. That is the policy now. If it is not a good policy, then let us repeal this prohibition in the statute altogether and have equal rights; but if it is a good policy—and I am inclined to think that the Senate would agree that it is—then why should this special exemption be made in favor of these particular persons that they may swear their claims through when nobody else can?

Mr. LAPHAM. If I may be permitted I wish to say——

The PRESIDENT *pro tempore*. By unanimous consent the Senator can proceed.

Mr. LAPHAM. I am aware of the rule; and I ask leave simply to make one suggestion. The only point upon which the claimants can be of any importance as witnesses, if they are important at all, is to show that they were parties to and relied upon the arrangement with the public prosecutor. Upon the merits of the case their evidence is not necessary at all. It is simply to comply with that condition, and there certainly can be no objection to it. It is like the service of a notice.

The joint resolution was reported to the Senate without amendment.

Mr. EDMUNDS. I move to strike out the clause about the parties being witnesses.

Mr. LAPHAM. I hope that amendment will not prevail. The Senate can see that every fact of this case, except partially the fact that the claimant was a party to the arrangement with the public prosecutor, can be proved as matter of record.

The PRESIDENT *pro tempore*. The Senator from Vermont [Mr. EDMUNDS] moves to amend by striking out the words which will be read.

The ACTING SECRETARY. It is proposed to strike out after the word "passage," in line 22, the words:

> And the testimony of any witness otherwise competent shall not be excluded by reason of his interest in the issue thereof.

Mr. EDMUNDS. I know that the only things to which these parties can testify are the things that are necessary to their recovery, and that is usually the case with most parties who are witnesses; and, as the Senator says, very likely the thing that they wish most to swear to and that they wish to take the personal privilege of swearing to themselves is this oral engagement—because if it be in writing they do not need to swear to it—with the district attorney; and that is the very point, as is admitted, on which this special legislation is to rest.

Nobody is in favor, I suppose, of removing the statute of limitations as to claims against the United States in general; but the party who wishes that done must show a special equity. Now, in order to show this special equity it is necessary to prove that some district attorney of the United States, by some oral engagement with a variety of people, agreed that he would waive the statute of limitations in behalf of the United States. That is the sum and substance of it. Now, they say you may prove this by these people, as well as anything else that is of consequence, and accordingly you may make your case against the United States shadowy, as it is at its best, on your own personal testimony, when in no other instance does the United States permit an interested witness against it to swear. Is that right? Who was this district attorney? Is he living?

Mr. LAPHAM. He is. Mr. Pierrepont was the district attorney at that time.

Mr. EDMUNDS. Then Mr. Pierrepont is an impartial witness; he has not even the bias now of being an officer of the Government; he stands indifferent between the two parties, and is competent to prove this arrangement; but if these people can club together and outswear Mr. Pierrepont, then the Treasury is to be emptied.

Mr. LAPHAM. Mr. Pierrepont's statement is in the case.

Mr. EDMUNDS. Very good; then they have no need of this clause.

Mr. LAPHAM. The arrangement in behalf of the claimants was made by a committee appointed for that purpose. They did not all go in person.

The PRESIDENT *pro tempore*. The Senator is out of order unless by unanimous consent the Senate agrees that he shall speak.

Mr. CAMERON, of Wisconsin. I desire to ask a question of the Senator from Vermont for information. Does the statute which excludes interested parties from being witnesses in suits against the United States apply to any court except the Court of Claims?

Mr. EDMUNDS. The section to which I have adverted, as this is a Court of Claims case, is the statute in reference to the Court of Claims. I have not looked through the other statutes. There is a statute of the United States in general which speaks of suits between parties, in which a party in interest may be a witness provided the other party is alive and stands on an equal footing; otherwise not. That is what I believe to be the law of the United States in general. Whether that would apply to a case in which the United States was a party in the circuit court with a citizen, I do not know; I am pretty sure it does not, but I am not positively certain about it. It strikes me, however, that is the state of the law.

Mr. JACKSON. As a member of the committee who reported this joint resolution, I will state to the Senate that we considered under the special circumstances of the case that these claimants ought to be allowed to testify that they were parties to the agreement. The Government has received the money by an illegal assessment, as decided by the Supreme Court of the United States. It has taken the money from these parties illegally under an improper assessment. That decision was made at the October term, 1874. When the agreement was entered into it was entered into with the district attorney, by and through a committee of the Stock Exchange, all the parties interested not being present, but being represented by a committee. There was no statute of limitations in force at that time. This agreement was entered into in 1871 or 1872. Subsequently, and while these suits were pending in court, the Congress of the United States, on the 6th of June, 1872, passed the statute of limitations referred to by the Senator from Vermont—passed the statute of limitations after this agreement had been entered into. There may have been no legal authority on the part of the district attorney to make that agreement, but it was certainly an equitable arrangement intended to relieve both parties from the expense of a troublesome litigation, and it was not to avoid the decision of the two test cases which were pending, and finally decided at the October term of 1874 by the Supreme Court.

Now, inasmuch as their money has been improperly taken by the Government, they have a just and an equitable claim against the Government for all this money that was paid under that illegal assessment. The committee thought that under these circumstances they might show that they were parties to that agreement, and properly show that they were parties to it, inasmuch as the arrangement was made through

a committee of the stock exchange. It will not violate any general rule. It is in accordance with the general rule of the courts of the United States admitting parties to testify.

Mr. EDMUNDS. Mr. President, I know I am out of order, but I ask unanimous consent, like everybody else, to say one word more.

The PRESIDENT *pro tempore*. The Senator from Vermont asks unanimous consent to say one word more on this case. The Chair hearing no objection the Senator will proceed.

Mr. LAPHAM. Although I was cut off, Mr. President, I will not object.

Mr. EDMUNDS. My friend from Tennessee says that this statute of limitation about the Court of Claims first began in 1872, if I correctly understand him.

Mr. JACKSON. I beg pardon. I had reference to the special statute which provided that claims for refunding taxes must be presented within one year, which was passed on the 6th of June, 1872. That is the statute I had reference to.

Mr. EDMUNDS. That is another thing. But the statutes about the Court of Claims have existed ever since the court did, beginning with March, 1863, that—

> Every claim against the United States, cognizable by the Court of Claims, shall be forever barred unless the petition setting forth a statement thereof is filed in the court, or transmitted to it by the Secretary of the Senate or the Clerk of the House of Representatives, as provided by law, within six years after the claim first accrues.

So that there being no court of the United States but the Court of Claims to which these people could have applied by a suit against the United States they were excluded under the statute of limitations all the time. As to private suits against an officer of the United States who had illegally collected a tax, there has been a statute of limitations about private suits always, I think.

Mr. GARLAND. The other day when we had up the House bill in regard to the general reference of claims to the Court of Claims by Congress and the Departments, I raised this very question on section 6 of that bill, that is the question as to allowing parties to testify.

The Senator from Wisconsin asked the question just now whether or not in any other court of the United States a person was excluded because of his interest in the subject-matter in litigation. The acts of 1863 and 1864 as revised in section 858 are expressed in these words:

> SEC. 858. In the courts of the United States no witness shall be excluded in any action on account of color, or in any civil action because he is a party to or interested in the issue tried.

Afterward, on June 25, 1868, that was amended to read as follows in section 1079:

> SEC. 1079. No claimant, nor any person from or through whom any such claimant derives his alleged title, claim, or right against the United States, nor any person interested in any such title, claim, or right, shall be a competent witness in the Court of Claims in supporting the same, and no testimony given by such claimant or person shall be used except as provided in the next section.

The act of 1868 amended the previous acts so far as to exclude parties who were interested in the subject-matter from testifying. It says that they shall not be competent as witnesses in the Court of Claims "in supporting the same." It strikes me to-day as it did the other day, when the other bill was up, that these witnesses are called to support their claims, and it is a direct breaking down to that extent of the act of 1868. I think with the Senator from Vermont that the act ought to be repealed expressly, or we ought to hold these parties as others are held under the act of 1868 who can not testify in support of their claims. The question, then, of the Senator from Wisconsin is answered by these two sections.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont, to strike out the words permitting these parties to testify.

Mr. EDMUNDS. Let us have the yeas and nays. This is a question of a good deal of importance.

The yeas and nays were ordered.

Mr. MORGAN. I desire to inquire of the chairman of this committee or the Senator who reported the joint resolution whether there is any doubt at all that the Government of the United States ought to refund this money.

Mr. CAMERON, of Wisconsin. None whatever.

Mr. MORGAN. I do not understand that there is any question made, then, as to the duty of the Government to refund this money, as a moral question.

Mr. EDMUNDS. I doubt it, for one, because I think the court decided wrong.

Mr. CAMERON, of Wisconsin. The Supreme Court decided it.

Mr. EDMUNDS. I can not say more; I am cut off.

Mr. MORGAN. The Senator from Vermont thinks the Supreme Court has decided wrong about it. We would on many occasions prefer to take the opinion of the Senator from Vermont to that of almost any judge on the bench, but when the whole court concurs and announces a decision which is constitutionally binding upon all parties, the United States Government as well as the other party to the proceeding, it seems to me the doctrine of *stare decisis* at least ought to hold.

Mr. EDMUNDS. If my friend will allow me out of his time to suggest to him the difference, the difference is, that I hold we are no more bound by the decisions of the Supreme Court in this Chamber than they are bound by ours. If in accordance with some decision of theirs money is to be taken from the Treasury, we are the judges of whether that decision is right except in the particular case before them; there as a matter of course we are bound to pay the money.

Mr. MORGAN. I think when a question of indebtedness between two individuals or between the Government and an individual is settled as a matter of fact and matter of judgment by the court, we are bound by it unless the court has transcended its constitutional powers in coming to that conclusion; the Senate and everybody else is bound by it. That is my view of the subject.

Now, if there is an adjudication of the Supreme Court which settles the right of these parties to have this money against the Government of the United States, I desire to know some reason why they should not be put in possession of all the necessary facilities for establishing their demand, and I understand that the object of changing the rule in reference to testimony in this case is to allow them to establish the fact of an agreement by which the case now before the Senate was intended to abide the decision of another case, the very case decided in the Supreme Court.

We find among the criminal statutes of the United States that where a man is indicted for murder or for any other offense, high or low, he is permitted to come in and testify against the Government of the United States in his own behalf. There the parties in interest in the cause are the Government of the United States, representing the great body of the people, and an individual indicted by a grand jury for a crime. If we can afford to go to that extent in giving indulgence and an opportunity for ascertaining the truth of the matter, I can not understand upon what ground we stop short of that. And I take occasion to say that I can see no reason at all why this statute should ever have been passed, excluding a man from testifying against the Government in the Court of Claims where he presents a claim, whereas if he was suing an officer of the Government in a circuit or district court he would be a competent witness. There ought to be some rationality, some logic, some consistency, running through our system of jurisprudence, and I would very gladly participate in a movement to repeal that section and make our laws harmonious in their application to all courts and all people.

I do not understand that a man who goes to the Court of Claims with a demand against the Government of the United States is any more under the influence of a presumption that he is robbing the Government than a man who goes into the circuit court and sues an officer of the Government who may have transgressed his authority or against whom the statute may give a right of recovery for something that he has done in the name and on account of the Government.

I therefore think that we should be sticking in the bark at the expense of justice in this case if we should refuse to give these parties the opportunity, which can not be injurious to the administration of public justice, to go into the court and prove the existence of the agreement under which this case comes here to be decided in the manner that the other case was decided.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. EDMUNDS], to strike out the words—

> And the testimony of any witness otherwise competent shall not be excluded by reason of his interest in the issue thereof.

The Principal Legislative Clerk proceeded to call the roll.

Mr. FARLEY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were present, I should vote "nay."

Mr. GROOME (when his name was called). As I do not understand my pair with the Senator from New York [Mr. MILLER] as applying to questions of this kind, I vote "nay."

The result was announced—yeas 13, nays 38; as follows:

YEAS—13.

Allison,	Davis of Ill.,	Harrison,	Platt.
Anthony,	Davis of W. Va.,	Ingalls,	
Cockrell,	Edmunds,	Logan,	
Conger,	Garland,	Morrill,	

NAYS—38.

Barrow,	Gorman,	Jones of Nevada,	Rollins,
Blair,	Groome,	Kellogg,	Saulsbury,
Brown,	Grover,	Lamar,	Slater,
Call,	Hampton,	Lapham,	Vance,
Camden,	Hill,	Mahone,	Vest,
Cameron of Wis.,	Hoar,	Maxey,	Voorhees,
Chilcott,	Jackson,	Morgan,	Walker,
Coke,	Johnston,	Pendleton,	Williams.
Dawes,	Jonas,	Pugh,	
Frye,	Jones of Florida,	Ransom,	

ABSENT—25.

Aldrich,	Ferry,	McPherson,	Sewell,
Bayard,	George,	Miller of Cal.,	Sherman,
Beck,	Hale,	Miller of N. Y.,	Van Wyck,
Butler,	Harris,	Mitchell,	Windom.
Cameron of Pa.,	Hawley,	Plumb,	
Fair,	McDill,	Saunders,	
Farley,	McMillan,	Sawyer,	

So the amendment was rejected.

The joint resolution was ordered to a third reading, and read the third time.

The PRESIDENT *pro tempore*. Shall the joint resolution pass?

The joint resolution was passed; there being on a division—ayes 34, noes 10.

DEPARTMENT OF AGRICULTURE.

The next House bill on the Calendar was the bill (H. R. 4429) to enlarge the powers and duties of the Department of Agriculture.

Mr. INGALLS. My colleague [Mr. PLUMB], who reported that bill, being absent, I suggest that it be passed over until his return.

Mr. DAVIS, of West Virginia. The colleague of the Senator from Kansas has charge of the agricultural bill. It is an important bill, and I think it ought to be considered soon. The Senator is expected here every day. I suggest that it be passed over until the return of the Senator from Kansas [Mr. PLUMB].

The PRESIDENT *pro tempore*. The Senate is acting on unobjected House bills now.

Mr. DAVIS, of West Virginia. I understand; but I hope the Senate will take up this bill some morning before a great while after the return of the Senator from Kansas.

The PRESIDENT *pro tempore*. The bill will be passed over.

ROBERT GORTHY AND CALVIN GREEN.

The bill (H. R. 804) for the relief of Robert Gorthy and Calvin Green was considered as in Committee of the Whole. It proposes to direct the Solicitor of the Treasury to convey, by proper deeds of conveyance, to Robert Gorthy, of Victor, Clinton County, Michigan, all the interest of the United States in and to the northwest quarter of the northwest quarter and the east half of the northwest quarter of section 17, in township 6 north, of range 1 west, Michigan; and to Calvin Green, of the same place, all the interest of the United States in and to the southwest quarter of the northwest quarter of section 17 and the northeast quarter of the southeast quarter of section 18, in township 6 north, of range 1 west, Michigan, with a proviso that Gorthy and Green pay all the costs of the proceedings in court on the bond of Benjamin Ballard, on which they were sureties.

Mr. EDMUNDS. Is there any report?

The PRESIDENT *pro tempore*. There is none, but the bill was reported by the Senator from Arkansas [Mr. GARLAND].

Mr. GARLAND. I have reported this bill twice to the Senate heretofore, and it has been passed each time. However, the House got ahead of us in this Congress and passed this bill, while it was sent to the Judiciary Committee and I reported it back as it came from the House. The committee stood by the report of Mr. WILLITS of the House in reporting it there. I ask the Secretary to read that report; it explains the whole matter.

The Acting Secretary read the following report, submitted by Mr. WILLITS in the House of Representatives February 7, 1882:

Prior to the 16th day of March, 1868, Benjamin F. Ballard was arrested on a warrant issued out of the United States court for the eastern district of Michigan for having obstructed a United States marshal in the service of process, and was on said date brought before the United States commissioner for said district and entered into recognizance, with Robert Gorthy and Calvin Green as sureties, to appear to answer an indictment of said court upon said charge on the 2d day of June following, in the sum of $500. He did not appear on said date, nor, so far as appears from the papers, at any time thereafter. Suit was brought on the recognizance on the 19th day of June in the same year, and judgment was rendered in favor of the United States against Gorthy and Green for the penal sum of said bond and costs. Execution was issued; the lands described in said bill were levied upon and sold by the United States marshal for the sum of $585.65.

This judgment was by default, and should never have been entered. It appears from the certificate of the clerk of said court on file in this case that no indictment was filed against said Ballord at the June term of said court or at any other term for the offense charged, to wit, for the offense of resisting an officer; that no such indictment is now on file in said court, and never has been; further, that after diligent search he was not able to find any record of the forfeiture of any such recognizance for the appearance of said Ballord, both of which were material to maintain the suit; and we can not account for the proceedings in said suit, except upon the supposition that some clerk or person not cognizant of the requirements of law instituted it. Subsequently a motion was made to vacate the judgment, which was denied by the court, and we can do no better than to cite, as a part of this report, a portion of the record and the judge's opinion on denying said motion:

"This was an action of debt conditioned for the appearance of Ballord at the June term of 1868 to answer to any indictment which might be exhibited and filed in this court by the grand jury against him for obstructing a deputy marshal in attempting to serve a criminal process. The affidavits in support of the motion show that no indictment against Ballord was ever found, that the recognizance was never forfeited, and that no steps were ever taken whereby a right of action accrued to the United States. The minutes of the grand jury do not even show that the case was presented to or considered by them. The suit, however, was commenced during the June term of 1868. The default of the defendants entered for want of a plea. Judgment taken January 5, 1869, and execution levied upon the lands of defendant Gorthy. The defendant denies that the summons was ever served on him, and avers it was not till about the time when the execution was levied upon his land that he knew judgment had been obtained; that he then employed Mr. Strickland, of Saint John's, an attorney, to look after his interests. Strickland advised him that he could get his land released from the levy, but afterward said he could do nothing except to ask Congress for relief.

"BROWN, Judge:

"I regret my inability to set aside this judgment, for it seems the action should never have been commenced. If I were satisfied that the summons was never served upon the defendant, I might treat the judgment as void, under the case of Thompson *vs.* Whitman (18 Wallace, 457), but it is asking too much for me to believe the unsupported affidavit of the defendant himself, made more than ten years after the summons is said to have been served, as against the return of the officer made at the time that he did actually serve it."

This bill was reported favorably in and passed the Senate during the Forty-sixth Congress, but failed to be reached in the House. On application from Senator Thurman, chairman of the Judiciary Committee of the Senate, the Solicitor of the Treasury made a report to the Attorney-General, which, after reciting the facts of the case, closed as follows:

"In December, 1878, a motion was made by one of the defendants in the United States district court to set aside the judgment, on the ground that he was not served with process. Although the judge refused the motion because he was not satisfied the defendant had not been served, yet he regretted his inability to do so, because, in his judgment, the action on the recognizance should not have been commenced. From all the facts I am satisfied that this is a proper case for Congressional relief."

In the letter of the Attorney-General, dated January 31, 1880, to Senator Thurman, transmitting the said report of the Solicitor of the Treasury, he used the following language: "I concur in the view expressed by him in the last paragraph of his letter."

Gorthy and Green were at the time of the levy and sale and still are living on these lands and have made valuable improvements thereon. They are honest, hard-working men, and these lands constitute their homes and their entire property. We think that the United States never had any cause of action against them, and it is unjust now to attempt to enforce the proceedings. As, however, the Solicitor of the Treasury in said report suggests that the taking of the title to this land by the Government operates to extinguish the debt, and therefore it would be proper that Gorthy and Green be required to pay all costs of court, we have concluded to recommend the bill to the House granting the relief sought, with the proviso that they pay said costs, and that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOUSE CONTESTED ELECTIONS.

The bill (H. R. 4666) relating to contested elections was announced as next in order.

The PRESIDENT *pro tempore*. This bill has not been reported from any committee.

Mr. SHERMAN. There is a House bill before that, Order of Business 813. It is a pension case and I should like to have it disposed of.

The PRESIDENT *pro tempore*. That is an adverse report. The agreement was to-day to consider House bills that were unobjected to.

Mr. SHERMAN. The Senator who made that report [Mr. PLATT] told me he had no objection to its being taken up. However I will not press it against the rule adopted. I will not ask that it be taken up in the absence of the Senator who reported against it. I do not see him in his seat.

Mr. MORRILL. House bill 4666 never has been referred to a committee, I see by the Calendar. It should be referred to the Committee on Privileges and Elections, I suppose.

Mr. HOAR. That is a bill which was passed by the House at the last session, and it was desired by the gentlemen who promoted its passage in the House to have it become a law at the last session in order that it might operate on the contests growing out of the elections which were to take place last fall. I pressed it as well as I could without having it referred to the committee, supposing as it was an enactment by the House relating solely to the method of preparing cases for its own consideration that the Senate would adopt the judgment of the House unless there were some very clear objections. But some Senators, I think the Senator from Arkansas, thought there were pretty clear and strong objections to the bill, and objected, so that we could not in the closing hours of the session get consideration for it last summer. One of the gentlemen, I think the very gentleman who drafted the bill in the House, has informed me at the present session that as it could not operate now on the cases growing out of the recent elections, he did not desire to have it passed at this session. I think, therefore, the bill may lie on the table. If it shall turn out that any reason occurs to any Senator why it should be taken up, that reason can be made known and the Senate can act. I should like to have it passed over or laid on the table, whatever the proper thing is to do with it.

The PRESIDING OFFICER. The bill will be passed over.

POSTMASTERS' SALARIES.

The bill (H. R. 5200) authorizing the Postmaster-General to readjust the salaries of certain postmasters in accordance with the provision of section 8 of the act of June 12, 1866, was announced as next in order.

Mr. MAXEY. This bill was referred to the Committee on Post-Offices and Post-Roads, amended by that committee and reported back favorably with certain amendments and placed in charge of the chairman of the committee, the Senator from Michigan, who is not here.

The PRESIDENT *pro tempore*. The bill was reported from the Committee on Post-Offices and Post-Roads with amendments.

Mr. EDMUNDS. Is there a report?

The PRESIDENT *pro tempore*. There is no report.

Mr. EDMUNDS. Then I should be glad to have some gentleman explain it. There ought to be a provision to repeal the statute of limitations.

The PRESIDENT *pro tempore*. The bill was reported by the Senator from Michigan [Mr. FERRY].

Mr. COCKRELL. I suppose the committee adopted the report made in the House. I have not had time to look over the report, but this bill was reported several times in the Senate, I remember, by the late Senator from Tennessee, Mr. Bailey, and it passed the Senate once or twice. I send to the desk the report made in the House accompanying the bill when it passed the House. I have not had time to examine it, but I send it to the desk.

Mr. EDMUNDS. I should like to hear it read because I understand indirectly that some Senate committee has recently considered

the subject in committee—I do not know whether it has been reported—and made a good many amendments, thinking that this bill as it now stands is not what it ought to be.

The PRESIDENT *pro tempore*. There are several amendments.

Mr. EDMUNDS. It may be that this is the very bill reported with amendments.

Mr. MAXEY. I said a while ago that this bill came from the House to the Senate; it was referred to the Committee on Post-Offices and Post-Roads, and it was very carefully examined by that committee. I examined the acts of 1854, 1864, and 1866, having been on the sub-committee, and all the acts I could get hold of on the subject. We amended the bill in such a manner as to comply strictly, as I believed, with the exact terms of the law, and the bill as amended is in exact compliance with the law, and as amended it ought to be passed.

Mr. EDMUNDS. How far back do these readjustments go?

Mr. MAXEY. Under an act passed in 1854, a certain method of payment of postmasters was adopted. Ten years afterward, in 1864, that was changed and a new system was adopted. That worked very hard upon the lower grades of postmasters, the fourth and fifth class postmasters. Then, under the act of 1866, an amendment to the act of 1864 was made whereby it was provided that if the postmasters did not get under that act as much salary by 10 per cent. as they would have got under the act of 1854, their salaries should be readjusted and this 10 per cent. put on.

These postmasters claim that they never have had any of that readjusted salary. The report of the First Assistant Postmaster-General shows that quite a large number have been paid, while there may be others who have not been paid. I am not in charge of the bill, and I only mention this because the chairman is not present to explain it. I think this runs back to 1871 or 1872, and from that point on they have been coming here term after term of Congress asking that a readjustment be made. The House passed the bill and sent it here, and it was referred by the Senate to the Post-Office Committee, and to the best of our ability we have amended the bill to do justice.

Mr. EDMUNDS. How much money does it involve as a total, probably?

Mr. MAXEY. I do not think any man on the face of the earth can tell. The bill as amended requires that this readjustment shall be made upon sworn returns, strictly in accordance with the judgment of the Court of Claims in the case of McLean against the United States and strictly in accordance with the decision of the Supreme Court in 5 Otto, in the case of United States *vs.* McLean. Accordingly, as we amend that act no application amounts to anything in the way of getting a readjustment unless it is in strict compliance with the terms of the act of 1866, which requires the readjustment to be made upon sworn returns. If the sworn returns have been made and these parties have not had the salaries readjusted, and are entitled to it, unquestionably in equity they ought to be paid.

The Postmaster-General says that the larger portion of them have been paid, all who made out their applications in accordance with the terms of the law. My opinion is, and I have no hesitation in expressing it, that hundreds of these claimants, who are sending letters to all of us here, will never get a dollar, because I do not believe upon a strict examination it will be found that they have complied with the terms of the law. But as to all those who have complied with the terms of the law, and on any account whatever the Post-Office Department has not paid them, it does seem to me equitable and just that they should get their readjustment. The law devolved that duty on the Postmaster-General. If from any cause he has not done it, and that fact is made apparent, it seems to me it is just to allow it to be done now.

Mr. EDMUNDS. I understand from a gentleman who knows something about this business that this involves several hundred thousand dollars.

Mr. MAXEY. I think it amounts to a great deal, but I can not tell the exact amount, nor did I take into consideration the exact amount.

Mr. EDMUNDS. It would only be an argument for the greater care on the part of the Senate, which is always careful with the people's money as we know, in investigating the bill. It is a bill of such general importance and involving so much money that it seems to me it ought not to go on under the five-minute objected-cases rule. Therefore I hope it will go over and be taken up in the regular way, and we can investigate it.

Mr. MAXEY. The House report shows the amount. It will probably involve $500,000, as stated. I do not know the amount.

Mr. EDMUNDS. It is not a bill that ought to go on under the five-minute rule. There may be equity in it.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

Mr. MAXEY. I ask the Senator from Vermont, as it is a bill of a public nature, if he is not willing under his objection to let the bill retain its place on the Calendar, so that when it is reached again it may be disposed of.

Mr. EDMUNDS. I do not care; it may keep its place on the Calendar; but it ought not to be discussed under the five-minute rule.

The PRESIDENT *pro tempore*. The bill will retain its place on the Calendar.

DISTRICT TURNPIKE ROAD.

The bill (H. R. 6627) to authorize the establishment of a free public highway in the District of Columbia was considered as in Committee of the Whole.

Mr. CAMERON, of Wisconsin. Is there a report in this case?

The PRESIDENT *pro tempore*. There is no report.

Mr. CAMERON, of Wisconsin. Perhaps the Senator who reported the bill will explain it.

Mr. ROLLINS. The bill was reported by the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. The report of the House committee was adopted.

Mr. CAMERON, of Wisconsin. What are the facts in the case?

Mr. VANCE. It is a House bill, and the report of the House committee was adopted without any dissent.

Mr. EDMUNDS. Let us hear the House report, then, if we have not any better one.

The PRESIDENT *pro tempore*. There is no House report with the papers. Probably the Senator from North Carolina can state the facts.

Mr. GORMAN. I will state in a moment what the bill is. This is one of the old turnpike roads that was chartered by the United States in the State of Maryland, and one of many passing through the State of Maryland into the District of Columbia. In every other case we have condemned each turnpike leading into the District, within the limits of the District. This is the only remaining one. It is one of the leading drives from Georgetown to the heights in the northwestern part of the District. The provisions of the bill are precisely similar to those which have been already passed in other cases. The franchise of the old turnpike company is purchased, and it is made a free public highway.

Mr. EDMUNDS. Let us hear the report.

The PRESIDENT *pro tempore*. We have not got it.

Mr. EDMUNDS. Then let the bill go over until we get it.

The PRESIDENT *pro tempore*. Objection being made the bill goes over. There being but a few minutes remaining of the morning hour the Chair will lay before the Senate a message from the President and other formal business.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on the Library and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, submitting a report, with accompanying papers, regarding the condition of the several libraries of said Department, and the consolidation of the same.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 9, 1883.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 6th instant, approved and signed the act (S. 145) to reimburse the State of Oregon and State of California and the citizens thereof for moneys paid by said States in the suppression of Indian hostilities during the Modoc war in the years 1872 and 1873.

The message also announced that the President had, on the 9th instant, approved and signed the following acts:

An act (S. 241) for the relief of John T. Hennaman, of Baltimore, Maryland;

An act (S. 265) to provide for the payment of the amount due the Burlington, Cedar Rapids and Northern Railway Company for transportation of United States mails;

An act (S. 322) for the relief of John J. Salter;

An act (S. 335) to extend the time for filing claims for horses and equipments lost by officers and enlisted men in the service of the United States, and for other purposes;

An act (S. 390) to amend section 3362 of the Revised Statutes relating to the tax on perique tobacco; and

An act (S. 1026) to permit grain brought by Canadian farmers to be ground at mills in the United States adjacent to Canadian territory, under such rules and regulations as may be prescribed by the Treasury Department.

INDIAN APPROPRIATION BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes.

On motion of Mr. DAWES, it was

Resolved, That the Senate insist upon its amendments to the said bill disagreed to by the House of Representatives and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore* appointed Mr. DAWES, Mr. PLUMB, and Mr. RANSOM.

AGRICULTURAL APPROPRIATION BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes.

On motion of Mr. DAVIS, of West Virginia, it was

Resolved, That the Senate insist upon its amendments to the said bill disagreed to by the House of Representatives and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore* appointed Mr. DAVIS of West Virginia, Mr. HALE, and Mr. PLUMB.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business, which is the bill (S. 151) to aid in the establishment and temporary support of common schools.

Mr. MORRILL. I move, by direction of the Committee on Finance, that all present and prior orders be laid aside for the purpose of taking up the bill (H. R. 5538) to reduce internal-revenue taxation, which includes the provisions reported by the committee for the reduction of taxes and for an amendment of the tariff.

The PRESIDENT *pro tempore*. The Chair will state to the Senator from Vermont that the proper motion would be to postpone the unfinished business. Then if that is postponed the Chair will lay before the Senate the special order for to-day, which is the bankruptcy bill; and then the Senator can move to postpone that.

Mr. MORRILL. I modify my motion according to the suggestion of the Chair.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to postpone the unfinished business until to-morrow.

Mr. BLAIR. I suppose the motion is debatable.

The PRESIDENT *pro tempore*. It is. The merits are not debatable, but debate is allowed upon the propriety of postponing the bill.

Mr. BLAIR. I wish to say but a word. I do not agree that the unfinished business is a less important measure than the proposed revision of the tariff. On the contrary, I esteem it of much greater importance, and I think the people of the country so consider it. But it has seemed to me that the opinion of the Finance Committee and perhaps of a majority of the Senate might be that it would be necessary, to facilitate the progress of the business before the Senate at this session, to take up the tariff measure and discuss it earlier.

For that reason, and for that consideration alone, I am inclined without opposition to assent to the motion of the Senator from Vermont; but I wish to give notice that immediately upon the final disposition of the tariff bill I shall ask the Senate to consider the subject of aid to the common schools of the country.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to postpone until to-morrow the unfinished business, which is the educational bill.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the special order for 2 o'clock to-day, which is the bill (S. 1382) to establish a uniform system of bankruptcy throughout the United States.

Mr. HOAR. Mr. President——

Mr. MORRILL. I now make the same motion in relation to that bill.

Mr. HOAR. Has the Senator the floor for that purpose?

The PRESIDENT *pro tempore*. The Chair was yielding to him for that purpose. The Chair had indicated to him the course to pursue in order to bring the revenue bill before the Senate.

Mr. HOAR. I rose and addressed the Chair, I believe, before the Senator from Vermont. I shall not interfere, merely desiring, having the bankruptcy bill in charge, that it may be temporarily laid aside.

The PRESIDENT *pro tempore*. It must be postponed entirely, with the view to get up the revenue bill.

Mr. HOAR. I want to have it remain a special order, but not to interfere with the tax bill.

The PRESIDENT *pro tempore*. There are two special orders to be displaced by the motion of the Senator from Vermont—the educational bill and the bankruptcy bill. The Chair will have to decide as to them when the point is made. The motion now is to postpone the bankruptcy bill.

Mr. HOAR. I ask unanimous consent that the bill be temporarily laid aside.

Mr. BLAIR. I object. I do not wish that that bill shall be placed in any more favorable position than the one which has just been postponed by assent.

The PRESIDENT *pro tempore*. Objection being made the question is, Will the Senate postpone the bankruptcy bill until to-morrow?

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont now moves to take up the revenue bill and make it the unfinished business.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House insisted on its disagreement to the amendments of the Senate to the bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes, it agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. THOMAS RYAN of Kansas, Mr. L. B. CASWELL of Wisconsin, and Mr. BENJAMIN LE FEVRE of Ohio, conferees on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 1860) to attach the County of Hardeman in the State of Tennessee to the eastern division of the western district of Tennessee; and it was thereupon signed by the President *pro tempore*.

INTERNAL REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDENT *pro tempore*. Is it the desire to have the bill read?

Mr. MORRILL. I ask that the first or formal reading of the bill be dispensed with.

The PRESIDENT *pro tempore*. It has been read the first time.

Mr. DAVIS, of West Virginia. I wish to ask the Senator from Vermont if it is his intention to act on the bill as we go along on each paragraph?

Mr. MORRILL. That is the intention; and any amendment that is desired on the part of any Senator can be moved as we progress with the bill.

The PRESIDENT *pro tempore*. The Senator from Vermont now wishes to submit some remarks on the bill, the Chair understands.

Mr. DAVIS, of West Virginia. I understand that, but I want to know the order in which the bill is to be acted on.

Mr. SHERMAN. I suggest also, in order to simplify the matter, that the amendment reported be considered as the text of the bill. It embodies all the old bill that was adopted at the last session. If it shall be considered as the text of the bill, that course will simplify the matter, and enable us to have amendments in the second degree.

Mr. MORRILL. There can not be any objection to that.

Mr. DAVIS, of West Virginia. If the Senator means by that to adopt all the recommendations of the committee, there is objection to it.

Mr. SHERMAN. Not at all. We do not adopt anything, but simply treat the amendment as in the nature of the text of the bill, so that we may have an amendment to an amendment. I want to expedite the matter, and also to make it easier for Senators to amend the bill if they desire. The proper way is to treat the reported amendment as the text of the bill.

Mr. DAVIS, of West Virginia. Of course there is no objection on my part to any desire of the committee in regard to the mode of acting on the bill, but I desire that all items in the bill shall be left open for amendment.

Mr. MORRILL. They will be.

Mr. DAVIS, of West Virginia. Both in Committee of the Whole and in the Senate?

Mr. MORRILL. The suggestion of the Senator from Ohio will make double amendments practicable. Otherwise there would be but one amendment that would be in order to each clause.

The PRESIDENT *pro tempore*. By unanimous consent the reading of the bill is dispensed with.

Mr. BECK. I rise to ask a question of the Senator from Vermont, if he will allow me. The first reading of the bill is dispensed with, and the bill of the committee is now to be considered as the original text?

Mr. SHERMAN. Yes, sir.

Mr. MORRILL. And to be read by sections and paragraphs.

Mr. BECK. That is right.

Mr. ALLISON. Has that been agreed to?

The PRESIDENT *pro tempore*. Yes, sir.

Mr. BECK. I desire to make an inquiry of the Senator from Vermont. The Senate will understand that there are many cases where one paragraph will depend upon other paragraphs in other parts of the bill. For instance, I will illustrate by lead. If the tariff on lead is increased it will involve the increase of a number of items that come very early in the bill, long before the question of the tariff on lead can be acted upon; so that a change in regard to lead afterward may necessitate the turning back to those things which are dependent upon it.

Mr. MORRILL. I hope it will be unanimously agreed to now that, in regard to subjects which are related, when any item is so fixed as to make it necessary to go back to the former part of the bill that has been considered, leave shall be granted.

Mr. BECK. That I think would be important.

Mr. HOAR. I ask the Senator from Kentucky if it is worth while to have such an understanding, which may give rise to a great deal of doubt in its construction, as it is a novel one? He has perfect protection in the fact that anything that is done as in Committee of the Whole will be done over again in the Senate; so that if any Senator should object, which never would happen of course, to the unanimous request to go back, he would have the power in the Senate of making his motion.

Mr. BECK. This is a very long bill, and while that power would exist it might create a good deal of confusion and perhaps some diversity of opinion among dissatisfied Senators afterward.

Mr. MORRILL. There will be no difficulty about it.

Mr. BECK. I only make the suggestion. I think it will facilitate our consideration of the bill.

Mr. INGALLS. I should like to make one inquiry in regard to the desire of the Senator from Vermont about what is to be considered as the text of the bill. He states that the amendment of the committee is to be regarded as the text of the bill. Do I understand by that that all that portion of the bill relating to internal-revenue taxes is to be excluded?

Mr. MORRILL. No; it is included in the amendment.

Mr. INGALLS. Some of the bill is printed in Italics as an amendment proper to the bill that came from the House; some remains standing in Roman, which I understand has been agreed to by the Committee on Finance; and where we are to commence the reading of the bill I did not from the statement of the Senator understand. Is it on page 4, at line 24?

Mr. ALLISON. We begin at the beginning of the bill.

Mr. INGALLS. But the amendment of the Committee on Finance is to be regarded, as I understand, as the text of the bill. Now, where does that begin?

Mr. MORRILL. I will say to the Senator from Kansas that the Committee on Finance treated the amendments made in the Senate as the text of the bill, and we have reported it identically as it passed the Senate so far as any action of the committee is concerned. The remaining sections of the bill, printed in Italics, are amendments proposed by the Senate Committee on Finance by way of addition.

Mr. MORGAN. I desire to ask the Senator from Vermont whether he wishes now to go back over the action taken by the Senate at the last session upon the internal-revenue part of the bill?

Mr. MORRILL. I suppose we shall have to read it and act upon it as we go along.

Mr. SHERMAN. There will be motions made to strike out some of it.

Mr. MORRILL. There may be some amendments, perhaps, and there may not; I can not say.

Mr. MORGAN. There is a question that probably will arise on this bill in the House of Representatives that perhaps it might be well enough for Senators to consider. I am apprehensive that the jurisdiction of the Senate to originate a bill upon the subject of taxation will be challenged in the House.

Mr. MORRILL. There can be no doubt on that point. The provision is plain and palpable that the Senate may make amendments to a revenue bill.

Mr. MORGAN. There is no doubt about that.

Mr. MORRILL. This is a revenue bill, and whether it relates to external or internal revenue it is still a revenue bill.

Mr. MORGAN. But if the bill goes back with amendments added to the bill which came to us from the House and the Senate insists or agrees that the entire fabric shall be considered as the text of the Senate bill, the question would arise, it seems to me, whether that was not a new bill on the part of the Senate.

Mr. MORRILL. We consider it as an amendment, but treat it in our consideration here for convenience as the text so as to admit of a double amendment. For instance, if the Senator from Kansas were to move an amendment, if it is thus treated, the Senator from Alabama can then move an amendment to the amendment.

Mr. MORGAN. I have no objection to the arrangement, it being considered as a mere arrangement for the convenience of the Senate, not changing the character of the bill at all.

Mr. MORRILL. That is all. We have reported it as an amendment.

The PRESIDENT *pro tempore*. The reading of the bill is dispensed with, and the Senator from Vermont has the floor.

Mr. MORRILL. Mr. President, at the outset, permit me to say that the report of this bill by the Senate Committee on Finance has not been made in any spirit of antagonism to or competition with the Ways and Means Committee of the House; but, in view of the early termination of the present Congress, it has been made to secure with greater certainty a reduction of a too abundant revenue, from both internal taxes and the tariff, by such timely consideration as would permit favorable action on the part of the Senate, as well of the House, before the close of the present session. If, with all the other important measures pressing upon our attention, we can wisely accomplish this, we shall have deserved credit at least for diligence and honest effort.

The amendment reported from the Finance Committee has for its basis the report of the Tariff Commission, which all fair-minded men, whatever may be their theoretical opinions, must concede has been more of a success than was predicted by either friends or enemies. The wide field they explored and the multitude of witnesses examined pro and con, sufficiently attest their industry and good faith. I cordially bear my testimony, for whatever it may be worth, that a great part of their work is excellent, and all of it, as I believe, has been done conscientiously. Having to deal with so large a subject, with so many interlaced or conflicting details, it would be wonderful if, in the time limited for the completion of their report, they had not made some errors or mistakes. Some of these it has been the aim of the committee to correct, and perhaps sometimes, inadvertently, to supplement. Of all this it will be for the Senate to judge.

The internal-revenue tax, if the bill should become a law, will hereafter be limited to spirits, beer, and tobacco, including snuff and cigars. As we come to the amendment of the tariff it can not fail to be seen that a very substantial reduction is proposed, and in some cases possibly more radical than the future may justify. The reduction of the rates on sugar, and on iron and steel, on cottons, and silks, and on wool and woolens is large and emphatic. The free-list has also been considerably increased. The reduction on the manufactures of paper, of bonnets and hats, on salt, on spices, caustic soda, aniline colors, and many other articles, is very pronounced.

Sections 2907 and 2908 of the existing statutes require an addition to the cost or value of the imported articles, upon which ad valorem duties are to be computed, of the cost of inland transportation, of packages, and of commissions. All this it is proposed to repeal, and this will of course cause a conspicuous reduction in many heavy articles, especially crockery and china ware, but it will greatly simplify the work of the customs officers in the ascertainment of the precise amount upon which duties should be levied. Without some compensation this change of the law would be very disastrous to the home industry in china and crockery ware, of which we import about one-half of the consumption of the country. The Tariff Commission, therefore, reported in favor of 15 per cent. addition to the present rates of duty, but the Committee on Finance have reported an addition of only 10 per cent. This will only leave this class of trade, it is believed, in its present condition.

The revision of the statutes relating to the duties of collectors is very important, and in the judgment of the Committee on Finance is calculated to greatly simplify the machinery and the practical administration of custom-house business.

In lieu of the bill presented by the Tariff Commission for the customs court in cases of appeal by importers from the decisions of the collectors, we have reported the bill pending in the Senate, as more thoroughly considered, more economical, and more satisfactory, even to the importers of New York, where 95 per cent. of all the contested cases occur.

The repeal and reductions proposed of internal-revenue taxes are as follows, namely:

Friction matches	$1,272,258 00
Patent medicines, perfumery, &c.	1,978,395 56
Bank checks	2,318,455 14
Bank deposits	4,007,701 98
Savings-bank deposits	83,400 47
Bank capital	1,138,340 87
Savings-bank capital	14,729 38
Total	12,818,281 40

Add to these items the taxes collected by the Treasurer of the United States from national banks, as follows:

National banks (capital)	5,521,927 47
National banks (deposits)	437,774 80
Makes a total derived from these sources of	18,777,983 67
Special taxes	3,007,905 60
Cigars and cigarettes	6,746,000 00
Tobacco	6,258,435 49
Total	34,790,324 16

In making an estimate of the amount of the reductions of revenue that will follow the proposed changes in the tariff no one can pretend to any absolute accuracy, but I have gone over the subject with some care, and basing my calculations upon the importations of 1882 I have reached the following results:

Cottons estimated at 30 per cent.	$3,681,000
Iron and steel	5,200,000
Silks	3,487,000
Wool and woolens	4,845,000
Inland transportation, 2½ per cent. commissions and other charges	5,400,000
Sugar	15,500,000
Molasses	650,000
Other items	6,286,000
	45,049,000
To this add reductions on internal revenue	34,790,334
Total	79,839,324

The estimated surplus by the Secretary of the Treasury is $74,719,837. If a reduction of the letter postage should be made to 2 cents, as it may be, the loss of revenue has been estimated at $8,550,616. No river and harbor bill has, I believe, been estimated for, and yet some appropriation may be made. An addition to the general appropriation for pensions has been asked for, and beyond this, if the so-called "forty-dollar pension bill" should be passed, how large a demand would be created upon the Treasury I am unable to estimate. A large

increase of domestic sorghum sugar is likely to take the place of an equal amount of imported sugars. Again, if the increase of Hawaiian free sugar should be as great next year as for the past year the loss on dutiable sugar will be five million dollars instead of about three million and a half. But without taking into the account any of these contingencies, which certainly indicate their coming by the shadows visible in their front, there will be a positive deficit in the estimated amount of revenue required to meet the expenditures of the Government, unless much larger importations shall be received from which the revenue from customs can be largely increased. It is true also that the coinage of the silver dollar is likely to continue, and this will absorb at least $24,000,000, or render that amount practically unavailable.

Under these circumstances the sudden reduction of so large an amount of the national revenues at a single blow, as proposed, is surely quite as far as prudence will allow us to go, and possibly further.

We must not conceal from ourselves that so general a change to lower duties, carrying a downfall in values, will seriously affect those with stocks on hand, and the doors we also open to labor abroad will to some extend shut out labor at home. Some industries, it is to be feared, can not be maintained except by a reduction of wages. Already some large iron establishments are shut up, and in Philadelphia alone 10,000 looms are said to be idle. There has been an overproduction in other articles than whisky, and nowhere more extravagant than in the 11,000 miles of railroad built in 1882. Storm-signals of late have been frequently visible in the financial horizon. Those who believe that monetary crises are periodical now fear the decennial return of that of 1873. Without being myself a croaker, I yet frankly say that if there is any proposition in the present bill which it shall be made to appear will crush any legitimate enterprise, or degrade labor, I shall feel at liberty to do what I can to correct it.

The existing rates of duty upon imports are no doubt beyond the requirements of the Government and should be carefully reduced, but I think very exaggerated reports of these rates have sometimes been made which should be corrected by a simple statement of facts. The average rate upon the importations of dutiable merchandise is a small fraction over 42 per cent. ad valorem, and upon both dutiable and free it would amount to 30 per cent. and a small fraction. This is much less than it has been frequently represented.

Our foreign export trade in 1882 amounted to $733,239,732, or less than one-seventh of our trade in home manufactures alone. Which of these great branches of national industry most deeply concerns the welfare of our people? The economists of the day separate on this line. One part believes that home trade deserves foremost consideration. Another part just as honestly believes that our export trade is most deserving attention.

Would it be well, however, to increase our foreign imports of manufactures by an equal diminution of domestic products? We can not find a market abroad for manufactures, any more than we can for corn and wheat, unless we offer them at a lower price than they are offered in any other quarter of the world. Our own markets must be supplied and overstocked before we can have much to carry abroad. Nor can we have a large export of manufactures until American wages are reduced to the level of all competitors. That day may come, but I should regard it as a great misfortune if any act of mine could ever be construed to have contributed to that result.

At the present time almost every article of manufactures, including household goods, tools of trade, and agricultural implements, are obtainable at an immense reduction from former prices, but the wages of workingmen have been more than doubled. With this increase of wages the farmer gets twice as much for his corn and wheat as they formerly brought, and twice as much for his fat ox.

The memory of every Senator here might furnish examples to show how greatly the cost of innumerable articles of manufactures has been diminished within the limits of their own experience, and American energy, with American machinery and a great multitude of labor-saving inventions, has grandly contributed to this result. The nail-machine, the sewing-machine, the forging-machine remind us of some of the miracles accomplished in the processes of cheapening productions, as much as the cotton-gin, the reaper, or the mower. Eliminate the share which belongs to Americans in manufactures since the date of our independence, and who would be able to compute the loss to ourselves or to the world? The blanks would be almost incalculable, and more grievous to be borne than all of the lost arts from the time of Homer to the era of the Pharaohs.

The cost of living to-day for the ordinary necessaries of life upon the scale which contented our fathers forty years ago would show a reduction of nearly one-half. Anything now in excess of that would be due to greater indulgence in comforts and conveniences, or in luxuries and more extravagant habits. It is a long step from the log-cabin and pewter plates to the brown stone front and china dinner-ware, but the substantial home comforts of all sorts and conditions of men were never more abundant than here and now, never to be had at so small a cost of labor or money. As a nation no other is more prosperous.

The great question to be answered as to the protective-tariff policy in our country is, whether under it we have prospered and made reasonable progress or not. If we have it is a success. This is to be judged by the increase of manufactures in quantity and quality and the reduction of cost. Let us remember that as colonies of Great Britian we were hardly permitted to manufacture anything, not even wool hats nor hob-nails. Upon our separation from our mother-in-law the hearts of all patriots beat loudly in favor of changing our industrial condition and favored absolute independence for all of the necessaries of life. Beyond this our revenue necessities afforded opportunity and justified affirmative discrimination in favor of American manufactures. South Carolina, as well as Virginia and Massachusetts, were all soon united in this policy. In spite of some dark clouds and interludes of neglect, manufactures have had seasons of refreshing sunshine and of positive favor. If, therefore, under these circumstances, not always stable, manufactures have visibly prospered, have grown in quantity and quality, and gained in beauty as well as in utility—and who will deny the facts—then our protective tariff has been a success for which every American has reason to be proud. If any fraction of our people at home reject these conclusions, they will be effectually answered by our competitors abroad, who deplore our advancing skill, imitate our goods, and persistently seek to supplant us in a field under our own vine and fig tree, where they had fondly hoped to gain a perpetual monopoly.

I am unwilling to weary the Senate with statistics, abundant as they are, and which so often cut the largest figure in small arguments; but are we not now supplying more than 50,000,000 of people with a much larger proportion of their annual consumption of manufactures, embracing the chief necessaries of life, than we were able to do in 1850? Then our population was 23,191,876 and our entire production of manufactures was only to the amount of $1,019,106,616. In 1880, with a population of over 50,000,000, the whole production of manufactures was five times greater, or $5,369,579,191; and of all this we were able to consume over five thousand millions at home. In this respect our rivals, to use the phrase of the race-course, are nowhere.

This shows a magnificent increase of manufactures by American artisans, and demonstrates not only the extent of their industry but their genius and capacity for a large and diversified industry. Notwithstanding this decennial exhibit of our home manufactures and our ability to use them, we import very liberally, because we are able to pay for them, manufactures of all sorts from foreign countries. Of manufactured articles we imported very largely in 1873, or to the amount of $407,337,049; but did not that contribute to the disasters of the year? In 1878 such imports fell to $257,511,418, and that was the year when our prosperity again revived. I regret to say that our imports of foreign manufactures the past year exceed even the amount for 1873, being $456,142,793.

Without American flour some part of the world would be compelled to accept for their daily food oat-meal or corn-meal mush. Without our petroleum, the poor man's light, thousands of homes would have to return to tallow candles and whale oil. Without our cotton half of the world might, like the ancient Romans, be left shirtless.

I have had no time to prepare a carefully studied speech, and have only hastily endeavored, without going into the details respecting each article, to give some idea of the general character of the measure and how it will affect the revenues of the country. But I hope I shall be pardoned if I venture to occupy the attention of the Senate a few moments longer in some observations that to me seem called for, from the obvious fact that many of our industries will soon be compelled—pushed in some degree by the present measure—to seek the highest skill and the greatest economy in order to command success or to maintain their existence.

Forty years ago English manufactures had a good deal of character for their solidity and durability, and, it should be added, for their clumsiness and lack of artistic finish. Their broadcloths and carpets were stout and the colors were generally fast, but they were inferior in style and finish to the goods from France, Belgium, or even from Germany; and their pottery and hardware appeared to be made for markets supplied with nothing else, and too ugly ever to be copied.

Since their adoption of the theory of free trade many of their productions have changed somewhat in character, but apparently not always for the better, except when pushed by sharp competition. English ambition has been largely satisfied with aiming at abundance and cheapness, and shows little improvement in positive merits or in the style and good taste of production. Their conservatism clings to big wigs and Wellington boots after the world has ceased to stare at them.

In the United States, on the contrary, where protection now prevails, the effort has been to advance as much in the beauty of our manufactures as in their abundance, as much in utility as in cheapness, and each has kept almost an equal pace. We have had to make in all respects more attractive goods in order to supplant foreign competition and to satisfy home consumers. There is always some prejudice in favor of articles brought from afar, and therefore American manufactures had to be cheaper as well as more useful and handsomer than similar articles imported, or they found no sale.

In quality and beauty of workmanship we may modestly claim that in many branches of hardware, glassware, silver-ware, furniture, locomotives, and in clocks, watches, jewelry, and many other articles, we hold a creditable rank with any of the workshops of the world. Of some of these articles the production begins to exceed the home demand, and

for any excess a market has to be found abroad. The work turned out from original American designs is slowly winning its way to favor.

When Mr. Gladstone recently wanted to make a present to a forester of an ax, he did not seek for one of English make, but found and presented an American ax. This is not a solitary instance where American workmanship is marching to the front. Who wears here anything better than an American watch? Where is the railroad which prefers any other than an American locomotive?

Of course, as a new world we are bare of the great examples in the fine arts which have been handed down through all past ages. One hundred years ago the American continent was represented by very few people and by very little wealth. Our ancestors came here to hew out with their own hands a home in the wilderness. It would hardly be expected that we could present examples in poetry, music, statuary, and painting, or even in the mechanic arts, of equal abundance and merit compared with those of nations whose culture reaches back to the age of the Cæsars. The advantage of other nations, even for the last one hundred years, must be conceded. As Mr. Burke said, we were "in the gristle," while they were hardened in the bone of manhood. We were destitute of capital, while they had hereditary wealth, and with it had many of the best examples of the masterpieces in all the arts of antiquity, and yet were their achievements to be limited to productions within the period of our growth the differences would be marvelously curtailed. When we call for great names in any direction of the fine arts instantly the great masters of the past rise up and rush to the front, leaping over all modern heads in Europe as well as in America, and we see that later times are but sparingly decorated by the few to whom public opinion awards the rank of undisputed eminence. Among these we may claim some share of representatives. Until recently we can not be said to have had any surplus with which to support or patronize fine arts, for the reason that it has all been wanted "for human nature's daily use," for works of immediate and practical utility. And yet Americans will be found to have made respectable contributions to the list of modern names not born to die. But in the great field of useful arts, of human labor-saving inventions, which tender "the greatest happiness to the greatest number," we have shown no lack of genius that should keep us dependent upon foreign skill for all that is exceptionally good and beautiful in manufactures.

Recently it has been found necessary to establish schools of technology and of art in Great Britain as well as in the United States, to equip industrial establishments with an independent staff competent to furnish designs and drawings for various manufactures, with all the attractive conditions of fresh and artistic patterns which annual changes of trade and fashions demand. In this race England is now making a heroic struggle, such as no other phase of education has prompted; but we have the advantage of a broader system of common schools, from which recruits to these training schools more naturally ascend. It is vastly important that we should take care not to be distanced by inattention to these special fields of instruction.

I have made these observations because, as it appears to me, we are now at that stage of progress where we must reach up for the highest and most difficult tasks. Articles of ordinary workmanship are abundant everywhere, and there is a demand for something better, something of rare merit, for which better prices are always offered. Our own home competition is becoming so great in the production of ordinary or common manufactures, that some parties must give way, or they must advance to a finer or higher class of goods. To find a ready market the best products possible must invariably be brought forth. Success is now mainly to be achieved in any branch of manufactures by superior technical skill and by establishing a name that will carry with it a guaranty of unsurpassed excellence.

I do not wish to set the example of making a long speech, notwithstanding the remarkable patience with which all Senators daily feel bound to listen, and I will conclude by saying that if Senators are in earnest about having any reduction of taxes and of the tariff, their hearty co-operation is absolutely necessary to bring about that result. If the work is done at this session of Congress it must be done promptly. As we proceed with the bill, if easy questions are asked in explanation, I shall answer with great pleasure; if harder questions are asked, I shall either step aside for my colleagues on the committee to come to the front, or I shall retreat behind the words of old Sam Johnson, when asked by a lady how he came to make the blunder in his dictionary as to the description of the pastern joint of the horse, responded, "Sheer ignorance, madam."

The Principal Legislative Clerk proceeded to read the bill, beginning on page 3, line 18 of section 3, with the clause:

That the taxes herein specified imposed by the laws now in force be, and the same are hereby, repealed, as hereinafter provided, namely:

Mr. ALLISON. The first amendment is the striking out of the words from line 3 of section 1 down to and including line 17 of section 3, on page 3.

Mr. BECK. Let me understand. Is it assumed that we are to go over the internal-revenue part of this bill again which the Senate once passed on?

Mr. ALLISON. We must do it in form, because our record shows that this whole bill was recommitted to the Committee on Finance and every amendment passed by the Senate at the last session fell by that recommitment. Of course it will not take much time to go on in this way.

The PRESIDENT *pro tempore*. The first amendment of the Committee on Finance will be read.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed to strike out from line 3 of section 1 to line 17 of section 3, in the following words:

That on and after the passage of this act, except as hereinafter provided, the taxes herein specified imposed by the internal-revenue laws now in force be, and the same are hereby, repealed, namely: The stamp-tax on bank-checks, drafts, orders, and vouchers; the tax on the capital and deposits of banks and bankers under section 3408 of the Revised Statutes of the United States as amended; the tax on the capital and deposits of national banks under section 5214 of said Revised Statutes, not including the taxes on the capital and deposits of said banks, bankers, and national banks for the six months' period ending in the case of national banks on the 30th day of June, 1882, and in the case of other banks and bankers on the 31st day of May, 1882; the tax on matches, perfumery, medicinal preparations, and other articles imposed by Schedule A, following section 3437 of said Revised Statutes.

SEC. 2. That from and after the 1st day of May, 1883, dealers in leaf-tobacco shall pay $12; dealers in manufactured tobacco shall pay $2.40; all manufacturers of tobacco shall pay $6; manufacturers of cigars shall pay $6; peddlers of tobacco, snuff, and cigars shall pay special taxes as follows: peddlers of the first class as now defined by law shall pay $30; peddlers of the second class shall pay $15; peddlers of the third class shall pay $7.20; and peddlers of the fourth class shall pay $3.60. Retail dealers in leaf-tobacco shall pay $250, and 30 cents for each dollar on the amount of their monthly sales in excess of the rate of $500.

SEC. 3. That on cigars which shall be manufactured and sold, or removed for consumption or use, there shall be assessed and collected the following taxes, to be paid by the manufacturer thereof: On cigars of all discriptions, made of tobacco or any substitute therefor, $4 per thousand; on cigarettes weighing not more than three pounds per thousand, 75 cents per thousand; on cigarettes weighing more than three pounds per thousand, $4 per thousand: *Provided*, That on all original unbroken packages of checks, matches, cigars, cheroots, and cigarettes held by manufacturers or dealers on the passage of this act, upon which the tax has been paid, there shall be allowed a rebate or drawback of the full amount of the reduction. It shall be the duty of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this act into effect.

Mr. ALLISON. That is the first amendment.

The PRESIDENT *pro tempore*. The question is on the amendment of the committee striking out these words.

Mr. MAHONE. What section is that?

The PRESIDENT *pro tempore*. The amendment is to strike out, from line 3 of section 1 to line 17 of section 3, the words just read.

Mr. SHERMAN. These amendments are merely formal.

The amendment was agreed to.

The next amendment of the Committee on Finance was, after the word "namely," in line 20, to strike out the following words:

The taxes now imposed by law on snuff and manufactured tobacco on and after January 1, 1883, and from and after that date the tax on snuff and manufactured tobacco shall be 12 cents per pound, and.

The amendment was agreed to.

Mr. PLATT. I do not know exactly the understanding with relation to the reading of this bill and the offering of amendments to it.

The PRESIDENT *pro tempore*. The committee amendments are first to be acted on.

Mr. ALLISON. No; if the Chair will allow me, the understanding is that this bill shall be considered by sections, all amendments being offered to sections as we go along, and after a section is passed it is not to be returned to except by unanimous consent, unless there is something in that section which relates to what shall follow. That is the understanding, I think.

The PRESIDENT *pro tempore*. The bill is being considered by sections.

Mr. PLATT. Mr. President——

Mr. SHERMAN. I believe I made the suggestion about having an understanding; but my suggestion was intended to be confined by me to the tariff sections. I think the mode now mentioned ought to be adopted in that respect; but I think in regard to the internal-revenue part of the bill the amendments of the committee ought to be acted upon, and then we can reserve final action until after we get through with the tariff sections. Every one familiar with the practical details of this bill knows that the text of the internal-revenue sections will depend on the action of the Senate upon the tariff sections; and it seems to me it would be better to act on the amendments of the committee first, and then after we get through with the tariff sections return, leaving those sections relating to internal revenue open for amendment; otherwise we shall make no progress.

I desire myself to move to strike out a proviso which will lead to considerable debate, probably for a day, and Senators all around me desire to offer amendments to the sections in regard to the internal revenue; and if we follow the ordinary rule and act upon the amendments of the committee first upon the internal-revenue sections, leaving them open for future amendments to be offered by any Senator, and then proceed to act on the tariff sections *seriatim* by clauses, we shall progress more rapidly.

Mr. PLATT. I rose for the purpose of saying that at some time I desired to offer an amendment to this bill which should repeal the tax on the circulation of national banks as well as on capital and deposits,

and this seems to be the spot where the amendment should be introduced. I have some statistics which I should desire to use in the advocacy of the amendment, which are not here to-day, and I do not wish to lose my opportunity to move the amendment by failing to give notice of it at this time.

The PRESIDENT *pro tempore*. Generally the amendments of the committee reporting a bill are first acted on, and then any other amendments to the bill are received. It can be understood that the internal-revenue portion of this bill shall be considered under the ordinary rule while the tariff sections shall be considered by clauses.

Mr. MORRILL. The Senator from Delaware [Mr. BAYARD] is not present, and I know that he desires to be here when some of these sections are considered, and I should like to reserve the privilege of going back to some of these sections referred to by the Senator from Ohio.

Mr. SHERMAN. I will move that on so much of the bill as relates to internal revenue the amendments of the committee shall be acted on, leaving the whole bill open for general amendment after the tariff sections are gone through with.

Mr. COCKRELL. Will the Senator speak a little louder, or let us have better order in the Senate?

Mr. SHERMAN. I will move in order to expedite business that the sections in regard to internal revenue be considered in the ordinary way, that the amendments of the committee shall be acted upon and then we pass to the tariff sections and go through with them *seriatim*, clause by clause, with the privilege of any Senator after the tariff sections are disposed of to move any amendments to the internal-revenue sections in the ordinary way.

Mr. BECK. I hope that will be done. It will save us an immense amount of labor, and we shall be better able to know what we can do with the internal revenue after we have passed on the tariff.

Mr. SHERMAN. That is the purpose I have in view.

Mr. COCKRELL. I shall most earnestly protest against it, and I am sure the Senator from Kentucky will not agree to it when he understands the effect. When we come to the tariff portion of this bill it is all amendment, and if we adopt it we can not amend it any more.

Mr. SHERMAN. That has already been provided for.

Mr. BECK. One word. The Senator from Missouri is mistaken. We are to pass upon the tariff amendments item by item, and they are to be amended, and amendments to them can be amended, so that there can be discussion had upon each item. That is clearly the understanding.

Mr. BUTLER. Is not this the first reading of the bill?

Mr. BECK. We are on the first reading of the bill.

Mr. BUTLER. Am I to understand that after the bill has been read and amended we can not go back and amend it again? That is the construction of the Senate, I believe.

Mr. MORRILL. We could in the Senate, but not in Committee of the Whole.

Mr. BUTLER. I object to any arrangement which will cut off opportunity to amend this bill.

Mr. SHERMAN. If the Senator from South Carolina heard me, the plan which has been proposed is to open the widest possible door to amendments. The proposition which I made some time ago was that the tariff amendment, all that follows after page 6, shall be considered as the text of the bill open to double amendment—first an amendment to this committee amendment, and then an amendment to that amendment.

Mr. BUTLER. On the first reading?

Mr. SHERMAN. Yes, sir; on the first reading. We have passed one reading informally and are upon a formal reading of the bill now; and in order to avoid all controversey I will move that the internal-revenue sections be left open, and to prevent the Senate being precluded from amending the amendments that the committee propose that they be left open; also that we pass over for the present informally the internal-revenue sections and proceed to the tariff clauses.

Mr. WILLIAMS. I should like the Senator from Ohio to tell us the necessity of passing over the portion of the bill relative to internal revenue. Why not take it up and act on it?

Mr. SHERMAN. In the first place the Senator from Delaware [Mr. BAYARD] desires to be here and he is detained, and out of courtesy to him we propose to pass over that part of the bill. That is one reason. We can not determine the rates of internal-revenue taxation until we have disposed of the tariff sections. When we see what the Senate is prepared to do with the tariff we can then better dispose of the internal-revenue sections, which are matters of less controversy.

Mr. WILLIAMS. On the contrary, I think the country at this time deems it much more important to reduce internal revenue than anything in the tariff portion of the bill. There are now in this city the representatives of interests particularly affected by the internal-revenue sections—the tobacco men of the country, for instance.

Mr. SHERMAN. I appeal to the Senator from Kentucky. I should utterly despair of any attempt to pass this tariff bill or succeed in this effort to reduce taxation if we have got to go back and debate all the questions about internal revenue that we considered at the last session. The internal-revenue question was debated *ad nauseam* at the last session.

Mr. WILLIAMS. For that very reason I should think we are prepared to vote on it.

Mr. SHERMAN. No, we are prepared to debate that over again; and if we postpone the tariff until that is disposed of we shall have great difficulty in making progress. The Committee on Finance have taken this bill in regard to internal-revenue taxes precisely as the Senate left it at the last session. Although members of that committee, and a majority of the committee, were opposed to some of the amendments adopted at the last session in regard to internal revenue, yet in deference to the judgment of the Senate as then shown the bill has been reported as to internal revenue precisely as the Senate left it.

Mr. JOHNSTON. Does the Senator from Ohio understand that the tariff amendment is to be acted on to the exclusion of the internal-revenue question?

Mr. SHERMAN. Not at all. We simply propose to pass over the internal-revenue part of the bill for the present, until we go through the tariff question upon which there has been no discussion yet, and then to come back to the internal-revenue clauses which will then be open to amendment.

Mr. JOHNSTON. Why can not we settle the internal revenue first?

Mr. SHERMAN. I have stated the reasons, first because a gentleman who takes a great interest in the subject is not here, and next, because we have already discussed every feature and phase of the internal revenue. Now it is proposed to go on and consider the tariff question, dispose of it, and then come back to the internal-revenue sections and debate them. I submit that motion merely to expedite the consideration of the bill.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the tariff part of this bill be taken up first, and after that is finished that then the Senate recur back to the internal-revenue part.

Mr. JOHNSTON. I will agree to that with the understanding that it shall not impose any restriction at all on the right of offering amendments to the internal-revenue portion of the bill.

Mr. SHERMAN. There is no restriction at all.

Mr. BECK. It is for the purpose of giving, I will say, to the Senator from Virginia all the opportunity he wants that we propose this.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Ohio [Mr. SHERMAN].

The motion was agreed to.

Mr. FRYE. I desire to offer an amendment, which I should like to have printed, to a section of the pending bill.

The PRESIDENT *pro tempore*. It will be received and ordered to be printed. The Secretary will now commence to read the tariff portion of this bill.

The ACTING SECRETARY. "Section 5"——

Mr. BECK. I am not going to inflict a speech on the Senate. I had nothing to say so long as only internal-revenue matters were being considered, but I feel it due to myself as a member of the Finance Committee to say a few words relative to the work of the Tariff Commission which is now before us, so that Senators may understand it, or at least have my views of its value, as I differ very radically with the Senator from Vermont. He thinks its work was well done; I think it is full of incongruities and false pretenses carefully concealed under plausible pretexts.

It is unfortunate that three of the leading members on this side of the House who are members of the Finance Committee, the Senator from Delaware [Mr. BAYARD], the Senator from Tennessee [Mr. HARRIS], and the Senator from New Jersey [Mr. MCPHERSON], are all necessarily absent now. For that reason I think it incumbent on me to say a few words relative to the work the committee has had to consider. I think we have improved the bill of the commission in many regards.

In revising the work of the commission, it will be observed that the bill now before the Senate is divided into three parts. We are approaching the first and the most important. The first part is really the only subject that was committed to the commission; that is, the question of duties and the free-list. The second part of the bill, which begins at line 2220, on page 97, and ends at the bottom of page 131, being a bill regulating the machinery of collection, was not a question specially submitted to the Tariff Commission; but it is a valuable arrangement, imperfect, I think, in some regards, especially as it destroys several of the checks on the collectors at ports like New York, now provided for in the revision by the naval officer and in other important regards, but it is an improvement on the whole, which was suggested by the Treasury Department to regulate and improve the machinery of collecting our revenues.

While the Tariff Commission properly made it part of their report it was no part of their work. The commission saw fit also to submit a bill arranging a court for the trial of customs cases. That was rejected by the Committee on Finance, and a bill which was reported by the committee to the Senate last summer was substituted in its place; its provisions will be found beginning at the bottom of page 131, being all from section 9 to the end of the bill.

So the only real work of the Tariff Commission for which they are to be either blamed or credited is embraced in the matter beginning with the tariff schedule on page 7, down to line 2220. The Senator

from Vermont [Mr. MORRILL] has taken occasion to say that that commission has done its work very well. I am sorry to repeat that in many regards I am not able to agree with him. The portion of the machinery to which I have referred is pretty well done. The court matter we prepared. The main work of the commission will have to be very carefully examined.

The two volumes I hold in my hand contain over 2,600 printed pages of statements taken or laid before the commission; but I fail to observe that they have followed in any essential regard the views of anybody who have made statements before them. Those statements might as well have been filed with the Committee on Ways and Means of the House or the Committee on Finance of the Senate as to have been taken before the commission, so far as any effect they seem to have had upon the schedules presented is concerned, except, as Senators will observe, a pretty careful and sometimes pretty vicious cross-examination by the commissioners of anybody who differed with them in their particular views in regard to a high protective tariff. That is all which appears in the statements beyond what would have appeared if they had been merely filed before the commission.

As to the schedules now presented, beginning with the schedule of chemicals and going clear through the list, unless I am incorrectly informed, most of their main features were prepared by men who represented those special interests, and sought to get all the advantage they could out of them. They form the basis of the bill. The classifications under existing laws are radically changed, and in many regards these changes often increase duties where duties ought to be lowered, indeed where it is alleged that they are. Schedules are adjusted, I repeat, so as to enable men who are engaged in those particular industries to collect from the consumers of their products much larger sums than are now collected upon many important articles, and new subjects of taxation are added, some of them at high rates of duty, by those gentlemen for no other purpose that I can see except to enable the producers of them to charge very high rates. I can not go over many of them, time would fail me. I can illustrate by a few.

For example, if Senators will turn to page 9 of the large bill that we had before us, giving present and proposed rates, they will see among the items to be added an important item not a subject of specific taxation now, at line 577:

Armor, or other plate, iron or steel, or combination of iron and steel, finished or unfinished, not less than one and a half inches thick, 2½ cents per pound.

Or $50 per ton specific duty. Nobody other than the United States in all probability will ever need articles of that sort. In conjunction with other bills now being discussed at the other end of the Capitol, and which will likely be pressed here, to give rebate for ships built out of American material, the result will be that somebody may succeed in putting in material taxed at $50 a ton, which sum he will obtain as a drawback out of the Treasury for every ton of that character of iron he puts into ships of the United States or builds here for our foreign trade. That is only a specimen.

Mr. WILLIAMS. What schedule is that?

Mr. BECK. Iron and steel. The iron schedule will, I think, be found to be the worst of all. When Senators come to it I think they will find it most carefully arranged so as to take something out of nearly everybody's pocket to enrich a few men. Another specimen, on page 8, is this provision:

Steel ingots, cogged ingots, blooms and slabs, made by the Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, open hearth, or by any other process except the crucible process, weighing not less than five hundred pounds each and measuring not less than 5 inches square nor less than 5 inches in least diameter of cross-section of the ingots, cogged ingots, or blooms, not less than 5 inches in thickness nor 10 inches in width of the slabs: six-tenths of 1 cent per pound.

That is reasonable, apparently.

The PRESIDENT *pro tempore*. The Chair would say to the Senator from Kentucky that the Senate can not understand his quotations. This bill is differently paged from the one he is using.

Mr. BECK. I know it is, we did not report back the bill of the commission as such, but all the Senators have the schedule that I hold in my hand; much of this is left out in the bill reported by the Finance Committee. I am showing what they proposed to do, and have to use their work as submitted, to do so.

Mr. SHERMAN. The Senator is mistaken. He is reading from a table of which there are no copies except the few that were printed for the Committee on Finance.

Mr. BECK. No, sir. All I now read is in the bill accompanying the report of the commission and is part of their recommendation to us. I am now reviewing the work of the Tariff Commission. We have stricken out a good many of the things that the commission saw fit to put into their bill; but when we are told that the work of this Tariff Commission was well done and reduced taxes largely, as they tell us themselves—(I will read a little from their report presently)—was in the interest of reduction and against the enormous war tariff which we have been struggling in vain so long to reduce, and that consumers were to be better off under the tariff they proposed than they are now, they made a plausible report, one that I confess at first deceived me. I want the Senate to understand what they in fact did, much of their work being exactly the reverse of what they said they had done, and I said that they simply transferred the arrangement of the tariff to the men who are personally interested in making money out of these schedules, leading men connected with each one taking their particular schedule and fixing it up to suit themselves, the commission only throwing them together and handing the result to us as their work. I give it as my opinion that they have done very little intelligent work in detail. They have allowed interested parties to frame the bill. I hope Senators will examine it item by item, and see for themselves how far the facts sustain my conclusions.

When I was interrupted I had read as to the Bessemer steel metal, at the top of page 8, providing that the articles, if they weighed over five hundred pounds each, and measured not less than five inches square, were to be admitted at a duty of six-tenths of 1 cent a pound. Then, on the top of page 11, there is this other clause:

Steel ingots, cogged ingots, blooms, and slabs, weighing less than five hundred pounds each—

They divided them at five hundred pounds—

and measuring less than 5 inches square, or less than 5 inches in greatest diameter of cross-section of the ingots, cogged ingots, or blooms, and less than 5 inches in thickness or less than 10 inches in width of the slabs; die blocks or blanks; billets and bars and tapered or beveled bars; bands, strips, and sheets of all gauges and widths; plates of all thicknesses and widths; steamer, crank, and other shafts; wrist or crank-pins; connecting-rods and piston-rods, pressed, sheared, or stamped shapes, or blanks of sheet or plate steel, or combination of steel and iron, punched or not punched; hammer molds or swaged steel; gun molds not in bars; alloys used as substitutes for steel tools; all descriptions and shapes of dry sand, loam, or iron molded steel castings; all of the above valued at 5 cents per pound or less, per pound 2 cents.

Two cents, instead of six-tenths of 1 cent, or at the rate of $44.80 per ton. Then at the bottom of page 12, which is away off so far that perhaps it was expected that its connection would not be observed, the following proviso appears:

Provided, That all metal produced from iron or its ores, which is cast and malleable, of whatever description or form, without regard to the percentage of carbon contained therein, whether produced by cementation, or converted, cast, or made from iron, or its ores, by the crucible, Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or open-hearth process, or by the equivalent of either, or by the combination of two or more of the processes, or their equivalents, or by any fusion or other process which produces from iron or its ores a metal either granular or fibrous in structure, which is cast and malleable, excepting what is known as malleable-iron castings, shall be classed and denominated as steel.

What is the meaning of these provisions taken together? That all the blooms, ingots, slabs, &c., of Bessemer steel which weigh less than five hundred pounds, one-fourth of a ton, and are less than 5 inches square (though six-tenths of 1 cent is ample protection if they weigh over that), shall pay 2 cents a pound, or $44.80 a ton, as the careful provision at the bottom of page 12 makes Bessemer steel and all blooms, ingots, slabs, &c., of that metal to be counted as steel. They have made it $44.80 a ton instead of six-tenths of 1 cent a pound by the three carefully inserted provisions, each apart from the other, and said nothing in their report to indicate that they had made any such provisions or changes either as to armor or Bessemer products.

What is the effect of that? Ingots, blooms, slabs, to-day cost $20 per ton free on board ship, so that the tariff proposed by this intricate method to be put upon Bessemer steel ingots and blooms is 224 per cent., and on billets worth $30 a ton the tax will be $150 or more.

I have a paper in my pocket handed to me to-day, a carefully prepared one, showing the increase the commission have made on cotton-ties from 35 per cent. up to over 100 per cent. They have increased the tax on the barbed-wire fence material from 35 per cent. up to over 80 per cent. They have made 1 cent a pound instead of one-half cent a pound the present duty on the rods out of which a great many of our chains are made. They have changed the cotton schedule so as to give the cotton manufacturers whatever protection they asked upon what things they desire protection on, and upon things that are cheap, where they do not need any, they have cut it down. I have a statement in my hand showing where they have increased largely, by a change of classification, on steel, which was prepared I believe in New York at the custom-house. I will present it:

Statement showing the actual percentage of quantities on specified values of imported cast-steel, from which it will be seen that the bulk is of the value of five to seven and nine to eleven cents per pound:

Under two and one-half cents per pound, *nil*; two and one-half to five cents per pound, 1½ per cent.; five to seven cents per pound, 19¼ per cent.

That is increased.

Seven to nine cents per pound, 3¼ per cent.

They do not care for that; that is not big enough.

Nine to eleven cents—

They have increased from 59 to 81 per cent. tax, and of that class 67½ per cent. of all we consume comes in; so that in that case and in many others, while the bill is carefully prepared with a plausible appearance of a reduction of the tax upon many of the great, leading, essential articles, there is a heavy increase even on the present war tariff that the commission saw fit to say ought not to last any longer. Let me read a little of what they said. I confess they deceived me. It is as plausibly written a report as I ever saw:

It would seem that the rates of duties under the existing tariff—fixed for the most part during the war under the evident necessity at that time of stimulating to its utmost extent all domestic production—might be adapted through reduc-

tion to the present condition of peace requiring no such extraordinary stimulus. And in the mechanical and manufacturing industries, especially those which have been long established, it would seem that the improvements in machinery and processes made within the last twenty years and the high scale of productiveness which has become a characteristic of their establishments, would permit our manufacturers to compete with their foreign rivals under a substantial reduction of existing duties.

That is all very fair; on its face it looks well, and is true; but it only thunders in the index. They did not do it. On the contrary, they increase on many very essential things that the country demands a reduction on. Why should the wire fences of the people be taxed up from 35 to 81 per cent.? Why should the cotton-ties imported for the purpose of being largely re-exported by the man who uses them on cotton bales be raised from 35 to 100 per cent.? Why should iron rods be doubled? Why should the goods that we want for sheeting be doubled? Why should the commission by their bill, on the plea of reducing taxation, put tin-plates, out of which the oyster can is made, out of which the cans for fruit and milk and a thousand things that are put up in cans and sent abroad are made, and which require cheap things to put them in, be increased from 1.1 to 2.1 cents a pound, as the Tariff Commission propose in their report? Senators had better examine carefully the artfully prepared schedules before they believe the statements in the report.

There are so many important things on which duties are increased by indirection, many of them adding largely to the burdens of the people, that I want Senators to look at them carefully and understand them. That is the only reason I am occupying any of the time of the Senate now.

These protectionists are clamoring—indeed, it is the clamor all the time—about protecting American labor and keeping it far removed from the competition of the pauper labor of Europe. The commissioners have furnished tables, which I beg Senators to look at carefully, at the head of each of the schedules, and a consolidated table on pages 100 and 102. On pages 100 and 102 there is an abstract of the annual operations of the mechanical and manufacturing industries of the United States according to the census of 1880, the details being set forth on the subsequent pages.

These tables show that the total capital employed was $2,790,223,506; the average number of hands employed, 4,376,150; of these 2,025,279 were men, 531,753 women, and 1,819,118 youths and children. The total wages paid amounted to $947,919,674. The materials used were valued at $3,394,340,029, and the products at $5,696,667,060. A calculation will show that the wages paid amounted to only about 17.6 per cent. of the value of the products, and that the value of the products exceeded the cost of the materials used and wages paid $1,027,408,000, or 36.8 per cent. upon the capital invested, after paying all wages and for all materials; while the average wages amounted to less than $220 to each operative annually, or, throwing out the 1,819,118 youths and children, the average wages of the 2,557,032 men and women would amount to only about $370 a year, or a small fraction over $1 a day. When we consider the high wages paid to clerks, foremen, and skilled workmen, the average wages of the common laborer will be greatly reduced; and when it is considered that the American laborer pays from 75 to 100 per cent. for every article that has wool in it, from the blanket under which he sleeps to the yarn with which his wife darns his stockings, 60 per cent. for his sugar, and at least 50 per cent. for everything else except food more than any laborer in Europe pays for the same things, it will be readily seen how little of the protection which is clamored for in the interest of American labor really goes to the workingman and his family.

Mr. GEORGE. What does the Senator mean by throwing out the wages of the children?

Mr. BECK. I assume that they might be claimed to be adjuncts to their fathers and mothers. The grown people only get a little over a dollar a day, throwing them all out.

Mr. GEORGE. Do you divide the sum paid to them with the others?

Mr. BECK. I do, and that gives them only $370 a year, throwing off the 1,800,000 young people, a little over a dollar a day.

I am not prepared to say that the total amount of that 38 per cent. is profit; but take off 3 per cent. for insurance, 5 per cent. for repairs—take off half the 38 per cent. for all other things necessary to keep up the establishments, and then it will leave 18 or 19 per cent. profit—more profit than all the wages they have paid to all their operatives.

One reason why I believe in low tariffs is that when we give the manufacturers a protection of 17.6 per cent. on the average we have given them enough to cover all the wages they pay to labor; we have made them equal to the European pauper, if he works for nothing and finds himself. We may double that and largely reduce our present taxes, and if that is not protection enough for them, what in God's name do they want?

We are paying them now an average, as the Senator from Vermont said a while ago, of 42 per cent. and a fraction, wool and other things are up to 90 per cent., many of the iron interests are above 100 per cent., and the fallacy of protection to labor is used all the time when they want more. The man in whose interest increases are always pretended to be sought is the laborer; he is the man whom we really destroy by the protective tariff, because we arrange only to manufacture for 50,000,000 of people when there are 1,500,000,000 of people in this world that we ought to be manufacturing for and selling to, thus giving our operatives employment every day in the year instead of having manufacturers organize strikes when they have a surplus on hand, as our 50,000,000 people can not use all they make and nobody else is compelled to pay them the price they ask. Then the operatives are left to starve while their machinery stands idle, waiting for home consumption to go on so they can start again on a new demand.

I took up the tables attached to the schedules of each industry as presented and made a calculation as to wages and profits. It is perhaps not accurately done, but the tables will correct me if I am wrong. In the chemical schedule you will observe the capital employed is $85,486,856; there are 29,500 hands; the wages paid amount to $11,820,728; the material, $77,344,281; the product, $117,407,054, or, adding the material and the labor, $89,165,009; which left a profit of $18,242,045, or 2.3 per cent. on the capital after deducting wages and material, while the amount paid for wages was only about 10 per cent., and the profit on capital 21.3 per cent.

Take the schedule of metals, about which they boast so much of paying such large wages. The number of hands is 298,862; capital, $416,041,643; wages, $122,648,191; cost of materials, $380,304,990; product, $604,553,460. Adding the material and wages, it leaves a profit of $101,600,279, or 25 per cent. and a fraction of profit to the manufacturer, while the wages were only 20 per cent. of the production, and the wages were less than $400 a year to each person, including all the skilled workmen, clerks, messengers, and so on.

So I have taken this schedule in regard to cotton, one in regard to glassware, another in regard to woolens, another in regard to potteries, stone-ware, and porcelain, another in regard to silk. I do not know that I will stop to read them. I have taken each one of them from the classification made by the tariff commissioners themselves and used only their figures.

Mr. President, I said I was not going to make a speech; I do not propose to do so; but I thought it was due to the Senate to say that there are many things in the commission's report which show that each schedule was committed to men who were interested in having the modifications and changes made to put money into their own pockets, and to tax consumers more heavily even than they are taxed now, and that there was in fact no great amount of real reduction made or of intelligent labor done by the commission, that the theory of the report is not carried out by their action; and the gentlemen on both sides of the Senate who are seeking to have the present taxation reduced will have to look to it very carefully and see that it is not increased by cunning changes of schedules and the transpositions of things from one place to another, all done by interested men who perhaps deceived the commission themselves.

I have no doubt in going over many of these items that there are hundreds of things here that no member of that commission knew specially about or could tell the meaning of, and there are things in this bill as you go over it where Senators will inquire what is the meaning even of the words, and yet they are extremely important, involving sometimes hundreds of thousands and millions of revenue.

I desire to call attention to another thing before I sit down so that Senators can observe it. The commission, no doubt at the dictation of the manufacturers, has in a great variety of instances changed taxes from an ad valorem to a specific duty. That is done, as it is said, to guard against undervaluation. No doubt there can be undervaluation if we have dishonest officials in our custom-houses, otherwise not. But the specific tax is proposed instead of the ad valorem. Why? It is known that in the course of years improved machinery, cheapened methods, means of obtaining the raw material at lower rates, will bring down the prices of goods, may bring an article for example down from a dollar a pound to 50 cents a pound, just as the reaper, the mower, and the harvester have enabled a boy and a horse to do in a day what perhaps ten men could hardly do with their scythes twenty or thirty years ago. I am referring to the agricultural reminiscences of my friend from Mississippi [Mr. GEORGE], who understands how that works perfectly. So do I. By these improvements many men who used to earn their living by the sweat of their brows mowing and cutting grain are transferred to other labor, so in these great establishments where improved machinery enables men to do with one-half the labor the same work the price is often brought down largely. We know that in Germany and England and France and everywhere our competitors brought down the price of Bessemer steel and a thousand other things by improved machinery. When the commission fixed a specific duty, and not an ad valorem, they knew that the prices might come down, but no matter how much they come down the specific duty would remain as high as ever in the interest of the manufacturer even after it becomes prohibitory. It does not come down as the price of the article falls. Therefore the protected man wants it to be specific so he may be guarded against all the effects of improved machinery, a diminution in the price of labor, and everything else in the rapid progress of the world. That is the effect of a specific duty of course, and there is more inequality under it than there can be under any sort of ad valorem duty.

Take this well-know example: Cigars now pay a specific duty; one hundred cigars that are worth $10 pay precisely the same duty that one hundred cigars worth $100 pay. So of the wines that come in, the Sherries and Madeiras worth $4 a gallon pay 40 cents; the cheap wines of the Rhine worth 40 cents pay 40 cents. So the blankets of the poor pay the same duty when it is specific as blankets ten times as costly that the rich can afford to buy. All these things operate to the benefit of the manufacturer and to the injury of the men who are obliged to buy the poorer article, while they keep up the price under the plea of protection no matter how low the goods may fall.

That has been done carefully all through this bill, wherever it can be done, and done for that purpose, done by schedules prepared by the manufacturers themselves, under the plausible pretext that they were seeking to get rid of the frauds of undervaluation; and hence, wherever they have made a change of schedules, they have made in many instances four, five, or six schedules where we have only three now under the existing law, and instead of basing them all on the ad valorem, there is so much on all wire below a certain gauge. There is the highest gauge, from 18 to 36. A fine cambric needle would not go through this gauge. It is put in three classifications between 18 and 36, largely increasing every time, and all based on valuation. They are never afraid of ad valorem if they can fix a specific upon it to add to the profits. There is no danger of undervaluation then, but when the consumer is to be benefited by a fall in the price and the consequent fall in the ad valorem, the cry comes up, "There are frauds in undervaluation."

Mr. MAXEY. Will the Senator allow me a word?

Mr. BECK. Certainly.

Mr. MAXEY. Seventeen to twenty is one gauge for cotton-ties.

Mr. BECK. That was a point I was about to suggest to my friend from Texas.

Mr. MAXEY. Seventeen to twenty is the highest gauge that regulates the cotton-tie. Does not the proposed tariff increase that from what we now pay 35 to 135 per cent. ad valorem?

Mr. BECK. That is one of the cunning arrangements in the Tariff Commission bill. The difference between the seventeen and twenty can hardly be perceived by the naked eye, but yet the classification changes.

Mr. MAXEY. It makes a difference of over $600,000 in the single item of cotton-ties.

Mr. BECK. The Senator from Texas doubtless well understands how skillfully this arrangement is perfected. Wherever they find that any consumer is getting something abroad at a reasonable price in exchange for his wheat, cotton, or provisions the clamor is raised that a new industry is springing up here. It at once demands double protection and makes the consumer pay twice or three times as much as he is paying now, and they will denounce you as being opposed to American industry and in favor of foreign pauper labor if you do not put into their pockets three times as much as you are paying now. What you are paying now is going into the Treasury, but not a dollar of this increase that you would pay if this bill passes will go into the Treasury; and yet the Senator from Texas will be called a friend of foreign pauper labor if he dares to open his mouth in favor of keeping the duty where it is!

Mr. MAXEY. The fact is that the iron sold for cotton-ties is used by white labor and negro labor, and that labor in the cotton-field is asked to pay this increased tax on cotton-ties used for binding their bales to be sent to the markets of the world; and nine-tenths of it is sent to the Liverpool market.

Mr. BECK. I am glad that the attention of the Senator from Texas has been called so sharply and intelligently to that condition.

Mr. MAXEY. I know all about it.

Mr. BECK. He will find and so will other Senators find all through this bill just such things; and when you come to the wire that makes the wire-fence in the West, when you come to the hoop-iron that is put upon the barrel, when you come to the tin-plates into which all the fruits and milks and oysters are put, you will find that the duties on them are increased if not doubled up by this commission for no other purpose except to put money in the pockets of a few people who claim to be supporting an infant industry. In all I say now I am speaking of the Tariff Commission's report—we have improved it somewhat—which in its action is a delusion and a snare. Their theory is good as stated in their report, but their action is abominable. That I believe is all I care to call attention to now, perhaps I ought to add.

When the Senator from Vermont told us we were reducing the tariff $3,000,000 because we were taking off charges on freights and commissions and drayage in foreign countries, I desire to say that the changes from ad valorems to specifics of nine-tenths of the things does away with all the benefit we would get. If the committee had allowed ad valorems to remain and taken off these extra charges there would have been relief; but in making the duties specific in this calculation all these things are added in to show what the specific ought to be and what it ought to be maintained at.

But if I go on much longer I shall have to take back what I said about not making a speech. The tables I have prepared, being from the tables of the commission, I will now submit, so that Senators may see them in the morning. They were made hurriedly, without help, when I had many other things to do, and there may be mistakes in them. The data are, however, given by which they can be corrected.

SCHEDULE A—*Chemical products.*

Hands	29,500
Capital	$85,486,856
Wages	11,820,728
Material	77,344,281
Product	117,407,054

Adding the amount paid for wages to the cost of material we have a total outlay of $89,165,009; deducting this amount from the product we find a total profit of $18,242,045 or 21.3 per cent. on the total investment.

SCHEDULE C—*Total manufacture metals.*

Hands	208,862
Capital	$116,041,643
Wages	122,648,191
Material	380,304,990
Product	604,553,460

Adding the amount paid for wages to the cost of material we have a total outlay of $502,953,181; deducting this amount from the product we find a total profit of $101,600,279, or 24.5 per cent. The average rate of wages is $400 per annum.

SCHEDULE B—*Potteries, stone-ware, and porcelain.*

Hands	9,494
Capital	$6,380,610
Wages	3,279,535
Material	2,564,259
Product	7,943,229

Adding the amount paid for wages to the cost of material we have as the total outlay $5,845,794; deducting this amount from the product, we find a total profit of $2,099,435, or 32.9 per cent. The average rate of wages is $345 per annum.

SCHEDULE B—*Glass-ware.*

Hands	23,822
Capital	$19,415,599
Wages	9,112,304
Material	7,991,303
Product	21,031,464

Adding the amount paid for wages to the cost of material, we have as the total outlay $17,103,604; deducting this amount from the value of the product, we find a total profit of $3,909,860, or 20.1 per cent. The average rate of wages per annum is $382.

SCHEDULE I—*Cotton.*

Hands	185,472
Capital	$219,504,794
Wages	45,614,419
Material	113,765,557
Product	210,950,383

Adding the amount paid for wages to the cost of material, we have a total outlay of $159,380,956; deducting this amount from the value of the product, we find a total profit of $51,569,427, or 23.4 per cent. The average rate of wages per annum is $245.

SCHEDULE K—*Woolens.*

Hands	161,489
Capital	$159,061,270
Wages	47,351,628
Material	164,342,099
Product	267,182,914

Adding the amount paid for wages to the cost of material, we have a total outlay of $211,697,727; deducting this amount from the value of the product, we find a total profit of $55,489,187, or over 30 per cent. The average rate of wages per annum is under $300.

SCHEDULE L—*Silk.*

Hands	31,337
Capital	$19,125,300
Wages	9,146,705
Material	22,467,701
Product	41,033,045

Adding the amount paid for wages to the cost of material we have a total outlay of $31,614,406; deducting this amount from the value of the product we find a total profit of $9,418,639, or 49.2 per cent. The average rate of wages paid is $291 per annum.

Mr. GEORGE. Before the Senator takes his seat I should like to ask him a question.

Mr. BECK. Certainly.

Mr. GEORGE. I understood the Senator to state that the average of the duties proposed by the Tariff Commission is 42½ per cent.

Mr. BECK. No; I said that the Senator from Vermont had told us that the average of the present tariff duties was 42½ per cent. There is no way of calculating, the commission say themselves they can not tell, the amount of reduction. I can not, because I can not tell whether, as the Senator from Texas says, the increase will be 100 or 150 per cent. on cotton-ties; I can not tell what it will be on wire for fences; I can not tell what the effect of the thousand changes will be which they have proposed. All I desire to say is that while they have reduced on many things they have increased by indirection on many others and directly upon still others; that they have made taxes specific so as to retain the highest duty, no matter how the price comes down; that they have made compound duties wherever it suited them to get specifics based upon them; and that the whole report needs careful examination, for it does not do what it professes to do.

Mr. MAXEY. If the Senator will permit me on that point I can give the calculation. At 35 per cent. ad valorem on cotton-ties the tariff is $14 a ton. At 1½ cents a pound, it is $33.60. The Senator is a good enough judge of figures to see that if we now pay $14, and under this new law pay $33.60, it makes, as I said, an increase of about 135 per cent.

Mr. BECK. I expected to have taken my seat long before now——

Mr. GEORGE. Before the Senator takes his seat I should like to ask him another question. The average duty of the present tariff, as I understand from the Senator, is 42½ per cent.?

Mr. BECK. About that. That is what the Senator from Vermont said.

Mr. GEORGE. I understood the Senator also to state that the average amount paid to labor in manufacturing articles which are covered by the tariff is only 17.2 per cent.

Mr. BECK. Seventeen and six-tenths per cent. according to the figures given at page 102 of the Report of the Tariff Commission.

Mr. GEORGE. What becomes of the difference between the 17.8 per cent. and the 42½?

Mr. BECK. It must go into the pocket of somebody, but not into the pockets of the consumers, the constituents of the Senator from Mississippi, especially in cotton-ties.

Mr. COKE. Nor to the laborer.

Mr. BECK. Nor to the laborer anywhere.

That is all I care to say now, Mr. President. I only desire to add that unless the Senator from Vermont is compelled to go on this afternoon, I would be glad if Senators who have perhaps not had their attention called to the bill would look over it to-night before we pass upon some of the matters that we will now begin to pass upon. I hope the Senator from Delaware [Mr. BAYARD], who is a distinguished member of the Committee on Finance and who has taken great interest in this measure, may be able to reach here to-night. We will perhaps not lose much time if we do not begin the schedule before morning. I merely suggest that.

Mr. BUTLER. I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. Let me suggest to the Senator from South Carolina that we go on with the sections that precede the schedules.

Mr. BUTLER. I understood the Senator from Kentucky to ask that the bill go over until to-morrow.

Mr. ALLISON. No, he asks that we do not begin with the schedules.

Mr. BECK. I ask that we do not go on with the schedules to-night. There are a good many sections to be acted on before we reach the schedules.

Mr. ALLISON. There are several sections which precede the schedules.

Mr. BUTLER. I have no objection to that course. I withdraw my motion for the present.

Mr. SHERMAN. Let the reading be resumed.

The reading was continued, as follows:

SEC. 5. That from and after the 1st day of July, 1883, the following sections shall constitute Title 33 of the Revised Statutes of the United States:

TITLE XXXIII.

DUTIES UPON IMPORTS.

SEC. 2491. All persons are prohibited from importing into the United States, from any foreign country, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion. No invoice or package whatever, or any part of one, in which any such articles are contained shall be admitted to entry; and all invoices and packages whereof any such articles shall compose a part are liable to be proceeded against, seized, and forfeited by due course of law. All such prohibited articles in the course of importation shall be detained by the officer of customs, and proceedings taken against the same, as prescribed in the following section: *Provided*, That the drugs hereinbefore mentioned, when imported in bulk and not put up for any of the purposes hereinbefore specified, are excepted from the operation of this section.

The PRESIDENT *pro tempore*. The matter just read is an amendment of the Committee on Finance. The question is on agreeing to the amendment proposed as section 2491 of the Revised Statutes.

The amendment was agreed to.

The next clause was read, as follows:

SEC. 2492. Whoever, being an officer, agent, or employé of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not less than $100 and not more than $5,000, or by imprisonment at hard labor for not less than one year, nor more than ten, or both.

Mr. BECK. That I understand to be a new section. I think the section is all right except in one regard, and I do not care much about that. I do not believe in minimum punishments. I would rather have the punishment a fine not exceeding $5,000 or imprisonment not more than ten years, and leave all questions of minimum punishment to the discretion of the court. I do not believe in minimum punishments by law, which may be very severe for mere technical offenses.

Mr. SHERMAN. This is the exact language of the present law. The only difference is that it is transposed from the Revised Statutes, in the code of crimes, and placed in its proper connection with the subject-matter.

Mr. BECK. I could not find this section in the Revised Statutes. I care nothing particularly about it, except that I think it is well in all cases to leave the minimum punishment to the discretion of the courts, instead of having an arbitrary minimum fixed in the statute.

Mr. SHERMAN. This subject, as the Senator knows, was talked over in committee, and we preferred in these formal sections, which merely re-enact existing law, to place all the laws in relation to the collection of customs in this title. We thought we would preserve the language of the old law. Therefore we had better let it stand as it is.

Mr. BECK. I make no motion.

Mr. SHERMAN. It was considered by the committee.

Mr. ALLISON. I call the attention of the Senator from Kentucky to page 317 of the Revised Statutes, section 1785, which this section of the present bill re-enacts.

Mr. BECK. I have no doubt it is in the law, but it is not in connection with the other sections and I overlooked it.

Mr. BUTLER. I shall make a motion to strike out the minimum punishment if the Senator from Kentucky does not. I do not care to interfere with the reading now, but I give notice that when the bill is in the Senate I shall make that motion.

The PRESIDENT *pro tempore*. It must be done now.

Mr. BUTLER. I move, then, in line 35 to strike out "not less than $100, and;" and in line 37 to strike out "not less than one year nor;" and after the word "ten," in the same line, to insert "years;" so as to read:

And shall for every offense be punishable by a fine of not more than $5,000, or by imprisonment at hard labor for not more than ten years, or both.

Mr. SHERMAN. This section relates only to the sending through the mails of obscene literature or aiding or abetting in it by officers, agents, or employés of the Government. If there ever was a subject upon which there ought to be a distinct penalty, a maximum and minimum both, so that the court could properly punish the offense, I think the section ought to stand as it is.

I suggest to Senators as these are formal sections which re-enact existing law, it being a mere transposition of existing laws now in the Revised Statutes to their proper place in connection with the customs laws, they had better stand until they are changed by measures which shall be referred to the Judiciary Committee and framed with a view to punish these offenses.

All I can say is that this is now the law and we have transferred it and we have not attempted to change it, nor do I think we ought to change it. I think there ought to be some fixed punishment to this particular offense. I think the Senator from South Carolina will agree with me that the offense of sending through the mails obscene literature ought to be clearly defined and the punishment rigorously enforced.

I may also say that a society in New York, composed of gentlemen whose names probably are familiar to most Senators, are engaged in trying to prosecute this kind of offenses, and they deem that it is important that there should be a maximum and minimum punishment for the offense, so that the courts shall in all cases be compelled to punish with some severity the offense when committed.

Mr. BUTLER. I concur entirely with the Senator from Ohio that this is an offense which ought to be very severely punished, but it seems to me that a fine of not more than $5,000 or imprisonment at hard labor not more than ten years would be pretty severe punishment for this offense or any other. I object to the minimum punishment. I agree with the Senator from Kentucky in that respect. There may be a technical violation of law where the discretion of the court might lean toward the accused; there might really be no intentional violation, and yet a technical violation of it.

I do not approve of the principle of fixing a minimum punishment; and if, as the Senator from Ohio says, that is the law now, I do not know any better time to change it than at this time. Hence I make the motion in perfect good faith.

Mr. SHERMAN. I say that any person who sends through the mails the kind of literature here referred to ought to pay not less than $100. If the Senator were sitting as a judge in the trial of a case, and the jury convicted a man of committing this offense, under the language of the law he certainly would not impose a less fine than $100.

Mr. BUTLER. I certainly would not.

Mr. SHERMAN. That is all. That is the minimum.

Mr. BUTLER. But there are very frequently technical violations of a law without any intention to violate it, and if the Senator from Ohio were sitting as a judge I am quite well satisfied he would think it very hard if he had to impose a fine of $100 when there was no intention to violate the law.

Mr. SHERMAN. This can not be done except for an intentional violation of the law.

Mr. BUTLER. Then we are attempting to pass judgment judicially upon what a man intends to do or does not intend to do. We are simply, as I understand, framing a law for the government of the courts.

Mr. PLATT. This law was enacted in 1873, just ten years ago. Is the Senator aware of any hardship that it has worked during that time?

Mr. BUTLER. No; I do not know that any hardship has occurred, and I do not know that any will occur; but I object to it on principle. I object to it in any penal statute. I think it ought to be left to the discretion of the court. That is the ground upon which I make the motion to amend.

Mr. McMILLAN. This section applies only to officers, agents, or employés of the Government of the United States, and to constitute the offense the person must knowingly aid or abet some person engaged in the violation of this law. If an officer or agent of the Government

will violate his oath of office, will violate his duty to his Government, and violate all the proprieties of life, I see no reason why this minimum punishment should not be prescribed. This does not apply to persons generally; it is not applicable to the commission of the offense by individuals generally, but it is applicable only to the class of persons who are officers or agents of the United States, and who before they can be guilty of the offense must also violate their duty to their Government as well as violate the ordinary duties and proprieties of life. I think the law had better stand as it is.

Mr. SLATER. I understood the Senator from Connecticut [Mr. PLATT] to ask if there had been any complaint of this law or any prosecutions under it. A year or two ago my attention was called to a case of prosecution under this statute, I think in the State of New York, as to which a very large and respectable portion of the people in various sections of the United States complained of the severity of the punishment inflicted upon some gentleman. I can not now recall the case or the name of the gentleman, and the question was simply upon the decision as to whether a particular matter or a particular statement or a particular book was of an obscene character, in regard to which there might be a difference of opinion.

Mr. CALL. It seems to me that if there ever was a statute upon the statute-book which everybody would agree ought to be amended, it is that which prescribes this punishment for this offense. I think if the Senate will give it any consideration, that there will be very little difficulty in arriving at a conclusion. The section provides that:

Whoever, being an officer, agent, or employé of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not less than $100, and not more than $5,000 or by imprisonment at hard labor for not less than one year, nor more than ten, or both.

What is an article of immoral tendency? Who is to judge? How shall a man know that he is aiding or abetting a person in introducing an article of immoral tendency? It is a vague and indefinite and uncertain description, in which a man may be made a criminal and subjected to a severe punishment without any intention whatever of violating any public law or any moral principle. I think there is no doubt that there should be a discretion left in the court to decide.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from South Carolina [Mr. BUTLER], to strike out the minimum punishment from the proposed section 2492.

The amendment to the amendment was agreed to; there being on a division—ayes 25, noes 22.

The amendment as amended, proposed as section 2492 of the Revised Statutes, was agreed to.

The PRESIDENT *pro tempore*. The reading will be proceeded with.

The next amendment was to insert:

SEC. 2493. Any judge of any district or circuit court of the United States, within the proper district, before whom complaint in writing of any violation of the preceding sections is made, to the satisfaction of such judge, and founded on knowledge or belief, and, if upon belief, setting forth the grounds of such belief, and supported by oath or affirmation of the complainant, may issue, conformably to the Constitution, a warrant directed to the marshal, or any deputy marshal, in the proper district, directing him to search for, seize, and take possession of any such article or thing hereinbefore mentioned, and to make due and immediate return thereof, to the end that the same may be condemned and destroyed by proceedings, which shall be conducted in the same manner as other proceedings in the case of municipal seizure, and with the same right of appeal or writ of error.

Mr. ALLISON. In line 44 the word "complaint" should be "complainant;" so as to read, "by oath or affirmation of the complainant."

The PRESIDENT *pro tempore*. By unanimous consent that alteration will be made. The question is on agreeing to the amendment proposed as section 2493 of the Revised Statutes.

The amendment was agreed to.

The next amendment was read, as follows:

SEC. 2494. The importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited: *Provided*, That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof, that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this law into effect, or to suspend the same as therein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

Mr. MORGAN. I desire to inquire of the Senator from Ohio whether that section makes any change in the existing law?

Mr. SHERMAN. No. I will state to Senators now that these preliminary sections are the same as the existing law; but it was necessary to re-enact them in order to have them in one title of the Revised Statutes—title 33. There is but one change in these sections from the existing law. In section 2497 there is a change. There is also in section 2800 an addition of the last two clauses, which was recommended by the Tariff Commission, and to which there seemed to be no objection. All the sections in the bill down to page 13, including section 2503, are a re-enactment of existing law or a modification of existing law recommended by the commission. There is no substantial modification, however.

The only material modification is on page 12. The section to which attention is now called is precisely the language of the existing Revised Statutes of the United States. If Senators desire to follow any of these sections and compare them with existing law, if they will turn to the corresponding sections in title 33 of the Revised Statutes they will find the same, except some modifications which have been made by law since, and those modifications are ingrafted in these sections. There are only one or two of them.

Mr. ALLISON. If the Senator will allow me, I will inform him of one matter which I think ought to be corrected. The section just read is in the exact language of section 2493 of the Revised Statutes, but it says:

And the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this law into effect.

Should it not be, now, as we are incorporating this in one law, "to carry this section into effect," because this relates to one particular subject and it is all in this section?

Mr. SHERMAN. I do not think that would change it in the least, because the words "this law" I think would sufficiently refer to this section.

Mr. ALLISON. To this section only?

Mr. SHERMAN. I have no objection to having it changed, but this has been the law for sixteen years, and I have no doubt it would be construed as a simple transposition of the law by any court.

Mr. ALLISON. Very well.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed as section 2494 of the Revised Statutes.

The amendment was agreed to.

The next amendment was read, as follows:

SEC. 2495. The President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious disease among the cattle of the United States, may, by proclamation, declare the provisions of the preceding section to be inoperative, and the same shall be afterward inoperative and of no effect from and after thirty days from the date of said proclamation.

Mr. CONGER. I desire to inquire whether, when once the President exercises his power to declare the section inoperative, it does not repeal it. It does not say that the President may suspend it as to any particular importations or any particular diseases.

Mr. SHERMAN. These two sections relate, as the Senator will see, to the importation of neat cattle and the hides of neat cattle. Section 2495 authorizes the President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious diseases, by proclamation to suspend the operation of the section prohibiting the importation of neat cattle. That, I think, has been done once or twice.

Mr. CONGER. If he shall suspend, then forever after it will be inoperative from and after thirty days from the date of the proclamation as to all importations. It destroys all the value of the section. After the declaration is once made the preceding section is inoperative.

Mr. SHERMAN. But it is only inoperative during the time of the suspension. That is now the law.

Mr. CONGER. It does not say he shall suspend it; it says he may declare it inoperative, and the same shall be absolutely inoperative and of no effect from and after thirty days from the date of the proclamation. It repeals, therefore, the law.

Mr. PLATT. Section 2494 prohibits the importation of neat cattle from any foreign country into the United States, except that the Secretary of the Treasury may suspend the operation of the law, as has been done several times, and then he makes an order suspending the operation of the law, if necessary; but by section 2495 it is intended, whenever the danger shall be entirely removed, so that there will be no necessity for the law any longer, that the President may declare it inoperative, as I understand.

Mr. CONGER. The effect is to repeal the law.

Mr. SHERMAN. It does give the President that power, but that has been the law.

Mr. MORGAN. I do not think we have the right to confer upon the President of the United States the power to repeal a statute, and it seems to me that section 2495 gives that power, because after he has declared that the statute shall become inoperative there is no method by which its operation can be restored again except by an act of Congress.

The first clause in section 2494 is that the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited. The Secretary of the Treasury may suspend that under the provisions of the same section. The power was then intended to be given, I have no doubt, to the President to suspend the order of the Secretary of the Treasury, but the language is unfortunate, because it goes to the extent of allowing the President to declare that the entire section is inoperative, and after he has made that declaration through his proclamation, what power can restore this prohibition against the introduction of neat cattle and hides except an act of Congress? I would recommend to the Senator in charge of the bill that

he look over and see whether or not the purpose intended to be accomplished by section 2495 is not really thwarted by the language which is used.

Mr. SHERMAN. It seems to me that these two sections construed together are very plain and simple. At one time, in 1866, there was a great fear that pleuro-pneumonia, which had prevailed to some extent in Germany and England, would spread to this country; and if it had been so it would have created a greater injury, especially in the West and Southwest, than any possible calamity almost that we could name. Indeed if the pleuro-pneumonia should ever cross the Alleghany Mountains and get into the vast plains of the West and South the destruction of property would be simply incalculable. Therefore Congress at that time provided this remedy, which forbade the importation of all neat cattle, but allowed the Secretary of the Treasury to make an exception of countries where the disease did not prevail, and practically gave it in the power of the Treasury Department to suspend the operation of the law as to certain countries. That has been done and practiced from time to time.

Probably there was some objection to placing so much power in the hands of the Secretary of the Treasury, a subordinate officer of the Government, and therefore the power was given to the President of the United States, if he thought the danger of pleuro-pneumonia or other diseases of various animals had disappeared to declare the previous section inoperative, that is, the suspension of the importation of neat cattle. I do not think there is any trouble about that. Congress may authorize the President, when the danger has been overcome, to decide and make the law inoperative. The Senator from Michigan says that that repeals the law. So it does, with the consent of Congress, and Congress might see proper, when it again came in session, to re-enact it, if that was the view of the Legislature.

However, I wish now to call to the attention of the Senate the fact that if we add to the other troubles about this bill in fixing the rates of duty, &c., a revision of the various laws which it is necessary to ingraft into this bill in order to make them convenient and easily accessible, in order to group them together as they are now grouped in the Revised Statutes in one title, we had better avoid criticisms upon the mere details of phraseology. That is my opinion. If Senators, however, think there is doubt about this section, then I am willing to have it opened. We simply transposed these sections into this title in order to have all the law in regard to imported goods in one title, not changing in any respect the terms of existing law except where changes were recommended by the Tariff Commission and where they met the judgment and approbation of the Committee on Finance.

I desire to say, in order to explain why I am interfering in this matter, that the Senator from Vermont [Mr. MORRILL], supposing that I was familiar with these various matters in regard to the machinery and the execution of this law, asked me to look at this revision. I have done so, and the changes, where any have been made, were made with the consent of the Treasury Department and with the approval of the Commissioner.

Mr. HARRISON. I wish to ask the Senator from Ohio whether it would not meet the objection and at the same time leave the law in a harmonious shape if the power to suspend the importation were lodged in the President? If there is objection to lodging it in the Secretary of the Treasury or to giving him absolute control over it, then let the President suspend importation for such length of time as he pleases, and when the suspension terminated the law would be in force. But as it is now, if the President's power is invoked at all under this section and he once acts, then the law prohibiting this importation must be restored by Congress, for it ceases absolutely to be a statute. Would it not be better to lodge the discretion in the President of the United States to suspend it by proclamation as to any country for any time?

Mr. SHERMAN. Perhaps if the question were *de novo* it might be better to do that, but I think even then it would be better not. Sometimes this danger is quite imperative. Suppose an importation into this country of cattle with pleuro-pneumonia, crossing the Canada line, were to land at Detroit, the disease might spread over a vast extent of territory.

Mr. HARRISON. Could not the President act as promptly as the Secretary of the Treasury?

Mr. SHERMAN. I think not. I think it would be better to leave it to a subordinate officer who is charged with the collection of customs. But if there is any doubt about it, and the Senate thinks so, I have no objection to changing the law in that particular, except that perhaps it is better to leave it to the changes which may be made by Congress hereafter.

Mr. INGALLS. May I make a suggestion to the Senator right there? The object, as I understand, is to render the suspension inoperative and not the provision of law inoperative. Then why not amend in line 74 by saying:

> The President may, by proclamation, declare the suspension provided for in the preceding section to be inoperative.

That would remedy the whole difficulty.

Mr. MORGAN. That meets the case.

Mr. PLATT. The Secretary of the Treasury may do that.

Mr. SHERMAN. The Secretary of the Treasury can do that.

Mr. INGALLS. There is no provision for the Secretary of the Treasury to repeal.

Mr. SHERMAN. In the preceding section there is the following proviso:

> *Provided*, That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof, that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States.

It seems to me that the Secretary of the Treasury has already the power to suspend the operation of the previous prohibitive clause as to any country, and it is usually done as to all countries unless there is known to be pleuro-pneumonia or some such disease prevailing in some particular country.

Mr. INGALLS. Notwithstanding, section 2495 is obviously superfluous.

Mr. SHERMAN. No, section 2495 authorizes the President to suspend the operation of the prohibitive clause.

Mr. INGALLS. It authorizes the President practically to annul the law and to forbid the Secretary of the Treasury from suspending the importation. If the importation of diseased stock is a threatened evil, and I admit the proportions it may assume, I am unwilling as a representative of a region largely interested in this matter to lodge that power in the President. I should be unwilling to say that the President might declare that diseased stock might be imported into this country, because that is what it means.

Mr. SHERMAN. I have no objection, except that I would rather leave the law as it is.

Mr. MAXEY. I wish to call the attention of the Senator from Ohio to what appears to me to be a trouble. Under section 2494 the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited. That prohibition may, under certain circumstances, be suspended by the Secretary of the Treasury. Then section 2495 authorized the President by proclamation to declare the law inoperative. It provides that—

> The President of the United States * * * may, by proclamation, declare the provisions of the preceding section to be inoperative, and the same shall be afterward inoperative and of no effect from and after thirty days from the date of said proclamation.

That proclamation goes into effect, the prohibition is made inoperative, and shipload after shipload of diseased cattle may come here, and no provision is made for recalling the proclamation. It seems to me that there should be added to that a proviso to this effect:

> *Provided*, That the President may revoke this proclamation, and upon the revocation the prohibition shall at once be effective.

Something of that kind should be provided, because there is no provision here, if the proclamation once goes into effect, for stopping it.

Mr. INGALLS. I think the section ought to be stricken out.

Mr. MAXEY. That would be better; but if it remains I suggest a proviso to the effect that such proclamation may at any time be revoked, and the prohibition of importation as herein provided shall at once be in full force. Those are the words that I suggest be added, which would make it right, but as it is it is certainly wrong.

Mr. CONGER. I do not see any necessity for section 2495. The preceding section prohibits fully the importation of cattle, and gives the Secretary of the Treasury the right to make all these changes which will avoid the importation of neat cattle or their hides that might be dangerous to the health of our own cattle. That ought to be a continuing law; but, as I said before, when once the President exercises his power to declare that section inoperative it repeals it; there is no power to restore it. It ought not to be repealed; it ought to remain. The other provisions are sufficient for the emergency. I move that section 2495 be stricken out; it is unnecessary.

The PRESIDING OFFICER (Mr. DAWES in the chair). The section has not been agreed to. The question before the Senate is, Shall the section be agreed to?

Mr. INGALLS. Before the motion is put I wish to amend. I move to strike out in line 74 the words "provisions of" and to insert "suspension provided for in;" and in line 75 to strike out the word "same" and to insert the words "said suspension;" so as to read:

> May, by proclamation, declare the suspension provided for in the preceding section to be inoperative, and the said suspension shall be afterward inoperative and of no effect from and after thirty days from the date of said proclamation.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. INGALLS].

Mr. SHERMAN. I do not see what effect that will have. It does not mean anything except that the President naturally has power to reverse the decision of the Secretary of the Treasury as to the suspension as to certain countries.

Mr. INGALLS. I understand that the object of the committee is not to give the President power to annul the law which forbids the importation of diseased cattle or the hides thereof, but to enable him to render a suspension of the law inoperative whenever he sees fit.

Mr. SHERMAN. On the contrary, I think the section as it now stands would enable the President to practically repeal the whole law.

Mr. INGALLS. And to say that diseased stock may be admitted into the country?

Mr. SHERMAN. Possibly.

Mr. INGALLS. I am opposed to it.

Mr. SHERMAN. Let me read the language of section 2495 again:

The President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious disease among the cattle of the United States, may, by proclamation, declare the provisions of the preceding section to be inoperative; and the same shall be afterward inoperative and of no effect.

Mr. INGALLS. That is, the Secretary of the Treasury will have no longer the power to prohibit the importation of diseased cattle.

Mr. SHERMAN. It will no longer be prohibited by law. If the Senator thinks there is danger of abuse of the power by the President, or that it is not wise to confer this power upon the President of the United States, the better way is to strike out the whole section.

Mr. INGALLS. I would prefer that.

Mr. SHERMAN. That would leave the whole provision absolute, subject only to modifications made by the Secretary of the Treasury. I presume this was put in merely to prevent an abuse of the prohibition made by Congress against the importation of neat cattle, so as to give the President an opportunity to waive that law in case he found that there was no longer any danger from the threatened importation of these diseases. If Senators are fearful of this, I think we had better strike out the section entirely and let it stand upon the previous section.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas.

Mr. COKE. Let it be reported.

The amendment of Mr. INGALLS was read.

Mr. INGALLS. Upon reflection I think the section should be stricken out. I withdraw my amendment, and will leave the action of the Senate to be taken on the suggestion of the Senator from Michigan [Mr. CONGER] to strike out the section.

The PRESIDING OFFICER. The question is on the adoption of the section.

Mr. CONGER. I have not heard any proposition to adopt the section or any of the other sections.

The PRESIDING OFFICER. The Senator from Michigan suggests that it be stricken out. It will be stricken out unless it is adopted by a positive vote.

Mr. CONGER. Very well. Then we will take the question on its adoption.

The PRESIDING OFFICER. As far as the Senate have gone they have agreed to each section as it has been read. The question is, Will the Senate agree to this section?

Mr. HALE. What will be the effect of the Senate simply declining to embody this provision in the bill? Does that repeal the law as it now stands upon the statute-book?

Mr. SHERMAN. These sections all take the place of title 33 of the Revised Statutes of the United States.

Mr. HALE. I so understand it.

Mr. SHERMAN. Therefore all those are repealed.

Mr. HALE. But supposing the Senate concludes not to put an existing section of the United States Statutes into this bill, simply negatively acting, doing nothing whatever about it, how does that change the law which is found in another place?

Mr. SHERMAN. It practically repeals it, because you will find on page 7 it is provided—

That from and after the 1st day of July, 1883, the following sections shall constitute title 33 of the Revised Statutes of the United States.

If the Senator wishes to add to that an actual repealing clause of the old title 33, he can do that.

Mr. HALE. I think when we come to that clause that would be safe. I think that would make it perfectly sure. Then you will have the body of the law in terms what we have re-enacted here, and all the rest in terms will be repealed, which I think would be a wise thing to do.

Mr. BECK. The Senator from Maine asked the Senator from Ohio a very important question and I did not hear the answer. Will he be kind enough to repeat it, if he pleases? It is very difficult to hear the Senator from Ohio over here.

Mr. SHERMAN. The question the Senator from Maine asked me was whether if we omitted section 2495 from the bill it would not still remain as the law?

Mr. BECK. I heard the question, and I think it is a very important one, but I did not hear the answer.

Mr. SHERMAN. I say no, because the beginning of section 5 substitutes for title 33 of the Revised Statutes these sections. It provides:

That from and after the 1st day of July, 1883, the following sections shall constitute title 33 of the Revised Statutes of the United States.

But I said if there was any doubt about that in the mind of any Senator it would be better to repeal the existing title 33 of the Revised Statutes of the United States, although I do not think it necessary.

Mr. HALE. When that is reached I will, if no other Senator does, move to add that, so that there shall be an express repealing clause.

Mr. INGALLS. May I ask the Senator from Ohio a question, if the Senator from Maine is through?

Mr. SHERMAN. Certainly.

Mr. INGALLS. Is there any change at all in the amendment reported by the committee made in the sections as they now stand from 2491 to 2503, inclusive?

Mr. SHERMAN. As I said, there are one or two sections based upon laws passed since the revision of the statutes. Then there are also the last two clauses of section 2500, on page 12, which are new, but which were recommended by the Tariff Commission and agreed to by the Committee on Finance. With that exception it is simply a transposition of exising law.

Mr. INGALLS. What is the object of re-enacting the sections which are unchanged as they stand in the Revised Statutes?

Mr. SHERMAN. In order to have all the laws with regard to duties on imports in a single statute, so that they may be published in one compact body, as they have to be published for use by every collector in the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Finance as section 2495 of the Revised Statutes.

The amendment was rejected.

Mr. CONGER. Before going on to the next section, I wish to call attention to the proposition to put a repealing clause in section 5, on page 5, which reads:

That from and after the 1st day of July, 1883, the following sections shall constitute title 33 of the Revised Statutes of the United States.

I would add:

And all laws and parts of laws inconsistent therewith are hereby repealed.

Mr. SHERMAN. I do not think that is necessary. Simply let it stand as it is.

Mr. CONGER. That is, we drop a numbered section out of the bill and there is no section in its place and then it remains in the statutes.

Mr. SHERMAN. The numbers of the sections will all be changed to correspond. The numbers in the bill now do not correspond with the numbers of the sections in the Revised Statutes. They can not in the nature of things.

Mr. CONGER. I think there should be a repealing clause or something to show a little more fully than the words now used that the existing sections are repealed.

Mr. SHERMAN. We might say "shall constitute and be substituted for title 33." That will probably be better, although I think the language is sufficient as it is. The word "constitute" means a great deal.

The PRESIDING OFFICER. Does the Senator from Ohio propose an amendment?

Mr. SHERMAN. I suggested it.

Mr. CONGER. I ask for action on that proposition.

The PRESIDING OFFICER. The amendment will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In section 5, line 3, after "constitute," it is proposed to insert the words "and be a substitute for;" so as to read:

That from and after the 1st day of July, 1883, the following sections shall constitute and be a substitute for title 33 of the Revised Statutes of the United States.

Mr. ALLISON. If "a substitute" it ought to be a substitute for the title 33 proposed by this bill. It seems to me that it is perfectly clear as it stands without any additional words.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next section will be read.

The PRINCIPAL LEGISLATIVE CLERK. "Section 2495"——

Mr. MAXEY. That is the preceding section.

Mr. SHERMAN. I think to avoid confusion the Secretary had better read the numbers as we have them printed in the bill as reported. As a matter of course, striking out section 2495 will make it necessary for him to renumber the sections, but I prefer that he should read the old numbers.

The PRESIDING OFFICER. The rejection of section 2495 makes a verbal amendment necessary in section 2496, which will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 79, after the word "the" where it occurs the second time, strike out "two;" and strike out the word "sections" and insert "section," in the same line; so as to make the section read:

SEC. 2496. Any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding $500 or imprisonment not exceeding one year, or both, in the discretion of the court.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment proposed as section 2496 as amended was agreed to.

The next amendment of the Committee on Finance was read, as follows:

SEC. 2497. No watches, watch-cases, watch-movements, or parts of watch-movements, of foreign manufacture, which shall copy or simulate the name or trade-mark of any domestic manufacturer, shall be admitted to entry at the custom-

houses of the United States, unless such domestic manufacturer is the importer of the same. And in order to aid the officers of the customs in enforcing this prohibition, any domestic manufacturer of watches who has adopted trade-marks may require his name and residence and a description of his trade-marks to be recorded in books which shall be kept for that purpose in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe, and may furnish to the Department fac-similes of such trade-marks; and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of the customs.

The PRESIDING OFFICER. Is there objection to this section?

Mr. MORGAN. This seems to be a case of special legislation in favor of a certain class of manufacturers. I do not know whether it would be best to extend it to all manufacturers of articles upon which trade-marks or names are placed, or whether it is better to confine it to the case of watches, watch-cases, and watch-movements. I do not know why this particular class of manufacturers have a special prominence in this part of the bill. It is very well understood that under the decision of the Supreme Court of the United States no one has a right to a trade-mark in the United States upon articles to be used here. He only has a right to a trade-mark for articles exported for use among the Indian tribes or to foreign countries where those countries agree that we shall have a trade-mark. That is a species of property, in other words, that the people of the United States are not authorized to enjoy under the statutes, according to the interpretation given by the Supreme Court to the Constitution.

I should like to hear some explanation of the reasons why this provision of law is applied only to makers or importers of watches, watch-cases, and watch-movements, and parts of watches, when we have a large number of articles which have lawful trade-marks affixed to them in virtue of treaties that we have made with various foreign powers.

Mr. MAXEY. Does the Senator from Alabama say that the decision of the Supreme Court is that a trade-mark is no protection to an article designed to be protected by that trade-mark within the United States?

Mr. MORGAN. Yes, sir.

Mr. MAXEY. What is the case?

Mr. MORGAN. I can not mention the title of the case now, but I will produce it.

Mr. PLATT. A trade-mark is a thing to which a person has property by the common law. There is a common-law right to a trade-mark, and State courts enforce that right and have from time immemorial and are now enforcing that right and preventing infringements. The decision of the Supreme Court of the United States was to the effect substantially that under the Constitution of the United States the courts of the United States can not have exclusive jurisdiction of the subject of trade-marks, except as to those trade-marks used in foreign commerce and in commerce with the Indian tribes.

Mr. MORGAN. The decision went further than that. It went to the extent of refusing to recognize the constitutional right to a trade-mark under the laws of the United States. I do not understand that this is to protect a trade-mark that may be authorized by Connecticut or Massachusetts, or any other State. This enactment must have reference to the general statutes and the Constitution of the United States, a national, not a State or local matter.

Mr. SHERMAN. I will answer the question of the Senator from Alabama. At the time of the passage of this law in 1871 the attention of the Government was called to the fact that in Switzerland and in other countries where they are making watches there was an extensive imitation of the works of American manufacturers, and in that way they introduced the bodies of watches into this country by usurping or fraudulently using, you may say, the trade-marks of our own people.

Mr. MORRILL. Marking them "Waltham watches" or "Elgin watches."

Mr. SHERMAN. The abuse was brought to the attention of Congress by this trade, no doubt, and it was corrected by this law. We find the law on the statute-book. That it was not general is the fault of the law, and it would be rather difficult to make it general because it would be difficult to describe precisely the nature of all trade-marks; and all these questions in regard to trade-marks and the like depend rather upon legislation to be reported by the Committee on Patents or the Committee on the Judiciary. We simply found a provision in the law, wise in itself, designed to protect our own people from fraudulent devices which cheated them out of their property fairly earned, for a trade-mark, I assume, is a matter of property, and that law was passed by Congress in 1871 to correct an evil that was then impending, and to prevent a wrong that was then practiced. The law is upon the statute-book, and the very words of this section the Senator will find in the Revised Statutes of the United States, section 2496, which are transferred to this bill.

Mr. MORGAN. It is a matter of no concern to me; only it appears to me to be a very partial and exceptional sort of legislation. Here are the manufacturers of India-rubber goods, in which the Americans have exceeded and excelled all other nations, unless it may be the French. I am not quite sure that we should ever yield the palm to them in the manufacture of India-rubber goods. A great many patented inventions are associated with these processes of manufacture of the most valuable character, and the trade-mark upon certain inventions of this kind is a very valuable matter. Whether it is protected by the national laws or whether it is protected by the common law as recognized in the States makes no difference.

It seems to me that if in this great bill we commence to legislate for the people of the United States at large, it is unnecessary that we should set out with a marked and peculiar discrimination in our legislation in favor of one single named industry, and it would be better to let this provision go out of the bill unless we intend to broaden it so as to give to every American inventor and manufacturer of peculiar goods and goods of peculiar value the same advantage that we give in this bill to this particular industry.

It only occurred to me that it was exceptional and unnecessary legislation; and the fact mentioned by the Senator from Ohio that this is the only industry mentioned in the statutes in favor of which this exception or advantage has been given by Congress, perhaps, makes it better that we should drop it out of the body of this bill, and not have the principle involved and have ourselves arraigned for not looking around and protecting quite a number of other industries that are quite as meritorious as this is.

The PRESIDING OFFICER. The question is on the adoption of the amendment reported as section 2497.

The amendment was agreed to.

The next amendment was read, as follows:

SEC. 2498. No goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship or vessel, and cargo shall be liable to be seized, prosecuted, and condemned, in like manner and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

Mr. MORGAN. I should like to have the attention of the Senator from Vermont who sits nearest to me [Mr. EDMUNDS] for a moment in reference to this section 2498. This section provides for differential duties in favor of commerce brought into the United States upon American ships except in case——

Mr. SHERMAN. Read it in connection with the next section.

Mr. MORGAN. The two sections of course must be considered together. It provides for differential duties except in cases where the treaties between ourselves and foreign governments otherwise provide. Section 2499 reads that—

The preceding section shall not apply to vessels or goods, wares, or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

I suppose as a matter of fact that this law, when the two sections shall be enacted, will have no practical operation at all; for I suppose there is no country which really makes a discrimination in her laws as against the United States, and there being no such country this statute would be of no value, no service. It would perhaps be better to leave this matter without a statutory declaration upon a proper interpretation of the treaties themselves, for they in fact control the subject.

But the point I want to make is this, in the hearing of the honorable Senator from Vermont, who I know has had his attention attracted to this subject to some extent: Suppose it should be known that in the case of Great Britain—I will cite that as an instance—she had by subsidies or other arrangements that she chose to make put it in the power of her commercial marine to do the carrying trade for almost the entire civilized world; and suppose that the diplomatic powers of the Government of the United States in construing our treaty relations with Great Britain should consider that that was in a proper sense, an actual and a substantial sense, a violation of treaty obligations between this country and that, which in their integrity and simplicity and truth amount only to this, that neither government shall give an undue encouragement to its own shipping so as to make it the monopolist of the carrying trade of the world, that neither government by subsidies or otherwise shall provide so that its ships shall be able to cut rates with our ships and thereby drive them from the commerce of the earth, what then? Is that in any sense an open question? I very seriously trust that it is an open question, whether considered with reference to the general rules of public law or with reference to the special treaty stipulations between our Government and any foreign government whatsoever, especially the maritime powers.

I would very much prefer that our Government in proceeding, as I hope it will do, to a solution of this question in the near future, will not find itself embarrassed by any unnecessary act of Congress. I am not prepared this afternoon to enter into a discussion of this question, which I know has engaged the thoughts of some of the most eminent gentlemen in this body; and I would like very much that the Senate, without taking formal action on these two sections at this moment of time, would allow them to be deferred until the matter can be a little further looked into, for I believe that the Senate will find that it is a matter of very great importance, perhaps, that we should not encumber the statutes of this country with an unnecessary impediment to arriving at a better condition of relations with those governments who have subsidized their own ships at enormous amounts for the sole and avowed purpose of enabling them to cut rates with us upon the high seas.

I would therefore ask, unless the committee desire that this question shall be disposed of now, that it be passed over informally to come up again at some future moment of the debate.

Mr. MORRILL. I hardly think the Senator from Alabama will desire this. As I understand, this section does not relate exactly to the matter he supposes. I believe we have treaties with every nation that has any commerce whatever that reserve all there is reserved to foreign nations in relation to this matter, except with Spain. Spain has made differential duties, and we have not been able to come to an arrangement with her. My own judgment, perhaps, would be with the Senator from Alabama, that about thirty treaties we have with all the considerable nations of the earth give all that there is in these sections, and the treaties will remain the supreme law of the land unless we change them by a subsequent law.

Mr. MORGAN. The point I made reached beyond the fact of the mere existence of treaties or their technical language to the more serious consideration whether some of the great nations have not in substance and in fact violated the spirit and intent of those treaties; and then, if that be so, or if there is good ground to believe that is so, whether there is a necessity for clogging ourselves at all with any statute behind which, of course, the diplomatic powers of the Government of the United States can not well get to bring this subject sharply into discussion and into settlement. I must state now my firm belief that the Government of Great Britain in the subsidies which she has given to her vessels for the avowed and express purpose of enabling her ships to run ours and others off the high seas has violated the spirit of our treaties, and that it is a duty we owe to ourselves that we should have that matter more distinctly understood than it is now.

We have got to go to work to do something for our commercial marine; we have got to resort to the system of subsidies equivalent to that which Great Britain offers to her ships, or we have got to lose all pretension to any interest in the carrying trade of this world; and I am not convinced at all that we can ever recover ourselves by the repeal of the navigation laws or by bounties conferred upon ship-builders in this country or by any other inducement for the mere transfer of the flag to our decks. I do not know, when Great Britain uses the whole powers of her vast treasury for the purpose of enabling her marine to cut rates on us upon the high seas, that we can meet her otherwise than by raising enormous subsidies by taxation in this country to prop our ships up to the same advantages that hers hold.

Now, if Great Britain or any other power in the world has so far violated the spirit of these treaties as to throw the whole weight and force of its enormous money power into the hands of this special class of carriers, and that for the purpose of driving our ships from the seas, I do not understand why that is not in fact and in truth a violation of the spirit and the equity of these treaties. I prefer to get as near to that question as we can by leaving out of the way all unnecessary Congressional barriers.

Mr. MORRILL. I hope the Senator will allow this section to pass. It will be some days before we can again consider it in the Senate, it being now considered as in Committee of the Whole. If in the mean time the Senator from Alabama has any proposition to make, we can then consider it.

Mr. MORGAN. Very well. I will not make any request about it now.

Mr. MAXEY. It is now nearly 5 o'clock; the snow is falling very rapidly, and as it will be dark very soon, I move that the Senate adjourn.

Mr. MORRILL. I hope the Senator from Texas will allow us to reach the next page and go on until we get to Schedule A. It will take but a few moments. I trust the Senator will not move an adjournment until we reach that point.

The PRESIDING OFFICER. Is the motion withdrawn?

Mr. MAXEY. Yes, sir; but I want to renew it, for the most of us will have to get to our homes the best way we can.

The PRESIDING OFFICER. The motion to adjourn is withdrawn.

Mr. BECK. I desire to say to the chairman of the committee that section 2500 has some provisions in it that a number of gentlemen on this side of the Chamber desire to look into between now and the morning, and perhaps he will not lose anything by allowing an adjournment now, because it will provoke some dsscussion now and it may not in the morning if time be given to look into it.

Mr. MAXEY. I renew the motion that the Senate adjourn.

The question being put, there were on a division—ayes 27, noes 20.

Mr. MORRILL. I ask for the yeas and nays. I think we ought to do a little more work than this.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. JACKSON (when the name of Mr. HARRIS was called). My colleague [Mr. HARRIS], who is necessarily absent, is paired with the Senator from Kansas [Mr. INGALLS]. My colleague would vote "yea" if present.

Mr. McDILL (when his name was called). On this question I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. INGALLS. If not paired with the Senator from Tennessee [Mr. HARRIS], I should vote "nay."

The result was announced—yeas 29, nays 24; as follows:

YEAS—29.

Beck,	Farley,	Lamar,	Slater,
Butler,	Garland,	Mahone,	Vance,
Call,	George,	Maxey,	Vest,
Camden,	Gorman,	Morgan,	Walker,
Chilcott,	Hampton,	Pendleton,	Williams.
Cockrell,	Jackson,	Pugh,	
Coke,	Jonas,	Ransom,	
Davis of W. Va.,	Jones of Florida,	Saulsbury,	

NAYS—24.

Aldrich,	Dawes,	Hill,	Platt,
Allison,	Edmunds,	Hoar,	Rollins,
Anthony,	Frye,	Jones of Nevada,	Sawyer,
Blair,	Hale,	Logan,	Sewell,
Cameron of Wis.,	Harrison,	McMillan,	Sherman,
Conger,	Hawley,	Morrill,	Windom.

ABSENT—23.

Barrow,	Ferry,	Kellogg,	Mitchell,
Bayard,	Groome,	Lapham,	Plumb,
Brown,	Grover,	McDill,	Saunders,
Cameron of Pa.,	Harris,	McPherson,	Van Wyck,
Davis of Ill.,	Ingalls,	Miller of Cal.,	Voorhees.
Fair,	Johnston,	Miller of N. Y.,	

So the motion was agreed to; and (at 5 o'clock and 6 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 10, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

EXPORTATION OF DISTILLED SPIRITS.

Mr. ALDRICH, by unanimous consent, introduced a bill (H. R. 7236) to further facilitate the exportation of distilled spirits; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

EXPENSES OF STAR-ROUTE PROSECUTIONS.

Mr. MILLS, by unanimous consent, submitted the following resolution; which was referred to the Committee on the Judiciary:

Resolved, That the Attorney-General be, and he is hereby, directed to inform the House what persons he has employed as attorneys and others in the prosecution of the star-route cases, what are the terms of the contracts he has made with each, what amount of money he has paid to each person, what is the probable amount of the entire cost of the prosecutions now pending and such as he contemplates instituting.

INTERNATIONAL TELEGRAPHY.

Mr. CRAPO. I ask unanimous consent for the consideration at this time of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Committee on the Judiciary are instructed to inquire what legislation if any is required to establish low, uniform, and equitable rates of telegraphy between the different States of the Union and foreign countries, with power to send for persons and papers and report by bill or otherwise.

Mr. ANDERSON. I ask that this resolution be referred to the Committee on the Post-Office and Post-Roads; that is where it properly belongs.

Mr. CRAPO. I think the matter is now under consideration by the Judiciary Committee.

Mr. ANDERSON. I reserve the right to object.

The SPEAKER. Does the gentlemen from Kansas [Mr. ANDERSON] object?

Mr. ANDERSON. Will not the gentleman from Massachusetts [Mr. CRAPO] consent to refer the resolution to the Post-Office Committee?

Mr. CRAPO. I have no objection to a reference of the resolution; but I understand the matter is now being considered by the Committee on the Judiciary.

Mr. REED. I venture to express the hope that the resolution may be referred to the Post-Office Committee, or any other committee except the Judiciary Committee. We have enough corporations on our hands now.

Mr. ANDERSON. I move the reference of the resolution to the Post-Office Committee.

The SPEAKER. If there be no objection the resolution may be referred to the Committee on the Post-Office and Post-Roads.

There was no objection, and the resolution was referred accordingly.

REPORTS OF NATIONAL BOARD OF HEALTH.

Mr. ROSECRANS, by unanimous consent, introduced a joint resolution (H. Res. 312) authorizing the printing and binding of additional copies of the reports of the National Board of Health; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

ENROLLED BILL SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (S. 1860) to attach the county of Hardeman, in the State of Tennessee, to the eastern division of the western district of Tennessee.

DEATH OF GAMBETTA.

Mr. BLANCHARD, by unanimous consent, introduced a joint resolution (H. Res. 313) expressive of regret and sympathy at the death of Léon Gambetta; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

EXTRA WORK IN GOVERNMENT PRINTING OFFICE.

Mr. PEELLE. I ask unanimous consent to have taken from the Speaker's table for present consideration the bill (S. 2150) to provide for extra work in the Government Printing Office in cases of emergency.

The bill was read, as follows:

Be it enacted, &c., That for extra work, ordered in emergencies, and performed on Sundays or legal holidays, or between the hours of midnight and 8 a. m., excepting that done by regularly organized night forces, the Public Printer is hereby authorized to pay such extra prices as the customs of the trade and the justice of the case may require.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BURROWS, of Michigan. I would like to inquire whether the bill has been considered by any committee of this House?

Mr. PEELLE. This is a Senate bill. I have submitted it to the gentleman from Illinois [Mr. SPRINGER] and the gentleman from Missouri [Mr. VAN HORN], and consulted them in regard to it. There is no objection to the bill.

Mr. BURROWS, of Michigan. I will not object.

There being no objection, the bill was taken from the Speaker's table, read three times, and passed.

Mr. PEELLE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RETIREMENT OF GENERAL ALFRED PLEASONTON.

Mr. HUTCHINS. I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 5525) authorizing the President to appoint and retire Alfred Pleasonton a major-general, and that the bill be now considered.

The bill was read, as follows:

Be it enacted, &c., That the laws regulating appointments in the Army be, and they are hereby, suspended, and suspended only for the purposes of this act; and the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint Alfred Pleasonton, of New York, late a major-general of volunteers in the Army of the United States, a brevet major-general in the Army of the United States, and thereupon to place him, the said Alfred Pleasonton, upon the retired-list of the Army as such major-general, without regard, and in addition to, the number now authorized by law of said retired-list.

Mr. BURROWS, of Michigan. I object, and call for the regular order of business.

AGRICULTURAL APPROPRIATION BILL.

Mr. CARPENTER. I rise to a privileged question, and report back from the Committee on Agriculture the amendments of the Senate to the bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes, with various recommendations. I ask that the report of the committee be read.

The Clerk read as follows:

The Committee on Agriculture having had under consideration the Senate amendments to H. R. 7052, making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes, report as follows:

The committee recommend concurrence in Senate amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, and 23, and recommend non-concurrence in Senate amendments numbered 9, 15, 16, 22, and 24. Senate amendments 1 and 2 reduce the amount proposed to be appropriated $200. Senate amendments 3, 4, and 5 are simply verbal. Senate amendments 6, 7, and 8 reduce the sum of the original bill $380. In all of which Senate amendments the committee recommend concurrence. Senate amendment numbered 9 proposes to increase the amount appropriated by the original bill for the laboratory from $6,000 to $16,000, and add the words "including experiments in the manufacture of sugar from sorghum and other vegetable plants." In this amendment the committee recommends non-concurrence.

Senate amendments 10, 11, and 12 reduce the original bill $1,400; in which the House committee recommend concurrence.

Senate amendments numbered 13 and 14 add to the articles to be distributed from the seed division the words "eggs of silk worms;" in which the committee recommend concurrence.

Senate amendments 15 and 16 increase the appropriation for the seed division $5,000; in which the committee recommend non-concurrence.

Senate amendments 17, 18, 19, and 21 reduce the sum appropriated by the original bill $2,000 in salaries in the Bureau of Statistics, and Senate amendment 20 adds the words "and cost of carriage" to the items upon which report is to be made in connection with railway transportation; in all of which the committee recommends concurrence.

Senate amendment numbered 22 recommends a decrease of $1,000 in the appropriation for furniture, cases, and repairs; in which the committee recommend non-concurrence.

Senate amendment numbered 23 reduces the sum of the original bill $10,000, making the sum proposed to be appropriated for the reclamation of arid and waste lands $10,000 instead of $20,000, the sum proposed by the original bill. With this the committee recommend concurrence.

Senate amendment numbered 24 reduces the sum proposed to be appropriated by the House for contingent expenses from $15,000 to $13,000; and in this the committee recommend non-concurrence.

Mr. HOLMAN. There is no information furnished to the House by this reading, and I hope the gentleman having charge of the bill will explain the effect of the proposed recommendations of the Committee on Agriculture, if they are adopted.

Mr. CARPENTER. If the recommendations of the committee are adopted they will have this effect: We recommend concurrence in one amendment providing for a reduction of salary of $4,180 and concurrence in the amendment reducing the appropriation for reclamation of arid lands $10,000, making a total reduction of $14,180. In that reduction we recommend concurrence.

The Committee on Agriculture recommended non-concurrence in the proposed increase of the appropriation for the laboratory with the addition of these words: "including experiments in manufacturing sugar from sorghum and other vegetable plants." In that the committee recommends non-concurrence.

It recommends non-concurrence in the decrease of the appropriation for furnishing the building and repairs, &c., $1,000. It recommends non-concurrence in the reduction of the appropriation of contingent expenses of $2,000. If the report of the committee be adopted that will be its effect.

The report of the committee was adopted.

Mr. CARPENTER moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INDIAN APPROPRIATION BILL.

Mr. RYAN, from the Committee on Appropriations, reported back the amendments of the Senate to the bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes, accompanied by the following report:

The Committee on Appropriations, to whom was referred the bill (H R. 6900) making appropriations for the current contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes, together with the amendments of the Senate thereto, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments of the Senate numbered 12, 14, 24, 28, 29, 32, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 58, 59, 62, 66, 71, 72, 73, 76, and 78.

They recommend non-concurrence in the amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 30, 31, 39, 40, 52, 55, 56, 57, 60, 61, 63, 64, 65, 67, 68, 69, 70, 74, 75, and 77.

Mr. RYAN. I send statement to the Clerk's desk showing the status of this bill as now reported.

The Clerk read as follows:

Indian appropriation bill.

Amount of estimates for 1884	$6,725,731 54
Amount of bill as passed the House	5,208,955 91
Amended in Senate committee	154,200 00
Amended in Senate	13,100 00
As referred with Senate amendments to committee	5,376,255 91
Reduced by action of committee	182,800 00
As reported back to House	5,193,455 91
Less than appropriations for 1883	289,700 00
Less than estimates for 1884	1,532,275 63

The principal amendments non-concurred in are Nos. 53, 54, 55, 56, pages 45, 46, and Nos. 63, 64, 65, page 47, for industrial and other schools and schooling, $119,300; for support, &c., of Sioux of Lake Traverse and Devil's Lake, Nos. 39 and 40, page 41, $30,000.

Senate bill with amendments less than appropriations for 1883, $106,900.

SENATE AMENDMENTS.

	Increase.	Decrease.
For Indian agents		$600 00
For Indian inspectors	$8,500 00	
For contingencies of service		2,000 00
For citizens serving without compensation		1,000 00
For pay of additional employés for the Sioux in Nebraska and Dakota	5,000 00	
For completing negotiations with Sioux	5,000 00	
For instruction, &c., Navajoes		5,000 00
For support, &c., Sioux of Lake Traverse	15,000 00	
For support, &c., Sioux of Devil's Lake	15,000 00	
For incidental expenses, Arizona		4,000 00
For incidental expenses, Dakota		5,000 00
For incidental expenses, New Mexico		3,000 00
For Indian police	7,600 00	
For Indian schools, day and industrial	50,000 00	
For repairing school buildings	10,000 00	
For transportation of school children	1,000 00	
For care and support of Indian children at industrial, agricultural, and mechanical schools	58,300 00	
For establishing Turtle Mountain band of Chippewas	10,000 00	
To carry out provisions of act of June 15, 1880—Ute Indians in Colorado	5,000 00	
To employ additional clerical force by Commissioner of Indian Affairs, back work	3,000 00	
For removing Indians, in consolidating agencies		5,000 00

Mr. RYAN. I also send to the Clerk's desk a statement showing the amounts expended each year for education of Indian youth from 1877 to 1882 inclusive; also amount appropriated for that purpose for

the current year, ending June 30, 1883; also the amount provided by this bill for that purpose for the next fiscal year, ending June 30, 1884.

The Clerk read as follows:

	1877.	1878.	1879.	1880.	1881.	1882.
Appropriations made in fulfillment of treaty provisions which pledge either specific sums for education or the support of specified schools	$78,422	$81,056	$76,082	$75,950	$57,450	$52,627
Expenditures for schools made from general funds appropriated or held in trust for the support and civilization of Indians	66,377	72,428	45,490	49,030	122,448	116,292
Special appropriations made for education	20,000	30,000	64,000	75,000	75,000	135,000
Expended from civilization fund for reservation schools	3,885	5,135	1,984	25,228	36,606	16,901
Expended from civilization fund for schools at Hampton, Carlisle, and Forest Grove			2,669	26,992	65,748	89,104
Expended from Sioux fund for Carlisle school				38,263	22,036	1,614
Total	168,684	188,619	190,225	290,463	379,288	411,538

NOTE.—These figures do not include the cost of rations and clothing used by pupils at agencies where regular issues of rations and goods are made to all the Indians of the agency.

Appropriations for school purposes for the current year ending June 30, 1883: Indirect, about $168,919; direct, $487,200; total, $656,119.

Appropriations for the same purpose by this bill as it passed the House: Indirect, about $168,919; direct, $541,900; total, $710,819.

As this bill passed the Senate it appropriated for this purpose, namely: Indirect, about $168,919; direct, $661,200; total, $830,819,

Mr. RYAN. I move that the report of the Committee on Appropriations be adopted as read by the Clerk.

The motion was agreed to.

Mr. RYAN moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. PAGE. I demand the regular order.

The SPEAKER. The regular order is the call of committees for reports.

Mr. PAGE. I move to dispense with the morning hour for the call of committees.

The motion was agreed to (two-thirds voting in favor thereof).

PUBLIC AFFAIRS IN ALASKA.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a copy of a dispatch from Commander E. C. Merriman, commanding the United States steamer Adams, relating to the condition of affairs in Alaska; which was referred to the Committee on the Territories, and ordered to be printed.

CLAIMS FOR INDIAN SUPPLIES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a list of claims allowed under the act of August 7, 1882, for services rendered and supplies furnished on account of the Indian service; which was referred to the Committee on Appropriations.

LEAVE OF ABSENCE.

By unanimous consent, indefinite leave of absence was granted to Mr. DUNN, on account of sickness.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, announced that the Senate had passed a bill (S. 2047) to provide for the performance of the duties of the office of President in case of removal, death, resignation, or inability both of the President and Vice-President; in which the concurrence of the House of Representatives was requested.

AMERICAN SHIPPING.

The SPEAKER. The regular order is the consideration of the shipping bill. At the time of adjournment on yesterday there was an amendment offered by the gentleman from Maine [Mr. MURCH], on which debate had been exhausted.

Mr. CANDLER. I move to strike out the last word.

The substitute of the gentleman from Maine was designed to permit an advance of wages paid to the seamen. The object of the section reported by the committee of this House was to do away with the payment of advance wages, considering it one of the greatest evils that now exist in connection with the merchant marine of this country. This proposition of the gentleman from Maine does away entirely with all of the ends which the committee after a full consideration of the subject deemed it desirable to attain. It matters not whether you make an advance of wages eighteen hours before the ship sails or three hours before it sails, it is still an advance of wages; and the object of the committee and the desire of the friends of the sailor is to see an end put to this entire system. For the purpose of showing how important this question has been considered by the shipping community and the friends of the sailors, I shall read simply one of the many petitions which I hold in my hand, and which represents the substance of all of those that have been sent to Congress upon the subject. I call the particular attention of gentlemen to this matter, so that they may see for themselves how great this evil is considered which is sought to be remedied:

Whereas the system of seamen's advance wages has been, and is now, one of the most potent causes of evil to that class of men, making them an object of prey by offering inducements for bad men to imbrute them with liquor, and also tempting such persons to ship men, for the sake of the advance, incapable of doing the duty required of them, thus imperiling the lives and property intrusted to their care on the sea; and believing as we do that the highest interest of our seamen, ship-owners, and marine underwriters, and our whole country will be greatly benefited, we pray your honorable body to enact into a law the bill accompanying this petition, with any amendments your wisdom may suggest; and as in duty bound your petitioners will ever pray.

Legislation to break up that practice is embraced in the eleventh section, by stopping the payment of advance wages in money hereafter. But the committee recognize the principle which I suggested last night in my amendment, which was defeated, an amendment which came from the friends of the sailor, and therefore if this amendment of the gentleman from Maine is voted down, as it should be, I shall propose as a substitute for the whole section as it will then stand, or as an addition to the section as it stands amended by the gentleman from Massachusetts [Mr. CRAPO], the following words:

It shall be lawful, however, for any seaman to stipulate in his shipping agreement for the allotment of any portion of the wages which he may have earned to his wife, father, mother, grandfather, grandmother, child, grandchild, brother, or sister, or to any savings-bank, for the benefit of such seaman, and to no other person or corporation.

I will say, Mr. Speaker, that this suggested amendment is in accordance with the British law which was adopted in 1881. Not only in America, but all maritime nations of the earth recognize the fact that the sailor is degraded and robbed and defrauded of his money and earnings by this system. In England they discussed a proposition to break up that system, for many years, as we have discussed it. In 1880 they passed just such a law as this committee proposes, excepting that they added to their law by amendment a provision similar to the one which I have suggested to be added to this bill.

During the discussion of this question on yesterday the gentleman from Maine asked a question if there had not been a meeting in Philadelphia of seamen to object to the passage of the bill, or of the friends of seamen, with a view to taking action to defeat the passage of the bill reported from the committee. I answered rather abruptly and emphatically his question, but I see it is not reported in the journal, and I will read to him the answer of the Nautical Gazette, of New York, as to whether there was or was not a meeting of these seamen for the purpose indicated. This Gazette, I may be permitted to say, is the representative paper of the seamen in New York, and the answer given there is a full answer to his question.

[Here the hammer fell.]

Mr. PAGE was recognized and yielded his time to Mr. CANDLER.

Mr. CANDLER. The following is from the Nautical Gazette:

We find the following item in the Philadelphia North American of last Saturday:

It relates to the meeting to which the gentleman from Maine has referred.

"The seamen will hold a meeting at Caledonia Hall to-night for the purpose of taking action relative to the bill now before Congress abolishing advance wages. The seamen claim that the present system of receiving an advance before shipping is the only way they have of providing for their families while away from port."

This is the answer:

It should have read: "The sailor boarding-house keepers, sharks, pimps, runners, high-binders, and brothel-house keepers of this city will drive a lot of poor, alleged sailors, lumpers, &c., into Caledonia Hall to-night and force them to say that they protest against the abolishment of advance wages." We will venture to say that not 3 per cent. of them have any "families" depending upon them for support while away from port, while the other 97 per cent. have a wife, or half a dozen of them for that matter, in every port they visit, which said wives do for the next sailor that comes in after the previous husband has sailed. We hope Congress will not listen to the protests of such gatherings. There are not enough seamen in the port of Philadelphia at one time engaged in the foreign trade to fill the dining-room of an 18 by 20 foot house, let alone Caledonia Hall. Steamers do not pay advance wages; coasters only pay about $5, and therefore no one can be hurt by stopping advance wages except the sharks enumerated above.

Now, Mr. Speaker, remember this bill applies to foreign trade. It is called for, I say, by the most intelligent men of this country. I hold in my hand also the Sailors' Magazine, indorsing the report which I presented from the Committee on Commerce some time ago. It takes up our report, commending it in every possible way. It also gives an extract from the proceedings at a trial in Philadelphia, indicating one of the abuses which occurred:

In Tracy *vs.* Blanchois, common pleas court, at Philadelphia, Pennsylvania, October 21, 1869, in which case the plaintiff sought to recover $90 from a sailor landlord who had shipped three men in two different ships, receiving $180 there-

for, his honor, Judge Pierce, presiding, in charging the jury used the following language:

"Gentlemen of the jury: I have always been of the opinion that the port of Philadelphia was a free port, but the evidence elicited in this trial shows me that I was mistaken. It seems that there is one organization here that controls the merchant, the master, and the sailor, and prevents other men from engaging in a business lawful in itself. Gentlemen of the jury, I hesitate not to say that, if these men were presented for criminal conspiracy against the interests of the port of Philadelphia I would instruct a grand jury to find a bill against them."

I read also other authorities which show the importance of this bill and indorse and sustain the opinions and arguments I have presented to the House. I quote the following from the Sailors' Magazine:

In this connection, and as providing cumulative testimony to the imminent demand for and general merit of the proposed movement to abolish the "advance-wages" system, we present extracts from the Annual Report of the National Board of Health, in 1879. Appendix K is a "Report on the Hygiene of the Mercantile Marine, with Recommendations," by R. H. Bailhachie, surgeon United States Marine-Hospital Service. Among the subjects which this officer investigated by direction of the Surgeon-General of the United States Marine-Hospital Service was that of "Advance wages to seamen and the effects thereof." Upon this Dr. Bailhachie reports as follows:

"The 'advance-wages' system is regarded by some as a necessary evil, but the weight of evidence shows that such 'advances' generally fall into the hands of boarding-house keepers or their agents, and do not go to the family of the seaman or to his own credit, while out of employment."

In the language of Assistant Surgeon John Godfrey, United States Marine-Hospital Service, "No matter how much we deplore the condition of 'poor Jack,' made the victim as he is of sharpers on all hands, no one cares to extend the hospitalities of a home to him."

Passed Assistant Surgeon J. M. Gassaway, United States Marine-Hospital Service, district of the Pacific, writes as follows: "The subject of advance wages I approach with considerable hesitation; to my mind it presents the key-note of discord between the sailor and the merchant, and the sailor and the public generally. It has proved itself abundantly to be an almost unmitigated nuisance, and on its continuance depends a continuance of the brutal atrocities on the part of boarding-house masters which are too common to need examples here. If the sailor is ever to be made a reasoning being he is to be made so through the abolition of the advance system. On this coast wages are from $20 to $30 per month, and the advance paid is from one to three months' wages—more often the latter. This advance is in the form of a note, payable three days after the vessel sails, by the agent of the vessel at the port whence she sails, and is indorsed to the boarding-house master. The men who have signed the articles are put aboard at the appointed time, so drunk, 80 per cent. of them, that they are useless for twenty-four or forty-eight hours. On getting to work the officers rapidly discover that of all the crew that shipped as able or ordinary seamen, less than one-half (less than one-fourth in many cases) of the men who have been paid in advance for two or three months are competent to perform any of the more important duties of the grade for which they have shipped, and, as occurred at this port a few months ago, one-half of the crew shipping as ordinary seamen had never been out of sight of land in their lives before.

"The effect on the crew is no less disastrous; suffering from the effects of his last debauch, brought to a more or less sudden close, sore from the beating his boarding-house master deemed necessary to inflict to get him on board, or to settle a disputed account, his earliest reflections are that the lion's share, if not all, of his yet unearned pay for the next two or three months is in the pocket of his betrayer, in liquidation of whisky bills at fabulous prices, or the purchase of some articles of his 'kit,' the worthlessness of which may be gathered from the fact that it is necessary to replenish it every voyage. A man under such circumstances can not perform his duty readily—sulky, ill-humored, as slow as he dare be, careless, designedly inefficient, is it singular that the largest number of sea-going vessels that are wrecked are lost on their outward passage?

"The advance-wages system is the curse of the seaman. No one profits by it except the boarding-house master and his satellite. It is a direct and powerful incentive to scoundrelly shipping masters to drag and intoxicate boys and old men, epileptics and maniacs (one such case having been brought to this office within a month or two) in order to get their advance. The best interests of all concerned make it imperative, in my opinion, that legislation looking to the entire abolition of the advance system be at once had. Stern necessity will teach the sailor, as it has taught the farmer, the merchant, the mechanic, the laborer in every other calling, that the wages from the last job must be husbanded until another is obtained. That an advance is not absolutely necessary may be gathered from the fact that the United States Navy and the Revenue Marine are constantly besieged by eager applicants to enlist as seamen for less pay, stricter discipline, and obligations to provide a uniform, than are found in the merchant service, and without an advance, and he might have added, 'submit to a thorough physical examination before enlistment.'"

Further on in this same report we find this paragraph, which is not too strong in its expression of truth:

"But the curse of the advance-wages system does not end with the demoralization, the drunkenness and debauchery, and consequent evil to moral and physical health wrought in the boarding-house. As it seizes upon him the moment he sets foot on shore, so it follows him until he is again afloat, and the world is sick of the details of the methods of shipping crews and the cruelties practiced upon them at sea. The testimony of all who have studied the subject practically is to the effect that there can be no improvement in the condition of the sailor until the payment of wages in advance is absolutely and effectually prohibited. The only argument in favor of the system which is seriously urged is, that from the improvident habits of the sailor it is necessary to furnish him with the means to buy his 'kit' before he can go aboard for any ordinary voyage. This is hardly worth a moment's consideration. The steward, sailmaker, carpenter, and other petty officers, the fireman, coal-heavers, and all others employed in the engine-room of steamers rarely, if ever, receive any advance, while their 'kits' cost more than those of the ordinary seaman. The General Government only can cope with the difficulty. It is worse than useless, in face of the history of the past, to look for any relief from State legislation or from private effort."

I could fill an hour's speech with quotations proving the facts with regard to this abominable and pernicious system of advance wages. The gentleman from Maine [Mr. MURCH] referred to the fact that the sailor required the money for his clothing. The truth is that the sailors to-day have their advance for clothing, but the complaint is that they go on board the ships naked and robbed, without the means of protecting themselves from the inclemencies of the weather.

If the gentleman from Maine and the House will read the twelfth section—I am now speaking of section 11—if they will read the twelfth section they will find that the Committee on Commerce and the shipping commission in their wisdom, in my judgment, make it in that clause incumbent that every ship shall carry clothing, boots, tobacco, everything that contributes to the sailor's comfort; and that the law also has that excellent provision that only 25 per cent. over the wholesale price shall be charged to the sailor for clothing, &c. So you see that in the foreign trade—mind this does not apply to the home trade—we have met wisely this pernicious evil as England has met it, and as I say the best sentiment and the most intelligent sentiment demands we shall act upon it. It protects the sailor in every way we can by having a slop-chest on board the vessel; and further it gives him the right——

The SPEAKER. The time of the gentleman has expired.

Mr. CANDLER. I hope the amendment of the gentleman from Maine will be voted down and that an opportunity will be given to perfect this section. I withdraw the *pro forma* amendment.

Mr. MURCH. I renew the *pro forma* amendment. I am sorry and surprised to hear a man whom I respect so much, not only for his wisdom and his legal attainments——

Mr. CANDLER. Not legal attainments.

Mr. MURCH. You are something of a lawyer—but whom I respect also for his patriotism as an American citizen, quote the laws of Great Britain to be applied to a free American citizen. Do you want to inflict on the United States laws of royalty? I think not.

My amendment, Mr. Speaker, simply recognizes the sailor as a responsible human being; that is all. I am as much opposed to the landlord system as any man living, for I have seen its iniquities, and I want to relieve the common sailor of the robberies perpetrated upon him by that class of men. But I believe the way to elevate the American sailor is to elevate him in fact; to give him to understand that he is a man endowed with all the responsibilities of manhood and citizenship, and that he is able in the eye of the law to protect his own contract. The law only recognizes him to-day as an infant incapable of exercising the judgment of an American citizen; and I say that is entirely wrong.

I have no fear of any abuse of the advance system of wages if my amendment is adopted. The captain or master of a ship can agree for a short or long time of service, and he can agree for a small amount of advance as he may do now.

Mr. Speaker, I desire to present a supposable case. Suppose a sailor, in the city of New York for instance, impoverished by sickness or non-employment, is entirely without clothing or sea supplies, how is he to get it except by going to the ship's slop-chest and paying there to one man, without any competition, whatever he may be charged? True the bill fixes the limit of 25 per cent., but I know that people do not always adhere to the law; and it is possible that the common sailor may be charged even 100 per cent. profit. But I do not want this thing to rest upon any such contingency as the slop-chest. I want the man if he agrees to take advance pay, or if the master agrees to pay it to him, to purchase his own supplies. I am not going to suppose every sailor is a drunkard or a fool. I am going to suppose the common sailor is a man, and not only a man but the grandest of men, ready on all occasions to risk his life for his employer's property, and ready also to divide his last cent always with the poor and needy. The sailor is proverbially generous and free hearted. [Here the hammer fell.]

Mr. FLOWER. I will take the floor and yield my time to the gentleman from Maine.

Mr. MURCH. I do not want any more time, and withdraw the *pro forma* amendment.

The question was taken, by a *viva voce* vote, on the amendment of Mr. MURCH; and the Speaker announced that the noes appeared to have it.

Mr. MURCH. I call for the yeas and nays on that amendment.

The question was taken upon ordering the yeas and nays; and there were 26 in the affirmative.

The SPEAKER. The Chair thinks that one-fifth have not voted in favor of ordering the yeas and nays.

Mr. MURCH. Let the other side be counted.

A further count was made, and there were 83 in the negative.

So (one-fifth voting in favor thereof) the yeas and nays were ordered.

Mr. MCCOOK. Let the amendment be again read.

The SPEAKER. The amendment, not having been read this morning, will be now read by the Clerk.

The Clerk read the amendment, as follows:

Strike out section 11 and insert in lieu thereof the following:

"Masters, agents, or owners of vessels may contract with seamen for the prosecution of a passage or voyage to or from any domestic or foreign port at the office of the owner, consignee, or agent of their vessel, or on board of such vessel, not less than eighteen hours prior to the clearance of such vessel, and may pay advance wages or not as such master, agent, or owner and the seaman may mutually agree; such advance shall be paid to the seaman in person, and no orders shall be given to pay advance wages of such seaman to any person except to some member of his family, upon the written order of the seaman on whose account such advance wages may be paid."

The question was taken; and there were—yeas 99, nays 116, not voting 84; as follows:

YEAS—99.

Armfield,	Blount,	Clements,	Deuster,
Atkins,	Bragg,	Cobb,	Dowd,
Barbour,	Buchanan,	Converse,	Dugro,
Beach,	Buckner,	Cook,	Dwight,
Beltzhoover,	Burrows, Jos. H.	Covington,	Ermentrout,
Berry,	Cabell,	Cox, Samuel S.	Evins,
Bingham,	Caldwell,	Cox, William R.	Flower,
Blackburn,	Cassidy,	Culberson,	Ford,
Blanchard,	Chapman,	Curtin,	Forney,
Bland,	Clark,	Davis, Lowndes H.	Garrison,

Geddes,	Lewis,	Paul,	Thompson, P. B.
Gunter,	Manning,	Phelps,	Tucker,
Hardenbergh,	Martin,	Phister,	Turner, Henry G.
Hardy,	Matson,	Randall,	Turner, Oscar
Haseltine,	McKenzie,	Reese,	Upson,
Hatch,	McLean, Jas. H.	Rice, Theron M.	Vance,
Hewitt, G. W.	McMillin,	Robinson, Wm. E.	Van Aernam,
Hoblitzell,	Mills,	Scales,	Van Voorhis,
Hoge,	Money,	Simonton,	Warner,
Holman,	Morrison,	Singleton, J. W.	Wellborn,
Jones, George W.	Moulton,	Singleton, Otho R.	Whitthorne,
King,	Muldrow,	Smalls,	Williams, Thomas
Knott,	Murch,	Sparks,	Willis,
Leedom,	Mutchler,	Steele,	Wise, George D.
Le Fevre,	Nolan,	Stockslager,	

NAYS—116.

Aldrich,	Errett,	McCoid,	Shallenberger,
Anderson,	Farwell, Sewell S.	McCook,	Sherwin,
Barr,	Fisher,	McKinley,	Skinner,
Bayne,	George,	Miles,	Smith, A. Herr
Belmont,	Grout,	Miller,	Smith, Dietrich C.
Bisbee,	Guenther,	Moore,	Smith, J. Hyatt
Bowman,	Hammond, John	Morey,	Speer,
Brewer,	Harmer,	Neal,	Spooner,
Briggs,	Haskell,	Norcross,	Stone,
Browne,	Heilman,	O'Neill,	Strait,
Brumm,	Hill,	Page,	Taylor,
Buck,	Hitt,	Payson,	Thomas,
Burrows, Julius C.	Horr,	Peelle,	Thompson, Wm. G.
Calkins,	Hubbs,	Peirce,	Townsend, Amos
Campbell,	Humphrey,	Pettibone,	Tyler,
Candler,	Jacobs,	Pound,	Updegraff,
Cannon,	Jadwin,	Ranney,	Van Horn,
Carpenter,	Jones, Phineas	Ray,	Wadsworth,
Chace,	Jorgensen,	Reagan,	Wait,
Crapo,	Joyce,	Reed,	Walker,
Cravens,	Kasson,	Rice, Wm. W.	Ward,
Cullen,	Kelley,	Rich,	Washburn,
Davis, George R.	Ketcham,	Ritchie,	Watson,
Dawes,	Lacey,	Robeson,	Webber,
Deering,	Lindsey,	Robinson, Geo. D.	West,
De Motte,	Lord,	Robinson, Jas. S.	White,
Dezendorf,	Lynch,	Rosecrans,	Williams, Chas. G.
Dibrell,	Mackey,	Russell,	Wood, Walter A.
Dingley,	Marsh,	Ryan,	Young.

NOT VOTING—84.

Aiken,	Farwell, Chas. B.,	Hubbell,	Robertson,
Atherton,	Frost,	Hutchins,	Ross,
Belford,	Fulkerson,	Jones, James K.	Scoville,
Black,	Gibson,	Kenna,	Scranton,
Bliss,	Godshalk,	Klotz,	Shackelford,
Butterworth,	Hall,	Ladd,	Shelley,
Camp,	Hammond, N. J.	Latham,	Shultz,
Carlisle,	Harris, Benj. W.	Mason,	Spaulding,
Caswell,	Harris, Henry S.	McClure,	Springer,
Clardy,	Hazelton,	McLane, Robt. M.	Talbott,
Colerick,	Henderson,	Morse,	Townshend, R. W.
Cornell,	Hepburn,	Mosgrove,	Urner,
Crowley,	Herbert,	Oates,	Valentine,
Cutts,	Herndon,	Pacheco,	Willits,
Darrall,	Hewitt, Abram S.	Parker,	Wilson,
Davidson,	Hiscock,	Prescott,	Wise, Morgan R.
Dunn,	Hooker,	Rice, John B.	Wood, Benjamin
Dunnell,	Houk,	Richardson, D. P.	
Ellis,	House,	Richardson, J. S.	

So the amendment was not agreed to.

The following pairs were announced:

Mr. CORNELL with Mr. BLACK.

Mr. SPAULDING with Mr. JONES, of Arkansas.

Mr. VALENTINE with Mr. DAVIDSON.

Mr. RICHARDSON, of New York, with Mr. RICHARDSON, of South Carolina.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS, of New Jersey.

Mr. HENDERSON with Mr. TOWNSHEND, of Illinois.

Mr. URNER with Mr. MCLANE, of Maryland.

Mr. MASON with Mr. KENNA.

Mr. DARRALL with Mr. TALBOTT.

Mr. HOUK with Mr. FULKERSON.

Mr. WILLITS with Mr. HAMMOND, of Georgia.

Mr. BELFORD with Mr. AIKEN.

Mr. COX, of New York. I desire to state that my colleague [Mr. HEWITT] is detained from the House by sickness. I do not know how he would vote on this question if he were present.

The result of the vote was then announced as above stated.

Mr. CANDLER. I move to amend section 11, by adding to it that which I send to the Clerk's desk:

The Clerk read as follows:

It shall be lawful, however, for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages which he may have earned to his wife, father, mother, grandfather, grandmother, child, grandchild, brother or sister, or to any savings bank for the benefit of such seaman, and to no other person or corporation.

Mr. VAN VOORHIS. I move to amend the amendment by striking out the words "having earned" and inserting the word "earn;" so that it will read "any portion of the wages which he may earn," &c.

Mr. COX, of New York. I desire simply to re-enforce the amendment of my friend from Massachusetts [Mr. CANDLER], and if the House has resolved to keep in the bill this section I think his amendment should be adopted. Although the present law seems to be almost as much as we desire, nevertheless it is avoided. That law at present reads:

No advance of wages shall be made or advance security given to any person but to the seaman himself, or to his wife or mother; and no advance of wages shall be made or advance security given, unless the agreement contains a stipulation for the same and an accurate statement of the amount thereof; and no advance wages or advance security shall be given to any seaman, except in the presence of the shipping commissioner.

It was supposed when that law was made that we had provided a perfect guard against the landlord sharks of this country. In England, as was intimated yesterday, the law is still more stringent than our law or the amendment here proposed; yet, as I am informed by merchants, that law is constantly evaded by means of orders, notes, &c.

Mr. CANDLER. I will ask the gentleman whether the law which he has just read does not refer to advance wages? This amendment proposes to authorize the allotment of wages which may have been earned.

Mr. COX, of New York. The gentleman is right about that; but my remarks apply to wages already earned or wages to be earned. All we have to do is to adopt the most stringent law possible to insure that the money earned by the sailors may go to their families. That is all we can do; and even then, as I prophesy, the law will be evaded.

Mr. ROBESON. Mr. Speaker, it is well enough before we proceed further with the consideration of this bill that this whole subject should be understood, since it can be understood in a few moments. Gentlemen will understand that the admiralty laws of our country and of every other civilized and commercial nation proceed somewhat upon the principle that the sailor is a ward of the Government. The difficulty which has been presented is this: When a sailor comes into port after a voyage he is seized upon by the sailor-landlord "sharks," induced to drink, kept drunk, and supplied with the means of gratifying his passions until he has contracted indebtedness enough to cover his advance wages; and then he is taken to the shipping-master and shipped in order that the landlord may draw those wages, the sailor being at the time often drunk and drugged—"shanghaied" as it is technically called in the service. This is the difficulty which we seek to remedy. In doing this we must put certain restraints upon individual liberty, if you choose—the freedom of individual action. Here we always meet with difficulty; and one of the great difficulties in the present case is that if you do not allow the sailor before he goes to sea, possibly for years, to receive advance wages, some provision must be made for his family, such as is made in the Navy and such as is now sought to be made in this bill, that the sailor shall have the right before he goes to sea to allot, as it is called, a portion of his wages for the benefit of the family that he leaves behind, a family depending upon him for support, and who if this allotment be not allowed must be left to the beneficence of the community in which they live.

As will thus be seen, there are two sides to this question. If you refuse altogether the payment of advance wages, there is no support for the sailor's family; if you allow the sailor's landlord to collect those advance wages, there is still no support for the sailor's family.

I make this statement in order that the whole question may be understood; that gentlemen may see the necessity in this case that we should by law interfere to some extent with the right of the individual to control his own earnings, and at the same time the necessity of giving some little leeway that provision may be made for the support of the family or other dependents of the sailor.

The SPEAKER. Does the gentleman from Massachusetts [Mr. CANDLER] accept the modification proposed by the gentleman from New York [Mr. VAN VOORHIS]?

Mr. CANDLER. I see no objection to it.

The amendment as modified was agreed to.

The Clerk read as follows:

SEC. 12. That every vessel mentioned in the preceding section shall also be provided with a slop-chest, which shall contain a complement of clothing for the intended voyage for each seaman employed, including boots or shoes, hats or caps, under clothing and outer clothing, oiled clothing, and everything necessary for the wear of a seaman; also a full supply of tobacco and blankets. Any of the contents of the slop-chest shall be sold, from time to time, to any or every seaman applying therefor, for his own use, at a profit not exceeding 25 per cent. of the reasonable wholesale value of the same at the port at which the voyage commenced.

Mr. MCLEAN, of Missouri. I move to amend section 12 by inserting after the words "that every vessel mentioned in the preceding section" the words "shall have, keep, and maintain proper sleeping accommodations, well ventilated, warmed, and comfortable quarters for seamen, and this fact shall be stated on every inspection and clearance certificate."

This is a very important amendment for the benefit of sailors on the ocean, lakes, and rivers. It is not my intention to raise a hue and cry against owners, officers, &c. They may be innocently, thoughtlessly, the direct cause of untold suffering in not furnishing the sailors and deck-hands proper, comfortable, warmed sleeping accommodation—I mean a heated, dry sleeping-room. The distinction must be made, because on ocean-going vessels, no matter whether it is summer or winter, the forecastle is usually damp, either from the character of the cargo or from the wet clothes of the sailors. To illustrate: A northerly gale springs up, and all hands are ordered aloft to furl the sails or to per-

form other duties incident to seafaring life. The pelting rain, hail, or snow storm drenches their clothes. No rubber or oil-skin coverings can stand those sea rains and piercing cold winds. The sailors are, as the saying is, "chilled to the marrow-bones." After maybe hours of this dreadful exposure in the rigging or on deck they are ordered below. Then a warmed forecastle and a heated stove would gladden the sailor's heart, dry his clothes, and make him forget the howling tempest and angry waves for a while. But no; the place he is to sleep and eat in is wet—yes, dripping wet, cold, dreary, and gloomy; his shipmates soured and complaining. Then comes the bitter and despairing cry, "Give me something to warm me!" It may be the first drink. His dear mother's warning voice is hushed and forgotten.

This is not an overdrawn picture. There are gentlemen on this floor who have witnessed many scenes like this. Change the picture to our great Mississippi River. That mammoth steamer is lying at the river bank taking on a cargo of corn or cotton. The deck-hands are singing their usual songs. A storm has come on, but the deck-hand is not allowed to stop "toting the cotton or the corn." Rain or shine, it is all the same. That commercial leviathan must not lie there on expenses. The lines are hauled on board and the boat is plowing her way on that grand old river to her destination. Where are those deck-hands who worked so hard and faithfully, breasting the storm, hurrying to get the steamer on her journey? There is no place, no room, set apart for them, no fire to warm them and dry their clothes. You will find some of them have crept under the boilers, their heads resting on a stick of cord-wood for a pillow, trying to get some sleep preparatory to being called on watch or to land at another corn-pile, to go over the same hard work until the boat is loaded. Who is at fault, who is to blame for the neglect and sufferings of those poor sailors and deck-hands for want of warmed sleeping accommodations? Congress will be to blame if it does not now insert as part of this wise shipping bill a clause giving to our country such governing laws as will from this time forward extend to hard-worked mariners simple justice.

Many have said our deck-hands out West are nearly all negroes. Yes; they are. But black-skinned labor is commercially as white as any man's, and demands the same protection.

The gentleman from California [Mr. PAGE] has stated that nine-tenths of our seamen are foreigners. No doubt about it. Why is it? I answer the question and challenge contradiction. The officers and owners of vessels, steamers, &c., do not give the young fishermen and coastmen the warm sleeping comforts they are entitled to; hence they will not ship with them; they seek other employment. God bless the bethel sailors' missions everywhere. Go on with your good work of reform. But I implore you all to commence at the beginning end of the line. Hang up a motto in every mission and execute the mandate: "No vessel, steamer, or steamboat shall leave this port until comfortable sleeping quarters are furnished and maintained for the seamen and rivermen."

Mr. DINGLEY. I desire to call the attention of my friend from Missouri [Mr. MCLEAN] to the provision of existing law upon this subject. Section 4572 of the Revised Statutes provides that "every such vessel," that is every vessel engaged in the foreign trade, "shall be provided with fuel and a safe and suitable room in which a fire can be kept for the use of seamen." I ask the gentleman how much further than this his amendment proposes to go?

Mr. MCLEAN, of Missouri. It simply proposes to provide in this shipping bill a guarantee that every sailor shall have these accommodations for his comfort.

Mr. DINGLEY. In addition to the requirements of the present law?

Mr. MCLEAN, of Missouri. Yes, sir; because I would have this provision apply not only to vessels in the foreign trade, but to coasting vessels and to those upon our western lakes and rivers.

Mr. DINGLEY. In these sections we are dealing with vessels engaged in the foreign trade; and the section of the Revised Statutes to which I have referred relates to this same subject. It seems to me that the amendment of my friend from Missouri had better be deferred until we proceed to legislate with reference to the coasting trade. The law now reaches vessels engaged in the foreign trade. I think it possible that when we come to legislate with reference to vessels engaged in the coasting trade some additional provision of this kind may be required; but I suggest to my friend whether it would not be better to withdraw the amendment at this time, and if he thinks proper prepare an amendment specifically addressed to the coastwise trade.

Mr. MCLEAN, of Missouri. This amendment does not conflict with the other provisions of the bill in regard to foreign vessels; and I think it well we should in this bill take means to secure to the sailor his right to a warm forecastle. I claim that the master or owner of the vessel is under an obligation to have men there for the purpose of keeping the place warm. I know what it is to be on board of a vessel. The sailor is told, "There is your place; go and occupy it." The cook has charge of the only warm place there is.

I demand a division on my amendment.

The House divided; and there were—ayes 9, noes not counted.

So the amendment was disagreed to.

The Clerk read as follows:

SEC. 13. That all masters and owners of vessels shall have the right to ship and pay off the men they employ.

Mr. COX, of New York. I offer the following amendment, to come in at the end of that section:

All laws or parts of laws requiring the payment of any remuneration to the shipping commissioner for the shipping of seamen, if shipped by said master or owner, be, and the same is hereby, repealed.

Where there is no duty done no fee should be collected. It is agreed that will be accepted by my friends on the other side of the House.

Mr. PAGE. Does it repeal the shipping law?

Mr. COX, of New York. It does not repeal the shipping law, but it only provides that where the work is done by the masters or owners of a ship no fees are to be collected by the shipping commissioners.

Mr. MURCH. If that amendment is open to another amendment, I have one to offer.

Mr. DINGLEY. I rise for the purpose of opposing the amendment of the gentleman from New York, or rather, Mr. Speaker, I rise for the purpose of explaining what the effect of the amendment of the gentleman from New York would be. The legislation proposed by the gentleman would practically repeal the shipping-commissioner act of 1872. It does not repeal it in so many words, but by prohibiting the payment of any fee where the master does not choose to go before the commissioner, it would practically have that effect.

I wish to say further, Mr. Speaker, that there is no commercial nation on the face of the earth but provides some official under the government, as in England, in the nature of a superintendent, and in other countries in the nature of an officer of customs, who shall examine and see that the seaman when he signs the shipping agreement understands its purport and understands the voyage in which he proposes to engage, and also to see that he is sober and able to appreciate it. This is the law of England and the law of every other commercial nation on the face of the earth.

Now, it seems to me, Mr. Speaker, if we are going to repeal the shipping-commission act of 1872, that we should provide some substitute, some official under the Government before whom the master of the vessel and the seaman shall go for the purpose of completing the shipping agreement.

I hope my friend from New York will not undertake on this bill to go as far as his amendment seems to go.

I am entirely willing the provision of the bill as it stands should remain, giving the master of the vessel the right to make his own engagement with the seaman, to provide in fact—for that would be the practical effect—that when the agreement is signed the seaman shall go before the shipping commissioner and the shipping commissioner shall ascertain whether he understands the purport of the agreement which he has signed.

Remember that the shipping-commission act of 1872 was passed for the purpose of obviating that great evil of "shanghaiing," as it is termed, the evil whereby the sailor-landlord took possession of the sailor, and having him home drunk, in that condition had him sign an agreement to go to a port to which he did not wish to go, so that when he woke on the vessel out of his drunken sleep he found he was shipped to a port to which he never intended to go. It was provided there should be shipping commissioners appointed by the circuit courts of the United States, before whom all agreements for shipping should be signed.

I hope the gentleman from New York [Mr. COX] will not undertake to repeal legislation of such great importance. Perhaps some amendment may be suggested providing the duty of the shipping commissioner shall be performed by the collector of customs.

Mr. COX, of New York. In reply to what has fallen from my friend from Maine [Mr. MURCH], let me say that the first question members would ask is why this section 13 is in this bill at all? It provides that the masters and owners of vessels shall have the right to ship and pay for the men they employ. That section was the unanimous voice of our committee.

Mr. PAGE. No.

Mr. COX, of New York. With the exception of one, the Senator from Michigan [Mr. CONGER]. With that exception we all agreed to it, although we dissented on other matters of shipping. It was the unanimous voice at least of the House members of the committee.

All my amendment proposes is that where a master or owner makes the contract directly with his servant, the seaman, the shipping commissioner, having no duty, shall receive no fee; where there is no work, no pay.

I do not propose by my amendment to repeal the shipping-commission act. Let that remain. If owners and masters propose to raise their crews by the aid of the shipping commissioner, very well; let them do it, and let them pay the commissioner for doing it.

But what is the operation of this shipping-commission act? I will tell members of the committee what it is in New York city. We have a shipping commissioner, Captain Duncan, who under the law is bound to return an account of his stewardship and collections to the United States court for confirmation. Any surplus of fees collected is to be placed in the Treasury. He ships seamen and gets these fees. He got in one year of which I have an account, 1878, amounting to $34,559.75. His expenses that year were $34,062.78. There was a deficiency from 1877 of $219.33.

A little sum was then due to the Treasury. I am not aware of any such dues since. These accounts were then referred to a master. He

stated that the United States attorney objects to the passage of those accounts, on the ground that the salaries paid to the deputy commissioners of $3,800 a year each are too large; that improper arrangements were entered into at the beginning of the year between the commissioner and his deputies; that they are indefinite; that there was no proper account kept by the commissioner of the payments made to his employés, and that the deficiency balance of 1877 charged against the receipts of 1878 should be disallowed. Commissioner Gutman overrules all objections excepting the last named, and submitted the accounts for the approval of the court. The salaries charged in the vouchers accompanying the report are as follows: C. C. Duncan, $5,000; F. C. Duncan, $3,800; G. F. Duncan, $3,800; C. D. Duncan, $1,583.33, and H. E. Duncan, $1,266.67. There are seventeen other employés on the salaried list. At that time the New York Herald in an editorial said that "Commissioner Duncan's accounts may be properly kept, but to have nearly half the outlay of his office go into the hands of his own family is, to say the least, in very bad taste."

Since that time this curious official procedure has gone on; yet not one cent of the collections went into the Treasury. In his examination the other day Captain Duncan swore that he collected $20,000 as the aggregate fees for shipping seamen, and he was asked if that went into the Treasury, and he answered "No," but to himself and his three sons and to other supernumerary officers. Here is the testimony (pages 59 and 60):

Mr. COX. What is the expense of running your office?
Captain DUNCAN. The office fees last year amounted to $20,000; the expense is defrayed by fees.
Mr. COX. What are the salaries of your officers?
Captain DUNCAN. The salary is fixed by Congress as not to exceed $4,000 to the deputies.
Mr. COX. What is the aggregate amount of salary; is there any surplus paid into the Treasury?
Captain DUNCAN. On one or two occasions, but we have to economize to get that.
Mr. COX. How many officers have you?
Captain DUNCAN. Three deputies.
Mr. COX. Who are they?
Captain DUNCAN. My three sons. I have a cashier, Mr. Lewis Belcher; an out-door steamer deputy, Mr. Frank Paulton; two out-door officers, Mr. Hank and Mr. Rangeford.
Mr. COX. Your jurisdiction extends to all parts of New York?
Captain DUNCAN. My jurisdiction extends to wherever the port extends.
Mr. COX. You say the aggregate fees of the office are about $20,000?
Captain DUNCAN. About that. The maximum salaries are fixed by law.
Mr. COX. Any surplus paid last year?
Captain DUNCAN. No, sir.
Mr. COX. Did you render your account?
Captain DUNCAN. Yes, sir.
Mr. COX. Are your men pretty well employed all the time?
Captain DUNCAN. Sometimes; it varies.
Mr. COX. How many sailors have you shipped during the year?
Captain DUNCAN. We shipped a great many more than the fees called for—about 10,000 men last year. Where a man makes a second voyage in a ship all the work is done free.
Mr. COX. These fees pay every expense of your office?
Captain DUNCAN. Yes, sir; every expense. The shipping fees paid by the shipping-master run all the way from $2 to $5.

So, Mr. Speaker, this system, which is nothing more than shipping commissioner's fees, has become a burden and nuisance to the commerce of New York city. Hence, from the testimony taken by the committee, including that of leading merchants and that of Dr. Thomas and others, who spoke for the seamen, the ship builders and owners from Maine, experts, it appears that it would be wise to so modify the shipping-commission act as to allow the master or owner of the vessel to make his own contract with the seamen. What need of an intermediary from Government for such a purpose? It intrenches on natural right, especially when the officer charges inordinate fees for this unnecessary service; fees which do not go into the Treasury, but which go into the pockets of the commissioner and his family. In the amendment which I have suggested I am not proposing to repeal the act, but to enable those who are the beneficiaries of this bill to get the benefit of it, and to allow the commissioners in the case, where they do perform this service, to receive a *quantum meruit* for the service they actually render, but not be allowed to charge for services which they do not render, and to receive fees on seamen shipped by the masters or owners themselves.

Mr. DINGLEY. Will the gentleman permit me to ask him a question in this connection?

Mr. COX, of New York. Certainly.

Mr. DINGLEY. Would not the abolition of the fees of the shipping commissioner practically abolish the office under the present law?

Mr. COX, of New York. It would not. The effect of it would be to draw in the horns of the commissioner. He would still be there to perform such duties as would be required of him by law; but he would not have the privilege of collecting this $20,000 or $30,000 to go to his three sons, or others around him, and not one dollar of which sees the Treasury. Therefore I favor the adoption of a radical measure which cuts off the pay. I even go further, but not now. I would repeal the shipping-commission act altogether, but the thirteenth section was all I was able to get from the committee. I am glad to say that in this direction I was sustained by the gentleman from Massachusetts [Mr. CANDLER] and the gentleman from Maryland, whom I do not see in his seat [Mr. MCLANE].

Mr. PAGE. Let me ask the gentleman a question. Did you ever take into consideration the question as to whether the duties performed by the shipping commissioner, under the law as it now stands, could not be performed by either the naval officer or the surveyor of the port or some customs officer?

Mr. COX, of New York. Certainly; and as has been already suggested these duties are already performed in many places in the United States where there is no shipping commissioner or any consular officer. But for the present let us stand by the bill and perfect the section which would give us a relief from the present system; and I shall hope if the bill gets into a committee of conference that the good sense of gentlemen on both sides will enable us to perfect it by a repeal of this entire shipping-commission act.

Mr. DINGLEY. I move to strike out the last word. I do this for the purpose of saying that I agree entirely with the gentleman from New York that these fees of the shipping commissioners should either be reduced, or both reduced and the salary of the officer paid from the Treasury. So far as that goes, if this officer is to be retained I will go with the gentleman from New York in the provision he suggests. My objection to his sweeping amendment, however, is that it provides for no official of the Government to take the place of the shipping commissioner. If his amendment provided that some other officer of the Government should take his place and supervise the shipping agreement, in order that the seaman might be protected and the fact known that he was in a condition to appreciate the character of the agreement, to see that he was in a proper mental state to make an agreement and understand its obligations and duties, I should be willing. But I do object to a practical repeal of the shipping-commission act until some substitute is provided that will take its place to protect as far as possible the seaman in this matter.

Mr. COX, of New York. Let me suggest to the gentleman from Maine that I will so modify my amendment as to make it read as follows, if it will meet his views:

And provided, That the duties now performed by the shipping commissioner in respect to the shipment of seamen shall be performed by the collector of the port.

Mr. DINGLEY. Does the gentleman propose that the fees of the collector shall still be retained?

Mr. COX, of New York. No, sir; I will not permit fees for that service.

Mr. ROBESON. Let me suggest to the gentleman from New York that his amendment should read "by or under the direction of the collector of the port," for the reason that the officer may not at all times be able to attend personally to the duties.

Mr. DINGLEY. The gentleman should also bear in mind that consuls in foreign ports are shipping commissioners.

Mr. COX, of New York. I do not propose to affect the consuls.

Mr. ROBESON. Then let me suggest that the gentleman put into his amendment the words "at home ports."

Mr. COX, of New York. Very well, I will suggest it, then, in this form:

Provided, The duties performed by the shipping commissioner at home ports shall be performed by the collectors at the several ports of the United States.

Mr. BRUMM. By or under the direction of the collectors.

Mr. BINGHAM. Why not use the language of the existing statutes and perfect the bill? The present law provides:

That in any port in which no shipping commissioner shall have been appointed the whole or any part of the business of a shipping commissioner shall be conducted by the collector or deputy collector of customs of such ports, &c.

Now, why not wipe out the first part of the amendment and let it apply to the collector or deputy collector, so as to make the amendment consistent with the existing statutes?

Mr. COX, of New York. I think it will conform to the existing statute.

Mr. DINGLEY. And the gentleman should also provide that no fees shall be charged.

Mr. COX, of New York. I will ask that the amendment be read from the desk as modified.

The SPEAKER. The entire amendment proposed by the gentleman from New York had better be read.

The Clerk read as follows:

And that all laws or parts of laws requiring the payment of any remuneration to the shipping commissioner for the shipment of seamen, if shipped by said master or owners, be, and the same are hereby, repealed: *Provided*, That the duties of the shipping commissioner at home ports shall be performed by the collectors of the several ports of the United States, and that no fees shall be charged for said services.

Mr. PAGE. That is right.

The question being taken on the amendment of Mr. COX, of New York, as modified, it was agreed to.

Mr. DINGLEY. I rise for the purpose of offering an amendment, consisting of three sections, to come in at this point, to be numbered 14, 15, and 16.

The SPEAKER. Would it not be better to offer those sections after the bill shall have been completed?

Mr. DINGLEY. Very well; I will simply give notice of those amendments at the present time and offer them after the bill shall have been completed.

The SPEAKER. And if adopted it can then be arranged to insert them in the bill in their logical order. The Clerk will read section 14.

Mr. CRAPO. I understood from the gentleman who has charge of the bill that section 14 was to be waived till the other sections were considered.

Mr. PAGE. I hope by unanimous consent section 14 may be passed over until after the House has passed on section 18.

The SPEAKER. The gentleman from California asks unanimous consent to pass over at this time informally, to be returned to hereafter, section 14. Is there objection? The Chair hears none. The Clerk will read section 15.

The Clerk read as follows:

SEC. 15. That no vessel engaged in commerce with the Dominion of Canada or the Republic of Mexico shall be subject to tonnage tax or duty, nor shall consular certificates be required from the same.

Mr. PAGE. I desire to say to the House the committee are not satisfied exactly, or part of the committee I believe, whether it will be right to pass this section in its present shape or not, from the fact that under present treaty stipulations if we abolish the tonnage tax as regards any government all those governments with whom we have treaty stipulations will be entitled to have the tonnage tax abolished so far as it applies to them. Therefore I think this matter ought to be considered a little by the House before this section is adopted. My own opinion is that this section applying to Canada and Mexico ought to be stricken out.

Mr. TOWNSEND, of Ohio. I suggest that the section be passed over for the present.

Mr. PAGE. I move to strike out the section. I think that is the safest course.

The SPEAKER. The gentleman from California moves to strike out the section. It is subject to amendment before that motion is put.

Mr. REAGAN. I desire to make a suggestion to my friend from California [Mr. PAGE], who thinks the retention of this clause may produce complications on account of treaty stipulations with other powers. It will be seen that the section as it stands gives no preference either to the United States or to any other country. It provides:

That no vessel engaged in commerce with the Dominion of Canada or the Republic of Mexico shall be subject to tonnage tax or duty, nor shall consular certificates be required from the same.

That applies alike to all vessels of all nationalities.

Mr. PAGE. I wish to say to the gentleman from Texas [Mr. REAGAN] that some of the best lawyers in the House doubt whether if this fifteenth section should be adopted other governments with whom we have treaty regulations will not demand that it shall apply to the tonnage tax collected from ship-owners engaged in commerce with other countries. If there is any doubt as to that, I think the section had better be stricken out.

Mr. REAGAN. If we were to abolish tonnage dues for all vessels—and it should be understood that a very small percentage of the tonnage dues is paid by the vessels of the United States; the great mass of the tonnage dues is paid to vessels of other countries. This proposes to exempt the vessels of all countries alike from the payment of tonnage dues. I suppose what the gentleman from California refers to is the apprehension that other countries may claim exemption. Upon what basis such a claim could be made I am unable to comprehend.

Mr. BUCKNER. Upon treaty stipulations.

Mr. REAGAN. How can it be made on any treaty stipulations? This provision relates to the tonnage dues to be paid; these tonnage dues are local and may be retained or abolished as the Government may see proper. If we discriminate and provide that as regards vessels of the United States they shall be exempt from tonnage dues, and shall continue those dues upon vessels of other countries, possibly some question might arise. But what other country can complain of this? Great Britain cannot complain, for it releases more dues paid by that country perhaps than by any other country.

Mr. PAGE. Suppose that Great Britain should claim that as the Congress of the United States had repealed the tonnage dues in connection with one of her colonies, for instance, or with Mexico, therefore the law should be made to apply to her vessels as well, under the treaty stipulation which provides that we shall treat all nations in the same way.

Mr. REAGAN. I do not understand that this is one of the things embraced in the "most-favored-nation" clause of a treaty.

Mr. PAGE. I think it is the safest thing to strike it out any way.

Mr. DINGLEY. I move to substitute for this section 15 this amendment:

That in lieu of all duties on tonnage, including light-money, now imposed by law, a duty of 6 cents per ton is hereby imposed at each entry on all vessels which shall be entered in the United States from the West India Islands, or from any port or place in the Republic of Mexico, or from any port or place south of Mexico down to and including Aspinwall and Panama, or from any port or place in the Dominion of Canada; and a duty of 12 cents per ton is hereby imposed at each entry on all vessels which shall be entered in the United States from any other foreign port.

Mr. PAGE. Would not that clearly violate our treaty stipulations?

Mr. DINGLEY. Not at all. Allow me to say where Great Britain makes a discrimination in her tonnage dues to-day. A vessel coming from the United States to-day to Great Britain pays 12 cents per ton of tonnage dues; while a vessel coming from France pays but 6 cents a ton. That is a discrimination which does not conflict with the "most-favored-nation" clause, but is dependent upon other circumstances and gives all an equal right to participate in that particular trade.

Great Britain would not be excluded under the provision of the amendment which I have offered from participating in the trade with the West India islands on the payment of the tonnage tax of 6 cents per ton, the same as an American vessel; nor would it be excluded from trade with the Republic of Mexico on the payment of 6 cents per ton tax. That is precisely what Great Britain is doing to-day in the way of discrimination.

The Secretary of the Treasury agrees that such a change as this, made by different countries, dependent upon circumstances, and opening the trade to vessels of all nations, is not a discrimination in conflict with the "most-favored-nation" principle of treaties, and is entirely in conformity with it. And let me say further, in reference to my amendment, that it also proposes to change the mode of levying the tonnage tax from an annual payment to a payment at each entry, just as now it is in Great Britain.

To-day a steamship sailing from the port of New York to the port of Liverpool pays annually a tonnage tax of 30 cents per ton, although it may make ten trips a year, and that would only be 3 cents tax per ton per trip. But a sailing vessel, sailing from San Francisco to Liverpool and thence back to New York, and making only one trip a year, pays the same tax of 30 cents per ton, thereby making a discrimination of ten times against the sailing vessel and against our own trade and our own vessels.

I trust this substitute for section 15 will be adopted, waiving the question of the abolition of the tonnage tax and retaining it as regards Canada and the Republic of Mexico and making a discrimination in regard to these near countries where the traffic in sailing vessels comes in competition with the traffic of railroads. I trust that we shall no longer favor Great Britain by allowing her steamships to come here on the payment of a tonnage tax of 3 cents per ton per trip while our sailing vessels are required to pay a tax of 30 cents per ton per trip.

Mr. PAGE. How much reduction will this make in the tonnage tax?

Mr. DINGLEY. It will increase the receipts from that tax.

Mr. BUCKNER. That is the question I wish to ask; what will be the effect of this upon the aggregate receipts of this tax?

Mr. DINGLEY. It will increase the tax more than one-third, because our trade is done largely in English steamships. Bear in mind that five-sixths of this tonnage tax comes from foreign vessels and only one-sixth from our own. As our own vessels are generally sailing vessels, it would not add one single penny to the tax paid by those vessels as our carrying trade exists to-day, and would add it entirely to the foreign vessels.

Mr. PAGE. I will withdraw my motion to strike out the section.

The SPEAKER. The question then recurs upon the motion of the gentleman from Maine [Mr. DINGLEY] to strike out section 15 and insert what has been read.

Mr. COX, of New York. I move to strike out the last word, not exactly because I oppose the proposition of the gentleman from Maine, for I believe it will bring more money from this tax, but the bulk of it will be paid by foreign shipping. I believe that only one-sixth of the tonnage tax will fall on American shipping.

If this were an original question, if the British tonnage were not so much larger than our own, I would vote to cut off the whole of this 30 cents tonnage tax—to repeal it altogether. It was passed, as we all remember, in 1862, as a war measure, or it was at that time increased from 10 cents to 30 cents. It has since been a burden upon our shipping, as will be seen by the testimony taken before our committee.

But gentlemen by this peculiar amendment propose to increase somewhat the amount of this tax upon the English carrying trade, with the view of giving a little more subsidy under the eighteenth section. If this increase be made and the English have to pay it, very well, though I can not vote for the eighteenth section, for the money goes into the general fund of the Treasury. I would not have leeches upon the Treasury at any point, even though the fund seemed to be akin to the leech. All this tonnage tax should be wiped out. It is an abnormal tax. It is a war tax. It is a grievous tax. It hurts our shipping even though it may not hurt the shipping of other countries.

There is one thing very peculiar about this tonnage tax; and to illustrate this peculiarity I ask the Clerk to read from page 86 of an admirable book entitled Our Merchant Marine, by David A. Wells.

The Clerk read as follows:

Vessels belonging to foreign states between whom and the United States ordinary commercial relations are established pay the same tonnage taxes as American vessels. But if any person not a citizen of the United States becomes an owner to the extent of the merest fraction in a ship of American build, then such ship is not entitled to the privileges accorded to ships owned wholly by foreigners, but must pay on entering a port of the United States a tonnage tax of 60 cents, or double rate, and such vessel at once ceases to be entitled to registry or enrollment as a vessel of the United States. Here, then, we have piled up, as it were, on the top of all other provisions, another direct, odious, and stupid discrimination against the employment of foreign capital, provided it should so incline for the developing of the American shipping interest and the employment of labor even in our own dock-yards and harbors. Supposing a similar law to

be proposed, discriminating in like manner against the investment of foreign capital in American railroads, mines, factories, and mercantile enterprises generally, does any one doubt that the proponent would be at once hooted into contempt? And yet the hypothetical law is no more absurd than the law that actually exists upon the statute-book.

[Here the hammer fell.]

Mr. WHITE obtained the floor and said: I yield my time to the gentleman from New York.

Mr. COX, of New York. I thank the gentleman. I will add but a word. It appears, therefore, that while we undertake to tax double the tonnage of our own country in which any foreigner has any sort of interest, the law, as I learn, is practically a dead letter; so that the question is presented whether this dead letter should not be buried. Surely it ought, along with other unpleasant burdens on shipping. As Mr. Wells says:

If a Sunday-school or a picnic party out on an excursion happen to come into an American port on a foreign (Canadian) vessel (as was recently the case on one of our upper lakes) for mere temporary and pleasure purposes, the vessel is liable to a tonnage tax; and a libel against the vessel, instituted by an overzealous official for its payment, was decided by the Treasury Department (August, 1876) to be a proceeding which the Government must enforce.

I have read this to show the utter absurdity of many of these burdens placed upon shipping. I hope that hereafter we may abolish in some way this double-tonnage tax; and be forever relieved of this discrimination against a most decrepit but honorable industry.

Mr. VAN VOORHIS. As I understand the amendment a vessel engaged in the trade with Canada and making a daily trip must pay this tonnage tax every day.

Mr. DINGLEY. The gentleman will allow me to say that practically there is hardly any tax now imposed upon American vessels engaged in the foreign trade for this reason: In 1869 an act was passed providing that when an American vessel on the great lakes clears from one collection district of the United States to another collection district of the United States it may on the voyage touch at a Canadian port without payment of this tax. The result is, that notwithstanding there is upon the lakes something like 500,000 tons of tonnage, only about $15,000 is collected annually by way of tax. The Canadian vessels are, of course, subjected to the tax. Perhaps it might be well to include in this bill an exception embracing the provision of the act of 1869; but this bill will not repeal that act.

The question being taken on the amendment of Mr. PAGE, it was agreed to.

The Clerk read as follows:

SEC. 16. That instead of the assessment of 40 cents per month, authorized by sections 4585 and 4587 of the Revised Statutes of the United States, there shall hereafter be assessed and collected 20 cents.

Mr. TOWNSEND, of Ohio. I move to strike out that section of this bill, and I will state the reasons why I make that motion.

Perhaps, Mr. Speaker, no class of men in this country are better provided for when sick, or at a cheaper rate, than these sailors. In that connection I will read for the information of the House an extract from the report of Dr. Hamilton, the Supervising Surgeon-General of the Marine-Hospital Service of the United States, for the year 1882:

RECEIPTS AND EXPENDITURES.

The receipts from all sources were $408,215.69, and the expenditures $468,120.16. This includes $54,192.02, which were expended on account of extraordinary alterations and repairs to hospital buildings. Deducting this amount, there are left $413,928.14 as the net expense of the service for the current fiscal year. There is still an unexpended balance of $177,869.85, about $50,000 of which will be required for the additional repairs now under control, and $15,000 more for work in contemplation.

This section of the bill which I propose to strike out reduces the hospital assessment upon the sailors from 40 cents to 20 cents. It would amount to a reduction in the aggregate from $413,000 to $200,000. That reduction involves one of two contingencies, either an impoverishment of the service now rendered to the sailors by this Marine-Hospital Service, or else an appropriation from the Treasury of the United States of $200,000 to take care of these sailors when sick.

No single person asks for this reduction that I am aware of. It in no sense affects the foreign shipping interests, and in no sense promotes the revenue marine of this country. On the contrary, it is a great benefit to the sailor, and to him alone.

The average time served by a sailor is seven months in the year, and at 40 cents per month it would amount for each sailor to $3.80, for which he gets cared for if sick in the marine hospital, medical attendance, and every other proper attention during all the time he may continue to be sick, whether it be three days, three weeks, three months, or three years, or for the balance of his lifetime. For that small payment per month, that is for the payment of $3.80 per year, he is cared for as I have indicated, without any additional expense to him.

There is no one that I am aware of who complains of this assessment. There is no service better managed than this Marine-Hospital Service. I hope my motion to strike out will be agreed to.

Mr. PAGE. So far as I am concerned, Mr. Speaker, as one of the members of the Committee on Commerce I am not particular whether this is retained or not. It is a tax not levied by any other government on its commerce or shipping. The tax up to 1871 was 20 cents, the same as here provided. In 1871 it was increased to 40 cents. It is just that much burden on American shipping.

Mr. TOWNSEND, of Ohio. No; the sailor pays it.

Mr. PAGE. Yes; but it is paid in the end by the captain of the vessel in increased wages to the seamen. But I do not seriously oppose it.

Mr. TOWNSEND, of Ohio. Three dollars and eighty cents for a year is not a very serious burden. I venture the prediction there is not a captain who employs seamen who has paid one cent more or pays one cent more for wages in consequence of this assessment upon the sailors.

Mr. McLEAN, of Missouri. I had an amendment pending to this section, but in order not to complicate matters I will now withdraw it.

Mr. TOWNSEND, of Ohio. It is understood that the Government acts as a trustee for this fund, and in these marine hospitals takes care of these sailors. The sailors who are benefited certainly do not complain of it, nor is there any complaint from anybody else that I know of.

I ask to have read a letter from Dr. Hamilton.

The Clerk read as follows:

WASHINGTON, D. C., *January* 9, 1883.

DEAR GENERAL: Referring to your inquiry of this morning, I have to respectfully inform you that if the shipping bill pass in its present form it will reduce the revenues of the Marine-Hospital Service one-half, and unless many men who now receive relief are debarred from it after the passage of the bill there will be a deficiency of about $200,000.

The duty of dividing the sick into classes at the various ports so that only those most worthy shall receive relief will necessarily be thrown upon the officers of this service, a duty at once onerous and unnecessary if the tax is let alone. No sailor has asked its reduction to my knowledge, nor does any such request appear from any sailor in the printed report of the committee.

Railroads, iron companies, and many factories have adopted the system of assessment for hospital insurance, and so far as I am aware such assessments are greater than that assessed by the present law. As examples, I cite the Baltimore and Ohio Railroad and the iron mines in Northwestern and Western Michigan.

The statement that there was a surplus produced by taxation is incorrect. The balance spoken of by gentlemen is one resulting from the sale of old hospitals, and it has been steadily drawn from to meet deficiencies and will probably be exhausted in two or three years at furthest.

Neither is it true as stated in one of the morning papers this morning that there is another institution capable of supplying the place of the marine hospitals, for the snug harbor mentioned is an almshouse, not a hospital, and receives only the "aged, decrepit, worn out, and helpless." No sailor from the lakes or rivers is ever admitted to the New York snug harbor, even when he could otherwise comply with the terms of admission. And it would indeed be a hardship for a sick sailor at Cairo to be told in answer to his application for relief that there was a snug harbor in New York. I repeat that that institution receives only those who need a home, an entirely different class from that provided for by the hospital service.

It might as well be urged that post hospitals in the Army should be abolished because we had a Soldier's Home, or that naval hospitals be discontinued because we had a naval asylum at Philadelphia.

I am, your obedient servant,

JOHN B. HAMILTON,
Surgeon-General Marine-Hospital Service.

Hon. JAMES W. SINGLETON, *M. C.*

Mr. TOWNSEND, of Ohio. Thirty-six thousand sailors were treated in marine hospitals and dispensaries last year.

Mr. MURCH. How many of those were American seamen?

Mr. TOWNSEND, of Ohio. It matters not whether the sailor is of German or American birth if he is sick and needs treatment in these marine hospitals and has paid these assessments. This is no charity to the sailor, as he pays for it and is entitled to it. I sincerely hope this House will not restrict this hospital service by the adoption of this section, but that on the contrary my motion will be adopted to strike it out.

Mr. DINGLEY. I rise to oppose the amendment. From the earliest years of the history of this country until 1871 the tonnage tax upon each vessel was 20 cents per seaman, to be paid by the vessel and deducted from the wages of the seaman. During the years immediately before and after the war, and in fact during the whole history of the Government up to that time, there was an annual appropriation from the Treasury for the purpose of aiding in the support of the marine hospitals. This was in accordance with the early policy of the Government that our commercial marine should be favored and that our vessels engaged in the foreign trade should be put on a level with those of our rivals upon the ocean.

There is no nation upon the face of the earth with which we come in competition with reference to this foreign trade that imposes a tax upon the wages of seamen or upon vessels for this purpose; and yet all these nations, or the most of them, and especially the chief nation with which we come in competition, Great Britain, has hospitals which are supported by appropriations from the treasury and by voluntary contributions. The committee thought that if we were to remove all of the burdens upon our vessels which come in competition with ships of other nations engaged in the foreign trade, or even to remove them in part, so that they might be able to come into competition on equal terms with British vessels, we must remove from them in part at least this burden which comes from the imposition of this hospital tax, because England imposes no such tax, her hospitals being, as I have said, supported by appropriations of public money or voluntary contributions.

There was a proposition to abolish the tax as to all vessels engaged in the foreign trade, and a compromise was reached whereby the tax was reduced from 40 cents per month to the old figure of 20 cents a month for each seaman. The objection has been made that this is a tax upon seamen and not upon vessels. To be sure, it is paid by the vessels and deducted from the wages of the seamen. But the facts are

before the committee in the shape of testimony, which comes from masters of vessels who have entered at all of the ports of the United States and especially at San Francisco, that where the American vessel there loading with grain for Liverpool comes in competition with an English vessel loading with grain for the same port the professional seamen in that port would prefer to ship in the English vessel, and that English vessel would consequently be able to get the first pick of the seamen, because there was to be deducted from their compensation, if they sailed in an American vessel, 40 cents a month hospital tax.

Mr. TOWNSEND, of Ohio. Or a cent and a third a day while employed.

Mr. DINGLEY. So the judgment of the committee, in their efforts to reduce the burdens upon American shipping and restore it to something like equal conditions so as to compete with foreign shipping, was that we must take the hospital tax off as one of the items in connection with the others which render that competition unequal.

Mr. TOWNSEND, of Ohio. Will the gentleman allow me a moment while I state that we collected about $10,000 from foreign governments for taking care of their sailors in our marine hospitals? I do not know how they take care of them at home, but they pay us 40 cents a month for this service.

Mr. CANNON. Mr. Speaker, I had occasion during the last year to investigate the question of this Marine-Hospital Service, and I found at least enough of facts to satisfy my own mind that it was a most meritorious service. As has been stated by the gentleman from Ohio, the income by this tax of 40 cents a month on each seaman, charged upon the wages of the seamen, amounts in round numbers to $400,000 a year, and the expenditures are slightly in excess of that sum.

There is a surplus, as was stated in the letter which has just been read from the desk at the suggestion of the gentleman from Ohio, to the credit of this fund arising from the sale of abandoned hospitals, under the authority of Congress granted some years ago. That surplus is now being trenched upon.

Last year there were 36,000 seamen engaged upon our inland waters and upon the ocean, who were treated in these hospitals, and with the exception of the building of the hospitals, which is always done out of the public Treasury, the expenditure was substantially paid by this tax of 40 cents a month.

Mr. TOWNSEND, of Ohio. That is during the time they are in service, which is only about seven months in the year.

Mr. CANNON. Certainly, during the time they are in service; and as the gentleman said a while ago the tax was only one and one-third cents a day.

And I might say further, Mr. Speaker, that not only are seamen relieved and taken care of when sick or disabled, but those also who are afflicted by lunacy are also treated at these hospitals. Some, I do not recollect exactly how many, but fifteen or twenty are permanently maintained in lunatic asylums out of this fund; and consumptives are also treated, and paralytics also. This class of people was not taken care of under the old 20-cent tax, and any one can see that if this section is adopted, or allowed to remain as a part of this bill, these people, if they are to have proper attention and care, will have to be provided for in some other manner, and you have got to march up and appropriate $200,000 out of the public Treasury to make provision for them. For myself I think that we appropriate enough already out of the public Treasury when we build the hospitals, one, two, or three a year, as they are needed, outside of this fund, and which expense is paid out of the Treasury.

The seamen do not complain of this tax. They do not seem to regard it otherwise than a proper one. It is proper that they should be guarded, but I do not believe that this House and country should strike down this tax without more satisfactory reasons than have been shown so far.

Mr. MURCH. I desire to offer an amendment to the motion of the gentleman from Ohio.

The SPEAKER. The amendment proposed by the gentleman from Maine will be read.

The Clerk read as follows:

The exaction, payment, or collection of hospital dues or charges from the wages of seamen is hereby abolished and forbidden; and all fees for the support of marine hospitals shall be paid out of moneys collected on tonnage dues from vessels of the United States and from foreign vessels trading at ports of the United States.

The SPEAKER. The gentleman from Maine moves to insert in lieu of section 16 what has now been read.

Mr. PAGE. Is that in order?

The SPEAKER. The motion of the gentleman from Ohio [Mr. TOWNSEND] was to strike out. That may be amended by a motion to insert, which is the motion of the gentleman from Maine [Mr. MURCH].

Mr. MURCH. I stated to the House the other day that the collection of the hospital tax was unconstitutional. It was so reported by a committee of this House in 1849. You are assessing upon American seamen or upon seamen in American vessels a tax of 40 cents a month, which amounts to $4.80 per year. There is no other industry in the United States or the world that pays a tax in proportion to the receipts like this. It should be entirely abolished. There is no necessity for it. By the amendment that has been adopted, which levies a tax on vessels on their regular trips, we shall have receipts enough in the Treasury of the United States from tonnage dues to more than pay four times over the expenses of the hospital service.

Mr. TOWNSEND, of Ohio. We are already disposing of this in the eighteenth section.

Mr. MURCH. No matter though we are. The receipts from the tonnage dues should be applied to the relief of American seamen. Under the existing law, if I am in the merchant-marine service twenty years and pay this monthly tax all that time so soon as I quit the service I am debarred from all participation in the benefits of that fund. Our vessels to-day are manned to the extent of only one-twentieth by American citizens. Nineteen-twentieths of the common seamen in United States vessels to-day are foreigners, and they are receiving the benefits of this institution the same as American citizens are.

Mr. TOWNSEND, of Ohio. And they pay for them just the same.

Mr. MURCH. Of course they do. But if we man our vessels with American seamen, which we propose to do under this bill, and rehabilitate the American merchant marine then the tax will fall on the American seamen. For these reasons I move to insert what has been read from the desk.

Mr. BRUMM rose.

The SPEAKER. Does the gentleman from Pennsylvania rise to oppose the amendment?

Mr. BRUMM. Yes, sir; I am opposed not only to this amendment, Mr. Speaker, but I am opposed to the entire system of forced taxation under the guise of charity. I can not understand how gentlemen can get up in their places and say they offer an amendment in favor of the sailors when that amendment says the sailor must pay 40 cents a month whether he will or will not. The entire system is wrong from the ground up. Give to every sailor who wants the benefit of these hospitals a chance to contribute a stipulated sum in order that he may be entitled to that benefit. If he does not want the benefit of it, by what right, sir, do you put your hand into his pocket and say he must pay 40 cents a month for charity's sake?

Mr. ALDRICH. The gentleman from Pennsylvania is entirely mistaken. The seamen are not obliged to pay this; but they will have this benefit if they do pay it.

Mr. MURCH. Whenever a vessel is cleared this tax has to be paid.

Mr. BRUMM. As I understand, the law makes it a condition incident to the contract made by the sailor that this tax shall be paid.

Now let me give an illustration. Some of these sailors—most of them I understand—are shipped in foreign ports. They may agree with the master and serve for a certain length of time. Their term of service may expire when they get back to the port from which they shipped. They do not want then to come to America to go in an American hospital when discharged in a foreign port. And yet you compel them to contribute to this American hospital fund.

Mr. TOWNSEND, of Ohio. There is no compulsion about it.

Mr. BRUMM. If there is not then I am entirely misinformed.

Mr. MURCH. Every master of a ship on clearing from any custom-house in the United States has to pay the hospital fee before he gets his vessel cleared.

The SPEAKER. Does the gentleman from Pennsylvania [Mr. BRUMM] yield further?

Mr. BRUMM. No, sir. If gentlemen who follow me can show that this tax is not compulsory, then my argument of course fails to that extent.

There is not an industry in this country the men engaged in which are compelled to pay a special tax to provide for their being taken care of in case of indigency or lunacy, as has been stated, or disease. If the sailors become diseased, take care of them. If they become mad, put them in the mad-house, as you would any other madman. If they are indigent, take care of them under your general law.

Do you tell me it is too much to have this done in the ports? I answer, the ports they arrive at get the benefit of all the shipping interest, just as my region gets the benefit of the labor of the men who are engaged in the most dangerous pursuit known to mankind, the industry of mining; and hence we have special institutions to take care of our miners, and we do not grumble about it. Let the people of New York and of Philadelphia pay for this out of their general funds, or out of special hospital funds of their own. But if not, then if the sailors want hospitals leave the matter to them. Let them be masters of the situation. Let them say whether they are willing to contribute or not, and no one will find fault with them having hospitals for themselves.

I am not only opposed to the motion to strike out this clause but I would strike out the whole system.

Mr. CRAPO. I move to strike out the last word.

There is one significant fact which has not been alluded to in this discussion and which has an important bearing on it. It is this: While sailors in the foreign carrying trade and sailors in the coastwise trade and the sailors upon the rivers all pay their 40 cents per month alike, which is compulsory upon them, the fact appears from the report of the Surgeon-General that the sailors in the foreign trade only receive in benefits about one-half the money they pay; the seamen in the coasting

trade receive about the full extent of the payments they make; whereas the sailors on our rivers have expended for their benefit nearly double what they contribute.

That is susceptible of a very easy explanation. A sailor ships, for instance, from New York for Calcutta or for Valparaiso. He is obliged to pay this 40 cents per month during his entire trip out there and back, and the only possibility there is for him to receive any benefit from this hospital fund is if he happens to be sick when he returns. But if a sailor on one of our river vessels is taken sick, no matter from how slight a cause, no matter how trifling the disease may be, there is a hospital right at hand and he receives medical treatment with the greatest facility; whereas the seaman engaged in the foreign trade will not receive the benefit of this fund once in years.

I think that instead of striking out this section and keeping the payment for this fund at the present amount of 40 cents per month, it might be amended so as to provide that there shall be hereafter assessed and collected 20 cents per month from seamen employed in the foreign carrying trade. That will leave the present rate of 40 cents per month to apply to those employed upon the lakes and rivers who are receiving the benefit of this $400,000 a year. Whenever it is in order I will move that amendment. I withdraw the *pro forma* amendment.

The SPEAKER. The question is now upon the substitute for the section offered by the gentleman from Maine [Mr. DINGLEY]. The gentleman from Ohio [Mr. TOWNSEND] moves to strike out the entire section, and pending that motion the gentleman from Maine moves to substitute for the section that which has been read.

The question was taken upon the substitute, and it was not agreed to.

The question recurred on the motion to strike out the section.

Mr. CRAPO. I move to amend the section by adding to it the words "from seamen employed in the foreign carrying trade;" so that it will read "twenty cents from seamen employed in the foreign carrying trade."

The question was taken upon the amendment; and there were upon a division—ayes 67, noes 15.

So (no further count being called for) the amendment was agreed to.

The SPEAKER. The question is now upon the motion to strike out the section as amended.

The question was taken; and upon a division there were—ayes 24, noes 33.

Mr. CANNON. No quorum has voted.

Tellers were ordered; and Mr. TOWNSEND, of Ohio, and Mr. PAGE were appointed.

The House again divided; and the tellers reported that there were—ayes 36, noes 89.

Mr. CANNON. I do not insist on any further count.

So the motion to strike out was not agreed to.

Mr. CANNON. I will move to strike out the last word, for the purpose of asking a question. I wish to call the attention of the gentleman from Massachusetts [Mr. CRAPO] to the section as it now stands with his amendment. From the phraseology of the section as amended I think it is doubtful whether there will under it be any tax on inland seamen. Is that the object of the gentleman?

Mr. CRAPO. Not at all; my object is to leave that tax at 40 cents per month.

Mr. PAGE. I ask that the section as amended be read.

The Clerk read as follows:

SEC. 16. That instead of the assessment of 40 cents per month authorized by sections 4585 and 4587 of the Revised Statutes of the United States, there shall hereafter be assessed and collected 20 cents from seamen employed in the foreign carrying trade.

Mr. CANNON. I think that the words "from seamen engaged in the foreign carrying trade" should be inserted after the words "forty cents per month."

Mr. PAGE. I understand that the gentleman from Massachusetts [Mr. CRAPO] desires only to reduce the tax on seamen engaged in the foreign trade from 40 cents to 20 cents per month and to leave it as now for other seamen, at 40 cents.

Mr. CANNON. I move to amend by inserting, after the words "per month," the words "upon seamen engaged in the foreign carrying trade." I ask the Clerk to read the section as it will stand if my amendment shall be adopted.

The Clerk read as follows:

Instead of the assessment of 40 cents per month upon seamen engaged in the foreign carrying trade, authorized by sections 4585 and 4587 of the Revised Statutes of the United States, there shall hereafter be assessed and collected 20 cents from seamen employed in the foreign carrying trade.

Mr. CRAPO. Those last words, inserted on my motion, should be omitted.

The SPEAKER. But the House has already adopted them.

Mr. CRAPO. Then I ask unanimous consent that the words inserted on my motion may be omitted, and the words indicated by the gentleman from Illinois [Mr. CANNON] be inserted at the point he has suggested.

There was no objection, and the section was modified accordingly.

The Clerk read the next section, as follows:

SEC. 17. That the individual liability of a ship-owner shall be limited to the proportion of any or all debts and liabilities that his individual share of the vessel bears to the whole.

Mr. VAN VOORHIS. I move to strike out that section.

Mr. DINGLEY. I move to perfect the section by adding to it the following:

And the aggregate liabilities of the owners of the vessels on account of the same shall not exceed the value of such vessel.

A single word in reference to that amendment. When the committee reported the section as it now stands in the bill it was supposed that the statutes of the United States provided for the case of the aggregate liabilities of a vessel. But it is found on more careful examination that they provide only for liabilities in case of accident and not in other cases.

The English law of liability which has been adopted limits the aggregate liability in all cases to the value of the vessel, and the individual liability to the proportion of the value owned by the individual as compared with the value of the whole vessel. My amendment will simply put this on the basis of the English law in that respect.

I may add that it is important this shall be done, because now a part owner of an American vessel engaged in the foreign trade may be liable for the whole debts, fines, and charges imposed upon the vessel.

Mr. VAN VOORHIS. This is not a question of the liability of the ship, but of the ship-owners. I can see no reason why individuals who become copartners in the business of ship-owning shall not be copartners for all the obligations. Why should five owners, there being but six owners of a ship, cause the creditor to lose five-sixths of his claim, the other one having had nothing to do with the matter, and they having taken all the risk and responsibility of the business?

One of the owners lives in New York, if you please, the others may live in Canada; and if there should be ten owners the creditor can recover only one-tenth of his debt, because they happen to be absentees. If nine owners reside outside of the country and only one in the country, nine-tenths of the obligations of the concern may be allowed to go unpaid. I am speaking now of the personal liability of the ship-owners; I am not speaking of any claim there might be to enforce a lien upon the vessel itself.

The SPEAKER. Debate upon the pending amendment is exhausted.

Mr. ROBESON. For the purpose of replying to the gentleman from New York [Mr. VAN VOORHIS] I move to amend the amendment by striking out the last word. The difficulty in this case is not such as the gentleman states. In the first place, while it is true that according to the law of partnership each individual who participates in the joint business and joint profits is liable for the whole indebtedness of the concern, yet the ownership of a vessel is not a partnership in that sense. Partnerships in the ordinary sense are dissolved only by mutual agreement or by the action of courts. But the ownership of a vessel changes at the will of each owner. I may to-day associate myself as a ship-owner with ten gentlemen each of whom is responsible, and to-morrow I may find myself associated with ten men none of whom are responsible; so that I am left to bear the whole burden.

Mr. VAN VOORHIS. If the law of partnership does not apply, why is there any need of this section?

Mr. ROBESON. Practically the law of partnership does not apply.

Mr. VAN VOORHIS. Then why is there any necessity for this section?

Mr. ROBESON. But the statute as it now stands imposes upon these people, who are not partners in the ordinary sense, the liability of partners. We seek by this provision to repeal that liability. The change which we propose is perfectly fair. The whole ship in an action *in rem* is still liable for everything; we only provide that in addition each owner shall be liable to the amount of his interest personally. It is to be remembered that an association of ship-owners is not only not a partnership in the sense of the control which each partner has over its duration and its conditions, but it is not a partnership in the sense in which a man has control over his business, for this business is necessarily committed to an agent over whom the ship-owner can not exercise anything but the most general and distant control.

Mr. STONE. I move to amend the amendment by adding the following:

Provided, That this provision shall not affect the liability of any owner incurred previous to the passage of this act, nor prevent any claimant from joining all the owners in one action.

Mr. DINGLEY. I have no objection to that amendment.

Mr. STONE's amendment to the amendment was agreed to.

Mr. STONE. I rise to a parliamentary inquiry. My amendment just adopted was designed not only to qualify the pending amendment, but also to qualify some other portions of the section. I wish to inquire whether the defeat of the amendment will carry my proposition with it, so as to make it necessary for me to submit it again.

The SPEAKER. Undoubtedly the defeat of the amendment of the gentleman from Maine would carry with it the amendment of the gentleman from Massachusetts [Mr. STONE], which has been adopted as an amendment to the amendment.

Mr. STONE. Then if this amendment be defeated I shall offer my proposition again.

Mr. REAGAN. I move *pro forma* to amend the amendment. The subject of the liability of vessel-owners has been a good deal discussed of late with reference especially to domestic vessels; I mean vessels upon our interior waters and those engaged in our coastwise trade. The National Board of Trade has for several successive years brought to the attention of the Committee on Commerce the fact that the measure of damages ought to be changed so far as relates to our internal waters, and made to conform to the English rule. As I understand, the effect of the present proposition is to make the liability of vessels engaged in our foreign trade conform to the English rule.

It has been shown that the result of making a single one of several ship-owners liable for all the damages that may be incurred has prevented persons of property from becoming *bona fide* owners of vessels, and has driven them to a ruse to avoid liability by putting the property apparently in the control of an irresponsible man. It is urged on this account that the liability of the owners of our inland shipping (if I may so speak) shall be modified so as to encourage persons to become the responsible owners of ships. I do not see why the same rule should not apply to vessels engaged in the foreign trade. I do not see why the rule which has been adopted by a commercial country like Great Britain may not be adopted by us. I do not see why it is not a juster and more equitable rule than that which makes each individual owner of a ship liable for the whole amount of damages.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed without amendment House bills of the following titles:

A bill (H. R. 804) for the relief of Robert Gorthy and Calvin Green;

A bill (H. R. 4704) for the relief of P. F. Lonergan; and

Joint resolution (H. Res. 190) to refer certain claims to the Court of Claims.

The message further announced that the Senate insisted upon its amendments disagreed to by the House to the bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes, asked a conference with the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. DAVIS of West Virginia, Mr. HALE, and Mr. PLUMB.

The message further announced that the Senate insisted on its amendments disagreed to by the House to the bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1884, and for other purposes, asked a conference with the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. DAWES, Mr. PLUMB, and Mr. RANSOM.

AMERICAN SHIPPING.

The House resumed the consideration of the shipping bill.

Mr. GROUT. Mr. Speaker, I move to strike out the last word, not only for the purpose of stating my objections to this section, but to the whole bill, though ten minutes is a short time in which to do it.

I should be glad to see the United States the greatest ship-building and ship-owning power of the world; should be glad to see the American people the foremost people of all the earth in the great carrying trade of the ocean. And the time is surely coming when they will be; perhaps not in this generation, but nevertheless the time is coming. Our immense domain, rich in all the natural productions of the earth, and capable of easily sustaining a population equal to the combined present population of Europe and Asia; our 6,000 miles of sea-coast, indented with magnificent bays and harbors, upon which are rapidly rising opulent and powerful cities, mark our country as the certain future center of great commercial interests, the certain future seat of maritime supremacy.

Yes, if these United States will but maintain harmoniously their present happy Union, and continue in their present career of material prosperity, continue to develop their mining, manufacturing, and agricultural interests, in short, continue to protect and develop their home industries, the time is not far distant when shall be given to American shipping a proud place upon the ocean. But this will never be as the result of legislation such as is proposed by this bill, in which ship-building is to be granted special favors at the expense of weaker and humbler interests, at the expense of internal thrift and independence; in fact, granted heavy subsidies from out the public Treasury.

A permanent place in ocean traffic will be reached by American ships when our internal resources have become so developed and our accumulated wealth so great as to fairly exceed the necessities of our domestic trade. Then will our surplus capital make itself felt upon the ocean; will build ships and go abroad, perhaps seeking investment in foreign lands, as English capital is to-day in every quarter of the globe, particularly in this country. Abundant American capital on every hand and a consequent low rate of interest is the best subsidy the American people can furnish American shipping. But American capital just now, instead of looking out upon the ocean for investment, is turned from the great seaboard cities, where it is most to be found, back into the new States and the Territories of the Union and there finds ready investment at 10, 15, and 20 per cent. per annum. So long as money can find investment at this high rate upon the land it will never venture out upon the ocean.

But wait till the West have built their school-houses and churches, till the farmer owns his farm and the merchant his goods; wait till this capital comes back again to the Eastern lender with usury; wait till this empire in the West is developed, till she has built her telegraph lines and railroads and begins to lay the wealth of her prairie products into the lap of these seaboard cities, and then American money will be found willing to build American ships. Then will be realized the fond dream of the advocates of this bill—a powerful American merchant marine securely holding the trident of the deep.

Thus do we see that this "consummation devoutly to be wished" by all will by a little delay be reached through natural methods, without the stimulus and forcing process of this bill. We shall then have a healthy, independent carrying trade, and not the sickly plant of a hot-house.

Besides this general objection to the bill let us look a moment at some of its details.

Under the provisions of existing law our consular officers are required, in case of the sale of American vessels in foreign ports, and the consequent discharge of the crew, to collect of the masters of such vessels three months' extra wages; also three months' extra wages in case the consular officer discharges for cause or for cruel treatment any seaman in any foreign port; two-thirds of which in each case is paid to the men to help them back to their homes, and one-third in each case is to be covered into the Treasury of the United States as a fund out of which the Government helps back to the United States such indigent seamen, citizens of the United States, as may be cast ashore in foreign ports.

These provisions have been found necessary to protect this weak and improvident class from unfair treatment by cruel and unprincipled masters.

This bill practically repeals these provisions, leaving in no case but one month's pay, and wholly destroys this charity fund. This fund, under the wise administration of the Government, has been of great service to our indigent and suffering seamen in distant and inhospitable lands, and if destroyed, as this bill proposes, it will leave poor Jack Tar to make his own way home unless assisted out of the public Treasury, whether like the crew of the Jeannette he be cast ashore upon Siberian snows or in some more hospitable quarter of the globe. This is legislation in the interest of capital to the neglect of a weak and dependent class whose rights, as all history teaches, can not be too carefully protected. And I say if ships can not be built without neglecting the poor sailor and his necessities let not another American keel be laid.

The subsidy contemplated by this bill, though its friends disclaim that word as applicable, consists in this: That in addition to the admission duty free of all foreign ship-building materials under existing law the ship-builder in case he uses American materials is entitled under the eighteenth section to have out of the Treasury what the bill calls "a drawback equal in amount to the duty which would have been collected upon imported materials of like description and of equal quality." The word drawback is a misnomer, for it implies a previous payment into the Treasury when nothing has been so paid on account of American material. Had the bill called this by its right name it would have read "bounty or subsidy." This provision of the bill would enable the ship-builder when his vessel is completed to make requisition and receive from the Treasury, in case he builds of American materials, probably more than 50 per cent. of the cost of those materials.

For instance, the steel which goes into an iron vessel costs $40 per ton, $28 of which is duty if it be foreign steel. But of the ship-builder this duty is not collected. The steel costs him but $12 per ton. If he uses American steel all he has to do under this bill is to go to the Treasury and receive $28—amount of duty if it were foreign—therefrom for every ton which he puts into his vessel, thereby leaving but $12 per ton to be paid by himself. It is true upon no other article would the rebate be as great, but still large upon all; certainly aggregating more than 50 per cent. of the total cost of material. This bounty is simply tremendous, and must alarm all prudent men.

Gentlemen tell us that it is necessary to place this leech upon the Treasury in order to place ships upon the ocean—no matter if as the result the duty on sugar and wool and coal, in short upon everything necessary to feed and clothe and make comfortable the poor man, must be enough greater to enable the Government to meet the current expenses and pay the interest on the public debt.

Section 17 of the bill is as follows:

That the individual liability of a ship-owner shall be limited to the proportion of any or all debts and liabilities that his individual share of the vessel bears to the whole.

Now, under this section should four men jointly build a ship, three of whom were not responsible pecuniarily, however wealthy the one might be, the individual furnishing supplies for or labor or materials toward the vessel, or suffering damage in consequence of its wrongful act, could recover of the responsible partner only one-fourth of his debt or damage.

The other three-fourths would be devoted to this great American enterprise, having for its object the control of trade upon the oceans.

This section, if law, would work a complete revolution in the English common law and in all American law as regards the liabilities of partners. It wholly overturns those principles which the experience and judgment of mankind have found just and equitable upon this subject, and would make possible the case just supposed of fraud and imposition upon an unsuspecting creditor.

For one, sir, I can not vote for a measure which contains so many remarkable provisions for the benefit of a single great moneyed interest, every one of which is in derogation of the rights either of some weak class of our citizens or of some humbler industrial interest. I should be glad to see a revival of American shipping—should at least be glad to see our American products carried in our own ships. I hope I am able to appreciate the pride which the American citizen must feel as he steps aboard an ocean steamer bound for some foreign port to be able to go under his own flag—that pride which the American merchant must feel to be able to send his merchandise in an American bottom, over which extend the jurisdiction of American laws; but this is a poor equivalent for those inequalities in which the bill would be sure to result—a poor equivalent for the price which the American masses would be compelled to pay for a privilege, which from the very nature of things could be enjoyed only by the few. Mr. Speaker, I now withdraw the amendment, barely adding that I hope the House will come to a speedy vote on this bill and go to the consideration of those great questions in which the whole body of the American people feel an interest—questions of tariff and taxation and the frugal administration of the Government. In our elections we are all compelled to wait till the "rural districts" are heard from. This debate has already run nearly a week and may it not be well to look just a little to the interests of the "rural districts" of those great industrial classes in whose homes are the issues of the national life and spend no more time upon this measure which indirectly interests only a small circle of importers and ship-builders, probably not one-thousandth part of our whole population? It has already consumed more than one-seventh of the valuable time of this short session.

Mr. REAGAN. I withdraw my *pro forma* amendment.

The SPEAKER. The question recurs on the amendment of the gentleman from Maine [Mr. DINGLEY] as amended.

The House divided; and there were—ayes 44, noes 13.

So the amendment as amended was agreed to.

Mr. HOLMAN. Let the entire section as amended be again read.

The section as amended was again read.

Mr. VAN VOORHIS. In my judgment, Mr. Speaker, that amendment makes the section much worse than it was before. Now, it is conceded to be the law in this country that joint owners of vessels are jointly liable for all the obligations they incur. It is here proposed to put into this act a provision which will utterly destroy the credit of ship-owners abroad whenever that provision of the law becomes known. Its operation is to cancel the debts of owners due to innocent parties—to the sailors who perform the service on board the ship, to the men who furnish materials and supplies, to the people who trust ship-owners for whatever they may need. The ship-owner gets out by contributing only a fractional part of the debt, only the proportion which his ownership bears to the entire debts of the concern.

The section as now amended provides, if there be two copartners in the ownership of a vessel and they shall contract debts to the amount of a million dollars, they shall only be liable for $100,000, if that is all the ship is worth. It seems to me that it is a monstrous proposition. It is one this Congress can not afford to adopt. It is against public morals. It is against good conscience. It will not help shipping or ship-building or the merchant marine of this country to put into the law a proposition which strikes me as most infamous.

Mr. ROBESON. Mr. Speaker, in every State in this Union, and in every civilized commercial country of the world, limited partnership is permitted. Now, this is a case where it is specially required.

Mr. VAN VOORHIS. That is, in reference to general partnership?

Mr. ROBESON. There must always be a general partner. There is a general partner here. The ship and all its outfit are liable for work. Every sailor has a first lien on it.

The only question is, after you have exhausted the *rem*, the thing itself, whether or not the part owner who does not control the responsibility, who has never entered into any partnership and can not be affected by a transfer of interest, who is to-day associated with responsible men and to-morrow associated with irresponsible men, shall be liable for everything contracted by his agent.

Mr. VAN VOORHIS. That depends on the charter.

Mr. ROBESON. There is hardly a State in the Union which has not a general act of corporation, which holds only the corporators liable for the amount of shares held by them.

Mr. VAN VOORHIS. If so, it is all wrong.

Mr. ROBESON. It may be all wrong, but it is the policy by which an individual can be safe in his investment and trade maintained for the benefit of the country. All this ownership is a matter of registry, and notice is given to the world.

Mr. VAN VOORHIS. I wish to say a word in reply to the gentleman from New Jersey.

The SPEAKER. Debate is exhausted on the pending proposition.

Mr. VAN VOORHIS. Then I move to strike out the section as amended.

The gentleman's position is that a co-partner should have a better position than the innocent creditor. If the co-partner should sell out and cheat him then the latter should have no chance.

The motion to strike out was disagreed to.

Mr. HOLMAN. I wish to amend the section by adding the following:

Nor shall the same apply to wages due to persons employed by said ship-builder.

Mr. ROBESON. I have no objection to that.

Mr. HOLMAN. I think, Mr. Speaker, the universal policy now is to hold the property of owners liable for the wages of the workmen they employ.

Mr. DINGLEY. Permit me to say that the workman now has the first lien on that property.

Mr. HOLMAN. Certainly, a lien on the subject-matter.

Mr. DINGLEY. And that is always ten times more than will pay the wages.

Mr. HOLMAN. Not at all. On the contrary it leaves the laboring men without remedy.

Mr. PAGE. I do not see any objection to that amendment.

Mr. DINGLEY. I do not object to it.

Mr. VAN VOORHIS. I move to amend the amendment by adding "or persons who furnish supplies to a ship."

The SPEAKER. The question is on the amendment to the amendment proposed by the gentleman from New York.

The amendment to the amendment was not agreed to.

The question recurred upon the amendment of Mr. HOLMAN.

The amendment was agreed to.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

The message also announced the approval of House bills of the following titles:

An act (H. R. 6689) to remove the political disability of James S. Waddell; and

An act (H. R. 429) to provide for holding a term of the district court of the United States at Wichita, Kansas, and for other purposes.

AMERICAN SHIPPING.

Mr. MURCH. I desire to offer an amendment to this section.

The SPEAKER. Does the Chair understand the gentleman to desire to offer his amendment to section 17?

Mr. MURCH. I will withhold the amendment for the present.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 18. That when any vessel, whether steam or sail, shall be constructed and equipped in the United States for the foreign trade, including the trade between the Atlantic and the Pacific ports of the United States, in whole or in part of materials of the production of the United States, the owner or owners of such vessel shall be entitled to receive and collect from the United States a drawback or sum equal in amount to the duty which would have been collected upon imported materials of like description and of equal quality with the American materials used in the construction, equipment, engines, boilers, and other appurtenances of such steam or sail vessel: *Provided*, That in ascertaining such drawback the duties on such iron or steel materials shall be computed on iron and steel advanced in manufacture not beyond the point of plates, angles, bars, and rods: *And provided further*, That this section shall apply only to vessels commenced after the passage of this act.

Mr. PAGE. Mr. Speaker, my associates on the joint committee have instructed or requested me to offer the following as a substitute for section 18 of the bill. I move, therefore, to strike out section 18 as read and insert what I send to the desk.

The SPEAKER. The amendment will be read.

The Clerk read as follows:

Strike out section 18 of the bill and insert:

"When any American vessel shall be constructed, equipped, repaired, refitted, or supplied with ship's stores for the foreign trade, including the trade between the Atlantic and the Pacific ports of the United States, in whole or in part of materials of the production of the United States, the owner or owners of such vessel shall be entitled to receive and collect from the United States a drawback or sum equal in amount to the duty which would have been collected upon imported materials of like description and of equal quality with the American materials used in the construction, equipment, engines, boilers, attachments, and other appurtenances of such vessel, including the repairs, outfit, and supplies: *Provided*, That in ascertaining such drawback the duties shall be computed on iron and steel advanced in manufacture not beyond the point of plates, angles, bars, and rods: *Provided also*, That such drawback on any article shall not exceed the difference between the market price of such article in the collection district in which the vessel shall be built, repaired, refitted, or supplied, and the market price of a similar article in the city of Glasgow or the river Clyde, and shall not exceed $10 per ton admeasurement in the case of the original construction of any sailing vessel, and $25 per ton in the case of the original construction of any vessel propelled in whole or in part by steam, and in the aggregate the drawback or sum paid under this section shall not in any one year exceed the amount of tonnage tax collected in such year: *And provided further*, That this section shall apply only to vessels commenced after the passage of this act."

Mr. BUCKNER. I rise to a question of order. I have a substitute for that section which I desire to have read at the same time.

The SPEAKER. That is only a question of the order of precedence. The gentleman from California is recognized.

Mr. PAGE. Mr. Speaker, the eighteenth section of this bill, as originally proposed by the committee, has been discussed thoroughly upon the floor of this House for the last four days, and the committee in offering the substitute which has been read for this section endeavored to meet objections that have been urged against the original section by making it in such terms that there can be no dispute or disagreement as to its construction or as to the amount of money that would probably be available to a ship-owner under this rebate.

There has been a general demand on the part of the people of this country that Congress should take some action in reference to the restoration of the American flag to the ocean and upon vessels carrying the commerce of the United States. The committee have considered carefully all the propositions submitted to them. Some members of the committee were in favor of free materials; but free materials will not alone provide the remedy that Congress ought to apply to a great subject like this. Neither will free ships entirely reach the difficulty. Many members of the committee were in favor of free ships—that any person who desired to engage in the carrying trade might go to England or to the markets of the world and buy his steam-vessel wherever he pleased and bring it to the United States under an American register.

But the committee believed that there was a high duty that this Government owed to its citizens, and that duty was to protect the great industries of the country; that the iron mines and the coal mines of the country should receive the protection of the Government, and that labor should receive its due share of protection and all that it is entitled to under the laws of the United States. The committee also believe that the men who were engaged in the construction of the ships should not be brought down, in the matter of their wages, upon a par with the wages of those who build ships in foreign countries. The committee believe that this system of rebate was the only means by which the American ship-builder and ship-owner would be placed upon an equality with those who purchase their ships abroad or have them built in a foreign country.

My friend from Indiana [Mr. HOLMAN] said on yesterday he was surprised that I would stand before the American Congress and urge a rebate in favor of ship-building.

Mr. Speaker, the gentleman from Indiana was in Congress, as I believe, in 1860, when the act was passed, now upon the statute-books (section 3019 of the Revised Statutes), which provides that a foreigner wishing to have a ship built in the United States out of foreign material, when it is built exclusively of that, might have it built in this country and exported to a foreign country to sail under a foreign flag, and have a rebate or drawback of all the money so paid in the shape of tariff duties, because he is a citizen of a foreign country and gives that ship to the world under a foreign flag. But he is astonished when a proposition is submitted that gives the American citizen the right to go to a ship-yard in the United States and have his ship built out of American material; that puts to work and gives employment to your foundries, your rolling-mills, and your iron mines. He says there shall be no protection to him; because this bill proposes to refund to him, or give him in bounty if you please, a sum equal in amount to what would have been collected if the material had been imported from a foreign country. And that is the whole proposition submitted to this House to-day.

[Here the hammer fell.]

Mr. ROBESON obtained the floor and yielded his time to Mr. PAGE.

Mr. MOULTON. I hope my friend from California [Mr. PAGE] will explain the difference between his amendment and the original text.

Mr. PAGE. The amendment fixes the amount certain and provides the fund out of which it shall be paid. It provides it shall be paid out of the tonnage taxes collected. It also fixes the amount of tariff according to the condition of the iron or steel advanced to a certain grade of finish—plates, angles, &c. Is is also provided in this section that there shall be a rebate on material that enters into the repair of a ship.

Now, Mr. Speaker, this fund out of which this rebate is to be paid is created by a tax levied by Congress in war times upon shipping; that is, upon ships engaged in the foreign trade. While it is true that a small portion of this comes from the American ship-owner, it is at the same time true that 90 per cent. of it comes from foreigners engaged in foreign commerce.

Mr. THOMPSON, of Kentucky. Will the gentleman yield to me for a question right there?

Mr. PAGE. Yes, sir.

Mr. THOMPSON, of Kentucky. I would like to ask the gentleman—suppose the amount that the Government becomes liable for exceeds the amount received from these tonnage dues, what then?

Mr. PAGE. The amendment I propose limits the payment to the amount collected. It provides it shall not exceed that amount.

Mr. THOMPSON, of Kentucky. Suppose the number of vessels on which the drawback is due is greater than can be provided for by that fund?

Mr. PAGE. The whole thing is to be paid out under instructions to be prescribed by the Secretary of the Treasury.

Mr. THOMPSON, of Kentucky. Will it be divided then pro rata among the ship-builders?

Mr. PAGE. That may be a matter of regulation. But certainly the ship-builders will have no right to demand any more money than is received in the shape of tonnage tax.

Mr. THOMPSON, of Kentucky. But will not the liability still rest on the Government?

Mr. PAGE. I think the limitation in the amendment fixes the liability so that the Government shall not be further responsible. It says emphatically the Government shall not be liable, or no more money shall be payable in one year than is collected from the tonnage tax.

Mr. THOMPSON, of Kentucky. Will the committee accept an amendment, that this shall be paid pro rata in case the drawback to which the ship-builders are entitled exceeds the amount of tax——

Mr. PAGE. The committee are willing to accept any amendment that will perfect this section.

Mr. THOMPSON, of Kentucky. And limit the responsibility of the Government to the amount of the tax?

Mr. PAGE. Now, what gentleman in this House, what Representative in Congress, is prepared to say by his vote to the American people, "We are willing that foreigners, subject to a foreign government, may come here and have a ship built out of foreign material, and when that ship is built it is to be exported out of the country to sail under a foreign flag; we are willing those foreigners shall have the drawback that is provided now, but we are not willing that American citizens should have it as is here provided in the eighteenth section"?

Mr. CANNON. Does not the American citizen have the same drawback under existing laws?

Mr. PAGE. If he becomes a foreigner and sails the ship under a foreign flag.

Mr. CANNON. No; if he sails an American ship under the American flag?

Mr. PAGE. I beg the gentleman's pardon. I would like him to show under what statute that can be done.

The opposition to this section means, disguise it as you will, opposition to the labor interests of this country. We can build ships of iron as cheaply on the Delaware as they can be built on the Clyde if you will reduce the price of labor to the same rate; but as long as you claim you have a right under your laws to protect your citizens by levying a tariff tax on imported goods manufactured in a foreign country for the protection of American labor, you have a right to do this for the shipping interest. You may, if you choose, vote down this section and let it go to the country that an American Congress has refused, out of the funds collected almost wholly from foreign citizens engaged in the carrying trade—have refused to grant this rebate, or bounty if you please, that thousands of men now employed may be engaged in the manufacture and building of ships. Let your iron mines be closed down; let your coal mines stop; let those employed in them be turned out of employment, that the policy asked for by my friend from Indiana [Mr. HOLMAN] may be carried out by this Congress; so that you shall go to a foreign country and shall buy your ships, made by foreign labor of material from mines worked by foreigners, while your own mines are left unworked, while the light of your forges goes out and the sound of your rolling-mills is unheard. That will be the result of carrying out that policy.

The eighteenth section of this bill is in the interest and for the protection of American industries and American labor. Its spirit is purely American. While during my ten years' service in this House I may have been liberal in my votes on appropriations, I must say this, that when I leave this Congress I will have the proud satisfaction of knowing that on every appropriation bill and in all the legislation during those ten years I have ever given my vote to protect, foster, and encourage American labor and American industries.

Mr. COX, of New York. I do not doubt my friend from California [Mr. PAGE] is in earnest in speaking in favor of the interests of labor. I do not doubt this joint committee on shipping meant well toward the American people and this then once-favored industry. The gentleman and the committee have done some good in bringing these controversies plainly and practically before the House. The country will appreciate these efforts to revive their old favorite enterprise, even if the efforts be mistaken in means and aim. That committee, in so far as a member of it may compliment it, has done a faithful and I may say inexpensive work. It has cost a mere song, compared with other committee expenditures, to gather the facts and present them to Congress. We have given you the results of many weeks of careful consideration, and if we differ it is because there are irreconcilable differences between men and parties as to the functions of government, the needs and uses of taxation, and the objects of subsidies and other pecuniary aids.

Among the propositions made for reviving shipping is this proposition of the eighteenth section. I am glad it is presented as it is. I hoped for its presentation in antagonism with the more liberal and enlightened policies of free materials and free ships. It has been ameliorated, as the House will see, by the majority of the committee. It now provides that the drawback is to be drawn from this tonnage tax of a million and a

half or more, two millions perhaps before we get through the next year, if the tonnage amendment be adopted.

What, then, is the object and nature of this peculiar subsidy or drawback? Why, of course, the gentlemen intend by its cash, either paid to ship-builder or ship-owner, in good faith, to revive our shipping. They honestly mean to lift this interest out of the terrible condition in which we find it. In this object, in this desperate condition of the shipping interests, any remedy is justifiable which has the element of fairness, equity, and justice, and was there ever a case of such urgency?

Two statements of fact will illustrate what I mean. They should induce the utmost earnestness on the part of this House to give a fair consideration of this matter. There is the startling fact in the first place as to our carrying trade that $1,284,000,000 of our exports and imports are carried in foreign vessels, while our own vessels only carry one-fifth of that amount, $242,000,000. This is the terrible condition of our ship-owners and our carrying trade. Was there ever so humiliating a showing for a proud people and with such resources of exports?

As to ship-building—for this matter concerns both—England excels all other nations in ship-building; and among the rest we painfully suffer in the comparison. Last year she built 890,000 tons, mostly iron steamers, while we built only about 27,000 tons. England has now 192,800 vessels, with a tonnage of 6,000,000 and more, while we have only about 1,300,000 registered tons, nearly all in sailing vessels.

These two pictures sicken the heart. They prompt us almost to forget our legislative integrity, and vote on any plan to subsidize or aid by money from the Treasury and by the removal of every burden the possible and probable obstacles to our maritime success.

In this emergency what is proposed? A mere bagatelle of money in the shape of a subsidy, as some would call it; or an allowance of cash, for I will not call it a subsidy.

What does "subsidy" mean? It comes from an old word which means "to sit down;" "the third line in the old rank of the Roman army a support of the two front ranks." Hence subsidy philologically means a support. It comes down finally to this "unabridged" meaning: "a sum of money specifically paid out by one prince to another, or by one nation to another, to purchase the service of auxiliary troops," &c. [Laughter.]

This, therefore, is in one sense a specific allowance from a particular fund in the Treasury, belonging to all, to help one class of people. If it would help labor here and there from funds drawn from the tax on all labor, I would be willing to vote for it, provided it was not a discrimination for a few men, hardly a class, against the many who are interested in cheap transportation, free materials, and cheap vehicles of trade.

But how will this operate? Will it really help the great bulk of our laboring men? Does it help the farmer? Is he not the main element of our industry? Is he not entitled to cheap transportation for his produce abroad? Every bushel of corn or wheat—is it not rated by prices abroad, at Mark Lane or Liverpool? Never was a more thoughtful sentence pronounced than that of the recent president of the Produce Exchange in New York city, the recently elected mayor, Mr. Edson, when he said:

The difference of a single penny in the cost of laying down grain at Liverpool may determine the question whether millions of bushels shall be supplied by this country or shall be drawn from the ample fields of Hungary or Southern Russia.

Will the agricultural Representatives, fresh from the people, and who found their constituents alive to economic questions, ponder the meaning of our mayor's saying? In connection with this bill, and especially the proposition for free ships, which is their own interest more than that of the ship-owner, will they ponder it?

I read to-day in the New York Commercial Bulletin, of January 9, a statement of the foreign grain charters for 1882. It is most suggestive. I ask to have it appended hereto. It shows that not one ounce of our grain, in the past two years, has been carried in American bottoms, sail or steam, but in foreign steamers, not even in sailing vessels. It is shown that in 1880 our ships carried 1,328,436 bushels of grain out of a total of 113,343,168 bushels—only 1 per cent. of the total exports! Since then not a bushel carried in our own ships! Seven nationalities surpass us in the carrying of our own produce.

[From the New York Commercial Bulletin, January 9, 1883.]

Foreign grain charters for 1882—Suggestive statistics—Marked increase in steam and decrease in sail—Great Britain taking over 50 per cent. of the grain—Not a bushel carried in American bottoms—European vessels monopolizing the whole trade—Probable abolition of sailing vessels as European grain carriers.

In the issue of the Bulletin of January 9, 1882, a compilation of grain shipments from this port for the year 1881 was presented. Somewhat similar tables, except in a more extended form, are hereunder given for the year ending December 31, 1882, and will be found of special interest to those who are studying the causes of the decline of American marine.

Going back to 1879, we find, from carefully compiled and trustworthy statistics, that in that year there were 99,410,080 bushels of grain shipped from this port, of which 40,500,058 bushels were carried by 1,056 steamers, and 58,910,022 bushels by 1,780 sailing vessels. In 1880 there were 113,343,163 bushels shipped, 49,966,579 bushels of which were transported by 1,292 steamers, while 63,376,584 bushels found passage in 1,780 sailing bottoms. In 1881 there were exported to Europe 72,276,312 bushels, and of this quantity 53,255,728 bushels were carried by 1,302 steamers, and 19,020,584 bushels by 554 sailing vessels.

In the year 1882, exports from this port were materially affected by the deficiency of the wheat and corn crops of 1881; hence 46,162,738 bushels were only carried, a decrease of about 26,000,000 bushels as compared with the previous year. Of the grain transported in 1882, no less than 39,878,449 bushels were carried by 1,069 steamers, while 6,284,289 bushels were carried in the bottoms of 240 sailing vessels.

The first impression that naturally strikes one on a perusal of the above figures is the fact that sailing vessels are rapidly making way for steam in the trans-atlantic grain carrying trade. While there were 41,067,851 less bushels shipped in 1881 than in the year 1880, the falling off in the sail carrying is most marked, the decrease in the amount transported by sail being 44,356,000. On the contrary, steamers carried in 1881 3,289,149 bushels more than in 1880.

In the year 1882 the percentage of steam over sail is still greater, though the exports are less by about 26,000,000 bushels. Yet we find that last year, notwithstanding the heavy falling off just mentioned, steam carried only 12,377,279 less bushels than in 1881, while sailing vessels carried a total of only 6,284,289, being 12,722,711 bushels less than in 1881. It would be tolerably safe to estimate that if Atlantic sailing vessels for the carriage of grain to Europe decrease in the same ratio they have during the last three years not a solitary grain sail-charter will ere long be effected at this port.

Suggestive as these figures are, perhaps the most surprising feature is that not an ounce of grain during last year was carried across the Atlantic from this port in an American bottom, sail or steam. The same state of affairs existed during the year 1881. In 1880 the American ships carried 1,328,436 bushels out of a total of 113,343,168 bushels; in other words, about 1 per cent. of the total exports. Since then, however, they have not conveyed a bushel. In 1880 seven nationalities, Dutch, French, Danish, Portuguese, Russian, Spanish, and Swedish, carried less grain than American, but the figures given prove how completely they have gone ahead of us since.

It is somewhat difficult to obtain a correct yearly average of freight rates. The movement of grain last year was not only less, but uncertain. It was shipped for a half-penny in May, and was at one time as high as 9¼*d.* sterling to Hull and 8¼*d.* to Liverpool. If an average, however, be struck at 6*d.* per bushel, the British lines will have received the respectable sum of $3,336,855 or thereabouts for their grain carrying of last year, which, as has been shown, was a comparatively dull season. On the same basis, the whole of the foreign steam and sail companies received last year from this particular freight about $5,770,342. As usual, British vessels head the list. To say nothing of other countries' vessels controlled by British capital, but not under her flag, she is credited with over 50 per cent. of the whole grain-carrying trade from this port, though the percentages over other nationalities were greater in 1880 and 1881, being 57 and 62 respectively.

While more British steamers were last year used for grain, her decrease in sail tonnage was very marked indeed, as the following figures will show: 1880, 24,955,981 bushels; 1881, 6,300,424 bushels; 1882, 1,004,190 bushels. In her grain sailings Great Britain for the first time is beaten by another nation, but has far outstripped all her competitors in supplying their place with steam. Last year Italy headed the list in sail, with Austria second and Great Britain third. Belgium had no sail last year, but increased her carriage by steam from 4,695,948 bushels in 1881 to 5,287,451 bushels in 1882. The Germans carried less last year than in 1881, but the Dutch and French are slightly ahead of last year's record.

The following are the shipments of grain from this port by the respective European carrying powers during the year 1882:

Shipment by sail and steam in 1882.

	Steam.	Sail.	Total.
	Bushels.	*Bushels.*	*Bushels.*
American			
Austrian		1,769,777	1,769,777
Belgian	5,287,451		5,287,451
British	25,690,656	1,004,190	26,694,846
Danish	1,184,405	8,625	1,193,030
Dutch	1,929,323		1,929,323
French	2,297,868		2,297,868
German	2,756,578	6,472	2,763,050
Italian	559,453	2,383,464	2,942,917
Norwegian		551,876	551,876
Portuguese		374,793	374,793
Russian			
Spanish	172,715	127,363	300,078
Swedish		57,729	57,729
Total	39,878,449	6,284,289	46,162,738
Number of vessels	1,069	240	1,309

For the purpose of comparison, we give the same for the year 1881:

Shipments by steam and sail in 1881.

	Steam.	Sail.	Total.
	Bushels.	*Bushels.*	*Bushels.*
Austrian		2,330,759	2,330,759
Belgian	4,695,948		4,695,948
British	39,395,720	6,300,424	45,696,144
Danish	1,176,844		1,176,844
Dutch	1,295,710	50,235	1,345,945
French	2,074,894	68,283	2,143,177
German	3,988,562	194,376	4,182,938
Italian	529,699	4,914,299	5,443,993
Norwegian		4,308,712	4,308,712
Portuguese		338,375	338,375
Russian		130,507	130,507
Spanish	98,351	55,766	154,117
Swedish		328,848	328,848
Total	53,255,728	19,020,584	72,276,312
Number of vessels	1,302	554	1,856

It should be observed that 1,069 steamers carried grain in 1882 and 1,302 in 1881; and while in 1882 there were 240 sailing vessels, in 1881 the sail bottoms amounted to 554.

The following table gives the shipments of grain (excepting flour) by months for the year 1882 by both steam and sail-vessels. The figures immediately under the monthly tables represent the number of vessels which have sailed during such period:

Statement showing the number of bushels of grain exported to Europe from New York by steam and sail in 1882.

Month.	Austrian.		British.		Belgian.		Danish.		Dutch.		French.		German.	
	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.
January		62,000	1,543,745	9,045	246,681		71,345		121,632		91,600		216,065	
Number of vessels		1	45	1					4		3		6	
February		55,008	1,934,637	11,199	450,337		59,167	8,625	155,627		174,317		158,638	
Number of vessels		2	56	1	7		1	1	6		5		8	
March		35,650	2,097,900	37,017	332,875		31,058		130,602		276,385		119,022	6,472
Number of vessels		3	62	1	6		3		6		14		5	1
April			1,269,122		307,327		28,914		58,121		210,628		37,118	
Number of vessels			47		11		2		5		7		4	
May		62,969	939,641	10,700	375,007		45,489		115,926		146,035		192,917	
Number of vessels		2	38	1	9		2		5		6		13	
June		164,187	1,481,862		241,861		79,669		128,636		193,156		49,808	
Number of vessels		4	44		7		2		5		7		6	
July		194,911	3,126,957	148,847	614,987		124,273		87,296		218,602		181,015	
Number of vessels		6	61	6	8		2		5		5		11	
August		274,486	4,219,818	494,905	753,405		249,158		342,367		266,700		660,028	
Number of vessels		8	80	11	10		4		8		9		19	
September		239,590	3,577,407	128,158	764,589		161,898		291,653		107,333		390,129	
Number of vessels		8	76	6	9		3		8		4			
October		247,260	1,461,897	15,021	534,978		140,953		310,164		216,676		273,484	
Number of vessels		10	42	1	9		4		8		5		15	
November		328,387	1,805,718	52,897	353,968		150,205		85,007		246,091		303,932	
Number of vessels		11	54	2	9		4		5		6		15	
December		145,329	2,232,552	96,401	311,436		56,276		102,292		150,349		174,422	
Number of vessels		4	69	6	8		2		6		5		11	
Total bushels		1,769,777	25,690,656	1,004,190	5,328,451		1,184,405	8,625	1,929,323		2,297,868		2,756,578	6,472
Total vessels		59		36				1						1

Month.	Italian.		Norwegian.		Portuguese.		Spanish.		Swedish.		Totals.	
	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.	Steam.	Sail.
January		94,419									2,227,068	135,464
Number of vessels		3									65	5
February	56,737	284,856		15,205		30,186					2,988,860	405,079
Number of vessels	1	9		1		1					84	15
March	123,150	188,001		95,341		25,381	50,000			16,229	3,210,992	454,091
Number of vessels	3	8		4		1	1			1	100	19
April	24,588	65,505				66,141		10,973			1,935,818	142,619
Number of vessels	2	2				3		1			78	6
May	60,860	18,900				9,163	3,900	33,122			1,879,865	134,854
Number of vessels	2	1				1	1	2			76	7
June	24,078	153,696		22,215		14,636					2,199,670	294,734
Number of vessels	1	6		2		1					72	13
July	38,677	200,519		42,991		23,135	16,050	12,800		10,500	4,407,857	633,703
Number of vessels		7				1	1	1		1	94	24
August	47,132	529,151		180,031		65,460	70,638			31,000	6,609,246	1,575,033
Number of vessels		20		7		5	1			1	132	52
September	62,264	209,132		119,130		74,788	32,037	21,736			5,392,310	792,534
Number of vessels		8		4		3	1	2			115	31
October	50,034	150,405		45,363		23,846		38,732			2,918,182	520,627
Number of vessels	1	6		3		2		1			84	23
November	40,947	200,581		31,600		10,718		10,000			2,985,868	724,185
Number of vessels	1	10		1		1		1			94	26
December	25,986	198,299				31,339					3,053,313	471,358
Number of vessels	1	7				2					102	19
Total bushels	559,453	2,863,464		551,876		3,747,993	172,715	127,363		57,729	39,878,449	6,284,289
Total vessels		87		24		21	5	8		3	1,056	240

Grand total, 1,336 vessels and 46,162,738 bushels.

Mr. William E. Ferguson, president of the Mutual Grain Coiling Company, 17 South William street, has our thanks for a number of the foregoing statistics. His carefully compiled records have proved of excellent service to the shipping interest generally.

We come down now to the only real remedy proposed by the majority, for I do not reckon the other remedies of the bill as of much moment. I know this remedy will help the wooden-ship building in Maine, I know it will help the iron-ship builders on the Delaware. It is not as much, perhaps, for the wood-ship building interests of Maine as for the iron-ship building interests on the Delaware; but for both it is a bounty, a gift, a subsidy. It is argued as such—confessed to be an allowance of cash, and by the present amendment limited to a sum and fixed upon a special fund.

The hull of a wooden ship is built of wood and iron, with copper fastenings, and on all those articles if imported from abroad there is a duty; and so there is on the sheathing of yellow metal. It is calculated that of the cost of a wooden ship two-thirds pertains to the hull, and one-third only to the spars, sails, rigging, anchors, cables, and furniture; and on the iron rigging and hemp rigging there is a duty. Take it all together, if this bill, with the eighteenth section, should pass, the wooden-ship builders of Maine can save ten or fifteen dollars per ton on a ship which they say they can build for $50 per ton, and which they admit they can build as cheaply as it can be built anywhere.

Mr. DINGLEY. I am sure the gentleman does not intend to misrepresent, but that is the effect of his language.

Mr. COX, of New York. The gentleman can answer me when I get through.

Mr. DINGLEY. But it is at this point that the misrepresentation is, and I know the gentleman does not intend it. In the case of a wooden vessel the only metal that goes into it on which there would be a drawback would be the metal material which is employed. The timber is as cheap in Maine as it would be anywhere else, so that the ship-builders would get the advantage of only about $3 a ton under this bill.

Mr. COX, of New York. I am glad my friend has made that admission.

Mr. DINGLEY. Exactly; and why should not the Maine ship-builder have it?

Mr. COX, of New York. The gentleman is entitled to credit, and I grant it to him, for paring down this great subsidy as well to the small proportions of $3 above the cost of the ship, but also for limiting the total to the amount of the tonnage tax. Yet I know, sir, that this tonnage tax is but the entering-wedge. If adopted there will be in the future vast subsidies demanded for this special interest; the principle or policy will be established, and the shipping interest be quartered *ad libitum* on the Treasury. Is there no better plan, sir?

Perhaps there is no plan adequate to this desperate emergency; perhaps, as the Boston Advertiser has shown, the fault is in the half rate paid for fifteen or twenty years, and which, while the cost of running ships has kept up, has made the gross receipts destructive of the values of ship property.

Perhaps the sale by the million—fifteen millions of dollars' worth of our model ships, being realized by our ship-owners in their sales abroad—has given the outside world the finest of freighting ships, with the ever-present model to copy from. A thousand peradventures and guesses may be made as to the causes of our decline, which have not yet been

analyzed. But we are safe in saying that one remedy has not yet been tried. It is with this remedy that the minority antagonize the proposition in the eighteenth section. First, by providing for free material. Why not? If you would help the ship-builder, give him his material free. It lessens the cost of this instrument of commerce, if we can build it at all in this country. That is the great obstacle in the way of ship-building to-day, especially of a certain class of iron steamships.

But when we make a proposition for free ships with the proviso of the honorable and liberal merchant-prince of Boston [Mr. CANDLER], when we make that proposition we are told by the gentleman from Maine [Mr. MURCH] that we are indulging in poetry. Now, I have always been led to believe that poetry meant something that led to magnanimity, morality, and delectation. Lord Bacon in one of his definitions calls it one of the principal portions of learning, and nothing else but feigned history, which may be styled as well in prose as in verse. Its use is to give satisfaction to the mind. He says it hath some participation of divineness, because it doth raise and erect the mind. In speaking of the models of American ships which the gentleman from Maine [Mr. MURCH] saw in the Crimea did he not also indulge in poetry, albeit he spoke in prose? He admired the models of beauty and safety, which Ruskin praised as the perfection of art, amid the perils of the sea.

The SPEAKER. The time of the gentleman has expired.

Mr. ATKINS. I will take the floor and yield to the gentleman from New York.

Mr. COX, of New York. I thank the gentleman for his courtesy.

My friend from New Jersey, in winding up his most eloquent speech of yesterday, could not refrain from indulging in the morality, delectation, and magnanimity of a little poetry, in which he illustrated the grandeur of independence. I therefore ask to be pardoned for my eulogy of that elemental grandeur which the ocean never fails to illustrate, which has been the provocation of enterprise since man first sailed the sea. If I drew on my fancy to show the inspiration of freedom which the winds and waves give, to enkindle the sentiment which harbors no slavish, ignoble thought, I may be pardoned in view of Lord Bacon's definition and the practice of those who advocate slavish restrictions upon ship-building and ship-buying. Nevertheless the bald fact remains, more interesting and sentimental than poetry, a fact which never fails to inspire emotion even as the flag itself inspires patriotism, that the only way given under heaven and among men in this country to revive our ancient glories upon the main is to go forth into the markets of the world and buy the vehicles of our commerce as cheaply as other nations do who compete with us.

When, Mr. Speaker, the Franco-German war broke out in 1870, there was here in this House a large Republican majority. I had pending at that time a bill for free ships, limiting it to ships for foreign trade and of 2,000 tons tonnage. The very last day of the session in came a message—from whom, think you?—favoring a proposition of that nature. It was a message from General Grant, President of the United States, as follows:

To the Senate and House of Representatives:

Your attention is respectfully called to the necessity of passing an Indian appropriation bill before the members of Congress separate. Without such appropriation Indian hostilities are sure to ensue, and with them suffering, loss of life, and expenditures vast as compared with the amount asked for.

The latest intelligence from Europe indicates the imminence of a war between France and North Germany. In view of this a sound policy indicates the importance of some legislation tending to enlarge the commercial marine of this country.

The vessels of this country at the present are insufficient to meet the demand which the existence of a war in Europe will impose upon the commerce of the United States, and I submit to the consideration of Congress that the interests of the country will be advanced by the opportunity to our citizens to purchase vessels of foreign construction for the foreign trade of the country. An act to this effect may be limited in its duration to meet the immediate exigency.

The foreign mail service of the United States is in a large degree depending upon the Bremen and Hamburg lines of steamers. The Post-Office Department has entered into contracts in writing with the two companies above named and with the Williams and Guion lines, respectively, for a regular and continuous service of two years. The only arrangement that could be made with the Inman and Cunard lines is temporary and may be broken off at any time. The North German lines are first-class in point of speed and equipment, their steamers usually making the trip across the Atlantic in from twenty-four to thirty-six hours in advance of the Williams and Guion lines. Should the North German steamers be blockaded or impeded by France our postal intercourse with foreign nations will be greatly embarrassed unless Congress shall interpose for its relief.

I suggest to Congress the propriety of further postponing the time for adjournment, with the view of considering the questions herein communicated.

U. S. GRANT.

WASHINGTON, D. C., *July* 15, 1870.

The President proposed in fact that the vessels of Germany, then at Hoboken, some twenty-seven in number, great German steamers built on the Clyde, should be brought under our flag. I have no doubt that General Grant in his Cabinet took the counsel of the honorable gentleman from New Jersey [Mr. ROBESON]. He bows his head. He did. On maritime matters he could not help doing so, for the gentleman from New Jersey knew more about such questions than the General himself, more perhaps than any other man in that Cabinet. General Grant gave us that advice in an extra message. It was wise and timely. He had in view the emergency of a war between two great powers of Europe. After much trouble we brought the question up. Was the proposition favored or killed? Mainly through the efforts of a Democrat, Mr. Brooks, of New York, it was postponed until too late. A motion was made to lay the bill on the table. It failed to carry in a Republican House. General Schenck, of Ohio, a liberal Republican of large grasp, championed the measure. Republicans voted for it by the score. So that my friend from Massachusetts is in splendid Republican company in advocating the proposition which he has advocated.

What a splendid fleet of iron steamers would now be under our flag had that Congress postponed its session one day, or even one hour, for we adjourned *sine die* within an hour after the message came. It was estimated that at least fifty millions of freightage was lost to us by our failure to have these German steamers. There was a great demand for freight room, and no ships. If the emergency returns we will be in a similar case; and the farmer loses as well as the shipper and ship-owner by our failure to reap the rich harvest.

Following in the line of higher authority than General Grant, taking into consideration larger reasons than the gentleman from New Jersey can now give or then gave, I propose to recover our lost prestige and experience and to restore the old calling. I propose in the interest of the farmer, of the workingman, of the ship-owner as well as the ship-builder and the artisan who would repair the ships that we would buy and build after buying, under the pressure of competition; I propose in the interest of men who, seeing foreign ships bought abroad and brought here would with all the ingenuity of Americans rival the world of art in construction and the world of science in marvelous motors. I propose to stand by the proposition for both free materials and free ships—liberty to buy, liberty to build—as I said before in one inspiring word—liberty! [Applause.]

Mr. KASSON. Mr. Speaker, on former occasions I have been, with reference to this question, on the same side as the gentleman from New York [Mr. COX]. I wish to state, in the very few minutes at my disposal, one or two reasons why I can not at this juncture vote on that side of the question.

Congress made the first great blunder on this subject of shipping immediately after the close of the war. I then remonstrated against it on this floor. At that time American-built ships which for the sake of protection on the high seas during our rebellion, when we could not protect them, had sought the protection of foreign flags—such ships, although American built and registered, were prohibited from returning under the flag of the United States; and this was done with the vain supposition that it alone would revive ship-building in the United States. It was a great blow to that interest, from which it has never yet recovered. Congress to-day owes something to the people of this country for the great mistake which was made at that time. Our sailors have disappeared from the ocean; we have lost our place in the commerce of the world; we have lost our management of our own maritime affairs.

The question is not merely that of building ships; it is the raising of a race of men who know the lines of commerce, who know the agencies to be applied for developing the commerce of the country, whose patriotic intelligence leads them to serve the commerce of their own country rather than the commerce of rival nations. We wish to restore the class of great merchants and famous captains who find and develop new markets for American production and who will compete again with the rivals to whom our narrow policy has given up our legitimate share of oceanic transportation and exploration.

For these reasons I have twice in former Congresses introduced a bill to suspend the registration law for a given term—three years, I think—and allow the purchase and registration of foreign ships by our citizens; in order to enable our merchants to grasp these vehicles when our ship-yards were silent, and the sound of the hammer was not heard in them. That proposition has always failed; it will be defeated now, because it appears to strike a great industrial interest of the United States, which will not allow the ranks of protection to be broken. Hence my vote for it to-day would be a vote to defeat another project that may carry, and I can not waste a vote on this question of reviving American commerce and a knowledge of the seas, of resurrecting that race of seamen by whose hands, in our naval wars, the American flag has gained a glory which to-day inspires the heart of every school boy as he reads the story of our naval triumphs in the past.

Therefore, I ask those who wish to take some steps for the restoration of the American spirit on the seas, of American commerce on the ocean, or even for the revival of American ship-building in our ports—I ask them to accept any proposition which offers a fair prospect of improvement, and which may be fairly tried for two or three or five years, and if it should fail in its practical operation let it be abolished and another be tried. If anything in the nature of a subsidy is to be granted, my preference is for a proposition—and I had partially prepared a bill to this effect which failed of completion by reason of other pressing business of the session—a proposition authorizing the President to organize a commission, consisting of chosen members of some dozen chambers of commerce in the United States.

This commission should determine terminal and way ports of routes for the mails and commerce of the United States and frequency of voyages. In aid of this mode of developing our national interests by new or extended markets we could grant a million a year to be allotted by this merchants' commission according to the importance of the route. The grant would be nominally for mails, but really for commerce. Wisely chosen routes would as surely develop and enlarge our export trade

and general prosperity as railroads across our desert lands have unfailingly developed new resources and vast wealth. I want nothing to do with subsidies or their distribution. I wish the business men engaged in foreign commerce to determine what will develop that commerce and restore the prestige of our country which has been lost by our own blunders and neglect. Let Congress do something to make amends for its original blunder, and show its disposition to aid the effort now honestly made to take a step forward toward an object which is unquestionably demanded by an intelligent public opinion.

[Here the hammer fell.]

Mr. WELLBORN. Mr. Speaker, my main purpose in seeking the floor is to emphasize in words the opposition I shall record by votes to certain parts of the bill now under consideration.

The decadence of the carrying trade of the United States in their foreign commerce is so patent, and has so nearly approached annihilation, that it can not fail to arrest the attention and excite the solicitude of every one who desires the development and utilization of the material resources with which nature has so richly gifted this country. Reliable statistics have been carefully gathered and forcibly presented to this House and the country by the Joint Select Committee on American Ship Building, whose report accompanies the bill, showing beyond dispute that while the foreign commerce of the United States has rapidly and substantially expanded until it has reached a volume of almost incalculable proportions, our foreign carrying-trade has constantly declined during the last quarter of a century, until to-day in comparison with the like interests of England it has well-nigh faded from the bosom of the ocean.

The statistics showing these results are condensed in the following table taken from the report of this joint committee. The following figures for each semi-decennial year since 1840 will present at a glance the facts relating to the past and present condition of American shipping:

Years.	Tonnage in foreign trade.	Tonnage in coastwise trade.	Value of exports and imports.	Per cent. carried in American vessels.	Per cent. carried in foreign vessels.
1840	762,838	1,176,694	$231,227,465	82.9	17.1
1845	904,476	1,223,218	231,901,170	81.7	18.3
1850	1,439,694	1,797,825	330,037,638	72.5	17.5
1855	2,348,358	2,543,255	536,625,366	75.6	14.4
1860	2,379,396	2,644,867	762,288,550	66.5	33.5
1865	1,518,350	3,381,522	604,412,996	27.7	62.3
1870	1,448,846	2,638,247	991,896,889	35.6	64.4
1875	1,515,598	3,219,698	1,219,434,544	25.8	74.2
1880	1,314,402	2,637,686	1,613,770,633	17.4	82.6
1881	1,297,035	2,646,011	1,675,024,318	16.0	84.0
1882	1,259,492	2,873,638	1,567,071,700	15.5	84.5

Commenting on these figures, the committee say:

The foregoing official table presents a very unsatisfactory and humiliating condition of the American merchant marine employed in the foreign carrying trade. While our foreign commerce has steadily increased, the value of our exports and imports the last fiscal year having been seven times as much as it was in 1855 and more than twice as much as it was in 1860, yet the share of these exports and imports carried in American vessels has decreased from 82.9 per cent. in 1840 to 15.5 per cent. in 1882. Of this loss 16.4 per cent. was before the breaking out of the civil war in 1861, 38.8 per cent. during the four years of the war, and 12.2 per cent. since the close of the war.

The decline experienced between 1845 and 1850 was largely recovered between 1850 and 1855; but from 1856 the decline was continuous, although slow, up to 1861 when it became so rapid and serious, in consequence of the civil war and the operations of the confederate cruisers, that between 1861 and 1865 we lost more than one-third of our foreign carrying trade. Between 1865 and 1870 there was some improvement, mainly brought about by a return of vessels to the foreign trade which had been employed during the war in Government service and the coastwise trade. Between 1870 and 1875 the share of the foreign carrying trade controlled by American vessels declined 9.8 per cent.; between 1875 and 1880 the decline was 8.4 per cent.; and in the past two years it has been 1.9 per cent.

The growth of American tonnage engaged in the foreign trade practically ceased in 1855. Before that period it had increased for many years at the rate of about 12 per cent. per annum; but between 1855 and 1860, notwithstanding our exports and imports increased 8 per cent. per annum, or 40 per cent. during the five years, our tonnage employed in the foreign trade remained almost stationary, and the ship-building industry, so far as it was directed to the construction of vessels for the foreign trade, rapidly declined. In 1855 our tonnage employed in the foreign trade was 2,348,358 tons, and in 1860 it was only 2,379,396; thus barely holding its own. In 1855 there were 507 vessels, of the classes usually employed in the foreign trade, built in the United States; in 1856 the number declined to 463; in 1857 it declined to 309; in 1858 to 168, and in 1859 to 117.

During the four years of civil war the American tonnage employed in the foreign trade declined from 2,496,894 tons in 1861 to 1,518,350 tons in 1865, a loss of 978,544 tons, or nearly 40 per cent. The decline of this tonnage since 1865 has been about 15.5 per cent., notwithstanding the value of our foreign commerce has increased from $604,412,996 in 1865 to $1,567,071,700 in 1882.

The following figures extracted from the views of the minority of the committee show the yearly percentages of exports and imports carried in the vessels of the United States from 1855 to 1882:

	Per cent.		Per cent.
1856	75.2	1870	35.6
1857	70.5	1872	28.5
1859	66.9	1874	26.7
1861	65.2	1878	25.9
1863	41.4	1879	22.6
1865	37.7	1880	17.6
1867	33.9	1881	16.2

"American vessels transported during the fiscal year 1881, 16.2 per cent.; foreign vessels, 83.8 per cent. These figures show, more than useless rhetoric, the degradation of this once proud and profitable employment."

The prostrated and languishing condition of our foreign shipping, as exhibited in these tables, has stimulated much of the intelligent thought of the country to searching and laborious, if not exhaustive, inquiries as to the causes which brought it about. These inquiries have led to numerous and diverse conclusions. Time will not allow me to discuss or even enumerate all of them.

The causes assigned and elaborated in the report of the full committee are two. The gentleman from Maine [Mr. DINGLEY] in his speech of Saturday thus epitomizes them:

We are thus brought to the conclusion that the inception of the decline of our foreign carrying trade between 1855 and 1861 was due to two causes:

First. The great change in over-ocean transportation which was gradually being made from wooden vessels to iron, and from sails to steam and the screw propeller—a change which gave England, with her cheap labor and her mines of coal and iron near the seashore, a greater advantage than we had when wood was the only material of which vessels were built.

Second. The adoption in 1854 of the policy of removing every burden from and giving every possible advantage to her merchantmen, coupled with liberal appropriations in the form of postal pay, as well as subsidies, to secure the establishment of steamship lines to all parts of the world; while at the same time the American Government neither lifted a burden nor offered any encouragement to her marine.

It was not until 1855–'56 that these causes began to exert a marked influence and to change the current of the foreign carrying trade.

It is to be presumed the pending bill was framed with a view of counteracting or removing these causes. Accordingly, the same gentleman tells us that it purposes two objects:

First. To make it possible for a vessel floating the American flag to carry our exports and imports as cheaply as the vessel of any other nation can do.

Second. To make it possible for an American ship-owner or would-be ship-owner to obtain vessels for his trade at no higher cost to him than to our foreign competitors.

This analysis of the bill I shall follow in presenting the grounds of my opposition to certain of its provisions.

Touching the means by which it is proposed to accomplish the first of these objects, I have only to say that I have no war to make on any of them except that contained in the twenty-second section, which is as follows:

SEC. 22. That all registered ships, steamers, or vessels employed exclusively in the foreign carrying trade, including the trade between the Atlantic and Pacific ports of the United States, are hereby exempted from all or any State or municipal taxation.

Waiving, Mr. Speaker, discussion of the power of Congress under the Constitution to enact the section named, which is a disputed and vexed question, I have simply to say that to me it seems highly inexpedient to enter upon such legislation at this time. As has been said, there is no question upon which the people of this country are more sensitive, and justly so, than that of Federal interference with the subject of local taxation. There is no necessity, besides, for entering on this new and untried policy now. Three of the American States, New York, Rhode Island, and Massachusetts, have already enacted suitable laws for this purpose, and other States will be compelled to follow their example; otherwise capital invested in the shipping interest will go to those States where these exemptions already exist. Under these circumstances the regulation of this matter can safely and ought to be left to the respective authorities of the several States.

The SPEAKER. The gentleman's time has expired.

Mr. MILLS. I will take the floor and yield my time to my colleague.

Mr. WELLBORN. I am much obliged to my friend.

Now, Mr. Speaker, I come directly to the means by which it is proposed to accomplish the second object of the bill, that is, "to make it possible for an American ship-owner, or would-be ship-owner, to obtain vessels for his trade at no higher cost to him than to his foreign competitors." The eighteenth section is designed to effect this object. It reads as follows:

SEC. 18. That when any vessel, whether steam or sail, shall be constructed and equipped in the United States for the foreign trade, including the trade between the Atlantic and the Pacific ports of the United States, in whole or in part of materials of the production of the United States, the owner or owners of such vessel shall be entitled to receive and collect from the United States a drawback or sum equal in amount to the duty which would have been collected upon imported materials of like description and of equal quality with the American materials used in the construction, equipment, engines, boilers, and other appurtenances of such steam or sail vessel: *Provided*, That in ascertaining such drawback the duties on such iron or steel materials shall be computed on iron and steel advanced in manufacture not beyond the point of plates, angles, bars, and rods: *And provided further*, That this section shall apply only to vessels commenced after the passage of this act.

The provisions of this section, by whatever name it may be called, is a pure and unmixed subsidy. I oppose it for two reasons:

First. Because there is another and more reasonable way of attaining the end in view, namely, the adoption of the policy of free ships.

Second. Because subsidies to build up private enterprises are contrary to the genius of our institutions, and experience has shown them to be baneful in their operations and consequences.

The adoption of the free-ship policy requires not the enactment of new but the repeal of existing laws relating to the registry of foreign-

built ships. If these prohibitory and restrictive regulations were abrogated so as to allow American capitalists to enter and buy from the ship-yards of Great Britain or of any other country they might see proper to resort to, it is clear and undeniable that it would then be "possible for the American ship-owner or would-be owner to obtain vessels for his trade at no higher cost to him than to his foreign competitors." And this policy would be an appropriate remedy, for it would countervail one of the causes which, according to the conclusions of the committee, originally led to the decline of our merchant marine. This decline, so say the committee, began in 1855–'56, and followed immediately the great change in naval architecture from wooden and sail vessels to iron steamers.

Up to this time and "so long," the gentleman from Maine [Mr. DINGLEY] tells us, "so long as wooden sailing vessels controlled the foreign carrying trade of the world we had an advantage in the construction of vessels over any nation in the world. We had the cheaper material, and this superior cheapness of material enabled us to bridge over the difference in labor; for it must be remembered that in the construction of a wooden vessel, as compared with the construction of an iron vessel, the wood or timber when it is cut from the tree is further advanced toward the completion of a vessel than is the iron when the ore has been dug from the mine, smelted, and rolled or hammered into bars, angles, and plates. The amount of labor to be put upon the wooden vessel after the tree has been felled is less than one-half of the amount of labor that is required to build the iron vessel after the ore is taken from its bed.

"Therefore, Mr. Speaker, so long as we occupied the vantage ground, possessed so long as wooden sailing vessels ruled the sea, no nation could cope with us."

Until this revolution, therefore, in the means of ocean transportation our navigation laws, passed in the early years of the Republic, perhaps in 1790, excluding from registry foreign-built vessels, could not have produced any decline in our merchant marine, for the reason that the construction of the kinds of ships then used cost no more here than elsewhere. These laws became potent for harm only when iron and steam ships, which could not be built as cheaply in America as upon the Clyde, began to monopolize our foreign carrying trade, and their abrogation then was the means which should have been adopted for the preservation of our merchant marine.

The remedy, which would have been preservative then would be restorative now, except in so far as its operation would be interfered with by subsequently developed conditions. These are chiefly three.

First. The fact that American capital has found other enterprises and employments at home more profitable than ocean transportation. On this point the minority of the committee say with much force:

> It is not likely that any great increase or revival of our ship-building and shipping interests will take place until we have reached the maximum of production in other lines of labor and enterprise, especially in agriculture. When that point is reached, and our energies are diverted to other pursuits, the ocean may have its olden attraction and remuneration for our people.

Second. The high protective tariff which burdens and curses this as well as other industries of the country. In reference to this the minority of the committee speak thus:

> Whatever may be the cause of this decay, the main obstacle to its resuscitation, and without the removal of which all other legislation is futile, is the obstruction to commerce by the tariff. This adds its forty-odd per cent. to the other obstructions which the committee propose to remove by the bills ordered to be reported.

Some of the burdens imposed on American ship-building by the existing tariff are shown in the following table which I have taken from the views of the minority of the committee:

EXHIBIT B.—*Taxes on some of the principal materials used in steamship manufacture under the existing tariff.*

	Per cent. ad valorem.
Wrought-iron for ships and steam-engines, 2 cents per pound	18
Cables and cable-chains, 2½ cents per pound	56
Anchors and parts of anchors, 2½ cents per pound	56
Boiler and other plate-iron, $25 per ton	69
Nails and spikes, 1½ cents per pound	37
Cast-iron steam-pipes, 1½ cents per pound	47
Rolled or hammered iron, 1½ cents per pound	54
Screws, for wood, 8 to 11 cents per pound	59
Sheet-iron, 1½ to 3 cents per pound	51
Copper sheathing, 3 cents per pound	26
Wire rope, strand or chain, 2 cents per pound and 15 per cent	57
Wrought rivets and bolts, 2½ cents per pound	44
Wrought steam and water tubes, 3½ cents per pound	67
Steel in forms not otherwise specified	30
Tarred cable and cordage, 3 cents per pound	26
Manila (untarred) cable, 2½ cents per pound	26
Other descriptions, untarred, 3½ cents per pound	24
Sail duck, or canvas for sails	30
Tar and pitch	20
Plank, deals, and other sawed lumber of hemlock, $1 per 1,000 feet.	
Timber for spars	20

Third. The various aids extended by the English Government to English shipping interests in the way of munificent mail contracts, amounting to bounties, and fixed dividends guaranteed to English capital invested in steamship lines to different parts of the world.

For remedies for the first and third of these unfavorable circumstances we must rely on the curative virtues which the vicissitudes of time may afford. The second, however, is within legislative control, and this control should be at once exerted by such a sweeping revision of existing tariff laws as will bring duties down to a revenue standard.

But the advocates of this subsidy scheme urge against the system of free ships that no nation in time of peace can maintain its commercial independence that does not build as well as sail its own ships. We are told that in the event of a war between England and another country able to put cruisers on the sea the American people would suffer immeasurably by depredations on their commerce.

The gentleman from Alabama [Mr. HERBERT] on yesterday fully answered this argument by a single question and answer. "In the event of such a war," he asked, "how long would it take to build a merchant marine? The war might be over and irreparable disaster inflicted on our commerce before ships could be built to carry it. Adopt, however," he continued, "the free-ship system and allow American citizens to sail under the American flag such vessels as they may choose to own, no matter where built, and we might purchase in a fortnight more vessels than could be built in years."

This necessity for a State or government to build its own ships, asserted by gentlemen favoring the subsidy clause of the bill, it seems to me does not apply to this country with that force which they claim for it. If we were exclusively a sea-faring people, dependent on marine enterprises for livelihood; if from geographical or other conditions ocean transportation furnished the chief supports and elements of our national life and power, the necessity might exist. There have been peoples and nations thus circumstanced. The ancient cities and kingdoms of Phoenicia may be aptly cited as instances. Occupying a narrow strip of territory, washed on one side by the sea and walled on the other by a lofty chain of mountains, they were from necessity nations of mariners. Tyre and Sidon, though for a thousand years the centers of the commercial exchanges of the world, had few important home products besides the purple of the former and embroideries and glass of the latter. Hence it is more than likely that their far-reaching power and renown, built upon long-continued mastery of the seas and splendid triumphs in commerce and navigation, could not have been achieved had it not been that they had within their control and utilized the forests of Lebanon and the varied ship-building resources of Cyprus.

But, sir, such is not the case with this country. We have here an extent and fertility of territory, a richness of mine and forest, a wealth of muscle and brain, which will always enable us to produce in unexampled quantities the staple commodities which enter into the commerce of nations. With these advantages of soil and factory, of physical energy and mental activity, America, obedient to the decrees of destiny, must become the chief granary of the world and the great storehouse of its manufactured products. Her people, instead of relying on the business of carrying between other nations the respective products of each, will command, if need be, into their service these nations as the carriers of their products.

This argument, based on the idea of commercial independence, invoked on all occasions by protectionists in behalf of schemes of class legislation, has never touched my mind with convincing power or even persuasive force. Independence in individual or national life implies capacity in the individual or nation, not to produce, but to obtain all that such existences respectively require. The surplus products over and above home consumption of a country such as ours will be sought after at all times by other countries whose soil, climate, and pursuits are unfitted to the growth or manufacture of these products. This foreign demand for our comodities will of necessity force to our shores those articles needful or convenient to human life which can be produced more cheaply elsewhere than here. The surest as well as safest road, therefore, with us to true and enduring commercial independence is to so shape the policies of our Government and habits of our people as to bring the resources nature has provided us with to the highest point of productiveness, which without unjust discriminations by law in favor of or against any industry they are capable of attaining.

Sir, it is not agriculture, the great source of wealth, but other classes of labor that are most benefited by our ship-building interests; agricultural classes are profited only in so far as the growth of these interests may increase competition among the agencies of transportation and thereby lessen rates of freight. As a strict question of dollars and cents, it matters little to the farmer of this country whether his grain, cotton, tobacco, and other fruits of his fields are exported to foreign markets in American or English bottoms; his chief concern in this aspect of the case is cheapness of transportation.

The control of our foreign carrying trade, therefore, is quite as much, if not more, a matter of national pride and prestige than of general economic interest.

I do not mean by these remarks to depreciate the importance to us of controlling our foreign carrying trade. On the contrary, I claim that such control is a consummation of high value and ought to be resolutely contended for in all proper ways.

What I protest against is the placing of the demand for this control on the plea of necessity.

Necessity is inexorable and knows no law; if the plea be once confessed, logically we are forced to the accomplishment of the object to which the necessity points, even though its accomplishment involves unavoidably the employment of unjust and wrongful methods. For

one I will not, can not indorse any argument or course of reasoning which conducts to such an immoral and perilous conclusion.

In the next place, it is said we must build our own ships in order to be in constant preparedness for war.

Now, free ships would conduce more surely to this state of readiness than the policy which practically forbids our citizens from buying ships where they can be had cheapest. Let this free-ship system be inaugurated by repealing the prohibitory and restrictive laws which exclude from American registry foreign-built vessels, and in a few years the result would be that American capitalists, unless they could find employment elsewhere for their capital more remunerative than upon the sea, would purchase foreign-built vessels and bring them under our flag; and in the event of war between America and a foreign nation we would have a merchant marine, an "ocean militia," more numerous in its vessels and powerful in their aggregate strength than we can hope ever to obtain under the protective, class-favoring policy which to-day afflicts and blights the ship-building and other interests of the land.

Again, as the gentleman from Georgia [Mr. HAMMOND] told us, "War makes new trades, opens up new channels of thought and enterprise; necessity brings forth new inventions." If, unfortunately, war should break upon us, a thousand energies now dormant would spring into activity, countless possibilities now unobserved would become accomplished facts, and armaments would soon be mustered on sea and land adequate to the defense of our territory and protection of our commerce.

These arguments against free ships, which I have hurriedly noticed, are the only ones to which my attention has been specially drawn during this debate except, perhaps, the one advanced this morning by the gentleman from California [Mr. PAGE]. The answer to his adverse criticism on the free-ship system brings up the second ground of my opposition to the eighteenth section of the bill, namely:

That subsidies to build up private enterprises are at war with the genius of our institutions and baneful in their consequences.

The gentleman last referred to said, in substance, that he favored the subsidy clause, in preference to free ships, because the removal of tariff duties from ship-building materials and the introduction of free ships would withdraw a part of the protection now afforded to iron mines and other industries. His proposition virtually is to continue existing protection to these favored industries, and then resuscitate the business of ship-building, which this protection has aided in paralyzing, by subsidies directly from the United States Treasury; or, more succinctly stated, to protect against protection by a new sort of protection called in the eighteenth section of the bill "drawback." In this connection I wish to read an extract—it will take but a moment to do so—from some remarks made to this House in 1871 on a bill similar to this by a gentleman from Missouri, then a Representative in Congress, Mr. Finkelnburg. The extract is as follows:

> In my own opinion the real evil which is destroying American shipping is to be found in an excess of that policy which we are asked by this bill still further to extend—the so-called policy of "protection." Between the protection granted on the one hand to the manufacturer of material for ships, and upon the other hand to the ship-builder, the shipping interest itself has been crushed, as it were, between two millstones. Thus one evil is the natural sequence of another. Whenever the laws of nature are infringed by overwise legislation attempting to improve the natural order of things by arbitrary regulations, those laws always revenge themselves. Where shall we stop? If we go on protecting one industry from the protection of another until we have protected everything to death, the epitaph will be, "Here lie American industry and commerce; died of too much protection."

This plan of subsidizing ship-owners or builders (the latter, though not named, would be the real beneficiaries of the contemplated bounty), as stated by the gentleman whose remarks I have just read, is but another addition to or aggravation of the pernicious system of protection, whose unequal burdens already press so grievously on the toiling, tax-paying millions of the country. It is a proposed diversion of the revenues of the Government from their legitimate objects, and involves an improper use of the power of taxation. It should be ever borne in mind, especially by those to whom it is committed, that the power to tax, even when temperately exercised, is severe and onerous in its exactions. This power can be rightfully employed only to raise revenues for the support of the Government. When exerted to prevent or obstruct importations in order to enable the home manufacturer to compel higher prices for his products, it becomes an engine of rank injustice and oppression. The result it then accomplishes is nothing more nor less than the coerced transfer, under forms of law, without compensation, of the property of one citizen to another.

But it is urged that this subsidy will benefit the laboring classes, and on this point the champions of the measure warm into unusual feeling and eloquence. I ask these gentlemen how many persons in their respective districts would be benefited by Government bounties granted to industries that have localities only in three or four States?

The SPEAKER. The gentleman's time has expired.

Mr. WELLBORN. I ask unanimous consent for only a few minutes longer. I do not often consume the time of the House, and I will get through in a few minutes.

The SPEAKER. The Chair hears no objection; and the gentleman will be recognized for three minutes longer.

Mr. WELLBORN. The matter of subsidies to private enterprises is one to which I am unalterably opposed, and I desire in the plainest possible language to declare my opposition.

But it is said that this subsidy is not to protect any mere local interest, but one affecting the great masses of the American people. Now, in one sense of the word this is a question that does concern the whole country, but not in the sense the advocates of this bill would have us to believe. It concerns the entire country in this, that the entire country must contribute in the shape of taxes the revenues which are to be diverted from their proper uses, the support of the Government, to the purpose of fostering and building up a special and local interest. The injuries of the measure are distributed over the whole land, but its benefits and advantages are confined to a favored class.

The gentleman from California has told us that there was a general demand from the people of this country for Congress to take some action looking to the restoration of the American flag upon vessels carrying the commerce of the United States. If, indeed, there be such a demand, let us in answering it consult only the interests of the people; let us not be moved by the selfish calls of ship-owners and ship-builders who seek Government bounties; let us not use the Treasury of a common Government to enrich preferred classes, but let us give to the people measures of genuine and general relief; let us establish free ships as our permanent policy; last, but greatest in importance, let us so reform the tariff as to expunge forever from our statute-books all vestiges of protection, which with us is the sum of legislative wrongs and an Iliad of economic woes.

Other members who have championed this bill upon this floor in commendable fervors of patriotism have expressed their own longings for the period when merchant ships flying the proud emblems of American nationality shall carry not only our own exports and imports but shall largely effect the commercial exchanges of other nations. Sir, I am not so insensible to the promptings of national pride as to be unaffected by like feelings. I, too, Mr. Speaker, would rejoice to see the day, if its developments could be rightfully accomplished, when flags fashioned like that which hangs above your chair, fixed to the mast-heads of uncounted and countless ships, should stream in the winds of every clime, and thus proclaim to the nations the ocean supremacy of the American Union.

But, sir, at the same time, in connection with that flag I cherish a higher and a better aspiration. It is that the national authority its presence asserts may never be extended on land or water by an illegitimate and wrongful exercise of the sovereign power of taxation; that this authority may never be upheld at home nor signalized abroad through the agency of subsidies unjustly wrung from the hard earnings of tax-oppressed labor; but wherever that bright emblem may be, whether floating over home soil or under alien skies, whether to be met with on one or all the seas, it may ever symbolize the great principles of free constitutional government, among which none are more vital than uniformity and equality of taxation, unjust privileges to none and equal protection of the laws to all. [Applause.]

INDIAN APPROPRIATION BILL.

Mr. RYAN. I desire to interrupt the proceedings on the pending bill for a moment, to ask that the House insist on its disagreement to the amendment of the Senate to the Indian Appropriation bill and ask for a committee of conference.

The SPEAKER. The gentleman from Kansas [Mr. RYAN] asks that the bill (H. R. 6900) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1884, and for other purposes, with amendments by the Senate, be taken from the Speaker's table, and that the House insist on its disagreement to the Senate amendments, and ask for a committee of conference. In the absence of objection it is so ordered. The Chair announces as members of the committee on the part of the House, Mr. RYAN of Kansas, Mr. CASWELL of Wisconsin, and Mr. LE FEVRE of Ohio.

AMERICAN SHIPPING.

Mr. LORD. I move to strike out the last word.

Mr. Speaker, it is my conviction that this proposition should be established, that Americans should build ships for their own purposes and control the American carrying trade. It is a proposition to which not the greatest consequence seems to be attached by some members on the other side of this House—I hope they are not very numerous—but that proposition embodies a conviction of mine that Americans for American purposes should build ships and sail them.

When this bill was introduced I was very desirous it should be amended and passed and that some relief should be afforded to that great interest now so nearly dead that it has almost ceased to breathe. But I disliked section 18, to the consideration of which we have now come, and I had the honor on Monday to propose and have printed in the RECORD an amendment to that section limiting it in two respects, so that it should not go up to large percentages in the way of drawback or to a large amount in the gross. I proposed an amendment that the drawback should be in no instance more than 35 per cent., and that the gross amount in one

year should not be more than the tonnage duties collected in one year.

I am very glad the committee has introduced a substitute for the whole section in which they have embraced the more important part of the amendment I proposed. But I rather regret that in the place of the other branch of my amendment, that the drawback should be limited in all cases to 35 per cent., the committee have put this limitation in the form of a tax on tonnage of $10 in case of sailing vessels and $25 in case of steam-vessels. I shall be glad to have the bill pass, and shall vote for it with that substitute, although it does not exactly include the amendment I have offered.

My friend from Alabama [Mr. HERBERT] said that if the relief should be restricted to the amount of tonnage tax—which, however, he placed over the true amount, which may be assumed to be a million and a half of dollars—it would be a mere bagatelle; a mere "drop in the bucket," a mere "bubble" was, I think, the gentleman's language.

Now, I want to show to the members of the House that although it will be but "a drop in the bucket," as compared with the importance of the object we desire to accomplish, yet it will accomplish a great deal.

The amount of aid that the proposed substitute would afford to American ship-building, assuming that the tonnage tax will be $1,500,000 per year, will appear as follows: $25 per ton on steamships will amount to $50,000 on each ship of 2,000 tons; and this will aid to that extent in the construction of thirty such ships per year, and as such ships are long lived, this would place on the seas one hundred and fifty such ships in five years and three hundred in ten years. As nearly as I can ascertain, with short time for inquiry, the aid would appear to be about 20 per cent. on the whole cost, an important percentage, and one that would be likely to accomplish the object to the extent indicated.

The substitute offered by the committee proposes the amount of $10 per ton on sailing vessels. This would afford aid to the extent of $10,000 each to one hundred and fifty sailing vessels of 1,000 tons in each year; and if this assistance would be sufficient to secure their construction it would, if wholly devoted to sailing ships, put afloat 150 such ships in one year, and 750 in five years, and 1,500 such ships in ten years.

So it appears that aid to the amount of the tonnage tax would be a long step in the direction of a re-established American marine.

Mr. THOMPSON, of Kentucky. I desire to offer an amendment to the proposed substitute. It is to insert after the word "year," in line 28, the following:

And provided further, That if the fund herein provided in any one year is insufficient to pay in full the amount of claims preferred against it, then it shall be prorated among the claimants and accepted by them in full payment of all claims against the United States arising out of this law.

Mr. PAGE. I will say to the gentleman from Kentucky [Mr. THOMPSON] that I have no objection at all to that amendment if my amendment is not sufficiently clear on that point.

Mr. THOMPSON, of Kentucky. If the gentleman accepts my amendment, that is all right.

Mr. ROBINSON, of Massachusetts. It will defer the payment of these claims for a year.

Mr. PAGE. Does it provide that these claims shall go over another year?

Mr. THOMPSON, of Kentucky. Not at all. My amendment is intended to meet what I thought was a defect in the substitute proposed by the committee. If I understand the proposition of the gentleman from California [Mr. PAGE] this one or two millions of dollars derived from the tonnage tax each year is to be given as a bonus to the ship-owners. My proposition is that if there are more claims under the law preferred against the fund than it would cover in any one year, then it shall be prorated among the claimants.

Mr. PAGE. I think that is right.

Mr. THOMPSON, of Kentucky. That is fair, if we mean honestly by this bill.

Mr. ROBESON. That is all right, I think.

Mr. PAGE. Does it not postpone the payment of the claims to another year?

Mr. THOMPSON, of Kentucky. Not at all.

Mr. BLOUNT. Why does it not postpone their payment? The claims will all have to be postponed to the end of the year in order to ascertain how many there may be; for you can not prorate them in any other way.

Mr. THOMPSON, of Kentucky. None of the claims can be paid until they are allowed. Certainly the Secretary of the Treasury would not pay all the money to the first claimants and leave the other claimants to receive nothing. It is but fair and right toward the claimants themselves.

Mr. BLOUNT. Why not postpone them to the end of the year, in order to ascertain what the aggregate will be?

Mr. ROBESON. Nobody objects to that.

Mr. McLANE, of Maryland. There is no objection to that.

Mr. THOMPSON, of Kentucky. It limits the obligation of the Government simply to the distribution of this fund among the claimants. That is accepted by the gentleman from California, I understand.

The SPEAKER. The gentleman can not accept the amendment unless he modifies his own substitute so as to include it.

Mr. BAYNE. Mr. Speaker——

The SPEAKER. Does the gentleman desire to oppose the amendment of the gentleman from Kentucky?

Mr. BAYNE. Yes, sir. But I rise more particularly for the purpose of asking the gentleman from Maine [Mr. DINGLEY] what he intends to include in his proposition. That proposition goes on to provide that this drawback shall be allowed on American material used in the construction and equipment of vessels, the engines, boilers, attachments, and other appurtenances of such vessels, including repairs, refitting, and supplies. Now, do I understand "supplies" to mean the food that may be taken on board the vessel?

Mr. ROBESON. It means naval supplies, which is a technical term and applies only to the things necessary for the construction and fitting of the ship, such as marline-spikes, spars, rigging, &c.

Mr. CRAPO. It refers to naval stores.

Mr. O'NEILL. Which includes nothing except what enters into the construction of the vessel.

Mr. BAYNE. It does not say so. In my judgment the term "supplies" is broad enough to include all supplies taken upon the vessel to provide the passengers with what they may eat and drink; and, if so, there must be a drawback on the champagne which they drink.

Mr. ROBESON. Oh, no.

Mr. BAYNE. Then this must have some technical meaning.

Mr. PAGE. And the gentleman from New Jersey [Mr. ROBESON] has just explained the technical meaning.

Mr. BAYNE. That is hardly an explanation. The term "supplies" of a vessel includes everything necessary to fit that vessel for the voyage.

Mr. THOMAS. That is it exactly.

Mr. BAYNE. If it includes the food and liquors which are to be supplied to the passengers, then let us understand it in that way.

Mr. PAGE. That was not the intention, and we have no objection to an amendment to make it clearer on that point.

Mr. BAYNE. Then I move to amend by inserting after the word "supplies" the words "used in the construction of said vessel."

Mr. O'NEILL. In the construction or repair.

Mr. BAYNE. In the construction or repair of said vessel.

Mr. O'NEILL. Put in these words "supplies which enter into the construction, refitting, or repair," then it will be all right.

Mr. BAYNE. I move to insert the words "for construction, refitting, or repair."

Mr. THOMPSON, of Kentucky. That is not in order at present, for my amendment is pending.

Mr. BAYNE. I understood that the amendment of the gentleman from Kentucky was accepted and had become a part of the substitute.

Mr. THOMPSON, of Kentucky. Then I am to understand that the gentleman from California [Mr. PAGE] accepts the amendment I have offered.

The SPEAKER. Does the gentleman from California modify his proposed substitute so as to include the language of the amendment proposed by the gentleman from Kentucky?

Mr. PAGE. I do. I incorporate it as a part of my amendment.

Mr. O'NEILL. I hope the gentleman from New Jersey [Mr. ROBESON] will explain to the House what "supplies" technically are. Of course he understands this question.

Mr. BAYNE. Upon the suggestion of a member of the committee, I move to amend the proposed substitute by striking out the word "supplies." This word, in my judgment and in the view of others, would include other things than those that go into the construction or repair of a ship. I wish to make it perfectly clear by the language of this section that the drawback is to be allowed only with reference to those things that enter into the construction or repair of a ship.

Mr. CRAPO. I fear that the amendment of the gentleman from Pennsylvania [Mr. BAYNE] goes further than he intends. Under the word "supplies" would be included, I think, certain articles for the running of the vessel. For instance, paints for repainting the vessel during the voyage, surplus cordage, certain chains, and other apparatus which might not perhaps be included in the term "equipment," because these things are used in keeping up the vessel during the voyage. Sometimes we use the term "naval stores." The gentleman from Pennsylvania certainly does not mean to exclude such things as I have mentioned; he merely seeks to exclude provisions. If the language of the section be modified so as to read "supplies which are used in the construction or repair of a vessel," we shall accomplish all that the gentleman desires.

Mr. BAYNE. Does the gentleman wish to complicate the transactions between the owners or builders of a vessel and the Government by considerations with reference to all these trifling matters which he has enumerated? Let this bill cover the important things which enter into the construction of a ship; but the transactions between ship-owners and the Government should not be complicated by this array of little details. It seems to me best that the question should be relieved of all embarrassments of this kind which might open a gateway for the perpetration of frauds upon the Government. If we embrace only those

things actually and constantly used in the construction of a ship, an inspector, acting under regulations prescribed by the Secretary of the Treasury, could see that no fraud was perpetrated.

Mr. O'NEILL. Mr. Speaker, I simply wish to correct an erroneous impression that my colleague [Mr. BAYNE] has on this subject. The Secretary of the Treasury, or those who have charge of the navigation division of the Treasury Department, will understand thoroughly the meaning of the word "supplies," just as they understand the meaning of "provisions" or "ship's stores." The "supplies" of a ship are what the ship-builder or the ship-owner would purchase of those carrying on what is called the ship-chandlery business. They would not go to a grocer to get ship's "supplies." This is a well understood term in ship-building. Hence I am afraid the amendment of my colleague striking out the word "supplies" would embarrass those who are to construe this act.

A few moments ago I called upon my friend from New Jersey [Mr. ROBESON] to explain this term, because I knew he well understood the interpretation to be given to terms of this kind. There are ship's supplies, ship's provisions, and ship's stores.

Mr. ROBESON. Does the gentleman want me to state what the word "supplies" means?

Mr. O'NEILL. Yes, sir.

Mr. ROBESON. A ship at sea can not buy anything necessary for the repair of her masts, her cordage, her sails, or anything else necessary to carry on her voyage. Hence when she embarks upon a voyage she must carry with her sometimes one set, sometimes a double set of such things. And when a contract is made for building a ship the ship-builder understands that those supplies are included, and the ship is delivered with its extra spars, its double suit of sails, its extra cordage, and everything of that kind, just as when you contract for the building of a house the builder furnishes locks and keys.

The word "supplies" does not mean provisions in any sense. It means only those things which are necessary to the full equipment, the actual running of the ship while she is on the broad ocean and away from her sources of supply. The term has a technical meaning which the officers of the Treasury Department, in making regulations, thoroughly understand.

The SPEAKER. Debate on the pending amendment is exhausted.

Mr. SINGLETON, of Illinois. I rise to a parliamentary inquiry—whether the text of the bill is now subject to amendment?

The SPEAKER. It is.

Mr. SINGLETON, of Illinois. Then, Mr. Speaker, I propose to amend by inserting after the word "vessel," in the first line, the words "on river or sea;" by inserting in the second line, after the word "equipped," the words "as a common carrier;" and by striking out all after "United States," in the third line, to and including "United States," in the fifth line.

The SPEAKER. The gentleman had better write out his amendment and present it to the House and have it read from the Clerk's desk.

Mr. SINGLETON, of Illinois. I understand the Chair has decided that the original text of the bill is open to amendment.

The SPEAKER. The Chair stated that the text of the bill which is proposed to be stricken out is subject to amendment before a vote is taken on the motion to strike out. But the Chair thinks the gentleman had better submit his amendment in writing and have it read from the Clerk's desk, so it may be definitely understood what it is before he proceeds to debate it.

Mr. SINGLETON, of Illinois. I do not propose to make a speech.

Mr. HOLMAN. I rise to make a parliamentary inquiry.

The SPEAKER. The Chair will hear the gentleman from Indiana, but the Chair can only answer one gentleman at a time.

Mr. SINGLETON, of Illinois. I insist on my right to be heard.

The SPEAKER. The gentleman from Indiana stated that he desired to make a parliamentary inquiry.

Mr. SINGLETON, of Illinois. And so do I. [Laughter.]

The SPEAKER. The Chair has twice answered the gentleman from Illinois that the text of the bill which is proposed to be stricken out is amendable.

Mr. SINGLETON, of Illinois. But the gentleman from Illinois is not satisfied with the answer of the Chair, and he has a right to make a suggestion which may change the decision of the Chair.

The SPEAKER. Does the gentleman make it in the nature of a parliamentary inquiry?

Mr. SINGLETON, of Illinois. I do, sir.

The SPEAKER. State it, then.

Mr. SINGLETON, of Illinois. I asked first whether the original text was subject to amendment, and the Chair replied that it was. I then read the amendment which I propose to make to the original text.

The SPEAKER. That is not a parliamentary inquiry.

Mr. SINGLETON, of Illinois. I then offer the amendment, if that is parliamentary.

The SPEAKER. But the Chair thinks the gentleman from Indiana, rising to a parliamentary inquiry, is entitled to be heard.

Mr. SINGLETON, of Illinois. When the Chair decided that the original text was subject to amendment, and the Chair recognized me as entitled to the floor, I certainly had the right to offer that amendment. I might read it myself or send it to the Clerk's desk to be read, just as I chose.

The SPEAKER. The gentleman is entitled to the floor to offer an amendment, but still another gentleman rising to a parliamentary inquiry is entitled to be heard.

Mr. SINGLETON, of Illinois. I will yield the floor, of course, to the gentleman from Indiana to make his parliamentary inquiry.

Mr. HOLMAN. I withdraw my request to make a parliamentary inquiry.

Mr. SINGLETON, of Illinois. The amendment I offer to the original text is, after the word "vessel," in section 18, to insert "on rivers and seas," and after the word "equipped," in the second line, "as common carriers."

The SPEAKER. What section?

Mr. SINGLETON, of Illinois. In the eighteenth section, which I believe is the section under consideration.

Mr. PAGE. There is a substitute for that pending.

Mr. SINGLETON, of Illinois. I know that, and the original text of the bill can be perfected before a vote is taken on that substitute.

The SPEAKER. That is so.

Mr. SINGLETON, of Illinois. And further I move to strike out all after the words "United States," in the third line, down to the same words in the fifth line. My object is to bring——

The SPEAKER. The Chair desires first to have the amendment read.

Mr. BUCKNER. I understand we are acting on the substitute moved by the committee.

Mr. SINGLETON, of Illinois. Yes, my friend, but we have the right to perfect the text on the motion to strike out.

The SPEAKER. The Chair thinks the gentleman from Illinois has the wrong bill.

Mr. SINGLETON, of Illinois. If so it is not my fault, but I believe I have the right bill.

Mr. SPARKS. My colleague has the right bill and is stating his amendment correctly.

Mr. SINGLETON, of Illinois. My object is to bring the service of our rivers and inland seas within the purview of this section and the legislation proposed in this bill. In behalf of the steamboats employed in the navigation of the Mississippi and other rivers of the West, I wish them to have the same rebate or drawback allowed to ships engaged in foreign commerce or in the coastwise trade.

I have had no desire to enter into any discussion of this measure, because these are matters with which I am not altogether familiar. I do not know the difference—I could not tell if I were on a ship whether I was before the mast or behind it. [Laughter.] We have steamboats in our country and we are interested in the question of rebate or return of duties imposed upon materials used in their construction. I wish to save them from taxation, like those engaged in the foreign and coastwise trade.

Now, Mr. Speaker, I have been involuntarily drawn into the consideration of this question. I can not vote for the bill, and will not vote for it. There are many very monstrous propositions contained in it in my judgment. I have been drawn into the discussion, as I have said, involuntarily. My colleague from Illinois and the gentleman from Georgia have asserted propositions the most extravagant that have ever been presented to this country. The proposition of my colleague was that the States could destroy the commerce, protected by the Constitution of the United States, by taxation. The gentleman from Georgia thinks that all questions of commerce are committed to the Federal Government. He talked of interstate commerce. Why, is there a man on this floor who has read the history of the Constitution of the country that does not know that the very object of the convention that framed this Constitution was to do away with just such questions?

Mr. HOLMAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOLMAN. I desire to ask whether the substitute now pending is still open to amendment?

The SPEAKER. The substitute is open to amendment, but there is a pending amendment.

Mr. HOLMAN. Cannot another be pending?

The SPEAKER. Until the amendment which is pending is disposed of no other would be in order.

Mr. DINGLEY. I rise simply to oppose the amendment which has been offered by the gentleman from Illinois. In a single word, that amendment proposes to extend this drawback section, proposed in this bill, to coastwise as well as foreign trade.

Mr. SINGLETON, of Illinois. To river trade.

Mr. DINGLEY. Well, that is the same thing.

Mr. SINGLETON, of Illinois. No, not altogether. The amendment refers to river trade.

Mr. DINGLEY. It will be understood by the House that the coastwise trade and the foreign trade of this country stand on very different bases. The coastwise trade is a protected trade already. It is restricted entirely to American vessels, and needs no further drawbacks or pro-

tection or care from the Government. Its very position gives it ample protection. It stands the same as every other domestic industry. But the foreign trade, carried on on the ocean in competition with the vessels of the world, is on an unprotected basis, and that is where we are directing our attention. The gentleman must see that there is a marked difference between the two. Hence this amendment is not based upon the principle on which the bill has been framed by the committee. I need not urge anything further against the amendment.

Mr. SINGLETON, of Illinois. I move to strike out the last word.

Mr. Speaker, my amendment does not apply, as the gentleman from Maine has supposed it does, to the coastwise trade alone. The section of the bill is not intended to apply to it. There is a vast difference between the coastwise trade and the navigation of our western rivers. There are many things which enter into the construction of a steamboat plying upon our western rivers upon which high tariff duties are collected, and I propose simply by this amendment—and if I am wrong in that I would like the gentleman to correct me—I propose simply to exempt them and give them the same privilege of drawback that the coastwise trade and every other trade under the provisions of this section is given.

Now, as I have said, I may be wrong in this. I do not profess to be familiar with these things; but that is the subject of my amendment and the object I design to accomplish. It relieves the Western shipowners of the payment of duty on material which enters into the construction of the craft which they employ in navigating those Western rivers.

I am perfectly willing to admit that some encouragement should be offered to the commerce of the country and to the ship-builders. I am perfectly willing, and I take this opportunity to express my views upon the subject, to admit that I would be glad to see our registry laws repealed. I should be glad to see every American citizen permitted to go and buy his ship wherever he pleases, and run it under the regulations of this country protected by our laws. But I am unwilling to grant a bounty to the ships which ply on the Atlantic or on any other ocean and subject the lesser craft of my own section of the country to the payment of duties upon the same materials which they use and on which these larger crafts are permitted to receive a drawback.

Therefore I have offered the amendment, and if my time permitted I should be glad to express more fully my views upon the question.

The SPEAKER. Does the gentleman withdraw the *pro forma* amendment?

Mr. SINGLETON, of Illinois. I do.

Mr. CANDLER addressed the Chair.

The SPEAKER. Does the gentlemam desire to be heard in opposition to the pending amendment?

Mr. CANDLER. I wish to offer an amendment.

The SPEAKER. Unless it is an amendment to the amendment of the gentleman from Illinois it would not now be in order. The question is upon agreeing to the amendment of the gentleman from Illinois, which the Clerk will read.

The Clerk read as follows:

After the word "officer," in line 1 of section 18, insert the words "on river or sea;" after the word "United States," in line 2, insert "as a common carrier;" and strike out lines 3 and 4 and including the words "United States" in line 5; so that the section will read as follows:

"SEC. 18. That when any vessel on river or sea, whether steam or sail, shall be constructed and equipped in the United States as a common carrier, the owner or owners of such vessel shall be entitled to receive and collect from the United States the drawback," &c.

The question was taken.

Mr. SINGLETON, of Illinois. I demand a division.

The House divided; and there were—ayes 12, noes 53.

Mr. SINGLETON, of Illinois. No quorum has voted. Understanding, however, that there will be a motion to strike out this entire section, I will not insist upon the point.

So (no further count being demanded) the amendment was rejected.

Mr. CANDLER. I offer the amendment which I send to the desk as an amendment to the substitute for the eighteenth section.

The SPEAKER. One amendment is already pending. Therefore the amendment of the gentleman from Massachusetts is not now in order.

Mr. CANDLER. I should like to inquire what amendment is pending?

The SPEAKER. The gentleman from Pennsylvania [Mr. BAYNE] moves to strike out of the substitute proposed by the gentleman from California the words "and supplies" wherever they appear. The question is now on agreeing to that amendment.

The question being taken, the amendment was not agreed to.

Mr. CANDLER. I now offer as an amendment to the substitute for the eighteenth section what I have sent to the desk as an addition to the substitute.

The Clerk read as follows:

That from and after the 1st day of April, 1883, any citizen or citizens of the United States may purchase the whole of any steam or sail vessel constructed mainly of steel or iron, no matter where said vessel may have been built, whether within the United States or in a foreign country, or whether said vessel may have been owned in whole or in part by an alien or aliens; and said vessel shall be registered free of duty as to her hull, spars, appliances, outfit, and equipment (including boilers, engines, and machinery, if a steam-vessel), as a vessel of the United States, by the collector in any port of entry of the United States to whom application for such registry may be made by said citizen or citizens, in the same manner as though said vessel had been built in the United States: *Provided, however*, That this law shall apply only to vessels of more than 1,500 tons register, to be employed in the foreign carrying trade exclusively, and not in the coastwise trade, excepting between ports on the Atlantic and ports on the Pacific Ocean.

Mr. CANDLER. I bring up now this amendment which was accepted by the gentleman from New York [Mr. COX] as an amendment to his amendment.

Mr. COX, of New York. I did not accept it except as an additional section where my amendment applied. I offered my amendment as a separate section.

Mr. CANDLER. I offer it now as an amendment to this section.

Mr. COX, of New York. I might not have accepted it as an amendment to this section. As an additional section it is a sugar-coating for the substitute.

Mr. CANDLER. There are members of this House that are opposed to subsidies; and we have listened to a strong speech on that side of the question here to-day. There are members of this House that are opposed to free ships. But I believe the majority of the members of this House desire to improve and to increase the foreign carrying trade of the United States. I believe if they will remember the tax imposed by the present tariff; if they will remember that our share of the foreign carrying trade has declined so that we now have only 15 per cent. of it; if they will remember the speech of the gentleman from Kansas this morning, when he indicated that the Government of the United States had committed a great error in not suspending the navigation laws on a particular occasion a few years ago; if they will remember that it is a general sentiment, and I believe the desire of the American people, that the flag of the United States should not disappear from the ocean but that it should resume the place it occupied for so many years; if they will remember these things I believe we can get some practical legislation to lead us out of the difficulty. If we do not propose to do something now when we have but 15 per cent. of the foreign carrying trade, it seems to me there never will be a time when we can consider or take action on this subject.

In the section as it will stand with my amendment you give to the American ship-builder a bounty which enables him to build a ship just as cheaply as a foreigner. If labor is cheaper abroad than here—I do not enter into percentages—you propose to tax the American people to place our ship-builders on an equality with foreigners.

Now, I say that if that is a fair proposition to present to the people it is also a fair proposition to present for the ship-buying and ship-owning classes that you should give them an opportunity to enter into the great markets of the world to buy ships in competition if necessary. I admit the importance and am in favor of both those propositions, and I wish to make this proposition in connection with the other, for the first submitted here to give simply a rebate or drawback on ships built here will do very little to increase the carrying trade of the United States.

Mr. BERRY. Assuming that the free-ship proposition is proper, why not extend it to ships of less burden than 1,500 tons?

Mr. CANDLER. The reason I did not do that was because I did not wish to interfere with the coastwise trade or to interfere with ships that are owned in this country of a smaller size than 1,500 tons by the citizens of this country at this time.

Mr. BERRY. They are restricted to the foreign trade. It would not interfere with the coastwise trade.

Mr. CANDLER. That is very true; but many of those small vessels owned by American citizens are now engaged in foreign trade with Cuba, South America, and other countries. I wish to restrict this provision to foreign trade so as to meet the objections made by the gentleman from New Jersey [Mr. ROBESON] and the gentleman from Maine [Mr. DINGLEY]; because when they claim that in admitting free ships we are attacking American labor I wish them to remember we have a very small number of ships engaged in the foreign carrying trade to-day, and you do not interfere with the 3,000,000 of tons engaged in the coastwise trade.

[Here the hammer fell.]

Mr. CANNON. I take the floor and yield my time to the gentleman from Massachusetts [Mr. CANDLER].

Mr. COX, of New York. I desire to say this is the amendment the gentleman from Massachusetts [Mr. CANDLER] offered to my amendment, and the gentleman undertakes now to offer it in his own right, in order to strengthen this substitute.

Mr. CANDLER. Yes, sir; I mean to be fair to ship-builders, shipowners, and ship-buyers.

Mr. COX, of New York, rose.

The SPEAKER *pro tempore* (Mr. ROBINSON, of Massachusetts). The time of the gentleman from Massachusetts [Mr. CANDLER] having expired the floor was taken by the gentleman from Illinois [Mr. CANNON], who yielded his time to that gentleman. The gentleman from Massachusetts [Mr. CANDLER] is entitled to the floor.

Mr. CANDLER. I trust that those who oppose the subsidy clause and those who favor the free-ship clause will appreciate the fairness of the proposition which I now make, to unite them together.

I undertake to say that if the ship-builders of this country, when we tax the people in order to give them their material and labor at the same price that foreign builders engaged in the same business have to pay for it, can not then build ships in competition with foreigners they must find out some improvements and some new inventions which will enable them to do so. Further than that our people can not go.

I will make no invidious distinctions or reflections, but I will say that whenever you discuss the changing of our laws in regard to these matters you will find a few representatives of a single class who come here with their influence and their strength, while the people are unheard in this House or in the committee-rooms about the House. It would be well for us sometimes when we are called upon to legislate, particularly when we are asked to give bounties and extend special and almost unprecedented favors, to consider that the rights of the many should be borne in mind by us as well the advantages for the few.

We must not forget that under a republican form of government, while individual interest is one of the strongest incentives to actions, individnal skill and individual enterprise are the surest and the safest guides to success. I say that if this bill passes without the clause for free shipping, ship-building, particularly the building of iron steamers, will fall into the hands of a special class for a long time.

Now, if we place all on the same footing, by paying out of our own pocket the difference in the cost of material and labor between them and foreigners engaged in the same business, then they ought to have the courage of American citizens, who generally claim that we can compete with the world on equal terms. There are very few branches of business, if the Government would agree to pay to those engaged in them the cost for them to manufacture over and above the cost to the foreigner—there are very few enterprising men in business that would not at once take up the challenge and say that with our skill and our enterprise and our workmen we will meet the world.

I would go further in regard to this matter. I wish to say to gentlemen from the South and the West who oppose subsidies which they think are in the interest of the East, in the interest of those who are on the shores of the Atlantic, we have no selfish interest in this matter. The portions of the country most interested in the subject of our carrying trade are the West and the South, the great producing and growing portions of the country. Three-fourths of all our foreign trade consists in the carrying of our produce abroad and the importation into this country of the heavier articles that enter into the prime necessities of life.

You gentlemen are interested to have at the lowest price the transportation which carries your articles of produce abroad. The immense territories of the West and the great producing portions of the South, the grain and the cotton fields, are interested in the low price of transportation.

And I wish to add one word more. It is not in the interest of New England alone that I am speaking to-day. It is for the interest of the country, the whole country, that I advocate the improvement of our foreign carrying trade under the American flag.

The SPEAKER *pro tempore*. Debate upon the pending amendment has been exhausted.

Mr. SPARKS. I move to strike out the last word.

The SPEAKER *pro tempore*. That is not in order at this time. There is pending a substitute and an amendment to that substitute. If there is no objection, the amendment to the substitute can be withdrawn, and the gentleman can renew it.

Mr. SPARKS. I will renew it.

The SPEAKER *pro tempore*. Does the gentleman from Massachusetts [Mr. CANDLER] withdraw his amendment, to be renewed by the gentleman from Illinois [Mr. SPARKS]?

Mr. CANDLER. I desire a single moment more to conclude the argument I was making.

Mr. SPARKS. I desire to inquire if the gentleman can offer an amendment and support it and nobody can be heard in opposition to it?

Mr. CRAPO. I ask unanimous consent that my colleague [Mr. CANDLER] be allowed to conclude his remarks.

Mr. CANDLER. I certainly hope the gentleman from Illinois [Mr. SPARKS] will have an opportunity to reply. This is an important question.

The SPEAKER *pro tempore*. One moment; the Chair will have no difficulty about the matter. The gentleman from Massachusetts [Mr. CANDLER] asks for two or three minutes more to finish his remarks.

Mr. SPARKS. I have no objection to that.

The SPEAKER *pro tempore*. If there be no objection, the gentleman from Massachusetts will proceed, not to exceed three minutes.

There was no objection, and leave was granted accordingly.

Mr. CANDLER. I was referring to the interest of the South and the West in this question. You from that section export the greatest amount; it is your produce that goes across the sea. To-day 85 per cent. of our foreign commerce is freighted under the British or foreign flags.

Under our present law if there should be a war in Europe, as it was when the Franco-German war occurred, our citizens would be prevented from going to any foreign country to purchase vessels to carry your grain and your produce across the seas. Questions of increased insurance, delays, or risks, would have their influence upon the producing classes of this country more than upon any other.

I say that as a commercial question it is not prudent or a wise national policy for this great and magnificent Republic to permit 85 per cent. of her produce and imports to be carried under a foreign flag, subject to all the complications that may befall it.

But there is one thing more I wish to say. There is an exaggerated or mistaken sentiment in regard to building all our own ships. When we are asked to aid our citizens in that respect, and we can not do the best thing, must lose our commerce to pursue a certain policy, then it is the part of wisdom and good judgment to do the best we can.

Before the war of 1812 with England we built a noble frigate, the Constitution, in Massachusetts. We hewed the timber for her oaken keel and cut the planks and spars on the banks of the Merrimac. We made her gun-carriages and her rigging and her sails in the old port of Boston, where her lines were laid. But when we made up her armament we took the best guns that could be had. She went out upon the ocean to win victories that gave undying fame to the American Navy. It did not matter, sir, it did not lessen her fame, when she captured the ships of the enemy, or the thunder of her guns was heard in the British Channel almost at the gates of London, that every cannon bore the mark of George the King. It was the inspiration of the flag, the ability, the skill, the courage in the hearts of American officers and seamen that won those victories.

[Here the hammer fell.]

Mr. SPARKS. Mr. Speaker——

The SPEAKER. Debate is exhausted. Does the gentleman from Massachusetts [Mr. CANDLER] withdraw his amendment?

Mr. CANDLER. I wish no misunderstanding. I will withdraw my amendment if the gentleman from Illinois [Mr. SPARKS] will renew it.

Mr. SPARKS. I will arrange that the gentleman shall have it renewed, or I will renew it myself, in order that I may have the opportunity to offer the remarks which I now propose to submit.

Mr. Speaker, the eighteenth section of this bill provides for a subsidy—substantially and solely a subsidy or bounty out of the National Treasury to these ship-builders or ship-owners, one or the other or both. It is admitted by its friends to do so. I, sir, am heartily opposed to all legislative subsidies. The gentleman from California [Mr. PAGE] who has charge of the bill, in order to make the proposition more palatable to the House, has proposed a substitute for this section; still, however, retaining in it all of the substantial elements of its subsidy or bounty provisions. And now the gentleman from Massachusetts [Mr. CANDLER] proposes as an amendment to the substitute a "free-ship" proposition which I heartily approve if presented as an abstract, separate proposition, and one which my friend from New York [Mr. COX] has already proposed as an additional section, if I am not mistaken. Am I right?

Mr. COX, of New York. Yes, sir.

Mr. SPARKS. My friend from New York answers that he has already proposed this identical amendment or the substance of it as an additional section. Now, why is it hitched on here as an amendment to this substitute, unless it be that the gentleman from Massachusetts interposes its real merits as a sugar-coated auxiliary to aid in forcing through the House the substitute of the gentleman from California, who has himself by it endeavored to further sugar-coat the plain, naked, bald proposition of legislative subsidy contained in the original section?

Sir, the people of this country are not unacquainted with subsidies. They have heard of them and been deluged by them for many years. Subsidies in lands, in bonds, and in money for various projects, such as steamship corporations, railroad companies, &c. But in 1874 the people who are yet, thank God, our masters (for members of Congress are but their representatives and servants) unmistakably by their voice at the polls condemned this whole subsidy business.

In the elections of that year it will be remembered there was no proposition so prominently before the people as this question of subsidies; and while the Republican party at that time had in this House a majority of much more than two-thirds, yet the result of that election was such that the Democrats in the next Congress (the Forty-fourth) took control of the House with nearly the same majority as that possessed by the Republicans in the preceding Congress. And in obedience to the public sentiment on this question one of the first propositions submitted in that Congress at the very beginning of its first session was a resolution offered by my friend from Indiana [Mr. HOLMAN] to the following effect:

> That in the judgment of this House, in the present condition of the financial affairs of the Government, no subsidies in money, bonds, public lands, indorsements, or by pledge of the public credit, should be granted by Congress to associations or corporations engaged or proposing to engage in public or private enterprises; and that all appropriations from the public Treasury ought to be limited at this time to such amounts only as shall be imperatively demanded by the public service.

That resolution, sir, passed the House by an almost unanimous vote. In the next Congress (the Forty-fifth), at an early date of its first session, the same proposition, eliminated of the words "in the present condition of the financial affairs of the Government," leaving the naked proposition of opposition to subsidies, by a resolution drawn by myself

though offered by another, was, under suspension of the rules, adopted by an overwhelming majority. A similar resolution was offered and adopted by a similar vote at the first session of the Forty-sixth Congress, according to my recollection, though as to that statement I am not certain, and have not had time to examine the records. The Democratic majority of this House in those three Congresses, understanding this to have been a vital issue in the elections which gave them the power here for those six years, declared to the people when they came into and during their continuance in control that these subsidies and bounties from the nation's Treasury in aid of pet enterprises should cease. They kept their pledge and made good their declarations.

But by the elections of 1880 the Republican party succeeded in obtaining a majority, and came into power and the control of this the Forty-seventh Congress. And, sir, they are now signalizing their triumph at that election by this odious, discriminating legislation which again brings to the front these subsidies. I warn this Republican majority to beware of a coming day of accounting. It seems that the "tidal wave" of popular indignation which has just swept over you has not quite subdued your arrogance nor sobered your frenzy. Look out for the deluge in the coming future.

[Here the hammer fell.]

Mr. ROBESON. I believe it is admitted, Mr. Speaker, that the American carrying trade must have some support or it will die. If we propose to support it by giving it, as I said yesterday, a drawback on the value of the material and limiting the amount of that drawback to the tonnage tax, nearly 90 per cent. of which is paid by foreign shipowners, gentlemen on the other side propose in one breath to repeal the tonnage tax, to take it out of the Treasury, and in the next breath they oppose our leaving it in, but applying it to establish American shipping.

Then we are met with another specious proposition—that we shall couple with this legislation a provision for free ships, ships built upon the Clyde. Why, gentlemen, there is no use of a drawback on materials if you are going to have the materials worked up abroad into ships brought here free.

The eighteenth section gives a drawback on materials only. But remember that 95 per cent. of the value of an iron ship is labor. What protects that? With one hand you give a drawback on the iron in its crude form that is put into the ship, and with the other you strike down American labor which is to build the ship, and you destroy all ship-building here by bringing in free the products of the ship-yards of the Tyne and the Clyde.

All we ask here is that you will make an honest endeavor, a real endeavor to rehabilitate American commerce, to build up ship-building, to give us some status—not give us a poor drawback with one hand and with the other strike down the protection we have.

Gentlemen on the other side have made appeals to certain ideas. Let me read extracts from speeches made by gentlemen who represented the same ideas in other days and who rose to the height of a national question when it was a national question. I desire to read from what Mr. Polk said on this subject. I would not venture to say it myself to-day. He was an able man, and knew what he was speaking of:

> It is strange, sir, that men who are presumed to embody the wisdom of the land should have to be reminded that they are pandering to British power, that they are forgetting American interest, and losing sight of that greatness and grandeur which attaches to this American Government. I stand upon the floor of the American Congress and find men who are willing to measure our greatness by the circumference of a dollar—a dollar, sir—measure American prosperity, American greatness, by a round dollar, and thus pander to British interest, to bow the pliant knee and say to the power that assailed us at Lexington, that flashed the first guns from Bunker Hill, that fought us upon sea and land in 1812, that has been jealous of our prosperity and greatness ever since, "Good mother, won't you carry our mails for us?"

[Applause.]

I do not say this; it is Mr. Polk:

> Why, sir, I scorn, I despise this anti-American feeling and sentiment. The men who stand battling upon these principles are behind the age. They are behind the progress of their country, they know nothing of its power or its influence and are contributing to a combination of foreign policy designed to overslaugh us.

The SPEAKER. The gentleman's time has expired.

Mr. PAGE. I will take the floor and yield my time to the gentleman from New Jersey.

Mr. HAMMOND, of Georgia. Let me ask a single question.

Mr. ROBESON. Certainly.

Mr. HAMMOND, of Georgia. Was that President Polk or Congressman Polk, a different man?

Mr. ROBESON. The same man, James K. Polk.

Mr. HAMMOND, of Georgia. Will you give us the date?

Mr. ROBESON. I will some other time.

I will next quote from Mr. Bayard, Senator Bayard, the father of the Senator BAYARD of the present day, Mr. James A. Bayard, whom some of you knew:

> I am willing to trust American skill and industry in competition with any people on the globe, when they stand nation to nation, without government interference. But if the treasury of a foreign nation is poured into the lap of individuals for the purpose of destroying the interests of my country, or for building up a commercial marine at the expense of the commerce and prosperity of the United States, I, for one, will count no cost in countervailing such governmental action on the part of Great Britain or any foreign power.

I would like to read an extract from Mr. Jefferson, whom gentlemen at least will accept as an authority:

> If particular nations grasp at undue shares (of commerce or carrying), and more especially if they seize on the means of the United States to convert them into aliment for their own strength, and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded, or it will be disarmed of its defense, its productions—

Gentlemen of the West, remember that—

> will be at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce.

Mr. TOWNSHEND, of Illinois. Will my friend from New Jersey inform us what pamphlet he is reading from?

Mr. ROBESON. I am reading from the collected works of Mr. Jefferson, and from his famous report on commerce. The whole of it is to be found spread on the testimony taken in this investigation.

Mr. TOWNSHEND, of Illinois. As prepared by John Roach?

Mr. ROBESON. I do not know whether it was prepared by John Roach or not. I read it as a notice to the American people, and as an admonition to members of the American Congress who on the one hand profess Jeffersonian principles and on the other strike down interests of which he was the great and accepted champion.

Mr. TOWNSHEND, of Illinois. Will the gentleman say that it is not John Roach's pamphlet?

Mr. ROBESON. It may have been printed by the committee; it may have been presented by John Roach; but it was the language of Thomas Jefferson that I cited.

Mr. COX, of New York, and Mr. HEWITT, of New York, rose.

The SPEAKER. The gentleman from New York of the select committee is recognized.

Mr. HEWITT, of New York. Will my colleague yield to me for a moment?

Mr. COX, of New York. Certainly; I only want half a minute of my time.

Mr. HOLMAN. Will the gentlemen from New York yield to me for a moment in order to offer an amendment?

Mr. COX, of New York. I have yielded the time to my colleague.

The SPEAKER. The Chair understands the *pro forma* amendment to be withdrawn.

Mr. HEWITT, of New York. I renew it.

Mr. Speaker, greatly to my regret I have been unable to take any part in this discussion, and my physical condition admonishes me that I should not attempt to open my lips upon this subject at this stage of the debate. But I am unwilling, representing as I do in part the greatest commercial city of this continent, that this proposition should be urged and pressed here for bounties, under the delusive name of "drawbacks," in behalf of my constituents, who would reject them with scorn, and would feel that the offer of money from the public Treasury at the expense of the tax-payers of this country for the benefit of their private business, or private business of any kind or anywhere, was an insult to their intelligence and to their integrity.

The gentleman from New Jersey has seen fit to quote upon this floor the declaration of certain Democratic statesmen. The quotations which he made were all taken from the pamphlet of Mr. John Roach, and I followed him with the pamphlet in my hand, word for word, as he read the extracts to this House. Now, if Mr. John Roach is authority for the advocates of this bill and one upon whom they rely for its passage, then Mr. John Roach is also good authority for those who oppose this section and oppose all attempts to take money from the Treasury to build up a private or individual business. He is good authority against the provisions of this eighteenth section. The object of this section, as we are told, is to establish American ship-building upon a firm foundation first, and, secondly, to give us the carrying trade. What does Mr. John Roach tell this committee in the report which they have brought before this House? On page 114 Mr. John Roach speaks as follows:

> With respect to bounties to ship-builders, however, I am unqualifiedly opposed, and for the following reason: the bounty so given will enable the builder to construct his ship for less money. It is really in such a case in reduction of the cost of the ship, or at any rate an element of certain profit. Such being the case, what is to prevent a builder after his bounty has been paid from selling the vessel to a foreign owner, thus putting his cheap ship in competition with such of our vessels as were built earlier. Again, if bounty should be paid to the builder and the ship should be sold to a foreign owner or lost, the bounty would be lost and the country would be in no respect the gainer, except in the profits of labor in her construction. On the other hand, the bounty should be given to the owner of the vessel—

The pending substitute provides that it shall be paid to the "owner," but does not prohibit him from selling the vessel—

> and be only given to him while he is running her in the foreign trade. In that case if he should sell the ship, or if he should withdraw her from that trade, or if she should be lost, the bounty ceases. In other words, no bounty should be paid unless for that service which will be of benefit to the country at large.

Now, then, the committee bring in a bill which provides that a bounty shall be given which Mr. Roach says should not be given for reasons that are absolutely conclusive. And he says in another place that it would be absolutely impossible to run the ship under the American flag unless subsidies were granted in addition to the bounty for con-

struction which he says, and has repeatedly said, is not needed and should not be given. He does not want any bounty for building the ship, but he does want it for running it after it is built. This bill therefore offers a bonus which may be useful and profitable to men who build ships for sale, but does nothing for those who want to run ships for profit in the foreign trade.

So that, Mr. Speaker, we are confronted with this proposition to take money from the Treasury for the purpose of building up American shipping, when we are told by the greatest advocate of American shipping that it will fail of its object, and that additional subsidies must be paid out of the Treasury to make up the difference between the cost of running the foreign built and the American subsidized ship.

[Here the hammer fell.]

Mr. PAGE. Let me ask the gentleman from New York a question before he takes his seat.

The SPEAKER. The gentleman's time has expired.

Mr. HEWITT, of New York. I ask unanimous consent of the House to make one statement. I desire to state that my colleague from New York yielded me a portion of his time with the express understanding that a half-minute of it was to be reserved to him. In the heat of the discussion I forgot all about that part of the agreement, and it seems consumed the whole time. I now ask unanimous consent that he may be permitted to have the time of which I have deprived him.

Mr. PAGE. He can have the time, of course. But I want to ask the gentleman from New York before he takes his seat one question: If the chamber of commerce of the city of New York, composed of merchants and business men of that city, did not favor this proposition of the committee?

Mr. HEWITT, of New York. I am perfectly willing to answer that question. The chamber of commerce of New York city have had a meeting, at which resolutions have been adopted in favor of the bill reported by this committee. But let me say further, that at this meeting there was no discussion upon the proposition to take subsidies from the Treasury—to take money from the Treasury—for bounties, and if it had been discussed it would have been instantly and indignantly voted down by that chamber of commerce, as a proposition unworthy of consideration by such a body.

What the merchants of New York want is freedom to do business, and relief from obstructive legislation. They want the right, which every human being who is not an American citizen has, to trade to and from the port of New York in ships whether built on this continent or in Europe. In other words, they want free ships and not bounties; they want the right to get free access to the markets of the world, and not to the Treasury of the United States.

Mr. PAGE. They approve the bill of the committee without reservation, which contains that section.

Mr. HOLMAN. I rise to a parliamentary inquiry. Is not the original text of this eighteenth section subject to amendment?

The SPEAKER. The Chair has so decided.

Mr. HOLMAN. Then I desire to offer an amendment.

The SPEAKER. The gentleman can not rise for the purpose of making a parliamentary inquiry and in that manner get the floor to offer an amendment.

Mr. HOLMAN. The gentleman from New York yielded for that purpose, as I understood.

The SPEAKER. The Chair did not understand the gentleman to yield, and his time has been exhausted.

Mr. HOLMAN. Did not the gentleman from New York yield to me?

Mr. COX, of New York. The "gentleman from New York" has not had the opportunity to yield.

Mr. HOLMAN. Did not the gentleman from New York get unanimous consent to take the floor?

The SPEAKER. The gentleman from New York [Mr. HEWITT] asks unanimous consent that one minute's time be allowed to his colleague [Mr. COX]. Is there objection?

There was no objection.

Mr. COX, of New York. Mr. Speaker, in the minute allowed to me I simply wish to say that since this measure has been brought forward by the gentleman from Massachusetts as an independent measure, as an amendment, we vote on the amendment only, and I hope our friends will vote for that amendment; that they will when it comes to the amendment to the amendment vote it down, as I do not propose to help this subsidy business through the House.

And to show the fallacy of the statements of the gentleman from New Jersey I ask unanimous consent to publish some letters now in my possession from merchants of the present time with reference to present interests, not letters from men of the past, but letters of men who understand the present situation. I have a letter here from Mr. Forbes, a prominent merchant of Massachusetts, and one from Mr. Samuel Holmes, of New York, who incloses to me a letter from H. E. Moss & Co., English ship-brokers, which shows that the English are best served by our laws remaining as they are, and not by free ships.

Mr. ROBESON. And I would like in giving this unanimous consent to the gentleman from New York to be permitted to accompany it with a communication from the ship-owners of New York, Boston, Philadelphia, Baltimore, and Wilmington, recommending the passage of this bill.

Mr. COX, of New York. I do not object to that.

Mr. PAGE. And I ask the same privilege to have printed the action of the Chamber of Commerce of New York in this connection.

The SPEAKER. Is there objection to these several requests?

There was no objection.

The letters referred to by Mr. COX, of New York, are as follows:

MILTON, MASS., *January* 8, 1883.

DEAR SIR: Although I have not the pleasure of knowing you personally, or of claiming to be a constituent, I take the liberty to allude to your efforts for free ships, as spoken of in the Boston Advertiser of this day. Being in my seventy-ninth year, and having no direct and very little contingent interest in shipping, I may claim to be a disinterested party.

There is one point in regard to free ships which I have not seen discussed or even touched upon. It is this: The moment a law comes to be passed to permit the free importation of ships all our builders, and especially those who have large plants where iron and steel are worked on a large scale, will use all their exertions to compete with the cheap markets of Scotland, and will soon come to a more complete system of economy and soon be able to turn out ships as cheap as in Scotland, and of better quality than such as we could purchase. When I say soon, I mean in a few years. I do not believe that fifty Scottish-built ships worth having would be imported before we could successfully compete with foreign builders. The iron-workers of the Clyde and the Tyne have about come down to the "hard pan," so to speak. They can not reduce wages any more without starving their men, and coal, iron, steel, &c., have got to as low a point as they can go. On our side the largest workers of metals are practically "nabobs." They have not yet come down to the "hard pan."

Instead of existing on oatmeal porridge and herrings, they are living on "*pâte de foie gras*" and champagne. I must be understood as speaking somewhat figuratively when I say this. You will understand me when I say that we have not yet arrived at a complete system of economy, either in working our coal and our iron mines, nor in putting their rough products into shape and ships. The great question comes up in my mind as to whether we can sail our ships cheaply enough to compete with the Italian, Scotch, and German nations, after we have built or bought them as cheap as those people have them; that is the main question. While our country continues prosperous, it will be found very difficult to man our ships and to sail them and to feed our maritime population.

The interest of the great mass of our people—the growers of cotton and of grain and the manufacturers—want the cheapest transportation; the interest of the country as a whole lies in encouraging cheap freights, cheap railroad transportation, and these I fear can not be had under our flag. If the time ever comes when we can carry our goods to market cheaper than they can be carried by the economists I have alluded to it will be a sorry day for our country, for it will show that men can not get a living on the land and must go to sea on nominal wages.

My ideas may be all very crude and perhaps I should make apology for intruding on your time.

I am, very respectfully, your servant,

R. B. FORBES.

Hon. S. S. COX, *Washington*.

NEW YORK, *December* 28, 1882.

DEAR SIR: Those of us interested in the shipping question are looking with great anxiety for a little deliverance from the thralldom of obstacles now strangling our marine.

I want succinctly to enumerate a few headings on this subject. To write you on the different points in detail would be too long a letter.

First and greatest requirement, free ships. Difference in cost here over Europe on the Tramp steamer (the vessel that has changed the carrying trade) is from 60 to 100 per cent. These vessels are nearly all plate or angle iron, and the difference of cost is proportionate to the difference in cost of these two items of material. Even the decks are iron, and the bottom usually double for water ballast. You will find 86.66 per cent. difference in favor British ships in plate-iron and 130.20 per cent in angle-iron. (See McKay's letter.)

Desultory bids of odd builders can not be taken as a basis; too little or too much work affect individual bids.

Together with free ships we must have free coasting trade for American owners.

British vessels coming here can afford to change ports in ballast. Our owners must be able to change ports with cargo. In this particular British vessels often go from here to New Orleans and Galveston, and *vice versa*, in ballast. Americans, with vessels at same prime cost, with the advantage of their own coast trade, can win their way to control the shipping of the whole western hemisphere, and if they do this first they will soon extend. Round foreign voyages made embracing this privilege will drive away opposition, and more than overcome any cheaper rate that foreigners can run at. Please look this matter up; it is a strong point, and will tell when you argue the question.

Boys: The bill calls for American ships to carry apprentices. Without free ships and free coasting trade for all American owned vessels this clause will be an outrage on the boys, for they will be made sailors with no future, no ships to officer or command, and nothing but the rum-mill and curses on those who made them sailors left them. Their end will be like poor Joe's in Dickens's Bleak House, "dead right reverends and wrong reverends of every order. Dead men and women, born with heavenly compassion in your hearts [and after such a bill], dying thus around us every day." Save the boys from such a fate by changing the bill and giving fuller, freer, and more statesmanlike proposals.

Looking to your championship, yours, truly,

SAMUEL HOLMES.

Hon. S. S. COX, *New York city*.

The extract from the letter of H. E. Moss & Co., is as follows:

There is a very mistaken idea in New York that we Britishers are spending large sums in the United States with a view to get your iniquitous laws to navigation repealed. We do not believe one farthing has been spent for this purpose, and so far are ship-builders here from being unanimous as to the advantage to them personally of their repeal that I sent in a letter to Samuel Holmes; last week one from our largest ship-builders (John Elder & Co., Govan, Glasgow), in which the leading partner (Mr. Pearce) says that nothing would induce him to assist in getting your laws altered; that he is well satisfied it is for this country's greatness that we should retain our proud position of being the "world's carriers," and that in his belief there is sufficient business for a long time to come in supplying our own local wants and the wants of all the world except America, who are irresistibly impelled toward us from the fact that we can produce quicker and cheaper than any one else.

The following is the paper referred to by Mr. ROBESON:

To the members of the Forty-seventh Congress:

We, the undersigned, ship-owners of New York, Boston, Philadelphia, Baltimore, and Wilmington, heartily approve of the report and bill as submitted by

the Joint Select Committee on American Ship-building, and would respectfully urge upon your honorable body the passage of said bill.

Names.	In domestic trade.		In foreign trade.	
	Steam.	Sail.	Steam.	Sail.
NEW YORK.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Pacific Mail S. S. Co., by J. B. Houston, president	47,900		47,900	
Ocean Steamship Co., per H. Younge, jr., agent	20,000			
N. Y. and Cuba Mail S. S. Co., William H. T. Hughes, secretary and treasurer	9,784		9,785	
James E. Ward & Co		3,125		3,125
J. D. Fish & Co		4,500		
Swan & Son		15,000		15,000
B. F. Metcalf & Co		25,000		15,000
F. Alexandre & Son	10,206		10,206	
W. H. Starbuck, O. R. and N. C. and O. T. C., general agent	32,500	5,500	6,000	5,500
H. W. Loud & Co		60,000		15,000
J. F. Chapman		15,000		15,000
Benjamin Flint, by Charles R. Flint, attorney		15,000		15,000
Evans, Ball & Co		10,000		
R. P. Buck & Co		20,000		15,000
New York and Charleston S. S. Co., by George W. Quintard, president	5,000			
Bogert & Morgan, agents Morgan's Louis. and Tex. R. R. and S. S. Co	27,000		3,500	
Old Dominion S. S. Co., by N. E. McCready, president	19,000			
Red D. Line of S. S., Boulton, Bliss & Dallett, general managers	4,000		4,000	
Sutton & Co., agents Dispatch Line for California and Oregon		65,000		
C. H. Mallory & Co., agents	22,500	4,500	3,000	4,500
BOSTON.				
F. W. Nickerson & Co	7,896		2,800	
Thayer & Co		18,000		18,000
Henry Hastings & Co		10,000		10,000
J. P. Ellicott & Co		10,000		4,000
J. Henry Sims & Co		15,000		15,000
M. F. Pickering & Co		7,500		7,500
Nickerson & Co		3,800		3,800
E. Lawrence, jr		7,500		7,500
Welch, Humphrey & Co		2,500		2,000
Charles E. Raymond Thomas Dana & Co.		1,000		1,000
E. H. Atwood		5,000		2,000
T. L. Mayor & Co		5,000		1,200
Witherspoon & Townsend		3,000		4,000
C. and J. F. Baker		8,000		700
B. Dickerman		2,000	600	1,500
E. Williams & Co		3,300		3,300
J. Von Pragg & Co		1,000		1,000
Conant & Hatch		8,600		2,000
Fitz Brothers & Co		7,200		3,000
J. F. Baker & Co		10,000		7,500
Charles E. Moody		1,500		1,500
John S. Emery & Co		17,255		16,700
A. G. Sawyer				2,500
Burt, Alexander & Co		2,500		
George Kinsman		3,338		3,338
George C. Loud & Co		7,902		7,992
PHILADELPHIA.				
Henry D. Welsh, president American Steamship Co			12,400	
Peter Wright & Sons			37,700	
E. T. Halliwell				5,000
Jacob E. Ridgway	300			5,000
BALTIMORE AND WILMINGTON.				
George J. Appold, president M. and M. Co	18,000			
Reuben Foster, general manager Baltimore, Chesapeake and Richmond R. R. Co	3,000			
Howard R. Ensign, president Maryland and Bt. Co. of Balt	3,500			
George Warfield, president Chester River and A. Bt. Co	1,100			
John M. Robinson, president Balt. St. Packet and Al. Steam Nav. Cos	7,000			
Edwin Fitzgerald, president Merchants' S. S. Co	1,500			
The Eastern Shore Steamboat Co., by I. T. Gause, vice-president	1,514			
The Pusey and Jones Company, by William G. Gibbons, president			1,800	
	242,000	404,570	138,691	240,155
	404,570			138,691
Totals	646,570			378,846

The following is the report of the New York Chamber of Commerce referred to by Mr. PAGE:

Report of the committee on foreign commerce, &c., of the Chamber of Commerce, on the subject of the revival of the American merchant marine, adopted January 4, 1883.

To the Chamber of Commerce of the State of New York:

Your committee, to whom was referred, at the special meeting of the chamber, several subjects bearing upon matters connected with the shipping interest, commerce, and the navigation laws, both State and national, and also the revival of American commerce, beg leave to report that the matters of wharfage, harbor master, quarantine fees, and port wardens have been taken into consideration and acted upon by the committee on harbor and shipping, allusion to which subjects has been made by Governor Cleveland in his inaugural message at the opening of the legislative session.

The matter of pilotage is before the special committee on pilotage, who will have a bill prepared to be submitted to the chamber for their approval, such bill, as approved, to be presented to the Legislature at an early day.

In the matter of the bill presented in the House of Representatives by Hon. NELSON DINGLEY, jr., read twice and referred to the Committee on Commerce, and entitled "A bill to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen," referred to us for consideration and report, your committee have carefully considered each section of the bill, and while it only partially accomplishes the necessities of the case, yet your committee have thought it best to defer introducing new subject-matter before the chamber at this time, except such as is specially alluded to in the bill.

It is recommended that in section 4 of this bill, which applies to section 4583 of Revised Statutes, after the word "agreement," on the third line, there be added the words "or by his own request;" that in section 9 of this bill, and section 4578 Revised Statutes, after the word "reach," on the eighteenth line, there be added the words "same to be paid under such regulations as may be prescribed by the Secretary of the Treasury."

That in regard to section 11 of this bill, it is the opinion of your committee that it is impracticable to carry out the provisions therein contained; although somewhat in similarity with the English law, yet it is apparently a dead letter; there being so many ways to evade the consequences of it; that in many cases it works to the detriment of the seamen. Although it would be very desirable to do away with the long-time custom of advancing wages to seamen, yet it would work great hardship to officers and seamen of vessels who have families dependent upon them, and also to seamen shipwrecked, or otherwise, who may not have any money due them when discharged from their respective vessels. Some provision should be made, by allotment notes, for the support of these families, and to provide for destitute cases.

That section 20 be so amended as to read: "That whenever any part of the equipment or materials used in the construction of a ship or vessel should become decayed, worn out, or unfit for use, or have been lost by the peril of the sea, and is required to be replaced by new, so much of the drawback that has been allowed and indorsed on the register of the vessel, for the same articles, shall be canceled, on proper and satisfactory evidence being presented to the Secretary of the Treasury that this was necessary and has been done." The justice of this will be readily seen, as many parts of the equipment of a vessel only last a limited time, such as metal, sails, rigging, parts of machinery, boilers, &c.

Also, that an allowance of 40 per cent. on the amount indorsed on the register for drawback be made, after five years from the date of payment of the drawback, and for every five years thereafter, as an allowance for natural wear and tear and depreciation of the articles entitled to the drawback.

Also, that nothing in this act shall not be so construed but that vessels registered under it may have the privilege of going from one coastwise port to another to load cargo for a foreign voyage. (Without this foreign vessels would be more favored than American, as they are allowed to do so.)

We therefore would recommend to the chamber the adoption of the following resolutions:

Resolved, That this chamber approve and recommend the passage of the bill reported to the House of Representatives by Hon. NELSON DINGLEY, Jr., entitled "A bill to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen," with the exception of section 11, which the committee think impracticable of being carried out, and with sundry slight alterations in section 4, after the word "agreement," on the fifth line, by adding these words: "or by his own request." Also, in section 9, on the eighteenth line, by adding these words: "same to be paid under such regulation as may be provided by the Secretary of the Treasury."

And that section 20 be so amended as to read, that whenever any part of the equipment or materials used in the construction of any ship or vessel should become decayed, worn out, or unfit for use, or have been lost by the peril of the sea, and is required to be replaced by new, so much of the drawback that has been allowed and indorsed on the register of the vessel for the same articles shall be canceled, on proper and satisfactory evidence being presented to the Secretary of the Treasury that this was necessary and had been done.

Also, that an allowance of 40 per cent. on the amount indorsed on the register for drawback shall be made after five years from the date of payment of the drawback, and for every five years thereafter, as an allowance for natural wear and tear and depreciation of the articles entitled to the drawback.

Also, that nothing in this act shall be so construed but that vessels registered under it may have the privilege of going from one coastwise port to another to load a cargo for a foreign voyage.

Resolved, That the chamber has read with great satisfaction the report and recommendations of the joint select committee of Congress on the subject of American shipping, embodying, as they do, nearly every suggestion made by this chamber in its own special report on this subject.

Resolved, That this chamber cordially urges the prompt adoption of the bill introduced in pursuance of the report of the select committee known as House bill No. 7061, or the bills of similar import introduced by the member from California, "to remove the burdens on American merchant shipping, to encourage foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen," with the amendments suggested by the committee on foreign commerce and revenue laws of this chamber as will make the enactment constitutional beyond doubt, and at the same time accomplish the desired end intended thereby by being made practicable.

Resolved, That this Chamber also strongly urges the adoption of the further bill introduced by Mr. PAGE, of California, establishing a "department of commerce and navigation," the same having been strongly recommended by said joint select committee, and heretofore by this Chamber.

Resolved, That a copy of the report and resolutions and amendments made by your committee be sent to each member of the joint select committee of the House of Representatives and to the Senators of this State.

All of which is respectfully submitted.

JAMES W. ELWELL, *Chairman.*

NEW YORK, *January* 4, 1883.

The SPEAKER. The gentleman from Maine is recognized.

Mr. PAGE. I ask the gentleman from Maine to yield to me for a motion to adjourn.

Mr. REED. I yield the floor for that purpose.

ORDER OF BUSINESS.

Mr. PAGE. The gentleman from Maine [Mr. REED], who has the floor, yields to me for a motion to adjourn. I move that the House do now adjourn.

Mr. HOLMAN. I ask the gentlemen from California to yield to me to offer an amendment to the bill.

Mr. PAGE. I have no objection.

The SPEAKER. The gentleman from California has the floor to move an adjournment. Does he withdraw the motion to adjourn?

Mr. PAGE. I yield that the gentleman from Indiana may have his amendment printed.

Mr. HOLMAN. My amendment is an addition to the eighteenth section. I offer it now as an amendment.

The SPEAKER. The gentleman from Indiana has not the floor for that purpose.

Mr. HOLMAN. Is my amendment considered as pending? Does the Chair recognize me to offer the amendment?

The SPEAKER. The Chair can not recognize the gentleman except for a proper purpose.

Mr. HOLMAN. I rise to make a parliamentary inquiry. The gentleman from California [Mr. PAGE] has yielded to me to enable me to offer this amendment.

The SPEAKER. But the gentleman from California had not the floor for that purpose.

JOHN BAILEY.

Pending the motion to adjourn, the Speaker announced as the select committee to investigate the charge that the Washington Gaslight Company had procured the retention of John Bailey in the Chief Clerk's office of this House in the interest of said company, Mr. CROWLEY of New York, Mr. ALDRICH of Illinois, Mr. BISBEE of Florida, Mr. MARTIN of Delaware, and Mr. COX of North Carolina.

LIBRARIES OF INTERIOR DEPARTMENT.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, submitting a report, with accompanying papers, regarding the condition of the several libraries of said Department and the consolidation of the same.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 9, 1883.

The message was referred to the Joint Committee on the Library, and ordered to be printed.

LIBRARIES OF WAR DEPARTMENT.

The SPEAKER also laid before the House a communication from the Secretary of War, transmitting, in compliance with the act of August 7, 1882, a report concerning the libraries of the War Department; which was referred to the Joint Committee on the Library, and ordered to be printed.

ENROLLED BILL SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:

A bill (S. 2150) to provide for extra work in the Government Printing Office in cases of emergency.

WITHDRAWAL OF PAPERS.

On motion of Mr. MAGINNIS, by unanimous consent, leave was given to withdraw from the files of the House papers in the case of Jeremiah Fahey, accompanying bill H. R. 3476, second session Forty-sixth Congress.

BESSIE S. GILMORE.

Mr. YOUNG, by unanimous consent, introduced a bill (H. R. 7237) for the relief of Bessie S. Gilmore; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MASON CITY SALT COMPANY.

Mr. YOUNG also, by unanimous consent, introduced a bill (H. R. 7238) for the relief of the Mason City Salt Company; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ORDER OF BUSINESS.

Mr. HOLMAN. I rise to a question of order. The Chair announced to the House that the gentleman from California [Mr. PAGE] had moved that the House adjourn. I appealed to the gentleman from California to yield to me to offer an amendment to the original text of the pending section, which he did. I then sent up the amendment, and the Chair announced to the House that the gentleman from California had not the floor to yield.

The SPEAKER. That was a question of fact. The Chair repeats that the gentleman from California [Mr. PAGE] simply took the floor to move that the House adjourn, and he could not after that do anything more than withdraw his motion.

Mr. HOLMAN. And if he did withdraw the motion, was not the member from Indiana entitled to address the Chair?

The SPEAKER. Not when another gentleman had been recognized.

Mr. HOLMAN. Who was that gentleman?

The SPEAKER. The gentleman from Maine [Mr. REED] had been recognized and had the right to speak. This is not a question of order, but of fact.

Mr. PAGE. The gentleman from Maine [Mr. REED] yielded to me to move to adjourn.

The SPEAKER. But the gentleman who has the floor to move to adjourn can not then yield to gentlemen to make other motions than the motion to adjourn. Does the gentleman from Indiana desire to have his amendment printed in the RECORD?

Mr. HOLMAN. I desire to offer it now.

The SPEAKER. At the proper time it will be in order for the gentleman to offer his amendment. The question is on the motion of the gentleman from California [Mr. PAGE], that the House do now adjourn.

The question being taken, there were—ayes 50, noes 12.

Mr. HOLMAN. I call for tellers.

The question being taken on ordering tellers, there were ayes 5—not a sufficient number.

Mr. HOLMAN. I call for the yeas and nays.

On the question of ordering the yeas and nays there were ayes 7.

The SPEAKER. The ayes are 7—not a sufficient number.

Mr. HOLMAN. Count the other side.

The negative side being counted, there were noes 63.

So (the affirmative not being one-fifth of the whole number voting) the yeas and nays were not ordered.

The motion of Mr. PAGE was accordingly agreed to; and (at 4 o'clock and 30 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAYNE: The resolutions adopted by the Chamber of Commerce of Pittsburgh, Pennsylvania, declaring that the proposed reduction of duty on bituminous coal would work great injury to the 100,000 miners of Pennsylvania, Maryland, and West Virginia—to the Committee on Ways and Means.

By Mr. BELMONT: The petition of Bentley F. Adams and others, and of Lewis F. Betts and others, of New York, protesting against any increase of duty on tin-plates and sheet-iron—severally to the same committee.

By Mr. CULLEN: The petition of cigar-makers of Joliet, Ottawa, La Salle, and Mendota, Illinois, asking that no reduction be made in the duty on imported cigars—to the same committee.

By Mr. DUGRO: The petition of citizens of New York for repeal of tax on tobacco, snuff, cigars, &c.—to the same committee.

By Mr. ELLIS: The petition of Julieth Perkins, widow, and M. P. Evans, only child and heir of the late Dr. John Perkins, deceased, for relief—to the Committee on War Claims.

By Mr. ERRETT: Two petitions of citizens of the twenty-second Congressional district of Pennsylvania, relating to the duty on tin—severally to the Committee on Ways and Means.

Also, the resolutions adopted by the Chamber of Commerce of Pittsburgh, Pennsylvania, protesting against the reduction of the duty on coal—to the same committee.

By Mr. GODSHALK: The petition of 67 citizens of the seventh Congressional district of Pennsylvania, for repeal of tax on tobacco—to the same committee.

By Mr. MACKEY: The petition of underwriters, merchants, and masters of vessels engaged in the coasting trade, asking that a light-ship be stationed at Cape Hatteras Shoals—to the Committee on Appropriations.

By Mr. R. M. McLANE: The petition of G. W. Gail & Co. and other business firms of Baltimore, Maryland, for passage of the Brewer bill relating to commercial travelers—to the Committee on the Judiciary.

By Mr. MILES: The petition of citizens of Brookfield, of Bloomfield, of North Canaan, of East Granby, and of East Windsor, Connecticut, for increase of duty on tobacco—severally to the Committee on Ways and Means.

By Mr. MORSE: Papers relating to the pension claim of John C. Collins—to the Committee on Invalid Pensions.

Also, the petition of J. P. Roby and others, against an increase of the duty on tin-plates and sheet-iron—to the Committee on Ways and Means.

By Mr. PARKER: The petition of citizens of Malone, New York, relating to the duty on tin-plates—to the same committee.

By Mr. G. D. ROBINSON: The petition of citizens of Granville and Holland, of citizens of Southwick, and of citizens of Sandisfield, Massachusetts, for increase of duty on Sumatra tobacco—severally to the same committee.

By Mr. J. H. SMITH: The petition of the Medical Society of Kings County, New York, for the erection of a fire-proof building for the use of the Surgeon-General's library and for the continuance of that library under its present management—to the Committee on Public Buildings and Grounds.

By Mr. STONE: The petition of J. D. and J. W. Eaton and others, protesting against a duty on tin-plate—to the Committee on Ways and Means.

By Mr. R. W. TOWNSHEND: The petition of William McEvoy, rela-

tive to loss of bounty and back pay—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. TYLER: The petition of a committee of tobacco-growers of New England, for relief from taxation and for increase of duty on imported tobacco—to the Committee on Ways and Means.

By Mr. WEBBER: The petition of S. M. Stephenson and others, citizens of Michigan, for passage of bill granting relief to certain settlers on the Ontonagon land grant, in the State of Michigan—to the Committee on the Judiciary.

The following petitions praying for a reduction of the duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. BROWNE: Of 31 citizens of Union City, Indiana.
By Mr. BUCKNER: Of 54 citizens of Adrain County, Missouri.
By Mr. J. C. BURROWS: Of 80 citizens of Berrien Springs, Michigan.
By Mr. CAMPBELL: Of 22 citizens of Pattonville, Pennsylvania.
By Mr. CASWELL: Of 75 citizens of Watertown, Wisconsin.
By Mr. DEERING: Of 129 citizens of Butler County, Iowa.
By Mr. ERMENTROUT: Of 63 citizens of Princetown, Pennsylvania.
By Mr. GODSHALK: Of 60 citizens of Kintersville, Pennsylvania.
By Mr. GUENTHER: Of 50 citizens of Berlin, and of 14 citizens of Weyauwega, Wisconsin.
By Mr. HASKELL: Of citizens of Fort Scott and of Humboldt, Kansas.
By Mr. HEPBURN: Of 59 citizens of Corning, Iowa.
By Mr. JACOBS: Of 36 citizens of McDonough, New York.
By Mr. JUDSON: Of 25 citizens of Jackson, Pennsylvania.
By Mr. LEWIS: Of 79 citizens of Toulon, Illinois.
By Mr. MARSH: Of 81 citizens of Elvaston, Illinois.
By Mr. MARTIN: Of 78 citizens of Dover, Delaware.
By Mr. PARKER: Of 28 citizens of Ogdensburgh, of 81 citizens of Saint Johnsville, and of 8 citizens of Massena, New York.
By Mr. J. B. RICE: Of 58 citizens of Tiffin, and of 9 citizens of Woodville, Ohio.
By Mr. RITCHIE: Of 31 citizens of Blakesville, Ohio.
By Mr. SHULTZ: Of 81 citizens of Yellow Springs, Ohio.
By Mr. D. C. SMITH: Of 78 citizens of Morton of 41 citizens of Manito, and of 75 citizens of Pekin, Illinois.
By Mr. W. G. THOMPSON: Of 25 citizens of Belle Plaine, Iowa.
By Mr. G. D. WISE: Of 56 citizens of Richmond, Virginia.

SENATE.

THURSDAY, *January* 11, 1883.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of importers of fruits, of Baltimore, Philadelphia, New York, Boston, and Charleston, praying for a reduction of the duty on certain foreign fruits; which was ordered to lie on the table.

Mr. HILL presented a petition of the Colorado State Teachers' Association, praying that Congress will "make such provision as shall enable the General Government to distribute for a term of not less than five years a sum of not less than $10,000,000 annually for public school purposes;" which was ordered to lie on the table.

Mr. CAMERON, of Pennsylvania, presented a memorial of the Chamber of Commerce of Pittsburgh, Pennsylvania, remonstrating against any reduction of the tariff duty now levied on bituminous coal; which was ordered to lie on the table.

He also presented the petition of George Gross and others, citizens of York, Pennsylvania, praying for an increase of the duty on Sumatra tobacco; which was ordered to lie on the table.

Mr. BUTLER presented the memorial of John O'Brien & Brother and other merchants and citizens of Charleston, South Carolina, remonstrating against an increase of the present rate of duty now imposed on the raw material consumed in making tin and sheet-iron ware; which was ordered to lie on the table.

Mr. SHERMAN presented a memorial of merchants, bankers, and manufacturers of Portsmouth, Ohio, remonstrating against the passage of a bankrupt bill; which was ordered to lie on the table.

He also presented a petition of citizens of Fulton County, Ohio, praying for an increase of pension to soldiers and sailors who lost a limb in the service; which was referred to the Committee on Pensions.

Mr. LAPHAM. I present, in addition to what I presented yesterday, letters from two firms of the city of New York, who signed the remonstrance I presented some time ago against the passage of a bankruptcy bill, stating that they are now in favor of the Lowell bill, and that they signed the remonstrance supposing that it applied to another form of bankruptcy bill. I move that the communications lie on the table.

The motion was agreed to.

Mr. LAPHAM presented a petition of business men of New York city, praying for the passage of the Lowell bankruptcy bill; which was ordered to lie on the table.

Mr. PLATT presented a petition of The E. H. Carrington Company and 75 others, dealers in tobacco in Waterbury and Naugatuck, Connecticut, praying for rebate in case of a reduction of the tax on tobacco; which was ordered to lie on the table

REPORT OF COMMITTEES.

Mr. BUTLER. I am instructed by the Committee on the District of Columbia to report a bill to provide for the collection of taxes in the District of Columbia and for other purposes, as a substitute for the bill (H. R. 6929) to provide for the collection of taxes in the District of Columbia, and for other purposes, and the bill (H. R. 6930) to levy an assessment of the real estate in the District of Columbia in the year 1883, and every third year thereafter, for purposes of taxation. I ask that the bill reported by the committee be printed and recommitted to the committee.

The PRESIDENT *pro tempore*. As this is reported as an original bill, the two bills for which it is a substitute should be indefinitely postponed.

Mr. BUTLER. It is an amendment in the nature of a substitute for the two House bills, which I ask may be printed and recommitted to the committee.

The PRESIDENT *pro tempore*. It had better be regarded as an original bill, and the two House bills postponed indefinitely, in order to avoid confusion.

Mr. BUTLER. I do not know what the proper course would be.

The PRESIDENT *pro tempore*. That would present the question in a better shape, in the opinion of the Chair.

Mr. SAULSBURY. If the House bills relating to taxation in the District of Columbia are indefinitely postponed because an amendment in the nature of a substitute for those bills has been reported, and the Senate should not agree to that substitute, then we should have put it out of our power to deal with the bills which came to us from the House. I suggest whether it would not be better to let the House bills lie on the table rather than to indefinitely postpone them.

Mr. INGALLS. Having just come into the Chamber, I ask what action has been taken in relation to the House bills about taxation in the District of Columbia?

The PRESIDENT *pro tempore*. The Chair suggests to treat the substitute reported from the committee as an original bill, and to indefinitely postpone the other two bills.

Mr. INGALLS. That is not the action that ought to be taken.

Mr. BUTLER. I stated that the bill reported was an amendment in the nature of a substitute for the House bills.

Mr. INGALLS. We do not want to report the House bills at all. The object of the committee was to have the amendment which has been prepared by the Senate committee reported, printed, and recommitted. There is no necessity for reporting the House bills at this time. They ought to remain in the committee.

The PRESIDENT *pro tempore*. The Chair suggests, then, that they be withdrawn.

Mr. BUTLER. I withdraw the House bills, and ask that the amendment be printed and recommitted to the committee.

Mr. INGALLS. Treat it as an amendment, and let the amendment be printed and recommitted.

The PRESIDENT *pro tempore*. That order will be taken.

Mr. HILL, from the Committee on Public Lands, reported a substitute for the bill (S. 2187) to donate Lake Creve Cœur, in Saint Louis County, Missouri, to the State of Missouri, formerly reported from that committee; which was ordered to be printed.

Mr. McDILL, from the Committee on the District of Columbia, to whom was referred the bill (S. 2029) for the relief of Louisa Falck, reported adversely thereon; and the bill was postponed indefinitely.

Mr. INGALLS, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 3575) to increase the police force of the District of Columbia, and for other purposes, reported it with amendments.

Mr. EDMUNDS. I am instructed by the Committee on the Judiciary, to which was referred the bill (S. 2238) to amend an act entitled "An act to amend section 5352 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," approved March 22, 1882, to report it with a recommendation that it pass, with an amendment. I wish to state that I hope Senators, as soon as the bill and amendment are printed, will kindly examine it, inasmuch as the committee feels it to be its duty to ask that it be considered at a very early day.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 5380) supplementary to an act approved December 17, 1872, entitled "An act to authorize the construction of bridges across the Ohio River, and to prescribe the dimensions of the same," reported it with amendments.

NATIONAL BANK OF WINTERSET.

Mr. ALLISON. The Committee on Finance, to whom was referred the joint resolution (H. Res. 308) changing the name of the National Bank of Winterset, in Iowa, have instructed me to report it with an amendment in the nature of a substitute. The bill simply relates to a change of the name of a national bank in Iowa, and I trust there will be no objection to its immediate consideration. It will take but a moment.

The PRESIDENT *pro tempore*. Is there objection.

Mr. EDMUNDS. Let us hear what the joint resolution is. Read it.

The PRESIDENT *pro tempore*. It is to change the name of a bank.

Mr. EDMUNDS. Yes, but I wish to hear the resolution read, reserving the right to object.

The Acting Secretary read the joint resolution.

Mr. ALLISON. Now read the substitute.

The ACTING SECRETARY. The Committee on Finance report to strike out all after the resolving clause and to insert:

That the name of the National Bank of Winterset, Iowa, shall be changed to the First National Bank of Winterset, Iowa, whenever the board of directors of said bank shall accept the new name by resolution of the board confirmed by a vote of two-thirds of the stockholders, and cause a copy of such resolution duly authenticated to be filed with the Comptroller of the Currency: *Provided*, That such acceptance be made within six months after the passage of this resolution, and that all expenses of such change, including that of printing and engraving, be paid by the said bank.

SEC. 2. That all the debts, liabilities, rights, privileges, and powers of the National Bank of Winterset, Iowa, shall devolve upon and inure to the First National Bank of Winterset, Iowa, whenever such change of name is effected.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment reported by the Committee on Finance.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

The title was amended so as to read: "A joint resolution providing for a change in the name of the National Bank of Winterset, in Iowa."

BILLS INTRODUCED.

Mr. FARLEY asked and, by unanimous consent, obtained leave to introduce a bill (S. 2343) to amend section 3 of an act entitled "An act to facilitate the disposition of cases in the Supreme Court of the United States, and for other purposes," approved February 16, 1875; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAMERON, of Pennsylvania, asked and, by unanimous consent, obtained leave to introduce a bill (S. 2344) establishing the northern district of Pennsylvania, and providing for a district and circuit court of the United States to be held therein; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. JACKSON (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2345) for the relief of the Nashville, Chattanooga and Saint Louis Railroad; which was read twice by its title, and, with the accompanying memorial, referred to the Committee on the Judiciary.

Mr. GROVER (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2346) granting the right of way over the public lands in Washington Territory to the Puget Sound and Canadian Railway and Immigration Company, with the right to purchase public lands, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLUMB asked and, by unanimous consent, obtained leave to introduce a bill (S. 2347) to amend the third subdivision of section 4693, Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Pensions.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2348) to reimburse the State of Kansas for moneys expended in patroling and defending the southern and western borders of that State against Indian incursions during the years 1879, 1880, and 1881; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO A BILL.

Mr. CHILCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 5538) to reduce internal-revenue taxation; which was ordered to lie on the table and be printed.

HOUR OF MEETING.

Mr. ROLLINS. I offer the following resolution:

Resolved, That on and after Monday, the 15th instant, the hour of the meeting of the Senate during the present session shall be 11 o'clock a. m.

Mr. INGALLS. Let that lie over.

The PRESIDENT *pro tempore*. The resolution will lie over.

CUMBERLAND SOUND IMPROVEMENT.

Mr. JONES, of Florida, submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate of the United States, That the Secretary of War be directed to report the present condition of the work at the entrance to Cumberland Sound; if the amount now available for that work is sufficient to keep it in progress during the current fiscal year; and what appropriation will be required to continue it during the next ensuing fiscal year. Also if the work as projected and in progress lies in more than one State.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House insisted on its disagreement to certain amendments of the Senate to the bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. C. C. CARPENTER of Iowa, Mr. J. W. WADSWORTH of New York, and Mr. W. H. HATCH of Missouri, the conferees on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President *pro tempore*:

A bill (S. 2150) to provide for extra work in the Government Printing Office in cases of emergency;

A bill (H. R. 804) for the relief of Robert Gorthy and Calvin Green;

A bill (H. R. 4704) for the relief of P. F. Lonergan; and

Joint resolution (H. Res. 190) to refer certain claims to the Court of Claims.

THE GENEVA-AWARD FUND.

Mr. FRYE. The Senator from Massachusetts [Mr. HOAR] reported from the Judiciary Committee a few days since the bill (H. R. 6993) to extend the time for claimants to file their claims under the provisions of the act of Congress entitled "An act re-establishing the Court of Commissioners of Alabama Claims, and for the distribution of the unappropriated moneys of the Geneva award," approved June 5, 1882. The time provided for by the law will expire this week, and it is causing great anxiety in my section of the country. I ask the Senator from Massachusetts if there is any reason why he may not ask unanimous consent to take up the bill at the present time? It can not possibly occupy much time.

The PRESIDENT *pro tempore*. By unanimous agreement this day was appointed, after the ordinary morning business, to consider the Fitz-John Porter case.

Mr. FRYE. I ask the Senator from Massachusetts if he will not ask unanimous consent to consider the bill? It will take but a few minutes, I think.

Mr. HOAR. I reported the bill from the Judiciary Committee the other day by the direction of that committee, and desired that the Senator from Maine should make the suggestion to call up the bill at this time, and expected to respond to the suggestion by asking for the passage of the bill; but I have just this moment, since I conferred with the Senator from Maine, received several telegrams from Boston remonstrating against the passage of the bill, signed one by a person who says that he represents an interest of $2,000,000. The names are well known and eminent names of Boston, and I think I ought to withhold the request. Although the time will expire this week, still it makes no difference whether the bill passes a few days after the old time or not. I think I ought to withhold making the request until I can telegraph to Boston that they shall have an opportunity to send on any views that they have. I think it would be a great disrespect to these gentlemen to encounter their remonstrances against the passage of the bill, which was reported only a day or two ago, by a request to take it up out of its order. For that reason, as I informed the colleague of my friend from Maine and was just coming over to inform him, I should like for him to withhold the request for a few days.

Mr. FRYE. I will withhold the request; but it must be evident to every Senator that the representatives of petitioners whose claims have been already filed before the court have a very decided interest against the extension of the time for filing petitions.

Mr. EDMUNDS. Yes; there is not money enough to go around. That is what is the matter.

Mr. HOAR. I think, however that may be, my friend from Maine and I will agree that they should be heard. I do not mean that they should have a formal hearing before the committee, but they should have an opportunity to make known to their representatives here their reasons and grounds before the bill is taken up out of its order.

Mr. HALE. If the Senator from Massachusetts will give me his attention for a moment, I hope on account of the pressure from very meritorious parties the Senator from Massachusetts, in any way that he can, will hurry up any action on the part of these constituents of his who have sent the dispatches, so that if possible we may get the bill through this week on one of the last days.

Mr. EDMUNDS. When did the bill pass the House?

Mr. FRYE. About a month ago, I think.

Mr. EDMUNDS. And these gentlemen in Boston have just discovered that there is something the matter with it?

Mr. HOAR. Whatever it is, we can judge of their reasons better after we hear them than we can before.

Mr. EDMUNDS. I think not.

FITZ-JOHN PORTER.

The PRESIDENT *pro tempore*. Is there further ordinary morning business? The Chair, hearing no response, lays before the Senate, by the unanimous understanding of the Senate, the bill (S. 1844) for the relief of Fitz-John Porter, upon which the vote is to be taken at 2 o'clock, or sooner, if there is no debate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1844) for the relief of Fitz-John Porter, the pending question being on the amendment reported from the Committee on Military Affairs, which was to add at the end of the bill the following proviso:

Provided, That said Fitz-John Porter shall receive no pay, compensation, or allowance whatsoever prior to his appointment under this act.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. CONGER. In order to test the question this morning, I move the indefinite postponement of the bill.

Mr. SEWELL. The understanding was by unanimous consent, that the vote should be taken on the main question, on the passage of the bill.

Mr. CONGER. That is the main question. That will dispose of the bill, if agreed to.

Mr. SEWELL. That question has been already disposed of.

The PRESIDENT *pro tempore*. The motion to postpone indefinitely was made as in Committee of the Whole, and can be renewed in the Senate. The bill is in the Senate.

Mr. SEWELL. I simply desire to say that I think it is a violation of the unanimous agreement of the Senate to make that motion.

Mr. CONGER. I dislike such an imputation as that from the Senator from New Jersey. What the press says about my action and motives is of comparative indifference, but what a Senator says on this floor about my violation of any agreement or rule is a matter that I reply to on this floor. I unquestionably, under the rules and under any agreement which possibly could have been made, or any construction of it, have a right to make the motion, and if it shall be carried that will dispose of the bill.

Mr. SEWELL. Will the Senator allow me to interrupt him?

Mr. CONGER. Yes, sir.

Mr. SEWELL. I wish to state that my remark was not intended to be personal at all. My remark was as to the agreement of the Senate. The Senate agreed to vote on the main question.

Mr. CONGER. If the Senate has agreed to anything of which my motion is a violation, the remark must have been personal.

Mr. FRYE. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Michigan yield?

Mr. CONGER. I yield to the Senator.

Mr. FRYE. Since the agreement was made a very important amendment has been adopted by the Senate within the last five minutes; exceedingly important, because if Fitz-John Porter was an innocent man and ought to be restored, certainly he ought to receive every dollar of the pay from the time he was unjustly convicted. Yet the Senate has just adopted an amendment prohibiting him from receiving any payment from that time until this.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Michigan [Mr. CONGER], to indefinitely postpone the bill.

Mr. CONGER. On that I ask for the yeas and nays.

The PRESIDENT *pro tempore*. The motion is in order, the bill being now in the Senate.

The yeas and nays were ordered.

Mr. CAMERON, of Pennsylvania. Mr. President, it is not my habit to give explanations for votes that I cast, nor is it my intention now to depart from that rule, for it makes but little difference how plausible are the arguments which may be given on any subject; it is the vote itself or its result which counts.

My object in now rising is to speak of my personal knowledge of General Porter's connection with the war in its early history. I believe that I can state a few facts which came under my own observation which will go far, very far, to show that he, at the darkest moment of our great struggle, proved himself as patriotic as any man in the history of the nation.

Fitz-John Porter, in April, 1861, then a major on the staff of General Scott, was sent by the War Department to Harrisburgh, Pennsylvania, to aid the State authorities in organizing and forwarding the troops of that State to the seat of war at Washington. He had not been in the State forty-eight hours before communication by mail and telegraph was cut off between the two cities, and he was left to act upon his own responsibility. He was equal to the emergency. Not only did he perform the duties to which he had been assigned in Pennsylvania with great zeal, tact, industry, and wonderful vigilance, as will be and has been testified to by the then State authorities, who were themselves without any military experience, but, knowing the utterly helpless condition of the authorities at Washington, he assumed authority in the name of the commanding general, and directed the movements of troops from other States—particularly the troops from the State of Ohio—who were *en route* to Washington and passing through Pennsylvania. He never seemed to eat or to sleep, but was eternally on the alert, cheering the men by his zeal and his confidence, aiding the authorities by advice, and instructing them how to bring order out of chaos.

It became my duty to take charge of the railroad from Harrisburgh to Baltimore, and while so engaged an incident occurred in my office which impressed me greatly at the time, and which, it has always seemed to me, should atone to a great extent for any errors General Porter may have committed, if any, at a later period of the war. It was to a great extent through him, in my judgment, that the services of General George H. Thomas were secured to the side of the Union.

General Thomas, then Major Thomas, was stationed at Carlisle Barracks; there were at the same time two other majors of the Army stationed at the same place, I have forgotten their names (but that is immaterial, for the records of the War Department will show), when an order was received from the War Department by a messenger who came across the country, directing Major Porter to send the troops then at Carlisle to Washington, with directions to have them cut their way through. It is the language of this order which makes me say that this was at one of the darkest periods of the war. The capital of the nation was menaced by an enemy camping within a few miles of it, and had but a handful of men for its protection.

Porter, with a quick perception of the gravity of the situation, and showing a thorough knowledge of the fitness of the man for the duty to be performed, selected Thomas from the three majors, and ordered him to report to him at my office in Harrisburgh, that being Porter's headquarters. Thomas arrived there promptly the same evening. When informed of the duty to be performed, Thomas hesitated, and then began a conversation between the two officers which continued until morning, and made a lasting impression on my mind. Thomas argued against the war, taking the ground that the trouble had been brought upon the country by the Abolitionists of the North, and that while deploring it as sincerely as any man could the South had just cause for complaint; Porter took the position that he, Thomas, as a soldier had no right to look at the cause of the trouble, but as an officer of the United States Army it was his duty to defend his flag whenever it was attacked, whether by foes from without or from within. Porter plead as zealously, as eloquently, as I have ever heard any man plead a cause in which his whole heart was engaged, and it was this pleading which caused Thomas to arrive at a decision.

I do not say that Thomas refused to obey his orders, but I do say that he hesitated and would much have preferred that the duty had devolved upon another. Thomas was a Virginian and had, as many other good and patriotic men, great doubts as to the advisability of the Government coercing the States back into the Union that had by their Legislatures formally withdrawn, but having that night decided to remain with the Union, from that time forward there was no doubt, no hesitancy, no wavering, but an earnest, hearty support to the side which had for its motto the maintenance of the Union, and to-day his name is among the brightest, best, and purest of its military heroes. If Fitz-John Porter was to any extent instrumental in saving this great name to our list of military heroes, I ask should not this country be grateful to him? I think it should.

As to Fitz-John Porter's action at the second battle of Bull Run, for which he was tried, I confess my inability to judge. Able military men differ, both sides, in my belief, being equally sincere in their convictions, and both sides being anxious to do Porter justice and justice only as they view his acts. That there is a prejudice against Porter in the minds of many good people I know, and an instance which came under my notice within the last few days will fully illustrate it.

I received a letter from a very worthy and intelligent gentleman residing in Harrisburgh, in which he states that he has been reliably informed that at the time Mr. Lincoln passed through Harrisburgh, in February, 1861, Fitz-John Porter was with him, and when it was determined that Mr. Lincoln would go via Philadelphia by night instead of by day direct through Baltimore that Porter protested most violently; and then the writer propounded the question: "Did not Porter know of the mob which was waiting to meet him on his arrival?" I replied to his letter as follows:

I am in receipt of your letter of the 4th instant and note what you say in reference to Fitz-John Porter's opposition to President Lincoln's route to Washington via Philadelphia in 1861. You are mistaken as to that. Fitz-John Porter was not in Harrisburgh at that time, nor did he reach there until after the President's proclamation calling for 75,000 troops in April, 1861. The officers who were detailed to accompany the President were General Sumner, then Colonel Sumner, and General John Pope, then Captain Pope. What their views were with regard to Mr. Lincoln's change of route I do not recollect, but certainly Fitz-John Porter was not in Harrisburgh at that time nor was he until six weeks after.

I believe Fitz-John Porter to have been a loyal soldier of the Union, and whatever mistakes he committed were of the head and not of the heart; and therefore in justice to him I make this statement.

Mr. CONGER. Mr. President, so much has been said in this discussion, raking up all the literature on this subject, presenting the opinions of the living and of the dead, that I desire to read here, to settle one question which has been mooted, a public letter of General Garfield,

dated July 21, 1880, copied from the Cincinnati Gazette, and I will read the words of the paper introducing it:

The following letter from General Garfield will suffice to settle the false assertion that General Garfield had changed his judgment on the conduct of General Fitz-John Porter. It was written to Captain Lee, who served in that campaign, and who was on special service which gave him knowledge of the circumstances which decide the character of Porter's doing and not doing.

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., July 21, 1880.

MY DEAR SIR: Accept my thanks for your very interesting letter of the 2d instant, in reference to the Fitz-John Porter case. The facts you relate are so entirely in accordance with my own understanding of the case that I shall be glad to make use of them in case I speak on that subject. It would add force to the case if you are willing that your name should be used, but of course I would not do this without your consent. Any other memoranda you may have, or are pleased to make, will be received with thanks. The Schofield board have recommended, and the House Committee on Military Affairs have adopted the astounding proposition to pass a law annulling and setting aside as void the lawful sentence of a court-martial executed more than sixteen years ago. Of course they thereby virtually condemn the court and President Lincoln. It seems to me the very extreme to which party passion can go. They will never pass the bill without such a review of history as will enlighten the people afresh on the most disgraceful portion of our military history. Thanking you again for your letter,

I am, very truly, yours,

J. A. GARFIELD.

Hon. ALFRED E. LEE,
United States Consul-General, Frankfort-on-the-Main.

That is all, sir, I wish to present.

The PRESIDENT, *pro tempore*. The question is on the motion of the Senator from Michigan to postpone the bill indefinitely.

Mr. LOGAN. I certainly do not desire to detain the Senate by making a speech; but before the vote is taken I propose to state very shortly and briefly, by way of recapitulation, the law and the facts.

The law under which Porter was tried was a statute law making the disobedience of a lawful order an offense punishable with death, or such other punishment as a court-martial might deem proper to inflict. These orders were lawful orders. They were disobeyed. The evidence does show that the 6.30 p. m. order of August 27, 1862, was not even attempted to be obeyed, that he did not even attempt to obey the order. I ask any Republican—for those are the Senators I speak to now—how he can, under his oath, say that this man was unlawfully convicted? That is exactly what a Senator does say when he votes for this bill. Porter did not obey the order, he did not try to obey the order. He could have obeyed the order, and the evidence shows it.

If Senators desire to say that in the disobedience of that order, it being a lawful order, General Fitz-John Porter was acting in accordance with law, and was improperly convicted, then I want them to respond for their votes to their constituents.

Again, in reference to the two orders of the 29th of August, 1862, the one directing him to push forward to Gainesville, for disobeying which he was convicted, and the other, the 4.30 order, directing him to attack, for disobeying which he was convicted, the evidence does not only show that he did not obey either of these orders, but the evidence sworn to by a surgeon of his own command, Surgeon Faxon, of Boston, Massachusetts, shows that he said he would be damned if he cared whether he arrived there or not. That is the sworn testimony before the court and before the board. Not only that, but Mr. Lord, who is one of the official reporters of the House of Representatives, and who was also the stenographer of the court-martial in this case, well known here by nearly every Senator, a man who has been in the service of the House for twenty years, a highly respectable gentleman, swears that Fitz-John Porter told him while the trial was going on that it was true that he was disloyal to Pope. Not only does Mr. Lord swear that, but Mr. William L. Ormsby, a man of reputation, swears that he was present with Mr. Lord at Porter's room, and heard the conversation, and he details it precisely as Mr. Lord did.

Now, take the statement of the surgeon of Porter's own staff, swearing that he said he did not care a damn whether he reached there or not; take the evidence of Lord and Ormsby; take the four letters of Porter to General Burnside in reference to Pope, his criticism and attacks upon Pope, showing his animus, and then take the evidence showing his disobedience of orders in every respect, and tell me what Republican can stand here and denounce the action of Lincoln and Garfield and Hunter, and all of those men, by reversing the judgment of the court-martial.

Senators, if you do it, you do it in the face of the testimony; if you do it, you do it in the face of the law; if you do it, you do it beclouding the reputation of some of the best men who have ever lived. They are dead, and if you do it, you do it because certain men have recently taken a great interest in this matter, not only beyond but in Washington city, for the purpose of having this man restored for something in the future, God only knows what. Men have even come from far-off cities since the vote was taken the other day to talk with Senators to get them to vote for Fitz-John Porter. Officers have been sent here, who have pursued men in order to get them to do this. Why is all this?

I have in my pocket now, which I would not introduce here and did not present this morning, resolution after resolution from the States represented by Senators on this floor who are voting now to sustain Fitz-John Porter, from the best men in those States, protesting against anything of this kind. I have them from Ohio; I have them from Iowa; I have them from Pennsylvania and other States, and a number of them coming from the best soldiers in those States, protesting against this wrong which is about to be perpetrated on the country by the restoration of this man.

Why, sir, it is not the money he wants, gentlemen say, but merely his character restored. How is his character to be restored? In what way? By declaring that President Lincoln signed a wrong verdict when he signed the warrant that convicted this man. He wants his character restored by clouding the character of such men as Lincoln and Garfield and those who tried him, by producing no new testimony that changes the situation in any way whatever; and the very man who has written so much on this subject—and it has had its influence on Senators here—said but a short time ago over his own signature that there was no new evidence which changed the features of this case.

Here is a letter from Longstreet yesterday published in a newspaper—why I do not know—just before this vote was to be taken. Let any man read that letter and analyze it, and what does it say? It says that on the 29th he violated Lee's order. Why? Because if he had obeyed Lee's order and moved to Groveton, just as another letter says that he did do, and stayed there all day in front of Porter, Porter would have had an advantage so that he could have whipped him. That is not the language but it is the substance of the letter. By disobeying Lee's order on the 29th it gave him an opportunity to be in a position where Porter could not assail him or do him any harm. There is the letter of Longstreet published yesterday. He admits that on the 29th he had to disobey his order to keep Porter from attacking him on the flank and destroying him, and Porter says he could not strike him because Longstreet was there ready to whip him. Longstreet says in his letter that if Porter had struck him he thinks Porter would have whipped him.

Senators say that certain gentlemen of the military service say orders were disobeyed all during the war. That man swears, in his testimony before a board a few days ago—and I put his own sworn testimony in my remarks—that he always had his orders obeyed; and so he did have them obeyed. If they were not obeyed the officer disobeying was at once suspended from his command. These things are to influence the Senate of the United States in passing upon this case.

There is much more that I could say, but I will not detain the Senate, for I have spoken time and again on this subject, of course without effect, but I merely wished to recapitulate what I had said in short sentences, and to state in a few words substantially what there is in the whole case before it is voted on, that the country may understand what we are doing when this is done, and that it may understand that in our country there is a kind of sentiment that will reverse all laws, reverse facts, reverse judgments, restore criminals and put them in high places merely because you do not want to punish any longer. That is all there is in this case. It is the restoration of a criminal, a man guilty of a crime, adjudged guilty of a crime, sentenced for being guilty of a crime, and twenty years afterward restored to his place, and the evidence and the law and everything wiped out, and the foot stamped upon the graves of the men who did it, because they are dead, and because this man is living. It is because men are dead that this is done and because others live. The dead can harm no one, but the living may.

Mr. LAPHAM. Mr. President, I desire to detain the Senate for but a very few moments before the vote is taken on this measure.

The decision of the court-martial which pronounced Colonel Porter guilty was made on the 10th of January, 1863. On the 21st of that month it received the approval of President Lincoln. That court-martial, which is admitted to have been a legally constituted body, composed of able men, was in session a period of forty-five days. They sat here in the city of Washington almost in sight of the scenes of the transactions which constituted the basis of the charges against Colonel Porter. They had all the facilities possible to ascertain the exact condition of affairs and they had the recollection of men fresh from the scene of action. That judgment stands unreversed, and under the law irreversible. So far as it has been executed, it is beyond recall by any power on earth; so far as it is unexecuted, the President of the United States, on the application of General Porter, has granted him a pardon, the exercise of the pardoning power being the only relief attainable.

The advisory or Schofield board was called and investigated this case in the year 1878. They sat at West Point, and I desire to call the attention of the Senate to one of their findings, which is the key to this whole question, in my view of it. They say:

The evidence of bad animus in Porter's case ceases to be material in view of the evidence of his soldierly and faithful conduct. But it is our duty to say that the indiscreet and unkind terms in which General Porter expressed his distrust of the capacity of his superior commander can not be defended. And to that indiscretion was due, in very great measure, the misinterpretation of both his motives and his conduct and his consequent condemnation.

Now, I am unwilling by my vote to assent to the proposition that there was such a grave indiscretion committed on the part of the court-martial or on the part of the President of the United States. The fact that Porter was disloyal to his commanding officer is found by this advisory board as a fact which can not be excused, and that is the foundation of the whole of Porter's disobedience of the orders of his superior commanding general. It all rests there. Porter's fall was the "first fruit of his disobedience" and its legitimate result.

The advisory board committed a grave error in saying that the court-martial were guilty of an indiscretion or that President Lincoln was guilty of an indiscretion. Mr. Porter was dismissed the service at a time when we wanted generals, and when there was no other reason for dismissing him but a conviction; he was guilty. We do not want any more generals now. He has by the action of the President been relieved from the sentence and rendered eligible to office, but this bill proposes to go further than that and to create a place for him, an extra position not provided for by the law as it now stands. I can not consent to that. I would as quick think of going to the city of Springfield, in Illinois, and tearing the granite base from the monument which has been erected to the memory of our martyred President and razing it to the ground as I would consent to or aid in tearing his signature from the judgment of the court-martial, as confirmed by him and executed until its execution was arrested by the interposition of the pardoning power.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Michigan [Mr. CONGER], that the bill be indefinitely postponed, on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. ALLISON (when his name was called). On this question I am paired with the Senator from Delaware [Mr. BAYARD]. If he were here, I should vote "yea."

Mr. FARLEY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. I do not know how he would vote on this question. If he were present, I should vote "nay" on this motion.

Mr. CONGER. My colleague [Mr. FERRY] would undoubtedly vote "yea."

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS], who, if here, would vote "yea," and I should vote "nay."

Mr. GROVER (when his name was called). I am paired generally on political questions with the Senator from Nebraska [Mr. VAN WYCK]. If this is regarded as a political question I will not vote. Otherwise I should vote "nay." [A pause.] I will vote "nay," unless there is objection.

Mr. LOGAN. Is not the Senator paired with the Senator from Nebraska [Mr. VAN WYCK]?

Mr. GROVER. I am paired with the Senator from Nebraska, not specially, but politically.

Mr. LOGAN. My dear sir, if there is any question more political than this in the Senate, I should like to know it. The Senator from Nebraska [Mr. VAN WYCK] understands his pair to apply to this bill, for he told me so yesterday.

Mr. GROVER. Then I will withhold my vote.

Mr. LOGAN. The Senator from Nebraska said if he was out he was paired on this question as well as all others. That is what he said to me.

Mr. GROVER. This was not named.

Mr. LOGAN. I only know what the Senator from Nebraska said to me and I do not think it is very fair for Senators to be voting under such circumstances.

Mr. GROVER. I said I would withhold my vote.

Mr. LOGAN. I beg the Senator's pardon; I thought he said he would vote.

Mr. BUTLER (when Mr. HAMPTON'S name was called). My colleague [Mr. HAMPTON] is paired with the Senator from Louisiana [Mr. KELLOGG]. If he were present, my colleague would vote "nay" and the Senator from Louisiana would vote "yea."

Mr. JACKSON (when the name of Mr. HARRIS was called). My colleague [Mr. HARRIS] who is necessarily absent has a general pair with the Senator from Kansas [Mr. INGALLS]. If present, my colleague would vote "nay."

Mr. INGALLS (when his name was called). If not paired with the Senator from Tennessee [Mr. HARRIS] I should vote "yea."

Mr. JOHNSTON (when his name was called). I am paired on political questions with the Senator from Pennsylvania [Mr. MITCHELL]. I am not very willing to regard this as a political question, but that construction seems to be given to it on both sides of the Chamber and I do not know what I can do except withhold my vote, though I am very reluctant to give a question of this sort such a complexion as that. I shall not vote.

Mr. LAPHAM (when his name was called). On this question I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "yea" and he would vote "nay" on this motion.

Mr. MAHONE (when his name was called). On the question of the postponement of this bill I shall vote "nay," because I desire that the applicant, on this case, General Porter, shall have a fair trial before the Senate. In the main question which involves, it seems to me, a question entirely between the officers of the Union side in the late war, I do not feel at liberty to take part. I shall, therefore, when that question arises, ask to be excused from voting.

Mr. WILLIAMS (when his name was called). I am paired on this question with the Senator from Nebraska [Mr. SAUNDERS].

The roll-call having been concluded, the result was announced—yeas 24, nays 31; as follows:

YEAS—24.

Aldrich,	Davis of Ill.,	Hill,	Morrill,
Anthony,	Dawes,	Logan,	Platt,
Blair,	Frye,	McDill,	Plumb,
Cameron of Wis.,	Hale,	McMillan,	Rollins,
Chilcott,	Harrison,	Miller of Cal.,	Sawyer,
Conger,	Hawley,	Miller of N. Y.,	Windom.

NAYS—31.

Barrow,	Coke,	Jones of Florida,	Saulsbury,
Beck,	Davis of W. Va.,	Lamar,	Sewell,
Brown,	George,	Mahone,	Slater,
Butler,	Gorman,	Maxey,	Vance,
Call,	Groome,	Morgan,	Vest,
Camden,	Hoar,	Pendleton,	Voorhees.
Cameron of Pa.,	Jackson,	Pugh,	Walker.
Cockrell,	Jonas,	Ransom,	

ABSENT—21.

Allison,	Garland,	Jones of Nevada,	Sherman,
Bayard,	Grover,	Kellogg,	Van Wyck,
Edmunds,	Hampton,	Lapham,	Williams.
Fair,	Harris,	McPherson,	
Farley,	Ingalls,	Mitchell,	
Ferry,	Johnston,	Saunders.	

So the Senate refused to postpone the bill indefinitely.

The PRESIDENT *pro tempore*. The question recurs on ordering the bill to be engrossed and read a third time.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDENT *pro tempore*. The question is on the passage of the bill.

Mr. LOGAN called for the yeas and nays, and they were ordered.

Mr. HOAR. I do not propose to enter at this late period upon a discussion of this case, but it seems to me proper that I should state very briefly the views which will govern me and have already governed me in casting my own vote.

I need not say that it has been one of the most painful public responsibilities I have ever encountered. I am bound by my duty as a Senator to act upon a question which involves the consideration of evidence relating to a science; relating to military transactions which are very far removed from my own ordinary experience and from the studies to which my life has been given.

I suppose a soldier called upon to deal with the question of the conduct of a lawyer in a complicated patent cause, or a question involving contingent remainders, would not find himself much more puzzled than I have been in attempting to master some of the details which relate to the important, intricate, rapid military operations of the three or four days which have been under discussion in this debate. But still I am forced to do my best, and I am bound to do it conscientiously, fearlessly, without regard to any personal consequences or anything else but the fact and the law as they shall appear to my mind upon such study as I have been able to give.

Now, Mr. President, what is the precise attitude of this case? In the year 1863 a military tribunal composed of able and upright soldiers condemned this officer for grave military offenses, sentenced him to be cashiered and sentenced him to be incapable of holding any office of honor, trust, or profit under the United States during the remainder of his life. I regard that judgment as the final judgment of a constitutional court. It is true that courts-martial, whether in the Army or in the Navy, like all other human mechanisms, are a very imperfect method for the administration of justice. Their rules of evidence are not those which prevail in common-law tribunals. They have no jury. The prosecution selects the court. The action is had hastily, and when the act is done there is an end.

But I do not either criticise that arrangement or mention it as affording any reason whatever for failing to pay the same respect to the conclusions of this court as if they were the conclusions of the Supreme Court of the United States or of a circuit court where a jury had been empaneled. The experience and wisdom of civilized nations have been unable to devise any better system than this for the trial of military or naval offenses. The soldier who goes into battle, who takes his life in his hand, who exposes health and life, who abandons all the ordinary occupations of life, exposes himself also for the public good, and as a public necessity to having his rights, his conduct, his life affected by tribunals of this class. They are the best, and no soldier has a right to complain.

But it is also true that the pardoning power, as I believe, for the sentences of such courts is properly lodged in the President of the United States; and it is also true that Congress has the undoubted clear constitutional right, if it conceive any injustice has been done, to permit the restoration to the Army or Navy of an officer whom a court-martial has caused to be dismissed. Since I have been in the Senate numerous cases have arisen where officers cashiered for drunkenness have been restored, by permission of an act of Congress, to their former rank in the Army or Navy, Congress acting, if not with absolute unanimity, by large and emphatic majorities.

Now, what are we asked to do? We are not asked now to reverse the judgment of this court-martial. We are not asked to give or pro-

vide for a new trial, as we were asked two or three years ago. In my own judgment that can not lawfully be done, even by the consent and on the motion of the accused himself. General Porter is out of the Army, and I do not think even by his consent we could provide for a retrial of this cause. If we could, the tribunal retrying it might now sentence him to be shot—a man in time of peace, a man not belonging to Army or Navy, without a trial by jury or right of appeal to the higher courts.

But the last Chief Magistrate of the United States, Mr. Hayes, being of opinion that by the access to confederate testimony one-half of the case previously unknown might be disclosed, summoned for his advice and to his assistance a board composed of high and intelligent Army officers. As has been well said, that board was not a lawful board in the sense of having power to administer oaths or to render a binding judgment; but it was the only course open to the President of the United States to have these facts investigated by some competent authority, for his information and for ours. That board made its report, and upon that report the present President of the United States, Mr. Arthur, has pardoned the offense.

I do not agree with those Senators who think it is a condemnation of, much less an insult to, the memory of President Lincoln or to the memory of President Garfield, a member of the original court, or anybody else to grant this officer the relief which is asked. Was it ever heard before that the executive in issuing a pardon, especially a pardon on newly-discovered evidence, insulted the court or jury who found the original verdict or passed the original sentence? Is every new trial granted by a court with a different verdict an insult to the original court, especially when it is upon newly-discovered evidence? Suppose President Lincoln should have disapproved the finding of the original tribunal, as he did of many a court-martial. I have yet to learn that a difference in judgment, not on the same facts but on the same facts taken with others, is any reproach to the person with whom you so differ.

The present head of the Army, as I have said, under his official executive responsibility has thought fit to pardon this officer and to remit what remains of the sentence, and that is the only action which in the least modifies or trenches upon or can modify or trench upon the act of the original court-martial.

Now it is asked, giving such weight as we choose to the action of the President, giving such weight as we choose to the newly adduced evidence, giving such weight as we choose to the opinion of the head of the Army at the close of the rebellion and the executive head of the Army for eight years after the rebellion ended, that we shall pass an act which simply permits hereafter the President and the Senate, if they see fit, to restore this man to the Army so far as that he may be placed upon the retired-list, at the discretion of the President. In other words, this present bill does not deal with the question of the guilt or innocence of Fitz-John Porter in terms and technicality; it only authorizes the President of the United States hereafter, with the advice and consent of the Senate, to treat him as a person eligible to the office which he formerly held, under the particular circumstances.

Is there sufficient reason for such action? I do not, of course if I were capable, I should not at this time undertake to go over the evidence in detail; but this thing is true, as it seems to me: General Porter was condemned by that court-martial in ignorance of such facts in regard to the military situation of the 28th and 29th of August, 1862, as could be learned from the reports and testimony of men who were opposed to him in those days.

In the judgment of these high military authorities, including the President of the United States charged with his official responsibility, that newly disclosed evidence makes a new case. I am not now speaking of the 6.30 order of the afternoon of the 27th, but of the charge of a failure to attack, a failure to advance and go to the assistance of the troops in battle, and the charge of having retreated during the action, whether you call it a battle or a series of actions on the 28th of August; and these high military authorities declare that upon the study which they have given this has become a new and different case. The case on which this man was tried is not the case which is now presented to those who in any responsible situation have to try it.

Mr. President, it seems to me on a full examination of this evidence that the evidence is such as to afford a fair support to that opinion. I recognize the great military authorities that are opposed to it. I do not think if I were to select mere authority on which my judgment was to be guided that I should select two men in the United States on whom I would place higher reliance than two members of the present Committee on Military Affairs, the Senator from Illinois [Mr. LOGAN] and the Senator from Connecticut [Mr. HAWLEY]. The Senator from Illinois is himself an illustrious soldier. He is himself accustomed to deal with evidence as a lawyer. The training of his life, both civil and military, has fitted him to deal with such questions. And I do not think that any authority on the other side as mere authority is entitled to greater weight than his. I should also place very great reliance in such a case upon the opinion of my distinguished and illustrious friend from Connecticut who concurs with the Senator from Illinois in this case. But it does seem to me, looking at the case as well as I am able to do, that the newly-discovered evidence, whether the conclusion as to Porter's guilt or innocence might be the same, does make out a case so different in the circumstances that it warrants us in passing a law which shall permit the President if he see fit, and the Senate if hereafter it shall see fit, to allow this man for the little remnant of his days to be restored to his old profession.

Then you come to the specification in regard to the disobedience of orders on August 27—the 6.30 order. Who can believe that if the other facts in the case had been out of the way the court or President Lincoln ever would have sentenced this man to the severe punishment to which he was sentenced on that finding alone? Whether it be true or not true that the military law required an attempt to march over that road that night, encumbered with wagons to the extent to which it was, the extent being in dispute, or not; or whether that officer, being an officer with a separate command, receiving his order from a superior ignorant of the precise condition of things which he had to meet—whether the military law and custom permitted him under such circumstances a discretion or not, this thing is it seems to me well established, that a very large number of able, honest, experienced military men were in the habit of exercising and in the habit of permitting the exercise of such discretion; and who can believe that he being wrong in an opinion in regard to a state of facts in which, if he was wrong, Grant is wrong, in which if he was wrong Longstreet is wrong, in which if he was wrong Terry is wrong, in which if he was wrong Schofield is wrong and Getty is wrong—who can believe that if this single specification stood alone General Porter would have been condemned with this severity of sentence? What we are to do is not to wipe out a judgment——

Mr. LOGAN. Will the Senator allow me right there to ask him if he says that there is much evidence to show that orders of this kind were frequently construed by officers as discretionary, and he cites Terry and others?

Mr. HOAR. As exercising discretion.

Mr. LOGAN. Where it was a peremptory order? This was a peremptory order. Can the Senator cite an instance in which Schofield, Terry, or Getty ever disobeyed a peremptory order?

Mr. HOAR. No.

Mr. LOGAN. Will the Senator cite an instance where any officer ever disobeyed a peremptory order and was not relieved from his command?

Mr. HOAR. I could cite instances where I am so informed.

Mr. LOGAN. I am talking about the testimony and about the law. The evidence shows——

Mr. HOAR. I do not wish to interrupt the Senator's question, but he is addressing himself to a point which is not a point in the case.

Mr. LOGAN. What is the point?

Mr. HOAR. I am not now speaking of the question whether these orders were in fact disobeyed. I say that these men think that it was within the discretion given to an officer exercising a separate command and receiving an order from a superior at a distance to exercise this discretion. They say so; General Grant says so in his article. These gentlemen say so in their finding.

Mr. LOGAN. I am not discussing what they say in their finding. I discussed that the other day.

Mr. HOAR. That is precisely the point I am making in response to the Senator's question.

Mr. LOGAN. In all this discussion I have tried to find some man on this floor who could show me the authority for the disobedience of a peremptory order, and I have never yet found any one who could show me that authority. Now, if the Senator will allow me a word in reference to the other point, that is, would President Lincoln have signed an order affixing this punishment to this man if he had only disobeyed the 6.30 order and had executed the orders of the day of the battle, of the 29th, I will ask the Senator to answer me a question. The law says that whenever an officer disobeys a lawful order he shall be dismissed from the service of the United States or subjected to any other penalty which the court-martial may in their wisdom fix.

Now, suppose that was a lawful order and it was disobeyed and the court-martial found the fact. What was the fact they had to find? First, that it was a lawful order; second, that it was disobeyed. Would not that be all? Very well; they find those two facts and on that the law requires them to act. They act in accordance with the law. They find him guilty. What is the fact for the President to find? The fact for the President to find is, has the court-martial acted in accordance with law? First, if they have found the accused guilty, have they gone in accordance with the facts? Yes. These two propositions being responded to affirmatively in the President's mind, what could the President do except affirm the sentence of the court-martial, I ask the Senator?

Mr. HOAR. Everybody knows that the President exercises a discretion in such cases.

Mr. LOGAN. That is very true.

Mr. HOAR. President Lincoln could have instantly remitted the sentence. I think I had rather not go into this general debate, because I have not yet replied to the Senator's first question, and I fear I shall forget that.

Mr. LOGAN. Very well.

Mr. HOAR. It was about the disobedience. I could cite many cases, and that is one of the difficulties which I find in dealing with the case

Mr. President, I believe if I were a perfectly brave, honest, and straightforward man I should dodge a vote on this question; but it is my duty, as it seems to me, and the public expect of me to state my opinions, imperfect and inconclusive as they may be, and I am going to do it.

I could cite twenty cases to the Senator which have been stated to me by very high authority indeed within the last week of officers who disobeyed orders where military operations were actually going on, orders to attack, orders to move to the support of other generals who were attacking; but suppose I cited them and undertook to refer to the transactions, the Senator from Illinois with his knowledge of this science, which I know nothing about, would instantly call my attention, "Was there not this distinction," "Was there not that distinction," "Was not this, that, or the other thing the fact at that time," and I should be totally unable to answer him; nobody but a soldier or a military historian can answer him. So I should prefer not to interpolate into my remarks a discussion of this character with the honorable Senator to which I confess in advance my inadequacy; but I ask, does anybody suppose that President Lincoln would have permitted this sentence to have gone against Fitz-John Porter on the disobedience to that 6.30 order alone, with Ulysses S. Grant and Alfred H. Terry saying to him that in their judgment it was a discretion they themselves would have exercised under the circumstances?

Mr. LOGAN. Now, if the Senator will allow me (because I do not wish to disturb him), I wish to say right here that when we have cited to us—I know what the Senator refers to, at least I presume I know what the Senator refers to—the case of some very important military man who was talking with him this week and has told him——

Mr. HOAR. I would rather not have my statement go on record in that manner.

Mr. LOGAN. I want to say that I know one case, and I can name a dozen cases of the same character that he speaks of, where orders were given to officers and they disobeyed them, but at the same time that I name those cases I can inform the Senator that those officers were relieved from their commands immediately.

Mr. HOAR. Were they discharged from the Army?

Mr. LOGAN. Many of them were.

Mr. HOAR. Were all of them?

Mr. LOGAN. Not all; some were.

Mr. HOAR. Now, I will resume the floor, if the Senator will pardon me, for the time is almost exhausted.

Mr. LOGAN. I do not desire to take the floor from the Senator, but I desire to read an order, if he will allow me.

Mr. HOAR. I would rather not.

The PRESIDENT *pro tempore*. The Senator from Massachusetts has the floor.

Mr. LOGAN. I should like to read an order from General Grant.

Mr. HOAR. The Senator confirms what I say. He says that he knows instances, numerous ones, where orders were disobeyed and the officers doing it were relieved from their commands forthwith; and I asked him whether they were dismissed from the Army and rendered incapable of holding office, and he says in some cases, but not in all.

Mr. LOGAN. I will answer, if the Senator will allow me, now, and he ought to. In every instance where they were put before a court-martial they were dismissed.

Mr. HOAR. But in a great many instances they were not put before a court-martial.

Mr. LOGAN. That depended on circumstances.

Mr. HOAR. I know it did; and that is my point. I do not believe, with great deference to the very much greater authority of that Senator, that Abraham Lincoln, with his kind, merciful, honest heart would have permitted this sentence to have gone against Fitz-John Porter on the disobedience of that 6.30 order alone, under the circumstances, and in the face of the opinion of such men as Grant and Terry that they should have done the same thing under the same circumstances, any more than he would have laid his right hand into a fire of burning coals to be burned to the stump.

Mr. LOGAN. Grant did not think so some time ago.

Mr. HOAR. That has all been gone over.

Mr. President, we are not wiping out the sentence of Fitz-John Porter. That man has tasted for twenty years the bitterness of that judgment. No cup of death was ever presented to human lips which, it seems to me, could be so bitter as that which has been the daily and the nightly draught for twenty years of this officer, who, at least, once and some time deserved well of the Republic.

Will the Senator from Illinois say that the President of the United States, in pardoning this man, meant to affront or did affront the great and mighty shades of Lincoln and of Garfield? He thought that in the doubt upon this question it was time at least that justice should stop and that mercy should have her place. Over that name honored for generations in the military and naval history of this country—you can hardly look upon the stars and stripes on our flag that you do not think of the name of Porter—for twenty years has rested the burden of this shame, worse than death, worse than torture, and no act of Congress, no act of God can wipe that away.

> Not fate herself can o'er the past have power,
> But what has been has been.

And he has had in shame and agony—he has had his hour.

Now, Mr. President, I do not know what bitter passion, I do not know what prejudice, I do not know what honest love of country, I do not know what feeling of a patriotic and generous soldiery may be encountered by the vote I am about to cast. I know this, that I would rather incur almost anything myself than to incur the disapprobation of some men whom I shall seriously grieve by the conclusion to which I have come. It is not an easy thing for a Republican, a partisan, a man whose life has been given to the advocacy and the support of the doctrines of this party, to incur the disapprobation and the condemnation of his political friends who sit about him on a great question of State; but I thank God that after hesitation and doing my best to discover what my duty requires he has given me the grace to perform it.

I do not believe, studying this testimony, that the burden of this condemnation ought to rest longer upon the head of this man unless on such re-examination of the facts as it will be the duty of President Arthur hereafter to give, and on such re-examination of the facts as it will be the duty of the Senate hereafter to give, one or the other (for it will require the concurrence of both to restore him) should be of opinion that he ought not to be restored.

So thinking, Mr. President, I believe that if Abraham Lincoln sat in this seat to-day and could read the testimony which has come from the reports of Longstreet and of Lee, changing, as it seems to me, so materially the military situation of that day, the vote of Abraham Lincoln, with his kind heart, with his sound sense, and his fearless independence in doing right, would be cast as I mean to cast my own.

Mr. LOGAN. Just one word, Mr. President. I do not desire to answer the eloquent remarks of the Senator from Massachusetts in justification of what he is going to do, because I find changes go on very frequently which I cannot account for; but I desire to answer all that he has said about disobedience of orders from the person from whom he was quoting, not giving the name. I will do it by reading an order and by stating in a very few words the transaction. I was connected with the command at the time myself. I was commanding near Jackson, Tennessee. General Price came across from Mississippi and was moving in the direction of Corinth with about 30,000 troops. Corinth was garrisoned by a small force, much smaller than his. I was ordered to send a portion of my troops to Jackson, which I did. General Grant sent an order to General Hurlbut, from which I will read an extract; and I ask the Senator from Massachusetts to listen to this and see how this general then, when in command, interpreted orders. And first before reading it I will say that the same person to whom the Senator refers told me himself, in discussing this very question, that when a man was ordered to attack it was not his business to inquire as to the order, because he was not always to know what the attack meant; that sometimes it was intended that a portion of an army should be almost destroyed for the purpose of saving the rest, and that was the interpretation here where Porter was afraid his force was too short, that should be given to this and to carry out that idea. I will read the order.

Mr. HOAR. Will the Senator allow me to put him a question?

Mr. LOGAN. Yes.

Mr. HOAR. Is the principle true in his judgment which he has just affirmed, when the order comes from a superior at a distance from the scene of action? Let me put a case. Suppose the Senator from Illinois in charge of an army corps or a division and ten miles off, as this man was, from the commanding officer——

Mr. LOGAN. No, he was not ten miles off.

Mr. HOAR. Nine miles off.

Mr. LOGAN. I beg the Senator's pardon.

Mr. HOAR. From Bristoe to Warrenton.

Mr. LOGAN. That was as to the marching; I am talking of the order to attack.

Mr. HOAR. That makes no difference; I was asking about the circumstances of this order. Suppose the Senator were ten miles off from his commanding officer and he were ordered to cross a broad, deep river with his command and take up a position on the other side, and he knew that the other bank of the river had been occupied by a largely superior hostile force that would cut him all to pieces in the crossing, and that his military superior ten miles off did not know that fact but supposed when he gave the order that it was an unoccupied and vacant place, what would he do?

Mr. LOGAN. In the first place I should not know whether the force across the river was sufficient to cut me to pieces or not.

Mr. HOAR. Would you obey?

Mr. LOGAN. I would try to obey.

Mr. HOAR. Would you try to cross the river?

Mr. LOGAN. I would try. I did just such a thing as that; I crossed the Tennessee River and built a bridge over it and did exactly the thing the Senator suggests, and I did not get cut to pieces either, though the enemy's force was much larger than my own.

Mr. HOAR. Then the Senator did not notice the fact implied in my question. My question was in case he knew he would be cut to pieces.

Mr. LOGAN. I say Porter did not know it, because he did not try it, and the Senators who defend him know that the evidence shows he did not try to ascertain the force there by sending out his officers. I will read this order.

Mr. HOAR. Mr. President——

Mr. LOGAN. If the Senator will allow me now, I will answer the very question he has asked me, and I will answer him from the high authority that has caused his mind to run in the channel it has. Mark this language. This is an order to General Hurlbut:

The enemy have developed an attack on Corinth. You will move with your command at 3 a. m., marching with all speed by the Pocahontas road, and go through to Corinth—

Mark the language—

and go through to Corinth. The enemy, estimated at 35,000 men, lie on the Chewallas road.

That is a peremptory order. General Hurlbut answered this by telegraph as follows:

I believe I understand your orders, but I wish to be sure. If I understand them, they involve the loss of my entire command.

To this dispatch the following reply was received by General Hurlbut:

I am glad you comprehend my orders so accurately.

U. S. GRANT.

There is the answer to your remark and to your question.

Mr. HOAR. It is no answer.

Mr. LOGAN. Yes, it is an answer. Not only that, General Price was in the road between Hurlbut and Corinth with 30,000 men, and Hurlbut was ordered to go to Corinth. That was what Grant meant, that his whole command should be lost if he could not get there. Hurlbut attacked them, and Hurlbut drove them from Corinth, and they were driven off, and it saved his command, but he was to lose it if necessary to save Corinth. That was the proposition, and after that Senators will stand up here and tell me that orders, peremptory orders, are not to be obeyed because a man might lose a portion of his command!

Sir, I served too long under that great general not to know that his orders had to be obeyed. What would be done to the men who disobeyed them? The evidence is thick in his history and in his orders where men disobeyed his orders they received their just deserts. Many of them are out of the Army to-day, and they stay out of the Army on account of their not coming up as he thought they should do. I could cite instance after instance. It will not do to tell me that a man has a right to judge for himself in time of war, in time of battle, as to whether he will obey an order or not. There is no such military law.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived——

Mr. LOGAN. One word, sir, and I am done.

This man stood from morning until night and until 3 o'clock the next morning, and had to be ordered on the field to Pope's presence to get him to obey an order, and that was the only order he obeyed through that whole day while the battle was raging. You speak of Longstreet's testimony, which does not controvert one point that I have suggested in this case. Through that whole day tell me if Porter was not afraid to attack, why did he not send word to Pope, his commanding officer, who was only three miles from him? Pope's headquarters were but three miles from Bethel Chapel where Porter's headquarters were, and there was a direct road running to them on which McDowell traveled. Why did he not send word that there was a great force in his front and that he could not attack? No word was sent until the last word, at 5 o'clock, when he says "I am going to retreat to Manassas." That is the only time he gave information.

The Senator from Massachusetts to-day in eloquent strains would excuse this man and justify his infamous conduct when his men were being slaughtered like beeves; butchered on the field. Sir, his conduct was infamous, infamous in the extreme. He was not a patriot. He determined that Pope should lose that battle, and the evidence shows it. The gentlemen on this side of the Chamber who defend him defend him in the face of the facts which show him to have been derelict in his duty, which show him to have been wanting in soldierly qualities, and wanting in respect to his superior officer.

Not only that, you appeal to Lincoln and speak of his generous heart. His own son swears that after this court-martial, years afterward, he said the evidence would have justified the punishment of death.

Mr. HOAR. The old evidence?

Mr. LOGAN. "The old evidence." Sir, there is not one particle of evidence in all the new that contradicts the old. General Grant, to whom you appealed, said so years ago when he examined it all. He said there was nothing in the new evidence that should cause him to take up this case. No new evidence has come to the mind of the people. It is not new evidence; it is not new testimony. It is something else that is new. It is not the facts; it is not the law, it is a change of mind, or heart, or whatever you may call it—a sudden change recently for some cause or other unknown to me. It will not do to say that the new facts have done it, for the new facts have done no such thing. They changed no man's mind until recently, when people have been trying to get behind them as a breastwork to justify themselves for what they are now doing.

The PRESIDENT *pro tempore*. The question is on the passage of the bill, on which the yeas and nays have been ordered.

Mr. PLUMB. Is debate closed on the bill?

The PRESIDENT *pro tempore*. Two o'clock was the hour agreed upon at which the debate should close.

Mr. SEWELL. I shall object to further debate.

Mr. PLUMB. I am sorry, if that is the case, that the Senator from Massachusetts should not have shortened his remarks somewhat, so that there might have been some opportunity for something to be said against the position which he took.

The PRESIDENT *pro tempore*. The debate was to be closed at 2 o'clock by an absolute understanding of the Senate.

Mr. HOAR. I do not believe the genius of man could make a more powerful argument than was made by the Senator from Illinois [Mr. LOGAN] for three days in this case.

Mr. PLUMB. I am sorry the Senator from Massachusetts did not think so, and so omit some portion of his own.

Mr. MORRILL. I do not know but that the unanimous consent that the vote should be taken at 2 o'clock supersedes everything else——

The PRESIDENT *pro tempore*. Of course it does.

Mr. MORRILL. Otherwise I should call up the tariff bill. As soon as this bill is disposed of, I shall ask that the tariff bill be proceeded with.

The PRESIDENT *pro tempore*. The Chair will lay the tariff bill before the Senate as soon as this matter is disposed of, but by agreement the other day this bill was to take precedence of the unfinished business and be disposed of by 2 o'clock, unless there be unanimous consent to extend the time. ["Vote!" "Vote!"]

The PRESIDENT *pro tempore*. The question is on the passage of the bill, on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. ALLISON (when his name was called). On this question I am paired with the Senator from Delaware [Mr. BAYARD]. If he were present, I should vote "nay."

Mr. GROVER (when his name was called). I am paired with the Senator from Nebraska [Mr. VAN WYCK]. If he were present, I should vote "yea."

Mr. INGALLS (when his name was called). My pair with the Senator from Tennessee [Mr. HARRIS] has been transferred for this bill to the Senator from Michigan [Mr. FERRY]. I vote "nay."

Mr. JOHNSTON (when his name was called). I am paired generally with the Senator from Pennsylvania [Mr. MITCHELL]. It is claimed that the pair is obligatory in this case. I therefore refrain from voting. If the Senator from Pennsylvania were here, I should vote "yea."

Mr. JONES, of Nevada (when his name was called). I am paired with my colleague [Mr. FAIR]. If he were here, I should vote "nay."

Mr. LAPHAM (when his name was called). On this question I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, he would vote "yea" and I should vote "nay."

Mr. WILLIAMS (when his name was called). I am paired on this question with the Senator from Nebraska [Mr. SAUNDERS].

The roll-call was concluded.

Mr. SAULSBURY. The Senator from Iowa [Mr. ALLISON] announced his pair with my colleague [Mr. BAYARD] and said that he would vote "nay" if my colleague were present; but he did not state how my colleague would vote. I desire to announce that if my colleague were here he would vote "yea."

The result was announced—yeas 33, nays 27; as follows:

YEAS—33.

Barrow,	Davis of W. Va.,	Jonas,	Sewell,
Beck,	Farley,	Jones of Florida,	Slater,
Brown,	Garland,	Lamar,	Vance,
Butler,	George,	Maxey,	Vest,
Call,	Gorman,	Morgan,	Voorhees,
Camden,	Groome,	Pendleton,	Walker.
Cameron of Pa.,	Hampton,	Pugh,	
Cockrell,	Hoar,	Ransom,	
Coke,	Jackson,	Saulsbury,	

NAYS—27.

Aldrich,	Dawes,	Ingalls,	Morrill,
Anthony,	Edmunds,	Kellogg,	Platt,
Blair,	Frye,	Logan,	Plumb,
Cameron of Wis.,	Hale,	McDill,	Rollins,
Chilcott,	Harrison,	McMillan,	Sawyer,
Conger,	Hawley,	Miller of Cal.,	Windom.
Davis of Ill.,	Hill,	Miller of N. Y.,	

ABSENT—16.

Allison,	Grover,	Lapham,	Saunders,
Bayard,	Harris,	McPherson,	Sherman,
Fair,	Johnston,	Mahone,	Van Wyck,
Ferry,	Jones of Nevada,	Mitchell,	Williams.

So the bill was passed.

The PRESIDENT *pro tempore*. The question now is on agreeing to the preamble to the bill.

Mr. INGALLS. What is the preamble? Let us hear it.

The preamble was read, as follows:

Whereas the board of Army officers convened by the President of the United States by special orders numbered 78, headquarters of the Army, April 12, 1878, to examine into and report upon the case of Fitz-John Porter, late a major-general of the United States volunteers and a brevet brigadier-general and colonel of the Army, having, by their report of March 19, 1879, stated that, in their opinion, "justice requires at his [the President's] hands such action as may be necessary to annul and set aside the findings and sentence of the court-martial in the case of Major-General Fitz-John Porter, and to restore him to the position of

which that sentence deprived him, such restoration to take effect from the date of dismissal from the service;" and

Whereas the President, on the 4th day of May, 1882, remitted so much of the sentence of said court-martial remaining unexecuted as "forever disqualified the said Fitz-John Porter from holding any office of trust or profit under the Government of the United States:" Therefore, that justice may be done the said Fitz-John Porter, and to carry into effect the recommendation of said board.

Mr. EDMUNDS. I ask for the yeas and nays on agreeing to the preamble.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. ALLISON (when his name was called). On this question I am paired with the Senator from Delaware [Mr. BAYARD]. If he were present, I should vote "nay," and I presume he would vote "yea."

Mr. GROVER (when his name was called). I am paired with the Senator from Nebraska [Mr. VAN WYCK]. If he were present, I should vote "yea."

Mr. JOHNSTON (when his name was called). I am paired with the Senator from Pennsylvania [Mr. MITCHELL]. If he were here, I should vote "yea."

Mr. LAPHAM (when his name was called). On this question I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, he would vote "yea," and I should vote "nay."

The roll-call was concluded.

Mr. FRYE. On this question I am paired with the Senator from California [Mr. FARLEY]. If he were present, I should vote "nay."

Mr. CONGER. I do not know whether it has been stated that my colleague [Mr. FERRY] was paired with the Senator from California [Mr. FARLEY], but I understand the pair has been transferred to a pair with the Senator from Tennessee [Mr. HARRIS].

Mr. INGALLS. For this bill merely.

Mr. CONGER. If my colleague were present, he would vote "nay" on this question, and against the passage of the bill.

Mr. INGALLS. I have no doubt that the Senator from Tennessee [Mr. HARRIS] would vote "yea."

Mr. MORRILL. Before the result is announced, I inquire of the Chair whether the words "the President's" in brackets in the preamble will now be included or omitted?

The PRESIDENT *pro tempore*. They will be included, of course; they simply relate to and make clear the word "his" which precedes.

The result was announced—yeas 31, nays 25; as follows:

YEAS—31.

Barrow,	Davis of W. Va.,	Jonas,	Saulsbury,
Beck,	Garland,	Jones of Florida,	Sewell,
Brown,	George,	Lamar,	Slater,
Butler,	Gorman,	Maxey,	Vance,
Call,	Groome,	Morgan,	Vest,
Camden,	Hampton,	Pendleton,	Voorhees,
Cameron of Pa.,	Hoar,	Pugh,	Walker.
Coke,	Jackson,	Ransom,	

NAYS—25.

Aldrich,	Dawes,	Logan,	Plumb,
Anthony,	Edmunds,	McDill,	Rollins,
Blair,	Hale,	McMillan,	Sawyer,
Cameron of Wis.,	Harrison,	Miller of Cal.,	Windom.
Chilcott,	Hawley,	Miller of N. Y.,	
Conger,	Hill,	Morrill,	
Davis of Ill.,	Ingalls,	Platt,	

ABSENT—20.

Allison,	Ferry,	Jones of Nevada,	Mitchell,
Bayard,	Frye,	Kellogg,	Saunders,
Cockrell,	Grover,	Lapham,	Sherman,
Fair,	Harris,	McPherson,	Van Wyck,
Farley,	Johnston,	Mahone,	Williams.

So the preamble was agreed to.

ROCK ISLAND ARSENAL IMPROVEMENT.

Mr. MORRILL. Mr. President——

The PRESIDENT *pro tempore*. If the Senator from Vermont will give way for a moment the Chair will lay before the Senate a message from the President of the United States.

Mr. MORRILL. Certainly.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a copy of a communication from the Secretary of War, dated the 10th instant, inclosing a copy of one from the Chief of Ordnance, together with a copy of one from Lieutenant-Colonel D. W. Flagler, commanding the Rock Island arsenal, Illinois, setting forth the insufficiency of the sum appropriated by the sundry civil appropriation act of August 7, 1882, for the deepening of the water-power tail-race canal at the arsenal, and recommending that a special appropriation of $20,000 be made for the completion of said work.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 11, 1883.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had this day approved and signed the following acts:

An act (S. 1304) granting a pension to John V. Bovell;

An act (S. 156) for the relief of Major Jacob E. Burbank; and

An act (S. 336) for the relief of James J. Faught, late of Company D, Eighth Missouri.

BILLS INTRODUCED.

Mr. CALL asked and, by unanimous consent, obtained leave to introduce a bill (S. 2349) for the relief of Perry G. Wall and the executors of O. B. Hart, deceased; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MORGAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2350) to explain and carry into effect sections 2498 and 2499 of the Revised Statutes and to provide for executing in their true intent and purpose the commercial treaties between the United States and other governments; which was read twice by its title.

The PRESIDENT *pro tempore*. To which committee does the Senator from Alabama wish to have the bill referred?

Mr. MORGAN. The bill has connection with the pending tariff bill, and I hesitate between the Committee on the Judiciary and the Committee on Finance.

Mr. SHERMAN. My impression is that such a bill as that would naturally go to the Committee on Commerce or the Committee on Foreign Relations. A reference to the Committee on Foreign Relations would be just as well as any other.

Mr. MORGAN. I ask its reference, then, to the Committee on Foreign Relations.

The PRESIDENT *pro tempore*. The bill will be so referred.

PRESIDENTIAL DISABILITY.

Mr. GARLAND. Yesterday the Senator from Kansas [Mr. INGALLS] introduced a resolution of inquiry directed to the Judiciary Committee in reference to the office of President. I objected to its consideration then and desired it to go over, because I believed that the same question was specifically before the committee, but I find upon investigation that such is not the fact. I have no objection to the resolution being passed.

Mr. INGALLS. Let the resolution be reported.

The PRESIDENT *pro tempore*. The resolution will be read, if there be no objection.

The Acting Secretary read the resolution submitted yesterday by Mr. INGALLS, as follows:

Resolved, That the Committee on the Judiciary be directed to inquire what legislation, if any, is necessary to ascertain and determine when the powers and duties of the Presidential office shall devolve upon the Vice-President in case of the inability of the President to discharge the same; and in what manner the removal of disability may be ascertained under the Constitution; and to report hereon by bill or otherwise.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

AMENDMENTS TO BILLS.

Mr. GEORGE submitted an amendment intended to be proposed by him to the bill (S. 2301) providing for the forfeiture of railroad grants in certain cases; which was ordered to lie on the table and be printed.

Mr. ROLLINS submitted an amendment intended to be proposed by him to the bill (H. R. 7181) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation, the pending question being on the amendment of the Committee on Finance, proposing as section 2498 of the Revised Statutes, in section 5 of the bill:

SEC. 2498. No goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship or vessel, and cargo shall be liable to be seized, prosecuted, and condemned, in like manner and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

Mr. SAULSBURY. I should like to make an inquiry in regard to this section. I understand it to be a provision which prohibits the importation of goods into this country except in American vessels or vessels owned by American citizens.

Mr. SHERMAN. This and the following section have stood upon the statute-book since the year 1816. They are only aimed at countries who have by discriminating laws forbidden the carrying of our produce in American vessels to their countries. Spain I believe is the only nation that does it yet. It is necessary as long as any nations discriminate against our country to make a corresponding discrimination against them. So far as I now know Spain is the only country that makes such a discrimination, and that only in favor of the Island of Cuba. It is necessary to maintain this provision until that discrimination is removed. Indeed there are negotiations, and have been for years, going on between the two countries to induce Spain to change in that respect her commercial laws, but as yet I believe it has not been accomplished.

Mr. SAULSBURY. I understand, then, from the Senator from Ohio it will only operate against those countries which discriminate against our country.

Mr. SHERMAN. That is all. That is shown by the language of the succeeding section, which provides that—

The preceding section shall not apply to vessels, or goods, wares, or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

Mr. MORGAN. I will say to the Senator from Delaware that yesterday I called the attention of the Senate to this and the succeeding section, and this morning I have had the honor to introduce a bill which was referred to the Committee on Foreign Relations, having for its purpose the enlargement of the application of the sections in certain cases.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposing section 2498.

The amendment was agreed to.

The next amendment of the Committee on Finance was, to insert as section 2499 of the Revised Statutes:

SEC. 2499. The preceding section shall not apply to vessels or goods, wares, or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

The amendment was agreed to.

The next amendment was read, as follows:

SEC. 2500. There shall be levied, collected, and paid on each and every non-enumerated article which bears a similitude, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this title as chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles on which different rates are chargeable, there shall be levied, collected, and paid on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials the duty shall be assessed at the highest rates at which any of its component parts may be chargeable. If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates, and in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty: *Provided*, That non-enumerated articles similar in material and quality and texture, and the use to which they may be applied, to articles on the free list, and in the manufacture of which no dutiable materials are used, shall be free.

Mr. VANCE. Mr. President, I move to strike out this entire section. This is the volley that sweeps the deck. The Athenians, it was said in old times, in their carefulness for religion, erected altars to every known deity, and fearing lest they might have omitted and offended some one, likewise erected an altar to the Unknown God. So the friends of protection, after having spread a trap wide enough and strong enough to gather in and contain every conceivable article manufactured by the ingenuity of man for his comfort and convenience, in the composition of its wondrous nomenclature have likewise superadded this residuary dead-fall by which to entrap and lead up to the shambles of taxation this unknown evader of the vigilance of the Senator from Vermont.

I am opposed to such, Mr. President. On the contrary, should there be any such unbranded maverick, feeding upon the pastures of this life; or any poor, hunted, and persecuted Wandering Jew in the shape of personal prosperity, that has been able by hiding in the secret recesses of this tumultuous and busy world, to escape the acute cupidity, the intelligent greed, and searching rapacity of this bill, which is the crowning act of the agonizing incubation of the great centenary infant, instead of leading it to the shambles of taxation I should say in common pity and in common humanity, let us lade its devoted head with the sins of "protection" and allow it to escape into the wilderness.

Mr. SHERMAN. I can only say in reply to the humorous remarks of my friend from North Carolina that unfortunately this provision is to be found in all the tariff laws, certainly since 1842, including the Democratic tariff law of 1846, and in every tariff law that has passed from that time to this. It is necessary in order to avoid the change of the names of articles with somewhat the constituent property of the articles named, to have what is called a similitude clause, so that if the article is not named correctly in the tariff, and if the article in controversy is not commercially known by name in any tariff, it shall be classed by the article of similitude made of the same materials and in the same way, but under a different name. It is a necessary provision in every tariff bill.

There are two clauses, I ought to say to the Senate, added to the old law.

Mr. BECK. The old section closes at the word "chargeable," in line 135.

Mr. SHERMAN. Then all after that is new but is in harmony with the body of the section. The first new clause, lines 136, 137, 138, and 139, was taken from page 58 of the Tariff Commission report, where the words inserted now in this section were inserted in the body of the schedule. The Committee on Finance unanimously, so far as I know, thought it better to transfer this single sentence to the general provisions of the law rather than to have it contained in one of the schedules. It does not change the meaning, but the words here transferred to the general provision are similar in character to the words in the bill, but are a little broader.

The proviso which has been added simply extends the same provision to the free-list which has always been applied to the rest of the tariff. Thus, when articles of a similar kind or import named in the schedules are free, all similar articles imported of that kind and nature are also to be free. That has been recommended by the Tariff Commission for the purpose of carrying out the general spirit of the law. It is contained in page 82 of the report of the Tariff Commission.

With these exceptions the section is copied from the old law of 1842, which has been the law since that time.

Mr. GARLAND. I would suggest to the Senator from North Carolina [Mr. VANCE] that his motion will not properly reach his object. The question comes up on the adoption of the section itself. It is not necessary to make a motion to strike it out. We shall vote upon it, and if we vote against it it will not go in; if we vote for it it will go in. I merely make the suggestion.

Mr. BECK. As I observed a moment ago, down to the word "chargeable," in line 135, the section is precisely section 2499 of the Revised Statutes. The following words are added, I am not able to say why, unless it was to give additional emphasis to the harsh provision of the section:

If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates, and in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty.

That is new. I do not know who is to determine the question of doubt. I had supposed that without that addition the statute as it now stands is strong enough for all purposes. It will be found, however, all through this bill that at the end of each schedule there is a stringent clause seeking, as the Senator from North Carolina very well remarked, to prevent the escape of anything by any possibility from the highest possible tax or to prohibit the people who need it from getting it, and when it is discovered or caught it is to be taxed at the very highest possible rate and held till some new-born infant industry can squeeze out and absorb all that is in it.

The non-enumerated articles, that is, the things that are not now known to any existing industry, for they are all enumerated and taxed, but the things that may be discovered, and if taxed at a low rate may prevent some infant industry from springing up, are sought by this drag-net to be taxed so high that when some new infant industry sees 50, or 60, or 75 per cent. protection provided to start on, it can get the bounty. All this is carefully provided for in every provision to each specific schedule; yet, not content with even that, this sweeping clause is inserted and somebody or everybody is ordered to give the benefit of the doubt in the rate of taxation against the man who by some ingenuity has found out something new that he can get somewhere more cheaply than those pets of Congress want to make it for.

I think Senators will find before they get through this bill that bad as the present tariff law is the proposed bill is a new departure in the interest of protection to make it impossible for men to get, as they have been getting lately, their fencing-wire and cotton-ties cheaper than the gentlemen who own patents for the wire out of which it is made, and who obtain royalties of $10 a ton besides all the protective tariff, think they ought to have them for. The Tariff Commission and the Finance Committee propose to make it impossible that any new thing can be discovered, such as the cotton-tie, that can get clear of the highest possible taxation. In other words, they are determined to shut the door against any possibility of anything escaping the very highest rate of duty, so that nobody shall ever get anything into this country without paying the very highest possible tax, whether there is any industry existing or not that had ever heard of it before.

If it is possible to put a high enough tax upon anything that may be discovered hereafter to induce any person here to make it and deprive the man of the right to buy it cheaply elsewhere, provision is made in this bill that the man who wants the bounty shall have ample opportunities and absolute protection, so that he may hereafter build any machinery or start any industry, as he may call it, that he pleases, and be protected to the highest possible point, even if that industry never existed before, and was unknown anywhere.

That is the theory of this bill. It is made more pronounced and oppressive than it is even under the present tariff. Senators will find, notwithstanding the pretenses of reduction, the present bill provides for an increase over the present tariff as to all unenumerated articles, I believe, in nearly every instance, certainly in many of them, and this general drag-net is also to be thrown in and strengthened up by amendments, in order to make it certain that nothing escapes.

I can not state it as vigorously as the Senator from North Carolina, but he has not overstated it. This provision would prevent anything from getting out of the clutches of the stalwart beggars who seek to enrich themselves by Congressional legislation. They do not intend to work like other people; they intend to be made rich by law, by laws provided in advance to keep anybody from escaping them, even about things they now know nothing. I shall vote to strike out the section, or to amend it so as to provide that goods now unknown shall bear the lowest and not the highest rate.

Mr. SHERMAN. The Senator from Kentucky is certainly mistaken in one thing he says. This new clause does not apply to the class of articles that he refers to, because if the article is not enumerated in the tariff the section does not apply to it; but the existing tariff law, the pre-

vious part of the section, does apply to the class of cases to which he refers. That is, under the existing law as it has been time out of mind, if an article not named in the statute is similar to two or more articles that are on the dutiable list, then the highest rate of duty levied upon any of the articles upon the list is applied to the non-enumerated article. That is the law now and has been for years; but this new provision I suppose is to guard against the possibility of an evasion of the law, by oversight or otherwise, as has been done in several cases; and the bill contains one notable instance of it, where the article can be properly classified under two names, and a different duty is imposed by the different names. I am told that there is one such case in the bill, which will be corrected when we reach it. There is an article of common and daily use which is described in technical language in two different clauses with a different rate of duty upon each.

The effect of this general provision inserted here upon the recommendation of the Tariff Commission is to relieve the officers from doubt when such an article comes in, and the officers would then apply to that article the highest rate of duty provided by the language of the law for similar articles or for that article. Many articles of commerce have four or five different names, and they may be classified as either. It may happen that sometimes very properly a different rate of duty may be put upon an article which is named by different names, because sometimes the names include many distinct articles; and in that way there may be confusion. This is intended to give to the custom-house officer a rule by which he can ascertain the duties.

I will say in reply to the humorous speech of my friend from North Carolina, because I always laugh at his remarks any way and enjoy them, that there never was brought before the Congress of the United States, certainly since the war of 1812, a tariff bill that contained a larger free-list or that relieved a greater number of articles both in value and amount from taxation by the United States than this bill. Its free-list, as my friend from Kentucky will admit, is greatly enlarged, and the amounts that will be introduced under the free-list of this bill are greater than any tariff law that has come under my observation certainly for the last thirty or forty years.

Mr. VANCE. Will the Senator allow me to ask him a question?

Mr. SHERMAN. Certainly.

Mr. VANCE. Does the free-list embrace as many articles which are manufactured in America or more than any other free-list?

Mr. SHERMAN. I am not so sure about that, but I should say that probably it contains as many. I think the general theory of the bill is not to disturb or affect injuriously any of the industrial interests of our country. Very probably the Senator and I would differ upon that. I would not vote for the bill if it should seek to disturb any active, thriving industry of our own land.

Mr. VANCE. I will remind the Senator that there is one industry which it does disturb.

Mr. SHERMAN. What is that?

Mr. VANCE. That is the industry of tax-paying. It disturbs that very greatly.

Mr. SHERMAN. It reduces to the extent of about $40,000,000, according to the statement of my colleague on the committee, the tax-producing qualities of the tariff. To that extent it disturbs probably somebody. It does not disturb me in that respect.

It is necessary to have these provisions in the law; they have always been there, and I think they should be continued. The provision which is inserted at the request of the Tariff Commission is in harmony with the general principles of the law, and has not any evil feature about it. The last clause of it especially extends the free-list, and in that respect I supposed it would meet the wishes of the Senator from North Carolina.

The PRESIDING OFFICER (Mr. VEST in the chair). Does the Senator from North Carolina [Mr. VANCE] accept the suggestion of the Senator from Arkansas [Mr. GARLAND], that the vote be taken directly upon the adoption of the section?

Mr. VANCE. Yes, sir. When I made the motion to strike out it did not occur to me that this section was an amendment in itself.

Mr. MORGAN. I desire to have the question divided so that we shall vote upon the old law down to the word "chargeable," in line 135, and afterward upon the new features which are introduced by the committee into the bill. They deserve separate consideration, and they rest, as I understand it, upon different principles to a very considerable extent. The new provision which is brought into the bill reads as follows:

> If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates.

That is the first branch of the proposition. I do not know how it is that two or more rates of duty can, under an intelligent system of taxation, be applicable to the same imported article, whether that is an enumerated article or a non-enumerated article. If the bill has not succeeded in placing one rate upon an article imported, whether enumerated or not, instead of placing two rates upon it, the bill has failed, I think, of a very important part of its purpose, unless it be in those cases where there is an ad valorem duty and a specific duty; and in that case there are two rates of duty imposed upon every article that is imported, whether it is enumerated or whether it is not enumerated.

The interpretation of the language of this statute upon its face is not such as the honorable Senator from Ohio seeks to give to it, that is to say, by reference to a preceding part of this same section, by reference to the old law. The interpretation would be that whenever an article, whether enumerated or not enumerated, named or not named, is within the reach of two rates of duty, that rate of duty shall be charged upon it which is the highest. I object to that as a principle of taxation. I naturally do it because I represent a consuming community, and not a manufacturing community. I represent an agricultural community very largely. Perhaps nineteen-twentieths of the people whom I have the honor to represent are agriculturists, and not a manufacturing people. They make their money by digging it out of the ground, and not by drawing it from the sustenance that is fed to them through statutory enactments of the Congress of the United States.

I should therefore object that in cases where articles have escaped taxation because they are not enumerated the highest duty shall be imposed upon them. In the interests of my people I will insist that in cases of that kind the consumer should be looked after, that his interest should be consulted, instead of the interests which may possibly be protected by this tariff taxation; and that instead of having the principle of the highest duty applied to non-enumerated articles when two rates may apply, the lowest rate of taxation is the proper one.

I agree, of course, that my views do not conform to the general tenor of this bill. Ear-marks abound throughout the bill, indicating the intention of the committee, as was true also of the Tariff Commission, to put as high a rate of duty as could be named, plainly and bluntly, without offense to the American people, upon every article of taxation, and as high a rate of duty as could be smuggled into the bill by an indirection and by a deception where it was supposed the people or their representatives would not have the wit to find out the imposition. Those are the ear-marks of this bill, and I do not know one in the whole of this measure which is more thoroughly characteristic of the intent and purpose of the framers of this system of tariff taxation than the one which I have adverted to, and the one which succeeds it in the pending section, which is in the following language:

> And in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty.

Why shall you give the benefit of the doubt that may arise in the minds of the officers who are to classify for duty in favor of the highest rate of taxation, even when there are two rates applicable? Are the people of this country to be exposed to a higher rate of taxation upon articles of consumption than they are aware of, or than the legislators themselves are aware of at the time of the framing and enactment of the law, by the resolution of a doubt in the mind of the officer appointed by law to determine the classification of goods and the rate of taxation against the people in favor of the protected industries? Is that the principle of this proposed law? Unquestionably it is. It crops out here in this section. Among the very first improvements that the committee have attempted to ingraft upon the general law of the land relating to the manner of imposing taxes, out comes the proposition that in cases of doubt the doubt shall be resolved against the consumer and in favor of the manufacturers or the protected industries. What reason can there be for giving an officer of the Government the discretionary power of resolving the doubt in his own mind, and that without appeal and without the power of creating it by any superior agency, practically against the people and in favor of the highest protection rates? That shows the drift of the whole thing. Straws show the way the wind blows, according to the common maxim, and this is even more than a straw. This is a flood-tide which is rushing out into the sea all the interests of the people that have no chance to combine and raft together for the purpose of protecting themselves against the floods, for the people can not combine.

Mr. MAXEY. I suggest to the Senator from Alabama that the universal rule of law is that tax laws are strictly construed. The giving the officer the right to resolve the doubt in favor of the protected party is a reversal of the universal rule of the law which requires tax laws to be strictly construed.

Mr. MORGAN. Very truly said. The ordinary rules of construing tax laws obtaining in all the courts throughout the United States, in all the local tribunals as well as in all the national courts, is that tax laws must be strictly construed. Why so? Because the taxing power, speak of it as we may, is a tyrannous power; it is the only power against which nothing can be said as to the constitutionality of its exercise. If you choose to tax goods to prohibition, it has been determined over and often in this country, both in the political and in the judicial departments, that no appeal or exception will lie against the use of that power. A State may tax its citizens to the extreme of their capacity to pay the taxes, and the courts have no power by injunction or otherwise to prevent the exercise of that power unless it violates some positive principle of the constitution of the particular State. Here we have a right to put taxes, it appears, not 100 per cent. of the value, but 200 and 300 per cent. and even more than that upon the articles to be imported from abroad, and no court of justice in this country could be appealed to with success to restrain the legislative power in this enormous and exorbitant exercise of their tyranny upon the tax-payers.

Hence it is a power that the courts uniformly require to be strictly construed, and tax laws are always strictly construed. Here, however, we compel the man who is to administer this system—and there is placed no judge and no superior to rectify his conduct—to decide against

the consumer, against the great body of the people, upon the presumption that the highest tax is always intended to be levied instead of the lowest. There is not a court of justice in the United States which, left to itself uncontrolled by statute, would give effect to a principle so enormous and outrageous as that; and yet we deliberately put it into the body of this statute in a cold-blooded way for the purpose of making money out of the people by an interpretation of the law against them and against every principle of legal construction which has ever before been heard of in this country.

I shall, therefore, ask a separate vote in order that the attention of the Senate and the vote of the Senate may be brought right down upon this proposition contained in the second part of this section.

Mr. BECK. I am glad attention has been called sharply to this section, because it is the key to the whole scheme, and the sooner Senators understand it the better.

It was proclaimed by the Tariff Commission, and it was announced by the Senator from Vermont [Mr. MORRILL] yesterday, that great reductions had been made. He laid his estimates, amounting to $45,000,000, before the Senate as though that was an assured fact. I venture to state, notwithstanding these assertions, that Senators will find everewhere in this bill that there is not only an effort made to catch everything, whether enumerated or unenumerated, whether known or unknown, but there is an increase upon all classes of enumerated articles in this bill even over the present war tariff which was imposed "*temporarily*" upon the country because of the war taxes on incomes and manufactures, which everybody knows have long since been removed. Yet the commission and the Committee on Finance of the Senate, against my vote and protest, by their action have added millions of dollars of taxation on all classes, when it must be obvious that if the present tax is reduced on all articles enumerated, the present tax on unenumerated articles ought to have been reduced correspondingly. Take the cotton schedule as an illustration. I do not propose to go through all in detail. The provision is that—

All manufactures of cotton not specially enumerated or provided for in this act, 40 per cent. ad valorem.

That is the report of the Tariff Commission, and the proposition of the Finance Committee now. In the present law the provision is:

All manufactures of cotton not otherwise provided for, 35 per cent. ad valorem.

The duty is proposed to be increased from 35 to 40 per cent. on the unenumerated articles of cotton. This is not a trifling matter, to be passed over as though it was a slight thing, as it might be assumed to be unless looked into.

Turn to the book that I see on the tables of gentlemen all around me, on this side of the Chamber at least, issued by the Treasury Department, entitled "Imported merchandise entered for consumption in the United States, with rates of duty and amount of duties collected, comprising statement No. 26 of the annual report on commerce and navigation, for the fiscal year ended June 30, 1882," and on page 28 of that statement it will be found that manufactures of cotton not otherwise provided for, and admitted at 35 per cent., amounted in value to $8,962,110.55 last year, and duties were received upon those goods to the amount of $3,136,738.69 out of a total value of $31,285,306.49, and total duties upon all cottons of all classes of $10,825,115.21. More than one-fourth of all the value and of all the revenue received from cotton goods came from the unenumerated articles under the present high tariff, which the cotton manufacturers themselves came before Congress five years ago and said would stand a reduction of from 20 to 30 or 40 or 50 per cent. The Finance Committee and the commission have increased present duties upon the unenumerated articles of cotton from 35 to 40 per cent. upon an item which pays more than one-fourth of all the tariff collected on cotton goods. That is no accident; it is an important, carefully calculated increase; it is a larger increase, in my judgment, when it is put into operation than all the reductions that have been actually made in the cotton schedule, or which the Senator from Vermont on yesterday said had been reduced 30 per cent., or in amount $3,681,000.

If *bona fide* reduction is intended, why this increase on the largest tax-paying item in the schedule of cotton goods.

How is it in iron? We may as well understand the propositions we have to meet as we go along. All manufactures of iron not specially enumerated are made now by the proposed rates 45 per cent. ad valorem. Under the present law they are 35 per cent. ad valorem. Recollect it seems to be conceded that the rate of taxation under the present law is too high. We organized the Tariff Commission, and are laboring here for the purpose of endeavoring to reduce this enormous war tax which everybody is complaining of; yet the taxes are increased from 35 to 45 per cent. on all articles of iron not specifically enumerated. That is reduction of taxation with a vengeance. The Senator from Vermont says we have taken off $5,200,000. I think Senators will find an increase rather than a decrease before they get through the schedules.

Turn to "valuations and receipts of duties from iron" under the unenumerated articles in the same book from which I read a moment ago, and you will understand the meaning of the proposed change. On page 46, at the top, I find that of manufactures of iron not otherwise provided for the amount brought in was $3,158,199.96, and the duties collected were $1,105,369.99; and yet that item is increased from 35 up to 45 per cent., which under pretense of reducing it is an enormous increase of the duties upon all these enumerated articles; and to make sure that nothing escapes, the general drag-net of this section is spread, and every compound and every conceivable thing and everything where it is doubtful to the collector or anybody who has to decide where it should be placed is by this sweeping clause ordered to be put at the highest rate.

Mr. VANCE. I was about to ask the Senator that very thing. Suppose there was some article the principal part of which was iron and perhaps one-sixteenth of it of copper, under this provision of the bill would not that be taxable as copper?

Mr. BECK. I think it would have to pay the highest duty if there was any doubt about it.

Mr. VANCE. So that if there was an article made of ten threads of cotton and one thread of silk it would be taxable as silk.

Mr. BECK. Under the law passed some time ago in order to reach that very class of cases where there were cotton goods with a little silk ribbon around the edge, the law was so made that wherever 25 per cent. of the value was silk it should be all taxed as silk, when cotton was worth 10 cents a pound and silk was worth three to four dollars a pound, and it would take more than a ribbon around the edge to require it all to be taxed as silk.

Again, referring to the schedules in the bill, take glass not specially enumerated, now paying 40 per cent., that is made by the present committee's bill 45 per cent., and see how that operates. "Manufactures of glass not otherwise provided for" were imported in 1882 to the value of $1,654,547.87, paying a duty of $661.819.14 under the 40 per cent. clause. The committee propose to increase it to 45. And so I believe the increase runs through all the schedules, though I have not examined them all with care.

These are enough to illustrate how delusive all hope of reduction will prove. Wherever there has been a change in classification or enumeration it has been upon some great important article which produces large revenue, like the unenumerated items, each change putting them up 5, 10, or 20 per cent. because they are the things that are imported more largely, and thus increase taxes instead of reducing them, and increasing more largely than would be ventured upon in any detailed branch of the same industries. Then this great drag-net is to be extended even beyond what it is now, so as to prevent the possibility of anything coming in for fear that somebody will discover something, find out somewhere in some part of the habitable globe where our cotton, petroleum, and wheat, as the Senator from Vermont said, are now going to, feed, light, and clothe half the civilized world, which they can swap their goods for. When they strike people who have no money and want to swap something that has never been heard of in Vermont or elsewhere, then a higher rate of duty is imposed than is even imposed by the present tariff; and if it is a mixture of things that is unknown, it is proposed to make it pay the highest rate of some high-taxed thing that it resembles, then some infant industry will spring up and either keep it out or pocket all the profit in order to protect the newly discovered infant.

Mr. MORRILL. Mr. President, if we are to discuss upon every item of this bill the iron question, and the cotton question, and the silk question, we do not present a very probable opportunity of reaching the end of this bill before the end of the session.

Now, in relation to the subject that was discussed by the Senator from Alabama. I think that he was unnecessarily eloquent on the subject. There is a new proposition here, but the first part of the section, I think, if the Senator from Alabama understands it, he will not object to. In the progress of manufactures it is often a fashion of the trade for an article to change its name. Should the same article come in with only a change of name at any less duty than has been imposed upon it specifically? Take chemical articles. There are a great many varieties, for instance, of soda. If it is only slightly changed, it bears one name or another. In order to prevent the possibility of any confusion in the administration of the law the first part of this amendment, from line 135 to line 137, is certainly necessary:

If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates.

That is merely to keep the list stable, so that the duty on an article shall not be changed by a mere change of name. The other part I think myself is a subject of some criticism, and so far as I am concerned I would not care if the last part were stricken out:

And in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty.

Of course that was put in by the Tariff Commission with the purpose of avoiding any dispute or losses on disputed articles; but I hardly think it would accomplish the purpose, and so far as I am concerned, if the Senator shall make a motion to strike out that, I will not object.

Mr. GARLAND. Before the Senator from Vermont takes his seat I should like to ask him if the proviso commencing in line 140, going to line 144, is not an innovation also? Then in addition to that, if such would not be the law without it under the principle stated by the Senator from Alabama so clearly that we do not extend by construction tax laws, everything that is not taxed of course goes upon the free-list or is not brought into the tax-list.

Mr. MORRILL. It might come under a general clause that some articles would be subject to duty, but I will say to the Senator from Arkansas that this proviso was intended to do precisely, or almost precisely, for the free-list what was done for the dutiable-list; that is to say, it was to enlarge the free-list in any such cases.

Mr. VANCE. I beg to remind the Senator if it was his intention to give the free-list the same chance that he gave the dutiable-list he has missed it. The dutiable-list clause says, in the alternative that articles which bear similitude either in material, or quality, or texture, or in the use to which they may be applied, &c., shall be dutiable. The proviso in favor of the free-list says:

Provided, That non-enumerated articles similar in material, and quality, and texture, and the use to which they may be applied, to articles on the free-list, and in the manufacture of which no dutiable materials are used, shall be free.

In the case of an article to make it bear a similitude to the free-list and thus escape taxation, it has to have the similarity in material, and in quality, and in texture, and in the use to which it is applied, whereas it may be brought up to the shambles of taxation by either one of the similitudes mentioned in favor of the dutiable-list.

Mr. BECK. I desire only to say, in answer to the suggestion made by the Senator from Vermont that there will be great difficulty in progressing with this bill if cotton, iron, and the other schedules are to be mentioned when it does not meet his approval, that however offensive my suggestions in regard to these schedules may be to him when we are dealing with the subject of taxing to the highest possible rate unenumerated articles, and when the facts are that the unenumerated articles all through the schedules as to iron, wool, cotton, and, I believe, everything else are increased by the action of the committee of which the Senator is chairman, I, as a Senator and member of the committee, intend to tell the Senate what has been done and to exhibit all the facts to the Senate so that Senators may understand it, whether he is progressing as rapidly with his bill as he likes, or not. I desire to say once for all that this bill shall not pass without the truth being told as to the increased duty in these schedules, nor shall there be any misunderstanding as to the facts as long as I am a member of that committee; and I do not desire to have it thrown in my face because I tell the Senate that the committee have put up unenumerated articles of cotton 10 per cent., and iron 15 per cent., and on glass, and so on, and that they are schedules bringing the largest amounts of revenue now, that it is an embarrassment to have these facts told, and that it is delaying the bill. I propose to let the Senate and the country know that instead of diminishing taxation this committee, by increasing the rate of taxation on unenumerated articles, that as I have shown pay large revenues, are in fact increasing the burden of taxation by millions of dollars, instead of reducing it, as they profess to be doing. And when we are told as we were yesterday in an elaborate speech that the country was getting the benefit of forty-odd millions reduction, there is not a member of the committee who can lay his hand on the schedules and examine the amount of importations with the increase made in unenumerated articles and the changes of classifications who will be able to verify that statement, in my opinion, and I think I will be sustained by the time it is fully examined.

I do not propose to take unnecessary time, but I am not going to be hectored or scolded because I venture to tell what I think the Senate ought to know.

Mr. MORGAN. I do not quite take the point suggested by the Senator from Vermont that there might be a change in the name of an article which would expose it to being charged with taxation under either of two rates. I can not comprehend how that could be, for a change of name of an article does not change its substance, and so far as I have looked through this tariff bill I believe that everything in it is taxed by a description which everybody understands, a description of its substance and its characteristics, and I fear that the Senator's explanation is not sufficient upon that proposition. It certainly is not sufficient as suggestive of a difficulty in the way of taxation to cause us to adopt a rule so broad and so sweeping as that which he insists upon here now.

The language of this bill if it becomes a statute is, "if two or more rates of duties should be applicable to any imported article," not in consequence of a change of the name, and not because of a doubt under which of the rates it should be classified, but if two rates of duty shall actually become applicable, then it is to be resolved by the party who makes the classification in favor of the classification which carries the highest rate.

It seems to me that the argument of the Senator from Vermont does not meet the case. His explanation that there may be a possibility that by a change of name of an article itself there might be a loss of duty does not give a sufficient justification for this new, this broad, this sweeping legislation, legislation that is characterized by an abuse of the principles which have always controlled the Government in all its departments, both in imposing taxation and in adjudicating the meaning of tax laws.

I therefore can not withdraw my proposition to have a separate vote upon this last clause; and I take occasion to say that I do not know that there is a necessity for changing the law as it stands on the statute-book and as the Senator says it has stood for so many years, but there can be no reasonable necessity for the introduction of this new feature, and especially of that odious part of it which gives to the officer classifying the tariff the right to discriminate in his own mind and resolve the doubt against the tax-payer.

Now, as to the method of discussing this bill; the Senator from Vermont has been very familiar with this question for many, many years; he is said to be the author of various of the tariffs under which this country has been conducted, and he has a facility for understanding these questions from his long observation and experience that perhaps some other Senators here do not possess. More than that, he has had this bill under his care and eye, as chairman of the Committee on Finance, during a larger part of the last session of Congress and during all the part of this session of Congress that has passed. The discussions which have gone on in committee have not been embodied in a report and laid before the Senate, and we do not understand by intuition all the reasons that may have operated upon the sagacious minds of the honorable Senators of that committee or the majority of them, that induced them to present a bill of the character which is here, and when we come across startling propositions in the body of this bill, he must excuse us if in our ignorance we dare to ask a question or dare to make a comment. No tariff bill can pass this body without its having been made plain to the membership of the body that it is a measure which will benefit the people of this country, and I confess that looking, as I have remarked, at the ear-marks of this bill I treat every section of it with suspicion.

I regret to have this to say, and I do not say it with a view to cast any reproach upon the honorable committee or upon the Tariff Commission; but such is the eagerness of the demand to adhere to the heavy impositions that have been made upon the industries of this country, the true industries of this question, the productive industries of the country for years and years in the past, and there is such an exemplification of a desire in this bill to do it sometimes by artifice and deception and sometimes by a bold attack, that I, for one, must be excused if I call in question the different propositions in this bill *seriatim* and ask an explanation, that the country may be satisfied that the Senate is not sleeping upon their rights, negligently treating and abusing the powers that they confer upon us, but that we are trying to relieve them from burdens under which they have groaned, as I believe unnecessarily and unjustly, for a great number of years.

Mr. COKE. Mr. President, if in order, I desire to propose two verbal amendments to the section under consideration. In line 132 I move to strike out the word "highest" and insert in place of it "lowest;" and in line 134 to strike out the word "highest" and insert the word "lowest," in lieu of it. If in order, I would continue the amendment of that section by striking out the word "highest," in line 137, and inserting the word "lowest;" and the same amendment, in line 140, striking out "highest" and inserting "lowest." The result of these amendments, if adopted, would be to fix the lowest rate of duty to imported articles that are embraced in the tariff lists, instead of the highest as fixed by the section, as it now stands in cases of doubt. I submit the amendments.

Mr. CALL. I wish to suggest that there seems to be a very indefinite and unmeaning application of terms in this section. The section provides that every non-enumerated article which bears a similitude in material, quality, or texture shall bear the highest rate of duty of the article to which it bears such similitude. Similitude in quality, material, or texture can not be any reasonable ground of taxation. It is not identity of use; it is not similitude of use, and it is no intelligent ground of action. The article may be of one value or another; it may be the fourth, the tenth, or the hundredth part of the value of that article to which it bears some degree of similitude, however remote. I submit that the language should be amended so as to convey some definite idea. Certainly there would be some reason to say that a non-enumerated article which bore a similitude and identity in material, quality, or texture and in the use to which it was applied, should bear the same rate of duty with another; but certainly none in saying that it should bear the highest rate of duty of some other article to which it bore some similitude either of material or quality or texture. I submit that certainly the section is objectionable in its language.

Mr. MAXEY. I will say but one word in support of the amendment proposed by my colleague to strike out the word "highest" and insert "lowest." The practical effect of that would be simply that where there is a doubt as to the classification, that doubt shall be resolved in favor of the consumer, in favor of the tax-payer. As I suggested to the Senator from Alabama, tax laws, as I have always understood them, are strictly construed; and yet this is directly the reverse of the universal doctrine in regard to tax laws, that where there is a doubt the doubt shall be resolved against the tax-payer. That is the effect of the word "highest." Putting in the word "lowest" makes it, in my judgment, just right, what it ought to be. If there is any doubt about it it does not leave the Secretary of the Treasury or any of his subordinates to determine that doubt at all; but we say to him mandatorily by statute, "If there be a doubt in your mind as to what schedule an article should be under, that doubt must be resolved in favor of the tax-payer, the consumer."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Texas [Mr. COKE], to strike out the word "highest," in lines 132, 134, 137, and 140, and insert "lowest."

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GROVER (when his name was called). I state for the day that I am paired with the Senator from Nebraska [Mr. VAN WYCK]. If he were present, I should vote "yea."

Mr. WILLIAMS. He would vote with you.

Mr. GROVER. Then I vote "yea."

Mr. JACKSON (when Mr. HARRIS's name was called). My colleague [Mr. HARRIS], who is necessarily absent, is paired generally with the Senator from Kansas [Mr. INGALLS]. If my colleague were present, he would vote "yea." I make the general announcement for the day of that pair.

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Nebraska [Mr. SAUNDERS].

The roll-call was concluded.

Mr. BLAIR. On this question I am paired with the Senator from Florida [Mr. JONES].

Mr. ALLISON. I am paired with the Senator from Delaware [Mr. BAYARD]. I do not know how he would vote upon this question, and I shall refrain from voting. I should vote "nay" myself.

The result was announced—yeas 26, nays 25; as follows:

YEAS—26.

Barrow,	Farley,	Jonas,	Slater,
Beck,	Garland,	Lamar,	Vance,
Butler,	George,	Maxey,	Vest,
Call,	Groome,	Morgan,	Voorhees,
Camden,	Grover,	Pugh,	Walker.
Cockrell,	Hampton,	Ransom,	
Coke,	Jackson,	Saulsbury,	

NAYS—25.

Aldrich,	Frye,	McDill,	Rollins,
Anthony,	Hale,	McMillan,	Sawyer,
Cameron of Wis.,	Harrison,	Miller of Cal.,	Sewell,
Chilcott,	Hill,	Miller of N. Y.,	Sherman.
Conger,	Hoar,	Morrill,	
Dawes,	Lapham,	Platt,	
Edmunds,	Logan,	Plumb,	

ABSENT—25.

Allison,	Fair,	Jones of Florida,	Saunders,
Bayard,	Ferry,	Jones of Nevada,	Van Wyck,
Blair,	Gorman,	Kellogg,	Williams,
Brown,	Harris,	McPherson,	Windom.
Cameron of Pa.,	Hawley,	Mahone,	
Davis of Ill.,	Ingalls,	Mitchell,	
Davis of W. Va.,	Johnston,	Pendleton,	

So the amendment to the amendment was agreed to.

The PRESIDING OFFICER. The Senator from Alabama asked for a division of the question on the adoption of the section.

Mr. GARLAND. Perhaps now he will not insist on the motion, as the section has been amended. The Senator who asked for a division I see is not here.

The PRESIDING OFFICER. Unless there be objection, the Chair will put the question as to the adoption of the section as amended.

Mr. VANCE. I withdraw my motion to strike out.

The PRESIDING OFFICER. Does the Senator from Alabama insist on a division of the question as to the adoption of the section?

Mr. MORGAN. I withdraw the request, since the section has been amended.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed as section 2500 of the Revised Statutes as amended on the motion of the Senator from Texas [Mr. COKE].

The amendment as amended was agreed to.

The next amendment of the Committee on Finance was read, as follows:

SEC. 2501. Upon the reimportation of articles once exported of the growth, product, or manufacture of the United States, upon which no internal tax has been assessed or paid, or upon which such tax has been paid and refunded by allowance or drawback, there shall be levied, collected, and paid a duty equal to the tax imposed by the internal-revenue laws upon such articles.

The amendment was agreed to.

The next amendment was read, as follows:

SEC. 2502. A discriminating duty of 10 per cent. ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, and merchandise which shall be imported on vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

The amendment was agreed to.

The next amendment was read, as follows:

SEC. 2503. There shall be levied, collected, and paid upon all articles imported from foreign countries, and mentioned in the schedules herein contained, the rates of duty which are by the schedules respectively prescribed, namely:

SCHEDULE A.—CHEMICAL PRODUCTS.

Glue, 20 per cent. ad valorem.

Mr. COKE. I move to strike out "twenty" and insert "ten;" so as to read:

Glue, 10 per cent. ad valorem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Texas to the amendment of the Committee on Finance.

Mr. MORRILL. I hope that will not be done. The rate fixed by the committee is a low rate of duty, and it is an article that consumes a great quantity of our own products, the hoofs and horns of cattle.

Mr. COKE asked for the yeas and nays, and they were ordered.

Mr. SHERMAN. The present rate of duty imposed by law, and it has been the rate for a long time, is 20 per cent. on an article which comes into direct competition largely with matters produced in Texas as much as anywhere else. It seems to me this ought not to be done. No suggestion of the kind has ever been made by mortal man to reduce this duty from what it is now. This bill simply preserves the old rate of 20 per cent., which is almost the lowest ad valorem rate in the tables. If this amendment is to prevail, as a matter of course it amounts to a reduction of one-half of all the duty; and no article can bear this duty better than the article of glue. There is already imported into the country an enormous quantity. There is imported at the present rate of duty, 20 per cent., 3,758,000 pounds. It seems to me, unless some reason can be given for it, it would be an unwise act to reduce the duty on this article about which there is no complaint.

The Principal Legislative Clerk proceeded to call the roll.

Mr. FARLEY (when his name was called). I was paired with the Senator from Michigan [Mr. FERRY] and the Senator from Kansas [Mr. INGALLS] was paired with the Senator from Tennessee [Mr. HARRIS]. We have transferred the pair with the Senator from Michigan to the Senator from Tennessee. I therefore vote "yea."

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Nebraska [Mr. SAUNDERS].

Mr. ALLISON. I am paired on all questions proper for a pair with the Senator from Delaware [Mr. BAYARD]. I do not know whether I ought to vote on this question or not. I will submit to my friend the Senator from West Virginia.

Mr. DAVIS, of West Virginia. Perhaps it would be well for me to state that the Senator from Delaware [Mr. BAYARD] is necessarily absent, and has been for a week or ten days. I happened to be present when the Senator from Iowa and the Senator from Delaware paired. It was generally on all political subjects and on all other subjects on which I should think they would differ, as it was supposed I would probably know the views of the Senator from Delaware. I do not know his views on this particular question; but I think the Senator from Iowa may vote with propriety on this amendment. There are some articles here that the Senator ought not to vote upon, in my judgment.

Mr. ALLISON. Very well, I will take the liberty of voting "nay."

Mr. BLAIR (when his name was called). On this question I am paired with the Senator from Florida [Mr. JONES].

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM.] He is not in the building and I refrain from voting.

Mr. MCMILLAN. My colleague, [Mr. WINDOM], I can assure the Senator, would vote "nay" on this question.

The roll-call was concluded.

Mr. VOORHEES. This is one of the items in this bill that were passed in committee without objection. There was no reason there given for this proposed reduction by any member of the committee, so far as I know, and there has been no reason given now on the floor why the work of the committee should be thus changed.

The PRESIDING OFFICER. The result has not yet been announced.

Mr. VOORHEES. I desire to say in addition to what I have already said simply this: I stand ready to vote for all proper reductions of taxation; but upon matters that were agreed upon in committee, without any argument or showing on the floor of the Senate why they ought to be changed, I think in good faith and fairness to the committee of which I am a member, I ought to vote for the bill as reported. Therefore I shall vote "nay."

Mr. DAVIS, of West Virginia. The Senator from Minnesota [Mr. MCMILLAN] the colleague of Mr. WINDOM says that he, if present, would vote "nay." That is my vote. I vote "nay."

The result was announced—yeas 24, nays 33; as follows:

YEAS—24.

Barrow,	Coke,	Jackson,	Pugh,
Beck,	Farley,	Jonas,	Ransom,
Brown,	Garland,	Lamar,	Slater,
Butler,	George,	Maxey,	Vance,
Call,	Grover,	Morgan,	Vest,
Camden,	Hampton,	Pendleton,	Walker.

NAYS—33.

Aldrich,	Frye,	Lapham,	Plumb,
Allison,	Gorman,	Logan,	Rollins,
Anthony,	Hale,	McDill,	Sawyer,
Cameron of Wis.,	Harrison,	McMillan,	Sewell,
Chilcott,	Hawley,	Mahone,	Sherman,
Conger,	Hill,	Miller of Cal.,	Voorhees.
Davis of W. Va.,	Hoar,	Miller of N. Y.,	
Dawes,	Jones of Nevada,	Morrill,	
Edmunds,	Kellogg,	Platt,	

ABSENT—19.

Bayard,	Fair,	Johnston,	Saunders,
Blair,	Ferry,	Jones of Florida,	Van Wyck,
Cameron of Pa.,	Groome,	McPherson,	Williams,
Cockrell,	Harris,	Mitchell,	Windom.
Davis of Ill.,	Ingalls,	Saulsbury,	

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. Will the Senate agree to line 169, being the item as to glue, or is it the desire of the Senate that the question shall be put on each of the items separately?

Mr. MORRILL. Oh, no.

Mr. SHERMAN. Let each item be considered as agreed to when read, unless there be objection.

The PRESIDING OFFICER. The line will be considered as adopted. The next line will be read.

Line 170 was read, as follows:

Beeswax, 20 per cent. ad valorem.

The PRESIDING OFFICER. It is adopted unless there be objection.

Lines 171 and 172 were read, as follows:

Gelatine and all similar preparations, 30 per cent. ad valorem.

The PRESIDING OFFICER. The amendment is adopted, no objection being made.

Line 173 was read, as follows:

Glycerine, crude, 2 cents per pound.

Mr. ALDRICH. I offer the following amendment, to come in after the word "crude," to describe crude glycerine, to make a distinction between crude and refined:

Brown or yellow, of the specific gravity of 1.25 at a temperature of 60° Fahrenheit, not purified by refining or distilling.

Mr. COCKRELL. What is the object of that amendment?

Mr. BECK. I should like to have some explanation of it. I do not quite agree with some suggestions of the committee that we are to vote for everything that was passed there, when we do not know what one-half of the things are.

Mr. VOORHEES. The Senator from Kentucky will not be allowed to place me in any wrong position about this matter as to voting for what was agreed on in committee. I shall have to restate what I said. I stand ready to vote for any amendment to this bill for which reason is shown; but where the committee has specially considered an item and passed upon it, and no dissent was expressed either by the Senator from Kentucky or myself or anybody else, when then a Senator proposes an amendment here and gives no reason at all why it should be sustained I shall feel at liberty to vote against it. I think it is fair to the committee to do so; and if any other course is pursued we might as well abandon our attempt to pass this bill. In other words, if a slashing system of amendments for which no special reason can be given, no argument made, except simply that it is a reduction, is to be pursued, then we are not legislating with our eyes open.

What I have meant to convey here, and I repeat again to the Senator from Kentucky, is simply this: What was agreed upon by the committee of course is not binding upon anybody, but it will be binding upon me unless valid reasons can be given by the person proposing an amendment why such an amendment should be made.

Mr. BECK. I do not know why this suggestion is now made by the Senator from Rhode Island [Mr. ALDRICH]. As far as I know it was never mentioned in committee. I did not hear it, and I think I was there all the time. It may be a very good amendment; it may be one I would vote for. But I rose merely to ask him to tell us what it meant. As to the suggestion of the Senator from Indiana about bad faith to the committee in voting against anything, if that was the meaning of his remark, I mean simply to say that I am going to endeavor to reduce the present tariff wherever I can in the interest of the consumer. I do not understand that I am committed to the action of the committee in any regard or that any member of it is, or that any question of bad faith is involved in endeavoring to reduce taxation, and when a proposition is made to reduce it I will vote for it if I think it in the interest of the public.

There are very many things, especially in this list of chemicals in this first schedule, that ought to be reduced much below what the committee have seen fit to put them at, in my opinion. In other words, I believe that if we ever propose to have cheap goods we must give to the men who make these goods reasonably cheap raw material out of which to make them, and that we shall never obtain any considerable portion of the trade of the world for our cottons, woolens, or iron, or anything else, if we are going to tax up to the present standard each item that enters into the manufactures that we expect the producers of them to sell at reasonable prices.

We shall come to aniline dyes in a short time, which all the cotton manufacturers desire, although there may be some people who want to get a little more for some of their little industries who object to any rate of duty being put down so as to prevent getting cheap dyes to make cheap goods. I propose to vote to reduce them where I reasonably can.

When the Senator from Rhode Island seeks to make this modification of one of these items, I want to know what it is. If it is in the interest of cheap raw material, to reduce the cost of standard manufactured articles in the country, unless somebody is to be very seriously hurt by it I propose to aid in cheapening these things, and I suppose we can all vote as we desire, without anybody having any particular reflection cast upon him for the opinion he entertains.

Mr. VOORHEES. A single word I want to say to the Senator from Kentucky. His desire to reduce taxation is not greater than mine. What I meant to say and what I restate is this: He and I are both members of the Committee on Finance. We have been parties to the work that is brought before the Senate. This is a long and extensive bill. I said a while ago that I stood ready to improve the bill wherever I could upon anybody's motion here; but where a matter had been allowed to pass by him or by myself or by anybody else in the committee without a reason given there, I must hear at least a reason given here before I will vote for a change simply because it is called a reduction. That is all I said.

Mr. ALDRICH. The distinction between crude and refined glycerine is a new classification in this bill. Under the present law the duty on glycerine of all kinds is fixed at 30 per cent. ad valorem.

Mr. BUTLER. I can not hear a word of what the Senator says.

Mr. COCKRELL. Nobody else can hear.

The PRESIDING OFFICER. The Senate will come to order; there is too much conversation in the Senate; Senators will take their seats and suspend conversation.

Mr. ALDRICH. I had stated that the distinction between crude and refined glycerine in this bill is a new classification. Under existing laws glycerine of all kinds pays a duty of 30 per cent. ad valorem. Owing to a difficulty in distinguishing the value and to frauds in undervaluation, it was thought best to fix it at a specific rate, and as crude glycerine is worth about 16 cents a pound and refined glycerine is worth from 30 to 50 cents a pound, it would be manifestly unfair to fix them at the same rate per pound. Therefore the commission fixed crude glycerine at 2 cents per pound and the refined at 5 cents per pound, a reduction of both rates; but it is supposed by our chemists and experts that it will be difficult for customs officers with this description alone to distinguish between crude and refined glycerine. Therefore it is necessary to describe what shall be considered crude glycerine, and the amendment which I have offered is merely a description of crude glycerine as well understood by chemists and by merchants dealing in the article.

Mr. BUTLER. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The ACTING SECRETARY. In line 173, page 14, after the word "crude," it is proposed to insert:

Brown or yellow, of the specific gravity of 1.25 at a temperature of 60° Fahrenheit, not purified by refining or distilling.

Mr. DAWES. Suppose there should come in an article of crude glycerine that had not precisely that specific gravity, where would it go?

Mr. ALDRICH. If it was less than that specific gravity it would come in as crude glycerine.

Mr. DAWES. I did not hear the words "or less." Are the words "or less" there?

The Acting Secretary read the amendment.

Mr. ALDRICH. The words "or less" should be there. I thought they were there. They should be after the word "hundredths."

Mr. VANCE. May I ask the author of that amendment what effect it will have upon the duty?

Mr. ALDRICH. The bill reduces the duty on both classes of glycerine from the present rate. The amendment will have no effect whatever except to describe the difference between crude and refined glycerine.

Mr. COCKRELL. I should like the Senator from Rhode Island to explain this. Under the old law the duty is 30 per cent.

Mr. ALDRICH. Thirty per cent. ad valorem.

Mr. COCKRELL. What per cent will 2 cents per pound on crude and 5 cents per pound refined be?

Mr. ALDRICH. The price of crude glycerine is about 16 cents per pound. Two cents per pound will be, therefore, about 12 per cent. The price of refined glycerine is from 30 to 50 cents. If it was an average of 40 cents, 5 cents a pound would be 12½ per cent. The present rate is 30 per cent. ad valorem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island [Mr. ALDRICH].

The amendment to the amendment was agreed to—ayes 34, noes not counted.

The amendment as amended was agreed to.

The next amendment was read, as follows:

Glycerine, refined, 5 cents per pound.

The PRESIDING OFFICER. This is adopted, no objection being made.

Line 175 was read, as follows:

Phosphorus, 10 cents per pound.

The amendment was agreed to.

Lines 176, 177, and 178 were read, as follows:

Soap, hard and soft, all which are not otherwise specially enumerated or provided for in this act, and castile soap, 2 cents per pound.

Mr. VANCE. Soap, sir, is the handmaiden of civilization; indeed it may be said to be a religious element, inasmuch as it is promotive of that virtue which is akin to godliness.

I am opposed to this present schedule regulating the duties upon that essential article, for I find that it makes a reduction on common or soft soap, such as was used in carrying the Indiana election, of a little over

14 per cent., while on the fancy toilet and perfumed soap it is 15 per cent., leaving the rate of duty to be 1.7 per cent. greater on common soap than it is on the toilet and fancy soap. I do not see any reason why that distinction is made against the article in common use, and therefore I move to reduce the present rate on "soap, hard and soft," the clause just read, by striking out "2 cents per pound" and inserting "20 per cent. ad valorem."

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. MORRILL. I hope the Senator from North Carolina does not want this change. This clause refers to the ordinary bar soap that is brought in here or castile soap, worth from 8 up to 25 cents per pound. I trust we shall not adopt the amendment. The bill is a large reduction from the present duty, making it at least 15 per cent. less than it now stands. In answer to the suggestion of the Senator from North Carolina, that fancy soaps should bear a higher rate, let me call his attention to the fact that fancy soap is proposed to be put at 15 cents a pound. I trust, therefore, on consideration the Senate will not adopt the amendment.

Mr. VANCE. Although it is 15 cents a pound owing to the greater cost of the fancy soap, according to the enumeration of the Statistical Bureau it is 1.7 per cent. less ad valorem when reduced to the ad valorem scale.

Mr. MORRILL. Half as much as it is on the coarser kind of soap.

Mr. VANCE. Very well; but will the Senator be pleased to give me a reason why the article in common use by the people of this country, rich and poor, especially the poor, should pay a greater per cent. ad valorem than that which is used only by the rich people of the country? The one is 30 per cent. according to this schedule, and the other is 31.7.

Mr. MORRILL. This article is made up from animal refuse and grease that comes from cattle and sheep and all manner of articles. I trust it will not be made an exception.

Mr. PLUMB. I think the reason for this will be found in the fact that this is an industry which is carried on in a small way all over the country, especially in the interior portion of the country. Wherever this animal matter can be gathered together economically it is used for the manufacture of soap; and this amendment, by cutting down the duty, would strike more particularly at the smaller industries than it would at the larger, while the other classes of soap are not made to any extent in this country.

Mr. VANCE. Twenty per cent., it seems to me, is enough, and I do not think it the policy of the Government to increase the duty on these necessary articles which are in common use by everybody.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

The question being put, there were on a division—ayes 26, noes 21.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. JACKSON (when the name of Mr. HARRIS was called). The pair of my colleague [Mr. HARRIS] with the Senator from Kansas [Mr. INGALLS] has been transferred to the Senator from Michigan [Mr. FERRY]. My colleague if present would vote "yea."

The roll-call was concluded.

Mr. ALLISON (after having voted in the negative). I am paired with the Senator from Delaware [Mr. BAYARD], and on this question I withdraw my vote, as I see how the Senate is divided.

Mr. DAVIS, of West Virginia. I think the Senator may vote with propriety.

Mr. ALLISON. I withdraw my vote.

Mr. RANSOM. I am paired with the Senator from Wisconsin [Mr. SAWYER].

Mr. WILLIAMS. I am paired with the Senator from Nebraska [Mr. SAUNDERS].

The result was announced—yeas 30, nays 29; as follows:

YEAS—30.

Barrow,	Davis of W. Va.,	Jackson,	Saulsbury,
Beck,	Farley,	Jonas,	Slater,
Brown,	Garland,	Jones of Florida,	Vance,
Butler,	George,	Lamar,	Vest,
Call,	Gorman,	Maxey,	Voorhees,
Camden,	Groome,	Morgan,	Walker.
Cockrell,	Grover,	Pendleton,	
Coke,	Hampton,	Pugh,	

NAYS—29.

Aldrich,	Frye,	Lapham,	Plumb,
Anthony,	Hale,	Logan,	Rollins,
Blair,	Harrison,	McDill,	Sewell,
Cameron of Wis.,	Hawley,	Mahone,	Sherman,
Chilcott,	Hoar,	Miller of Cal.,	Windom.
Conger,	Ingalls,	Miller of N. Y.,	
Dawes,	Jones of Nevada,	Morrill,	
Edmunds,	Kellogg,	Platt,	

ABSENT—17.

Allison,	Ferry,	McPherson,	Van Wyck,
Bayard,	Harris,	Mitchell,	Williams.
Cameron of Pa.,	Hill,	Ransom,	
Davis of Ill.,	Johnston,	Saunders,	
Fair,	McMillan,	Sawyer,	

So the amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the item between lines 176 and 178 as amended. It will be considered agreed to unless objection be made.

Mr. MORGAN. I desire to ask the Senator in charge of the bill whether there is any reason to be stated why the fancy soaps should be taxed at 15 cents a pound instead of 30 per cent. ad valorem, which is the estimated amount of the tax at 15 cents a pound.

Mr. MORRILL. I suppose there are a great many varieties—probably two hundred varieties of fancy soap. Some are worth more and some less.

Mr. COCKRELL. Fifteen cents a pound is about 30 per cent. ad valorem.

Mr. MORGAN. So it is stated. I want to know the reason for making the change.

Mr. VANCE. Is it in order to offer an amendment to the next item?

The PRESIDING OFFICER. It has not yet been read.

The Acting Secretary read the item in lines 179 and 180, as follows:

Fancy, perfumed, and all descriptions of toilet soap, 15 cents per pound.

Mr. VANCE. I move to strike out "15 cents per pound" and substitute "30 per cent. ad valorem."

Mr. SHERMAN. The consideration of this bill necessarily is a prolonged one, especially if we are to go over all the items in this way. There are some three thousand items in the bill. One of the objects of the Tariff Commission was to simplify the mode of taxation, and the machinery has been greatly simplified. In other words, the object was to make the duties, as far as practicable, specific instead of ad valorem. I believe that is a principle which has been concurred in by all parties. It is found that this article of soap varies from the cheapest quality, say 5 cents a pound, to soaps worth a dollar and more a pound. Whatever is done in regard to this matter it seems to me the duty ought to be specific; and if the Senate, at random or on close votes of 30 to 29, in the absence of many Senators, is to change these specific rates back to ad valorems, it seems to me we might as well abandon all attempt to pass this bill. This schedule has been agreed to as reported, and the committee have made scarce any changes to Schedule A, because there was no objection made by any person or trade to it.

Mr. COCKRELL. Do I understand that the committee have made no changes in the schedules reported by the Tariff Commission?

Mr. SHERMAN. I did not say that. I say that on this Schedule A the committee have made scarce any changes; I do not now recall any. According to my list we have made scarcely any, certainly very few. If we have made them they will be called to the attention of the Senate as they are reached. There were no complaints made in regard to the miscellaneous items embraced in Schedule A, and as far as practicable they have been reduced from an ad valorem or a compound duty to a specific duty.

In regard to soaps, the matter seems rather frivolous, although the amount imported is enormous. In order to simplify the tariff it was proposed to make the duties specific instead of ad valorem. That is in the line of economy of administration, certainty of results, and avoids attempts at fraud.

It seems to me the Senate ought not, if we are really in earnest in the attempt to pass this tariff bill, to make changes unless there is some good reason for them. The duty in this case has been reduced nearly one-third on all articles of soaps, so that there is no objection to the reduction of duty. Now, the question is, will the Senate by solemn vote change the classification from the specific duty which can be easily measured and applied by customs officers to a compound duty or to an ad valorem duty? The present duty on soaps is a compound duty and is very much objected to, and is a matter of serious trouble in the administration of the law. Hard and soft soaps under the present law are subject to a compound duty of 1 cent a pound and 30 per cent. ad valorem, while fancy soaps are put at 10 cents a pound and 25 per cent. ad valorem. The commission have reduced the amount of the duties to one-third on all classes, but they have made the duty specific on both classes so as to secure certainty.

I have heard on the other side of this Chamber over and over again the old tariff denounced because it was complicated; because there were compound duties where there ought to be single duties; because there were ad valorem duties where there ought to be specific duties. If that is the case, why not correct it in this immaterial matter? By this close vote this whole plan is upset, and we fall back upon ad valorem duties on an article which, from its nature, must vary in value from 5 cents a pound to a dollar a pound, and perhaps higher than that.

Mr. SAULSBURY. Will the Senator allow me to ask him if there is not a difference in the value of these fancy soaps, if some are not much higher than others, and whether a specific duty upon the different kinds of soap would be just to all kinds?

Mr. SHERMAN. You might as well attempt to classify whisky according to its value and make the internal-revenue tax depend upon the value of the whisky. The Kentucky Bourbon whisky is worth $5 a gallon, while some other whisky is worth only 20 cents when manufactured. Soap ranges through the gamut from 5 cents up to a dollar a pound. The certainty of the collection, the simplicity of the tariff depends upon simple rates, and so far as possible upon all objects a specific duty should be imposed if practicable.

Mr. COCKRELL. Are not the fine French and German soaps $4 or $5 a pound?

Mr. SHERMAN. I suppose not.

Mr. COCKRELL. Do they not sell them at 40 to 60 cents a cake, and there is scarcely a quarter of a pound in a cake?

Mr. SHERMAN. When you buy them you probably pay that, but when they are imported they are probably invoiced at 30 or 40 cents a pound. The table which is before the Senator, and which he can see without asking questions, shows the valuation of these soaps. There were 167,000 pounds of fancy soaps imported, and the value was $83,000, or about 50 cents a pound, according to the present law, and they have paid a duty of 10 cents a pound and 25 per cent. ad valorem. The commission have reduced that to a simple rate of 15 cents a pound.

Mr. COCKRELL. I want to understand the Senator. He objects to this proposed amendment because it is an ad valorem duty.

Mr. SHERMAN. Yes, sir.

Mr. COCKRELL. Now, have not the committee themselves in many instances reported ad valorem duties?

Mr. SHERMAN. In the tariff on woolens they have reported compound duties, and in some other articles, but as a rule wherever the article was subject fairly to a great variation of rate, and the ad valorem would make a very uncertain rate, they have wherever it is possible adopted a specific duty.

Mr. COCKRELL. I see that the very next item is an ad valorem on sponges, and then I go on down but a very short distance until I come to 10 per cent. and 20 per cent. and 10 per cent. and 10 per cent.—four articles ad valorem right together.

Mr. SHERMAN. I suppose it would be difficult to measure sponges by weight, because the weightier they are the less valuable.

Mr. COCKRELL. I suppose they do not differ any more in value than soaps.

Mr. SHERMAN. I think they would. The very lightest sponge, the very smallest, might be the most valuable.

Mr. COCKRELL. I have no disposition to reduce the tariff on these fine soaps, but I should like to make them pay in proportion to their value as nearly as I could, and therefore I sustain the amendment.

Mr. MAXEY. I ask the Senator from Ohio if the practical result of the 15 cents specific duty per pound will not be prohibitory as to the lower grades of fancy soaps?

Mr. SHERMAN. No, nearly all the soaps will be brought in under the preceding clause.

Mr. VANCE. I desire to ask the Senator if the ad valorem duty of 30 per cent., which is the equivalent of the specific duty here provided for, would not in fact yield more revenue?

Mr SHERMAN. On the contrary, I would rather have the specific duty because that makes it easier and certain. How can a customs officer ascertain the value of a great variety of soaps coming in boxes, and compel them to be opened and inspected in order to grade them according to quality?

Mr. VANCE. There is a way of ascertaining the value of those things, because in many cases where the commission in order to simplify the tariff have adopted specific duties they have adopted compound duties embracing the ad valorem duty and basing the specifics upon those ad valorem duties. I am of the opinion, and I ask the Senator for information, that the greater amount of fancy soaps imported into this country being above the value of 15 cents per pound the ad valorem duty would yield more revenue to the Government. I really beg pardon for supposing the fact that the Government is entitled to anything under this bill. It is not the object of the bill, it is true, but then incidentally the Government might be entitled to some revenue where it did not conflict with the interest of some soap-boiler.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. EDMUNDS. Let it be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 179, after the word "soap," it is proposed to strike out the words "15 cents per pound" and to insert "30 per cent. ad valorem;" so as to read:

Fancy, perfumed, and all descriptions of toilet soap, 30 per cent. ad valorem.

Mr. MORRILL. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BECK. The proposition of the Senator from North Carolina does not change the rate of duty according to the last returns of the Government for the year 1882; 30 per cent. is the equivalent. Now, it is known that these fancy soaps vary all along the line.

Mr. MORRILL. The Senator from Kentucky is mistaken. The present duty is so much a pound and 25 per cent. ad valorem.

Mr. BECK. I beg pardon; the Senator from Vermont will excuse me. I said the report of the Tariff Commission and the report of the Finance Committee making the duty 15 cents a pound is precisely equivalent, under the late collections, to 30 per cent.

Mr. MORRILL. But the Senator from Kentucky must see that the great advantage of this is that these soaps coming here in paper boxes can hardly be examined each box by itself. Therefore there is a much greater simplicity in having all subject to the same rate of duty.

Mr. BECK. The advantage on the other side is that they all come with invoices as to what their value is, and we have appraisers and examiners to ascertain that the invoices are correct. If a soap worth 50 cents a pound shall pay 15 cents a pound duty and soap worth a dollar a pound only pays 15 cents a pound duty the result would be, as the Senator from Missouri very well said, that it would exclude the lower grades of soaps and we should not get as much revenue on the whole as we would at 30 per cent., because all classes of soap coming in at 30 per cent. ad valorem, soap costing 50 cents, or 75 cents, or 100 cents would come in invoiced just as it does now and just as they always have done, but each would pay 30 per cent. ad valorem, and we should have importations of all classes instead of excluding the lower grades.

In regard to the ad valorem duties, if Senators will run through the iron schedule they will see steel ingots, valued above 5 cents and not above 9 cents per pound, 2¼ cents per pound; valued at above 9 cents per pound, 3¼ cents per pound. Then we come down to crucible cast-steel, valued above 3 cents and not above 5 cents per pound, 1¾ cents per pound; valued above 5 cents and not above 9 cents per pound, 2½ cents per pound; valued above 9 cents per pound, 3 cents per pound. There are plenty of compound ad valorems reported by the committee in which it is far more difficult to ascertain the exact measure than soap which comes in paper boxes or any other boxes with its invoice along with it.

Mr. ALDRICH. This question presents the simple difference between a specific and ad valorem duty on a list of articles embracing a thousand different varieties perhaps. It is a question whether the customs officers of this country shall be called upon to determine the value of these thousand different articles of soap, or whether we shall have a specific duty easily computed, easily collected. In one case you have all the chance for frauds and undervaluation which have been the occasion of so much just criticism on the part of everybody in connection with the customs revenue, which would not be the case upon a simple duty of so much a pound. There can not be in the whole range of the tariff a plainer distinction between specific and ad valorem duties.

Mr. HALE. Will the Senator from Rhode Island tell the Senate what articles or class of articles he thinks an ad valorem duty should be placed upon properly if not applied to such an article as this, that ranges in different valuation all the way from 10 cents per pound up to 60 and 70 cents and perhaps $1? Upon what kind of an article would you put an ad valorem duty if you did not upon just such an article as this?

Mr. ALDRICH. If the Senator from Maine will allow me, I have not said that there was a wide range of difference in the prices. I do not think there is a very wide range of difference in the prices of soap. There is an immense variety of kinds manufactured in various shapes and forms, and of all names and descriptions, some perfumed with one article and some with another. The range of prices of soap can not be very great; it must be I suppose somewhere from 50 cents to a dollar a pound.

In answer to the Senator from Maine, I would say that I would never impose an ad valorem duty when a specific duty could be used. In an article like sponges, that can neither be weighed nor measured, and of which you can give no accurate description, an ad valorem duty is necessary; but I believe that in framing a tariff we should never use an ad valorem duty when a specific duty can be used.

Mr. HALE. I agree with the Senator from Rhode Island that wherever a specific duty can be properly placed it ought to be used instead of an ad valorem duty; but the reason why I asked the question which I did was that I supposed from the large range of different prices applied to foreign soaps as we buy them at retail, the same difference applied in the imported article when it comes here. About that I do not know, and I do not pretend to know. He, from having investigated this subject upon the committee, ought to know a great deal more about it than I. If he is correct, and there is not that range of values and prices when the article comes here, then I agree with him that the duty ought to be specific; but if there is that range I think it ought to be ad valorem.

Mr. DAWES. Is it not the fact about the fancy soaps that the value of the soap in the market depends entirely upon the facts of the case for the moment? There is no great difference in the actual cost of the ingredients of fancy soap, but fancy soap of all kinds and styles comes into the market. One of them happens to hit the fashion or the taste and it will command a price double or treble that of another, the intrinsic value of which is as great as it. Therefore, if you come to put a valuation on it in the custom-house before it comes into our market, the custom-house appraiser must be all at sea.

I think that may be a reason why such an article as this, which depends so much upon style, or fancy, or taste, can not be determined in the custom-house, because its price in the market to the consumer depends upon something that the appraiser in the custom-house does not know anything about.

Mr. MORGAN. As the Senator from Rhode Island suggests, this question does bring up the advantage in the two systems of taxation, one of specific duties or compound duties and the other of ad valorem duties. What little of education I have on this subject has always inclined me to the opinion that the fairest method of taxation is the ad valorem duty, for the reason that it gives the people the opportunity of enjoying the benefits of depression of prices in foreign markets which ought to carry down the prices in our own manufactured articles, as

it does upon produce, upon cotton, upon wool, and upon everything of the kind, and gives to them also other advantages in the fact that the manufacturers of the article are kept in competition with foreign manufacturers. While they receive the benefit of the percentage of the ad valorem duty, whatever that may be, still it being an ad valorem duty it keeps the manufacturers of this country constantly in competition with those abroad.

I concur with the Senator from Maine that in an article where there is such a variety of prices dependent upon the material of which it is composed, on the manner in which the odors are imparted to it, on the care and skill with which it is put up, packed, decorated, &c., the application of the ad valorem system is necessary and proper, and applies to this case as well, it seems to me, as to any other that could be named.

Before this article was called in question, before any motion was made upon it, I asked the honorable Senator from Ohio, and he made an explanation in reply to my question, as to the reason why a specific instead of an ad volorem duty was put upon these articles, and he assigned the reason that the variety was so great that it was almost impossible to appraise the article. That is the very reason which has occurred to the Senator from Maine, and equally to myself, why the ad valorem duty ought to be applied and not the specific duty; for while prices vary so much, dependent upon the mere character or composition of the manufacture, it seems to me that a stiff specific duty of so many cents per pound upon it is unjust to all classes concerned, those who use and those who manufacture perhaps.

The bill abounds with provisions for ad valorem duties. In every schedule in the bill there are numerous provisions for ad valorem duties. The committee have not adhered to the idea that a specific duty was to be imposed upon importations every time that they could find an opportunity to do so, but for reasons which I have no doubt they will be entirely able to explain in the further examination of the details of this bill, they have divided the different importations between specific and ad valorem duties, and sometimes it occurs to my uneducated and uninstructed mind that they have done it in a purely arbitrary manner. Perhaps in that I am wrong, but they will have a fair opportunity as we go along for removing these difficulties from my mind and enlightening me on the subject if they see proper to do so, for I shall ask questions for information.

I find on pages 110, 111, 112, 113, and 114 the most careful provisions that legislators could frame for the purpose of having the value of goods ascertained that are imported under an ad valorem tax. Since the foundation of this Government we have had similar regulations, perhaps the very identical regulations, I know not; but in running over this and in looking at the different guards that are put into the proposed statute to prevent the undervaluation of goods imported under an ad valorem tax it seems to me that wisdom could scarcely devise anything that was more complete than this system. Here are not only statutes very highly penal in their character, but here are oaths of consignees, importers, and agents; oaths of owners in cases where merchandise has been actually purchased; oaths of manufacturers or owners in cases where the merchandise has not been actually purchased, which are framed with so much care and particularity that a man would have to commit perjury in the most flagrant possible sense of the word to get any article imported into this country through the custom-house at an undervaluation.

There are various inspections that may be resorted to; there are penal statutes for punishing men both for the act of importing at an undervaluation and of swearing falsely in these affidavits. These guards have always been sufficient. The guard is just as sufficient in that respect as it is in respect to the weight these commodities will bring upon the scales when they get into the hands of our own inspectors and weighers. If a package of soap comes into a custom-house and is put upon the scales to be weighed by the proper weigher of the Government you there encounter the danger of that man cheating by a conspiracy or combination with the importer or somebody else, and it is a far greater danger according to our own experience than that which we encounter when we trust to the honor of an importing merchant or the honor of a great manufacturer, or the honor of any other man engaged in extensive commercial pursuits who is put upon his oath to verify the original schedules of purchase, the invoice, and the actual values at the place from which the goods started for their destination.

Comparing the two systems together, that which decides upon the amount of the tax on a commodity by a test of weight, or a test of measurement, or a test of the fineness of the material, or a test of the number of threads to the square inch, and all the length of that, is a system more complex than the ad valorem system. More than that, it is one far more liable to abuse. I believe that the safest system for the revenues of the country that we can adopt is the ad valorem system, and that instead of rejecting that as a rule and adopting specific duties we ought on the contrary to reject specific duties as a rule and adopt the ad valorem system. It is fairer for the people, safer for the Government, and better for all concerned, in my humble judgment.

Mr. FRYE. Remember that when we strike sugar.

Mr. MORGAN. I will remember it when we strike anything, for I expect to strike sugar about as hard as the Senator from Maine does, so far as that is concerned. I am not for the protection of any one industry in this country at the expense of another, if I know how to avoid it. I do not expect we shall get a perfect system; I dare say we shall not come anywhere near to it. At the same time it is our duty that we should give all the different people of the United States, whether they are manufacturers, or whether they are producers, or whether they are neither, but simply consumers, an equally fair chance to enjoy the benefits of this system, if benefits result from it, and to share the burdens of it, as we know that burdens must result.

I thought I would say this now, because the subject of ad valorem duties as contrasted with the subject of specific duties is for the first time upon this bill presented to the Senate.

Mr. MAXEY. I asked the Senator from Ohio [Mr. SHERMAN] whether this specific duty of 15 cents a pound would not practically prohibit the importation of the lower grade of fancy soap. He thought not. Now, let us look at it for a moment. The manufacturer can sell a pound of soap at, say 60 cents. The foreign manufacturer can land that same article of soap at the custom-house at a cost of 47 cents per pound, but to get it through the custom-house he must pay 15 cents per pound. Forty-seven plus 15 is equal to 62. The effect therefore is that this 15 cents per pound specific duty acts as a prohibitory tariff to any fancy soap that would only cost the American manufacturer 60 cents a pound. So I think that it is the true and wise course to let the article pay exactly according to its value as it comes in.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The Principal Legislative Clerk proceeded to call the roll.

Mr. PLATT (when the name of Mr. CAMERON, of Pennsylvania, was called). The Senator from Pennsylvania [Mr. CAMERON] being compelled to leave the Senate Chamber to-day, asked me a little while before he left to arrange a pair for him. I suggested to him that I hoped he would arrange the pair himself, and I supposed that he would do so; but——

Mr. JACKSON. I will state that he has made a pair with the Senator from South Carolina [Mr. BUTLER].

Mr. PLATT. I arranged a pair with the Senator from South Carolina after the absence of the Senator from Pennsylvania, and I wished to inquire whether the Senator from Pennsylvania is paired with any other Senator, and if so, I shall pair with the Senator from South Carolina.

Mr. JACKSON. The Senator from South Carolina requested me to state that he is paired with the Senator from Pennsylvania.

Mr. PLATT. The Senator from Pennsylvania, then, is paired with the Senator from South Carolina.

Mr. RANSOM (when his name was called). I am paired with the Senator from Wisconsin [Mr. SAWYER].

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Nebraska [Mr. SAUNDERS].

The roll-call was concluded.

Mr. SEWELL. I wish to state that my colleague [Mr. MCPHERSON] is absent and that I am paired with him generally, but that I believe he would vote on this item, as on others, for the report of the committee on the bill. I am therefore at liberty to vote.

The result was announced—yeas 26, nays 29; as follows:

YEAS—26.

Barrow,	Garland,	Jonas,	Slater,
Beck,	George,	Lamar,	Vance,
Brown,	Gorman,	Maxey,	Vest,
Call,	Groome,	Morgan,	Voorhees,
Camden,	Grover,	Pendleton,	Walker.
Cockrell,	Hampton,	Pugh,	
Coke,	Jackson,	Saulsbury,	

NAYS—29.

Aldrich,	Edmunds,	Lapham,	Plumb,
Anthony,	Frye,	Logan,	Rollins,
Blair,	Harrison,	McDill,	Sewell,
Cameron of Wis.,	Hawley,	McMillan,	Sherman,
Chilcott,	Hill,	Mahone,	Windom.
Conger,	Ingalls,	Miller of N. Y.,	
Davis of Ill.,	Jones of Nevada,	Morrill,	
Dawes,	Kellogg,	Platt,	

ABSENT—21.

Allison,	Farley,	Jones of Florida,	Sawyer,
Bayard,	Ferry,	McPherson,	Van Wyck,
Butler,	Hale,	Miller of Cal.,	Williams.
Cameron of Pa.,	Harris,	Mitchell,	
Davis of W. Va.,	Hoar,	Ransom,	
Fair,	Johnston,	Saunders,	

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the Committee on Finance to insert lines 179 and 180.

The amendment was agreed to.

The next amendment was read, as follows:

Sponges, 20 per cent. ad valorem.

The amendment was agreed to.

The next amendment was read, as follows:

Sumac, three-tenths of 1 cent per pound.

Mr. MAHONE. It strikes me that there is a mistake in this item. The extract of sumac, which is more largely imported, is worth five times as much as the ground, so that when both are put, as is proposed

by the bill, at three-tenths of 1 cent per pound, you about double the duty on the ground sumac at present prices, while you lower it on the extract fully 50 per cent.

It seems to me to equalize the duty upon the two articles, sumac ground and sumac extract, this clause ought to be amended so as to put the extract at 20 per cent. ad valorem. This is an important industry to three of the States, namely, Virginia, North Carolina, and Tennessee, and the value of the product produced in the United States is about $200,000. The value of the ground sumac at the present prices is from 2 to 3 cents, and of the extract from 16 to 24 cents.

I therefore move to amend by inserting, after the word "sumac," in line 182, the word "ground," and by adding at the end of the sentence "sumac extract, 20 per cent. ad valorem;" so as to read:

Sumac, ground, three-tenths of 1 cent per pound; sumac, extract, 20 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia [Mr. MAHONE] to the amendment of the Committee on Finance.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Finance was read, as follows:

Acid, acetic, acetous, or pyroligneous acid, not exceeding specific gravity of 1.047, 2 cents per pound; exceeding the specific gravity of 1.047, 10 cents per pound.

Mr. INGALLS. The country, I think, will learn with some surprise that of the article named in the paragraph under consideration the importation last year reached the grand aggregate of two pounds, upon which the duty was 60 cents, and that under the proposed revision it is to be reduced so that the income will probably not be in excess of 20 cents! Such a reckless reduction of the revenue I think can hardly fail to excite some alarm and apprehension, and I should like the chairman of the committee to say what is the use of keeping such trivial items as this upon a tariff schedule. Of course, if there is any great economical question involved I shall be very glad to vote to sustain this item, which will yield us a gross revenue of 20 cents; but I hope we shall have some explanation, because it looks to me trivial as the bill now stands, according to the schedule that has been furnished by the Tariff Commission.

Mr. ALDRICH. If the Senator from Ohio will allow me to answer the question I will state that this embraces all the wood acids made in this country. The present rate of duty is prohibitory, and I presume it was intended to be so. I can assure the Senator from Kansas that if we should strike out this clause or put the articles embraced in it on the free-list we should hear from a great many people in this country who are interested in the manufacture of wood acids. It is a very important industry in this country.

Mr. INGALLS. I inquired for information. When it appeared that the entire importation reached the aggregate of two pounds I supposed there must be some reason which was not disclosed why the revenue should be reduced from 60 to 20 cents on this article.

Mr. ALDRICH. It is a very important article of consumption, and is manufactured in many portions of the West in large quantities.

Mr. INGALLS. Into what does it enter?

Mr. ALDRICH. It is used in dyeing, and for many purposes in the arts.

Mr. INGALLS. The great amount that is used is manufactured in this country?

Mr. ALDRICH. Entirely.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The following amendments of the Committee on Finance were read, and no objection being made, agreed to:

Acid, citric, 10 cents per pound.
Acid, tartaric, 10 cents per pound.
Camphor, refined, 5 cents per pound.

The next amendment was to insert as line 190:

Castor beans, or seeds, 30 cents per bushel of fifty pounds.

Mr. PLUMB. I observe that that is a reduction of 50 per cent. on the existing rate. There are not a great many things that are produced west of the Mississippi River which are affected by this tariff, and for the few things which are I hope the Senate will have some consideration. Among them are castor beans, produced largely now in Kansas. I can not speak as to other States in that locality, but a large quantity is produced in Kansas. This is singled out it seems for an exceptional reduction. The average reduction and the usual reduction being about 25 per cent., I think, as a maximum, the reduction on castor beans and castor oil amounts to 50 per cent. That is to say, the rate of duty is reduced on castor beans from 60 cents a bushel to 30 cents, and on castor oil from $1 per gallon to 50 cents per gallon. In line 190, I move to strike out "thirty" and insert "fifty;" so as to read:

Castor beans, or seeds, 50 cents per bushel of fifty pounds.

The reduction then will be equal to the average reduction provided in other portions of the bill.

Mr. DAVIS, of West Virginia. I ask my friend how that will compare with the present rate?

Mr. PLUMB. That is a reduction of 10 cents a bushel on the present rate, which is 60 cents.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. PLUMB].

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Acting Secretary read the next amendment of the Committee on Finance, to insert as line 193:

Castor oil, 50 cents per gallon.

Mr. VANCE. Mr. President——

Mr. PLUMB. Now I move in line 192 to strike out "50 cents per gallon" and insert "80 cents per gallon." The rate is now $1.

Mr. BECK. At 50 cents a gallon it is 63.99 per cent. ad valorem; at a dollar it is 127 per cent., and the whole revenue from that article last year was about $900. This is not quite as hard a case as the one pointed out by the other Senator from Kansas [Mr. INGALLS], where we made a reduction from a duty of 60 per cent. to 20 per cent., and we obtained 60 cents in revenue when the duty was at 60 per cent. and I hope it will be observed whether we get down to 20 cents at a 20 per cent. duty. There is nothing in this one way or the other, and it seems to me it ought to be on the free-list just like a great many other articles. The committee saw fit to put wheat, barley, oats, corn, cotton, and all sorts of things at 20 per cent., as though somebody could be made to believe that they were protecting those articles by putting that duty upon them. Why, sir, they might put a thousand per cent. on cotton, wheat, barley, and such things, and it would be no protection at all, because we export and can furnish the world with those things. All of them ought to be on the free-list.

Mr. PLUMB. We do not export any castor beans or castor oil. I can not say as to what features the industry presents in other sections of the country; but in my own it is comparatively a new industry. The raising of the bean has been followed by the erection of local factories, which are now just getting on their feet. They think, at least, and I believe honestly, that as serious a reduction as is provided in this bill would be fatal to them. While I am willing to go as far as can be prudently done in regard to everything with which we have had dealing enough to determine what may be done without destruction, I want to give the newer industries of the country some decent chance at least, and for that reason I think the reduction provided by the bill is too large; and accepting the conclusion, which I have heretofore expressed as derived from the persons interested in this industry, the adoption of the Tariff Commission's report in regard to this industry would be fatal.

Mr. VANCE. What is now before the Senate?

The PRESIDING OFFICER. The amendment of the Senator from Kansas [Mr. PLUMB], to strike out "fifty," in line 192, and insert "eighty."

Mr. VANCE. I did not rise to discuss that proposition. I rose a moment ago when the floor was taken from me after I thought I had been recognized by the Chair; but I yielded. I shall ask the Senate when this is disposed of to recur to the previous item.

The PRESIDING OFFICER. The question now is on the amendment of the Senator from Kansas to strike out "fifty," in line 192, and insert "eighty."

Mr. MORRILL. Clearly the duty on the oil ought to be raised if the duty on the castor bean is raised. There can not be any doubt about that.

The amendment was agreed to; there being on a division—ayes 29, noes 14.

Mr. VANCE obtained the floor.

Mr. MORRILL. I will say to the Senator from North Carolina that quite a number of Senators desire to leave at 5 o'clock, and therefore I will move an adjournment.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January* 11, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday was read and approved.

GEORGE H. WELLS.

Mr. McCOID, by unanimous consent, introduced a bill (H. R. 7239) for the relief of George H. Wells; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

FRANCIS GILBEAU.

Mr. UPSON. I ask unanimous consent that Senate bill No. 783, for the relief of Francis Gilbeau, be taken from the Speaker's table and referred to the Committee on Claims.

There was no objection, and the bill was accordingly taken from the Speaker's table, read twice, and referred to the Committee on Claims.

WOMAN SUFFRAGE.

Mr. CRAPO. I have here a petition from the representatives of the National Woman Suffrage Association. I ask that it be referred to the

Committee on the Judiciary and printed in the RECORD; it is very short.

The SPEAKER. Why should it not go to the Select Committee on Woman Suffrage?

Mr. CRAPO. Very well; let it be referred to that committee.

There was no objection, and it was ordered accordingly.

The petition is as follows:

To the Senate and House of Representatives of the United States:

The undersigned, citizens of Massachusetts, officers and members representing the National Woman's Suffrage Association of Massachusetts, respectfully petition your honorable body to submit an amendment to the United States Constitution which shall prohibit the several States from disfranchising citizens on account of sex.

AGRICULTURAL APPROPRIATION BILL.

Mr. CARPENTER. I ask unanimous consent that House bill No. 7052, making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes, returned from the Senate, be taken from the Speaker's table, and that the House further insist on its disagreement to the amendments of the Senate to that bill and agree to the conference asked by the Senate.

There was no objection, and it was so ordered.

The SPEAKER announced as the conferees on the part of the House on the disagreeing votes of the two Houses on said bill, Mr. CARPENTER of Iowa, Mr. WADSWORTH of New York, and Mr. HATCH of Missouri.

RIVER AND HARBOR APPROPRIATIONS.

Mr. PAGE. I am instructed by the Committee on Commerce to report back with an amendment a resolution introduced by the gentleman from Pennsylvania [Mr. RANDALL], and to recommend that it be adopted.

The SPEAKER. The resolution, with the amendment, will be read.

The Clerk read as follows:

Resolved, That the President be requested to transmit to this House a statement showing the aggregate amount which has been expended in the improvement of rivers and harbors from the beginning of the Government to the present time, the amount annually expended, and the aggregate and annual expenditure in the improvement of each river and each harbor, and as far as practicable the amounts expended in each State, accompanied by references to the laws authorizing each of such expenditures; and also a statement showing in brief what benefit to commerce, if any, has resulted from each of said expenditures, and stating the navigable capacity of each of said rivers and harbors before and after the improvement; and also to inform this House whether any moneys have been appropriated or expended in the improvement of rivers or harbors not navigable within the legal definition of the word "navigable" as defined by the Supreme Court of the United States; and also to inform this House whether any money has been appropriated or expended for the improvement of any river or harbor not within the United States, with such other information as he may deem proper to communicate.

Mr. RANDALL. I hope the House will confirm the action of the Committee on Commerce by the adoption of the resolution just read.

Mr. PAGE. With the amendment reported by the committee.

Mr. RANDALL. I would ask the gentleman if there is any material amendment?

Mr. PAGE. Only the insertion of certain words.

Mr. RANDALL. I do not object to any additional words, so that none are stricken out of the original resolution.

Mr. PAGE. The committee recommend the insertion of the words "and as far as practicable the amount expended in each State."

Mr. RANDALL. That is quite right.

The amendment was agreed to, and the resolution as amended was adopted.

Mr. PAGE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DUTY ON SUGAR.

Mr. CANDLER. I desire to present a petition from 15,571 consumers of sugar in the eastern part of Massachusetts, asking for a reduction in the rate of duty on sugar. I ask that the petition, without the signatures, may be printed in the RECORD; it consists of but a few lines.

There was no objection, and it was ordered accordingly.

The petition is as follows:

To the honorable Senate and House of Representatives in Congress assembled:

The undersigned, believing, as consumers, that the article of sugar is through us made to pay a much larger portion of the revenue from tariff than is just, hereby earnestly petition for a material reduction in the duty on said article.

Mr. ROBINSON, of Massachusetts. I have a petition on the same subject from 5,053 citizens of Western Massachusetts. The heading is the same, and I will not ask to have it printed in the RECORD. I will ask, however, that it be referred to the Committee on Ways and Means.

Mr. BRIGGS. I present the memorial of William F. Sleeper & Co., of Manchester, and 2,624 others, citizens of New Hampshire, earnestly praying for a material reduction in the tariff on sugar, and ask it be referred to the Committee on Ways and Means.

There was no objection, and it was ordered accordingly.

The SPEAKER. The petitions just presented will be referred to the Committee on Ways and Means.

ORDER OF BUSINESS.

Mr. ROBESON. I call for the regular order.

Mr. SPEAKER. The regular order is the call of committees for reports.

JACOB AND ELIZABETH SENER.

Mr. HUTCHINS, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 2804) for the relief of Jacob and Elizabeth Sener; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

MARY JANE VEAZIE.

Mr. WISE, of Virginia, from the Committee on War Claims, reported back with a favorable recommendation the bill (S. 566) for the relief of Mrs. Mary Jane Veazie; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

WILLIAM H. DONOHOE.

Mr. GEDDES, from the Committee on War Claims, reported a bill (H. R. 7240) for the relief of William H. Donohoe; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

CALIFORNIA WAR CLAIM.

Mr. GEDDES also, from the Committee on War Claims, reported, as a substitute for H. R. 2139, a bill (H. R. 7241) to indemnify the State of California for balances paid and remaining due on account of indebtedness incurred in the Indian wars, for the payment of which said State issued bonds in 1851 and 1852, a part of which remain unpaid owing to delays occasioned by War Department rulings, under the act of Congress of August 5, 1854; which was read a first and second time, referred to the Committee of the Whole House, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS ON WAR CLAIMS.

Mr. GEDDES also, from the Committee on War Claims, reported back adversely the following bills and petitions; which were laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 3300) for the relief of William W. Anderson;

A bill (H. R. 965) for the relief of D. C. Allen;

A bill (H. R. 597) for the relief of David Singleton;

A bill (H. R. 2003) for the relief of W. L. Carey;

The petition of Elizabeth B. Higgins, Joel Higgins, and Brand Higgins, of Phillips County, Arkansas;

The petition of Robert H. Cleers;

The petition of the city of Memphis; and

The petition of Mary E. Whitehead.

GOVERNMENT SALES OF OLD MATERIAL.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury relative to the expenses attending sales of old material and other public property and the proceeds of such sales; which was referred to the Committee on Appropriations, and ordered to be printed.

ENROLLED BILLS SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills and a joint resolution of the following titles; when the Speaker signed the same:

A bill (H. R. 804) for the relief of Robert Gorthy and Calvin Green;

A bill (H. R. 4704) for the relief of P. F. Lonergan; and

Joint resolution (H. Res. 190) to refer certain claims to the Court of Claims.

AMERICAN SHIPPING.

Mr. PAGE. I now call up the unfinished business.

The SPEAKER. The House, as the regular order, resumes the consideration of the bill (H. R. No. 7061) to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen. The gentleman from Maine [Mr. REED] is recognized.

Mr. REED. I yield to the gentleman from Indiana [Mr. HOLMAN] that he may offer his amendment. I will speak later.

Mr. HOLMAN. I offer the amendment which I send to the desk. After it has been read I wish to occupy a few moments in explaining it.

The Clerk read as follows:

At the end of section 18 add the following:

"*And provided further*, That 50 per cent. of the sum so received from the Treasury of the United States by the owner or owners of any such vessel under the provisions of this bill shall be paid by such owner or owners to the foremen, artisans, mechanics, and laborers who shall have been employed in the construction or repair of such vessel in proportion to the compensation and wages received by them respectively while engaged in constructing or repairing such vessel, and such vessel shall not be entitled to be registered, enrolled, or licensed unless the foremen, artisans, mechanics, and laborers employed in constructing or repairing such vessel shall have received for their labor thereon independent of the provisions of this act wages equal to those paid for like labor in the other ship-building establishments of the United States, nor until said 50 per cent. shall have been paid to such foremen, artisans, mechanics, and laborers as above provided, and the Secretary of the Treasury shall prescribe rules for carrying this provision into effect."

Mr. HOLMAN. Mr. Speaker, with the indulgence of the gentleman from Maine [Mr. REED] I will occupy but a single moment.

The gentleman from California [Mr. PAGE] on yesterday discussed

with his usual clearness the provisions of this bill, and had occasion to refer to the fourth section of the act of Congress of August, 1861, in regard to the drawback on foreign materials used in the construction of any article manufactured in this country with a view to exportation, that provision being understood to embrace the construction of ships, and the gentleman arraigns me before the House for supporting that measure. In answer to my friend from California I wish to say that while, according to my present recollection after the lapse of twenty-one years, I gave that measure my support, it must be regarded now as it was then as exclusively and essentially a war measure. I presume I voted for that bill, for I voted for every measure we deemed necessary to maintain the authority of the Government. My friend from California must not overlook the circumstances under which that act was passed.

It was during the called session which began on the 4th day of July, 1861, the business of which session according to a resolution which I had the honor to submit on the second day after it convened, was confined to measures pertaining to the then pending war. In pursuance of that resolution the proceedings of that session, from beginning to end, covering a period of some five or six weeks, were confined to what were understood to be war measures to meet the emergencies of the then pending contest between the two sections of the Union. This measure, which has come down to us as section 3019 of the Revised Statutes, was intended for the purpose of meeting, to the extent that its provisions went, the emergencies of that hour, and for no other purpose whatever, although it has been continued in force from that day till this. It was designed for the purpose of enabling our people to bring their whole resources to meet the public emergencies and at the same time to keep up our manufacturing industries, to induce persons of skill to come to our country for the purpose of filling the places of those who might enter the public service, and also I admit for the purpose of encouraging in that emergency the industries connected with the construction of ships. It was, then, but a war measure; and members of this House at that hour, whatever might have been their views of subsidies and class legislation, would, without hesitation, have given that measure their support, even if it had involved in direct terms specific subsidies, which it did not.

Permit me to say that the amendment which I now submit is designed to carry out, if possible, in practical legislation the views expressed by my friend from California. He regards this subsidy provision as one tending to promote the interests of labor and the laboring men of this country. I must insist that the proposition contained in the eighteenth section of this bill, as it now stands, does not tend to that result. On the contrary it is simply a provision in the interest of capital; a bonus to men investing their capital in the construction of ships. While this proposition of mine directly, in moderate terms, proposes in a slight degree to distribute to laboring men of this country the profit resulting from the extraordinary bounty provided by the eighteenth section of this bill, it is to give them in direct terms some of the bounty for promoting an industry which rests on their labor, while the bill gives the whole of it to capital. Can not capital consent that a bonus paid out of the public Treasury to promote private industry shall be equally divided between capital and labor? Who shall say the men whose brawny arms build a ship shall not participate at least equally, if nothing more, with capitalists whose means are invested in its construction; in the benefits of a bounty taken from the public Treasury to encourage the building of the ship? The bounty is paid by the labor of the whole people. Shall labor have no share in its benefits? I am opposed to all subsidies, but if you will give bounties I demand for labor its share.

Mr. Speaker, I regret I have consumed even so much of the time of my friend from Maine [Mr. REED]; and, thanking him, I yield the floor.

Mr. PAGE. I have listened as well as I could to the amendment proposed by the gentleman from Indiana, and if I heard it distinctly it provides that the money appropriated by the eighteenth section of this bill shall be distributed to men employed in the construction of ships. That is a convenient way for the gentleman from Indiana to escape the position he voluntarily placed himself in by making a statement which if carried out would destroy that class of labor in this country. And the men who believe with him and act with him have no appreciation of the labor interest of this country so far as protecting them from the low wages paid to their foreign competitors.

Now, then, it has been clearly shown by the gentleman from Maine [Mr. DINGLEY], when he occupied the floor in his able speech on Saturday last, that the wages paid by the American ship-builder for skilled labor is more than 60 per cent. greater than that paid to the same labor in Europe. And that, in my judgment, answers all the objections made by the gentleman from Indiana.

The reason why ships can not be built to-day in the United States as cheaply as they can be built on the Clyde is almost exclusively because we pay higher wages for labor in this country than they do there. And the only remedy the gentleman from Indiana proposes would as a result destroy ship-building in this country, or reduce the wages paid to labor here to what they are in Europe. And that is the whole gist of this matter.

No man can honestly assert or believe there should be a revival of our ship-building and yet say no legislation shall be had to encourage it except we may go into the markets of the world and buy our ships wherever we can buy them cheapest.

Free trade in ships! Free ships, as my friend from Indiana and some of his associates on that side tell us. Free ships! And then I would like to have some gentleman explain to this House what free ships mean, and whether they would have no ship-yards maintained in this country.

Free ships? What does it mean? It means that every ship-builder shall discharge every man in his employ. It means that the men engaged in getting out iron ore from your mines shall cease their labors. It means that the great iron furnaces of the country shall be closed down, as there will be then no need of iron or steel to be used in ship-building in this country. Instead of having 15 per cent. of our commerce carried in American bottoms and under the American flag, you would not have in that event any—not 1 per cent.

Free ships, say our friends; no protection of ship-building or ship-owning in this country; no protection to that industry which has been almost driven out of the land because of the high price of labor.

We say, Mr. Speaker, that we do not believe the price paid for labor in this country is too high, and we can not afford that the workingmen of this country shall be brought down in the wages they receive for their labor to the level of the poorly paid labor of Europe. As American citizens we are proud of our laboring men. They are intelligent. They mostly own their own homes. They are purchased under the endowment or installment plan. Their beautiful homes, homes of comfort, are upon every hill-side and in every valley of the land. How is it with those who labor for a livelihood in foreign ship-yards? They do not own their own homes. You find when you enter their homes they are not homes of comfort; you find no carpet on the floor, no books or music upon the tables, no curtains at the window. Yet my friend from Indiana would strike down all the protection afforded this class of labor in order our laborers should be reduced to the circumstances of their fellow-laborers across the water.

[Here the hammer fell.]

Mr. HUTCHINS addressed the House. [See Appendix.]

Mr. WARD. I renew the *pro forma* amendment. I desire to oppose the idea of free trade in ships, as suggested by the amendment to the section proposed by the gentleman from Massachusetts [Mr. CANDLER]. That would be free trade in its worst form, and I say here that no friend of protection to American industry, and no advocate of that doctrine can afford to support that idea without abandoning his faith or surrendering his principles.

The protection of American labor is as much involved in the industry of ship-building as it is in any other protected industry of the United States; and as has been demonstrated by the gentleman from New Jersey [Mr. ROBESON] the report of this commission does not propose to take care of, or to benefit, or to give any special advantage whatever to American labor, as involved in the construction of ships. It simply takes the raw material, puts it down in an American ship-yard on a par with the English material, and then allows the American ship-building mechanic to go on and put it into the ship, which is the largest element in the cost of its construction.

I happen to know by personal experience one establishment engaged in ship-building in the United States that employs from one thousand to eighteen hundred or two thousand men, depending upon the amount of work. That establishment pays out in its wages pay-rolls from $10,000 to $20,000 a week, the amount depending upon circumstances. And it is asserted here by the gentleman from Maine [Mr. DINGLEY] that that ship-yard pays to the American mechanics it employs 60 per cent. higher wages than similar establishments pay on the Clyde. And the proposition coming in the amendment of the gentleman from Massachusetts [Mr. CANDLER] and in the proposed amendment by the gentleman from New York [Mr. COX] to admit ships free of duty means to say that the American ship-building mechanic shall be reduced in the amount of his wages 60 per cent. and put on a par with his fellow-laborer across the water. I want gentlemen here to understand that that is just the proposition which they are called upon to vote.

Mr. CANDLER. Will the gentleman permit me to ask him a question?

Mr. WARD. Yes, sir.

Mr. CANDLER. The gentleman states that this injures the American mechanic.

Mr. WARD. I do.

Mr. CANDLER. I say that in this discussion they obscure and leave out the fact that we absolutely prohibit and keep out all foreign ships from the domestic carrying trade of this country and that the domestic carrying trade of this country represents three millions of tons. Further than that, we have only 15 per cent. of the foreign trade. We develop by prohibition all the domestic ship-building of this country; and unless that is clearly stated in this charge in regard to American workmen the question is not and will not be fully stated.

Mr. WARD. Yes; and I say to the gentleman from Massachusetts that if his amendment is incorporated into this bill it means that the American ship-yard shall be absolutely shut up, and that America shall be made dependent upon foreign powers for one of the greatest elements in its prosperity and its greatness, to wit, the means of intercommunication between the United States and foreign countries.

Why, sir, what does the report of this commission do toward putting the American shipping on a par with the European? What do European powers do to stimulate the carrying trade?

They first find a market. Then they determine to supply the market with the products of the nation. Then they go one step further and provide a means to carry those products in their own bottoms under their own flags to the markets which they have discovered. That is what is done by England, by Germany, and by France.

That attempt, Mr. Speaker, was made here some years ago, when it was proposed to open traffic with Brazil. But the sentiment of this House was against it, and the consequence was that the only two steam-vessels of large class that had been enabled to engage in the Brazilian trade were driven from it, and that trade was returned to foreign competition and the foreign powers that had previously enjoyed it. And Canada, under the English flag, by the very system which we voted down in the Forty-sixth Congress, secured that large trade for her merchants.

The joint commission on this subject who examined at great length all the expert testimony and other evidence that could be produced did not report that free ships would be a remedy for the decline of our carrying trade. But the idea is sprung in the House after the bill gets before us; and I am determined to let it appear to the country that the success of this amendment means not only the depression of our carrying trade and of our ship-yards, but also the degradation of American labor engaged in that branch of industry.

[Here the hammer fell.]

Mr. HAMMOND, of Georgia. Yesterday when the gentleman from New Jersey [Mr. ROBESON] had the floor he read with great gusto a speech which he attributed to President James K. Polk. I knew that President Polk never made such a speech and asked the gentleman a a question. I read from the RECORD of this morning:

> Mr. HAMMOND, of Georgia. Let me ask a single question.
> Mr. ROBESON. Certainly.
> Mr. HAMMOND, of Georgia. Was that President Polk or Congressman Polk, a different man?
> Mr. ROBESON. The same man, James K. Polk.
> Mr. HAMMOND, of Georgia. Will you give us the date?
> Mr. ROBESON. I will some other time.

I could not then reply to him.

Now, the speech which the gentleman from New Jersey quoted is a speech on page 1699 of volume 24 of the Globe, made by William Polk and not by the President at all. In it he spoke of his youth. And on the next day, after apologizing for an insult which he had given a United States commodore in that speech, he went on to make another five-minute speech, in which he used this language:

> I am willing for the sake of progress to vote one hundred millions to-day for the protection of the commerce of the country. We can battle any foe that will land upon our coast, and we can whip any force that the combined forces of continental Europe may send against us.

Now, that was talk big enough for a President; but it was from a man who was not big enough for a President.

Mr. ROBESON. I ask the gentleman from Georgia before he sits down, that he may reply to the question, whether the gentleman who made the speech was not the brother of the then President Polk?

Mr. HAMMOND, of Georgia. He belonged to the same family; it is not a question of family but of identity.

Mr. ROBESON. I ask whether he was not then in Congress representing on the floor the ideas of the President's message with regard to the Collins line; whether the subsidy to the Collins line was not recommended by President Polk, and whether he did not sign the bill when it came to him?

Mr. HAMMOND, of Georgia. The questions of the gentleman are very numerous, but the answer to all of them is very simple. On the 3d of March, 1847, President Polk signed an act providing for the building and equipping of four naval steamships, which according to the provisions of the act must be "first-class sea-going steamships, to be attached to the Navy of the United States." They were to be built under the direction of the Secretary of the Navy and officered by the Navy of the United States. (See 9 U. S. Statutes, 187.) They were built as war vessels, under the grant of the Constitution to Congress of power to "provide and maintain a navy."

In this very debate from which the gentleman quotes, in this very speech from which he quoted, Mr. William Polk said, "The capacity of the Collins steamers for war purposes has been contested on this floor," showing that he was contending for this thing because his side of the House understood they were war vessels. And when a gentleman told him that Commodore Skinner said they were not good for war purposes, he placed such a stigma on the commodore that he had to apologize for it the next day. That is the whole of this matter. The bill was signed in March, 1847.

On the 3d of March, 1849, an act was approved which postponed this contract until the 1st day of June, 1850. After the contract had been made, and after four steamers had been put upon the line in 1850, then came a contention in Congress about giving six months' notice and abrogating the contract. Then and not before came in the speeches of William Polk, in July, 1852, Senator Bayard's speech, and the remarks of the gentleman from Maryland [Mr. MCLANE], which have been quoted in this debate, and pamphlets on this subject came in 1851 and 1852. They then said that having made a contract, not to help the carrying trade, but with regard to naval vessels, having induced the Collinses to put their money into these vessels on our promise, it was unjust then to take back that promise. And their general language, which has been excerpted for this occasion, should always be interpreted with regard to the subject-matter under discussion.

The SPEAKER *pro tempore*. The time for debate on the *pro forma* amendment has been exhausted.

Mr. WARD. I withdraw the *pro forma* amendment.

Mr. SMITH, of Illinois. I renew it. On Monday last I promised that I would offer an amendment to the eighteenth section of this bill unless the Committee on Commerce would themselves materially modify it. The proposition now pending before the House, offered by the Committee on Commerce as a substitute for this eighteenth section, embodies two propositions which were contained in my amendment as printed in the RECORD.

The first proposition is that the ship-owner shall have the materials which enter into the construction of his ship at the same price for which ship-builders in other portions of the world get like materials. That proposition is now contained in the substitute offered by the Committee on Commerce. The second proposition is that we are unwilling to offer bounty from the Treasury of the United States to the ship-builder.

It seems to me that many of the gentlemen making speeches upon this section have been laboring under a misapprehension, because the substitute of the committee does not propose to take a dollar out of the Treasury of the United States except that which comes into it from this shipping interest. Ah! but say our friends on the other side, that is the entering wedge. Very well; I am willing to trust that entering wedge to the Democratic Congress one year hence. If members of that Congress find that this proposition is subject to abuse, that it may do harm, then let them repeal the law. But let us give it a trial.

Another objection which gentlemen urge is that the tonnage tax should be reserved in the Treasury of the United States in order to maintain our light-houses. That was not the purpose of the imposition of the tonnage tax originally. There was a light tax, which has since been abolished, which was intended to provide for the maintenance of light-houses.

Now, I would suggest that the maintenance of light-houses is rather for our coastwise trade than our foreign trade. It would, therefore, be unjust to burden the foreign trade with the expense of maintaining light-houses. Is it a bounty when we ask that the tonnage tax paid by the foreign shipping and the coastwise shipping shall be returned to the shipping interest, in order to see whether this plan as proposed by the committee is feasible?

Mr. DINGLEY. The coastwise trade pays no light-house tax.

Mr. SMITH, of Illinois. I am informed that there is no tonnage tax on the light-house trade, but that it is all collected from the foreign shipping. We are, therefore, simply saying by this subsidy that we are willing to surrender the profits that we as a people make on the foreign shipping, in order to see if we can build up our foreign carrying trade. Is not that true? What, then, becomes of all this argument about bounty, about taking money from the Treasury, and that the people are opposed to paying bounties?

[Here the hammer fell.]

Mr. TOWNSHEND, of Illinois. I desire to move to strike out the eighteenth section of this bill.

The SPEAKER *pro tempore*. That is not now in order. The gentleman can speak in opposition to the *pro forma* amendment.

Mr. TOWNSHEND, of Illinois. I will do so, and will give notice that when in order I will move to strike out the eighteenth section.

This is not the first time that appeals to national pride and the plausible pretense of friendship to American workingmen have been resorted to for the purpose of floating a subsidy scheme through Congress. Some years ago, when the Republican party had absolute control of both branches of Congress, the Pacific railroads obtained bounties of one hundred millions of acres of the public lands and over sixty million of dollars of the people's money in a similar way. In the same period the Pacific Mail Steamship Company, by *ad captandum* appeals like those put forth to-day in behalf of this subsidy, obtained vast sums annually from the Government.

During the six years that the Democratic party had control here since the war every subsidy scheme presented was defeated, and the lobbies and corridors of this Capitol were cleansed of the subsidy seekers and jobbers who had swarmed there for years before as effectually as were the Augean stables cleansed by one of old; but with the return of a Republican majority in Congress the corridors and lobbies are filled with the jobbers and their retainers, and the evil days seem to be upon us again. When the Democratic majority departed from these Halls at the end of the last Congress the New York Herald and other independent journals congratulated and commended that majority because of the freedom of its legislation from jobs and subsidies, and its ability and integrity in freeing the precincts of the Capitol from jobbers and subsidy seekers. How is it to-day? In contrast with that condition I ask the Clerk to read a paragraph which appears this morning in the National Republican of this city, the leading organ of the Republican party at the capital city. Notwithstanding it is an advocate of the policy of the

Republican party, its enterprising reporter could not resist the temptation to describe a scene which is very familiar to all upon this floor.

The Clerk read as follows:

The doorkeepers on the east side of the Hall of the House of Representatives in view of the Ways and Means Committee-rooms can tell to a nicety what the committee is doing by the class of visitors. One day the barbed-wire makers are on hand in force, buttonholing members as they pass in and out; another day the steel-rail lobby monopolizes most of the space; then the jute butt fellows show up, and they are followed in turn by the distillers and their hired men. The tin men, the sugar refiners, the Standard Oil Company lobby, the plate-glass manufacturers, the tobacco men, and the representatives of every other industry take their turn, and they are always on the alert. The buttonholes of the poor tortured members have suffered terribly from the strain. Yesterday the shipbuilders joined the throng and pervaded the entire south end of the building.

We are now brought face to face with another grand subsidy scheme. I want to ask my friends here on the Republican side whether they have learned nothing from the late elections; whether they intend to add this to their many other misdeeds and aggravate the wrath of an outraged people?

Mr. O'NEILL. I desire to ask the gentleman from Illinois [Mr. TOWNSHEND] whether he refers to the late special Congressional elections in Indiana and Ohio for successors to Mr. Orth and Mr. Updegraff?

Mr. TOWNSHEND, of Illinois. I can not yield; I have but a few minutes left. It is not the Credit Mobilier or Pacific Mail ring who are here now. It is John Roach and his confrères who beg our votes to aid them in prying open the Treasury vaults that they may fill their coffers with money ground out of the people by one of the most odious systems of taxation which ever disgraced any country, a system which almost amounts to confiscation.

Lately in the New York Protectionist, an organ of the protectionists, appeared a statement of the amount of ship-building done by John Roach during two years. From this statement, which I incorporate as a part of my remarks, it will appear that, estimating, as has been done by competent judges, the profits of these drawbacks at an average of 25 per cent. and over of the cost of the vessels, the eighteenth section of this bill will put into John Roach's pocket half a million dollars of subsidy every year.

FREE SHIPS MEAN FREE TRADE.

[From the American Protectionist.]

Material and outfits for steamers completed and contracted for by John Roach & Son, from January 1, 1880, to January 1, 1882, showing the industries interested in American ships.

Pig-iron, 3,450 tons		$86,250 00
Manufactured iron plates, angles, bars, rivets, forgings, &c., 47,824,000 pounds		1,673,840 00
Copper, 805,000 pounds		193,200 00
Lead, 127,500 pounds		8,925 00
Lumber, 6,750,000 feet		305,000 00
Coal, 18,000 tons		90,000 00
Total material		2,357,215 00
Anchors	$9,780 96	
Chains	22,968 42	
Boats	16,650 00	
Life-rafts	6,660 00	
Steam windlasses, manufactured by the American Ship Windlass Company, Providence, Rhode Island	30,200 00	
Capstans, steam and hand	8,200 00	
Life-preservers	8,670 00	
Hose	4,265 00	
Fire-buckets	1,977 00	
Axes	300 00	
Deck lines	14,736 80	
Lamps and lanterns	16,800 00	
Nautical instruments	6,425 00	
Flags	4,200 00	
Rigging wire, manilla, and blocks	23,900 00	
Sails and awnings	21,600 00	
Canvas for decks	12,850 00	
Plumbing and brassing	43,500 00	
Steam-pumps	27,800 00	
Steam-gauges	3,300 00	
Upholstery, bedding, linen, &c	91,592 64	
Carpets	31,516 60	
Silverware	24,707 40	
Stoves and kitchen and cooking utensils	17,809 60	
Crockery and glass ware	11,606 41	
Gas and steam pipe and fittings	28,000 00	
Hoisting engines	35,600 00	
Spars for masts	12,500 00	
Paints and oil	65,000 00	
Joiners' hardware, locks, screws, &c	16,700 00	
Covering for boilers, pipes, &c	18,000 00	
Engineers' tools and instruments	9,000 00	
Drawing-paper, tracing-cloth, &c	3,500 00	
Cabin and state-room furniture, chairs, tables, brushes, pails, baskets, cuspidors, &c	15,675 00	
Glass for side lights and windows	5,860 00	
Porcelain and glass name-plates	2,500 00	
Total outfits		674,350 83
Grand total		3,031,565 83

The ship-yards of Harlan & Hollingsworth, Cramp & Sons, and others, use goods of the same character.

Is it to benefit American labor that Mr. Roach comes here with his appeals? No, sir; the object is to benefit John Roach's and four or five other large ship-building companies who hold practically a monopoly in construction of large steam-vessels. It is for this reason that John Roach has spread upon our desks his cunningly prepared pamphlets appealing to our national pride and our love of the laborer in order that he may float this scheme through Congress. These pamphlets have been used as a text-book by some of the advocates of this subsidy on this floor.

Mr. Speaker, will this subsidy benefit American labor? No, sir. Will the twenty-five millions of people in this country who are interested in agriculture receive one dime of benefit from it? Will the millions engaged in other industries than those interested in ship-building and supplies receive benefit? Not at all. It is nothing more than a subsidy to the large ship-builders at whose head stands John Roach. The same arguments put forth for it were used by the Credit Mobilier ring, and by the Pacific Mail ring, whose subsidies were lobbied through Congress in the old days when Republican leaders ruled absolutely here.

[Here the hammer fell.]

The SPEAKER *pro tempore* (Mr. ROBINSON, of Massachusetts). The gentleman from Maine [Mr. REED] is entitled to the floor.

Mr. TOWNSHEND, of Illinois. I would like to have five minutes more to present one or two additional points.

Mr. BURROWS, of Michigan, and others. Go ahead!

Mr. REED. I am willing that the gentleman from Illinois shall go on, if anybody else will take the floor and yield to him. I do not want to give up my time.

Mr. ERMENTROUT obtained the floor and said: I yield my time to the gentleman from Illinois.

Mr. TOWNSHEND, of Illinois. I thank my friend from Pennsylvania. The records of investigating committees of this House reveal the sad and shameful fact that it was only the few who formed the rings that profited by the spoils extorted from the earnings of the people. Some of the plunderers from the spoils thus obtained have built up princely fortunes, on which they are now luxuriating, while many of the laborers in whose name they obtained their ill-gotten gains are in want and destitution. If this section becomes a law, I fear its result will be that only the owners of the large ship-yards will receive substantial benefit from the subsidy.

Mr. Speaker, a few words more in conclusion. Much tinseled rhetoric and loud declamation have been indulged in in this debate because England owns the largest merchant marine in the world. Why, sir, this should excite no surprise; indeed, it would be marvelous were it otherwise. She has provinces dotting the whole face of the earth. Her supremacy on the sea is the outgrowth of the commerce among her hundreds of millions of subjects, who are separated by long distances. The sun never goes down on her flag, because her sons have planted it in all latitudes and longitudes. Canada and Australia are parts of the British dominion. It extends into Africa, Asia, North and South America, as well as Europe, the West Indies, and East Indies. It is on all continents, in all the seas. It is north of us, south of us, east of us, west of us. She has been building for many centuries. And her ships and commerce are free from all the trammels and oppressions with which the protective tariff and the navigation laws afflict ours.

Under such circumstances is it to be wondered that England has a larger navy and larger traffic on the seas than we have? We have no colonies planted abroad; we have no foot-hold on any continent save that of North America. We have been building our navy and merchant ships for only a century. Indeed, under all the circumstances we have achieved wonders. Although still in our national youth, we are the second maritime nation on the globe. I have faith that in time American ingenuity and enterprise will whiten every sea with our sails, reach every market with our wares, and snatch from England her scepter as the ruler of the seas. But in order to accomplish this grand consummation we must give freedom to our commerce. We must not impoverish the masses with subsidies to the few. We must remove the fetters imposed by the tariff and navigation laws. Such a system of tariff would ruin England's commerce as it is ruining ours. It is a vampire sucking the life-blood of our commerce. I will ask the privilege of quoting a portion of my remarks delivered on the Tariff Commission at the last session, and which bear upon this subject, to-wit:

But while protection has not added to the prosperity of any except those who have received its bounties, yet the statistics reveal to us indisputable evidences of its blasting effects. Compare the condition of our merchant marine and carrying trade under the influence of the protective tariff since 1862 with its condition during the preceding revenue-tariff period. As far back as 1840 the percentage of our imports and exports carried in American vessels was nearly 83 per cent.; the percentage has fallen to about 16 last year. In 1850 American vessels carried about two hundred and forty millions of our exports and imports, and foreign vessels carried less than ninety-one millions. In 1860, when our merchant marine was in the zenith of its glory, five hundred and seven and a quarter millions were carried in American vessels, while only about two hundred and fifty-five millions were carried on foreign bottoms.

But the census returns of the next decade showed how rapidly was the glory of our power on the sea passing away. In 1870 the amount carried on American bottoms had fallen to less than three hundred and fifty-three millions, while that of foreign vessels had increased to about six hundred and thirty-nine millions. But the statistics for 1881 show a far more humiliating condition of our shipping; the amount carried by American vessels had fallen to about two hundred and sixty-eight millions, whereas the amount carried by foreign vessels had increased to the vast sum of 1,378,556,017.

Thus in twenty years the policy of protection had caused a decay in American shipping of nearly 50 per cent., and had increased the foreign shipping in our carrying trade over fivefold. It had reduced the percentage of American shipping from 66 in 1860 to 16 per cent. in 1881. The tariff has indeed been protective, but its protection has extended to foreign shipping and has been destructive of the American shipping industry.

These figures are so startling that their accuracy might be doubted if they were not obtained from the official documents which lie upon my desk. What

a bright day was dawning upon our merchant marine when the fell spirit of tariff monopoly laid its palsying hand upon it! As we had become a great people, we were rapidly attaining the lordship of the seas. Our maritime dominion was extending around the globe. Foreign nations stood in awe and admiration of the growth of the American maritime empire. Its white sails were impelled by the winds of free trade into every sea and bay, and the remotest markets of the world were open to products borne beneath the American flag. All foreign competitors were falling fast before it. The scepter of that great ruler of the ocean, England, was within our grasp, when the selfish greed of the tariff robber began its work. He captured the American Congress, and by restrictive laws accomplished what every foreign power had attempted in vain; he drove the American flag from the seas and transferred our foreign carrying trade, with its hundreds of millions of profits, to the flags of other lands.

No country can create or maintain a large commercial marine which adopts the policy of a protective tariff, for the reason that commerce does not take place between people who can not exchange products. If a people prohibit or restrict importations from other lands, those prohibited or restricted will buy from or trade with the people who will take their products. The wise Montesquieu said a long time ago, in his Spirit of Laws, that "commerce is sometimes destroyed by conquerors; sometimes, cramped by monarchs, it traverses the earth, flies from the places where it is oppressed, and stays where it has liberty to breathe." "The history of commerce is that of the communication of people." The permanent prosperity of any nation rests with most absolute security upon the prosperity of its foreign commerce, through which its surplus products reach the markets of the world. And this commerce depends upon the willingness of nations to exchange their products with each other.

To encourage and secure this exchange it is necessary that liberal laws and regulations shall be adopted. Discrimination and prohibition beget discrimination and prohibition. If a nation closes its ports to the commerce and products of the world, every other nation will close its ports against that nation. So, then, sir, this question comes directly home to us. If our farmer could not sell his surplus wheat, corn, and provisions in Liverpool on so favorable terms as other nations, they would become valueless to him, and would cost him more to produce these products than he could realize from them. Instead of converting his surplus readily into cash to buyers at his door it would rot in his cribs and fields. Will free-trade England always open her ports to us if we continue the policy of exclusion against her? Sir, the welfare of the farmer is dependent upon the freedom of commerce; that of the tariff monopolists is dependent upon protection and prohibition. There is a distinct conflict between those two interests. What shall be done? Wisdom directs the adoption of a revenue tariff so adjusted as to promote the welfare of all legitimate industries.

Mr. REED. Mr. Speaker, I do not purpose to take the present valuable time to answer the speech which has just been made. I could have answered that speech any time the last six years, and I apprehend I shall have the opportunity to answer it any time the next two years. [Laughter.] And making that speech I suppose must be of advantage, or else it would not be made. Only I can not quite understand why it should be made on this particular subject, to which it seems to have no special reference. [Renewed laughter.]

I ventured to say to the House the other day a few words on what seemed to me to be the real point of this matter; that is, if we are endeavoring to revive our shipping as a mere trading power, we are, upon the principles of the gentlemen on the other side, making a decided mistake; for there has no scheme been provided, there has no method been named, whereby we shall have our transportation performed by us at a cheaper rate than that it is performed at now.

The project for free ships, to my mind, opens nothing whatever in the way of cheapness of transportation. Free British ships owned by Britons can transport our merchandise as cheaply as British ships owned by Americans.

There is nothing, then, to be gained from a trader's point of view. Can there anything be gained from a national point of view? While we talk about our flag floating and our flag fading from the sea, that is matter of sentiment; but is there any American sentiment raised by an American flag floating over a monument of British labor? I fail to see it. I fail, then, to see any reason for free ships.

What reason, then, is to be given for ships built by American shipyards? Because thereby we are putting ourselves in position as a nation to protect ourselves against attacks from outside. That is the only excuse—our nationality—we can give for attempting to interfere with commerce at all. Otherwise we should allow it to be regulated by the general laws which regulate it now.

But the gentlemen on the other side and the gentlemen on this side differ only on one point. They all agree we have to pay for our commerce if we have it, but they are willing to pay for it by throwing up the system of protection and by bringing the wages of American laborers down to a level with the wages of the foreign laborer. For my part I am not willing to pay that price for commerce. For my part I am not willing to pay that price to have our flag float on the high seas. I believe our present system has made us a great nation. And I can remind the gentleman from Illinois [Mr. TOWNSHEND] that the system which he so much belabors, the system of bounties and land-warrants, was adopted by a Democratic Congress. The first subsidy was given to the Collins Steamship Company, and that was made by a Democratic Congress. The first land-grant was to an Illinois railroad, and that was made by a Democratic Congress. And for my part I am proud and glad to believe that the Republican party will also be found encouraging everything which develops this empire and makes this nation mighty from sea to sea.

The SPEAKER. The gentleman's time has expired.

Mr. REED. I only want two minutes longer.

Mr. PAGE. I will take the floor and yield my time to the gentleman from Maine.

Mr. REED. Now, there is a specious fairness on the part of this free-ship proposition as tacked to the eighteenth section. By the eighteenth section you say you offer a bounty to American ship-builders. It is only a fair thing, then, to allow the ship-owner to buy free, but whenever you do that you offer with one hand one-half the advantage, and with the other you take away that and its equal. You offer a single thing and you take away double. Let me prove it to you. The bounty that is proposed here is only what would be the duty upon iron and other materials up to plates, angles, and bars.

Mr. DINGLEY. Difference of price.

Mr. REED. Yes, difference of price. After that, American labor, at 60 per cent. greater price than British labor, is to come in and build the ship. In other words, you equalize the material up to plates, angles, and bars, but after that, which is one-half the cost of the ship, you throw it all open.

I heard the eulogy the gentleman from Illinois has bestowed on England. I have no ugly words to say about England. I admire England as much as my friend from New York [Mr. ROBINSON], who is in front of me. [Laughter.] I do not care whether we buy from England or any other nation. What I contend for is that we ought to exalt this nation above all others, and that we ought to use this as a means of equipping ourselves as a nation for all events of the future.

Mr. HERBERT. Mr. Speaker, if it be as the gentleman from Maine has just asserted that the Democratic party was responsible for passing the first of the land-grant acts, the principle on which that grant proceeded was that one section of the public land was given to a railroad, while at the same time the section lying alongside of it was doubled in value. The Republican party took advantage of that precedent afterward and gave away absolutely and without recompense millions on millions of the public domain.

Mr. RYAN. Upon the same theory.

Mr. HERBERT. The people of this country have condemned by the political platforms of both parties the land-grant system. Those grants ought not, therefore, to be quoted here as a precedent now for this proposed subsidy.

The Collins line of steamship subsidy, to which the gentleman from Maine has alluded, was simply an experiment. That experiment the people of this country have also condemned; and now, after both parties have condemned these subsidies for years, now when it is absolutely certain that the people of the United States are against all subsidies, we stand here a party on that side of this Chamber in favor of doing with a subsidy the precise thing the party on this side of the Chamber proposes to do without a subsidy.

When this eighteenth section of the bill was framed it doubtless suited the subsidy seekers who were consulted in regard to the preparation of the bill. When it came in here, sir, some of us pointed at the snake that lay in the grass of that section. Doubtless the gentlemen of the committee had not seen it before, for as soon as we pointed it out and showed what vast opportunities for fraud it opened, what vast sums of money would be taken from the Treasury for the benefit of a favored few, the committee hastened to propose an amendment; and now, Mr. Speaker, what is that amendment?

It proposes to limit the subsidy, in the first place, to the amount of the annual tonnage tax; in the second place, to the difference between the price of the materials in the city of Glasgow and in England and at the place where the vessel is built. We propose to encourage, as the gentleman from Maine says, ship-building, and to encourage it for national purposes. This we want to do just as he does. Their proposition is that the ship-builder shall have materials at European prices. We propose to do the same thing, to effect the same result. They propose to get at it by a subsidy, by putting the hands of the ship-builder into the public Treasury to take out the money which represents the common sweat and the labor of the toiling masses of the whole country. We propose to accomplish it by giving the ship-builders free material. The measure of relief is the same. There is no advantage whatever, then, to the builder in your amendment, unless you claim that the advantage consists in the freights from Europe to America. That advantage is counterbalanced and far more than counterbalanced by another provision of that amendment, which provides, in effect, that there can be no distribution of this rebate or drawback until the end of the year, and also by the difficulty of getting at that rebate. Every ship-builder will tell you that he would much prefer to pay the freights directly than to attempt to get at the amount of the rebate in this tedious way, and at the end of the year it would not even then be certain that he would be able to get the full amount to which he was entitled.

If the subsidies claimed should amount to more than the tonnage dues this amount would be distributed pro rata.

So that our proposition of free materials is the better one for American ship-builders, and I believe that they will so regard it. Are you, then, in earnest when you reject our proposition for free materials and insist upon this subsidy clause? Is it simply because you prefer to put your hand in the people's pocket and take the money out of the Treasury, and distribute it in that way? No, you say, it is because you want to protect American labor. That is to say, on the most liberal calculations that can be made you protect not more than one-hundredth portion of the laboring population of the United States (for perhaps even a lesser number than that would be directly interested in the labor necessary to supply the ship-yards), and in order to give this advantage to them you go to the Treasury and take out a subsidy. You tax all

the people of the United States for this purpose, instead of passing a plain, straightforward, simple law that will allow the ship-builder to get his material where he can get it cheapest.

So much for the difference between us on that question. Then in addition we propose to give free ships. That is to say, not only that the American ship-builder shall be encouraged, but the American ship-owner as well; and we want to provide for the contingencies of sudden war, so that our carrying trade might not suffer if war should suddenly spring up between any of the great nations that now do our carrying. I said it before in this discussion, and I only repeat it now because I am attempting to sum up briefly and hurriedly the provisions of the bill as it stands and its effects, that in case of such a war we could within thirty days have a fleet of American merchant-vessels to do our carrying trade. You have bound the hands of our people on land; you will not let them buy where they can buy cheapest; you deny us that natural right, that natural liberty. We plead now that you will at least give us freedom on the high seas, and freedom in building ships that are to go down unto the sea.

[Here the hammer fell.]

Mr. DINGLEY. I rise, Mr. Speaker, for the purpose of opposing the amendment offered by the gentleman from Massachusetts, proposing that ships constructed in foreign countries may be imported and admitted to an American registry free of duty. First, I object to that proposition because it would nullify not only the drawback provisions of this bill, but also that section which it is proposed to admit giving free material. The proposition of the committee as modified, of which notice has been given, is to include both the drawback section and the free-material section. This would give the original owner of a vessel the right to procure his material either in this country or upon the Clyde at the same price. The drawback section simply gives him the opportunity of using American material at the same price as it can be purchased on the Clyde. The free-material section gives the right of importing and using foreign material without duty. If the free-ship amendment shall be introduced into the bill it will effectually nullify both of these provisions.

Bear in mind, Mr. Speaker, that the drawback section and the free-material provision propose simply to give the original ship-owner or ship-builder his material for an iron ship advanced only to the form of plates, bars, angles, and rods. So far both will stand on equal ground. But if the free-ship amendment shall be introduced, the builders on the Clyde will have the opportunity of coming into our markets with a ship constructed there not only with their material, purchased at the same price as by the American builder, but also with the advantage of having labor that is at least 50 per cent. cheaper to build a vessel from this material. It will be borne in mind that when a vessel is advanced to the form of plates, angles, and bars it is only half completed. And therefore when you admit to American registry ships built upon the Clyde duty free, you give the Clyde builders an advantage in the difference between the cost of labor in this country employed in building a vessel from iron in the form of angles, plates, and bars that an American ship-builder can not have, an advantage which will at once nullify the drawback section and the free-material section, and give the markets of this country to the builder of a vessel on the Clyde.

It should be borne in mind that we have in this country to establish iron-ship yards. We have but four to-day. Now, no capitalist and no gentlemen will invest money in an iron-ship yard to-day if the moment that that ship-yard is completed they are to be brought into competition with the builder on the Clyde, who obtains his labor to complete his vessel from the point of angles, bars, and rods at two-thirds the wages which they have to pay for their labor.

Why, Mr. Speaker, since we have been discussing this matter I have received a letter from Eastern ship-builders saying they have raised the capital to establish an iron-ship yard in an eastern seaport, but learning that there was a possibility that a free-ship section might be added to the bill, they notified me that if that was done every dollar would probably be withdrawn, for, as the letter added, "We are not fools enough to put a large amount of money into an iron-ship yard with a view of competing directly with the ship-builders on the Clyde, when their labor costs them, after the point of angles and bars, less than one-half what it costs in this country."

[Here the hammer fell.]

Mr. ROBESON obtained the floor and yielded his time to Mr. DINGLEY.

Mr. DINGLEY. And, secondly, I desire to call the attention of the House to the fact that if a completed foreign-built vessel is admitted into this country free of duty, it will be the first time in the history of this country that a completed manufacture is admitted without paying some duty. The tariff of 1846, which has been alluded to as a marvel of wisdom, provides in no case for a duty of less than 30 per cent. on any completed manufactured article, and yet it is seriously proposed by gentlemen in this House to admit a completed foreign-built vessel without the payment of any duty.

Think of it for a moment. Think of it you gentlemen who represent South Carolina upon this floor. You ask for a duty upon rice, and yet there is not a tenth part of the labor involved in the production of rice that there is involved in the construction of a vessel after it is advanced to the point of plates, bars, and angles. And yet you say you can not produce rice without a duty; and you ask the ship-owners and ship-builders of this country to take plates, bars, rods, and angles and then proceed to complete the vessel, and have the foreign vessel admitted free of duty. The proposition is indefensible.

You gentlemen who represent Texas upon this floor ask for a duty upon wool, for you say you can not compete with the growers of Australia and with the growers of South America.

Take every industry in this country and apply the same principle to it that you propose to apply to ship-building and it would break down from the start. Mr. Speaker, it is a discrimination against the ship-building industry which no one has ever thought of applying to another industry.

To admit foreign-built ships free of duty under such circumstances is to practically give up the attempt to devise a policy to build our own vessels for the foreign trade, and to announce to the world that hereafter we propose to go to the Clyde to have our iron vessels built. This should be understood. No one should favor free ships on the ground that it will build up the ship-building industry here. It can not, for the simple reason that no one can take materials advanced simply to plates, angles, and bars and from them build an iron steamship in the United States, when his labor in constructing such vessel will cost 50 per cent. more than it costs his competitor on the Clyde.

It is said that Germany has admitted free ships and at the same time built up the iron-ship building industry. True, to a certain extent; but Germany had as cheap labor as England had, and of course she competed on equal terms. If ship-builders in this country could obtain workingmen at English or German wages, then we would not complain of free ships.

The proposition of the gentleman from Indiana to pay half the amount of drawback from the Treasury to workingmen is a remarkable one, because all of this drawback is given simply to equalize the cost of ship-building materials in this country and England. Take part of the drawback and pay it to workingmen and it would make their pay 75 per cent. instead of 60 per cent. more than the wages on the Clyde, and increase the cost of the material 10 per cent. more than the same material costs on the Clyde. This, of course, would make it still more impossible to build a ship, and therefore none would be built and no workman would obtain any of the proposed increase, or even work in a ship-yard at any price.

Therefore I say again that free ships simply means that our ship-yards shall build no more vessels for the foreign trade and we shall rely on England for whatever we may want.

But, Mr. Speaker, if this business can be controlled in this country, if our ship-builders can have their material advanced to the point of plates, bars, and angles at the same price as our English competitors for a few years, they can obtain the experience, they can secure the requisite plant, and they can go forward then with this industry; and within five years perhaps they will be able to come in full competition with the ship-builders on the Clyde. But to admit free ships to-day, to allow a completed ship to come into this country without any duty upon it, is the death-knell to the iron-ship building industry in this country. It is a confession that we do not intend to supply our own vessels for our mercantile marine.

No great navy was ever built up except on the basis of a merchant marine. If you break that down, if you take away the ship-building industry in this country so that we can not build our own vessels, as my colleague has said, when you go to war where are you? Without the means of building your own war vessels. Great navies are never built in navy-yards. They are built in private ship-yards. Eighty-one per cent. of England's war vessels were built in private yards.

I trust that when we shall reach a vote the free ship will be rejected.

[Here the hammer fell.]

Mr. BELMONT. I do not like to take up the valuable time of the House, after the exhaustive arguments already made by members of the special committee on shipping, which was appointed in consequence of a resolution introduced by me at the last session of Congress. But my interest in this subject will not permit me to pass it by without a word of comment.

No one will undertake to say whether or not the provisions of repeal contained in the original bill of the committee or in the pending amendments will now or speedily be sufficient to bring back under the American flag its proper share of the ocean carrying trade. That will depend on certain facts and circumstances respecting the relations of the whole present commerce of the world and the whole present ocean carrying power. If the ocean carrying trade is now overdone, then, of course in a mere business sense there is no room at this moment for more vessels, although they may be profitably transferred from one flag to another.

There are those who say that between 1850 and 1880 the commerce of all nations by land and sea increased about 240 per cent., the carrying power on the sea by vessels increased about 300 per cent., and the carrying power on land by railways increased about 398 per cent. At any rate it seems clear that the carrying power, whether on sea or land, has grown in a greater ratio than commerce has grown. And there are those also who insist that by reason of the increased efficiency of steamers the investments in water transportation are even now excessive, as is to

be seen by the increase of ballast entries in the several ports of the world during the last fifteen years.

However that may be, I can not doubt about the present duty of Congress regarding the pending measures of repeal. The Government should instantly remove its heavy hand of impediment and restraint from individual enterprise in shipping. Let the skill and ingenuity of Americans in this matter be unhindered by Government restrictions. Whenever the favorable moment presents itself, whether it be this year or next year or ten years from now, let the freedom of our countrymen to build and buy vessels wherever they please be unconstrained by any Federal law, and the time may not be so far off when not only our commercial but our political needs upon the sea will be satisfied.

In the course of this debate gentlemen on the other side have repeatedly conjured up the specter of a general war in Europe. Why, Mr. Speaker, if such an event shall really occur the free-ship clause would at once become a necessity, because not only we should be required to do our carrying trade, but the belligerents could transfer their merchant vessels to our flag. We should then enjoy all the benefits of our neutrality.

[Here the hammer fell.]

Mr. CANNON. Mr. Speaker, I was very much gratified to hear the remarks of the gentleman from Maine [Mr. REED]. He frankly comes forward and confesses (and I believe he is always frank) that all this talk about transportation upon the ocean amounts to nothing, because it is already cheaper than anything else we pay for. He further frankly states that all the talk about restoring the American flag to the ocean, so far as the sailing of ships under that flag is concerned, is mere sentiment; and he puts his advocacy of this bill upon one ground, and one ground only, that it is necessary for the national defense.

Mr. REED. Necessary for national purposes.

Mr. CANNON. Necessary for the national defenses and, as the gentleman now broadens it, for national purposes. Now, if this bill can be defended at all upon any ground it is upon that ground alone. I do not believe that his defense is good; and for two reasons. The first is that this bill does not propose to change the law touching the building of ships for coastwise trade. The ship-yards which we now have give us a plant, and they are utilized for the building of ships for that trade, and will continue to be so utilized. There is no proposition to give us free ships for the coastwise trade.

Mr. REED. But the kind of plant used for that is not the plant with which you can build iron steamships.

Mr. CANNON. I beg your pardon. Iron steamships of 3,000, and I believe as high as 4,000, tons burden have been built in our ship-yards. It is sufficient for that, so far as the plant is concerned.

Then, again, we make our naval appropriations for our war vessels. We have our navy-yards in which they can be built. Therefore, from that standpoint, so far as national security is concerned, I do not see that we can be justified in passing this bill.

Another reason why I think his position is not well taken is that I do not believe this proposed legislation would be practical. Suppose you pass this bill. It is a permanent tax upon the Treasury to make up the difference in cost of production in this country and in the old country.

Mr. SMITH, of Illinois. Cost of material.

Mr. REED. It is taken out of the tonnage tax.

Mr. CANNON. It does not make any difference whether it is taken out of the tonnage tax or not; it is so many dollars taken out of the Treasury. It makes no difference whether it is whisky tax, tonnage tax, or anything else. Now, I do not have any idea and I do not think the gentleman himself believes that the people in this country would submit to taking this bounty permanently out of the Treasury.

If you put this law on your statute-book, as the committee now propose to limit it, it will take at the rate of $2,000,000 a year out of the Treasury for one, two, or three years. Then, with a resolution in business or a change in the opinion of Congress under the demand of the people, your law would be repealed and you would take nothing by it.

Having made this answer so far as I have time to the gentleman's position, I want to state I am in favor of the American policy, in favor of protection. My votes will show it; my public course shows it.

Yet, gentlemen, you can not protect American labor outside of our borders. In our coasting trade, on our internal waters, within our own borders, you can protect, but the moment you go outside into the markets of the world you can not do anything till our labor is cheapened. I do not believe it will be cheapened, and I do not want to see it cheapened for a century to come—until the country is fully developed.

You may say, What will our labor do? Sir, it is not obliged to build steamships in order to be employed. We imported last year $400,000,000 worth of manufactured products which, under the principle of protection, our high-priced labor can produce and ought to produce. There is no fear of people starving for work in this country under a proper policy, now or hereafter, at least until the country is fully developed.

I certainly have no dislike for men who build iron ships, or men engaged in any other industry. I certainly have no desire to demagogue about this matter. I do not regard it as a partisan question; I regard it as a business question; and if I could see the way clear, if my judgment could be convinced that this bounty would prove in practice the remedy which gentlemen claim that it will be, I would be willing to vote for it, provided I could believe it would be permanent. But as I believe it would not be permanent or effective I am not willing to vote for it.

One word about free ships. I am for free ships as provided in the amendment of the gentleman from Massachusetts, for the reason that we now drive American capitalists to make investments in European corporations and to have their shipping interests under a foreign flag. I am for free ships—not because they are imported into this country; they really are not imported. If they were used in the coasting trade they would be imported. They are brought into the country, so far as our harbors are concerned, and go out again, but they do so in competition with the ships of the balance of the world.

[Here the hammer fell.]

Mr. WHITTHORNE obtained the floor.

The SPEAKER *pro tempore*. As the Chair understands, the *pro forma* amendment is withdrawn, and it will be considered as renewed by the gentleman from Tennessee [Mr. WHITTHORNE].

Mr. WHITTHORNE. Mr. Speaker, any one listening to the debate here upon the pending proposition would conclude that the wealth of this country is at a discount in comparison with the wealth of other countries, and more especially would he conclude that the people of the United States have no commercial marine whatever.

Mr. Speaker, I desire to refer to a statistical table prepared by Mr. Spofford and included in his American Almanac, showing the net tonnage of each of the principal maritime powers of the world, excluding vessels under one hundred tons. By this statement it appears that the net tonnage of Great Britain and British India is 6,940,000 tons; of France, 819,000 tons; of Germany, 1,157,000 tons; of Italy, 986,000 tons; of the United States, 2,438,000 tons. It will be seen that the people of the United States in the net amount of their tonnage stand second among the commercial nations of the world. When we look at the comparative wealth of these countries—and I make this statement with pride for my country and its achievements—when we look at the import and export trade of these countries, we see that the trade of Great Britain and British India is over $4,000,000,000 per annum; of France $1,661,000,000; of Germany, $1,678,000,000; of the United States, $1,675,000,000. It will be seen that France, Germany, and the United States in their import and export trade stand substantially upon an equality; yet the commercial marine of the United States is largely in excess of that of those countries. When you compare the population of our country with that of France and her colonies, with that of Germany and her dependencies, you find that the United States are nearly equal in population, while under the flag of the British Empire there are nearly or quite 300,000,000 of population whose wants are to be supplied. These people being in different portions of the globe demand for the supplying of their wants a commercial marine which is not demanded of the United States. It is to be expected from their wealth and the relation of these colonies that Great Britain should have a larger commercial marine than the United States.

But, sir, statesmen and patriots looking at this question can not shut their eyes to the fact that to-day the largest customer of the people of the United States is Great Britain; that out of the entire volume of your imports and exports Great Britain demands and receives over $600,000,000. Now, the question must occur to practical men whether it is wise that we should so legislate as to drive away our best customer. Is it wise on the part of men representing the producers of this country to destroy the customer of those producers? And, as a friend near me suggests, in doing so do we not destroy also the producer?

Mr. Speaker, there is one point to which I desire to arrest the attention of gentlemen on this floor. What branch of industry or trade in this country is more protected than the coastwise trade of the United States? Our protection in that direction is prohibitory. American citizens do all that trade. In 1860 the tonnage in your coastwise trade is represented as having been 2,644,000 tons. Remember, Mr. Speaker, with all your protection, with all your prohibition, with all your care, the coastwise trade in 1881 amounted to $2,646,000. Does not that show you that your protection, that your prohibition, will not and can not create a trade beyond the wants of human nature, because the wants of human nature after all are commerce.

The SPEAKER. The gentleman's time has expired.

Mr. CONVERSE. I will take the floor, and yield my time to the gentleman from Tennessee.

Mr. WHITTHORNE. Mr. Speaker, I was simply going on to say that when gentlemen consult the logic of statistics before them they see this idea of protection is not in favor of the interest of the producers of this country. And when you come to the consideration of the bill now pending that fact will be self-evident.

Now a word or two on the bill. I am in favor of the first fifteen sections, because they remove restrictions which are now placed upon the American ship-owner and the American carrier. They should be removed. All else should be stricken out of the bill. I am frank enough to say that, in my judgment, while I shall vote for free ships, I very much doubt whether free ships will add anything to the American carrying trade. And why do I doubt it? If your American ships, wherever built, floating the American flag, are not to be made to com-

pete with American labor, our seamen can not enter into competition with the seamen of other countries. So that I question, although I shall vote for it, whether free ships will reach what gentlemen aim at. What I desire, and what I think to be the true remedy, is first to remove the restrictions imposed by the first sections of this bill and then to reduce the tariff, so as to give free materials and allow ship-builders and ship-owners and carriers to be disembarrassed of the burdens which are now imposed upon them.

Mr. MARSH. Mr. Speaker, in the five minutes' time which I have I shall not attempt to go deeply into any discussion of the questions involved in this bill. The decadence of American commerce is a fact well known all over this country. There is not a house, nor a hamlet, nor a cabin in the most extreme portions of this country whose inmates are not aware of the decadence of American shipping and American commerce. It is a condition of things which is regretted and brings humiliation to our people everywhere; not alone to those upon the Atlantic coast, who are supposed by some to be most interested in the building up of the shipping interest of this country, but everywhere in our land where patriotic American hearts are found, is this condition of things a source of regret.

Your newspapers, large and small, all over the country have reiterated this fact year after year and week after week, and if there is any one thing in this country toward which the American people are looking for a remedy it is to the building up and reinstatement of American commerce once more upon the high seas.

Now, for the first time, Mr. Speaker, in twenty years this question is practically presented before the American Congress. I approach its consideration uninfluenced by party consideration. I approach it only with a desire to promote the interests of the whole people of this country. If this interest can be built up, if it can be restored to its pristine condition, and if this Congress can build it up, it will receive the plaudits not only of the people of the Atlantic coast, but of the people of the sparsely settled districts of the great West.

As a practical question, inasmuch as all sides admit this interest should be built up, and built up by legislation, if legislation will accomplish the result—inasmuch as all sides admit the necessity and importance of building up this industry, it all resolves itself at last into the consideration of how it shall be done. It has been said, I believe truly and correctly, that the burdens you have levied by your tariff legislation, by the duties you have laid upon various materials used in the construction of ships, you have made the construction of American ships an impossibility in competition with the construction of ships in English ship-yards. If that be true—and that is the charge made by gentlemen who oppose this bill—if it be true that the American policy of levying a protective tariff has made it impossible to build ships here in competition with the English ships, then my friends on the other side of the House should join hands with the members on this side and remove those tariff duties which affect this industry.

You say strike down the protective features of your tariff, and ship-building can be resumed and the shipping interest of the country can be restored to its former prosperity. But, my friends, if you want to accomplish something that is practical, do you not know that you can not strike down the protective tariff of this country? You know that even if you were to get control of the various branches of this Government you have not the courage or the nerve to strike down the American system which has been built up. Gentlemen, you know this; and why strike at it by saying we will relieve it if you will consent to the abolition of the protective-tariff system? Why do you insist on an impossibility, on that which you know to be impossible? Why not avail yourselves of the opportunity to strike from this ship-building industry the features which now oppress it? That is all we propose to do.

The SPEAKER *pro tempore*. The time of the gentleman from Illinois has expired.

Mr. MARSH. I do not often trouble the House, and hope I may be permitted to have a few minutes longer.

The SPEAKER *pro tempore*. If there be no objection, the gentleman from Illinois will be permitted to proceed for three minutes longer.

There was no objection.

Mr. MARSH. Mr. Speaker, a great deal has been said in connection with this eighteenth section of the bill proposing a subsidy, to the effect that it takes money out of the public Treasury to aid this industry. Let me ask gentlemen upon the other side what are the facts? It takes money out of the public Treasury, it is true; but if it does it takes money that according to your own assertions has been wrongfully placed there. The very money which is taken out of the public Treasury by its provisions you claim, under our laws, in the shape of a tariff upon articles that enter into the construction of ships, was placed there wrongfully in the first instance. You have called it by all kinds of hard names. You have not found language severe enough to characterize the proposition. You have said it is public robbery. Is it public robbery? Is a subsidy, to restore that money which has been taken, according to your own statement, erroneously, to be restored to this interest to build it up and to repair the damaged shipping interests of the country, a robbery?

For myself, Mr. Speaker, I am in favor of the American policy of a protective tariff; but when I find that by the operation of a general tariff law any particular industry in this country, which is a great and valuable one, is being destroyed or crippled by the operation of that general tariff system, then I would exempt from the operation of that law that particular industry. And it seems to me, Mr. Speaker, there is a practical question presented here by this bill in this very provision over which this controversy has been proceeding for the last three or four days.

Mr. BERRY. Does the gentleman then admit that the shipping interest of this country is destroyed by reason of the protective tariff?

Mr. MARSH. That is the claim that is made against the tariff. It has been stated that the tariff cripples all industries.

Mr. BERRY. Do you admit it.

Mr. MARSH. I do not know whether the assertion is true or not; but I believe myself—and that is why I advocate this bill—I believe that if you will give the ship-builders of this country what is proposed in the bill, which is simply a rebate of the amount of the tariff that will be levied upon the materials that enter into the construction of the ship—then I believe, or I am hopeful at least, that the ship-building interests of the country, and the American commerce generally, will be built up and probably restored to the condition that it once proudly occupied.

But, Mr. Speaker, I was saying, when the gentleman interrupted me for a question, that while I believe in the American system of protection to American industries where American industries need it in order that they may compete with foreign industries and foreign labor, while I believe in that, at the same time while there is a great and valuable interest in this country as great and valuable as the building of ships and the American commerce, and when that industry and interest is being injuriously affected by this general tariff policy of legislation, I say that I would exempt it from the operation of such a law; and why? Because that very exemption would be simply furthering the project of protecting American industry and carrying out the object and the system of legislation by means of which this American industry might be revived and benefited.

[Here the hammer fell.]

The SPEAKER *pro tempore*. The Chair understands the *pro forma* amendment to be withdrawn.

Mr. MOULTON. I renew it.

Mr. Speaker, for the last twenty-five years, by the operation of the high protective tariff system and our barbarous navigation laws, the commerce of the United States and its tonnage upon the seas has been constantly decreasing. It is surprising to me that during that whole period little or no efforts have been made, or attempted to be made, by the party in power to resuscitate or sustain that great interest. I want to be understood clearly when I say that I favor any proper measures, and shall favor any legitimate ones, that in my judgment tend toward the restoration of this great interest; and I am very glad to see that my friend and colleague from Illinois [Mr. MARSH] is himself impressed with the thought that the tariff under which we have been so long oppressed has had something to do with crippling that industry.

But I say further, Mr. Speaker, to test his sincerity, that when we come to the consideration of the fourteenth section I shall offer an amendment providing that not only repairs for vessels engaged in the foreign trade shall come in free, but that everything that enters into the construction or equipment of a foreign ship shall come in free—not provide simply for the repairs, but everything entering into ships. In the same fourteenth section certain articles are specified, such as cordage and other materials necessary to equip our vessels. But I understand from our tariff and protection friends upon that side of the House that when that section is reached for consideration they propose to amend it by striking out cordage and some other things, so as to protect the special interests affected by the text of the bill as it stands now.

We are all patriotic, Mr. Speaker, when our special interests are unaffected, and that was most remarkably exhibited before the Tariff Commission. While the specialists opposed the decrease of taxes upon everything that affected them, they were willing for a reduction of taxes upon matters in which they had no interest. Now, with reference to the fourteenth section I shall propose, as I have said, that everything that enters into the construction or repairs of the ship shall come in free.

I desire to say but a word here in reference to this eighteenth section of the bill. The eighteenth section is a pure gratuity. It is a subsidy simply for the benefit of the ship-builder, not for the ship-owner; nor can I see how in any way it will protect American industries. I take the ground, sir, that there is no power under our Constitution to grant any subsidy such as is attempted to be granted by this eighteenth section.

This section proposes to take money out of the Treasury and put it in the pockets of the ship-builders. Nowhere in the Constitution, in my humble judgment, can such power be found. We have the right to regulate commerce; but the right to regulate commerce has never been decided, as I understand it, anywhere to carry with it the right to take money from one class and give it to another. If you admit the principle that the right to regulate commerce also carries with it the right to do whatever is necessary to protect that interest, there is no limit to that power, and you may vote ten millions or forty millions.

This provision is nothing more nor less than taking so much out of the public Treasury and transferring it to the hands of private individ-

uals. The tendency of the legislation of the past twenty years has been constantly toward centralization; and this legislation is nothing more than a practical application of that principle. We have seen that admirably developed with reference to the Federal judiciary and the invasion of the powers of the States. We see it in this case by another section in an invasion of the right of the States by preventing them from taxing private property. I am opposed to that feature of the bill.

The advantage it seems to me that is given by this bill, excluding the eighteenth section, ought to be all that the shipping interest, as to foreign commerce, has the right to demand. If we give them free materials that certainly places them in a very favored position if, as is proposed, in addition to this you exempt this property from taxation there is 2½ or 3 per cent. in its favor.

The modification and improvement of the navigation laws certainly gives this interest a fair chance. [Here the hammer fell.] I would like to have about two minutes more.

The SPEAKER *pro tempore* (Mr. ROBINSON, of Massachusetts). Is there objection to extending the time of the gentleman from Illinois for two minutes? The Chair hears none.

Mr. MOULTON. It is claimed by the gentleman from Maine [Mr. DINGLEY] and by others that one of the great reasons why we should protect this interest is that it is important to us as a nation for purposes of defense. It has not been shown by any one how that argument applies. These ships that are engaged in foreign commerce are not war ships; neither could we use them under the circumstances of modern warfare. They could only be used for the purpose of transporting troops and for freight; and for that purpose we have thousands and thousands of vessels upon our coast that could perform that duty as well as any of the ships engaged in the foreign trade. It seems to me, Mr. Speaker, that if you place this simply upon the ground that it tends to our defense as a nation the argument is a weak one. It is well known that it is the navies of a country, its harbor defenses, and its citizens that defend it.

The passage of this bill with the eighteenth section is placed upon the further ground that the passage of this bill will tend to sustain the laborers of the country and elevate them. Let me say to you, Mr. Speaker, that, while I favor the laborer, I am opposed to sustaining the labor of any particular class at the expense of the whole people. Nine-tenths of the laborers of this country—the farmers, the miners, the railroad men, the artisans—are wholly unprotected; and now it is claimed that the few men who are engaged in building ships or navigating them upon the ocean should be protected at the expense of the whole people. I am opposed to class legislation of every kind. The laboring men engaged in ship-building are not asking for this kind of special legislation.

I want to say, in conclusion, another thing. If it is true that with the advantages this bill (leaving out the eighteenth section) affords foreign commerce it can not sustain itself, it is self-evident it is a business that has not the elements of success and which is not profitable and that capital will seek employment elsewhere. And I am opposed to giving subsidies to any interest for the purpose of sustaining it at the expense of the whole people and all the other interests of the country. My doctrine is equal justice to all, special privileges to none.

Mr. ROBESON obtained the floor.

Mr. BROWNE. Will the gentleman from New Jersey yield to me that I may make a parliamentary inquiry? I want to know what is the question now pending before the House.

The SPEAKER *pro tempore*. The pending amendment is to strike out the last word of the amendment proposed by the gentleman from Indiana [Mr. HOLMAN].

Mr. ROBESON. Every provision, Mr. Speaker, in this bill, including the fifteenth and sixteenth sections, which every gentleman who opposes the eighteenth section says he is in favor of, is in effect a subsidy. Each one of the sections of this bill relieves some imposition or takes off some burden by way of tax or otherwise on the foreign carrying trade which has been imposed by previous laws for the sake of putting money into the Treasury, to enable it to discharge certain national charges. So that every man who votes for any of those sections votes, in effect, money out of the Treasury. The man who votes to take away consular fees votes to pay the consul out of the Treasury. The man who votes to strike down taxation votes to take that resource from the Treasury. Every man who votes to take off the wages paid abroad votes to impose upon the Treasury the bringing home of all the waifs and poor sailors abroad. The principle is admitted by all.

It is also admitted by all in the statement of this question that our foreign carrying trade is declining to death. It is also admitted on both sides that something ought to be done to revive it.

Two propositions are presented. The one is that the tonnage tax which is now levied upon the shipping and goes into the Treasury, 85 per cent. of which comes from foreign bottoms, should be applied to the relief of this carrying trade, or that a sum of money from the impost revenues of the country, if you choose, no larger than the tariff upon the material necessary to go into a ship, shall be appropriated and limited to the amount of that sum.

The gentlemen who oppose that say in one breath they want to repeal that and give it—to whom? Why, to the foreign interests from which it comes. But they are not willing to keep it and give it to the American interest to which we seek to apply it. Now, that is stating the case fairly, and if anybody can dispute it I would like him to dispute it.

But my friend from Illinois, I mean on our side of the House [Mr. CANNON], says that he is opposed to this, and he puts his opposition on one broad principle. That is, that it is not worth our while to attempt American ship-building; it is not worth our while to do it. The shipyards that maintain our coasting trade afford a sufficient plant, he says, and then he asks us to resign this great national industry which has an element of sentiment and national pride about it which our fathers provided for, to give it up to the ship-builders on the Clyde. That is what he says.

Now, if you are willing to do that, then do it; you have the power, perhaps. But let the country understand what you are doing, that is all.

Now, this eighteenth section provides that we shall give a drawback on American manufactured material in the building of these ships. The committee have also given notice of a proposed amendment that will allow all material up to a certain point to come in free for American ships, as it now comes in free for foreign ships.

What do you do with that? You put the material on both sides on a par in order that our American energy and our American workmen can be on a par with the cheap labor on the Clyde.

But, say gentlemen, that will not do; that will give our American ship-builders too much of a chance; that will give our American labor too much freedom, and therefore that will not do. We must couple with it free ships. What does that mean? That means that the whole manufactured article, not the material, which does not amount to 50 per cent. of the value of the manufactured article, but the whole article, which now must be put together after it comes here by that 50 per cent. of American labor, shall be brought in free, and that the labor of this country shall be antagonized by the labor on the Clyde and the Tyne. That is what it means, and it means nothing else. It means that the manufactured article, the full-built ship, which employs thousands of men and takes hundreds and thousands of dollars of capital, shall be brought in here free.

Now, that is proposed to accomplish what? Exactly what my friend from Illinois [Mr. CANNON] admits will be accomplished; the destruction of American ship-building, which he says is not worth our while to maintain. He says that if he believed this provision would be permanent he would vote for it. Then let him try it; he can not tell whether it will be permanent or not until he tries it.

There have been remarks made in this debate which call for a reply, and I desire to make it. When an American ship-builder, who has invested his capital in the building up of American shipping and in the employment of American labor, seeks to advocate by argument and illustration the propositions contained in this bill in favor of American labor, he is denounced on this floor by men who do not hesitate to denounce the representative of American labor, when they have no words of denunciation of English interests which are represented by a lobby in the galleries of our Capitol.

Mr. SPEAKER. The time of the gentleman has expired.

Mr. ROBESON. I ask to be allowed two or three minutes more. Other gentlemen have been granted that indulgence.

The SPEAKER. If there be no objection the gentleman will be permitted to proceed. [After a pause.] The Chair hears no objection.

Mr. ROBESON. Now, this gentleman who has been denounced here is a man who was born of the people, a man who came from Ireland without the advantages of education, a man who by his energy, his industry, and his brains has built up the greatest American ship-building establishment that we now have in the country or ever have had; who to-day employs thousands of Americans and pays them high prices for their labor. He is a man in character and in history, in the estimation of those who deal with him and know him, the equal, at least, of those who denounce him. I am not a man who would denounce any American industry because somebody profits by it.

I do not denounce the steel-rail interest because some gentlemen get 50 per cent. profit by it. I do not denounce the iron interest because certain gentlemen have built their fortunes upon it. I say there can not be any American industry pursued with energy and with enterprise which will not bring profit to somebody. If it did not it would not be pursued.

But I denounce, as far as I can denounce it, that spirit, if there is any such spirit anywhere, that would strike a blow at American industry in the interest of foreign cheap labor; that would bring into this country free a manufactured ship with all her outfit and entirely equipped, to the destruction of this great interest, to the discharge of that American labor, and the destruction of everything which looks toward maintaining our commerce and carrying trade in our own hands.

Mr. BLOUNT. I would like to ask the gentleman something about the English lobby here. He has referred to a lobby against this bill. Is he sure that that influence is at work here?

Mr. ROBESON. I have not felt that influence, but I have seen the

admitted agents of the English foreign carrying trade here, not on this floor, but in these lobbies, and I see them now in the galleries.

Mr. SPRINGER. Name them.

Mr. ROBESON. I am not a man who seeks to attack outside people, men who are here to serve those who pay them.

Mr. BLOUNT. You have already assailed them, now name them.

Mr. ROBESON. What I denounce is the spirit which responds to such influences.

Mr. TURNER, of Kentucky. Mr. Speaker, in the few minutes allowed me under the rules I have no time to enter into an argument upon this bill; in fact, it requires no argument to expose its monstrosity; but I want to avail myself of this opportunity to say a few words to gentlemen on this floor.

Mr. Speaker, I have listened day after day to spread-eagle speeches of a majority of the committee who framed this bill, and to whom has been allotted nearly all the time in general debate, appealing to the patriotism of members to support this bill and to protect "American industry." This has always been the cry from those who want to tax the great mass of the people to benefit a few. But, sir, I hope no man will be deluded by the display of rhetoric and the sophistry we have heard for the last five days.

The main and I might say the only object of this bill is to divert part of the revenues of this Government from its legitimate purpose and give it to those capitalists who desire to build ships. It is to take out of the Treasury annually about one and a half millions of dollars and give it as a subsidy or bonus to a small class of capitalists to increase their profits in building ships; and we are told this is to "protect American industry." The advocates of this seem always when advocating their protective schemes to lose sight of the fact that there are other industries in this country besides manufactures and ship-building. Over 27,000,000 of our people are engaged in agriculture. They are already taxed about 45 per cent. unjustly for the merchandise they use and for the necessaries of life, under your tariff system. These farmers have no combinations to protect themselves upon this floor. They have no lobbyists here to influence members of Congress. They ask no subsidies, no bonuses; they toil on year after year bearing the burdens of unjust taxation and only ask for justice, and they can not get that.

Look, Mr. Speaker, at the immense war tax imposed upon the tobacco interest in this country—over five hundred millions have been collected and paid into the Treasury on tobacco alone since 1862, as shown by this table, to pay the interest on the United States bonds and expenses of the Government:

From 1862 to 1872	$194,572,042 00
In 1873	34,386,303 09
In 1874	33,242,875 62
In 1875	37,303,461 88
In 1876	39,795,339 91
In 1877	41,106,546 92
In 1878	40,091,754 67
In 1879	40,135,002 65
In 1880	38,870,140 08
In 1881	42,854,991 31
In 1882	47,391,988 91
Grand total	589,750,447 04

An average annual collection during the last ten years of $39,517,840.50, and yet the incomes of millionaires are not taxed one dollar.

Sir, we can not even get the privilege of selling the products of our labor, our tobacco, free from a tax. Tobacco is a necessity to the producer. He sells his little crop, and with its proceeds is enabled to buy the necessaries of life for his family, and yet year after year we have asked for the just privilege of selling our crops of tobacco where we could get the most money—a right that every freeman ought to have, and you deny it to us. At the beginning of this session a bill was reported by the chairman of the Committee on Ways and Means to abolish the tax on tobacco and all restrictions on the sale of it. We felt encouraged; we thought at last a sense of justice would give the tobacco-growers partial relief. But, Mr. Speaker, what has become of that bill? It sleeps on the Calendar. The session is rapidly drawing to a close. The gentleman [Mr. KELLEY] who has charge of it will not bring it forward for consideration. There is no time for its consideration. They are too busy in the Ways and Means Committee room increasing the tariff rates, instead of lowering them, as I am informed.

But there is always time to consider a bill in favor of capital, in favor of monopolies, and whenever these bills are brought forward we are told "they are for the interest of the farmer." How often have we been told during this discussion that this bill is in the interest of the farmer. Mr. Speaker, no farmer in the land will be benefited by this bill. It will not reduce the cost of transportation of produce. It is contrary to the spirit of our institutions to tax the masses to enrich a few. It is class legislation of the worst sort. You have driven our ships from the ocean and destroyed our commerce by your tariff system by preventing our ships from returning laden with profitable cargoes from foreign countries. You were warned of this result by that great statesman, Daniel Webster, who said it would have that effect.

Look at the speech of Mr. Webster in 1824, look at the protests and resolutions adopted in Boston, in Philadelphia, New York, Belfast and Portland, Maine, in the home of the gentleman who reported this bill, all protesting against a protective tariff in 1824, and assigning as one of the chief reasons that it would ruin our shipping interest and destroy our commerce. I wish I had time to read them. But, Mr. Speaker, these warm advocates of this bill and their constituents preferred to give up their shipping interest to get the enormous profits for their manufactories under the tariff, and now they propose to attempt to build up the shipping interest again by another tax, a subsidy—a bonus, to come out of the Treasury of the United States annually. I hope, sir, the bill may be defeated. I enter my protest against it and shall vote against it. Reduce your tariff taxation to a revenue standard, lighten the burdens of taxation, make your taxes equal and uniform, and leave your shipping interest free. Let capitalists buy ships where they can get them cheapest, and under the skill, industry, and enterprise of our citizens, the commerce of this great country will take care of itself, governed by the natural laws of trade.

[Here the hammer fell.]

Mr. BROWNE. It has been apparent to every reader of our commercial history that our merchant marine has been disappearing from the high seas for more than a quarter of a century. Yet when it is proposed that the American Congress shall do something in the way of restoring this important industry, it is antagonized by the suggestion that we have done nothing to relieve the producers of tobacco or the distillers of intoxicating liquors.

Sir, it strikes me that the carrying trade is a matter of national importance, in which every producer, whether on the seaboard or in the interior, is interested. But it is said that we may not grant subsidies in that direction because we ought to relieve the chewers and the smokers and the slobberers of this country from the tobacco tax. While I use the article myself, I wish to God it was in the power of Congress to prohibit its production.

Mr. HAMMOND, of Georgia. To which article does the gentleman refer?

Mr. BROWNE. To either of them. I want my friend from Kentucky [Mr. TURNER] to understand that the very last tax which I as a Representative of my constituency will vote to repeal is the tax on liquors and tobacco. If there be any protectionist in this House who would abolish the entire internal-revenue system in order to compel the Government to derive its entire revenue from import duties, if there be such a one, I have no sympathy with him. I have but one idea on this subject; that is, to impose upon tobacco and intoxicating liquors the highest duty that can be honestly collected. If we can derive the most revenue from liquors by a tax of 40 or 50 cents a gallon, I am in favor of a tax at that rate. If the revenue may be increased by a tax of $2 or $3 or $5 a gallon, I am in favor of that rate. So with tobacco and cigars. In other words, if specific taxes are to be imposed upon commodities, I am in favor of deriving the largest possible revenue from luxuries and the smallest possible amount from those commodities which are necessary.

Mr. TURNER, of Kentucky. I agree with you in the last part of your proposition, and I have never taken any other position. Taxes should be lightest on the necessaries of life, both internal and tariff taxation.

Mr. BROWNE. I would put salt and sugar, and trace-chains, if the gentleman from Kentucky pleases, on the free-list. But I would make him pay as much as possible upon every chew of tobacco and every drink of whisky he may take.

Mr. TURNER, of Kentucky. I wish to ask the gentleman a question if he will permit me.

Mr. BROWNE. Certainly.

Mr. TURNER, of Kentucky. Does not the gentleman know that the crop of tobacco raised by the poor man is not a luxury to him, but is a necessity? For with it he buys the necessaries of life for his family. It is only a luxury to the man who uses it, not to the producer; and it is unjust to discriminate against it and burden the producer with taxes that are not imposed upon producers of barley, rye, or corn, or to restrict the farmer in his right to sell for the best price the tobacco raised by him, the product of his own labor.

Mr. BROWNE. Mr. Speaker, in my view tobacco whether produced by the poor man or the rich man, by the small farmer or by the planter of large acres, is but a luxury. There is no good in it. It brings nothing of health. It brings nothing of real enjoyment to the domestic circle. It might be dispensed with without injury to anybody and with benefit to all.

What I have said as to tobacco applies with still more force to intoxicating liquors. On this subject of taxation, whether by import duties or by internal taxes, I stand here in favor of imposing for the purposes of revenue as large a tax as possible upon luxuries and as small a tax as may be possible upon articles which are necessaries.

I see the Speaker's gavel is about to fall; I hope I may be indulged a moment. I only speak once in a decade anyhow. I hope the House will give me unanimous consent to go on for two minutes. [Cries of "Go ahead!"]

The SPEAKER. If there be no objection, the gentleman's time will be extended two minutes.

There was no objection.

Mr. BROWNE. Now, on the subject of the bill. I do not profess to understand it in all its details. I am a landlubber. I believe I

have been on a sailing vessel once or twice in my life. I am, however, in favor of encouraging the industry known as ship-building, and particularly that industry engaged in the foreign carrying trade. I have listened to this discussion with much interest, and have determined in my own mind that when those gentlemen who seem to understand the subject have perfected the bill as nearly as may be I shall vote for it. If I were allowed to exercise my own personal judgment I would permit every American to go into any market and buy any ship at the smallest possible cost. I admit that this might be against ship-building interests; but if I understand the object of this legislation, it is not to promote ship-building but to promote the carrying trade. If you are to promote ship-building you will as a matter of course adopt this eighteenth section, with its drawback upon tariff duties, and those other sections to which I need not refer. But if we intend to secure a merchant marine and to put it in competition with carriers in foreign bottoms we must have cheap ships. To get cheap ships we must buy them where we can buy them at the smallest possible cost. This seems to me to be a proposition that need not be discussed. While such is my opinion, however, I wish to say that when this bill has been perfected I intend to vote for it, notwithstanding the fact that it may contain some provisions which do not meet the assent of my judgment. I doubt very much the power or the propriety of exempting any kind of property from State taxation; but I will waive that question and vote in favor of this bill, expecting that if it is imperfect our experience will so demonstrate, and that future legislation may cure whatever defects may be made manifest; for I hope to see the time when our people may compete with any in the world in the carrying trade as well as in every other industry.

[Here the hammer fell.]

Mr. MCLANE, of Maryland. Mr. Speaker, I desire to support the amendment of the gentleman from Massachusetts [Mr. CANDLER]; I wish to express my approval of it at this time, because, as I understand, we shall shortly come to a vote on the eighteenth section and all the amendments to it.

If this bill is to be disposed of under this tariff discussion, I for one have very little hope of any intelligent solution of the question. If the honorable gentleman from New Jersey [Mr. ROBESON] persists in his uncompromising opposition to free ships, or if, on the other hand, gentlemen on this side of the House, especially the gentleman from New York [Mr. HEWITT], persist in their uncompromising opposition to the eighteenth section in any form, it will be absolutely impossible, as has been evident from the beginning of this discussion, to come to any satisfactory conclusion upon this bill.

The bill will be killed in the house of its friends if these two positions are maintained. If this House is called on to consider the protection of the ship-building establishment of Mr. Roach, who has been so prominently introduced into this debate, if the object of this bill is to protect that establishment, if that be its only object, it never had and never will have the slightest prospect of passing this House. What support it has received in this debate has always been more or less associated with the national and political features of the bill. On both sides of the House the friends of this bill have looked to the national and political features of the American shipping interest as a whole, ship-building and ship-owning, and if we fall away from that view of the question it will go down and have no more support in the House than the least important article of the 2,000 which are likely to be the subject of our tariff legislation.

But if the House will take note of the amendment of the gentleman from Massachusetts [Mr. CANDLER], and will bear in mind the substitute for the eighteenth section proposed by the gentleman from California [Mr. PAGE], who is the chairman of the committee that reported this bill, the House will find in that substitute the limitation that has been asked for on both sides. The House will find it limited to the $1,500,000 derived from the tonnage tax and the bounty itself rated by the tax on both sailing ships and steamers. The amendment of the gentleman from Massachusetts [Mr. CANDLER] is the free-shipping amendment. It proposes that every ship exceeding 1,500 tons engaged in the foreign trade shall be free, and that will embrace all the carrying ships this country will ever want for the foreign trade. From fifteen hundred to three or four thousand will leave the carrying trade of the world in our hands, and you will have them as free ships. And the only accompaniment to that free-ship proposition is the operation of the eighteenth section, which does protect the ship-building interest, but it protects the ship-building interest in a defined way.

The SPEAKER. The gentleman's time has expired.

Mr. MCLANE, of Maryland. I ask only for a few minutes longer.

Mr. PAGE. I will take the floor and yield my time to the gentleman from Maryland.

Mr. MCLANE, of Maryland. I say the amendment of the gentleman from Massachusetts opens the whole principle of the free-ship clause as proposed in the amendments of the minority of the committee. And with great reserve and deference to gentlemen who are the advocates of free ships and who are opposed to this subsidy and with whom I entirely sympathize, yet I ask their forbearance and their attention when I explain to them why I am willing, if I can have this free-ship clause, to take so much of the bounty section as is in the amendment of the gentleman from California. That is to say——

Mr. SPARKS. I hope the gentleman will explain how the doing away of the tonnage tax is any less taking out of the Treasury?

Mr. MCLANE, of Maryland. I have no embarrassment at all in taking out of the Treasury any sum which may be judicious.

Mr. SPARKS. In the way of subsidies?

Mr. MCLANE, of Maryland. No, sir; but the question of amount does not reach the principle, but the question of amount reaches more immediately the personal discretion and judgment of the legislator. I might very freely take out of the Treasury $1,500,000, which comes from the tonnage tax, when I would not consent to take out an indefinite sum of money. And when I addressed the House on the original bill I felt it my duty to call attention to the fact that the original eighteenth section had no limitation whatever, that it was a subsidy in the most odious sense of the term. But I never dreamed any contingency would occur in which I would have to give that section my support in the shape it is in the bill, as it was well understood it was subject to amendments proposed by the minority of the committee. From the beginning I have seen my way and my path of duty clear, and that was, if possible, to obtain under this bill the principle of free ships. And to that extent there is no difference at all between myself and my honorable friend from Illinois. The only point of difference comes when we look to the eighteenth section; and as I have used the strongest terms in denouncing it, I think I might be listened to by my friend when I explain the modified form in which it comes in the substitute. As I have said, if we refuse free ships when we can have them by this very limited and very narrow eighteenth section of the bill, I think we are acting unwisely, and I say no more.

Just as I say to my friend, the honorable gentleman who so praises the eighteenth section by itself and denounces free ships, I say to him in the interest of the great ship-owning interest of this country, and the interest of commerce and navigation of the country, that he is standing in his own light and destroying every prospect of passing the bill into a law.

[Here the hammer fell.]

Mr. ATKINS. May I ask the gentleman one question?

The SPEAKER. The gentleman from Illinois [Mr. THOMAS] is entitled to the floor.

Mr. ATKINS. Will the gentleman yield to me for a question?

Mr. THOMAS. Certainly.

Mr. ATKINS. I desire to ask whether under this amendment as modified, supposing a ship to cost $1,000,000, what rebate under the eighteenth section would be given?

Mr. MCLANE, of Maryland. Its proportion, under the original section, of one-third of its value. That, however, is proposed to be modified.

Mr. COX, of New York. That refers to iron ships.

Mr. MCLANE, of Maryland. Any ships. As to the wooden ships I have not taken it into account at all, because, as the gentleman from Maine clearly stated, it is only the iron of the wooden ship that brings it under the eighteenth section at all.

Mr. ATKINS. Would the rebate amount to one-third of the total cost?

Mr. BUCKNER. It is dependent upon the tonnage.

Mr. PAGE. It would be $10 per ton for a sailing vessel, and $25 per ton on steam-vessels.

Mr. MCLANE, of Maryland. The substitute for the section submitted by the gentleman from California does away with the plan of determining this amount, as originally proposed by the eighteenth section, and places it directly upon the tonnage; $10, as he has stated, upon sailing vessels on each ton measurement, and $25 per ton in the case of vessels propelled in whole or in part by steam.

Mr. THOMAS addressed the House. [See Appendix.]

Mr. REAGAN. Early in the debate on this bill I submitted some remarks in relation to it. Subsequently the gentleman from Georgia, [Mr. SPEER] whom I now see in his place, did me the honor to make a criticism upon the remarks I made; and I desire to call attention to that criticism for a moment, as the gentleman is now present. I had entered into an argument as I supposed to demonstrate that the policy of taxing each vocation at the expense of all other vocations in the country was a policy which had produced an abnormal condition of things and put our whole business on stilts, making prices unusually high; and that by the system of taxing all vocations for the benefit of particular vocations we had so increased the value of material, of labor, of rents, of living, that we had placed it out of our power to build ships in competition with the policy of other countries which did not impose such burdens on their trade. I had gone on to show that the average rate of taxation upon the taxable imports of this country was about 43 per cent.; and that the labor of this country, without the subsidy proposed here, was already taxed to an amount that no people on the earth would endure if it were attempted to be imposed upon them by a direct tax. Upon that the gentleman from Georgia made this remark as it is published:

The logic of the gentleman from Texas and those who think with him is that the American workman gets too many dollars, wears too many good clothes,

eats too much nutritious food; that his wife wears a bonnet which perhaps is too ornate, and his little children go to school in clothes too warm, and perhaps are too well educated.

Now, sir, I was arguing in favor of taking off the burdens of these people so as to let them have these comforts. I could have stood the false statement that I wanted the men to have fewer dollars and poorer clothes and less nutritious food. But when it comes to being charged that I objected to the women having fine bonnets, I can not stand it [laughter]; and when it comes to being charged that I objected to the little children going to school in warm clothes and getting too much education my friend from Georgia piled it on too high. What I did say on that subject is here, and it will be seen the gentleman utterly and entirely misunderstood what I said. I will read it. [Here the hammer fell.] I hope I will be allowed another moment.

Mr. PAGE. I did not understand when the gentleman from Texas rose that it was to involve the House in further debate. The gentleman from Georgia [Mr. SPEER] has come to me and says he has been attacked by the speech of the gentleman from Texas, and that he must have an opportunity to reply. I hope we can close the debate on this question without going into these matters.

Mr. REAGAN. I only desire another moment to complete what I was saying.

Mr. SPEER. I ask the gentleman from California to allow the gentleman from Texas to proceed for a moment and complete his criticism on my remarks.

The SPEAKER. In the absence of objection, the gentleman from Texas will be allowed to proceed.

There was no objection.

Mr. REAGAN. My remarks which were criticised by the gentleman from Georgia [Mr. SPEER] were in answer to a question propounded by the gentleman from Maine. The gentleman from Maine [Mr. DINGLEY] asked me this question:

If the gentleman will permit me, I will ask him further does he desire to reduce the wages of American labor to the standard of the Clyde?

I answered the gentleman's question in this way:

I shall not answer that question affirmatively. But I will tell my friend what I do wish to do. I wish to see a rate of taxation that will let us down off our stilts to practical, reasonable, and business relations so that a lower rate of wages will buy as much to live upon as the higher rate does now. If the purchasing power of one dollar is in the markets at one time equal to what the purchasing power of two dollars is in the markets at another time, the laborer gets the same price for his labor at each rate. And if you reduce taxation so that the cost of what a man eats and feeds his family on, the rent of his house, and the general cost of living are reduced, this will of necessity lower the rate of wages but will not decrease the purchasing power of the wages paid.

My argument had no reference to wages originally at all; but it had reference to a system of taxation that produces artificial values of everything that enters into ship-building. The idea enunciated by the gentleman from Maine was what I was replying to, and all I said in relation to it was that I wanted no diminution of taxes for the purpose of decreasing the purchasing power of the wages paid; but that we might get down from our extraordinary condition of things, which would probably have the effect of reducing the nominal amount of wages.

Mr. BRUMM obtained the floor.

Mr. SPEER. Will the gentleman from Pennsylvania [Mr. BRUMM] allow me a moment to reply to the gentleman from Texas [Mr. REAGAN] who has criticised my remarks?

Mr. BRUMM. I have but five minutes, or I would yield.

There is no dispute on any side of the House as to the one main question at issue in this bill. It is that something should be done to restore the carrying trade to American bottoms. There is a difference, however, as to the mode of arriving at that restoration.

The other side of this House says that we can accomplish that result by a fair system of free trade, and because we can accomplish it in that way they are opposed to our system of arriving at the same result. What is our system? It is to encourage American ownership of vessels, to encourage the building of vessels in American yards to be owned by American citizens; and to that the other side is opposed.

Now, to accomplish the object by introducing free trade—and I agree with gentlemen when they say that will accomplish it—we must do so upon the hypothesis that it will reduce the wages of American labor to the standard of the wages of foreign pauper labor. You acknowledge the fact yourselves when you say that your free-trade system will enable you to compete with the foreign manufacturers by bringing about a reduction of the wages of American labor.

But you tell us that this will involve the labor of only a few thousand people. That may be true; but you forget the fact that the laboring interest is an interest which if you touch it at one point will feel the influence over the whole country, like electricity, ramifying throughout the entire length and breadth of this land. Reduce one interest and to that extent you have reduced every manufacturing and laboring interest in the country. Take one thousand laboring men out of the labor market and you have them seeking ingress into other branches of labor.

What is our system? By having ships built by American labor we establish American ship-yards. You say that we ask for aid only for ship-yards. I say it is not only the encouraging of labor throughout the country but it is the establishment of American ship-yards practically without a cost of one farthing to this country.

I was not surprised when the gentleman from Georgia [Mr. HAMMOND] said that we want no American ship-yards for defensive purposes, that it was not necessary in time of war to have the plant ready. He said, Why, we built the Merrimac, and she revolutionized the entire system of naval warfare.

I deny it. You never built the Merrimac. The Merrimac was an old ship-of-war, built by the United States before you seceded. Sunk at Norfolk, you raised her, and then taking pattern from the old Ironsides, you clad her with sloping walls of iron. That is all you ever did. You did not even build the ram Atlanta. You took the hull of the old Fingal, razeed it and built her wall and covered it with railroad iron. You never had the capacity to build such a ship. I would say, however, that if the South had before then encouraged ship-building I doubt whether we should have succeeded in whipping her as we did. We would not have been able to maintain the blockade.

The SPEAKER. The time of the gentleman has expired.

Mr. BRUMM. I would like one moment more.

Mr. HAMMOND, of Georgia. I was not trying to be exact about who originally built the ship, for I did not know. I simply enforced the idea that when it was necessary to get something to frighten you with we got it. Perhaps it was by the adaptation of an old vessel to a new use.

Mr. BRUMM. But you had to use that which we left with you. One word more. There are gentlemen here who are in favor of free ships. I do not believe the gentleman from Massachusetts [Mr. CANDLER], who introduced this amendment, is one of them. But most of them are in favor of free ships because they know it will kill the entire bill. I for one must vote against it if that amendment shall be adopted. The law as it now stands obstructs our ship-building; this amendment annihilates it.

Mr. MARTIN. The people of the State which I have the honor to represent have been engaged in the industry of ship-building from our earliest colonial settlement. So important has that industry been to our people that we have engraven upon the coat-of-arms of our State a mechanic bearing in his hand a fully equipped ship.

One of the first iron vessels propelled by steam that was ever built in the United States was built in the city of Wilmington. The only ship-yard in the whole country to-day, that I am aware of, that builds iron ships on foreign account is located in the city of Wilmington.

I have heard a great deal in this debate about protection to the iron-ship building interest in this country. I do not believe in the principle of protection as enunciated in this debate, and which has become the modern doctrine of certain politicians in this country. I do not believe in the principle of subsidy, which is the corollary, the natural corollary, of the principle of protection. You have protected American ship-building until you have destroyed it; and now you come to Congress and ask us to appropriate subsidies from the Treasury of the United States to restore it.

But I can not do justice to this subject in the five minutes which I have allowed me. I will not attempt to go into a general discussion of all the features of this bill, many of which I approve. I rose principally to read to this House the testimony of one of our principal iron-ship builders on this question of subsidies. With the indulgence of the House I will read a letter which was written less than a year ago by Mr. William G. Gibbons, the president of the Pusey & Jones Iron-ship Building Company in the city of Wilmington, addressed to my colleague in the United States Senate, Hon. THOMAS F. BAYARD.

WILMINGTON, DEL., *April* 16, 1882.

MY DEAR SIR: I have yours of yesterday, and take pleasure in answering your inquiries.

First. As to the difference in value between labor and material in the construction of an iron ship, I refer to the construction account of one lately built by my company, and find the costs of the various details as follows:

	Labor.	Material.
Iron hull	$46,062	$76,447
Engine	21,570	29,924
Boilers	20,966	16,062
Wood work	23,461	16,761
Sundries, consisting of anchor-chains, masts, sails, rigging, cook's department, steering-gear, boats, life-preservers, outfits in general	5,000	13,000
Total	117,059	152,194
Per cent. of whole cost, nearly	43	57

Second. As to the relative cost of the chief material (iron) in this country and England, the question is a difficult one. If the same grade of iron, I mean the same grade as to durability and measure of tensile strength that is used in this country were offered to ship-building in England the prices would rate to-day at 3.1 cents per pound here and 2.7 cents in England. Comparing under the low grades used there, and particularly as to plates, the proportion would be as 3.1 cents to 2.3 cents, or possibly 2.2 cents.

You will see at once that the English vessel is by reason of this an inferior one. Latterly, however, under pressure of the Board of Trade of London, better iron has been put into English passenger vessels than formerly. The lower grades have gone into cargo vessels mainly.

It would be interesting to note the history of these last, during the past five years. I have not the statistics by me, but I think that during 1881, more than twenty have been lost by foundering on the Atlantic, or were never heard of after leaving their ports.

In general, when the English use the same grade of material that we do, there is little difference in the cost of the ships, not enough to pay the expenses of sending the funds across to pay for them. Labor per diem is less in the English yards than in ours, but we supplement our labor by much labor-saving machinery that is unknown there, and our day means ten hours, while theirs is nine hours; trades unions have kept out the machinery and shortened the hours. Of all this I speak of what I personally know. [Applause.]

Third. Timber in the United States is greatly cheaper than in Great Britain. All that is used in the latter country is imported. Much Canadian and Southern pine and teak from Hindostan are used, all costly in England.

Fourth. As to cost of finished ships, the answer can be deduced from the above.

Fifth. As to the amount of tariff duties I can not, from any data in my possession, give you the exact percentage upon the cost of a complete vessel, but it is a large factor, and I am sure that with it abrogated, ship-building in this country, looking to furnishing ships to the world's market, would very shortly be one of the most profitable branches of industry in our country. [Applause.]

Sixth. As to victualing vessels here and at an English port there is little difference, but that little is in favor of American ports. England is not a food-producing country. You are doubtless aware that no sailors in the world are fed so well and at so much expense as are the American, and with this in view it is probable the expense to an English vessel is not greater than to an American who draws his supplies from home.

Seventh. The pay of officers and men on English ships is much less than American—English receiving but seven-tenths the amount paid the American.

Eighth. Answering generally, upon the same specification, it is difficult now to get quotations from good English builders lower than American. A case in point came under my own eye within three months. A party at Vera Cruz wanted a steam-vessel of 700 tons. My company made for him drawings and specifications, and submitted figures. He said the price was beyond his expectation, and declined to order, remarking that he would go to England where he could do better, and asked permission to take the plans and drawings. This we gave, and he went.

He is now back, and I have his letter giving his experience. He found two parties who would build lower than we, and four who wanted a little more. All, however, wanted to cheapen the specification and give him a lower price.

He goes in a few days home to consult his associates as to whether they shall build at all. If they do we shall have the order. He does not want the English specification.

This ship subject is a long one, and one, perhaps, upon which more is ignorantly written and printed than any other.

That the Americans have lost the larger share of the carrying trade of the world that they once enjoyed is in no sense due to the fact that their ships cost more if purchased at home than abroad, for any difference in this regard is so trifling an amount that it can not possibly bear upon the question at all. The causes in my judgment are mainly differences in the rate of interest upon capital employed, difference on rates of insurance. Capital now (until very recently) has commanded 7 per cent.; in England, 4 per cent. Insurance here, 7 per cent.; there, 5 per cent., and often less.

Obnoxious legislation, involving tonnage taxes, inspection fees, hospital dues, laws requiring certain allowances to sailors, not in the interest of justice, forcing upon the ship the necessity to purchase and carry patented humbugs, and a hundred other things which only load the American vessels and make the conduct of his business so costly that she can not compete with untrammeled rivals.

Almost everything a ship requires to use in way of outfit and repairs is enhanced in value by a tariff duty somewhere. All these things add themselves together and prove an almost impassable barrier to the American ship-owner who wants to put his vessel in the carrying trade of the world.

Very truly, yours,

WILLIAM G. GIBBONS.

Hon. THOMAS F. BAYARD, *Washington*.

Mr. ROBESON. Before the gentleman sits down I would like to ask him whether the Pusey & Jones Iron-ship Building Company, whose letter he has read, is the same concern which by its president has signed a petition for the passage of this bill?

Mr. MARTIN. I see that they have signed such a recommendation,

[During the delivery of the foregoing remarks, when five minutes had expired, the time of Mr. MARTIN was, by unanimous consent, extended for five minutes.]

Mr. PAGE. I rise for the purpose of calling the previous question on the eighteenth section and the pending amendments thereto.

Mr. SPEER. I hope the gentleman from California will not call the previous question till I have had the opportunity to say a few words.

Mr. PAGE. There will be ample time for the gentleman from Georgia [Mr. SPEER] to reply to the gentleman from Texas, for there are four more sections to be considered.

Mr. KNOTT. I rise to a parliamentary inquiry. If the previous question be sustained will it preclude a motion to strike out the section? If so, I desire to make that motion now.

The SPEAKER. The Chair will state the condition of the question, so that there may be no misunderstanding. There is now pending a motion made by the gentleman from California [Mr. PAGE] to strike out the section and insert a substitute. There is also pending an amendment offered by the gentleman from Massachusetts [Mr. CANDLER] to the substitute of the gentleman from California. There is likewise pending a motion of the gentleman from Indiana [Mr. HOLMAN] to amend the original text of the section. The Chair is of opinion, as at present advised, that if the motion to strike out and insert should prevail it would then be too late to move to strike out that which had been inserted.

Mr. KNOTT. Suppose the motion to strike out and insert should not prevail, then I wish to know whether a motion to strike out the entire section would lie——

The SPEAKER. It would.

Mr. KNOTT. Whether the previous question be sustained or not? I do not want to be cut off by the previous question from making this motion.

The SPEAKER. The Chair is inclined to think that if the previous question should be sustained, and the motion to strike out and insert should be negatived, the right to make a motion to strike out would be cut off under the operation of the previous question.

Mr. KNOTT. Then, Mr. Speaker, I make the motion now to strike out the section.

The SPEAKER. That motion is not now in order. The Chair will make a suggestion. In order that the object sought by the gentleman from Kentucky [Mr. KNOTT] may be reached, in case the motion to strike out and insert should fail, the previous question might now be ordered with the understanding, by unanimous consent, that a motion to strike out shall be considered pending if it should be in order. It could only become in order in case the motion to strike out and insert should not prevail.

Several MEMBERS. That is right.

Mr. SPRINGER. I rise to a parliamentary inquiry.

The SPEAKER. The Chair must dispose of one question at a time. The gentleman from Illinois [Mr. SPRINGER] will suspend for a moment.

Mr. PAGE. I ask unanimous consent that the amendment offered by the committee as a substitute for the eighteenth section may by unanimous consent be considered as the eighteenth section of the bill, so that these amendments may apply to the substitute, which has the unanimous indorsement of the committee.

Several MEMBERS. That is right.

The SPEAKER. The Chair does not think that would relieve this difficulty at all.

Mr. SPRINGER. I rise to a question of order. We are considering this bill in the House as in the Committee of the Whole. If we were in Committee of the Whole, the proper motion would be to close debate upon the pending section and all amendments thereto, which would allow amendments to be offered thereafter but not debated. I submit that the proper motion now is not the previous question, a motion peculiar to the House, but is a motion to close debate upon the section and all amendments thereto. This would bring us to a direct vote on the pending amendments, and would allow amendments to be voted on thereafter without debate.

Mr. ANDERSON. That is right.

The SPEAKER. The difficulty about that proposition is that while one is the previous question the other is a mere order of the House to close debate on a pending paragraph or section. The Chair thinks, however, that this may be solved so as to reach the question by having it understood that in case the previous question shall be ordered and the motion to strike out and insert shall not prevail, then the motion shall be in order to strike out the section.

Mr. SPRINGER. My point of order is that the previous question is not operating, as we are acting upon this bill in the House as in the Committee of the Whole.

Mr. PAGE. Would that do away with the motion to strike out and insert?

Mr. CANNON. What is desired, as I understand it, is that the House may have the opportunity to vote on the motion to strike out the eighteenth section as amended.

The SPEAKER. And that is what the Chair is trying to have accomplished.

Mr. PAGE. I ask unanimous consent that the substitute offered by the committee may be considered pending to the eighteenth section.

Mr. SPRINGER. Let the gentleman from California withdraw his demand for the previous question and move that all debate shall be closed on the pending paragraph and all amendments thereto.

The SPEAKER. There seems to be no difficulty about reaching a result, if that be the wish of the House.

Mr. CRAPO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRAPO. If the previous question prevails will it be in order to submit an amendment to perfect the text?

The SPEAKER. It would not any further than amendments are now pending.

Mr. CRAPO. Could not amendments be sent to the Clerk's desk and considered pending?

The SPEAKER. Not under the rule.

Mr. PAGE. I rise to a parliamentary inquiry. If the House shall consent to close further debate on the section and all amendments thereto would I then lose any of my parliamentary rights?

The SPEAKER. If the House agrees that all debate on the section shall now be closed that would cut off any opportunity for further debate.

Mr. PAGE. But amendments could be offered when in order.

The SPEAKER. Certainly.

Mr. TOWNSHEND, of Illinois. I rise to a parliamentary inquiry.

The SPEAKER. Let us settle one question at a time.

Mr. PAGE. If the House will give consent, then I will withdraw the demand for the previous question.

Mr. TOWNSHEND, of Illinois. I rise to a parliamentary inquiry.

The SPEAKER. One question will be disposed of before another is considered.

Mr. TOWNSHEND, of Illinois. But I rise to a parliamentary inquiry now.

The SPEAKER. Does the gentleman make a parliamentary point against the gentleman from California asking unanimous consent?

Mr. TOWNSHEND, of Illinois. My parliamentary inquiry is to know whether my amendment is pending and embraced within this motion. My amendment was to strike out the eighteenth section. Is that pending?

The SPEAKER. The Chair heard no such motion.

Mr. TOWNSHEND, of Illinois. I made it when the gentleman from Massachusetts was in the chair.

The SPEAKER. It was not then in order.

Mr. SPARKS. The Chair stated that it might be received as a suggestion.

Mr. ROBINSON, of Massachusetts. It is proper to state that the gentleman from Illinois did make the motion at the time, but I ruled it out of order.

Mr. TOWNSHEND, of Illinois. Is that pending now?

The SPEAKER. It is not, and it is not in order now.

Mr. TOWNSHEND, of Illinois. If the motion is adopted will it deprive me of the right hereafter to offer it?

The SPEAKER. That is the proposition of the gentleman from Kentucky, which the Chair is trying to have arranged. The gentleman from California withdraws the demand for the previous question, and asks by unanimous consent that all debate be closed on the eighteenth section and all amendments now pending or which may be offered thereto.

There was no objection, and it was ordered accordingly.

Mr. TOWNSHEND, of Illinois. I ask that my motion to strike out the section may be considered as pending.

The SPEAKER. The Chair will entertain that motion when it is in order under the rules. The first question is on the amendment of the gentleman from Indiana [Mr. HOLMAN] to the original text.

Mr. MILLS. On that I demand the yeas and nays.

Mr. PAGE. I hope the gentleman from Indiana will withdraw his amendment and let it apply to the substitute to the eighteenth section offered by the committee.

Mr. HOLMAN. I prefer to have it voted on as a part of the original text.

Mr. PAGE. The proposition of the committee is to strike out the eighteenth section and insert a substitute therefor.

The SPEAKER. The Clerk will report the pending amendment, offered by the gentleman from Indiana.

The Clerk read as follows:

Add at the end of section 18 the following:

"*And provided further*, That 50 per cent. of the sum so received from the Treasury of the United States by the owner or owners of any such vessel under the provisions of this bill shall be paid by such owner or owners to the foremen, artisans, mechanics, and laborers who shall have been employed in the construction or repair of such vessel in proportion to the compensation and wages received by them respectively while engaged in constructing or repairing such vessel, and such vessel shall not be entitled to be registered, enrolled, or licensed, unless the foremen, artisans, mechanics, and laborers employed in constructing or repairing such vessel shall have received for their labor thereon, independent of the provisions of this act, wages equal to those paid for like labor in the other ship-building establishments of the United States; nor until said 50 per cent. shall have been paid to such foremen, artisans, mechanics, and laborers, as above provided; and the Secretary of the Treasury shall prescribe rules for carrying this provision into effect."

Mr. HOLMAN and Mr. SPARKS demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 101, nays 128, not voting 60; as follows:

YEAS—101.

Aiken,	Cox, William R.	Hoblitzell,	Randall,
Anderson,	Covington,	Hoge,	Reese,
Armfield,	Cravens,	Holman,	Robinson, Wm. E.
Atkins,	Culberson,	House,	Scoville,
Barbour,	Curtin,	Hutchins,	Simonton,
Bayne,	Davis, Lowndes H.	King,	Singleton, J. W.
Beach,	Deuster,	Klotz,	Singleton, Otho R.
Belmont,	Dibrell,	Knott,	Sparks,
Beltzhoover,	Dowd,	Ladd,	Springer,
Berry,	Dugro,	Latham,	Stockslager,
Blanchard,	Ermentrout,	Leedom,	Thompson, P. B.
Bland,	Evins,	Le Fevre,	Townshend, R. W.
Blount,	Flower,	Manning,	Tucker,
Bragg,	Forney,	McKenzie,	Turner, Henry G.
Buchanan,	Garrison,	McMillin,	Turner, Oscar
Burrows, Jos. H.	Geddes,	Mills,	Vance,
Caldwell,	Gibson,	Money,	Warner,
Carlisle,	Gunter,	Morrison,	Wellborn,
Chapman,	Hammond, N. J.	Moulton,	Whitthorne,
Clardy,	Hardenbergh,	Muldrow,	Williams, Thomas
Clark,	Hardy,	Murch,	Willis,
Clements,	Haseltine,	Mutchler,	Wilson,
Cobb,	Hatch,	Nolan,	Wise, George D.
Converse,	Herbert,	Oates,	
Cook,	Hewitt, Abram S.	Phelps,	
Cox, Samuel S.	Hewitt, G. W.	Phister,	

NAYS—128.

Aldrich,	Carpenter,	Godshalk,	Jadwin,
Barr,	Caswell,	Grout,	Jones, Geo. W.
Belford,	Chace,	Guenther,	Jones, Phineas
Bingham,	Crapo,	Hall,	Jorgensen,
Bisbee,	Cullen,	Hammond, John	Joyce,
Bowman,	Cutts,	Harmer,	Kelley,
Brewer,	Dawes,	Harris, Benj. W.	Ketcham,
Briggs,	Deering,	Haskell,	Lacey,
Browne,	De Motte,	Hazelton,	Lewis,
Brumm,	Dezendorf,	Heilman,	Lindsey,
Buck,	Dingley,	Hepburn,	Lord,
Buckner,	Dwight,	Hill,	Lynch,
Burrows, Julius C.	Ellis,	Hitt,	Mackey,
Camp,	Errett,	Horr,	Marsh,
Campbell,	Farwell, Sewell S.	Hubbs,	McClure,
Candler,	Fisher,	Humphrey,	McCoid,
Cannon,	George,	Jacobs,	McCook,
McKinley,	Peirce,	Russell,	Thompson, Wm. G.
McLean, Jas. H.	Pettibone,	Scranton,	Townsend, Amos
Miles,	Pound,	Shallenberger,	Tyler,
Miller,	Ranney,	Sherwin,	Updegraff,
Moore,	Ray,	Skinner,	Upson,
Morey,	Reed,	Smalls,	Van Aernam,
Morse,	Rice, John B.	Smith, A. Herr,	Van Horn,
Neal,	Rice, Wm. W.	Smith, Dietrich C.	Wadsworth,
Norcross,	Rich,	Smith, J. Hyatt	Wait,
O'Neill,	Richardson, D. P.	Speer,	Walker,
Page,	Ritchie,	Spooner,	Ward,
Parker,	Robeson,	Steele,	Webber,
Paul,	Robinson, Geo. D.	Stone,	White,
Payson,	Robinson, Jas. S.	Strait,	Williams, Chas. G.
Peelle,	Rosecrans,	Thomas,	Willits.

NOT VOTING—60.

Atherton,	Dunnell,	Martin,	Shelley,
Black,	Farwell, Chas. B.	Mason,	Shultz,
Blackburn,	Ford,	Matson,	Spaulding,
Bliss,	Frost,	McLane, Robt. M.	Talbott,
Butterworth,	Fulkerson,	Mosgrove,	Taylor,
Cabell,	Harris, Henry S.	Pacheco,	Urner,
Calkins,	Henderson,	Prescott,	Valentine,
Cassidy,	Herndon,	Reagan,	Van Voorhis,
Colerick,	Hiscock,	Rice, Theron M.	Washburn,
Cornell,	Hooker,	Richardson, J. S.	Watson,
Crowley,	Houk,	Robertson,	West,
Darrall,	Hubbell,	Ross,	Wise, Morgan R.
Davidson,	Jones, James K.	Ryan,	Wood, Benjamin
Davis, George R.	Kasson,	Scales,	Wood, Walter A.
Dunn,	Kenna,	Shackelford,	Young.

So the amendment was not agreed to.

The following pairs were announced:

Mr. CORNELL with Mr. BLACK.

Mr. SPAULDING with Mr. JONES of Arkansas.

Mr. VALENTINE with Mr. DAVIDSON.

Mr. RICHARDSON, of New York, with Mr. RICHARDSON, of South Carolina.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. HENDERSON with Mr. BENJAMIN WOOD.

Mr. URNER with Mr. MCLANE of Maryland.

Mr. MASON with Mr. KENNA.

Mr. DARRALL with Mr. TALBOTT.

Mr. WASHBURN with Mr. REAGAN.

Mr. DAVIS, of Illinois, with Mr. CABELL.

Mr. CALKINS with Mr. MATSON.

Mr. TAYLOR with Mr. ATHERTON.

Mr. CROWLEY with Mr. ROSS.

Mr. FISHER with Mr. ROSECRANS.

Mr. WATSON with Mr. RICE.

Mr. BUTTERWORTH with Mr. DUNN.

Mr. FARWELL, of Illinois, with Mr. SCALES.

Mr. RYAN with Mr. WISE of Pennsylvania.

Mr. ARMFIELD. I desire to announce that my colleagues, Mr. SCALES and Mr. SHACKELFORD, are both detained from the House in consequence of sickness.

On motion of Mr. PAGE, by unanimous consent, the reading of the names was dispensed with.

The result of the vote was then announced as above recorded.

The SPEAKER. The question recurs upon the amendment offered by the gentleman from Massachusetts to the substitute offered by the gentleman from California, which the Clerk will report.

Mr. PAGE. Would it be in order now to ask unanimous consent that the committee's substitute may be considered as the eighteenth section of the bill, and let the amendment of the gentleman from Massachusetts be offered to this substitute?

Mr. COBB. I desire to make an inquiry. Has the second call been had?

The SPEAKER. It has been, and the result of the vote announced. The House has now proceeded to the consideration of another subject.

Mr. COBB. I was absent for a moment; when I came in I was told that it was the first call of the roll.

The SPEAKER. The gentleman is reported as voting in the affirmative.

Mr. COBB. That is right. [Laughter.]

The SPEAKER. The gentleman from California [Mr. PAGE] asks unanimous consent to have the amendment or substitute offered by him, which he states was the one agreed upon by the committee, to be considered as the original section of the bill to which the amendment of the gentleman from Massachusetts would apply.

Mr. ANDERSON. I object to that.

Mr. SPARKS. If the gentleman would allow that to be voted upon first, on the motion to strike out that substitute, considering it as the section, prior to the vote upon the amendment of the gentleman from Massachusetts, I think he could have unanimous consent.

The SPEAKER. Objection has been made.

Mr. SPARKS. There could be none to the proposition in that shape.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, announced that the Senate had passed without amendment House joint resolution 308, changing the name of the National Bank of Winterset,

in Iowa; and also, that the Senate had passed a bill (S. 1844) for the relief of Fitz-John Porter; in which amendments and bill the concurrence of the House of Representatives was requested.

AMERICAN SHIPPING.

The SPEAKER. The gentleman from Massachusetts [Mr. CANDLER] moves to amend the substitute offered by the gentleman from California [Mr. PAGE] by adding what the Clerk will read.

The Clerk read as follows:

That from and after the 1st day of April, 1883, any citizen or citizens of the United States may purchase the whole of any steam or sail vessel constructed mainly of steel or iron, no matter where said vessel may have been built, whether within the United States or in a foreign country, or whether said vessel may have been owned in whole or in part by an alien or aliens; and said vessel shall be registered free of duty as to her hull, spars, appliances, outfit, and equipment (including boilers, engines, and machinery, if a steam-vessel), as a vessel of the United States, by the collector in any port of entry of the United States to whom application for such registry may be made by said citizen or citizens, in the same manner as though said vessel had been built in the United States: *Provided, however*, That this law shall apply only to vessels of more than 1,500 tons register, to be employed in the foreign carrying trade exclusively, and not in the coast-wise trade, excepting between ports on the Atlantic and ports on the Pacific Ocean.

Mr. BLOUNT. I call for the yeas and nays.

Mr. COX, of New York. I suggest a verbal amendment, to strike out the word "law" and insert the word "section."

Mr. CANDLER. I see no objection to that.

Mr. ROBESON. I object.

The SPEAKER. The gentleman from Massachusetts [Mr. CANDLER] has the right to modify his amendment.

Mr. COX, of New York. It is not very important.

The SPEAKER. Does the gentleman from Massachusetts consent to the modification?

Mr. CANDLER. I would like to have it read as it would stand corrected.

The Clerk read as follows:

Provided, however, That this section shall apply only to vessels of more than 1,500 tons register, &c.

Mr. CANDLER. I see no objection to that.

The SPEAKER. The gentleman from Massachusetts modifies his amendment by striking out the word "law" and inserting the word "section." The gentleman from Georgia [Mr. BLOUNT] demands the yeas and nays on this amendment to the substitute.

The yeas and nays were ordered—38 members voting therefor.

The question was taken; and it was decided in the affirmative—yeas 125, nays 104, not voting 60; as follows:

YEAS—125.

Aiken,	Cox, William R.	Hoblitzell,	Reese,
Aldrich,	Crapo,	Hoge,	Rice, Wm. W.
Anderson,	Cravens,	Holman,	Robinson, Geo. D.
Armfield,	Culberson,	House,	Scoville,
Atkins,	Cullen,	Hutchins,	Sherwin,
Barbour,	Cutts,	Jones, Geo. W.	Simonton,
Beach,	Davis, Lowndes H.	Jones, Phineas	Singleton, Jas. W.
Belmont,	Deering,	King,	Singleton, Otho R.
Beltzhoover,	De Motte,	Knott,	Smith, Dietrich C.
Berry,	Deuster,	Lacey,	Sparks,
Blackburn,	Dibrell,	Latham,	Springer,
Blanchard,	Dowd,	Leedom,	Stockslager,
Bland,	Dugro,	Le Fevre,	Stone,
Blount,	Dunn,	Manning,	Strait,
Bragg,	Dwight,	McCoid,	Thompson, P. B.
Browne,	Evins,	McCook,	Townshend, R. W.
Buchanan,	Farwell, Sewell S.	McKenzie,	Tucker,
Buckner,	Flower,	McLane, Robt. M.	Turner, Henry G.
Burrows, Jos. H.	Forney,	McMillin,	Turner, Oscar
Caldwell,	Garrison,	Mills,	Updegraff,
Candler,	Geddes,	Morrison,	Upson,
Cannon,	Guenther,	Morse,	Vance,
Carlisle,	Gunter,	Moulton,	Wadsworth,
Chapman,	Hammond, N. J.	Muldrow,	Warner,
Clardy,	Hardenbergh,	Nolan,	Wellborn,
Clark,	Haseltine,	Norcross,	Whitthorne,
Clements,	Haskell,	Oates,	Williams, Thomas
Cobb,	Hatch,	Parker,	Willis,
Converse,	Herbert,	Payson,	Wise, George D.
Cook,	Hewitt, Abram S.	Phelps,	
Covington,	Hewitt, G. W.	Phister,	
Cox, Samuel S.	Hitt,	Randall,	

NAYS—104.

Barr,	Ermentrout,	Jorgensen,	Mutchler,
Bayne,	Errett,	Joyce,	Neal,
Belford,	Ford,	Kelley,	O'Neill,
Bingham,	George,	Ketcham,	Page,
Bisbee,	Godshalk,	Klotz,	Paul,
Bliss,	Grout,	Ladd,	Peelle,
Brower,	Hall,	Lewis,	Peirce,
Briggs,	Hammond, John	Lindsey,	Pound,
Brumm,	Hardy,	Lord,	Ranney,
Buck,	Harmer,	Lynch,	Ray,
Burrows, Julius C.	Harris, Benj. W.	Mackey,	Reed,
Butterworth,	Hazelton,	Marsh,	Rice, John B.
Campbell,	Heilman,	McClure,	Rich,
Carpenter,	Hepburn,	McKinley,	Ritchie,
Caswell,	Hiscock,	McLean, Jas. H.	Robeson,
Chace,	Horr,	Miles,	Robinson, Jas. S.
Curtin,	Houk,	Miller,	Russell,
Davies,	Hubbs,	Money,	Scranton,
Desendorf,	Humphrey,	Moore,	Shallenberger
Dingley,	Jacobs,	Morey,	Skinner,
Ellis,	Jadwin,	Mureh,	Smalls,
Smith, A. Herr	Thomas,	Van Horn,	West,
Smith, J. Hyatt	Thompson, Wm. G.	Wait,	White,
Speer,	Townsend, Amos	Walker,	Williams, Chas. G.
Spooner,	Tyler,	Ward,	Willits,
Steele,	Van Aernam,	Webber,	Wilson.

NOT VOTING—60.

Atherton,	Fisher,	Matson,	Shackelford,
Black,	Frost,	Mosgrove,	Shelley,
Bowman,	Fulkerson,	Pacheco,	Shultz,
Cabell,	Gibson,	Pettibone,	Spaulding,
Calkins,	Harris, Henry S.	Prescott,	Talbott,
Camp,	Henderson,	Reagan,	Taylor,
Cassidy,	Herndon,	Rice, Theron M.	Urner,
Colerick,	Hill,	Richardson, D. P.	Valentine,
Cornell,	Hooker,	Richardson, J. S.	Van Voorhis,
Crowley,	Hubbell,	Robertson,	Washburn,
Darrall,	Jones, James K.	Robinson, Wm. E.	Watson,
Davidson,	Kasson,	Rosecrans,	Wise, Morgan R.
Davis, George R.	Kenna,	Ross,	Wood, Benj.
Dunnell,	Martin,	Ryan,	Wood, Walter A.
Farwell, Chas. B.	Mason,	Scales,	Young.

So the amendment was agreed to.

Mr. BLACKBURN. I am paired with the gentleman from Michigan [Mr. HUBBELL], but only on political questions; and having advised with one of the gentleman's colleagues, who takes the same view of this question that I do, I have exercised the right to vote. I have voted "ay."

The SPEAKER. Each gentleman decides these questions for himself.

Mr. McLANE, of Maryland. I am paired with my colleague [Mr. URNER], but I have the privilege to exercise my own discretion on what questions to vote or not.

Mr. ROSECRANS. Having paired with the gentleman from Pennsylvania [Mr. FISHER] this afternoon with the understanding he would remain to cast his vote on this question, I voted "ay." Seeing he is not present I withdraw my vote.

Mr. SPRINGER. I move to dispense with the reading of the names.

There was no objection.

The SPEAKER. On this vote the yeas are 126, the nays are 104. The ayes have it, and the amendment is agreed to. [Applause.]

Mr. CANDLER moved to reconsider the vote by which the amendment to the substitute was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. ROBESON. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out the words "free of duty as to" and insert "upon payment of an impost duty of 20 per cent. upon the value of."

Mr. SPRINGER. To what does that apply?

The SPEAKER. The Chair understands it is an amendment to the substitute as amended.

Mr. ROBESON. It is protection on the manufactured articles used in a ship.

Mr. COX, of New York. Is debate in order?

The SPEAKER. It is not.

Mr. COX, of New York. I want to debate this if any one else debates it.

Mr. SPRINGER. Does this amendment apply to the proposition on which we have just voted? If it does I make the point of order we can not change the text of what we have already agreed to by the last vote.

Mr. ALDRICH. We did not agree never to change it.

Mr. SPRINGER. We did, so far as this bill is concerned. If the Chair is in doubt I will submit authority to show that this having been agreed to it must stand.

Mr. REED. There has been no section agreed to, but merely an amendment to a substitute for a proposed section.

The SPEAKER. This substitute has not yet been agreed to. The question is whether a proposition to strike out a part of the language just voted in as an amendment to the substitute and to insert other language is in order. That is a question about which the Chair has some doubt. [After a pause.] If this were a proposition to strike out a portion of an amendment which had been inserted in the original bill, the Chair would certainly hold that it was not in order. But it is a proposition to strike out language which has not yet been agreed to as a part of the original bill, but has been agreed to only as an amendment to the substitute, or as an amendment to an amendment, for that is the effect of it—as an amendment to an amendment which is merely pending. The Chair thinks it might be in order to perfect the substitute as amended before it is voted on as a part of the bill.

Mr. SPRINGER. I make the point of order that the amendment just agreed to by the House is not now subject to amendment.

The SPEAKER. But the difficulty is that the amendment has not been agreed to as a part of the bill.

Mr. SPRINGER. That does not make any difference. The amendment of the gentleman from New Jersey [Mr. ROBESON] applies to language that has just been adopted by the House. If the House can now amend that language you can never reach an issue on the pending bill, because as soon as we agree to the gentleman's amendment, if it be adopted, I may move to amend that, and so we can continue without interruption to pile amendments on amendments to the end of time.

The object of parliamentary rules is to bring the House to a determination, to an issue, to a conclusion of the matter pending. When the House has adopted any particular language, that must stand as the judgment of the House.

The SPEAKER. The gentleman is entirely right in his proposition except as to the facts. The fact is that the House has not agreed to the amendment of the gentleman from Massachusetts [Mr. CANDLER] as a part of the bill.

Mr. KNOTT. I rise to a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. KNOTT. Suppose that the amendment of the gentleman from New Jersey [Mr. ROBESON] is ruled in order and should be adopted, would it then be in order to move to strike out that amendment?

The SPEAKER. To strike out that alone the Chair thinks would not be in order.

Mr. KNOTT. Or to change the language of the amendment?

The SPEAKER. By adding to it, certainly it would.

Mr. KNOTT. This is a proposition to change an amendment just adopted.

The SPEAKER. But the gentleman from Kentucky [Mr. KNOTT] will bear in mind the status of this amendment. It is simply an amendment to an amendment, which has not yet been agreed to as a whole, for the purpose of insertion in the bill.

Mr. KNOTT. I understand that thoroughly.

The SPEAKER. If it had been, then the Chair would hold that it could not be changed.

Mr. KNOTT. But if the amendment of the gentleman from New Jersey [Mr. ROBESON] should be adopted, would not its status be precisely the same as that of the amendment which has just been adopted? And would not a similar motion to amend be as much in order then as the motion now made? That is the question.

The SPEAKER. Undoubtedly; but that is a different statement from the one the gentleman just made.

Mr. KNOTT. No, precisely the same. And if that be so, I would like to know when we will reach a conclusion of this matter.

The SPEAKER. If an amendment is inserted as a part of the bill, it would be in order to move to strike out a part of the language inserted, together with other language contained in the bill.

Mr. COX, of New York. Do I understand that it is in order to move to strike out words which have been inserted by action of the House?

The SPEAKER. If they had been inserted in the bill it would not be in order to strike them out.

Mr. COX, of New York. These words have been inserted.

The SPEAKER. But not in the bill; that is the difficulty about it. They have been simply inserted in an amendment which has not yet been voted on.

Mr. SPRINGER. Before we pass from this point I would ask the Chair to consider an authority in Jefferson's Manual, on page 124, which I will read:

When it is proposed to amend by inserting a paragraph, or part of one, the friends of the paragraph may make it as perfect as they can by amendment before the question is put for inserting it.

Now, if the gentleman from New Jersey [Mr. ROBESON] had desired to amend this paragraph, the pending substitute, it was his duty to have moved that amendment before we voted on the amendment to that substitute. The authority goes on to say:

If it be received, it can not be amended afterward in the same stage—

That is, the amendment of the gentleman from Massachusetts [Mr. CANDLER] having been adopted by the House, it can not therefore be afterward amended in the same stage—

because the House has, on a vote, agreed to it in that form.

The SPEAKER. The Chair agrees with that authority, and has been stating it all the time, though perhaps in different language. There is no controversy about that.

Mr. SPRINGER. Then if there is no controversy the Chair certainly can not admit the amendment of the gentleman from New Jersey [Mr. ROBESON], because the proposition pending before the House is "in the same stage;" and being in the same stage, the amendment to that substitute, which has been agreed to by the House, can not be changed. If the gentleman from New Jersey had desired to move an amendment to the proposition of the gentleman from Massachusetts [Mr. CANDLER] he should have done so before the House voted on it, but the House having agreed to the amendment of the gentleman from Massachusetts, it is too late to change that form of language and substitute other language for it.

The SPEAKER. The gentleman fails to understand this; the amendment of the gentleman from New Jersey [Mr. ROBESON] would not have been in order before the last vote was taken, because there were then pending two amendments, one in the form of a substitute and the other an amendment to that substitute or amendment. One amendment having been disposed of, another amendment to the pending amendment is in order.

Mr. SPRINGER. That does not change the parliamentary rule.

The SPEAKER. This is a proposition to amend the amendment offered by the gentleman from California. That is the only proposition.

Mr. SPRINGER. If it proposed to modify the language of the amendment of the gentleman from California that would be in order.

The SPEAKER. The Clerk will read the amendment.

The Clerk read as follows:

Strike out the words in the amendment just adopted—

Mr. SPRINGER. That says the amendment has been adopted.

The CLERK (continuing to read)—

"free of duty as to" and insert in lieu thereof "upon payment of an import duty of 20 per cent. upon the value of;" so that it will read "and said vessel shall be registered upon the payment of an import duty of 20 per cent. upon the value of her hull, spars," &c.

Mr. SPRINGER. Now will the Chair allow me to read——

The SPEAKER. The gentleman from Illinois must not take the statement of the Clerk as conclusive against the fact, which every one must remember, that this amendment has not been adopted as a part of the bill.

Mr. SPRINGER. I have not so stated.

The SPEAKER. The gentleman has repeatedly stated it.

Mr. SPRINGER. No, sir.

The SPEAKER. This is a proposition to amend a proposition amending the amendment of the gentleman from California, which has never been adopted.

Mr. SPRINGER. I understand, however, from the language of the amendment that it is to amend the amendment of the gentleman from Massachusetts. It so states.

The SPEAKER. But the amendment of the gentleman from Massachusetts is now merely a part of the amendment of the gentleman from California, which has never been adopted. The rule on the subject is very clear.

Mr. SPRINGER. Will the Chair allow me to read the remainder of the paragraph from Jefferson's Manual to which I have already called attention, and which, it seems to me, is conclusive upon this point?

In like manner, if it is proposed to amend by striking out a paragraph, the friends of the paragraph are first to make it as perfect as they can by amendments before the question is put for striking it out. If on the question it be retained, it can not be amended afterward, because a vote against striking out is equivalent to a vote agreeing to it in that form.

The SPEAKER. There is no dispute as to that. The only difference here is upon a question of fact, which ought to be well understood.

Mr. SPRINGER. What is the question of fact?

The SPEAKER. The fact is that the amendment which the gentleman talks about as having been agreed to has not been agreed to.

Mr. SPRINGER. But I understood the Clerk to read that this proposition was to strike out certain words in "the amendment just adopted." I call for the reading again.

The SPEAKER. Although the Clerk may have stated that it has just been adopted, it has not been, but only incorporated as a part of the amendment offered by the gentleman from California, which has never been voted on.

Mr. SPRINGER. I make the point that you can not amend the language of the amendment of the gentleman from Massachusetts, because the House has just agreed to it.

The SPEAKER. The Chair has disposed of the question.

Mr. ALDRICH. I make the point that my colleague should not continue throwing at a stick which has already been knocked down. [Laughter.]

Mr. COX, of New York. I rise to a parliamentary inquiry. If this amendment of the gentleman from New Jersey be adopted, will it be in order——

Mr. ROBESON. I object to debate.

The SPEAKER. The gentleman from New York is making a parliamentary inquiry.

Mr. COX, of New York. Will it be in order to amend that amendment *ad infinitum?*

The SPEAKER. Undoubtedly the amendment of the gentleman from California, like all other propositions which are amendable, will be subject to further amendment; but only two amendments can be pending at one time. As many as are in favor of the amendment of the gentleman from New Jersey will say "ay."

Mr. KNOTT. I rose to appeal from the decision of the Chair.

The SPEAKER. But the gentleman waited until other parliamentary questions had intervened and been disposed of. Those opposed will say "no." The ayes seem to have it.

Mr. KNOTT and others called for the yeas and nays.

The yeas and nays were ordered.

Mr. SPRINGER. I call for the reading of the amendment.

The SPEAKER. It may be read again.

The Clerk read as follows:

Strike out the words "free of duty as to" and insert in lieu thereof "upon payment of an import duty of 20 per cent. upon the value of;" so that it will read "and said vessel shall be registered upon the payment of an import duty of 20 per cent. upon the value of her hull, spars," &c.

Mr. SINGLETON, of Illinois. Will the Chair state the precise question upon which we are to vote?

The SPEAKER. The precise question is the amendment offered by the gentleman from New Jersey, which is to strike out the language just read and insert what has also been read.

The question was taken; and it was decided in the negative—yeas 107, nays 126, not voting 56; as follows:

YEAS—107.

Barr,	Errett,	Lewis,	Ritchie,
Bayne,	Ford,	Lindsey,	Robinson, Jas. S.
Belford,	Godshalk,	Lord,	Russell,
Beltzhoover,	Grout,	Lynch,	Scranton,
Bingham,	Hall,	Marsh,	Shallenberger,
Bisbee,	Hammond, John	McClure,	Skinner,
Bliss,	Hardenbergh,	McKinley,	Smalls,
Bowman,	Hardy,	McLean, Jas. H.	Smith, A. Herr
Brewer,	Harmer,	Miles,	Smith, J. Hyatt
Briggs,	Harris, Benj. W.	Miller,	Speer,
Brumm,	Hazelton,	Money,	Spooner,
Buck,	Heilman,	Moore,	Steele,
Burrows, Julius C.	Hepburn,	Murch,	Thomas,
Burrows, Jos. H.	Hill,	Mutchler,	Townsend, Amos
Butterworth,	Hiscock,	Neal,	Tyler,
Campbell,	Horr,	O'Neill,	Van Aernam,
Carpenter,	Houk,	Page,	Van Horn,
Caswell,	Hubbs,	Paul,	Wait,
Chace,	Humphrey,	Peelle,	Walker,
Curtin,	Jacobs,	Peirce,	Ward,
Davis, George R.	Jadwin,	Pound,	Webber,
Dawes,	Jorgensen,	Randall,	West,
De Motte,	Joyce,	Ranney,	White,
Dezendorf,	Kelley,	Ray,	Williams, Chas. G.
Dingley,	Ketcham,	Reed,	Willits,
Ellis,	Klotz,	Rice, John B.	Wilson.
Ermentrout,	Ladd,	Rich,	

NAYS—126.

Aiken,	Crapo,	House,	Robeson,
Aldrich,	Cravens,	Hutchins,	Robinson, Geo. D.
Anderson,	Culberson,	Jones, George W.	Ryan,
Armfield,	Cullen,	Jones, Phineas	Scoville,
Atkins,	Cutts,	King,	Sherwin,
Beach,	Davis, Lowndes H.	Knott,	Simonton,
Belmont,	Deering,	Lacey,	Singleton, J. W.
Berry,	Deuster,	Latham,	Singleton, Otho R.
Blackburn,	Dibrell,	Leedom,	Smith, Dietrich C.
Blanchard,	Dowd,	Le Fevre,	Sparks,
Bland,	Dugro,	Manning,	Springer,
Blount,	Dunn,	Martin,	Stockslager,
Bragg,	Dwight,	Matson,	Stone,
Browne,	Evins,	McCoid,	Strait,
Buchanan,	Farwell, Sewell S.	McCook,	Thompson, P. B.
Buckner,	Flower,	McKenzie,	Thompson, Wm. G.
Cabell,	Forney,	McLane, Robt. M.	Townshend, R. W.
Caldwell,	Garrison,	McMillin,	Tucker,
Candler,	Geddes,	Mills,	Turner, Henry G.
Cannon,	Guenther,	Morrison,	Turner, Oscar
Carlisle,	Gunter,	Morse,	Updegraff,
Cassidy,	Hammond, N. J.	Moulton,	Upson,
Chapman,	Haseltine,	Muldrow,	Vance,
Clardy,	Haskell,	Nolan,	Wadsworth,
Clark,	Hatch,	Norcross,	Warner,
Clements,	Herbert,	Oates,	Wellborn,
Cobb,	Hewitt, Abram S.	Parker,	Whitthorne,
Converse,	Hewitt, G. W.	Payson,	Williams, Thomas
Cook,	Hitt,	Phelps,	Willis,
Covington,	Hoblitzell,	Phister,	Wise, George D.
Cox, Samuel S.	Hoge,	Reese,	
Cox, William R.	Holman,	Rice, Wm. W.	

NOT VOTING—57.

Atherton,	Fulkerson,	Mosgrove,	Shelley,
Barbour,	George,	Pacheco,	Shultz,
Black,	Gibson,	Pettibone,	Spaulding,
Calkins,	Harris, Henry S.	Prescott,	Talbott,
Camp,	Henderson,	Reagan,	Taylor,
Colerick,	Herndon,	Rice, Theron M.	Urner,
Cornell,	Hooker,	Richardson, D. P.	Valentine,
Crowley,	Hubbell,	Richardson, J. S.	Van Voorhis,
Darrall,	Jones, James K.	Robertson,	Washburn,
Davidson,	Kasson,	Robinson, Wm. E.	Watson,
Dunnell,	Kenna,	Rosecrans,	Wise, Morgan R.
Farwell, Chas. B.	Mackey,	Ross,	Wood, Benjamin
Fisher,	Mason,	Scales,	Wood, Walter A.
Frost,	Morey,	Shackelford,	Young.

So the amendment was rejected.

During the roll-call,

Mr. ROBESON. I change my vote from "ay" to "no."

Mr. SPRINGER. The gentleman does that to move to reconsider. I will do it for him.

Mr. ROBESON. *Timeo Danaos et dona ferentes.* [Laughter.]

On motion of Mr. PAGE, by unanimous consent, the reading of the names was dispensed with.

The vote was then announced as above recorded.

Mr. ROBESON. I move to reconsider the vote by which the amendment was rejected.

Mr. McMILLIN. And I move that the motion to reconsider be laid upon the table.

Mr. ROBESON. And pending the motion to reconsider I move the House do now adjourn.

Mr. McMILLIN. I demand the yeas and nays on my motion.

Mr. ROBESON. I have moved that the House adjourn.

Mr. SPRINGER. I demand the yeas and nays on the motion to adjourn.

Mr. PAGE. I hope the gentleman from New Jersey will withdraw the motion to adjourn.

Mr. ROBESON. At the request of my colleague on the committee I will withdraw my motion to adjourn.

Mr. SPRINGER. I will withdraw my demand for a count till after a division of the House on the motion to adjourn.

Mr. ROBESON. I insist on my motion to adjourn.

The House divided; and there were—ayes 79, noes 88.

So the House refused to adjourn.

The SPEAKER. The question recurs on the motion to lay upon the table the motion to reconsider.

Mr. ROBESON. I withdraw the motion to reconsider.

Mr. SPRINGER. I move to reconsider the vote by which the amendment was rejected; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. COX, of New York. I move an amendment.

Mr. PAGE. Ought we not to have a vote on my substitute?

The SPEAKER. It is amendable.

Mr. COX, of New York. My amendment is for free materials to help the ship-builder. I offer it, to come in at the end of the substitute.

Mr. PAGE. The gentleman has insisted there should be no debate on these amendments.

Mr. COX, of New York. I am not debating it.

The SPEAKER. The Clerk will read the amendment.

The Clerk read as follows:

SEC. — That section 2513 of the Revised Statutes of the United States be amended so as to read as follows, namely:

"SEC. 2513. All or any part of the materials, whether wood, steel or iron, copper, yellow metal, bolts, spikes, sheathing, trenails, canvas for sails, whether flax or cotton; rigging and cordage, whether hemp, manila-hemp, or iron wire; anchors and cables, iron plates, castings and forgings, angle-irons, beams, masts, yards, rivets, bolts, nuts, screws, engines, boilers plates and tubes, and machinery, and all other materials and appliances which may be necessary for the construction and equipment, in whole or in part, of vessels, whether steam or sail vessels, to be built and furnished in the United States after the 1st day of April, 1883, may be imported in bond, under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purposes, no duties shall be collected or paid thereon."

Mr. DINGLEY. I would like to ask the gentleman from New York a question as to the bearing of that amendment.

The SPEAKER. It is not debatable.

Mr. DINGLEY. I simply wish to ask whether it applies to coastwise vessels?

Mr. COX, of New York. It will apply of course to coastwise vessels. It applies to all vessels built in the United States.

The SPEAKER. It is not debatable.

Mr. PAGE. I judge that in its present shape this is subject to the point of order.

Mr. COX, of New York. I will modify it so that it shall have reference simply to the foreign trade.

Mr. DINGLEY. Including the trade between the Atlantic and Pacific ports of the United States.

Mr. COX, of New York. I will make the modification.

Mr. DINGLEY. Let it be submitted as a proviso to section 2513.

The SPEAKER. The Clerk will report the amendment as modified.

The Clerk read as follows:

Provided, That all or any part of the materials, whether wood, steel or iron, copper, yellow metal, bolts, spikes, sheathing, trenails, canvas for sails, whether flax or cotton; rigging and cordage, whether hemp, manila-hemp, or iron wire; anchors and cables, iron plates, castings and forgings, angle-irons, beams, masts, yards, rivets, bolts, nuts, screws, engines, boilers plates and tubes, and machinery, and all other materials and appliances which may be necessary for the construction and equipment, in whole or in part, of vessels to be built and furnished in the United States after the 1st day of April, 1883, for the foreign trade, including the trade between Atlantic and Pacific ports, may be imported in bond, under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purposes, no duties shall be collected or paid thereon.

The SPEAKER. The question is upon agreeing to the amendment of the gentleman from New York, which has just been read as modified, to the substitute of the gentleman from California.

Mr. SPEER. I wish to make a parliamentary inquiry. What is there in the bill which would prevent materials admitted for the foreign trade being used for the coasting trade?

The SPEAKER. That is a question of fact. The Chair can not interpret the bill without more information. It would not be the duty of the Chair to do so.

The question is on agreeing to the amendment submitted by the gentleman from New York.

Mr. PAGE. On that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 124, nays 106, not voting 59; as follows:

YEAS—124.

Aiken,	Cabell,	Cox, William R.	Forney,
Aldrich,	Caldwell,	Cravens,	Garrison,
Anderson,	Calkins,	Culberson,	Geddes,
Armfield,	Candler,	Curtin,	Guenther,
Atkins,	Cannon,	Davis, Lowndes H.	Gunter,
Beach,	Carlisle,	De Motte,	Hammond, N. J.
Belmont,	Cassidy,	Deuster,	Hardenbergh,
Beltzhoover,	Chapman,	Dibrell,	Hardy,
Berry,	Clardy,	Dowd,	Haseltine,
Bland,	Clark,	Dugro,	Hatch,
Bowman,	Clements,	Dunn,	Herbert,
Bragg,	Cobb,	Dwight,	Hewitt, Abram S.
Browne,	Converse,	Ellis,	Hewitt, G. W.
Buchanan,	Cook,	Ermentrout,	Hoblitzell,
Buckner,	Covington,	Evins,	Hoge,
Burrows, Jos. H.	Cox, Samuel S.	Flower,	Holman,

House,	McCook,	Payson,	Thompson, P. B.
Hutchins,	McKenzie,	Phelps,	Townshend, R. W.
Jones, George W.	McLane, Robt. M.	Phister,	Tucker,
Kasson,	McMillin,	Randall,	Turner, Henry G.
King,	Milla,	Reese,	Turner, Oscar
Klotz,	Money,	Rice, Theron M.	Upson,
Knott,	Morrison,	Robinson, Wm. E.	Vance,
Lacey,	Morse,	Scoville,	Wadsworth,
Ladd,	Moulton.	Simonton,	Warner,
Latham,	Muldrow,	Singleton, Otho R.	Wellborn,
Leedom,	Murch,	Sparks,	Whitthorne,
Le Fevre,	Mutchler,	Springer,	Williams, Thomas
Manning,	Nolan,	Stockslager,	Willis,
Martin,	Oates,	Stone,	Willits,
Matson,	Parker,	Strait,	Wise, George D.

NAYS—106.

Barr,	Grout,	McCoid,	Sherwin,
Bayne,	Hall,	McKinley,	Skinner,
Belford,	Harmer,	McLean, Jas. H.	Smalls,
Bingham,	Harris, Benj. W.	Miles,	Smith, A. Herr
Bisbee,	Haskell,	Miller,	Smith, Dietrich C.
Brewer,	Hazelton,	Moore,	Smith, J. Hyatt
Briggs,	Heilman,	Morey,	Speer,
Brumm,	Hepburn,	Neal,	Spooner,
Buck,	Hill,	Norcross,	Steele,
Burrows, Julius C.	Hiscock,	O'Neill,	Thomas,
Camp,	Hitt,	Page,	Thompson, Wm. G.
Campbell,	Horr,	Paul,	Townsend, Amos
Carpenter,	Houk,	Peelle,	Tyler,
Caswell,	Hubbs,	Peirce,	Updegraff,
Chace,	Humphrey,	Pound,	Van Aernam,
Crapo,	Jacobs,	Ranney,	Van Horn,
Cullen,	Jadwin,	Ray,	Wait,
Cutts,	Jones, Phineas	Reed,	Walker,
Davis, George R.	Jorgensen,	Rice, Wm. W.	Ward,
Dawes,	Kelley,	Rich,	Watson,
Deering,	Ketcham,	Ritchie,	Webber,
Dezendorf,	Lindsey,	Robinson, Geo. D.	West,
Errett,	Lord,	Robinson, Jas. S.	White,
Farwell, Sewell, S.	Lynch,	Russell,	Williams, Chas. G.
Ford,	Mackey,	Ryan,	Wilson.
George,	Marsh,	Scranton,	
Godshalk,	McClure,	Shallenberger,	

NOT VOTING—59.

Atherton,	Farwell, Chas. B.	Mason,	Shelley,
Barbour,	Fisher,	Mosgrove,	Shultz,
Black,	Frost,	Pacheco,	Singleton, J. W.
Blackburn,	Fulkerson,	Pettibone,	Spaulding,
Blanchard,	Gibson,	Prescott,	Talbott,
Bliss,	Hammond, John	Reagan,	Taylor,
Blount,	Harris, Henry S.	Rice, John B.	Urner,
Butterworth,	Henderson,	Richardson, D. P.	Valentine,
Colerick,	Herndon,	Richardson, J. S.	Van Voorhis,
Cornell,	Hooker,	Robertson,	Washburn,
Crowley,	Hubbell,	Robeson,	Wise, Morgan R.
Darrall,	Jones, James K.	Roseerans,	Wood, Benjamin
Davidson,	Joyce,	Ross,	Wood, Walter A.
Dingley,	Kenna,	Scales,	Young.
Dunnell,	Lewis,	Shackelford,	

So the amendment was agreed to.

The following additional pairs were announced:

Mr. LEWIS with Mr. BLANCHARD.

Mr. ROBESON with Mr. BLOUNT.

On motion of Mr. COX, of New York, by unanimous consent, the reading of the names was dispensed with.

The result of the vote was then announced, as above recorded.

Mr. COX, of New York, moved to reconsider the vote by which the amendment was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. ANDERSON. I desire to offer an amendment.

Mr. RYAN. I move that the House do now adjourn.

Mr. MOORE. Before that, I ask unanimous consent to submit some remarks upon the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MOORE. Mr. Speaker, I do not wish a bill containing so much that vitally concerns the interests of our nation as that now under discussion to pass this House without at least briefly putting myself upon the record. I am an intense American; an American who is willing to help in the development of every nook and corner of our magnificent land; an American in the broadest and most comprehensive sense of that term; one who wishes to see our flag wave triumphantly over sea as well as land.

I believe in that "manifest destiny" which is to carry this nation ultimately to the highest possible pinnacle of national glory and renown, and so believing, I consider it my pleasing duty to do whatever I may be able by my votes to help along and hasten that desired attainment. The weak spot, indeed the weakest now as it seems to me, in our national armor, is our poverty upon the seas, our incapacity to compete successfully with even smaller nations who make less pretensions. I would, therefore, endeavor by every honorable means to strengthen this weakness. We have, it must be sorrowfully admitted, lost our American prestige on the ocean. I would do what I can to reinstate it. I would legislate purely for American interests and let other nations legislate for themselves.

Without undertaking now to argue in detail or going over ground already so deeply and thoroughly digged and plowed by eloquent gentlemen both for and against the bill under discussion, I am free to express the opinion that we can never successfully re-establish our ships upon the seas without aiding them in the start by some sort of national legislation which shall discriminate something in their favor; you may call it "drawback," "bounty," "rebate," "subsidy," or what you will. And if certain American ship-yards, ship-builders, or ship-owners shall, in the successful building up of our now substantially lost national marine, make fair or even liberal profits upon their enterprise and their investments, I shall not consider that any sufficient reason for objecting to a policy which will inevitably benefit largely more, as I believe, the other fifty-odd millions Americans who do not build or own ships, but who will thereby, I am persuaded, receive far higher resultant aggregate advantages. In a broad, enlarged, and national spirit, therefore, I will vote for the committee's bill, believing it to be a step in the direction of building up our national greatness and supremacy upon the sea as well as upon the land.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to Mr. HOUK, for three days, on account of important business.

ROCK ISLAND ARSENAL.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 10th instant, inclosing one from the Chief of Ordnance, together with one from Lieutenant-Colonel D. W. Flagler, commanding the Rock Island arsenal, Illinois, setting forth the insufficiency of the sum appropriated by the sundry civil appropriation act of August 7, 1882, for the deepening of the water-power tail-race canal at that arsenal, and recommending that a special appropriation of $20,000 be made for the completion of said work.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 11, 1883.

CLAIMS ALLOWED.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting schedules of claims allowed under appropriations, the balances of which have been exhausted or carried to the surplus fund; which was referred to the Committee on Appropriations, and ordered to be printed.

ORDER OF BUSINESS.

Mr. STEELE. I ask unanimous consent to take from the Speaker's table for reference to the Committee on Military Affairs a bill——

Mr. RYAN. I call for the regular order.

The SPEAKER. The regular order is the motion to adjourn.

The motion was agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BREWER: The petition of the faculty of Princeton College, New Jersey, in relation to the National Observatory—to the Committee on Public Buildings and Grounds.

Also, the petition of F. B. Thurber & Co., for passage of the bill pertaining to commercial travelers—to the Committee on the Judiciary.

By Mr. J. H. BURROWS: The petition of D. K. Stringer and 300 others, of Humphreys and Sullivan Counties, Missouri, for the repeal of the duty on lumber—to the Committee on Ways and Means.

By Mr. CANNON: The petition of E. G. Fish and others, for repeal of tax on tobacco and for rebate, &c.—to the same committee.

By Mr. S. S. COX: The petition of Henry Heiking, for arrears of pension—to the Committee on Invalid Pensions.

Also, the petition of John D. Haas and 75 others, active workingmen who are consumers of tin-plate and sheet-iron, against increase of duties on raw material, &c.—to the Committee on Ways and Means.

Also, memorial of Charles B. Tooker and 142 others, citizens of New York, asking for the application by contract of the grant of $400,000 made by Congress four years ago for the improvement of Harlem River—to the Committee on Commerce.

By Mr. CRAPO: The petition of Harriette Robinson Shattuck and others, officers and members of the National Woman Suffrage Association of Massachusetts, for an amendment to the Constitution of the United States to prohibit the several States from disfranchising citizens on account of sex—to the Select Committee on Woman Suffrage.

By Mr. FLOWER: The petition of A. H. Schleick, president, and J. H. Kafka, secretary of Cigar-makers' Union, and of William F. Dampf and George Pope, officers of Cigar-makers' Union No. 141, protesting against reduction of duty on imported cigars—severally to the Committee on Ways and Means.

By Mr. KLOTZ: The petition of dealers in tin-ware of Chambersburgh, Pennsylvania, relative to the duty on tin—to the same committee.

By Mr. NORCROSS: The petition of George W. Fitch and 50 others, citizens of Amherst, Massachusetts, for increase of duty on Sumatra tobacco—to the same committee.

By Mr. O'NEILL: The petition of Professor Joseph E. and William Nourse, administrators, for relief—to the Committee on Appropriations.

By Mr. SCRANTON: The petition of members of the bar of Susquehanna County, Pennsylvania, for passage of the bill (H. R. 7120) establishing the northern judicial district of Pennsylvania—to the Committee on the Judiciary.

By Mr. A. H. SMITH: The petition of 57 citizens of Lancaster County, Pennsylvania, for an increase of duty on imported tobacco—to the Committee on Ways and Means.

Also, the petition of 39 citizens of Lancaster County, Pennsylvania, for increase of duty on Sumatra tobacco—to the same committee.

By Mr. J. H. SMITH: The petition of D. H. Houghtaling & Co. and others, tea merchants of New York, for relief—to the same committee.

Also, the petition of John Nichols, D. E. Row, and 37 other manufacturers and dealers in tobacco, for repeal of tax on tobacco, cigars, &c., and for a rebate—to the same committee.

By Mr. SPAULDING: The petition of J. R. McDonald, president, and A. G. Monnick, secretary, of Cigar-makers' Union No. 186, of Flint, Michigan, relative to the duty on imported cigars—to the same committee.

By Mr. A. TOWNSEND: The petition of workingmen of Cleveland, Ohio, against any increase of duty on tin-plates and sheet-iron—to the same committee.

By Mr. UPDEGRAFF: The petition of Warner Post, Grand Army of the Republic, of Iowa, protesting against any reduction in internal-revenue taxation—to the same committee.

By Mr. WELLBORN: The petition of Ulysses Merchant, for relief—to the Committee on War Claims.

By Mr. WILLIS: The petition of G. W. Chamberlain and others, of Louisville, Kentucky, protesting against increase of duty on tin-plates—to the Committee on Ways and Means.

The following petitions, praying for a reduction of the duty on sugar, were presented and referred to the Committee on Ways and Means:

By Mr. BEACH: Of citizens of Rockland County, New York.

By Mr. BELMONT: Of 42 citizens of Amityville, Suffolk County, and of 20 citizens of Whitestone, Queen's County, New York.

By Mr. BRAGG: Of 39 citizens of Oakfield, Wisconsin.

By Mr. BRIGGS: Of William T. Sleeper & Co. and 2,624 others, citizens of New Hampshire.

By Mr. J. C. BURROWS: Of 70 citizens of Hartford and of 67 citizens of Kalamazoo, Michigan.

By Mr. CANDLER: Of 366 petitions of citizens of Massachusetts.

By Mr. CARPENTER: Of 79 citizens of Gowrie, Webster County, and of 19 citizens of Westside, Crawford County, Iowa.

By Mr. ERMENTROUT: Of citizens of the eighth Congressional district of Pennsylvania.

By Mr. S. S. FARWELL: Of 40 citizens of Davenport, Iowa.

By Mr. FORD: Of 172 citizens of Barnard, Missouri.

By Mr. HASKELL: Of citizens of Ottawa and Osage Mission, Kansas.

By Mr. HATCH: Of 110 citizens of Scotland County, Missouri.

By Mr. HITT: Of 81 citizens of Milledgeville, Carroll County, Illinois.

By Mr. JACOBS: Of 75 citizens of Coxsackie, of 56 citizens of Glasco, and 33 citizens of Kingston.

By Mr. KLOTZ: Of 79 citizens of Orangeville, Pennsylvania.

By Mr. MARTIN: Of 78 citizens of Milford, Delaware.

By Mr. PARKER: Of 33 citizens of Port Jackson, New York.

By Mr. PHELPS: Of 100 petitions, signed by 3,323 citizens of Connecticut.

By Mr. G. D. ROBINSON: Of C. H. Bull and 5,052 others, citizens of Western Massachusetts.

By Mr. ROSS: Of 80 citizens of Freehold, of 31 citizens of Colt's Neck, and of 42 citizens of Turkey, New Jersey.

By Mr. SCOVILLE: Of 86 citizens of East Aurora and of 32 citizens of Eden, New York.

By Mr. SKINNER: Of 83 citizens of Herkimer, New York.

By Mr. D. C. SMITH: Of 122 citizens of Atlanta, Illinois.

By Mr. SPARKS: Of 80 citizens of Mulberry Grove, Bond County, Illinois.

By Mr. SPAULDING: Of 35 citizens of Oxford, of 69 citizens of Owassa, of 71 citizens of Corunna, of 59 citizens of Byron, and of 20 citizens of Maple Rapids, Michigan.

By Mr. W. G. THOMPSON: Of 38 citizens of Brooklyn, Iowa.

By Mr. R. W. TOWNSHEND: Of 58 citizens of Carmi, White County, Illinois.

By Mr. UPDEGRAFF: Of 79 citizens of Decorah, of 81 citizens of Brush Creek, of 37 citizens of Edgewood, and of 80 citizens of Oelwein, Iowa.

By Mr. WEST: Of Dr. E. S. Moore and 78 others, and of Charles S. Smith and 82 others, citizens of Saratoga Springs, New York.

SENATE.

FRIDAY, *January* 12, 1883.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed the bill (S. 2290) to increase the fees of witnesses in the United States courts in certain cases.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of State transmitting the names of consular officers not citizens of the United States to whom salaries were paid during the fiscal year ending June 30, 1882; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War transmitting, in compliance with the requirements of the act approved August 7, 1882, the report of the Quartermaster-General of his examination of the claims of Julia A. Nutt, widow and executrix of Haller Nutt, late of Natchez, Mississippi.

Mr. CAMERON, of Wisconsin. The bill to which that communication relates was reported from the Committee on Claims, and I think the communication had better be referred to that committee. We do not want it printed. I move that it be referred without printing.

The motion was agreed to.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Commissioner of Agriculture, transmitting, in compliance with a resolution of July 1, 1882, a report of the committee of the National Academy of Sciences upon the subject of sorghum sugar.

The PRESIDENT *pro tempore*. This subject is an important one, and the Chair will refer the question of printing the communication to the Committee on Printing. It consists of five hundred pages of manuscript, and relates to a matter of very great importance. An extra number of copies will doubtless be recommended by the Committee on Printing.

Mr. DAVIS, of West Virginia. Shall I understand that the communication has been referred to the Committee on Printing?

The PRESIDENT *pro tempore*. The subject of printing the communication is referred to the Committee on Printing, and after the committee has decided on the number of copies to be printed the communication will be referred to the Committee on Agriculture.

Mr. DAVIS, of West Virginia. Very well.

PETITIONS AND MEMORIALS.

Mr. LAPHAM. I have a letter, which I desire to present, from H. Brewer & Brothers, also one from the Secretary of the Bridgwater Iron Company, stating that they were signers of the remonstrance against the passage of a bankruptcy law, which I presented some time since, and that they signed it a year and a half or two years ago, remonstrating against the re-enactment of the bankrupt law of 1867. They say they are now in favor of the Lowell bill, and desire its passage.

The PRESIDENT *pro tempore*. The papers will lie on the table, the bill having been reported.

Mr. GORMAN presented the petition of Roger Brooke, W. M. Stabler, and others, citizens of Maryland, praying that Congress will not reduce the tax on spirits and malt liquors and tobaccos, and for a modification of the law relating to the license tax to retail dealers in spirituous and malt liquors in localities where sale is prohibited by State laws; which was referred to the Committee on Finance.

Mr. VEST presented a memorial of Daniel W. Camth and F. M. McLean and other manufacturers using tin-plates and sheet-iron, citizens of Saint Louis, Missouri, remonstrating against any increase of the duties now imposed on the raw material consumed in making tin and sheet-iron ware; which was ordered to lie on the table.

Mr. PENDLETON. I present the memorial of the Swift Iron and Steel Works, of Cincinnati, Ohio, remonstrating against the proposed rates of duty to be imposed on articles of their manufacture by the tariff bill, which has been reported to the Senate. It is a communication by telegraph, and very brief, and I ask that it be printed in the RECORD. I would not ask to encumber the RECORD were it not very brief. I also ask that it lie on the table.

The memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

CINCINNATI, OHIO, *January* 11, 1883.

Hon. GEORGE H. PENDLETON, *United States Senator:*

The iron and steel manufacturers of Cincinnati and vicinity, having thoroughly considered the proposed rates of duty to be imposed on articles of their manufacture, desire to express their unanimous opinion that the rates of duty as proposed by the Senate Finance Committee, if adopted, will prove ruinous to their business interests, and they respectfully invoke your influence in aid of the defeat of such committee's report, and favor the immediate adoption of either the report of the House Ways and Means Committee or Tariff Commissioners.

SWIFT IRON AND STEEL WORKS,
E. L. HARPER, *President.*

Mr. PENDLETON. I also present the petition of the National Convention of Manufacturers of Lead Products, sitting in the city of New

York, the delegates to which from the city of Cincinnati are among its most important, influential, and intelligent citizens, and as it also is only two or three lines I ask that it be printed in the RECORD and lie on the table.

The petition was ordered to lie on the table and be printed in the RECORD, as follows:

NEW YORK, *January* 11, 1883.

SENATOR PENDLETON: National Convention Manufacturers of Lead Products, now in session, unanimously request that rates of duties based on 2 cents per pound duty on pig lead be made as follows:

"White lead, dry and ground in oil, litharge, red lead, and orange mineral, all 3 cents per pound."

Should duty on pig lead be reduced or advanced from 2 cents, an advanced difference of 1 cent per pound in favor of above products should be maintained.

EAGLE WHITE LEAD COMPANY, Cincinnati.
J. H. MORLEY & CO. LEAD COMPANY, Cleveland.
GEBHART & CO., Dayton.

Mr. PUGH presented the memorial of Anderson & Frank, of Union Springs, Alabama, manufacturers of tin and sheet-iron ware, remonstrating against an increase of duty imposed on raw material consumed in making such ware; which was ordered to lie on the table.

Mr. HOAR presented a petition of Burtt Alexander & Co. and others, underwriters, merchants, and masters of vessels engaged in the coasting trade of the United States, citizens of Boston, Massachusetts, praying that a light-ship be stationed on the outer side of Cape Hatteras Shoals; which was referred to the Committee on Commerce.

Mr. CAMERON, of Pennsylvania, presented the memorial of J. Dewald and others, citizens of Lebanon County, Pennsylvania, remonstrating against any increase of the duty on tin-plate; which was ordered to lie on the table.

BILLS INTRODUCED.

Mr. KELLOGG asked and, by unanimous consent, obtained leave to introduce a bill (S. 2351) for the relief of Dr. Robert Carter; which was read twice by its title, and referred to the Committee on Claims.

Mr. INGALLS asked and, by unanimous consent, obtained leave to introduce a bill (S. 2352) to provide for determining the existence and removal of inability of the President to discharge the powers and duties of his office; which was read the first time by its title.

Mr. PENDLETON. Let the bill be read at length.

The bill was read the second time at length, and referred to the Committee on the Judiciary, as follows:

Be it enacted, &c., That whenever two heads of Departments shall state in writing to the Chief-Justice of the Supreme Court of the United States that the President is unable to discharge the powers and duties of his office, then if said court be not sitting the Chief-Justice shall within ten days convene the same to hear and determine summarily the question of said alleged inability; and if upon said hearing it shall appear to said court that such inability exists they shall certify their decision to the Vice-President, who shall thereupon discharge the powers and duties of the office of President.

SEC. 2. That whenever two heads of Departments shall, in the case provided for in the previous section, state in writing to the Chief-Justice of the Supreme Court of the United States that the disability so ascertained has been removed, then if said court be not sitting the Chief-Justice shall within ten days convene the same to summarily hear and determine the question of said removal of disability; and if upon said hearing it shall appear to said court that said disability has been removed, they shall certify their decision to the President and Vice-President, and the President shall thereupon discharge the powers and duties of said office.

Mr. PENDLETON (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2353) to incorporate the Arkansas, New Mexico and Pacific Railroad Company, and for other purposes; which was read twice by its title, and referred to the Committee on Railroads.

Mr. PLUMB (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2354) for the relief of settlers on the Osage Indian lands in Southern Kansas; which was read twice by its title, and referred to the Committee on Indian Affairs.

ONTONAGON RAILROAD GRANT.

On motion of Mr. WALKER, it was

Ordered, That Senate bill 192, to quiet the title to certain lands in the Upper Peninsula of Michigan, with the accompanying reports, be reprinted for the use of the Senate.

Mr. WALKER. Mr. President, some weeks ago I gave notice that to-day I should ask the Senate to take up and consider Senate bill 192. I am satisfied that that can not be done to-day. I therefore ask that the bill which is to quiet the title to certain lands in the Upper Peninsula of Michigan be made the special order for to-morrow a week, Saturday the 20th instant.

Mr. MORRILL. I shall have to object to all special orders until we get through with the tariff bill.

Mr. KELLOGG. With the understanding that if the tariff bill of which the Senator from Vermont has charge is pending at that time the Senator from Arkansas will give way, there may be no objection to making the bill a special order.

Mr. WALKER. As a matter of course I will give way to the tariff bill if it is then pending.

The PRESIDENT *pro tempore*. Does the Senator from Vermont object?

Mr. MORRILL. I object to all special orders.

The PRESIDENT *pro tempore*. Does the Senator from Arkansas ask to have the bill made a special order by a vote of the Senate?

Mr. WALKER. I do, sir.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks to have made a special order for the 20th of this month, at 2 o'clock, the bill he has indicated.

Mr. MORRILL. I trust that at this period of the session no special orders will be made. No advantage whatever can be obtained by it, because if the tariff bill or any other bill is under consideration and the Senate resolves to continue with it, that overrides any special order, and therefore nothing whatever is gained except to create a contest for the time being and consume time.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Arkansas, to make the bill (S. 192) to quiet the title to certain lands in the Upper Peninsula of Michigan the special order for the 20th instant.

Mr. CONGER. What is the proposition about that bill?

The PRESIDENT *pro tempore*. To make it a special order for the 20th of this month at 2 o'clock.

Mr. CONGER. I object to making a special order of that bill. There is no more necessity for the consideration of that bill than of any other bill on the Calendar. It is on the Calendar, and let it stay there and take its place. There are interests involved and parties interested who are not here and perhaps may not be at that time. The Senator from Wisconsin [Mr. SAWYER] perhaps is as much interested in that measure, at least in considering it, as anybody, and he does not desire, as I understand, to have it made a special order for that day or any other until we reach it properly.

Mr. PLUMB. I suggest to the Senator from Arkansas that he will accomplish his purpose just as well by giving notice that he will on that day, or the next day on which it shall be convenient in reference to the consideration of the tariff bill, call up his bill. That will take less time and accomplish the same purpose exactly.

Mr. WALKER. I fear not, Mr. President. I prefer that it shall be made a special order, as there is a necessity that the bill should be considered. A similar bill was reported at the last session of Congress and delayed, and it becomes very important to those who are interested in these lands that the bill should be considered now. The object of the bill is to quiet titles to certain lands which have been granted to parties within the railroad grant after the ten years, the time limited in the act making the grant, had expired. It is a matter of great importance to those parties that the bill should be early considered. I hope the Senate will make it a special order for the time indicated.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Arkansas, to make the bill indicated by him a special order for the 20th instant at 2 o'clock.

Mr. CONGER. Is that in the nature of a resolution?

The PRESIDENT *pro tempore*. The Senator from Vermont [Mr. MORRILL] objected to the bill being made a special order, and then the Senator from Arkansas, asked for a vote of the Senate on the subject. It requires two-thirds to make the bill a special order.

Mr. CONGER. I object to its being made a special order.

The question being put, there were on a division—ayes 17, noes 22.

The PRESIDENT *pro tempore*. The motion is lost, and the bill is not made a special order.

PRINTING OF REVENUE BILL.

Mr. MORRILL. I ask an order to print five hundred more copies of the tariff bill. The old number having been exhausted, I ask that this additional number may be printed.

The order was read, as follows:

Ordered, That five hundred additional copies of House bill 5538 be printed for the use of the Senate.

The PRESIDENT *pro tempore*. The order will be referred to the Committee on Printing, and they can report it at any time.

ORDER OF BUSINESS.

Mr. PLUMB. Has the morning business been concluded?

The PRESIDENT *pro tempore*. If there be no further concurrent or other resolutions——

Mr. MORRILL. Then I move that the Senate proceed to the consideration of the tariff bill.

The PRESIDENT *pro tempore*. The Senator from Kansas has the floor.

Mr. PLUMB. If the morning business is concluded, I desire to move that the Senate proceed to the consideration of the bill (H. R. 4429) to enlarge the powers and duties of the Department of Agriculture, which was passed over when reached on the Calendar to be taken up on my return, and which I think can be disposed of without a very great deal of debate. Being a House bill it comes within the rule which the Senate has established, and which it will find necessary to execute before the final adjournment in order that any result may be arrived at in regard to very important matters of legislation.

Mr. DAVIS, of West Virginia. I am heartily in favor of the bill which my colleague on the Committee on Agriculture proposes to take up, but I suggest to him to give notice that he will ask the Senate to consider the bill to-morrow or the next day. The chairman of the Committee on Agriculture is not in his seat now, and it would suit me bet-

ter to have the bill taken up to-morrow or Monday. I hope the Senator from Kansas will consent to the course I have suggested.

Mr. PLUMB. So far as the notice is concerned I shall not give it, because I am aware how ineffectual such notices are. I think unless the Senate shall decide to take up some other order I will insist on taking up the bill now.

Mr. MORRILL. I wish to say that that bill will be very likely to cause a discussion of at least a whole day; there are many other measures in the charge of other Senators which they consider equally important, and if the tariff bill is made to give way to one it will be made to give way to another. I therefore hope, as the motion can not be superseded without a direct vote, that it will be voted down, and I shall instantly then ask the Senate to proceed at once to the consideration of the tariff bill.

Mr. HOAR. What is the present motion?

The PRESIDENT *pro tempore*. To take up a certain bill on the Calendar. The Calendar is now the regular order, and the Senator from Kansas moves to take up the bill to enlarge the powers and duties of the Department of Agriculture.

Mr. ROLLINS. Is morning business now in order?

The PRESIDENT *pro tempore*. The Chair will receive it.

Mr. ROLLINS. I desire simply to give notice that I shall to-morrow morning call up for the action of the Senate the resolution in reference to meeting at 11 o'clock in the morning.

Mr. MORRILL. Will a motion to set aside the present and all other orders supersede the motion of the Senator from Kansas?

The PRESIDENT *pro tempore*. The Chair supposes that the question is to be put first on the motion of the Senator from Kansas. If that motion is denied by the Senate, then the Senator from Vermont can move to postpone the Calendar until to-morrow morning.

Mr. PLUMB. What is the motion to which the Chair refers?

The PRESIDENT *pro tempore*. The Chair stated to the Senator from Vermont that the motion of the Senator from Kansas is in order first.

Mr. PLUMB. My motion, if I understand it, is in the nature of a suggestion, that as this bill to which I refer was temporarily passed over, when the Calendar is taken up it shall be first considered.

The PRESIDENT *pro tempore*. Then the motion of the Senator from Vermont is in order to postpone the Calendar until to-morrow.

Mr. COCKRELL. I should like to make an appeal to the Senator from Vermont that we might have some time each morning to consider the unobjected House cases upon the Calendar. I think if we devote an hour or so each morning to the Calendar we shall not lose anything by it, and we should really facilitate business and prevent the necessity of Senators moving to take up special cases, which consumes time.

There are quite a number of bills on the Calendar which have passed the House; they have come to the Senate, have been referred to the appropriate Senate committees and favorably reported, and if we take them up and act on them, that ends them; it gets them out of our way at this session and for all coming time. We ought certainly to consider some of those cases. We took up the Calendar the other morning and passed several House bills and got rid of them entirely. One or two cases came up which provoked discussion and prevented action upon as many as otherwise would have been acted upon.

I think if we should take up the Calendar this morning, we could in a very short time dispose of all unobjected House cases on the Calendar, maintaining the Anthony rule limiting debate to five minutes.

Mr. MORRILL. But the Senator from Missouri must see that every one of these cases is sure to be acted upon before the close of the session. We shall surely find time to act upon the unobjected cases from the House. It will take but a short time to do that. None of the measures which have passed the House and are unobjected to in the Senate will have to go back to the House; so that there is not the slightest danger but what every one of those cases will be considered before the close of the session.

The PRESIDENT *pro tempore*. The question is on postponing the Calendar.

Mr. HOAR. I do not mean to antagonize the motion of my friend from Kansas——

Mr. MORRILL. He does not make a motion; he only made a suggestion, he says.

Mr. HOAR. But I think I ought to insist on the right of the bankruptcy measure, which has been acted upon by the Senate on one important stage and was recommitted, and actually has its place now. Being the special order for Wednesday of this week and being displaced, it is entitled to any time which is given to any special measure. I think we can determine the opinion of the Senate on that measure in a brief space of time one way or the other. I shall therefore, if any measure has to have precedence out of its course, insist upon that, not, however, applying the rule to the motion which the Senator from Kansas makes, if he makes it, because that is a matter which was passed over without prejudice when reached on the Calendar.

Mr. PLUMB. Let me say briefly that, if we take up the tariff bill now, of course we displace the entire Calendar, and it can not come up again practically while the tariff bill is under consideration. We shall therefore be in the attitude of having an antagonism to that bill as to precedence all the way through. If the Calendar is given a fair show of an hour or two each morning, we shall all sit down in harness here for work on the tariff bill, and bring that up until it is disposed of, and I have no doubt really do more with it, at the same time accomplishing as well some other business, which is really important, in the mean time. I think, therefore, that the Calendar ought to be proceeded with. I only say that the bill to which I have called attention is at the head of the Calendar, and it ought to be considered by reason of its importance. If the debate shall be interminable upon it so as to displace any other portion of the Calendar unnecessarily, or to any very considerable length, I shall be willing that it be postponed to some other time; but it is certainly in order to be brought up now under the rule of the Senate as to considering House bills. Certainly there is no other House bill on the Calendar to-day in my judgment which is of more importance than this bill, and none which more nearly affects in every way, practically and sympathetically, a larger portion of the people of the United States than this bill.

Mr. MORRILL. I suggest to the Senator from Kansas that he had better postpone the bill he refers to until it is decided whether we shall meet at 11 o'clock. If we determine to meet at 11 o'clock, then there will be some time given beyond the morning hour for the consideration of such measures.

Mr. PLUMB. There is no condition about the bill at all. If the Senate should consent to meet at 4 o'clock in the afternoon the importance of the bill would be just the same, and the importance of this method of proceeding, if we are to do anything at all, would be the same.

I wish to say simply that if we are to be cut off from the Calendar by the tariff bill, I am satisfied that the tariff bill will encounter a great deal more opposition of a factious character, and so much so that it will be finally necessary to displace it, for the reason that on the whole the Senate will not say that it will cut itself off from doing anything else, but that it will give the right of way to the Calendar, if only for half an hour each day.

Mr. MORRILL. Let us try it.

The PRESIDENT *pro tempore*. The Chair would state that the motion the other day to proceed to the consideration of unobjected House bills fell with the day. The vote of the Senate would have to be taken on that subject again.

Mr. PLUMB. But, as I understand it, this bill was reached in its order and was postponed until I should return, and then come up. Such is the record.

The PRESIDENT *pro tempore*. The whole subject of considering House bills alone fell with the day. If the Senate should again agree to proceed to the consideration of House bills, that bill would be first in order The question now is on the motion to postpone the Calendar until to-morrow.

The question being put, there were on a division—ayes 23, noes 23.

Mr. BROWN and Mr. MORGAN called for the yeas and nays; and they were ordered.

Mr. DAVIS, of West Virginia. I wish the tariff bill to have its place and its time; but I believe it would be better to allow the Senate each morning for two hours after meeting to proceed with the ordinary business. There are a great many bills on the Calendar which are important; and if we now take up the tariff bill and continue to do so each morning, all other business will be delayed. I think it would be far better and would save time each morning to spend the first two hours in general business and then take up the tariff bill regularly each day. I hope the Senate will so decide. I believe it will be far better to do so.

Mr. MORRILL. I desire this vote, because I want to see whether there is an earnest purpose to take up the tariff bill and act upon it. We worked yesterday all day from 2 o'clock, and we succeeded in getting over nearly three pages. The bill contains one hundred and thirty-six pages. Therefore Senators will see that at the same rate of progress we are not likely to get through the bill during the present session. I therefore ask for a vote on the question.

Mr. MORGAN. The Senator from Vermont can not determine whether there is an earnest purpose to pass the tariff bill at this session by antagonizing it with all the other business of the Senate. There is an earnest purpose to understand it and discuss it. The bill has been reported here very recently. It is very comprehensive in its provisions, introducing a great number of new topics. The bill is essentially imperfect in many particulars. It was amended on the other side of the Chamber yesterday on the motion of the honorable Senator from Rhode Island [Mr. ALDRICH], it was amended on the motion of the honorable Senator from Virginia [Mr. MAHONE], in matters which are essential to a proper understanding of the bill, and also by the honorable Senator from Kansas [Mr. PLUMB]. Three amendments were put upon it on the other side of the Senate. The Senator from Texas [Mr. COKE] also amended the bill on his motion.

The bill has not come to us in such a state of sanctified perfection as to authorize the Senator from Vermont to suppose that we are going to take it simply on trust and not debate it. We must understand it. It is necessary that some Senators here should have time to consider this bill at their own residences. We have not had an opportunity to study this bill as the committee have had by far; they have made no report except the speech of the honorable Senator from Vermont to indicate

what the purpose and the details of the bill may be and how far it may affect the commerce or general welfare of this country. I do not accept the speech and explanation of the honorable Senator from Vermont as a fair exposition of this tariff; it is no more so than the report of the Tariff Commission was itself of the tariff they reported. It is a partisan eulogy upon the Tariff Commission and upon the work and labor of this commission, which I do not propose just to gulp down without any sort of consideration. The honorable Senator will make more progress with his bill if he will allow the Senate of the United States to consider it as other bills are considered, and he will not make progress by undertaking to crowd out the consideration of all the other important matters that are pending in the Senate by the measure which he seems to have so much at heart.

He intimates that the bill is to be destroyed by discussion and by amendment. Sir, if it is to be destroyed by amendments and by discussion it ought to fail; for a bill that can not stand with its able backers here the force of discussion and propositions to amend it in this Senate is a bill that ought not to pass; and I accept the situation precisely as the honorable Senator from Vermont likes to lay it before the country. If the bill has been amended in the short action we have taken upon it four times, there is evidence enough that a Senate intelligent enough to understand this proposition after discussion find in it defects that are necessary to be reformed before it can find its way into the shape of a statute.

Mr. MORRILL. It was no purpose of mine to hamper the Senate in the least degree; but it was my object to get rid of this bill in order to give the Senate an opportunity to attend to some other business. Now, if the Senate shall decide to meet at 11 o'clock I shall be perfectly willing, so far as I am concerned, to allow the first two hours of the session each day to be devoted to miscellaneous business; but I think, in view of the magnitude of the bill and also of the extent of discussion which is likely to arise thereupon, it is obvious that we must take more time than from 2 o'clock until 5 in order to finish the bill.

Mr. PLUMB. Mr. President, I think the Senator from Vermont does not exactly heed what I said. He said this motion would develop the honesty of the Senate in regard to this tariff bill. I do not propose to rest under a criticism of that kind. I want the tariff revised, I think quite as much perhaps as some people who are more actively engaged in measures looking to that end; but I want that done as everything else is done, with a due consideration for all other interests and for the public business in other departments as well; and I know, or at least I think I know, that if the tariff bill is to be put in opposition to every other measure on the Calendar, in the course of a week or two the tariff bill will be put aside from time to time to take its chances while the regular business has the right of way. It has the right of way now, and we can sit here not only from 2 to 5 but from 2 to 6, and can do more business with other things disposed of and properly out of the way, than we can by attempting all the time to run the tariff bill in the way of everything else that other Senators are interested in and which must be taken up now or not at all.

I may say further, that while I want the tariff revised and am going to vote for a good, fair revision of it, I am not going to vote for a bill embracing tariff and internal revenue of which I do not understand the full purport, and I will vote for no bill which reduces largely the public revenue, which puts it out of the power of the Government to pay a large and increasingly large amount of the public debt as it shall become liable to be paid, which in any way impairs the ability of the Government to pay promptly all the pensions it justly owes to the soldiers of the late war, or which is designed to pamper and build up special interests in this country upon any assumed guise of cutting down taxation about which the people of this country do not complain. And when we come to consider this question we shall need all the good humor we have got, and shall need to believe that we have all of us had a fair chance, and that it has not been brought on us like a cow-catcher, irrespective of the rights we have on this floor, and of the interest we have in other measures as well.

Mr. MAXEY. I desire to say that I will meet the Senator from Vermont in the passage of a tariff bill fairly and equitably adjusted, having in view the raising of revenue, and no other view than raising revenue, for the purpose of paying the interest on the public debt, providing for the sinking fund and the current expenses of the Government. I will meet here with him at 10 o'clock or 11 o'clock, or any other hour, and sit as long at night as he will until he accomplishes that object; but it must be a revenue bill and a reduction of revenues to meet the purpose which I have just indicated. I have this morning myself been attending two very important committees, having important matters before them which should be disposed of by the Senate and by the House; and if this bill is to take precedence of every other bill—if the Calendar is to have no show whatever—we had just as well stop work in committees and begin here at 10 o'clock and spend the day on this tariff bill.

Mr. CONGER. Mr. President, I hope the Senate will go on, to the exclusion of almost all other business, with this tariff bill until it is completed and whatever is to be done in the Senate is done. I do not know but that my extreme sympathy for my friends on the other side, my consideration for their feelings, may have led me into the state of mind I am; but for the last year I have heard from two-thirds of the gentlemen on that side of the House so many regrets, so many reproaches, so many delicate and tender allusions to this subject, so much urgency that we should act upon the tariff, so many reproaches because we had passed so many days and weeks without reducing taxation, that I have got to believe they were somewhat, or some of them at least, in earnest. It seems, however, that when we come to any vote our friends on the other side are unwilling to take up the question and make one continuous, vigorous effort to reduce taxation, to modify the tariff, to get through with this business, so that we may go on with the other business of the Senate.

I certainly, aside from my desire that this question may be settled, that the propositions which are before the Senate may be considered and disposed of, desire to get past that time when every day and continuously I am reproached for neglect in the past. I trust I can learn something from the past. If these reproaches on the Republican party for not having reduced taxes, not having modified the tariff, not having passed some tariff bill are made in sincerity, they demand our consideration. If they are made without sincerity, they are made to the American people continually to condemn us for our inactivity in regard to this very measure, and I should like to take away that condition where we are liable to the reproach. I should like to learn from the gentlemen on the other side what we ought to do, and do it at once, and I regret very much to see our friends one after another, either by their remarks or their votes, indicate a desire to postpone and put off for even a single hour the consideration of this bill. Our friends all through the country will inquire why it is that those who have been persistently goading the Republican party for not passing this bill are not willing now to let them go on with the bill and perfect it.

I hope, sir, we may give our entire attention to the consideration of this matter before us until it is completed in one way or another, and then be prepared to take up the Calendar, or take up any business which may be before the Senate.

Mr. BECK. I rise to say that I shall press, as far as I am concerned, the hearing of the tariff bill and all matters connected with it; but I desire also to say that when the bill was reported I insisted, if it was possible—and I believed it would tend to a proper elucidation of the subject—that two very important members of the Finance Committee who were compelled to be absent for a day or two should be here, the Senator from Delaware [Mr. BAYARD] and the Senator from Tennessee [Mr. HARRIS], both of whom heard in committee nearly all the discussion; and I reserved the right to maintain the morning hour during this week for other business, and I expect so to vote.

Mr. SAULSBURY. The statement made by the Senator from Michigan as to this side of the House was calculated to impress the country with the idea that this side of the House was resisting an attempt to lessen taxation and reduce the tariff. I want to say to the Senator from Michigan and other gentlemen on that side of the Chamber that for one member of this side of the Chamber I am as anxious now as I have ever been to see the taxes on the people of this country reduced, and I expect at this session to go for this bill provided I can get it in a proper shape so that it may not contain provisions to which I am opposed.

Mr. MAXEY. Let me suggest to the Senator from Delaware that our votes of yesterday show very clearly that we are favorable to reduction.

Mr. SAULSBURY. This new-born zeal for the reduction of taxation on the part of the Senator from Michigan and other gentlemen on the other side will not make the impression on the country which they may suppose it will. The people have not forgotten that at the last session of Congress we were persistent in our appeals to that side of the House to reduce taxation. I apprehend this new-born zeal now is born of the lessons taught by the elections of last fall. I give them credit for listening to the popular sentiment of the country on this subject, and hope that in the future they will conform their views to the wishes of the people, and not ignore the demands of the people of this country as they have done heretofore in reference to the subject of taxation.

I say to the Senator from Michigan and to Senators on the other side that for one I shall go as far as they dare go for the relief of the people from taxation, and I shall labor as best I can to put this bill in the best possible shape, so that if we can accomplish what ought to be done I will give to the bill my cordial support, though it may contain some provisions not in harmony with my own wishes in all regards.

Mr. CONGER. I can hardly express the gratification I feel at finding that those who are the leaders of the party on the other side, the distinguished gentlemen who have spoken, have given in so publicly their adhesion to the doctrine that we shall go on and that it is our duty to go on with the tariff bill, to reduce taxation, to modify it, and are willing to do so. I am glad that the other gentlemen did not oppose them. We welcome to our ranks and to our desire to do what is best for the interests of the people of this country those who have thus expressed their opinions in favor of attending to this bill until it is disposed of. I am glad to know that the old adage so often quoted, that there is a party in this country whose members never learn anything and never forget anything, is not applicable in this day of progress. I wish there were more who would make their confession now and express their willingness to go on and assist in this good work.

The PRESIDENT *pro tempore*. The question is on postponing the Calendar.

Mr. INGALLS. Before voting on this motion I wish we could reach some understanding about meeting at 11 o'clock in the morning. I understand the Senator from Vermont to say that if the Senate can meet hereafter at 11 o'clock there will be no objection on the part of the friends of the tariff measure to continuing the consideration of other business until 1 o'clock.

Mr. MORRILL. None whatever.

Mr. INGALLS. That will give the ordinary interval for the consideration of matters in which Senators are interested.

It is obvious to my mind from the developments of yesterday and this morning that the tariff bill will not have an easy passage through this body. I shall be agreeably surprised if the debate closes before the end of this month; and if that is the case, it is obvious that there ought to be some interval each day for the consideration of business in which other Senators are interested. I shall be unwilling until there is some action taken upon that resolution of the Senator from New Hampshire [Mr. ROLLINS] to have the Calendar finally disposed of; and I wish that before this vote is taken we might in some informal or formal way express the wishes of the Senate upon that proposition. If we are to meet at 11 o'clock, I am willing to have the Calendar postponed now; but if we are not, and the entire time is to be taken up for the rest of this month by the consideration of the tariff bill, I am disposed to think it will be injudicious.

Mr. ROLLINS. I am quite willing that the sense of the Senate should be taken on my resolution at this time, if it can be done.

Mr. INGALLS. I ask unanimous consent before this vote is taken on the pending motion, that we may act on the resolution offered by the Senator from New Hampshire yesterday.

HOUR OF MEETING.

The PRESIDING OFFICER. Is there unanimous consent given that the Senate may act on the resolution of the Senator from New Hampshire? ["No objection."]

Mr. ROLLINS. Let the resolution be read.

The PRESIDENT *pro tempore*. The Chair hears no objection, and temporarily the motion to postpone is withdrawn with the consent of the Senator from Vermont. The resolution of the Senator from New Hampshire will be read.

The Acting Secretary read the resolution yesterday submitted by Mr. ROLLINS, as follows:

Resolved, That on and after Monday, the 15th instant, the hour of the meeting of the Senate during the present session shall be 11 o'clock a. m.

Mr. INGALLS. That must be further amended, because under the present pending order of the Senate the consideration of the Calendar will continue in terms until 2 o'clock, and it must be the understanding that the hour of 2 is to be rescinded in the morning order.

Mr. VOORHEES and others. Say 1 o'clock.

Mr. INGALLS. Let the Calendar be continued to 1 o'clock.

Mr. VOORHEES. So as to have two hours for general business each day.

The PRESIDENT *pro tempore*. Does the Senator from Kansas move an amendment to the resolution?

Mr. INGALLS. It is not necessary if there be an understanding.

The PRESIDENT *pro tempore*. Is there consent to the understand- that if the resolution is adopted the morning hour is to last from 11 to 1 o'clock? The Chair hears none. The question is on the resolution of the Senator from New Hampshire [Mr. ROLLINS].

The resolution was agreed to.

The PRESIDENT *pro tempore*. The resolution is adopted, and the Chair announces that, by the unanimous consent of the Senate, hereafter the morning hour will be considered closed at 1 o'clock.

Mr. MORRILL. Now with the leave of the Senate I withdraw the motion I have made, but give notice that I will ask for the consideration of the tariff bill every day at 1 o'clock beginning with Monday next.

The PRESIDENT *pro tempore*. Is there objection to the withdrawal of the motion? The Chair hears none.

CONSIDERATION OF HOUSE BILLS.

Mr. COCKRELL. I move now that the Senate proceed to the consideration of unobjected House bills on the Calendar which have been reported favorably to the Senate under the Anthony rule.

Mr. INGALLS. House bill No. 5200 was under consideration and nearly concluded when the Senate had the Calendar last under consideration. It might be well to finish that this morning.

Mr. COCKRELL. I think that ought to be finished; that was the one under consideration when we last had the Calendar up.

Mr. PLUMB. I want to give notice, in view of what has taken place and my responsibility in regard to the bill mentioned by me, that I can not consent to that. If we are to consider unobjected cases, I shall be obliged to sit here and object to all cases that may be called. This bill was passed over in my absence with the understanding that it should be taken up on my return. It has been a long time on the Calendar.

The PRESIDENT *pro tempore*. The rule the other day when this bill was passed over was to consider only unobjected cases.

Mr. COCKRELL. It is only continuing the Anthony rule.

Mr. PLUMB. I shall move or suggest, whatever may be necessary for the purpose, that the bill to which I have referred be taken up.

The PRESIDENT *pro tempore*. The Chair will inform the Senator from Kansas that when the bill is reached, if there is objection to considering it, he can have a vote of the Senate on proceeding to its consideration. The Chair hears no objection to the suggestion of the Senator from Missouri [Mr. COCKRELL].

Mr. GEORGE. Do I understand the Senator from Kansas to withdraw his proposition to take up the Agricultural Department bill?

The PRESIDENT *pro tempore*. That is not the question now. The suggestion is to proceed with the unobjected House bills on the Calendar under the Anthony rule. When the bill referred to by the Senator from Kansas is reached the Senate can take it out of the rule if it chooses. The Chair hears no objection to the suggestion of the Senator from Missouri.

POSTMASTERS' SALARIES.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5200) authorizing and directing the Postmaster-General to readjust the salaries of certain postmasters in accordance with the provision of section 8 of the act of June 12, 1866.

The bill was reported from the Committee on Post-Offices and Post-Roads with amendments, after the word "made," in line 9, to strike out "direct official application or;" in line 21, after the word "such," to strike out "application," and after the word "postmaster," in line 24, to insert "or legal representative;" so as to make the bill read:

That the Postmaster-General be, and he is hereby, authorized and directed to readjust the salaries of all postmasters and late postmasters of the third, fourth, and fifth classes, under the classification provided for in the act of July 1, 1864, whose salaries have not heretofore been readjusted under the terms of section 8 of the act of June 12, 1866, who made sworn returns of receipts and business for readjustment of salary to the Postmaster-General, the First Assistant Postmaster-General, or the Third Assistant Postmaster-General, or who made quarterly returns, in conformity to the then existing laws and regulations, showing that the salary allowed was 10 per cent. less than it would have been upon the basis of commissions under the act of 1854; such readjustments to be made in accordance with the mode presented in section 8 of the act of June 12, 1866, and to date from the beginning of the quarter succeeding that in which such sworn returns of receipts and business or quarterly returns were made: *Provided*, That every readjustment of salary under this act shall be upon a written application signed by the postmaster or late postmaster, or legal representative, entitled to said readjustment; and that each payment made shall be by warrant or check on the Treasurer or some assistant treasurer of the United States, made payable to the order of said applicant, and forwarded by mail to him at the post-office within whose delivery he resides, and which address shall be set forth in the application above provided for.

The amendments were agreed to.

Mr. ALLISON. I think I must object to the consideration of the bill.

The PRESIDENT *pro tempore*. The Senator has a right to object to its further consideration.

Mr. ALLISON. I object to it for the present. I will allow it to retain its place on the Calendar.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

Mr. INGALLS. What does the Senator from Iowa desire in connection with the bill? It was discussed at the last session of the Senate when the Calendar was under consideration. It has passed the Senate on two or three previous occasions. It has passed the House after elaborate discussion. And it would appear as if, it having proceeded through so many stages, it ought finally to be disposed of. If it is wrong, it ought to be rejected; but if it is just, there is no reason why it should not pass. The Senator from Texas [Mr. MAXEY] yesterday gave an explanation of it that seemed to be very lucid and satisfactory.

Mr. MAXEY. I ask the attention of the Senator from Iowa for a moment. As I have heretofore stated, I was on the sub-committee that examined this bill. It had been previously examined by Senator Bailey, of Tennessee, when a member of the committee, who made a very careful examination of it together with the Senator's late colleague, Mr. Kirkwood; and both of them here in the Senate stated that the bill was right. I took the bill when it came from the House, by direction of the Committee on Post-Offices and Post-Roads, and I compared it with the case in the Court of Claims of McLean *vs.* The United States, and also with the same case in the United States Supreme Court, in 95 United States Reports; and this bill, worded as the committee amend it, is in precise accord with the decision of the Supreme Court. While I do believe that a very large number of these men have been paid, and are not now entitled to anything, yet the examination showed me that there were some who had not been paid, and if they have not been paid they ought to be paid. That is all there is in it. The House report will show every fact that I have stated.

Mr. ALLISON. I understand that this bill will take a large sum of money out of the Treasury, and I also understand that it relates to the compensation of postmasters who were postmasters prior to 1866. It seems to me that we ought to know the amount involved in this bill from some source before we undertake to pass it.

Mr. MAXEY. The House committee said $500,000. I do not say that amount, for I really do not know, and I do not think anybody does.

Mr. ALLISON. I have received a great many circulars from post-

masters stating that attorneys and agents have offered to collect this sum for 50 or 25 per cent. of the amount involved. It has occurred to me from receiving these circulars that this was rather in the nature of a stale claim that ought to be carefully examined before it is passed.

I do not know but that the Senator from Texas is perfectly right that it ought to pass in principle, whatever the cost is; but I ask that it may go over that we may ascertain from the Post-Office Department in some definite way what amount of money is involved. If the Postmaster-General has already stated the amount involved so that we know, of course I do not ask that the bill go over on that ground.

Mr. INGALLS. The law under which these claims arose, as I understand, originally provided that when the quarterly returns of postmasters showed that they were entitled to 10 per cent. more than they were receiving, the Postmaster-General should review and readjust their salaries. For some reason hitherto unexplained the Postmaster-General refused to comply with this law. A test case was taken to the Court of Claims and there decided in favor of the claimant and against the Government, and this bill is merely declaratory of the prior law, and requires that the readjustment that should hitherto have been made shall be made now.

The Senator from Iowa states that he is informed that it will take a large sum of money out of the Treasury. It would be a novel defense to a suit upon contract that the debtor thought, as the sum was larger than he really expected to pay, that on the whole he concluded he would deny the debt. The question is not whether the amount is large, but whether the obligation is just; and inasmuch as the claim under which the demands of these officers are made has been submitted to the Court of Claims and the decision has been made in favor of the claimants and against the Government, I can see no good reason why the bill should not pass. I believe from the best information I can obtain that the amount involved will not be less than $300,000, nor more than half a million; and so far as the interests of claim agents and attorneys are concerned, inasmuch as the warrant must issue direct from the Post-Office Department and be paid to the claimant in person, there is no great reason for apprehension that agents and attorneys will receive anything more than that to which they are justly entitled.

Mr. HAWLEY. Has the Senator given the date and title of that case in the Court of Claims to which he refers?

Mr. INGALLS. I have not, but I have seen the report, and have a copy of the report at my room, which I regret is not here.

Mr. MAXEY. It is the case of McLean *vs.* The United States in the Court of Claims. I do not remember the number of that volume, but the same case went to the Supreme Court as The United States *vs.* McLean, it being taken up by the Attorney-General. It is the case of The United States *vs.* McLean, reported in 95 United States Reports, and that case in 95 United States refers back by number to the case in the Court of Claims.

Mr. ALLISON. These people have waited until 1866; they can wait another day. I object to the bill, without prejudice.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

DEPARTMENT OF AGRICULTURE.

Mr. PLUMB. I now call up House bill No. 4429.

The PRESIDENT *pro tempore*. The Senator from Kansas calls up the bill (H. R. 4429) to enlarge the powers and duties of the Department of Agriculture, heretofore passed over without prejudice.

Mr. DAVIS, of West Virginia. I suggest to my colleague on the Agricultural Committee that probably it would be well to wait until to-morrow before calling that bill up, as a great part of to-day's morning hour has passed, and some of us may wish to make some remarks, and there will be hardly time to finish the bill this morning.

Mr. PLUMB. Considering that we have the Calendar in some definite position now, I have no objection to doing that, with the understanding, of course, that the bill does not lose its place on the Calendar and is subject to be called up to-morrow.

The PRESIDENT *pro tempore*. By unanimous consent the bill will be passed over without prejudice.

DISTRICT TURNPIKE ROAD.

The consideration of the bill (H. R. 6627) to authorize the establishment of a free public highway in the District of Columbia was resumed as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DELAWARE INDIANS.

Mr. SLATER. I now ask the Senate to return to the bill (S. 1333) to authorize the payment to the Delaware Indians of the amount awarded to them under the provisions of the treaty of July 4, 1866.

The PRESIDENT *pro tempore*. The Senate is proceeding under an order to call up House bills and not Senate bills.

Mr. SLATER. I beg pardon.

SUPPRESSION OF GAMING.

The bill (H. R. 1294) more effectually to suppress gaming in the District of Columbia was considered as in Committee of the Whole.

Mr. ANTHONY. It strikes me that the penalties in this bill are very severe. I move to strike out the minimum penalty wherever it occurs.

The PRESIDENT *pro tempore*. The committee propose an amendment to that effect.

Mr. ANTHONY. Very well.

The amendments reported by the Committee on the District of Columbia were read.

The first amendment was, in section 1, line 14, after the word "not," to strike out "less than two nor;" so as to read:

That every person who shall, in the District of Columbia, set up or keep any gaming-table, or any house, vessel, or place on land or water for the purpose of gaming, or gambling device commonly called A. B. C., faro-bank, E. O., roulette, equality, keno, thimbles or "little joker," or any kind of gambling table or gambling device, adapted, devised, and designed for the purpose of playing any game of chance for money or property, or who shall induce, entice, or permit any person to bet or play at or upon any such gaming-table or gambling device, or on the side or against the keeper thereof, shall, on conviction, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment for a term not more than five years.

The amendment was agreed to.

The next amendment was, in section 2, line 2, before the word "permit," to insert "knowingly;" and in line 8, after the word "not," to strike out "less than three months nor;" so as to make the section read:

SEC. 2. That every person who shall, in the District of Columbia, knowingly permit any gaming table, bank, or device to be set up or used, for the purpose of gaming, in any house, building, vessel, shed, booth, shelter, lot, or other premises to him belonging, or by him occupied, or of which he hath at the time the possession or control, shall, on conviction, be adjudged guilty of a misdemeanor, and punished by imprisonment for not more than one year, and by fine not exceeding $500.

The amendment was agreed to.

The next amendment was, in section 3, line 9, after the word "not," to strike out "less than one nor;" so as to make the clause read:

SEC. 3. That every person who shall, in the District of Columbia, deal, play, or practice, or be in any manner accessory to the dealing, playing, or practicing of the confidence game or swindle known as three-card monte, or of any such game, play, or practice, or any other confidence game, play, or practice, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding $1,000, and by imprisonment at hard labor in the jail of the District not more than five years.

The amendment was agreed to.

Mr. ANTHONY. What is the significance of the provision in the fifth section that this act shall take effect from its passage? Does not every act of Congress take effect from its passage? What is the significance of the provision that all acts inconsistent herewith are repealed? Does not the enactment of any law repeal all previous acts inconsistent with it? I move that the bill be amended by striking out those provisions.

The PRESIDENT *pro tempore*. The Senator from Rhode Island moves to strike out section 5, which will be read.

The Acting Secretary read as follows:

SEC. 5. That this act shall take effect from the date of its passage; and all laws inconsistent herewith are hereby repealed.

Mr. LAPHAM. I trust the repealing clause will not be stricken out. That is eminently proper in all statutes, to save any question that may arise. The other provision as to the time when the act takes effect may very well go out.

Mr. ANTHONY. Does not the enactment of a law repeal all acts inconsistent therewith? I defer to the legal knowledge of my friend from New York, but it strikes me so.

Mr. LAPHAM. That is a question which constantly occurs, whether it does or not.

Mr. ANTHONY. Then I withdraw that part of the amendment.

Mr. LAPHAM. It repeals all inconsistent clauses by implication.

Mr. ANTHONY. I modify my motion by striking out, after the word "that," in line 1, section 5, the words "this act shall take effect from the date of its passage; and;" so as to read:

That all laws inconsistent herewith are hereby repealed.

The amendment was agreed to.

Mr. INGALLS. The reason that was not stricken out in committee was because it was a House bill and the amendment was believed to be unimportant and would result in the bill being sent over for further action.

Mr. ANTHONY. It has to go back now.

Mr. INGALLS. As it is now to go back it is well enough to strike out those words.

The PRESIDENT *pro tempore*. The fifth section will be amended by striking out "herewith" and inserting "with this act," if there be no objection.

Mr. CALL. I move to strike out the word "five" before the word "years" and insert "two," in line 10 of section 3; so as to read:

And by imprisonment at hard labor in the jail of the District not more than two years.

It seems to me to be a pretty severe punishment for an offense of that description to inflict imprisonment for five years.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Florida [Mr. CALL].

Mr. CALL. The Senator from Maryland [Mr. GORMAN] suggests to me that the Senator from South Carolina [Mr. BUTLER] reported the

bill and has charge of it here, and I therefore think the bill had better go over in his absence.

Mr. INGALLS. I think we had better go through with it. It is a simple bill, easily understood, to suppress an evil that exists here.

Mr. CALL. I withdraw the objection.

Mr. INGALLS. I would say, in reply to the suggestion of the Senator from Florida that the maximum should be reduced, that I think it ought to be increased. If there is any one trade that is meaner and more nefarious and more deleterious and more indefensible than another, it is that of the three-card monte man or faro-dealer who goes around in the community preying on its interests, robbing innocent and honest people. I think the penalty is none too severe; it ought to be more so rather than less.

Mr. CALL. The objection the Senator makes that the offense is very mean and very contemptible is true, but that is not the principle upon which crimes are punished with severity. The meanness and contemptible character of an offense is not the test which the penal law applies in considering whether it should be dealt with with great severity. Severity is applied to crimes of violence, to murder, to robbery, &c. The law reserves severity for that kind of offenses; but such punishments are not to be applied to things so mean and contemptible as those the Senator speaks of.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Florida [Mr. CALL].

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM BOWEN.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1768) for the relief William Bowen; which was reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and to insert:

That the claim of William Bowen for $3,749.80 as a balance due him for abating certain nuisances under authority of the late board of health of the District of Columbia be referred to the Court of Claims for its decision and adjudication upon the merits of the claim according to law and the practice of said court without regard to the statute of limitation or the conclusiveness of a certain receipt signed by said Bowen in 1875, in full settlement for all claims against the District of Columbia for said work.

Mr. COCKRELL. Let the report in that case be read. I should like to hear something about the case.

The Principal Legislative Clerk read the following report, submitted by Mr. ROLLINS July 10, 1882:

The Committee on the District of Columbia, to whom were referred the bills (H. R. 1768 and S. 1913) for the relief of William Bowen, have considered the same and respectfully report:

That on November 15, 1872, William Bowen, a colored man, made a proposition to the board of health of the District of Columbia to fill all lots below grade in the District without expense to the board of health, said Bowen expecting to receive his compensation in the shape of tax liens on the property improved. The board of health accepted this proposition, and on July 18, 1873, William Bowen received from said board a schedule of lots having stagnant water upon them, which they desired him to fill, under the direction of the surveyor of the District. Bowen did this work, as ordered, and the District surveyor certified that it was properly done. By his report it is shown that Bowen hauled and deposited several thousand cubic yards of earth, for which he charged 65 and 67 cents per cubic yard, and the assessor of the District assessed the property at that rate to pay for the work.

R. W. McPherson, for R. T. Meehan, appealed to the District commissioners to be relieved from the payment of this tax, being the owner of a portion of the property improved by Bowen, and the petition was referred to the District attorney, who made an elaborate opinion, in which he sets forth that in making the agreement with Bowen the board of health acted entirely without authority of law; that the District assessor had no right to assess these taxes, and that owners of property could not be compelled to pay for the abatement of nuisances unless it was shown that they caused the nuisances. The District attorney decided the assessments to be erroneous and void, and none of them were collected.

In 1875 William Bowen came to Congress for relief, and a clause was inserted in the deficiency appropriation bill, approved March 3, 1875, authorizing the board of audit to reopen the case and pay William Bowen such amount as, in their judgment, was due him for this work. The board of audit examined the claim, reported that, in their judgment, Bowen's charge of 67 cents per cubic yard was excessive, and recommended an allowance of 35 cents per cubic yard, which, they state, was the price usually paid. Bowen's original claim was $5,213.38; the amount allowed by the board of audit, at a rate of 35 cents per cubic yard, was $1,463.58. Bowen, it seems, accepted this adjustment, and signed a receipt for this amount in full settlement for all claims against the District for this work.

Notwithstanding this receipt, which is on file in the office of the commissioners of the District of Columbia, Bowen makes an assignment of his claim for the balance of his original charge, amounting to $3,749.80, to the Freedman's Savings and Trust Company, with the understanding that he shall prosecute said claim before Congress.

It is claimed by Bowen that the receipt given by him was given "under protest;" but this fact does not appear on the receipt.

It appears that no contract or agreement as to the price per yard for the filling of said lots was ever made or named, either by Bowen in his proposition or by the board of health in accepting it; but in rendering the bills for the work done, Bowen seems to have charged, and the taxes were at first levied upon the lots therefor, at a price which the board of audit afterward reported was excessive and nearly double the price usually paid for similar work.

Whether the proposition of Bowen made to the board of health, that his compensation should alone be derived from the levying of a tax therefor against the lots, was the result of legal advice which he had taken and which proved to be erroneous, or whether he acted upon his own responsibility, your committee are not advised; but it would appear that in making the proposition he took some chances, in a legal sense, entirely voluntary upon his part, and which is now the source of his complaint.

Your committee, therefore, in view of the above complications of law and fact, desiring to secure for the claimant full justice and such relief as he may prove himself entitled to in law or equity, believe that it can only be secured by a proper adjudication of the claim in all its bearings, and therefore recommend the passage of the accompanying bill as a substitute for bills H. R. 1768 and S. 1913, under consideration.

Mr. COCKRELL. I should like to have a moment's time to send up to the document-room and get some five or six adverse reports that have been made on this case during the last ten or twelve years.

Mr. CAMERON, of Wisconsin. I think it will not be necessary to send for the adverse reports.

Mr. COCKRELL. I have the record of them here.

Mr. CAMERON, of Wisconsin. The report itself, just read, is a conclusive argument against the claim.

Mr. ROLLINS. The report is a favorable report in this, that instead of giving Mr. Bowen some $3,000, as the House bill does give him, the Committee on the District of Columbia propose to send him to the Court of Claims, and there let him appeal to that court, and if he has just and equitable claim let him there show it. He is a poor man, illiterate, and the committee thought it was possible that he had some claim in equity and they wanted to give him a chance. It may be a very poor one, but I do not think any great harm will be done if he is allowed to take this slight case to the Court of Claims. I hope the amendment of the committee will be adopted and the bill passed in that form.

I want to say one word about the receipt in full, to which attention is called. I have before me all the papers in this case. Mr. Bowen is an illiterate man. He accepted the compensation granted him by the board of audit under protest. That is unquestionable. The board of audit so report.

Mr. CAMERON, of Wisconsin. This claim was before the Committee on Claims in the last Congress when the Senator from Missouri [Mr. COCKRELL] was chairman of that committee. That committee examined the claim and reported adversely upon it.

It appears that the contract entered into by Bowen with the board of health of the District of Columbia was entered into by the board without any authority of law whatever. It provided that he should make these so-called improvements without any expense to the board of health, the opinion being that the cost of the improvements could be assessed against the lots benefited by such improvements. The matter was brought before the supreme court of the District of Columbia and the contract was held to be illegal and unauthorized, and of course he could not recover. The report says:

R. W. McPherson, for R. T. Meehan, appealed to the District commissioners to be relieved from the payment of this tax, being the owner of a portion of the property improved by Bowen, and the petition was referred to the District attorney, who made an elaborate opinion, in which he sets forth that in making the agreement with Bowen the board of health acted entirely without authority of law.

The board of audit afterward considered the matter, and came to the conclusion that the amount charged by Bowen, 65 and 67 cents per cubic yard, was excessive, and recommended that he be paid the actual value of the work, which they found to be 35 cents per cubic yard instead of 65 and 67 cents per cubic yard, and that amount was paid to him. It amounted to $1,463.58. He received the amount and receipted in full.

Mr. ROLLINS. Under protest.

Mr. HARRISON. Will the Senator from Wisconsin allow me to ask him a question? Is not this bill entirely delusive as to any remedy which it extends to this claimant?

Mr. CAMERON, of Wisconsin. I was coming to that.

Mr. HARRISON. It seems to me he could have no possible relief under it.

Mr. CAMERON, of Wisconsin. None whatever.

Mr. HARRISON. It simply holds out to him a delusive hope which might put him probably to some expense in presenting his claim to the Court of Claims. Certainly no court could hold that there was any obligation on the part of the District authorities or the United States, and that being so it would be a mere trap that we set for him.

Mr. CAMERON, of Wisconsin. It is no kindness to this poor, unfortunate man to pass this bill to enable him to bring an action, because after bringing it he certainly can not sustain it.

Mr. COCKRELL. I move the indefinite postponement of the bill.

The motion was agreed to.

HEIRS OF PETER GALLAGHER.

The bill (H. R. 1698) for the relief of the heirs of Peter Gallagher was considered as in Committee of the Whole. It provides for the payment to the representatives or heirs of Peter Gallagher, deceased, of $6,128.82, in full satisfaction for corn furnished the military authorities of the United States at Forts Stockton and Davis, in Texas, in the year 1875.

Mr. HARRISON. Is there a report?

The PRESIDENT *pro tempore*. There is.

Mr. COKE. I ask that the report be read.

The Principal Legislative Clerk read the following report, submitted by Mr. GEORGE July 12, 1882:

The Committee on Claims, to whom was referred the bill (H. R. 1698) for the relief of the heirs of Peter Gallagher, have had the same under consideration, and beg leave to report as follows:

The committee have carefully considered this claim of Peter Gallagher, and

find that the facts are as stated in the report of the House Committee on Claims made the present year. They adopt said report, and recommend the passage of the bill. The House report is as follows:

"In June, 1875, Peter Gallagher entered into a contract with Colonel S. B. Holabird, who was chief quartermaster of the department of Texas at that time, to supply Forts Stockton and Davis with certain quantities of forage for the fiscal year ending June 30, 1876. He was to furnish at Fort Davis 377,080 pounds of corn, at 2¼ cents per pound, and 184,040 pounds of barley, at the same price. At Fort Stockton he was to furnish 368,849 pounds of corn and 184,441 pounds of barley, at 2¼ cents per pound. It was agreed by the terms of the contract that the claimant was to supply the above quantities, 'more or less, as might be required during the fiscal year ending June 30, 1876.'

"The contract or contracts, for there were two of them, were approved by the commander of the Department of Texas June 23, 1875, and by General Sheridan July 6, 1875. In consequence of the exchange of the Eighth and Ninth Cavalry Regiments from New Mexico to posts in Texas during that year, and the exchanging regiments having to pass through Forts Davis and Stockton, a larger quantity of forage was required than the amount embraced in the contract, and the claimant was notified that a large addition would be required. He then made a proposition in writing to supply the additional quantity at $2 per bushel for both corn and barley. This proposition was accepted by Colonel Holabird and forwarded to General Ord, with a recommendation of its approval. General Ord approved the same in the following words:

"'Approved. The contract will be increased to one-third additional, or such amount within one-third as may be required for troops passing through, which is a legitimate demand for the post, and is included under the contract.'

"The forage was furnished, and bills for payment presented, and vouchers were allowed for the excess at 2½ and 2¾ cents per pound, instead of $2 per bushel, which was about 3¾ cents per pound, and the claimant was paid by the Government at 2½ cents and 2¾ cents per pound instead of $2 per bushel. The difference amounted to $6,128.82. This amount the heirs of the claimant ask Congress to appropriate.

"This claim has been presented and disallowed by the Third Auditor of the Treasury on the ground that the contractor was bound by his original contract to supply not only the amount stipulated, but "more or less," as might be required, and that the second contract made with the commander of the department, General Ord, and the quartermaster of the department, Colonel Holabird, was inoperative to change the first contract approved by General Sheridan. The Quartermaster-General also disapproves the claim, and so do most of the other officers who have been called upon to express official opinions. We believe that the opinions of General Ord and Colonel Holabird are rather to be taken than the opinions of others, because they know all the circumstances; it was in their department, and they certainly acted for the best interests of the Government.

"The contractor, Gallagher, settled in the neighborhood of these forts and opened up farms, as Colonel Holabird informs us, just to supply them, and greatly reduced the price the Army had been paying for forage before. In making his bid at the first contract he was evidently controlled by the amount of forage stipulated for and which he knew he could supply from the neighborhood. He, perhaps, never thought how elastic the words "more or less" might be. He looked at the amount required and the capacity of the neighborhood to furnish it, and bid accordingly. But when the extraordinary increase occasioned by the passage of the two cavalry regiments had to be met, the facts changed; he could no more supply them from the adjoining country. He had to go across the Rio Grande into Mexico, into the State of Chihuahua, and haul the corn two hundred miles and pay a duty on it at the custom-house. The conditions were wholly changed, and General Ord and Colonel Holabird knew it, and hence agreed with him to supply the needed forage from Mexico at the enhanced price.

"In reference to the obligation of the claimant to supply more or less than the stipulated amount, General Ord says:

"'The practice in this department has been, when the contract price was more than the price at which any additional supply might be needed for the United States, to go into open market and purchase at lowest rate (see General Perry's recommendation on case of A. B. Adams), not giving the contractor, when he could profit by them, the benefit of the words 'more or less,' used in the contract. Therefore, I think it not just, when an additional supply is needed, and the price in market is higher than the contract price, to hold the contractor to the words 'more or less;' in other words hold him to them when he would lose, and deprive him of them when he would gain.'

"General Ord, in forwarding the papers to General Sheridan, says:

"'On careful examination of the claim, I am of the opinion that Mr. Gallagher is clearly entitled, in equity, to payment for the grain furnished at the posts of Stockton and Davis for the Eighth and Ninth Cavalry, at the rate agreed upon with Mr. Corbett (Gallagher's agent), and that the difference between the amount paid him for the grain furnished those regiments and the price per bushel agreed upon is still due him.'

"Colonel Holabird says the claim is just. He says that he first inserted the words 'more or less' in contracts for supplying posts, and that it was intended to cover the legitimate increase or decrease of the troops belonging to the post, and not to troops that were passing; and that the extraordinary demand for forage to meet the wants of the two exchanging regiments was not embraced in the first contract. Your committee believe that the contract made by General Ord and Colonel Holabird, for forage for the two regiments, is valid, and that, it having been executed in good faith, the Government is bound to abide by it and pay to the representatives of Peter Gallagher the sum of $6,128.82; and they report back the bill to the House, and recommend that it do pass."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATTLE DISEASES.

The bill (H. R. 896) for the establishment of a bureau of animal industry, to prevent the exportation of diseased cattle and the spread of infectious or contagious diseases among domestic animals, was announced as next in order on the Calendar.

Mr. CAMERON, of Wisconsin. The Senator from Virginia [Mr. MAHONE], who reported the bill, is not present; it is an important bill, and I think it had better go over without prejudice.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

DANIEL G. GEORGE.

The bill (H. R. 1011) granting an increase of pension to Daniel G. George was announced as next in order on the Calendar.

Mr. COCKRELL. That is a contested case, and we hardly have time for it in the morning hour. Let it be passed over.

The PRESIDENT *pro tempore*. The bill will be passed over.

DANIEL CARROLL'S ESTATE.

The bill (H. R. 6405) to authorize the Court of Claims of the United States to ascertain the amount of damages sustained by Ann C. Carroll and Maria C. Fitzhugh, executrices of the estate of the late Daniel Carroll, deceased, by the regrading of the streets around square No. 736 in the city of Washington, was announced as next in order on the Calendar.

Mr. HARRISON. I see the Senator who reported that bill is not in his seat.

Mr. COCKRELL. I should like to know if the Calendar is correct in saying that that bill was reported from the Committee on Finance. It is so marked on the Calendar, and I ask the Senator from Vermont if that is correct.

The PRESIDENT *pro tempore*. It is a mistake. The bill was reported by the Committee on the District of Columbia.

Mr. COCKRELL. It is marked on the Calendar as from the Committee on Finance, and I wanted to know if that committee had assumed jurisdiction of that class of cases.

The PRESIDENT *pro tempore*. The Senator from Rhode Island [Mr. ALDRICH], who made the report, is upon the Committee on Finance and also upon the Committee on the District of Columbia. The bill was reported from the Committee on the District of Columbia.

Mr. MORRILL. I think the Calendar statement is a misprint. It should be "from the Committee on the District of Columbia."

The PRESIDENT *pro tempore*. The Chair has ascertained the fact, and has so stated.

Mr. ROLLINS. The Senator who reported the bill is not present.

Mr. HARRISON. And I suggested that it be passed over in his absence.

Mr. ROLLINS. Let it be passed over without prejudice.

The PRESIDENT *pro tempore*. That course will be pursued.

TERRITORIAL JUSTICES OF THE PEACE.

The bill (H. R. 3506) amending sections 1926 and 1927 of the Revised Statutes so as to extend the limits of the jurisdiction of justices of the peace in the Territories of Washington, Idaho, and Montana was announced as next in order.

The PRESIDENT *pro tempore*. The Senator from Nebraska [Mr. SAUNDERS], who reported the bill, is not here.

Mr. HARRISON. I do not think there will be any objection to that bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend sections 1926 and 1927 of the Revised Statutes by striking out the word "Washington" and the words "Idaho, Montana," where they occur in section 1926, and inserting those words immediately after the word "Colorado," where the same occurs in section 1927.

Mr. ANTHONY. That is a very slovenly way to amend a statute. I think it should be: "so that the section shall read as follows." I hope the bill will be recommitted to the committee with instructions to report it in that form.

Mr. HARRISON. It is perhaps a better method to reproduce the section as amended, but I think if the Secretary will turn to the section which is amended and read it the Senator from Rhode Island will see that this makes it perfectly intelligible and plain.

Mr. ANTHONY. But it requires an examination of two acts in order to see what the law is. It seems to me that when a law is amended it should be plain, and the section amended should be repeated as amended so that we can understand what it is.

Mr. HARRISON. I call the attention of the Senator from Arkansas [Mr. GARLAND] to this bill, reported from the Committee on Territories. I think he will recollect it. The bill was reported by the chairman of the committee, I think by the unanimous direction of the committee.

Mr. VEST. The bill comes from the Committee on Territories.

Mr. HARRISON. My recollection is that it was unanimously agreed to in committee. It is simply extending jurisdiction of justices of the peace in the Territories named somewhat beyond the present limits.

Mr. GARLAND. The bill ought to be put in another shape, as suggested by the Senator from Rhode Island; but as it involves only the addition of a few names to an existing law, it does not make much difference; but I think the title ought to be amended, so as to indicate what is in the body of the bill. I will state to the Senator from Rhode Island that his objection is correct, but inasmuch as this was simply adding a name or two to the jurisdiction given in a certain section it was thought proper to let it go as it passed the House.

Mr. ANTHONY. If so good a lawyer as the Senator from Arkansas thinks that is the proper way to amend the law, I withdraw my objection.

Mr. GARLAND. I do not think it is the proper way, because I have made the same objection myself as the Senator from Rhode Island; but as this bill came from the House in that shape, and only related to some few Territories where names are proposed to be inserted in a certain section, we did not think it worth while to interfere with it.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL CHASE BARNEY.

The next House bill on the Calendar was the bill (H. R. 660) for the relief of Samuel Chase Barney.

Mr. COCKRELL. That is exercising a very great power by Congress,

to appoint a man to an office without the exercise of any discretion or power on the part of the Chief Executive, in whom by the Constitution the power of appointment is vested. I should like to have some explanation of that bill.

Mr. ROLLINS. The Senator who reported the bill is not now in the Chamber, and I think it had better go over without prejudice.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

EXTRA PAY TO CAPITOL POLICE.

The next business on the Calendar was the joint resolution (H. Res. 281) to pay the Capitol police one month's extra pay.

Mr. COCKRELL. That had better be passed over. The Senator who reported it is not present.

The PRESIDENT *pro tempore*. The resolution will be passed over.

PUBLIC LANDS IN ALABAMA.

The bill (H. R. 4757) to exclude the public lands in Alabama from the operation of the laws relating to mineral lands was announced as next in order.

Mr. WINDOM. I desire to ask the Senator from Alabama whether this is not a case that the Senator from Connecticut [Mr. HAWLEY] desired to be heard upon?

Mr. MORGAN. The Senator from Connecticut at one time expressed a desire to be heard upon this bill; I do not know whether he does now or not.

Mr. WINDOM. I know he did at one time.

Mr. HARRISON. I suggest to the Senator from Alabama, as it is only five minutes to 2 o'clock, whether it would not be better to allow the bill to go over without prejudice if the Senator from Connecticut really desires to be heard upon it.

Mr. MORGAN. Let it stand as the unfinished business for to-morrow.

Mr. EDMUNDS. It will be first in order to-morrow.

The PRESIDENT *pro tempore*. It will be one of the numbers to be called to-morrow.

Mr. HARRISON. I do not know anything about the bill myself.

Mr. MORGAN. I will consent to that arrangement, this rule being in operation to-morrow.

Mr. HARRISON. The Senator from Connecticut is in his seat now.

Mr. HAWLEY. I desired to consult the Commissioner of the General Land Office on this matter, who, I understand, was opposed to this bill. Perhaps the Senator from Alabama can tell me how that is.

Mr. MORGAN. I think not. We have a recommendation of the Secretary of the Interior, and that was after full conference between him and the Commissioner.

Mr. HAWLEY. I told the Senator from Alabama that I would offer no factious resistance to the bill and would not take technical advantages by way of objecting to its consideration because I did that once, if not twice. I believe the bill to be wrong in principle. I believe it to be a serious departure from the land policy which has commanded the approbation of the country and has been one of the boasts of our legislation. I find myself not supported by the Committee on Public Lands. I find the Secretary of the Interior against me. I know the United States attorney in Alabama is against this bill. I was told the Commissioner of the General Land Office was against it. I went to the Interior Department but could not wait longer than to consult the Secretary of the Interior, intending at the first convenient moment to see the Commissioner of the General Land Office.

While I find myself unsupported by anybody who takes any interest in it whatever, I believe it to be wrong in principle and an unwise reversal of the established and honored policy with regard to public lands. If the Senate desire to consider it, I can content myself with voting against it, but I am not now fully prepared with an argument that I could make against the bill—only partially prepared.

Mr. MORGAN. I think I am as well prepared to defend this bill as any measure I have advocated in the Senate. I prefer a little opportunity to do it.

The PRESIDENT *pro tempore*. It had better go over, then, as there are only two or three minutes of the time left and another case that is not objected to may be called up. The bill will go over and can be called up to-morrow.

Mr. MORGAN. I should like very much if the Senate would allow this bill to be considered by unanimous consent as the unfinished business for the morning hour to-morrow.

Mr. EDMUNDS. It will be, as it is now really 2 o'clock.

The PRESIDENT *pro tempore*. But some other case that has been passed over may be taken up first. The Chair will call up this bill to-morrow unless there be objection from some person who has a case preceding it.

FORT SMITH MILITARY RESERVATION.

Mr. COCKRELL. It is now nearly the hour of 2 o'clock, and the Senator from Alabama desires this bill to remain the unfinished business, as at 2 o'clock we are to go into executive session to consider important matters; and I would ask for the Senator from Arkansas and the Senator from Texas that a little bill reported by me, and of which I gave notice the other morning, be taken up and passed. It will only take a minute. It is a matter of great public necessity for the great Southwest. It is Senate bill No. 2239.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2239) granting right of way for railroad purposes and telegraph line through the lands of the United States included in the Fort Smith military reservation at Fort Smith, in the State of Arkansas.

The bill was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. WINDOM. In pursuance of an arrangement heretofore made, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 3 hours and 20 minutes spent in executive session the doors were re-opened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January* 12, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. BUTTERWORTH. I was not in my place yesterday when the committees were called, and I ask unanimous consent now to make two reports from the Committee on Pacific Railroads.

There was no objection.

PACIFIC RAILROADS.

Mr. BUTTERWORTH, from the Committee on Pacific Railroads, reported, as a substitute for H. R. 6316, a bill (H. R. 7242) to authorize the Southern Pacific Railroad Company and other railroad companies to unite and consolidate so as to form a continuous line of railroad between the tidal waters of the Atlantic and Pacific Oceans; which was read a first and second time, referred to the House Calendar, and ordered to be printed.

Mr. BUTTERWORTH also, from the Committee on Pacific Railroads, reported, as a substitute for H. R. 6397, a bill (H. R. 7243) to compel the payment by the Kansas Pacific Railway Company of the cost of surveying, selecting, and conveying certain lands granted to it, and to create a sinking fund for the Kansas Pacific, Sioux City and Pacific, and Central Branch Union Pacific Railroad Companies, and for other purposes; which was read a first and second time, referred to the House Calendar, and ordered to be printed.

ADDITIONAL ENROLLING CLERKS.

Mr. MARTIN, by unanimous consent, submitted the following resolution; which was read, considered, and adopted:

Resolved, That the Clerk of the House be, and is hereby, authorized to employ not exceeding two clerks to assist the enrolling clerk during the remainder of this session, to be paid out of the contingent fund of the House, at a rate of compensation to be fixed by the Committee on Accounts.

Mr. MARTIN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

GENERAL MONTGOMERY C. MEIGS.

Mr. McCOOK. I usk unanimous consent to take from the Speaker's table and have put upon its passage the bill (S. 1117) authorizing the President to place Brigadier and Brevet Major-General Montgomery C. Meigs on the retired-list with the pay and emoluments of a major-general on the retired-list.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. SPRINGER. I have no objection to this if you include with it the Fitz-John Porter bill.

The SPEAKER. The House can not pass two bills at once.

Mr. SPRINGER. But we can take up the other bill immediately afterward.

Mr. MILLS. I object to the present consideration of the bill.

Mr. McCOOK. If the gentleman from Texas will withhold his objection I can satisfy him in one minute that that bill should be passed.

Mr. ROSECRANS. I think so too.

Mr. MILLS. I will hear the gentleman, reserving the right to object.

Mr. McCOOK. The Forty-sixth Congress retired General Ord, who was a brigadier-general, with the rank and pay of major-general. That was done unanimously. No objection was made to the bill either in the Military Committee or in the House when it came up for consideration.

General Meigs has been in the Army for fifty years. For over twenty

years he was Quartermaster-General of the United States Army. And I will appeal to any man on this floor who has followed his career during that whole time and feel confident he will sustain me when I say no more faithful, honest, and intelligent officer was ever in the United States Army. Hundreds of millions of dollars passed through the Quartermaster's Department under his charge, and there never has been a suggestion against his integrity or the administration of the affairs of his office.

General Meigs is now retired with the pay of brigadier-general. For seventeen years he held the brevet rank of major-general, exercising the duties of that rank, and it seems to me only fair to put his case on all-fours with that of General Ord. For that reason I have asked that the House take up and pass this bill, as it has already passed the Senate.

Mr. THOMAS. I object.

ORDER OF BUSINESS.

Mr. HUMPHREY. I rise to make a privileged report.

Mr. ROBESON. I call for the regular order; but that, of course, will not operate against a privileged question.

The SPEAKER. The gentleman from Maryland [Mr. HOBLITZELL] asks unanimous consent to take from the Speaker's table for present consideration a Senate bill.

Mr. BURROWS, of Michigan. I insist on the regular order.

WITNESSES IN STAR-ROUTE PROSECUTIONS.

The SPEAKER. The gentleman from Wisconsin [Mr. HUMPHREY] is recognized to make a privileged report. That gentleman reports back from the Committee on the Judiciary a Senate bill which was referred to that committee with the right to report at any time. The report is now in order. The Clerk will read the bill.

The Clerk read as follows:

A bill (S. 2290) to increase the fees of witnesses in the United States courts in certain cases.

Be it enacted, &c., That all persons residing west of the Mississippi River, excepting those who are by law entitled to a higher compensation, who have been or may hereafter be in attendance at Washington, District of Columbia, under subpœna or under direction of the Department of Justice as witnesses in any of the courts of such District, in any of the cases known as star-route prosecutions, shall be entitled to receive a total per diem of $2.50 per day, and mileage for actual travel only to and from their place of residence, by the usual route of travel, at the rate of 7 cents per mile.

Mr. HUMPHREY. This is a unanimous report, and I ask for the present consideration of the bill.

Mr. HOLMAN. I ask that the report may be read, reserving the right to object.

Mr. HUMPHREY. It is a unanimous report from the Judiciary Committee, the object being to help these men who have been subpœnaed on the part of the Government.

Mr. HOLMAN. I reserve the right to object.

The SPEAKER. The bill is before the House for consideration. It was referred by unanimous consent to the Committee on the Judiciary with leave to report at any time, the object being to enable the committee to bring the bill back before the House for consideration.

Mr. HOLMAN. I hope that the gentleman having charge of this bill will inform the House what is the present law in regard to the mileage and per diem of witnesses. It is very remarkable that just now these witnesses that are here, none of whom belong to the class to which the gentleman has referred, should ask for a change of the law. I hope the gentleman will state what the law now is.

Mr. HUMPHREY. I will state that the present law authorizes a mileage of but 6 cents per mile. This bill applies only to witnesses who come from beyond the Mississippi River. It proposes to give them 7 cents mileage and $2.50 per diem.

I will state that the witnesses here on the part of the Government have been brought here on subpœna, and some of them while coming here were obliged to get along with but one meal a day, because they had not the funds to pay for more. And now that they are here they can not get away for the compensation which is allowed them. Some of them are paying $3 a day for board. One of the witnesses says that he has come here at a loss of $500.

Mr. HOLMAN. He can not be one of those who could not pay his way.

Mr. HUMPHREY. No. He says he does not ask it for himself, but for these other poor fellows who have not the means of their own.

Mr. HOLMAN. Does my friend mean to say that 6 cents a mile is not a very ample allowance for traveling expenses between this city and the West?

Mr. HUMPHREY. A man can not come here from beyond the Mississippi River and return to his home for the traveling expenses now allowed him, unless he travels with less conveniences than the gentleman or myself would want to travel with. I will say that it costs 7 cents a mile to travel on the Pacific Railroad, and a man can not get a meal beyond Omaha short of a dollar.

Mr. HOLMAN. There are witnesses here from Saint Louis. Now, does the gentleman think that witnesses from Saint Louis and other points just across the Mississippi River should receive this additional compensation?

Mr. HUMPHREY. The bill makes provision in regard to witnesses west of the Mississippi River.

Mr. HOLMAN. That would affect witnesses from Saint Louis.

Mr. REED. I hope the two gentlemen who seem to be engaged in conversation on the other side of the Hall will retire to the cloak-room so as not to interrupt the proceedings of the House. [Laughter.]

Mr. HUMPHREY (returning to his seat). I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREY. We can not hear what the gentleman from Indiana [Mr. HOLMAN] is saying.

The SPEAKER. The point of order is well taken. The gentleman from Indiana will suspend until gentlemen in the aisles have finished their conversation.

Mr. HUMPHREY. I call the previous question on this bill.

The SPEAKER. The gentleman has not the floor for that purpose.

Mr. HUMPHREY. I thought the gentleman from Indiana had yielded.

The SPEAKER. The Chair is waiting until gentlemen have finished their conversation, so that business can be proceeded with.

Mr. HAZELTON. I think they have about got through now. [Laughter.]

The SPEAKER. The gentleman from Indiana will proceed.

Mr. HOLMAN. It seems to me very clear that this bill should either be recommitted to the Committee on the Judiciary, or amended so as to apply only to that portion of the country west of Omaha. It now applies to all persons coming to the capital from any point west of the Mississippi River. A witness coming here from Saint Louis is to receive this increased compensation for traveling expenses, when we are all well aware that three or four cents per mile would be a very ample allowance for that purpose.

If my friend will make the motion that this bill be so amended as to apply only to persons coming from the far West and traveling on the expensive routes to which he has referred, for instance, from points west of Omaha, I should be inclined to acquiesce in the bill.

Mr. HUMPHREY. These witnesses are west of Omaha.

Mr. HOLMAN. I move to recommit the bill to the Committee on the Judiciary.

Mr. HUMPHREY. If in order I move the previous question.

Mr. HOLMAN. And I desire also to move instructions to the committee to report the bill back so amended as to apply solely to witnesses coming to this capital from points west of the city of Omaha.

Mr. REED. I desire to say simply that this bill is reported unanimously from the Committee on the Judiciary, who have thoroughly considered the subject, and it seems hardly necessary to recommit it to them.

The SPEAKER. The gentleman from Indiana moves to recommit the bill to the Committee on the Judiciary with instructions to so amend it as to apply to witnesses coming to the capital from points west of Omaha.

The motion to recommit was not agreed to, upon a division—ayes 42, noes 56.

Mr. HUMPHREY. I now move the previous question on the bill.

The previous question was ordered, and under the operation thereof the bill was ordered to a third reading, and read the third time.

The question was on the passage of the bill.

The question was taken; and upon a division there were—ayes 76, noes 26.

So (no further count being called for) the bill was passed.

Mr. HUMPHREY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

UNLAWFUL OCCUPATION OF THE PUBLIC LANDS.

Mr. RICE, of Missouri, from the Committee on the Public Lands, by unanimous consent, reported, as a substitute for H. R. 3560, a bill (H. R. 7244) to prevent the unlawful occupation of the public lands; which was read a first and second time, placed on the House Calendar, and, with the accompanying report, ordered to be printed.

LAND-GRANT-RAILWAY TELEGRAPH LINES.

Mr. BINGHAM, from the Committee on the Post-Office and Post-Roads, reported back with a favorable recommendation the following resolution:

Resolved, That the Secretary of the Interior be requested to inform the House whether the various railroad companies incorporated by Congress or aided by bonds or lands have complied with the laws of Congress respecting the construction, operation, and maintenance of their own telegraph lines for the use of the Government and the public, and if not what companies have failed to do so.

Second. To inform the House what contracts, if any, exist between any of the railroad companies so aided and any telegraph company by which the railroad company may undertake to lease or assign its telegraph facilities or property, so far as it relates to the transmission of commercial messages for the Government and the public.

The resolution was adopted.

Mr. BINGHAM moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REDUCTION OF DUTY ON SUGAR.

Mr. JOYCE, by unanimous consent, presented a petition of 3,378 citizens of Vermont, praying for the reduction of the duty on sugar; which was referred to the Committee on Ways and Means.

ORDER OF BUSINESS.

Mr. PAGE. I move that the morning hour for the call of committees be dispensed with.

The motion was agreed to (two-thirds voting in favor thereof).

AMERICAN SHIPPING.

Mr. PAGE. I now call up the unfinished business coming over from yesterday.

Mr. WHITE. I call for the regular order. This being Friday, private bills should be considered. They are more important than the shipping bill in the shape it is now.

Mr. PAGE. I understand that the shipping bill, being a continuing order, supersedes the consideration of the Private Calendar.

The SPEAKER. The shipping bill is the special order from day to day until disposed of, having been made so by unanimous consent.

Mr. WHITE. I object.

The SPEAKER. The Chair thinks the regular order is the further consideration of the unfinished business, the bill (H. R. 7061) to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen.

Mr. KNOTT. I desire to offer an amendment to the pending substitute.

Mr. PAGE. Are further amendments in order at this time?

The SPEAKER. At the close of the session last evening the House had voted upon and adopted an amendment offered by the gentleman from New York [Mr. COX] to the amendment in the nature of a substitute for the eighteenth section offered by the gentleman from California. The Chair thinks it is now in order to offer a further amendment to that substitute; and this, as the Chair understood, was the proposition of the gentleman from Kentucky [Mr. KNOTT]. The amendment will be read.

Mr. WHITE. I rise to a question of order. Do I understand the Speaker to decide that the shipping bill is now before the House as unfinished business?

The SPEAKER. Undoubtedly. The House is proceeding to consider it.

Mr. WHITE. And the unfinished business takes precedence over other business?

The SPEAKER. Not always; but it does in this case. The amendment of the gentleman from Kentucky [Mr. KNOTT] will be read.

The Clerk read as follows:

Strike out the following words:

"When any American vessel shall be constructed, equipped, repaired, refitted or supplied with ship's stores for the foreign trade, including the trade between the Atlantic and the Pacific ports of the United States, in whole or in part of materials of the production of the United States, the owner or owners of such vessel shall be entitled to receive and collect from the United States a drawback or sum equal in amount to the duty which would have been collected upon imported materials of like description and of equal quality with the American materials used in the construction, equipment, engines, boilers, attachments, and other appurtenances of such vessel, including the repairs, outfit, and supplies: *Provided*, That in ascertaining such drawback the duties shall be computed on iron and steel advanced in manufacture not beyond the point of plates, angles, bars, and rods: *Provided also*, That such drawback on any article shall not exceed the difference between the market price of such article in the collection district in which the vessel shall be built, repaired, refitted, or supplied, and the market price of a similar article in the city of Glasgow or the river Clyde, and shall not exceed $10 per ton admeasurement in the case of the original construction of any sailing vessel, and $25 per ton in the case of original construction of any vessel propelled in whole or in part by steam; and in the aggregate the drawback or sum paid under this section shall not in any one year exceed the amount of tonnage tax collected in such year: *And provided further*, That this section shall apply only to vessels commenced after the passage of this act."

Mr. PAGE. I rise to a parliamentary inquiry. As I understand, the proposition now made by the gentleman from Kentucky is to strike out the substitute.

Mr. KNOTT. My motion is to amend the original text of the substitute so as to strike out the subsidy clause.

Mr. PAGE. If I understood the reading of the amendment offered by the gentleman from Kentucky, it was to strike out the substitute offered by myself, to which two amendments have been adopted by the House. If the substitute is stricken out it carries with it, as I understand, the amendments which have been adopted.

Mr. BUCKNER. I suggest to my friend from Kentucky [Mr. KNOTT] that in view of the purpose which I presume he desires to accomplish, he should not include in this proposition to strike out the amendment offered by the gentleman from Kentucky [Mr. THOMPSON] and accepted by the committee.

Mr. ROBESON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROBESON. If the proposition of the gentleman from Kentucky to strike out the original substitute should prevail does it carry with it the provisions which have been added to that substitute by votes of the House? As I understand the question, a substitute for the eighteenth section—the drawback section—was offered by the gentleman from California [Mr. PAGE], embracing certain conditions and limitations. This drawback provision has been amended by adding a provision for free ships and free materials. Now, the motion of the gentleman from Kentucky is to strike out the drawback, leaving the free ships and free materials standing alone. I wish to know whether striking out the original substitute carries with it the amendments?

Mr. KNOTT. Manifestly it does not.

The SPEAKER. The Chair is ready to decide. In the opinion of the Chair it does not.

Mr. ROBESON. Then I understand the Chair to say that if this motion striking out the original substitute be agreed to the drawback provision is gone, and the free ships and free materials stand alone.

The SPEAKER. The Chair has nothing to do with the terms of the amendment. The question is one of parliamentary law.

Mr. ROBESON. That is all I wanted to understand.

Mr. PAGE. I again rise to a parliamentary inquiry. Is it possible under the rules of order to amend the substitute, and then, before the substitute as amended has been adopted, to strike out the substitute, leaving the amendments standing? The proposition, as I understand, is to strike out the whole substitute.

The SPEAKER. This motion is only a means of amending the pending substitute as amended.

Mr. PAGE. How can you amend the substitute by striking it out without interfering with the amendments which have been adopted as a part of the substitute?

The SPEAKER. The Chair holds that it is in order to move to strike out any portion of the substitute as amended.

Mr. BUCKNER. I desire to know whether this amendment is subject to debate.

Mr. REED. All debate has been closed.

Mr. BUCKNER. Is the previous question operating on this amendment?

The SPEAKER. It is not.

Mr. MILLS. But is it open to debate?

The SPEAKER. It is not, as by unanimous consent all further debate is closed.

Mr. PAGE. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 93, nays 131, not voting 65; as follows:

YEAS—93.

Aiken,	Converse,	Hatch,	Phister,
Anderson,	Cook,	Herbert,	Randall,
Armfield,	Cox, Samuel S.	Hewitt, G. W.	Reese,
Atkins,	Cox, William R.	Hoblitzell,	Rice, Theron M.
Barbour,	Covington,	Holman,	Ryan,
Beach,	Cravens,	House,	Simonton,
Belmont,	Culberson,	Jones, Geo. W.	Singleton, Jas. W.
Beltzhoover,	Curtin,	Klotz,	Singleton, Otho R.
Berry,	Davis, Lowndes H.	Knott,	Sparks,
Blackburn,	Deuster,	Latham,	Springer,
Bland,	Dibrell,	Locdom,	Stockslager,
Blount,	Dowd,	Le Fevre,	Townshend, R. W.
Bragg,	Dugro,	Manning,	Tucker,
Buchanan,	Dunn,	Martin,	Turner, Henry G.
Buck,	Ermentrout,	Matson,	Turner, Oscar
Cabell,	Evins,	McCook,	Vance,
Caldwell,	Forney,	McKenzie,	Warner,
Cannon,	Frost,	McMillin,	Wellborn,
Carlisle,	Garrison,	Mills,	Whitthorne,
Chapman,	Geddes,	Morrison,	Willis,
Clardy,	Gunter,	Moulton,	Willits.
Clark,	Hammond, N. J.	Muldrow,	
Clements,	Haseltine,	Mutchler,	
Cobb,	Haskell,	Phelps,	

NAYS—131.

Aldrich,	Gibson,	Mackey,	Rosecrans,
Barr,	Godshalk,	McCoid,	Russell,
Bayne,	Grout,	McKinley,	Scoville,
Bingham,	Guenther,	McLane, Robt. M.	Shallenberger,
Bisbee,	Hall,	McLean, Jas. H.	Shelley,
Bliss,	Hammond, John	Miles,	Sherwin,
Bowman,	Hardenbergh,	Miller,	Skinner,
Brewer,	Hardy,	Money,	Smalls,
Briggs,	Harmer,	Moore,	Smith, A. Herr
Buckner,	Harris, Benj. W.	Morey,	Smith, Dietrich C.
Burrows, Julius C.	Hazelton,	Morse,	Speer,
Butterworth,	Heilman,	Mosgrove,	Spooner,
Camp,	Hepburn,	Murch,	Stone,
Campbell,	Hill,	Neal,	Strait,
Candler,	Hitt,	Nolan,	Taylor,
Carpenter,	Horr,	Norcross,	Thomas,
Caswell,	Hubbs,	O'Neill,	Thompson, Wm. G.
Chace,	Humphrey,	Page,	Townsend, Amos
Crapo,	Jacobs,	Parker,	Tyler,
Cullen,	Jadwin,	Paul,	Updegraff,
Cutts,	Jones, Phineas	Payson,	Van Aernam,
Davis, George R.	Jorgensen,	Peelle,	Van Horn,
Dawes,	Joyce,	Peirce,	Wadsworth,
Deering,	Kasson,	Pettibone,	Wait,
De Motte,	Kelley,	Prescott,	Ward,
Dezendorf,	Ketcham,	Ranney,	Watson,
Dingley,	King,	Ray,	Webber,
Ellis,	Lacey,	Reed,	West,
Erreit,	Ladd,	Rice, Wm. W.	Williams, Chas. G.
Farwell, Sewell S.	Lewis,	Rich,	Wilson,
Flower,	Lindsey,	Ritchie,	Wise, George D.
Ford,	Lord,	Robeson,	Wood, Walter A.
George,	Lynch,	Robinson, Geo. D.	

NOT VOTING—65.

Atherton,	Fisher,	Oates,	Steele,
Belford,	Fulkerson,	Pacheco,	Talbott,
Black,	Harris, Henry S.	Pound,	Thompson, P. B.
Blanchard,	Henderson,	Reagan,	Upson,
Browne,	Herndon,	Rice, John B.	Urner,
Brumm,	Hewitt, Abram S.	Richardson, D. P.	Valentine,
Burrows, Jos. H.	Hiscock,	Richardson, J. S.	Van Voorhis,
Calkins,	Hoge,	Robertson,	Walker,
Cassidy,	Hooker,	Robinson, Jas. S.	Washburn,
Colerick,	Houk,	Robinson, Wm. E.	White,
Cornell,	Hubbell,	Ross,	Williams, Thomas
Crowley,	Hutchins,	Scales,	Wise, Morgan R.
Darrall,	Jones, James K.	Scranton,	Wood, Benjamin
Davidson,	Kenna,	Shackelford,	Young.
Dunnell,	Marsh,	Shultz,	
Dwight,	Mason,	Smith, J. Hyatt	
Farwell, Chas. B.	McClure,	Spaulding.	

So the amendment was rejected.

During the roll-call the following pairs were announced from the Clerk's desk:

Mr. CORNELL with Mr. BLACK.

Mr. SPAULDING with Mr. JONES of Arkansas.

Mr. VALENTINE with Mr. DAVIDSON.

Mr. RICHARDSON, of New York, with Mr. RICHARDSON, of South Carolina.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. HENDERSON with Mr. BENJAMIN WOOD.

Mr. URNER with Mr. MCLANE of Maryland.

Mr. MASON with Mr. KENNA.

Mr. DARRALL with Mr. TALBOTT.

Mr. WASHBURN with Mr. REAGAN.

Mr. HOUK with Mr. ROSS.

Mr. FISHER with Mr. ROSECRANS.

Mr. SMITH, of New York, with Mr. HUTCHINS.

Mr. HISCOCK with Mr. HEWITT of New York.

Mr. POUND with Mr. WILLIAMS of Alabama.

Mr. MARSH with Mr. HOGE.

Mr. OATES with Mr. UPSON.

Mr. DWIGHT with Mr. WALKER.

Mr. BELFORD with Mr. HOBLITZELL.

Mr. FARWELL, of Illinois, with Mr. SCALES.

Mr. CALKINS with Mr. SHACKELFORD.

Mr. WHITE with Mr. THOMPSON of Kentucky.

Mr. PAGE. I move by unanimous consent the reading of the names be dispensed with.

Mr. KNOTT. I object.

The vote was then announced as above recorded.

Mr. PAGE moved to reconsider the vote by which the amendment was rejected; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MILLS. I move to add to the substitute the following:

The Clerk read as follows:

It being the object of this bill to increase the wages of American labor, as well as to encourage the growth of American shipping, no rebate or drawback shall be paid to any ship-builder or ship-owner until he shall file with the Secretary of the Treasury the proof that he has paid to each of his employés 20 per cent. advance on the wages he paid for like services for the month of December, 1882.

Mr. WHITE. I am paired with my colleague, Mr. THOMPSON.

The SPEAKER. The rule requires pairs to be filed in writing.

Mr. MILLS. I demand the yeas and nays on my amendment.

The House divided; and there were—ayes 24, noes 40.

The SPEAKER. Not a sufficient number.

Mr. KNOTT. Tellers on the yeas and nays.

Tellers were ordered; and Mr. MILLS and Mr. PAGE were appointed.

The House again divided; and the tellers reported ayes 41.

So the yeas and nays were ordered (more than one-fifth having voted in the affirmative).

The question was taken; and it was decided in the negative—yeas 94, nays 116, not voting 79; as follows:

YEAS—94.

Aiken,	Cobb,	Hardenbergh,	Phelps,
Anderson,	Converse,	Hardy,	Randall,
Armfield,	Cook,	Haseltine,	Reese,
Atherton,	Covington,	Hatch,	Rice, Theron M.
Atkins,	Cox, Samuel S.	Herbert,	Ryan,
Barbour,	Cox, William R.	Holman,	Shelley,
Bayne,	Cravens,	House,	Simonton,
Beach,	Culberson,	Jones, George W.	Singleton, J. W.
Belmont,	Curtin,	Klotz,	Singleton, Otho R.
Beltzhoover,	Davis, Lowndes H.	Knott,	Sparks,
Berry,	Deuster,	Latham,	Springer,
Blanchard,	Dibrell,	Leedom,	Stockslager,
Bland,	Dowd,	Manning,	Townshend, R. W.
Blount,	Dugro,	Matson,	Turner, Henry G.
Bragg,	Dunn,	McKenzie,	Turner, Oscar
Browne,	Ermentrout,	McMillin,	Vance,
Buchanan,	Evins,	Mills,	Warner,
Cabell,	Ford,	Morrison,	Wellborn,
Caldwell,	Forney,	Mosgrove,	Whithorne,
Carlisle,	Frost,	Moulton,	Willis,
Cassidy,	Garrison,	Muldrow,	Wilson,
Clardy,	Geddes,	Murch,	Wise, George D.
Clark,	Gunter,	Mutchler,	
Clements,	Hammond, N. J.	Nolan,	

NAYS—116.

Aldrich,	Ellis,	Ladd,	Rosecrans,
Barr,	Errett,	Lewis,	Russell,
Belford,	Farwell, Sewell S.	Lindsey,	Shallenberger,
Bingham,	George,	Lord,	Sherwin,
Bisbee,	Godshalk,	Mackey,	Skinner,
Bliss,	Grout,	McCold,	Smalls,
Bowman,	Guenther,	McCook,	Smith, A. Herr
Brewer,	Hall,	McKinley,	Smith, Dietrich C.
Briggs,	Hammond, John	McLean, Jas. H.	Speer,
Brumm,	Harmer,	Miles,	Spooner,
Buck,	Harris, Benj. W.	Miller,	Stone,
Burrows, Julius C.	Haskell,	Moore,	Strait,
Butterworth,	Hazelton,	Morse,	Taylor,
Camp,	Heilman,	Norcross,	Thomas,
Campbell,	Hepburn,	O'Neill,	Thompson, Wm. G.
Candler,	Hewitt, G. W.	Page,	Townsend, Amos
Cannon,	Hill,	Payson,	Tyler,
Carpenter,	Hitt,	Peelle,	Updegraff,
Caswell,	Horr,	Peirce,	Van Aernam,
Chace,	Hubbs,	Pettibone,	Van Horn,
Crapo,	Humphrey,	Prescott,	Wadsworth,
Cullen,	Jacobs,	Ranney,	Wait,
Cutts,	Jadwin,	Ray,	Ward,
Davis, George R.	Jones, Phineas	Reed,	Watson,
Dawes,	Jorgensen,	Rice, Wm. W.	Webber,
Deering,	Joyce,	Rich,	West,
De Motte,	Kelley,	Ritchie,	Williams, Chas. G.
Dezendorf,	Ketcham,	Robeson,	Willits,
Dingley,	Lacey,	Robinson, Geo. D.	Wood, Walter A.

NOT VOTING—79.

Black,	Herndon,	Money,	Shackelford,
Blackburn,	Hewitt, Abram S.	Morey,	Shultz,
Buckner,	Hiscock,	Neal,	Smith, J. Hyatt
Burrows, Jos. H.	Hoblitzell,	Oates,	Spaulding,
Calkins,	Hoge,	Pacheco,	Steele,
Chapman,	Hooker,	Parker,	Talbott,
Colerick,	Houk,	Paul,	Thompson, P. B.
Cornell,	Hubbell,	Phister,	Tucker,
Crowley,	Hutchins,	Pound,	Upson,
Darrall,	Jones, James K.	Reagan,	Urner,
Davidson,	Kasson,	Rice, John B.	Valentine,
Dunnell,	Kenna,	Richardson, D. P.	Van Voorhis,
Dwight,	King,	Richardson, J. S.	Walker,
Farwell, Chas. B.	Le Fevre,	Robertson,	Washburn,
Fisher,	Lynch,	Robinson, Jas. S.	White,
Flower,	Marsh,	Robinson, Wm. E.	Williams, Thomas
Fulkerson,	Martin,	Ross,	Wise, Morgan R.
Gibson,	Mason,	Scales,	Wood, Benjamin
Harris, Henry S.	McClure,	Scoville,	Young.
Henderson,	McLane, Robt. M.	Scranton,	

So the amendment was not agreed to.

The following additional pairs were announced:

Mr. NEAL with Mr. PHISTER.

Mr. WHITE with Mr. THOMPSON of Kentucky.

On motion of Mr. PAGE, by unanimous consent, the reading of the names was dispensed with.

The result of the vote was then announced as above recorded.

Mr. PAGE moved to reconsider the vote by which the amendment was rejected; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. PAGE. I now move the previous question upon the substitute to the eighteenth section as amended.

Mr. ANDERSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. I wish to inquire whether in case the previous question is ordered, and in case this substitute offered by the gentleman from California should be adopted in place of the eighteenth section, it would then be in order to move to strike out the eighteenth section as it stands amended?

The SPEAKER. The Chair thinks it would not be in order to make that motion.

Mr. ANDERSON. If the previous question was not ordered would it be in order?

The SPEAKER. It would not be in order if the previous question is not ordered, if the substitute is adopted. If the previous question is ordered, only the motion now pending would be in order. If the substitute was not adopted the motion might be made to strike out the eighteenth section, as the previous question would have very little to do with the matter in that event.

Mr. ANDERSON. As I understand, then, the adoption of the substitute would preclude the other motion.

Mr. HOLMAN. Let me suggest that the motion be considered as pending, by unanimous consent—and I hope the gentleman from California will not oppose it—to strike out the original text of the eighteenth section in case the substitute is rejected, and let the previous question be ordered with that understanding.

The SPEAKER. The Chair will repeat that the previous question would have very little to do with it, whether pending or not, if the substitute were adopted and the original text stricken out. The point is whether the motion to strike out the adopted substitute would be in order. The Chair thinks not, under the rule, whether the previous question is pending or not.

Mr. HOLMAN. But if the substitute is not adopted?

The SPEAKER. Then the motion to strike out the eighteenth section would be in order if the previous question is not operating.

Mr. HOLMAN. If, then, the gentleman from California confines his motion to the pending substitute and amendments to it, so that it would not interfere with the motion to strike out the original section, there is no objection. Or I suppose that unanimous consent could be given even after the previous question is ordered that that motion might be regarded as pending.

Mr. PAGE. My motion is for the previous question upon the substitute and the amendments thereto.

Mr. HOLMAN. That is all right, then.

Mr. ANDERSON. Let me ask another question. Did not the gentleman from Illinois enter a motion to strike out the eighteenth section? I refer to the gentleman from Illinois, Mr. TOWNSHEND.

The SPEAKER. He did not. The gentleman gave notice of his intention to make the motion, when in order.

Mr. ANDERSON. Would it be in order now to make that motion?

The SPEAKER. It is not now in order.

Mr. PAGE. You have not the floor to make the motion.

Mr. ANDERSON. I am addressing my inquiry to the Chair.

Mr. PAGE. And I am giving you the information. [Laughter.]

The SPEAKER. The Chair does not think that there need be any difficulty or confusion about this matter. If the previous question is ordered upon the pending substitute as amended only, that is the substitute of the gentleman from California, as amended, to the eighteenth section, a motion may be made to strike out the section in case the motion to strike out and insert the substitute shall fail. That is as far as the Chair desires to make a ruling at present and does not feel called upon to go beyond that.

Mr. ROBINSON, of Massachusetts. And if the motion to strike out and insert prevails, that is, if the substitute is adopted, it would not be in order at any time to make the motion to strike out.

The SPEAKER. The Chair does not think it necessary to rule further upon the question at this time.

Mr. ANDERSON. Permit me again, Mr. Speaker. Would it not be in order to amend the motion of the gentleman from California, which is to make the previous question applicable to both the substitute and the section? Would it be in order to make it applicable to the substitute only?

Mr. PAGE. You have not the floor to make any motion. My motion is for the previous question on the proposed substitute as amended.

The SPEAKER. The Chair thinks that this subject is wholly under the control of the gentleman from California. The gentleman from California demands the previous question upon the substitute, as amended, to section 18.

The previous question was ordered.

The SPEAKER. The question is now upon the motion of the gentleman from California, which is to strike out the entire section 18, as it appears in the original bill of the committee, and to insert in lieu thereof a substitute as amended by the House.

Mr. PAGE. Let the substitute as amended be read.

The SPEAKER. It may be read for the information of the House.

The Clerk read as follows:

In lieu of section 18 of the original bill insert:

"SEC. 18. When any American vessel shall be constructed, equipped, repaired, refitted, or supplied with ship's stores for the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, in whole or in part, of materials of the production of the United States, the owner or owners of such vessel shall be entitled to receive and collect from the United States a drawback or sum equal in amount to the duty which would have been collected on imported materials of like description and of equal quality with the American materials used in the construction, equipment, engines, boilers, attachments, and other appurtenances of such vessel, including repairs, outfits, and supplies: *Provided*, That in ascertaining such drawback the duty shall be computed on iron and steel advanced in manufacture not beyond the point of plates, angles, bars, and rods: *Provided also*, That such drawback on any article shall not exceed the difference between the market price of such article in the collection district in which the vessel shall be built, repaired, refitted, or supplied, and the market price of a similar article in the city of Glasgow, or the river Clyde, and shall not exceed $10 per ton admeasurement in the case of the original construction of any sailing vessel, and $25 per ton in the case of the original construction of any vessel propelled in whole or in part by steam; and, in the aggregate, the drawback or sum paid under this section shall not in any one year exceed the amount of tonnage tax collected in such year: *And provided further*, If the fund herein provided in any one year is insufficient to pay in full the amount of claims preferred against it, then it shall be prorated among the claimants and accepted by them in full payment of all claims against the United States arising out of this law: *And provided further*, That this section shall apply only to vessels commenced, repaired, refitted, or supplied after the passage of this act.

That from and after the 1st day of April, 1883, any citizen or citizens of the United States may purchase the whole of any steam or sail vessel constructed mainly of steel or iron, no matter where said vessel may have been built, whether within the United States or in a foreign country, or whether said vessel may have been owned in whole or in part by an alien or aliens; and said vessels shall be registered free of duty as to the hull, spars, appliances, outfit, and equipment (including boilers, engines, and machinery if a steam-vessel) as a vessel of the United States by the collector in any port of entry of the United States to whom application for such registry may be made by said citizen or citizens, in the same manner as though said vessel had been built in the United States: *Provided, however*, That this section shall apply only to vessels of more than 1,500 tons registry, to be employed in the foreign carrying trade exclusively, and not in the coastwise trade, excepting between ports on the Atlantic and ports on the Pacific ocean: *Provided*, That all or any part of the materials, whether wood, steel, or iron, copper, yellow metal, bolts, spikes, sheathing, trenails, canvas for sails, whether flax or cotton, rigging and cordage, whether hemp, manila hemp, or iron wire; anchors and cables, iron plates, castings and forgings, angle-irons, beams, masts, yards, rivets, bolts, nuts, screws, engines, boiler plates and tubes, and machinery, and all other materials and appliances which may be necessary for the construction and equipment, in whole or in part, of vessels to be built and furnished in the United States after the 1st day of April, 1883, for the foreign trade, including the trade between Atlantic and Pacific ports, may be imported in bond under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purpose, no duties shall be collected or paid thereon."

The SPEAKER. The question is on striking out the original section and inserting as a substitute the words just read.

Mr. MOULTON. I call for the yeas and nays.

The yeas and nays were ordered, 44 voting therefor.

The question was taken; and it was decided in the affirmative—yeas 135, nays 85, not voting 69; as follows:

YEAS—135.

Aiken,	Cox, William R.	Hoge,	Peelle,
Aldrich,	Crapo,	Holman,	Pettibone,
Anderson,	Cravens,	House,	Phelps,
Armfield,	Culberson,	Hubbs,	Randall,
Atherton,	Cullen,	Jones, Geo. W.	Reese,
Atkins,	Cutts,	Kasson,	Rice, Theron M.
Beach,	Davis, Lowndes H.	King,	Rice, Wm. W.
Belmont,	De Motte,	Klotz,	Scoville,
Beltzhoover,	Deuster,	Knott,	Shelley,
Berry,	Dibrell,	Lacey,	Sherwin,
Bland,	Dowd,	Ladd,	Simonton,
Bliss,	Dugro,	Latham,	Singleton, Jas. W.
Bowman,	Dunn,	Leedom,	Singleton, Otho R.
Bragg,	Ellis,	Le Fevre,	Smith, Dietrich C.
Browne,	Evins,	Manning,	Sparks,
Buchanan,	Farwell, Sewell S.	Martin,	Springer,
Buckner,	Flower,	Matson,	Stockslager,
Cabell,	Forney,	McCoid,	Stone,
Caldwell,	Frost,	McCook,	Strait,
Calkins,	Garrison,	McKenzie,	Thompson, P. B.
Candler,	Geddes,	McLane, Robt. M.	Thompson, Wm. G.
Cannon,	Gibson,	McMillin,	Townshend, R. W.
Carlisle,	Guenther,	Mills,	Tucker,
Cassidy,	Gunter,	Money,	Turner, Henry G.
Caswell,	Hammond, N. J.	Morrison,	Turner, Oscar,
Chapman,	Hardenbergh,	Morse,	Upson,
Clardy,	Hardy,	Moulton,	Vance,
Clark,	Haseltine,	Muldrow,	Wadsworth,
Clements,	Hatch,	Mutchler,	Warner,
Cobb,	Hazelton,	Nolan,	Wellborn,
Converse,	Heilman,	Oates,	Whitthorne,
Cook,	Herbert,	Page,	Willis,
Covington,	Hewitt, G. W.	Parker,	Wise, George D.
Cox, Samuel S.	Hitt,	Payson,	

NAYS—85.

Barr,	Hall,	Miles,	Speer,
Bayne,	Harmer,	Miller,	Spooner,
Bingham,	Harris, Benj. W.	Moore,	Steele,
Bisbee,	Haskell,	Murch,	Taylor,
Brewer,	Hepburn,	Norcross,	Thomas,
Briggs,	Hill,	O'Neill,	Townsend, Amos
Brumm,	Horr,	Peirce,	Tyler,
Buck,	Humphrey,	Prescott,	Van Aernam,
Burrows, Julius C.	Jacobs,	Ranney,	Van Horn,
Camp,	Jadwin,	Ray,	Van Voorhis,
Campbell,	Jones, Phineas	Reed,	Wait,
Carpenter,	Jorgensen,	Rice, John B.	Ward,
Chace,	Joyce,	Rich,	Watson,
Davis, George R.	Kelley,	Ritchie,	Webber,
Dawes,	Ketcham,	Robinson, Geo. D.	West,
Dezendorf,	Lewis,	Robinson, Jas. S.	Williams, Chas. G.
Dingley,	Lindsey,	Russell,	Willits,
Ermentrout,	Lord,	Scranton,	Wilson,
Errett,	Lynch,	Shallenberger,	Wood, Walter A.
Ford,	Mackey,	Skinner,	
Godshalk,	McKinley,	Smalls,	
Grout,	McLean, Jas. H.	Smith, A. Herr	

NOT VOTING—69.

Barbour,	Fisher,	McClure,	Shackelford,
Belford,	Fulkerson,	Morey,	Shultz,
Black,	George,	Mosgrove,	Smith, J. Hyatt
Blackburn,	Hammond, John	Neal,	Spaulding,
Blanchard,	Harris, Henry S.	Pacheco,	Talbott,
Blount,	Henderson,	Paul,	Updegraff,
Burrows, Jos. H.	Herndon,	Phister,	Urner,
Butterworth,	Hewitt, Abram S.	Pound,	Valentine,
Colerick,	Hiscock,	Reagan,	Walker,
Cornell,	Hoblitzell,	Richardson, D. P.	Washburn,
Crowley,	Hooker,	Richardson, J. S.	White,
Curtin,	Houk,	Robertson,	Williams, Thomas
Darrall,	Hubbell,	Robeson,	Wise, Morgan R.
Davidson,	Hutchins,	Robinson, Wm. E.	Wood, Benjamin
Deering,	Jones, James K.	Rosecrans,	Young.
Dunnell,	Kenna,	Ross,	
Dwight,	Marsh,	Ryan,	
Farwell, Chas. B.	Mason,	Scales,	

So the substitute was adopted.

The following additional pair was announced:

Mr. ROBESON with Mr. BLOUNT.

Mr. MILLER. I move that the reading of the names be dispensed with.

There was no objection.

The result of the vote was then announced as above recorded.

Mr. PAGE moved to reconsider the vote by which the substitute was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The Clerk read sections 19 and 20, as follows:

SEC. 19. That such sums shall be paid in the same manner and from the same funds as drawbacks on customs dues, and under such regulations as may be adopted from time to time by the Secretary of the Treasury, and shall be adjusted and the amount thereof determined prior to the registry of such ship or vessel.

SEC. 20. That the certificate of registry of every such ship or vessel shall be entitled "Certificate of registry under an act to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and so forth," and shall contain a prohibition of such ship or vessel engaging in the coasting trade, except between ports on the Atlantic and ports on the Pacific. Every such certificate shall have indorsed upon it the amount paid or adjusted to be paid to the owner under this act. Every renewal of the registry shall be in like form. Should any vessel so registered be about to engage in the coasting trade, other than that between ports on the Atlantic and ports on the Pacific, the owners must first surrender such certificate of registry, repay to the collector of customs to whom the certificate is surrendered the sum indorsed thereon, and take out a new certificate of registry or of enrollment in ordinary form. Should any ship or vessel, registered as hereinbefore provided, engage in the coasting trade other than that between ports on the Atlantic and ports on the Pacific, without surrender of such certificate, as hereinbefore provided, or without repayment of the amount indorsed thereon, or without taking out a new certificate of registry or enrollment in ordinary form, she shall be subject to a fine of double the amount indorsed on such original certificate of registry, which fine shall be a lien on such ship or vessel, and shall be ascertained and collected at suit of the United States *in rem* in admiralty against such ship or vessel in the district court of the United States for the proper district; such suit to be governed by the laws, rules, and regulations pertaining to other suits in admiralty.

Mr. VAN VOORHIS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend section 20 by inserting after the word "Pacific," in line 8, the following: "And except between ports on the great lakes of the Canada frontier;" and after the word "Pacific," in lines 13 and 19 of the same section, insert "and the lakes on the Canada frontier."

Mr. VAN VOORHIS. The object of the amendment is to allow vessels built under this law trading with Canada to stop at American ports on the line. There is no coastwise trade on the American side of Lake Ontario except such as can be done by vessels trading with Canada. The only coasting trade prohibited in this bill is that pertaining to the lakes. Ships built under this act may start from Portland, Maine, and carry passengers and freight to and from every port on the Atlantic, and also every port on the Pacific. I do not know what coasting trade we have except on the Atlantic and Pacific coasts and the lakes. It seems to me there should not be an exception here which shall discriminate against lake commerce. It would very much injure the commerce of the lakes, and prevent the building of ships under this act to be used upon the lakes, if they are prohibited from doing such business as there may be to do between American ports.

Mr. DINGLEY. The gentleman from New York has made an interpretation of the language "except between ports on the Atlantic and ports on the Pacific." This has always been construed by the Department to relate simply to that class of vessels that sail from some port on the Atlantic coast round Cape Horn to some port on the Pacific coast, and not to vessels that touch on a coastwise passage at various ports. It is the same language as is used in section 2513 of the Revised Statutes, which has always been construed by the Department as relating to a vessel which goes round by Cape Horn to the Pacific coast. This does not include the coastwise trade. If a vessel on the lakes is engaged in trade with Canada, then of course it is engaged in a foreign trade, which would be included in the bill. But if it is engaged in the coastwise trade, then it is excluded, as all coastwise trade is excluded, that being a protected trade restricted to American vessels.

Mr. VAN VOORHIS. Would not a ship built under section 18, clearing from Portland, be authorized to take in goods on every port on the Atlantic coast?

Mr. DINGLEY. Not under the construction of the Treasury Department.

Mr. VAN VOORHIS. I do not know anything about this matter of construction by the Department; this language does not admit of such construction. It is very easy to make this plain. The grammatical construction of section 18, unless you do violence to the language by some form of interpretation, is that these ships may do business between the Atlantic ports and between the Pacific ports of the United States; and no ship is limited to any one single Atlantic port or Pacific port, but may do business at every port on the Atlantic and every port on the Pacific if it so desires. That is the plain meaning of this bill. I should be slow to believe that any construction by the Department can modify or change the plain meaning of the words used here. At any rate, if the intention of the committee reporting this bill is what has been stated by the gentleman from Maine [Mr. DINGLEY], then it should be so expressed in the bill. I hope the amendment will be adopted.

[Here the hammer fell.]

The question was taken upon the amendment of Mr. VAN VOORHIS, and it was not agreed to.

Mr. ROBINSON, of Massachusetts. It seems to me that there should be an amendment to this twentieth section. I move to strike out the last word, in order to make an inquiry. It will be recollected that the House has adopted an amendment proposed by the gentleman from New York [Mr. COX], known as the "free-material" clause, and that has gone into the bill as a part of the eighteenth section.

Now, although in the language of that amendment reference is made to the "foreign trade," there is nothing in it that will prevent the change of that vessel from the foreign trade after it has made one voyage, for instance, to the coastwise trade. I suppose it was not the intention of the mover of that amendment that it should have that effect.

The only restraint there can be upon such a result will be in the provisions of the twentieth section, which we are now considering. The amendment proposed by the gentleman from New York with the limitation "for foreign trade" is not sufficient, because the general language of section 23 of this bill will repeal all restrictions contained in section 2513 of the Revised Statutes, which section provides in terms that no such vessel shall be employed in the coastwise trade for more than two months in any one year. That impresses upon the vessel the character of foreign trade, and restricts it to foreign trade except for two months in a year.

Now, as I understand it, the purpose of the gentleman from New York [Mr. COX] is to keep the vessel confined to that trade. The House will remember that this section 20 was drawn for the purpose of meeting the preceding provisions of this bill as presented by the committee, and not in contemplation of the enlargement of the bill which has since been made. Therefore the provisions of this section 20 are not quite broad enough; they only provide for a ship built subject to the drawback provision. Consequently the provisions of this section do not cover the case of a free ship, as it is called—only of a ship built of free material.

Therefore, if I may be permitted to withdraw my *pro forma* amendment and submit something substantial, I will move to insert, after the word "vessel," in line 2 of this section, the words "purchased or constructed under the provisions of the eighteenth section of this act."

Mr. PAGE. I have no objection to that.

Mr. COX, of New York. That is all right.

Mr. PAGE. That was the intention of the gentleman from New York.

Mr. COX, of New York. Without a doubt.

The amendment of Mr. ROBINSON, of Massachusetts, was agreed to.

Mr. BUCKNER. I move to further amend this section by inserting, after the word "Pacific," in line 8, that which I send to the Clerk's desk.

The Clerk read as follows:

And of its alienation or voluntary sale and delivery to the citizen or citizens or any other country, or for the purpose of obtaining a foreign registry, within ten years from date of certificate.

Mr. BUCKNER. It seems to me that if this section as reported by the committee amounts to anything it should provide that the owner of a subsidized vessel shall not dispose of it to a citizen of a foreign country within a limited time, but that it shall be put into the coastwise trade, except under certain conditions. There should be, it seems to me, some prohibition against such vessels being used except in the foreign trade, and not sold abroad until after a limited period. That is the object of the amendment I have offered.

Mr. CANDLER. The object of this bill is to give freedom to a man to build ships or sell ships or to have his ship engaged in the foreign trade. Now, we certainly at this late day, after having completed a sound and liberal bill that is to do something for these three classes, do not wish to shut out the builder from selling his ship to whomsoever he may please. If we admit foreign-built ships, we certainly do not wish to shut out our ship-builders from the markets of the world.

Mr. BUCKNER. We do not want to offer any inducement to a man to build a ship at the expense of our Treasury and then sell it to a citizen of a foreign country.

Mr. CANDLER. There have been a great many charges made that this bill is against the interest of the mechanic. I contend that it is in the interest of the laboring classes, and that under this bill two men will be employed for one who was employed before. If we can build ships for the world and give employment to our mechanics, then let us do so. I do not believe in laws which will prevent a man from buying and selling. The amendment of the gentleman from Missouri [Mr. BUCKNER] if adopted will really do away with the very spirit of the whole bill.

Mr. REED. I suggest to the gentleman from Missouri [Mr. BUCKNER] that it is not really of much practical importance; we shall not build or sell a great many ships under the provisions of this bill.

Mr. CANDLER. The gentleman from Maine [Mr. REED] has given us a great many suggestions on this subject. There is an honest difference of opinion, and a majority of this House so far do not agree with him.

We believe that we shall build ships and run ships and increase our carrying trade. If the responsibility of killing this bill is to be taken by any one, I hope it will be taken by the gentleman from the State of Maine, and not by those who believe they are presenting to the country a bill which will do as much for our interests as any bill can.

Mr. REED. I can always take the responsibility myself of voting against a proposition which pretends to be fair and is not half fair; a proposition that proposes with the one hand to give a bounty, and not the half of what is necessary, and then with the other hand to repeal all the protection that at present exists. If that will encourage American ship-building, then we have a long line of American industries to be protected in the same way. For my part I do not believe that this sort of encouragement encourages anything except certain death. [Applause on the Republican side.]

Mr. DINGLEY. I move *pro forma* to amend the amendment of the

gentleman from Missouri [Mr. BUCKNER] by striking out the last word. While I concur entirely in the object which he has in view, and while I urged such a prohibition in the committee, yet I wish to call attention to the fact that the gentleman's proposition for attaining this end would not be effective. Nothing can be effective to prevent the alienation of a vessel and its transfer to a foreign flag, except the requirement that when a vessel has registered under this act the owner or owners shall give a bond to the United States to pay the amount indorsed upon the register, in case the vessel shall be transferred to another flag. I offered in committee an amendment, which I have now before me, that would accomplish precisely this end; but the amendment suggested by the gentleman from Missouri would not, as I think he will see, accomplish the purpose, because there would be no security under it.

Mr. BUCKNER. I will say to my friend that I had intended to follow up the amendment, if adopted, by other provisions which would provide the same security that is now given where vessels are forbidden to go into the coastwise trade. I will, however, withdraw my amendment for the present, to hear that of the gentleman from Maine [Mr. DINGLEY].

Mr. DINGLEY. The amendment, if it proposed to apply in the first instance, should be attached to the nineteenth section. If it is the desire of the House to accomplish this end, perhaps unanimous consent would be given to revert to the nineteenth section that an amendment may be offered. It is true that under this bill, if no additional limitation be inserted, the owner or owners of a vessel which may be built under this section may, after using it for a short time in the foreign trade, alienate it to a foreign owner. Under the bill as it stands, there is no remedy in a case of that kind. This matter was discussed somewhat in committee; but the majority of the committee did not incline to incorporate in the bill any prohibition upon such alienation. If the House desires to do so, the object can be easily accomplished.

Mr. CANDLER. Mr. Speaker, it seems to me that an amendment of the kind now suggested would impose restrictions which may result in a great many embarrassments. Suppose we should have a war or any difficulty with a foreign country, our ship-builders or ship-owners may be restricted under very embarrassing circumstances from disposing of their property. I believe that it is a bad precedent and is in opposition to the free exchange of property to deny by law the right of a man to sell his ship when he desires to do so.

There is one thing that we must remember. We have lost most of our foreign carrying trade, and the American people desire to enter into the foreign commerce of the world. They propose to make a liberal proposition—to allow a rebate on the materials entering into the construction of a ship built in this country, and to allow other privileges of that kind. They also demand free ships, or the right to buy some ships where they are the cheapest. I believe that in carrying out this measure we should use every effort and encourage all branches to see whether we can not be successful; and with all the concessions you may make, with all the favors you may extend, this is a very difficult problem to solve. The increase of the carrying trade of the United States will be a very slow process. It may seem that you are doing a great deal; but however liberal may be your legislation, you will find that with all you may do your carrying trade will increase very slowly.

I would not check this spirit of freedom; I would not bind by law the liberty of the man who builds this description of property or owns it. For a few years at least, until you can see the effect of this policy, carry out this law which is as sound and good a law under the circumstances as can be enacted. Let us go on for two or three years at least without fettering in this way the builder, the owner, or the man who wants to buy ships. If two or three years hence you find your law requires amendment, if next year a necessity for amendment should be apparent, amend the law in your wisdom. But do not to-day fetter the man who builds ships; do not check the progress and growth of his operations.

You say it will be a very difficult thing to induce men to put their capital into ship-yards. So it will. Do you wish to check such investment of capital, which it is admitted to be a very difficult thing to secure, by providing that the man who puts his capital into the construction of ships shall not after he has built them sell them wherever he can?

You need not be afraid of hasty legislation. As I have said any improvement of the carrying trade must be a slow process. I appeal to the House not to fetter enterprise in that direction, but to endeavor to carry out the liberal spirit with which we have commenced.

[Here the hammer fell.]

Mr. COX, of New York, and Mr. STEELE rose.

The SPEAKER. Debate is exhausted.

Mr. COX, of New York. I move to strike out the last word.

Now, Mr. Speaker, the reason why the committee did not report a section like that which my friend from Maine will present directly was because we did not want to fetter the American ship-builder or the American ship-owner. It is a matter of history that a portion of the loss of the American mercantile marine is because our merchants and ship-owners did sell their ships, and especially after the Crimean war, when our models attracted universal attention. We sold our ships at one particular season amounting to the sum of over $15,000,000—it was after our war; and one reason why I imagine ship-building began to fail some time about 1856–'57 and so on was because we began to sell ships and sell them profitably.

I know it seems unreasonable that ships built by the aid of the United States Treasury should be sold to foreign nations. The object of this allowance from the Treasury is to build up our own marine, but after these comes in the ship-builder and he must have his opportunity of a large market. And I am not prepared to say now, as the matter has been brought up in the House, in order to make this bill stronger to gentlemen like the gentleman from Missouri [Mr. BUCKNER], I would not favor some restriction after allowing, as we have, this semi-subsidy, as the gentleman from Maine would term it. Therefore, I ask unanimous consent for my friend from Maine to go back to section 19 to which his amendment would apply, and if my friend from Missouri could hear it he would be willing to accept it and put it on the bill.

Mr. CANDLER. I object to going back.

Mr. STEELE. Now, Mr. Speaker, like my colleague I know very little about ship-building; but I have a pride in seeing this country able to build ships, and to that end I wish to encourage ship-building in this country. But I confess we are being trailed along by a man who has more interest in ships than in ship-building, This tax amounts to 20 cents a ton to the ship-builder. It costs about $34 more with our labor to build a ship in this country than it does in a foreign country. Therefore, if this amendment to the eighteenth section stands, we have against the American ship-builder about 14 per cent. Is that encouraging American shipping? On the contrary, do we not strike at the very vitals of it?

But the principal purpose for which I rose was to make a parliamentary inquiry of the Speaker, whether at this time it is in order to move to recommit the bill with instructions to strike out the eighteenth section as amended?

Mr. DINGLEY. When we have gone through the bill it will be then in order to move a substitute, omitting certain sections.

Mr. STEELE. Then I will move to recommit the bill in that way. I am here to vote in the interest of ship-building, but not in the interest of ship-owners. I want to see our own ship-yards in time of war able to manufacture the best war vessels in the world, and to do that we must have our ship-yards in good condition at all times.

Mr. COX, of New York. I withdraw my *pro forma* amendment.

Mr. SPEER. I renew the *pro forma* amendment. Mr. Speaker, on Tuesday last I took occasion to offer some reflections on this bill. On Wednesday I was notified by my distinguished friend from Texas [Mr. REAGAN] that he intended to reply to me, and he sent me a message to the Ways and Means Committee room, where I was engaged in our work with the Tariff Commission bill, that I had best come into the House as he intended to criticize my speech. I came and sat around my friend from Texas, as I confess with some trepidation, for two hours. He then said that he would not reply to my remarks. I was not ungrateful; but, sir, on yesterday he took the floor and did me the honor of perhaps a column of his attention.

Now, I regret my friend from Texas is not here this morning. He has been here. I have sent for him all around, to the Senate and to his committee-room, and I have telephoned to his hotel. I understand he has paired and left the House.

I can not, however, Mr. Speaker, forego the right to defend myself briefly from the misconstruction which he placed on my remarks. I shall in the absence of my honorable friend say nothing which will be offensive to him.

He said, speaking of my speech:

> I could have stood the false statement that I wanted the men to have fewer dollars and poorer clothes and less nutritious food; but when it comes to being charged that I objected to the women having fine bonnets, I can not stand it.

The House laughed with keen appreciation at that protest of my distinguished friend, and I now hasten to relieve him from the imputation which he seems to think that my remarks placed on him, that he is not susceptible to the influence of a pretty bonnet, or a pretty face under it. [Laughter.] My friend has attained an age at which ordinarily men would say his days are in "the sere and yellow leaf," and they might also say, "that which should accompany old age, honor, love, obedience, and troops of friends," he has in rich profusion. And, sir, no man who knows my honorable friend has ever said of him that he is insensible to that "one touch of nature" which "makes the whole world kin.'

Now, sir, I did not state that he wanted the men to have fewer dollars or less nutritious food, or their wives to wear plain bonnets; but I said that was the logic of the gentleman and those who think with him. In his statement, and in his reasoning, and by reference to his speech, it will become apparent I commented on his speech at least fairly. The following part of the colloquy will serve to show this:

> Mr. DINGLEY. If the gentleman will permit me, I will ask him further does he desire to reduce the wages of American labor to the standard of the Clyde?
>
> Mr. REAGAN. I shall not answer that question affirmatively. But I will tell my friend what I do wish to do. I wish to see a rate of taxation that will let us down off our stilts to practical, reasonable, and business relations so that a lower rate of wages will buy as much to live upon as the higher rate does now.

Further on he does, as I think, answer the question:

> Mr. Speaker, the view I have of this is that the real remedy is to reduce taxation to a revenue standard and come down that much to a level with the balance

of the world. This of course involves the idea of a reduction, a nominal reduction of wages; but it does not involve the idea of a reduction of the purchasing power of the wages to be paid.

Now, sir, this presented a question for fair argument, and not agreeing with my honorable friend, in addition to what I said of his logic I said:

I repeat, sir, I am glad the American laborer has those advantages, and I would be interested to see the gentleman from Texas [Mr. REAGAN] go before an audience of laboring men and argue and admit, as he did yesterday, that there must be a nominal reduction in the wages of American labor in order to have free ships. It will be difficult to satisfy that thinking auditory of laboring men that a nominal reduction is not a real reduction. And the mechanic and laborer will be apt to conclude that the comprehensive scheme in the reduction of the prices of commodities contemplated by the gentleman from Texas [Mr. REAGAN] will fail somewhere, and while admitting free ships will certainly strike down at one blow the wages of the American laboring classes and deprive their families of comfort and their old age of shelter and home.

Now, what is the stilted condition to which the gentleman alludes whereby the workingmen of this country have privileges and advantages not enjoyed by the laboring men of Great Britain? Let me draw your attention to a comparison. Look at the tables of wages furnished by the testimony before the committee. I will allude to some of them. Wages per week on the Clyde, in free-trade Great Britain, machinists, $6.92; wages in America, machinists, $13.54; blacksmiths on the Clyde, $7.80; blacksmiths in America, $12.89; teamsters on the Clyde, $5.76; teamsters in this country, $9; painters with free trade, $7.98; in America, $13.37; founders with free trade, $7.68; in America, $13.88. And so on through the table.

Now, sir, that is the stilted and unreasonable condition of affairs about which my honorable friend says that there must be a nominal reduction of wages, and therefore I maintain that I was entirely justified when I said that the logic of the gentleman's argument was that the American laboring man had too much good food, that their wives and children were clothed too well or too costly, that their homes were too comfortable and possibly that their children were too well educated, for good wages confer these luxuries. The bow was drawn like that of the archer of Scripture at a venture, but it seems the shaft went to the mark; and in the language of Junius "it still rankles in the wound."

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. ROBESON. If the gentleman desires more time I will take the floor and yield to him.

Mr. SPEER. I am very much obliged to the gentleman, but I shall not occupy the attention of the House any longer on this subject. I withdraw the *pro forma* amendment.

The SPEAKER. The Chair desires to call the attention of the gentleman from Missouri [Mr. BUCKNER] to the matter before the House. Does the gentleman desire to withdraw his amendment?

Mr. BUCKNER. I understand my friend from Maine [Mr. DINGLEY], who has investigated the matter more closely than I have, proposes to make an amendment covering substantially the same ground. If so, I withdraw the amendment.

Mr. DINGLEY. I renew the *pro forma* amendment, Mr. Speaker, simply for the purpose of making an observation to the gentleman from Missouri. Since the free-ship clause has been adopted in this bill, I wish to ask gentlemen if they would propose now, having adopted that provision allowing an American citizen to import under an American register a vessel free of duty constructed in foreign countries, and of course the moment he has imported it being necessarily at liberty to sell it where he pleases, if you would now turn around and prohibit an American citizen building a vessel from American material in the shipyards of our country from enjoying the same privilege you accord in the case to which I have referred? In other words, would you give the Clyde builder an advantage which you refuse to give to the American builder?

The SPEAKER. The Chair only desires to know if the gentleman from Missouri withdraws his amendment.

Mr. DINGLEY. I withdraw the *pro forma* amendment. From my standpoint of opposition to free ships I shall not offer an amendment.

Mr. BUCKNER. Then I insist upon the amendment which I have submitted.

Mr. ROBINSON, of New York, addressed the House. [See Appendix.]

Mr. BUCKNER. In order to carry out my views as to this entire section, if the House shall adopt my ideas upon the subject, I send up to the Clerk's desk two additional amendments, which I ask may be considered as pending.

The SPEAKER. Does the gentleman withdraw his first amendment?

Mr. BUCKNER. Not at all. And I wish to say——

The SPEAKER. The time for debate upon the pending amendment has been exhausted. The question is upon the amendment offered by the gentleman from Missouri.

Mr. COX, of New York. Let the amendment be again read.

The amendment was read, as follows:

Insert after the word "Pacific," in line 8 of section 20, these words:
"And of its alienation or voluntary sale and delivery to the citizen or citizens of any other country, or for the purpose of obtaining a foreign registry within ten years from date of certificate."

The question was taken on the amendment, and it was not agreed to.

Mr. VAN VOORHIS. I desire to offer an amendment to this twentieth section. I move to amend by striking out of lines 18 and 19 the words "that between ports on the Atlantic and ports" and inserting in lieu thereof the words "directly from a port on the Atlantic to a port;" so that portion of the section will read:

Should any ship or vessel, registered as hereinbefore provided, engage in the coasting trade other than directly from a port on the Atlantic to a port on the Pacific, &c.

The object of that amendment is to make this section read exactly as the committee claim they desire the law to be. If it is not intended that these ships shall engage in the coastwise trade, then my amendment will prevent it and make the language of this section clear and free from ambiguity and obscurity. I think my friend from Maine [Mr. DINGLEY] has misconceived the construction by the Treasury Department of the language contained in this bill.

Mr. DINGLEY. I do not know that I have any objection to the amendment.

Mr. PAGE. I hope the amendment will be voted down.

The question was taken upon the amendment of Mr. VAN VOORHIS, and it was not agreed to upon a division—ayes 3, noes not counted.

Mr. VAN VOORHIS. I move to strike out the last word, for the purpose of saying that I know of no reason why a man in California should have the right under this bill to engage in the coastwise trade, or why the gentleman from California [Mr. PAGE] should object to restricting that trade, when he will not consent that the restriction shall be removed from the trade in other parts of the country. That is all I have to say, and I withdraw the amendment.

The Clerk read as follows:

SEC. 21. That when a steam or sailing vessel is built in the United States for foreign account, wholly or partly of foreign materials on which import duties have been paid, there shall be allowed on such vessel, when exported, a drawback equal in amount to the duty paid on such materials, to be ascertained under such regulations as may be prescribed by the Secretary of the Treasury. Ten per cent. of the amount of such drawback so allowed shall, however, be retained for the use of the United States by the collector paying the same.

Mr. KNOTT. I move to strike out the section just read. I do so because it seems to me that it is a glaring discrimination in favor of a foreign purchaser of an American-built vessel against a domestic purchaser. I do not see why a foreign purchaser should be exempted from tariff exactions that are left on the domestic purchaser.

Mr. PAGE. The gentleman from Kentucky [Mr. KNOTT] will allow me to say that this section was inserted in the bill because there is now a section of the Revised Statutes which permits a rebate of 90 per cent. upon imported material, if that material is wholly used in the construction of a ship built on foreign account. This section provides that if a portion of the material is so used the rebate shall be allowed on that portion, and is intended to encourage the use of American material in the construction of ships on foreign account.

Mr. CANNON. What is the use of this section now that you have all free material under the amended eighteenth section?

Mr. MARTIN. The free material provided for in the eighteenth section is only for ships engaged in foreign trade under the American flag. This section is for the benefit of ship-builders in this country who construct ships on foreign account.

Mr. PAGE. This section can certainly do no harm. The object of it was to allow a ship to be built partly of foreign material and partly of American material, and to give the rebate on that part of the ship constructed of foreign material.

Mr. DINGLEY. I desire to call the attention of the gentleman from Kentucky [Mr. KNOTT] to the fact that section 3019 of the Revised Statutes of the United States provides that there shall be allowed on all articles wholly manufactured of materials imported on foreign account 90 per cent. drawback.

Now, if the Delaware ship-builders, for example, the Wilmington ship-builders, desire to build a vessel for Dom Pedro of Brazil, and they construct it entirely of foreign material, they will obtain a drawback of 90 per cent. of the duties imposed on that material. But if they build any part of that vessel of home material, though it may be only a single plank, they can obtain no drawback on any of the foreign material used in the construction of that vessel.

Now, the result is that these builders of vessels on foreign account are obliged to import their plank for the vessel, or else they obtain no drawback on any of the material used. There is no reason for that. If we allow a drawback in the case of a vessel constructed wholly of imported materials we should also allow a drawback on vessels constructed partly of foreign materials and partly of home materials—a drawback so far as the foreign material enters into the product.

This question was before the Committee on Ways and Means at the last session and they reported unanimously in favor of a provision similar to this. It seems to me that the section is entirely reasonable and just, and is in the interest of American industry, for it encourages the use of American timber and anything else that can be obtained as cheaply as or more cheaply than the like material can be obtained abroad.

Mr. PAGE. I hope the gentleman will withdraw his motion.

Mr. MARTIN. I hope it will be withdrawn.

Mr. KNOTT. I withdraw my motion to strike out.

The Clerk read the following:

SEC. 22. That all registered ships, steamers, or vessels, employed exclusively in the foreign carrying trade, including the trade between the Atlantic and Pacific ports of the United States, are hereby exempted from all or any State or municipal taxation.

Mr. McMILLIN. I move to strike out this section.

Mr. PAGE. If the Speaker will recognize me for a moment I think I can relieve the gentleman from Tennessee.

Mr. McMILLIN. Mr. Speaker, there are some features of this bill that are so repugnant to the principles of good government that I am constrained to oppose them. I have moved to strike out the twenty-second section, just read, and will briefly give my reasons why the motion should prevail. I believe this section to be an attempt to exercise authority without constitutional warrant. Where in that instrument is there any authority for Congress to deprive State Legislatures of the right to tax citizens for the support of State government? Gentlemen claim that the right to "regulate commerce among the States" gives the authority.

Now, sir, I insist that by no reasonable construction of the Constitution can it be tortured into the granting of such power to Congress. Who advocated it at the time of the adoption of that instrument? What court or commentator ever placed such a construction upon it? What would be the result of such a construction and such legislation? Congress would be forcing State Legislatures and municipalities to unequal, unjust, and discriminating taxation. You claim that it is for the benefit of the laboring man; yet while the laboring man's very existence is taxed through the poll-tax, if a man having half a million of money invests it in a ship to be used in the foreign carrying trade, you say to the State, "You shall not make this immense wealth pay a dollar to carry on the State or city government, which protects the life and property of its owner." How does it benefit the poor or laboring man to have to carry on the government while his neighbor, who could buy a thousand times his wealth, is exempted from all its burdens?

Nor are these the only bad features of the bill. Not only is this object attained without warrant in the Constitution of the United States, but in order to accomplish it we have to ride over the prostrate constitutions of more than twenty-five of the States of this Union. Have Representatives forgotten that they come here from States which have rights? Are they willing to tear down their State constitutions by Congressional enactment in order to build up a few private ship-yards? Are they ready to say to their State Legislatures, "You shall not tax equally all the property of the State to support the life of the State?" If so, the people have cause to rejoice and congratulate themselves that they did not spurn this Congress and spit it out of their mouth (last November) any too soon.

Mr. Speaker, that members may see that I do not misinterpret the State constitutions on the subject of equal taxation, I quote from a number of them.

The State of Alabama has this provision relative to taxation:

All taxes levied on property of this State shall be assessed in exact proportion to the value of such property.

Arkansas:

All property subject to taxation shall be taxed according to its value, that value to be ascertained in such manner as the General Assembly shall direct, making the same uniform throughout the State. No one species of property from which a tax may be collected shall be taxed higher than another species of property of equal value.

California:

Taxation shall be equal and uniform throughout the State. All property in this State shall be taxed in proportion to its value, to be ascertained as directed by law.

Colorado:

All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws which shall prescribe such regulations as shall secure a just valuation of all property, real and personal.

Florida:

The Legislature shall provide for a uniform and equal rate of taxation and shall prescribe such regulations as shall secure a just valuation of all property, both real, and personal, &c.

Illinois:

The Legislature shall provide such revenue as may be needful, by levying a tax by valuation so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property, &c.

Indiana:

The General Assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a ust valuation for taxation of all property, both real and personal, &c.

Iowa:

The property of all corporations for pecuniary profit shall be subject to taxation the same as that of individuals.

Kansas:

The Legislature shall provide for a uniform and equal rate of assessment and taxation, &c.

Louisiana:

All property shall be taxed in proportion to its value, to be ascertained as directed by law.

Mr. Speaker, the States of Michigan, Minnesota, Missouri, Nebraska, Nevada, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, and in fact most of the other States, have similar constitutional provisions in favor of uniform, fair, equal taxation of all property except that used for religious or eleemosynary institutions.

Sir, if the "right to regulate commerce among the States" gives us the right to exempt property in ships from State taxation, let us see to what lengths of constitutional infraction and depths of financial woe it may carry us. "Commerce among the States" is carried on mainly by railroad and steamboat. If you may prevent the States under this clause of the Constitution from taxing stock or property in a ship, why may you not in like manner lay the heavy Congressional hand on the State and stop it from taxing railroad and steamboat property? If you may do the one you may the other, and set free from State taxation the thousands of millions of dollars invested in railroads and steamboats from one side of this continent to the other.

Mr. Speaker, members will consider well and strike out this section.

[Here the hammer fell.]

Mr. PAGE. After consultation with many members of the select committee, and in order to avoid fifteen or twenty constitutional speeches [laughter] I move that this section be struck out.

The motion of Mr. McMILLIN was agreed to.

The Clerk resumed and concluded the reading of the bill, as follows:

SEC. 23. That all acts and parts of acts in conflict with this act are hereby repealed.

Mr. MONEY. I desire to offer an amendment.

Mr. PAGE. I will say to the gentleman from Mississippi [Mr. MONEY] that we are obliged to return to section 14 before finishing the bill. I presume he wishes to offer an amendment to come in at the end of the bill. I suggest that he defer the amendment for the present.

The SPEAKER. The Chair thinks it would be proper that any amendment in the form of an additional section should be offered after section 14 has been returned to. It was agreed that the right to return to and amend this section should be reserved. The section will be read.

The Clerk read as follows:

SEC. 14. That section 2514 of the Revised Statutes be amended so as to read as follows:

"SEC. 2514. That all articles and materials of foreign production needed for the repair of vessels engaged in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, and all ship stores, cordage, rigging, canvas for sails, and coal to be used and consumed on board of any such vessel, may be withdrawn from bonded warehouses free of duty, under such regulations as the Secretary of the Treasury may prescribe."

Mr. CRAPO. As a substitute for this section, I offer the provision which I sent to the desk.

The Clerk read as follows:

That section 2514 of the Revised Statutes be amended so as to read as follows:

"That all materials of foreign production, to be manufactured in this country into articles needed for and used in the construction, equipment, repairs, or supplies of American vessels employed or to be employed exclusively in the foreign trade, including the trade between the Atlantic ports and Pacific ports of the United States, may be withdrawn from bonded warehouse free of duty, under such regulations as the Secretary of the Treasury may prescribe; and if the duty shall have been already paid on such materials so used, the same shall be refunded and repaid to the owner or owners of such vessel so using them or their legal representatives."

Mr. CRAPO. Under the eighteenth section of this bill as it now stands we permit the importation free of duty of articles of foreign manufacture to be used in the construction of vessels to be engaged in the foreign trade. The purpose of the provision I now submit is to allow the American manufacturer to have the raw material free of duty. It is to prevent the discrimination which would otherwise exist in favor of the foreign manufacturer as against the American manufacturer. Section 18 as it stands allows articles of foreign manufacture, if used in the construction of vessels for the foreign trade, to come in free of duty. Now, if the American manufacturer is to be subjected to the operation of that provision he asks that the raw material entering into the article to be made shall be permitted to come in free of duty. That is the object of the section.

Mr. MOULTON. Does the gentleman's substitute include construction as well as repairs?

Mr. CRAPO. Yes, sir. It refers to materials which are to be manufactured in this country and which enter into the construction or repair of ships to be used in the foreign trade. The provision is limited to vessels engaged in the foreign trade.

Mr. MOULTON. I see no objection to that.

The motion of Mr. CRAPO was agreed to.

Mr. CRAPO moved to reconsider the vote by which the amendment was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

AMERICAN SHIPPING.

The House resumed the consideration of the shipping bill.

Mr. DINGLEY. I ask unanimous consent to revert to section 15, relating to the tonnage tax, for the purpose of adding to it a proviso to carry out what was the understanding of the House when that section

was under consideration. It was then stated, as will be remembered, that the adoption of that section would not in any way interfere with the provision of the Revised Statutes which allows an American vessel on the lakes clearing from a port in one collection district of the United States to a port in another collection district of the United States to touch in the course of the voyage at a Canadian port and trade there without being subject to the tonnage tax. It was not the intention to repeal that provision (contained I think in the act of 1871), or in any way to increase the tonnage tax upon vessels engaged in the Canadian trade. But in order to make the matter perfectly clear it has been thought best by the committee that a proviso be adopted to carry out that understanding. Hence I ask unanimous consent that the proviso which I send to the desk may be added to the fifteenth section.

The Clerk read as follows:

Amend section 15 by adding the following:

"*Provided*, That nothing in this section shall be construed to repeal section 2793 of the Revised Statutes: *And provided also*, That the aggregate duty imposed under this section in any one year upon any vessel engaged in no other foreign trade than the trade between the United States and the Dominion of Canada or the Republic of Mexico, or any ports or places south of Mexico down to and including Aspinwall and Panama, or any ports or places in the West India Islands, shall not exceed 30 cents per ton."

Mr. BERRY. Reserving the right to object, I would like to hear the gentleman from Maine explain the scope of this amendment. I confess I do not understand it fully.

Mr. DINGLEY. Section 2719 of the Revised Statutes provides that any American vessel upon the lakes clearing from a port in one collection district of the United States to a port in another collection district of the United States shall be allowed to touch and trade at a Canadian port without the payment of a tonnage tax. Under the provisions of that section nearly all the American vessels engaged in the trade with Canada upon the great lakes escape the payment of the tonnage tax according to the act of 1872.

There is also a danger that the section passed the other day would impose a tonnage tax on your lines of steamers which may be making daily trips on the lakes or monthly or semi-monthly trips in the trade with the West India Islands, and with Mexico, and with the countries south of Mexico down to and including Aspinwall and Panama. This trade is engrossed almost entirely by American vessels. It was not the intention of the committee in any event to increase the tonnage tax, and hence this proviso secures all the rights under section 2719 of the Revised Statutes, and in the second place provides that the aggregate tonnage tax or duty collected in any one year on vessels engaged in this particular trade shall not exceed 30 cents per ton. The object of it, as is well understood, is to give an advantage to the American vessels engaged in this near-by trade, so to speak.

The SPEAKER. Is there objection to receiving the amendment?

There was no objection, and the amendment was received and adopted.

Mr. DINGLEY. There is a new section I wish to offer to the bill, which I send up to the Clerk's desk to be read.

The Clerk read as follows:

Whenever any fine, penalty, forfeiture, exaction, or charge arising under the laws relating to vessels or seamen has been paid under protest to any collector of customs or consular officer, and application has been made within one year from such payment for the refunding or remission of the same, the Secretary of the Treasury, if on investigation he finds such fine, penalty, forfeiture, exaction, or charge was illegally, improperly, or excessively imposed, shall have the power, either before or after the same has been covered into the Treasury, to refund so much of said fine, penalty, forfeiture, exaction, or charge as he may think proper from any moneys in the Treasury not otherwise appropriated.

Mr. DINGLEY. This section has been offered after consultation with the Treasury Department in order to give that Department power to remit any fine, penalty, or charge imposed on a vessel by a collector of customs or by a consul after the money thus collected has been covered into the Treasury. Under the decisions of the Treasury Department when money has been covered into the Treasury it is then too late. The object is to give the Treasury Department power to remit a fine, penalty, or charge after the money has been covered into the Treasury the same as before it has been covered into the Treasury.

The amendment was agreed to.

Mr. DINGLEY. With the consent of the committee, I now offer two additional sections.

The Clerk read as follows:

That section 2966 of the Revised Statutes be amended by striking out the words "propelled in whole or in part by steam;" so that the section as amended shall read as follows:

"SEC. 2966. When merchandise shall be imported into any port of the United States from any foreign country in vessels, and it shall appear by the bills of lading that the merchandise so imported is to be delivered immediately after the entry of the vessel, the collector of such port may take possession of such merchandise and deposit the same in bonded warehouse; and when it does not appear by the bills of lading that the merchandise so imported is to be immediately delivered, the collector of the customs may take possession of the same and deposit it in bonded warehouse, at the request of the owner, master, or consignee of the vessel, on three days' notice to such collector after the entry of the vessel."

That section 2872 of the Revised Statutes be amended by adding thereto the following:

"When the license to unload between the setting and rising of the sun is granted to a sailing vessel under this section a fixed uniform and reasonable compensation may be allowed to the inspector or inspectors for service between the setting and rising of the sun under such regulations as the Secretary of the Treasury may prescribe, to be received by the collector from the master, owner, or consignee of the vessel, and to be paid by him to the inspector or inspectors."

Mr. DINGLEY. The only change in the law made by these sections which have been added by consent of the committee is to strike out the words "propelled in whole or in part by steam." The effect of it is that it gives the sailing vessels the same privileges of unloading cargoes that are given to vessels propelled in whole or in part by steam. That is the whole scope of it.

This section also has been submitted to the collector of New York as well as to the Treasury Department, and that collector says the provision is right and ought to be adopted giving sailing vessels the same privileges as steam-vessels.

Mr. HUMPHREY. I wish simply to say in regard to the amendments just offered that it seems to me, as they make provision for unloading between the setting and the rising of the sun, that it would be well for this House before the sun sets this evening to unload this bill of one provision which it now contains. The friends of the bill wish to provide for the revival of the shipping interest in this country and at the same time revive the industries connected with the building of ships.

It seems to me, Mr. Speaker, that as this bill is now constituted both of these objects are in the main defeated; for when the provision was incorporated allowing free ships we adopted a provision which would allow the 1,027 vessels owned by American ship-owners, who, during the war, were neither brave nor patriotic enough to run their ships under the American flag and pay the war premiums, taking thereby the chance of the destruction of their vessels by confederate cruisers, to come back under our flag and laws. We give them the privilege of coming back under an American registry without any further question. They have been here for years, as everybody knows, wanting to get their vessels back under American registry, and by this provision you let them all in—the very thing that this Congress has over and over again refused to allow. Pass this bill, and you let every one of them back; and the result will be that in every provision of this present bill you have been simply aiding to Fitz-John-Porterize this country. [Laughter.]

Pass this bill, Mr. Speaker, in its present form, and you undo what the wisdom of this country saw proper to do during the war. Pass the bill, and you bring back those men with all of their rights unimpaired, men who were not friendly to our interests then; and you give them privileges and powers now on a par with all of the other citizens of this country, privileges and powers which you then saw fit to deny them.

Mr. Speaker, if there was no other reason for it than what I have suggested, it should not be permitted to pass into a law. I say to you that this Congress, when it shall have closed its labors, although it has done more business of a general legislative character than any other Congress for the past ten years, will go down in history as a Congress that has been vilified and abused by a portion of the Republican press throughout the country without stint, and some of the Republican party even come here and apply the lash, seeking now to secure the undoing, in a certain sense, of what was done when the country was imperiled. I want here, sir, to put my earnest protest on record and say let all the metropolitan press of this country of a Republican character abuse Congress to the end of time.

I believe in the main that withthe exception of some difficulties in the way of legislation, difficulties thrown in our way by reason of our rules, that Democrats and Republicans alike have stood together before the country animated by a desire for the revival of those industries and the rebuilding of those interests which will enable it to step upward and onward in the march of progress. But we never can do this by passing a bill of this character, the very element of which will enable us to unload between the rising and the setting of the sun all of the legislation we put upon our statute-books for the protection of free government in America in a time of war.

[Here the hammer fell.]

The SPEAKER. The question is upon agreeing to the amendment proposed by the gentleman from Maine [Mr. DINGLEY] as additional sections to the bill, which have been read.

Mr. BERRY. I would like to ask the gentleman from Wisconsin a question before he takes his seat.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BERRY. I wish to ask the gentleman if it is not a fact that all of the ships which he claims went under the foreign flag are not by this time rotten or destroyed; and therefore how could they be brought back, as he fears?

Mr. HUMPHREY. Rotten? Certainly not. There is nothing rotten that was built during the war. Many of them are as sound at this day as they were when they were built.

Mr. CANDLER. Permit me to say that there are not ten ships in existence at this day that went under the British flag twenty years ago.

Mr. HUMPHREY. Where is the proof?

Mr. BERRY. Where is your proof of what you have stated?

Mr. HUMPHREY. My proof is in the archives of the State Department.

The SPEAKER. This debate is out of order. The question is upon the adoption of the sections proposed by the gentleman from Maine.

The amendments were agreed to.

Mr. PAGE. I believe now, Mr. Speaker, that we have passed through with all the provisions of the bill.

The SPEAKER. The Chair understands the gentleman from Mississippi desires to offer an amendment.

Mr. MONEY. I desire to offer a new section.

The SPEAKER. It will be read.

The Clerk read as follows:

That the Postmaster-General is hereby empowered and directed, after proper advertisement for bids, to contract for carrying the mails in steam-vessels of the United States performing regular trips at stated periods between ports of the United States and foreign ports, when such contracts for mail service will, in his judgment, promote the postal and commercial interests of the United States. Such contracts shall be for the term of four years, and the price paid for such service shall not exceed $2 per mile outgoing for each trip, the distance being counted from port to port terminating the route, counting by the chart. And all such contracts shall be under the laws and regulations governing contracts for carrying the domestic mails of the United States, and all routes selected for contract are hereby made post-routes: *Provided*, That steam-vessels of the United States, engaged under contract to carry the mails to foreign ports shall be subject to purchase for charter by the Government of the United States in time of war at a fair and reasonable price, to be determined by some method to be devised and directed by the Secretary of the Navy.

Mr. HERBERT, Mr. HOLMAN, and Mr. THOMPSON of Kentucky addressed the Chair.

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. THOMPSON, of Kentucky. I rise to make the point of order against the proposed amendment.

The SPEAKER. The gentleman will state the point of order.

Mr. THOMPSON, of Kentucky. My point of order is that the amendment is not germane to the bill.

The SPEAKER. Is that the only point of order?

Mr. HOLMAN. I desire to add the further point of order that the proposed amendment is the substance of a bill pending before the House. That is my understanding; I am not able to verify it at this moment.

The SPEAKER. The gentleman from Kentucky [Mr. THOMPSON] makes a point of order that the new section proposed by the gentleman from Mississippi [Mr. MONEY] is not germane to the bill. The gentleman from Indiana [Mr. HOLMAN] suggests the further point of order that the proposed section is the substance of a bill pending before the House. The Chair will hear the gentleman from Kentucky first, if he desires, in support of his point of order.

Mr. THOMPSON, of Kentucky. The bill we are now considering relates entirely to navigation laws, while the amendment of the gentleman from Mississippi relates to amendment of the postal laws. They relate to entirely different subjects and one is not germane to the other.

Mr. HERBERT. I desire to say further in support of the point of order made by the gentleman from Kentucky that the purpose of the two bills is plainly distinct in this. The purpose of the pending bill is—

To remove certain burdens on the American merchant-marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen.

The proposed amendment on its face gives to the Postmaster-General—and that is the gist and substance of it—gives to the Postmaster-General, when in his judgment it will aid the commercial and postal interests of the United States, the right to make these mail contracts. The two things are as distinct and as different as they can be.

In the first place there can be no sort of doubt that this is not intended to remove any of those burdens on the American merchant marine, such as the registry law, such as the unnecessary charges by consuls, and other burdens which the bill proposes to remove.

Then, there is a wide and a broad distinction between a bill "to encourage the American foreign carrying trade" and an amendment to promote foreign commerce. The discussions on this floor have made perfectly clear the distinction between commerce and the carrying trade. It is sufficient to say that everybody admits the foreign commerce of America is flourishing, while the foreign carrying trade of America is in its decadence. Those two things are entirely distinct.

Then, the last purpose avowed in this bill is "to amend the laws relating to the shipment and discharge of seamen." That proposition only needs to be stated to show that this amendment is not germane to it.

Therefore the subject-matter of the amendment and the subject-matter of the bill are different and distinct; and so much so that in this House they are in charge of different committees. It is a gentleman from the Post-Office Committee who proposes to add here matter that has been properly under the consideration of that committee as an amendment to subject-matter brought in here by another committee. And the subject-matter of this amendment, as is suggested to me by the gentleman from Indiana [Mr. HOLMAN], was referred to the Committee on the Post-Office and Post-Roads at this present session of Congress.

The subject-matter of this bill could not properly have been referred under the rules to the Post-Office Committee, and they could not under the rules have considered it. And that consideration alone, it seems to me, is sufficient to show that this amendment is not germane.

Mr. THOMPSON, of Kentucky. I would like to call the attention of the Chair to clause 7 of Rule XVI, which says that—

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

That rule, for the reasons which have been clearly stated by the gentleman from Alabama [Mr. HERBERT], applies to the proposition of the gentleman from Mississippi [Mr. MONEY], which is distinct in whole and in part from every proposition contained in this bill, and every amendment adopted by the House in reference to it. Therefore I submit the amendment is subject to the point of order.

Mr. MONEY. In reference to the point of order made by the gentleman from Indiana [Mr. HOLMAN], that this amendment is substantially the bill reported by the Committee on the Post-Office and Post-Roads, and now pending, I have this to say: If it is meant by the clause of the rule the gentleman from Kentucky has read that no gentleman can at any time offer a measure in amendment to a bill reported by a committee because it has the same object as some bill on the Calendar, then the objection is good. Otherwise it is not; because, Mr. Speaker, in substance this is not the bill which I had the honor to report from the Committee on the Post-Office and Post-Roads.

That bill had a great many provisions in it which are not even alluded to in the amendment which I have had the honor to offer. Among other things that bill provides as one of its most important provisions that the vessels which shall be employed in carrying the mails shall be American-built ships; and nothing of that sort is in the amendment I offered. Among other things also is the provision that these ships shall be commanded by officers of the Navy of the United States, and nothing of that sort is here mentioned. I have not repeated the substance of that bill, unless the gentleman assumes that when an amendment has one of the objects of a bill reported it is substantially the same bill. His objection then goes for nothing.

On the same point, to meet, as I do with diffidence, the argument of so distinguished a parliamentarian as my friend from Alabama [Mr. HERBERT], I will say the title of this bill is itself a sufficient answer to his objection. The title reads:

To remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen.

If this amendment is in accordance with either one of the sections of the title it is germane to the bill.

I say, Mr. Speaker, it will hardly be denied that this bill is to encourage the foreign trade. It does offer a fair and reasonable compensation for the transportation of domestic and foreign mails to the ships which may carry our mails between domestic and foreign ports. If that is not to encourage the foreign carrying trade of this country, then there is no provision in this bill which will accomplish that result.

Mr. HERBERT. Let me call the attention of the gentleman to the fact that his amendment on its face vests the power in the Postmaster-General to base the contract on two entirely different considerations, one for the benefit of commerce and the other to carry out postal facilities for the United States. These are the purposes of the amendment, avowed on its face, and are the only grounds upon which the Postmaster-General is authorized to make any contract.

Mr. MONEY. That is not the object of the amendment at all; it is only one of the methods by which the amendment shall be put in operation if adopted. The gentleman has entirely misconceived the whole object of the amendment. That provision is simply a matter of regulation. It was necessary that the amendment, if adopted, should become operative; and the question was in what manner to best subserve the postal service of the United States. That matter was left to the Postmaster-General simply to select the route upon which the mail should be carried. The gentleman has therefore misunderstood the whole matter.

Mr. HERBERT. That is what the amendment says on its face.

Mr. MONEY. I am unwilling to argue this at any length, because I do not consider it necessary. I think I have met the objections offered by the gentleman from Alabama [Mr. HERBERT] and by the gentleman from Kentucky [Mr. THOMPSON].

Mr. HOLMAN. The bill to which I desire to call the attention of the Chair, and which is now pending before the House, is House bill No. 4668. The fourth clause of Rule XXI is the one upon which the point of order is predicated. That clause reads:

No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith the substance of any other bill or resolution pending before the House.

I concede that the proposition submitted by the gentleman from Mississippi [Mr. MONEY] does not embrace the entire substance of the pending House bill to which I have called attention; but it does embrace a portion of the substance of that bill. It therefore presents the question whether or not you can introduce by way of amendment a portion of the substance of a pending bill; that is to say, whether you can submit by way of amendment the substance or any portion of the substance of a bill now pending before the House.

One other word, with the permission of the Speaker, upon the other point of order presented. The bill now pending before the House is a bill to encourage commerce. There is not a word in the bill having reference to the postal service, I believe. The joint committee, in reporting this bill to the House, have called attention to the fact that they have not incorporated in it a provision touching the postal service, because that subject was under consideration by the Post-Office Committee of the House.

This is a bill to encourage commerce. The proposed amendment is a provision to create and establish facilities for the transportation of the mails of the United States. I submit that they are absolutely separate and distinct subjects-matter, and, as was suggested by the gentleman from Alabama [Mr. HERBERT], belong to two separate and distinct committees.

The SPEAKER. The Chair desires to call attention to the fact that there is no dispute about what is the parliamentary rule on either point of order. If the proposition to amend is different from the bill under consideration, of course it will have to be ruled out. And if it is the substance of a pending bill before the House it will have to be ruled out. There is no question what the rule is on either point; it is rather a question of fact, and not a question of parliamentary law at all.

Mr. THOMPSON, of Kentucky. A moment in reply to what has been said by the gentleman from Mississippi [Mr. MONEY] on the point of order. He did not claim when he addressed the Chair that there was any clause or proposition in the bill now pending before the House to which his amendment related. He claimed only that in the title of the bill there were these words, "to encourage the American foreign carrying trade," and he claims that the proposition he submits is germane to the bill because it is covered by the title.

Now, it is a familiar rule of construction that no clause in a bill can be extended by the title, nor is the title a part of the bill until the bill has been finally passed and the title adopted with it. Therefore, though his proposition may to some extent be covered by the title of the bill, that does not make it relate in any way to the substance of the bill itself.

I do not understand that the gentleman from Mississippi claims that there is any proposition in the bill which we are now considering to which the amendment he presents is in any manner related; it is a totally different subject altogether.

Mr. ROBESON. The bill now under consideration is a bill to remove burdens from American shipping. We have sought to do that "all along the line." Those burdens are to be found in the restrictions of our statutes against the use of American shipping; in the impositions, the taxes, and the restrictions which our laws impose upon it.

Among those restrictions is one that every American ship shall carry the mails of the United States for 2 cents a letter. Among the restrictions which are now imposed upon American commerce is the restriction of the statutes which requires that every ship clearing from an American port, and every American ship getting a clearance from an American officer in a foreign port, must take the mails from that port, bring them to the United States, deliver them to the post-office, send them up and certify to them, all for 2 cents a letter, even if the mail consists of a single letter.

That is one of the burdens of which complaint was made before our committee, and which our committee in reporting this bill did not choose to relieve; but which the gentleman from Mississippi thinks ought to be relieved "along the line" of removing burdens from American shipping. His proposition is directly in accord with the spirit, scope, and intention of the bill itself, only it goes further than the bill which has been presented by the committee. So much for that portion of the point of order.

The real objection to this amendment, if there be any, is to be found in the point made by the gentleman from Indiana [Mr. HOLMAN], that it is the substance of a bill now pending before this House. That is a question of fact. But I contend that the gentleman is not correct in point of fact. In the first place he himself admits that the amendment is not the whole of the substance of the bill. Now, if it is not the whole of the substance, then it is not obnoxious to the point of order, because the very spirit and idea of the rule is that you shall not, as a bill goes through the House, put upon it as a "rider" another proposition which has been considered by a committee of the House and is on its Calendar for separate action. But if an amendment be obnoxious to the point of order provided it contains anything which is in another bill, then when a bill is to be considered a member need only introduce here another bill embracing a number of general items covering the whole subject and no amendment can be offered.

The real, legitimate spirit of the requirement of the rule is that an amendment shall not contain the substance of another bill which is pending. If it contains only part of the substance, it does not contain the substance. As a logical proposition, I submit that the substance is the thing—not half of it. When you say the substance, you mean all of it, in effect; and the gentleman from Indiana admits that in this view the amendment does not embrace the substance of the bill referred to.

But in another view there is, it seems to me, a perfect answer to the point of order. I find that this amendment not only does not contain the substance of the bill referred to, it does not embrace the spirit of it at all. The third section of the bill as reported from the Committee on the Post-Office and Post-Roads provides that—

The vessels employed in the mail service under the provisions of this act shall be steamships built in American ship-yards, and shall be owned by American citizens, or American corporations a majority of whose stock shall be owned by American citizens and a majority of whose stockholders shall be American citizens, and officered and manned by American citizens.

There are a dozen different restrictions, confining the provisions of the bill entirely to American ships. We have before us a bill upon which gentlemen here have voted, that we shall have ships not American built, not built in American ship-yards. They say in their arguments that we are to revive our commerce, rehabilitate our carrying trade, and put our flag again upon the seas, by having ships which are to be built on the Clyde and the Tyne. Now, a proposition comes in that the whole body of our American carrying trade, including these foreign ships, may be contracted with by the Postmaster-General to carry the mails. That is not the same proposition embraced in this other bill, nor the substance of it, nor the spirit of it, for the provisions of this other bill are confined entirely to American-built ships.

Therefore the amendment is not obnoxious to the point of order. This amendment proposes to repeal an existing restriction on American commerce, a restriction under which a vessel sailing from Madagascar, if you please, to New York with but a single letter, is compelled to have mail-pouches, mail messengers to take care of the mails, to deliver them to the post-office and to make affidavit that they have done so before the vessel can have a clearance; and the compensation for all this may be but 2 cents on that single letter. This is a burden on American commerce. It is one of the great burdens which was complained of before our committee, and the amendment proposes to remove that burden.

Mr. BINGHAM. Will the Chair listen to me on the question of fact as to the supposed similarity between the amendment and the bill reported from the Committee on the Post-Office and Post-Roads?

The SPEAKER. The Chair will very gladly hear the gentleman.

Mr. BINGHAM. With some degree of care I have made examination of the amendment submitted, together with the bill reported favorably by the Committee on the Post-Office and Post-Roads. The only similarity between the amendment and that bill is the simple proposition of ocean mail transportation. The Money bill as reported from the committee directs the Postmaster-General to make contracts for the transportation of the United States mail to such ports as in his judgment will best subserve and promote our postal and commercial relations. The amendment directs contracts with steam-vessels of the United States performing—observe the language—performing regular trips at stated periods between any port of the United States and foreign ports. Under the amendment the vessels to be contracted with must be in existence and performing trips. Under the bill the vessels are to be hereafter constructed in accordance with specifications in the bill.

Again, the bill fixes a contract term of ten years, while the amendment fixes a contract term of four years.

More than this, the bill directs that mail service under contract be performed by "steamships built in American ship-yards and owned by American citizens or American corporations, a majority of whose stock shall be owned by American citizens and a majority of whose stockholders shall be American citizens, and officered and manned by American citizens," and that these steamships "shall be constructed after the latest and most approved models." Then it goes on to classify these vessels into three distinct classes. The amendment does not specify in any way where the ship shall be built, or the classification of the ship.

Again, the amendment directs that the contractors shall be governed by the laws and regulations governing contracts for carrying the domestic or inland mail.

The Money bill directs the contractors to be governed by the laws covering ocean transportation.

Again, the bill fixes the annual rate of compensation, and that the service shall be monthly; and it pays for the service in accordance with the class of vessels the mail is carried in, and limits the sum total of possible expenditure to two and a half million dollars. The amendment is entirely different. It fixes the maximum compensation at $2 per mile, not monthly but for each trip, counting the distance from port to port by the chart.

Again, the bill directs transportation free of charge of the mail messenger. The amendment contains no such enactment.

The bill directs inspection of vessels contracted for by a competent naval officer. The amendment says nothing on the subject.

The bill allows regular officers of the United States Navy on shore duty to perform service on such vessels. The amendment says nothing on that question whatever.

The bill directs the Postmaster-General to arrange a schedule of arrivals and departures, and limits the maximum rate of speed. In other words, the bill gives to the Postmaster-General the same control in reference to fast-mail facilities which are given under the appropriation bill to-day, as well as the right to fix the schedule of arrivals and departures. The amendment says nothing on that subject whatever.

Therefore, Mr. Speaker, there is only one question, as a question of fact, between the amendment and the bill, and that is the provision providing simply for ocean mail transportation.

Mr. ROBINSON, of New York, took the floor and concluded his speech. [See Appendix.]

Mr. CANNON. I wish to be heard.

The SPEAKER. The gentleman must confine himself to the point of order.

Mr. CANNON. I will try to confine myself to the point of order.

Now, I do not believe, Mr. Speaker, that it appears on the face of the proposed amendment that it is germane to the bill under consideration. No clause or section in the bill can be found that it would be germane to. It is claimed that it is germane on the ground of the general title of the bill, which is to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen.

Now, sir, to show that it is germane the gentleman from Mississippi [Mr. MONEY] and the gentleman from New Jersey [Mr. ROBESON] say that it is a burden on the steamship companies and upon other ships to carry these mails for the compensation now fixed by law. As the gentleman from Wisconsin [Mr. HUMPHREY] said a moment ago, where is your proof? And when I call for proof I call for something that does not appear on the face of the bill or the face of the amendment, and the very fact that it is necessary for them to go out and inquire about it is fatal to the amendment when the point of order is made.

The amendment itself provides for the carrying of the foreign mail, and is amendatory of existing law on that subject. That is all. Whether or not it would tend to promote commerce I do not know, but I deny and call for proof that it would tend to promote commerce. At once, then, we have got to an issue of fact, and I presume the Speaker can not resolve himself, parliamentarily speaking, into a jury to determine that question of fact, it not appearing on its face. The rate of postage which a steamship company or any other ship shall get is fixed by law. Beside this is not the only duty the ship has to perform for the Government where the price is fixed by law. Turn to the Revised Statutes, section 4578, which reads as follows:

SEC. 4578. All masters of vessels belonging to citizens of the United States, and bound to some port of the same, are required to take such destitute seamen on board of their vessels, at the request of the consuls, vice-consuls, commercial agents, or vice-commercial agents, respectively, and to transport them to the port in the United States to which such vessel may be bound, on such terms, not exceeding $10 for each person, as may be agreed between the master and the consul or officer. Every such master who refuses the same on the request or order of such consul or officer shall be liable to the United States in the penalty of $100 for each seaman so refused. The certificate of any such consul or officer, given under his hand and official seal, shall be presumptive evidence of such refusal, in any court of law having jurisdiction for the recovery of the penalty. No master of any vessel shall, however, be obliged to take a greater number than two men to every one hundred tons burden of the vessel, on any one voyage.

Now, then, the gentleman from New Jersey [Mr. ROBESON] might well say, as a matter of fact, that is too little, that that is a burden; but I do not know whether it is or not. I deny it. It would be just as proper to provide by the amendment that they should be entitled to one dollar or two dollars a mile between two ports for carrying these seamen as to provide a different compensation than that fixed by law for carrying the mails.

Mr. ELLIS. Does one burden justify another?

Mr. CANNON. I deny either of them is a burden; and how are you going to determine whether they are or not?

Mr. THOMPSON, of Kentucky. Will the gentleman from Illinois permit me to ask him a question while upon this subject of burdens?

Mr. CANNON. Certainly.

Mr. THOMPSON, of Kentucky. I wish to ask if an effort was not made during the last Congress to reduce the burdens imposed by the internal-revenue system of taxation, and when it was proposed to offer other amendments affecting the burdens imposed by tariff legislation, the Speaker did not rule that no amendment relating to the burdens imposed by duties other than those relating to the internal revenue was germane to the bill; and if that ruling was not acquiesced in by the House?

Mr. CANNON. Oh, yes, I believe that is correct.

But again, Mr. Speaker, we pay to these vessels the cost of the transportation of our foreign ministers and attachés of legation. They are officers of the Government traveling between our ports and the ports of other countries. Now, we had just as well provide in this bill that we should pay these steamship companies $1 or $2 a mile to carry them, because it is a part of the carrying business, and claim that it was germane to the propositions embodied in this bill, just as this proposed amendment of the gentleman from Mississippi seeks to be entertained. It is a matter of contract under the law; and when the amount of this payment or charge can not be ascertained—whether it be a dollar or a million of dollars—except by argument, therefore it makes this amendment subject in my opinion to the point of order.

Mr. ELLIS. Mr. Speaker, whether the point of order shall lie against this amendment or not depends upon two propositions. In the first place, if it be not germane, it must go out; in the second place, if the entire substance of any pending bill in this House be offered and is embodied in the amendment of the gentleman from Mississippi, then the amendment must also be ruled out on the point of order.

The second ground, that is, the ground that the substance of another bill pending in the House is embodied in this amendment of the gentleman from Mississippi, has been so fully, so completely, and so perfectly answered by the gentleman from Pennsylvania [Mr. BINGHAM] that I propose to waste no time upon it.

The first ground, whether the pending amendment be germane to the bill, I shall refer to briefly. Now, sir, as I read the title of this bill, and as well as I have been able to gather the purpose of this legislation from all that has transpired with reference to it during this debate, it is designed to encourage the American foreign carrying trade and to lift the burdens which rest on American shipping. There is no logic or common sense, I may be permitted to say, in a portion of the argument of my friend from Illinois, for whose opinion I have ordinarily great respect, that two burdens justify one, or that half a dozen burdens may justify one. We are here endeavoring to raise as many burdens from these depressed interests as possible, and one of them is, and I assert it without fear of successful contradiction, the law of the United States—which is a disgrace, which is unconstitutional in my judgment—whereby the private property of the citizen may be taken for public use at a compensation to be arbitrarily fixed upon it by the Government.

I hold it to be unconstitutional, as it is unquestionably burdensome. Why, sir, it is one of the complaints which have come up from all of these interests that an American captain can not get his clearance papers even until he certifies that he has the American mails on board. He can not break bulk until he has delivered the letters, and for this business he is paid the munificent sum by this Government of 2 cents a letter.

This principle is strangely in contrast with the policy adopted by other great nations—strangely in contrast with the policy of Great Britain which has been copied by other nations, whereby, under the postal-contract system of England and her direct subsidies to steamship lines, she dominates the sea.

France by adopting a similar policy has gone far ahead of us in this matter of tonnage. Look at the contrast between these systems. France pays some of her steamship lines (and I take this statement from contracts, the translations of which I have in my desk, between the French postal department and these companies), the Messagèries Maritimes, $7.59 a mile. Her South American line is paid $7.32 a mile. Another private company is paid $2.08 a mile. The Compagnie Générale Trans-Atlantique is paid $5.71 a mile. Another line is paid $3.73 a mile. Her total pay to her shipping lines amounts to $4,667,778 per annum, or an average of $6.77 a mile.

Now look at the munificent pay allowed by the United States Government for similar service. The Pacific Mail Steamship Company carry the mails at a rate of 5 cents a mile. One line from New York to Havana carries it for 1½ cents a mile; and another earns the great sum of half a cent a mile for this service.

Now, Mr. Speaker, it is a burden to oblige an American ship to wait the arrival of the United States mails before she can get her clearance papers and thus compel her to incur port fees and charges of all kinds, pilotage, and other expenses, only for the purpose of delivering the letters of the United States, receiving therefor the sum of 2 cents on each letter. It is a direct burden upon the shipping interest of the United States; and therefore the provision of my friend from Mississippi, which proposes to lift this burden, is unquestionably germane to the question now before the House.

Again, sir, another proposition of this bill is to encourage, as I have said, the American foreign trade—the American carrying trade—and we propose to do that by allowing this compensation to our ships. But we are met at the threshold by the howl of "subsidy," that bugbear of the little minds. I regret, Mr. Speaker, that the committee did not formulate a broad national policy, and declare, *dehors* the question of tariff, for free trade; that we did not resolve to adopt a broad American policy, taking from the Treasury, if need be, enough money to elevate our carrying trade from its present humiliating and dependent condition and lift it up until it is enabled to maintain itself.

It is then in the direction of encouraging the foreign carrying trade by paying a just and liberal compensation for the transportation of the United States mails. Subsidy! Is it any more a subsidy, sir, than you pay to one of Vanderbilt's railroad lines, or any other railroad line leading to the West? Is it any more a subsidy than you pay to any of the steamboats on your rivers? Is it any more of a subsidy than you pay to the mule-cart with red wheels and yellow body that transports your mails on the star routes in the West? The amendment simply proposes to place these routes and means of transportation on the same footing with other routes and means of transportation, by permitting the offer of bids for a competing service; and therefore it has a direct tendency to give an encouragement to the American foreign carrying trade. I submit, therefore, Mr. Speaker, the amendment is germane to the purposes and objects of this bill, as couched in its provisions and as indicated in its title.

The SPEAKER. The questions presented by the points of order made by the gentleman from Kentucky [Mr. THOMPSON] and the gentleman from Indiana [Mr. HOLMAN] are not free from doubt. The first point of order—that made by the gentleman from Kentucky—is based upon a clause in paragraph 7 of Rule XVI, which provides that—

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

The gentleman from Indiana [Mr. HOLMAN] submits the further point of order based upon clause 4 of Rule XXI, which provides that—

No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith the substance of any other bill or resolution pending before the House.

The Chair has very considerable doubt as to whether or not this

amendment is germane. The original bill is a bill the object and purpose of which are indicated clearly in the title. It is a bill—

To remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen.

Now the proposition of the amendment is to empower the Postmaster-General, after proper advertisement for bids—

To contract for carrying the mail in steam-vessels of the United States performing regular trips at stated periods between ports of the United States and foreign ports, when such contracts for mail service will, in his judgment, promote the postal and commercial interests of the United States.

The chief object of this amendment seems to be to provide a different mode from that now provided by law for carrying the United States mails and to provide another mode of letting these contracts and to limit the price which shall be paid to vessels of the United States, provided contracts of that kind are made.

It does not follow, the Chair thinks, that such an amendment would necessarily promote the foreign carrying trade. It might turn out as a matter of fact when contracts were made, if they were made at all or could be made at all under the amendment if it were adopted and enacted into a law, that such contracts made under the limitation, to-wit, $2 per mile on all outgoing trips, the distance to be counted as provided in the amendment, might not be in the interest of a vessel or in the interest of the owner of a vessel, but might be a burden.

The Chair is not competent to decide that question. As before intimated, this resolves itself into a question of fact. It seems to the Chair that the amendment is in that sense not germane to the pending bill.

Upon looking at the other question and examining House bill No. 4668, which is a bill reported from the Committee on the Post-Office and Post-Roads and entitled "A bill to provide for ocean mail service between the United States and foreign ports," the Chair thinks the amendment is not of the substance of that bill, and would not rule it out on that ground. The substance of the bill undertakes to provide for a general plan to carry the mail between the United States and foreign ports. The proposition to amend has perhaps the same object in view; but it is not in substance the whole of the bill, and the same object may be found to be incorporated in an amendment and yet not be the entire substance of a pending bill.

The Chair would not rule the amendment out on the ground that it is of the substance of House bill No. 4668; but in view of the doubt of what the effect of this amendment might be, it not being strictly a parliamentary question but more a question of fact, the Chair having indicated its present views on the subject of the effect of the amendment will submit the question to the House whether it is in order as an amendment to this bill. The question is, Shall the amendment be considered as in order?

The question being taken by a *viva voce* vote the Speaker stated that the "noes" appeared to have it.

Mr. MONEY. I call for a division.

The House divided; and there were—ayes 35, noes 73.

So (further count not being called for) the amendment was decided to be out of order.

Mr. REED rose.

Mr. MURCH. I ask my colleague to yield to me.

Mr. PAGE. I rise for the purpose of calling the previous question.

The SPEAKER. The gentleman from Maine [Mr. REED] has been recognized.

Mr. REED. I move to strike out the eighteenth, nineteenth, and twentieth sections of the bill.

Mr. PAGE. And I call the previous question on the bill and the amendment of the gentleman from Maine.

Mr. ELLIS. I ask the gentleman from California to yield to me for the purpose of offering——

Several members called for the regular order.

The SPEAKER. The gentleman from Maine [Mr. REED] moves to strike out sections 18, 19, and 20. The gentleman from California in charge of the bill demands the previous question on the bill and pending amendment.

The previous question was ordered.

Mr. PAGE moved to reconsider the vote by which the previous question was ordered; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question recurs on the motion of the gentleman from Maine, which is to strike out sections 18, 19, and 20 of the bill.

Mr. DINGLEY. I would like to ask my colleague from Maine [Mr. REED] if these sections cover the drawback, the free-ship, and the free-material propositions of the bill and nothing more?

Mr. REED. The effect of striking out the eighteenth, nineteenth, and twentieth sections is to strike out the subsidy, the free ships, and the machinery for carrying out the subsidy and the free-ship provisions, and leaves the rest of the bill as it is now. I think that motion should be adopted.

Mr. DINGLEY. I think that motion should be adopted.

Mr. PAGE. I differ from my colleague on the committee, and hope it will not be adopted.

Mr. CANDLER. I hope it will not be adopted.

The SPEAKER. The motion is to strike out sections 18, 19, and 20 of the bill.

Mr. ROBINSON, of Massachusetts. Is debate in order?

The SPEAKER. It is not.

Mr. ROBINSON, of Massachusetts. I would like to have the same privilege that my friend from Maine [Mr. REED] obtained.

The SPEAKER. A question was asked him and he answered it.

Mr. HERBERT. Is the motion to strike out divisible, so as to have a separate vote on striking out each section?

The SPEAKER. The Chair thinks the motion is not divisible.

Mr. PAGE. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 159, nays 54, not voting 76; as follows:

YEAS—159.

Anderson,	Dezendorf,	Lindsey,	Robinson, Jas. S.
Armfield,	Dingley,	Lord,	Russell,
Atherton,	Ellis,	Lynch,	Ryan,
Atkins,	Ermentrout,	Mackey,	Scranton,
Barr,	Errett,	Matson,	Shallenberger,
Bayne,	Ford,	McClure,	Singleton, Jas. W.
Berry,	Forney,	McKinley,	Singleton, Otho R.
Bingham,	Frost,	McLean, Jas. H.	Skinner,
Bisbee,	Geddes,	McMillin,	Smalls,
Blackburn,	Godshalk,	Miles,	Smith, A. Herr
Bland,	Grout,	Miller,	Sparks,
Blount,	Hall,	Mills,	Spooner,
Bowman,	Hammond, N. J.	Money,	Springer,
Briggs,	Harmer,	Moore,	Steele,
Brumm,	Harris, Benj. W.	Morey,	Stockslager,
Buchanan,	Haseltine,	Morrison,	Taylor,
Buck,	Haskell,	Mosgrove,	Thomas,
Burrows, Julius C.	Hatch,	Moulton,	Thompson, P. B.
Butterworth,	Heilman,	Murch,	Thompson, Wm. G.
Cabell,	Herbert,	Mutchler,	Townsend, Amos
Caldwell,	Hill,	Neal,	Townshend, R. W.
Campbell,	Hitt,	Norcross,	Turner, Henry G.
Carlisle,	Holman,	Oates,	Turner, Oscar
Chace,	House,	O'Neill,	Tyler,
Clardy,	Hubbs,	Peelle,	Vance,
Clark,	Humphrey,	Peirce,	Van Aernam,
Clements,	Jacobs,	Pettibone,	Van Horn,
Cobb,	Jadwin,	Phister,	Van Voorhis,
Converse,	Jones, Geo. W.	Prescott,	Wait,
Cook,	Jones, Phineas	Randall,	Walker,
Covington,	Joyce,	Ranney,	Ward,
Cox, William R.	Kelley,	Ray,	Warner,
Crapo,	Ketcham,	Reed,	Watson,
Cravens,	Klotz,	Reese,	Webber,
Crowley,	Knott,	Rice, John B.	Wellborn,
Culberson,	Lacey,	Rice, Theron M.	Whitthorne,
Cullen,	Ladd,	Rice, Wm. W.	Williams, Chas. G.
Curtin,	Latham,	Rich,	Willis,
Davis, George R.	Le Fevre,	Ritchie,	Willits.
Dawes,	Lewis,	Robinson, Geo. D.	

NAYS—54.

Aiken,	Davis, Lowndes H.	Hoge,	Scoville,
Aldrich,	Deering,	Jorgensen,	Sherwin,
Barbour,	De Motte,	Kasson,	Simonton,
Beach,	Dowd,	King,	Smith, Dietrich C.
Belmont,	Dwight,	Leedom,	Speer,
Bliss,	Evins,	McCoid,	Stone,
Bragg,	Farwell, Sewell S.	McCook,	Strait,
Buckner,	Flower,	McLane, Robt. M.	Tucker,
Candler,	Garrison,	Morse,	Updegraff,
Cannon,	Guenther,	Nolan,	Upson,
Carpenter,	Hardenbergh,	Page,	Wadsworth,
Cassidy,	Hardy,	Parker,	Wood, Walter A.
Cox, Samuel S.	Hepburn,	Payson,	
Cutts,	Hewitt, G. W.	Phelps,	

NOT VOTING—76.

Belford,	Dunnell,	Hutchins,	Ross,
Beltzhoover,	Farwell, Chas. B.	Jones, James K.	Scales,
Black,	Fisher,	Kenna,	Shackelford,
Blanchard,	Fulkerson,	Manning,	Shelley,
Brewer,	George,	Marsh,	Shultz,
Browne,	Gibson,	Martin,	Smith, J. Hyatt
Burrows, Jos. H.	Gunter,	Mason,	Spaulding,
Calkins,	Hammond, John	McKenzie,	Talbott,
Camp,	Harris, Henry S.	Muldrow,	Urner,
Caswell,	Hazelton,	Pacheco,	Valentine,
Chapman,	Henderson,	Paul,	Washburn,
Colerick,	Herndon,	Pound,	West,
Cornell,	Hewitt, Abram S.	Reagan,	White,
Darrall,	Hiscock,	Richardson, D. P.	Williams, Thomas
Davidson,	Hoblitzell,	Richardson, J. S.	Wilson,
Deuster,	Hooker,	Robertson,	Wise, George D.
Dibrell,	Horr,	Robeson,	Wise, Morgan R.
Dugro,	Houk,	Robinson, Wm. E.	Wood, Benjamin
Dunn,	Hubbell,	Rosecrans,	Young.

So the motion was agreed to.

The following additional pairs were announced:

Mr. HAZELTON with Mr. MANNING.

Mr. CALKINS with Mr. DIBRELL.

Mr. BREWER with Mr. WISE of Virginia.

Mr. WHITE with Mr. MARTIN.

Mr. SHELLEY with Mr. DUGRO.

Mr. ROBESON with Mr. MCKENZIE.

Mr. SMITH, of New York. I am paired with my colleague, Mr. HUTCHINS; if he were present I should vote "aye."

Mr. WISE, of Virginia. I am paired with the gentleman from New Jersey, Mr. BREWER; if he were here, I should vote "no."

Mr. BROWNE. I was unfortunately absent when the roll was called and therefore under the rule can not now vote. Had I been present I would have voted in the negative.

Mr. WILSON. I was paired with the gentleman from Virginia, Mr. BARBOUR, and was not aware that he had returned and voted. It is too late for me to vote now.

The result of the vote was then announced as above stated.

Mr. REED moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The question was upon the engrossment and third reading of the bill.

Mr. MILLS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLS. Is it now in order to move to recommit this bill with instructions?

The SPEAKER. It is not.

Mr. MILLS. Has not the previous question been ordered upon the bill?

The SPEAKER. It has been ordered on the engrossment and third reading of the bill as amended, but not on the passage of the bill.

The bill as amended was then ordered to be engrossed and read a third time; and it was accordingly read the third time.

The question was on the passage of the bill.

Mr. PAGE. I call the previous question on the passage of the bill.

Mr. COX, of New York. I desire now to move to recommit this bill to the Committee on Commerce, as I believe the special committee is dead.

Mr. REED. I hope that will not be done.

Mr. PAGE. There are many good features in this bill pertaining to the running of vessels, and I hope it will be passed.

Mr. COX, of New York. I move to recommit the bill with the instructions which I send to the Clerk's desk.

Mr. PAGE. I would like to inquire how the gentleman obtained the floor to make that motion?

The SPEAKER. The gentleman has the right under the rule to make the motion to recommit, pending the demand for the previous question or after it is ordered on the passage of the bill. The gentleman from New York [Mr. COX] moves to recommit the bill with instructions which the Clerk will read.

The Clerk read as follows:

That the bill be recommitted to the Committee on Commerce with instructions to report back to the House without delay a bill providing for the purchase, free admission, and registry of foreign-built vessels, and for the free admission of all material used in the construction and repair of vessels in American yards.

The SPEAKER. The question is upon the motion of the gentleman from New York to recommit the bill, with the instructions which have been read.

Mr. CANNON. The instructions should be modified so as to exclude these vessels from the coastwise trade.

Mr. MURCH. Is this motion subject to amendment?

Mr. TOWNSHEND, of Illinois. Pending the motion to recommit, I move that the House adjourn. [Cries of "Vote!" "Vote!"]

The SPEAKER proceeded to put the question upon the motion of Mr. COX, of New York.

Mr. CANNON. I understand that the motion of the gentleman from New York [Mr. COX] has been modified. I want to hear it read as modified.

Mr. HAMMOND, of Georgia. I rise to a parliamentary inquiry. The information I desire to have is this: As a part of this motion, can the committee be authorized to report at any time?

Mr. COX, of New York. I accept that as a modification.

Mr. HAMMOND, of Georgia. I think the proposed instructions ought to be modified in that way.

Mr. REED. There can be only one motion made, and that has been made.

Mr. COX, of New York. I accept the modification suggested by the gentleman from Georgia, if it be in order for me to do so.

The SPEAKER. The House is now proceeding under the operation of the previous question.

Mr. HAMMOND, of Georgia. The gentleman from New York can modify his proposition, can he not?

Mr. REED. I object.

Mr. COX, of New York. I accepted the modification before the gentleman from Maine objected.

Mr. REED. I object.

Mr. HAMMOND, of Georgia. I do not think my friend from Maine has the right to object.

The SPEAKER. The Chair has nothing to do with the question of any defect in the motion.

Mr. CANNON. I want to have the proposed instructions again read.

Mr. TOWNSHEND, of Illinois. I insist on my motion to adjourn.

Mr. PAGE. The gentleman had not the floor to make that motion.

Mr. COX, of New York. I have not relinquished the floor.

The SPEAKER. The Chair understands the gentleman from New York to have taken the floor, as he had the right to do under the rules, to move a recommitment of the bill with certain instructions.

Mr. REED. Mr. Speaker——

The SPEAKER. Does the gentleman rise to a parliamentary inquiry?

Mr. REED. I rise to make a parliamentary point. It is that the House was dividing before the modification of this motion was proposed, and the Speaker had declared the vote on one side. Thereupon the gentleman from Georgia [Mr. HAMMOND] rose and made a parliamentary inquiry, as he may have had the right to do; nevertheless, the gentleman from New York could not modify his proposition while the House was dividing.

Mr. HAMMOND, of Georgia. The intention of the gentleman from New York was doubtless to embrace this provision in his motion. I thought the language as read did not make the matter quite certain, and therefore I suggested the modification.

Mr. COX, of New York. The Chair has been very fair and just in this matter. I hope he will not allow us to be cut off by any technical objection. No objection was made until after I had accepted the modification.

Mr. REED. I make the further suggestion to the Speaker that the authority to report at any time can not be made a part of the proposed instructions.

Mr. COX, of New York. Oh, yes, it can; that is often done.

The SPEAKER. The Chair does not think the fact that the House was dividing upon a *viva voce* vote cuts off the right of the gentleman under the rules and the practice to modify his motion. Such modifications seem to be provided for by the rule; and according to the practice motions may be modified before the previous question is seconded and before a decision is reached. In this case no result was announced. But the further point is made that the authority to the committee to report at any time——

Mr. REED. Is a change of the rules.

The SPEAKER. Would be a change of the rules, and is not properly in order. This question came up once before, and it was then decided——

Mr. SPRINGER. I rise to a parliamentary inquiry. This bill has been made a special order to continue from day to day until finally disposed of. The recommitment with instructions to report back a particular provision is not a final disposition of the bill; therefore it continues to be a special order until the vote is taken on the passage of the bill.

The SPEAKER. That is a question which the Chair will pass upon when it comes up. What would be the effect of the special order when this bill may come back, if it should ever come back, is a question which the Chair is not now called upon to decide.

Mr. COX, of New York. The gentleman from Illinois [Mr. CANNON] suggested an amendment which I accepted, before even my friend from Maine had made his suggestion or objection. I have incorporated the suggestion of my friend from Illinois in my proposed instructions.

The SPEAKER. The clause of the proposed instructions that the committee have authority to report at any time is not, in the opinion of this Chair, in order; and unless that clause be withdrawn the Chair will have to rule out the whole.

Mr. COX, of New York. I withdraw that clause.

The SPEAKER. That clause being struck out, the Chair thinks the other modification is in order.

The Clerk read as follows:

That the bill be recommitted to the Committee on Commerce with instructions to report back to the House without delay a bill providing for the purchase, free admission, and registry of foreign-built vessels, and for the free admission of the material used in the construction and repair of vessels in American yards, to be used in the foreign and not in the coastwise trade of the United States.

Mr. REED. That report without delay I understand is to be in the morning hour.

The SPEAKER. The Chair would hold it does not change the rule.

Mr. SPRINGER. That question will come up at the proper time.

The SPEAKER. It is a mere notice to the committee to report. It does not give them any specific instruction about it.

Mr. REED. That is all right.

Mr. SPRINGER. It is patriotic advice.

Mr. CONVERSE. I rise to a parliamentary inquiry. If I heard it correctly, the motion requires the Committee on Commerce to report back a bill in a certain form. I wish to inquire whether the motion should not be to report back this bill with certain amendments, and whether they have a right to report a new bill?

Mr. REED. I wish gentlemen on the other side would perfect their proposition.

Mr. COX, of New York. It refers to the present bill.

The SPEAKER. This refers to the same bill.

Mr. CONVERSE. It could not cover but one bill.

The SPEAKER. If it did it would not be in order.

The House divided, and there were—ayes 60, noes 118.

Mr. KNOTT. I demand the yeas and nays.

Mr. TOWNSHEND, of Illinois. I move the House do now adjourn.

The motion was disagreed to.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 77, nays 131, not voting 81; as follows:

YEAS—77.

Aiken,	Clark,	Herbert,	Reese,
Armfield,	Clements,	Hewitt, G. W.	Simonton,
Atherton,	Cobb,	Hoge,	Singleton, Jas. W.
Atkins,	Cook,	Holman,	Singleton, Otho R.
Barbour,	Covington,	House,	Sparks,
Beach,	Cox, Samuel S.	King,	Springer,
Belmont,	Cox, William R.	Knott,	Stockslager,
Berry,	Cravens,	Latham,	Thompson, P. B.
Blackburn,	Culberson,	Leedom,	Townshend, R. W.
Bland,	Davis, Lowndes H.	Le Fevre,	Tucker,
Blount,	Dowd,	Matson,	Turner, Henry G.
Bragg,	Dunn,	McKenzie,	Turner, Oscar
Browne,	Evins,	McMillin,	Upson,
Buchanan,	Forney,	Mills,	Vance,
Cabell,	Frost,	Morrison,	Warner,
Caldwell,	Garrison,	Moulton,	Wellborn,
Cannon,	Geddes,	Muldrow,	Willis.
Carlisle,	Hammond, N. J.	Oates,	
Chapman,	Hardenbergh,	Phelps,	
Clardy,	Hatch,	Randall,	

NAYS—131.

Aldrich,	Farwell, Sewell S.	McClure,	Robinson, Jas. S.
Anderson,	Ford,	McCold,	Russell,
Barr,	George,	McCook,	Scranton,
Bayne,	Godshalk,	McKinley,	Shallenberger,
Bingham,	Grout,	McLean, Jas. H.	Sherwin,
Bisbee,	Guenther,	Miles,	Skinner,
Bliss,	Hall,	Miller,	Smalls,
Bowman,	Harmer,	Money,	Smith, A. Herr
Briggs,	Haseltine,	Moore,	Smith, Dietrich C.
Brumm,	Haskell,	Morey,	Speer,
Buck,	Heilman,	Morse,	Spooner,
Burrows, Julius C.	Hepburn,	Murch,	Steele,
Butterworth,	Hill,	Mutchler,	Stone,
Calkins,	Hitt,	Neal,	Taylor,
Campbell,	Hubbs,	Norcross,	Thomas,
Candler,	Humphrey,	O'Neill,	Thompson, W. G.
Carpenter,	Jacobs,	Page,	Townsend, Amos
Caswell,	Jadwin,	Parker,	Tyler,
Chace,	Jones, Geo. W.	Payson,	Updegraff,
Crapo,	Jones, Phineas	Peelle,	Van Aernam,
Crowley,	Jorgensen,	Peirce,	Van Horn,
Cullen,	Joyce,	Pettibone,	Van Voorhis,
Cutts,	Kasson,	Prescott,	Wait,
Davis, George R.	Kelley,	Ranney,	Walker,
Dawes,	Ketcham,	Ray,	Ward,
Deering,	Klotz,	Reed,	Watson,
De Motte,	Lacey,	Rice, John B.	Webber,
Dezendorf,	Ladd,	Rice, Theron M.	West,
Dingley,	Lewis,	Rice, Wm. W.	Williams, Chas. G.
Dwight,	Lindsey,	Rich,	Willits,
Ellis,	Lord,	Ritchie,	Wilson,
Ermentrout,	Lynch,	Robeson,	Wood, Walter A.
Errett,	Mackey,	Robinson, Geo. D.	

NOT VOTING—81.

Belford,	Flower,	Manning,	Shackelford,
Beltzhoover,	Fulkerson,	Marsh,	Shelley,
Black,	Gibson,	Martin,	Shultz,
Blanchard,	Gunter,	Mason,	Smith, J. Hyatt
Brewer,	Hammond, John	McLane, Robt. M.	Spaulding,
Buckner,	Hardy,	Mosgrove,	Strait,
Burrows, Jos. H.	Harris, Benj. W.	Nolan,	Talbott,
Camp,	Harris, Henry S.	Pacheco,	Urner,
Cassidy,	Hazelton,	Paul,	Valentine,
Colerick,	Henderson,	Phister,	Wadsworth,
Converse,	Herndon,	Pound,	Washburn,
Cornell,	Hewitt, Abram S.	Reagan,	White,
Curtin,	Hiscock,	Richardson, D. P.	Whitthorne,
Darrall,	Hoblitzell,	Richardson, J. S.	Williams, Thomas
Davidson,	Hooker,	Robertson,	Wise, George D.
Deuster,	Horr,	Robinson, Wm. E.	Wise, Morgan R.
Dibrell,	Houk,	Rosecrans,	Wood, Benjamin
Dugro,	Hubbell,	Ross,	Young.
Dunnell,	Hutchins,	Ryan,	
Farwell, Chas B.	Jones, James K.	Scales,	
Fisher,	Kenna,	Scoville,	

So the motion to recommit with instructions was not agreed to.

The following additional pairs were announced:

Mr. STRAIT with Mr. PHISTER.

Mr. HARRIS, of Massachusetts, with Mr. WHITTHORNE.

Mr. RYAN with Mr. DIBRELL.

Mr. HAMMOND, of New York, with Mr. SHACKELFORD.

Mr. WISE, of Virginia. I would like to state that if I were not paired I should vote "ay."

On motion of Mr. VAN HORN, by unanimous consent, the reading of the names was dispensed with.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now recurs upon the demand made by the gentleman from California for the previous question.

The previous question was ordered.

Mr. PAGE moved to reconsider the vote by which the previous question was ordered; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question recurs upon the passage of the bill.

The bill was passed.

Mr. PAGE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

QUESTION OF PRIVILEGE.

Mr. KASSON. I rise, Mr. Speaker, to a question of privilege. I send to the desk, and ask to have read, an extract which I have marked. I find this in a copy of the New York Times of this morning.

The Clerk read as follows:

An examination of the civil-service-reform bill as printed and reported from the Committee on the Civil Service, with the bill passed by the Senate, as telegraphed to the Associated Press the night of its passage, discloses a curious and important omission. The Senate bill contained as the fifth of the declarations to be made by the rules of the Civil-Service Commission the following: "That promotions shall be from the lower grades to the higher on the basis of merit and competition." This is omitted in the bill reported to the House, which, however, leaves in force the third provision, "that appointments to the public service aforesaid in the Departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census."

In the absence of the provision which is omitted, the vacancies in the higher grades might have to be filled from the States according to their "quota," though on this and all other points the proviso "as nearly as the conditions of good administration will warrant" has an important effect. But what is of much more consequence is the conclusion that if the bill actually passed by the House varies from that passed by the Senate, it can not, without the further action of the House and Senate, become a law. Should the discrepancy referred to be found to exist in the engrossed bills, an explanation of the most explicit character will be necessary, and a prompt correction of it will be still more so, to save Mr. KASSON's committee from the gravest suspicion.

Mr. KASSON. Mr. Speaker, I have only to say, in response to that article, that for the first time I rise to a point of that kind connected with the insinuation of a suspicion against either a committee with which I have been connected or myself. If it rested against myself alone, probably I might pass it over without calling the attention of the House to it. It is a part of the penalty paid by members upon the floor of the House, that they must suffer many misrepresentations to pass without notice. But this is an insinuation against the honorable conduct of a regular committee of the House.

That bill as it came from the Senate, without the crossing of a "t" or the dotting of an "i," with the same paper and the same ink which they sent to us, went back to the Senate without even bearing the mark of any person connected with the House of Representatives, except the customary indorsement upon the bill to signify its approval by the House of Representatives. Further than that, not only is the bill itself absolutely identical in word, syllable, and punctuation with the bill as it came from the Senate, but it was printed by order of the House before it ever came to the attention of the committee, and that print was upon the desks of the members of the House. No such clause as that referred to appears in that print; and I am informed by a gentleman, who says he has personal knowledge of the fact, that it was deliberately struck out in the Senate either on the motion of Senator PENDLETON, or on motion of Senator BROWN of Georgia, and therefore never came to the House of Representatives.

In the face of these facts the last remark of that article is simply shameless; and I have only to say that it remains to be seen whether in the conduct of that paper there is honor enough to make these facts known, and to make the *amende honorable* to the Civil Service Reform Committee of the House of Representatives. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 3506) to amend sections 1926 and 1927 of the Revised Statutes, so as to extend the limits of the jurisdiction of justices of the peace in the Territories of Washington, Idaho, and Montana;

A bill (H. R. 1698) for the relief of the heirs of Peter Gallagher; and

A bill (H. R. 6627) to authorize the establishment of a free public highway in the District of Columbia.

The message also announced the passage with amendments of the bill (H. R. 1294) to more effectually suppress gaming in the District of Columbia; in which amendments concurrence of the House of Representatives was requested.

The message further announced the passage of a bill of the Senate of the following title; in which concurrence was requested:

A bill (S. 2239) granting the right of way for railroad companies and telegraph lines through the lands of the United States, included in the Fort Smith military reservation at Fort Smith, in the State of Arkansas.

SALARY OF INSPECTOR OF DRUGS, BOSTON.

Mr. KELLEY, by unanimous consent, from the Committee on Ways and Means, reported, as a substitute for H. R. 6382, a bill (H. R. 7245) to amend section 2743 of the Revised Statutes; which was read a first and second time, referred to the Committee of the Whole on the state of the Union, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. PAUL, for four days, on account of important business.

To Mr. HEWITT, of New York, indefinitely, on account of sickness.

To Mr. MARSH, for one day, on account of sickness.

NEW YORK STATE DAIRYMEN'S ASSOCIATION.

Mr. SKINNER. I ask unanimous consent to have printed in the RECORD the body of a petition from the New York State Dairymen's Association in reference to cattle diseases, and ask that it be referred to the Committee on Agriculture.

There was no objection. The petition is as follows:

NEW YORK STATE DAIRYMEN'S ASSOCIATION,
Ilion, N. Y., January, 1883.

To the honorable the Congress of the United States:

Whereas the imported contagious disease of cattle known as lung plague continues to prevail around certain cities on the Atlantic seaboard, curtailing on our export cattle trade, on our domestic cattle industry a yearly loss of $2,000,000 to $3,000,000, and through the present unrestricted movement of cattle from our Eastern infected districts to the West and South, threatens to infect our Western unfenced pastures, at a prospective and irremovable yearly loss of $60,000,000 or more: Therefore,

Resolved, That the New York State Dairymen's Association hereby petitions the honorable Congress of the United States to enact such a law as shall prohibit under a suitable penalty the removal of any bovine animal out of a State, Territory, or district known to be infected with lung plague, until the same animal shall have undergone a period of supervision and quarantine equivalent to that now imposed on cattle coming from infected foreign countries, and that they shall further provide and designate the means of carrying such law into effect: Therefore,

Resolved, That Congress is hereby petitioned to appropriate the sum of $5,000,000 or so much thereof as may be needed to be employed in carrying out the above suggested law, and in assisting the States to stamp out the lung plague, the money to be disbursed by some designated Federal officer on the approval of the work by veterinary sanitary authority to be created for the purpose.

I hereby certify the foregoing a true copy of the original resolution as passed at the convention of the New York State Dairymen's Association held at Cortland, New York, on the 20th day of December, 1882.

JOSIAH SHULL, *Secretary.*

POST-ROUTE BILL.

Mr. BINGHAM. I desire to make an announcement to the House that on Wednesday next the Committee on the Post-Office and Post-Roads will report the post-route bill, so that all members having routes to incorporate in the bill will be kind enough to send them to the room of the committee or through the petition-box in time.

ORDER OF BUSINESS.

Mr. PAGE. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ATHERTON: Memorial of the Cigar-makers' Union, No. 116, of Newark, Ohio, protesting against the reduction of duty on imported cigars—to the Committee on Ways and Means.

By Mr. BARR: The petition of citizens of Philadelphia and of Pittsburgh, Pennsylvania, for the passage of the Senate substitute for bill H. R. 5656—severally to the same committee.

By Mr. BAYNE: The petition of A. Overholt & Co. and 35 others, dealers in spirituous liquors in Allegheny County, Pennsylvania, urging favorable action on the Sherman substitute for bill H. R. 5656—to the same committee.

By Mr. BELTZHOOVER: The petition of dealers in wines and spirits of Philadelphia and of Pittsburgh, Pennsylvania, for passage of the Sherman substitute for bill H. R. 5656—severally to the same committee.

By Mr. CANDLER: The petition of Peter McIntyre & Co. and others, asking for a light-ship at Cape Hatteras Shoals—to the Committee on Commerce.

By Mr. CRAPO: The petition of William J. Rotch and 109 others, for a light-ship at Cape Hatteras Shoals—to the same committee.

By Mr. FLOWER: The petition of Kemp, Day & Co. and others and of Sydney Thursby and others, of New York, relative to the duty on tin-plate and sheet-iron—severally to the Committee on Ways and Means.

By Mr. J. HAMMOND: The petition of citizens of New York and Vermont, relative to the duty on tin-plate—to the same committee.

By Mr. HASKELL: The petition of citizens of Spring Hill, Kansas, protesting against repeal of tax on whisky and tobacco—to the same committee.

By Mr. HEILMAN: The petition of George Brownlee, of Gibson County, Indiana, for a pension—to the Committee on Invalid Pensions.

By Mr. HEPBURN: The petition of W. G. Wiles and 50 others, citizens of Atlantic, Iowa, for reduction of the present duty on cigars—to the Committee on Ways and Means.

By Mr. JADWIN: The petition of John Gibson, Son & Co. and 30 others, citizens of Philadelphia, and of citizens of Pittsburgh, Pennsylvania, for passage of Senate substitute for bill H. R. 5656—severally to the same committee.

By Mr. McCOID: Memorial urging the adoption of the resolution relating to international arbitration—to the Committee on Foreign Affairs.

By Mr. MILLER: The petition of Cigar-makers' Union, No. 140, of Greenville, Pennsylvania, against reducing the duty on imported cigars—to the Committee on Ways and Means.

By Mr. MORRISON: The petition of the Cigar-makers' Union of Alton, Illinois, protesting against reduction of duty on imported cigars—to the same committee.

By Mr. OATES: The petition of citizens of Bullock County, Alabama, for a reduction of duty on tin-plates—to the same committee.

By Mr. O'NEILL: The petitions of dealers in wines and spirits of Philadelphia and of Pittsburgh, Pennsylvania, for the passage at an early day of the Senate substitute for House bill No. 5656—severally to the same committee.

By Mr. PEELLE: The petition of the heirs of Casper Mans, with 20 affidavits attached, asking for payment for the loss of property during the war—to the Committee on Claims.

By Mr. PEIRCE: The petition of James R. Ross & Co., of Indianapolis, Indiana, for passage of the Sherman substitute for House bill No. 5656—to the Committee on Ways and Means.

By Mr. SCRANTON: The petition of Philadelphia and of Pittsburgh wine and spirit dealers for passage of Senate substitute for House bill No. 5656—to the same committee.

Also, the petition of A. T. McClintock and 60 others, members of Luzerne County, Pennsylvania, bar, for passage of bill establishing the northern judicial district of Pennsylvania—to the Committee on the Judiciary.

By Mr. STEELE: The petition of J. Day and 10 others, urging Congress to extend relief to the Davidson family—to the Committee on Appropriations.

By Mr. WATSON: The petition of manufacturers and dealers in tobacco and cigars of Union City, Pennsylvania, for rebate on all stamped goods in the event of a reduction being made in the tax on tobacco, cigars, &c.—to the Committee on Ways and Means.

By Mr. WHITTHORNE: A bill to establish a post-route from Nutt to Honewald, Lewis County, Tennessee—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Memorial of wool-growers of Hardin County, Ohio, protesting against reduction of duty on foreign wool—to the Committee on Ways and Means.

Also, the petition of S. Horrwitz and others, against increase of duty on tin-plates—to the same committee.

The following petitions for reduction of the duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. ATHERTON: Of 80 citizens of Philadelphia, of 47 citizens of Roscoe, and of 11 citizens of Kirkersville, Ohio.

By Mr. BAYNE: Of 77 citizens of Pittsburgh, Pennsylvania.

By Mr. BELTZHOOVER: Of 21 citizens of York and of 36 citizens of Dover, Pennsylvania.

By Mr. BREWER: Of 52 citizens of Hammonton and of 69 citizens of Point Pleasant, New Jersey.

By Mr. J. C. BURROWS: Of 43 citizens of Buchanan, Michigan.

By Mr. CAMPBELL: Of citizens of Loretto, Pennsylvania.

By Mr. CARPENTER: Of 57 citizens of Marcus, Cherokee County, and of 78 citizens of Sioux City, Iowa.

By Mr. DWIGHT: Of 62 citizens of McLean, and of 33 citizens of Odessa, New York.

By Mr. J. HAMMOND: Of 98 citizens of Luzerne, New York.

By Mr. HARDENBERGH: Of 24 citizens of Bayonne City, and of 38 citizens of Union, New Jersey.

By Mr. HOGE: Of citizens of Moorefield and of Shepherdstown, West Virginia.

By Mr. JACOBS: Of 45 citizens of Delhi, and of 52 citizens of Milford, New York.

By Mr. JOYCE: Of 3,378 citizens of Vermont.

By Mr. KETCHAM: Of 47 citizens of West Lebanon, and of 79 citizens of Rhinebeck, New York.

By Mr. LACEY: Of 28 citizens of Brooklyn, and of citizens of Bronson, Michigan.

By Mr. MILLER: Of 81 citizens of Jamestown, and of 39 citizens of Cambridgeborough, and of 81 citizens of Conneautville, Pennsylvania.

By Mr. MUTCHLER: Of 30 citizens of Bethlehem, Pennsylvania.

By Mr. PETTIGREW: Of 80 citizens of Rapid City, Dakota Territory.

By Mr. RICH: Of 77 citizens of Algonac, Michigan.

By Mr. SCOVILLE: Of 69 citizens of Towanda, New York.

By Mr. SHERWIN: Of 45 citizens of Pecatonica, Illinois.

By Mr. A. H. SMITH: Two petitions of citizens of Lancaster County, Pennsylvania.

By Mr. A. TOWNSEND: Of 41 citizens of Cleveland, Ohio.

By Mr. WADSWORTH: Of citizens of Livingston County, New York.

By Mr. A. WALKER: Of certain citizens of Pennsylvania.

By Mr. WATSON: Of 42 citizens of Erie and of 38 citizens of Lake Pleasant, Pennsylvania.

By Mr. WEST: Of 47 citizens of Ballston Spa, New York.

By Mr. W. A. WOOD: Of 78 citizens of Troy, and of 62 citizens of Nassau, New York.

SENATE.

SATURDAY, *January* 13, 1883.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in answer to a resolution of the Senate, certain information in relation to homestead lands in Florida; which, on motion of Mr. CALL, was referred to the Committee on Public Lands and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. HOAR. I present the petition of J. S. Fowler and other citizens of Tennessee, submitting a plea for the favorable consideration of the joint resolution relating to international arbitration. Accompanying this petition are certain resolutions unanimously adopted by the national arbitration convention held at Washington, May 30 and 31, 1882; and also certain resolutions passed by the legislative bodies of six of the principal nations of Europe. I move the reference of the petition and resolutions to the Committee on Foreign Relations.

The motion was agreed to.

Mr. LAPHAM. I present a letter from Schoverling, Daly & Gales, of New York city, who say that they do not recollect signing the memorial I had the honor to present on the 29th of December, 1882, opposing the passage of all bankruptcy laws, and that they desire to record themselves in favor of a just and economic bankrupt law that will prevent fraudulent creditors, preferred claims, and legal expenses from swallowing up insolvent estates. I move that the communication lie upon the table.

The motion was agreed to.

Mr. SHERMAN. I present a memorial adopted at a meeting of the Western Pig-iron Association, representing the producers of pig-iron west of the Alleghany Mountains, held in Pittsburgh, Pennsylvania, on the 11th day of January, 1883. In their memorial they state that the proposed reduction of rates on iron and steel below those recommended by the Tariff Commission would be unwise, uncalled-for, and injurious to the public interests. I move that the memorial lie on the table.

The motion was agreed to.

Mr. MILLER, of New York, presented a petition of the E. A. Slocum Post, Grand Army of the Republic, No. 212, in the State of New York; resolutions adopted at the annual reunion of the Engineer Corps of the Potomac, held at the city hall of Rochester, New York; and a petition of citizens of Rochester, New York, praying that the same amount be allowed to soldiers who have been made deaf by service in the Army as is allowed those who have lost a limb in the service; which were referred to the Committee on Pensions.

He also presented a memorial of citizens of Camden, Oneida County, New York, remonstrating against any increase of the duty on tin-plate; which was ordered to lie on the table.

Mr. PLUMB presented a petition of citizens of Leavenworth County, Kansas, praying for the passage of a bill granting a pension of $40 a month to soldiers and sailors who have lost a limb in the service; which was referred to the Committee on Pensions.

Mr. McPHERSON. I present a petition of a large number of working people of the city of New York engaged in the manufacture of cigars. It reads: "We beg of you to give the bill pending in the House to abolish the internal revenue on cigars, or any other that may bring about a like result, your support, we, as work-people, being deeply interested in the same for the following reasons," which are stated in the petition, to which I invite special attention. I wish to state that the petition is forty-two feet long and contains the names of something like 3,600 people engaged in the manufacture of cigars. I move that the petition lie on the table.

The motion was agreed to.

Mr. ANTHONY presented the petition of the Grand Division of the Sons of Temperance of Rhode Island, officially signed, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred the Committee on the District of Columbia.

Mr. CALL presented the petition of Perry G. Wall, a citizen of Florida, praying a release from a judgment rendered against him by the circuit court of the United States as cosurety on the bond of Otis Fairbanks, collector of customs at Saint Mark's, Florida; which was referred to the Committee on the Judiciary.

Mr. BLAIR presented the memorial of the New Hampshire Central Medical Society, in favor of the erection of a suitable building for the preservation of the medical museum and library of the Army, in Washington, District of Columbia, and remonstrating against the separation of the musuem and library; which was referred to the Committee on Public Buildings and Grounds.

Mr. BUTLER presented a petition of the trustees of the Church Orphanage of Washington, District of Columbia, praying for an appropriation in aid of the objects of that institution; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. JACKSON, from the Committee on Claims, to whom was referred the petition of Thomas T. Stratton asking compensation for certain improvements made on the United States circuit and district court rooms at Memphis, Tennessee, submitted a report thereon, accompanied by a bill (S. 2355) for the relief of Thomas T. Stratton, assignee of W. B. Waldran.

The bill was read twice by its title, and the report was ordered to be printed.

BILLS INTRODUCED.

Mr. SHERMAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2356) to authorize the increase of the capital stock of the Second National Bank of Xenia, Ohio; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

Mr. INGALLS. I ask leave to introduce a bill, and desire to have it read the first time and lie on the table.

By unanimous consent, leave was granted to introduce a bill (S. 2357) to provide for the appointment of a commission to investigate the subject of railroad transportation; which was read the first time by its title.

Mr. ALLISON. I should like to have the bill read in full.

The bill was read at length, as follows:

Be it enacted, &c., That the President of the United States, by and with the advice and consent of the Senate, shall appoint seven commissioners from civil life, whose duty it shall be to consider and investigate the subject of railroad transportation in its relation to the agricultural, commercial, and industrial interests of the United States. Said commission shall inquire generally into the conditions affecting commerce among the States, what grounds of complaint exist against railroad corporations resulting from unjust discriminations, exorbitant or unequal rates, insufficient facilities for traffic and unlawful combinations, and in what manner existing evils can be remedied by legislation. Said commission shall report their recommendations and the results of their inquiry to Congress not later than the first Monday of December, 1883.

SEC. 2. The first named of said commission shall be president of the board. Said commissioners shall have power to send for persons and papers, to administer oaths and examine witnesses, and may in the prosecution of its inquiries visit such portions of the country as it may deem advisable. It shall have power to appoint and employ a clerk, stenographer, and messenger, who shall be paid such reasonable compensation as may be fixed by the Secretary of the Treasury. Each commissioner shall be paid his actual reasonable expenses, and shall in addition thereto receive a compensation of $10 per day while engaged in the performance of his duties; said foregoing compensation and expenses to be audited and paid by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated.

The PRESIDENT *pro tempore*. The bill will lie on the table at the request of the Senator from Kansas.

Mr. ALLISON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2358) to amend the act entitled "An act to authorize the construction of a ponton wagon-bridge across the Mississippi River at or near the city of Dubuque, in the State of Iowa;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. SAWYER asked and, by unanimous consent, obtained leave to introduce a bill (S. 2359) granting an increase of pension to Edward E. Eno; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HOAR asked and, by unanimous consent, obtained leave to introduce a bill (S. 2360) concerning Federal elections; which was read twice by its title.

Mr. HOAR. I introduce the bill by request without having read it. I believe I know its object, which I am inclined to think reasonable and for the public interest, but I do not know its details. I move its reference to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. JACKSON asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. 124) authorizing the Secretary of War to loan tents to the board of directors of the national military competitive drill to be held at Nashville, Tennessee, in May, 1883; which was read twice by its title, and referred to the Committee on Military Affairs.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. If there be no further morning business the Calender is the order until 2 o'clock.

Mr. EDMUNDS. I wish to ask the Senate to take up this morning and dispose of the bill reported two or three days ago from the Committee on the Judiciary, Senate bill 2238, making further provision regarding the condition of things in the Territory of Utah, and I move, in order to get the consent of the Senate if I can, to postpone the Calendar for that purpose. I may say——

The PRESIDENT *pro tempore*. Possibly by unanimous consent the Calendar may be postponed for that purpose without a formal motion.

Mr. ALLISON. I suggest to the Senator from Vermont to ask for unanimous consent to take up the bill.

Mr. EDMUNDS. Very well.

The PRESIDENT *pro tempore*. Is there unanimous consent to taking up the bill indicated by the Senator from Vermont?

Mr. PLUMB. I will consent, so far as I am concerned, if it does not displace the Calendar for the entire morning. There are other subjects of great importance, and there are matters, in which I have an interest for my convenience, which I have been trying to bring to the attention of the Senate for some time. I can not afford to yield permanently for that or any other bill.

Mr. GEORGE. I thought the understanding was that this morning the bill to enlarge the powers and duties of the Department of Agriculture was to be taken up and acted upon.

The PRESIDENT *pro tempore*. There was no understanding about it; but the bill is on the Calendar, and the Senator from Vermont asks unanimous consent to consider another bill. If there is objection, of course it can not be done.

Mr. EDMUNDS. I can move it, then, sir.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to postpone the Calendar—for how long?

Mr. VEST. I do not intend to object, but I want to ask a question. I thought the understanding was that we were to take up unobjected House bills on the Calendar until we had disposed of them.

The PRESIDENT *pro tempore*. That was the order yesterday; but the Senator from Vermont moves to postpone the Calendar with the view of taking up the bill indicated by him, because there is objection to taking it up by unanimous consent.

Mr. EDMUNDS. I wish to have it understood that I do not propose to interfere with the private bills, but my motive is to get this bill of public importance about further legislation regarding the polygamy business to the attention of the Senate. If the Senate does not think it of sufficient consequence to take it up now, very well; my duty will be done; that is all. I do not wish to disturb anybody else.

Mr. VEST. I simply want to say—and I suppose I am only situated as a good many other Senators—that I have a bill which I consider of very great importance that I should like to have considered. A great many of us are in the same position. That is all I desire to say about it. I shall not object to taking up the Utah bill.

The PRESIDENT *pro tempore*. The Senator from Kansas [Mr. PLUMB] objects. Does the Senator from Vermont move to postpone the Calendar until to-morrow?

Mr. EDMUNDS. I simply move to postpone it, the effect of which will be that it can come up again whenever the Senate wills. That will be the technical motion, I suppose. We all know what that means. It does not mean to-morrow, either.

Mr. PLUMB. It seems to me that bills which have been a long time on the Calendar ought to have some chance in this wrestle. While I have no doubt of the very great importance to the people of Utah of that bill, at the same time there are bills here of importance to the people who live this side of Utah and the other side of Utah, in whom I have as much interest as I have in them. I think the bills that come on the Calendar at this late day, unless they are without objection, not involving a serious discussion, ought at least to yield some portion of the morning hour for those bills which have been waiting hopefully and expectantly when they may be reached in the ordinary way without pressing the Senate for special favors. I therefore hope the Utah bill will not be taken up now.

Mr. EDMUNDS. I do not ask anything as a favor, simply as a duty.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont to postpone the Calendar. [Putting the question.] The noes seem to have it.

Mr. EDMUNDS. Let us have the yeas and nays, and my duty will have been finished about it.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, I do not wish to be understood, in the vote I shall give against the motion of the Senator from Vermont, that I am opposed to the bill which he moves, but there is another bill on the Calendar, a bill which passed the House of Representatives early last session with only seven dissenting votes, for the purpose of enlarging the powers and duties of the Department of Agriculture. That bill was referred to the Committee on Agriculture of this body at the last session, was very carefully considered, some amendments made to it, and it was reported to this body. I think that bill ought to be taken up and considered; and it is because I think that bill is more important than the bill referred to by the Senator from Vermont that I shall vote against his motion.

Mr. BLAIR. As the Senator from Vermont has called for the yeas and nays, I wish to state one or two reasons why I am opposed to his motion.

The matter of polygamy in Utah is a profound problem. I am in favor of the legislation which has been enacted by the present Congress for the purpose of its removal; but nevertheless I believe it to be the general sentiment of those most conversant with this evil and the effect it has upon that and other Territories, that there is no way of effecting its permanent removal but by educating the children of the common people. The education of the children of Utah and the adjoining Territories is now largely under the management of those who are interested in the perpetuity of this peculiar institution.

In Senate bill 151, which has been postponed to make room for a little industrial legislation touching the pockets of the people of this country, there are provisions aimed directly, and having the recognition and approval of those interested really in the cause of education and in the removal of polygamy in the Territories. That bill, I think, ought to be considered by the Senate, especially if the Senate is in earnest in undertaking to effect a permanent removal of the evil.

Therefore, I am opposed to the postponement of a radical and important measure for the extirpation of polygamy in favor of a bill which is but a supplement to one already in operation, and which I understand further raises for the consideration of the Senate and the country at this time the great and growing issue of woman suffrage. No bill can go through the Senate readily aimed directly at the principle of female suffrage, aimed at measures sanctioning and imparting this great right of one-half the people of America. No one can bring forward a bill probably leading to the consideration of that question and expect to get it through in less time than will be consumed in the revision of the tariff.

Therefore I feel, as a friend of education and a foe of polygamy, the necessity of voting against the Senator's motion.

Mr. COCKRELL. Do I understand the Senator from New Hampshire to say that the bill of the Senator from Vermont is in opposition to female suffrage?

Mr. BLAIR. I understood him to say so. I have not read the bill, but I understand there is a provision in the bill to that effect.

Mr. EDMUNDS. I did not say that it was in opposition to female suffrage.

Mr. BLAIR. I understood the Senator to say in a side-bar manner that the bill provides for relieving the women of Utah of the privilege or duty of voting, whichever way the case may be put. That will probably lead to some discussion.

Mr. BARROW. Some of us are under the impression that when the Senate proceeded to the consideration of executive business on yesterday there was an understanding that House bill 4757, to exclude the public lands in Alabama from the operation of the laws relating to mineral lands, by unanimous consent at that time should be the unfinished business for the morning hour this morning. In connection with the motion of the Senator from Vermont, I should like to call his attention to what transpired at the time I refer to on yesterday with regard to that bill.

Mr. EDMUNDS. I do not wish to occupy time in this discussion, but it is right to say to my friend from Georgia I did not suppose there was an understanding that that particular bill should be proceeded with, but that it should stand where when the Calendar was next taken up it would be the thing to be done. That I agree to now, and I am only discharging what I think to be a public duty on behalf of the Judiciary Committee to call the attention of the Senate to this Senate bill (which of course will take longer to become a law, if it ever does, than a House bill which is already here), to the importance of making further provisions in regard to the question of polygamy in Utah. If the Senate does not think it of sufficient importance to take it up, then the duty of the committee will have been discharged, and we shall have nothing further to say. I thought it right to submit it to the Senate and see whether they were willing to do it or not.

Mr. BARROW. So far as I am concerned I heartily concur in what the Senator from Vermont says in regard to the importance of the bill in his care; but I call his attention to the understanding of yesterday as printed in the RECORD in regard to the matter I referred to. The Senator from Alabama [Mr. MORGAN] and the Senator from Vermont [Mr. EDMUNDS] are reported as follows:

Mr. MORGAN. I should like very much if the Senate would allow this bill to be considered by unanimous consent as the unfinished business for the morning hour to-morrow.

Mr. EDMUNDS. It will be, as it is now really 2 o'clock.

Mr. EDMUNDS. That is so; it is the unfinished business.

The PRESIDENT *pro tempore*. Was not that another bill?

Mr. BARROW. Yes; it was the bill relating to the public lands in Alabama.

Mr. COCKRELL. If the motion of the Senator from Vermont prevails, as soon as his bill is disposed of then this other matter will come up on the Calendar.

Mr. EDMUNDS. That is what it is; it is the unfinished business on the Calendar.

The PRESIDENT *pro tempore*. The Secretary will call the roll on agreeing to the motion of the Senator from Vermont.

The question being taken by yeas and nays, resulted—yeas 26, nays 29; as follows:

YEAS—26.

Allison,	Davis of Illinois,	Ingalls,	Platt,
Anthony,	Edmunds,	Jones of Nevada,	Rollins,
Cameron of Pa.,	Frye,	Kellogg,	Sawyer,
Cameron of Wis.,	Garland,	Logan,	Sherman,
Chilcott,	Hale,	McDill,	Voorhees.
Cockrell,	Harrison,	Miller of N. Y.,	
Conger,	Hawley,	Morrill,	

NAYS—29.

Barrow,	Davis of W. Va.,	Jonas,	Saulsbury,
Beck,	Dawes,	Lamar,	Slater,
Blair,	George,	Maxey,	Vance,
Brown,	Grover,	Morgan,	Vest,
Butler,	Hampton,	Pendleton,	Walker.
Call,	Hoar,	Plumb,	
Camden,	Jackson,	Pugh,	
Coke,	Johnston,	Ransom,	

ABSENT—21.

Aldrich,	Groome,	McPherson,	Van Wyck,
Bayard,	Harris,	Mahone,	Williams,
Fair,	Hill,	Miller of Cal.,	Windom.
Farley,	Jones of Florida,	Mitchell,	
Ferry,	Lapham,	Saunders,	
Gorman,	McMillan,	Sewell,	

So the motion was not agreed to.

WILLIAM BOWEN.

Mr. ALLISON. I desire to enter a motion to reconsider the vote by which the House bill 1768 was indefinitely postponed yesterday. I do not care to take it up now.

Mr. INGALLS. What is the title of the bill?

Mr. ALLISON. A bill for the relief of William Bowen. I move to reconsider the vote by which the bill was indefinitely postponed.

Mr. COCKRELL. We had that fully discussed; I shall object to the motion to reconsider.

Mr. ALLISON. I move a reconsideration.

Mr. COCKRELL. Let the motion be entered.

The PRESIDENT *pro tempore*. The motion to reconsider will be entered.

Mr. ALLISON. That is what I ask.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The first bill on the Calendar, by agreement yesterday, is the bill (H. R. 4757) to exclude the public lands in Alabama from the operation of the laws relating to mineral lands.

Mr. JONES, of Nevada. I move to set aside the Calendar, with the object of making a motion to take up the bill (S. 1683) for the relief of Ben Holladay.

The PRESIDENT *pro tempore*. The Senator from Nevada moves to postpone the Calendar with a view to take up the bill for the relief of Ben Holladay. He has a right to make that motion now, because business has intervened since the last motion to postpone.

Mr. PLUMB. It is known that I am opposed to the passage of that bill, but I have not recently opposed any factious objection to its consideration. We have had a good deal said here about the propriety of doing some public business; we have a tariff bill and we have a variety of bills on the Calendar that affect large portions of the people of the United States. The Senator from Iowa [Mr. ALLISON] made a somewhat practical remark yesterday in regard to a certain class of claimants, that as they had waited sixteen years they could wait another day. Here is a claim which waited ten or twelve years before it was presented at all, and while it has been pending four or five years, I do not think it will hurt it any to go over to next session. It might as well be understood now that for the rest of this session, in regard to private claims other than pension claims, there will be some account to be rendered about a variety of claims that come before the Senate between now and its adjournment.

Mr. JONES, of Nevada. We hear again, sir, the stereotyped argument about the necessity of paying attention to public bills. I do not know any bill before this body more public than this bill is. The claimant herein could afford very well to have this postponed, but the Government of the United States can not afford to postpone doing justice to its citizens from year to year on the claim that the bill is a private bill.

If this bill is an old bill and has been knocking at the doors of this body for a hearing for years, it is not the fault of the party to whom the money is due; it is the fault of Senators here. If this gentleman were a Japanese, or if he were a foreigner of any description, he might get a hearing, perhaps, and have the measure called a public one; but I am at a loss to know why it is not one of the most public of all measures for the Government of the United States to pay what it owes to its own citizens.

The bill comes here with a unanimous report of one of the standing committees of this body that this bill is justly due from the United States to this party; and, sir, I do not think any more heroic or any juster expression was put into the mouth of Richelieu by Bulwer than when he made him say:

> For justice
> All place a temple, and all season, summer.

I hope this bill will no longer be postponed, and I hope that that justice which a few of us claim to be due to this claimant will be rendered him in the shortest possible time.

The PRESIDENT *pro tempore*. The question is on the motion to postpone the Calendar.

Mr. MORRILL. Mr. President, I deny that this claimant is not in fault in not presenting his claim at an earlier period. He was a contractor in 1862 and for years afterward, and stole a march upon the Government by taking testimony at that time that he presents now to a committee of this body, and proposes to use that testimony in behalf of this claim—testimony taken entirely *ex parte* out of four hundred and fifty men employed by him, seizing upon the testimony of twenty-five and taking their affidavits in 1862, and never moving in Congress for years and years afterward in the way of asking any claim or reimbursement for losses sustained.

And yet, Mr. President, this claim was presented at that time upon a petition and acted upon by the House and sent here, he calculating then only the amount of grain and hay taken by the Government of the United States. Does anybody suppose that any officer of the Government of the United States ever took any grain or hay or provender of this man, without giving a receipt for it, for which he has not already had his pay?

The PRESIDENT *pro tempore*. The merits of the bill are not open to discussion on this motion.

Mr. MORRILL. I am only speaking as to the delinquency of this party in not presenting his claim. Then, after this time——

Mr. CAMERON, of Wisconsin. Will the Senator allow me a moment?

Mr. MORRILL. Yes, sir.

Mr. CAMERON, of Wisconsin. The Senator first denounces this claimant for not presenting his claim in time. He states that he took testimony in 1862, and in the next breath he says that at that time he presented the claim to the House of Representatives.

Mr. MORRILL. No, not for years afterward.

Mr. CAMERON, of Wisconsin. He presented it in 1866.

Mr. MORRILL. That is what I say.

Mr. CAMERON, of Wisconsin. He claimed——

The PRESIDENT *pro tempore*. This debate is not in order at all, being on the merits of the bill.

Mr. CAMERON, of Wisconsin. I am aware that it is not in order. Certainly the remarks of the Senator from Vermont are out of order.

Mr. MORRILL. Then, Mr. President, to show that this man is in fault in not presenting his claim, he did not present it again until six years afterward.

The PRESIDENT *pro tempore*. But that style of debate is not in order strictly.

Mr. MORRILL. All I can say is that this claim can not go through here without a full debate and disclosure of all the facts in the case. The chairman of the committee, who made the report in the House, is not here this morning. I do not think it ought to come up during his absence.

Mr. JONES, of Nevada. Mr. President, the Senator from Vermont tells us that this claim can not go through here without a full discussion and a full disclosure of all the facts in the case, and yet he persistently votes that those disclosures shall not be made and those facts shall not be brought to light. All we ask him to do is to bring the case up so that those facts can be presented and those disclosures made.

The PRESIDENT *pro tempore*. The question is on the motion to postpone the Calendar.

Mr. COCKRELL. It is now near 1 o'clock, and it is very manifest that we can not dispose of this measure in this morning hour. The motion is now pending to take it up. It is known to the Senate well that we have executive business that will probably consume the rest of the entire day. Therefore, while this motion is pending, I move that the Senate proceed to the consideration of executive business, leaving this as the pending motion.

The PRESIDENT *pro tempore*. The Senator from Missouri moves that the Senate proceed to the consideration of executive business.

The motion was not agreed to; there being on a division—ayes 22, noes 25.

The PRESIDENT *pro tempore*. The question recurs on the motion to postpone the Calendar. [Putting the question.] The noes seem to have it.

Mr. JONES, of Nevada, called for the yeas and nays, and they were ordered.

Mr. DAVIS, of West Virginia. Yesterday morning the Senator from Kansas [Mr. PLUMB] desired to take up a bill in which he is very much interested, and he wished, as I understood, to make some remarks upon it. At my suggestion he allowed the Senate then to go on with the Calendar, with the understanding that this morning he would call up that bill. So I feel bound, and I think the Senate is somewhat so, to hear the Senator from Kansas as he wishes to call up a particular bill, he having been absent when the bill was reached in its regular order on the Calendar.

The Principal Legislative Clerk proceeded to call the roll.

Mr. JACKSON (when Mr. HARRIS's name was called). I announce for the day the pair of my colleague [Mr. HARRIS] with the Senator from Michigan [Mr. FERRY].

Mr. JOHNSTON (when his name was called). On this particular question I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. CALL (when the name of Mr. JONES, of Florida, was called). My colleague [Mr. JONES] is absent on account of sickness. If he were here, I understand he would vote "yea." He is paired with the Senator from Delaware [Mr. SAULSBURY].

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Florida [Mr. JONES].

The roll-call having been concluded, the result was announced—yeas 28, nays 26; as follows:

YEAS—28.

Allison,	Dawes,	Jones of Nevada,	Platt,
Anthony,	Frye,	Kellogg,	Rollins,
Call,	Garland,	Lamar,	Sawyer,
Cameron of Pa.,	Hawley,	Lapham,	Sherman,
Cameron of Wis.,	Hill,	Logan,	Voorhees,
Chilcott,	Ingalls,	McDill,	Walker,
Conger,	Jackson,	Miller of N. Y.,	Williams.

NAYS—26.

Barrow,	Coke,	Harrison,	Pugh,
Beck,	Davis of Ill.,	Jonas,	Ransom,
Blair,	Davis of W. Va.,	Maxey,	Slater,
Brown,	Edmunds,	Morgan,	Vance,
Butler,	George,	Morrill,	Vest.
Camden,	Gorman,	Pendleton,	
Cockrell,	Hampton,	Plumb,	

ABSENT—22.

Aldrich,	Grover,	McMillan,	Saunders,
Bayard,	Hale,	McPherson,	Sewell,
Fair,	Harris,	Mahone,	Van Wyck,
Farley,	Hoar,	Miller of Cal.,	Windom.
Ferry,	Johnston,	Mitchell,	
Groome,	Jones of Florida,	Saulsbury,	

So the motion was agreed to.

Mr. JONES, of Nevada. I move to take up the Holladay bill.

The PRESIDENT *pro tempore*. The Senator from Nevada moves to take up the bill (S. 1683) for the relief of Ben Holladay.

Mr. PLUMB. I object to it, and I object to it for the purpose of moving, now that the Calendar has been postponed, to take up House bill No. 4429, to enlarge the powers and duties of the Department of Agriculture. I want to test the sense of the Senate in regard to the relative importance of these two measures.

The PRESIDENT *pro tempore*. The motion of the Senator from Nevada can not be amended by a motion to take up another bill. If this motion is voted down the Senator from Kansas can then make his motion.

Mr. PLUMB. I object to the motion for the purpose of moving, if it shall be rejected, to take up the bill I have indicated.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Nevada.

Mr. PLUMB called for the yeas and nays, and they were ordered and taken.

Mr. GEORGE (after having voted in the negative). It has just come to my mind that I am paired on this question with the Senator from Nevada [Mr. FAIR]. I therefore withdraw my vote.

Mr. ALLISON (after having voted in the affirmative). I forgot for the moment that I was paired on this question with the Senator from Delaware [Mr. BAYARD]. I withdraw my vote.

The result was announced—yeas 29, nays 24; as follows:

YEAS—29.

Anthony,	Conger,	Jackson,	Rollins,
Barrow,	Dawes,	Jones of Nevada,	Sawyer,
Blair,	Frye,	Kellogg,	Voorhees,
Call,	Garland,	Lapham,	Walker,
Camden,	Hawley,	Logan,	Williams.
Cameron of Pa.,	Hill,	McDill,	
Cameron of Wis.,	Hoar,	Miller of N. Y.,	
Chilcott,	Ingalls,	Platt,	

NAYS—24.

Aldrich,	Davis of Ill.,	Johnston,	Plumb,
Beck,	Davis of W. Va.,	Jonas,	Pugh,
Brown,	Edmunds,	Maxey,	Ransom,
Butler,	Gorman,	Morgan,	Slater,
Cockrell,	Hampton,	Morrill,	Vance,
Coke,	Harrison,	Pendleton,	Vest.

ABSENT—23.

Allison,	Groome,	McMillan,	Saunders,
Bayard,	Grover,	McPherson,	Sewell,
Fair,	Hale,	Mahone,	Sherman,
Farley,	Harris,	Miller of Cal.,	Van Wyck,
Ferry,	Jones of Florida,	Mitchell,	Windom.
George,	Lamar,	Saulsbury,	

So the motion was agreed to.

BEN HOLLADAY.

Mr. PLUMB. I now move to substitute for that bill House bill No. 4429, to enlarge the powers and duties of the Department of Agriculture.

Mr. EDMUNDS. Let us hear the substitute read. The Senator from Kansas moves to strike out all after the enacting clause and insert this.

The PRESIDENT *pro tempore*. The bill (S. 1683) for the relief of Ben Holladay is before the Senate as in Committee of the Whole.

Mr. PLUMB. I now make the motion——

Mr. COCKRELL. Let the bill be read.

Mr. BUTLER. May I inquire of the Senator from Kansas what the object of his bill is?

Mr. EDMUNDS. That will be read as an amendment. We shall hear it in a minute.

Mr. BUTLER. I should like the Senator from Kansas to state his object.

Mr. PLUMB. My object is to displace the consideration of the pending bill in order that the Senate may proceed to consider House bill No. 4429.

Mr. BUTLER. What is that bill?

Mr. PLUMB. To enlarge the powers and duties of the Department of Agriculture.

Mr. BUTLER. Does it come from the Committee on Agriculture?

Mr. PLUMB. It comes from the Committee on Agriculture and is a House bill.

Mr. HOAR. Is that in order?

The PRESIDENT *pro tempore*. It is not.

Mr. EDMUNDS. It is in order to move to amend.

The PRESIDENT *pro tempore*. The pending bill will be read.

The Acting Secretary read the bill (S. 1683) for the relief of Ben Holladay.

Mr. PLUMB. I now move to strike out all after the enacting clause and insert what I send to the desk, and I ask that it be read.

The ACTING SECRETARY. It is proposed to strike out all after the enacting clause and to insert:

That the Department of Agriculture, established at the seat of Government of the United States, shall be an Executive Department, under the supervision and control of a secretary of agriculture, who shall be versed in the science and practice of agriculture, appointed by the President, by and with the advice and consent of the Senate, and who, in addition to his other duties, shall be charged with the collection and dissemination of information concerning the agricultural, commercial, manufacturing, mining, and other industrial interests of the United States; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes are hereby made applicable to said department.

SEC. 2. That there shall be in said department an assistant secretary of agriculture, who shall be a practical agriculturist, to be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such duties as may be required by law or prescribed by the secretary.

SEC. 3. That for the purpose of collecting all important and useful information concerning agriculture, and also concerning those scientific matters and industrial pursuits which relate to and are connected with agriculture, and for the purpose of encouraging the development of the national resources, increasing the value of the national domain, and ascertaining the fertilizers, implements, buildings, varieties of seeds, vines, plants, fruits, and crops best adapted to the several sections of the country, and developing suitable rural work for women and children, and enabling the secretary to co-operate with the agricultural colleges in the several States in the making of experiments in testing the value and qualities of plants, seeds, soils, and fertilizers in their respective localities, the divisions of botany, entomology, chemistry, forestry, statistics, horticulture, microscopy, and seed distribution now provided for and existing in said Department of Agriculture are continued, and the following additional divisions are hereby created, namely:

First. A division of geology, whose duty it shall be to institute such investigations and collect such information, facts, and statistics relative to the mines and mining and the resources and capabilities of the public lands of the United States as may be deemed of value and importance; and for the purpose of properly organizing this division, the commission known as the Geological Survey, with all its powers, duties, and provisions, together with all officers, clerks, employés, and agents as at present established, and all instruments, records, books, papers, and other property thereof, is hereby transferred to the said department of agriculture.

Second. A division of animal industry to be in charge of a competent veterinary surgeon, who shall be appointed by the secretary, and who shall investigate and report upon the number, value, and condition of the domestic animals of the United States; their protection, growth, and use; the causes, prevention or cure, and extent of contagious, communicable, or other diseases; and the kinds, races, or breeds best adapted to the several sections of the country; and the salary of said surgeon shall be $2,500 per annum.

SEC. 4. That the chief of the statistical division of said department shall collect and report the agricultural statistics of the United States; and, in addition, all important information or statistics relating to industrial education and agricultural colleges; to labor and wages in this and other countries; to markets and prices; to modes and cost of transporting agricultural products and live-stock to their final market; to the demand, supply, and prices in foreign markets; to the location, number, and products of manufacturing establishments of whatever sort, their sources of raw material, methods, markets, and prices; to the testing of the textile strength and other peculiarities of wools and other animal fibers, and the ascertaining of the physical properties of cotton, hemp, jute, ramie, and other vegetable fibers produced under different conditions of climate and culture; to such commercial or other conditions as may affect the market value of farm products or the interests of the industrial classes of the United States. And the secretary is hereby authorized to make such monthly or other reports as he shall deem most effective for the prompt dissemination of such reliable information respecting crops and domestic and foreign markets as will be of service to the farmers or other industrialists of the United States; and the secretary may exchange the reports, bulletins, and other publications of the department designed for general circulation with the agricultural, live-stock, and all weekly journals published in the United States.

SEC. 5. That, so far as practicable and consistent with the proper efficiency of the service, the officers and employés of the department not appointed by the President shall be selected, without reference to their party affiliations, from the industrial classes of the various sections of the Union.

SEC. 6. That the secretary of agriculture shall hereafter receive the same salary as is paid to the Secretary of each of the Executive Departments; and the salary of the assistant secretary of agriculture shall be the same as that now paid to the Assistant Secretary of the Department of the Interior.

SEC. 7. That all laws and parts of laws relating to the Department of Agriculture now in existence, as far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect.

Mr. PLUMB. Mr. President——

Mr. WILLIAMS. I make a question of order on that. It is clearly out of order.

The PRESIDENT *pro tempore*. The Chair is of the opinion that no question can be raised as to the germaneness of amendments. The Senate has long ago decided that the germaneness of an amendment is not to be considered except upon appropriation bills. Any bill that comes up can be amended by an entirely new bill. If the Chair were to decide it as an original question he would decide the other way, because he thinks that is the most common-sense way, but the Senate has decided otherwise.

Mr. PLUMB. The misfortune about the amendment which I have had the honor to offer to this bill is that it only concerns about 30,000,000 of the people of the United States (for full seven-twelfths of the people of the United States are engaged in the pursuits of agriculture), while the bill which is before the Senate on the motion of the Senator from Nevada is a claim for damages aggregating a pretty large sum, and of course as between these two measures there can be no doubt as to which ought to have, at least by precedent, the right of way and receive first the consideration and the favorable consideration of the Senate. But it is for each Senator to discharge his duty in regard to these measures as seems to him fit and proper. I have discharged a portion at least of mine in presenting to the Senate and to the country what I think is of most importance, and especially at this stage of a short and rapidly disappearing session of Congress.

It has been suggested here jocularly, but still for all it has a certain seriousness about it, that the friends of the Ben Holladay bill would

consent to this bill to enlarge the powers and duties of the Department of Agriculture as an amendment; and as the major carries with it the minor, it might be reasonably expected of course that the Ben Holladay bill would carry through the agricultural bill. While that was said jocularly, it at the same time actually voices the existing facts on this floor as determined by the vote of the Senate.

Mr. President, this amendment is a bill which concerns, as I said, seven-twelfths of the people of the United States, a class of people living scattered over all the broad domain of this country remote usually from the sources and seats of power, not in a condition to bring themselves together for consultation or for co-operation rapidly or successfully, a class of people having few representatives in this branch or the other of Congress—men of intelligence and men of convictions, and yet by reason of their calling and their comparative isolation unheard.

The PRESIDENT *pro tempore*. Will the Senator suspend a moment? As a point was raised about the amendment being out of order, the Chair will read from page 289 of Jefferson's Manual:

> Amendments may be made so as totally to alter the nature of the proposition; and it is a way of getting rid of a proposition by making it bear a sense different from what it was intended by the movers, so that they vote against it themselves. (2 Hats., 79; 4, 82, 84.) A new bill may be ingrafted by way of amendment on the words "Be it enacted," &c. (1 Grey, 190, 192.)

The Chair has been informed that in the last hours of a session on a bill for a pension a land grant to a railroad was ingrafted and passed. The Senator from Kansas will proceed.

Mr. PLUMB. As I was proceeding to observe, the people whom this amendment which I have proposed concerns, although intelligent, industrious, productive, absolutely necessary and more necessary than any other class of people in the United States, have had comparatively less influence upon its policy than any other class. I do not mean to say that they have been legislated against and that the policy of the Government has been necessarily and inevitably against their interests, but they have not been heard to say as a rule what those interests were, have not been permitted, or at least have not been in a condition to impress their views and ideas of public affairs or of matters which concern them upon the policy of the Government as settled by legislation, or by the practice of the Executive Departments.

If I had been myself preparing this bill I should have made it simply a bill to constitute the Commissioner of Agriculture the secretary of agriculture, in order to give him a seat in the Cabinet; and for all the purposes for which I shall discuss this measure I will discuss it as though that were the full and sole intent and purpose of it. It is true that it does to some extent enlarge the functions of the present Department of Agriculture; that it does give to the officer who is to be named the secretary of agriculture more duties, more opportunities, more responsibilities than he has as Commissioner of Agriculture, as he is now known and designated by the law; and that is one of those propositions which, having been considerably discussed, has been met with some denunciation and with considerable adverse criticism; and it is an illustration of the truth of what I said in the remarks I had occasion to make upon the civil-service bill, that this Government was run by subordinates and not by heads of Departments, that this bill found itself in the Treasury Department in some way calling upon the Secretary of the Treasury to state whether he thought it should be passed, and that he referred that bill to a clerk in his Department, who made a report on the subject adverse to it.

As I said, that is a very conspicuous illustration of what I stated before, to the effect that the subordinates run the Executive Departments of the Government. Of course it might be supposed that the opinion of a clerk of the Treasury Department or any other Department would be against creating anybody who might outrank him or get more salary. I think generally, like Paul, they magnify their own office, and consequently they do not want anybody else's office magnified in order to prevent the result they seek in magnifying their own.

Mr. President, the selection of Cabinet ministers might originally have been supposed to have been for the purpose of bringing around the President persons specially versed in the executive and routine duties of the various Departments over which they were to preside; but in point of fact such is not now the case. We do not select soldiers for Secretaries of War, nor men who are versed in the art of war by its practice or by its study. The present Secretary of the Navy I do not think would claim, as able a man as he is and as conspicuous an example as he has given of efficiency in the management of that Department, that he was specially versed in naval affairs. And so all the way through, with possibly the exception of the Department of Justice, no Cabinet minister is selected solely or chiefly because he is versed in the routine duties of the Department over which he is to preside; and the country, in looking to see whom a new President will surround himself with in the shape of Cabinet ministers, looks to the character of the men, to their relation to the general politics and interests of the country, a great deal more than to the question of their special fitness for the particular bureau's duties that they may be called on to perform.

So we have now and we have had heretofore many men conspicuous for their learning, conspicuous for their ability, conspicuous for their high standing in the country, called to preside over different Departments of the Government solely because the President desired to have the counsel of such men, and he could only get it through their intervention and help as members of his Cabinet, and by reason of being members of his Cabinet authorized to sit at his council-board.

When the President comes to consider of matters of public policy which as the Executive of this nation he is required to consider of and to report upon and to act upon, he naturally and inevitably addresses himself for advice to those men by whom he has surrounded himself. He talks with the Secretary of the Treasury about financial matters, with the Attorney-General about those matters that concern the administration of justice, with the Secretary of the Interior about public lands, and with all of them collectively about those questions which concern the administration of the Government which has been devolved upon him, and takes their counsel; not simply because they are learned in finance or learned in the special routine of their several Departments, but more particularly because of their ability to discuss and decide matters which affect the general policy of the Government outside of that routine which is settled largely by the inferior and subordinate officers of the Government.

Here is a class of people, representing, as I said, seven-twelfths of the people of the United States, engaged in agriculture. Any financial proposition that may be broached, any question of the creation or funding of a national debt, the question of the kind and the volume of currency, the question of specie payments—all the intricate questions, large and small, which have to do with the financial matters of this country, rest finally in their ultimate consequences upon this class of people. We are discussing, for instance, now the tariff question, and the moment it was announced that it was to be discussed there came to this city from all quarters of the country scores of men interested in the various industries to be affected by the tariff, who came to counsel, came to advise, came to cajole, and came to threaten almost, in some cases, I have no doubt; and yet I venture to say that not one single man representing the great agricultural interest of this country has put in an appearance or was heard before the Finance Committee in regard to the details or effect of this tariff, and certainly not one single representative of that great interest was found upon the Tariff Commission which prepared the bill substantially that is now before the Senate.

Mr. President, that does not grow out of a lack of interest; it grows out of a lack of facility, a lack of opportunity. The farming interest of this country can not focus itself suddenly and at a moment's notice upon legislation. Its members can not get together without great expense, coming from long distances, and unused largely as they are to public affairs, clumsily perhaps expressing themselves, but yet at the same time they have as deep an instinct, as strong a feeling in regard to their own interests as any other class of people in the United States. It is therefore eminently proper that they should be represented in the highest councils of the nation; that when the President comes to consider what he will recommend to Congress in regard to taxation which falls upon them, some person specially selected because he represents them, is in harmony with them, who has been in relations with them during all his life perhaps, shall be there to say to the President that this, that, or the other policy which is proposed or which he in turn himself may propose, affects them wisely or unwisely, as the case may be; and the President can not make up a message which deals with these great questions properly unless he has either of his own knowledge or in some other way that information which ought to precede such an important decision.

Sir, we talk about funding the public debt; we talk about the tariff upon iron and upon glass and upon all the various articles embraced in its different schedules as though they concerned only the manufacturers of these articles. Who pays these taxes? When the manufacturer of iron comes to the Senate and says, "I can live or I can make a profit if a certain duty is imposed," what is he saying? He is simply saying, "If you give me a certain duty you put it in my power to charge over that duty as an additional profit on the farmers of the United States;" and yet the farmers who are to pay these taxes, who are to bear these burdens and pay this profit, not only are almost without representation in both halls of Congress, but are absolutely without representation in the executive department of the Government. They, as I have said, have not been heard here at all, while the city is thronged with representatives of every interest that is dealt with by the tariff directly. While our desks are loaded down day after day with protests, with explanations, with arguments, printed and sent here by them, there is no one to say what the effect of any of these things will be, if adopted, upon the people upon whom finally and ultimately the great burdens of government must rest.

It has been said that there were no functions for a minister of agriculture to perform; that it was not an Executive Department in the sense in which the Interior Department is an Executive Department, or the Department of State, and we have been appealed to to believe that this was a design simply to give office and emolument to some particular person; and the present very worthy and capable Commissioner of Agriculture has been reproached for that he himself was back of this bill and was guilty of self-seeking in endeavoring to promote its passage. I want to say in regard to that that it does him great injustice. So far as I know, he has not urged the passage of the bill or in any way said anything about it, and he has not, unless it may be incidentally, been advised of its terms.

But if the Commissioner of Agriculture is not an executive officer, if he is not a person to advise the President, what shall we say about the Attorney-General? What has the President himself to do directly about the administration of justice that he can not be informed concerning by sending a note over to the Attorney-General rather than have him appear at his table? Similarly of the Secretary of the Treasury. This officer executes the law in regard to the borrowing of money; he receives the money which the people pay for taxes, and he pays it out; and if all the President wants is simply technical information in regard to the working of that Department, he can get it from the report of the Secretary, or send for him on occasion and talk with him about the matters in regard to which he desires to inquire.

But here is an interest that, as I said, represents a majority of all the people of the United States. It lies at the foundation of all interests; it is the basis of American independence; it is an interest which will increase in value to the country by just as much as population trenches upon production. The time will come when there will be no certainty, as now it seems to be taken for granted that the harvest of each year will not only yield enough to support all the people, but also a surplus to be sent abroad. The experience of last year may serve as a warning. As a result of the bad harvest of 1881 we imported large amounts of agricultural products, potatoes, cabbage, pease, and beans. I was told in this city, by a gentleman who is a member of a Chicago commission house, that the firm of which he is a member actually bought corn in Sicily and shipped it to Chicago. If that was the case last year, with only fifty millions of people, with all our great area, with every man having sufficient land to work upon, what may it be when these fifty millions shall become one hundred millions, and the one hundred millions shall become two hundred millions, and men shall be stinted for the areas in which they can work upon the soil? We shall need then, as a matter concerning the welfare and the well-being not only of the individual citizen but the stability of the Government itself, that the Government shall give direct attention to the question of production, to the question of the supply of food, more than to almost any other question that can be mentioned.

Suppose the President is considering some question of diplomacy which may result in war; at once comes up the question of the ability of the country to maintain war. Is it a question of navies or of armies? We know by experience that both of them can be improvised, and on short notice. But not so the supplies by means of which armies are to be fed. The question of maintaining war may be one of food supply, a question of the means not only of raising the food and of the supply on hand, but of transporting it as well. That is a question which no one could so well aid the President in deciding as some one selected from that great class of people posted about it, and upon whose judgment and information the President could implicitly rely.

Speaking of that question of transportation reminds me that we are on the threshold of legislative regulation not only by means of the action of State Legislatures, but by means of legislation to be passed by Congress regulating the rates of fares and freights, and it is a question which can not be very long postponed. It is a question that is pressing for determination even now, and no settlement ever will be made that will be just, and permanent because just, which does not take into special account the interest in that great question of the agriculturists of the United States, and their relation to it is different from that of any other class of people.

The man who raises a bushel of wheat worth at the nearest railroad station 50 cents and which costs another 50 cents to take it to its ultimate market is interested in that problem to a far different extent from the man who takes a pound of iron worth a quarter of a cent in its crude state and by adding to it labor and skill makes a knife or other implement which, when manufactured, is worth fifty times or five hundred times the raw material, and the cost of carrying which to its ultimate market is but a fraction of the percentage which is required to carry the product of the farmer to market. His interest, therefore, is greater than that of any other class of people. It is more permanent and more abiding; it is the interest that ought first to be considered. Not only that, but it ought first to be considered in regard to all the other matters which affect the relations of this Government to its people, and especially in regard to its financial matters.

We talk about funding the debt, about the payment of pensions, about all the concerns of this Government relating to the transactions of the Treasury Department, as though they were to be settled and determined by men in Wall street, men who get their inspiration and their interest from their relations to Europe, from their relations to men living entirely apart from this people. We look to those men who are simply the money-changers, the men who make money exchanging the products of this country for the products of other countries, and we go to them instead of going to the great producing class to determine what the policy of this Government shall be in regard to matters which affect all the people in this broad land, and by their decision we appear heretofore to have been entirely bound.

I think the time was long ago when we might have inaugurated safely a departure in this regard. I think the time now has come when there is sufficient demand from this class of people to indicate their own views and feelings in regard to it, and when we can afford to recognize with some degree of consideration the interest which they have in the problems of Government, and accord to them, as lacking representation largely elsewhere, the right to be represented at the council board of the President in determining matters in which they have a greater and deeper and more abiding and more sensitive interest than any other class of people.

And, Mr. President, this is not a new question; it is a question which has excited attention recently elsewhere. To those who are accustomed to look for examples to England and to France and to foreign countries generally, I point to the recent action of the French Republic in this same direction. I will send to the desk to be read by the Secretary a letter of Gambetta, minister of foreign affairs, addressed to the President of the Republic of France, transmitting a copy of an act establishing a ministry of agriculture in that country. I ask the Secretary to read it.

The Principal Legislative Clerk read as follows:

DEPARTMENT OF AGRICULTURE AND COMMERCE,
Paris, November 14, 1881.

MR. PRESIDENT: The desire, as well as the necessity to develop more fully all the resources of this country has made more urgent the wish for an independent department of agriculture to represent this great interest in the cabinet.

Vast improvements and satisfactory results have been gained within the latter years, yet the fact remains that the steady growth of international exchanges, as well as the direction of home and colonial interests, commercial treaties, &c., absorb all the attention of the present minister, and that for this reason the two principal interests of the country, agriculture and commerce, can not remain much longer as one department, without detriment to both. This fact has in most large countries led to the establishment of an independent department of agriculture, as in Germany; in United States of America after the war of secession; in Austria after the battle of Sadowa, and finally, quite recently, in Italy.

With us also it has become an urgent necessity to establish such a department to facilitate agriculture and do away with many of the obstacles now hampering it.

At the international convention the insufficient harvest, as well as the disastrous invasion of phylloxera, were fully discussed, and the assistance of the government urged.

A list was made of the additional branches to be enrolled under the department and annexed to the yearly report. Under this department comes at present practical and theoretic veterinary schools, practical agricultural schools, inspection of agriculture and silk culture; the stimulation of agriculture and drainage, phylloxera, doryphora, &c.; the breeding of horses and cattle, &c.; forestry, the establishment and maintenance of a sanitary department, statistics, &c.

The proposed addition would embrace irrigation, board of public works, drainage, &c. If this bill, which I have the honor of presenting, meet your views, I trust you will signify it by affixing your signature.

I am, sir, very respectfully, your obedient servant,

LEON GAMBETTA,
Minister of Foreign Affairs and President of the Cabinet.

OFFICE OF THE PRESIDENT OF THE REPUBLIC OF FRANCE.

On the proposition presented by the president of the cabinet and minister of foreign affairs—

Be it enacted:

ARTICLE I. That a department of agriculture be created.

ARTICLE II. That the minister of agriculture shall have actual charge of all matters pertaining to agriculture, such as irrigation, public works, improvements in agriculture, water courses, &c., and the forming of contracts with responsible parties for such work as he may deem necessary.

ARTICLE III. The president of the cabinet and minister of foreign affairs is hereby authorized to have above orders executed.

Done at Paris, November 14, 1881.

JULES GREVY,
President Republic of France.

LÉON GAMBETTA,
President Cabinet and Minister of Foreign Affairs.

Mr. PLUMB. It will be observed that in the first paragraph of that letter Gambetta speaks especially of the necessity of creating a minister of agriculture, to be a member of the cabinet. That is the special point to which I wish to direct attention in this connection.

Of course there is this difference between the situation in France and in this country: There are there no intermediate governments, such as we know as State governments here; but we have had, by reason of the war, by reason of the great aggregation of population and wealth on this continent, by reason of the great community of interests which has come from the development of our means of internal transportation, to have functions for the General Government to perform in relation to the general welfare of the people which were entirely unknown twenty-five years ago.

It is safe to say that we shall go on with a constantly accelerating ratio in this direction, and it will become more and more from year to year a part of the obligation of the General Government to consider all those matters which relate to the general welfare of the people, and there is no way in which it can reach the great mass of the people, to be advised of their wishes and of their interests, and respond to them so well as by having at the seat of the Federal power an able and efficient representative of that great class of which I have spoken.

The question of transportation to which I have alluded is one of increasing magnitude. By judicial decisions from time to time the relations of the General Government to this question have been defined. We know now that all matters of transportation crossing the boundaries of States are within the exclusive purview of the national authority. Statistics must be gathered, policies and systems must be formulated, and in every way the foundations laid for the intervention and for the control on the part of the General Government of the great system of transportation, the necessity for which grows constantly with the ne-

cessity for its use, because, Mr. President, the railroad is as much a necessity of modern civilization as light and air, and this emphasizes and makes necessary the intervention of the Government to see that it is not misused and that so far as possible it shall be beneficently used for the benefit of the entire people.

I have in my hand a dispatch which was published in the New York papers on the 23d of last month, and which I will read as I copied it from a paper in which it was published:

LONDON, *December 22.*

The Country Gentleman's Sporting Gazette and Agricultural Journal states that arrangements for the creation of a ministry of agriculture are almost complete. The Right Honorable Joseph Chamberlain will be made first minister, and Sir Charles Dilke will succeed Mr. Chamberlain as president of the board of trade.

It will thus be seen that in the two great countries of the world outside of the United States, Great Britain and France, this question has received recent and practical attention. Now, what is the agriculture of France or the agriculture of Great Britain as compared with that of the United States? It is as a mole-hill to a mountain. In both countries perhaps it has already come to its maximum, while in the United States we are only on the threshold of its development; and while we are on its threshold only we must remember that by reason of its character the question of profit and loss is brought into a very small compass.

The question of 10 per cent. added to or detracted from the value of the agricultural products of the United States is the difference between distress and opulence to the men who produce them; and by reason of that narrow margin, by reason of the great consequences that depend from day to day and from year to year, affecting the independence and the well-being of the people upon that margin, it ought to be the first and chiefest care of the Government representing the people to see that everything is done that can be done to not only contribute safety to that interest but profit as well.

Mr. President, at this time, when it seems that there is a general recognition of the fact that the people have been more or less discontented with the management of affairs, that there has come a necessity for a change of front, for new legislation, for the reorganization of policies and plans and the substitution of new, it seems to me that we can not do a wiser thing, a more sensible thing, and at the same time a more gracious thing, than to recognize the interests of this great and important class of the community by putting one of their number and some one who is to represent them in a place where his counsel and his advice in their behalf can be heeded and can be felt, not only in legislation but in policies to be formulated by the Executive which ultimately must bear good or ill fruit to them more than to any other persons or class of persons under the flag.

All things are comparative. It is well enough, of course, that we should decide some time, I suppose, whether Ben Holladay is entitled to half a million of dollars out of the Treasury or not. I have no doubt that the suggestion which I make now will probably accelerate the disposition and will probably aid in the passage of that bill. It is the fact, that there are probably a thousand other men in the United States who have claims of precisely the same character, who are waiting with a greedy expectancy for this bill to pass, so that if there is any fear that we shall be out of business we can make perfectly sure of plenty to do of that kind during the next six or seven years by simply passing this bill and letting loose upon us the hordes of other claimants whose stage stations have been destroyed all the way from the Mississippi to the Pacific, and whose horses have been run off, and whose riders have been killed by Indians, and who are only waiting to see what account and gauge we shall take of this bill in order to prepare their claims to present them for payment out of the public Treasury.

But, Mr. President, seriously, in this middle of a session which is to close by law on the night of the 3d March, with fifty millions of people looking with expectancy as to what we shall do, it is proposed to displace all the legislation which has been prepared during a long and almost fruitless session and which is now upon our Calendar, and the tariff bill and everything else, in order that this claim, which has been discussed and rediscussed, which hung up in the pockets of its proprietor for eight or ten years before it was presented at all, and thus everything which is of concern to the great mass of the people shall be held to wait until this claimant can be heard and his claim can be disposed of. It seems to me that this is belittling the dignity of legislation; it is trifling with the duties of the hour; it is paltering with the responsibilities which we are laboring under and which we have led the country to believe we would properly respond to.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The question is on the amendment offered by the Senator from Kansas as a substitute.

Mr. WILLIAMS. Mr. President, as one of the very few practical farmers upon the floor of the Senate, I must say that I concur with the Senator from Kansas in all that he said in regard to the bill which he offers as a substitute. I thank him not only upon my own motion, but I thank him for millions of the horny-handed constituency behind us. I believe he is a banker and a lawyer, and I am glad to hear so much from that source.

Mr. PLUMB. And a farmer, too.

Mr. WILLIAMS. You add that to your other qualifications for Senator. I would go as far as he or anybody else in advancing the interests of the agriculturists of the country, for I am one myself. I am in favor of his bill when it comes up properly; but I am not in favor of taking it up now, throwing out the bill we have just agreed to take up and to consider, the bill for the relief of Ben Holladay, a bill that has been before Congress for sixteen years, an honest and just claim which has been pressed upon us now for sixteen years, and which at the last session had a special day set for it at this session but was crowded out by other business. Now that the Senate has decided to take it up I am opposed to substituting any other proposition for it, and I am against the motion of the Senator from Kansas, though I heartily concur with him in the principle and purpose of the bill he proposes to substitute.

Let me say to him that he is not rendering any benefit to, he is not helping the agricultural bill any by pressing it in this way. Here is a meritorious claim for services rendered and losses sustained by an American citizen in the most perilous period of the country's history, a man who has rendered great service to his country, and for sixteen long years he has been appealing to the Congress of the United States for justice. At least let us give him a trial.

Mr. GEORGE. Mr. President, the motion now made brings before the consideration of the Senate the bill reported by the Committee on Agriculture to enlarge the powers and duties of the Department of Agriculture. Upon that bill I desire to submit some observations to the Senate.

The measure under consideration is, in my judgment, an important one, and should receive the sanction of this body. It has already passed the other House, with only seven dissenting votes. It has been considered carefully by the Committee on Agriculture, and is approved by them as amended.

I give my hearty assent to the proposition contained in the bill to make the Department of Agriculture an Executive Department. I believe also that the farmers throughout the Union favor it. The measure meets the approbation of my judgment. Very early in the last session I presented a bill on this subject, which had been prepared with great care and sound judgment by my colleague in the other House [Mr. MONEY]. That bill I like better than I do the bill passed by the House and now under consideration here. That bill was considered by the Committee on Agriculture, and after some amendments, which I think added to its value, I was directed to report it to the Senate, but without any recommendation, each member of the committee being free to oppose it or not, as he should see proper.

Under these circumstances I did not feel at liberty to call it up or attempt to call it up for the action of the Senate. I had no assurance of its success; and so I waited till the time should come when the committee would be unanimous or nearly so in support of a bill on this subject. That time has come now. And though I deem the bill less perfect, less efficient, than the one reported by me, I cheerfully support it. The interests involved are too great, the necessity for action too urgent, to allow of a division about details among those who agree in the main upon the measure. I shall not refuse the half loaf because I think the whole is due.

I shall not repeat here the many just and convincing arguments made by the friends of this measure in the other House, and which secured its passage there with almost absolute unanimity. I presume that Senators are familiar with them, as they have been again and again presented with great force and ability during the last two years. I shall content myself with some general observations pertinent to the discussion and an exposition of some of the more important provisions of the bill.

In the first place it is a notable fact that the Government of the United States has paid but little attention to the wants of the farmers of the country, has done but little to advance and make prosperous that pursuit, which is confessedly the support and stay of all other industries and all other enterprises, and which contributes more than all others combined to the wealth and the progress of the country. So far from favoring it, it seems that our legislation has in many respects been inspired with a spirit unfriendly to this great interest. Certainly it has had no fostering care, if we except sugar and rice.

This has resulted in part from the advantageous position which our farmers have occupied as compared with the farmers of Europe. This advantage consisted in a great degree in the facility with which land has been acquired; the fact that the producers have in the main been the proprietors of the soil, not tenants of a lordly class in which is vested the ownership of our lands. Another advantage, and a great one, too, has arisen from the extraordinary fertility of our virgin soil, unexhausted by the centuries of tillage which has impoverished the farming lands of Europe. Another advantage has resulted from the vigor and energy, inspired by the confident hope and the assured prospect of the early acquisition of independence and comparative wealth, and by the ambitions and aspirations of free citizenship with which our farmers have pursued their vocations.

Another cause of the neglect by the Government of the interests of agriculture, while others have been made the objects of especial care and protection, is, that owing to the great number of the farmers, scattered too all over this great country, they have not been able to combine, to send delegates or lobbyists to this city, and to enforce atten-

tion to their wishes and interests. They have neither the money nor the opportunity to organize an efficient lobby. They have no other reliance than the justice of their cause and the fidelity of their Representatives and Senators.

Other great interests have been more fortunate. They are represented by a few persons of great wealth, and have used fully and freely the great power of association, directed by a persistent, intelligent, and selfish pursuit of their own ends. The result is natural, in fact, inevitable. Associated capital, organized and guided by an active and selfish intelligence, has secured from the Government—State and Federal—an undue attention to its interests, and excessive, not to say invidious advantages.

It has secured corporate franchises not only not necessary but inimical to the public good. It has seized through legislative enactments, sometimes under provisions of a covert and not understood force, and sometimes by a flagitious and open purchase, exclusive privileges—exclusive frequently in express terms, but exclusive nearly always in that corporate capital, combined for its own interest, has been too powerful for weaker rvails. It has secured bounties, subsidies, exemptions from competition and grinding monopolies. These bounties and subsidies have in the main been levied on agriculture and labor, and these exemptions and monopolies have been secured and have flourished at their expense.

Hitherto the farmers and other industrial classes have borne this neglect of their interests, this discriminating and inordinate favoritism to others, if not with resignation and patience, at all events with that submission and endurance which come from a consciousness of inability to prevent them. They have seen others reap where they have sown. They have seen the transportation of their products to the markets of the world under the absolute control of corporations whose sole aim in the discharge of their public duties as common carriers has been to increase their own wealth.

They have seen the market price of their property fixed and regulated—depressed and enhanced—not by the commercial law of supply and demand, but by the caprices and interests of speculators on their toil. In short, sir, the fertility of our soil, the beneficent seasons of a bountiful Providence, the hard and often repulsive labor of the farmer, eventuating in the great crops which enabled us to resume specie payments and to bring to our shores the Pactolean stream of the precious metals, turning the exchanges of commerce in our favor, have more advantaged the carriers, warehousemen, buyers and sellers for speculation than the producers or consumers, against whom these middlemen have waged an equal war.

The farmers are getting tired of this. They now seek some small part of the favoring legislation which has been so bountifully and recklessly bestowed on others. They think the passage of this bill will be a recognition of their interests. I do not think that all the good will come of it that some of its more enthusiastic, though not more sincere, friends claim; but that good will come I do not doubt. The measure before us is not by any means perfect. It is far less than the needs or the merits of the farmers demand, but, as I have said, it is a good start; it is the germ and promise of a more efficient system to be hereafter built up.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the morning hour expires. The Senator from Mississippi may proceed by unanimous consent.

Mr. JACKSON. I ask that consent be given for the Senator from Mississippi to complete his remarks.

Mr. WINDOM. I desire to move that the Senate go into executive session as soon as the Senator concludes his remarks, but I do not object to his proceeding.

The PRESIDING OFFICER. If there is no objection, the Senator from Mississippi will proceed. The Chair hears none.

Mr. GEORGE. Other countries have agricultural departments of equal grade and dignity with their other executive departments which are far more extensive and efficient than that proposed to be created by this bill. I have examined some of these. Especially Russia, Prussia, Austria, and France have such departments for the advancement, protection, and care of agriculture and its kindred pursuits. Compare this measure with the agricultural department of France and it will be seen how insignificant it is when considered in connection with the more elaborate and more efficient system of our sister republic. The annual expenditures of France in this department exceed $7,000,000. Besides a cabinet minister the French system has three bureaus, with a general director and inspector, a general council of agriculture, a consultative chamber, a supreme commission on the labor of women and children, seven inspectors-general and two adjutant inspectors-general, including the national agricultural institute, with a president, secretary, eleven directors, and nineteen professors.

The subjects over which the department exercises supervision and care embrace all the appliances and methods and all the arts and sciences which can aid in the full and profitable development of agriculture in all its forms. Among them are: Agricultural schools, school farms, veterinary schools, and veterinary medicine, epidemics among cattle, cattle stables, sheep-folds, competitive exhibitions of cattle, breeding of cattle, cattle farms and markets, drainage, improvement of rural industries, the collection and publication of agricultural information, silk culture, the herd-book, the food supply, prices of agricultural products, the importation and exportation of seeds and their free circulation, rural economy, physics, meteorology, geology, mineralogy, technology, botany, zoology, mechanics, rural engineering, horticulture, viticulture, with schools of art and manufactures, and schools of arts and trades.

The systems in Russia, Austria, and Prussia are no less extensive and efficient. Compare these with what we have done, or even now propose to do, and it will be seen how far behind these enlightened nations we are in affording proper protection and facilities for progress to the greatest of our industries.

Mr. President, though the provisions of this bill even when amended as proposed by the Senate Committee are in my judgment inadequate, yet they constitute an important advance in the right direction. They contain sufficient to contribute greatly to the advancement of the interests of agriculture.

1. The Department is made executive, and the head of it raised in dignity, importance, and influence to an equality with the other Secretaries.

2. He is required to be versed in the science and practice of agriculture, which means that he is to be a practical farmer, coming from and sympathizing with that portion of our people. The place is not to be filled by a mere politician of no particular calling. It is not to be filled, as such places sometimes are, with the view simply of securing an expert in political and party management, or to subserve the interests of party by an equation of its honors and emoluments among its different factions.

3. The officers and employés of the Department, except the Secretary and Assistant Secretary, are to be selected by the Secretary himself; and he is required to make the selection without reference to the party affiliation of the appointees, and from all the various sections of the country. The operation of the Department is to be non-partisan, and its work is to be devoted exclusively to the great business of advancing the interests of the farmers and laborers of the country.

4. The Department is charged with the great work of developing suitable rural work for women and children, which embraces in it the no less important end of adorning and making more healthful and attractive rural homes.

I attach great importance to this. I do not hesitate to say that if this work be performed well, as I have no doubt it will be if the present head of the Department be continued in that position, that alone will justify the expenditure of all the money which the Department will cost. The family, sir, is the unit of our civilization. It is the base of our free institutions. To make its members happy is the end which they seek to attain.

The family can exist in perfection only at the family home. Scattered, driven abroad by necessity, repelled from its sacred precincts by disgusting or offensive surroundings and associations, the members cease to be what they were designed to be, the mutual support and stay of each other and of the family as a whole. There must be household gods, there must be domestic altars, there must be the common hearthstone around which the family may gather. To have these, to have a true and perfect family, to have the comfort and happiness attendant on progress and purity, the homes of the people must be attractive as well as healthful.

Then, sir, there is the work for women and children provided for in this bill. There are methods already existing or in the easy reach of intelligent inquiry and experiment, which, if adopted and simplified, would secure rural employment for women and children more suitable to their strength, more attractive in its details, more healthy and more improving, and at the same time more remunerative. As things exist now, there is to a large extent an enforced idleness on the part of women and children in the rural districts, or a compulsory engagement in work hard and repulsive, unsuited to their strength, and in the main unremunerative. These toilers have none of the pleasurers of taste, none of the stimulus of active intelligence applied to labor, none of the incentives of the hope of gain to relieve the dreary drudgery of repellent work. Especially, sir, is the rural work of women too often of that kind which demands a sacrifice of their personal attractiveness.

This bill seeks to make a change in all this—a change which when fully accomplished will confer more real happiness, more substantial comfort, more independence in means and in character, more elevation and progress than can result from any other single measure. The life, sir, of a farmer is, at best, one of hard toil, of embarrassing and annoying care, and of small profit. It means labor from the rising of the sun till the shadows of night have made work no longer possible. It means exposure to the heat of summer and the chilling blasts of winter. It means disappointment from unfavorable seasons, storms, and drought. And should he safely escape all these accidents and at last, under the smile of a beneficent Providence, gather into his barn a rich harvest, his expected profits are often turned to loss from the manipulations of the markets by speculators. These workers deserve a better fate.

This country owes its greatness to the farmers more than to any other class. All its industries, all its great wealth, have their foundation in their productions. The failure to raise one single crop would destroy

all our prosperity and reduce to beggary and starvation more than half of our population. We are almost without exports besides our agricultural productions. Our foreign trade rests on them; our domestic commerce and manufactures are equally dependent on them. Denied the right under our tariff system to exchange their productions for foreign goods which they need, the farmers are forced to furnish a home market for manufacturers at a price which enriches the seller and impoverishes the buyer. If, sir, with all these burdens which they bear for the benefit of others, with all these disadvantages under which they labor, it is in our power to extend to them the help and aid which this bill offers, it is certainly our duty to do so.

Mr. President, there are many other beneficent provisions in this bill which should commend it to our support. Among them is the co-operation between the Department and the agricultural colleges in the work of experimental stations, and, to quote the language of the bill, "the ascertaining of the fertilizers, buildings, varieties of seeds, vines, plants, fruits, and crops best adapted to the several sections of the country."

The importance of these provisions can not be exaggerated. Our country has every climate in which the strongest races of men and the best domestic animals and the most useful productions can attain their highest perfection. Including Alaska, it is a world in itself, fitted for the profitable and successful raising of everything that any part of the globe can produce or that any part of the human race can desire.

It is destined, too, in no very long period—I may say it is its "manifest destiny"—to expand still more, especially in the direction of the equator. Nothing can prevent this but our own folly—the failure to grasp that which will be offered to us. This expansion has no terrors to me, and is heralded by no misgivings as to its propriety or its great advantages to our own people or to those who will thus be incorporated into our Union. The settlement of the question of race on a basis just to all will be greatly aided by this expansion. That part of the races in the added territory, that part of their institutions which is worth preserving, will be saved; all else, by an inexorable law of nature, will disappear forever.

The best preparation of our people for their grand destiny is a training in the knowledge and practice of those methods by which men and women can most easily, most comfortably, and most independently acquire and enjoy the means and opportunities of a successful career in life.

This bill proposes to aid in this direction. If enacted it will give this aid, and that too most effectively.

The bill not only establishes proper machinery for the collection of useful knowledge in relation to the latest improvements in the science and practice of agriculture, but provides for its dissemination in the most thorough and complete manner. Besides the printed reports to be distributed directly to the people, according to the present practice, the wise provision is made for their exchange with agricultural and live-stock journals and with the weekly press of the country. The press—especially the weekly press—circulates among all classes and in all parts of the country, and is the great educator of the people. It contains the cream of the best knowledge, as it is generated by the intellect and culture of the age, especially that adapted to the condition and wants of its readers.

Another provision in the bill deserves especial favor. It inaugurates a new system in the appointments to places in the Department. The officers and employés are to be taken from the industrial classes, for whose interests the Department is organized. This is a just recognition of the rights and merits of the laborers of the country. They, at least in this Department, are to be recognized as fit to serve the Government and to be recipients of its benefits and favors. They are also to be selected without reference to party; merit alone is to be the standard of appointments. This is a great and important step in civil-service reform, now so sadly needed. This provision of the bill especially meets the approbation of my judgment.

I have detained the Senate longer than I desired. There is yet much more to be said which might be properly said, but I have supposed that every Senator has given this important subject some study and reflection. I know the wants of the agricultural population of the country; I know their troubles, the obstacles in the way of their success; I know the great merit of this part of our population. My constituents are mainly of this class. They desire the passage of this bill. It is a pleasure as well as a duty to carry out their wishes and to press for a recognition of their interests.

Mr. DAVIS, of West Virginia. Mr. President, the measure now pending is one of very great importance and one that I hope will receive the attention of the Senate and at an early day become a law.

Mr. WINDOM. If the Senator from West Virginia will make his address, if he proposes one, at some future time, I should be very glad to move an executive session.

The PRESIDING OFFICER. The pending order of business passes over at the expiration of the morning hour.

Mr. WINDOM. If the Senator will yield to me for that purpose, I shall be very much obliged to him.

Mr. DAVIS, of West Virginia. If it can be understood that I shall have the floor for Monday morning when the bill will come up as the unfinished business, I of course shall yield with pleasure.

The PRESIDING OFFICER. The bill will not come up as the unfinished business on Monday. It will have to be taken up by motion.

Mr. DAVIS, of West Virginia. Nevertheless I believe it is usual when a Senator wishes to address the Senate to accord him that privilege.

The PRESIDING OFFICER. The Chair thinks the Senator is correct about that.

Mr. DAVIS, of West Virginia. I shall not occupy over half an hour perhaps.

Mr. MORRILL. That will be done in the morning hour, I understand.

Mr. DAVIS, of West Virginia. Certainly.

Mr. MORRILL. At 1 o'clock on Monday I shall insist on going on with the revenue bill.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 7061) to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen;

A bill (H. R. 7191) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1884, and for other purposes; and

A bill (H. R. 7193) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1884, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 3506) to amend sections 1926 and 1927 of the Revised Statutes, so as to extend the limits of the jurisdiction of justices of the peace in the Territories of Washington, Idaho, and Montana;

A bill (H. R. 1698) for the relief of the heirs of Peter Gallagher; and

A bill (H. R. 6627) to authorize the establishment of a free public highway in the District of Columbia.

HOUSE BILLS REFERRED.

The bill (H. R. 7061) to remove certain burdens on the American merchant marine, to encourage the American foreign carrying trade, and to amend the laws relating to the shipment and discharge of seamen, was read twice by its title, and referred to the Committee on Commerce.

The following bills were severally read twice by their titles, and referred to the Committee on Appropriations:

A bill (H. R. 7191) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1884, and for other purposes; and

A bill (H. R. 7193) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1884, and for other purposes.

INTERNAL-REVENUE AND TARIFF DUTIES.

Mr. WINDOM. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER (Mr. GARLAND). The Chair will lay the unfinished business before the Senate, with the consent of the Senator from Minnesota.

Mr. WINDOM. Certainly; I withdraw the motion for that purpose.

The ACTING SECRETARY. "A bill (H. R. 5538) to reduce internal-revenue taxation."

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had agreed to the amendments of the Senate to the joint resolution (H. R. 308) changing the name of the National Bank of Winterset, in Iowa.

The message also announced that the House had passed a bill (H. R. 3249) relating to the adjudication of claims for pensions, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 3249) relating to the adjudication of claims for pensions was read twice by its title, and referred to the Committee on Pensions.

EXECUTIVE SESSION.

Mr. WINDOM. I renew my motion.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 3 hours and 13 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January* 13, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. P. D. POWER.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. CALKINS. I ask unanimous consent——

Mr. HISCOCK. I demand the regular order.

Mr. MURCH. I rise to a question of privilege.

The SPEAKER. The regular order is the call of committees for reports.

Mr. O'NEILL. I move to dispense with the morning hour for the call of committees for reports, my object being to call up the pension appropriation bill.

The motion to dispense with the morning hour was agreed to (two-thirds voting in favor thereof).

Mr. WHITE. I call for the regular order. I make the point that the unfinished business is the regular order.

The SPEAKER. The gentleman from Maine [Mr. MURCH] said he rose to a matter of privilege. The gentleman will state it.

Mr. O'NEILL. I do not think the pension bill will occupy much time.

Mr. MURCH. I withhold for the present the question of privilege to which I rose.

Mr. O'NEILL. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the pension appropriation bill.

Mr. WHITE. Before the question is put on that motion I desire to know how much time this bill will occupy.

The SPEAKER. The Chair is not able to say.

Mr. HISCOCK. I think not over an hour.

Mr. WHITE. Then I want to know whether the unfinished business will not be next in order? If we decide to go into Committee of the Whole to consider the pension bill, when that is disposed of will not the unfinished business before the House then be in order?

The SPEAKER. What unfinished business?

Mr. WHITE. The report from the Committee on Ways and Means made on the 6th of June last.

The SPEAKER. What is that?

Mr. WHITE. It is this:

Resolution of inquiry of the Secretary of the Treasury relative to the passage of a bill (H. R. 5237)—

It should be bill H. R. 5656—

to amend the laws relative to the entry of distilled spirits in distilleries and special bonded warehouses.

I think it is very important that matter should be discussed to-day.

The SPEAKER. That has no preference over the motion made by the gentleman from Pennsylvania [Mr. O'NEILL].

The motion of Mr. O'NEILL was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. REED in the chair.

PENSION APPROPRIATION BILL.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7193) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1884, and for other purposes.

The bill was read.

The CHAIRMAN. The bill will now be read by paragraphs for amendment.

The Clerk read as follows:

That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1884, and for other purposes, namely:

For Army pensions, as follows: For invalids, widows, minor children, and dependent relatives, and survivors and widows of the war of 1812, $80,000,000; and any balance of the appropriation for the like purpose for the current fiscal year that may remain unexpended on the 30th of June, 1883, is hereby reappropriated, and made available for the service of the year ending June 30, 1884: *Provided*, That the amount expended for each of the above items shall be accounted for separately.

Mr. HOLMAN rose.

Mr. O'NEILL. I desire to offer an amendment which I am authorized by the Committee on Appropriations to offer.

The Clerk read as follows:

At the end of line 10 strike out "$80,000,000" and insert "$85,000,000."

Mr. BLACKBURN. I desire to say a word upon this amendment, submitted by authority of the committee by the gentleman in charge of the bill. I want the House to understand distinctly the action the committee is taking with reference to the amount of pensions to be appropriated in this bill. I am not complaining of the action of the committee or of the bill in the slightest. The estimate of the Commissioner of Pensions for the current fiscal year was $101,575,000. If this amendment shall be adopted——

Mr. O'NEILL. I wish to ask the gentleman frankly if he is going to oppose the amendment?

Mr. BLACKBURN. Oh, no. Does the gentleman desire to force me to state my position in advance?

Mr. O'NEILL. I do not want to force the gentleman at all.

Mr. BLACKBURN. I am favoring the amendment.

The CHAIRMAN. The Chair understood the gentleman from Pennsylvania [Mr. O'NEILL] did not desire to address the committee.

Mr. BLACKBURN. And I did not seek the floor except on that same understanding.

The CHAIRMAN. The gentleman from Kentucky will proceed.

Mr. BLACKBURN. I am favoring the amendment offered by the gentleman from Pennsylvania. The bill as reported to the House was for $81,000,000 in round numbers. This amendment proposes to raise the amount for Army pensions to $85,000,000.

Mr. O'NEILL. I had proposed to explain this bill to the committee.

Mr. BLACKBURN. I shall be glad to have the gentleman do so, and shall ask to be heard when he has finished.

Mr. O'NEILL. I noticed the gentleman from Indiana [Mr. HOLMAN] rose in his place as I suppose to ask some explanation; and I was about to give it.

The explanation of adding the $5,000,000 is a very simple one. The amendment is offered by order of the committee, and is to add $5,000,000 to the $80,000,000 for invalid pensions; this action being based upon a communication which was received by the committee from the Commissioner of Pensions, which I propose to have read as a full explanation of why we come in here asking this additional $5,000,000. I send up this communication from the Commissioner of Pensions made through the Secretary of the Interior, and ask that it be read.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR, *Washington, January* 8, 1883.

Chairman Committee on Appropriations, House of Representatives:

SIR: I have the honor to inclose a letter from the Commissioner of Pensions, giving, in response to a request from your committee, the balances of army and navy pensions that will probably remain unexpended on the 30th day of June next.

Very respectfully,

H. M. TELLER, *Secretary.*

DEPARTMENT OF THE INTERIOR, PENSION OFFICE,
Washington, D. C., January 8, 1883.

SIR: I have received a letter from Mr. Robert J. Stevens, clerk of the Committee on Appropriations of the House of Representatives, dated the 6th instant, requesting to be informed of my "largest estimate of what balances will be unexpended on the 30th day of June next for army pensions, &c.; also what for navy pensions," and in answer thereto I have the honor to state that had the increased clerical force now nearly educated and at work been provided for, appointed, and educated early enough to have made it available for the full fiscal year, from June 30, 1882, to June 30, 1883, as it was expected it would be, the appropriations made for the year would have been entirely exhausted. As it is, however, the new force was, for practical purposes, not appointed and educated until about December 1, 1882, and will be effective for less than two-thirds of the year. Hence, as near as I can now estimate, there will be the following unexpended balances June 30, 1883: Army pensions, $15,000,000; navy pensions, $800,000; a total of $15,800,000.

I am, sir, very respectfully,

W. W. DUDLEY,
Commissioner of Pensions.

Hon. HENRY M. TELLER,
Secretary of the Interior.

Mr. O'NEILL. Mr. Chairman, I simply wish to state to the committee if these letters have been listened to the committee will appreciate the reasons for offering this amendment. It is simply because there will be, it is supposed, an unexpended balance of $15,800,000 on the 30th of June of this current fiscal year. The committee desire to reappropriate this $15,800,000, which, with the sum now appropriated, will amount very nearly to the estimate made by the Commissioner of Pensions through the Secretary of the Interior of one hundred and one millions and odd for pensions for the ensuing fiscal year ending June 30, 1884.

Mr. BLACKBURN. Now, if the gentleman from Pennsylvania [Mr. O'NEILL] has furnished his explanation of the bill, I desire to call the attention of the committee to one fact. I am not going to criticise at all the action of the Committee on Appropriations on this pension appropriation bill. I am not going to complain because the committee has made no effort to correct the abuses that exist in the matter of pensions in this country.

It has been before stated, on the authority of the then Commissioner of Pensions, supported by proof that was unquestioned and furnished in his own report, that there is not a bureau of this Government in which so many abuses exist as in this Pension Bureau. It results necessarily from the application of the law.

The Government is not represented at all in the applications for pensions. No counsel appears for the Government; no cross-examination of witnesses is had; no testimony is taken on the part of the Government, no judicial tribunal passes upon the claim of the applicant for a pension. It is based simply upon *ex parte* affidavits.

The Commissioner of Pensions preceding the present incumbent of that office showed to this House and to the country that he had cut off $218,000 in one fiscal year, which was being paid annually upon forged and fraudulent papers to parties no more entitled under the law to a pension than I am myself to-day. I am not going to complain of the Committee on Appropriations for seeking to provide no remedy for these evils; but I want to call the attention of this Committee of the Whole House to the fact.

The amendment offered by the gentleman from Pennsylvania in charge of this bill [Mr. O'NEILL] proposes to raise the aggregate sum for the purpose of invalid and other pensions to $85,000,000. That amendment is right as far as it goes. The question is whether it goes far enough or not.

The letter from the Commissioner of Pensions which has just been read shows that the amount estimated by him as needed for the payment of pensions during the next fiscal year is $101,750,000. This bill proposes to appropriate $85,000,000 for that purpose, and to reappropriate the unexpended balance that shall be on hand at the end of the present fiscal year.

The Committee on Appropriations called upon the Commissioner of Pensions to inform them what in his judmgent would be the amount of the unexpended balance at the end of the present fiscal year. If members of the Committee of the Whole will look at the letter sent by him in reply to that interrogatory they will find that it is predicated upon approximate estimates, which he himself in candor and in fairness describes as the largest estimate that he has made.

One half of the present fiscal year has gone. Of course the Commissioner can not tell exactly what will be left unexpended at the end of this fiscal year. But he reports to us that the largest estimate of unexpended balances that he has made or can make fixes the amount at $15,800,000.

Now, the bill that is before you proposes to subtract that largest possible estimate of unexpended balance from the estimates made by the Commissioner of Pensions of the amount needed for the next fiscal year, and to appropriate for that purpose the remainder. It is utterly impossible for the Commissioner of Pensions to tell precisely the amount of money which shall be left on hand at the end of this fiscal year; and it follows inevitably that for whatever amount his estimate shall vary from the actual unexpended balance this bill will necessitate a deficiency; that of necessity must come.

Now, we had as well be frank with each other. We are appropriating for pensions by this bill to-day only that amount of money absolutely necessary to pay the pensions for the next fiscal year, predicated upon the very largest estimate that the Commissioner of Pensions can possibly make as to what he will have on hand on the 30th day of June next.

If such an accident should occur that he should guess exactly, and then another accident should supplement it that he guess it on the largest and most liberal estimate he could make, then there will be no deficiency. But all these contingencies must occur upon the statement of the Commissioner of Pensions which has just been read to this committee or such a deficiency must inevitably happen. I call attention to that fact.

Mr. BLOUNT. Before the gentleman takes his seat I would like to ask him a question.

Mr. BLACKBURN. Certainly.

Mr. BLOUNT. I desire to know whether we may, in the next year or two years, look for any considerable abatement of the large sums to be appropriated under the arrearages act?

Mr. BLACKBURN. The Commissioner of Pensions told us that for the present fiscal year it would require $100,000,000 of money, and that for the next fiscal year it would require $150,000,000, but that after that time, in his judgment, a decrease in appropriations for pensions would occur.

He explains by his letter read here that the $150,000,000 will not be needed for the next fiscal year, and he assigns his reasons. It is because of the want of organization, discipline, and training of the seven hundred or eight hundred additional clerks given to the Pension Office by this Congress at the last session for at least one-third of this fiscal year. On the information furnished us by the Pension Bureau I do not believe that any diminution of pension appropriations can reasonably be expected for at least two years to come; but, on the contrary, an increase at least for the next year after the one for which we are now appropriating.

Mr. BLOUNT. But after that time is there any indication that there will be any very considerable reduction in the third year or the fourth year from this?

Mr. BLACKBURN. If we are to take the opinion of the Commissioner of Pensions, after the maximum, which he puts at $150,000,000 annually, shall have been reached, then a very decided reduction is to be anticipated. Of course under the influence of natural causes the pension appropriations will grow less and less with each succeeding year. But it has not reached the maximum as promptly as the Commissioner expected, for he said it would be $150,000,000 for the next year.

Mr. BLOUNT. The particular point I had in mind was what the arrearage act called for.

Mr. BLACKBURN. The arrearage act, it is believed——

[Here the hammer fell.]

Mr. O'NEILL. Mr. Chairman, in the consideration of this bill I think it should be assumed that the whole aim of the Commissioner of Pensions, and joining with him the Committee on Appropriations, has been to do away so far as possible with any abuses which may have existed in the Pension Office. I do not understand that the gentleman from Kentucky means to intimate anything against the Commissioner personally in this respect. The whole aim of the committee has been to aid the Commissioner in his desire to make the administration of his office exceedingly and exceptionally efficient.

It does not argue against the Commissioner of Pensions because he may have said formerly, prior to the passage of the pension appropriation act of last year, that he might be able to use $150,000,000 in the fiscal year ending June 30, 1884. It is no argument against him or against his manner of conducting his office that it is proved he can not use $150,000,000 within the coming fiscal year. Why, sir, we should give credit to the Commissioner for stating, as he has done, openly and publicly (and it is on record through his letter which has been read), that he supposes there may be a balance of $15,800,000 unexpended at the end of this fiscal year. The Committee on Appropriations seeks to give the Commissioner of Pensions what it is believed can be properly expended in the next fiscal year, which is about $100,000,000. The unexpended balance of $15,800,000 added to the $86,000,000 really appropriated by this bill will make over $101,000,000, nearly $102,000,000, for the payment of pensions for the next fiscal year.

Mr. BLOUNT. Will the gentleman allow me to ask him a question for information?

Mr. O'NEILL. Yes, sir.

Mr. BLOUNT. I would like to know whether any estimate has been made as to the amount which will be necessary hereafter to meet the requirements of the arrearage act?

Mr. O'NEILL. Yes, sir.

Mr. BLOUNT. How much is it?

Mr. O'NEILL. I can not refer the gentleman to the figures at this moment, but I will turn to them directly.

Mr. Chairman, the force of clerks which we allowed to the Pension Office in the last act making appropriations for legislative, executive, and judicial expenses, was not organized until within the last two or three months so as to be effective. Hence during the first six months of the present fiscal year the expenditures of the Commissioner of Pensions amounted to about $36,000,000, leaving unexpended upon the 1st of January $64,000,000 in round numbers. I do not believe it possible—and certainly I do not desire to see rendered necessary in the next Congress the passage of a deficiency bill. I do not believe it possible to expend in that office during the remainder of the fiscal year more than the $64,000,000 unexpended.

Mr. McMILLIN. I will ask my friend from Pennsylvania whether it is not the fact that when the Commissioner of Pensions asked for increased clerical force during the last session of Congress he stated that in view of this increase there would be required an appropriation of $100,000,000 for pension purposes for the fiscal year ending June next; $150,000,000 for the fiscal year ending June 30, 1884, and $100,000,000 for the fiscal year ending June, 1885?

Mr. O'NEILL. I will answer that question. Congress did not adjourn last year until the 8th day of August, as we well know. The fiscal year had closed some five or six weeks before. This increased force was not appointed until some months after the adjournment of Congress, and it did not get properly to work until about the 1st of last December. Those who had been in the office for years—experts in the business of the office so to speak, examiners and other—were obliged to educate up to their work the new appointees who came into the office a few months ago. Hence the work of the office was to a great extent crippled. But now, starting from the 1st day of January, or possibly from the 1st day of February, this full force will be doing effective work; and there will be settled in the Pension Office from 5,000 to 6,000 claims monthly as against 2,300 or 2,400 settled monthly prior to the increase of force. Even during the month of December last nearly 3,000 original invalid claims were settled.

Gentlemen must remember that the claims which are now being settled are the most difficult to settle. The older claims, claims not presented until years after the war and years after the wounds or disability, are more difficult of examination in reference to the proof. Hence the result of the labors of this great force is not at present so apparent as it would have been under ordinary circumstances.

As to the question of examination, to which the gentleman from Kentucky [Mr. BLACKBURN] has referred, no case is now settled that does not undergo an examination into the various details. And pension claimants complain their cases are not soon settled. They can not be settled so soon, because, under the wise administration of the present Commissioner of Pensions, a case must be proved almost as you prove it in court. An examiner is sent to the neighborhood, he sends for witnesses and for the claimant, and the testimony is not now taken *ex parte*, if it may have been done so prior to the appointment of the examiners allowed by the bill of last year. The testimony is not now *ex parte*, and the pension claimant has to prove his case almost as a case is proved in a court of justice.

[Here the hammer fell.]

Mr. ATKINS. I move to strike out the last word. Now, Mr. Speaker, there seems to be apprehension on the part of some of the members, as evidenced by their interrogatories, that there will be a deficiency for pensions at the next session of Congress. I have no doubt there will be a deficiency. The statement made a moment ago by the gentleman

from Kentucky [Mr. BLACKBURN], my colleague on the Committee on Appropriations, shows that there will be a deficiency. This force was increased at the last session of Congress 816 clerks in the Pension Office. They had 743 already. That makes 1,559 clerks, based on the idea of $100,000,000 of appropriation at the last session of Congress, one hundred and fifty millions at this session of Congress for the fiscal year 1884, one hundred and fifty millions for the fiscal year ending June 30, 1885, and then a reduced amount, whatever it might be. We now appropriate eighty-five millions and reappropriate fifteen millions, making $100,000,000 for this year 1884, instead of one hundred and fifty millions, as stated by the Commissioner would be necessary, and for which 816 additional clerks were granted. On that statement of facts there can be little doubt in any gentleman's mind that there will be a heavy deficiency.

Mr. TOWNSHEND, of Illinois. Why not appropriate enough to avoid that?

Mr. ATKINS. That is a pertinent inquiry. Now, I want to say, so far as I am concerned, in reply to a remark of the gentleman from Pennsylvania, which I overheard, and which, perhaps, it is impolite in me to mention, so far as I am concerned I have never seen the hour I was not willing to appropriate every dollar necessary to pension the soldiers of the American Union under the laws of Congress. I am willing to appropriate every dollar necessary, never mind how much, and as I stated before, I would not respect a Government that would not provide for its crippled and maimed soldiers.

But, sir, that is not the question. There should be no partisanship about it, nor is there any necessity for the exhibition of patriotism. I am as patriotic as the gentleman from Pennsylvania. [Mr. BUTTERWORTH rose.] I have the floor for five minutes.

Mr. BUTTERWORTH. I wish to call the attention of the gentleman from Tennessee to this fact, whether it is not true in the investigation of pension cases that they have not been disposed of as rapidly as was anticipated by this House?

Mr. ATKINS. Yes, that is true.

Mr. BUTTERWORTH. In point of fact is it not so?

Mr. ATKINS. I am not indicating or wishing to be understood as criticising the Administration; I am not criticising the Commissioner of Pensions. I regard him as an honest and intelligent man, and I am glad to be able to pay that tribute to him.

Mr. BUTTERWORTH. What I wish to have stated is that these pension cases have not been disposed of as rapidly as was anticipated when this increase of force was asked for.

Mr. ATKINS. That is true. I admit they have to be trained. But, sir, I say now, with due deference to the Commissioner of Pensions and to the Committee on Appropriations, that with 816 additional clerks, based on the assumption $150,000,000 would be appropriated for 1884 and 1885, it does seem to me, as a legitimate conclusion, that force either ought to be cut down or the appropriation increased.

[Here the hammer fell.]

Mr. HISCOCK. Mr. Speaker, some remarks made by the gentleman from Kentucky [Mr. BLACKBURN] would indicate that the Committee on Appropriations should have attached to this bill some legislation providing for a more thorough investigation of pension claims. I think he said he did not find fault with the committee because it had not done so, but his remark implied we were in fault because it was not done. The House will remember at the last session of Congress we did place on this bill certain provisions of law formulated after careful and full consideration by the Committee on Pensions, and which in operation have had the effect to have these claims passed on, not in an *ex parte* manner, but to subject them to the closest criticism. I should have been most happy, and every member of the Committee on Appropriations I believe would have been glad, to have had the gentleman from Kentucky [Mr. BLACKBURN] or any other member of the committee present to its consideration any provision of law looking in the direction of a more thorough investigation of pension claims.

A single word in reply to the gentleman from Tennessee [Mr. ATKINS]. He prophesies there will be a deficiency for the next current year; that we have not provided a sufficient sum of money. I do not know that we have. I can only say that we have given the amount estimated by the Department. Every dollar that Department has designated we have given. I have never yet known any Department or any bureau of the Government making an underestimate, and I do not believe the Commissioner made an underestimate for the next fiscal year.

Mr. ATKINS. Will the gentleman allow me a word?

Mr. BLOUNT. May I ask the gentleman a question?

Mr. HISCOCK. One at a time. I yield to the gentleman from Tennessee [Mr. ATKINS] for a question.

Mr. ATKINS. I desire simply to say to the gentleman from New York that I think there will be a deficiency, it is true, but I do not mean to be understood as desiring to increase the appropriation. The point that I made was that the force was entirely too large for the amount of the appropriation.

Mr. HISCOCK. I now yield to the gentleman from Georgia for a question, and will reply to both at the same time.

Mr. BLOUNT. I simply desired to ask a question for information.

Mr. HISCOCK. Then I would suggest to the gentleman that he withhold his question for the present, until the gentleman from Pennsylvania takes the floor again.

I believe, Mr. Chairman, in answer to the remarks of the gentleman from Tennessee, that the increase of force in the Pension Office, in connection with the legislation of Congress at the last session, has had the effect, to a very great extent, of exposing and eliminating fraudulent claims; and while I am unprepared to give the figures, I can state this in a general way that the percentage of rejected claims under the present organization of the office is largely increased over what it has been before, and that the small amount which we have given for clerical force has resulted in the weeding out of a great many of these claims which might otherwise have been passed. I believe that the reason why the Commissioner of Pensions has been unable to expend the full appropriation this year is largely due to the fact that he based his estimates upon the allowance of more claims in proportion to the whole number examined than were actually allowed after the examination; and I believe that will be true with reference to the next fiscal year; and that under the legislation to which I have referred the percentage of claims disallowed will be largely increased, so that there will be a great saving to the Government in this matter.

Mr. O'NEILL. Mr. Chairman, the gentleman from Tennessee [Mr. ATKINS] stated erroneously, though not intentionally, as I understand him, the number of clerks that we authorized to be appointed under the legislative appropriation bill of last year. I understood his statement to be that there were about 1,500 or over. I ask him if I was correct in that understanding?

Mr. ATKINS. I stated that we had 743 originally, and had increased the force by 816, making a total of 1,559. I spoke from the record.

Mr. O'NEILL. That is right. I misunderstood the gentleman. But I simply want to say that in the neighborhood of 800 clerks were appointed in the Pension Office proper under the appropriation bill to which I have referred. There were also a number allowed in some bureaus of the War Department to aid in bringing forward this pension work; the total number so appointed being as stated by the gentleman from Tennessee.

Some gentlemen upon the floor, and the chairman of the committee among others, have expressed natural surprise as to why gentlemen are so anxious of making an appropriation of more millions of dollars than we know can be reasonably and properly expended during the course of the year. In answer, it can only be said that we appropriate all that we believe to be required for this service.

Mr. Chairman, as I have said before, there is no reason to complain of the Commissioner of Pensions because, on the ground I have stated, he has seen proper to make an estimate, when this matter was before us on another occasion, of $150,000,000 for the next year and probably $100,000,000 for the year following. He simply estimated that upon the basis of the increase of the business and force of the office up to that time. But he has not been able to make as much headway as was expected; and as a consequence the large amount he anticipated will not be necessary for the next year. On the basis of the present condition of the business, and making due allowance for any reasonable increase, he has made what he regards as a liberal estimate.

Now, we believe that the amount which I have suggested in this bill will be ample. All who read the clauses of the pension bill and the legislative appropriation bill of last year will see that the examinations in pension cases must be more thorough than they have been heretofore. There is scarcely a case that comes before the office that is allowed where a single doubt remains; and we all know by letters coming to us from pensioners in our districts how thorough and rigid the examinations are and what the requirements must be to pass the careful scrutiny of the office. There is no doubt allowed to be unsolved by the Commissioner of Pensions in this matter of the allowance of pensions; and the force of additional examiners all through the country has had a most wholesome effect in weeding out improper and fraudulent claims. So that now we are pruning these claims down to the closest principles of testimony, as we have it in our courts.

I think the Commissioner is to be commended for letting us know what he believes the balance will be at the end of the year. I do not think the committee can hesitate to pass this appropriation of $85,000,000, as I have recommended by authority of the committee.

Mr. BUTTERWORTH. May I ask the gentleman from Pennsylvania a question?

Mr. O'NEILL. Certainly.

Mr. BUTTERWORTH. Is it not a fact, and known to the gentleman in charge of the bill, that as cases become older, when the witnesses are dead and other difficulties occasioned by the lapse of time arise, that the investigation must be more thorough and necessarily requires more time, so that the progress is slower, although the force may be increased? I know that to be the fact from my own experience, and I ask the gentleman whether his experience bears out that impression?

Mr. O'NEILL. Necessarily so; and I have many letters from constituents and others wondering why delay occurs in settling their claims before the office. We all know the energy and thorough organization of the office under its present head, and the desire of the Commissioner of Pensions to expedite the claims of our soldiers. We know that the

whole feeling of the present Commissioner of Pensions goes out to the soldier who has lost a leg or an arm, or has been wounded or otherwise disabled by sickness or disease in the Army, and that no delay that he can possibly prevent will be permitted. He is ready and willing and anxious to settle the claims as rapidly as possible.

Mr. COBB. Mr. Chairman, I have not examined the facts upon which this appropriation bill is based; but I desire to say that I believe that the Pension Bureau has been conducted for the last two years with ability and efficiency. I have a large number of pensioners in my own district that receive information through me, which brings me in close communication with this bureau, which has given me an opportunity to learn much of its workings and the manner in which the business is performed, and I want to say that in my judgment it is conducted with great energy, skill, and ability, and I may add fairness to applicants for pensions. Since the additional force has been given that bureau I find that it moves on more rapidly, and in my judgment more carefully. Of course the new force given it needs training, and mistakes may occur. This is to be expected. But this force I trust will be more efficient soon.

As has been suggested by the gentleman from Ohio [Mr. BUTTERWORTH], many of the claims are getting old, the witnesses have died, and the evidence is very hard to get, and the labor and care thereby becomes largely increased in proportion. I know of my own knowledge that in the last year many special agents have been sent out to examine into such cases as were believed by the Commissioner to possess merit. And in this way many cases have been adjusted, doing justice to the applicant as well as the Government. Whether or not the service is overdone by having too many clerks I can not say, as I have not examined that question carefully. But I can say that the service is well performed, and in my judgment it is carefully and faithfully performed, consistent with the public service.

I know in my district cases that have been hanging for years where soldiers are invalids and are not able to make a support for themselves and families, those cases growing out, as I believe, of injuries received in the service. Some of those cases I tried very hard under a former administration of this bureau to get through; and I knew of my own knowledge some of them were right and proper and that pension certificates ought to issue; but it was not done. The present Commissioner, however, has settled some of these cases and he is going on in this direction, as I think doing his duty.

I say this bureau ought to be supplied with appropriations from the Treasury from time to time as will enable it to go forward and grant pensions wherever parties are entitled to them, because there are men all over the country to-day whose claims are now pending that should be speedily adjusted. I know there are men in my district where witnesses have died and who I firmly believe are entitled to pensions. They are afflicted; they are unable to labor; their families need the money, and they ought to have it if a careful examination of their cases entitle them to it; and it would be unjust in Congress, it would be unjust in this Government to not grant the necessary force and the necessary money to compensate these men who have fought under the flag and defended it and their country.

Congress ought to appropriate all the money that is necessary to carry out the provisions of the law and to give to the present Commissioner of Pensions such assistance as is necessary to enable him to go on, as I believe he will, and perform his duty honestly, faithfully, and efficiently.

The CHAIRMAN. The question is on the adoption of the amendment proposed by the gentleman from Pennsylvania [Mr. O'NEILL].

The amendment was adopted.

Mr. LYNCH. I offer the amendment which I send to the desk.

At the end of line 17, add the following:

That the act of March 3, 1873, entitled "An act to place colored persons who enlisted in the Army on the same footing as other soldiers as to bounty and pension," be, and the same is hereby, so construed as to extend to and include the heirs of such soldiers in their claims for military service; and the accounting officers of the Treasury are hereby authorized and directed to readjust the claims of such heirs as may have been denied the full benefit of said act. And a sufficient sum to pay said claims is hereby appropriated.

Mr. O'NEILL. I will have to make the point of order on that amendment. There is a bill now, as I understand, in the Committee on Invalid Pensions designed to accomplish this object; and besides it is new legislation.

The CHAIRMAN. Does the gentleman from Mississippi desire to address the Chair on the point of order?

Mr. O'NEILL. I would be very glad personally if that provision could go into the bill; but it is impossible to admit it, the point of order is so palpable.

Mr. LYNCH. I think there is no such bill as the gentleman refers to now pending before the House.

Mr. O'NEILL. There is a bill I believe before the Committee on Invalid Pensions on that subject.

Mr. LYNCH. A bill of this kind was introduced into the previous Congress, but I think not into this.

Mr. O'NEILL. It changes existing law and hence is not in order. I will say to the gentleman from Mississippi that I am in harmony with him in this matter. I would like to see a law of this kind passed. The gentleman will have ample time to have this presented by one of the Senators, and if put on in the Senate it will probably be agreed to by the House.

Mr. HISCOCK. I do not want it to be understood that we make any pledge of that kind.

Mr. O'NEILL. I merely say so for myself, not for the Committee on Appropriations.

Mr. JOYCE. I would like to say for the information of the gentleman from Mississippi [Mr. LYNCH] that the bill referred to is now before the committee of which I am chairman, the Select Committee on Pensions, Bounty, and Back Pay, and will be reported favorably to the House probably within a week or two, just as soon as we can get a quorum of the committee together. It is precisely the bill which has been referred to.

Mr. LYNCH. I am aware a bill of this kind was introduced in the previous Congress.

The CHAIRMAN. The gentleman from Vermont says the identical bill is before his committee.

Mr. LYNCH. I was not aware such a bill had been introduced in this Congress. Nevertheless it is not subject to the other point if it is to this. It is perfectly germane, as I think I could show the Chair.

The CHAIRMAN. But if it is subject to the other point of order that is enough.

Mr. LYNCH. I think the gentleman from Vermont would not object to this proposition being made a part of this bill.

Mr. JOYCE. Certainly not; I would not object.

Mr. LYNCH. And I think it ought to be made a part of this bill; for that is the only way we can ever get it through. Even if it is reported and passed by the House, in my judgment it will not become a law. But if it is made a part of an appropriation bill it will become law. I think nobody will object to it on its merits. Then why not put it here? I think it ought to be made a part of this bill in order to secure what we all admit ought to be done. If it is right, if it is just, if it is equitable, why not do it in this way? I see no objection to it, and I think it ought to be put on this appropriation bill.

The CHAIRMAN. Is the point of order insisted upon?

Mr. O'NEILL. It is.

The CHAIRMAN. The Chair sustains the point of order.

Mr. O'NEILL. I wish the gentleman from Mississippi [Mr. LYNCH] had asked authority of the House for the Committee on Appropriations to incorporate the provision he indicates in this bill, because I myself favor it personally, although I do not know what may be the views of my colleagues on the Committee on Appropriations. Under the instructions of the committee I must insist upon the point of order.

The CHAIRMAN. The Chair has sustained the point of order.

Mr. HEWITT, of Alabama. I desire to offer an amendment, simply for the purpose of making an inquiry. I do not know whether I shall insist on the amendment or not, until I learn what is the practice of the Pension Bureau.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

After line 17 insert the following:

"No pension for disability shall be hereafter granted under the provisions of the arrears-of-pensions act, approved January 25, 1879, for any period before such disability occurred.

Mr. HISCOCK. I make the point of order on that amendment.

Mr. O'NEILL. The same point of order must be made on that as on the other amendment.

Mr. HEWITT, of Alabama. I would like to know what the point of order is.

Mr. O'NEILL. It is a change of existing law.

Mr. JOYCE. I would like to ask the gentleman from Alabama [Mr. HEWITT] what he means by that amendment.

Mr. RYAN. I would like some explanation of it.

Mr. JOYCE. I do not understand that any pension is granted under the arrears act to commence previous to the disability.

Mr. HEWITT, of Alabama. The law says that in all cases where a pension is granted under the arrears-of-pensions act the pension shall date, not from the time of the disability, but from the date of the discharge of the soldier; that is what the law says in plain terms.

Mr. JOYCE. Discharged because of the disability.

Mr. HEWITT, of Alabama. Ah, but all the applicant has to show is that the disability arises from a wound received or a disease contracted while in the service. When that wound or that disease develops into a disability the party is entitled to a pension.

A man may have been wounded in the service, and for ten years after he is discharged he may have been practically a sound and able-bodied man; but afterward that wound may develop into a disability, and under the arrears-of-pensions act, if the law is literally construed, the pension dates, not from the time when the wound disabled him, but from the time when he was discharged from the service.

It is to meet just such a case as that that I have offered the amendment. I have been told by some gentlemen that the practice of the bureau is to grant a pension, not from the time of the discharge of the soldier, but from the time the proof showed that the disease or the wound disabled him. If that is the fact, then my amendment is not necessary. But suppose that is not the fact, and that the Department holds, under

the law, that if the disability occurs ten years after he received the wound he is entitled to a pension; that is what the language of the arrears act would justify.

Mr. O'NEILL. There is a time for that question to come up; not here.

Mr. HEWITT, of Alabama. The law declares that he shall be entitled to the pension from the time of his discharge, whether he was disabled at that time or not. The arrears act says that the pension shall date, not from the time the man was disabled, but from the time he was discharged. The pension is bottomed alone on the ground that he was disabled and that the disability resulted from the wound or disease contracted in the service.

Mr. RYAN. I wish to ask the gentleman a question.

Mr. HEWITT, of Alabama. Certainly.

Mr. RYAN. I wish to ask the gentleman whether under the practice of the Department a pensioner is not required to show the degree of disability year by year for every year that he is paid a dollar, and there must be absolute proof of it before a dollar is paid him?

Mr. HEWITT, of Alabama. I do not know what the practice of the Department is.

Mr. RYAN. I do.

Mr. HEWITT, of Alabama. I introduced this amendment in order to find out. I know what the law declares. My opinion is that if a man applies under the arrears-of-pensions act for a pension, and shows that at the time he made his application he was disabled from the wound received or disease contracted in the service, he is entitled to his pension from the time he was discharged, although that wound or that disease may not have disabled him for ten years after he was discharged from the service.

Mr. O'NEILL. The gentleman has had great experience as a member of the Committee on Pensions. I wish he would save this point and let it come up on another bill. It can not be put on this bill under the point of order.

Mr. SPARKS. The arrears-of-pensions act as it now stands means simply this: that all those meritorious claimants who did not obtain their pensions when they were entitled to them, who were cut out by limitation laws, or who have been delayed from one cause or another in obtaining them, should when they obtain them receive just the amount of money and in all things be placed in precisely the same position of those of a similar class who had applied for and received their pensions at the time when all were entitled to them.

The provision of the pension laws grading the arrears in classes by the Commissioner of Pensions was incorporated on my motion in the arrears-of-pensions appropriation bill, introduced by me at the second session of the Forty-fifth Congress. I have no time now to discuss it; but the purpose of it was that the pension should relate back to the period when the pensioner became entitled thereto and that he should receive the same amount of money and no more as other pensioners of the same class who had applied and received theirs in due time. In other words, that arrears of pensions should be graded according to pensions already issued to others of the same class of disability, grading from period to period as the disability increased. This was a very material amendment of the original act, or what is popularly known as the Rice bill, and, in my judgment, not only put all the pensioners upon a perfect equality, but has and will save to the Government more than $100,000,000.

But the purpose of the original arrears act and the amendatory act to which I refer was simply to put the pensioners who were entitled to receive such arrearages in the same relation as to pay as those who obtained theirs in due time, and in no sense to change nor attempt to change the law then existing as to the time when any or all pensions should begin to run.

To illustrate the operation of this act and the amendment we will instance a case of a pensioner who applied for and received his pension from the beginning upon a disability then entitling him to a pension.

At the rate of $4 per month, increasing age increased the extent of the disability, so that perhaps in three or four years the pension is increased to $8 a month, and in three or four years more the same increasing disability may bring it up to $12, and in three or four years more to $61 per month, &c. Now, under the Rice bill a claimant of the same class of disability as the one just mentioned, obtaining his pension at the time when the disability had run the former up to $16 per month, would go back for arrears at that rate ($16 per month) to the beginning, which would give him about twice as much money as the first-mentioned pensioner, who had been prompt in obtaining his pension when he was entitled to it under the law. This would be evidently unjust to pensioners and to the Government. My amendatory clause in the arrears appropriation act heretofore referred to cured this defect by authorizing the Pensions Commissioner to classify the pensioners and grade the rate of payment of the arrears to those entitled to it according to the degree of disability of those who had already received pensions of the same class and who had been increased from time to time, &c.

But there was in all this no change of the law, as I remember, with respect to the date at which a pension should begin.

Mr. CASWELL. The gentleman will allow me to call his attention to the fact that the law of 1879 construing the arrears-of-pensions act contains this provision:

That in no case shall arrears of pension be allowed and paid from a time prior to the date of the actual disability.

Mr. SPARKS. Precisely; that fixes actual disability as the ultimate period. I had lost sight of that act.

Mr. CASWELL. That is the provision of the act of 1879 construing the law of 1878.

Mr. SPARKS. Yes, it is very plain, and makes the amendment offered by the gentleman from Alabama quite unnecessary. But my purpose was mainly to explain the character of and operations under the arrears act as it now stands. There is no law upon the statute-book involving so much of interest to the whole people and so large an annual expenditure of public money as this, which is so wonderfully misunderstood, and none so eminently just which has been so flagrantly misrepresented. It may be abused in its execution, doubtless is, but that is not the fault of the law.

Mr. HEWITT, of Alabama. I withdraw my amendment.

The Clerk read as follows:

For fees and expenses of examining surgeons, $275,000.

Mr. O'NEILL. I am directed by the Committee on Appropriations to offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "dollars," at the end of line 31, add the following:
"And of this sum $50,000 shall be immediately available."

The amendment was agreed to.

The Clerk read as follows:

For pay and allowances of pension agents for salary, fees for preparing vouchers, rent, fuel, lights, and postage on letters to the Executive Departments and to pensioners, $290,000.

Mr. FROST. I move to amend by adding to the paragraph just read the proviso which I send to the desk.

The Clerk read as follows:

Provided, That in every county and city in the United States a list containing the names of all pensioners residing in said cities and counties shall be placed in a conspicuous place in the post-offices situated in said cities and counties.

Mr. O'NEILL. I must raise a point of order on that amendment.

Mr. HISCOCK. It is new legislation and increases expenditures.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HOLMAN. In order to make an inquiry of the gentleman from Pennsylvania [Mr. O'NEILL], I move to amend by striking out the last word of the pending paragraph. In providing that $50,000 of the appropriation for fees and expenses of examining surgeons shall be immediately available is it the understanding that there is a deficiency of that amount for this year?

Mr. O'NEILL. No, sir; it does not mean that there is a deficiency of that amount; but these examinations are now progressing so rapidly (and this is to some extent an answer to what was said a while ago by the gentleman from Kentucky) that it is desirable $50,000 of the appropriation be made at once available so as to bring the examinations to a close as far as possible before the end of the present fiscal year.

Mr. HOLMAN. But does not my friend see that the same causes for rapidity in the examination of these claims will continue straight along for a year, perhaps two years, to come?

Mr. O'NEILL. I understand from the Commissioner of Pensions, and from the workings of the office just now, that it is very desirable to have these examinations made as rapidly as possible. That is the object the Commissioner is trying to bring about.

Mr. HOLMAN. Certainly that is very desirable; but as we have not reached, and I certainly shall not reach for two years to come, a point when the pension-list will begin to decline, and as we are required to appropriate for the present fiscal year $300,000 for this item, instead of $250,000——

Mr. O'NEILL. Not necessarily.

Mr. HOLMAN. It is quite clear that $300,000 will be required for the next year.

Mr. O'NEILL. It is not quite so clear as the gentleman thinks; that is to say, it is not clear in the mind of the Commissioner; but it is clear to my mind, and I think to the minds of members of the committee, that we must hurry on with this examination——

Mr. HOLMAN. Certainly.

Mr. O'NEILL. I do not mean that they should be hurried in such a way as to cause them to be improperly made; but we must bring these examinations to a close as rapidly as possible. We are approaching a time when the amount necessary to be appropriated for pensions will be reduced from year to year.

Mr. HOLMAN. But as we require $300,000 for this item for the present year, and as it is quite clear the number of cases to be disposed of next year will be as large as those disposed of in this year, and therefore $300,000 will be required for the next year, I think it is just as well to appropriate the sum required. I withdraw the *pro forma* amendment.

The Clerk read as follows:

For contingent expenses of pension agencies, $10,000.

Mr. BROWNE. I move to amend by adding to the paragraph last read the provision which I send to the desk.

The Clerk read as follows:

That all pensions and arrears of pensions payable or to be paid to pensioners who are or may become inmates of the National Home for Disabled Volunteer Soldiers shall be paid to the treasurer of said home——

Mr. O'NEILL. The Clerk need not read any further. I make the point the amendment is not in order. It is new legislation.

Mr. HISCOCK. We put on the last sundry civil appropriation bill in reference to those soldiers precisely the legislation the gentleman from Indiana indicated. And I say now we will again put it on in the sundry civil bill when reported to the House. And if in any way he desires to have it amended we will consult with him in regard to the amendment at that time.

Mr. BROWNE. I am entirely willing with that understanding to withdraw my amendment.

Mr. O'NEILL moved that the committee rise and report the bill and amendments to the House.

The motion was agreed to; and the Speaker having resumed the chair, Mr. REED reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the bill H. R. 7193, making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1884, and for other purposes, and had directed him to report the same back to the House, with sundry amendments in which concurrence was requested.

The amendments were agreed to.

Mr. O'NEILL moved to reconsider the vote by which the amendments were agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The SPEAKER. This being a general appropriation bill, under the rules the vote on its passage must be taken by the yeas and nays.

The question was taken; and it was decided in the affirmative—yeas 176, nays 3, not voting 110; as follows:

YEAS—176.

Aldrich,	Davis, Lowndes H.	Le Fevre,	Ryan,
Anderson,	Dawes,	Lewis,	Scranton,
Atherton,	Deering,	Lindsey,	Shallenberger,
Atkins,	De Motte,	Lord,	Sherwin,
Barr,	Dibrell,	Lynch,	Shultz,
Bayne,	Dingley,	Mackey,	Simonton,
Beach,	Dowd,	Marsh,	Singleton, J. W.
Belford,	Dunn,	Matson,	Skinner,
Belmont,	Ellis,	McCoid,	Smalls,
Berry,	Ermentrout,	McCook,	Smith, A. Herr
Bingham,	Evins,	McKenzie,	Smith, Dietrich C.
Bisbee,	Farwell, Sewell S.	McLean, Jas. H.	Sparks,
Blackburn,	Flower,	McMillin,	Spaulding,
Bland,	Forney,	Miles,	Spooner,
Blount,	Frost,	Miller,	Springer,
Bowman,	Garrison,	Mills,	Steele,
Bragg,	Geddes,	Moore,	Stockslager,
Brewer,	Godshalk,	Morey,	Stone,
Briggs,	Guenther,	Morse,	Strait,
Browne,	Hall,	Moulton,	Taylor,
Buchanan,	Hammond, N. J.	Murch,	Thomas,
Burrows, Julius C.	Hardenbergh,	Mutchler,	Thompson, P. B.
Burrows, Jos. H.	Harmer,	Neal,	Thompson, Wm. G.
Butterworth,	Harris, Benj. W.	Nolan,	Townsend, Amos
Caldwell,	Haseltine,	Norcross,	Townshend, R. W.
Calkins,	Hatch,	O'Neill,	Turner, Henry G.
Campbell,	Heilman,	Page,	Tyler,
Carpenter,	Hepburn,	Parker,	Updegraff,
Cassidy,	Hiscock,	Payson,	Upson,
Caswell,	Hitt,	Peelle,	Valentine,
Chapman,	Holman,	Peirce,	Van Aernam,
Clardy,	Horr,	Pettibone,	Wadsworth,
Clark,	Hubbs,	Phister,	Walker,
Cobb,	Jacobs,	Pound,	Ward,
Converse,	Jadwin,	Prescott,	Warner,
Covington,	Jones, George W.	Ranney,	Watson,
Cox, William R.	Jones, Phineas	Reed,	Webber,
Cravens,	Joyce,	Rice, Theron M.	West,
Culberson,	Ketcham,	Rice, Wm. W.	White,
Cullen,	Klotz,	Rich,	Williams, Chas. G.
Curtin,	Lacey,	Ritchie,	Williams, Thomas
Cutts,	Ladd,	Robinson, Geo. D.	Willis,
Davidson,	Latham,	Robinson, Jas. S.	Willits,
Davis, George R.	Leedom,	Rosecrans,	Wilson.

NAYS—3.

Clements,	Money,	Turner, Oscar.

NOT VOTING—110.

Aiken,	Cannon,	Dunnell,	Harris, Henry S.
Armfield,	Carlisle,	Dwight,	Haskell,
Barbour,	Chace,	Erreit,	Hazelton,
Beltzhoover,	Colerick,	Farwell, Chas. B.	Henderson,
Black,	Cook,	Fisher,	Herbert,
Blanchard,	Cornell,	Ford,	Herndon,
Bliss,	Cox, Samuel S.	Fulkerson,	Hewitt, Abram S.
Brumm,	Crapo,	George,	Hewitt, G. W.
Buck,	Crowley,	Gibson,	Hill,
Buckner,	Darrall,	Grout,	Hoblitzell,
Cabell,	Deuster,	Gunter,	Hoge,
Camp,	Dezendorf,	Hammond, John	Hooker,
Candler,	Dugro,	Hardy,	Houk,
House,	McKinley,	Richardson, J. S.	Urner,
Hubbell,	McLane, Robt. M.	Robertson,	Vance,
Humphrey,	Morrison,	Robeson,	Van Horn,
Hutchins,	Mosgrove,	Robinson, Wm. E.	Van Voorhis,
Jones, James K.	Muldrow,	Ross,	Wait,
Jorgensen,	Oates,	Russell,	Washburn,
Kasson,	Pacheco,	Scales,	Wellborn,
Kelley,	Paul,	Scoville,	Whitthorne,
Kenna,	Phelps,	Shackelford,	Wise, George D.
King,	Randall,	Shelley,	Wise, Morgan R.
Knott,	Ray,	Singleton, Otho R.	Wood, Benjamin
Manning,	Reagan,	Smith, J. Hyatt	Wood, Walter A.
Martin,	Reese,	Speer,	Young.
Mason,	Rice, John B.	Talbott,	
McClure,	Richardson, D. P.	Tucker,	

So the bill was passed.

During the roll-call the following pairs were announced from the Clerk's desk:

Mr. CORNELL with Mr. BLACK.

Mr. SPAULDING with Mr. JONES of Arkansas.

Mr. RICHARDSON, of New York, with Mr. RICHARDSON, of South Carolina.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. HENDERSON with Mr. BENJAMIN WOOD.

Mr. URNER with Mr. MCLANE of Maryland.

Mr. MASON with Mr. KENNA.

Mr. DARRALL with Mr. TALBOTT.

Mr. WASHBURN with Mr. REAGAN.

Mr. HOUK with Mr. ROSS.

Mr. FISHER with Mr. ROSECRANS.

Mr. SMITH, of New York, with Mr. HUTCHINS.

Mr. CANDLER with Mr. HOBLITZELL.

Mr. HAMMOND, of New York, with Mr. HEWITT, of New York.

Mr. WAIT with Mr. KING.

Mr. ROBESON with Mr. HERBERT.

Mr. BUCK with Mr. AIKEN.

Mr. CAMP with Mr. MARTIN.

Mr. FARWELL, of Illinois, with Mr. SHACKELFORD.

Mr. ROSECRANS. I am paired with Mr. FISHER, but as he and I are in favor of this bill I have voted in the affirmative.

Mr. SPAULDING. I am paired with Mr. JONES, of Arkansas, on political questions, but not regarding this as of that character I have voted.

The vote was then announced as above recorded.

Mr. O'NEILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN BAILEY.

Mr. MURCH. I submit the following privileged resolution.

The Clerk read as follows:

That the select committee of the House of Representatives in relation to the charges against John Bailey, Chief Clerk of this House, be instructed to inquire whether said Bailey has at any time attempted to influence legislation in this House for the benefit of the Washington Gaslight Company.

Mr. MURCH. I offer this resolution because I am desirous there should be an exhaustive and thorough investigation.

Mr. REED. We reserve objection.

Mr. MURCH. I understand the resolution passed the other day is limited and would not cover one result we want to get. And I offer this subsequent one for the purpose of making this investigation thorough and exhaustive, and either establishing the charges or proving the innocence of this man in respect to this matter. I therefore call for a vote upon it.

The resolution was agreed to.

Mr. MURCH moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 6627) to authorize the establishment of a free public highway in the District of Columbia;

A bill (H. R 1698) for the relief of the heirs of Peter Gallagher; and

A bill (H. R. 3506) amending sections 1926 and 1927 of the Revised Statutes so as to extend the limits of the jurisdiction of justices of the peace in the Territories of Washington, Idaho, and Montana.

ORDER OF BUSINESS.

Mr. WHITE. I now call up the regular order, the unfinished business.

Mr. BUTTERWORTH. I desire unanimous consent to take from the Speaker's table House bill 5656 with Senate amendments——

Mr. WHITE. I object.

Mr. BUTTERWORTH. Well, wait a moment and let me make my request.

Mr. HISCOCK. I call for the regular order.

Mr. WHITE. I have no objection to having the bill read. I ask that the gentleman from Ohio may be allowed to have this bill read.

Mr. BUTTERWORTH. I do not care to have it acted upon.

Mr. WHITE. I ask that it be read without debate.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the table the bill which he has indicated.

Mr. WHITE. I ask that it be read without debate.

Mr. BUTTERWORTH. I have no objection to its being read. It is a Senate amendment to the House bill.

Mr. ANDERSON. I object.

Mr. HISCOCK. I rise to make a privileged motion.

Mr. WHITE. I reserve the point of order on this bill.

The SPEAKER. Objection has been made to the request of the gentleman from Ohio.

Mr. HISCOCK. I yield now to the gentleman from Alabama.

Mr. BUTTERWORTH. I will detain the House but for a moment.

The SPEAKER. Objection has been made.

Mr. FORNEY. I now move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the bill (H. R. 7191) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1884, and for other purposes.

Mr. WHITE. I raise the question of consideration. I have already made a motion that we now proceed to the consideration of the unfinished business, and I ask the Speaker to decide whether that is not now in order.

The SPEAKER. In the absence of something higher it would be in order; but the gentleman from Alabama submits a motion to go into Committee of the Whole on the state of the Union to consider a general appropriation bill.

Mr. WHITE. And on that I raise the question of consideration.

The SPEAKER. The only way you can raise the question of consideration against this motion will be by voting it down.

Mr. PAGE. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAGE. The gentleman from Kentucky has called for the regular order, being, as he claimed, the unfinished business. What is the unfinished business?

The SPEAKER. As the Chair recollects, it is the report made by the gentleman from Maine to amend the rules of the House.

Mr. ANDERSON. Well, let us take that up by unanimous consent. [Laughter.]

Mr. REED. If there is any business before the House more unfinished than that, I would like to know what it is. [Laughter and applause.]

The SPEAKER. The House will be in order. The gentleman from Alabama submits a motion which he is entitled to make under the rules of the House.

Mr. WHITE. Pending that I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WHITE. Under Rule XXIV of the House resolutions of inquiry directed to the heads of the Executive Departments shall be in order for reference to appropriate committees, which resolution shall be reported to the House within one week thereafter. A resolution of inquiry was introduced by myself, and was referred to the Committee on Ways and Means. After being considered six weeks it was reported back to the House on the 6th of June last. The report has been printed, and is now on the list of unfinished business. The gentleman from Maine does not call up his unfinished business; I have called up this, and I make the point that this is a question of the highest privilege, and that the Speaker in deciding the way he has is simply lending to this whisky bill——

The SPEAKER The gentleman claimed that he rose to a question of order. The Chair discovers that it was no point of order at all.

The resolution was reported back by the committee adversely, and on the application of the gentleman from Kentucky was placed upon the Calendar of unfinished business. It is not now entitled to come up as against the motion of the gentleman from Alabama.

The question is now on agreeing to the motion submitted by the gentleman from Alabama that the House resolve itself into the Committee of the Whole on the state of the Union for the purpose of considering the fortifications appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DAVIS, of Illinois, in the chair.

FORTIFICATIONS APPROPRIATION BILL.

The CHAIRMAN. The House is now in Committee of the Whole on the state of Union for the purpose of considering the bill (H. R. 7191) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1884, and for other purposes. The Clerk will report the bill.

The bill was read at length.

Mr. FORNEY. Mr. Chairman, the bill that the committee has under consideration at this time appropriates $325,000, some $50,000 less than the amount appropriated in the present year. If the committee will notice the first section of the bill the sum of $175,000 is appropriated for the protection, preservation, and repair of fortifications and other works of defense for the fiscal year ending June 30, 1884; a similar sum was appropriated for the present year, and for the year 1882, and out of this sum about $166,000 was expended. The committee do not think that they can get along with a less sum than that specified in the bill, and this amount is appropriated to keep them in proper repair and preservation. It is not appropriated for the purpose of building any other fortifications, but the Chief of Engineers is satisfied that he can not get along with less than this amount.

The next item is $100,000, appropriated for heavy guns and howitzers, but the principal object of this appropriation is to convert smooth-bore guns into rifled guns. The Chief of Ordnance last year converted some of those guns. They are found to be very useful, and we have a large number of smooth-bore guns that can be converted. He thinks that $100,000 can be judiciously expended next year for that purpose.

The next item is $50,000 for torpedoes for harbor defense. For this year we appropriated $100,000, but we find that only $5,000 of that sum has been expended up to this time, and we did not think it was necessary to appropriate a larger sum this year than $50,000.

If no gentleman desires to ask any question or to discuss this bill I now ask that it be read by paragraphs under the five-minute rule.

Mr. HOLMAN. How does the bill compare as to amount with the bill of last session?

Mr. FORNEY. It is $50,000 less.

The Clerk read the following paragraph:

That the sum of $175,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the protection, preservation, and repair of fortifications and other works of defense for the fiscal year ending June 30, 1884, the same to be expended under the direction of the Secretary of War; also the following for the armament of fortifications, namely:

For the armament of seacoast fortifications, including heavy guns and howitzers for flank defense, carriages, projectiles, fuses, powder, and implements, their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsmen on gun-construction while employed in Ordnance Bureau, and for machine guns, including the conversion of smooth-bore cannon into rifles, $100,000.

Mr. McCOOK. I move to strike out the last word.

On more than one occasion I have tried to show to the House of Representatives that the fortifications of this country are in an absolutely worthless condition for all purposes of warfare. In the last session of Congress when this bill was before the Committee of the Whole I offered an amendment to increase very materially the appropriation for the purpose not only of repairing the present fortifications but of adding to them. I cited the report of eminent engineers in justification of that action on my part.

I have been long enough in the House, Mr. Chairman, to understand fully the difficulty, the almost impossibility, of attempting to amend any bill that comes before us from the Committee on Appropriations, especially a bill of this character; and therefore I simply rise for the purpose of again protesting against the neglect that the House of Representatives or the Congress of the United States indulges in in leaving our seacoast fortifications in their present helpless condition.

It is recognized by all of us that practically we have no navy. It is asserted by the Engineer Department of the United States that for all purposes of defense our fortifications are in a worthless condition. And were it not for the efficiency of our torpedo system, in the event of war with one of the great maritime powers, the harbor of New York is as defenseless to-day as if there were not an earthwork there.

I hope the time is not very far distant when the Committee on Appropriations of this House will recognize that fact; and that the opinion of educated officers who have made the state of the fortifications of this country and of our harbor defenses a life study will be consulted, rather than the economy which amounts to parsimony. And, as one of the Representatives from the city of New York, I again, for the fifth or sixth time and for the last time, call the attention of the House to the condition of the harbor of that great city and assert, on the statement of competent engineers, that it is absolutely defenseless to-day in the event of war with one of the great maritime powers of the earth.

I withdraw the formal amendment.

The Clerk resumed and concluded the reading of the bill.

Mr. FORNEY. I move that the committee rise and report the bill.

The motion was agreed to.

The committee accordingly rose; and Mr. PAYSON having taken the chair as Speaker *pro tempore*, Mr. DAVIS, of Illinois, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7191) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1884, and for other purposes, and had directed him to report the same back to the House with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The SPEAKER *pro tempore*. The question is on the passage of the bill. This being a general appropriation bill, the question must be taken by yeas and nays.

The question was taken; and it was decided in the affirmative—yeas 195, nays 0, not voting 94; as follows:

YEAS—195.

Aiken,	Curtin,	Ladd,	Shallenberger,
Aldrich,	Davidson,	Latham,	Sherwin,
Anderson,	Davis, George R.	Leedom,	Shultz,
Armfield,	Davis, Lowndes H.	Le Fevre,	Simonton,
Atherton,	Dawes,	Lewis,	Singleton, Otho R.
Atkins,	Deering,	Lindsey,	Skinner,
Bayne,	De Motte,	Lord,	Smalls,
Beach,	Dezendorf,	Lynch,	Smith, A. Herr
Belford,	Dibrell,	Mackey,	Smith, Dietrich C.
Belmont,	Dowd,	Manning,	Sparks,
Bingham,	Dunn,	McCoid,	Spaulding,
Bisbee,	Ellis,	McCook,	Speer,
Blackburn,	Ermentrout,	McKenzie,	Spooner,
Blanchard,	Evins,	McKinley,	Springer,
Bland,	Farwell, Sewell S.	McLean, Jas. H.	Steele,
Blount,	Flower,	McMillin,	Stockslager,
Bowman,	Forney,	Miller,	Stone,
Bragg,	Frost,	Mills,	Strait,
Brewer,	Garrison,	Money,	Taylor,
Briggs,	Geddes,	Moore,	Thomas,
Browne,	George,	Morey,	Thompson, P. B.
Brumm,	Gibson,	Morse,	Thompson, W. G.
Buchanan,	Godshalk,	Mosgrove,	Townsend, Amos
Buck,	Grout,	Moulton,	Townshend, R. W.
Burrows, Julius C.	Guenther,	Muldrow,	Turner, Henry G.
Burrows, Jos. H.	Gunter,	Mutchler,	Turner, Oscar
Butterworth,	Hardenbergh,	Neal,	Updegraff,
Cabell,	Harmer,	Nolan,	Upson,
Caldwell,	Harris, Benj. W.	Norcross,	Valentine,
Calkins,	Haseltine,	Oates,	Vance,
Campbell,	Hatch,	Parker,	Van Horn,
Candler,	Heilman,	Payson,	Wadsworth,
Carpenter,	Hewitt, G. W.	Peelle,	Wait,
Cassidy,	Hill,	Peirce,	Walker,
Caswell,	Hiscock,	Pettibone,	Ward,
Chapman,	Hitt,	Phelps,	Warner,
Clardy,	Holman,	Phister,	Watson,
Clark,	Horr,	Prescott,	Webber,
Clements,	House,	Ranney,	Wellborn,
Cobb,	Humphrey,	Ray,	West,
Converse,	Jacobs,	Reed,	White,
Cook,	Jones, George W.	Reese,	Whitthorne,
Covington,	Jones, Phineas	Rice, Wm. W.	Williams, Chas. G.
Cox, Samuel S.	Joyce,	Rich,	Williams, Thomas
Cox, William R.	Kasson,	Ritchie,	Willis,
Crapo,	Ketcham,	Robinson, Geo. D.	Willits,
Cravens,	Klotz,	Robinson, Jas. S.	Wilson,
Culberson,	Knott,	Ryan,	Wise, George D.
Cullen,	Lacey,	Scranton,	

NAYS—0.

NOT VOTING—94.

Barbour,	Ford,	Kelley,	Robeson,
Barr,	Fulkerson,	Kenna,	Robinson, Wm. E.
Beltzhoover,	Hall,	King,	Rosecrans,
Berry,	Hammond, John	Marsh,	Ross,
Black,	Hammond, N. J.	Martin,	Russell,
Bliss,	Hardy,	Mason,	Scales,
Buckner,	Harris, Henry S.	Matson,	Scoville,
Camp,	Haskell,	McClure,	Shackelford,
Cannon,	Hazelton,	McLane, Robt. M.	Shelley,
Carlisle,	Henderson,	Miles,	Singleton, J. W.
Chace,	Hepburn,	Morrison,	Smith, J. Hyatt
Colerick,	Herbert,	Murch,	Talbott,
Cornell,	Herndon,	O'Neill,	Tucker,
Crowley,	Hewitt, Abram S.	Pacheco,	Tyler,
Cutts,	Hoblitzell,	Page,	Urner,
Darrall,	Hoge,	Paul,	Van Aernam,
Deuster,	Hooker,	Pound,	Van Voorhis,
Dingley,	Houk,	Randall,	Washburn,
Dugro,	Hubbell,	Reagan,	Wise, Morgan R.
Dunnell,	Hubbs,	Rice, John B.	Wood, Benjamin
Dwight,	Hutchins,	Rice, Theron M.	Wood, Walter A.
Errett,	Jadwin,	Richardson, D. P.	Young.
Farwell, Charles B.	Jones, James K.	Richardson, J. S.	
Fisher,	Jorgensen,	Robertson,	

So the bill was passed.

The following additional pairs were announced:

Mr. HAMMOND, of Georgia, with Mr. TOWNSEND, of Ohio.

Mr. CALKINS with Mr. BARBOUR.

Mr. CALKINS. I desire to state that although I am paired with Mr. BARBOUR, of Virginia, I have voted on this roll-call, because no political question is involved.

Mr. TOWNSEND, of Ohio. I am paired with Mr. HAMMOND, of Georgia, but it is upon political questions, and this not being one, I have voted, and I think the gentleman from Georgia would have voted the same way had he been present.

Mr. WAIT. I am paired with Mr. KING, of Louisiana, on political questions; but not regarding this as one, I have voted.

Mr. ARMFIELD. I desire to state that my colleagues, Mr. SCALES and Mr. SHACKELFORD, are detained from the House on account of sickness.

The result of the vote was announced as above stated.

Mr. FORNEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NATIONAL BANK OF WINTERSET.

Mr. KASSON: A few days since the House, by unanimous consent, passed a joint resolution to change the name of the National Bank at Winterset, Iowa. That resolution has been returned from the Senate with an amendment, containing, I suppose, some proper restrictions. I ask that the joint resolution be taken from the Speaker's table and the Senate amendment concurred in.

There was no objection, and the joint resolution (H. Res. 308) changing the name of the National Bank at Winterset, in Iowa, was taken from the Speaker's table.

The amendment of the Senate was to strike out all after the enacting clause, and insert in lieu thereof the following:

That the name of the National Bank of Winterset, Iowa, shall be changed to the First National Bank of Winterset, Iowa, whenever the board of directors of said bank shall accept the new name by resolution of the board confirmed by a vote of two-thirds of the stockholders, and cause a copy of such resolution, duly authenticated, to be filed with the Comptroller of the Currency: *Provided*, That such acceptance be made within six months after the passage of this resolution, and that all expenses of such change, including that of priating and engraving, be paid by the said bank.

SEC. 2. That all the debts, liabilities, rights, privileges, and powers of the National Bank of Winterset, Iowa, shall devolve upon and inure to the First National Bank of Winterset, Iowa, whenever such change of name is effected.

The amendment of the Senate was concurred in.

The amendment to the title was also concurred in, so as to read as follows:

A joint resolution providing for a change in the name of the National Bank of Winterset, Iowa.

Mr. KASSON moved to reconsider the votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BUTTERWORTH. I now move to proceed to business on the Speaker's table.

Mr. JOYCE. I call up the special order.

The SPEAKER. The special order takes precedence of the motion of the gentleman from Ohio [Mr. BUTTERWORTH]. The Clerk will read the order of the House.

The Clerk read as follows:

Resolved, That the public bills reported from the Select Committee on the Payment of Pensions, Bounty, and Back Pay be made the special order for Thursday, May 11, after the morning hour, and from day to day thereafter until disposed of, not to antagonize general appropriation and revenue bills or existing special orders. (April 20, 1882.)

Mr. CULBERSON. I desire to inquire whether or not the special order which I endeavored to call up the other day does not now come up?

The SPEAKER. The special order called up by the gentleman from Vermont [Mr. JOYCE] takes precedence, not only because it is prior in point of time fixed for its consideration, but also in another respect.

Mr. THOMPSON, of Kentucky. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMPSON, of Kentucky. I understand that the gentleman from Ohio [Mr. BUTTERWORTH] desires to call up the bonded spirit bill, which is a revenue bill, and revenue bills are excepted from the special order which the gentleman from Vermont [Mr. JOYCE] has called up.

The SPEAKER. The bill referred to by the gentleman from Kentucky is on the Speaker's table, and therefore not before the House for consideration, or the point might be well taken.

Mr. THOMPSON, of Kentucky. I understand that the gentleman from Ohio [Mr. BUTTERWORTH] moved to go to business on the Speaker's table for the purpose of taking up that bill.

The SPEAKER. But that motion does not take precedence of the special order.

Mr. BUTTERWORTH. I understand that the question of precedence arises only when the two bills are before the House, and not when one is on the Speaker's table.

The SPEAKER. The question of precedence can not rise in this case. The motion to go to the Speaker's table is not in order as against the special order called up by the gentleman from Vermont.

Mr. JOYCE. I ask unanimous consent that the bills which have been reported from the Committee on the Payment of Pensions, Bounty, and Back Pay be now considered in the House as in Committee of the Whole.

The SPEAKER. That is not necessary.

Mr. JOYCE. Then I withdraw that request.

Mr. WHITE. I raise the question of consideration.

The SPEAKER. Against what?

Mr. WHITE. Against the bill that has been called up by the gentleman from Vermont [Mr. JOYCE]; not that I am opposed to it, but I am more in favor of considering another matter.

The SPEAKER. The title of the bill will first be read.

The title of the bill was read, as follows:

A bill (H. R. 3249) relating to the adjudication of claims for pensions.

The SPEAKER. The gentleman from Kentucky [Mr. WHITE] raises the question of consideration against this bill.

The question was taken; and the House decided to proceed with the consideration of the bill.

ADJUDICATION OF PENSION CLAIMS.

The SPEAKER. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed in the adjudication of all claims for pensions now pending or hereafter filed to treat the declarations that have been verified before any officer or officers authorized to administer oaths as if the same had been verified before a court of record, or before some officer thereof having custody of its seal, as provided by section 4714 of the Revised Statutes; and that the said section is hereby amended accordingly.

Mr. HISCOCK. I hope the gentleman from Vermont [Mr. JOYCE] will explain what is intended by this bill.

Mr. McMILLIN. Let the report be read.

Mr. JOYCE. The report is very brief; merely a formal report.

The SPEAKER. The report will be read.

The report was read, as follows:

The Committee on the Payment of Pensions, Bounty, and Back Pay, to whom was referred the bill of the House No. 3249, have duly considered the same, and for reasons appearing upon the face of the bill recommend the passage of the same with the following amendment:

Add at the end of the bill the following words:

"*Provided*, That the official character of the officer before whom any declaration shall hereafter be verified shall be duly attested by some officer of a court having the custody of its seal."

Mr. JOYCE. Section 4714 of the Revised Statutes provides that the declarations of pension claimants shall be made before a court of record or some officer thereof having custody of its seal, &c. It has been found in the practice of the Pension Office that very often claimants make a mistake in regard to these matters, and the oath is administered by a notary public or a justice of the peace. Of course the declaration executed in that manner is sent to the Pension Office and sometimes remains there for two or three years before it is discovered that there is any mistake in the matter.

The subject was brought to the attention of the Commissioner of Pensions when he began to execute the arrears-of-pensions law. It was then found that in a great many cases men who were honestly entitled to arrearages of pensions had made their declarations before a justice of the peace or a notary public or some officer of that character, and not before an officer of a court of record, and of course when the papers come to be examined they had to be thrown out, and the man by this means was deprived of his arrears of pension.

This bill is intended to cover and correct that difficulty. It provides that the declaration of an applicant for pension may be sworn to before a notary public or a justice of the peace; and the amendment provides that the official character of this officer, whether a notary public or a justice of the peace, must be certified by an officer of a court of record who has a seal.

Mr. HISCOCK. I wish to ask the gentleman a question. Is not the purpose of the law as it now stands to prevent fraudulent claims for pensions from being filed? And has it been regarded as necessary that these affidavits, which are the evidence upon which the Commissioner of Pensions acts in determining claims, should be authenticated in the same manner as affidavits received in ordinary courts, the purpose being to guard against fraudulent or fictitious claims being sworn to before officers unknown to the Federal law, and officers of such a character that their certification would carry with it very little evidence of authenticity? Does not this bill propose to remove one of the safeguards which was intended to be especially provided in the statute which the gentleman proposes to repeal?

Mr. JOYCE. The gentleman from New York has propounded to me a question which is a great deal longer than my speech in explanation of the bill; but I think I can answer him. I believe, Mr. Speaker, that the effect of this bill will be precisely contrary to what the gentleman intimates. The officer whose authentication we propose to receive is an officer of a court of record, who resides at the county-seat and who has a seal. If the parties themselves be required to appear before him, he may know nothing at all about them or their character. But if you allow the affidavit to be made before a justice of the peace or a notary public he will doubtless know the character of the applicant and all about him. The very purpose of the bill is to protect the Government and the Pension Office against any opportunity for fraud or collusion. Under this bill the applicant for pension will go before a justice of the peace or notary in the town where he resides. This officer, who knows all about him and his pension claim, takes the affidavit; and then the county clerk, who is an officer of a court of record, certifies to the official character of the man who has administered the oath to the claimant.

Mr. BLACKBURN. Mr. Speaker, as I understand, there is but one class of citizens in this country to-day who have the right under the law to reach the Treasury of this Government on *ex parte* testimony; this class consists of claimants for pensions. In respect to these applications the Government is represented by no counsel; no depositions are taken on its part; there is no cross-examination of the testimony in support of the application. The whole proceeding is *ex parte*. But as the law stands to-day the pensioner must take his affidavits and have them certified by an officer of a court of record. This bill has but one purpose—to give to every irresponsible justice of the peace throughout the land the power to make the certificate which the law now requires to be made by an officer of a court of record to these *ex parte* affidavits.

Mr. ROBINSON, of Massachusetts. Will the gentleman allow me to make a suggestion?

Mr. BLACKBURN. Certainly.

Mr. ROBINSON, of Massachusetts. It seems to me the gentleman is in error, and perhaps the House may be under a misapprehension. This bill, if I understand it correctly, applies only to what is called the original application or declaration for a pension. It does not at all refer to the affadavits which support that declaration, because under the law as it at present exists all the testimony in support of such an application may be taken before any of the officers named in this bill, provided the official character of the officer is certified to by the clerk of the county court. Therefore this bill does not open the question of receiving testimony. It opens no door to fraud except, as the gentleman may say, with respect to the original declaration——

Mr. BLACKBURN. That is it.

Mr. ROBINSON, of Massachusetts. The declaration in which the applicant for a pension declares that he is the identical person who served in a certain company and regiment, and is entitled to a pension. Further than that no change in the law is proposed. This bill has no reference to the affidavits in support of the application.

Mr. BLACKBURN. Mr. Speaker, I admit that the gentleman from Massachusetts is entirely correct in his statement as to the scope of this bill. But I know he is a good lawyer, and I submit to him the question, do these original declarations constitute any evidence at all? Are they of any value in any court whatever?

Mr. ROBINSON, of Massachusetts. The declaration? No, sir.

Mr. BLACKBURN. Is the declaration of any other value than as a part of the pleading?

Mr. ROBINSON, of Massachusetts. Not at all.

Mr. BLACKBURN. Now, Mr. Speaker, I am perfectly willing to submit to the gentleman from Massachusetts the question, and let him answer with his usual candor, whether the only effect of this bill will not be to enlarge the opportunities that the applicant for pension, who now has special privileges over every other citizen in respect to supporting his claim by *ex parte* testimony, will have to reach the Treasury of the Government?

Mr. ROBINSON, of Massachusetts. I will answer the gentleman in this way: The clerk of a county court may reside fifty or one hundred miles from the residence of the applicant. The applicant under the present law is compelled to go before that officer, possibly at considerable expense and trouble, to be identified. Under this bill he may go before a notary public or a justice of the peace in his immediate vicinity to be identified, and then there must be a certification by the county officer that the notary or the justice of the peace is authorized to take affidavits and is a person of good character and standing. In my judgment there is quite as much safety for the Government under this method of authenticating the declarations as under the present law.

Mr. JOYCE. Allow me to suggest another hardship under the law as it now stands. If the claimant fails to complete his claim before his death the widow is not allowed to draw pension if it is discovered that the declaration of the claimant is informal in the matter now under consideration. I will ask the gentleman from Kentucky [Mr. BLACKBURN] upon his own theory what possible objection he can have to the passage of this bill?

Mr. BLACKBURN. Will my friend from Vermont allow me to ask him a question by way of suggestion? Will he agree that the bill may be amended by adding the following words:

And provided, That said application shall not be received as evidence of the facts therein stated.

Mr. BROWNE. That amendment is not necessary; it is the law now.

Mr. JOYCE. There can be no possible excuse for any amendment of that kind, because a declaration is not received as evidence now.

Mr. BINGHAM. Let it go.

Mr. JOYCE. The declaration is no evidence in the case. It is a statement of the claim for a pension. It is a mere matter of formality before any evidence is introduced at all, and can have no possible bearing on the case as evidence, unless backed up by evidence already provided.

Mr. BLACKBURN. Let me ask the gentleman in charge of the bill one question?

Mr. JOYCE. One word further. If the case stopped in the Pension Office with the filing of the application, of course no pension would be granted.

Mr. BLACKBURN. As the gentleman fails to respond directly to the proposition of this amendment, I have just this to say: I do not see any object or purpose this bill can have unless it be to open still wider the doors for the prosecution of pension cases. Under the law, as it stands to-day, the pensioner has advantages given to no other citizen of this country. That no man will deny; and I do not see the necessity for additional legislation in that direction.

Mr. JOYCE. It would exclude every one of these cases now in the Pension Office. Those claims can not be allowed because of this simple informality.

Mr. HOUSE. I should like to ask the gentleman a question. As I understand it the amendment of the committee does not apply to any declaration already filed?

Mr. JOYCE. Yes, it does.

Mr. HOUSE. Does it apply to those now on file?

Mr. JOYCE. Yes; to those now on file.

Mr. HOUSE. Any declaration already on file, not sworn to before a court of record, is not required to be certified by any officer having charge of the seal of the court.

Mr. JOYCE. Oh, yes; it is.

Mr. HOUSE. Oh, no. If the gentleman will read the amendment it will be seen it provides as follows:

Provided, The official character of the officer before whom any declaration hereafter shall be verified shall be duly attested by some officer of the court having the custody of the seal.

And the declarations already on file, although not made as the law requires, before the court of record, are not to be thus certified.

Mr. JOYCE. The object of the committee was, and it may be possible there may be a word omitted in the amendment, to have all these declarations, not only those hereafter to be filed but those already on file, to be certified to.

Mr. HOUSE. If the gentleman will look at the amendment he will see that is not provided for.

Mr. JOYCE. I have not the bill before me, but I am willing that the words shall be inserted, so as to include those already on file as well as those hereafter to be filed.

Mr. SKINNER. With the permission of the gentleman from Vermont [Mr. JOYCE], in charge of this bill, I wish to ask him a question. Now, sir, this country has become sensitive upon the question of pensions. As the gentleman from Kentucky [Mr. BLACKBURN] has said, and as has been said by other gentlemen on this floor, a pensioner is the only citizen of the United States who can knock at the doors of the Treasury and receive his pension on *ex parte* testimony. I believe it is the duty of this Congress, as soon as possible, to provide some means whereby in the examination of every case the Government as well as the pensioner may be represented.

Mr. BLACKBURN. That is right.

Mr. SKINNER. Now, there is one question in regard to this bill. Knowing the people of the country have become sensitive on the question, I desire to ask this one particular question of the gentleman from Vermont, who has this bill in charge: Does this bill, if it becomes a law, make it easier or more difficult for a pensioner to prosecute his claim to success? I say instead of opening the door wider we should close the door, not against an honest pensioner but against dishonest pensioners. And you will find pension agents all over the country who are just as strenuous to get their arms into the Treasury for a dishonest pensioner as for an honest one. And I would like to know the general effect of this bill, whether it makes it easier or more difficult to procure pensions?

Mr. BROWNE. It does not affect the law at all.

Mr. SKINNER. Then what is the use of it?

Mr. JOYCE. I move to insert, after the word "declaration," the words "has been verified or;" so it will read:

Provided, That the official character of the officer before whom any declaration has been verified or shall hereafter be verified, &c.

Mr. SPRINGER. The gentleman from Indiana [Mr. MATSON], who introduced this bill, desires to say a word.

Mr. JOYCE. I yield to the gentleman from Indiana.

Mr. MATSON. Mr. Speaker, I had the honor to introduce the bill now pending before the House, and it was never intended in any way to affect the proof in pension claims, nor does it in its language affect any proof made in any case. It relates only to one matter, and provides simply that in the pension claims now pending and hereafter to be filed where the claimant by mere inadvertence, or perhaps by ignorance of the law, has filed a declaration which was sworn to before some other officer than the clerk of a court of record, he shall be allowed to perfect his declaration by having a certificate of the clerk of that court of record that the officer before whom the claimant was sworn was authorized to administer oaths.

There have been many cases which came to my attention during the time I have been in Congress where I know that very great injustice was done by reason of the fact that these claims were adjudicated but the arrears not allowed, although the claims were filed within the time prescribed by law.

Mr. CASWELL. That has been corrected now.

Mr. MATSON. That has been measurably corrected, as suggested by the gentleman from Wisconsin, I know, by a recent decision of the Attorney-General. But the whole matter rests upon the uncertainty of that decision, which is liable at any time to be reversed by the present Attorney-General or some successor who may differ in opinion with him.

This proposition is based upon the idea of giving equal and exact justice to all the claimants as between themselves, and not upon a proposition to give advantage to any one class or to any single pensioner in the prosecution of his individual claim against the Government. It places all upon an equal footing.

Mr. SPRINGER. Will the gentleman from Vermont yield to me for a moment?

Mr. JOYCE. Certainly.

Mr. SPRINGER. I simply desire to say, Mr. Speaker, that the gentleman from Kentucky [Mr. BLACKBURN] and the gentleman from New York [Mr. SKINNER] have stated that the only class of persons who are allowed to approach the Treasury of the United States with *ex parte* evidence are the pensioners. I desire to call their attention to the fact that this is an error. All claimants against the Government except those who are allowed to appear in the Court of Claims prove their cases upon *ex parte* testimony. All the claims adjudicated by the Quartermaster's Department, and which come to this House by the general law, covering a vast number of cases in one bill, are adjudicated upon *ex parte* testimony. All the cases that come before the two Houses of Congress are passed upon by *ex parte* testimony. As I stated before, there is but one department in which the rule is reversed, and that is in the Court of Claims in such cases where that court has jurisdiction originally or special jurisdiction by special laws of Congress. In the Court of Claims the ordinary practice in courts of law prevails.

I deprecate the rule just as much as the gentleman from Kentucky or any other gentleman upon the floor, the rule that allows any person to approach the Treasury upon purely *ex parte* testimony. But if there is a class that should be permitted to prove their cases by such testimony that class is the class of persons who present claims for pensions to this Government. In the very nature of things their cases can not be proven in any other way, and I should favor, and hope the committee will report, a bill providing a court for the hearing of all such cases in which a case could be heard under circumstances where the Government is represented and its interests properly protected.

Mr. JOYCE. I believe the House wholly understands the bill now, and therefore I demand the previous question upon the bill and amendment.

The previous question was ordered, under the operation of which the amendment was agreed to, and the bill as amended ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOYCE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

AMENDMENT OF PENSION LAWS.

Mr. JOYCE. I now call up for present consideration House bill No. 1247, to amend the pension laws.

The bill was read. It is as follows:

Be it enacted, &c., That the provisions of an act entitled "An act to revise and consolidate the statutes of the United States in force December 1st, 1873," approved June 22, 1874, be, and the same are hereby, so amended that from and after the passage of this act every person entitled by law to a less pension than hereinafter specified, who, while in the military or naval service of the United States, and in the line of duty, by disease contracted or injury received, shall have lost the sight of one eye, shall be entitled to receive a pension of $12 per month; and in cases in which the injury to the one eye manifestly affects injuriously the sight of the other eye he shall be entitled to an equitable increase in his pension, not to exceed, in the whole amount, $25 per month; and all those who, under like circumstances, have lost the sight of one eye, the sight of the other having been previously lost, shall be entitled to a pension of $50 per month; and all those who, while in the military or naval service of the United States, in the line of duty, by injury received or disease contracted, shall have lost the hearing of both ears, shall be entitled to receive a pension of $25 per month; and for any loss of hearing less than total deafness, in one or both ears, they shall receive an equable portion of the full pension.

Mr. HISCOCK. Let the report be read.

The report is as follows:

The Committee on Pensions, Bounty, and Back Pay, to whom was referred House bill 1247, having duly considered the same, beg leave to report:

By the act of Congress of March 3, 1873, for the period commencing July 4, 1864, and ending June 3, 1872, a pension of $25 per month was given to those persons who had lost the sight of both eyes in the military or naval service of the United States.

It was also provided by the same act that from and after June 4, 1872, every person who had lost the sight of both eyes, or lost the sight of one eye, the sight of the other having been previously lost, should receive a pension of $31.25 per month.

By the act of June 18, 1874, the pension in such cases was raised to $50 per month; and again, by the act of June 17, 1878, it was increased to $72 per month.

This bill provides that for the loss of one eye the person shall receive $12 per month, and in case the other eye is injuriously affected he shall receive an equitable increase of pension, the whole not to exceed $25 per month. The provision of the bill in regard to persons who have lost one eye, the other having been previously lost, does not change the law as established by the act of June 18, 1874.

The act of March 3, 1873, provided that from and after June 4, 1872, all persons who had lost the hearing of both ears should be entitled to a pension of $13 per month.

This bill increases the pension in such cases to $25 per month, and also provides that for any loss of hearing less than total deafness in one or both ears the person shall receive an equitable portion of the full pension.

After a careful consideration of this bill this committee are of the opinion that it ought to pass.

Mr. JOYCE. A word or two, Mr. Speaker, in reference to this bill. On the 3d of March, 1873, Congress passed a bill providing that for the period commencing July 4, 1864, and ending June 3, 1872, a pension of $25 a month was to be given to those persons who lost the sight of both eyes in the military or naval service of this Government. It was also provided in that same bill that after June 4, 1872, every person who had lost the sight of both eyes, or lost the sight of one eye, the sight of the other being previously lost, should receive a pension of $31.25 per month. Again by the act of June 18, 1874, the pension in such cases was raised to $50 a month. Again by the act of June 17, 1878, it was increased to $72 a month.

On looking through these various statutes I did not find anywhere any statutory provision as to the right of a pension to a person who had lost one eye only; and I understand from the Pension Office that they have adopted a rule there, although there is no statutory authority for it, and I can not find any that defines what the pension would be, but they adopted a rule that for the loss of one eye the rate is fixed at one-half of total disability, according to the rank of the person to whom the pension is granted. So that a pension to a private soldier who had lost one eye in the service would be at the rate of $4 a month.

Well, the committee, after a good deal of discussion and after a good deal of consideration in regard to this matter, came to the conclusion that the bill which was reported here was nothing but fair and equitable to this man. It provides that the soldier who—

Shall have lost the sight of one eye shall be entitled to receive a pension of $12 per month; and in cases in which the injury to the one eye manifestly affects injuriously the sight of the other eye he shall be entitled to an equitable increase in his pension, not to exceed, in the whole amount, $25 per month.

If both eyes are totally disabled, under the present law he would get a pension of $72 a month.

Now, Mr. Speaker, it has seemed to us that a man who had lost an eye in the service was certainly entitled to that much. I would have been willing myself to have placed it at a much higher sum. I understand, Mr. Speaker, very well that the Government can not make full compensation to a man for the injuries he received in the service. But it can do something for him; it can approximate; it can give him an amount of money which will enable him to gain a livelihood and keep out of the poor-house, and keep his family from being thrown out to the cold charities of the world. It appeared to me when I considered this matter that a man who had lost an eye in the service—a loss which is beyond computation—ought to have more than $12 a month. And then, if the other eye was affected, as it often is by sympathy with the lost eye, in that case his pension for the other eye should be graded according to the amount of disability, not to exceed in any case in the whole amount $25 per month. That is the conclusion we came to in regard to this portion of the bill which is now before the House.

Then the bill makes a further provision. The act of March 3, 1873, provided that, from and after June 4, 1872, all persons who had lost the hearing of both ears should be entitled to a pension of $13 per month. This bill increases the pension in such cases to $25 per month, and also provides that for any loss of hearing less than total deafness in one or both ears the person shall receive an equitable portion of the full pension.

The same remarks I made in regard to the man who had lost an eye would apply with equal force to this part of the bill. Of course the loss of an eye is more severely felt than the loss of hearing, but we all understand what a terrible affliction that is to anybody. Now, if any man has lost his hearing in the military service of the United States, I say the amount we have fixed here as a stipend for him monthly for that terrible affliction is, to say the least, small enough. I would have been in favor myself of increasing the amount in both cases. I would have been in favor of giving the man more money than that. I would be in favor of giving to any man who in the line of his duty had suffered an injury to his eyes or his ears or any other portion of his body, when it is made out by full and complete proof that the injury actually occurred in the service and in the line of his duty—I would be in favor of giving him a much higher amount than we have recommended in this bill, and much higher than has been recommended by any bill that has been brought into this House at any time to pay these men.

While I would not pay a dollar or a farthing to a man who was a shirk or a coward or a fraudulent claimant, I would vote to pay the true soldier who was injured in the service something like an adequate compensation for his terrible losses and sacrifices.

If there is nothing more to be said, Mr. Speaker, I call for a vote on this bill.

Mr. CASWELL and Mr. BRAGG rose.

Mr. JOYCE. I yield to the gentleman from Wisconsin.

The SPEAKER. What length of time?

Mr. JOYCE. Five minutes.

Mr. BRAGG. Does the gentleman from Vermont propose to move the previous question before any other gentleman has an opportunity to be heard?

The SPEAKER. The gentleman from Vermont yields to the gentleman from Wisconsin [Mr. BRAGG] for five minutes. Does he desire more time than that?

Mr. BRAGG. I do not know that I do, but I do not want to start in harness.

I hope, Mr. Speaker, this bill will not pass; and I trust I am as good a friend of the Union soldier as any man on the floor of this House or elsewhere.

The great bane and evil of our pension system is making pensions for special classes, whereby, under the guise of seeking to do justice to a few, whose numbers may be 50 or 100 or 200 or 300, you are doing the rankest, foulest injustice to 50,000.

What does this bill propose to do? It proposes first to give a man who lost one eye $12. Why? Because he is totally disabled? No! But because he has lost one eye. Now, what do you give a soldier that suffers total disability, who was shot through the body, and though he lives, lives a living death; day by day, night by night, suffering the extremest pain—neuralgia, rheumatism, and everything in the world that makes life uncomfortable—and totally disabled from earning his subsistence by manual labor. What do you give him? Eight dollars a month is the maximum. There are of the class of which I speak who draw $8 a month as the total pension thousands and tens of thousands. There are scattered over this land thousands and tens of thousands of widows whose husbands were killed in the service, and who are totally deprived of their assistance; and the sum total they can get is $8 a month.

The highest pension that is provided by law for the payment of a commissioned officer of the highest grade is $30 a month.

The highest pension of a captain is $20 a month, of a major $25 a month, of a colonel $30 per month. And we have already by evil laws—I say evil because they are not equable—provided three or four classes of pensioners who draw more than twice as much as the highest grade of pension known to the law for the highest grade of officers; who draw more than 25 per cent. greater than the highest pension ever allowed by Congress to a major-general commanding the armies of the United States, or to his widow in case of his death while in service.

And how comes this injustice? Perhaps gentlemen will say it is not an injustice. Is it not an injustice to bind a man whose life is perfectly miserable, whose health is utterly and totally destroyed, who is nothing in the world but a shattered wreck of humanity—bind him down to $8 a month when he sees his neighbor, who has simply lost one eye and is hale and hearty and competent to earn as much as ever he could, drawing $12 a month, and if he can prove that the sight of the other eye is injured he can draw from $25 to $50 a month, while this poor wreck of humanity goes about day by day dragging his weary limbs and waiting for the grave as his only resting place? Yet you say he can only have $8 a month. Now, that injustice comes from the passage of just such laws as this; and it is no excuse for the passage of this law to say that we have already passed some bad ones. If we have passed bad laws, then for God's sake let us stop there and pass no more; not make the bad laws we have already passed a precedent for other bad laws.

If we are to go into this pension business let us have a committee which will take up the whole pension system and grade our pensioners so as to do justice to all alike, and not take class by class and give them pensions from $8 a month to $72 a month. The soldiers of the Army who may not have lost an eye, who may not have lost an arm, who may not have lost a leg, but who may have given their lives to their country, leaving but their hulks behind, get but $8 a month, and the widows of those who fall on the battlefield get but $8 a month. Should they not be considered when you are talking about an increase of pension? And is it not possible for you to consider that you are doing these men great injustice all this time in order to reach a few who have made their applications for this sort of thing?

I say let us have an end of it. If we pay pensions now which are too low, then let us increase our pensions and grade them so as to be uniform. Do not let total disability mean $8 a month, partial disability mean $12 a month or $20 a month or $37 a month or $50 a month, and total disability again $72 a month. That is the way our pension laws are now, and I protest against it.

Mr. JOYCE. I now yield to the gentleman from Indiana [Mr. MATSON].

Mr. MATSON. What the gentleman from Wisconsin [Mr. BRAGG] has said in relation to the inequalities that now exist among our pensioners is to some extent true. And when he says that those inequalities have grown out of the fact that certain rates of pension have been fixed by law for special disabilities, he also states what is true. But when he says that the private soldier who had his eye shot out ought not to draw $12 a month, and that the lieutenant-colonel or officer above him is better entitled to $30 a month, then I do not agree with him.

Mr. BRAGG. I did not say so.

Mr. MATSON. I understood the gentleman to intimate that this bill ought to be defeated because those officers did not draw pensions in proportion.

Mr. BRAGG. I spoke of those rates to show the inequality in the grading. No man has ever heard me say that the pension of the private soldier should be reduced for the benefit of the officer.

Mr. MATSON. Let me say that the inequality of grades in pensions has grown out of this fact more than any other: the officers are allowed more pension than they are entitled to. The private soldier should be allowed as much as the officer.

I concur with the recommendation contained in the report of the Commissioner of Pensions made this year, that there ought to be equality between all pensions, and that there should be no grades known after the volunteer soldiers were discharged from the Army. Therefore I say that it is there more than anywhere else that the inequality exists, and the gentleman fails to discover it. It is because of that fact that the inequality exists among the pensioners of this country.

While it perhaps is necessary, and we may say there is a crying necessity for it, that the whole system of grading pensions should be remodeled and revised at once (I am willing to admit that), that is not likely to be done. The question is as to whether this deserving class of men who have lost either of the two most important senses, sight and

hearing, shall be allowed the pension to which they are justly entitled, or whether the just claims shall be deferred until a thorough revision is made of all the pension laws.

I think there can be no question that as compared with the rate of pensions allowed to other persons this class of persons who have lost one eye or have become totally deaf should be allowed an increased grade, not an absolute increase, but their pensions should be graded in accordance with the question of their disability.

Mr. HOUSE. Let me ask the gentleman how he will arrive at that grade. A man has not totally lost his hearing, but claims to have been made a little deaf. Now, between good hearing and absolute deafness there is a great distance.

Mr. MATSON. I know there is great difficulty in arriving at the precise extent of the loss of hearing, but I apprehend that our medical examiners are able to do so. I am not a doctor, and for that reason can not answer the gentleman as satisfactorily as he would like to be answered, but I think he knows—and so do I—that medical science can ascertain the degree of deafness as well as the degree of loss of sight.

Mr. FLOWER. I wish to ask the gentleman from Vermont [Mr. JOYCE] in charge of this bill what will be its probable effect upon the Treasury? How many men will be affected by it?

Mr. JOYCE. I have not made any estimate at all in regard to that, but I am informed by a gentleman who has been a long time in the Pension Department that there are some four or five hundred cases which will be affected by the bill.

Mr. THOMPSON, of Kentucky. I would like to ask the gentleman from Vermont one question before we vote upon this bill. How much money will be required to carry out its provisions? What estimate, if any, does the committee make in regard to the amount?

Mr. JOYCE. In answer to the gentleman from New York [Mr. FLOWER] I stated a few moments ago——

Mr. THOMPSON, of Kentucky. I understood the gentleman to say that about five hundred men would be affected by the bill.

Mr. JOYCE. Four or five hundred.

Mr. THOMPSON, of Kentucky. How much in dollars will be called for under the bill?

Mr. JOYCE. The amount of money I have not figured up.

Mr. THOMPSON, of Kentucky. Has the Department given the committee any estimate at all?

Mr. JOYCE. I do not think that the expenditures under the bill will amount to enough to require any additional appropriation; but whether that should be so or not, what has it to do with the question? If it is right and just that these men should have their pensions, what does it matter whether a greater or less appropriation be required?

Mr. THOMPSON, of Kentucky. The House ought to know what amount of money it is voting away.

Mr. JOYCE. These men have earned the money; and there is not a man in the whole country, I believe, who is not willing that every man who was a good soldier should have all the pension he is entitled to.

Mr. MCMILLIN. Has the Department been called upon for information in regard to the probable expenditure under this bill?

Mr. JOYCE. It has not been called upon by me, for I did not think that question important.

Mr. BRAGG. Will the gentleman from Vermont answer me this question: Ought not the amount of pension to be graded in accordance with the degree of disability, rather than in reference to the kind of wound?

Mr. JOYCE. Now, Mr. Speaker, if I understand the gentleman's question aright, and if I understood his speech, he claims that the man who now gets $8 a month for what is called total disability does not get enough. If the gentleman will bring in a bill increasing that amount I will vote for it.

Mr. BRAGG. I reply to that by saying I am not chairman of the committee having this subject in charge; neither do I propose to do the business of that committee.

Mr. JOYCE. The gentleman from Wisconsin does not need to be chairman of the committee or a member of it in order to get up just whatever bill he thinks is right, and bring it in here.

Mr. BRAGG. I desire an answer to my question, whether the pension should not be rated according to the degree of disability rather than in accordance with any particular kind of wound which may have been received, and whether the Pensions Committee ought not to act upon that view?

Mr. JOYCE. Certainly I think that pensions ought to be graded in their amount according to the degree of disability.

Mr. CASWELL. I would like to ask my colleague [Mr. BRAGG] a question. The law as it now stands allows $4 a month for the loss of one eye, and my colleague thinks that the law should not be changed because in such a case the pensioner is supposed to be half disabled.

Mr. BRAGG. No, I did not say that.

Mr. CASWELL. Upon that theory would my colleague allow only $4 a month for the loss of one arm or one hand?

Mr. BRAGG. I would leave the pension laws to stand as they are until they can all be revised, so that jnstice may be done to all. I would not proceed to create more and more injustice day by day under the pretense of relieving particular classes of soldiers.

Mr. CASWELL. If the laws are unequal, should we not proceed step by step, if we must, until we can make them more nearly equal or, if possible, perfect?

Mr. BRAGG. You are creating greater divergence all the time by these amendments to the laws.

Mr. CASWELL. I think when a man for the loss of one eye receives only $4 a month, we should not hesitate a moment to increase that pension so as to give him at least $12 a month.

Mr. BRAGG. Supposing the loss of an eye creates only half disability, ought not a man to receive more for total disability?

Mr. CASWELL. For the loss of an eye, an organ so vital to the happiness of a man, he certainly ought to have a greater pension than is now allowed.

Mr. BRAGG. Can there be anything greater than total disability?

Mr. CASWELL. The "total disability" to which my colleague refers means only disability to perform hard manual labor. It does not mean a case where a man is a "mere wreck," as the gentleman said. If the disability extends further than unfitness to perform hard manual labor, the pensioner is entitled to a proportionate increase.

Mr. BRAGG. Let me call my colleague's attention to an actual case. Last winter there appeared in Washington a man who had been a member of the Sixth Regiment of Wisconsin Volunteer Infantry. He came here to see about his pension. I at first supposed that he received no pension. He came to my committee-room, and I asked him whether he had a pension. He answered "yes," and he showed me his pension certificate. It was for "total disability," $8 a month. He said, "You remember me." Then he opened his breast, showing a bullet wound which was still suppurating, a wound gangrenous in character. I said to him, "My boy, I wish you received $100 a month; but you can not get more than eight." "How is it, then," said he, "that a fellow who lives up in my neighborhood gets $37.50 a month, and is a hale, hearty man, doing work every day?" I replied, "He gets that amount under special Congressional act."

Mr. CASWELL. I will say to my friend that he neglected the interests of one of his constituents if he did not see to it that the man he speaks of had more than $8 a month under the circumstances described.

Now, Mr. Speaker, I think this bill does not go far enough. I wish to call the attention of the gentleman from Vermont in charge of the bill to line 16, where it is provided that for the loss of one eye the pensioner shall receive $12 a month, and if through sympathy the other eye should be injured the amount shall be increased, but not to exceed in the aggregate $25 a month. Now, one eye having been lost, suppose the other through sympathy should also be lost, would not the fact that both eyes were not lost in the service preclude the man from being brought within the act which allows $72 a month for the loss of both eyes?

Ought it not to be the fact, if the other eye is lost by sympathy, he should have a proportionate part of the $72 a month? It is as bad for a man to lose his second eye from sympathy with the first, which is a total loss, and he certainly should have a proportionate increase. It is as bad to lose an eye by sympathy as to lose it in battle; and if $72 is allowed for total blindness I do not see why the cases I have indicated should not be provided for. I do not wish to offer an amendment, but I wish to call attention to the injustice which exists. I believe if a man loses his other eye by sympathy he should be allowed a proportionate amount of the $72 now allowed for total blindness.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. BRAGG demanded the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 127, nays 55, not voting 107; as follows:

YEAS—127.

Aldrich,	Dezendorf,	Ladd,	Robinson, Jas. S.
Anderson,	Dingley,	Leedom,	Russell,
Atherton,	Dwight,	Le Fevre,	Scoville,
Bayne,	Ermentrout,	Marsh,	Scranton,
Beach,	Farwell, Sewell S.	Matson,	Shallenberger,
Belford,	Ford,	McClure,	Sherwin,
Bingham,	Geddes,	McKinley,	Shultz,
Bisbee,	George,	McLean, Jas. H.	Skinner,
Bliss,	Godshalk,	Miles,	Smalls,
Bowman,	Grout,	Miller,	Smith, A. Herr
Brewer,	Hall,	Moore,	Smith, Dietrich C.
Briggs,	Hardenbergh,	Morey,	Springer,
Browne,	Harmer,	Morrison,	Steele,
Brumm,	Harris, Benj. W.	Moulton,	Stockslager,
Burrows, Julius C.	Haseltine,	Murch,	Straight,
Burrows, Jos. H.	Haskell,	Norcross,	Thompson, Wm. G
Calkins,	Heilman,	Page,	Townsend, Amos
Campbell,	Hepburn,	Peelle,	Tyler,
Cannon,	Hill,	Peirce,	Updegraff,
Carlisle,	Hitt,	Pettibone,	Valentine,
Caswell,	Holman,	Phelps,	Van Aernam,
Clardy,	Horr,	Phister,	Van Horn,
Cobb,	Hubbs,	Prescott,	Van Voorhis,
Converse,	Humphrey,	Randall,	Walker,
Crapo,	Jacobs,	Ray,	Ward,
Cullen,	Jadwin,	Reed,	Watson,
Curtin,	Joyce,	Rice, John B.	Webber,
Cutts,	Kasson,	Rice, Theron M.	West,
Davis, George R.	Kelley,	Rice, Wm. W.	White,
Dawes,	Ketcham,	Rich,	Williams, Chas. G.
Deering,	Klotz,	Ritchie,	Wilson,
De Motte,	Lacey,	Robinson, Geo. D.	

NAYS—55.

Aiken,	Cook,	Gunter,	Oates,
Armfield,	Covington,	Hammond, N. J.	Reese,
Atkins,	Cox, William R.	Hewitt, G. W.	Simonton,
Belmont,	Cravens,	House,	Singleton, Jas. W.
Berry,	Culberson,	Jones, Geo. W.	Thompson, P. B.
Blanchard,	Davidson,	Latham,	Turner, Henry G.
Bland,	Davis, Lowndes H.	Lynch,	Turner, Oscar
Blount,	Dibrell,	Mackey,	Upson,
Bragg,	Dowd,	McKenzie,	Vance,
Buchanan,	Ellis,	McMillin,	Warner,
Cabell,	Evins,	Mills,	Wellborn,
Caldwell,	Forney,	Money,	Williams, Thomas
Clark,	Frost,	Muldrow,	Wise, George D.
Clements,	Gibson,	Mutchler,	

NOT VOTING—107.

Barbour,	Fulkerson,	Lord,	Scales,
Barr,	Garrison,	Manning,	Shackelford,
Beltzhoover,	Guenther,	Martin,	Shelley,
Black,	Hammond, John	Mason,	Singleton, Otho R.
Blackburn,	Hardy,	McCoid,	Smith, J. Hyatt
Buck,	Harris, Henry S.	McCook,	Sparks,
Buckner,	Hatch,	McLane, Robt. M.	Spaulding,
Butterworth,	Hazelton,	Morse,	Speer,
Camp,	Henderson,	Mosgrove,	Spooner,
Candler,	Herbert,	Neal,	Stone,
Carpenter,	Herndon,	Nolan,	Talbott,
Cassidy,	Hewitt, Abram S.	O'Neill,	Taylor,
Chace,	Hiscock,	Pacheco,	Thomas,
Chapman,	Hoblitzell,	Parker,	Townshend, R. W.
Colerick,	Hoge,	Paul,	Tucker,
Cornell,	Hooker,	Payson,	Urner,
Cox, Samuel S.	Houk,	Pound,	Wadsworth,
Crowley,	Hubbell,	Ranney,	Wait,
Darrall,	Hutchins,	Reagan,	Washburn,
Deuster,	Jones, James K.	Richardson, D. P.	Whitthorne,
Dugro,	Jones, Phineas	Richardson, J. S.	Willis,
Dunn,	Jorgensen,	Robertson,	Willits,
Dunnell,	Kenna,	Robeson,	Wise, Morgan R.
Errett,	King,	Robinson, Wm. E.	Wood, Benjamin
Farwell, Chas. B.	Knott,	Rosecrans,	Wood, Walter A.
Fisher,	Lewis,	Ross,	Young.
Flower,	Lindsey,	Ryan,	

So the bill was passed.

During the roll-call the following additional pairs were announced from the Clerk's desk:

Mr. HENDERSON with Mr. TOWNSHEND of Illinois.

Mr. DUGRO with Mr. JONES of Arkansas.

Mr. HATCH with Mr. CARPENTER.

Mr. RYAN with Mr. DUNN.

On the motion of Mr. JOYCE, by unanimous consent, the reading of the names was dispensed with.

The vote was then announced as above recorded.

Mr. JOYCE moved that the title be amended so as to read "A bill to amend the pension laws."

The amendment to the title was agreed to.

Mr. JOYCE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PENSION APPLICATIONS.

Mr. JOYCE. I now call up the bill (H. R. 3887) to extend the time allowed in paragraph 3 of section 4693 of the Revised Statutes of the United States to certain classes of applicants for pensions to complete their applications.

The Clerk read the bill, as follows:

Be it enacted, &c., That applicants for pensions belonging to the classes specified in paragraph 3 of section 4693 of the Revised Statutes of the United States shall be allowed two years from the date of the passage of this act in which to complete their applications: *Provided*, That replies to inquiries from the Pension Office may be made at any time thereafter, and that no allowance nor claim shall be made for any time prior to the date of the application.

Mr. MCMILLIN. Let the report be read.

The Clerk read as follows:

The committee have duly considered House bill 3887, and are of the opinion that the same ought to pass.

The third paragraph of section 4693 of the Revised Statutes provides that the claims mentioned in that paragraph must be prosecuted to successful issue prior to July 4, 1874.

This bill seeks to extend the time for the completion of applications under that paragraph to two years from the passage of this act.

In the opinion of the committee every claimant is justly entitled to this extension of time in which to complete and file his application.

Mr. CALKINS. If the gentleman from Vermont will yield to me, since this will go over as the unfinished business, I will move to adjourn.

Mr. JOYCE. It will take but a very few minutes to get through with this. I do not think there can be any objection to the bill.

Mr. Speaker, if gentlemen will give me their attention for a few minutes I will read this section, being the third paragraph of section 4693 of the Revised Statutes to which this bill refers. It is in the following words:

Third. Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagements with rebels or Indians, disabled in consequence of wounds or injuries received in the line of duty in such temporary service. But—

And here is the point to which I wish to call attention—

no claim of a State militia-man or non-enlisted person, on account of disability from wounds or injury received in battle with rebels or Indians while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the 4th day of July, 1874.

The object of this bill is simply this: By that statute these militiamen who rendered this service to the country were entitled, if they were wounded or contracted disease in the line of duty, to a pension. But a limitation was put into the act so that unless the applications were filed previous to the 4th day of July, 1874, of course they would be shut out.

Now, these men went into the service of the United States by order of the War Department of the United States, on requisition from that Department upon the governors of the several States where these troops were raised. They went into the service under the command of United States officers, and continued in that service on active duty, wherever it was necessary to perform the duty, until they were finally discharged and returned to their homes.

It seems that there are a number of this class of men, and how many there are I can not exactly say now, but a great many, who have failed to get in their applications within the limited time prescribed by the statute, and the committee in considering the matter could see no good reason why if these men had actually performed the service under United States officers, being called into the service by an order from the War Department, and were wounded or contracted diseases in that service, they should be shut out by this limitation. The committee, therefore, came to the conclusion unanimously, as I now remember it, that the bill ought to pass, and this limitation ought to be removed for the term of a couple of years only, and let in these men who are so justly entitled to their pensions. These men, as I understand it, reside in the State of Kentucky, in Minnesota, in Kansas, and some of the other States.

I yield now to the gentleman from California [Mr. ROSECRANS].

Mr. BERRY. Let me ask the gentleman a question before he takes his seat.

Mr. JOYCE. Very well.

Mr. BERRY. Why do you make this limitation for two years? Why not remove it entirely?

Mr. JOYCE. I would have no sort of objection to doing so, as far as I am concerned; but I am not at liberty to accept an amendment of that kind.

Mr. BERRY. Then will the gentleman state the reason for this limitation to two years?

Mr. JOYCE. That is more than I can tell you.

Mr. BERRY. Because if you limit it to two years there may be some reason why it should not perhaps be extended at all. If it should be extended it does not seem reasonable to limit it; and if you limit it, it would seem that it ought not to be extended. We ought to have all the facts.

Mr. JOYCE. As I have said, I would have no objection to removing the limitation entirely; but the committee deemed it best to fix this limitation at two years.

Mr. MCMILLIN. Let me also ask the gentleman from Vermont whether the committee called upon the Department for information as to the number of persons who will be included under the provisions of this bill; and, if so, how many it affects?

Mr. JOYCE. I have no such information.

Mr. MCMILLIN. You can not tell, then, how many persons it will cover?

Mr. JOYCE. I can not, because I do not know how many of these militia-men had already made their applications before the law expired.

Mr. MCMILLIN. They are militia-men, are they?

Mr. JOYCE. Yes, sir.

Mr. MCMILLIN. The report fails to show, and we are wholly in the dark as to the facts bearing upon the question. It seems to me before this bill passes, and I say it with all due deference to the gentleman from Vermont, we should have some data upon which to act.

The SPEAKER. The gentleman from Tennessee has not the floor.

Mr. MCMILLIN. I thought I had.

Mr. JOYCE. I yielded to the gentleman for a question. I now yield to the gentleman from California [Mr. ROSECRANS].

Mr. ROSECRANS. Mr. Speaker, the history of this bill is as follows: The widow of a wagoner and mail-messenger in the employ of the United States Army, and who had volunteered to recover the body of General Canby when he was murdered, applied to me to get a special act giving her a pension. She stated that her husband had been murdered in the service of the United States as a mail-carrier and wagonmaster, but was not regularly enlisted; and that she, a widow, with two children to take care of, being in ignorance of her rights, failed to make her application, under that provision of the statute which has been read by the gentleman from Vermont, until it was too late.

At the same time that this widow requested this of me a chief of scouts, whom I employed myself in 1862 while commanding the Army of the Mississippi, who had rendered distinguished and extraordinary services for the Government, and had, in an attempt to escape across a bridge where he was leading a small body of our men, been so damaged that he was lamed for life, but had persisted in trying to earn his

own living, came to me and said "General, I am disabled; you know all the history of my case, and I want you to ask a pension for me." That was another case. He was no more mustered regularly into the service of the United States than this wagon-master was, and therefore could not come under that third clause; the limitation of July 4, 1874, cut him off, and there had to be special legislation for him before he could be taken care of.

I went then to the Pension Office and found there were a few cases more—five or six—known to the Pension Office where the applicants had been cut off by the limitation of that statute. After considering the matter with the Commissioner of Pensions, it was thought to be the shortest cut to business and the shortest way to reach justice that I should present this bill. That is the history of it. There may be a few more cases than these, but according to the knowledge the Commissioner of Pensions had there were but five or six applications in addition to these two which would come under this clause, and which would therefore be provided for by extending the time, as this bill provides it shall be extended, for two years for those persons and for any others, if there haply should be such, equally entitled by justice and equity to come within that limit. That is the history of this bill, and that is all the information I possess respecting the chances of the Government being taxed provided this bill becomes a law.

Mr. BRAGG. I wish to inquire if the gentleman from Vermont is to hold the floor all the afternoon?

Mr. ROSECRANS. A question is asked me by one of my colleagues on this side. I wish in reply to say the widow who has applied to me to procure her a pension was a widow of a man then employed by the Government as wagon-master and mail-messenger, who when Canby was murdered by the Modocs volunteered to go and recover his body; and that man was killed by the Indians and robbed of $1,500 of money he had in his pocket.

Mr. JOYCE. I demand the previous question.

Mr. BRAGG. I was recognized by the Chair.

The SPEAKER. The Chair begs the gentleman's pardon. The Chair had no right to recognize the gentleman.

Mr. BRAGG. The Chair did recognize me and then inquired how much time was to be yielded, and I replied by asking was the gentleman from Vermont to hold the floor all the afternoon.

The SPEAKER. The Chair recognized the gentleman from Vermont [Mr. JOYCE]; but if he desires to yield to the gentleman from Wisconsin the Chair has no objection.

Mr. JOYCE. I yield the gentleman from Wisconsin five minutes.

Mr. BRAGG. Whenever there is a new pension law to be passed we always find some one single meritorious case that is pushed to the front and no other case is known to exist, and we pass a general law so as to allow that one meritorious case to receive its deserts. And when we pass the general law we have every claim agent in the United States sending out his scouts with fife and drum from one end of this country to the other advising people that the laws are more liberal now than they used to be; that Congress has just passed a new law entitling thousands more to pensions, and giving the invitation, "come to the fountain and be healed; we will do it for $20 apiece. N. W. Fitzgerald, & Co."

When this law was passed we gave from the time of the close of the war to 1874 for parties to make applications. In 1874 this law became dead. Eight years after this law is dead we have a case brought to the attention of my distinguished friend from California [Mr. ROSECRANS], and that is to be made the basis of a new law for two years more.

I would like, Mr. Speaker, to read two or three little billet-doux to show how these things are drummed up. In the first place notice is given all over the country that certain laws to which certain soldiers are opposed are likely to be passed. A heading of petition is sent out to some known soldier with directions to get the name of every soldier in his neighborhood and return the petition "to us." That petition is returned to a claim office in Washington city and is carefully copied. By that means the agent receives names of thousands and tens of thousands of soldiers. That petition comes to Congress, and then goes out a letter of inquiry to each one of these soldiers to know whether they are not entitled to a pension, and certain questions are asked, which if they answer these gentlemen lend them their services to procure a pension.

I have here one of these charming notes which I cut from the New York Tribune, not a Bourbon or confederate organ; so that I hope I will be saved being called in alliance with any such persons for such a purpose:

[Card No. 2. Delinquent declarations.]

FROM N. W. FITZGERALD & COMPANY,
Attorneys and Counselors at Law, Lock-Box 588, Washington, D. C.

Some time ago we sent you a declaration, with instructions how to execute same, so as to enable us to prosecute your claim. Did we not think your claim a good one we would not have sent you the papers, and are surprised at your not having returned them, as everything is now in your favor. The laws are now exceedingly liberal, and at every session of Congress changes benefiting soldiers and their heirs are made, and the claimant that puts the matter off will regret it all the remainder of his life, and his family will do so after he has passed away. Congress granted the enormous sum of $100,000,000 to pay this year's pensions alone, and 1,100 additional clerks are at work rapidly closing pending claims. No claimant should even think of abandoning his claim. Let us hear from you.

Respectfully,

N. W. FITZGERALD & CO.

Here is another little notice which was published in a Western paper:

INCREASE OF PENSION.—Thousands entitled under new laws which are more liberal. Also pensions procured for disabled soldiers, widows, &c. Address with stamps, Stoddart & Company, No. 413 G street, northwest, Washington, D. C. Established 1870.

Here is another:

INCREASE.—Pension laws are now more liberal than formerly, and many are entitled to better rates. Apply at once for list of questions to determine right to higher rates. No charge for services in increase claims where no new disability is alleged, unless successful.

The SPEAKER. The time of the gentleman has expired.

Mr. BRAGG. If the gentleman from Vermont [Mr. JOYCE] will allow me to read one more memorandum it will answer my purpose.

Mr. JOYCE. Read every one you have.

Mr. BRAGG. I received from a soldier, who at one time served under me and thought he was entitled to a pension, a blank filled up which he had received from one of these agents. He said he knew no one more ready and willing to assist him than I would be, and therefore he sent me the original blank from Washington with the memorandum of what it was thought necessary for him to swear to. I will read it:

That about January, 1862, at or near Arlington Heights, Virginia, he contracted disease of lung by exposure, &c.;
Also that about February, 1862, at or near same place he contracted disease of liver caused by exposure;
Also that about May, 1862, at or near Alexandria, Virginia, he contracted disease of heart and kidneys from exposure.

Now, these attorneys are the men we are passing laws for, so that they may send out and notify persons that they may make more raids on the Treasury.

I think it better, if they are meritorious cases, such as have been mentioned by my friend from California [Mr. ROSECRANS], that we pass private bills for the relief of the soldier, the teamster, or his widow, instead of breaking down the statute of limitations that has stood for eight years and opening the door anew to a fresh raid on the Treasury.

Mr. JOYCE. I now call the previous question.

The previous question was ordered; and under the operation thereof the bill was ordered to a third reading, and read the third time.

The question was taken on the passage of the bill; and upon a division there were—ayes 56, noes 51.

Mr. BRAGG. I call for tellers.

Tellers were ordered; and Mr. JOYCE and Mr. BRAGG were appointed.

The House again divided; and the tellers reported that there were—ayes 29, noes 57.

Mr. JOYCE. I do not call for any further count.

So the bill was rejected.

Mr. BRAGG moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. ROSECRANS. I wish to ask unanimous consent of this House to present a bill on Monday next containing the names of the persons who should receive this assistance from the Government.

The SPEAKER. The Chair will submit the proposition at that time.

Mr. HISCOCK. I move that the House now adjourn.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Pending the motion to adjourn,

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill and a joint resolution of the following titles; when the Speaker signed the same:

A bill (S. 2290) to increase the fees of witnesses in the United States courts in certain cases; and

Joint resolution (H. Res. 308) providing for a change in the name of the National Bank of Winterset, in Iowa.

FRENCH CABLE COMPANY.

The SPEAKER laid before the House the following message from the President of the United States; which was referred to the Committee on Foreign Affairs, and ordered to be printed:

To the House of Representatives:

I transmit herewith a report of the Secretary of State, and accompanying papers, furnished in response to the resolution of the House of Representatives of July 15, 1882, calling for any information in the possession of the Department of State in reference to any change or modification of the stipulations which the French Cable Company made with the Government.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 12, 1883.

HARLOW W. TEACHOUT.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting additional evidence in the Indian depredation claim of Harlow W. Teachout; which was referred to the Committee on Indian Affairs.

CONTINGENT FUND OF INTERIOR DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a detailed statement of the disbursements of the contingent fund of the Interior Department for the year ending June 30, 1882; which was referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

ADDITIONAL DESKS AND CHAIRS IN THE HALL OF THE HOUSE.

The SPEAKER also laid before the House the following:

CLERK'S OFFICE, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 12, 1883.

SIR: The increase in the membership of the House from two hundred and ninety-three to three hundred and twenty-five will require the placing of thirty-two additional desks and chairs in the Hall of the House. An examination of the Hall shows that this is practicable with a comparatively slight change in the existing arrangements. I respectfully recommend that the subject be examined by a committee of the House and that proper authority be given for the execution of the work in the interval between the close of the present Congress and the meeting of the Forty-eighth.

EDWARD McPHERSON,
Clerk House of Representatives.

Hon. J. WARREN KEIFER,
Speaker House of Representatives, Washington, D. C.

Mr. RANDALL. It seems to me that that communication should be referred to the Committee on Rules, with instructions to confer on the subject with the Architect of the Capitol, in order that we may ascertain what amount of money will be required to make the necessary alterations in this Hall; and then the Committee on Appropriations can insert the amount in the sundry civil appropriation bill.

The SPEAKER. The Chair thinks the communication had better be referred to the Committee on Rules.

Mr. WHITE. Would it be in order to offer a resolution at this time to appoint a select committee for the purpose?

The SPEAKER. Not pending the motion to adjourn.

Mr. WHITE. I ask the gentleman who made that motion to yield for that purpose.

Mr. SPRINGER. I will move that the communication from the Clerk be referred to the Committee on Rules, with leave to that committee to report to the House a plan for providing increased facilities in this Hall. In that way the proposition can be brought before the House so that we can act upon it.

The SPEAKER. If there is no objection, it will be so ordered.

There was no objection, and the communication was referred accordingly.

LEAVE OF ABSENCE.

Mr. MARTIN, by unanimous consent, obtained leave of absence for four days.

WITHDRAWAL OF PAPERS.

Mr. GEORGE, by unanimous consent, obtained leave to withdraw from the files of the House the memorial of the Legislature of Wyoming on the case of Lieutenant Frederick Schwatka, jr.

ORDER OF BUSINESS.

Mr. WHITE. The gentleman from New York [Mr. HISCOCK] yields to me that I may have a resolution read.

The SPEAKER. Does the gentleman from New York withdraw his motion to adjourn?

Mr. HISCOCK. I yield to the gentleman to have his resolution read.

The SPEAKER. Does the gentleman withdraw his motion to adjourn?

Mr. HISCOCK. I do not.

OBITUARY ADDRESSES ON HON. R. M. A. HAWK.

Mr. HITT. Mr. Speaker, I ask that the special order for Tuesday, the 6th day of February, at 3 o'clock, be the consideration of suitable resolutions of respect to the memory of the late Hon. Robert M. A. Hawk and the expression of their esteem for him by his associates on this floor.

The SPEAKER. If there be no objection, the order proposed by the gentleman from Illinois [Mr. HITT] will be made.

There was no objection, and it was ordered accordingly.

The motion of Mr. HISCOCK was then agreed to; and accordingly (at 3 o'clock and 30 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BINGHAM: The petition of citizens of Philadelphia and of citizens of Pittsburgh, Pennsylvania, for passage of Senate substitute for bill H. R. 5656—severally to the Committee on Ways and Means.

By Mr. BLANCHARD: The petition of J. Nelson Smith, for relief—to the Committee on Claims.

By Mr. BLOUNT: The petition of boards of health, municipal authorities, boards of trade, chambers of commerce, for continuance and support of a quarantine station at Blackbeard's Island—to the Committee on Appropriations.

By Mr. DAVIDSON: The petition of D. H. Woodlee, of Florida, for relief—to the Committee on War Claims.

By Mr. FORD: The petition of W. P. Saunders and others, citizens of Saint Joseph, Missouri, protesting against an increase of duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. HEILMAN: The petition of the Cigar-makers' Union, No. 45, of Evansville, Indiana, protesting against a reduction of the duty on imported cigars—to the same committee.

By Mr. HENDERSON: The petitions of clerks in Quartermaster's Department, relative to bill S. 432—to the Committee on Military Affairs.

Also, the petitions of Army officers, in relation to compulsory retirement from the United States Army—to the same committee.

Also, the petition of citizens of Dixon, Illinois, protesting against an increase of duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. HITT: The petition of the mayor, common council, and many citizens of East Dubuque, Jo Daviess County, Illinois, for an appropriation of $15,000 to improve the harbor at that place—to the Committee on Commerce.

By Mr. LADD: The petition of citizens of Bangor, Maine, for a reduction of the tax on tobacco and for a rebate, &c.—to the Committee on Ways and Means.

By Mr. OATES: The petition of P. M. Calloway and 292 others, citizens of Dale County, Alabama, for an additional appropriation for the improvement of the Choctawhatchee River—to the Committee on Commerce.

By Mr. PEIRCE: The petition of Townley Bros. and others, of Terre Haute, Indiana, protesting against an increase in the duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. SCRANTON: The petition of members of the bar of Monroe County, Pennsylvania, for passage of bill to establish the northern judicial district of Pennsylvania—to the Committee on the Judiciary.

By Mr. SMALLS: The petition of H. M. Robinson and others, citizens of Beaufort, South Carolina, relative to the enactment of a bounty law—to the Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. STRAIT: The petition of P. Cadmore, of Fairbault, Minnesota, and 2,017 others, for the passage of a law granting arrears of pensions to all pensioners who have not received the same—to the Committee on Invalid Pensions.

By Mr. VANCE: The petition of R. F. Barr and others, for a post-route from Cranberry Forge to Linville Cove, North Carolina—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN VOORHIS: The petition of Harvey Beebe, for a pension—to the Committee on Invalid Pensions.

Also, the petition of Martin B. Anderson, president, and 10 others, members of the faculty of the Rochester University, for the passage of a law under which no one but an experienced, practical astronomer of established reputation can be appointed Superintendent of the National Observatory—to the Committee on Appropriations.

By Mr. WILSON: The petition of Michael Reilly and 70 others, of Wheeling, West Virginia, for abolition of tax on cigars and tobacco—to the Committee on Ways and Means.

Also, the petition of Henry F. Fish and 120 others, ex-Union soldiers of West Virginia, for equalization of pensions and bounties—to the Committee on Pensions, Bounty, and Back Pay.

Also, papers relating to claim of Barna Powell, of West Virginia—to the Committee on Claims.

The following petitions for reduction of the duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. BREWER: Of 37 citizens of May's Landing, of 45 citizens of Mount Holly, and of 29 citizens of New Gretna, New Jersey.

By Mr. BROWNE: Of 45 citizens of New Castle, Indiana.

By Mr. BRUMM: Of M. L. Shoemaker and 79 others, of Henry L. Drep and 76 others, of James O'Brien and 41 others, and of Robert Carter and 27 others.

By Mr. J. C. BURROWS: Of 51 citizens of Centreville and of 78 citizens of Lawrence, Michigan.

By Mr. CALKINS: Of 72 citizens of Mishawaka, Indiana.

By Mr. CAMPBELL: Of citizens of Saint Clairsville, Bedford County, Pennsylvania.

By Mr. CONVERSE: Of 61 citizens of Worthington, Ohio.

By Mr. DEERING: Of 55 citizens of Clews, Hardin County, Iowa.

By Mr. DE MOTTE: Of 75 citizens of Winamac, Indiana.

By Mr. GUENTHER: Of 49 citizens of Winneconne, and of 20 citizens of Appleton, Wisconsin.

By Mr. HITT: Of 78 citizens of Nora, Stephenson County, Illinois.

By Mr. HUMPHREY: Of 59 citizens of Sparta, Wisconsin.

By Mr. KASSON: Of H. W. Beckett and 28 others of Osceola, Iowa.

By Mr. KLOTZ: Of 49 citizens of Pittston, Pennsylvania.

By Mr. LEEDOM: Of 49 citizens of West Union, Ohio.

By Mr. MARTIN: Of 74 citizens of Clayton and of 7 citizens of Kenton, Delaware.

By Mr. MOREY: Of 48 citizens of Wilmington, Ohio.

By Mr. MORRISON: Of citizens of East Saint Louis, Illinois.

By Mr. MOSGROVE: Of 44 citizens of Apollo, Pennsylvania.

By Mr. NOLAN: Of citizens of Green Island and of citizens of Preston Hollow, New York.

By Mr. PARKER: Of 77 citizens of Chateaugay, New York.

By Mr. PEIRCE: Of 61 citizens of Clay City, Indiana.

By Mr. PETTIGREW: Of 73 citizens of Brookings, of 80 citizens of Dell Rapids, of 39 citizens of Grafton, and of 76 citizens of Pierre, Dakota Territory.

By Mr. RICH: Of 49 citizens of Port Huron and of 16 citizens of Memphis, Michigan.

By Mr. SHALLENBERGER: Of 141 citizens of Freedom, Pennsylvania.

By Mr. SKINNER: Of 54 citizens of Clayton and of 37 citizens of Cape Vincent, New York.

By Mr. SPARKS: Of 45 citizens of Germantown, Clinton County, Illinois.

By Mr. SPAULDING: Of 31 citizens of Otisville, of 62 citizens of Ovid, and of 76 citizens of Vernon, Michigan.

By Mr. SPRINGER: Of 78 citizens of Beardstown, of 50 citizens of Petersburgh, of 27 citizens of Mount Auburn, of 28 citizens of Murryville, of 31 citizens of Winchester, and of 15 citizens of Mechanicsburgh, Illinois.

By Mr. W. G. THOMPSON: Of 35 citizens of Marion, Iowa.

By Mr. VAN VOORHIS: Of 136 citizens of Holley, of 78 citizens of Churchville, of 40 citizens of Lewiston, and of 78 citizens of Wilson, New York.

By Mr. WADSWORTH: Of citizens of Ontario County, New York.

By Mr. WEST: Of 54 citizens of West Galway, New York.

By Mr. WILSON: Of Jacob Netmyer and 245 others, of Benwood, and of J. B. Wyere & Brothers, of Wellsburgh, West Virginia.

SENATE.

MONDAY, *January* 15, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of proceedings of Saturday last was read and approved.

PETITIONS AND MEMORIALS.

Mr. CAMERON, of Wisconsin, presented a petition of members of the Robert Chivas Post, Grand Army of the Republic, of Milwaukee, Wisconsin, praying for immediate action on the bill granting a pension of $40 a month to those who have lost a limb in the service; which was referred to the Committee on Pensions.

Mr. MCMILLAN presented a petition of the Order of Templars of Honor and Temperance of Minnesota, signed by the officers, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. SAWYER presented the memorial of F. J. Blair & Co., and other importers of earthen-ware, citizens of Milwaukee, Wisconsin, remonstrating against the increase of the import duties on white granite and printed earthen-ware; which was ordered to lie on the table.

Mr. JONAS presented a petition of underwriters and masters of vessels of New Orleans, Louisiana, praying for an appropriation for the purpose of erecting a light-ship on the outer side of Cape Hatteras Shoals; which was referred to the Committee on Commerce.

He also presented a memorial of importers and dealers in crockery and china ware, citizens of New Orleans, Louisiana, remonstrating against an increase of duty on articles of that kind; which was ordered to lie on the table.

Mr. PENDLETON. I present the memorial of W. G. Hyndman & Co., of Cincinnati, Ohio, and the memorial of Scott & Co., of Cincinnati, Ohio, manufacturers of iron roofing, protesting against the reduction of duties upon tin-plate, and representing very strongly that the iron which they use largely in their business is now taxed very high, and that tin-plates are admitted at a rate that comes in ruinous competition with them. I move that the memorials lie upon the table.

The motion was agreed to.

Mr. PENDLETON. I present also the petition of the board of health of Dayton, Ohio, in favor of an appropriation for the support of the immigrant inspection service as a means for the prevention of the introduction and spread of the small-pox in the country, which I move be referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

The motion was agreed to.

Mr. SHERMAN. I present a petition of a similar kind to that presented by my colleague—a petition of the board of health of Dayton, Ohio, praying for liberal appropriation to prevent the spread of small-pox. I move its reference to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

The motion was agreed to.

Mr. VOORHEES. I present a petition signed by many of the most eminent citizens of Indianapolis, Indiana, including Ex-Governor Conrad Baker, Ex-Governor T. A. Hendricks, and persons of that class, which is brief, and I ask that it be read.

The petition was read and referred to the Committee on Military Affairs, as follows:

To the honorable the Senate and House of Representatives of the United States of America, in Congress assembled:

The undersigned, your petitioners, respectfully represent to your honorable bodies:

1. That the theory and practice of medicine is a matter of great importance to the Army, the Navy, and the civil service of the United States.

2. That at the present time the opinions and practice of physicians of equal learning, ability, and honesty, differ so widely as to divide them into sects, such as those commonly called allopathic and homeopathic.

3. That one of these sects, calling itself "regular," has now and has always had absolute medical control of all departments of the Government service, thus compelling all Government employés to submit to its arbitrary choice of medical treatment.

4. That no candidate for appointment to medical service under the Government who avowed his belief in any other system of medical practice than that called "regular," however learned and well qualified in other respects, has heretofore been accorded an appointment or even an examination for the same in any Government service, except the Pension Office.

5. That such discrimination in favor of one medical system against all the others, equally high in the confidence of the people of the United States, is an evident usurpation of powers not granted to the said public servants by law, and therefore tacitly prohibited to them.

6. That your petitioners, patrons of all systems of medical practice, including the so-called "regular" itself, do earnestly pray that such unjust and injurious discrimination be hereafter prohibited by law of Congress, in some form, such as the joint resolution now before your honorable bodies, namely, Senate resolution (first session) No. 96, and House resolution No. 259 of July 14 and 15 last, respectively; and that all qualified physicians be thus made equal before the law in the Government service.

And your petitioners will ever pray, &c.

Mr. GARLAND presented a memorial of the Little Rock Oil and Compress Company, of Little Rock, Arkansas, remonstrating against any reduction of the duty on cotton-seed oil; which was ordered to lie on the table.

Mr. HOAR presented a petition of the Washington Fire and Mutual Insurance Company, by their president and other underwriters, merchants and masters of vessels engaged in the coasting trade of the United States, citizens of Boston, Massachusetts, praying that a light-ship be stationed on the outer side of Cape Hatteras Shoals, and asking an appropriation therefor, to be expended under the direction of the Secretary of the Treasury; which was referred to the Committee on Commerce.

Mr. HARRISON presented resolutions adopted at a meeting of business men of Indianapolis, Indiana, remonstrating against the passage of any bankrupt law; which were ordered to lie on the table.

Mr. DAWES presented the petition of William I. Rotch and other underwriters, merchants, and masters of vessels engaged in the coasting trade of the United States, praying for the establishment of a light-ship on the outer side of Cape Hatteras Shoals; which was referred to the Committee on Commerce.

Mr. GEORGE presented a petition of Edward Harris, a soldier of the war of 1812, praying arrears of pension; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. GARLAND. The Committee on the Judiciary have had under consideration the bill (S. 1308) for the relief of William H. Whiting, and have directed me to report it back and ask its indefinite postponement, and in lieu of it to report a substitute, of which they recommend the passage.

The bill (S. 2361) amending an act re-establishing the Court of Commissioners of Alabama Claims, and for the distribution of the unappropriated moneys of the Geneva award, approved June 5, 1882, was read twice by its title; and the bill (S. 1308) for the relief of William H. Whiting was postponed indefinitely.

Mr. GARLAND. The Judiciary Committee have also had under consideration the bill (S. 2294) to remit the forfeiture of the British bark Viscount Canning, and to refund the proceeds of the sale thereof to her owners, Edward D. Morris and C. R. Morris, and they have instructed me to report the same back and recommend its indefinite postponement, but with a substitute which they recommend be passed.

The bill (S. 2362) to remit the forfeiture of the British bark Viscount Canning, and to refund the proceeds of the sale thereof to her owners, Edward D. Morris and C. R. Morris, was read twice by its title; and Senate bill 2294 was postponed indefinitely.

VERMONT RAILROAD BRIDGES.

Mr. MCMILLAN. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 2264) to authorize the construction of certain bridges and to establish them as post-roads, to report it with amendments. I am also desired to ask that the Senate act upon the bill at the present time.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. ALLISON. Let us hear what the bill is first.

The PRESIDENT *pro tempore*. The bill will be read.

Mr. MCMILLAN. I will state before the Secretary reads the bill that it authorizes the construction of two bridges between the States of Vermont and New York; that it has been submitted to the War Department and to the Chief of Engineers, and they have reported favorably in regard to its passage. The committee have made certain amendments to the bill. Among others, there is one amendment embracing a repealing clause which is so general that it will cover any right the Government may have in regard to the removal or change of the bridges at any time. I think there can be no objection to the passage of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDENT *pro tempore*. The amendments reported from the Committee on Commerce will be stated in their order.

The first amendment was, in section 1, line 22, to insert, after the word "opened," the words "by the owners thereof and at their expense;" so as to read:

And said draws shall always be opened by the owners thereof and at their expense for the passage of vessels, whenever required, except during and for fifteen minutes prior to the passage of trains.

The amendment was agreed to.

The next amendment was, in section 2, line 14, to insert, after the word "opened," the words "by the owners thereof and at their expense;" so as to read:

And said draw shall be opened by the owners thereof and at their expense for the passage of vessels, whenever required, except during and for fifteen minutes prior to the passage of trains.

The amendment was agreed to.

The next amendment was to add at the end of section 2:

And said bridges are established as post-roads.

The amendment was agreed to.

The next amendment was to strike out section 3, in the following words:

That this act shall be subject to amendment or repeal, at the pleasure of Congress; and said bridges are established as post-roads.

And in lieu thereof to insert:

That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in said structure or its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OHIO RIVER BRIDGES.

Mr. BECK. There is a House bill on the Calendar, the bill (H. R. 5380) supplementary to an act approved December 17, 1872, entitled "An act to authorize the construction of bridges across the Ohio River, and to prescribe the dimensions of the same," which was reported from the Committee on Commerce with some verbal amendments. The Committee on Commerce of the House meet to-morrow morning, and in order to have final action on the bill speedily I should like to have it considered this morning, if there is no objection.

Mr. EDMUNDS. Would the Senator from Kentucky, as I am obliged to go down to a committee-room, allow me to introduce a bill before he takes that up?

The PRESIDENT *pro tempore*. The morning business is not yet through. If there are no further reports of committees the introduction of bills is next in order.

Mr. BECK. I beg pardon; I withdraw the request.

BILLS INTRODUCED.

Mr. CONGER asked and, by unanimous consent, obtained leave to introduce a bill (S. 2363) to establish the rights and to define the privileges of the James River Navigation and Improvement Company of the Territory of Dakota; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2364) for the relief of the Mobile Marine Dock Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB asked and, by unanimous consent, obtained leave to introduce a bill (S. 2365) granting a pension to Peter Riley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BUTLER asked and, by unanimous consent, obtained leave to introduce a bill (S. 2366) making appropriations for continuing work on the jetties in Charleston Harbor; which was read twice by its title, and referred to the Committee on Commerce.

Mr. EDMUNDS asked and, by unanimous consent, obtained leave to introduce a bill (S. 2367) granting a pension to Fannie S. Beaumont; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILLIAMS asked and, by unanimous consent, obtained leave to introduce a bill (S. 2368) for the relief of Isabella Burbank; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Pensions.

AMENDMENTS TO A BILL.

Mr. ROLLINS submitted amendments intended to be proposed by him to the bill (H. R. 5538) to reduce internal-revenue taxation; which were ordered to lie on the table and be printed.

PRINTING OF TESTIMONY, ETC.

On motion of Mr. LOGAN, it was

Ordered, That the select committee on heavy ordnance, appointed under the resolution of the Senate of August 2, 1882, be authorized to have printed for its use the testimony, statements, and documents submitted to it.

JULIA A. NUTT.

On motion of Mr. CAMERON, of Wisconsin, it was

Ordered, That the Committee on Claims be discharged from the consideration of the papers in the claim of Julia A. Nutt, and that the Secretary of the Senate transmit the same to the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed the bill (S. 1340) for the relief of the heirs at law of William R. Downing, deceased, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 1247) to amend the pension laws, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the President *pro tempore:*

A bill (S. 2290) to increase the fees of witnesses in the United States courts in certain cases; and

A joint resolution (H. Res. 308) providing for a change in the name of the National Bank of Winterset, in Iowa.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. If there be no "concurrent or other resolutions" the morning hour is closed.

Mr. JONES, of Nevada. Mr. President——

Mr. COCKRELL. I ask that the House cases on the Calendar be now taken up and considered.

The PRESIDENT *pro tempore*. That is the order.

Mr. JONES, of Nevada. I move to set aside the Calendar, and I do so for the purpose of making a motion to take up the bill (S. 1683) for the relief of Ben Holladay.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Nevada, to postpone the Calendar until to-morrow with a view to take up the bill for the relief of Ben Holladay.

Mr. DAVIS, of West Virginia. On Saturday when the Senate went into executive session I had the floor for the purpose of addressing the Senate briefly on the then pending question, which was the substitution of the Agricultural Department bill for the bill now proposed to be moved by the Senator from Nevada. If it is the pleasure of the Senate I will now proceed with my remarks as I gave way at that time for an executive session.

The PRESIDENT *pro tempore*. The whole proceeding fell with the day. If the bill is taken up, the Chair will recognize the Senator from West Virginia first upon the subject of the amendment of the Senator from Kansas.

Mr. DAVIS, of West Virginia. Then I will wait.

The PRESIDENT *pro tempore*. If the bill is taken up that will be the pending amendment. The question is on the motion of the Senator from Nevada, to postpone the Calendar.

Mr. DAVIS, of West Virginia. I suggest to the Senator from Nevada that I be permitted to finish my remarks, and then the motion as to whether the bill shall be taken up can be acted upon. It makes but little difference to the Senator either way.

The PRESIDENT *pro tempore*. Does the Senator from Nevada insist on his motion to postpone the Calendar?

Mr. JONES, of Nevada. I insist on my motion to postpone the Calendar for the purpose of making a motion to take up the bill for the relief of Ben Holladay.

Mr. DAVIS, of West Virginia. The Senator from Nevada perhaps does not understand the situation. On Saturday when the Senate went into executive session I gave way for the purpose of an executive session, retaining the floor for this morning, desiring to conclude some remarks which I was about to commence then.

Mr. JONES, of Nevada. I will say to the Senator that when the motion carries it will then be time enough for him to make his speech.

The PRESIDENT *pro tempore*. If the bill is taken up the pending question will be on the substitution of the bill moved by the Senator from Kansas and then the floor will be awarded to the Senator from West Virginia. The question is on the motion of the Senator from Nevada, to postpone the Calendar.

The motion was agreed to, there being on a division—ayes 35, noes 7.

BEN HOLLADAY.

The PRESIDENT *pro tempore*. The Senator from Nevada now moves to take up the bill indicated by him, which is the bill (S. 1683) for the relief of Ben Holladay.

The motion was agreed to.

The PRESIDENT *pro tempore*. The bill is before the Senate as in the Committee of the Whole, and the question is on the amendment of the Senator from Kansas [Mr. PLUMB] to substitute the bill to enlarge the powers and duties of the Department of Agriculture.

Mr. HAWLEY. It is taken up *de novo;* and is that amendment pending unless the Senator offers it, I respectfully ask?

The PRESIDENT *pro tempore*. When the bill is taken up again it is taken up in the situation in which it was left. That was the situation.

Mr. DAVIS, of West Virginia. If there is any doubt about it, I move——

Mr. PLUMB. There is certainly no doubt about it. All pending amendments go along with the bill.

The PRESIDENT *pro tempore*. The Chair has so decided, that the bill is taken up in the same situation in which it was left. The Senator from West Virginia has the floor on the pending question.

Mr. DAVIS, of West Virginia. Mr. President, the prosperity, the wealth, the happiness, and the life perhaps of a nation depend greatly upon its industrial pursuits, among which are agriculture, mining, manufactures, and commerce. These are, in fact, the most important of them.

During the late war, when the country was hard pressed on every side, so great did Congress then think the necessity of encouraging agriculture that it formed what is now called the Department of Agriculture, but which is in fact only a bureau. This to my mind shows that in war or in peace it is highly necessary for any country, if it would prosper, to pay attention to its industrial pursuits, the leading of which is agriculture.

On the 25th of March, 1879, I introduced this resolution, which was referred to the Committee on Agriculture:

Whereas agriculture is the foundation of nearly all our wealth, and it is mainly through the exportation of its products that we are paying off our large indebtedness, foreign and domestic, and have the present large balance of trade in our favor; and

Whereas although about one-half of the people of this country are engaged in agricultural pursuits, and all other interests are dependent upon this our lead-

ing and most important interest, commercial and otherwise, yet but little has been done by the General Government to promote agriculture, while other less general and important interests have been largely aided: Therefore,

Resolved by the Senate (the House of Representatives concurring), That the Committees on Agriculture of the respective Houses be, and they are hereby, instructed to consider generally the subject of agriculture, and report by bill or otherwise what can or ought to be done by the General Government to better advance, encourage, and foster agricultural interests; and that said committee shall have the power to send for persons and papers.

I also introduced a bill and made a speech favoring the encouragement of agriculture by the General Government. It may be that the resolution, bill, and speech aided somewhat in calling the attention of Congress to this very important question, and the pending bill, which passed the House almost unanimously, is in part the fruit.

The industrial pursuits of any country I think important enough to require the attention of the nation, and especially in a country like ours. In my judgment a country can not prosper for any great length of time if it neglects agricultural, mining, and manufacturing pursuits. We have now seven Executive Departments, most of which were formed early in the history of the Government. The Department of State was organized in July, 1789; the Department of War, August, 1789; the Treasury Department, September, 1789; the Post-Office Department, September, 1789; the Navy Department was formed about ten years later, in 1798; the Interior Department was not formed until 1849. When the first five of these Departments were formed our population was less than 4,000,000; when the sixth, the Navy Department, was made it was less than 5,000,000; when the last, the Interior Department was formed, there were about 20,000,000 people, and the wealth of the country has grown in greater proportion than its population. The present Agricultural Department was formed in May, 1862.

Wall street and the financial world perhaps watch the crops more closely than the farmer. On the crops depends largely the condition of the country. If the crops are poor or bad we generally have what are known as hard or tight times. Consequently we see the whole country watching carefully as to the crops.

History shows that wherever a nation or a people neglected agriculture they soon fell to decay; and, on the contrary, they have prospered in proportion to the attention they have paid to agriculture, mining, manufacturing, and commerce. As soon as they neglected these pursuits and went to war, as was very often the case earlier in history, the nation fell.

I submit a table, which is official, that shows, commencing with 1820, the total value of the exports of the country and the percentage which agriculture contributed:

Values of exports from the United States of domestic merchandise, and of the exports of the products of agriculture, and the percentage which the exports of such products bear to the total value of exports of domestic merchandise for the years mentioned.

Year ended June 30—	Value of exports of domestic merchandise.	Value of exports of products of domestic agriculture.	Per cent. of products of agriculture.
1820	$51,683,640	$41,657,673	80.60
1830	58,524,878	48,095,184	82.18
1840	111,660,561	92,548,067	82.93
1850	134,900,233	108,605,713	80.51
1860	316,242,423	256,560,972	81.14
1870	455,208,341	361,188,483	79.34
1871	478,115,292	368,466,011	77.07
1872	476,421,478	368,796,625	77.41
1873	575,227,017	446,900,004	77.69
1874	633,339,368	501,371,501	79.16
1875	559,237,638	430,306,570	76.95
1876	594,917,715	456,113,515	76.67
1877	632,980,854	459,734,148	72.63
1878	695,749,930	536,192,873	77.07
1879	699,538,742	546,476,703	78.12
1880	823,946,353	683,010,976	82.90
1881	883,925,947	729,650,016	82.55

It will be seen that in 1820 the proportion was 80 per cent., in 1870 nearly 80 per cent., and so on down to 1881, when agriculture contributed over 82½ per cent. of our entire foreign commerce.

I present another table, which is also official, showing that other pursuits are generally protected by the tariff, and by the tariff bill pending now, while the articles used by the farmer are heavily taxed:

	Per cent.
On iron and steel it is from	40 to 50
Leather	25 to 30
China and earthen ware	40 to 50
Hosiery	35 to 60
Hats, bonnets, &c	40
Carpets	40 to 68
Salt	60
Ready-made clothing	50 to 60
Cotton manufactures	35 to 50

Owing to the tariff the farmer in this country pays more for his goods than the farmer of Europe, where there are little or no customs duties. Here they average about 40 per cent. Upon the farmer and the miner the country depends principally for its support. All the great powers of Europe recognize the importance of agriculture, and most of them have ministers of agriculture and spend annually much more than we do in each decade. Russia, Prussia, France, Austria, Italy, Spain, and other nations have ministers of agriculture, and England has recently sent to this country a commission or committee of Parliament for the purpose of examining into the subject. I have here the report of that committee after its return. It is a very interesting document, and has led to the proposition for the creation of an exclusively agricultural department in England. The report that I refer to is well worth the perusal of those who have not seen it.

Russia is our great rival in agricultural products, and she expends more money, as I have before said, in a single year than the United States does in ten. Let me state some of the amounts expended by European governments in aid of agriculture. Russia spends annually $5,012,350; Prussia, $4,054,875; Austria, $5,006,767; France, $7,271,375; Italy, $1,589,900; and the United States for the last ten years has expended $2,747,496, and for the past year, 1882, $366,280. These figures show clearly that any one of the leading powers of Europe expends more annually for the care of agriculture than we have in the last ten years.

I have seen it stated, and I think it true, that out of the three hundred and sixty-nine members of the two Houses of Congress there are but sixteen farmers to two hundred and fifty-two lawyers—fifteen or sixteen to one. In the British Parliament there are six hundred and fifty-two members in all, of which there are one hundred and eight lawyers and three hundred and sixty-three farmers. This shows that we have sixteen farmers in the two Houses of Congress to represent 26,000,000 agriculturists and Great Britain has, if my table is true, as I think it is, three hundred and sixty-three farmers to represent 12,000,000 agriculturists.

Mr. JONES, of Florida. Does the Senator think the lawyers do not represent the agriculturists?

Mr. DAVIS, of West Virginia. They do it a little sometimes by way of side thought. They generally take care of themselves. I will let my friend talk for the lawyers; I am now talking for the farmers.

The agricultural industry of the country is greater than all others, and I think it ought to be represented by an Executive Department.

I have a table here which shows in part the value of the agricultural interest of the country in 1850 and in 1880, and it is quite interesting to see the very large ratio that it bears and the great increase of it:

		1850.	18[illegible]
Land in farms	acres	293,560,614	539,351,713
Improved land	acres	113,032,614	287,220,321
Value of farms	dollars	3,271,575,426	10,197,161,905
Value of farm implements	dollars	151,587,638	406,522,414
Value of farm animals	dollars	544,180,516	1,500,503,807
Value of farm products	dollars		
Horses	numbers	4,336,719	10,357,981
Mules and asses	numbers	559,331	1,812,932
Working oxen	numbers	1,700,744	993,970
Milch-cows	numbers	6,385,094	12,443,593
Other cattle	numbers	9,693,069	22,488,590
Sheep	numbers	21,723,220	35,191,656
Swine	numbers	30,354,213	47,683,951
Corn	bushels	592,071,104	1,754,861,535
Wheat	bushels	100,485,944	459,479,505
Oats	bushels	146,584,179	407,858,999
Rye	bushels	14,188,813	19,891,595
Barley	bushels	5,167,015	44,113,495
Buckwheat	bushels	8,956,912	11,817,327
Cotton	bales	2,469,093	5,746,414
Hay	tons	13,838,642	
Wool	pounds	52,516,959	155,685,750
Butter	pounds	313,345,306	777,204,471

To show how very valuable are the products of the farm, I give the value in 1881 of corn, hay, and cotton:

Value of corn of United States, 1881	$759,482,170
Value of hay of United States, 1881	415,131,366
Value of cotton of United States, 1881	259,016,315
Total of corn, hay, and cotton for 1881	1,433,629,851

It is estimated by the Agricultural Department that the entire product of the farms in 1881 amounted to the enormous sum of $3,500,000,000 of money, or more, as we all know, than our entire national indebtedness; and we find that the production of wheat alone in the States of California, Nevada, &c., is greater than the products of their mines. The value of the crops of this country for a single year is greater perhaps than all the gold and silver of this country and Europe combined. We import and pay large amounts of money for many articles of agriculture that ought to be raised at home. I give a list of eight or ten of the leading articles, which amounts to $160,000,000:

Sugar and molasses	$88,432,063
Tobacco and manufactured tobacco	6,474,939
Spirits and wines	8,762,763
Fruits and nuts	12,511,806
Barley	6,711,307
Rags, cotton, or linen	5,474,737
Hides and skins, other than furs	30,002,254
Eggs in 1880, 7,773,492 dozen, value	901,592
Eggs in 1881, 9,562,036 dozen, value	1,203,067

Upon the success of the farmer depends cheap food, and on cheap food depends our capacity to pay our foreign debt and encourage our manufactures. A partial failure even for a single year of the crops is very apt to bring on general distress in the country.

Our agricultural exports for 1881 amounted to $729,650,016, which was 82.55 per cent of our entire foreign commerce:

Exports of breadstuffs for 1881	$270,332,519
Exports of cotton for 1881	247,605,746
Exports of provisions for 1881	151,528,216
Exports of tobacco for 1881	20,878,884

The census of 1880 showed that the value of the agricultural products for that year amounted to more than the entire national debt.

I submit a table which shows for several years prior to our several financial crises, such as those of 1837, 1857, and 1873, the balance of trade was largely against us, which resulted in bringing on a panic.

The following are the official statistics of imports and exports and losses for the year, and preceding years to each panic, which occurred in years 1837, 1857, 1873, showing each year's loss to our industries and wealth by adverse balance of trade, and being the only true and sufficient cause for our country's former impoverishment and financial distress:

SEVEN YEARS OF ADVERSE BALANCE OF TRADE.

Year.	Merchandise.		Yearly loss by adverse balance of trade.
	Imports.	Exports.	
1831	$82,808,110	$59,218,583	$23,589,527
1832	75,327,688	61,726,529	13,601,159
1833	83,470,067	69,950,856	13,519,201
1834	86,973,147	80,623,662	6,349,485
1835	122,007,974	100,459,481	21,548,493
1836	158,811,392	106,570,942	52,240,450
1837	113,310,571	94,280,895	19,027,676
Panic of 1837; total loss			149,675,991

EIGHT YEARS OF ADVERSE BALANCE OF TRADE.

1850	$164,034,033	$134,900,233	$29,133,800
1851	200,476,308	178,620,138	21,856,170
1852	195,387,314	154,931,147	40,456,167
1853	250,157,145	189,869,162	60,287,983
1854	275,991,779	215,328,200	60,663,579
1855	231,650,340	192,751,135	38,899,205
1856	295,690,938	266,438,051	29,212,887
1857	333,511,295	278,906,713	54,604,582
Panic of 1857; total loss			335,013,573

TEN YEARS OF ADVERSE BALANCE OF TRADE.

1864	$301,113,322	$143,504,027	$157,609,295
1865	209,656,525	136,940,248	72,716,277
1866	423,470,646	337,518,102	85,952,544
1867	381,043,768	279,786,809	101,256,959
1868	344,873,441	269,389,900	75,483,541
1869	406,555,379	275,166,697	131,388,682
1870	419,803,113	376,616,473	43,186,640
1871	505,802,414	428,398,908	77,403,506
1872	610,904,622	428,487,131	182,417,491
1873	624,689,727	505,033,439	119,656,288
Panic of 1873; total loss			1,047,070,223

For several years past it is well known that the balance of trade has been in our favor, and to show the extent of it I desire to present a table from which it will be seen that it has been more than $1,200,000,000 in our favor in the last seven years, which would show that the country now ought to be in a prosperous condition. The last year, however, it has been much less than formerly, only about $25,000,000 in our favor. The table to which I refer is as follows:

Year ended June 30.	Exports.		Total exports.	Imports.	Excess of exports over imports.
	Domestic.	Foreign.			
1876	$525,582,247	$14,802,424	$540,384,671	$460,741,190	$79,643,481
1877	589,670,224	12,804,996	602,475,220	451,323,126	151,152,094
1878	680,709,268	14,156,498	694,865,766	437,051,532	257,814,234
1879	698,340,790	12,098,651	710,439,441	445,777,775	264,661,666
1880	823,946,353	11,692,305	835,638,658	667,954,746	167,683,912
1881	883,925,947	18,451,399	902,377,346	642,664,628	259,712,718
1882	733,239,732	17,302,525	750,542,257	724,639,574	25,902,683
Total	4,935,414,561	101,308,798	5,036,723,359	3,830,152,571	1,206,570,788

Mr. President, in addition to our foreign commerce the internal taxation is principally derived from the products of agriculture. It is well known that whisky contributes about $70,000,000 and tobacco about $47,000,000. Each of these products comes almost directly from the soil. On this point I present the following table:

Comparative statement showing the receipts from the several sources of internal revenue during the fiscal years ended June 30, 1881 and 1882, with the increase or decrease from each source.

(The figures for 1882 are subject to revision until publication in Commissioner's report.)

Sources of revenue.	Amount of tax paid during fiscal years—		Increase.	Decrease.
	1881.	1882.		
SPIRITS.				
Spirits distilled from fruit	$1,531,075 83	$1,095,164 60		$435,911 23
Spirits distilled from grain and other materials	60,683,051 73	63,683,592 37	$3,000,540 64	
Rectifiers	170,145 99	184,483 67	14,337 68	
Retail liquor-dealers	4,322,208 21	4,455,335 55	133,057 34	
Wholesale liquor-dealers	418,813 68	439,018 86	20,205 18	
Manufacturers of stills	2,516 67	1,490 03		1,026 64
Stills or worms manufactured	6,880 00	4,703 00		2,177 00
Stamps for distilled spirits intended for export	18,470 80	9,600 10		8,870 70
Miscellaneous	721 97			721 97
Total	67,153,974 88	69,873,408 18	2,719,433 30	
TOBACCO.				
Cigars and cheroots	16,095,724 78	18,245,852 37	2,150,127 59	
Cigarettes	992,981 22	972,570 10		20,411 12
Snuff	689,183 03	778,650 87	89,467 84	
Tobacco, chewing and smoking	22,833,287 60	25,033,741 97	2,200,454 37	
Stamps for tobacco, snuff, and cigars intended for export	6,852 40	6,606 06		246 34
Dealers in leaf-tobacco	83,190 03	84,533 97	1,343 94	
Dealers in manufactured tobacco	1,976,071 55	2,094,536 21	118,464 66	
Manufacturers of tobacco	9,169 55	8,762 48		407 07
Manufacturers of cigars	142,273 02	143,859 66	1,586 64	
Peddlers of tobacco	26,258 13	22,875 22		3,382 91
Total	42,854,991 31	47,391,988 91	4,536,997 60	
FERMENTED LIQUORS.				
Ale, beer, lager, and porter	13,237,700 63	15,680,678 54	2,442,977 91	
Brewers	195,308 52	195,824 31	515 79	
Dealers in malt liquors	267,232 06	277,417 57	10,185 51	
Total	13,700,241 21	16,153,920 42	2,453,679 21	
BANKS AND BANKERS.				
Bank deposits	2,946,906 64	4,096,102 45	1,149,195 81	
Bank capital	811,006 35	1,153,070 25	342,063 90	
Bank circulation	4,295 08	4,285 77		9 31
Total	3,762,208 07	5,253,458 47	1,491,250 40	
MISCELLANEOUS.				
Bank checks	2,253,411 20	2,390,455 14	137,043 94	
Friction matches	3,278,580 62	3,272,258 00		6,322 62
Patent medicines, perfumery, cosmetics, &c	1,843,263 90	1,906,395 56	63,131 66	
Penalties	231,078 21	199,830 04		31,248 17
Back taxes under repealed laws	152,162 90	78,558 99		73,603 91
Total	7,758,496 83	7,847,497 73	89,000 90	
Aggregate receipts	135,229,912 30	146,520,273 71	11,290,361 41	

So that in addition to 80 per cent. of our foreign commerce which agriculture contributes, 90 per cent. of our internal revenue comes from it, which makes it still more important that we should give some attention to it.

The population of the United States in 1880 was 50,155,783; engaged in agriculture, about 26,000,000; value of farms in 1850, $3,271,575,426; value of farms in 1880, $10,197,161,905.

The farmer labors more hours and gets less pay as a rule than men engaged in other occupations. You may ask why create another Executive Department for agriculture? We have fewer Departments now than almost any of the foreign governments. In the present Departments of the Interior and the Treasury it is well known that many of the bureaus or offices are so large that they can not be seen once in a week and perhaps once in a month by the head of the Department. In 1849, when the Interior Department was formed, the same question was asked, "Why create another Department?" We then had a little over 20,000,000 people. We now have a little over 50,000,000 people. It is well known that just on the eve of the passage of the bill creating

the Interior Department the administration was about changing. It had been Democratic for many years. General Taylor had been elected President and was about to come in, and the argument used was that we had Departments enough, that there ought to be no more Departments, but the Senate almost unanimously agreed that there should be another Department, and it had among its members then Webster, Clay, Calhoun, and Benton. Who now would say that those men were wrong? So it will be if a new Department is made for agriculture. It will soon grow, because the country is growing, and we require more brains to regulate and manage the affairs of 50,000,000 people than of 20,000,000 people.

In 1802 the total number of employés in the Departments in Washington was 103; in 1860, 1,311; that was after the Interior Department was formed. In the fiscal year 1882 the number of employés amounted to 6,268. In 1883 it amounted to 7,750. I know the increase was principally for the Pension Office, but still they are employés of the Government. I am not now condemning the increase, but the fact is that the increase is upon us, and we should provide more brains to govern it than we have.

The increase last year in the Departments in Washington was greater than the whole number of employés in the Departments in 1860. In 1860, as I have said, the number was 1,311. Last year there was an increase of 1,462, and this, let me say, does not include the several Bureaus of Printing and Engraving, of Public Printing, the Coast Survey, &c., which probably numbers somewhere between two and three thousand.

The Treasury Department now is so large that the Secretary of the Treasury, I think, can hardly see his leading subordinates once a week. I think it safe to say he has not seen some of them for a month. Nearly all of the large foreign governments have a separate department for receiving and for paying; that is, one department to collect money and another to pay it; and I believe it would be well if the Treasury Department were divided into two departments, one for the collection and another for the payment of moneys, so that one would not depend upon the other in any form or manner. I take it all will agree that our manufacturing and mining interests need more care and attention.

Mr. President, we are losing our foreign commerce rapidly. It is well known that in 1830 American vessels carried 89 per cent.; in 1840, 82 per cent.; in 1850, 72 per cent.; in 1860, 66 per cent.; in 1870, 35 per cent.; in 1880, 17 per cent.; in 1881, 16 per cent.; in 1882, 15 per cent. These figures show that we must change our policy or we shall soon have no foreign commerce in American vessels. That interest ought to receive attention, and I hope it may before long.

Mr. President, the bill as reported by the Agricultural Committee of the Senate, not as it came from the House, creates very little expense. I believe $9,500 is the total expense. It simply transfers the present organization of the Agricultural Bureau to a new department, which will go on as it is now, so that there is little or no additional expense attending it. The only expense, as I understand it, and I have examined it carefully, is $9,500; as the bill now stands it creates but three new officers and dispenses with one. It only adds a secretary and assistant secretary and a veterinary surgeon and drops the Commissioner of Agriculture. The entire expense is annual salary of secretary $8,000, of assistant secretary $3,500, and of veterinary surgeon $2,500, making in all $14,000; and deducting the present salary of the Commissioner of Agriculture, $4,500, we find that the total increase of expenditure will be $9,500 annually.

I believe all the great minds of this country, commencing with Washington and followed by Jefferson, Madison, Jackson, Clay, Webster, and Lincoln, have recommended from time to time that more care be given to agriculture and more attention paid to it. When Rome was in her glory and her prosperity was the greatest, no man could hold a public office unless he was an agriculturist. When she neglected agriculture, however, and became a warlike nation, she soon fell to pieces.

Though I am as much opposed, perhaps, as any Senator to increasing the expenditures of the Government, I believe that a head of department who will represent the industries of the country is highly necessary, for upon the industries of the country the nation must depend. Those industries which need care and attention and have but little or none now, are agriculture, mining, manufacturing, and commerce.

Mr. MORRILL. I desire to know what bill is before the Senate.

The PRESIDENT *pro tempore*. The bill for the relief of Ben Holladay is before the Senate, and the pending question is the motion of the Senator from Kansas [Mr. PLUMB] to amend it by striking out all after the enacting clause and substituting the bill creating a Department of Agriculture.

Mr. MORRILL. I wish to say something on the Ben Holladay case. I do not desire to discuss the amendment proposed by the Senator from Kansas. In the short time which I have had to make any preparation for this bill, of course I can deal with only a part of the subject, but I have yet spent more time about it than I think the case deserves.

It seems to me that the consideration of this claim now will be a useless consumption of time, as it will not reach the House in time for favorable action, if the House should ever be so inclined, as I very much doubt whether it will ever be, but there is no doubt the claim will be again presented here while any lamp holds out to burn.

We have been told that this bill has been reported unanimously by the committee. If the fact be so, and all the members of the Committee on Claims, after proper examination, support it, I regret the fact, because I would have greatly preferred that some member of that committee had done the work I am about to undertake, and for which I can receive no thanks, namely, to show that the bill, as reported, ought not to pass.

It is true that the bill appears to be amended in its phraseology, but it covers the same obnoxious claims as much as ever. Hiding payments to Ben Holladay "for spoliations by hostile Indians" under a longer-drawn out specification adds no sweeter fragrance to the bill. The phraseology of the bill now reads:

> For all losses sustained by him by reason of his having carried the mail on a route different from the one specified in the contract, under the military authority of the United States and upon the request of the President, during the existence of Indian hostilities on the line of said mail-route, and in full satisfaction for the property taken and used by the United States troops for the benefit of the United States.

This must be accepted as a very ingenious, euphemistical rendering of the language contained in the previous bill, but it conveys a very erroneous impression. The change of route was only made in order to give him protection for the benefit of Ben Holladay, and which, if it had not been given, might have exposed him to greater losses. Let me add that the incorporation of the words "upon the request of the President" appears to refer to the orders "under the military authority," and, if so, would undoubtedly be correct; but if they were intended to prop up the case beyond that, then the case would rest upon the testimony of the claimant alone.

While I can not think any of the officers of the United States Army can be supposed ever to have seized any of the property of Mr. Holladay without giving a receipt therefor, and for which he was not ultimately duly paid, yet, if there can be such a case made out, I should be quite ready to vote for a bill fully covering it.

Notwithstanding it has been said that this bill was reported unanimously, and is reduced in amount from the former report of the same committee, yet it appears to me a little singular that the Committee on Claims should have failed to remember that the Ben Holladay claim has been before the Senate in Committee of the Whole, and there, after a prolonged discussion, it was cut down to $100,000. Surely the recent opinion of a decided majority of the whole Senate was entitled to some respect and to more weight than appears to have been given to it. The bill, it is true, is razed from over $520,000 down to about $320,000, but that is more than three times one hundred thousand, which the Senate once decided was all that the claimant was entitled to receive. I thought then that $50,000 would be abundant and very liberal.

It has sometimes been suggested that this claim ought to go to the Court of Claims. That might be so if restricted to the claim for property taken and used by United States troops; but if to cover a claim where none now exists, or for losses by hostile Indians, then it would not answer, and especially would not answer under the conditions once reported that the *ex parte* testimony taken in 1862 and 1865 of twenty-four of the persons in his service should be received and accepted by the court. Without any notice to the Government this testimony was taken, some of it more than twenty years ago, most of it eighteen years ago, and none of it ever saw the light of day until 1878. What kind of a chance would that leave the Government in a suit in court with such a claimant and with testimony, besides his own, such as he chose to preserve chiefly out of the four hundred and fifty men in his service?

If this bill should pass and become a law it would reverse the principle and the action of the Government from its foundation, and would establish a great and conspicuous precedent that will compel the Government to pay to mail contractors, a class which has notoriously made fortunes out of the Government, for all losses they have heretofore endured, or may hereafter endure, in consequence of Indian depredations. The amount covered by this bill we might pay without bankrupting the Treasury, but who can foretell the thousands of claims, supported by equal and in many instances by greater merits, that would throng our corridors the moment it is established that the United States has consented to become the insurer of mail contractors and refund their losses? These depredations have been made at a great many points in the South and Southwest as well as throughout our country west of the Mississippi, both in the earlier and later periods of our history. It would be a great mistake to open the door for this great multitude of contractors to come here for additional sums of money to which they never had any right or expectation under their original Post-Office contracts.

I know there is now one act of Congress and but one for a similar claim pushed through by a Senator from Oregon, I believe, but it apparently got through here without any special attention of the Senate, and is too insignificant in amount to be pointed at save as an example to be shunned.

In the whole history of the Post-Office Department I know of no instance where that Department has paid to mail contractors or even recommended payment "for spoliations by hostile Indians while carrying the United States mails," and if there is any instance of that sort I respectfully ask the chairman of the Committee on Claims to point it out. Does my friend, the honorable Senator from Wisconsin, know of any such instance?

Mr. CAMERON, of Wisconsin. I think there are several instances referred to in the report made by the Committee on Claims at the last Congress.

Mr. MORRILL. I have the report here and after a careful reading I do not find any such instance whatever.

Mr. CAMERON, of Wisconsin. The Committee on Claims were of opinion that this is an exceptional case, and they state in their report why they consider it an exceptional case.

Mr. MORRILL. I will assent to the idea that the committee have made it an exceptional case, in no other wise.

Mr. CAMERON, of Wisconsin. The committee do not intend to give their assent to the doctrine that under all circumstances persons carrying the United States mails whose property has been depredated upon by Indians are entitled to compensation.

Mr. MORRILL. But the precedent does go to that full extent. There is no doubt about it.

If to-day railway tracks were to be torn up, locomotives and cars destroyed, and fuel burned up by hostile Indians, would not the railway companies, as contractors for United States mail service, have in law and equity as just a claim to be reimbursed for their losses as Ben Holladay now has? How many such cases have occurred or will occur I know not, but it is obvious that they must have equal merit.

Again, suppose that one of our ships having a contract, for instance, between New York and Galveston should in time of war be captured, or be seized by pirates, could the owners expect to have the loss made good by the United States? To be sure the loss would not be in consequence of the fault of the owners of the ship, and just as certainly not in consequence of the fault of the United States, as the latter would have done all it could have done to protect the owners, and all that it ever promised to do in the case of Ben Holladay, as will be seen by the testimony of Colonel Chivington.

I read a letter addressed by Colonel Chivington to Ben Holladay from Denver, Colorado:

HEADQUARTERS DISTRICT OF COLORADO,
Denver, December 2, 1864.

SIR: I am directed to furnish your line complete protection against hostile Indians, which I can only do by its removal from the Platte to the Cut-off route. As it now runs I am compelled to protect two lines instead of one. You will, therefore, remove your stock to the Cut-off route, which will enable me to use troops retained for an active campaign against these disturbers of public safety.

I am, sir, with respect, your obedient servant,

J. M. CHIVINGTON,
Colonel Commanding District.

BENJAMIN HOLLADAY, Esq.,
Proprietor Overland Stage Line.

This officer was directed to furnish the line complete protection, all that he could, and that was done by a removal to a shorter route, the Cut-off route—easier and cheaper, as well as safer to be run. The testimony is that it could be run with "more safety and greater celerity than the old route." The Government is entitled to credit for using all the military force it could spare for the protection of the stock of Ben Holladay. There is no ground for any claim that our military officers neglected the duty with which they had been charged. I do not think Congress will be ready now or ever to become the insurers of the ships, locomotives, coaches, horses, and harnesses of mail-contractors. They must still do as they have ever done, estimate for all contingencies when they offer their written proposals for contracts. If the risks are hazardous their terms must be raised accordingly, as they were beyond all question in this case and as they ever have been.

This claim of Ben Holladay should be decided upon its merits to-day as it was in 1866. If we owe him any money I should be glad to see him paid. If I were the only one to assert the rights of the United States Treasury against the distinguished Senators who espouse the cause of the claimant with such zeal, I should have little courage to take any part in the present discussion. When this claim was last before the Senate the Senator from Ohio (Mr. Thurman) and my colleague [Mr. EDMUNDS] were both here to resist it, and they were lawyers of some repute, and I think, therefore, I shall not be deterred from denying the validity of this enormous claim, which has had nearly twenty years of vigorous growth, though the drought of last year appears to have somehow checked its rankness a little.

Let me say that I have very great confidence in the Committee on Claims. I have rarely ever heretofore done more than to silently vote for any report they have made, but this is so plainly and palpably against the whole history and practice of the Post-Office Department and of Congress that it has arrested my attention, and the more I have examined it, less and less have appeared its merits.

Let us look at the history of this claim. Mr. Holladay became a mail contractor in 1860, and from 1861 to 1864 had the overland mail contract at one million a year. Does anybody suppose that he did not then understand, as well as the Department, that he took all the risks of the service? He was a very competent man for the business and understood all about it, and understood the profits of the business as well as the losses.

The passenger traffic was a monopoly and subject to the most extravagant charges, as was the express business. I do not think there is any doubt but that the whole business was very remunerative, but whether it was so or not, he did not call upon the Government at the expiration of his contract in 1864 to reimburse him for losses or even to increase his compensation for the continuation of his contract, but again took the same contract over the same line of travel, and before any railroads had been constructed across the continent, for $840,000, instead of a million dollars, or for $160,000 less. No claim for losses by Indians was then or ever presented to the Post-Office Department, and, if there had been, most likely it might have been more than offset by fines for numerous failures to perform the regular trips on schedule time. How this was I do not know, but I have never understood that Mr. Holladay suffered any penalties for non-performance of the service, and although the Government often supplied him with mules and other assistance no payment for such service has ever been made.

Mr. Holladay in his own testimony claims that President Lincoln told him he should be protected, and it appears that the military authorities did all they could to protect him, but it is a little queer that no one but Mr. Holladay heard the words of President Lincoln. President Lincoln's version of the conversation can not now be had. It would have been easy to have had a scrap in writing, if a new contract had been made, from the Postmaster-General, but no such authentic document is forthcoming, and the testimony of Postmaster-General Blair, now living, appears to have been most industriously avoided and excluded in the examination of this claim. It is not a little remarkable that in his memorial of 1872 Mr. Holladay says nothing about Mr. Lincoln. No business man can reach the conclusion that a contractor so experienced and so conspicuously the master of his great business as all admit Mr. Holladay to have been, and as he is now, would have taken out a new contract at a lower rate if he found himself a loser on the old contract.

With consummate forethought Mr. Holladay obtained five affidavits of men in his service, dated in 1862, respecting losses prior to that date, and used for the first time sixteen years afterward. Now, why did he not present his claim for such losses to the Post-Office Department or to Congress, indorsed by the Postmaster-General, in 1864? The Postmaster-General knew all about it and President Lincoln was alive. An independent jury would be sure to reach an adverse conclusion upon both the action and non-action of Mr. Holladay in this transaction up to 1864, and nothing in the lapse of eighteen years helps his position.

Mr. Holladay in his memorial in 1872 says his claims were presented to Congress in 1866 and the petition referred to the Committee on Indian Affairs of the House, "and that subsequently by a disagreement of the two Houses of Congress as to the proper relief to be granted, the measures of relief failed by the adjournment of Congress." These words are very artistically put together and fail to show the fact that neither of the two Houses ever proposed to grant any relief for his losses by Indian hostilities. These were not presented, or, if presented, excluded by both the House and the Senate.

What was the resolution which was passed by the House? I find it in these words:

That so much of the claim of Benjamin Holladay as relates to damages for change of route by military orders and property taken by the military authorities and appropriated to the use of the Government be referred to the Court of Claims for adjustment.

This was reported in the House by the chairman [Mr. WINDOM] of the Committee on Indian Affairs, the present distinguished Senator from Minnesota, now chairman of our Committee on Foreign Relations, and then as now a very able and experienced chairman. But the Committee on Claims of the Senate, Senator Clark, of New Hampshire, being chairman, a gentleman eminent for his industry and fidelity to his duties on his committee, reported the case to the Senate with an amendment striking out that part of the claim which was for damages for change of route. The Senate appeared to think no claim could be set up on account of any military order, and, upon the motion of Senator Nesmith, the resolution was taken up, the amendment agreed to and passed without a dissenting vote. The friends of Mr. Holladay contended for nothing more.

This all occurred in May, 1866, when all the facts were fresh, known to everybody, and within reach. It was done when both the House and Senate were strongly Republican. That is to say, all that Congress then proposed to do was this:

That so much of the claim of Ben Holladay as relates to property taken by military authorities and appropriated to the use of the Government be referred to the Court of Claims for adjustment.

A committee of conference was appointed on the part of the two Houses, but it was late in the session and it does not appear that they ever met. This was the measure of relief which the memorial states "failed by the adjournment of Congress," but it was a very light measure compared with the munificent bill proposed sixteen years later by our present Committee on Claims, who seem to be deaf to any other side of this claim than that now presented by the untiring fidelity of the memorialist to a big claim that he strangely neglected while it was only a small claim.

I do not think the facts as to this claim or the laws which determine its validity have changed since the Senate passed judgment upon it in 1866. I would be willing to do as much as the Senate did then, for if there was any "property taken by military authorities" for the use of the Government, and not paid for, let us pay for it by all means. I sup-

pose, however, if any property was so taken a receipt must have been given for it—that would be the duty of the military authorities—and that it has long since been paid for. That is so according to one of the officers who testified in this case, who says:

When he did not have sufficient supply and he found a train loaded with corn coming to Denver he pressed it into the service of the Government, gave a receipt, and it was paid for.

If there really was a substantial claim of over a half million dollars against the Government, how does it happen that this claimant now let it sleep for six years, or from 1866 to 1872? He had all but two of his affidavits made out then as now, as their date shows. He was not waiting to obtain proof himself, but did wait until it would be difficult, if not impossible, for the Government to make any effective disproofs or answer to his claims. Mr. President, if I had the legal ingenuity of some Senators who advocate this bill I could make more holes in this claim than there ever was found in an old-fashioned New England colander.

In 1872 Ben Holladay once more appears, after an absence of six years, in a memorial presented this time to the Senate. Would any shrewd business man like Mr. Holladay suffer a claim of real merit, amounting to over a half million dollars, against the Government, which, as he knew, never pays interest, to receive no attention whatever on his part for this length of time? If the claim was bad, the mold of years might hide its deformity; if good, the earlier and closer it could be examined the better it would appear. We have a copy of this memorial, but even at this date, 1872——

Mr. CAMERON, of Wisconsin. Does the Senator from Vermont think that that is really an argument against this claim because for six years it was not pressed?

Mr. MORRILL. Most undoubtedly I do.

Mr. CAMERON, of Wisconsin. Take the claim of Commodore Reid, which was passed favorably upon by Congress at its last session. The claim arose in 1814. It was presented to Congress soon after that time. It was not favorably acted upon. Then for ten years it was not again presented.

Mr. MORRILL. But that does not relate to mail-contractors.

Mr. CAMERON, of Wisconsin. Undoubtedly; but it relates to a claim against the Government.

Mr. MORRILL. This mail-contractor has been alive and, to use a vulgar phrase, kicking all the time, and there was no reason why he should not have presented his case without leaving a lapse of six years at one time and six or seven at another without pursuing it if he thought there was any chance of his getting favorable action upon it. Any man must have a large capital that will not ask for the payment of a debt of a half million of dollars oftener than once in six years.

Mr. CAMERON, of Wisconsin. There are hundreds of claims that so far as this point is concerned stand exactly in the same position.

Mr. MORRILL. Nothing that relates to mail contractors, as I repeat.

Mr. CAMERON, of Wisconsin. Why are they different from other claims?

Mr. MORRILL. I tried to have the Senator precede me, as he knows, and open this debate, but he declined, and therefore I think I will conclude what I have to say.

We have a copy of this memorial, but even at this date, 1872, there was not the slightest allusion to that very confidential talk of the claimant with President Lincoln in 1862, heard by nobody but himself, which he brings out in his own testimony in 1879, or seventeen years subsequently. Talk that could be remembered with such precision of verbiage after the lapse of so many years, if regarded of any consequence, it would have been well to have remembered a trifle earlier. Mr. Lincoln's words if truly reported bind nobody. If they did it would be important to have his own version of those words and not those of a deeply interested party.

The memorial of 1872 was referred to the Committee on Indian Affairs, and afterward reported back and referred to the Committee on Claims, but no report appears to have been made. Again it went to sleep for almost as long a time as that of Rip Van Winkle, and did not wake up until 1878 or 1879, or for seven years, and then the claimant had his affidavits, fifteen to seventeen years old, all cut and dried, in his pocket, to prove that the Government was in duty bound to hand over to him a half million of dollars! Was there ever such forbearance upon the part of a needy creditor? But if for seventeen years this claimant appears for the most part of the time as having no claim or as a laggard in pressing his claim, no fault of that kind can attach to him for the last three or four years.

But I wish to call the attention of the Senate to the wholly unsatisfactory character of the testimony as I find it in the report of the committee made in 1879:

That testimony can be found in Miscellaneous Document No. 19, Forty-sixth Congress, second session, and I ask the attention of the lawyers of the Senate to the remarkable similarity of these affidavits. They are almost as perfect as many of the petitions that we receive in a printed form; they evidently had been arranged and concocted by a lawyer in each case, and the same one. It will be seen, if any one will take pains to examine, that out of his four hundred and fifty employés twenty-four have been used by him in these affidavits.

R. L. Pease was a trustee; Lemuel Flowers, division agent; Richard Murray was a driver; J. A. Slade was a route agent; S. B. Babcock, driver; J. E. Bromley, division agent; William A. Reid, division agent; Isaac E. Eaton, superintendent; George H. Carlyle, master of transportation; Sol. Riddle, division agent; George M. Lloyd, agent; Charles Ivins, division agent and employé; S. O. Jerome, a division agent; Reuben S. Thomas, division agent; William Reynolds, superintendent; W. M. Hudnut, messenger; Richard Quinn, local agent; James Stewart, division agent; R. J. Spotswood, division agent; William Trotter, in service; G. H. Carlyle, in service; and R. J. Spotswood, a division agent and a very willing witness, it will be seen, and a man of all work, certainly as a witness; David Street, paymaster; George K. Otis, general superintendent, and this man, let me say, made all the estimates that are appended to each affidavit—a man in Holladay's employ as general superintendent made the estimates under each affidavit, and that not under oath at all, nor under the oath of the parties from whom affidavits were taken.

Mr. WILLIAMS. I should like, if it will not interrupt the Senator, right here to ask him this question, how it was possible to find anybody else than the employés of Mr. Holladay in a country where there was no population, a wilderness for 1,200 miles, no people, no courts, no magistrates, nobody who knew anything about these things, except the very men by whom he proved the losses?

Mr. MORRILL. I think there were some, yes, many settlers on the route, some travelers, and many at each end of the routes. I do not think it was entirely bare of all population except the employés of this contractor. If it had been, there would have been no reason for having such a mail-route run.

But I desire to call the attention of the Senate to these estimates. It is a little remarkable how they are put in, in round lump sums. You will find in the course of the testimony that the various stations were supplied twice a year, that is to say, once in six months, and it would seem that in every case where there has been any claim of depredation by Indians there must have been at least a stock of six months and perhaps more on hand; and yet you will notice that when they come to estimate hay taken, it is 25 tons at Antelope Station, 20 tons at Spring Hill Station, 25 tons at Dennison Station, 30 tons at American Ranch, 10 tons at Junction Ranch, 20 tons at Valley Station; so that you will see that they never had made any inroad on their stocks on hand, there were no fractions, but had these large quantities always to be accounted for.

Again, when you come to sacks of corn you see they claim the loss of 200 sacks of corn at Dennison Station, 227 sacks of corn at American Ranch (there is an odd number); 75 sacks of corn at Creek Station, 100 sacks of corn at Murray Station, 100 sacks of corn at Junction Station, and so on. You will find that they estimate the value of this hay everywhere at about $50 a ton, and all the corn at 22 cents a pound, no matter where it was located. They estimate harness always at the highest price of new harness; that is, two sets of four-horse harness, $110 each. They never were worn any, but always worth the original price of new harness. I could go through the whole of this testimony and point out many things about it that ought not to be received by any court, and I think it would be useful to the Senate, only I do not desire to take up the time.

I should be glad to think I had now discharged my duty and take leave forever of this case. The bill reported by the Senator from Minnesota in 1866, as amended at that time by the Senate, covers as I believe all the merits of this case, and that or something to be regarded as an equivalent is all that I can persuade myself has any substantial foundation either under the contract or the actual justice of the whole matter. A very large sum was paid, a million of dollars per annum, under the contract—much, much larger than would have been paid if the contract had involved no hazard. The present claimant took the risk, and whatever may have been said, it has never been shown, as we have not seen the books, that the contract by itself was not fairly remunerative, or that it did not cover all losses as well as expenses.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kansas [Mr. PLUMB], which is to strike out all after the enacting clause and to substitute the bill commonly known as the bill to create an agricultural department.

Mr. CAMERON, of Wisconsin. I do not think the friends of the agricultural bill will desire this motion to prevail. The bill for the relief of Holladay is a Senate bill; the bill establishing an agricultural department is a House bill. If this motion prevails it will make the bill for the establishment of an agricultural department a Senate bill, and will necessitate its return to the other House. I suppose we all know that in the present condition of business in the House it will be impossible to secure action upon it during the present session. I presume the object in moving the amendment was to enable Senators to address the Senate in favor of the agricultural bill. It seems to me it would remove the complication and put the bill in a better position to withdraw this amendment and allow us to go on with the Holladay bill.

The PRESIDENT *pro tempore*. The amendment was moved by the Senator from Kansas, who is not now in his seat.

Mr. CAMERON, of Wisconsin. He may have authorized some other Senator to withdraw it.

Mr. DAVIS, of West Virginia. The Senator from Kansas has charge

of the bill. It is true I am a member of the Agricultural Committee, and was one of the sub-committee on the bill. I think that the Senator from Kansas was in earnest when he offered it as a substitute, and that he believes it is far better for the people of this great country that the industries of the country should be cared for and nursed if necessary, and certainly should receive the attention of Congress, than a claim twenty-odd years of age which proposes to go into the Treasury and take out a quarter of a million dollars.

Mr. CAMERON, of Wisconsin. I will ask the Senator, with his consent——

Mr. DAVIS, of West Virginia. Certainly.

Mr. CAMERON, of Wisconsin. If he thinks the passage of the agricultural bill will be promoted by amending the Holladay bill so as to insert the agricultural bill instead of the Holladay bill? Does he not perceive that it will make the agricultural bill a Senate bill and compel its return to the House for action there; whereas the agricultural bill, being a House bill, can be taken up in the Senate, and if it is passed without amendment will go to the President for his signature?

Mr. DAVIS, of West Virginia. I suggest to my friend, then, that he allow the agricultural bill to be passed as a Senate bill, and let the Holladay claim wait, which has waited twenty years now, and which ought to wait a good deal longer, in my opinion.

Mr. HOAR. I am authorized by the Senator from Kansas [Mr. PLUMB] to say that he withdraws his amendment to the Holladay bill. Though he desires to speak in opposition to that bill before the Senate takes a vote on it, the amendment, he authorizes me to say, he withdraws.

Mr. DAVIS, of West Virginia. The Senator from Massachusetts says that the Senator from Kansas withdraws his amendment.

Mr. HOAR. He will be back very soon. He is in an adjoining room.

Mr. DAVIS, of West Virginia. Then I suggest to the Senator to send for him.

Mr. HOAR. That Senator has a brief hearing on a matter connected with the Committee on Appropriations in which my colleague and myself are engaged, and probably the Senator from Kansas will be engaged for ten or fifteen minutes.

The PRESIDENT *pro tempore*. If the amendment is withdrawn, the question is on the Holladay bill.

Mr. HOAR. The Senator from Kansas [Mr. PLUMB] is opposed to the Holladay bill, but he does not desire to have his amendment substituting a bill not germane to it pressed further, and he authorizes me to withdraw it, but at the same time he said he expected to speak on the Holladay bill. I would not feel justified in withdrawing his amendment unless the debate was to continue long enough to enable him to return and make his speech.

Mr. CAMERON, of Wisconsin. As I suppose there will not be time to complete the consideration of the Holladay bill to-day, I ask that the report be read, in order that it may appear in the RECORD to-morrow.

The PRESIDENT *pro tempore*. Does the Senator desire to have it read?

Mr. CAMERON, of Wisconsin. I prefer to have it read, not the appendix, but the report itself.

The PRESIDENT *pro tempore*. If it goes into the RECORD it need not be read, the Chair suggests.

Mr. BUTLER. I desire now to give notice, as the consideration of the Holladay bill will not be concluded to-day, of an amendment which I shall propose to it. In line 5 I shall move to strike out "three" before "hundred" and to insert "one," and to strike out "twenty" before "thousand," and after "thousand" to strike out "one hundred and fifty-three;" so as to read:

That there be, and is hereby, appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $100,000, &c.

I give notice of that amendment.

Mr. DAVIS, of West Virginia. May I ask my friend, the chairman of the Committee on Claims, who has charge of this bill a question?

Mr. CAMERON, of Wisconsin. Certainly.

Mr. DAVIS, of West Virginia. I notice, if I have the correct report (I have not looked into this case very carefully lately), that the summing up in the recapitulation of the claim against the Government is $348,876, and the bill proposes to appropriate $320,153, a difference say of $28,000. I notice further, for instance, that the first item in the recapitulation is one hundred and seventy-three horses and forty-one mules, at $41,400, which would be nearly $200 for each horse and mule; and so on in proportion all the way through. I should be glad to know how the committee arrived at a sum $28,000 less than the recapitulation?

Mr. CAMERON, of Wisconsin. If the Senator had read the report he would have seen how we arrived at it.

Mr. DAVIS, of West Virginia. I have looked over the report; I have not read it carefully. I see it calls for $348,000, and I see that the bill proposes to appropriate $320,000.

Mr. CAMERON, of Wisconsin. That is explained in the latter part of the report.

Mr. DAVIS, of West Virginia. I wish to say one word further.

The PRESIDENT *pro tempore*. The Senator from Wisconsin has the floor.

Mr. CAMERON, of Wisconsin. I desire, as we can not complete the consideration of the bill to-day, to have the report read.

Mr. DAVIS, of West Virginia. The Senator can send it up and I will hear it then.

The PRESIDENT *pro tempore*. Does the Senator from Wisconsin desire to have it read, or does he simply wish to have it appear in the RECORD?

Mr. CAMERON, of Wisconsin. There are only four pages of the report that I desire to have read. The appendix need not be read.

Mr. DAVIS, of West Virginia. I have no objection to the reading of the report, but I want to ask a question, or rather to make a short statement.

The PRESIDENT *pro tempore*. Does the Senator from Wisconsin yield to the Senator from West Virginia?

Mr. CAMERON, of Wisconsin. Certainly.

Mr. DAVIS, of West Virginia. In 1872, I think it was, I was a member of the Committee on Claims in connection with other Senators. The present Postmaster-General, Mr. Howe, was a member; Judge Wright, of Iowa, was a member; John Scott, of Pennsylvania, was a member. I name these gentlemen because I happen to think of them. As to this claim it was examined carefully, as I think and believe, for I was a member of the sub-committee to examine it. That committee went through it as carefully as they could and spent considerable time upon it, and finally came to the conclusion that it was not a claim against the Government which should be allowed.

Mr. CAMERON, of Wisconsin. Did the committee make a report to that effect?

Mr. DAVIS, of West Virginia. I think not. I sent to see, but have not found it. However, I recollect the fact, and as I said, the present Postmaster-General, the then Senator from Pennsylvania, Mr. John Scott, and Judge Wright of Iowa were three members of the committee. I think after an examination carefully—and that was ten years ago, as the Senator will see—they believed that it was not a just claim against the Government. I think that I went through the whole of the papers; I think I read them all, and while apparently there was some justice in some of the items, yet it was thought very dangerous for the Government to undertake to pay any such claim. I suppose there have been thousands of similar claims. My recollection is that at that time there was a large number of claims pending before the Committee on Claims, and upon the payment or the recognition of this claim depended many others for Indian depredations; and the committee came to the conclusion that it would not be to the interest of the people or of the Government to pay such a claim, and that if money was to be given to Mr. Holladay some other way should be found to give it than to set a precedent so dangerous as this.

Mr. FRYE. Yet, notwithstanding the care of distinguished gentlemen, notwithstanding the terrible danger to the Government of the United States in allowing such an infamous claim as this, notwithstanding all that, they did not take interest enough in the protection of the Treasury of the United States even to put their views into writing for the benefit of the Government hereafter and Committees on Claims who might have this matter under consideration. It does not impress me that those distinguished Senators at that time were so confident as to-day; the Senator from West Virginia thinks they must have been; for I know that Mr. Wright at any rate, one of those Senators, was in the habit of deciding against cases, and in the habit I might say without any deviation from it of drawing and submitting and having printed a report with his views.

The PRESIDENT *pro tempore*. The report will be read at the request of the Senator from Wisconsin.

Mr. MORRILL. I suggest to the Senator from Wisconsin that there is hardly time to read it to-day. I shall have to claim the floor at 1 o'clock, and it now lacks only five minutes of that hour. I suggest to him that he had better ask to have it read when the bill comes up again.

Mr. CAMERON, of Wisconsin. I think there is time to read the report proper.

Mr. MORRILL. Very well.

The Principal Legislative Clerk proceeded to read the report submitted by Mr. CAMERON, of Wisconsin, from the Committee on Claims, April 11, 1882.

The PRESIDENT *pro tempore*. The hour of 1 o'clock has arrived, and it will take about fifteen minutes to finish reading the report. Is it the pleasure of the Senate that the reading shall be finished, or shall the morning hour be declared closed?

Mr. MORRILL. I hope it will be postponed until to-morrow.

The PRESIDENT *pro tempore*. The report can be printed in the RECORD.

Mr. CAMERON, of Wisconsin. I ask that it be printed in full in the RECORD.

Mr. MORRILL. There will be no objection to that.

The PRESIDENT *pro tempore*. The report will be printed in the RECORD.

The report is as follows:

The Committee on Claims, to whom was referred the memorial of Ben Holladay, praying compensation for spoliations by Indians on his property while

carrying the mails of the United States, and for damages and expenses incurred in consequence of the changing of his mail-route in compliance with military orders, and for property taken and used by the military forces of the United States, having had the same under consideration, submit the following report:

From the evidence taken in this case it appears—

First. That Ben Holladay was the contractor for carrying the overland mail in 1861 from the Missouri River to Salt Lake City, at the rate of $450,000 a year; that from July 2, 1862, to September 30, 1864, he paid to the Pacific Mail Steamship Company $75,000 a year for carrying printed matter, leaving him $375,000; that from October 1, 1864, to November 13, 1866, he received at the rate of $365,000 a year.

Second. That in the performance of this service he usually employed about 110 coaches, 1,750 horses and mules, and 450 men, not including persons engaged in the repair of coaches, wagons, and harness, nor agents, clerks, and other employés in the offices at New York and San Francisco. That he erected houses and stables necessary at 120 stations, for the use and convenience of passengers, employés and animals; that he had as many as 150 wagons, and 420 oxen and cows, for the purpose of supplying food and forage, all of which involved an outlay of more than $2,000,000.

Third. When the original contract was made for carrying the overland mail, in 1860, we were at peace with all the Indian tribes along this route. As a matter of fact nearly the whole Army of the United States was posted in that country for the purpose of preventing or putting down any possible Indian outbreak. In 1861 most of the soldiers were withdrawn, leaving small garrisons, far apart, and wholly inadequate to protect this line. Upon the removal of the troops seven or eight warlike tribes of Indians, who had been repressed by the presence of the Army, suddenly attacked the stations on about five hundred miles of the line, murdered agents and drivers, captured and drove away great numbers of horses and mules, burned buildings, wagons, coaches, large quantities of forage and provisions, and other property, all of which, in order to carry out his contract, he was compelled to rebuild and replace at great expense. That the Indians, for many miles on each side of the line, set fires that consumed the grass, greatly increasing thereby the cost of forage.

Fourth. That during these Indian depredations, the line being unprotected by soldiers, Mr. Holladay, knowing that he was in great danger of losing all that he had invested, besides incurring obligations beyond his power to meet, came to Washington and made known the situation to President Lincoln and the Postmaster-General. He was assured by the President that it was a political necessity that the mails should be carried; that a line of communication must be kept open across the continent for the reason that confederate cruisers had already rendered communication by sea unsafe, and that under no circumstances and for no reasons should the overland mail-route be abandoned. The President also assured him that soldiers would be furnished sufficient for his protection, and that Mr. Holladay could rely implicitly upon the honor and justice of the Government to reimburse him for all the losses he might incur. The President also advised him to keep an accurate account of his losses, so that he might at the end of his contract substantiate his claims. Relying upon the statement of the President, upon the justice of the Government, seeing the necessity for carrying the mail and for keeping a communication open with the Pacific coast, Mr. Holladay, careless alike of loss and danger, carried the mails, rebuilt the stations as soon as burned, restocked the line as often as necessary, and fulfilled his contract.

Fifth. That it became necessary to remove the route from the North Platte and Sweetwater or South Pass to that known as Bridger's Pass, along the Laramie Plains, then known as the Cherokee Trail. That this change of route was made in accordance with military orders. That he was compelled to abandon a large number of his stations and buildings, together with a considerable amount of his supplies. That on making such change he erected new stations at great expense, under great difficulties, and exposed to great danger. That he changed the route for at least five hundred miles of the line, and that the change involved the abandonment of old stations and the building of new, the construction of roads and bridges, and the loss of much valuable property.

Sixth. It also appears that Mr. Holladay was obliged to remove from the Platte River route, to the so-called Cut-off route, by order of Colonel Chivington, by which removal he sustained great damages, not only by the abandonment of his property, but by a lengthening of his line.

Seventh. That large quantities of his hay, grain, and other provisions were taken for the use and service of the Government troops and agents, for which no compensation was ever made.

Eighth. In 1866, on the 24th of January, the claim of Mr. Holladay to be reimbursed for his losses incurred was referred to the Committee on Indian Affairs of the House of Representatives. Mr. Holladay asked that his case might be passed upon by the Court of Claims, the two Houses of Congress disagreeing as to the proper relief to be granted; pending which, Congress adjourned. On the 6th of March, 1872, Mr. Holladay again presented his petition to the Senate, setting forth his contract and his losses, and again asking that he be reimbursed. That petition was referred to the Committee on Claims, and on the 26th day of November, 1877, the committee reported a bill authorizing Mr. Holladay to bring suit in the Court of Claims. That report was accompanied by twenty-three affidavits, together with letters from several military officers, including Colonel Chivington, Generals Craig and Mitchell, and others, establishing the facts set forth in the petition. But inasmuch as the testimony was *ex parte*, the committee thought best to refer the whole matter to the Court of Claims. On the 12th of March, 1878, the bill being under consideration, the Senate refused to send the case to the Court of Claims, but recommitted it to the committee, with instructions to report to the Senate what amount, if any, was equitably due the claimant. The committee proceeded to take the testimony of witnesses acquainted with the facts, and after an investigation of the claim, including the examination of more than thirty witnesses, reported that Mr. Holladay was fairly and equitably entitled to the sum of $526,739. It will thus be seen that this claim has been examined by three committees, consisting of nine members each, and that these committees have reported in favor of its payment.

Ninth. After a careful examination of all the testimony in this case, your committee is of opinion that the memorialist, Holladay, is equitably entitled to compensation. Your committee find that in the summer of 1862, in consequence of Indian hostilities, about five hundred miles of the main line of claimant's route was so damaged and infested by Indians as to compel its abandonment by the claimant, under the orders of the Post-Office Department and of the officers in command of the military forces sent to protect the overland mail. That he was forced to select a route further south, involving the establishment of a new line, for a distance of over five hundred miles, and distant from the old line from one hundred to three hundred miles. That this removal was an absolute necessity, as it was not possible to carry the mail by the old route, "except," according to the testimony of General Craig, "with the consent of the Indians themselves." And, further, that the claimant was assured not only protection but indemnity for his losses by the President of the United States.

Your committee also find that the removal thus mentioned involved the abandonment of twenty-six mail stations, a large amount of forage, and many articles of value necessary to the running of the stages. That the memorialist was compelled to construct new stations on the new line, twenty-five in number, at large expense, sustaining by such removal from the old line damages, in the opinion of your committee, to the extent of $77,000. (See Appendix A for details.)

Your committee further find that, in pursuance of a military order of Colonel J. M. Chivington, commanding the district of Colorado, the memorialist was compelled to remove the stage line from the Platte River route, to the Cut-off route, being forced to abandon some of his stations on one hundred and forty miles of the road, and to remove twelve others to the new road, and to rebuild the same at great loss and expense. That the testimony tends to show that the damage to the memorialist by the removal to this line, under the order of Colonel Chivington, rendering necessary, as it did, the transfer of houses, barns, hay, grain and other articles, and rebuilding necessary structures on the new line, amounted to about $50,000. (See Appendix B for details.)

Your committee also find from the testimony that a large amount of hay, provisions, and other property belonging to the memorialist, was taken and used from time to time by the military forces of the United States scattered along the route of the new line. That large quantities of wood belonging to the stations were taken and appropriated by the soldiers and several houses and stables destroyed and used by them for fuel, for none of which were vouchers given. That the testimony on this claim tends to show that the value of the property thus taken and destroyed by the military forces was in the neighborhood of $30,000. (See Appendix C for details.)

Your committee further report that the evidence shows that the damages sustained by the memorialist while carrying the mails of the United States, by reason directly of depredations and hostilities of Indians along his route, was $369,739, which sum, added to the other sums above found, makes a total of $526,739, as the damages sustained by the memorialist in the discharge of his duties in carrying the mails of the United States. (See Appendix D for details.)

Your committee refer for full details to the report made by this committee June 13, 1878.

While your committee is satisfied that the claimant is equitably entitled to the sum mentioned in said report, and that he sustained losses to that amount, it has been deemed best to take into consideration only the losses sustained by the said claimant during the existence of the contract expiring October 1, 1864; a doubt existing in the minds of some of the committee as to whether claimant is equitably entitled to be reimbursed for losses sustained by Indian depredations under the second contract, as the testimony shows that the promises of the President and Postmaster-General to the effect that the claimant should be reimbursed and the orders of the War Department applied only to the first contract.

Your committee report in favor of paying the losses incurred by Indian depredations during the existence of the first contract, namely, to the 1st day of October, 1864. The evidence shows such losses, together with the dates, up to the 1st day of August, 1864, amounting to $163,153. The evidence then shows only the amount from August to January, to wit, $57,467.32; and consequently it is a matter of doubt as to how much loss was incurred before October 1.

Taking into consideration the fact that most of the Indian depredations, according to the testimony, were committed in the summer and fall, your committee think they might fairly allow half of said amount, but on account of the uncertainty of the time when these losses happened your committee exclude them entirely.

Your committee also report that the losses of claimant arising from the removal of the route from the North Platte and Sweetwater of Laramie Plains and Bridger's Pass were $77,000; and that the removal from the Platte River to what was known as the "Cut-off" involved an expense and loss amounting to at least $50,000.

Your committee also report that the amount taken, used, and destroyed of the property of the claimant by the soldiers of the United States for the use of the United States amounted to at least $30,000; making an aggregate of $320,153, to which, in the judgment of your committee, the said claimant is equitably entitled.

It should not be forgotten that the services of the claimant were of the highest importance to the whole country, and that it would be hard to overestimate the magnitude of the undertaking, the obstacles overcome, or the ability, perseverance, and courage that were necessary to success.

Your committee therefore report the accompanying bill, and recommend that it do pass.

THE FISHERIES TREATY.

Mr. FRYE. I introduced and had referred a few days since to the Committee on Foreign Relations a joint resolution giving notice of the abrogation of certain articles in the treaty of 1871 with Great Britain. I stated at the time that it was an informal resolution and that I would draw a more formal one. I have now drafted one directing the President of the United States in July to give the requisite notice. I ask leave to submit this, have it printed, and sent to the Committee on Foreign Relations.

By unanimous consent obtained, leave was granted to introduce a joint resolution (S. R. 125) directing the President to terminate Articles XVIII to XXV, inclusive, and Article XXX of the treaty between the United States of America and her Britannic Majesty concluded at Washington, May 8, 1871; which was read twice by its title, and referred to the Committee on Foreign Relations.

WILLIAM R. DOWNING.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1340) for the relief of the heirs at law of William R. Downing, deceased; which was referred to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a bill (H. R. 3243) for the relief of Ernest F. Unland, in which it requested the concurrence of the Senate.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of War, transmitting, in response to a resolution of January 4, 1883, a report of the Chief of Ordnance, United States Army, respecting the number, caliber, weight, and value of all cast-iron cannon on hand condemned or unfit for use; &c.; which, on motion of Mr. COCKRELL, was referred to the Committee on Military Affairs, and ordered to be printed.

He also laid before the Senate a letter from the Secretary of War, in response to a resolution of the 11th of December, 1882, respecting incursions on the Niobrara military reservation; which was ordered to lie on the table and be printed.

He also laid before the Senate a letter from the Secretary of the Navy, transmitting additional report from the naval advisory board as to the

wisdom and expediency of completing the iron-clad steamers Monadnock, Puritan, Amphitrite, and Terror; which was referred to the Committee on Appropriations, and ordered to be printed.

HOUSE BILLS REFERRED.

The bill (H. R. 1247) to amend the pension laws was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 3243) for the relief of Ernest F. Unland was read twice by its title, and referred to the Committee on Finance.

INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation, the pending question being on the amendment proposed by the Committee on Finance, to insert, as line 193:

Cream of tartar, 6 cents per pound.

The amendment was agreed to.

The next amendment was, to insert, as lines 194 and 195:

Dextrine, burnt starch, gum substitute, or British gum, 10 per cent. ad valorem.

Mr. HALE. In lines 194 and 195 I move to amend by striking out the words "10 per cent. ad valorem" and inserting in their stead "2 cents per pound."

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Maine.

Mr. HALE. The other day, when the Senate was considering the bill and had reached the item of soap, in line 176, the discussion developed the fact that the Committee on Finance, which has charge of the bill, believe in specific duties wherever they can be placed. The argument made at that time by members of the committee was so convincing to me that I did not vote, as I expected, to change the duty there from specific to ad valorem duty. The argument used was that where an article is well known, does not fluctuate in price, as it was said then that foreign soaps did not, a specific duty is much better than an ad valorem duty. If it is proper in any degree that that should apply to foreign soaps, which certainly do have some variation of price, it would clearly be much more fitting that dextrine or burnt starch or gum substitute (they are all one practically), an article well known, the value easily estimated, should have a specific duty. For that reason I have moved to strike out the ad valorem duty and to insert "2 cents per pound."

My reason for fixing upon that is that I find on page 46 of the bill the committee have inserted potato or corn starch at 1 cent per pound, rice starch at 2½ cents per pound, other starch at 2 cents per pound. From my knowledge of this industry, which is one in which I am bound to say my own State is much interested, I think the duty on all these articles should be left not as high as the committee have got it, in some places 2½ cents, not as low as in other places, but that it ought to be at 2 cents per pound. I hope before the Senate finishes this subject, not only as applied to dextrine or burnt starch, but potato, rice, and corn, or any other starch, they will all be left at 2 cents per pound.

The operation of cutting down the duty upon starch will be that the manufacturers, of which in one county alone, that of Aroostook, in my State, there are thirty, would be shut up. These manufacturers can not compete with the starch factories of Germany, or with the starch factories of Prince Edward Island, or Nova Scotia. I think the chairman of the committee must realize that, if he has given attention, as I have no doubt he has, to this industry. It has grown up in the county of Aroostook so that to-day, as I have said, there are thirty starch factories making a market right at the door for the potatoes that are raised in such immense quantities in that county. It has in effect built up that county so that it has doubled its population in the last ten years. The farmers of Aroostook County get about 25 cents a bushel at the starch factory for their product. The farmers of Nova Scotia and Prince Edward Island sell theirs at 12 and 14 cents a bushel; and unless this industry is protected, and only to the extent that other industries are protected in this bill, the competition will ruin this industry; it will break up the business, it will stop the work in these starch factories. In Northern New York and New Hampshire there are others in the same way.

I hope that the committee will not oppose the amendment which I have offered, for I have sought to make it as fair in its rate as I could; not, as I have said, as high as some starches are put nor as low as others, but leaving it all at 2 cents per pound. Dextrine is really nothing but starch.

Mr. VANCE. Will the Senator allow me to ask him what per cent. ad valorem 2 cents per pound would be?

Mr. HALE. The average price of starch imported into our market is about 6 cents a pound, I think. Two cents a pound, then, would be about 33 per cent.

Mr. VANCE. The present duty is 10 per cent. ad valorem. The shifting of it to the specific form would make it about 33 per cent. ad valorem.

Mr. FRYE. I ask my colleague if he is not mistaken about the price of dextrine?

Mr. SHERMAN. It is about 4½ cents.

Mr. HALE. Not dextrine?

Mr. FRYE. The invoice price?

Mr. SHERMAN. Yes, sir.

Mr. HALE. Some pamphlet or statement I have, which I believe to be authentic, has put the rates at somewhere from 4½ or 5 to 6 cents per pound.

Mr. SAULSBURY. I should like to inquire of the Senator from Maine whether the material of which starch is made, the potato, corn, &c., is not higher in European countries than the same material is in this country, and whether the actual cost of starch made abroad is not more than the actual cost of starch made in this country?

Mr. HALE. I do not understand the Senator exactly.

Mr. SAULSBURY. I inquire of the Senator from Maine whether the material from which starch is made in Germany and Europe generally is not higher there than the same materials are in this country?

Mr. HALE. Almost all the German starch—and dextrine is nothing, as I have said, but burnt starch—is made from the potato, which is raised in Germany in immense quantities, and is stored in pits or holes, silos, where it can be kept for the entire year, and where the manufactories can run for the entire year. The wages paid there are, of course, largely less than those paid here; the potato brings a less price, and the article can be made at such a rate greatly cheaper, instead of, as the Senator from Delaware seems to think, as high as ours. This industry here, about all the time that it can run in these northern latitudes where it is made, is from the time of harvesting the crop until winter. They can not be kept over on account of the frosts, and there is that disadvantage in the manufacture. The competition is all against us. The cost is very much less than ours here.

Mr. MORRILL. I regret that I can not quite agree with my friend from Maine in relation to the rate of duty on this article. I do agree with him on two of his points: one is that we have placed the duty on potato starch at too low a rate, and the other that specific duties are better than ad valorem. The present duty on this article is 10 per cent. ad valorem, and we import very large quantities of it. The proposition made by the Senator from Maine would about three and a half times increase the duty. That is to say, the present foreign price of this article is about 4½ cents, and to put the duty up to 2 cents per pound would be to make an increase equal to 45 per cent. instead of 10.

This article is used not only by people outside but by people inside of Maine. I think that the Senator from Maine will find himself interested on both sides of this question. It is very largely used for the purpose of starch as a substitute for gum arabic in stiffening calicoes and bleached cotton, and it is also used very largely for the sizing of paper, and is still further used in adhesive stamps.

Mr. HALE. Will the Senator allow me to ask him a question right there?

Mr. MORRILL. Yes, sir.

Mr. HALE. I am well aware of the uses that the Senator is naming of this product, dextrine or burnt or torrefied starch, whatever it is; but is it not a fact that it is so distributed and the quantity used as applied to the fabric is so small that it does not and will not really change the price of the article upon which it is put, paper, calico, or whatever it may be, while on the other hand it is fatal to the industry that produces it here if it is not protected? Would the manufacturers of cloth ever know or feel the difference in its price?

Mr. MORRILL. I think the Senator would find some complaint in various parts of his State if the duty upon this article were to be raised, for it is consumed in very large quantities, both of our own product and of that which is imported. Last year we imported 1,763,354 pounds. Under these circumstances, while I would not object to and would prefer a specific duty, say if it was levied at about three-fourths of a cent per pound, and I should not object to even 1 cent, but to so high a rate as proposed by the Senator I think he will find objections on all sides of the Chamber.

Mr. HALE. The matter has excited a great deal of interest in my State, and I have had many communications in reference to it, as my colleague has, and I have never heard from the manufacturers of paper or of cotton in Maine any complaint with reference to the projected rise that is covered by my amendment, although it has been well known there. It has all been the other way in reference to the industry that produces starch.

Mr. MORRILL. I may say that while we have had multitude after multitude of papers in reference to almost everything in this bill, we have not had any papers complaining of the imposition on dextrine.

Mr. BLAIR. About one-sixth of the starch manufactured in this country is made in a single county of my own State, the county of Coos, adjoining Canada. There is a considerable quantity manufactured in Maine, a considerable portion also in the northern portion of the State of New York. A few years ago there was an attempt at a revision of the tariff in the House and this production of my own and the other States I have mentioned was struck at, and I had occasion then to learn some facts which are pertinent to be stated now.

In Nova Scotia and in that portion of the Canadian provinces north of us and nearly all along the line where this commodity is manufactured by ourselves, the potato is raised very easily, is exceedingly prolific on the other side, and upon an average it can be raised at about 8 cents per bushel. The duty upon the potato per bushel is now 15 cents by

the existing tariff. It is impossible for the American farmer to raise this commodity to an advantage for less than 20 or 25 or 30 cents per bushel. It becomes an unprofitable crop at less, and so far as he is concerned a ruinous crop, to raise if brought in competition with the commodity across the line which can be raised at the price I have mentioned. The potato can be produced at 8 cents per bushel in Canada. Nova Scotia raises it in vast quantities at that price, and profitably raises it.

Mr. ALLISON. Is that on account of the superior soil or on account of some other thing?

Mr. BLAIR. Partly superior soil, and then the cheapness of labor and all those things which make production in Canada cheaper than on our own side of the line.

If there is any substantial reduction of the duty on starch of course it must be the utter destruction of the industry and the people in my own State, where agriculture is at the best not a very profitable employment, but at the same time it is the source of livelihood to a large part of our population; and any reduction would be a very serious, in fact a ruinous thing.

Mr. SLATER. I should like to ask the Senator from New Hampshire whether or not the manufacturers of this article in his State are in a prosperous condition?

Mr. BLAIR. They are not in a prosperous condition. It is not a business which is the source of an extravagant or anything more than an ordinary return.

Mr. SLATER. They are making comfortable livings?

Mr. BLAIR. Fairly comfortable livings, as we get our living in New Hampshire; I do not know how it would be regarded in other portions of the country.

Mr. VANCE. I do not know exactly what percentage of profits is being made by the manufacturers of this starch, but I have not a doubt that they are making quite as much as the women of this country who make their living by washing, in which they use starch. I have no doubt of it. Of starch there are 1,763,350 pounds imported. It does not cost quite 5 cents per pound, according to the figures which any one can make out for himself. The value of the whole amount of importations being $81,151, it was not quite 5 cents a pound. To raise the duty now to 2 cents a pound would be about 40 per cent. I can not see any justice in it; I can not see any propriety in it. It is an article in universal use by our people. In fact, it is a concomitant of that soft soap which we reduced the tariff on the other day; and if we put the duty up here there will be no foreign importation at all. Therefore there will be a diminution of revenue and an increase of price at the same time.

Mr. FRYE. What does the Senator mean—dextrine or starch?

Mr. VANCE. Starch.

Mr. FRYE. The duty on starch to-day is 2 cents a pound and has been for the last twenty years.

Mr. VANCE. The article we are now considering, "dextrine, burnt starch."

Mr. FRYE. But the starch which the women use, whom the Senator from North Carolina talks about, is the ordinary potato starch, and the duty on that has been 1 cent a pound and 20 per cent. ad valorem for nearly twenty years, and the price has gone down from 9 cents a pound to 5 cents or 4½ cents under the influence of the duty.

Mr. VANCE. Perhaps the Senator can tell us what this burnt starch is used for.

Mr. ALDRICH. I will state what it is used for.

Mr. HALE. Will the Senator from Rhode Island let me answer the question of the Senator from Oregon?

Mr. ALDRICH. Certainly.

Mr. HALE. I have here the figures which give an answer to the question which the Senator from Oregon asked just now about the condition of this industry. The total yearly profit to the one hundred and seventy-five manufacturers of this article for the year 1880 as shown by the returns, on an invested capital of $2,000,000, was less than $31,000. It is not an interest that is receiving inordinate profit, but is actually struggling along and making upon its investment hardly enough now.

Mr. SLATER. That I understand is starch, and not dextrine. I do not understand that there is any of this particular article manufactured in the United States.

Mr. HALE. Of course the dextrine comes in competition with our starch. Dextrine is nothing but starch burnt or roasted. It is a manufactured product; that is, a manufactured starch going through different processes, and it comes here by this name of dextrine, but it is nothing but burnt starch. Everything that touches this touches our starch manufactories. There can be no legislation upon dextrine, no duty fixed upon it, that does not directly affect the manufacturers of our starch.

Mr. ALDRICH. I desire to say a few words about the effect of the amendment proposed by the Senator from Maine.

The duty upon this article was first fixed in the tariff of 1846 at 10 per cent. ad valorem. It was reduced in 1857 to 8 per cent., restored in 1861 to 10 per cent., and has remained at 10 per cent. from that time to this. It is largely used in the printing of cotton cloths and in the finishing and stiffening of textile fabrics. Last year, as the chairman of our committee has said, there were about 2,000,000 pounds imported. The average foreign price is about four and a half cents a pound, making the duty at 10 per cent. ad valorem about forty-five hundredths of a cent, or a little less than half a cent a pound.

Mr. FRYE. Does it not bear a relative price to starch?

Mr. ALDRICH. What does the Senator mean?

Mr. FRYE. Is not dextrine increased in value over starch about one-third by reason of decreasing the weight of the starch one-third in making it?

Mr. MORRILL. A little more than that.

Mr. HALE. Forty per cent.

Mr. FRYE. Is not the Senator from Rhode Island taking the invoice price for last year, when starch was down to the lowest figures by reason of the increase of the production of potatoes in Germany; but when starch was up to 5, 6, 7, 8, 9, or 10 cents, as I have it here from the market prices of New York, would not dextrine have gone up in the same way?

Mr. ALDRICH. I am not sure about the present price of dextrine; but I think it is quoted at about 4½ cents in London. I know that is about the average price the last three or four years, as shown by the reports of the Bureau of Statistics. The duty therefore is in the neighborhood of half a cent a pound. The duty proposed by the amendment of the Senator from Maine would therefore be a fourfold increase.

We propose in this bill to reduce the duties on colored and printed cotton cloths from 25 to 50 per cent., and we are proposing it upon the theory that the drugs, dyes, and other materials which calico printers use are to be reduced in duty. We imported last year about 18,000,000 yards of colored and printed cotton cloths, and upon those cloths imported we propose by this bill to reduce the duties at least 25 per cent. On other goods of a class not now imported we propose to reduce them about 50 per cent.

The business of printing cotton cloths in this country has been depressed, as the Senator from Maine knows very well, for a number of years. A considerable proportion of the printing machinery in the country is now idle. There is hardly any important industry in the country but what is more remunerative to-day than calico-printing. The other day, upon the motion of the Senator from Virginia [Mr. MAHONE], we doubled the duty on extract of sumac. To-day it is proposed by the Senator from Maine to increase fourfold the duties upon dextrine. While I have no special antagonism to make to this motion, I wish to call the attention of the Senate to the fact that if we go on doubling and quadrupling the duty upon the materials which are used by printers, at the same time reducing duties on colored and printed cloths, we are preparing a great industry for swift and certain disaster.

Mr. HALE. Let me ask the Senator from Rhode Island one question. If he were starting anew to fix the duty on these different articles, dextrine, which is burnt starch, potato starch, corn starch, or any other kind of starch, and were keeping the duty at what it is on starch, 2 cents per pound, in effect, would he not think then that this duty of 10 per cent. ad valorem is too little correspondingly upon dextrine, which comes in competition with it?

Mr. ALDRICH. If I were fixing the duties anew on these articles, I should probably fix the duty on potato starch at less than 2 cents a pound. If it were a new question open to-day for the first time I think the duty on dextrine ought to be quite as large as that on potato starch. I would say, however, that the business of the country has been adjusted to the present rates of duty, which have remained practically unchanged for forty years.

Mr. FRYE. Why did the Senator consent to reduce the duties on cotton goods?

Mr. HALE. The admission of the Senator from Rhode Island covers precisely this case. It is one of those things that when we are reforming and curing defects in the tariff ought to be cured now. There is no reason in having a duty of 2 cents a pound or 1½ cents, whatever you may fix upon starch, which is the original product, and only 10 per cent. ad valorem, which is less than half a cent upon dextrine, which is burnt starch reduced in bulk, when it is brought here and made more valuable, and coming into direct competition with our product everywhere in every market. There is no sense in one having a duty of 1½ or 2 cents a pound, to which nobody objects, on starch and then having only 10 per cent. ad valorem upon dextrine.

Mr. MORRILL. I move to amend by striking out "two" and inserting "one" in the amendment proposed by the Senator from Maine.

The PRESIDING OFFICER (Mr. HARRISON in the chair). The Senator from Vermont moves to strike out from the amendment of the Senator from Maine the words "two cents" and insert "one cent." The Chair understands this to be an amendment in the third degree.

Mr. MORRILL. No; we are treating the text reported by the committee as the original bill.

The PRESIDING OFFICER. That is true, and therefore the proposition is in order. The question is on the amendment of the Senator from Vermont to the amendment of the Senator from Maine.

Mr. SLATER. I desire to call attention to a few figures which I have hastily picked up during the debate. I find on page 108 of the Tariff Commission's report, under the head of "starch:"

Number of establishments, 139; capital invested, $5,328,256; total amount paid in wages during the year, $919,197; materials, $4,911,060; value of product, $7,477,742.

Now, by a little calculation I ascertain that the profits, deducting

wages and material, would appear to be something over 30 per cent., and it looks to me, as compared with other industries of like character, that that is a pretty fair average. Of course there are other expenses which do not come under wages and material, but in comparing this with other industries, which run from a good deal below that to something over 50 per cent., it seems to me that it is a pretty fair average and there is no occasion for an increase of the tariff on this article.

Mr. FRYE. I should like to know how often the utter absurdity of those processes of finding profit in manufacturing corporations must be exposed in the Senate, not to have them repeated?

Mr. SLATER. I should like to know what is the use of having estimates of this character made by our Census Bureau and our Tariff Commission?

Mr. FRYE. If Senators will make a proper use of the figures which the Census Bureau gives, there may be some benefit in those figures; but when a Senator rises on the floor of the Senate and finds out the profits of a business by giving the capital, then giving the cost of material, then giving the cost of labor, then giving the value of the product, and adding the cost of the labor and the cost of the material together, deducts that from the value of the product—when Senators insist on doing that, it seems to me there ought to be a limit to it some time or other.

The repairs and renewals of machinery in a cotton-mill or a woolen-mill are equal to the wages paid for common labor. This method leaves out entirely the compensation of the officers of the concern, leaves out commissions, leaves out repairs to machinery, leaves out taxes, leaves out insurance, leaves out interest on the plant, leaves out water-power, leaves out steam-power, leaves out more than it puts in; and yet Senator after Senator on the other side rises here and declares that it shows the profits of these corporations to be all the way from 30 to 50 per cent. Do not Senators know that if there was any business in this country by which men could make 30 per cent. they would not buy United States bonds at 3 per cent. interest and pay more than par for them? Does not the Senator know that the savings-banks of this country would not to-day have $100,000,000 looking for investment if they could invest in any manufacturing enterprise and gain by it even 20 per cent. profit?

Now, I say to the Senator from Oregon that last year the starch manufactories could not run, and did not half of them run, because Germany had a great product of potatoes. Whenever German potatoes are produced in abundance the starch-mills of the United States stop their operation; whenever a country becomes settled and a railroad runs into it, the starch manufactories disappear. The only way on earth to-day that a starch manufacturer can run his factory at all is to go into a remote country where potatoes can not get to the market; where there are no railroads to take them away, or where the rates of freight are so great that they can not possibly get to market. There the starch factories go and spread themselves, and afford those farmers a market at from 20 to 25 cents a bushel for their potatoes.

Take the case in Northern New York; there was more starch made in New York last year in one single county, one of the upper counties of New York, than in all the rest of the United States; and to-day nearly every starch-mill there is still. So in New Hampshire; so it will be in Maine. The moment the potatoes can get to the market at a reasonable rate of freight your starch factories stop. I say that they are running to-day on the very closest margin possible and are content if they can make 6 or 7 per cent., profit and use the potatoes which the farmers sell to them.

But it is not the starch manufacturers we are looking out for. In the county of Aroostook, as my colleague said, last year those starch factories, 30 in number, bought 1,200,000 bushels of potatoes of the farmers of Aroostook County, paid them 25 cents a bushel, amounting to $240,000, that would not have been worth one single cent if it had not been for the starch factories. The legislation which my colleague asks for is not for the starch manufacturers. They will go where potatoes are cheap. If they are not cheap enough on our own side they will go to Canada, they will go to Prince Edward Island; and three years ago they started for Prince Edward Island and last year they made 1,800 tons of starch and dextrine in Prince Edward Island out of potatoes for which they paid 14 cents a bushel. Your starch factories can go; but where can the farmers go to find a market?

Then let me say to the Senator from Oregon, who represents farmers, that up in this section of the country, Northern New Hampshire, Northern Vermont, Northern Maine, you can not raise corn as he can raise it out on the prairies; you can not raise any of the articles farmers raise as you can raise potatoes. It is the crop of the back farmers of Northern Maine and Vermont and New Hampshire; and yet the crop is worthless practically if they can not have starch manufactories to use it up and make it into starch. It does not make starch any higher. Starch within twenty years has been up to 9 or 10 cents a pound. In ten years it has gone from 8 cents a pound down to 4½ cents last year; the year before it was 3¾ cents; you can not expect to get it less than that.

Mr. SLATER. If the Senator had paid attention to what I said he would have saved himself all the trouble of his speech. I did not undertake to say that the 30 per cent. on the figures which I gave covered all the expenses of a starch factory, for I expressly said that I did not suppose the items given would cover all expenses; but I drew a comparison between this particular case and other industries of like character where the per cent. does not run greatly over that, and inferred from these facts that this industry was reasonably and fairly prosperous and did not need an increase in the tariff.

Again, sir, if we are to be taken to task every time we make a reference to figures that are furnished us, I ask the Senate what is the use of having figures of this kind placed before us if some reliance is not to be placed upon them? The Senator says they are not properly used. Then, sir, they are inefficient; they do not state anything of which proper use can be made. The inference would be that those interested in this question are the only ones who can use these figures properly. I think there are some on this floor who understand this question quite as well; and especially those who come from constituencies that bear the burden of these taxes know very well where the burdens are and how grievous they are to be borne.

Mr. HALE. I can give the Senator from Oregon the exact figures in a way that will satisfy him as to this question of profit, and the best way is to take a single ton of starch and see what it will bring in the market, and then see what is to be paid, first from the potatoes that it is made from and afterward for the labor, and the Senator will see himself how it disposes of his figuring giving so much to profit.

In the last year the average price of a ton of potato starch was $88.33. Will the Senator bear that in mind? It takes 250 bushels of potatoes to manufacture a ton of starch. At 25 cents per bushel, a low rate, and as the Senator from New Hampshire [Mr. BLAIR] has said, our farmers can not afford to raise potatoes and sell them at a less rate than that, the cost of the bare article—the original article that goes to make up a ton of starch—is $62.50. Now, setting aside all the labor, all the packing, freight, insurance, commission, and everything else, there is only between the price paid for the potatoes and the final product of the starch in the market per ton $26.33 in all, less than 30 per cent. if it was all profit; but out of that must come wages, packing, freight, insurance, and commissions, to say nothing about the interest upon the plant, amounting to $22. So last year a ton of starch sold in the market only netted to the manufacturer a profit of $3.83.

There is no getting around these figures. They are not made vaguely; they are not made approximately; but the single statement of the cost of the potato itself without any labor whatever disposes of everything excepting the $22 balance out of which comes all the labor and everything else, leaving that little profit. If that is not an industry that properly appeals for sympathy and protection here in the Senate I find it very difficult to discover one.

Mr. VANCE. Mr. President, I am learning something all the time as this discussion progresses. I did not have the assurance to believe that I knew it all before. I am satisfied now that I am but a tyro in this subject of political economy as taught by the advocates of protection. Heretofore, and nearly all the way through, the song has been that protection was absolutely necessary for the American laborer, and all the burden of protection was laid upon his broad and brawny shoulders. Now it seems that labor is entirely overlooked in this matter of the manufacture of starch, and protection is needed because of the cost of the raw material.

That is what I have always believed was the matter, if anything was the matter, with American manufacturers, that under the protective system raw material was taxed so high that our manufacturers could not compete with those of Europe, where the raw material was furnished free, and this case is a confession of that fact. Not a word has been said here about the necessity of keeping up this tax in behalf of the American laborer, but it is all in consequence of the great crop of "praties" in Europe, which enables them to furnish the raw material cheaper than it can be furnished in this country.

Mr. MORRILL. I appeal to my friend from Maine to accept my amendment. I think it will be obvious to the Senate and they will be willing to vote for that, and unwilling to vote for what he has proposed, as the cent a pound on dextrine is no more than the lowest rate of duty imposed or to be imposed upon starch, from which dextrine is made.

The PRESIDING OFFICER. Does the Senator from Maine accept the suggestion of the Senator from Vermont?

Mr. HALE. I will accept that amendment, although I know it is not enough.

Mr. SAULSBURY. I should like to inquire what is the necessity of increasing the duty on this article when, according to the statement of the Senator from Rhode Island, this industry has been under protection in this country since 1846, and the highest protection that has ever been afforded is a duty of 10 per cent.? Yet the industry has gone on, these establishments have been in existence, and now we propose after the lapse of thirty-five or forty years to increase the protection which this industry in its infancy had and under which it has prospered. I can see no necessity whatever for an increase. Whatever duty we put upon these articles falls especially upon the poorer classes of the community. If it is starch, it is used largely in the laundry by women and those engaged in that occupation. If it is dextrine, as said by the Senator from Rhode Island, then it falls heavy on the printing establishments that print calicoes and other cheap articles of cotton, which are used also by the poorer classes of the community. I see therefore no necessity for it.

I want to see the tariff properly adjusted so that it shall yield suffi-

cient revenue to the Government, and at the same time so arranged that it will relieve the consumers who are least able to bear the burdens of government.

Mr. HALE. Let me give the Senator one reason, if I have not done so already. Struggling along as this industry has for ten years to the present date, though the Senator from Delaware says he can see no reason why this duty should be raised, there are not to-day as many starch factories, the product is not as great, as it was ten years ago. In Northern New York this low rate of duty, this competition of dextrine or German burnt starch, has almost wiped out the factories. What better reason can be given than that?

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maine [Mr. HALE] as modified, in line 194 to strike out "10 per cent. ad valorem" and insert "1 cent per pound."

Mr. VANCE. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "nay" and he would vote "yea."

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Nebraska [Mr. SAUNDERS].

The roll-call was concluded.

Mr. ALLISON (after having voted in the negative). I am paired with the Senator from Delaware [Mr. BAYARD]. I do not know how he would vote. I withdraw my vote.

Mr. JACKSON. My colleague [Mr. HARRIS] is paired with the Senator from Michigan [Mr. FERRY]. I make that announcement for the day.

Mr. JOHNSTON. I am paired with the Senator from Pennsylvania [Mr. MITCHELL].

The result was announced—yeas 24, nays 26; as follows:

YEAS—24.

Aldrich,	Dawes,	Jones of Nevada,	Platt,
Anthony,	Frye,	Logan,	Rollins,
Blair,	Hale,	McMillan,	Sawyer,
Cameron of Pa.,	Harrison,	Miller of Cal.,	Sewell,
Chilcott,	Hawley,	Miller of N. Y.,	Sherman,
Conger,	Hill,	Morrill,	Windom.

NAYS—26.

Barrow,	Farley,	Lamar,	Slater,
Beck,	George,	Maxey,	Vance,
Butler,	Groome,	Morgan,	Vest,
Call,	Grover,	Pendleton,	Voorhees,
Cockrell,	Hampton,	Pugh,	Walker.
Coke,	Jackson,	Ransom,	
Davis of W. Va.,	Jonas,	Saulsbury,	

ABSENT—26.

Allison,	Fair,	Johnston,	Mitchell,
Bayard,	Ferry,	Jones of Florida,	Plumb,
Brown,	Garland,	Kellogg,	Saunders,
Camden,	Gorman,	Lapham,	Van Wyck,
Cameron of Wis.,	Harris,	McDill,	Williams.
Davis of Illinois,	Hoar,	McPherson,	
Edmunds,	Ingalls,	Mahone,	

So the amendment was rejected.

Mr. VANCE. When this bill was last under consideration I was on the floor and had asked the favor of the Senate to recur to the item of camphor which had just been passed over. I ask the Senate now to go back to it.

The PRESIDING OFFICER. Is there objection to that request?

Mr. VANCE. Consent was given at the time, and I gave the floor this morning to another Senator.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. VANCE. I simply want to move to strike out the present duty of 5 cents a pound. One of the witnesses who is engaged most largely in the manufacture of refined camphor from the crude camphor, Mr. Gould, appeared before the Tariff Commission and said that a tariff of 3 cents protected them sufficiently, that is they could get on with it. There are only eleven pounds of refined camphor imported, which at 5 cents a pound makes a revenue of 55 cents. That shows that the present duty, small as it is, is prohibitory, while there are a million and several hundred thousand pounds of crude camphor imported out of which the refiners manufacture the refined camphor. I move to strike out "5" and insert "3" cents per pound in order to see if we can not obtain some revenue.

Mr. MORRILL. I trust that will not be done. There should be a proportionate duty put upon this according to its value, and this article is worth 40 or 50 cents a pound refined. The average price is, say, 45 cents, and 5 cents a pound would be but a little more than 10 per cent. ad valorem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE], in line 189, to strike out "5" and insert "3."

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. ALLISON (after having voted in the negative). For the moment I forgot that I was paired with the Senator from Delaware [Mr. BAYARD]. I withdraw my vote.

The result was announced—yeas 26, nays 27; as follows:

YEAS—26.

Barrow,	George,	Jones of Florida,	Saulsbury,
Beck,	Gorman,	Lamar,	Slater,
Butler,	Groome,	Maxey,	Vance,
Call,	Grover,	Morgan,	Vest,
Cockrell,	Hampton,	Pendleton,	Walker.
Coke,	Jackson,	Pugh,	
Farley,	Jonas,	Ransom,	

NAYS—27.

Aldrich,	Dawes,	Lapham,	Platt,
Anthony,	Hale,	Logan,	Rollins,
Cameron of Pa.,	Harrison,	McDill,	Sawyer,
Cameron of Wis.,	Hawley,	McMillan,	Sewell,
Chilcott,	Hill,	Miller of Cal.,	Sherman,
Conger,	Hoar,	Miller of N. Y.,	Windom.
Davis of W. Va.,	Ingalls,	Morrill,	

ABSENT—23.

Allison,	Edmunds,	Johnston,	Plumb,
Bayard,	Fair,	Jones of Nevada,	Saunders,
Blair,	Ferry,	Kellogg,	Van Wyck,
Brown,	Frye,	McPherson,	Voorhees,
Camden,	Garland,	Mahone,	Williams.
Davis of Ill.,	Harris,	Mitchell,	

So the amendment was rejected.

The PRESIDING OFFICER. The Chair will regard lines 194 and 195—the amendment to them having been voted down—as passed, unless there be further amendment.

Mr. MILLER, of New York. Is it permitted to go back?

Mr. MORRILL. No, sir.

The PRESIDING OFFICER. The Senate only went back by reason of unanimous agreement made at the time to which attention was called by the Senator from North Carolina. It can not be done if there is objection.

Mr. MILLER, of New York. It is not necessary to go back; I will offer an amendment at this place, though it should have come in after an amendment which was made to line 182 the other day. The extract-of-sumac clause was amended by putting extract of sumac at 20 per cent. ad valorem. I see that the committee have omitted extract of hemlock and other barks for tanning purposes. It should come in at that place, but I will offer it at this. I move to insert after line 195:

Extract of hemlock and other bark used for tanning, not otherwise enumerated or provided for in this act, 20 per cent. ad valorem.

That stands on precisely the same ground as the amendment which was put in the other day, which was adopted by unanimous consent, as to extract of sumac. No argument is necessary.

Mr. MORRILL. I say to my friend from New York that this will affect a very large and important interest, and that is the tanning of leather and sole leather. I think that 10 per cent. on the extract would be all it ought to bear, not higher. It certainly should not be at any such rate as 20 per cent.; 10 per cent would be sufficient for the purpose. I move to amend by substituting "ten" for "twenty." I think there should be some duty upon the extract, but 10 per cent. ought to be sufficient.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Vermont to the amendment of the Senator from New York.

Mr. MILLER, of New York. The Senator from Vermont gives no reason for his amendment. The amendment adopted the other day when the bill was last under consideration on Thursday was that extract of sumac should be placed at 20 per cent. That was adopted by the Senate without discussion and without division and without objection. I myself am able to see no reason why extract of hemlock and other barks, which would be principally of course oak bark, should not stand upon precisely the same ground. If the bill is to be harmonious I can see no reason why it should not be at 20 per cent. I do not care to take up the time of the Senate by going into a discussion or undertaking to show the difference in the cost of manufacturing these extracts in the United States and in the adjoining Dominion of Canada; but if there is any question raised in the Senate that this rate of duty should be only one-half what it is upon extract of sumac I shall be able to show it, I think, most conclusively. It does seem to me that it ought to stand precisely on the same ground as extract of sumac, and that amendment was adopted the other day without a division and without objection. It seems to me that the amendment I have offered should stand as I have presented it and should not be reduced.

Mr. MORRILL. The amendment in relation to sumac merely reaches a very small amount of sumac that is used for special tanning purposes of goat skins or sheep skins, but this amendment in relation to hemlock bark would tend to increase the cost of manufacture and of tanning sole leather and upper leather. Of course there is a great amount of hemlock bark that is now produced in our own country, and a great deal from abroad

that is brought in free. I suppose all the tanners would ask to have the extract of hemlock bark also brought in free, but I do not think that would be just, and 10 per cent. I think would be a proper rate.

Mr. CONGER. The bark and all the material that is used for making the extract of hemlock bark comes in free now; there is no duty upon that; but there have sprung up in many of the Northern States and in some of the Middle States factories for making from the limb and the bark and smaller parts of the trees, as well as from the bark, extracts of hemlock, factories costing for each particular item of manufacture thousands of dollars. They are through the States, north and central, wherever hemlock grows; they have been put up at a great expense; and the present rate of duty on hemlock bark has been continued until these manufactures have spread through the hemlock-growing regions to a large extent. Reducing the duty one-half now, in my opinion, would shut up the manufactories of extract of hemlock bark in almost all the States; it would destroy that industry. There are a great many people engaged in it, and in all the newly settled parts of the country it is an inducement to the persons settling and clearing lands to bring the bark of hemlock trees cut down for clearing land and the limbs and boughs as their winter work to the factories, where they are used to make extract of hemlock bark.

Before both Houses of Congress this matter was discussed some four or five years ago, and it was decided by Congress that the duty of 20 per cent. upon hemlock bark should remain. These industries have a right to expect that that duty shall remain. It will not only benefit those engaged directly in the manufacture, but be of great benefit to the frontiersmen and settlers in all the new countries, by furnishing them the means of utilizing the hemlock timber which is cut off in clearing their lands, which can not be done by the usual processes of peeling the tree and selling the bark.

This is entirely in connection with labor; not only with the labor of manufacturers, but the labor of the settlers and the common people, all through regions where they are situated, enabling them to bring the boughs and such bark as they can gather from these trees in the fall and in the winter to the factories.

I may say that in Vermont itself there are these factories, which will be just as much injured as they will in Pennsylvania or in Michigan or in any other State where the hemlock bark can be utilized in this way.

Mr. MORRILL. I had the impression that the duty on the extract at the present time was 10 per cent.; I believe it is 20.

Mr. MILLER, of New York. Twenty per cent.

Mr. MORRILL. Therefore I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Vermont withdraws his amendment.

Mr. BECK. I was desiring to hear what the Senator from Vermont said was the present duty, but I did not catch it.

Mr. MORRILL. Twenty per cent.

Mr. MORGAN. I desire to have the amendment read.

The PRESIDING OFFICER. The amendment will be read.

The ACTING SECRETARY. After line 195 it is proposed to insert:

Extract of hemlock and other bark used for tanning, not otherwise enumerated or provided for in this act, 20 per cent. ad valorem.

Mr. MORGAN. That would include oak also.

Mr. MILLER, of New York. Certainly it includes oak.

Mr. BUTLER. Is that the present rate of duty?

Mr. MILLER, of New York. It is the present rate of duty.

Mr. BUTLER. I understood it was not on the schedule at all.

Mr. MILLER, of New York. By the decision of the Treasury Department it pays 20 per cent.

Mr. MORRILL. It does not happen to be in this bill, but 20 per cent. is the present duty levied upon it.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York.

Mr. HOAR. I should like to have read a brief statement made by F. Shaw & Brothers, and Young, Thayer & Co., of Boston.

The Acting Secretary read as follows:

REASONS FOR REMOVING THE DUTY ON THE EXTRACT OF HEMLOCK BARK.

We would respectfully ask your attention to the following petition for protection to our hemlock forests, which are rapidly being depleted by one of the largest interests in our country, namely, the leather interest. As an indication of the importance this question—bark—is assuming, it may be stated that the tanners of this country use 1,250,000 cords of bark a year. An acre of hemlock land will yield about seven cords of bark. It thus takes upward of 178,000 acres of land to supply bark to the tanneries. As only nine States produce hemlock bark, it can be seen why the supply is becoming so rapidly exhausted. It ought to be understood that to get the bark the tree must be cut down, and can not be replaced.

We, the undersigned, own and control 1,500,000 acres of bark land and operate twenty-three tanneries; own nine extract works, and employ 5,000 men part of the year, 2,000 men all the time, and make 72,000 barrels of extract a year, the entire product of North America being but 100,000 barrels.

It has been stated that there are large extract factories in Canada owned by English capitalists. As a matter of fact there are seven factories in Canada, of which five belong to us, and are run, with the exception of one, to supply our own tanneries, thereby saving the forests around them, thus adding to the lives of the plants. Four of these factories have cost us $200,000 each, and in order to protect the plant and run them we must have large amounts of bark in their immediate neighborhood, and for this reason we have built extract works in Canada, thereby practically bringing our bark from another country, in a cheap and economical way, and in this manner protecting our own forests for future use.

There is a duty of 20 per cent. on this extract under the law of a manufactured article unprovided for, and the Tariff Commission recommend that the duty be reduced to 10 per cent.

We would most respectfully ask to have it put on the free-list, coming under the head of protection to our hemlock forests.

We ask this as owners of 1,500,000 acres of land, and as manufacturers of 72,000 barrels of extract, which is two-thirds of all the extract manufactured in North America. A memorial has been presented to Congress signed by most of the leading tanners of the country. Nearly, if not all, would have signed it had there been an opportunity to present it to them. They ask that this duty of 20 per cent. on the extract of hemlock be removed.

Very respectfully, yours,

F. SHAW & BROTHERS.
YOUNG, THAYER & CO.

BOSTON, MASS.

Mr. MORRILL. I have seen that communication before, and it seems to me if these parties are the owners of a million and a half acres of land and of establishments costing $200,000 and have made this investment while the rate was 20 per cent., they can afford to go on if we continue the same rate.

Mr. MILLER, of New York. It seems to me that the circular which has just been read is the best argument in favor of retaining the duty of 20 per cent. These gentlemen are asking us to make exemptions in favor of their property located in the Dominion of Canada because they are large capitalists and have been able to establish five works there costing $200,000 each. This amendment is in the interest of small owners of timber land in Northern New York, in Maine, in Michigan, and all along the border, lands which are being rapidly cleared up, and of lands all along the Alleghanies and in many of the Southern States also where extracts are made from oak bark. The hemlock upon our northern frontier is rapidly disappearing by disease, trees are dying, and the lands are also being cleared for agricultural purposes.

Now, if we are to transfer the entire industry of making these extracts to Canada, we shall lose the whole value of our own barks. The manufacturers of extracts on this side, and those who are not able to go into Canada and control a million and a half of acres of land, tell me that with anything less than 20 per cent. they will not be able to continue their manufacture; and this amendment is directly in the interest of the farmers, those owning the land, and also of the laborers on our own side of the line.

I have here a statement given to me of the comparative wages paid in Canada and in New York State in extract works. This statement is absolutely correct. The source from which I have it is a person interested in this business, and who knows precisely what is paid. I will simply give you a few of the figures:

Wages paid common workmen in Canada, 90 cents to $1.25. The American makes $1.50 to $2. Teams in Canada, $2.25 to $2.50 per day; in New York, $4 to $4.25, and so on all through the list. The rate of wages is all the way from 50 to 100 per cent. higher upon our side of the line than upon the other.

It seems to me that in justice to this industry and as a matter of saving for ourselves, working up this bark which will otherwise be absolutely wasted and lost to commerce, it should have at least this protection which it has had for the last two years.

Mr. DAWES. There is one view of this case which has not been presented and which I commend to the Senator from New York, and that is supported by what he has just stated, that the forests are disappearing on our northern frontier. It is true that in all that region we can tan leather in no other way but by relying upon the hemlock bark at a distance, and that hemlock bark at a distance can only be brought here in the form of extract, and unless we are enabled to rely to some extent upon the extract produced in the Dominion, we shall soon be obliged to cease tanning in this country, because the hemlock bark and largely the oak bark that can be used for tanning is disappearing. It seems to me it is quite in the interest of those farmers that the hemlock be preserved and not cut off and destroyed to this great extent, such an extent as is absolutely necessary to continue and maintain the tanning establishments in this country.

By means of this extract of hemlock bark the forests are brought from a great distance to the tanneries, and tanneries can be maintained at a great distance from the hemlock trees themselves, solely due to the fact that the freight on the bark is saved almost entirely in this way, and unless our friends having land on the borders have less inducement to cut off all their forest trees their farms in a few years will be naked and comparatively worthless; whereas if tanners are unable to supply themselves to some extent from abroad, and save thereby the forest trees that are growing up and are being maintained by their growth on the borders, the Senator from New York and his constituents will find themselves like those who killed the goose that laid the golden egg.

Mr. MILLER, of New York. Mr. President, just a word. The people in New York and in all the bordering States desire to have such legislation as will enable them to make use of the products of nature which they now have, and which are rapidly disappearing from various causes. Much of the hemlock timber is now dying, and cannot be utilized except in this way.

This matter comes simply to this: Messrs. Shaw & Brothers and Young, Thayer & Co., constituents of the Senators from Massachusetts, have been able to go into Canada and invest about a million dollars, and perhaps much more, because they say they control a million and a half acres of land; and they are substantially the only persons who are to be

benefited by importing extracts from Canada. They have their tanneries upon this side, and they are to bring the extract here and use it in their own works.

If we reduce the duty on extracts from the point it was when these gentlemen established their works in Canada, we are simply voting so much money into their pockets and out of the pockets of those who own the lands and who have the extract works on this side. These gentlemen invested these large sums of money in Canada when the duty was 20 per cent., as it now is. They knew perfectly well what the law was and what they had to depend upon. They have gone there because they found it profitable to pay 20 per cent. duty. They now come single-handed and alone asking us to reduce it to 10 per cent., or, as they would prefer, to have it put on the free-list; and if we do it we simply legislate in favor of two firms only.

Mr. BECK. Mr. President, I do not know much about the importance of this particular article (it seems that a very small revenue is derived from it), nor do I care about speaking as to the effect upon our forests; but if we desire to do any good, the idea that the extracts and the articles that are necessary to produce cheap leather, cheap material for men who are engaged in the manufacture of leather, will have to prevail, or we shall be wholly unable to make any reduction of any value in the finished products. Eight or ten years ago, I forget exactly when, we had a high duty on raw hides, and when it was proposed to make hides free a great clamor came up from all over the West, and I remember some from our region of country; but it was done, and the export of the manufactures of leather from the time we made hides free increased at once from about a million and a half to ten or twelve or perhaps now fifteen million dollars.

Mr. BUTLER. The exports?

Mr. BECK. Yes, the exports. The furnishing of the raw material in the shape of hides became an immense business.

Look at your free-list. Hides and skins other than fur skins on the free-list now, $27,702,970. As soon as that was done and men bought cheap the raw material, they got their hides from South America and elsewhere, and the business of the manufacture of leather sprang up at once, and increased and doubled and quadrupled until we are exporting, I think, perhaps more than we do of cotton goods now. This is one of the things that enables men to make leather cheap. To get the price of the finished product down is what the great mass of the people are interested in; but now they are building little industries up in every nook and corner upon every item which goes to make up the ingredients with which the work is to be done.

The former Secretary of the Treasury, now a distinguished member of the Committee on Finance of the Senate—I allude to the Senator from Ohio [Mr. SHERMAN]—while Secretary made a very sensible suggestion in his report to us some years ago, even when there was no particular surplus of revenue. He then said:

> A large number of isolated articles are now included in the dutiable list which yield less than $10,000 a year each, and the cost of collecting the duty on these articles is proportionally greater than on the staple articles. The addition of many such articles to the free-list, in the event of the duty being placed on tea and coffee—

Which he sought then to restore—

> would be beneficial.

We have been extending our free-list whenever we could in order to give the manufacturers of staple articles no excuse for saying that they had to have a high protective tariff because of the high cost of the material out of which they had to manufacture their goods.

I sent just now, since I took the floor, to see if I could not ascertain what were the leather exports. I have here the domestic exports of merchandise by customs districts of manufactures of leather. It is very much more than I said it was. I have not time to foot it up. I will make up the figures in a few minutes. I only desire to say, not caring about this particular thing, that all through the chemical list I shall endeavor to so vote as to give the men who are making staple articles the goods which are to them raw materials as cheaply as I can, without endeavoring to destroy any special interest. Senators seem to think that all these interests are very important, but I would rather destroy a good many of them, so as to give men who are making a staple article a chance to furnish it at a reasonable rate and compete with the rest of the world for the trade of the world. We have built up, as I have said, the leather industry by giving them hides free.

Mr. MAXEY. What is the relative importance of the leather industry as compared with the extract-of-hemlock industry?

Mr. BECK. That I do not know. There is no comparison. It is thousands and tens of thousands.

Mr. MAXEY. Of course it is our interest to maintain that industry which is most important to the country. The leather industry being of far more consequence to the American people than the other, it is our interest to sustain the leather industry, in which everybody is interested.

Mr. BECK. Beyond all question the Senator from Texas is right. I will foot up the figures in regard to the export of leather.

Mr. PLATT. I think none of my constituents are interested in this subject, but as I have a summer residence in the State of New York I think I know a little something about it. There are vast tracts of land in the State of New York upon which hemlock is growing. They are not adapted to agricultural purposes. There is no communication to the timber. All the hemlock that is within reach of communication has been used in the old fashion.

Mr. BECK. If the Senator will allow me, so that it may appear in connection with the remarks I have made, I have the exports of domestic merchandise, given by customs districts, for the year ending June 30, 1882. The export of sole, upper, and other leather and of boots and shoes, saddlery, and other manufactures of leather, liberalized as it has been, has gone up from a million or two to $9,125,465.

Mr. MAXEY. There is a vast importation of hides from Mexico as well as from South America, as I happen to know.

Mr. PLATT. As I was saying, all the hemlock available in the old way had been reached. In order to make what remained available it was necessary to go to the ground where the hemlock grew and establish extract manufactories. It is an industry which has sprung up in a few years. The article was not mentioned in the tariff of 1861. It has all grown up since that. Now they go into the interior——

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Will the Senator from Connecticut yield to the Senator from Mississippi?

Mr. PLATT. I yielded a moment ago and got another speech into mine.

Mr. GEORGE. I want to suggest to the Senator from Connecticut that we are very anxious to hear him over here, but we are not able to do so.

Mr. PLATT. I suppose it is due partly to the misfortune of my voice and partly to the noise in the Chamber.

The PRESIDING OFFICER. The Chair will request Senators to be seated and to keep order in the Chamber.

Mr. GEORGE. We want to hear the Senator from Connecticut, and we do not hear him.

Mr. PLATT. I will state again what I was saying. Large tracts of hemlock forest have heretofore been unavailable because all the hemlock within reach of the tanneries had been taken. Within thirty or forty or fifty miles of the tanneries the bark was drawn from the forest to the tannery, and so the forest had been exhausted within reach of the tanneries. There are large tracts that were thus unavailable until the process of extracting the bark was discovered; and then they went into the forest and extracted the bark, and it being reduced to a small compass it could be brought out. That is now largely used in tanning where formerly the bark was brought to the mill and ground up. The result has been that it has largely decreased the cost of tanning. All that cumbersome freighting has been done away with, and the tanner gets the essential property of the bark very much cheaper than he did in the old way.

This is a question between the hemlock timber in this country and the owners of it and the owners in Canada, between the workmen in this country and the workmen in Canada.

Mr. HOAR. And the manufacturers of leather.

Mr. PLATT. The manufacturers of leather, of course, have their cost decreased by either, whether the extract is manufactured in Canada or in this country. Certain parties in Boston have gone into Canada. They have there bought up the hemlock lands much cheaper than they can be purchased in this country. They employ their labor much cheaper than they can in this country, and they employ their teams much cheaper than they can in this country. Having done that they ask to have the duty of 20 per cent. removed, and they put it upon the ground of the protection of American forests. It seems to me that is a very weak argument, a very weak ground to put it upon.

These hemlock forests are dying, dying from natural causes, being destroyed by fire, continually wasting away, and the result will be that if the Canadian product can be brought into this market so cheaply that it will run out the American manufacture, we shall lose our hemlock forests and not receive any advantage from them either now or in the future.

It seems to me that what ought to be done is to have a sufficient duty on the Canadian product so that there shall be an equilibrium between the manufacture here and in Canada, and that we shall be utilizing both the forests in this country and in Canada at the same time. This amendment is not to reduce the duty, it is to retain the duty where it is. The reduction suggested is simply for the benefit of the importers who desire to control the market.

Mr. WILLIAMS. In this connection I wish to make a single remark. I am for voting to make the raw material as cheap as possible, as a general principle; but in this country of ours, where we have more tanned bark than all the countries in the world, where we have more hides than any other people, where we manufacture leather not only enough for our own use but to export to the extent of $20,000,000 a year, boots and shoes of the better qualities are higher than in any country under the sun.

Mr. ALLISON. I should like to inquire of the junior Senator from Kentucky if he is quite sure that boots and shoes are dearer in this country than in any other?

Mr. WILLIAMS. I am, sir. They are dearer here than in any other civilized country in which I have traveled.

Mr. ALLISON. That is news to me. I am sorry to hear it.

Mr. WILLIAMS. And it is only for the sake of protection to the manufacturers.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. MILLER].

Mr. HOAR. I desire to amend the amendment of the Senator from New York. I move to make the duty 10 per cent.

The PRESIDING OFFICER. The Senator from Massachusetts moves to make the duty 10 per cent.

Mr. MILLER, of New York. Before that motion is put I wish to say a few more words on this subject. I do not desire to weary the Senate, but, as I stated before, there are no parties asking for a reduction of the duty on extract of hemlock bark except two or three concerns in Boston which have built large establishments in Canada, and built them when the duty was 20 per cent., knowing full well what it was, and now they come here and ask us to put it on the free-list, and if we will not do that, then to put it at 10 per cent.

As I understand our friends on the other side, they are attempting to vote steadily againt monopolies and against great corporations and in the interest of the laboring man and the farmer. Now, you may sit right down and figure up the amount of extract produced in Canada, and this proposition is simply voting so many dollars and cents to gentlemen in Boston who own the works in Canada. The duty of 20 per cent. has been maintained, and under it extract works in nine or ten States in the Union have been built up. It has not increased the cost of manufacturing leather in this country. On the other hand, it has enabled many tanneries, from around which the forests have disappeared, to continue their work by going back into the forest and there making the extract and bringing it out. It has reduced the cost of making leather, and it is one of the reasons why we are able and why we do export so much leather, as the Senator from Kentucky told us we were doing. All there is of this proposition is to vote so many dollars and cents to two firms in Boston owning extract works in Canada against our own interest.

Mr. HOAR. It seems to me that while the Senator's argument is a very good one against having this article on the free-list, yet that 20 per cent is a very high duty on what is substantially a raw material. I should like to test the sense of the Senate on it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. HOAR] to the amendment of the Senator from New York [Mr. MILLER].

Mr. DAVIS, of West Virginia. May I ask the Senator from New York what his amendment is?

Mr. MILLER, of New York. My amendment is to make the duty on extract of hemlock and other barks 20 per cent., what it now is. The committee have left it out of the bill, and I propose to put it in.

Mr. DAVIS, of West Virginia. I do not find it in the bill.

Mr. MILLER, of New York. No, it is not in the bill; it was an oversight of the committee, and I propose to put it in at the present rate of duty, not increasing or lowering it.

Mr. DAWES. My colleague proposes, instead of putting it at 20 per cent. to put it at 10 per cent., and the chief argument against my colleague's amendment is a misapprehension of the Senator from New York as to the residence of somebody who makes extract of hemlock bark. I think if my friend from New York could be correctly informed on that, there would not be any objection to my colleague's amendment.

Mr. MILLER, of New York. It would not make any difference if they lived in New York or in any other State. It does not matter where they reside; they are simply American capitalists who have invested their money in Canada and who come here now and ask us to take off the duty.

Mr. HOAR. They say that a memorial to this effect has been presented, signed by the leading tanners of the country.

Mr. CONGER. There are only fourteen.

Mr. MILLER, of New York. I have not heard of any such memorial being presented to the Senate; it has never appeared here.

Mr. VANCE. As this seems to be the first monopoly in the United States that has asked for a reduction of duties I think it ought to be encouraged. I shall vote for the amendment of the Senator from Massachusetts.

Mr. MILLER, of New York. I am surprised at the language of the Senator from North Carolina. A few days ago, after he had been laboring most strenuously to reduce the duty upon soft-soap, there was a motion made here to put a duty of 20 per cent. upon extract of sumac, which is largely and chiefly produced in his own State, and I did not hear the Senator rise to object to a duty of 20 per cent., or any duty at all, upon sumac.

Mr. VANCE. The reason why the Senator did not hear from the Senator from North Carolina was simply because the Senator from North Carolina said nothing.

Mr. MILLER, of New York. I supposed he did not say anything.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. HOAR] to the amendment of the Senator from New York [Mr. MILLER].

The amendment to the amendment was rejected—ayes 17, noes not counted.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from New York [Mr. MILLER].

Mr. BUTLER. I should be very much obliged if some Senator would inform the Senate how much revenue is received from the 20 per cent. ad valorem levied now.

Mr. BECK. Eighteen thousand dollars.

Mr. MILLER, of New York. I do not know how much revenue is derived, but I know in regard to the manufacture that when business is dull in Canada in tanning then the extract is thrown into this country in large quantities; and when it is not so then it does not come here to interfere with us at all. I think the industry is entitled to a protection of at least 20 per cent., which is certainly not a prohibitory duty and not an excessive duty. The industry has been built up under this rate of duty and it needs this in order that it may continue.

Mr. BUTLER. I should like to ask the Senator if in his opinion 10 per cent. ad valorem would raise a larger or a less amount of revenue?

Mr. MILLER, of New York. It would raise a much less amount, because the document presented by the Senator from Massachusetts shows that five-sevenths of all the extract made in Canada is made by manufacturers living in the United States, and that they bring it in. They will bring it in anyhow, whether the duty is 10 per cent. or 20 per cent. They have been doing so. If you reduce it to 10 per cent. you get 10 per cent less; if you put it on the free list you get 20 per cent. less, or whatever the value may be. Undoubtedly the revenue will be larger or smaller, as the rate may be, and if you have no duty at all it will be 20 per cent. less. If you want a duty for revenue, leave it where it is, because it will come in anyhow. The manufacturers live here.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. MILLER].

The amendment was agreed to.

The next items were agreed to, as follows:

Glucose, or grape sugar, 20 per cent. ad valorem.
Indigo, extracts of, and carmined, 10 per cent. ad valorem.

The next item was to insert, as line 200:

Iodine, resublimed, 40 cents per pound.

Mr. VANCE. That rate is almost prohibitory. That duty on iodine I move to strike out, and to make it 10 per cent. ad valorem. I want to read the testimony of a very intelligent gentleman connected with the manufacture of chemicals who, by special invitation of the commission, appeared before it. Mr. Henry Bower, of Philadelphia, appeared before the commission at Long Branch, and after having given his opinion upon the various matters connected with the manufacture of chemicals went on to say:

Branching off into another direction, we would then inquire as to what is necessary to produce goods cheaply. We should be able to produce them in as large a quantity as possible. We have shown in our industry that by the heavy duties placed on some of those goods under the war tariff, by the inculcation of their manufacture here, from the skill of our people, and by obtaining the home market we have been able to produce cheaper than in England, and, indeed, we are exporting large quantities of goods to England to-day.

You may say, then, what do you want with those duties? Well, we do not want them, but at the same time it would not be wise to disturb them.

That is the evidence of one of the most intelligent men connected with this branch of manufactures before the Tariff Commission. If they themselves do not want the duties, and if they are able to make better and cheaper goods than are made abroad, and if they are able to export large amounts of their goods to England as they say they are now doing, then I want to know, in the name of common sense, what is the use of keeping up the tariff on these goods so high as to amount to a prohibition?

Mr. MORRILL. Of course if we are to consume any amount of time on these inconsiderable items we can never reach the end of the bill. This article is resublimed iodine. Iodine is made from kelp or seaweed and also from oxide of magnesia. This is a reduction of the present rate of duty from 75 cents a pound down to 40 cents. I think it would be well for the Senate to leave it at that rate. It is a very small rate of duty on the cost of the article, and I think we might well pass along without consuming time upon so inconsiderable a matter.

Mr. VANCE. The Senator from Vermont and I differ on one very important matter. He is for saving time, and I am for trying to save the people's money. We are twitted all the time about the consumption of time, and a bill here that is to raise from $225,000,000 to $250,000,000 on importations, and about $750,000,000 more on domestic products—I do not know, but perhaps a thousand million dollars at the lowest calculation—must be hurried through and must not be discussed; we must save time. I am opposed to any such idea in reference to the discussion of a great question like this. I intend to consume all the time that I can when I think that the consumption of time will throw any possible light upon the subject under discussion, and I am more chary of the people's money than I am of Congressmen's time.

Mr. MORRILL. The Senator from North Carolina read an article that did not relate at all to this matter. All that was imported of this article last year was fifteen pounds. I do consider it too insignificant for the Senate to consume any time about.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina, which is, in line 200, after the word "resublimed," to strike out "40 cents per pound" and to insert "10 per cent. ad valorem;" so as to read:

Iodine, resublimed, 10 per cent. ad valorem.

The amendment was rejected, there being on a division—ayes 19, noes 24.

The item was agreed to.

The following items were agreed to:

Licorice, paste or roll, 7½ cents per pound; licorice juice, 3 cents per pound.
Oil of bay-leaves, essential, or bay rum essence or oil, $2.50 per pound.
Oil, croton, 50 cents per pound.

The next item was read, as follows:

Oil, flaxseed or linseed, 25 cents per gallon, seven and one-half pounds weight to be estimated as a gallon.

Mr. GARLAND. I wish to offer an amendment to line 208. I suppose it was an omission of the committee, probably, in not inserting it. I move, following immediately after line 208, to insert:

Cotton-seed oil, 25 cents per gallon.

Mr. MORRILL. The Senator from Arkansas is right, but I suggest that after the word "linseed," in line 206, he insert "and cotton-seed oil," so as to have it all in one paragraph.

Mr. GARLAND. That will be in the same connection. I have no objection to that.

Mr. MORRILL. That was an omission, and I see no sort of objection to it.

The PRESIDING OFFICER. The amendment will be reported.

The ACTING SECRETARY. In line 206 after the word "linseed," it is proposed to insert "and cotton-seed oil," so as to read:

Oil, flaxseed or linseed, and cotton-seed oil, 25 cents per gallon.

The amendment was agreed to.

The item as amended was agreed to.

The following items were read and agreed to:

Hemp-seed oil and rape-seed oil, 10 cents per gallon.
Soda and potassa, tartrate, or rochelle salt, 3 cents per pound.
Strychnia, or strychnine, and all salts thereof, 50 cents per ounce.
Tartars, partly refined, including lees crystals, 4 cents per pound.
Alumina, alum, patent alum, alum substitute, sulphate of alumina, and aluminous cake, and alum in crystals or ground, 50 cents per hundred pounds.
Ammonia, anhydrous, liquefied by pressure, 20 per cent. ad valorem.
Ammonia aqua, or water of ammonia, 20 per cent. ad valorem.
Ammonia, muriate of, or sal-ammoniac, 10 per cent. ad valorem.
Ammonia, carbonate of, 20 per cent. ad valorem.
Ammonia, sulphate of, 20 per cent. ad valorem.
All imitations of natural mineral-waters and all artificial mineral-waters, 30 per cent. ad valorem.

Line 229 was read, as follows:

Asbestos, manufactured, 20 per cent. ad valorem.

Mr. DAWES. I move to insert "five" after the word "twenty," so as to make the duty 25 per cent. ad valorem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. DAWES].

Mr. DAWES. I will by permission of the Senate state what that is, and I have no doubt the committee will see the propriety of the amendment. Twenty-five per cent is the present tariff duty upon this article. Under the present tariff only a small amount has been imported, $500 worth, I think.

Mr. MORRILL. Five hundred and four dollars' worth.

Mr. DAWES. Five hundred and four dollars' worth was imported. Asbestos is a new manufacture which has sprung up since the last tariff act almost entirely. It is a manufacture out of a fibrous stone which is imperishable in the fire and is largely used wherever material of fire-proof construction of any kind is made. It has been lately introduced by the arts into use for fire-proof thread and fire-proof cloth and fire-proof material, board, pasteboard I do not know but that it may properly be called, and is used to line houses. It is made of a stone, as I have said, and that stone is found in Canada and in all of the Southern States of this Union, more largely in the State of Georgia than anywhere else. It is not found in any of the Northern States.

The only question is whether we shall use the asbestos made of the stone in Canada or the asbestos made of the stone in the United States. The difference is just this: The asbestos in Canada is made into the fine articles by workmen who work at 80 cents a day; in the United States the same character of workmen get a dollar and a half a day. That is the difference, and that is why, unless we have a tariff which will make up just that difference, the asbestos of the United States will sleep for all time to come in the ground where it is. It is the case which has just been decided, the case of hemlock bark, only more so. The Senate has decided to keep the duty upon the extract of hemlock bark where it is in the old tariff for the reason that the hemlock trees can be utilized in this country. I thought that the hemlock trees had better be preserved here, but the asbestos does not need to be preserved; it will preserve itself. The Senate have decided to keep the tariff upon hemlock bark precisely as the existing law. I hope they will do the same with this article. I hope they will be consistent in so voting.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. DAWES].

The amendment was agreed to.

Mr. COCKRELL. I desire to reserve action on lines 227 and 228, relating to mineral waters, for a few moments. I was called out while that item was passed upon, and I will call it up again.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so agreed.

Mr. LAPHAM. I have an amendment which I want to offer to those lines.

The PRESIDING OFFICER. The amendment may be offered at that time. The Senator from Missouri asks to reserve action upon that item in view of proposing some amendment to it.

Mr. LAPHAM. In the hurry in which it was read and acted upon I had not time to prepare my amendment.

Mr. COCKRELL. I had just come to my seat, and found that it had been passed upon.

Mr. ALLISON. I hope it will be understood that we shall go back to it.

The PRESIDING OFFICER. By general consent that is agreed upon.

The following items were agreed to:

Baryta, sulphate of, or barytes, unmanufactured, 10 per cent. ad valorem.
Baryta, sulphate of, or barytes, manufactured, 20 per cent. ad valorem.
Refined borax, 3 cents per pound.
Cement, Roman, Portland, and all others, 20 per cent. ad valorem.

Lines 237 to 240, inclusive, were read, as follows:

Whiting and Paris white, dry, 20 per cent. ad valorem; ground in oil, 1½ cents per pound.
Putty, 1 cent per pound.

Mr. ALDRICH. I move to amend by inserting after the word "oil," in line 238, the words "or putty," and by striking out "1½ cents" and inserting "1 cent," and then striking out line 240, which reads, "putty, 1 cent per pound." Whiting ground in oil, or putty, is the same thing.

Mr. VANCE. I should like to inquire for information of the chairman of the committee, if he will be kind enough to give me his attention, why it is that the method of imposing this duty is changed in this same sentence from ad valorem to specific? Whiting and Paris white are 20 per cent. ad valorem, and ground in oil 1½ cents per pound.

Mr. ALDRICH. If the chairman of the committee will allow me I will reply that it is because this preparation is ground in linseed oil, on which the duty is fixed at 25 cents a gallon.

Mr. VANCE. Then it would be a reason perhaps for making the duty greater; but why should the form of levying the duty be changed? Why not have both ad valorem or both specific? I can not see any reason why that is done unless it is to deceive somebody. The simple way, it seems to me, would be to make them both specific or both ad valorem; but the change from one foot to the other in one sentence, it seems to me, has a suspicious look. I move to make both ad valorem and both 20 per cent.

The PRESIDING OFFICER. The Senator from North Carolina will state his amendment so that the Secretary may note it.

Mr. VANCE. In line 238 I move to strike out "1½ cents per pound" and to insert "20 per cent. ad valorem."

Mr. ALDRICH. I suggest that I have an amendment pending which I offered before the Senator from North Carolina made his motion to amend. It will be necessary to dispose of my amendment first, I suppose.

The PRESIDING OFFICER. The Chair supposes that the amendment of the Senator from North Carolina is in order under the rule we are proceeding upon.

Mr. MORRILL. I would say that the proposition of the Senator from Rhode Island is to reduce the duty on this article when ground in oil from 1½ cents, as it is in the bill, to 1 cent per pound, and so long as we put a specific duty upon linseed oil, that is none too much. Twenty per cent. ad valorem upon whiting and Paris white arises from a disposition in which the Committee on Finance concurs with the Tariff Commission to group as many articles as possible into one schedule. Whiting is a material of a little lower value than Paris white, and therefore they are put at an ad valorem rate instead of a specific.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina to the amendment of the Senator from Rhode Island.

Mr. ALDRICH. I did not understand that the Senator from North Carolina offered his amendment as an amendment to mine but that he offered it as an amendment to the original text.

The PRESIDING OFFICER. The Chair supposes that it is an amendment to the amendment of the Senator from Rhode Island.

Mr. VANCE. If the amendment of the Senator from Rhode Island should be adopted, I suppose my amendment would not be in order.

The PRESIDING OFFICER. The amendment of the Senator from North Carolina is in order, under the agreement that the committee amendments shall be treated as the text of the bill. Therefore it is only an amendment in the second degree, and it is in order.

Mr. ALDRICH. I submit that it is certainly in order as an amendment to my amendment, but if it is offered as an amendment to the original text the question should be taken first on my amendment, which has precedence in point of time.

The PRESIDING OFFICER. The Chair regards it as an amendment to the amendment of the Senator from Rhode Island. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected; there being on a division—ayes 19, noes 26.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Rhode Island, which will be read.

The ACTING SECRETARY. It is proposed to amend the clause so as to read:

Whiting and Paris white, dry, 20 per cent. ad valorem; ground in oil or putty, 1 cent per pound.

The amendment was agreed to.

The following items were read and agreed to:

Prepared chalk, precipitated chalk, French chalk, red chalk, and all other chalk preparations which are not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Chromic acid, 15 per cent. ad valorem.

Chromate of potash, 3 cents per pound.

Line 247 was read, as follows:

Bichromate of potash, 3 cents per pound.

Mr. GORMAN. In line 247, after the word "three," I move to insert "and one-half," so as to read:

Bichromate of potash, 3½ cents per pound.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland [Mr. GORMAN].

Mr. GORMAN. Mr. President, of this article of bichromate of potash there are only two manufactories to any considerable extent which make it, one in Scotland and the other in Baltimore. They control the markets of the world. It is used principally as a mordant in dyeing cotton goods and some classes of woolen manufactures.

Mr. BECK. And paints.

Mr. GORMAN. Paints to some extent, but principally it is an article used for dyes.

Under the tariff of 1846, which was purely a revenue tariff (known as the Walker tariff), the duty on this article was 20 per cent. ad valorem, equivalent to 7 cents a pound. It was afterward, in 1856, reduced to 15 per cent. ad valorem, equal to about 6 cents a pound. In 1861 the ad valorem duty was converted into a specific duty of 3 cents a pound. Afterward, in 1875, it was increased to 4 cents a pound.

The Tariff Commission, in considering the proper duty to levy on this article, reported that it ought to be retained at 4 cents a pound; that otherwise the article could not be manufactured in this country, owing to the scarcity of the ore, in competition with the Scotch manufacture. The ores originally were found in Maryland and Pennsylvania, close to this manufacturing establishment, but now they are brought almost exclusively from California, at a cost of from $25 to $30 a ton.

It is represented by those who are engaged in the manufacture and the commission to examine the question that if a lower duty is imposed it will in effect give the Scotch manufacturing establishment the exclusive control of this article throughout the country. When they had it the cost to the consumer in this country was 37 cents a pound, whereas under the present tariff it is 15 cents.

Therefore it is in the interest not only of the manufacturer of this article and the owners of the few ore beds which are found in this country, but it is in the interest of the consumer in securing a cheap article. For that reason I offer the amendment.

Mr. BECK. Before the Senator from Maryland closes his remarks I desire to read an article found in the New York Times, which may be all a slander, but I should like to hear whether it is true or not. It reads thus:

Another industrial chemical, which has a very extensive use in various technical operations, is an article made only by a single very wealthy firm of Baltimore. This article is bichromate of potash. Most readers will remember that this article was the subject of special legislation a few years ago as a poor, suffering Maryland industry, languishing through insufficient protection. It at that time only received 2 cents per pound or $45 specific duty per ton, but through the efforts of a friendly Senator, who believed in free trade for everything but bichromate of potash, the duty was promptly raised to $90 per ton. Ninety dollars a ton specific duty on such an article as bichromate of potash, which enters into consumption among the calico-printing and other branches of textiles to the extent of thousands of tons yearly from this single factory! The factory in Baltimore reaping this harvest of millions from the textile industry is a pregnant cause of the ruling desire for free chemicals, for it exacts an enormous price here for this article, this firm using the American market as a pocket bonanza, as the Scotch manufacturers, by special agreement, do not send their products here.

A few years ago the foreign makers shipped a large amount, hoping to reap a harvest from the great difference in the price between the selling price of the bichromate here and the price at which it could be laid down in New York. When this occurred the price was immediately dropped to a somewhat reasonable basis, and a shipment of five hundred casks per month to the Edinburgh market soon brought the Scotch manufacturers to their senses and gave them sharp notice that this market belonged to the Baltimore monopolists. As but one firm produces this article in the United States, and it has shown its ability to undersell the foreign producers in their own markets, we think it quite time that the article so much used by the textile industry and known as bichromate of potash should be placed on the 25 per cent. schedule, if not indeed at a lower rate, instead of the $90 per ton specific duty, which is nothing more nor less than sheer robbery.

I do not know the truth of that statement, but it is rather a striking one if it is true.

Mr. GORMAN. My attention has never been called to that article, but I have no doubt it was written by some paid agent of this Scotch manufacturing concern in Glasgow. There is not a single fact to bear out the statement contained in the article. It is well known to every gentleman who has examined this question that until the mines were discovered in Maryland and Pennsylvania, about fifty years ago, this Scotch house had bought every mine in Europe where this ore is found, and had levied whatever duty they saw proper upon the consumer throughout the world. Their price was 37 cents a pound prior to the establishment of the manufactory in Baltimore.

When they began, the statesmen then in Congress, in making a revenue tariff just to all, recognized that it was absolutely necessary to protect this interest, and in framing that tariff an ad valorem duty was placed upon bichromate of potash equal, as I have stated, to 7 cents a pound. It continued until 1856, when there was a general reduction of 5 per cent., bringing it down to 15 per cent. ad valorem. From that day to this, as I am informed, the Scotch firm have endeavored to make an arrangement with the American house to fix the price of bichromate of potash throughout the world, which the American house has constantly refused to do, and the result has been that the price of the article has been reduced from 37 cents to 15 cents a pound to the consumer.

It is true that a few years ago, when the Scotch house attempted to make this arrangement again, the American house again declined the proffer to make a monopoly of it, and the Scotch house then at a loss shipped bichromate of potash to this country and sold it for a less amount than it could be made in this country. To retaliate, the Baltimore house sent its bichromate to Europe, and sold it there at a less price than it could possibly make it, and sold it in the European market. The manufacture now goes on with fair competition, and I think there is no complaint on the part of consumers as to the price. But if the duty is reduced, as is proposed, in opposition to the recommendation of the commission who have examined this question, the only tendency will be to drive the American article out of the market.

The American works are located in Baltimore. There has been a large amount of money invested in the plant; so large an amount, and with so small a quantity of ore to be found in this country, that capitalists, even with the present tariff, are afraid to adventure in more works of this sort. If you reduce the tariff and drive the Baltimore enterprise out of the market you will leave it exclusively for the house in Glasgow to lay whatever tribute they please upon the balance of the world.

Mr. VANCE. I think there has been some complaint in regard to the price of this article. I ask the Secretary to read a circular which has been sent to me from the Textile Colorist in relation to this matter.

The Acting Secretary read as follows:

[From the Textile Colorist of March, 1882.]

THE MANUFACTURE OF BICHROMATE OF POTASH AND ITS USE IN THE UNITED STATES.

The immense consumption of bichromate of potash, not only in dyeing and printing, but also in other branches of industry, as well as its comparatively high price, attracted the attention of the consumers of this article, and the question has been presented if it might be possible to lower the price by manufacturing it in our own country and not, as is at present done, to import large quantities from Europe.

We consume in the United States over 10,000,000 pounds of bichromate of potash annually. One-third of this is imported from Scotland and two-thirds are manufactured in this country by only one single firm, who have had the monopoly in this country for nearly three generations.

We are no friends of free trade, but neither are we friends to monopoly, and, generally, monopolies are greater injury to the manufacturing interests of a country than free trade. The duty for the importation of bichromate of potash since 1874 is 4 cents per pound; before that year it was only 3 cents. The price varied since 1845 from 12 cents to 29 cents. The imports were, from 1875 to 1880, as follows: In 1875, 1,416,000 pounds, at 17.44 cents; in 1876, 1,666,000 pounds, at 15 cents; in 1877, 2,470,000 pounds, at 12.92 cents; in 1878, 1,930,000 pounds, at 12.19 cents; in 1879, 2,624,403 pounds, at 13.27 cents; in 1880, 3,505,740 pounds, at — cents.

The present market value is 15½ to 16 cents, which is much higher than what it can be produced for in this country, even allowing a very good profit to the manufacturers.

The cost of manufacture, including production and transportation to the factory, wages, apparatus, &c., also the interest on capital invested, can not be more than 7 to 8 cents per pound for a well-established concern, and allowing a fair profit 10 cents should be the price of the manufactured article, and no more.

The mines from which at present the chrome-iron ore is taken are all under the control of the single firm alluded to, but there are certainly other mines in this vast country where this ore can be found, which, however, have not so far been worked; but should these be put into operation, there would be no doubt that a considerable reduction of the price of bichromate of potash would be the result, which would prove a great blessing to our dyeing and other establishments.

As regards dyeing, we are behind the European countries, not only in quality but also in consideration of the price; and this is principally the case where such kinds of mordants or colors are produced as are in the hands of monopolists, and where the duty on raw material is too high. We believe in heavy taxation of manufactured goods, but raw material should be either very lightly taxed or not at all, so that our manufacturers may at least see a chance for competing with imported goods. In such case, however, we have to be careful in not allowing single parties to procure the monopoly of certain articles, which would be very often worse than anything else, and in which case a heavy duty would not protect the manufacturing interest, but the monopolists only.

There are mines in California where the original researches for silver were made, and after a considerable quantity had been taken out it was found that they contained not silver enough to pay expenses; but the reports of analysts showed that the ore so far produced was a very fair specimen of chrome-iron ore, and, in fact, better than any other ore of this kind from which bichromate of potash had ever been produced. Several specimens of this ore have been analyzed and showed the following results:

	Per cent.
I. Sesquioxide of chromium	51.25
II. Sesquioxide of chromium	58.50
III. Sesquioxide of chromium	55.40
IV. Sesquioxide of chromium	62.00
	227.15
Average sesquioxide of chromium	56.75

The first two samples were tested in Washington, No. 3 in Glasgow, Scotland, and the fourth in New York. Several analyses have also been made of other chrome-iron ore from which bichromate of potash is manufactured, and showed the following result:

Ore from Baltimore, 45 per cent. sesquioxide of chromium.
Ore from Norway, 40 per cent. sesquioxide of chromium.
Ore from France, 37 per cent. sesquioxide of chromium.
Ore from France, 51 per cent. sesquioxide of chromium.
Ore from France, 54 per cent. sesquioxide of chromium.
Ore from Asia Minor, 53 per cent. sesquioxide of chromium.
Ore from Hungary, 31 per cent. sesquioxide of chromium.
Ore from Ural Russia, 49.5 per cent. sesquioxide of chromium.

These tests show that the California ore is better than any of the above mentioned, and would certainly produce a very good article, and also give promise of good profits.

These California mines are at present the only ones which are known to contain valuable chrome ore, besides those from which bichromate of potash is manufactured; but there is no doubt that there are a great many more places where this valuable ore could be found and be profitably worked. This is a good chance for capitalists, who would not only benefit themselves by realizing good profits out of such an enterprise, but also a large number of consumers, all of whom know well that they pay too high for a product which they must use largely in their works, and to whom a reduction of price would be very welcome.

Mr. VANCE. It will be seen from that statement that the effect of a very heavy duty heretofore has not been to beat down the price by competition; no other factories in the United States have been started except that one, and therefore I see no reason why it should not come down if we intend to aid the manufacturers by reducing the price of raw materials instead of imposing a high protective duty.

Mr. GORMAN. What paper is that from?

Mr. VANCE. It is a paper called the Textile Colorist.

Mr. BUTLER. Before the Senator from Maryland takes his seat, I should be glad if he would inform the Senate, if he can, in that connection, what would be the effect of a reduction to 3 cents a pound upon the revenue, for I am very frank to say that in casting my vote I shall be governed largely by the amount of revenue any tax will realize. If the effect of reducing the duty from 4 to 3 cents a pound would be to increase the revenue derived from it, I should be very much inclined to favor it.

Mr. GORMAN. I will say to the Senator from South Carolina that the facts prove conclusively that the duty of 4 cents a pound on bichromate of potash has been beneficial. As has been stated, the consumption in this country is about 10,000,000 pounds. Two million four hundred thousand pounds were imported from Scotland, and the revenue on it during last year, according to the statement of imported merchandise furnished by the Bureau of Statistics, was $97,995, that being the greatest amount which has ever been received in any one year since we have levied a duty upon this article. Therefore the duty as it exists to-day at 4 cents per pound is not prohibitory.

Mr. BUTLER. Then I understand the Senator to state that the reduction of the import duty to 3 cents a pound would have the effect of reducing the amount of revenue derived from that business?

Mr. GORMAN. It would not only reduce the revenue, in my opinion, but destroy the manufacture.

Mr. BUTLER. My idea is that the first consideration is how we shall raise the largest amount of revenue. Therefore I should vote for any sum which would realize that object.

Mr. GORMAN. I am informed that 3½ cents a pound will be satisfactory.

Mr. ALDRICH. I have not been able to hear all the colloquy between the Senator from Maryland and the Senator from South Carolina; but I must confess my very great surprise that the Senator from Maryland, who has, I believe, invariably voted for the greatest reductions upon all articles, manufactured or unmanufactured, should now seek to increase the duty upon an article of such universal consumption as bichromate of potash.

Mr. GORMAN. The Senator from Rhode Island does not intend to do me injustice——

Mr. ALDRICH. Certainly not.

Mr. GORMAN. He says I have voted for all reductions, without regard——

Mr. ALDRICH. Not without regard——

Mr. GORMAN. Without regard to other considerations. That is not a correct representation of my course.

Mr. ALDRICH. I will leave that to the record. The record will show whether he has so voted or not.

This article is used in large quantities by every calico printer, every woolen manufacturer, every dyer, and every manufacturer of paper, and it is proposed to increase the duty on this article of almost universal consumption, for the benefit of a single concern in the city of Baltimore, who have already made a very large sum of money from the manufacture of bichromate of potash. This is a plain and simple fact stated in a few words.

The duty instead of being increased should be decreased, and I shall watch with some curiosity the votes of gentlemen on the other side to see whether they are willing to pick out this article and increase the duty upon it when they are striving in every way to reduce the duties on all other articles on the list.

Mr. GROOME. I was not in when this discussion began, and hence am a little embarrassed in attempting to participate in it.

It is in the interest, I think, of this country, and with a view to cheapening this article, that this duty ought to be kept up at least to the 3½ cents a pound proposed by the amendment. I, in fact, think that the present duty of 4 cents a pound ought to be maintained. That rate was recommended by the Tariff Commission after the investigation which it gave to this question.

It is argued, however, that this legislation is in the interest of a Baltimore monopoly. Such, in the proper sense of the word, is not the fact. It is true that there are but two establishments for the manufacture of bichromate in the United States, one in the city of Baltimore, which has long existed, and the other in the city of Philadelphia, which has only been in existence for a few years. But that fact argues strongly in favor of this duty being kept at least at 3½ cents a pound.

The fact that, although there has been a Baltimore establishment manufacturing this article for some thirty-five or forty years, no other manufacturing establishment but one has undertaken to produce the same article indicates to my mind very clearly that there is no very great profit in its manufacture, and that the millions of dollars of profits, of which the Senator from Rhode Island spoke, are but a figment of his imagination. The manufacturers of this article in this country, as I have been informed and believe, have derived no excessive profits from their venture, but on the other hand the manufacture of bichromate in Baltimore has been of great advantage to the people of this country.

There is in Glasgow, Scotland, one establishment that is capable of manufacturing all the bichromate which can be used in the world. Its managers have so conducted their business as to crush out all the small establishments in Europe, or, rather, to make them subordinate to it compelling them to regulate their prices by those it chose to establish. They have attempted to compel the Baltimore manufacturers to do the same thing. They have demanded of them that they should only manufacture to a limited amount in order that the price of this article might be enhanced under the threat that if they did not yield to this demand their establishment would crush them out of existence; and when the Baltimore house refused to accede to the demand of the great Glasgow establishment and set it at defiance, it sent its manufactured articles into this country at an absolute loss to itself in the attempt to force the Baltimore house to abandon its business, and thus enable it to secure absolute control of the market and greatly advance the price of bichromate.

The Baltimore house determined to fight the great Scottish establishment with its own weapons, and sent bichromate, of Baltimore manufacture, to Europe to compete with that manufactured by the Glasgow establishment at a loss of $40,000 to the Baltimore house in a single year. The effect of this article being manufactured in this country is that its price has been greatly reduced, and it stands to-day at about 15½ cents a pound, when at the time the Baltimore manufactory was established its price was from 37 to 40 cents a pound.

So, then, I say that the existence of this Baltimore house has had the effect of greatly cheapening this article in this country, and it is in the interest of all the various branches of business that require this bichromate to aid in their coloring and other processes that this duty should be kept up to such a rate as to enable this house successfully to compete with this vast Scottish monopoly, which otherwise will crush it out of existence, and I do not think that the rate ought to be lower than 3½ cents per pound.

Mr. SHERMAN. Mr. President, I am disposed to treat these various industries started in this country by one uniform rule. It is very certain that not many years ago, within my recollection, the price of this article, bichromate of potash, was over 30 cents a pound. By the competition of this firm, none of whom I know, it has been reduced to 11 cents a pound.

Mr. ALDRICH. I suppose the Senator would like to be correct. It is worth 16 cents in this country.

Mr. SHERMAN. I know that. I am talking of the foreign valuation, on which all our duties are imposed. You must not talk about home valuation when we wish to reduce the duties. The tables before us show that the present market value of these goods in the foreign market is 11 cents a pound. Under this duty of 4 cents a pound, over 2,000,000 pounds of bichromate of potash is introduced into this country.

Mr. GROOME. Two millions four hundred and forty-nine thousand and some hundreds of pounds.

Mr. SHERMAN. So that this is not a prohibitory duty by any means. On the other hand there is a close competition between two rival establishments, one in Glasgow and one in Baltimore, and the ad valorem rate of duty at 4 cents a pound is only 37 per cent., which is not much more than the average of the class of duties imposed on metallic substances, probably not so high as the average rate of duty.

The Tariff Commission, to whose opinion I am disposed to give a good deal of weight, have proposed to leave the duty stand as it is at 4 cents a pound, because the large amount imported shows clearly enough that the duty is simply an ordinary protection against excessive importation. I do not know how much is manufactured in this country, but if 2,460,000 pounds are imported it shows that the duty is not prohibitory by any means.

As we must make a reduction all around by a fair rule, if this interest is satisfied with a reduction to 3½ cents per pound, I think it is but fair to agree to it. It is not sufficient for the Senator from Rhode Island to tell us that this article enters into various branches of manufactures. So it is with pig-iron and so it is with many other articles that we maintain a fair protective duty on, and I am willing to apply to this article the same rule as to any other. If the rate is reduced to 3½ cents a pound instead of 4, it brings down the ad valorem rate to about 30 or 32 per cent. It seems to me that as this Baltimore firm is now manfully, and at some sacrifice at times, struggling to maintain this industry, we ought not to strike at it because the article is of universal use.

I shall therefore vote with the Senator from Maryland for 3½ cents a pound, which I think is about fair. The Finance Committee reduced it to 3 cents, against the advice of the Tariff Commission which left it at 4 cents, but at 3½ it will be a reduction of half a cent a pound, which is equivalent to a reduction of from 12 to 15 per cent.

Mr. WINDOM. In accordance with notice previously given I move that the Senate proceed to the consideration of executive business.

Mr. SHERMAN. Let us have a vote on this.

Mr. ALLISON. Let us finish bichromate of potash.

Mr. WINDOM. I withdraw the motion if a vote can be taken.

Mr. FRYE. Then I desire to say a word about bichromate of potash. I was once on a free-trade Democratic Committee of Ways and Means, and bichromate of potash came up for consideration. We had a full hearing. I hate to do anything against my distinguished friend from Maryland, for whom I have a profound admiration; but justice to truth compels me to say that we voted unanimously to put bichromate on the free-list, and it would have been put on the free-list and would have staid there if a Democratic free-trade lawyer, a former member of Congress, had not come over from Maryland and spent two or three days. Then I discovered all of a sudden that a motion was made by a Democrat on the Ways and Means Committee to restore bichromate of potash; and it was restored by a vote of the Democrats.

Now I want to make a few suggestions. First, if there is but one man in Scotland who makes bichromate, and one man in America who makes it, and he is Tyson, it does not make any difference what tariff you put on bichromate of potash; Tyson and the Scotchman put their heads together every time, and there is not the slightest danger on earth of your getting bichromate of potash down in price whether you put the duty at 5 cents, 10 cents, or 3 cents. The suggestion was made to us and there was evidence—in justice to Mr. Tyson, I will say that he contradicted it—that whenever there was an attempt to put bichromate down then the two monopolists of the world came together, and it did not go down but it went up.

Another suggestion was made. Mines have been discovered in California. Who owns them now? Does not Mr. Tyson? There is the difficulty, you see. You discover a mine in California; immediately Tyson goes and buys that mine. You may find a mine anywhere in the United States, Tyson goes and buys it. Now, the man in Scotland is in the same interest that Tyson is, and the man in Scotland and the man in Maryland will control the market.

Mr. MILLER, of New York. Will the Senator allow me to ask a question. The statement has been made here on both sides of the Chamber that this was a struggling industry and that no money had been made out of it? Does the Senator pretend to say the owner of this factory can buy up any mine that may be discovered anywhere in the United States?

Mr. FRYE. It is a struggling industry between Scotland and America. It has been struggling for supremacy for a long while.

Mr. SHERMAN. The price has gone down.

Mr. FRYE. I know the price has gone down. They did not dare keep it up. The moment a mine was discovered in California down went the price. It would have gone down further and further if it had not been for Mr. Tyson, who went and bought the mine, and that stopped it. Should you discover a mine anywhere in America to-day, I am convinced from the evidence before the Ways and Means Committee that the Scotchman and Tyson would soon own it. In my judgment it does not make any difference whether you put it at 3 cents or 3½. I would put it on the free-list where the Ways and Means Committee put it, just where it ought to be.

Mr. COCKRELL. Why not put it on the free-list, I ask the Senator?

Mr. FRYE. That is where I would put it if I had my way.

Mr. ALDRICH. I want to say a word in answer to the ingenious defense just made by the Senator from Ohio of this struggling industry. He says he wants to treat this article the same as he has everything else. So do I. We propose to reduce the duty on it 25 per cent., which is about the average, as he said himself, of the whole bill as reported by the Finance Committee. I say it is not any more than the average of the reduction recommended by the Finance Committee and by the Tariff Commission.

Mr. SHERMAN. I beg to remark that I did not say that this tariff bill proposed to reduce the duties all around 25 per cent.

Mr. ALDRICH. On an average.

Mr. SHERMAN. Not on an average, because that is not true. The Senator from Vermont [Mr. MORRILL], who made the only computation on this subject that has been made, placed the aggregate of reduction proposed by the bill at $45,000,000, which is far less than 25 per cent.

Mr. ALDRICH. I say the bill does reduce on an average 25 per cent., at least on the industries with which I am familiar, and it is susceptible of proof. The Tariff Commission state that the average reduction recommended by them is from 20 to 25 per cent. Now, we propose to reduce the duty on this article just 25 per cent., leaving it, according to the statement made by the Senator from Ohio, at 30 per cent., or 32 per cent. ad valorem, I think he said. Now, what rate have we fixed on other dyes? We have fixed a rate of 10 per cent. on a large portion. We have made a special exception in behalf of sumac, which was fixed at 20 per cent. We have also made another special exception in behalf of certain barks. It is now proposed in behalf of this "struggling" monopoly, controlled by parties said to be worth several millions of dollars, to increase the duty from 32 per cent., as recommended by the committee, to about 40 per cent., as proposed by the Senator from Maryland.

Mr. WINDOM. It is evident that this debate will run for some time. Therefore I renew my motion that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maryland [Mr. GORMAN].

Mr. MORRILL. One word. Having had a personal acquaintance with the firm alluded to here for at least forty years, I know them well, and the idea that they are worth several million dollars is not correct. I think that they have a very considerable property and are engaged in a great many enterprises; and I want to say that they are among the most beneficent of the Quaker families there are in this country. They have spent a great many thousand dollars in States where they have never received a single dollar in the way of dividends, and it is a mistake of the Senator from Maine to say that the California mine is owned by these parties. I do not know but that they may have some interest in it.

Mr. FRYE. The Senator from Maryland admitted it to be true.

Mr. MORRILL. I do not know but that they may have some interest there; but there is another party who has mines out there, for the chrome ore there is very abundant; and one man has now already expended several thousand dollars in the purchase of machinery and is about to establish a manufactory of bichromate of potash in California.

I understand from these gentlemen—and they are as truthful gentlemen as we can have before us—that it has been a very close business even with 4 cents per pound duty, and they say if it should be reduced to 3½ cents they will try to get along, but at 3 cents it would be utter discouragement.

Mr. WINDOM. If the question can be taken I will not press my motion.

The PRESIDING OFFICER. Can the question be taken on the amendment of the Senator from Maryland?

Mr. INGALLS. Mr. President, from what I have heard my impression is that this article ought to go on the free-list, and I therefore move to strike out line 247, with the purpose of having the article inserted in a proper place on the free-list.

The PRESIDING OFFICER. The Chair had recognized the Senator from Minnesota on his motion to go into executive session. Does the Senator yield?

Mr. WINDOM. No; I insist on the motion.

The PRESIDING OFFICER. The Senator from Minnesota moves that the Senate proceed to the consideration of executive business.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 46, nays 16; as follows:

YEAS—46.

Allison,	Edmunds,	Jackson,	Ransom,
Barrow,	Farley,	Johnston,	Saulsbury,
Beck,	Garland,	Jonas,	Sewell,
Brown,	George,	Kellogg,	Slater,
Butler,	Gorman,	Lamar,	Vance,
Call,	Groome,	Lapham,	Vest,
Cameron of Wis.,	Grover,	McDill,	Voorhees,
Chilcott,	Hampton,	McMillan,	Walker,
Cockrell,	Harrison,	Maxey,	Williams,
Coke,	Hawley,	Miller of Cal.,	Windom.
Davis of Ill.,	Hill,	Pendleton,	
Davis of W. Va.,	Ingalls,	Pugh,	

NAYS—16.

Aldrich,	Conger,	Hoar,	Plumb,
Anthony,	Dawes,	Miller of N. Y.,	Rollins,
Blair,	Frye,	Morrill,	Sawyer,
Cameron of Pa.,	Hale,	Platt,	Sherman.

ABSENT—14.

Bayard,	Harris,	McPherson,	Saunders,
Camden,	Jones of Florida,	Mahone,	Van Wyck.
Fair,	Jones of Nevada,	Mitchell,	
Ferry,	Logan,	Morgan.	

So the motion was agreed to; and the Senate proceeded to the consideration of executive business. After 2 hours and 45 minutes spent in executive session the doors were reopened, and (at 6 o'clock and 35 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, *January* 15, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of proceedings of Saturday last was read and approved.

SWEARING IN OF A MEMBER.

Mr. FORNEY. I rise to a question of privilege. Mr. Joseph Wheeler, elected a Representative in the Forty-seventh Congress from the Eighth Congressional District of Alabama, to fill vacancy caused by the death of Mr. William M. Lowe, is present, and I ask that he be sworn in.

The SPEAKER. The Chair will state that this certificate of the Governor of the State of Alabama has been examined by the Clerk of the House and by the Chair, and unless it is required to be read, or objection is made, Mr. Wheeler will be sworn in.

There was no objection, and Mr. WHEELER presented himself in front of the Speaker's desk and was duly qualified by taking the oath prescribed by section 1757 of the Revised Statutes.

The SPEAKER. The credential will be printed in the RECORD, as usual.

There was no objection. It is as follows:

In the name and by the authority of the State of Alabama, E. A. O'Neal, governor of the said State, to all to whom these presents shall come, sends greeting:

From the returns made to the office of the Secretary of State, in pursuance of the law, it appears that Joseph Wheeler has been elected a Representative in the Forty-seventh Congress of the United States, from the eighth congressional district of Alabama, to fill vacancy caused by the death of Hon. William M. Lowe.

I do therefore, by virtue of the power and authority in me vested, hereby commission the said Joseph Wheeler as a Representative in the Forty-seventh Congress aforesaid, for and during the time prescribed by the law regulating the same.

In witness whereof I have hereunto set my hand and cause the great seal of the State to be affixed at Montgomery this 11th day January, in the year of our Lord 1883, and in the one hundred and seventh year of American Independence.

E. A. O'NEAL,
Governor of Alabama.

By the governor:

ELLIS PHELAN,
Secretary of State.

HENRY O'MAHONY.

Mr. ROBINSON, of New York. I ask by unanimous consent to present the memorial of Henry O'Mahony, one of the American citizens recently imprisoned in Great Britain, and ask that it be printed in the RECORD, and referred to the Committee on Foreign Affairs.

The SPEAKER. Is there objection?

Mr. JOYCE. Yes; I object.

Mr. ROBINSON, of New York. Who objects?

Mr. JOYCE. I object.

Mr. ROBINSON, of New York. You objected before. I am glad to see it comes from that quarter.

NATIONAL TEMPERANCE SOCIETY.

Mr. WHITE, by unanimous consent, presented the following memorial; which was ordered to be printed in the RECORD, and referred to the Committee on Ways and Means:

NEW YORK, *January* 13, 1883.

To the United States Senate and House of Representatives:

The board of managers of the national temperance society respectfully and earnestly protest against the passage of any measure tending to stimulate whisky production in the interest of whisky speculators, such as the pending "bonded whisky extension bill," and they pray for such legislation only by Congress as shall stringently restrict and ultimately suppress the whisky traffic, which they believe to be highly inimical to the nation's welfare.

WILLIAM E. DODGE, *President.*
J. H. STEARNS, *Corresponding Secretary.*

HEIRS AT LAW OF WILLIAM R. DOWNING, DECEASED.

Mr. WARD. I move by unanimous consent to take from the Speaker's table the bill (S. 1340) for the relief of the heirs at law of William R. Downing, deceased, in order that it may be put on its passage with an amendment proposed by the House Committee on War Claims.

Mr. BERRY. Let the bill be read subject to objection.

The bill was read, as follows:

That the proper accounting officers of the Treasury be, and they are hereby, authorized to audit and adjust the accounts of William R. Downing, deceased, late a captain and assistant quartermaster of United States volunteers, and are hereby authorized and directed to credit said William R. Downing, deceased, late a captain and assistant quartermaster of United States volunteers, such amount, not exceeding $10,000, that may be shown he is justly entitled to of Government funds received by him from Major R. E. Clarey, chief quartermaster of the mountain department, on July 3, 1862, and paid out by him on the same day to H. W. Gwinner, collecting agent of the Pennsylvania Railroad Company, for transportation, the proper vouchers for said payment having been lost or destroyed.

There was no objection, and the bill was taken from the Speaker's table and read a first and second time.

Mr. WARD. I move the following amendment, recommended by the House Committee on War Claims.

The Clerk read as follows:

Strike out these words:

"That may be shown he is justly entitled to of Government funds received by him from Major R. E. Clarey, chief quartermaster of the mountain department, on July 3, 1862, and paid out by him on the same day to H. W. Gwinner, collecting agent of the Pennsylvania Railroad Company, for transportation, the proper vouchers for said payment having been lost or destroyed."

And in lieu thereof insert the following:

"As may be shown he is justly entitled to in the settlement of his accounts as assistant quartermaster of the United States, although the proper vouchers of the items of credit are not produced, if evidence is furnished that the said items in equity and justice ought to be credited.

The amendment was agreed to, and the bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. WARD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WILLIAM H. DAVIS.

Mr. BERRY. I move that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 3222) for the relief of William H. Davis.

Mr. HISCOCK. I object.

MARY A. LEE.

Mr. LACEY. I move, by unanimous consent, that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 3335) for the relief of Mary A. Lee.

The bill was read subject to objection.

Mr. HISCOCK. I ask for the reading of the report in that case.

Mr. PAGE. I object to it. [Cries of "Regular order!"]

FITZ-JOHN PORTER.

Mr. BRAGG. I move to take from the Speaker's table the bill (S. 1844) for the relief of Fitz-John Porter.

Mr. DAWES. I object. [Cries of "Regular order!"]

AMSTERDAM EXHIBITION.

Mr. CANDLER. I move that the Committee of the Whole House be discharged from the further consideration of joint resolution (S. R. 52) authorizing the Government of the United States to accept the invitation of the Government of the Netherlands to take part in a general colonial and export-trade exhibition to be held in Amsterdam in the year 1883.

Mr. BRAGG. I object.

Mr. COX, of New York. I demand the regular order.

CALL OF STATES.

The SPEAKER. The regular order is the call of States and Territories for the introduction of bills and joint resolutions and resolutions of inquiry for printing and reference; also, under this call concurrent resolutions and memorials of State and Territorial Legislatures are in order for reference.

Mr. COX, of New York. I withdraw my demand for the regular order of business in favor of my colleague [Mr. BELMONT].

The SPEAKER. The call for the regular order of business has been made by several members.

JAMES E. LAWLER.

Mr. WHEELER introduced a bill (H. R. 7246) for the relief of James E. Lawler; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

MASONIC LODGE, FLORENCE, ALABAMA.

Mr. WHEELER also introduced a bill (H. R. 7247) for the relief of the Masonic lodge at Florence, Alabama; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WILLIAM A. MILAM.

Mr. WHEELER also introduced a bill (H. R. 7248) for the relief of William H. Milam; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JAMES M. KIRK.

Mr. WHEELER also introduced a bill (H. R. 7249) granting a pension to James M. Kirk; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

HENRY A. F. WORTH.

Mr. WHEELER also introduced a bill (H. R. 7250) for the relief of Henry A. F. Worth; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JURISDICTION OF CIRCUIT COURTS, UNITED STATES.

Mr. HERBERT introduced a bill (H. R. 7251) to amend an act entitled "An act to determine the jurisdiction of circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes;" which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

VOLUNTARY RETIREMENT OF ARMY OFFICERS.

Mr. PAGE introduced a bill (H. R. 7252) providing for the voluntary retirement of the officers of the United States Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENINA HUNT.

Mr. ROSECRANS introduced a bill (H. R. 7253) for the relief of

Penina Hunt; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

DELIA G. WEBBER AND OTHERS.

Mr. ROSECRANS also introduced a bill (H. R. 7254) for the relief of Delia G. Webber, L. H. Naron, and others; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TENTS FOR GRAND ARMY OF THE REPUBLIC.

Mr. BELFORD introduced a bill (H. R. 7255) to authorize the Secretary of War to loan tents to the Grand Army of the Republic, Denver, Colorado; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

AMENDMENT REVISED STATUTES.

Mr. BELFORD also introduced a bill (H. R. 7256) to amend section 824 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

UNION METALLIC CARTRIDGE COMPANY.

Mr. MILES introduced a bill (H. R. 7257) for the relief of the Union Metallic Cartridge Company; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

NATIONAL CEMETERY, MARIETTA, GEORGIA.

Mr. CLEMENTS introduced a bill (H. R. 7258) making an appropriation to build a road from the city of Marietta, Georgia, to the national cemetery near that city; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

UNITED STATES GAS AND FUEL COMPANY.

Mr. CALKINS (by request) introduced a bill (H. R. 7259) to incorporate the United States Gas and Fuel Company, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

JONATHAN M'LAUGHLIN.

Mr. DE MOTTE introduced a bill (H. R. 7260) granting a pension to Jonathan McLaughlin; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AUSTIN B. LYNCH.

Mr. RYAN introduced a bill (H. R. 7261) granting a pension to Austin B. Lynch; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM G. RAYMOND.

Mr. RYAN also (by request) introduced a bill (H. R. 7262) for the relief of William G. Raymond; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

MILITARY TELEGRAPH LINES.

Mr. ANDERSON submitted the following resolution of inquiry; which was read and referred to the Committee on the Post-Office and Post Roads:

Resolved, That the Secretary of War be hereby requested to inform the House of Representatives what telegraph lines have been built under his direction by the Army of the United States, what disposition, if any, has been made of the same, and upon what terms, with maps showing all such lines and the lines now in use by the Army.

ESTHER GEARHEART.

Mr. WHITE introduced a bill (H. R. 7263) permitting Mrs. Esther Gearheart to present for adjudication her claim against the United States Government in the Court of Claims; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

BONDED PERIOD FOR DISTILLED SPIRITS.

Mr. WHITE. I also submit the resolution of inquiry which I send to the desk.

The Clerk read as follows:

Whereas it is reported that a thoroughly organized lobby rushed the bonded extension bill for distilled spirits through the House of Representatives on April 3, 1882, under a suspension of the rules, without debate and without a yea-and-nay vote; and

Whereas the Secretary of the Treasury subsequently condemned said bill in a letter as follows:

And whereas said bill (H. R. 5656) has been amended by the Senate and now lies upon the Speaker's table, as follows:

Mr. WHITE. Just at that point I want the Reading Clerk to get the bill from the Speaker's table and read it.

The SPEAKER. It would not be in order to read the bill under this call.

The Clerk continued the reading of the resolution, as follows:

Therefore,

Resolved, That the Secretary of the Treasury be, and he hereby is, requested to report to this House in writing his views as to what effect the passage of said bill as amended by the Senate will have upon the collection of internal revenue from distilled spirits.

Mr. WHITE. The Senate amendment is on the table. I ask that it be inserted in the resolution. It is impossible for me to get at it unless the Clerk reads it. I have got what I think is the Senate amendment as it appears in the RECORD; but that I may make no mistake I ask that the bill on the Speaker's table be read.

The SPEAKER. This is not up for consideration. It is simply for reference and the question is whether it is a resolution of inquiry at all or not. It merely asks for an expression of opinion.

Mr. ROBINSON, of Massachusetts. I object to taking the bill for any purpose from the Speaker's table just now.

The SPEAKER. It is impossible to do it under this call. The gentleman from Kentucky [Mr. WHITE] had better withdraw his resolution and put it in the shape of calling upon the Department for a report as to the effect of such legislation. The resolution in its present form is merely as to a matter of opinion.

Mr. WHITE. I think the Speaker if he will read the close of the resolution read will see his objection is not good.

The SPEAKER. The resolution has been read. It may be referred to the Committee on Ways and Means if the gentleman desires. There is where it belongs.

Mr. WHITE. I rise to ask a question for information. Do I understand that because the Clerk omitted to read the Secretary's letter and the amendment they will not therefore be printed? If so, I shall insist on my right to have my resolution of inquiry read.

The SPEAKER. The resolution will be referred to the Committee on Ways and Means; it belongs there. The reading will not cause the printing on this call.

The resolution was referred to the Committee on Ways and Means.

IRA HALL.

Mr. CANNON (by request) introduced a bill (H. R. 7264) for the relief of Ira Hall; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HANNAH E. ROUGHTON.

Mr. CANNON also (by request) introduced a bill (H. R. 7265) for the relief of Hannah E. Roughton; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF RULE XXIV.

Mr. OSCAR TURNER submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That Rule XXIV be amended by adding thereto the following:

"When a public bill or resolution or proposition shall have been referred to a standing or select committee of the House for thirty days and no report has been made thereon, it shall be in order for the member who introduced said bill, resolution, or proposition, on any Monday immediately after the expiration of the morning hour, to offer a resolution or move to place said bill, resolution, or proposition on the proper Calendar, which resolution shall then be considered and disposed of either by final action on the bill, resolution, or proposition, or by placing the same upon the proper Calendar, as the majority of the House may determine, and the committee discharged from further consideration of the same."

ALEXANDER RITTER.

Mr. CALDWELL introduced a bill (H. R. 7266) for the relief of Alexander Ritter; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CIVIL SERVICE.

Mr. GIBSON introduced a bill (H. R. 7267) to reform the civil service; which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

CONVENING OF FORTY-EIGHTH CONGRESS.

Mr. GIBSON also introduced a bill (H. R. 7268) to convene the Forty-eighth Congress on the first Monday in March, 1883; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CHARLES H. DUDLEY.

Mr. LADD introduced a bill (H. R. 7269) granting a pension to Charles H. Dudley; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FEDERAL ELECTIONS.

Mr. MORSE (by request) introduced a bill (H. R. 7270) concerning Federal elections; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

S. HAMMOND AND E. RECTOR.

Mr. WILLITS (by request) introduced a joint resolution (H. R. 314) for the relief of Samuel Hammond and Elias Rector; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

E. WARE.

Mr. WEBBER introduced a bill (H. R. 7271) for the relief of E. Ware; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

DONATION OF CONDEMNED CANNON.

Mr. SPAULDING introduced a bill (H. R. 7272) to donate four condemned cast-iron cannon to the Phil McKernan Post, No. 53, Grand Army of the Republic, of Mason, Michigan; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JOHN BANNISTER.

Mr. BURROWS, of Michigan, introduced a bill (H. R. 7273) for the relief of John Bannister; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SEATS IN THE HALL FOR MEMBERS OF THE HOUSE.

Mr. MONEY submitted the following resolution:

Resolved, That the Clerk of the House of Representatives be, and he is hereby, instructed, in preparing the Hall for the use of the next Congress, to remove all the desks now used by members, and to substitute benches or fixed chairs for the seats now used.

The SPEAKER. This is not strictly in order under this call; it is not a resolution calling for executive information.

Mr. MONEY. I do not ask to have it adopted at this time, but that it be referred to the Committee on the Rules, which are now investigatingthat subject.

The resolution was accordingly referred to the Committee on the Rules.

W. H. H. GILLESPIE.

Mr. BURROWS, of Missouri, introduced a bill (H. R. 7274) granting a pension to W. H. H. Gillespie, late of the First Missouri Cavalry, Company I, now a resident of Harrison County, Missouri; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHARLES BULER.

Mr. FORD introduced a bill (H. R. 7275) granting an increase of pension to Charles Buler; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HENRY N. DEAVER.

Mr. VALENTINE introduced a bill (H. R. 7276) for the relief of Henry N. Deaver; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SWAMP AND OVERFLOWED LANDS.

Mr. VALENTINE also introduced a bill (H. R. 7277) to extend the provisions of an act entitled "An act to enable the State of Arkansas and other States to reclaim swamp lands within their limits," and also of an act entitled "An act for the relief of purchasers and locators of swamp and overflowed lands" to Kansas, Nebraska, Colorado, Nevada, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

WASHINGTON'S HEADQUARTERS AT MORRISTOWN, NEW JERSEY.

Mr. HILL introduced a joint resolution (H. R. 315) authorizing the Secretary of War to aid in defraying the expenses of the centennial celebration to be held at Washington's Headquarters, Morristown, New Jersey, in the year 1884; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CYNTHIA SHAW.

Mr. PRESCOTT introduced a bill (H. R. 7278) granting a pension to Cynthia Shaw; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BEDANT BEARD.

Mr. PRESCOTT also, introduced a bill (H. R. 7279) for the relief of Bedant Beard; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ANN BROOKS.

Mr. PRESCOTT also introduced a bill (H. R. 7280) granting a pension to Ann Brooks; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

JAMES H. CONANT.

Mr. ROBINSON, of New York, introduced a bill (H. R. 7281) for the relief of James H. Conant; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

SEPTIMA RANDOLPH MEIKLEHAM.

Mr. ROBINSON, of New York, also introduced a bill (H. R. 7282) granting a pension to the sole surviving grandchild of the author of the Declaration of Independence; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

WRECKS AND SEIZURES OF NAVAL VESSELS.

Mr. COX, of New York, submitted the following resolution:

Resolved, That the Secretary of the Navy be instructed to communicate to this House the number of disasters and wrecks to vessels belonging to the United States Government during the past ten years; and further, a list of the seizures by the revenue-marine service of United States vessels of war and of contraband goods smuggled on board the same during the past ten years.

The question was on the reference of the resolution.

Mr. COX, of New York. I ask that the resolution be referred to the Committee on Naval Affairs.

The SPEAKER. Should it not go to the Committee on Commerce?

Mr. COX, of New York. I ask its reference to the Committee on Naval Affairs because a similar resolution was referred to that committee, but applied to one year only. This is intended to supplement that resolution.

The SPEAKER. The revenue marine does not belong to the Navy Department.

Mr. COX, of New York. No; but to the Treasury Department. There is a proposition to transfer the revenue-marine service to the Navy Department, and this resolution I ask be referred to the Committee on Naval Affairs.

The resolution was accordingly referred to the Committee on Naval Affairs.

GEORGE M. HAWKINS.

Mr. BELMONT introduced a bill (H. R. 7283) granting a pension to George M. Hawkins; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM B. FOSTER.

Mr. BELMONT also introduced a bill (H. R. 7284) for the relief of William B. Foster; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PROTECTION OF AMERICAN INDUSTRIES.

Mr. BELMONT also submitted the following resolution; which was referred to the Committee on Ways and Means:

Resolved, That the Committee on Ways and Means are hereby instructed to forthwith report to this House whether or not any class or classes of industries in the United States, infant or aged, and if so what class or classes, require aid and support from the Federal Government either in the form of customs duties levied on imported articles or in any other form of bounty, subsidy, charity, or donation; and also to report to this House what class or classes of industries, if any, do not require such aid and support.

EXPENSES OF CONTESTED ELECTIONS.

Mr. COX, of North Carolina, introduced a bill (H. R. 7285) regulating and reducing the expense in cases of contested elections; which was read a first and second time, referred to the Committee on Elections, and ordered to be printed.

NELLY ROBERTS.

Mr. HUBBS (by request) introduced a bill (H. R. 7286) granting a pension to Nelly Roberts; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DANIEL BREED.

Mr. NEAL introduced a bill (H. R. 7287) to confirm a deed executed by the trustees of the public schools to Daniel Breed; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

EDWARD F. VANCE.

Mr. NEAL also introduced a bill (H. R. 7288) for relief of Edward F. Vance; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EXTRADITION FROM THE DISTRICT OF COLUMBIA.

Mr. NEAL also introduced a bill (H. R. 7289) to confer upon the senior associate justice of the supreme court of the District of Columbia, in the absence or inability of the chief-justice of said court, the powers and duties now conferred upon said chief-justice relative to the extradition of fugitives from justice; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

WILLIAM BOLWERK.

Mr. SHULTZ (by request) introduced a bill (H. R. 7290) granting a pension to William Bolwerk; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RE-ENLISTED VETERAN VOLUNTEERS.

Mr. MOREY introduced a bill (H. R. 7291) for the relief of certain re-enlisted veteran volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ABOLITION OF NEWSPAPER POSTAGE.

Mr. GEDDES introduced a bill (H. R. 7292) providing that newspapers may be sent through the mails free to actual subscribers; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

WILLIAM H. CRUMP.

Mr. TOWNSEND, of Ohio, introduced a bill (H. R. 7293) for the relief of William H. Crump; which was read a first and second time, referred to the Select Committee to Audit Expenses of the Late President James A. Garfield's Illness and Burial, and ordered to be printed.

L. O. GOOCH.

Mr. ATKINS (by request) introduced a bill (H. R. 7294) for the relief of L. O. Gooch; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LIEUTENANT-COMMANDER CHARLES D. SIGSBEE.

Mr. GEORGE (by request) introduced a bill (H. R. 7295) to carry into effect the recommendation of the board of admirals convened under the joint resolution approved February 5, 1879, in the case of Lieuten-

ant-Commander Charles D. Sigsbee, United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

COMMANDER JAMES H. SANDS.

Mr. GEORGE also (by request) introduced a bill (H. R. 7296) to carry into effect the recommendation of the board of admirals convened under the joint resolution approved February 5, 1879, in the case of Commander James H. Sands, United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

COMMANDER HENRY GLASS.

Mr. GEORGE also (by request) introduced a bill (H. R. 7297) to carry into effect the recommendation of the board of admirals convened under the joint resolution approved February 5, 1879, in the case of Commander Henry Glass, United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

CHILDREN OF ROBERT H. RAMSEY.

Mr. SHALLENBERGER introduced a bill (H. R. 7298) granting a pension to Armand, William A., and James C. Ramsey; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JACOB HICKS.

Mr. WISE, of Pennsylvania, introduced a bill (H. R. 7299) granting a pension to Jacob Hicks; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ISAAC PRATT.

Mr. WISE, of Pennsylvania, also introduced a bill (H. R. 7300) granting a pension to Isaac Pratt; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DAVID N. HARRISON.

Mr. PETTIBONE introduced a bill (H. R. 7301) for the relief of David N. Harrison; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

PRECEDENCE OF GOVERNMENT SUITS.

Mr. DIBRELL introduced a joint resolution (H. Res. 316) directing that all suits now or hereafter pending in the Supreme Court in which the United States is a party shall have precedence over all other suits; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JEREMIAH FRITTS.

Mr. HOUK (by Mr. MOORE) introduced a bill (H. R. 7302) for the relief of Jeremiah Fritts; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JOHN J. LOW.

Mr. WILSON introduced a bill (H. R. 7303) granting a pension to John J. Low; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN R. HURLBURT.

Mr. HUMPHREY introduced a bill (H. R. 7304) granting a pension to John R. Hurlburt; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HIRAM S. TOWN.

Mr. GUENTHER introduced a bill (H. R. 7305) for the relief of Hiram S. Town; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

FREDERICK WALES.

Mr. POUND introduced a bill (H. R. 7306) for the relief of Frederick Wales; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LA ARIBAC LAND GRANT.

Mr. OURY introduced a bill (H. R. 7307) to confirm the title to La Aribac land grant in the Territory of Arizona; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

ANTHONY JOSEPH AND PEDRO J. JARAMILLO.

Mr. LUNA (by Mr. LEWIS) introduced a bill (H. R. 7308) for the relief of Anthony Joseph and Pedro J. Jaramillo; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

WERNER LENTZ.

Mr. MORRISON introduced a bill (H. R. 7309) granting a pension to Werner Lentz; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DISTRICT POLICE FORCE.

Mr. BARR submitted the following resolution; which was referred to the Committee on the District of Columbia:

Resolved, That the commissioners for the District of Columbia report to the Speaker of the House without delay the names and number of men now on the police force; the various duties assigned to each man; and if said force has been reduced by discharges, suspensions, or dismissals, give the names of the persons so dismissed or suspended. Also the names of all persons, if any, who have been appointed to serve in any capacity who were not honorably discharged from the Army and Navy of the United States, according to section 559 of the Revised Statutes.

IRA G. OMSBEE.

Mr. SPAULDING introduced a bill (H. R. 7310) for the relief of Ira G. Omsbee; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RAILROAD TRANSPORTATION.

Mr. DUNN introduced a joint resolution (H. Res. 317) providing for an investigation of the subject of railroad transportation in all of its relations to the agricultural, commercial, and industrial interests of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

Mr. DUNN. I ask that the resolution be printed in the RECORD.

There was no objection, and it was ordered accordingly. The resolution is as follows:

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the Commissioner of Railroads be, and he is hereby, directed to consider and investigate the subject of railroad transportation in all of its relations to the agricultural, commercial, and industrial interests of the United States.

That he inquire generally into the conditions affecting commerce with foreign nations and among the States, the character and extent of discriminations made by railroad corporations, and the rates charged by them, whether exorbitant or unequal rates are charged, and the sufficiency of facilities for traffic throughout the country.

That he investigate and ascertain as near as may be the actual cost of the construction and equipment of the railroads in the United States (not including repairs or improvements), the amount of stocks issued by said railroad companies, the amount of such stocks that has been issued in excess of the actual cost of construction and equipment, and the rate and amount of dividends declared and paid upon such stocks.

That he report generally the character and extent of existing evils and in what manner they may be remedied by legislation, with such recommendations as he may deem wise and expedient; and that he report the results of his investigations to Congress not later than the 1st day of January, 1884.

That said Commissioner shall have power to send for persons and papers, to administer oaths and examine witnesses, and may in the prosecution of his inquiries visit such portions of the country as he may deem advisable.

He shall have power to appoint and employ a clerk, stenographer, and messenger, who shall be paid such reasonable compensation as may be fixed by the Secretary of the Interior.

That said Commissioner shall be paid his actual and reasonable expenses while engaged in the performance of the duties hereby imposed, to be audited and paid by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated.

LAND-GRANT RAILROADS.

Mr. POUND. I ask, by unanimous consent, that a letter of the Secretary of the Interior, addressed to the chairman of the Committee on Public Lands, giving information concerning railroads that were not completed within the period fixed by law, be printed as one of the documents of the House.

There was no objection, and it was ordered accordingly.

The SPEAKER. The call of States for the introduction of bills and joint resolutions is now concluded.

ORDER OF BUSINESS.

Mr. WHITE. I rise to a question of order. I introduced a resolution directed to a head of a Department, a resolution of inquiry, and understand the Speaker to decide a part of the resolution could not be printed in the RECORD.

The SPEAKER. The Chair did nothing of the kind.

Mr. WHITE. The Reporter so understood the Speaker and so did I. I ask unanimous consent it shall appear in the RECORD to-morrow so that members may understand it when I call the matter up.

The SPEAKER. The Chair stated it was not in order at that time under that call to ask for printing in the RECORD. The resolution has been referred to the Committee on Ways and Means. The gentleman from Kentucky now asks unanimous consent to have his resolution, including the matters referred to in the resolution, printed in the RECORD to-morrow morning. Is there objection?

Mr. WILLIS. I object.

Mr. WHITE. I desire to know who objects. I believe under the rules the member who objects must rise in his place.

Mr. WILLIS. The gentleman need not have any difficulty about that. I objected.

Mr. WHITE. I only desire to know who it was objected.

COUNTERFEITING FOREIGN SECURITIES.

Mr. BELMONT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill No. 1000 for present consideration. This bill is intended to supply an omission in the statutes to prevent and punish the counterfeiting within the United States of notes, bonds, or securities of foreign governments.

I think my friend from Maine, the chairman of the Judiciary Committee, will corroborate my statement as to the importance of the immediate passage of this bill.

The SPEAKER. The Chair is informed that it is not upon the Speaker's table.

Mr. BELMONT. It is on the House Calendar. I ask that it be taken from the Calendar for present consideration.

Several MEMBERS. Regular order.

ORDER OF BUSINESS.

The SPEAKER. The regular order being demanded is in the nature of an objection, and cuts off the opportunity to recognize the gentleman from New York. The regular order is the call of committees for motions to suspend the rules.

Mr. PAGE. Regular order.

The SPEAKER. At the close of the last call the Committee on Public Buildings and Grounds had been called and made a motion. The next committee in order is the Committee on Pacific Railroads. The Chair will state to the House that this being the third Monday of the month, on this day motions to suspend the rules are in order, the Chair being required to give precedence to motions from committees.

BUSINESS FROM COMMITTEE ON PACIFIC RAILROADS.

Mr. BUTTERWORTH. I am directed by the Committee on Pacific Railroads to submit the resolution which I send to the desk, and move to suspend the rules and pass the same.

The Clerk read as follows:

Resolved, That Wednesday, January 24, immediately after the morning hour, be set apart for the consideration of such bills as may be presented or indicated by the Committee on Pacific Railroads, this order not to interfere with general appropriation or revenue bills or existing special orders.

Mr. THOMPSON, of Kentucky. I demand a second upon that motion.

The SPEAKER. If there be no objection the second will be considered as ordered.

Mr. THOMPSON, of Kentucky, and Mr. COBB objected.

The SPEAKER. The Chair will appoint tellers.

Mr. BUTTERWORTH and Mr. THOMPSON of Kentucky were appointed tellers.

Mr. HOLMAN. Mr. Speaker, I desire to ask the gentleman from Ohio a question. This resolution was not distinctly heard, and I hope it will be read again, after which I would like to ask a question.

The SPEAKER. Without objection the resolution will be again reported.

The resolution was again read.

Mr. HOLMAN. I trust that, by unanimous consent, the gentleman from Ohio will be permitted to explain what bills are referred to.

Mr. BUTTERWORTH. I will do so; there are several of them. One is a bill bringing the roads which are not now included within the terms of what is known as the Thurman act under the provisions of that act; and also requiring the payment of money due to the Government for locating, selecting, and surveying lands for the Kansas Pacific and other roads.

Mr. HOLMAN. Is that all?

Mr. BUTTERWORTH. No, sir. There is also a bill authorizing a consolidation of the Southern Pacific with other lines of roads between the tidal waters of the Pacific and the Gulf of Mexico or the Mississippi River. There are between these two points some eight different connecting and continuous lines which this bill authorizes to consolidate as one continuous line. It prohibits the consolidation of any parallel or competing lines.

Mr. HOLMAN. Does it confer any additional privileges upon any of these roads?

Mr. BUTTERWORTH. I will say to my friend that it does not confer any grant or subsidy in any way, shape, or form, nor does it tend to imply or confirm any. On the contrary, the bill expressly provides that it shall not. Now, we only ask a day for the consideration of these bills in the House, and I hope this resolution will be agreed to.

Mr. HOLMAN. Let me ask the gentleman from Ohio, does it revive the Texas Pacific land grant?

Mr. BUTTERWORTH. It does not; it expressly disclaims that.

Mr. REAGAN. The bill I have before me would seem to imply otherwise.

Mr. TOWNSHEND, of Illinois. Is that an amendment to the original bill?

Mr. BUTTERWORTH. It is a proviso.

Mr. REAGAN. I have the bill before me, and I dislike that statement to be made without answer. I can answer it from the bill itself.

Mr. HAZELTON. It is a condition of the bill.

Mr. BUTTERWORTH. And if it is not full enough I am perfectly willing to make it stronger if desired.

Mr. HOLMAN. Will you allow an amendment to the bill to declare that grant forfeited?

Mr. HAZELTON. It would not be germane.

Mr. REAGAN. I desire to answer a suggestion of the gentleman from Ohio.

Mr. WHITE. I demand the regular order.

The SPEAKER. This debate is entirely out of order. The House will be in order. The regular order is the motion of the gentleman from Ohio to suspend the rules and pass the resolution just read. On that a second has been demanded by the gentleman from Ohio. The tellers will take their places.

Mr. THOMPSON, of Kentucky. I want to ask unanimous consent to make a single inquiry of the gentleman from Ohio.

The SPEAKER. The regular order has been demanded.

Mr. THOMPSON, of Kentucky. I simply ask unanimous consent. I want to know whether there are not other bills besides those to which the gentleman has referred to be brought up?

Mr. BUTTERWORTH. I do not know of any other bills to be brought up.

Mr. HAZELTON. They have not been reported from the committee yet.

Mr. THOMPSON, of Kentucky. And my object in asking is that I object to giving this committee *carte blanche* to bring in any bills they may choose under such an order.

Mr. BURROWS, of Michigan. I rise to a parliamentary inquiry. I desire to inquire if this resolution shall prevail whether by its terms the committee will be entitled to one day only, or whether it will be a continuing order?

The SPEAKER. That is not a parliamentary inquiry, but a question of fact to be determined by the resolution itself.

Mr. BLAND. I wish to make a parliamentary inquiry, whether this motion will take these bills out of the Committee of the Whole?

The SPEAKER. Undoubtedly.

Mr. BLAND. Then I hope it will not be adopted.

The House divided; and the tellers reported—ayes 100, noes 49.

Mr. KNOTT. I call for the yeas and nays.

The SPEAKER. The yeas and nays can not be demanded on a mere seconding of a motion to suspend the rules.

Mr. THOMPSON, of Kentucky. The count is not yet completed. All have not passed through.

The SPEAKER. A quorum has voted.

Mr. THOMPSON, of Kentucky. I make the point that the Speaker can not suspend the voting.

The SPEAKER. The Speaker does not suspend the voting. The members themselves suspend. There is no one now voting.

The tellers reported three more votes in the negative.

The SPEAKER. The "ayes" are 100 and the "noes" are 52. The "ayes" have it and the motion is seconded.

Mr. THOMPSON, of Kentucky. Have two-thirds voted in the affirmative?

The SPEAKER. Two-thirds have not voted in the affirmative; but it does not require more than a majority to second. This vote is not on the adoption of the resolution. The motion to suspend the rules is seconded. Debate is in order, if gentlemen desire, for fifteen minutes on each side.

Mr. BUTTERWORTH. It has been suggested that the resolution should specify the bills to be considered. That is perfectly satisfactory to the committee. I am willing to limit the resolution by inserting the titles of the two bills to which I have referred. My friend from Indiana [Mr. HOLMAN] has spoken of some other bills, and my friend from Kentucky [Mr. THOMPSON] has suggested that he did not desire to have other bills brought in except those designated. With the consent of the House I will amend the resolution so as to include these.

Mr. REAGAN. I shall object to that. I desire to say the resolution is objectionable for the reason I shall proceed to state.

Mr. BUTTERWORTH. I reserve my time.

The SPEAKER. The gentleman from Ohio [Mr. BUTTERWORTH] asks unanimous consent to be allowed to modify the resolution so as to specify the two bills which he has indicated. Is there objection?

Mr. REAGAN. I do object.

Mr. HOLMAN. I think the proposition was not distinctly heard.

The SPEAKER. The Chair will again state it. The gentleman from Ohio [Mr. BUTTERWORTH] asks unanimous consent to be allowed to modify his resolution so as to name two bills which may be in order under the resolution, the titles of which he has indicated.

Mr. HOLMAN. I hope that will be allowed.

The SPEAKER. Is there objection?

Mr. CONVERSE. I object.

Mr. MILLS. I want to ask unanimous consent that when these bills are considered it shall be in order to offer any amendment that prescribes the rate of transportation for interstate commerce.

Mr. SINGLETON, of Illinois. I object to that.

The SPEAKER. Objection is made. The gentleman from Texas [Mr. REAGAN] is recognized in opposition to the resolution.

Mr. REAGAN. One of the bills I am not prepared to discuss. I only know it has a feature in it to authorize the investment of a sinking fund in bonds of the corporation. To that I am unalterably opposed, and for that reason I shall vote against it.

The other bill is for a different purpose from what seems to be apparent on its face. I will call attention to it so that the House will not misunderstand it. The bill reads:

That it shall be lawful for the Southern Pacific Railroad Company (being the same corporation mentioned in section 23 of an act of Congress approved March 3, 1871, entitled "An act to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its road, and for other purposes," and the same corporation mentioned in section 18 of an act of Congress approved July 27, 1866, authorizing the construction of the Atlantic and Pacific Railroad) to consolidate and merge its corporate powers, franchises, and organization with any other company or companies, whether organized and existing under the laws of any State or Territory or under the laws of the United States, for the purpose of forming a through line of railroad between the city and bay of San Francisco, in California, and other ports of the Pacific Ocean, or on the navigable

tidal waters adjoining thereto, and such ports and places as may be selected on the Mississippi River or Gulf of Mexico, or the navigable tidal waters adjoining thereto.

Now I call attention to what follows. After giving this general power to consolidate with all these companies without naming them, the bill says:

And it shall be lawful and competent for any one or more of such companies to unite, merge, and consolidate their respective railroads, telegraph lines, capital stock, rights, privileges, franchises, property, and debts with the said Southern Pacific Railroad Company, &c.

Then, as explaining what that means, it will be found in the closing part of the first paragraph of the report which recommends this bill that this is said:

It confers upon the Southern Pacific with reference to consolidation the powers and privileges conferred by the act before mentioned on the Texas and Pacific, extending the line, however, to the Mississippi River.

I understand that the report of the proper officer on the subject shows that the Texas and Pacific would have been entitled to about fifteen millions of acres of land——

Mr. PAYSON. Nineteen millions.

Mr. REAGAN. And that the conditions have occurred which would enable the Government to forfeit the grant. But it must forfeit it by positive action, as I understand.

Now, this consolidation simply means to transfer that fifteen millions or nineteen millions of acres from the Texas and Pacific road which has not been built in New Mexico, Arizona, or California to the Southern Pacific, which has been built through California and those two Territories; while it is professed, and the bill and the report go upon the idea that this is a consolidation for the purpose of putting the whole transportation there under one management that exists now by contracts between the companies. I do not think that is the object of the bill. But it is said that the closing paragraph of the bill prohibits this. Let us see if it does.

Mr. BUTTERWORTH. Let me say to the gentleman from Texas——

Mr. REAGAN. The gentleman will please allow me to finish. The closing paragraph provides—

That nothing in this act shall be so construed as to confirm or in any wise affect any grant of land to any railroad company.

This is not the confirmation of a land grant, but it is the transfer of a grant by consolidation from one corporation to another; and while the language here might seem at first blush to prevent that, when it is analyzed it will be seen that it does not prevent the transfer by consolidation of this large grant of land.

I mention these things so that it may be seen what, it seems to me, is the real object of this bill. How much time, Mr. Speaker, have I left?

The SPEAKER. The gentleman has seven minutes.

Mr. REAGAN. I will reserve that for the present.

Mr. BUTTERWORTH. I want to say to my honorable friend from Texas [Mr. REAGAN] that his apprehension that this is intended to transfer, or will have the result of transferring the land grant from the Texas Pacific to the Southern Pacific or to any other road is absolutely groundless. And I say further to him that if it is possible to so use the English language as to prevent such transfer, to absolutely and positively negative such a proposition, we will accept that amendment now.

This bill was prepared by the honorable gentleman from Arkansas [Mr. DUNN] with direct reference to preventing any confirmation of any land grant, or of securing to either one of these companies any advantages by reason of any grant heretofore made. That is the object and purpose of this bill, and if the words used are not ample to accomplish that purpose, then we will use other words that are competent to accomplish what is desired in that behalf. That is one of the very things which it is desired to provide against, as also to prevent the consolidation of parallel or competing lines.

This bill is entirely within the exact direction of the desire of my honorable friend from Texas [Mr. REAGAN], inasmuch as these interstate lines, in order that there may be a reasonable and fair carrying rate, must be under the control of some authority which has the right to limit them and control them. I insist that it will be made to appear on a full examination of this bill that it is in the public interest, and exactly in the interest which my friend from Texas has been trying during the Forty-sixth and Forty-seventh Congresses to subserve.

So far as the other bill is concerned—and I will say to the House that the committee do not propose to consider any except the two bills I have indicated; they are perfectly willing that the resolution shall so state—the other bill is to bring the Kansas Pacific and other roads within the terms of the Thurman act, and also to compel those roads to pay money now due to the Government for locating and surveying lands, there being a certain sum already due from them.

Now, if these things are not in the public interest, then we fail to conceive what will serve the public interest. If when these bills are being considered my honorable friend from Texas, or any other gentleman, shall offer an amendment which shall more fully protect the public interest, it will be accepted. If the clause to which he takes exception does not accomplish what he desires to accomplish, then let him frame one that is more fitted for that purpose. My friend Judge DUNN believed that this was ample for that purpose, and I believe myself it is so. This is the clause:

Nothing in this act shall be so construed as to confirm or in any wise affect any grant of land or any railroad company.

In other words, we leave the statute just where it is. We are not intending to forfeit any grant by this bill; we want the House to consider this as a matter of public interest.

The freight from the Pacific coast now goes around Cape Horn, sixteen or seventeen thousand miles, every ton of it in foreign vessels. The millions of tons of freight which will go to or come from the Pacific coast when these roads have been consolidated, there being then the Southern Pacific road, the Northern Pacific road, and the Union and Central Pacific road, will be carried on these roads to the Atlantic States and to the markets of Europe in one-fourth the time now required, and at as little or at less cost. You have now on this southern route eight separate small organizations. This bill is to accomplish just the practicable thing which my friend from Texas desires.

Mr. BERRY. Why can not the freight now be carried in that way without this proposed consolidation? These roads have formed a consolidation all the way through.

Mr. BUTTERWORTH. My friend knows that there are eight separate independent organizations.

I now yield to my friend from Arkansas.

Mr. DUNN. I hope the House will indulge me until I can make a statement in explanation of this matter. The apparition of monopoly power which has startled the House this morning is only a delusion; it is not in this resolution, and gentlemen can possess their souls in perfect security.

If I have any record for any one thing more distinct than another it is in favor of the national regulation of interstate commerce in the interest of the industries of this country, and against allowing the commerce of the country to be regulated by railroad corporations.

I am satisfied that a day ought to be set for the consideration of these measures. I hope I will be allowed time to explain the reasons for each one of them.

The first is a bill with respect to the Kansas Pacific and the Sioux City Branch of the Pacific railroads. The Kansas Pacific road is indebted to the Government for the selection and survey of its grant of lands about $150,000, which it refuses to pay. It also refuses to take title to the land which it has earned, and by that refusal escapes State taxation in the State of Kansas alone to the amount of about $250,000 a year.

These two roads are indebted to the Government for subsidy bonds in the amount of fifteen or sixteen millions of dollars, and are not included within the operation of the Thurman act, and consequently are doing nothing toward liquidating that indebtedness.

This bill requires suit to be brought to collect the money due for selecting and surveying the lands granted to it, and to compel them to take title to the lands. It directs the Secretary of the Interior to divest the title out of the Government and vest it in the railroad entitled to it, so that these lands will be taxable by the States. It also brings these roads under the operation of the Thurman act, compelling them to that extent to provide a sinking fund for the liquidation of their indebtedness to the Government. That is certainly an important measure in the interest of the Government and of the people, and I shall be surprised if any gentlemen upon this floor refuse to give a day for its consideration.

The other measure relates to the consolidation of certain connecting and continuous lines of railroad.

Now, the consolidation which has startled the House is in this bill. It provides for the consolidation of connecting and continuous lines from the Pacific to the Mississippi River and the Gulf of Mexico. The proviso to this bill is not to the full measure the language of the proviso which I prepared to be added to a different bill. There was a former bill, reported by the gentleman from Ohio [Mr. ROBINSON], to which I prepared carefully a proviso making it absolutely impossible for that consolidation to revive any land grant which had become liable to forfeiture or which had not been earned by any road, or to which any road involved in that bill was not entitled by reason of compliance with the law making the grant. That proviso declared expressly that nothing in the act should confirm, affirm, transfer, convey, or perfect any grant or pretended transfer of, any such forfeited or unearned grant from one road to another. The language of that proviso is as follows. I will read it:

Provided, That nothing in this act shall be so construed as to re-enact, revive, perpetuate, or relieve from forfeiture any grant of public lands made by the Government of the United States to aid in the construction of any railroad, that may not have been earned by such railroad company in compliance with the terms and provisions of the act making such grant; nor shall anything therein contained be construed to affirm, confirm, or in any manner legalize any pretended or attempted conveyance, grant, or assignment of any such unearned land grant by any railroad company to any other such company; nor in any case to give such effect to any general assignment from one railroad company to another as to authorize such assignment to carry with it any right, title, or claim whatever to any such unearned land grant that may have become liable to forfeiture: *And provided further*, That all public lands that may have been granted to any of the railroads affected by this act and that shall not have been earned by a compliance with the terms and conditions of the act or acts making such grants shall be, and the same are hereby, declared forfeited to the United States

and restored to the public domain and opened to sale and settlement in accordance with law.

I submitted it to the gentleman from Tennessee [Mr. HOUSE], a member of our committee, and he was perfectly satisfied with it. The proviso to the present bill is not in full what that was, as will be seen. I was not present when this bill finally passed the committee and this order of the committee was adopted. I was sick on that day. I had previously given notice that I should insist upon this proviso to this bill also, as I shall when it is considered.

Mr. TOWNSHEND, of Illinois. Which proviso does the committee recommend, yours or the one in the bill?

Mr. DUNN. I do not know what the action of the committee was on that day; I was not there. I reserved the right to offer that proviso in the House when the former bill should come up for consideration, and I also notified the committee that I would offer the proviso in the House as an amendment to this bill. I know that it was carefully prepared and was so explicit and certain in its terms as to render the confirmation or revival of any such grant, or the transfer of it, absolutely impossible.

Now, I am in favor of the principle of the consolidation of connecting and continuous lines, in the interest of our business industries and of the commerce of the country. It reduces the cost of maintaining railroad organizations. In this case it would bring down eight organizations into one. As we enable companies to economize in the cost of maintaining their organizations, and operating their roads, we, to that extent, enable them to reduce freight and passenger rates. This facilitates and expedites the transportation of commodities and passengers across the country. It is in the direction of economy in operation and expedition of business.

I am in favor of such legal regulation of interstate commerce as will compel all railroad companies to take the lowest rates that will give them a moderate and reasonable profit on their capital actually invested, after payment of the expenses of economical management. If we require them to be economical we must enable them to be economical. Make it possible for them to take low rates and then we may justly require it.

Another proviso which I offered to the former bill was that nothing in the act should authorize the consolidation of these systems of roads with the Atchison, Topeka and Santa Fé system of roads, which should be a competing system. That proviso ought to be in this bill.

I am in favor of the consideration of this bill with the fullest liberty of discussion and amendment. The bill needs amendment.

Mr. TOWNSHEND, of Illinois. Is it the understanding that we are to have the right of discussion and amendment?

Mr. BUTTERWORTH. Certainly.

Mr. DUNN. That is the understanding which the gentleman from Ohio gives the House and which we are willing shall be ingrafted on this resolution or made of record. I would under no circumstances give my consent to any legislation which would revive the Texas Pacific land grant or confirm the pretended assignment of it from the Texas Pacific to the Southern Pacific Railroad of California.

Mr. BLAND. How does the gentleman think this legislation would affect the right of the States to regulate transportation rates?

Mr. DUNN. Not at all; nor the right of the Government to regulate them.

Mr. BLAND. How would it affect the right of the States to tax the roads?

Mr. DUNN. The power of the States and the power of the United States Government over commerce are matters defined by the Constitution. We can not add to or take from either by any act which we may pass here. By this consolidation we make a continuous interstate line, and by that act we bring the entire system under the direct control of Congress for the regulation of commerce between the States. [Mr. BLAND rose.] Let me complete my statement. The power of the States to regulate State commerce has been fully settled by the Supreme Court in a case that came up from Louisiana—the case of Hall *vs.* De Cuir, 95 U. S. S. C. Reports. In that case the power of a State and the power of the Federal Government over commerce are clearly defined. The line where one power ceases and the other commences is distinctly stated. The State can not pass any law regulation affecting interstate commerce, nor can Congress enact a law regulating strictly local State commerce. The court say in that case that "there can be no doubt but that exclusive power has been conferred upon Congress in respect to the regulation of commerce among the several States." It has also often been held that a State might regulate the charges of public warehouses and of railroads situate entirely within the State. The same is true of turnpikes and ferries.

By such statutes—

The court say—

the States regulate as a matter of domestic concern the instruments of commerce situated wholly within their jurisdictions, and over which they have exclusive governmental control, except when employed in foreign or interstate commerce. As they can only be used in the State, their regulation may be assumed by the State, until Congress acts in reference to their foreign or interstate relations. When Congress does act, the State laws are suspended only to the extent that they affect commerce outside the State as it comes within the State.

Mr. REED. Is it distinctly understood that if the present bill makes any change in the condition of the land-grant question an amendment may be presented which will make that matter perfectly clear?

Mr. DUNN. I have no doubt that every member of the committee intends to agree to that.

Mr. BUTTERWORTH. Not only intends to consent to it, but is anxious to have it done.

Mr. HAZELTON. And it was so agreed in committee.

Mr. BUTTERWORTH. That is not only satisfactory to the committee, but the committee desires that it be done.

Mr. HAZELTON. The committee does not intend to injure anybody.

Mr. BUTTERWORTH. I yield to my friend from Kansas [Mr. ANDERSON].

Mr. ANDERSON. Mr. Speaker, I wish to say there are in each of these two bills provisions which, in my judgment, are wrong; and when this proposition was made I had intended to oppose it. But in view of the statements which have been made, and, furthermore, in view of my solemn belief that this House will strike out of both bills anything that is wrong, I trust a day will be fixed for the consideration of the bills, with the full right of amendment and discussion.

Mr. REAGAN. I yield for two minutes to the gentleman from Indiana.

Mr. HOLMAN. Mr. Speaker, I am opposed to the bill providing for the consolidation of these eight railroad corporations. It will have the effect ultimately to withdraw them from State jurisdiction, creating one great railroad line under the control of one great corporation, and that corporation organized by Congress and placed within Federal jurisdiction. I think it is much safer that these eight corporations should continue to exist, some of them at any rate, subject to State legislation, and all of them to be ultimately subject to such legislation, rather than one great corporation should be organized out of the consolidation of these eight corporations with a corresponding increase of power. In view of the decisions of the Department of Justice, I also fear the effect of this bill will be to confirm and revive the Texas Pacific grant of 15,000,000 acres, notwithstanding the last proviso.

But the other bill, in my judgment, is one of very great moment. It proposes to amend what is known as the Thurman act. I think it is of the highest public moment that that measure should be brought before Congress at an early day for consideration. And I fear if this resolution is not passed no opportunity will occur for reaching its consideration, as proposed by the gentleman from Ohio. That Thurman act ought to be amended; it is a measure that ought to receive the earliest consideration. The whole country is informed of the importance of the measure. I am satisfied with the assurance given by my friend from Ohio that this bill as well as the other shall be open to amendment and fair debate; that every amendment shall be in order calculated to promote the public safety.

As to the bill for the amendment of the Thurman act, I regret my friend from Ohio has not in the first instance provided by this bill that the payments by the Pacific railroads into the sinking fund should amount to something. Practically they now amount to nothing. The 25 per cent. of the net profits is wholly insufficient. I think when the measure comes before the House at least 50 per cent. of the net earnings of all these Union Pacific corporations will be reserved for the ultimate liquidation of the great debts they will owe the United States. Unless we intend that the United States shall be ultimately defrauded out of a vast sum of money we must greatly enlarge the annual payments into this sinking fund.

I submit to my friend from Texas [Mr. REAGAN] whether, with the assurance given that these measures shall be open to every proper amendment to secure the public interest and to full debate, in view of the importance of the sinking-fund measure, notwithstanding the objections to the other bill, it would not be the part of wisdom to allow the bills to come before the House for consideration, as proposed by the gentleman from Ohio?

Mr. REAGAN. I yield now to the gentleman from Ohio three minutes.

Mr. CONVERSE. Mr. Speaker, I understand the only question pending is the consolidation of the Southern Pacific and the Texas Pacific Railroads, and embracing perhaps some other railroad, constructed or to be constructed in that section of the country. The question of making the Kansas Pacific or the Sioux City Railroad Companies provide a sinking fund with which to pay its interest on its bonds is not pending.

Mr. BUTTERWORTH. Both are in the bill.

Mr. CONVERSE. On the question of consolidation alone I desire to suggest one or two thoughts. In my judgment it is the most mischievous piece of legislation that has been brought into this House during the life of this Congress. There are six railroads built and in the process of building terminating on the Pacific coast, and extending eastward to the chain of lakes or the Gulf, or the Mississippi or Missouri Rivers, and which, with their connections east of the rivers, become transcontinental.

The Northern Pacific, partly finished, extends from Puget Sound to Lake Superior. The Central Pacific and the Union Pacific are complete and united, and extend from San Francisco, in California, to Omaha, on the Missouri River. The Atlantic and Pacific, extending

from San Francisco to Saint Louis, is in the process of building. The Southern Pacific, extending from San Francisco to the Gulf, has been completed from the Pacific coast about half way. The Texas Pacific, extending from the Mississippi River through Southern New Mexico to San Francisco, has been completed through Texas and about half its entire length, so that it and the Southern Pacific now form a continuous line from the Mississippi to the Pacific Ocean. The Atchison, Topeka and Santa Fé Railroad extends from Kansas City to Guaymas, on the Gulf of California, and is now completed into old Mexico, and is rapidly reaching its termination.

The Northern Pacific, the Central and Union Pacific, the Atlantic and Pacific, and the Texas Pacific are land-grant railroads, and have been or are to be built largely out of subsidies given to them by the United States. One of the purposes which the Government must have had in view in making the immense grants which were made to these roads was to build and have maintained forever these several parallel lines as competing lines for travel and freight to and from the Pacific Ocean. The only two roads now in running operation which terminate at San Francisco, namely, the Central and Union Pacific and the Southern Pacific, are owned and operated under one management and in one interest, and the proposition now is to consolidate the Texas Pacific with them, thus preventing the completion both of the Southern Pacific and the Texas Pacific and preventing competition.

I understand this grand scheme of consolidation to embrace finally all of the transcontinental railroads south of the Central and Union Pacific, with that line thus controlling in one interest, under one management, not only the trade of the United States, but the commerce of the world to and from the Pacific Ocean. Such a project is contrary to public policy. All consolidation of parallel or competing lines of railroad is contrary to public policy, and in this case not only defeats the purposes of the Government in making princely grants for their construction, but turns the very munificence of the Government against the people, thereby to oppress and rob them.

The Southern Pacific Railroad Company and the Texas Pacific Railroad Company have already entered into an agreement, I am told, not to extend their lines beyond their present meeting on or near the Rio Grande in New Mexico for the purpose of preventing competition, and the Texas Pacific, in furtherance of the object, has attempted to convey by deed or contract her magnificent land grant from the United States of 19,000,000 of acres to the Southern Pacific Railroad Company. If this be true, not only ought consolidation to be prohibited, but the charters and franchises of these public servants ought to be forfeited and taken away from them. The next step in the grand scheme, if not embraced in this bill, will be a consolidation of the Atlantic and Pacific with the Topeka and Santa Fé road. They already have a non-competitive contract between them. The munificence of the Government is thus turned to private account, and the country and the people deprived of that competition in the carrying business to the Pacific which they have so dearly purchased.

I know gentlemen say they are willing that an amendment shall be made to the bill providing that the grants of land shall not be affected by the consolidation. But there are many intricate questions of law which may arise under that state of the case. There may be third parties' interest whose rights would be protected by the courts. The lands may be already mortgaged for funds expended in building the road, with the consent of Congress. Whatever questions of that kind might arise, they have never been submitted to or reported upon by any committee of this House. Neither have the specific facts connected with the various companies to be affected by this bill been reported to this House. We are asked to legislate in the dark on this important and dangerous subject—the most important and the most dangerous to the people of any presented to this Congress.

The SPEAKER. The gentleman's time has expired.

Mr. CONVERSE. I will ask leave to print a few thoughts in addition which the short time prevents mentioning.

The SPEAKER. The Chair hears no objection. [See Appendix.]

Mr. REAGAN. Mr. Speaker, in this bill there is no description of the roads to be consolidated with the Southern Pacific, although in the debate it is said there is to be a consolidation of some eight roads. The only one mentioned in the report of the committee with which there is to be consolidation is the Texas Pacific road.

Now, the bill provides that the property and franchise of the Texas Pacific are to be transferred to this road. That is to be transferred to this road, but it does not name the road. The bill, some how or other, it strikes me, is curiously worded in reference to this great subject, burying, as it does, in secrecy almost everything intended to be done by it. I would rather it would come before us frankly avowing what its purposes are.

The SPEAKER. The gentleman's time has expired.

Mr. HAZELTON. Is further debate in order?

The SPEAKER. It is not.

Mr. HAZELTON. I only want to say, Mr. Speaker, that the committee merely ask, in reference to this matter, for a day in court. They simply want to be heard in the consideration of this measure. That is the only question pending before the House. When the question comes up it can then be discussed on its merits.

The SPEAKER. The gentleman from Ohio [Mr. BUTTERWORTH] asks to modify the resolution.

Mr. THOMPSON, of Kentucky. I object to any modification of the resolution.

Mr. BUTTERWORTH. Very well, then.

Mr. HOLMAN. I trust the proposition to modify will be reported to the House.

The SPEAKER. Objection being made, the Chair holds that after a second has been ordered it can not be modified except by unanimous consent. The question is on suspending the rules and adopting the resolution.

The House divided; and there were—ayes 60, noes 50.

The SPEAKER. Two-thirds have not voted in the affirmative.

Mr. BUTTERWORTH. I ask for tellers.

The SPEAKER appointed Mr. BUTTERWORTH, and Mr. THOMPSON of Kentucky, as tellers.

The House again divided; and the tellers reported—ayes 101, noes 53.

So (two-thirds not having voted in the affirmative) the rules were not suspended.

EDUCATION.

Mr. SHERWIN, from the Committee on Education and Labor, moved to suspend the rules and adopt the following resolution.

The Clerk read as follows:

Resolved, That Saturday the 20th day of January, 1883, immediately after the morning hour, be assigned to the consideration of House bill 6158, a bill in the support of common schools, to be continued from day to day until completed, subject only to revenue and appropriation bills and prior orders.

Mr. SPRINGER. I demand a second.

The SPEAKER. If there be no objection——

Mr. BRAGG. I object.

The SPEAKER appointed Mr. SPRINGER and Mr. SHERWIN as tellers.

The House divided; and there were—ayes 117, noes 11.

So the motion to suspend the rules was seconded.

The SPEAKER. Does the gentleman desire to be heard in support of the resolution?

Mr. SHERWIN. Very briefly. I think it proper to say a few words by way of explanation of the bill which the committee propose. Before doing so I will premise the statement by saying that this bill, Mr. Speaker, is essentially different from bills of a similar character which have been before the House on previous occasions. During the Forty-second Congress a bill was reported by the gentleman from Massachusetts, now Senator HOAR, which passed the House; and during the Forty-sixth Congress a similar bill passed the Senate. Both of those bills provided that a certain portion of the proceeds arising from the sale of the public lands should be set apart perpetually as a fund for the support of common schools in the United States.

The present bill is different from both of the bills to which I have referred in this, that it creates no perpetual fund. It recognizes an emergency which has to be met at the present time, but does not provide that the General Government shall set apart any permanent fund for the support of education. It provides that there shall be an appropriation of $10,000,000 annually, for a period of five years, to be distributed among the States upon the basis of illiteracy as shown by the census of 1880. This amount is to be paid by the Secretary of the Treasury to the school officials of the several States, the same officials that are directed by the statutes of those States to expend the money for local and State education.

Mr. THOMPSON, of Kentucky. Will the gentleman permit me to interrupt him for a question. I desire to know whether it is to be absolutely under the control of the States or not?

Mr. SHERWIN. This fund is, as far as the expenditure is concerned, to be under the control of the commissioners of education of the several States. The only conditions attached by the General Government are these: that this sum of money shall be divided proportionately between the colored and the white schools. Furthermore, that no State shall receive any portion of this money unless it has a system of common-school education in force. Again, it provides that it shall not receive its proportionate share of this fund unless it shall have supported the schools within the State from the proceeds of its own educational fund for at least three months during the preceding year, and likewise unless the length of the school period provided for by State taxation shall be as great as that which may be caused by the money received from the General Government under the provisions of this bill. It also provides that the State officials shall report annually to the Commissioner of Education certain facts in the nature of statistics. For instance, they would be required to report the amount of money expended for colored and white schools; the number of pupils in each; the number of teachers, both white and black; the number of months the schools have been kept open in the different States, and other information of that character so as to enable the General Government to determine from year to year, during the time that this fund is to be expended, that is, the period of five years covered by the bill, the exact conditions of the schools in the different States.

Mr. SPRINGER. May I ask my colleague a question?

Mr. SHERWIN. Certainly.

Mr. SPRINGER. What is the amount of the proceeds of the public

lands which will be by this bill annually appropriated to school purposes?

Mr. SHERWIN. It does not provide for the use of any portion of that fund for this purpose. The fund appropriated under this bill does not arise from the sales of public lands, but is an absolute appropriation from the Treasury of $10,000,000 annually for a period of five years.

Mr. SPRINGER. I misunderstood the gentleman. I thought it was a provision making an appropriation of a certain portion of the money derived from the sales of public lands.

Mr. SHERWIN. No, sir; it only provides, as I have stated, for an appropriation directly from the Treasury for this purpose.

Mr. SPRINGER. It appropriates, then, $10,000,000 every year for five years?

Mr. SHERWIN. Yes, sir.

Mr. SPRINGER. Upon what basis?

Mr. SHERWIN. Upon the basis of illiteracy, as disclosed by the reports of the census of 1880.

Mr. SPRINGER. My State would get very little, then, under that appropriation. [Laughter.]

Mr. PAGE. May I ask the gentleman a question? If this bill should be considered on the day specified, will he consent that an amendment may be offered providing that the money appropriated by it may be expended under the direction of the General Government?

Mr. SHERWIN. I have no authority from the committee upon that point.

Mr. HAZELTON. Would the gentleman himself favor such an amendment?

Mr. SHERWIN. I should oppose it myself. The committee were unanimous in their belief that this fund could be safely intrusted to the school officials of the States. The committee had before it the leading educational men from many of the States in the Union, superintendents of public institutions from the States, representatives of charitable and benevolent institutions of the Northern States, men who had looked into the school systems and had examined the statistics of education and the general condition of school affairs throughout the Southern States, and it was their unanimous opinion that the State officials would expend the fund judiciously. And one of them, a gentleman of national reputation, Rev. Dr. Mayo, stated that he had examined the systems of education in the several States of the South and that he had become well acquainted with the officials, and was satisfied that that fund would be as thoroughly, as economically and carefully administered if it was intrusted to the commissioners of education in the States as it was possible to have it done by any men.

Mr. BISBEE. May I ask the gentleman a question? I desire to know if there is any provision in the bill (I have not had time to examine it myself, having been recently admitted a member of the committee) with reference to the forfeiture by any State of its proportion of this fund, in case its proportion for the previous year has been misapplied?

Mr. SHERWIN. In reference to that I can say to the gentleman that there is. These annual reports to which I have referred will inform the Commissioner of Education and Congress whether the money has been expended entirely in accordance with the terms of the law; and if those reports are not made no further payment will be made to the State which fails to make its reports in accordance with the law.

Mr. ROBINSON, of Massachusetts. I would like to ask the gentleman from Illinois whether he contemplates having this very important bill considered in the Committee of the Whole, so that debate may not be cut off by calling the previous question?

Mr. SHERWIN. I think it should be considered in Committee of the Whole.

Mr. ROBINSON, of Massachusetts. Unless some order to that effect is made the Chair will rule, in conformity to previous decisions, that the bill shall not be considered in Committee of the Whole although it expends the public money.

Mr. SHERWIN. I shall consent to such a modification of the resolution.

Mr. ROBINSON, of Massachusetts. It is very proper that that modification should be made.

Mr. SHERWIN. The committee invite the fullest discussion of the bill. I ask unanimous consent to have the resolution modified.

The SPEAKER. The gentleman from Illinois [Mr. SHERWIN] asks unanimous consent to insert in the pending resolution a clause which would authorize the bill to be considered in the House as in Committee of the Whole. Is there objection? The Chair hears none, and the modification will be made accordingly.

Mr. SPRINGER. I take the floor in opposition to the bill, and yield five minutes to the gentleman from New York [Mr. FLOWER].

Mr. SHERWIN. I reserve the balance of my time.

Mr. FLOWER. Such bills as this proposing to vote $10,000,000 a year for five years for school purposes should teach the House that it is collecting too much revenue. From letters on my desk received every morning, ten to twenty-five in number, from all over the country, asking what the House is to do in regard to reducing taxation, it seems to me we should rather call upon the Ways and Means Committee to move to suspend the rules and get up some measure that will give relief to the whole country—every part of it. Every business interest in this country is paralyzed to-day by reason of our non-action on some of these bills for the reduction of internal or tariff taxes. And it seems to me our duty either to tell the country that we will not reduce taxes during this session, or to go to work and do it.

I am willing, for one, to work from 9 o'clock in the morning till 9 o'clock at night to accomplish this end. I had supposed after the arranging of the tariff was so splendidly cared for by the Tariff Commission, the Ways and Means Committee would have nothing to do. Let us take up this or any other bill; but for the present I am opposed to the pending proposition, because we may, by reduction of taxation, produce a deficit in the Treasury, and this $10,000,000 would then be a good thing to have there.

Mr. BISBEE. Will the gentleman allow me to ask him a question?

Mr. FLOWER. Certainly.

Mr. BISBEE. I ask the gentleman if the education of the illiterate people of this country is not quite as important as the business interests of the country?

Mr. HAZELTON. And as the whisky interest?

Mr. FLOWER. The education of the illiterate is no doubt very important. We in the State of New York are attending to that very well ourselves.

Mr. O'NEILL. I want to make a suggestion to the gentleman from New York [Mr. FLOWER]. I have a very large correspondence of the same character as that to which the gentleman has referred, and I presume nearly all the members of this House have. And I invariably refer my correspondents who write to me on the subject to look to the records of the past Congress and see what the Democratic Senate has done to prevent the passage of the tax bill which the House passed.

Mr. FLOWER. A Republican caucus added some tariff articles to the internal-revenue bill which they knew made it impossible for the bill to be passed.

Mr. O'NEILL. And Democratic Senators intentionally talked the bill to death, determined the people should not be relieved to the extent to which the Republican House had sought to give relief from taxation.

Mr. SPRINGER. Were it not for the great pressure upon Congress during this session for legislation I would not object to giving consideration to this bill. It is a subject that ought to be discussed. But the time allowed between now and the 4th of March for the transaction of business which is absolutely necessary to be transacted before adjourning is so limited that it seems to me we ought to devote ourselves to those subjects which we must consider before the necessary adjournment of this body.

The Committee on Ways and Means will within a few days, I hope, report a bill upon the subject of reduction of tariff taxes. We shall also have a bill from the other body as an amendment to the one we have already passed with reference to internal taxes. If we can get those two measures before the House and give them the consideration which their importance demands, and in addition thereto pass the necessary appropriation bills, the time of this body until the 4th of March will have been exhausted, and on that day our lifetime under the law will have ceased.

I am opposed, therefore, to bringing this subject in at this time for consideration. It is a very important question which this bill presents. It proposes to appropriate $50,000,000 out of the Treasury of the United States, $10,000,000 a year for five years, to be devoted in the States to the support of common-school education, to be divided, as stated by the gentleman from Illinois [Mr. SHERWIN], on the basis of illiteracy.

We understand where the greater portion of this fund is to go, and I would be very glad to co-operate with the gentlemen in those regions where education is needed and help is needed from the Government. But it seems to me we ought to consider first the necessities of the Government, and whether we desire to make a great departure in a matter of this kind from State control of education to national control. The State of Illinois, which I have the honor in part to represent, has a magnificent common-school system. I believe it the best common-school system that is enjoyed by any State of the Union.

Mr. HAZELTON. Not the best.

Mr. STEELE. What about Indiana?

Mr. BROWNE. What is the amount of the school fund of Illinois?

Mr. SPRINGER. I can not say at this moment.

Mr. BROWNE. We have a fund of over $9,000,000 in Indiana. That State has the best school system in the world, beyond any kind of question.

Mr. SPRINGER. I think Indiana comes next to Illinois. I was born in Indiana, and I like that State very much.

Mr. BROWNE. Does Indiana know it?

Mr. SPRINGER. I have no doubt Indiana knows it. I had the honor of being educated in the common schools and colleges of that State. We do not want any aid from the General Government in our common-school system.

I think the gentleman from Indiana [Mr. BROWNE] will agree with me in the statement that these two States have taken care of the educational interests of their own people in the past and can do so in the future, and do not ask any aid from the General Government in this

respect. I have not heard a single person in the State of Indiana or Illinois ask that the General Government shall give one dollar of aid for this purpose. We have taken care of our children in this respect in the past and are able to take care of them in the future without asking any aid of the General Government.

Mr. PEELLE. While it is true that Indiana and Illinois do not ask any aid of the General Government for this purpose, is it not equally true that Indiana, and I suppose Illinois, is willing to make some sacrifice for the benefit of those that are not so well situated as they are?

Mr. SPRINGER. I do not know but what Illinois and Indiana would make some sacrifices in this connection. But should we now be asked to depart from the policy of the Government in this respect and appropriate $10,000,000 a year for five years for educational purposes in these States? This is an important subject, and should receive very careful consideration.

Mr. CLEMENTS. I will ask the gentleman from Illinois [Mr. SPRINGER] how much money from the General Government has been received by Illinois and Indiana from the proceeds of the sales of public lands?

Mr. SPRINGER. Not one dollar so far as the State of Illinois is concerned. I do not know anything about Indiana.

Mr. CALKINS. Will the gentleman yield to me for a moment?

Mr. SPRINGER. Certainly.

Mr. CALKINS. Is it not the fact that Illinois, Iowa, and Indiana, and all of the Western States have a magnificent and munificent permanent school fund derived from the sale of public lands?

Mr. COBB. That is not true with regard to Indiana. Our school fund mainly comes from the twenty-third section of the old bank charter.

Mr. CALKINS. I beg my colleague's pardon, our school fund does not come mainly from that source.

Mr. COBB. Over five millions of money came from that source.

Mr. CALKINS. I beg my colleague's pardon. I do not dispute the amount that came from that source, but I say that the fund mainly came from the proceeds of the sales in our States of the sixteenth sections of the public lands. We have now a munificent permanent fund which we derived from the General Government for the benefit of public schools.

Mr. COBB. That fund belongs to the public schools in the broad sense; not to the townships.

Mr. CALKINS. It seems to me that the States which were deprived of the benefit of this grant of land for school purposes ought even at this late day to have some of the advantages which are derived by the other States from the proceeds of the sales of the public lands. It would be but right for us to consider that question.

Mr. SPRINGER. I will now yield to the gentleman from Indiana [Mr. COBB]——

The SPEAKER. The gentleman has no time to yield.

Mr. SHERWIN. I will yield three minutes to the gentleman from Kentucky [Mr. WILLIS].

Mr. WILLIS. I am very much surprised at the character of the objections made to this proposition. I am surprised to hear the gentleman from Illinois [Mr. SPRINGER] say there is no reason for what he calls a departure from the previous action of the Government with reference to this question of education.

Mr. RYAN. This is no departure.

Mr. WILLIS. As my friend well says, this is no departure from that policy. From the very foundation of our Republic to this day it has been the well-established policy of the General Government to grant aid for educational purposes. Millions of acres and millions of dollars have been appropriated for that purpose. All our Presidents, from Washington down to the present one, have placed upon public record their estimate of the value of popular education as the best, if not only, safeguard of free institutions.

For over ten years the bill now under discussion, or one similar in its terms and objects, has been favorably reported to this body. Public meetings have been held in all parts of the Union; by address, and by petition the people have indorsed and urged this legislation. Over two-thirds of these United States have through their Legislatures formally requested Federal aid for educational purposes. And yet the honorable gentleman says there is no reason and no demand for this legislation.

What response have we made to these repeated appeals and solemn admonitions? What response will we make to our constituents for our failure or refusal to legislate upon this supremely important subject?

Only forty-four working days remain of this Congress. Whatever is done must be quickly done, and what explanation, what excuse, can we give for not doing it? Shall we say that we did not think the condition of the Treasury justified it? We all know that over a million dollars a day is pouring into our already full coffers. The last fiscal year has shown, the present and the next fiscal year will show, a surplus revenue of over one hundred million dollars. Only two days ago we voted out of the Treasury eighty-five millions to pay the wounded and disabled citizen soldiers of our country. High as is our obligation to them, it is not higher than what we owe to that other and more numerous class of our disabled citizens whose lives are cursed by the blighting effects of vice and ignorance. The gentleman from Illinois says that we have not time to consider this bill.

My friend has had time during this session to stand here day after day and vote millions of dollars for the fortifications of our country. He has, without objection, given his time and consented for this House to give its time to the consideration of bills for the support of the Army and Navy, and that too in a time of profound peace. I do not complain of that; I do not undertake to say that he was wrong in that. By no means. But here is an enemy who threatens the very citadel of our liberties; an enemy whose strength is increasing with every year and whose power, if not promptly broken, will be irresistible. Yet he is unwilling to give even a day for the consideration of a bill which provides a defense against this enemy; he will not appropriate a dollar from our overflowing Treasury for the protection of our Republic from this great danger.

Can he maintain such a position? Are we not called upon by every dictate of self-interest and of self-preservation, by every duty, individual and national, to endeavor at once to overthrow this organized ignorance in our midst, to strike down this deadly foe of our institutions while we have the power to do so?

Does my honorable friend know that the last census presents to us the appalling fact that one-eighth of all the people of these United States over 10 years of age are illiterate, unable to read the very charter of their liberties? Does he recall the fact that in sixteen States of our Union over one-third of the voting population are illiterate, unable to read the ballots which are to decide their and our destiny? And these are the men who are to make our laws, who are to elect our Presidents and legislators, who are to shape the policy and decide the destiny of our Republic? Yet he, as a member of the American Congress, is unwilling even to consider a bill that seeks to change this condition of things, to remove this mass of ignorance which is at once a humiliating disgrace and a standing menace to our liberties.

Not only that, Mr. Speaker, but does not the gentleman know—assuredly he does—that the flood-tides of immigration are open wider than ever before was known in the history of our country. Does he not know that a large per cent. of these immigrants come with ignorant views or false views of our system of government? Do we not owe it to them and to ourselves to promptly place within their reach the means of knowledge, of intelligent citizenship, and of happiness?

And should he not also bear in mind the relation which our colored population bear to this question? Only a few years ago we struck the chains of slavery from 4,000,000 bondsmen. To-day they stand at the bar of this House by petition appealing to us to strike from their minds the equally degrading slavery of ignorance. They say to us, "You have given us the rights, you have imposed upon us the duties and responsibilities of citizenship. Give us now the means of knowing and maintaining those rights and meeting those responsibilities. The inexorable logic of the situation—justice to them, justice to ourselves demands that this appeal should be promptly heard and heeded.

[Here the hammer fell.]

Mr. SHERWIN. I believe I have two minutes left, and I yield that time to the gentleman from Mississippi [Mr. LYNCH].

Mr. PEELLE. Before the gentleman commences, I ask unanimous consent of the House that he have five minutes' time.

Mr. LYNCH. I may not need it.

Mr. WHITE. I want consent to agree with my colleague [Mr. WILLIS] on education if I can not agree with him on the whisky bill.

Mr. SPARKS. How much time is there left for discussing this proposition?

The SPEAKER. There is two minutes' time remaining.

Mr. SPARKS. On which side?

The SPEAKER. On the affirmative side of the proposition.

Mr. PEELLE. I ask unanimous consent that the gentleman from Mississippi have five minutes.

Mr. SPARKS. You can not get it.

Mr. LYNCH. I do not want it.

Mr. SPRINGER. I hope that by unanimous consent the gentleman from Mississippi [Mr. LYNCH] and the gentleman from New York [Mr. COX] will each be allowed five minutes.

The SPEAKER. The gentleman from Illinois [Mr. SPARKS] objects.

Mr. SPARKS. I object emphatically, unless we can be heard on this side. The gentleman from New York wishes to say something, and I do not want him to be cut off.

The SPEAKER. The Chair thinks it very unjust to make the remark about that side not being heard. It has just exhausted its full time. There was no occasion for the remark.

Mr. SPARKS. I beg pardon of the Chair; but I understood my colleague [Mr. SPRINGER] to say that he had not occupied his fifteen minutes.

The SPEAKER. The Chair understood that the time had been divided with exact equality.

Mr. SPRINGER. I think it was a very short fifteen minutes.

The SPEAKER. But the gentleman yielded a portion of his time, besides occupying a part.

Mr. SPRINGER. I ask unanimous consent that five minutes be allowed to the gentleman from Mississippi and five to the gentleman from New York.

Several members objected.

Mr. RYAN. The gentleman from Mississippi is not asking for additional time.

Mr. SPRINGER. Then why is he standing up?

Mr. LYNCH. I am standing up to occupy the two minutes to which I am entitled.

Mr. Speaker, I only wish to say as a member of the committee that I was not appointed upon it in time to serve when this bill was prepared by the committee. I approve the bill as a whole; but there are a few amendments which I would like to have made and to which I hope to be able to get the consent of the committee before the bill is brought up. These amendments, however, do not apply to the general principle of the bill, but only to matters of detail.

This in my judgment is a very important measure, but one not connected with politics; one for which I think every member of the House, without regard to political lines or to the section of the country from which he comes, can vote willingly and readily, for it is a measure of justice alone. Gentlemen all remember that while the Southern States, which will get the greater portion of this money, were devastated during the war and their wealth wiped out, this was not true of the North; and I think that wealthy States like Indiana, Illinois, and other Northern States, that have more money than they know what to do with, can afford to expend a little of it in the South for so noble a purpose as that contemplated in this bill.

[Here the hammer fell.]

The question being taken on the motion of Mr. SHERWIN to suspend the rules and adopt the resolution submitted by him, there were—ayes 129, noes 20.

So (two-thirds voting in favor thereof) the resolution was adopted.

ERNEST F. UNLAND.

The Speaker proceeded with the call of committees until the Committee on Claims was reached.

Mr. TAYLOR. I am authorized by the Committee on Claims to move a suspension of the rules for the passage of the bill which I send to the desk.

Mr. RICE, of Missouri. Mr. Speaker, has the Committee on Pensions been called? I did not hear it called.

The SPEAKER. The Committee on Pensions has been passed.

Mr. RICE, of Missouri. Then I will ask unanimous consent to go back——

Mr. TAYLOR. That can be done after action upon this bill, which will take but a moment.

The SPEAKER. The gentleman from Ohio [Mr. TAYLOR], by instruction of the Committee on Claims, moves to suspend the rules and pass the bill which will be read.

The Clerk read as follows:

A bill (H. R. 3243) for the relief of Ernest F. Unland.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Ernest F. Unland, of Pekin, Illinois, out of any money in the Treasury not otherwise appropriated, the sum of $796.71, the same being the amount paid by said Unland, in error, on the 18th day of October, A. D. 1880, into the United States Treasury to effect a compromise of a judgment of forfeiture and costs held by the United States against the distillery and premises of the City Distilling Company of Pekin, said judgment and costs having already been quashed by executive pardon of August 24, A. D. 1880, granted to the owners of said distillery.

Mr. HORR. I call for a second upon this motion.

The SPEAKER. If there be no objection, a second will be considered as ordered.

Mr. BRAGG. I object.

The SPEAKER. The Chair appoints as tellers the gentleman from Michigan, Mr. HORR, and the gentleman from Ohio, Mr. TAYLOR.

The House divided; and the tellers reported—ayes 135, noes 12.

So the motion was seconded.

The SPEAKER. The gentleman from Ohio [Mr. TAYLOR] is entitled to the floor for fifteen minutes in support of the bill.

Mr. TAYLOR. I call for the reading of the report.

The SPEAKER. The report will be read in the gentleman's time.

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill (H. R. 3243) for the relief of Ernest F. Unland, having had the same under consideration, report:

That on the 24th day of July, 1875, the distillery premises of the City Distillery Company, Pekin, Illinois, owned by Daniel S. Risinger, George T. Risinger, and Herman E. Kickler, were seized by the collector of the eighth Illinois district for a violation of the revenue laws (section 3281, Revised Statutes), and on the following 4th day of August were libeled in the United States courts. On the 9th day of August, 1875, the property was released to said company under bond.

The property, after being bonded on the 19th day of August, 1875, was conveyed to George T. Risinger, who on the same day conveyed it to the Copper Distillery Company, and the distillery was operated by that company until the 13th day of January, when it and all of the destructible machinery and personal property belonging to it were destroyed by fire. Afterward, on the 5th of February, 1877, the Copper Distillery Company reconveyed the real estate to George T. Risinger, who rebuilt and operated the distillery till May, 1879.

In the mean time proceedings had been instituted against said two Risingers and Kickler, growing out of the facts for which said seizure was made, and such libel filed for criminal violation of the laws connected with the revenue, to which said defendants pleaded guilty and were find in considerable sums, for which and for costs judgments were rendered against them, and a decree was made gainst said property at the January term for 1879 of said court for $4,376.50, the amount of said fines and costs.

Efforts were being made to collect the fines and costs by subjecting the property to such payment, which efforts were resisted on the ground that the bond was taken in place of the property and released it from the lien before existing, thus raising a very serious question, as the Secretary of the Treasury thought. The property had become of little value, and at this point said Unland, for said firm of Smith & Hippen, who had no other interest in the matter than junior judgment creditors, if the claim of the United States, on the 18th day of October, 1880, under section 3469 of the Revised Statutes, compromised all said claims with the Treasury by paying him $796.71. However, before that time, to wit, on the 24th day of August, 1880, the President granted a full pardon (expressly releasing said judgment) to said Daniel S. Risinger, George T. Risinger, and Herman E. Kickler, which fact was unknown to said Unland and to the Secretary of the Treasury at the time said compromise was made and said money paid. The object of the bill under consideration is to authorize the Secretary of the Treasury to refund to Unland the money so paid. As the money was paid under a mutual mistake of fact, upon a claim which had ceased to exist, your committee think the bill should pass, and do so recommend.

Mr. TAYLOR. Mr. Speaker, in the few minutes I now have I can not of course explain all the facts in this case. This man Unland, who paid this money which this bill proposes to refund, was a junior creditor, having a judgment against the Risingers and Kickler. A fair judgment had been rendered in favor of the United States. The Secretary of the Treasury and Unland both supposed that the prior judgment was in force, and upon this supposition Unland paid on a compromise something over $700 for that prior judgment, when in fact it had been released. The pardon of the President to the Risingers and Kickler included in its very terms the release of the judgment.

Mr. BRAGG. Will the gentleman permit me to ask him whether he maintains that the President in the exercise of the pardoning power may release a judgment in a civil case?

Mr. TAYLOR. This was a judgment incident to a matter of costs, and so far I answer "yes."

Mr. BRAGG. Did I understand you to say that was within the pardoning power of the President?

Mr. TAYLOR. In this instance it was a judgment for the costs in a criminal case, and when he pardoned him for that he had express power to do what he did do.

Mr. BRAGG. The bill speaks of "judgment quashed by the pardoning power of the President." Does the gentleman regard that as a legal term?

Mr. TAYLOR. I did not draw the bill.

The question recurred on the motion to suspend the rules and pass the bill; and (two-thirds voting in favor thereof) the rules were suspended and the bill was passed.

SURVIVORS OF MEXICAN AND INDIAN WARS.

The SPEAKER. The gentleman from Missouri [Mr. RICE] states he did not hear the Committee on Pensions called, and now asks to go back, so that he may submit a motion from that committee. Is there objection?

Mr. WISE, of Virginia. I would like to know, if the gentleman from Missouri is permitted to make his motion, whether it will give a right to other committees which have been passed over to submit reports.

The SPEAKER. Consent is only asked in the case of the Committee on Pensions.

There was no objection.

Mr. RICE, of Missouri. I am directed by the Committee on Pensions to submit the following resolution.

The Clerk read as follows:

Resolved, That the rules be suspended and House bill 7135, granting pensions to the survivors of the Mexican and Indian Wars, reported from the Committee on Pensions, be made a special order in the House, as in the Committee of the Whole House, for the first Tuesday in February next after the morning hour, and from day to day thereafter until disposed of, not to interfere with appropriation or revenue bills or other prior special orders.

Mr. BRAGG. I demand a second.

The SPEAKER. Is there any objection to considering it as ordered?

Mr. BRAGG. I object.

The SPEAKER appointed Mr. RICE, of Missouri, and Mr. BRAGG as tellers.

The House divided; and there were—ayes 124, noes 20.

So the motion to suspend the rules was seconded.

The SPEAKER. Does the gentleman from Missouri desire to be heard?

Mr. RICE, of Missouri. No, sir, not now.

Mr. WHITE. I ask the gentleman to yield to me for a moment.

Mr. RANDALL. I shall ask for the yeas and nays on this question.

Mr. WHITE. If I understand this resolution it is to set a day when we can discuss the propriety of giving pensions to Mexican soldiers or soldiers who fought under the American flag in the war with Mexico thirty years ago. It does seem to me the number of petitions which have been presented to Congress during the last few years ought to induce every member to agree to it, or to this much at least, that is, to give them a day in court.

I shall be glad, sir, on a proper occasion, when the bill comes up, to say something in advocacy of the justice of it. For the present I simply desire to say I do not believe we can afford, as a party, or as representatives of the people, regardless of party, to deny so many surviving Mexican soldiers the justice which they ask at our hands.

Mr. JOYCE. Will the gentleman yield to me to ask him a question?

Mr. WHITE. Certainly.

Mr. JOYCE. I wish to ask the gentleman from Kentucky whether the bill repeals section 4716 of the Revised Statutes? which is as follows:

SEC. 4716. No money on account of pension shall be paid to any person, or to the widow, children, or heirs of any deceased person, who in any manner voluntarily engaged in, or aided or abetted, the late rebellion against the authority of the United States.

Mr. WHITE. Most unquestionably it does.

Mr. JOYCE. Then I can not vote for it.

Mr. HEWITT, of Alabama. I ask the gentleman from Kentucky to permit me in one moment to reply to the gentleman from Vermont.

Mr. WHITE. Certainly.

Mr. HEWITT, of Alabama. I will answer the gentleman from Vermont. The bill does not repeal that section of the Revised Statutes of the United States, except in so far as it applies to pensions under this bill. That is all.

Mr. WHITE. Now, Mr. Speaker, I want to say to the gentleman from Vermont, who is as loyal as any man in this country, if we believe these Mexican solidiers did a good work long before the civil war we can not afford to see them in a suffering condition and put a bar between them and justice on account of certain things they did during the late civil war. I claim to be as good a Republican as he or any other man on this floor, but I do not go that far. The men who fought under the American flag in Mexico or in Indian wars are entitled to pensions, especially when they are in a suffering and destitute condition, as hundreds of these brave old Mexican soldiers now are. And when the gentleman reads a statute here which was passed at the close of the late war, in excitement, reading them out; when now, twenty years beyond the war, these men are in destitute circumstances, crying out for help to keep them from the poor-house, and when we have an empire they have given to this country, it seems to me the coldest and most heartless denial of charity to refuse them what they ask, which is nothing more than that they shall have a day in court for the consideration of their proposition.

The SPEAKER. The question is upon agreeing to the motion of the gentleman from Missouri.

Mr. RANDALL. And on that I demand the yeas and nays.

Mr. WILLIS. I ask the gentleman from Missouri to yield to me for a moment.

Mr. RICE, of Missouri. I will yield to the gentleman from Kentucky for five minutes.

Mr. WILLIS. I do not propose, Mr. Speaker, to trespass long upon the time of this House. The merits of this measure are too well known to require debate, even if our rules permitted it. I rose, however, to appeal to the gentleman who has charge of this bill to withdraw his resolution providing a day for its consideration, and give us here and now an opportunity to vote directly upon the bill itself.

Too long already has justice been delayed to these old Mexican veterans. Over thirty-five years have gone by since they gave their voluntary service to our country.

The youngest recruit of that war has long since passed the meridian of life. Of those who survived the direct conflict and the equally deadly climate the overwhelming majority are pressed down by the infirmities of age and disease, broken in health and poor in purse. In my own city and district only a few months ago an old man died leaving a widow and a family of children. He had gone forth when the lone settlers upon our frontier wilderness were exposed to the horrors of savage warfare. He had protected and avenged them. He had shouldered his musket and gallantly fought upon the plains of Mexico. He had given his aid to the Federal cause in the recent war. He died and now fills a pauper's grave. The hero of three wars, old, helpless, and poverty-stricken, his family was compelled to appeal to his friends and comrades for the coffin in which he was buried. A number of old Mexican veterans contributed from their own scanty purses the means to bury him and support his helpless family.

Only a few weeks ago, in the same city, I called upon the widow of another soldier. Her husband when but a youth had enlisted for the Mexican war. He was as gallant a soldier and as true a man as ever lived. He was the first to plant the flag of his country upon the heights of Churubusco. He was voted a sword by his native State. He was a member of the confederate congress—honored and esteemed in all the relations of life. He died without leaving a dollar to his family. His widow is now making a noble struggle for the support of herself and her little family. Such instances could be multiplied by the thousands.

Too long already, I repeat, has justice been delayed. The grave has long since closed upon thousands and tens of thousands of brave veterans to whose declining years a more grateful country would at least not have refused the poor pittance asked by this bill.

Sir, I need not remind this House of the deeds of valor, of the national fame, which these men achieved for our country; the grand heroism and self-sacrifice, the generous devotion and patriotism of her citizens—these are the true wealth of every country. How grand and imperishable a contribution of this character our Mexican soldiers secured is a part, and the noblest part, of our national history.

Nor should we forget the material wealth which these gallant heroes won for their Government. Four States and four Territories were wrested by their valor from the common enemy—California, Nevada, Colorado, and Texas; Utah, New Mexico, Arizona, and Wyoming—a grand empire covering an area of over 937,875 square miles, a domain greater than all Europe—these stand to-day an enduring monument of the grandeur of their achievements and of the ingratitude of the Government in failing so long to reward them as they deserve.

Only two days ago, with but three dissenting votes, we gave a hundred millions of dollars to the soldiers of the late war. During the last session, under a suspension of the rules and without a word of debate or objection, we voted another hundred millions for the same purpose. Whence came the money for these great appropriations? It came largely from the gold-ribbed mountains and fertile plains which the Mexican soldiers conquered for us. The countless millions which have been supplied from the mines of California and Colorado, of Nevada and New Mexico and Arizona, have been our source of prosperity in peace and our reliance in war. If we had to-day all the wealth which has come from even one of these States we would have enough to erect a statue of gold and give a pension of a thousand dollars a year to every man who ever bore our flag upon the fields of Mexico. And yet we are here to-day hesitating about an eight-dollar pension, not to all, but to the few who have survived, numbering according to the best estimate less than 10,000.

It is a shame on the American Congress that this bill has not long ago become a law. I hope the gentleman, therefore, will change his motion and give us an opportunity to vote now and directly upon this subject. Let us honor ourselves by honoring these brave veterans. Let us place upon the statute-books of our country a provision that they shall at least have enough to keep the wolf from the door.

Mr. RICE, of Missouri. In response to the gentlemen from Kentucky I will say that I am not authorized to make the motion he suggests.

I now yield to the gentleman from Alabama, Mr. WHEELER.

Mr. WHEELER addressed the House. [See Appendix.]

Mr. RICE, of Missouri. I reserve the remainder of my time.

Mr. BROWNE and Mr. HORR rose.

The SPEAKER. Does the Chair understand that any gentleman desires to occupy the time in opposition?

Mr. PAGE. I understand the gentleman from Indiana rises to oppose the motion.

Mr. HAZELTON. The gentleman from Michigan also.

The SPEAKER. Does the gentleman from Wisconsin desire to control the time?

Mr. BRAGG. If anybody desires to take the floor I will control the time for his benefit.

The SPEAKER. The Chair recognizes the gentleman from Wisconsin to control the time in opposition.

Mr. BRAGG. I yield to the gentleman from Indiana [Mr. BROWNE].

Mr. ATKINS. Before that let me ask a question of the gentleman from Missouri. Why not put before the House now the bill to pension the Mexican soldiers instead of this resolution? I believe in the present temper of this House the bill will pass by a two-thirds majority.

Mr. RICE, of Missouri. I am not so instructed by the committee.

Mr. BROWNE. Mr. Speaker, I would not interpose an objection to fixing a time for the consideration of this or any other important measure if it could be considered under such circumstances as to give liberal opportunities for amendment. If I understand this bill it proposes to put on the pension-roll persons who were engaged in the Mexican and our several Indian wars simply because they performed military service. It does not propose to take into consideration the question of physical or pecuniary condition. It puts the millionaire, if you please, who happened to serve in any of these wars, who is in robust health, who does not need the bounty of the Government at all, on the rolls at a little sum of $8 a month. I believe I am correct in my understanding of this bill.

There is not an old worn-out Mexican soldier in the Union that I would not be willing to put on the pension-roll if he needed the bounty of the Government.

Mr. SPRINGER. They all need it.

Mr. BROWNE. Not all of them.

Mr. WILLIS. Let me ask the gentleman how many millionaires there are among the surviving Mexican veterans?

Mr. BROWNE. I do not know how many there may be; I do know that there are many Mexican war soldiers in the United States who are in infinitely better pecuniary condition than I am; who are merchants, land-owners——

Mr. HAZELTON. Members of Congress.

Mr. BROWNE. Yes, sir; members of Congress, persons in good physical and pecuniary condition, and who do not need the bounty or the charity of the Government.

Mr. BLOUNT. Will the gentleman from Indiana allow me to ask him a question?

Mr. BROWNE. Certainly.

Mr. BLOUNT. What is there to prevent amending the bill? This is simply a proposition to consider it.

Mr. BROWNE. I hope the gentleman will permit me to give the reasons why I am opposed to the consideration of this bill. If I under-

stand correctly there were about 106,000 volunteers, including regulars, sailors, and marines engaged in the Mexican war. That service ended in 1847, thirty-six years ago; only thirty-six years ago.

In 1879, after the war of 1812 had been closed for sixty-four years, we put all who served in that war for a period of fourteen days or more, and the surviving widows of such, on the pension-roll. There was not a gentleman in the House who supposed that more than a few hundred persons would go on the pension-roll by reason of that legislation, and yet, sir, within a few years there were over 34,000 pensions allowed by reason of that service.

Now at the end of thirty-six or thirty-seven years we propose to put on the pension-roll without regard, as I said, to pecuniary or physical condition all who served in the Mexican and in the Indian wars. There were 105,000 or 106,000 in the Mexican war alone. The bill not only applies to those who served, but to the widows and the infant children of those who served in case they have died. I undertake to say it will put on the pension-roll more than 50,000 pensioners.

Many MEMBERS. Oh, no!

Mr. HEWITT, of Alabama. I know the gentleman from Indiana does not wish to misstate the provisions of the bill.

Mr. BROWNE. Certainly not.

Mr. HEWITT, of Alabama. The bill provides for putting on the roll those who served and the widows who were married to the soldiers prior to the time of discharge, and excludes those who have remarried. It puts no child of a soldier on the pension-roll.

Mr. SPRINGER. How many would be put on the roll?

Mr. HEWITT, of Alabama. Not over a thousand widows.

Mr. BROWNE. I undertake to say, even with the limitations in the bill the gentleman speaks of, forty or fifty thousand persons would go on the pension-rolls under this act if it becomes a law. From seven to ten million dollars will be taken from the Treasury for this purpose in the first year, and a hundred millions before we have reached the end of this legislation.

Mr. SPRINGER. Will the gentleman allow me one moment? I understand the estimates of the Department place the whole number at less than 10,000.

Mr. BROWNE. I do not care what the estimates are. If the Department had been called on to estimate the number of surviving soldiers of the war of 1812 they would have perhaps fixed the limit at a thousand or less; and yet thirty and odd thousand have gone on the pension-roll.

Mr. BELFORD. I desire to ask the gentleman from Indiana a question.

Mr. BROWNE. I hope the gentleman will wait a moment and I will then respond if I have time.

Before I go further I want the House to understand distinctly I am willing to put the soldiers of the Mexican and Indian wars on a perfect equality with the soldiers of the war of 1812 or soldiers of the Revolutionary War. In neither of these cases did we put the soldiers of those struggles upon the pension-rolls until more than fifty years had passed from the conclusion of the war.

Let me say further: There is no soldier who served in these wars who needs assistance from the Government that I will not vote to pension. Those who have grown old and infirm and are unable to labor for a living I would put there. Those who are in such physical condition that they may not be able to perform labor I would put there. Those who are pecuniarily unfortunate and are unable to maintain themselves with their families I would put there.

Mr. MCMILLIN. Would you require them to swear themselves paupers before you did that?

Mr. BROWNE. Ah, we did that practically as to the Revolutionary soldiers, for their service pension was made to depend on the amount of their property, and the man who invaded Mexico or fought the Indians is no better than the man that stood by the flag in maintaining the independence of the colonies.

Mr. MCMILLIN. I remember no such provision as to the soldiers of the war of 1812.

Mr. BROWNE. I would make no man say he was a pauper.

Mr. MCMILLIN. You would have them practically say that.

Mr. BROWNE. I hope the gentleman understands me. Nobody in this country looks upon poverty as a crime. And let me say the Mexican-war soldier has received in every instance his bounty land-warrant, and that has not been given to the Union soldier of the war of the rebellion. Let me say more than that, that to-day the soldier of the Mexican war occupies exactly the same position under our pension laws that the soldier of the Union Army occupies. You provide here that the soldier in the Mexican or Indian war who served only thirty days shall get a pension for his services, and for that reason only. But the Union soldier who carried his knapsack and cartridge-box through four weary years of war, the soldier who faced the dangers of the conflict, who lay in the fever swamps and by the black bayous, gets no pension unless he incurred some measure of disability in the service and in the strict line of duty. Are not two, three, or four years of arduous and dangerous service in the Union Army equal to thirty days' service in Mexico or Florida? This bill says not. It gives a pension to thirty-day soldiers of the one class and denies it to three and four year soldiers of another class. Why is this?

Let me tell gentlemen one thing more; statesmanship requires that we should regard not only the present but also the future. I assert that there is no government which may be frequently engaged in war that dare establish the precedent of putting its soldiers on the pension-rolls simply because of service. It would destroy any European government; it will destroy the Government of the United States ultimately if the precedent set by this bill becomes the rule; and I want to warn gentlemen of that fact. No nation maintaining large armies and engaged in a war once in a generation dare establish such a policy. What is before us? Let us look to our future.

How would it be with regard to the late war? We had in the Union Army 2,600,000 men. More than a million and a half of those men served for a period exceeding thirty days. At the end of thirty-seven years from the conclusion of that conflict more than one-half a million of those men will be surviving, and there will be of widows from two to three hundred thousand more. Taking the result of our legislation for the survivors of the war of 1812, and this estimate is too low.

Now, if we set the precedent to put the soldiers of the Mexican and Indian wars on the pension-roll simply because of service, then I stand up here for the men who went through the recent fiery ordeal of the rebellion and say that you should give them equal recognition. By this legislation and by the precedent you propose to establish in this bill you will put of those soldiers of the late war and of their widows 750,000 on the pension-roll. I want to warn gentlemen of that; they can not escape it. Are you to do this for the Union soldier? This question confronts us. We must meet it in the near future, for we are already twenty years from our civil war.

Having said this much, I have not alluded to the fact that this bill proposes to put on the pension-rolls of this country persons who were engaged on the side of the rebellion against the Government. Since I have been in Congress I believe I have scarcely ever alluded to that conflict. I am not putting my opposition to this bill now on that ground, although I confess I am not willing to vote for this bill with that provision in it. On this point I may have something to say hereafter. I put my opposition to the bill now on the broader ground that we ought not to establish this precedent. We ought to continue to stand as near as may be by the rule that pensions are for those who have incurred some kind of disability in the military service of the Government. I put my opposition to this bill upon that ground, because to establish a different principle is dangerous, is very dangerous. I put my opposition on the further ground that it puts the soldier in these wars above the soldier of the Union Army, of the Army of 1812 and of the Revolution.

I think when I have said this much I have discussed the question candidly. I regret exceedingly to be called upon to oppose any measure of gratuity or relief to any soldier of the nation, and I certainly would not interpose an objection to this bill except from a sense of duty. But I believe there are times when the representatives of the people can at least afford to resist wrong, although it may be popular. To the bill in its present shape I enter my protest.

Having said this much I want gentlemen to understand that I will cheerfully unite with them in the passage of this measure if they will limit the provisions of the bill so as to grant this relief to men who need it. I want you to understand that, and I want to emphasize that declaration in your presence here this afternoon. I will give relief, with the exception stated, to every man who needs it. Ought we to go further? It is certainly no humiliation for an old soldier to say he is infirm or poor. Our Revolutionary heroes said this and it brought no shame.

Are you wanting to go further than I have proposed, gentlemen? Are you hoping to manufacture political capital by going further than that? Does any party desire to do that? Let us do what is just, let us do what is right to these men, and establish a precedent upon which the future representatives of the people will not fear to act when they come to consider the demands of the million and a half or two million survivors of the late unfortunate conflict.

The SPEAKER. The time of the gentleman from Indiana [Mr. BROWNE] has expired. The gentleman from Missouri [Mr. RICE] has four minutes of his time remaining.

Mr. RICE, of Missouri. I did not anticipate, Mr. Speaker, and I do not now propose, to enter into a discussion of the merits of this bill. The time for that discussion will come when we can enter upon it properly. The bill is not now before the House; only a proposition to fix a day for its consideration. I now yield to the gentleman from Alabama [Mr. HEWITT].

Mr. BELFORD. I ask the gentleman to yield to me for one minute.

Mr. RICE, of Missouri. I will yield first to the gentleman from Alabama, and then if I have time I will yield to the gentleman from Colorado [Mr. BELFORD].

Mr. HEWITT, of Alabama. The gentleman from Indiana [Mr. BROWNE] has asserted that pensions for the Revolutionary soldiers and the soldiers of the war of 1812 are confined to those in indigent circumstances.

Mr. BROWNE. Pardon me a moment. I stated that the original pension law for the Revolutionary soldier was passed because it was alleged that the money in which he was paid, the old continental money,

had perished, had ceased to have any value. In the second place, I assert that the pension law for the Revolutionary soldiers was grounded on the poverty basis.

Mr. HEWITT, of Alabama. It is true that when the act of 1818 was first passed, thirty-five years after the close of the Revolutionary War, and not fifty years, as the gentleman from Indiana asserted, there was a property limitation. But in 1832 the Northern States, represented by such men in the Senate as Mr. Frelinghuysen, of New Jersey, made war upon that provision and Congress was forced to wipe it out. I desire that the Clerk will read an extract I have marked from the speech of Senator Frelinghuysen, of New Jersey, on this subject, made in the Senate of the United States in 1832.

The Clerk read as follows:

But there were two defects in the system even as thus liberalized. In the first place, it enacted the humiliating confession of absolute poverty, it required of the aged veteran that he should publicly, in the presence of the sons by the side of whose fathers he had fought and suffered, expose the wretchedness of his condition; that he should produce the proof of his pauperism and swear to it himself. I have seen these worthies in our public courts of justice exhibit an inventory of their poverty down to the items of cups and saucers. I have felt humbled for my country. Sir, a noble spirit would sometimes exclaim: "I would die in want first." If my country exacts such ignoble conditions let her withhold the miserable pittance. And who, sir, of this Senate does not honor this sentiment? It has been honored and vindicated by the manly feelings of this great community. Public opinion would no longer brook such terms of national honor and gratitude, and by the concurring indications of Legislatures and people we are invoked to release these hard conditions; and should a few partake of a favor that do not need it, better so than that even one deserving relic of times so dearly cherished should go down to the dust neglected and forgotten.

The SPEAKER. The time for debate on the pending resolution has been exhausted. The question is upon agreeing to the resolution which has been read.

The question was taken upon a *viva voce* vote, but before the result was declared,

Mr. ATHERTON, Mr. RAY, and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 157, nays 62, not voting 71; as follows:

YEAS—157.

Aiken,	Curtin,	Knott,	Richardson, J. S.
Armfield,	Cutts,	Ladd,	Ritchie,
Atherton,	Davidson,	Latham,	Robinson, Jas. S.
Atkins,	Davis, George R.	Leedom,	Rosecrans,
Barbour,	Davis, Lowndes H.	Le Fevre,	Scranton,
Beach,	Deering,	Lewis,	Shultz,
Belford,	De Motte,	Lynch,	Simonton,
Belmont,	Dezendorf,	Mackey,	Singleton, Otho R.
Berry,	Dibrell,	Manning,	Smalls,
Bisbee,	Dowd,	Marsh,	Smith, Dietrich C.
Blackburn,	Dunn,	Matson,	Sparks,
Blanchard,	Ellis,	McClure,	Speer,
Bland,	Ermentrout,	McCold,	Springer,
Bliss,	Evins,	McCook,	Steele,
Blount,	Flower,	McKenzie,	Stockslager,
Brumm,	Ford,	McKinley,	Stone,
Buchanan,	Forney,	McLean, Jas. H.	Thomas,
Buckner,	Fulkerson,	McMillin,	Thompson, P. B.
Burrows, Jos. H.	Garrison,	Miller,	Townsend, Amos
Butterworth,	Geddes,	Mills,	Townshend, R. W.
Cabell,	George,	Money,	Tucker,
Caldwell,	Gunter,	Moore,	Turner, Henry G.
Calkins,	Hardenbergh,	Morey,	Turner, Oscar
Cannon,	Hardy,	Morse,	Updegraff,
Carlisle,	Harmer,	Muldrow,	Vance,
Cassidy,	Haseltine,	Mutchler,	Walker,
Chapman,	Haskell,	Nolan,	Warner,
Clardy,	Hatch,	Oates,	Webber,
Clark,	Herbert,	Page,	Wellborn,
Clements,	Hewitt, G. W.	Payson,	Wheeler,
Cobb,	Hitt,	Peelle,	White,
Colerick,	Hoblitzell,	Peirce,	Whitthorne,
Converse,	Holman,	Pettibone,	Williams, Thomas
Cook,	House,	Phelps,	Willis,
Covington,	Hubbs,	Phister,	Wilson,
Cox, Samuel S.	Humphrey,	Prescott,	Wise, George D.
Cox, William R.	Jones, Geo. W.	Randall,	Wise, Morgan R.
Cravens,	Jorgensen,	Reagan,	
Culberson,	Kasson,	Rice, John B.	
Cullen,	Klotz,	Rice, Theron M.	

NAYS—62.

Anderson,	Dingley,	Kelley,	Sherwin,
Barr,	Dwight,	Miles,	Skinner,
Bayne,	Errett,	Norcross,	Smith, A. Herr
Bowman,	Farwell, Sewell S.	O'Neill,	Thompson, Wm. G.
Bragg,	Fisher,	Parker,	Tyler,
Brewer,	Godshalk,	Pound,	Valentine,
Briggs,	Hall,	Ranney,	Van Aernam,
Browne,	Harris, Benj. W.	Ray,	Van Voorhis,
Buck,	Hazelton,	Reed,	Wadsworth,
Burrows, Julius C.	Heilman,	Rice, Wm. W.	Wait,
Candler,	Hill,	Rich,	Ward,
Carpenter,	Hiscock,	Robinson, Geo. D.	West,
Caswell,	Horr,	Russell,	Williams, Chas. G.
Chace,	Jacobs,	Ryan,	Willits.
Crapo,	Jadwin,	Scoville,	
Dawes,	Joyce,	Shallenberger,	

NOT VOTING—71.

Aldrich,	Crowley,	Gibson,	Hepburn,
Beltzhoover,	Darrall,	Grout,	Herndon,
Bingham,	Deuster,	Guenther,	Hewitt, Abram S.
Black,	Dugro,	Hammond, John	Hoge,
Camp,	Dunnell,	Hammond, N. J.	Hooker,
Campbell,	Farwell, Chas. B.	Harris, Henry S.	Houk,
Cornell,	Frost,	Henderson,	Hubbell,
Hutchins,	McLane, Robt. M.	Robeson,	Talbott,
Jones, James K.	Morrison,	Robinson, Wm. E.	Taylor,
Jones, Phineas	Mosgrove,	Ross,	Upson,
Kenna,	Moulton,	Scales,	Urner,
Ketcham,	Murch,	Shackelford,	Van Horn,
King,	Neal,	Shelley,	Washburn,
Lacey,	Pacheco,	Singleton, J. W.	Watson,
Lindsey,	Paul,	Smith, J. Hyatt,	Wood, Benjamin
Lord,	Reese,	Spaulding,	Wood, Walter A.
Martin,	Richardson, D. P.	Spooner,	Young.
Mason,	Robertson,	Strait,	

So the motion of Mr. RICE, of Missouri, to suspend the rules was agreed to.

During the roll-call the following announcements were made:

Mr. ROBINSON, of New York. I am paired with the gentleman from Minnesota [Mr. STRAIT]. Not knowing how he would vote if present, I have voted "ay;" but I desire now to withdraw my vote.

Mr. UPSON. I have voted "ay;" but as I am paired with the gentleman from Illinois [Mr. ALDRICH], I withdraw my vote.

Mr. RICHARDSON, of South Carolina. I am paired with the gentleman from New York [Mr. RICHARDSON]; but having been assured that he was present in the House to-day, I have voted "ay."

The SPEAKER. Does the gentleman desire to withdraw his vote?

Mr. RICHARDSON, of South Carolina. No, sir.

The following pairs were announced from the Clerk's desk:

Mr. CORNELL with Mr. BLACK.

Mr. SPAULDING with Mr. JONES of Arkansas.

Mr. RICHARDSON, of New York, with Mr. BELTZHOOVER.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. URNER with Mr. MCLANE of Maryland.

Mr. MASON with Mr. KENNA.

Mr. DARRALL with Mr. TALBOTT.

Mr. WASHBURN with Mr. REAGAN.

Mr. HOUK with Mr. ROSS.

Mr. SMITH, of New York, with Mr. HUTCHINS.

Mr. HAMMOND, of New York, with Mr. HEWITT, of New York.

Mr. STRAIT with Mr. ROBINSON of New York.

Mr. ALDRICH with Mr. UPSON.

Mr. LACEY with Mr. SCALES.

Mr. GUENTHER with Mr. DEUSTER.

Mr. ROBESON with Mr. HAMMOND of Georgia.

Mr. FARWELL, of Illinois, with Mr. SHACKELFORD.

Mr. CAMP with Mr. KING.

Mr. JONES, of New Jersey, with Mr. DUGRO.

Mr. HENDERSON with Mr. BENJAMIN WOOD.

The result of the vote was announced as above stated.

ORDER OF BUSINESS.

The SPEAKER *pro tempore* (Mr. BUTTERWORTH). The gentleman from North Carolina [Mr. VANCE] advises the Chair that he was momentarily out of his seat when the Committee on Patents was called, and that he had been directed by the committee to move the passage of a bill. The Chair can only go back in the call by unanimous consent.

Mr. WISE, of Virginia. I object.

Mr. VANCE. This bill will take only a few moments. [Cries of "Regular order!"]

WILLIAM B. ISAACS & CO.

The Committee on War Claims being called,

Mr. WISE, of Virginia, said: I am instructed by the Committee on War Claims to move a suspension of the rules for the passage of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. R. 238) for the relief of William B. Isaacs & Co.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the petition and claim of William B. Isaacs & Co. for certain assets claimed to belong to them, as successors in interest of certain banks of Virginia described therein, with the accompanying papers now on file in the House of Representatives, be referred to the Court of Claims for adjudication; that wherever papers or affidavits are made or executed by persons deceased not interested in the cause they shall be considered as evidence by the court and given such weight as they may deserve, but wherever the affidavits are of living persons the evidence shall be taken in the usual way, subject to cross-examination on behalf of the United States; that the court shall fully adjudicate upon the rights of the parties and the ownership of the property described in the petition, and render such judgment as to justice may obtain, upon finding the fact of ownership or right, either in the petitioners or in the United States, or any other persons, to said property. The said petitioners shall not be barred of relief in the said court by reason of any act of limitations; nor shall said petitioners be bound to make any oath or proof in said court except touching the right and justice of their claim. From any judgment rendered by the said court either party may, within ninety days from the rendition of such judgment, appeal to the Supreme Court of the United States in the manner provided by law in other cases of appeal from the Court of Claims.

Mr. CONVERSE. I demand a second.

The SPEAKER. If there be no objection——

Mr. VALENTINE and Mr. BRAGG objected.

Mr. CONVERSE. My only object in demanding a second is to have some explanation of this bill.

The SPEAKER appointed as tellers Mr. CONVERSE, and Mr. WISE of Virginia.

The House divided; and the tellers reported—ayes 107, noes 41.

So the motion to suspend the rules was seconded.

Mr. WISE, of Virginia. Mr. Speaker, on the 2d of April, 1865, at the evacuation of the city of Richmond, certain bank officers started from that city with certain gold coin and bullion belonging to the Virginia banks. They went to the town of Washington, in the State of Georgia, and there remained until about the 24th of May, 1865. On that day, with a safe-conduct and permit from General Patrick, they started on their return to Richmond with the coin belonging to these Virginia banks. On the night of that day they were robbed of one-half of their treasure. The bank officers, or a portion of them, went to Richmond with what remained after this robbery, leaving a portion of the bank officers in Georgia to recover the stolen funds.

On the night of the following day, that is, the day following the 24th of May, 1865, they recovered nearly $100,000, and returned to Washington, Georgia, with the money so recovered. They remained there till about the 1st of August, and then removed to Savannah under a permit from the major-general commanding there. This treasure was kept in the Bank of Savannah, under the charge of the officers from Virginia, until about the last of August, when an order was given by the then President of the United States requiring that this treasure should be removed to Washington and placed in the Treasury of the United States on deposit. And that was done. Immediately after it reached the Treasury, upon a petition signed by the officers of the banks, the President ordered an investigation, under the direction of the then Attorney-General. And that investigation was had.

It was unanimously agreed by the President, the then Secretary of the Treasury, and the then Attorney-General, after the fullest investigation, that that money was rightfully the property of the Virginia banks. The President then gave an order that it should be returned to its rightful owners, but before the execution of that order a joint resolution was offered in the House of Representatives that it should be covered into the Treasury of the United States. In that joint resolution there was a clause providing that these claimants should have the right to go before the Court of Claims and there establish their claim. That clause was stricken out of the joint resolution in the House of Representatives, for what reason I do not know, but when it went to the Senate it was generally agreed by the Senators, as members will ascertain by reference to the Congressional Globe of the Fortieth Congress, that these claimants should have the right to establish their ownership before the Court of Claims. And in that debate the only question which was raised was as to whether they could make their claim in the Court of Claims under the general law, or whether it was necessary to pass a special act for the purpose.

Mr. HOLMAN. Will the gentleman let me ask him a question in this connection?

Mr. WISE, of Virginia. I would rather you would wait till I get through with my statement.

In that discussion Hon. Reverdy Johnson, then Senator from Maryland, maintained that this case came within the general jurisdiction of the Court of Claims, and Mr. EDMUNDS, Mr. SHERMAN, and other Senators maintained that a special act was necessary. But all agreed, and especially Mr. EDMUNDS, the Senator from Vermont, that it was right to give these claimants a day in court. And he offered an amendment to the joint resolution to that effect. But at the instance of Mr. Williams, of Oregon, the amendment was withdrawn with the express declaration from Mr. Williams that at some future day, when they had more time for consideration, justice should be done to these Virginia claimants.

In this connection I beg to call attention to the following extracts from the debate in the Senate when the joint resolution (H. R. 10) to provide for the payment of this coin and bullion into the Treasury was under consideration:

Mr. SHERMAN. The House of Representatives, however, has undertaken to decide the controversy against the banks. The President undertook to decide it in favor of the banks. It seems to me that neither is right. The money ought to remain as it is—on deposit in the Treasury—and these banks ought to be authorized to commence a suit in the Court of Claims to establish their right. By the statements made by the Committee on Retrenchment—I have read the report—I have no doubt that it was the property of the Confederate States, and is, therefore, now rightfully the property of the United States; but possibly that report may only contain the statement of one side of the question. If that report contains all the facts of the case I should decide in favor of the United States; but it seems to me the question ought to be settled by some competent tribunal. The Court of Claims is the proper one in such case.

Mr. EDMUNDS. I wish merely to say that the Senator from Ohio is mistaken in supposing that the House of Representatives has undertaken to decide this case against the bonds. It has simply provided, as I understand, that this money shall go into the Treasury. Then any claimant of money that is in the Treasury, like any other claimant against the Government, of course will prosecute his claim in the Court of Claims.

At first Mr. EDMUNDS inclined to the opinion that the Court of Claims had jurisdiction of a case like this, but afterward said that he was in doubt whether that court could entertain jurisdiction of this claim without special authority, and declared in favor of giving it, and Mr. SHERMAN also, as appears from the following:

Mr. SHERMAN. I move to amend the resolution by adding to it a provision that the parties in interest shall have leave to prosecute their claim in the Court of Claims, or any words that will effect that purpose.

Mr. EDMUNDS. I have drawn an amendment which will perhaps cover it:

"And any party claiming said money and bullion may file a petition to be allowed and paid the same in the Court of Claims; and said court upon proceedings as in other cases shall hear and determine such petition."

The statements contained in the report of the Committee on Retrenchment referred to by Mr. SHERMAN are not correct, and that report does present only one side of the question.

Now, sir, for nearly twenty years this sum, aggregating nearly a hundred thousand dollars, has remained in the Treasury, and these people simply ask the justice to be heard before the courts of this country. It was taken from their custody after the war. It was their treasure, but taken upon suspicion, after it had been stolen and recovered, that it was the property of the Confederate States.

I repeat, Mr. Speaker, that the testimony in reference to this case was taken under the eye of a representative of the Government in the person of the Attorney-General, and the President, Secretary of the Treasury, and Attorney-General united in reporting this treasure as belonging to these claimants. And now, after nearly eighteen years they ask only the poor privilege of going before one of the courts to establish their ownership.

It seems to me, Mr. Speaker, it is asking but little and that the members of this House can not refuse this slow justice. I will now answer the question of the gentleman from Indiana.

Mr. HOLMAN. The question I wish to ask the gentleman from Virginia is this. I had no opportunity of hearing this claim discussed. The statement contained in the report is that on the 2d of April, 1865, Captain Strother left Richmond with this sum of $246,000 in his charge, in company with officers of said banks, who had in their charge about $280,000 belonging to said banks. The whole fund was transported in the same railway car, but was so marked that each portion was distinguishable from the other, each party remaining and being in charge and control of its own treasure. It was thus carried to Danville, and thence on south. At Danville on the 8th of April, 1865, Captain Strother agreed with the bank officers that in the event of his being cut off from General Lee's army he would restore to them the remainder of the fund in his hands to be credited on the bonds of the State which the banks held.

Now, was not this money loaned by the banks to the confederate government?

Mr. WISE, of Virginia. Not the money which was taken and covered into the Treasury by the joint resolution. It is true that the banks prior to the evacuation of Richmond had made a loan or agreed to make it to the confederacy; but that loan was never consummated. It was not the money of the confederate government at all. And that is the very question which it is proposed in this joint resolution to have adjudicated by the Court of Claims.

Mr. HOLMAN. If it was not money loaned by the bank to the confederate government and restored before the expiration of the time for which the loan was made, why is this statement in the report made?

The object of the loan having failed—

I read now from the report in reference to this case:

The object of the loan having failed it was proper to return the money, and it is clear that it was competent for Strother to repay it, acting as he did under the orders of the confederate secretary of war, to whom the money was paid and under whose charge it was exclusively placed by the express terms of the loan.

Now, this passage refers, does it not, to the money that the gentleman claims belongs to these banks and which was covered into the Treasury by the joint resolution.

Mr. WISE, of Virginia. I will state to my friend from Indiana in substance the facts again. If I had time to have the whole report read it would show exactly the basis of the transaction and the action under the joint resolution taken by the Government; also the measure of relief sought to be obtained. I will state to him that the report shows that these parties, when they went before the President and Secretary of the Treasury with an application or demand for this money, made not only a full statement in regard to that fund but made a statement in reference to their whole transactions with the confederate government from beginning to end, fortified by the necessary proofs, and demonstrated that this fund was never under the control of the confederate government.

Mr. WILSON. Who was the President at that time?

Mr. WISE, of Virginia. Mr. Andrew Johnson.

Mr. CALKINS. May I ask the gentleman a question?

Mr. WISE, of Virginia. Certainly.

Mr. BRAGG. Was not Mr. Memminger treasurer of the confederacy, or was Mr. Trenholm; and did the confederate treasurer have anything to do with it? Let me ask the gentleman, was not an arrangement made between these banks and the treasury department of the Confederate States that the banks were to make a loan of money to the confederacy, and was not that arrangement partly carried out by the delivery to Captain Strother of a part of the money, he representing the war department? And then about the time that the money was turned over was it not claimed on the part of the banks that there was some defect in the arrangement between the secretary of the treasury and the banks by which the loan became, not exactly illegal, but the contract to make it was considered inchoate, and thereafter, so soon as the Yankee troops came near enough to show that it was dangerous to have the money in that condition, did not the money go back to the banks?

Mr. WISE, of Virginia. I will say to the gentleman from Wisconsin in answer to his question that there was no danger whatever, to use his own expression, of "Yankee troops" at that time.

Mr. BRAGG. We are not ashamed of that term.

Mr. WISE, of Virginia. I now yield to the gentleman from Indiana for a question.

Mr. REAGAN. Let me say first that Mr. Memminger was not then secretary of the treasury.

Mr. WISE, of Virginia. No, sir; he had nothing to do with it.

Mr. REAGAN. I was acting in the capacity of secretary of the treasury and there was no such arrangement with the confederate authorities at that time as the gentleman from Wisconsin refers to.

Mr. WISE, of Virginia. And I would like to add here, Mr. Speaker, in this connection, that it is true as stated by the gentleman from Wisconsin that there was a partial loan to the Confederate States. But this money, to which that joint resolution alludes—the money which was taken from these bank officers—it can be proved, and has been proved by the evidence in this case, was not the money that was ever proposed to be loaned to the confederate government.

Mr. WILSON. What is the object that the gentleman from Virginia has in view?

Mr. WISE, of Virginia. Simply to allow these parties to go before the Court of Claims where the matter can be investigated judicially upon legal evidence, and the fact of the ownership of the money established. They only ask an opportunity for a legal hearing.

Mr. WILSON. That is all right. They ought to have it.

Mr. CALKINS. I desire to ask the gentleman from Virginia whether there was not an investigation by the House and a report made with reference to this subject by the Judiciary Committee during the Forty-sixth Congress?

Mr. WISE, of Virginia. Yes, sir; and in favor of it.

Mr. CALKINS. Was there a minority report?

Mr. WISE, of Virginia. No, sir; there was never a minority report.

The SPEAKER. The time of the gentleman from Virginia has expired. The gentleman from Ohio [Mr. CONVERSE] is recognized to control the time in opposition.

Mr. CONVERSE. I yield five minutes to the gentleman from Indiana.

Mr. HOLMAN. I think, Mr. Speaker, the real question here is whether or not this money was borrowed from the banks by the confederate government, or by the State of Virginia, or by the confederate government with the State of Virginia as surety for the return of the money; and whether after the object of the loan, which was to pay the troops of the confederacy, had been defeated by reason of the collapse of the rebellion, the money was not taken from the confederate treasury to be returned prior to the time it became due to the banks. For the purpose of presenting the real points at issue, I ask that the Clerk read the portion of the report which I have marked. I think it will be found to involve the real question presented here.

The Clerk read as follows:

But assuming that the whole of the money delivered to Strother was properly paid to him, still it would seem that the coin at the time it was seized by the United States Government had become and was the private property of the banks. The money was loaned by the banks to the State of Virginia to be applied exclusively to the subsistence of the army of Northern Virginia. The loan was made under circumstances almost amounting to duress. It was stipulated that it was not to be paid over to the confederate government nor into the confederate treasury, but directly to the secretary of war or general-in-chief of the confederate army, as the governor of Virginia might deem most expedient. It was never in the possession of the confederate treasury department, nor under the control of the officers of that department; but the warrants for the money, for which warrants were issued at all, namely, for the $159,000, were made payable to the confederate secretary of war, and the money was paid over to Captain Strother by his direction.

When Captain Strother and the bank officers, who were traveling together, reached Danville on April 8, 1865, perceiving that they would probably be cut off from General Lee's army, and thereby the object for which the loan had been made would be defeated, it was agreed between them that in that event Strother would pay over to them the coin remaining in his hands; and when this anticipation had become a certainty, on the 21st of April, 1865, at Washington, Georgia, General Lee's army having surrendered, and the object for which the loan had been made, and to which it could alone be properly applied, having failed, Strother carried out the executory agreement he had previously made at Danville, and paid over to the officers of the banks the money remaining in his hands, which action was ratified by an order of the confederate secretary of war, which had been issued before he made the payment but was not received by him until afterward.

The object of the loan having failed, it was proper to return the money, and it is clear that it was competent for Strother to repay it, acting as he did under the orders of the confederate secretary of war, to whom the money was paid, and under whose charge it was exclusively placed by the express terms of the loan—he being constituted really a trustee of the money—and it was competent to return it to the banks, they being the creditors ultimately entitled to receive it; the substance of the transaction, under the terms of the loan, being that the banks were the creditors, the confederate secretary of war the principal debtor, and the State of Virginia the surety, and the banks being entitled to the benefit of any indemnity given by the Confederate States which the act of March 14, 1865, provided should be taken, and which the Confederate States were under an obligation to furnish, though they never actually furnished it.

Mr. WISE, of Virginia. Will the gentleman from Indiana allow me——

Mr. HOLMAN. I do not yield at this moment. If I understand that statement correctly it amounts to this: Strother was quartermaster-general. This money was borrowed by the confederate government, with the State of Virginia as surety, and money was placed under the control of the confederate secretary of war for the purpose of paying certain confederate troops. Immediately after this loan was made this movement was made southward, as indicated by this statement; a collapse of the confederacy began to be manifest.

Now, before the money became due to the bank, and when it could not be applied to the purpose for which it was loaned to the confederacy with the indorsement of the State of Virginia, inasmuch as it could not be applied to that purpose before it became due, the money is returned to the officers of this bank, who were with Strother and his associates in their movements with this money to pay these troops. Is not that the substance of the case as here presented?

Mr. WISE, of Virginia. I ask the gentleman from Indiana for the privilege of having read, to sustain the statement I have made that a portion at least of the fund which is in controversy——

Mr. HOLMAN. I can only yield for a question.

[Here the hammer fell.]

Mr. CONVERSE. I yield the gentleman from Indiana a few moments more.

Mr. WISE, of Virginia. The gentleman has misrepresented the case by having read a portion of this report, which does not apply to the fund in question.

The SPEAKER. The gentleman from Indiana is entitled to the floor.

Mr. WISE, of Virginia. I ask the gentleman from Indiana to permit me——

The SPEAKER. Does the gentleman from Indiana yield?

Mr. HOLMAN. If the gentleman from Ohio [Mr. CONVERSE] thinks proper to yield I have no objection. I have the floor only by his courtesy.

Mr. CONVERSE. I have agreed to yield time to the gentleman from Maine.

Mr. HOLMAN. If that portion of the report which was read does not present the facts as to this fund, but refers to some other fund, will the gentleman from Virginia explain why some other fund is being discussed so minutely when the real fund is entirely different?

Mr. WISE, of Virginia. The report sets out the whole transaction with regard to all bullion taken by the Virginia banks to Georgia, but a subsequent part of this report shows that of the money recovered from the robbers a portion at least was never in the hands of Strother. And it is established by clear proof——

The SPEAKER. Does the gentleman from Indiana yield the floor?

Mr. HOLMAN. My time has expired and I return the floor to the gentleman from Ohio [Mr. CONVERSE].

Mr. CONVERSE. I yield to the gentleman from Maine [Mr. REED] the balance of my time.

The SPEAKER. The gentleman from Maine is recognized for eight minutes.

Mr. REED. I desire to preface what I want to read by a single word of my own. It will be noticed this bill is somewhat peculiar in its character. It provides that affidavits which have never been subjected to cross-examination shall be used as evidence in the case. In addition to that here is this very singular passage in the bill:

The said petitioners shall not be barred of relief in said court by reason of any act of limitation; nor shall said petitioners be bound to make any oath or proof in said court except touching the right and justice of their claim.

In every other claim similarly situated loyalty has had to be proved. Whether that ingenious form of words is intended to avoid that or not I do not know. But probably it would be construed to avoid it.

Now, there would seem to be a very decided objection to such a provision in a case as suspicious as this is upon the report of the gentleman from Virginia himself. If the proof of loyalty is to be avoided in such a case as that there is no reason on earth why we should not go back and take up the whole series of Southern claims whereof I had supposed this country had got forever rid by the consent of all parties in interest on either side of the question. I should be sorry for one if we should by any haphazard accident, such as the passage of a bill under suspension of the rules, open up that question again. This country is tired and sick of it. Our people believe that losses of the war of this character, after the lapse of nearly twenty years, should rest where they fell. The Republican party, this side of the House, has been of that opinion for a long time; and for the last two years I had indulged the consolatory hope that the other side were like-minded. And I hope this vote may prove such to be the fact. Now I desire to send to the Clerk's desk to be read——

Mr. WISE, of Virginia. Will the gentleman from Maine allow me to ask him a question?

Mr. REED. Certainly.

Mr. WISE, of Virginia. Under the statute as to captured and abandoned property has the proof of loyalty ever been required?

Mr. REED. I will not undertake to answer that question positively at this moment——

Mr. WISE, of Virginia. I will undertake to say never.

Mr. REED. I think the act itself provides for it.

Mr. WISE, of Virginia. No, sir.

Mr. REED. And the only difficulty about it has been this, that there has been a decision of the Supreme Court that a pardon rehabilitates the man, and that if it could be got at now and the statute of limitations were removed loyalty might not have to be proved; but the statute of limitations is dead against it and has ended it, and the struggle, for the last two years at least, to remove the statute of limitations seems to have ceased.

Here is a part of the report presented to the House March 15, 1867:

There can be no dispute that the banks loaned the State of Virginia $300,000 in coin expressly to be advanced to the rebel government. The banks received State bonds as security, and the State received a confederate order for 2,000,000 pounds of cotton in payment. The contract was complete in law. From that moment the coin became forfeited to the United States Government.

Before the 21st of April, to wit, on the 9th, Lee had surrendered. On the 18th Johnson had commenced negotiating for surrender; the chief of the Confederacy was disguised and in flight; the headquarters of the rebellion, with all its hopes and treasures, were in an army wagon hastening to get beyond the Mississippi. It is idle to pretend that Captain Strother had the shadow of right to act as administrator of the effects of the dead confederacy and defraud this Government of its legal spoils of war. After the surrender of Lee all the property of the confederacy by that act passed to the control of the United States Government.

Strother had no more right to give to the Richmond banks $223,929 than he had to give them 223,000 muskets had they been in his possession. It was a fraud upon this Government. The agents of the banks were *participes criminis*, and the banks should not receive any benefit therefrom, no matter what became of the property afterward. It was a conversion for the full amount at the time they took it.

The coin taken from Strother, with their own, was safely deposited in Washington, Georgia, by the banks' agents. They had no right to attempt its removal to Richmond, and therefore became liable to the Government for the amount, no matter how lost.

Mr. BEACH. From what is the gentleman reading?

Mr. REED. From a report read to the House of Representatives, March 15, 1867, at the time the joint resolution complained of passed the House, and it passed the Senate afterward.

Mr. WILLITS. In two days.

Mr. REED. Passed the Senate in two days afterward.

Mr. WISE, of Virginia. Allow me to say in reply to the statement of the gentleman in reference to the statute of limitations, that no statute of limitation could ever have run against people who have always from the beginning been denied the right to appear in court. And will the honorable gentleman also pardon me——

The SPEAKER. Does the gentleman yield?

Mr. REED. Yes, I yield; I have no objection to this line of argument.

Mr. WISE, of Virginia. Allow me to say that the evidence is clear to the effect that at least a portion of this fund was never in the possession of Captain Strother and never belonged to the Confederate States. The evidence is clear to that effect.

Mr. REED. Very well. The case now rests upon the report made by the gentleman from Virginia himself [Mr. WISE], who has just addressed the House, and the report which was made to the House in 1867. They seem to agree, and I think the conclusion which we come to ought to be unanimous.

Mr. REAGAN. Allow me to say to the gentleman from Maine [Mr. REED] that the fact has been referred to that the committee reported favorably on this claim in the Forty-sixth Congress, and I add that General Butler reported favorably on it in the Forty-fifth Congress.

The SPEAKER. The time for debate upon the pending motion to suspend the rules has expired.

Mr. HORR. I call for the yeas and nays upon the motion to suspend the rules and pass the bill.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 64, nays 128, not voting 98; as follows:

YEAS—64.

Aiken,	Cravens,	House,	Simonton,
Armfield,	Culberson,	Jorgensen,	Singleton, Otho R.
Atkins,	Davidson,	Knott,	Springer,
Bland,	Davis, Lowndes H.	Latham,	Stone,
Blount,	Dezendorf,	Leedom,	Thompson, P. B.
Buchanan,	Dibrell,	Manning,	Tucker,
Cabell,	Dowd,	McKenzie,	Turner, Henry G.
Caldwell,	Dunn,	McMillin,	Vance,
Chapman,	Ellis,	Money,	Warner,
Clardy,	Evins,	Muldrow,	Wellborn,
Clark,	Forney,	Mutchler,	Wheeler,
Clements,	Garrison,	Oates,	Whitthorne,
Cook,	Hardy,	Phister,	Williams, Thomas
Covington,	Hatch,	Reagan,	Willis,
Cox, Samuel S.	Hoblitzell,	Richardson, J. S.	Wilson,
Cox, William R.	Hoge,	Rosecrans,	Wise, George D.

NAYS—128.

Anderson,	Converse,	Hiscock,	Miller,
Atherton,	Crapo,	Hitt,	Mills,
Barr,	Cullen,	Holman,	Moore,
Bayne,	Cutts,	Horr,	Morey,
Beach,	Davis, George R.	Hubbs,	Neal,
Belford,	De Motte,	Humphrey,	Norcross,
Belmont,	Deuster,	Jones, Geo. W.	O'Neill,
Bingham,	Dingley,	Joyce,	Page,
Bisbee,	Dwight,	Lacey,	Parker,
Bragg,	Ermentrout,	Ladd,	Payson,
Brewer,	Fisher,	Le Fevre,	Peelle,
Briggs,	Geddes,	Lewis,	Peirce,
Browne,	Godshalk,	Lindsey,	Pettibone,
Brumm,	Grout,	Lord,	Phelps,
Burrows, Julius C.	Guenther,	Lynch,	Pound,
Calkins,	Gunter,	Mackey,	Prescott,
Campbell,	Hall,	Marsh,	Ranney,
Candler,	Harmer,	Matson,	Ray,
Cannon,	Harris, Benj. W.	McClure,	Reed,
Carpenter,	Haseltine,	McCoid,	Rice, John B.
Caswell,	Hazelton,	McCook,	Rice, Theron M.
Chace,	Heilman,	McLean, Jas. H.	Rice, Wm. W.
Cobb,	Hill,	Miles,	Rich,
Ritchie,	Skinner,	Thompson, Wm. G.	Wait,
Robinson, Geo. D.	Smalls,	Townsend, Amos	Walker,
Robinson, Jas. S.	Smith, A. Herr	Townshend, R. W.	Ward,
Ryan,	Smith, Dietrich C.	Tyler,	Watson,
Scoville,	Sparks,	Valentine,	Webber,
Scranton,	Spooner,	Van Aernam,	West,
Shallenberger,	Steele,	Van Horn,	White,
Sherwin,	Stockslager,	Van Voorhis,	Williams, Chas. G.
Shultz,	Thomas,	Wadsworth,	Willits.

NOT VOTING—98.

Aldrich,	Errett,	Jadwin,	Robeson,
Barbour,	Farwell, Chas. B.	Jones, James K.	Robinson, Wm. E.
Beltzhoover,	Farwell, Sewell S.	Jones Phineas	Ross,
Berry,	Flower,	Kasson,	Russell,
Black,	Ford,	Kelley,	Scales,
Blackburn,	Frost,	Kenna,	Shackelford,
Blanchard,	Fulkerson,	Ketcham,	Shelley,
Bliss,	George,	King,	Singleton, Jas. W.
Bowman,	Gibson,	Klotz,	Smith J. Hyatt
Buck,	Hammond, John	Martin,	Spaulding,
Buckner,	Hammond, N. J.	Mason,	Speer,
Burrows, Jos. H.	Hardenbergh,	McKinley,	Strait,
Butterworth,	Harris, Henry S.	McLane, Robt. M.	Talbott,
Camp,	Haskell,	Morrison,	Taylor,
Carlisle,	Henderson,	Morse,	Turner, Oscar
Cassidy,	Hepburn,	Mosgrove,	Updegraff,
Colerick,	Herbert,	Moulton,	Upson,
Cornell,	Herndon,	Murch,	Urner,
Crowley,	Hewitt, Abram S.	Nolan,	Washburn,
Curtin,	Hewitt, G. W.	Pacheco,	Wise, Morgan R.
Darrall,	Hooker,	Paul,	Wood, Benjamin
Dawes,	Houk,	Randall,	Wood, Walter A.
Deering,	Hubbell,	Reese,	Young.
Dugro,	Hutchins,	Richardson, D. P.	
Dunnell,	Jacobs,	Robertson,	

So (two-thirds not voting in favor thereof) the motion to suspend the rules was not agreed to.

The following additional pairs were announced:

Mr. YOUNG with Mr. RANDALL.

Mr. BOWMAN with Mr. SHELLEY.

Mr. WISE, of Virginia. I ask unanimous consent to print some additional remarks upon this subject.

There was no objection, and leave was granted accordingly. [See Appendix.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a bill (S. 2264) to authorize the erection of certain bridges and to establish them as post-roads, in which the concurrence of the House of Representatives was requested.

The message further announced that the Senate directed the Secretary to communicate to the House of Representatives the papers in relation to the claims of Julia A. Nutt, executrix of Haller Nutt, late of Natchez, Mississippi.

ORDER OF BUSINESS.

Mr. RYAN. I move that the House now adjourn.

Mr. MOORE. Before that motion is put, I ask leave to introduce a bill for reference.

There was no objection.

THOMAS T. STRATTON.

Mr. MOORE, by unanimous consent, introduced a bill (H. R. 7311) for the relief of Thomas T. Stratton, assignee of W. B. Waldran; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

JULIA A. NUTT.

The SPEAKER laid before the House papers in relation to the claim of Julia A. Nutt, widow and executrix of Haller Nutt, late of Natchez, Mississippi, transmitted to the House by the Senate; which was referred to the Committee on War Claims.

EDUCATION.

Mr. SHERWIN asked and obtained consent for the reprinting of report No. 1214 of the Committee on Education and Labor of the House of the first session of the present Congress on the subject of the bill relating to education, and which to-day was made a special order by the House.

CLERKS IN THE NAVY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, transmitting a list of the clerks in the Navy Department, in compliance with section 194 of the Revised Statutes; which was referred to the Committee on Expenditures in the Navy Department, and ordered to be printed.

COMPLETION OF IRONCLADS.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, transmitting an additional report from the naval advisory board as to the wisdom and expediency of completing the iron-clad steamers Monadnock, Puritan, Amphitrite, and Terror; which was referred to the Committee on Appropriations.

BANKRUPT LAW.

Mr. PEELLE. I ask unanimous consent to have printed in the RECORD resolutions which were adopted by the representative business men in the city of Indianapolis a few days ago, protesting against the

enactment of a bankrupt law. The resolutions are short and will not occupy more than a dozen lines in the RECORD, if that; and I ask that they may be printed in full in the RECORD.

There being no objection, the following resolutions were ordered to be printed in the RECORD, and referred to the Committee on the Judiciary:

Whereas there are now pending before the Senate and House of Representatives of the United States various bills providing for a general bankrupt law; and

Whereas all former laws of this character have in our opinion been failures, and detrimental rather than beneficial to the country at large; and

Whereas the business of the country is now in a prosperous condition, and we believe there is neither demand nor necessity existing for such law: Therefore,

Resolved, That we earnestly protest against the passage of any general bankrupt law by the Congress of the United States, intending to express by such protest our conviction that such laws are opposed to sound principles, injurious to the business interests of the country, and subversive of good morals.

Resolved, That our Senators and Representatives be furnished by the secretary with copies of the proceedings of this meeting, and requested to present the same to their respective bodies, and to use their best efforts to defeat the passage of the proposed measure.

WITHDRAWAL OF PAPERS.

Mr. DIBRELL, by unanimous consent, obtained leave to withdraw from the files of the House papers relating to the claim of Jasper L. Moyers, Cumberland County, Tennessee, for reference to the Quartermaster-General for settlement, there being no adverse report.

Mr. MOORE, by unanimous consent, obtained leave to withdraw, with accompanying papers, the bill (H. R. 2680) for the relief of Mrs. Sally Jarratt, executrix, for reference to the Quartermaster General.

The motion of Mr. RYAN was then agreed to; and accordingly (at 4 o'clock and 14 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By the SPEAKER: Resolutions adopted by the Bar Association of the State of Ohio, urging the passage of Senate bill commonly known as the Davis bill, now pending in the House of Representatives—to the Committee on the Judiciary.

By Mr. BLANCHARD: The resolutions of the New Orleans Auxiliary Sanitary Association, relative to the National Board of Health—to the Select Committee on the Public Health.

By Mr. BREWER: The petition of David E. Clark and others, ex-Union soldiers, praying that pensions may be granted to all soldiers and sailors of the late war who were confined in rebel prisons—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. BUCKNER: A bill to establish a post-route from Troy, Missouri, to Chain of Rocks—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTTERWORTH: The petition of Major Ely McClellan and 30 others, officers of the United States Army, for passage of a law retiring officers at 62 years of age—to the Committee on Military Affairs.

Also, the petition of the Underwriters' Association of Cincinnati, for passage of the Sherman substitute for House bill 5656—to the Committee on Ways and Means.

By Mr. CALKINS: The resolutions adopted at a meeting of business men of Indianapolis, Indiana, in relation to pending bankrupt bills—to the Committee on the Judiciary.

By Mr. CANNON: The petitions of Dr. W. M. Chambers and 147 others, of Charleston, Illinois, and V. B. Clifton and 37 others, of Cerro Gordo, Illinois, favoring the continuance of the immigrant inspection service—to the Committee on Appropriations.

By Mr. CLEMENTS: Papers relating to the claim of Joshua Sumner, of Georgia—to the Committee on War Claims.

Also, a bill to continue the improvement of Coosa River in Georgia and Alabama—to the Committee on Commerce.

By Mr. COLERICK: The petition of Charles F. Muhler and others, citizens of Fort Wayne, Indiana, for reduction of duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. CROWLEY: The petition of Laura Hosmer, for relief and pension—to the Committee on Pensions.

By Mr. CULLEN: The petition of Cigar-makers' Union of Ottawa, Illinois, relative to duty on imported cigars—to the Committee on Ways and Means.

By Mr. CURTIN: The petition of the subscribers to the stock of the centennial exposition, held in Philadelphia in 1876, for an appropriation to pay the deficit arising from the inadequacy of the receipts to pay expenses, with memorial of central board of finance—to the Committee on Appropriations.

By Mr. G. R. DAVIS: The petition of E. G. Culow and others, of Chicago, Illinois, praying that Congress will take immediate steps to exterminate the disease of pleuro-pneumonia in cattle in this country—to the Committee on Agriculture.

Also, the petition of the Chicago Law Institute, praying for passage of Senate bill to create a court of appeals—to the Committee on the Judiciary.

Also, the petition of F. H. Bools and 27 others, citizens of Chicago, Illinois, against increase of duty on tin-plate—to the Committee on Ways and Means.

By Mr. DEUSTER: The petition of Mathew O'Regan, for increase of pension—to the Committee on Invalid Pensions.

By Mr. DINGLEY: Memorial of the Woman's Christian Temperance Union of Maine, for national prohibition of the importation and sale of intoxicating liquors—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. ERMENTROUT: The petition of dealers in wines and spirits, urging the passage of the Sherman substitute for bill H. R. 5656—to the Committee on Ways and Means.

By Mr. FLOWER: The petition of John W. Kramer, relative to the duty on quinine—to the same committee.

By Mr. HARDY: The petition of W. R. Jaunivier and other workingmen of the city of New York, protesting against an increase of duty on tin-plate and sheet-iron—to the same committee.

By Mr. HORR: The petition of the Michigan Sportsmen's Association, for the enactment of a law for the preservation of game—to the Committee on the Judiciary.

By Mr. HOUK: The petition of Isaac Stennett, of Limestone County, Alabama, for relief—to the Committee on War Claims.

Also, the petition of W. C. Shelton, for relief—to the Committee on Claims.

By Mr. KASSON: The petition of the sanitary officers of Des Moines and of business men of Des Moines, Iowa, for an appropriation for the continuance of the immigrant inspection service under the National Board of Health—severally to the Committee on Appropriations.

By Mr. LORD: The petition of the Michigan board of health, for sanitary inspection of immigrants—to the Committee on the Public Health.

By Mr. McKINLEY: The petition of J. A. Long and 182 others, citizens of Akron, Ohio, relative to the duty on tin-plate—to the Committee on Ways and Means.

By Mr. J. H. McLEAN: The petition of citizens of Saint Louis, for the passage of Senate substitute for House bill No. 5656—to the same committee.

By Mr. MILLER: The petition of A. W. Williams, employé in the House folding-room, for relief—to the Committee on Accounts.

By Mr. MORSE: The petition of the Newburyport (Massachusetts) Marine Society, protesting against the transfer of the Life-Saving Service to the Navy Department—to the Committee on Commerce.

Also, the petition of the presidents of the several marine insurance companies of Boston, Massachusetts, for the establishment of a light-ship on the outside of Cape Hatteras—to the same committee.

By Mr. PAYSON: The petition of citizens of Kankakee, Illinois, for an appropriation for the immigrant inspection service—to the Committee on the Public Health.

By Mr. PEELLE: The petition of Mullancy & Hay, J. R. Ross & Co., and 10 others, wholesale liquor dealers of Indianapolis, Indiana, for passage of the Sherman substitute for bill H. R. 5656—to the Committee on Ways and Means.

By Mr. PETTIBONE: The petition of David A. Harrison, for relief—to the Committee on Claims.

By Mr. PHELPS: The petition of the president and other officers comprising the faculty of Yale College, with reference to the appointment of superintendent of the United States Naval Observatory, and asking that the new building for the observatory may be constructed under the direction of a commission of scientific men—to the Committee on Naval Affairs.

By Mr. PRESCOTT: Paper relating to the pension claims of Cynthia Shaw, widow of James B. Shaw, and of James Rodegan—severally to the Committee on Invalid Pensions.

Also, the petition of James Vorhees, relative to fees paid pension agents—to the same committee.

Also, the petition of Ann Brooks, widow of Anthony Brooks, for a pension—to the Committee on Pensions.

By Mr. D. P. RICHARDSON: The petition of George Davenport and others, of H. C. McKay and others, of W. F. Wormley and others, of William Edminister and others, of C. W. Gamper and others, and of George W. Lowell and others, of New York, relative to the tax on tobacco—to the Committee on Ways and Means.

By Mr. W. E. ROBINSON: Paper relating to the claim of James H. Conant—to the Committee on Claims.

Also, the petition of John Maxheimer and others, protesting against an increase of duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. SCRANTON: The petition of members of the bar of Montour County, Pennsylvania, for passage of bill to establish the northern judicial district of Pennsylvania—to the Committee on the Judiciary.

By Mr. SHALLENBERGER: The petition of William C. Ramsey, guardian of the minor children of Robert H. Ramsey, deceased, asking for a pension for said children—to the Committee on Invalid Pensions.

By Mr. SPARKS: The resolutions of the Law Institute of Chicago, Illinois, for passage of Senate bill creating a court of appeals—to the Committee on the Judiciary.

By Mr. STEELE: The petition of James McLean and Thomas H. Norton, for repayment of $3,200 required of and paid by them on account of entry of coal lands of the United States—to the Committee on Private Land Claims.

By Mr. WAIT: The petition of citizens of New London, Connecticut, relative to duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. WATSON: The petition of wine and spirit dealers of Pittsburgh, and of Philadelphia, Pennsylvania, for extension of bonded period on distilled spirits—severally to the same committee.

By Mr. WHEELER: A bill for the improvement of the Tennessee River at the Mussel Shoals—to the Committee on Commerce.

By Mr. C. G. WILLIAMS: The letter of the Secretary of State relative to the decoration of the third class of the Order of the Bust of the Liberator, which the Government of Venezuela conferred upon Hon. WM. M. SPRINGER, a member of the House of Representatives—to the Committee on Foreign Affairs.

By Mr. M. R. WISE: The petition of Blume & Co. and 75 others, relating to the report of the Tariff Commission—to the Committee on Ways and Means.

Also, the petition of C. H. Kimball and others, and of J. R. Smith and others, relative to the duty on tin-plate—severally to the same committee.

Also, the petition of John Gibson & Son and 50 others, and of A. Overholt & Co. and 50 others, urging the passage of the Sherman bill—severally to the same committee.

Also, the petition of John Armstrong, of Corry, Pennsylvania, for relief—to the Committee on Claims.

By Mr. YOUNG: The petition of The San Bernardino Borax Mining Company and others, of California and Nevada, relative to a tax upon crude borax, boracic acid, and borate of lime—to the Committee on Ways and Means.

Also, memorial of the New York board of trade and transportation line, in relation to the duty on tin-plate, bottles, leaf-tobacco, and cigars—to the same committee.

Also, the memorial of H. F. West, Brother & Co. and others, protesting against increase of duty on foreign pottery—to the same committee.

Also, the petition of Bloom & Co. and many other firms of New York, asking that no increase of duty shall be placed on imported chicory—to the same committee.

The following petitions for reduction of the duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. ALDRICH: Of Charles W. Merriam and 161 others, citizens of Chicago, Illinois.

By Mr. BEACH: Of J. P. Chase and 21 others, citizens of Orange County, New York, and John L. Crane and 33 others, of Rockland County, New York.

By Mr. BELMONT: Of Edward Oakes and 40 others, citizens of Stony Brook, Suffolk County, New York, and N. B. Rogers and 34 others, of Hampton, New York.

Also, of J. I. Baker and 57 others, citizens of Yaphauk, and of James Dobbin & Son and 80 others, of Port Richmond, New York.

By Mr. CALKINS: Of Jerry Blair and 21 others, of Plymouth, Indiana.

By Mr. CANNON: Of G. H. Terry and 43 others, of Humbolt, Illinois; R. D. McDonald and 82 others, of Danville, Illinois; S. D. Lloyd and 39 others, of Arcola, Illinois; and Charles H. Gones and 71 others, of Catlin, Illinois.

By Mr. CHACE: Of 2,771 citizens of the State of Rhode Island.

By Mr. COLERICK: Of E. E. Bolyard and 172 others, citizens of Monroeville, Indiana, and Herman Freygang and 78 others, citizens of Angola, Indiana.

By Mr. COVINGTON: Of Z. P. Wheaton and 75 others, citizens of Stockton, and Charles E. Harrison and 79 others, of Saint Michaels, Maryland.

By Mr. CROWLEY: Of citizens of the State of New York.

By Mr. CULLEN: Of L. B. Ketcham, G. D. Henning, and 200 others of Leland, Plano, and Seneca, Illinois.

By Mr. CURTIN: Of 231 citizens of Lewisburgh, Pennsylvania.

By Mr. DEERING: Of Gage & Ayres and 29 others, of Nora Springs, Iowa; J. C. Moore and 77 others, of Rockford, Iowa; and G. G. Pritchard and 20 others, of Belmont, Iowa.

By Mr. DE MOTTE: Of J. N. Mallon and 22 others, of Francesville, Indiana.

By Mr. DWIGHT: Of O. P. Hains and 45 others, of Nichols, New York.

By Mr. GEDDES: Of J. H. Fry, jr., and 63 others, citizens of Sulphur Springs, Ohio.

By Mr. GODSHALK: Of David Davis & Co. and 46 others, citizens of Lower Marion, Pennsylvania.

By Mr. GUENTHER: Of C. A. Smart and 21 others, of Wild Rose, Wisconsin.

By Mr. HEPBURN: Of Bell & Hall and 80 others, citizens of Council Bluffs, Iowa.

By Mr. HILL: Of 36 citizens of Parsippany, of 36 citizens of Milton, of 32 citizens of Madison, and of 28 citizens of Chatham, New Jersey.

By Mr. HORR: Of Adams, Barrow & Co. and others, citizens of Alma, and of Andrew Summerfield and others, citizens of East Saginaw and vicinity, Michigan.

By Mr. KETCHAM: Of Thomas Alexander & Co. and others, of Glenham, New York.

By Mr. MATSON: Of R. Snyder and 39 others, citizens of Columbus, and of George B. Moore and 79 others, of Ellettsville, Indiana.

By Mr. MCKINLEY: Of L. W. Raver and 17 others, citizens of Armstrong, Ohio; S. W. Lambright and 79 others, citizens of Canal, Fulton County, Ohio; George A. Vogleson and 79 others, citizens of Columbiana County, Ohio; J. E. Loud and 52 others, citizens of Navarre, Ohio.

By Mr. MOREY: Of J. E. Robinson and 69 others, of Springborough, Ohio.

By Mr. NEAL: Of H. T. Hall and 30 others, citizens of Wheelersburgh, Ohio.

By Mr. PARKER: Of Louis F. Simons and 77 citizens of Henvelton, New York.

By Mr. PEELLE: Of James C. Smith, John Carter, and 47 others, citizens of Fairland, Shelby County, Indiana.

By Mr. PRESCOTT: Of 2 citizens of Whitestown, 31 citizens of Rome, 33 citizens of Clayville, 96 citizens of Rome, 78 citizens of Utica, and 63 citizens of Forest Port, New York.

By Mr. RANNEY: Of Frederick A. Morrill and 3,025 others of Boston, Massachusetts.

By Mr. RAY: Of George Whittier and 50 others, of Everett; of William O. Folsom and 56 others, of Henniker; of William Butterfield and 29 others, of Windham; of Edwin Moorhouse and 77 others, of Tilton; of L. G. Warren and 35 others, of Lyme; of Prescott & Clark and 44 others, of Auburn; of Morrill & Merrill and 55 others, of Hillsborough; of William B. Little and 11 others, of Atkinson; of William P. Frost and 20 others, of Durham; of C. C. Gerrish & Co. and 8 others, of Berlin; of G. D. Tilton and 24 others, of Gazo; of O. J. Martin and 32 others, of Hinsdale; of Burus W. Pattee and 44 others, of Enfield; of E. S. Kimball and 70 others, of Woodsville; of G. G. Davis and 17 others, of Marlborough; of William Bailey and 19 others, of Claremont; of Norris C. Griffin and 26 others, of Thornton Ferry; of R. L. Smiley and 29 others, of North Sutton; of Pettee & Co. and 62 others, of Derry; of A. D. Hammond and 38 others, of Gilsum; of S. L. Fletcher and 63 others, of Charlestown; of Nathan Whittaker and 79 others, of North Conway; of Willard G. Jones and 45 others, of Rindge; of C. G. Matthews and 8 others, of Hancock; of Josiah Turner and 24 others, of Sunapee; of A. A. Beckwith and 14 others, of Drewsville; of H. B. Bullard and 18 others, of West Sutton; of George W. Marston and 12 others, of Newton; of E. L. Plummer and 29 others, of Laconia; of Arthur Tucker and 149 others, of Lake Village; of A. D. Greely and 10 others, of Pelham; of George W. Miner and 27 others, of Haverhill; of J. A. Carlton and 36 others, of Conway; of James Stearns and 29 others, of Wilmot; of David D. Webster and 68 others, of Meredith; of H. T. Alexander and 50 others, of Bristol; of George E. Prime and 36 others, of John Cashman and 13 others, of Frank P. Carpenter and 61 others, of Manchester; of N. F. Lund and 20 others and of Amos Blanchard and 30 others, of Concord; of Charles F. Ham and 77 others, of S. R. Leighton and 23 others, and of J. C. Hutchins and 56 others, of Dover; of R. Byrne and 43 others and of Frank P. Brown and 29 others, of Whitefield; of F. A. J. Smart and 35 others, of Effingham; of Jedidiah Rand and 77 others, of Rye; of John M. Fox and 36 others, of Mount Vernon; of James A. Foster and 44 others, of Nashua; of David T. Dale and 70 others, of Chester; of Willard Brothers and 69 others, of Orford; of D. E. Proctor and 46 others, of Wilton; of Alonzo H. Sawyer and 59 others, of Alton; of H. E. Frye and 74 others, of Portsmouth; of Levi Richardson and 57 others, of E. S. Gilchrist and 43 others, of Franklin; of Howard Locke and 16 others, of William Plummer and 38 others, of Great Falls; of William P. Ball and 5 others, of C. C. Leighton and 21 others, of Walpole, New Hampshire.

By Mr. D. P. RICHARDSON: Of William Ayer and 74 others, of Elmira, New York; R. C. Vose and 78 others, of Corning, New York; J. A. Bendy and 71 others, of Elmira, New York; S. Hopkins and 36 others, of Woodhull, New York; and E. M. Hathaway and 36 others, of Woodhull, New York.

By Mr. SHERWIN: Of 60 citizens of Marengo, Illinois.

By Mr. SPAULDING: Of E. B. Ward and 39 others, of Laingsburgh, Michigan.

By Mr. TAYLOR: Of Richards Brothers and 79 others, of Ashtabula, Ohio.

By Mr. WADSWORTH: Of 80 citizens of Livingston County, New York.

By Mr. WARD: Of J. W. Rennady and 39 others, of Kemblesville, Pennsylvania.

By Mr. WEBBER: Of F. D. Glazier and 56 others, of Whitehall, Michigan.

By Mr. WILSON: Of John T. Griffin and 150 others, citizens of Clarksburgh, West Virginia, and George Ross and 12 others, of Weston, West Virginia.

By Mr. G. D. WISE: Of C. H. Taylor and 33 others, of Ashland, Virginia.

By Mr. M. R. WISE: Of 78 citizens of Fayette City, and of 74 citizens of Livermore, Pennsylvania.

By Mr. YOUNG: Of William De Armond and 55 others, of Linnwood, Ohio; P. Moock and 59 others, of Reading, Ohio; and A. Merilees and 59 others, of Glendale, Ohio.

SENATE.

TUESDAY, *January* 16, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

NOTICES OF BUSINESS.

Mr. HOAR. Mr. President, I should like to be permitted to give notice at this time that as soon as the pending measure in the morning hour is out of the way I shall desire to call up the bankruptcy bill for action. That bill had the right of way and was recommitted for the convenience of the Senate to the Committee on the Judiciary after it had passed one stage, and was entitled to the right of way, as I claim, when the tariff bill was taken up; and therefore, in the morning hour, after the measure which comes over from yesterday is disposed of, I shall ask to take up that bill.

Mr. PLATT. I should like to give a notice. I do not, of course, desire to antagonize the bankruptcy bill; I am quite interested in having it considered; but there is a matter which it seems to me ought to be taken up next, and that is the bill to regulate the practice in patent suits. I believe there is a very great demand and necessity for the passage of some bill on that subject, and I must insist as soon as the pending matter, the Holladay claim, is out of the way that the Senate shall take up that bill.

Mr. HARRISON. I desire to support the suggestion of the Senator from Connecticut. I have had numerous communications from my own people in reference to that matter, and as a lawyer I have had observation of the practice under our present patent laws. I think there are abuses connected with their administration, affecting especially the West, to a degree which calls for immediate relief to a very large class of our people by some appropriate legislation. An almost endless number of patent suits are brought in the Federal jurisdiction in the West by which people are drawn two hundred miles from their homes to defend actions for damages for infringements of patents or the use of patented articles where the damages claimed and recovered will not amount to $10 in each case, and when the fees of the marshal of the United States for serving the writ of summons are on an average twenty-five or thirty dollars. The continuance of this sort of thing is actually bringing the Federal jurisdiction into disrepute, and I think there is an urgent demand for some appropriate legislation.

Mr. HOAR. I wish my friend, before he sits down, would permit me to say I am on the committee which helped to frame that bill, and have given a great deal of personal attention to it. I think the bill is right in principle and I believe will certainly almost wholly extirpate the evil of which the Senator and his constituents complain, while it does, I believe, no injustice to any honest and just right of the inventor. Being of that opinion I shall feel bound to co-operate in seeing that the bill is taken up at an early day and disposed of. I wish to say that the character of that bill is such that I am quite sure it will have no difficulty in promptly passing the Senate. I think I know enough of the opinion of the Senate to know that it will pass by nearly a general acquiescence. I hope, therefore, the Senator will not find it his duty to insist on that bill being used in antagonism to the bill which I have in special charge, which is partly under consideration.

I desire to say that if the bankruptcy bill shall be taken up, and if it shall turn out that it lasts more than two or three hours, so that the Senator feels the least uneasiness about the fate of the patent bill, I shall consent to lay the bankruptcy bill aside temporarily and take up his bill. I hope we shall not have any contest. Feeling an interest in both bills, I do not want to see them opposing each other.

Mr. HARRISON. In supporting the suggestion of the Senator from Connecticut, that the bill regulating patent suits should be taken up, I did not mean to commit myself to the bill in its present terms. The Senator from Massachusetts will recollect that the bill was reached in the regular call of the Calendar at the last session, and that I then proposed an amendment to the bill, and when that amendment was proposed objection was made to the further consideration of it by the Senator from Massachusetts.

Mr. HOAR. No.

Mr. HARRISON. It was the Senator from New Hampshire [Mr. BLAIR], perhaps.

Mr. HOAR. My impression is that the Senator's amendment, if I remember it aright, can be accepted, or at any rate an amendment going nearly as far as his does, to which he will probably assent, without the destruction of the value of the bill. I do not believe there is going to be any debate or any conflict of opinion about that bill, or about the Senator's proposed amendment, which is to increase the sum, I think.

Mr. HARRISON. That was one of the amendments I had prepared, to increase the sum to $50.

I want to say in reference to the bankruptcy bill that I do not agree with the Senator from Massachusetts that there is a present urgency for the consideration of that measure by the Senate. I do not believe there is a prospect of that measure becoming a law at this session. I think this other measure is fairly entitled, by reason of its importance and the interest felt in it, to precedence.

Mr. HOAR. I have no doubt we shall be able to make an arrangement in regard to it.

Mr. PLATT. May I be indulged in just one further suggestion?

The PRESIDENT *pro tempore*. The morning business is first in order.

Mr. PLATT. I am aware of that; but these are both important matters. I do not suppose any discussion here now will fix any definite order of business, but it seems to me it may help to facilitate the business. It occurs to me that if the Senator from Indiana and the Senator from Massachusetts were agreed that the bankruptcy bill might be taken up and then laid aside temporarily for the patent bill it would be well, for I agree with the Senator from Massachusetts that I do not think the latter will provoke a long discussion.

Mr. HOAR. We shall have no difficulty in making an arrangement.

Mr. BLAIR. It seems to be going by general consent that Senators are arranging the order of business in such a way that others by silence will be understood to be giving consent. It is well known, I suppose, that the educational bill was the unfinished business, and I do not wish it to be understood that I waive any right to move its consideration at any time.

Mr. HOAR. If my friend will pardon me, this notice of mine relates only to the unexpired portion of the morning hour. The educational bill has precedence for the latter part of the day, as it stands as the regular order.

Mr. BLAIR. I understand precisely what the Senator's suggestion related to. I do not know that any measure has precedence as to the unexpired portion of the morning hour any more than with reference to the unexpired portion of the time after 1 o'clock when the tariff bill is disposed of. The session is being gradually eaten away by this effort to force bills out of their order upon the Calendar into consideration in the morning hour. I do not wish, as the matter moves along, to waive any right which I may have to press the educational bill for early consideration, so that it shall not be pushed aside for the session by any measure whatever.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in compliance with section 229 of the Revised Statutes, a statement showing the contracts made by the War Department and its bureaus on behalf of the United States during the fiscal year ending June 30, 1882; which was referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS.

Mr. INGALLS. I present a petition numerously and reputably signed by citizens of Coffey County, Kansas, praying for an increase in the rate of pension now allowed to certain soldiers. I move its reference to the Committee on Pensions.

The motion was agreed to.

Mr. CAMERON, of Wisconsin. I present the petition of Mr. Foster Henshaw, of this city, claiming that his property has been greatly damaged by certain so-called local improvements, and praying that he be permitted to bring an action in the Court of Claims. I move the reference of the petition to the Committee on the District of Columbia.

The motion was agreed to.

Mr. CHILCOTT presented a memorial of the Board of Trade of Pueblo, Colorado, remonstrating against any reduction of the duty on lead; which was ordered to lie on the table.

Mr. LOGAN presented a memorial of jobbers and manufacturers of Chicago, Illinois, using tin-plate, remonstrating against any increase of duty on that article; which was ordered to lie on the table.

Mr. FARLEY presented a petition of the Trinidad and San José Silver Mining Company of California, praying for a certain amendment of the treaty between Mexico and the United States; which was referred to the Committee on Foreign Relations, and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. HARRISON. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 2190) for the relief of Marcus A. Reno, to submit an adverse report thereon and recommend its indefinite postponement. The bill was introduced by the Senator from Pennsylvania [Mr. CAMERON] by request.

The bill was postponed indefinitely, and the report was ordered to be printed.

Mr. PLUMB. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, to report it with amendments. I give notice now that to-morrow morning during the morning hour, immediately after the conclusion of the regular formal morning business, I shall ask for the consideration of the bill.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the petition of members of the Ottawa tribe of Indians praying that their lands be patented to them in severalty, reported a bill (S. 2369) to provide for the allotment of lands in severalty to the Ottawas of the Indian Territory, and for other purposes; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 2336) to accept and ratify an agreement made by the Pah-Ute Indians, and granting a right of way to the Carson and Colorado Railroad Company through the Walker River reservation in Nevada, reported it without amendment.

Mr. MAXEY. I am instructed by the Committee on Military Affairs, to which was referred the bill (S. 2211) for the relief of George S. P. Bradford, to submit an adverse report thereon and recommend that it do not pass. For the reasons stated in the report I ask that the bill be indefinitely postponed.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed, and the report will be printed.

Mr. WALKER, from the Committee on Indian Affairs, to whom was referred the bill (S. 2287) for the relief of E. C. Chirouse, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. GROVER, from the Committee on Military Affairs, to whom was referred the bill (S. 1711) making appropriations for military roads in the Territory of Idaho, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CAMERON, of Wisconsin, from the Committee on Indian Affairs, to whom was referred the bill (S. 2229) for the relief of Joseph H. Blazer, submitted an adverse report thereon, which was ordered to be printed; and the bill was postponed indefinitely.

Mr. LOGAN, from the Committee on Military Affairs, to whom was referred the bill (S. 2278) to authorize the sale of the Baton Rouge arsenal and grounds, reported it with an amendment.

Mr. INGALLS, from the Committee on Indian Affairs, to whom was referred the bill (S. 2236) for the relief of J. G. Fell, Edward Hoopes, and George Burnham, trustees of the Walnut Grove Gold Mining Company, submitted an adverse report thereon, which was ordered to be printed; and the bill was postponed indefinitely.

Mr. HILL, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 5661) to modify the postal money-order system, and for other purposes, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. HARRISON, from the Committee on Military affairs, to whom was referred the bill (H. R. 5653) for the relief of Kirk W. Noyes, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

WILLIAM R. DOWNING.

Mr. LOGAN. I ask leave to report from the Committee on Military Affairs the bill (S. 1340) for the relief of the heirs at law of William R. Downing, deceased. This bill was sent to the House and was there amended. The Committee on Military Affairs report in favor of concurring in the amendment of the House. I ask that it may be done now, so as to save a committee of conference.

The amendment of the House of Representatives was to strike out all after the word "dollars," in line 10, and insert:

As may be shown he is justly entitled to in the settlement of his accounts as assistant quartermaster of the United States, although the proper vouchers of the items of credit are not produced, if evidence is furnished that the said items in equity and justice ought to be credited.

The amendment was concurred in.

BILLS INTRODUCED.

Mr. ANTHONY asked and, by unanimous consent, obtained leave to introduce a bill (S. 2370) to amend section 3780 Revised Statutes; which was read twice by its title, and referred to the Committee on Printing.

Mr. ALLISON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2371) granting a pension to Emma A. Tuttle; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BECK asked and, by unanimous consent, obtained leave to introduce a bill (S. 2372) for the relief of John Finzer & Brothers; which was read twice by its title, and referred to the Committee on Finance.

Mr. MILLER, of New York, asked and, by unanimous consent, obtained leave to introduce a bill (S. 2373) to authorize the construction of a bridge across the Niagara River; which was read twice by its title, and referred to the Committee on Commerce.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2374) to authorize the construction and maintenance of a bridge across the Niagara River; which was read twice by its title, and referred to the Committee on Commerce.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2375) to authorize the construction and maintenance of a railway bridge across Niagara River; which was read twice by its title, and referred to the Committee on Commerce.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2376) to prevent the importation of adulterated teas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. CONGER asked and, by unanimous consent, obtained leave to introduce a bill (S. 2377) to authorize the stockholders of the First National Bank of Grand Rapids, Michigan, to amend the fifth article of the articles of association of the said bank; which was read twice by its title, and referred to the Committee on Finance.

Mr. JOHNSTON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2378) for the relief of Sarah E. Rose; which was read twice by its title, and referred to the Committee on Claims.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2379) for the relief of William A. Courtenay, agent of the Clyde line of steamers; which was read twice by its title, and referred to the Committee on Commerce.

WASHINGTON AND ATLANTIC RAILROAD COMPANY.

Mr. GORMAN. I ask unanimous consent to reconsider the vote by which the bill (H. R. 6625) to authorize the Washington and Atlantic Railroad Company to extend a railroad into and within the District of Columbia was postponed indefinitely, with a view to have it recommitted to the Committee on the District of Columbia.

The PRESIDENT *pro tempore*. The order will be made if there be no objection. The Chair hears none.

Mr. ROLLINS subsequently said: I desire to call the attention of the Senate to the proposed action in reference to a District railroad bill. I do not think the Senate understood what it was asked to do in that case.

The PRESIDENT *pro tempore*. The bill had been reported back and postponed indefinitely, and on the request of the Senator from Maryland the vote was reconsidered and the bill recommitted.

Mr. GORMAN. I asked unanimous consent of the Senate to reconsider the vote by which the bill was indefinitely postponed, by request of the sub-committee of the Committee on the District of Columbia who had charge of the bill, with a view to having it recommitted to the Committee on the District of Columbia.

The PRESIDENT *pro tempore*. If there is objection to it the Chair will put the question again. The Senate probably did not understand it. The motion to reconsider can be entered.

Mr. ROLLINS. It is too late to enter a motion to reconsider.

Mr. GORMAN. By unanimous consent it can be done. I stated when I made the motion that I asked unanimous consent.

Mr. ROLLINS. But I do not think the Chair understood it.

Mr. EDMUNDS. Let the title of the bill be announced.

The ACTING SECRETARY. A bill (H. R. 6625) to authorize the Washington and Atlantic Railroad Company to extend a railroad into and within the District of Columbia.

The PRESIDENT *pro tempore*. Is there unanimous consent to entering a motion to reconsider the vote by which the bill was indefinitely postponed?

Mr. GORMAN. I desire to state that the sub-committee of the Committee on the District of Columbia who had this matter under consideration reported adversely on the bill as it was framed and passed by the House. Since then there is a very great desire to have the bill amended so as to permit an entirely different line from the one originally proposed to enter the city. After consideration I was instructed to request unanimous consent to have the vote by which the bill was indefinitely postponed reconsidered and the bill recommitted to the Committee on the District of Columbia for further consideration.

Mr. ROLLINS. I was a member of the sub-committee and I have no recollection of such action.

Mr. GORMAN. Not upon this bill?

Mr. ROLLINS. Certainly.

Mr. GORMAN. The Senator is mistaken.

Mr. ROLLINS. My object in calling the attention of the Senate to this matter is to ascertain whether it is possible to reconsider a vote of this kind when the bill was indefinitely postponed during the last session of Congress.

The PRESIDENT *pro tempore*. It can be done by unanimous consent.

Mr. ROLLINS. That may be true, but the Senate did not understand what it was doing.

The PRESIDENT *pro tempore*. *De novo*, then, the Senator from Maryland asks unanimous consent to reconsider the vote by which the bill was indefinitely postponed, with a view to having it recommitted to the Committee on the District of Columbia. Is there objection?

Mr. INGALLS. Really I suppose there should be no objection to this. The railroad company originally asked permission to come down Rock Creek for the purpose of reaching the river and obtaining a southern connection over that route. They have since abandoned that, and now desire an amendment by which they may enter the District parallel with the Baltimore and Potomac Railroad. It is no more than just that the subject should be considered by the committee, and I can see no objection to the motion being allowed.

The PRESIDENT *pro tempore*. Is there objection to reconsidering the vote by which the bill was indefinitely postponed during the last session? The Chair hearing no objection, the order will be made, the vote reconsidered, and the bill recommitted to the Committee on the District of Columbia.

BEN HOLLADAY.

Mr. JONES, of Nevada. Mr. President——

The PRESIDENT *pro tempore*. If there be no "concurrent or other resolutions," the morning hour is closed.

Mr. COCKRELL. I ask for the regular order, which is the Calendar.

Mr. JONES, of Nevada. I move to set aside the regular order for the purpose of taking up the bill (S. 1683) for the relief of Ben Holladay.

The PRESIDENT *pro tempore*. The Senator from Nevada moves to postpone the Calendar.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Calendar is postponed. The question is now whether the Senate will proceed to the consideration of the bill for the relief of Ben Holladay.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1683) for the relief of Ben Holladay.

Mr. CAMERON, of Wisconsin. Before the discussion is renewed, I wish to occupy the attention of the Senate for about two minutes for the purpose of referring to two errors which the Senator from Vermont [Mr. MORRILL], who discussed this bill yesterday, fell into, inadvertently of course. I find in his speech, on page 9 of to-day's RECORD, the following:

Let us look at the history of this claim. Mr. Holladay became a mail contractor in 1860, and from 1861 to 1864 had the overland mail contract at one million a year.

The original contract under which Mr. Holladay carried the mails from the Missouri River to Salt Lake City was entered into in 1857. The contractors were John Butterfield, William B. Dinsmore, William G. Fargo, and others. The contract was entered into on the part of the United States by Aaron V. Brown, then Postmaster-General. The contractors agree in this contract to carry the mails from the Mississippi River to San Francisco, California, as follows:

From Saint Louis, Missouri, and from Memphis, Tennessee, converging at Little Rock, Arkansas; thence via Preston, Texas, or as near so as may be found advisable to the best point of crossing the Rio Grande, above El Paso and not far from Fort Fillmore; thence along the new road being opened and constructed under the direction of the Secretary of the Interior to or near Fort Yuma, California; thence through the best passes and along the best valleys for safe and expeditious staging to San Francisco, California, and back twice a week, in good four-horse post-coaches or spring-wagons, &c.

The consideration that the United States agreed to pay for this service was $600,000 a year. In 1861 this contract was modified by the consent of the United States and the contractors. The modification was made on the 12th of March, 1861, as follows:

Pursuant to act of Congress approved 2d March, 1861, and the acceptance of the terms thereof by the Overland Mail Company, modify the present contract with that company for route No. 12371—

That is the route under consideration—

executed 16th September, 1857, to take effect 16th September, 1858, so as to discontinue service on the present route, and to provide for the transportation of the entire letter mail, six times a week, on the central route; said letter mail to be carried through in twenty days' time eight months of the year, and in twenty-three days the remaining four months of the year, from Saint Joseph, Missouri (or Atchison, in Kansas), to Placerville, in California, and also for the delivery of the entire mail three times a week each way to Denver city and Great Salt Lake City; and in case these mails do not amount to six hundred pounds per trip, then other mail matter to make up that weight per trip to be conveyed; but in any event the entire Denver city and Salt Lake City mails and the entire letter mail for California to be conveyed. The contractors also to be required to convey the residue of all mail matter in a period not exceeding thirty-five days, with the privilege of sending the latter semi-monthly from New York to San Francisco in twenty-five days by sea, and the public documents in thirty-five days. And to be required also, during the continuance of their contract, or until the completion of the overland telegraph, to run a pony express semi-weekly, at a schedule time of ten days, eight months of the year, and twelve days four months of the year, and to convey for the Government, free of charge, five pounds of mail matter, with liberty of charging the public, for transportation of letters by said express, not exceeding one dollar per half ounce. The compensation for the whole service to be $1,000,000 per annum.

I presume it was this that led the Senator from Vermont into the error which he unquestionably did fall into. Mr. Holladay was not the contractor to carry the mails through from the Missouri River to Placerville, California, but from the Missouri River to Salt Lake City, and for this service, instead of receiving a million dollars per annum he received, as is stated in the report, $450,000. Out of this he paid the Pacific Mail Company $75,000 a year for carrying the printed matter to the Pacific coast by water.

Mr. MORRILL. May I inquire of the Senator whether Mr. Holladay was not a party in interest in the Overland Mail Company?

Mr. CAMERON, of Wisconsin. I understand that he was not. He became surety for the Overland Mail Company, and was compelled to assume the obligations of that company. In that way he got into the company. I understand that he was not interested in the Overland Mail Company, except as I have stated.

Mr. MORRILL. I will say that I very hastily gathered together the documents in relation to this matter, and I may have made a mistake as to the date; but I have the report of the Postmaster-General showing the large number of contracts in which Mr. Holladay has been interested, and some were of different dates, 1862, 1863, 1864, and so on. I find that the Postmaster-General represented him to have been in partnership or concerned in ten, I believe, of these contracts.

Mr. CAMERON, of Wisconsin. The Senator will observe that they are all small contracts.

Mr. MORRILL. No, sir. I observe that one of them is $365,000, another $347,000, another $156,000, another $186,000; and the whole computed, if they were in the same year, would amount to $1,113,599. The compensation is very large. I had always understood, and never heard it before disputed, that he did receive a million dollars for the contract between 1860 or 1861 and 1864, and afterward took it for $860,000, instead of the million.

Mr. CAMERON, of Wisconsin. Well, the Senator is in error in regard to that matter. That is all the answer I have to make.

Mr. MORRILL. I think not much in error.

Mr. CAMERON, of Wisconsin. I wish to refer to another statement which I think is erroneous. In the speech of the Senator, on page 9 of to-day's RECORD, I find this statement:

I do not think there is any doubt but that the whole business was very remunerative, but whether it was so or not, he did not call upon the Government at the expiration of his contract in 1864 to reimburse him for losses or even to increase his compensation for the continuation of his contract, but again took the same contract over the same line of travel, and before any railroads had been constructed across the continent, for $840,000, instead of a million dollars, or for $160,000 less.

The Senator has again fallen into an error, as I have already stated, in regard to the compensation paid to Mr. Holladay under this second contract. The contract of 1864, if he will examine the public document which I see he has in his hand, is there on page 8. The contract was made by the United States with Mr. Holladay on the 19th of August, 1864. It provides:

For transporting the mail on route No. 14260, from Atchison, Kansas (or Saint Joseph, Missouri), to Salt Lake City, Utah Territory, daily (excluding paper and document mails for the Pacific coast, which are to be sent by sea), supplying all intermediate offices on the route, and supplying Denver city, Colorado Territory, by side mail, in due connection with the main line daily, by a schedule satisfactory to the Department, at $365,000 per year.

The statement of the Senator was that for this contract Mr. Holladay received $840,000 a year. It appears from the contract which the Senator himself had in his hand at the time he made his statement that the consideration paid was $365,000.

Before I sit down I desire to refer to the Congressional history of this case. On the 27th of March, 1866, a petition for the relief of Mr. Holladay was presented to the House of Representatives. It was referred by the House to the Committee on Indian Affairs and soon thereafter—the exact date I have not got—it was reported back from that committee by the present senior Senator from Minnesota [Mr. WINDOM] favorably. The House bill came to the Senate, it was amended in the Senate on May 17, and returned, so amended, to the House. The House refused to concur in the Senate amendment. A committee of conference was appointed, but it does not appear that the committee ever reported. So the bill or resolution, whichever it was, failed at that time.

In 1867, on December 5, leave was granted by the House of Representatives to Mr. Holladay to withdraw his papers. Thereupon they were withdrawn from the House by Mr. Holladay. On the 25th of March, 1872, the senior Senator from West Virginia [Mr. DAVIS] presented in the Senate the memorial of Mr. Holladay. It was referred by the Senate to the Committee on Indian Affairs. It was reported back by that committee and committed to the Committee on Claims. It does not appear that the Senate Committee on Claims in 1872 took any action upon it except what appears from the statement made by the Senator from West Virginia yesterday.

In 1873 Mr. Holladay's petition for relief was again presented to the House of Representatives, and in 1874 his petition was presented in the Senate. In 1876 Mr. Mitchell, then a Senator from Oregon, introduced a bill referring the whole matter to the Court of Claims. In 1878 this bill was considered by the Senate Committee on Claims and reported back. The bill provided that the whole claim should be referred to the Court of Claims for hearing and adjudication. This bill was considered by the Senate on the 3d of May, 1880, and I think for some days subsequent to that time. The Senate did not agree to the recommendation of the committee, but the bill was recommitted to the committee with instructions to examine the claim and report what amount was, in the opinion of the committee, equitably due to Mr. Holladay. In view of this recommendation the committee did review the claim, did call numerous witnesses before it, and in 1881 reported a bill providing for the payment of $526,739. This bill was considered in the Senate and amended so as to provide for the payment of $100,000, and thus it passed the Senate. It went to the House of Representatives, but no action, so far as I am advised, was taken upon it by the House.

In the present Congress Mr. Holladay's petition was presented early in the last session. It was considered by the Committee on Claims, which provided for the payment of $321,154. The claim has also been considered by the House Committee on Claims of the present Congress, and that committee adopted the Senate report upon the bill and reported it back to the House, recommending the payment of the sum of $321,154.

Mr. PLUMB. Mr. President, I do not suppose that anything I can say will add to the knowledge the Senate already has about this bill. I certainly have no desire to discuss it further; but with the convictions I have upon this claim I can not avoid restating some of the conclusions at which I have arrived, which will govern my vote, and the correctness of which I have as little doubt of as of any other subject that I have come to the consideration of.

The ground upon which this claim stands has been somewhat shifted

since it was last considered in the Senate. It now stands upon one fundamental proposition according to the report of the committee, and that is the promise of the then President of the United States, Mr. Lincoln, that Congress should reimburse Mr. Holladay. That is relied upon to take this case out of that vast class of cases known as damage cases on account of Indian depredations upon mail-routes known as star-routes, by horseback or stage.

Of course if this foundation fails, if no such promise was made, then there is nothing to hang this bill upon. On the other hand, if the promise was invalid in law and in equity—and when I say "in equity" I mean in that court of conscience in which we, all of us more or less, are administrators of justice—then of course that claim must entirely fail. If it should be held that there was a valid, subsisting promise, the question then comes as to the amount which Mr. Holladay should recover.

I have examined this case, as laid before the committee, somewhat carefully, not recently, however, but it is the same case submitted and upon the same proof that it was submitted at the last Congress. I have had some little, and only a little, practice in the trial of causes, but I say, with a great deal of deference for lawyers like the Senator from Wisconsin and others who have examined or claim to have examined this case, that I should not expect to win a case for any considerable sum of money based on testimony such as is presented in this case. I do not believe it is possible for anybody to say that according to the rules of testimony which prevail in the courts or which should prevail anywhere where the judgment of men is to be convinced beyond peradventure, there is testimony of any considerable consequence showing the value of the property which Mr. Holladay claims to have lost.

I do not mean to say that is conclusive against the claim in all its parts, but it is conclusive against a large portion of it, because while it may be shown that a horse has been lost, or a bushel of corn, yet there is no adequate testimony showing the value of the horse or the corn. Some portion of the claim, then, must certainly disappear.

I have noticed one thing which seems to me a little singular, that all the witnesses who testified on behalf of the Government are regarded and treated by this committee as absolutely without credibility. No credence whatever has been given to one single line or syllable of the testimony which any witness testified to on behalf of the Government. Where a witness for the Government testified that a station was worth $750, the committee have taken the testimony of Mr. Holladay's partner or employé of indefinite character fixing it at three times that amount. Wherever a witness testified that corn was worth 6 cents a pound, and some one else has put into this case, surreptitiously or otherwise, a memorandum showing that it was worth 20 cents a pound, the committee has given Mr. Holladay 20 cents a pound. This bill as originally reported provided for paying Mr. Holladay $520,000 upon certain items accompanying the report. Those items figured up, giving every single one of them its full amount as stated in the document, amounted to less than $400,000. In other words, so great was the haste, so perfect and cast-iron was the determination that Mr. Holladay should have absolutely what he claimed, that the committee gave him more than $120,000 beyond what his bill of items showed him to be entitled to; and for the purpose of illustrating it further, as I did at the last session of Congress, I call attention to the fact that when it comes to providing for the payment of corn destroyed at Julesburgh, with so much haste and with so little care for the interests of the Government and with so little relation to the testimony was the case examined and decided that they put in for corn destroyed to the extent of 3,000 or 4,000 pounds that was not claimed for at all.

Mr. President, it is stated in this testimony by witnesses whose credibility has not been impeached, it was stated in debate by the Senator from Colorado himself, advocating the passage of this bill, that corn was worth from 75 cents to a dollar a bushel on the Missouri River at the time these losses occurred, and all the witnesses who testify in regard to the value of transportation testify that $1 per one hundred pounds per one hundred miles was the universal price. Supposing the average distance it had to be transported was the distance from the Missouri River to Denver, which was largely more than the average, that would make corn cost 6 cents a pound for transportation. It was worth a dollar a bushel at the Missouri River. But there is another item in this case which shows that that corn could have been purchased, as no doubt it was, from fifty to one hundred miles nearer, and as it approached the frontier it was sold very much cheaper. One witness testified that he bought corn as low as 25 cents one hundred and twenty-five miles nearer to Fort Kearney, and consequently to Denver, than the Missouri River point.

Every cent which should be charged for that corn having any relation to its value which should exceed $4 a bushel would be that much absolutely given away. It is testified, it is true, by a person that it was sometimes 30 cents a pound. You might as well measure the value of water by what Dives would have paid for it in his agony as to value corn by saying what some ranchman, shut in from the outside world by Indians, would give for it in order that he might maintain life during the time he was in that stress. The selling price of corn to travelers who bought it by the handful, who were glad to get it and bought it from persons who did not have it to sell but had it for use, perhaps, was one thing; but the commercial value of corn, well established and well known, into which only two elements entered, the cost price on the Missouri River or wherever else it was bought and the regular price of transportation to the point of consumption, was an entirely different thing. There was no bushel of corn whose commercial worth during any considerable period of time in any of the years in which these losses are charged for would have exceeded $4 a bushel at any point on that line; certainly the value was not more than that; and yet there is not a bushel of corn that is charged for here that is not charged for at the rate of about $12 per bushel. That constitutes a very large item on this cost.

I speak of this not because I imagine it is going to have much effect in the decision of this case. There seems to be a determination not only to give this sum, but almost to make this a party question. I have had some apprehension, indeed, that there might be a party caucus called upon this bill and that I might be constrained by reason of that caucus to do something which my judgment did not dictate, for fear of acting separately and apart from my party associates. But I speak of this to show the method in which this claim has been examined and presented to the Senate and for the purpose of impeaching, as I do here, the judgment of the Committee on Claims in regard to this claim of Mr. Holladay.

It is asserted, in the first place, that Mr. Holladay lost $77,000 by reason of changing his route from what is known as the Fort Laramie and South Pass route to the Fort Collins and Bridger Pass route. Those members of the Senate who are familiar with the geography of that country will not need to be told that Julesburgh was the departing point on the Platte route for Fort Laramie and the South Pass; that Denver was about one hundred and fifty miles beyond in a westerly direction, a little south of west; that when that line was changed from the Fort Laramie and South Pass route to the Fort Collins and Bridger Pass route by that change Mr. Holladay brought himself nearer to Denver one hundred miles than he was before, and consequently saved the necessity of duplicating one hundred miles in his carriage of the mails. By reason of that also he was brought one hundred and fifty miles nearer to Salt Lake and all the remaining portion of the line, thus saving at least two hundred and fifty miles of transportation, which saving was a clear gain to him by reason of that change of route.

Mr. President, there is not a suggestion nor a hint that Mr. Holladay was required by military or civil authority to change that route at all. He did it absolutely on his own account for his own purposes and in order to make a more economical carriage of the mail that he was obligated by his contract to carry; and yet, after he made all this saving, he charges the Government $77,000, and the committee allow it to him, for having made that change.

Mr. President, more than that, Mr. Holladay was about sixty days making that change, and during that time he did not carry one pound of mail, but his pay was going on at the rate of $1,500 a day. He was getting then a half million dollars for carrying the mail. During that time the Government carried every pound of the mail by way of Panama, and Mr. Holladay got every day's pay as though he was carrying the mail, and yet he charges $77,000, besides having pay for sixty days of service that he never rendered.

I have had the fortune or misfortune to have seen some of the stations out there which Mr. Holladay claims $2,000 as the value of. The general run of them, after you leave the Platte country, were not worth $250 apiece. They were little 12 by 14 or 14 by 16 shanties, about seven feet high, made of logs, without door, window, or floor, with no shingle or plank upon them or in them, just put up with pine logs brought, it is true, from some distance frequently, but involving the use of no skilled labor except for the iron beams which were used for the purpose of piecing out from time to time. A blanket was hung up at the place by which entrance was effected, and nothing put in to cover the place for a window, because there were rarely storms in that section of country, especially during the summer time. A few coffee-sacks or corn-sacks, gunny-sacks, were thrown on the ground for the men to make their bed of blankets upon. Then there was a little rude table made out of split logs perhaps, or sometimes of plank. The entire affair, furniture and all, was not worth more than from $200 to $250 apiece. In fact, I think the bulk of the stations were not worth over $150 apiece. I saw a number of them that had been abandoned on that line. I do not say there were not others that were worth more, but the bulk of them were of that kind; and yet every single one of them is charged, with a uniformity that would have put to shame the Procrustean bed of which we have heard, at $2,000 apiece. I suppose if some of them were worth more they cut them off, and if some were worthless they stretched those out. Of the twenty-six of them on that particular line at that particular time there were some that were worth more. The one at Strawberry Station, which was there when I was on that line, was a very creditable sort of building, as things went in that country. That one might have cost $2,000. But when you come to consider the comparatively expensive buildings of that line of route remember that none of that expense was put on as a necessary adjunct to carrying the mail; it was put on for the purpose of accommodating the express and the passenger business of the line, of which the Government was not, as I am aware, an insurer or guarantor. There were exceptions, it is true, but they were very few.

It is worth considering when we come to this question of value that Mr. Holladay bought the entire affair, every mule, every colt, every bit of harness, every station on the entire line for $100,000 at public outcry. That was in March, 1862. It is worthy of notice, too, that the gentleman who ran that line prior to its being purchased by Mr. Holladay, and who, as is presumed here, acting under the order of the court, turned over to Mr. Holladay all this property, says that the mules upon that mail line were worth from $75 to $125 apiece. I saw a good many of them on the upper part of the line, between the Platte and Salt Lake, and the mules were of the character here stated; small Spanish mules, worth about $75 apiece. On the other part of the line, which extended from the Missouri River to Denver, the main line, the stock was a great deal better, and I have no doubt there were many animals there, horses and mules both, that were worth $200, the price charged, and the damages on that portion of the line by reason of Indian depredations were less in proportion than they were on the upper portion of the line. It was better protected by troops and it was less liable to incursion from Indians by reason of its closer proximity to various forts and places where troops were always kept in station.

But, Mr. President, there has not been an animal charged for at less than $200. That same unanimity which characterized the committee when they considered the question of stations and which induced them to fix them at $2,000 apiece, staid with them when they came to consider the value of these animals, and they fixed them at the price of $200 each, except as it sometimes happened in the case of stations they had some worth more; and they find, therefore, $30,000 for the destruction of the station at Julesburgh. I did not see that station myself; I saw the site where it had stood. It is in testimony here, however, by witnesses whose testimony is not impeached and can not be impeached, that the entire value of the buildings and property at Julesburgh at that time could not have exceeded $10,000; but that testimony is put aside as of no consequence, the determination being apparently that only those witnesses shall be entitled to credit and receive credit who testify to the largest possible sums as a measure of damage. The committee all the while give to the statements of Mr. Holladay's employés, and even to their insinuations and inuendoes in regard to values, an importance which they deny absolutely to witnesses who testify to the contrary effect.

This is a stale claim to some extent. The Senator from Wisconsin has stated what he calls the legislative history of it. I think he omitted to state the vital portion of that legislative history. It goes without saying that the men who were in the Senate and in the House in 1866, advised as they could have been then by the men who were in the Department and by men in all that section of the country and elsewhere who knew about this matter, could have decided it more justly than we can now at this distance away from the transactions. Mr. Holladay, as the Senator from Wisconsin says, presented his claim in 1866. Congress then having all the facts before them, with Mr. Holladay here himself, with all the witnesses living then who are living now, and a great many living then who are not living now, with all the surroundings and connections of this transaction thoroughly understood and known as part of the public history of the time, the committees of both Houses of Congress differed upon one proposition, and one only. The House insisted that Mr. Holladay should have pay for the property that was taken by United States soldiers, and that alone, and the Senate agreed that he might have whatever he could prove he was damaged by reason of carrying out what is called the military order for removing his line, not from Fort Laramie and the South Pass route to the Bridger's Pass route, but for removing it to what is called the Cut-off route, a second removal which he made, as is stated, on the order of Colonel Chivington from Fort Collins down to Denver, abandoning all the part between the mouth of the Cache la Poudre and Fort Collins, an abandonment which, by the way, if any Senator will look at the map he will ascertain was, I think, less than sixty miles of route. The most that either of the two Houses of Congress was willing to do then was to allow him first for the supplies which he claimed (and which they were willing he should prove if he could) the soldiers had taken and used; and in the second place the Senate said it would add to that whatever he could prove he was damaged by reason of compliance with the military order, and that alone.

There are two items which aggregate $80,000, and that was all; and yet the Congress which sat here in the light of that time, and with all the knowledge it could get then, brushed aside as of no earthly account and as entitled to no consideration all this claim for the loss of forage, for the loss of horses, for the loss of stations, for the loss of mules, and all the paraphernalia of that line. Four-fifths of all that was claimed by Mr. Holladay was said by both Houses of Congress to be entirely out of the way. The House of Representatives even went further, and said that the only thing he was entitled to at all was for such supplies as he could prove to the Court of Claims the Government had taken and used by means of its troops. Now, we are asked to enlarge that, to say that we know a great deal more about it than Congress did then, and to go back on the judgment expressed at that time, upon which Mr. Holladay was constrained to withdraw his claim from Congress entirely, no doubt realizing that if he would wait eight or ten years till the memories of men had become less sharp, until some men had died and knowledge of these transactions had passed away largely, he could come before some other Congress, and by importunity multiply his claim fivefold. We are asked deliberately to go back on the judgment of Congress to that extent, to give him pay for something which the Congress of that time, sitting here when these losses were fresh—not when Mr. Lincoln was alive, it is true, but when Mr. Stanton was Secretary of War, when Mr. Montgomery Blair was Postmaster-General, as he was Postmaster-General at the time this contract was made—refused to allow. When everything was fresh in the mind of the public and in the mind of every one who chose to be informed in regard to the matter Congress cut out every single thing except one item practically, and that was for supplies which it was alleged the soldiers of the United States had taken from Mr. Holladay and converted to their own use.

There is another singular thing in connection with that time and with what occurred then. Mr. Holladay, I take it, knew as well then as he knows now whether the President of the United States ever gave him a promise, and yet his memorial of 1872, which I have in my hand, which is a copy of his memorial of 1866—I had the original memorial of 1866 among my papers, but it has mysteriously disappeared; I have had occasion to compare the two memorials, and with the exception of the dates they are the same—makes no allegation at all that the President ever gave him any promise. Neither memorial has any such allegation in it. In other words, that which the committee now stand upon as the foundation of this claim, and without which they confess it would have no standing here at all, Mr. Holladay himself did not know anything about, either in 1866 or 1872. It is the invention practically, so far as this case is concerned, of a ten years' later conception of what took place in 1863. This claim was before the Senate in 1866, on the 17th of May, as the Senator from Wisconsin has said. Mr. Nesmith, of Oregon, said:

I move that the Senate proceed to the consideration of House joint resolution No. 103.

Then this followed:

The motion was agreed to; and the joint resolution (H. R. 103) to refer the petition of Benjamin Holladay to the Court of Claims was considered as in Committee of the Whole. It provides that so much of the claim of Benjamin Holladay as relates to damages for change of route by military orders and property taken by the military authorities and appropriated to the use of the Government be referred to the Court of Claims for adjustment.

The Committee on Claims reported the joint resolution with an amendment, which was in line 4 to strike out the words "damages for change of route by military orders and;" so that the joint resolution will read:

That so much of the claim of Benjamin Holladay as relates to property taken by the military authorities and appropriated to the use of the Government be referred to the Court of Claims for adjustment.

Mr. TRUMBULL. I do not know anything about this particular case, but I am entirely opposed to referring by joint resolution, which amounts to a law, special cases in this way to the Court of Claims. We have a general law giving that court jurisdiction of a certain class of cases. If the law is not broad enough, enlarge it; but this way of coming in and giving the court jurisdiction of a particular case, some favorite case, I do not think is right, unless it is done under some peculiar circumstances. There may be some circumstances in this case which justify that species of legislation; but it is certainly a very bad way to be conferring upon a court of general jurisdiction of a particular class of cases like this special jurisdiction of some special case.

Mr. POMEROY. The Senator must be aware that the Committee on Claims, who pass on this class of claims, have the opportunity of hearing testimony only on one side; the Court of Claims have an opportunity to examine witnesses on both sides, and I think it is safer for the Government to let claims be tried where witnesses can be examined on both sides.

A little further on Mr. Clark speaks. He says:

This is a joint resolution from the House of Representatives. As it came to the Senate it was referred to the Committee on Claims, and read in this way: "That so much of the claim of Benjamin Holladay as relates to damages for change of route by military orders, and property taken by the military authorities and appropriated to the use of the Government, be referred to the Court of Claims for adjustment." The Committee on Claims came to the conclusion to recommend to the Senate to strike out that part of the claim which was for damages for change of route, and to let the other part of the claim, for property alleged to be taken by military orders, go to the Court of Claims, and no more; and we think that is a better tribunal than the Committee on Claims and the Senate.

Mr. POMEROY. I do not wish to contest the amendment, but I have this to say: Benjamin Holladay, who had the overland contract, made his stations every fifteen miles on a given route and built houses. The military authorities told him to abandon all those and to go on to another line, because they could protect him from the Indians on that other line.

One line only was mentioned as having been subject to this change. The other line is a new invention again, the $77,000 which is the gross amount of this claim for a change of line.

It is a question of equity whether he ought not to have some compensation for the abandoned houses and stations that he had built at great expense.

Mr. CLARK. I ought to say that the Committee on Claims examined the claim so far as to see precisely what it was. I doubt very much whether he can set up any military order in the case; but we concluded to let the whole matter go for adjudication to the Court of Claims.

Mr. POMEROY. If he can not set up any military order the resolution was a very harmless thing as it was before.

Mr. CLARK. I think the amendment should be agreed to.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time. It was read the third time and passed.

It is plain to be seen that this matter received consideration at that time. It was discussed *pro* and *con*. There was no opposition developed to the claim presented as a claim, but only as to the amount which should be allowed, or rather the class of claims which Mr. Holladay might set up before the Court of Claims. In that discussion everything was eliminated, as it was in the resolution, which now gives the great volume to the allowance proposed by the Committee on Claims.

On the 26th day of July, 1866—

Mr. WINDOM, from the same committee [on Indian Affairs], reported back the amendment of the Senate to House joint resolution No. 103, to refer the petition of Benjamin Holladay to the Court of Claims, with the recommendation that the Senate amendment be non-concurred in.

The amendment of the Senate was to strike out the words "damages for change of route by military orders and;" so that the resolution would read:

"That so much of the claim of Benjamin Holladay as relates to property taken by the military authorities and appropriated to the use of the Government be referred to the Court of Claims for adjustment."

The amendment was non-concurred in.

Mr. WINDOM moved that the House request a committee of conference.

The motion was agreed to.

That substantially was the end, so far as legislative action was concerned, in 1866. Mr. Holladay thereupon, having had his day in court, having been before the Committee on Indian Affairs of the House and the Committee on Claims of the Senate, having had advocates of the proper kind, of course friendly ones, upon the floor of both Senate and House, there being no question whatever upon either side and no one to set up on his behalf after the examination given that he should have one single dollar on account of mules stolen, stages destroyed, or stage stations destroyed, or anything of that kind, the two Houses disagreeing only as to whether he should be allowed for stations abandoned by military order—Mr. Holladay after that withdrew his claim, and did not prefer it again till 1872.

Mr. President, I think I know something about the reason why Mr. Holladay was willing to sleep upon his claim during those years. There are among the papers of this case somewhere, or were originally, some notes of an investigation made by the War Department in regard to this case. Mr. Holladay charged the Government 30 cents a mile for the transportation of officers and soldiers in his coaches. When his claim came before the Quartermaster-General, the Quartermaster-General or the Secretary of War, on an appeal from the Quartermaster-General, said he would not allow the whole 30 cents a mile. The Government never did that. It was a purchaser at wholesale of transportation practically, and it did not allow full rates to railroad companies. It dealt more largely than private individuals, and was entitled to a reduction. It allowed but 20 cents a mile, and 20 cents a mile only. He came back subsequently, by his attorney, and claimed of the Government that as he had endured great losses out there, had carried the mails at great expense, he ought to have this other 10 cents a mile, and in consideration of that the Secretary of War gave it to him. In the course of the investigation which accompanied and preceded that allowance it was testimony, and it was referred to in the the opinion of the Secretary of War, that Mr. Holladay had had supplies from the Government. There was no suggestion in that that Mr. Holladay had ever given supplies to the Government, but it was in testimony that he had received supplies from the Government; that his men and horses had been fed from the Government stores, and that the soldiers of the United States had helped to build and rebuild his stations, take care of his stock, and run his line.

This question of the furnishing of supplies to the Army or supplies having been taken by the Army is one that we all know the rule about. Any man who had his supplies of corn, fuel, or other property which could be converted to the use of the Army taken found a remedy under the general law, which authorized him to go before the Quartermaster-General and prove up his claim and get his pay. In addition to that there was the regular way of proceeding before Congress, for that is one of a class of claims with which everybody was then familiar by reason of the fact that the war had developed a large number of them. Congress was in the habit of dealing with them, as also were the Departments. Mr. Holladay would have had no trouble whatever if he had any claim of that kind of any value in getting an ample allowance from the Quartermaster-General or from Congress for that particular thing, which was recognized as being entirely legitimate, and a claim of that kind was entirely outside of the character of the remainder of his claim against the General Government.

Some part of this testimony, I notice for the first time to-day, was addressed to some statement which I made in regard to this case when it was before the Senate in 1877 or 1878. I stated then what I now state again, that while I was on that line, for a considerable portion of the time, and for some hundreds of miles, the stages were run and the mail was carried by Government horses and Government mules driven largely by Government soldiers. Mr. Spotswood's attention I see was directed to that in substance, and he was asked the question as to whether "the Government did not carry the mail, or did they furnish mules or soldiers, except as a loan?" Mr. Spotswood conveniently goes on to leave about the time I went there. I arrived at Fort Halleck, as I remember, on the 23d of June. After that time, and up to about the middle of August, the rule was that on from two hundred to four hundred miles of that line the stages were run and the mails were carried—practically, the whole business of the line was done—by Government horses and Government coaches and Government soldiers as drivers.

But that is only a small item. It was not especially worthy of consideration except for the fact that Mr. Holladay all the time puts himself in the attitude of a man borne down upon by the Government. I was at Julesburgh also, on my way going out, after that station was destroyed. The horses that came down were put into the Government stables at Julesburgh and fed with Government supplies. At every point along the line of the road every officer had that instruction. It was the rule whenever Mr. Holladay was out of anything that the Government conveniently supplied it.

In connection with that, and showing how leniently he was dealt with and that it was a dealing which was predicated on the basis that he had lost something which should be compensated in that way, Mr. Holladay was never fined for not carrying the mail.

It is a rule of the Department that every one known as a star-route contractor or a railroad who shall not carry the mail continuously, or who shall fail to deliver it properly and promptly, shall be fined for such failure; but during all the time Mr. Holladay was running this line he never was fined one single dollar. Whether he carried the mail or whether he did not, his pay went on all the same. The Government dealt with him during that time, as I think it ought to have done—I do not complain of it at all—with very great liberality, with a liberality which I think now he is not properly repaying by coming here when from the memories of men largely these things have passed away, driven by lapse of time, and demanding pay for everything he lost, as well as for a great many things which he did not lose.

There is no adequate proof in all this testimony of the value of any very considerable portion of the property which is said to have been stolen. There is no adequate proof that it was taken by Indians. Every man familiar with the frontier knows that horses and mules will stray away on the wild plains and be caught up again. It is part of the traditions, part of the history of that line during that time that such was the case; and every time a mule was missing somebody would promptly put in an affidavit, saying it was taken by Indians, but there was not so much promptness in noting when it was returned.

Mr. Holladay was carrying on a business of large magnitude. He had bookkeepers, secretaries, treasurers, auditors, and all the paraphernalia of a large business requiring to be kept with exactness. He had undoubtedly invoices of his stock, of his coaches, of his harness, an account showing what he had on hand from day to day, and its cost; and yet not one single original document or anything purporting to be a copy of it was ever produced before the committee. Witnesses come in and speak loosely about the value of corn out on the plains without ever testifying to the purchase of a single bushel, except in one case. There is only one case in all this testimony where any one speaks of any corn having been purchased to his knowledge. All simply speak loosely in a general way of its value at these remote points, and at a time, too, when some raid being in progress by the Indians or something of that kind, of course everything possessed not an average but an exceptional value. Neither Mr. Otis, nor Mr. Holladay, nor Mr. Carlyle, nor Mr. Lloyd, nor any one else who testifies in behalf of Mr. Holladay, testifies to the purchase of a single bushel of corn, except Mr. Otis, who testifies that he knows Mr. Holladay bought at Denver some corn to meet an emergency on the upper line between there and Fort Bridger, for which he paid 15 cents a pound. But in spite of the care with which it was determined apparently to be kept out, it crops out occasionally that even on the part of these witnesses the value was very much less than that which has been claimed and which has been allowed.

Mr. Carlyle himself in his testimony says they bought corn twice a year; and that grain was purchased at Fort Kearney and it cost about 6 cents a pound during the Indian troubles. That was $3.36 a bushel, and that same corn is now sought to be unloaded on the Government at 20 cents a pound, three times what Mr. Carlyle says it cost at Fort Kearney during the Indian troubles; and during the Indian troubles was a time when everything was worth a great deal more than usual. Mr. Holladay might have had to pay sometimes a dollar a pound for corn at some single moment because he had not supplied himself amply, but that would not furnish a measure of damages for the Government if it is called upon to pay for it at all.

Speaking of the value of these stations, a witness called on the part of the Government, Mr. Foote, testified that he built two stations for Mr. Holladay, which were fine stations and above the average, and he says he only got $750 apiece for them; and yet that testimony is wholly and entirely disregarded. It would have been a stretch of clemency and against justice, so far as the Government was concerned, to have allowed that as an average; and yet that is totally disregarded, and the general estimate of men who speak of twenty-six stations valued at $2,000 each is taken in spite of and against the testimony of men like Mr. Foote.

Mr. President, I do not care to detain the Senate much longer upon this case; but I desire to call special attention again to the question of the promise of President Lincoln and to the action of the two Houses of Congress at the time when everything was fresh. During all this time while Mr. Holladay was pursuing Congress and asking that he be allowed this damage, he never until within the last three years said one single time to anybody that President Lincoln ever had made him any promise at all. That is an after-thought clearly, something that comes into this case at too late a day to be disputed; and singularly enough, while Congress is being called upon to feel itself bound by this alleged promise of Mr. Lincoln, the man who was Postmaster-General at that time, who had immediate control of the mails, who would have been informed by Mr. Lincoln of anything which he had done of a material character in regard to the carriage of this mail, has been in

this city during all the time and has never been called. Not an employé of the Post-Office Department, not an officer of the Army, no one about the President or in any way related to him has ever been summoned here as a witness to testify at all. More than that, witnesses and names have been given to the committee. There are to-day hundreds of men on the frontier who know about this case at least as much as other men who have testified, men whose testimony might have been had either to corroborate or to rebut that which has been taken; and yet they have not been heard to say anything about it, and only in the exception of two instances have two witnesses been brought here on behalf of the claimant and not at all on behalf of the Government.

I have been accused of having some ill-will toward Mr. Holladay. I have none whatever. To me he is absolutely as any other citizen of the United States with whom I have no acquaintance and whom I know generally, and what I know, as far as I do know of him in a general way, being in his favor. But it is plain to me that this case has had an importance before Congress, and especially in the Senate, which it never could have had if it had not been for solicitations which I think would not have been permitted, which would not have been tolerated, in regard to the great mass of claims brought before Congress for settlement. If we had not been pursued in regard to this case as we are not pursued in regard to other cases by social and other appliances, and I do not know but I might say almost that if political appliances had not been brought to bear here for the purpose of giving this case a peculiar standing, it would not to-day be in the situation in which it now is. If it had been the case of some poor soldier or some poor frontiersman who had gone out upon the public lands by the invitation of the Government and taken his wife and his children and his little household goods out there as one of the *avant-coureurs* of civilization, I think he would have had cold comfort at the hands of this committee, or of any other committee.

This is too large a claim to be treated lightly. By its very magnitude it is enjoying, and it has had, of course, by its very magnitude, appliances in its favor which have given it, as I think, consideration which ordinary claims do not have.

I impute nothing to anybody; but, speaking from that which I regard as the basis of knowledge—knowledge, it is true, not perfect in every detail, but from a knowledge somewhat of detail and in general covering the most critical period of the time when Mr. Holladay carried or assumed to carry temporarily, or at least a portion of the time carried the mail on that line—taking the fact that the Government allowed him for one year $80,000 for carrying transient soldiers and officers in coaches, paying him at the rate of 30 cents a mile apiece; taking into consideration the fact that the Government never docked him a dollar, that it permitted him not to carry it during sixty days, carrying the mail itself by the isthmus and paying him all the time as if he was carrying it; taking into consideration the fact that he abandoned the longer line for the shorter to his own advantage, and took sixty days to do it in, carrying, as his witnesses say, everything that was portable away from the old stations on to the new stations; taking into consideration the fact that the Government did supply him largely, as shown by the proof everywhere, with food, with supplies, with aid, with help; considering too the fact that we have——

Mr. WILLIAMS. Will the Senator allow me to ask him a question? What is the proof of what he says now?

Mr. PLUMB. What proof?

Mr. WILLIAMS. Proof that he was paid for carrying the mail when he did not carry it.

Mr. PLUMB. It is found in the Post-Office Department.

Mr. WILLIAMS. I do not find it in the case before the Senate.

Mr. PLUMB. It is not my business to bring it here. I say it now and defy contradiction that Ben Holladay never was fined one single dollar for not carrying the mail. I say that during the entire time he was changing the line from Fort Laramie and the South Pass route to the Fort Collins and Bridger's Pass route, a period of sixty days, he got pay for the mail and did not carry it.

Mr. CAMERON, of Wisconsin. I assert that the proof before the committee is to the contrary of that statement.

Mr. PLUMB. I say the testimony before the committee is that he was sixty days transferring the route from one line to the other, and did not carry the mail during the time.

Mr. CAMERON, of Wisconsin. There is no proof that he did not carry the mail during that time.

Mr. PLUMB. I want to say this about the testimony: In the first place the committee did not subpœna witnesses here that they were notified could testify in this case, and the committee, in my judgment, failed in their duty to the Government in that matter. They subpœnaed witnesses here, or brought them before them, and one of the witnesses who came here, summoned on behalf of the Government, met an officer of the Senate at yonder door and was informed when he came that Mr. Holladay wanted to see him. It is by agencies of this kind largely that men have been induced, as I think, to forego that critical examination of the testimony which ought to precede allowances of large sums of money, or small ones either.

Mr. FRYE. Will the Senator pardon me for a question? Where is the testimony that Ben Holladay abandoned one route for another?

Mr. PLUMB. It is in the testimony; in every line of it almost. It is in Mr. Holladay's own petition.

Mr. FRYE. Was he not directed to do it?

Mr. PLUMB. No, sir; not the one I am speaking of at all. There are two changes of route alleged. If the Senator has not got that far into the case he has not qualified himself as a juror before he votes on it.

Mr. FRYE. The Senator will pardon me. The Senator from Maine was a member of the Committee on Claims, and he thinks that he qualified himself as well as the Senator from Kansas has qualified himself to not only vote on the case here but to vote on it in committee.

Mr. PLUMB. I inferred from what the Senator said that he meant to state that Mr. Holladay abandoned both routes by order. I say he did not, and I say there is no such proof.

Mr. FRYE. But the Senator was talking about the abandonment of the route.

Mr. PLUMB. I was.

Mr. FRYE. And he was treating it unfairly as, in my judgment, he treats it unfairly all through. Certainly there is evidence of the grossest unfairness when it is said here in the presence of the Senate that political considerations may enter into it. Where is there any political consideration?

Mr. PLUMB. If the Senator is thin-skinned about that I will take it back.

Mr. FRYE. No; but I want the case treated fairly.

Mr. PLUMB. I said we were dividing here almost on the political line on this question. If that is not a proper reference to be made, and the Senator is thin-skinned about it, I will take it back; but I say it is in the testimony that Mr. Holladay did abandon the route from Julesburgh by way of Fort Laramie to South Pass. He claims that he abandoned it and the committee allow him $77,000 for having abandoned it.

Mr. CAMERON, of Wisconsin. Allow me a word?

Mr. PLUMB. Yes.

Mr. CAMERON, of Wisconsin. He did remove the stage line from the northerly to the southerly route; he removed it because it could not be run on the northerly route. All the northern Indians substantially were at war against the United States. In one day they came down simultaneously upon his line for nearly five hundred miles and burned and destroyed almost every station and carried off his stock and supplies. It was removed because it could not be maintained upon that route. The northern route ran through a comparatively fertile country, and it was removed south. The southerly line ran through a barren country, where there was poor grass and very little water, but it was difficult for the Indians to reach it, and it was for the purpose of avoiding the attacks of the hostile Indians that it was removed. The testimony, I think, is abundant to show that it ought to have been removed. If it had not been removed it could not have been maintained at all.

Mr. PLUMB. I was not disputing that; I was speaking about the question of orders. In the first place, there is no such testimony, and if there had been such testimony it would have been false. The stations were not destroyed to any considerable extent, and there were only a few head of stock taken on that portion of the line before Mr. Holladay went away. I do not say that his anticipations of damage were not correct; I do not say that the route to which he went was not safer; I think it was; it was both safer and shorter; but I say he had no order to go there. And when I spoke of that I was referring to the Senator from Maine; I spoke to his implication, as I thought, that Mr. Holladay had abandoned that by order. That line which he charges $77,000 for the abandonment of he left upon his own motion, without any hint or suggestion from the Government, and presumably because he deemed it to his advantage to do so.

Mr. CAMERON, of Wisconsin. The Senator will permit me. On that point there appears in the evidence, on page 55 of Senate Document No. 19, a letter from James Craig, brigadier-general commanding troops for defense of overland mail route, addressed to Brigadier-General J. G. Blunt, United States volunteers, commanding Department of Kansas. It is dated at "Headquarters Forces for Defense of Overland Mail, Fort Laramie, July 10, 1862." It commences:

GENERAL: I am in receipt to-day of a dispatch informing me that the Postmaster-General has ordered the Overland Mail Company to abandon the North Platte and Sweetwater portion and remove their stages and stock to a route south of this, running through Bridger's Pass.

General Craig, who commanded the troops for the defense of the overland mail, writes to General Blunt, commanding the Department of Kansas, that he had received a dispatch from the Postmaster-General that the Postmaster-General had ordered this removal of the route.

Mr. PLUMB. Does he say a dispatch from the Postmaster-General?

Mr. CAMERON, of Wisconsin. He says:

I am in receipt to-day of a dispatch informing me that the Postmaster-General——

Mr. PLUMB. Does it say a dispatch from the Postmaster-General?

Mr. CAMERON, of Wisconsin. No.

Mr. PLUMB. There is no such testimony. Somebody sent him a dispatch picking up some rumor; but there is no dispatch from the Postmaster-General, and there is no allegation by Mr. Holladay himself that

he abandoned that route under orders. I say that route was not, according to the testimony, abandoned by orders at all. Mr. Murdock, who was part of the guard, who was on that line himself and a soldier of the Ninth Kansas Cavalry at the time this change of route was made, said it was made in entire peace and quiet, made with perfect leisure, the troops going along helping Mr. Holladay to remove his material from one line to the other, and there was no suggestion or hint that any damage had been done. I do not mean to say that Mr. Holladay did not act wisely in removing; I do not mean to say that he did not get out of harm's way in doing so; what I do mean to say is that there was no order that he should so remove.

Mr. WILLIAMS. If the Senator will look at Mr. Holladay's petition—I have not seen it for more than a year, but I know it states that he was compelled to remove the route and did it on consultation with the military authorities sent there to protect him in carrying the mail.

Mr. PLUMB. That was the other change of route.

Mr. WILLIAMS. In the other case he was ordered by the commanding officer to do it. The order is on his petition and in the papers.

Mr. PLUMB. It is not in the case at all, if the Senator from Kentucky will pardon me. The only suggestion of it is that Mr. Craig says he got a dispatch from somebody informing him that the Postmaster-General had done something, which there is no other evidence that he had done at all.

In the first place, if there is any claim at all, I call the attention of the Senate to the fact that everything has been put at the highest possible price that any one has testified either directly or indirectly that such stuff was worth, far beyond even what some of the witnesses for Holladay himself testify it was worth, at a price three or four times for corn, a thing the value of which could easily have been ascertained, what it was worth at that time. If this man is to be paid upon any theory whatever, where is the warrant for paying three or four times what the thing was worth, three or four times more than the witnesses testify it was worth, entirely beyond all reason, out of all kind of keeping.

But, Mr. President, as I said, there is nothing on which this case can stand in the way of a promise. Mr. Holladay simply arrived at the discovery of a promise at a very late period. He knew nothing about it in 1866; he knew nothing about it in 1872. It is an invention pure and simple. Every line and syllable of this case from the beginning down shows conclusively that there was no such promise known to Mr. Holladay until years after he had presented his claim, and until in some way he seems to have been advised that on the ordinary basis of granting damages to mail contractors there was no show for the allowance whatever.

I will send to the desk and have inserted at the close of my remarks a letter which was made part of my remarks two years ago, the letter of General J. D. Bingham, acting quartermaster-general, and also the two letters of Mr. Pease, who was receiver of the line, showing the amount paid by the Government to Mr. Holladay, and the basis on which he was paid for transportation, and showing also the value of the line at the time Mr. Holladay bought it, the profit which he made while operating under the receiver, and the value of the stock which was employed on the line.

The Acting Secretary read as follows:

QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., February 15, 1875.

SIR: I am in receipt of your letter of February 5, 1875, requesting information relative to the claims of Benjamin Holladay for losses alleged to have been sustained by him when he was a contractor for the transportation of the United States mails from the Missouri River to Salt Lake City, on what was known as the "Overland Mail Route."

Your letter states, "the losses are said to have occurred through Indian depredations upon his property, change of routes made by military order to insure the better defense of the line, and appropriation of sundry supplies for the troops by the military authorities without compensation therefor."

Also, that "in December, 1864, Colonel J. M. Chivington, commanding district of Colorado, required Mr. Holladay to run on his line from the Platte to the 'Cut-off' route that he might be better enabled to protect it against the Indians, and the troops mentioned are understood to be the soldiers placed on the line to defend it."

You ask whether any *application* was ever made to this office by Mr. Holladay *for compensation* for the alleged appropriation of supplies for the troops by the military authorities.

In reply you are informed that no such application has been made.

You also ask for any information bearing upon the case which this office may be able to impart.

In compliance therewith, I invite attention to the accompanying copies of papers, the originals of which are on file in this office, showing that in 1866 a series of accounts, one hundred and ninety-three in number, of the "Overland Stage Company," "Overland Mail and Express Company," and "Overland Mail Company," Benjamin Holladay, president, for military transportation from the spring of 1864, to October, 1865, amounting in the aggregate to $88,345.63, were settled through this office.

These accounts were settled as rendered, at the full tariff rates of the company.

It was proposed by the Quartermaster-General at the time, however, to reduce the rates charged by the company for military transportation, upon the following general principles and for the following reasons:

"First. That all services as well as supplies can be more cheaply furnished on a large scale than to individuals, and therefore should be furnished cheaper to Government, the heaviest consumer of all.

"Second. That Government should not submit for the services it requires to the excessive rates which a monopoly exacts from individuals, but pay only a reasonable and just equivalent, such as, were there fair competition, would alone be demanded.

"These principles have been recognized and followed in the settlement of transportation accounts throughout the war.

"Upon ferries, bridges, and turnpikes a reduction is made of 50 per cent. upon the charges to the public.

"The rate paid railroad companies, 2 cents per mile, is equal to a reduction of between 50 and 33 per cent. upon their charges to the public.

"Usual stage transportation averages not above 8 cents per mile. *This road charges about 30 cents per mile.* That there is a great difference between this and eastern stage routes is recognized."

It was therefore considered by the Quartermaster-General that this company should be allowed its own tariff rates, with a reduction upon the general grounds above stated of 33⅓ per cent., making a rate of about 20 cents per mile, which was believed to be, *taking also into consideration the facilities afforded this company by Government*, a sufficient compensation for the services rendered.

As to the facilities afforded to this company by the Government, through the United States military authorities, I invite attention to the accompanying copy of report of the Quartermaster-General, dated September 30, 1867, with its inclosures, showing that the United States has furnished to Mr. Holladay for his stage line at various times the services of enlisted men and other employés of the Government, in building, removing, and repairing stations, herding stock, taking care of teams, and cooking rations; has furnished teams to transport their forage, and has furnished forage for their teams and horses to draw their coaches, quarters, and rations for their men. It does not appear that any charge has ever been made or any consideration received from Mr. Holladay for these services and supplies furnished.

Full copies of the arguments used and memorials presented by the Overland Mail and Express Company, in opposition to the proposed reduction of their rates, are herewith, in which there is no denial of the facts presented that the United States military forces located at the time at points on the route of travel were diverted from their accustomed and legitimate sphere of duties to assist the company, both in the nature of services rendered and materials furnished, in a manner not required of them by law or regulations, and which operated to the detriment of the United States service and to the advantage of the stage company, for which no remuneration was asked of or received from the company.

Nor does there appear in these memorials and arguments a counter-statement to the effect that any services or supplies were furnished by the company to the United States for which full remuneration was not asked and received by the company, although it appears by your letter that such statements are now made to Congress in Mr. Holladay's claim for relief.

The reduction of rates proposed by the Quartermaster-General was not approved by the Secretary of War, and full rates were paid to the company in accordance with the following decision of the Secretary of War:

"It is the opinion of the Secretary of War *ad interim* that there should have been a stipulation arranged by the proper officers of the Quartermaster's Department with the proprietors of the stage line at the commencement of the transportation service to be performed, fixing the rates of such transportation. In default of this, and in view of all the facts, it is concluded that justice requires the allowance of 33⅓ per cent. hitherto withheld. The Quartermaster-General will accordingly pay that amount."

As to any orders of the military authorities to change the route of travel, &c., you are respectfully informed that copies of such orders, if issued, can probably be furnished from the records of the Adjutant-General's Office.

Respectfully, your obedient servant,

J. D. BINGHAM,
Acting Quartermaster-General,
Brevet Brigadier-General, United States Army.

Hon. JOHN SCOTT,
Chairman Senate Committee on Claims, Washington, D. C.

ATCHISON, KANS., *March* 31, 1878.

DEAR SIR: Yours of the 28th at hand, in which you make a few inquiries as to Holladay's stage line that used to start overland from this place.

First. He acquired his title to the property of the line on March 21, 1862.

Second. The average value of the horses used on the line at that time I should say $125 to $140 each. As to the value of the mules there were two kinds in use—one, the small Mexican mule, worth say $75 to $100 each, and the ordinary sized mule worth $125 to $150. The value of the stations varied greatly—some were not very expensive, while others cost considerable money to build.

I could not, on the stations as a class, fix anything like a value. Harness, I think, was worth $60 to $75 for a "four-horse set."

Third. I ran the line as trustee from December 31, 1861, to March 21, 1862, a period of eighty-one days, during which time the receipts and expenses were in amount as follows:

Amount received for mail-pay	$95,984 50
Amount received for passengers and freights	26,656 90
Total receipts were	122,641 40
Expenses paid for eighty-one days were	87,051 94
Net profit for eighty-one days	35,589 46

I have the above in a sort of abstract form, having turned over books and vouchers to the Central Overland and Pike's Peak Express Company when I settled my "trustee accounts" with them in fall of 1862.

The above-mentioned time was in winter, and business of the line comparatively small.

Yours, truly,

R. L. PEASE.

Hon. P. B. PLUMB,
United States Senate, Washington, D. C.

ATCHISON, KANS., *April* 13, 1878.

DEAR SIR: Yours of the 4th at hand. A corporation known as the "Central Overland California and Pike's Peak Express Company" owned the property previous to Holladay's purchase.

The property of the line was bid off by Mr. Holladay's agent at the sale on March 21, 1862, for $100,000, which amount was credited on the above company's notes due to him; the total amount of said notes due Holladay was about $220,000, to secure which the trust deed was made, and under it the property was sold.

Holladay's purchase covered *all* the *stations* then built and property of the line.

The mail contract was held and controlled by a company or corporation known as the "Overland Mail Company," from Missouri River to California, at $1,000,000, and they contracted with the above-named Central Overland California and Pike's Peak Express Company to carry that portion of the route from Missouri River to Salt Lake City for $500,000 per year. The stock, stations, &c., purchased by Mr. Holladay were used in transmitting the mails over that part of the route. By reference to the books at the Post-Office Department you can tell in whose name the "overland contract" was made. It took effect July 1, 1861, I think.

Respectfully, yours,

R. L. PEASE.

Hon. P. B. PLUMB,
United States Senate, Washington, D. C.

The PRESIDENT *pro tempore*. If no amendment be proposed——

Mr. MORRILL. I think there is an amendment pending.

The PRESIDENT *pro tempore*. The Senator from South Carolina [Mr. BUTLER] gave notice of an amendment, but did not offer one.

Mr. COCKRELL. I understood the Senator from South Carolina offered that amendment.

The PRESIDENT *pro tempore*. He said he gave notice that he would offer it.

Mr. COCKRELL. I move to strike out the amount named in the bill and insert $100,000.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. COCKRELL].

Mr. MORRILL. I happen to know that the Senator from Kentucky [Mr. BECK] is expecting to address the Senate on this subject this morning. He has just come in, and it seems to me that as there are but two minutes and a half left of the morning hour the Senate had better proceed with the consideration of the tariff bill.

Mr. CAMERON, of Wisconsin. That is not in order until 2 o'clock.

Mr. MORRILL. It is in order at 1 o'clock.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. COCKRELL].

Mr. BECK. I came in this moment, having been at work on other matters in reference to the tariff bill, when the Senator from Vermont alluded to the fact that I desired to say something in regard to the Holladay case. I said to him in committee that I might say something in regard to it, but I have been wholly unable to hear any of the debate, and I do not intend to participate in it. So the Senate may go on regardless of my wishes in the matter.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri.

Mr. COCKRELL called for the yeas and nays, and they were ordered.

Mr. MORRILL. One hundred thousand dollars is the same amount that was voted for at the last consideration of the bill by the Senate.

The Principal Legislative Clerk proceeded to call the roll.

Mr. ANTHONY (when his name was called). I am paired on this question with the Senator from Vermont [Mr. EDMUNDS].

Mr. LAMAR (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from Nevada [Mr. FAIR]. My colleague, if he were here, would vote "nay."

Mr. HALE (when his name was called). I am paired on this question with the Senator from Louisiana [Mr. KELLOGG].

Mr. SLATER (when his name was called). I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were here, I should vote "yea."

The PRESIDENT *pro tempore*. The Senator from Maine [Mr. HALE] announced his pair with the Senator from Louisiana [Mr. KELLOGG].

Mr. SLATER. Then I vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Virginia [Mr. MAHONE]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. ALLISON. On this question I am paired with the Senator from Delaware [Mr. BAYARD].

Mr. MORRILL. I think the Senator from Delaware would vote in the affirmative.

Mr. ALLISON. I should vote in the negative.

Mr. CAMERON, of Pennsylvania. On this question I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "nay."

The result was announced—yeas 21, nays 31; as follows:

YEAS—21.

Aldrich,	Farley,	Maxey,	Ransom,
Barrow,	Gorman,	Morgan,	Saulsbury,
Beck,	Hampton,	Morrill,	Slater.
Cockrell,	Harrison,	Pendleton,	
Coke,	Jonas,	Plumb,	
Davis of Ill.,	McMillan,	Pugh,	

NAYS—31.

Blair,	Groome,	Lamar,	Sawyer,
Call,	Hawley,	Lapham,	Sewell,
Cameron of Wis.,	Hill,	Logan,	Sherman,
Chilcott,	Hoar,	McDill,	Voorhees,
Conger,	Ingalls,	Miller of Cal.,	Walker,
Dawes,	Jackson,	Miller of N. Y.,	Williams,
Frye,	Johnston,	Platt,	Windom.
Garland,	Jones of Nevada,	Rollins,	

NOT VOTING—24.

Allison,	Cameron of Pa.,	Grover,	Mahone,
Anthony,	Davis of W. Va.,	Hale,	Mitchell,
Bayard,	Edmunds,	Harris,	Saunders,
Brown,	Fair,	Jones of Florida,	Vance,
Butler,	Ferry,	Kellogg,	Van Wyck,
Camden,	George,	McPherson,	Vest.

So the amendment was rejected.

Mr. MORRILL. I now ask for the regular order.

The PRESIDENT *pro tempore*. The Holladay bill goes over, and the Chair lays before the Senate the unfinished business, which is House bill 5538.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a joint resolution (H. Res. 320) authorizing the Secretary of War to loan to the directors of the competitive drill at Nashville, Tennessee, one hundred tents; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution for the printing of 6,000 copies of the bill (H. R. 7313) to impose duties upon foreign imports, and accompanying reports.

The message further announced that the House had concurred in the report of the committee of conference on the bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 1340) for the relief of the heirs at law of William R. Downing, deceased; and it was thereupon signed by the President *pro tempore*.

AMENDMENT TO A BILL.

Mr. MILLER, of New York, submitted an amendment intended to be proposed by him to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes; which was ordered to lie on the table and be printed.

HOUSE BILL REFERRED.

The joint resolution (H. Res. 320) authorizing the Secretary of War to loan to the directors of the competitive drill at Nashville, Tennessee, one hundred tents, was read twice by its title, and referred to the Committee on Military Affairs.

PRINTING OF HOUSE TARIFF BILL.

The PRESIDENT *pro tempore* laid before the Senate the following resolution; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That 6,000 copies of the bill (H. R. 7313) to impose duties upon foreign imports, and accompanying reports, be printed, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House.

INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation, the pending question being on the amendment proposed by Mr. GORMAN, to insert in line 247, after the word "three," the words "and one-half;" so as to make the item read:

Bichromate of potash, 3½ cents per pound.

Mr. BECK. I believe a further amendment is in order, the amendment of the committee being treated as the text of the bill.

The PRESIDENT *pro tempore*. The Senator from Kansas [Mr. INGALLS] moved to amend by striking out the whole line. The amendment of the committee is treated as the original text. The amendment of the Senator from Maryland is the first amendment and the amendment of the Senator from Kansas the second, because a motion is in order to perfect the line before taking the question on striking it out.

Mr. INGALLS. The part proposed to be stricken out may be amended before the question is taken on the motion to strike out.

Mr. BECK. I move to amend the amendment of the Senator from Maryland by making the duty 25 per cent. ad valorem.

The PRESIDENT *pro tempore*. The amendment of the Senator from Kentucky will be reported.

The ACTING SECRETARY. In line 247 it is proposed to strike out "3 cents per pound" and to insert "25 per cent. ad valorem;" so as to read:

Bichromate of potash, 25 per cent. ad valorem.

Mr. BECK. That is a reduction of 25 per cent. upon the present rate.

Mr. INGALLS. A reduction of how much on the present rate?

Mr. BECK. Of nearly 25 per cent. on the present rate, the way I understand it in looking over the table and seeing what the prices are; 25 per cent. ad valorem, in other words, is about 3 cents a pound. I am seeking to make it about what the bill makes it, instead of 3½, as proposed by the Senator from Maryland, but to make it an ad valorem duty.

Mr. President, if I can have a little bit of order I should like to say a few words.

The PRESIDENT *pro tempore*. Senators will please be seated and cease conversation.

Mr. BECK. I desire to say a few words about ad valorem duties, which it now seems fashionable to abuse. A good deal has been said against them, and much has been said in laudation of this bill because there was a change from ad valorem to specific duties. The ad valorem system has been declared to be productive of undervaluations and of frauds, and therefore the new departure assumed to have been made has been held up to the Senate as a great improvement in the general character of this particular tariff bill. We are approaching a great many important items in the bill presenting ad valorem rates, specific rates, and specific based on ad valorem. The merits of this question will be fairly tested, therefore I desire Senators to look into it in advance. I do not know any better time to state why I think the present bill is not only worse than the existing law, but in many important instances worse than any system of ad valorem that ever I saw or heard of, and that it will prove more productive of fraud, especially by reason of the compound classifications wherein specifics are based upon ad valorems.

That character of classification has been increased to such an extent that I hardly see how there can be an honest collection of revenue under the provisions of the bill in many of its most important schedules. As these questions will be before us in all the schedules and in very many important items of nearly all of them, I propose now to show what I mean, by protesting in advance against the laudation of the proposed system of specifics and compound specifics such as I have referred to, and to show, if I can, that plain ad valorem duties are fairer, freer from fraud, and more just to the Government and the people than the methods proposed in the bill.

First, let me say that the proposition of 25 per cent. ad valorem on this article is about 25 per cent. reduction on the present rate, which is about 37 per cent. I will read what the commission in their report say, following the portion of their report that I read the other day, about their desire to reduce the present exorbitant war taxes.

Mr. President, I ask that order may be kept; I can not be heard.

The PRESIDENT *pro tempore*. Gentlemen will please take their seats. The Chair appeals to Senators to be seated and cease conversation.

Mr. MORGAN. This interference with the business of the Senate comes from gentlemen who by courtesy occupy the floor, and they ought to have respect enough for themselves if not for the Senate to refrain from conversation.

The PRESIDENT *pro tempore*. The Chair can not bear out the Senator there, for Senators are engaged in conversation.

Mr. MORGAN. And others, too.

Mr. BECK. I have no objection to gentlemen leaving the Chamber in order to converse, but I can not hear myself on account of the noise in the Chamber.

The PRESIDENT *pro tempore*. Order is restored, and the Senator from Kentucky will proceed.

Mr. BECK. After showing that the war taxes ought to be largely reduced, the Tariff Commission say:

> Entertaining these views, the commission has sought to present a scheme of tariff duties in which substantial reduction should be the distinguishing feature. The average reduction in rates, including that from the enlargement of the free-list and the abolition of the duties on charges and commissions, at which the commission has aimed, is not less on the average than 20 per cent., and it is the opinion of the commission that the reduction will reach 25 per cent. The reduction, slight in some cases, in others not attempted, is in many cases from 40 to 50 per cent.

Therefore the reduction I propose on this article, being a reduction of about 25 per cent., comes within the average of what the commission say they propose doing.

I repeat, that specific duties even when not based upon ad valorem rates very frequently work great injustice, and always impose the heaviest taxes on the lowest grade of goods. Take Bessemer steel, for example. At the time when 1½ cents a pound or $28 a ton was imposed as a specific duty on Bessemer steel the price was from $60 to $75 per ton, and the specific was a reasonable ad valorem rate. New improvements, new patents if you like, new conditions and discoveries in Germany, England, and France, for most of them were foreign patents, have brought the present price down to $24 or $25 per ton, certainly not over $28, so that what was at the time the duty was fixed about 35 per cent., being then perhaps a reasonable duty upon Bessemer steel rails, it has been for the last year or so 100 per cent. and is now over 100 per cent., because the specific duty remains the same, no matter how the original price of the article may vary. It has simply become a protected monopoly. In other words, the consumer gets no part of the benefit from improved machinery, improved methods, the cheapening of production, or anything else, and under specific duties, as the Bessemer steel tax very well illustrates, the importation of that article has now become almost prohibitory as it was three or four years ago, or until in 1880 and 1881 when there were large importations because railroads were struggling with each other which could first reach certain points, how they could secure their charters by building their roads, and obtain their land grants, and these great interests that they were acquiring induced them to buy Bessemer steel rails at almost any rate, they did not care what they cost, because that was a small item as compared with other things. That is all ended now, and at $28 a ton the tax is prohibitory, and the tax will be almost prohibitory at $18.50, the sum now proposed, because it is at least a 75 per cent. tax.

We might get along with simple specifics by frequent changes if that were possible, but all through this bill there are specific duties based upon ad valorem rates. There is where the vice of the proposed system lies, and Senators may as well understand and examine it. Let me illustrate. Take the article of steel. The bill of the commission is a cunningly devised scheme to increase duties by high specific rates and at the same time to open the door for the widest possible fraud:

> Crucible cast-steel rivet, screw, nail, fence, and wire rods, round, in coils and loops, not lighter than No. 5 wire gauge, and valued above 3 cents and not above 5 cents per pound, 1¼ cents per pound.
> Valued above 5 cents and not above 9 cents per pound, 2½ cents per pound.
> Valued above 9 cents per pound, 3 cents per pound.

There the specific is based upon the valuation. There is an increase of three-fourths of a cent a pound between a valuation of 5 cents and a fraction over it. Now take the plain ad valorem rate, about which so much is said disparagingly, and let the actual cost be 5¼ cents. The merchant and the Government officer, if you please, combine to cheat the Government and mark it down to 5 cents. What is the effect of it? After they have undervalued and brought it down to 5 cents at 30 per cent. ad valorem, which is the present rate of tax on steel, the man who does the cheating only makes $1.68 a ton, and takes all the risk of fine, imprisonment, and forfeiture of goods. Under the system now proposed, where it is 2½ cents a pound tax over 5 cents, and 1¼ cents at 5 cents and under, the inducement to undervalue is magnified to the extent of three-fourths of a cent a pound, or $16.80 a ton. If the man who imports under the proposed system of compound ad valorem, and specific duty, being three-fourths of a cent more the moment it passes 5 cents, say 5¼ from what it is at 5 and under, if he can fraudulently reduce it to 5 cents he will save $16.80 a ton, and the Government will be cheated out of $16.80 of revenue per ton by the same change that under a simple ad valorem it would lose $1.68 per ton.

The system of fixing specifics upon ad valorem, which gives every sort of margin that a simple ad valorem duty does for undervaluations and frauds, magnifies the loss to the Government and increases the interest of the importer to commit fraud often times a hundred-fold. Yet it is said that the present rate of compound specifics is very much better than simple ad valorem.

Turn to page 19 of the table to which I have referred and observe the provisions relative to iron and steel wire. There are only two divisions of steel wire under the wire gauge in the present law. The bill of the Tariff Commission divides them into four, as follows:

> Iron or steel wire not smaller than No. 10 wire gauge, 2½ cents per pound; smaller than No. 10 and not smaller than No. 18 wire gauge, 2¾ cents per pound; smaller than No. 18 and not smaller than No. 26 wire gauge, 3½ cents per pound; smaller than No. 26 wire gauge, 4 cents per pound.

The present classification runs from not finer than 16, and finer than 16. The proposed law multiplies or doubles them up into four classifications instead of two, and at each point of classification the inducement to cheat is as great because of the specific based upon the ad valorem as in the case that I put before, the rate of increase being from ½ to ¾ at each new departure, based upon the wire gauge in these cases, which largely multiply the inducements to cheat in the proposed system over what exists in the old. Three-fourths of a pound, under the 26 wire gauge, or from 3½ to 4 cents a pound, is the increase, or $16.80 a ton. I hold in my hand the standard wire gauge, and I defy any Senator, in looking at the wire gauge (I wish I could put it in the RECORD; I would stamp it there so that it could be seen; I hope it can be done), to tell the difference by the naked eye between 26 and 27. In my opinion it can not be done.

Mr. FRYE. What is the difference in the rate?

Mr. BECK. The difference in the rate is $16.80 a ton.

Mr. FRYE. That is as bad as sugar.

Mr. BECK. It is a good deal worse. I hope the Senator from Maine will look at that gauge and see if he can detect with his keen eye the difference in size between 26 and 27, and if a man who wants to get in his goods at $16.80 a ton less can not call it 26 instead of 27, and whether anybody could prove that either he or the officer were defrauding the Government when they called it 26 when in fact it was 27. It is impossible. Yet this bill, while lauding specific rates, proposes to intro-

duce that condition of things to double the extent now existing on importations amounting to millions of dollars, greatly increasing the opportunities for fraud and making it the interest of the importer to cheat, and placing it in the power of the officer, if he is corrupt, to aid him with impunity. Sixteen thousand eight hundred dollars would be the difference in the tax on a thousand tons of that metal imported, to be added or taken off on the difference between the one wire-gauge and the other. I ask ought we put that additional strain upon the honesty of the officers of the Government in making collections under such a nice shade of distinction that no man with the naked eye can discover it?

Again, take the cotton schedule, for we may as well at the threshold understand that the laudations we have heard so much of in favor of this system of specifics really have no merit in them. On page 33 of the comparative tables which Senators have on their desks they will find that the present Tariff Commission report, instead of reducing the cotton schedule, as they reported it, have increased it largely. They have made seven classifications of cotton yarns and threads instead of four, as now exist. Valued at not exceeding 25 cents per pound, 7½ cents; valued at over 25 cents per pound and not exceeding 40 cents per pound, 15 cents; and so on through seven classifications; whereas the present law, bad as it is and much complained of as it justly is, has only four.

Mr. ALDRICH. Mr. President——

Mr. BECK. I am speaking of the Tariff Commission bill. I hope the Senator from Rhode Island has improved this. I spoke to him yesterday to see the effect of the changes he has made in regard to it; but I am now dealing with the bill of the commission, and I am endeavoring to show that the bill of the commission is worse in its classifications, worse in its chances for fraud, holding out greater inducements for undervaluations by these minute subdivisions, than even the existing law or any system of revenue that ever was devised in this or any other country. I hope that the Senator from Rhode Island will be able to do away with many of the bad things recommended in the original bill. I am dealing with the original bill, not with his amendment now, and I call the attention of Senators to the fact that notwithstanding all the pretenses they make of improvements in conditions in these great and important items there is not only no improvement, but a very great deterioration in safeguards against fraud even from the present law. These changes do not relate to small matters. Look at the amounts. Turn to page 33, with which we are dealing; you will find the following table:

Statement of rates of duty under present and proposed tariff.

Articles.		Imported merchandise entered for consumption during the year ended June 30, 1882.			Rates of duty.				Duties computed on imported merchandise entered for consumption during year ended June 30, 1882, at proposed rates.
					Present tariff.		Proposed tariff.		
As proposed by the Tariff Commission.	As classified in the import schedule of the Bureau of Statistics.	Quantities.	Values.	Duty collected.	Rate.	Equivalent ad valorem.	Rate.	Equivalent ad valorem.	
SCHEDULE I.—COTTON AND COTTON GOODS.		*Pounds.*	*Dollars.*	*Dollars.*		*Per ct.*		*Per ct.*	*Dollars.*
Cotton threads, yarns, warps, warp-yarn, for weaving, whether single or advanced beyond condition of single by twisting two or more single yarns together, whether on beams, or in bundles, skeins, or cops, in any other form—	Cotton thread, yarn, warps, or warp-yarn not wound on spools—								
Valued at not exceeding 25 cents per pound. Valued at over 25 cents per pound, and not exceeding 40 cents per pound.	Valued at not exceeding 40 cents per pound.	459,697.24	165,318 00	79,033 35	10 cents per lb. and 20 per cent.	47.81	7½ cts. p. lb.... 15 cts. p. lb....	....	....
Valued at over 40 cents per pound, and not exceeding 50 cents per pound. Valued at over 50 cents per pound, and not exceeding 60 cents per pound.	Valued at over 40 cents and not exceeding 60 cents per pound.	826,709.82	420,318 00	249,405 61	20 cents per lb. and 20 per cent.	59.34	20 cts. p. lb..... 25 cts. p. lb.....	....	....
Valued at over 60 cents per pound, and not exceeding 70 cents per pound. Valued at over 70 cents per pound, and not exceeding 80 cents per pound.	Valued at over 60 cents and not exceeding 80 cents per pound.	678,146.35	489,158 00	301,275 51	30 cents per lb. and 20 per cent.	61.59	30 cts. p. lb.... 36 cts. p. lb....	....	....
Valued at over 80 cents per pound.	Valued at over 80 cents per pound.	1,058,226.15	1,204,052 00	664,100 88	40 cents per lb. and 20 per cent.	55.16	50 per cent.....	50.00	662,026 00
Cotton, unbleached, manufactures of—				1,293,815 35					
Valued at 8 cents or less per square yard.	.....	.....	.....	.....	.....	.....	3 cents per sq. yard.	.....	.....

It will be seen that very large amounts are involved in these changes of classifications. Let me again illustrate. An importer seeks to bring in a thousand pounds of these cotton yarns—for a thousand will illustrate as well as a million—really worth 25¼ cents, when under a valuation of 30 per cent. ad valorem, the simple ad valorem value, he undertakes to cheat, and he combines with the officer and calls it 25 cents instead of 25¼ cents, what does he make? He makes 75 cents and the Government loses 75 cents. Under the proposed system by the Tariff Commission, where the moment it passes 25 it becomes 15 per cent. instead of 7½, if by the same process of undervaluation he makes it 25 instead of 25¼ he makes $75, for he ought to pay $150 on the true valuation and he brings it down and pays $75. Therefore he pockets $75 by his fraud and the Government loses $75, whereas if the valuation had been a true one, and not a specific based upon values, the Government would have lost 75 cents and the man who attempted to commit the fraud would only have made 75 cents, and he would not attempt it for such a trifle.

There is no comparison between the magnitude of the frauds that can be perpetrated under all the new compound classifications of this bill, considering the immense amounts of money with which they deal, because they are all made applicable to the largest amounts both in cotton, steel, iron, woolen, and everything else, and the minute frauds from undervaluation with simple ad valorem. I did not feel content to stand by and hear the provisions of the bill lauded as a careful, well-considered measure; and to hear the old ad valorem system denounced, which, with all its imperfections, is fair and equal, and reduces, if we have honest officers, frauds down to such a small point that in very few instances it would be worth while to attempt them; certainly, then, temptation is small as compared to the enormous bonus that is offered for cheating, both in the steel under the combined ad valorem and specific and under the wire-gauge test. I might go through cotton and woolen goods and show perhaps worse examples than these upon the specific duty based on an ad valorem, growing out of the increase of rates as soon as you pass a mere arbitrary point.

There can be no honest specific based upon an ad valorem duty. It may be honest if not based upon ad valorem, as the Bessemer steel tax might be, so much a ton, or as cigars, no matter what the value on anything that we keep the ad valorem test away from, but when, as in this bill, where in all these great schedules and in all the schedules that deal with the largest amount of values and taxes they apply a specific upon an ad valorem, they open the door to frauds much wider than it has ever been heretofore opened by the arbitrary, unjust, and except to make money for monopolists, senseless increase of classification.

Mr. MORGAN. I desire to ask the Senator from Kentucky a question, if he will allow me.

Mr. BECK. Of course.

Mr. MORGAN. The Senator has studied the question of the tariff, the method of imposing duties, perhaps as thoroughly as anybody on

our side of the Chamber at least, and I desire to ask him if he knows of any instance in all the tariff, in all the articles upon which duties are imposed, in which it is necessary to resort to specific duties for the protection of the revenue, or if he knows of any instance in which a specific duty is preferable to an ad valorem duty? I should like him to name it if he can.

Mr. BECK. I should not like to attempt to answer that question. In the vast range of thousands of articles I might give an answer that would not be satisfactory even to myself. All I am proposing to show now is that specifics based upon the ad valorem is the very worst possible system of taxation. That much I think the Senator from Alabama will agree with me about.

Mr. MORGAN. I do.

Mr. BECK. Beyond that I would not like to go in answering questions without making a critical examination, which I have not been able to do.

Mr. MORGAN. I merely desired to know of the Senator if he had ever found a case in which he was satisfied that a specific duty was preferable to an ad valorem duty either for the protection of the revenue or for the protection of any body else but the manufacturer.

Mr. BECK. Certainly the manufacturer under the specific duty holds on to the specific tax imposed for his protection, no matter how much the price of the article he produces may fall, or from what cause. As the tendency of all improvements of machinery, of rapid communication and cheapening of hauling by the competition of railroads and bringing in raw material cheap, and by reducing the tariff so that the laboring man can get twelve pounds of sugar, if you please, for what he now has to pay for ten pounds, and can get blankets for 50 cents for which he now has to pay 75 cents, and so on with everything else, as he will if we make an average 25 per cent. reduction of taxes, and having done so the laborer will make more even if he gets less wages; his wages will buy more than they do now.

Notwithstanding we may do all that and can get labor cheaper because the wages of labor will be worth more, the manufacturer will hold on to the specific tax now imposed in spite of the reduction that may come from all the combination of causes we are struggling for, but the consumer will get no benefit of a reduction of tariff taxes, because the manufacturer pockets the high specific tax on the thing he is producing, no matter what it is worth in the market. It may be worth half what it is now and the high specific tax may prohibit imports. That only makes the protected manufacturer rich at the expense of the consumers of the country; even his employés get no benefit from it. There is where the vice of specific taxes comes in.

I rather agree with the Senator from Alabama it would be very difficult in the present advancing condition of the world, and in the efforts we are making to reduce the cost of things by reducing the cost of living and rapid transportation and the cheapening of materials, to imagine a case where anybody could say that a specific would be as fair as an ad valorem at the end of five years from this time upon any given article.

Passing from that, as this bill has to be considered as a whole I ask particularly the attention of the Senator from Alabama and the other lawyers in this body to the provisions we are making to guard against frauds and undervaluations. I assert that the additions to existing law proposed in this bill are absolutely cruel, absolutely unjust, as the Senator from Alabama will see when I read section 2900. If he will take the Revised Statutes and read section 2900 he will see how much worse, how much more onerous, it is now proposed to make it.

The section reads:

SEC. 2900. The owner, consignee, or agent of any merchandise which has been actually purchased, or procured otherwise than by purchase, at the time, and not afterward, when he shall produce his original invoice to the collector and make and verify under oath or affirmation—

That is added—

his written entry of his merchandise, may make such addition in the entry to the cost or value given in the invoice as in his opinion may raise the same to the actual market value or wholesale price of such merchandise at the period of exportation to the United States in the principal markets of the country from which the same has been imported, and the collector within whose district the same may be imported or entered shall cause such actual value or wholesale price to be appraised—

This we added—

but the duty shall not, however, be assessed upon an amount less than the invoice or entered value, except in case of a mistake or misdescription of the goods in the invoice, clearly established to the satisfaction of the collector, and in all cases where such market value or wholesale price as appraised, estimated, and ascertained under the customs laws of the United States, of any article or articles of imported merchandise subject to ad valorem duty—

This is all new—

or to duty based in whole or in part on value, shall exceed the entered value at the custom-house (whether such entered value be based on a certified invoice or any other document whatever admitted or received in lieu of such certified invoice) more than 5 per cent., and not more than 15 per cent. of the value stated in said entry thereof, then in addition to the duty imposed by law on such article or articles of merchandise there shall be levied, collected, and paid 2 per cent. of such total appraised market value or wholesale price thereof for each full or entire 1 per cent. of such additional value above such 5 per cent. as a penalty for such undervaluation; and if such appraised value shall exceed said entered value more than 15 per cent. the said entry shall be deemed and held to be presumptively fraudulent, and the collector shall seize such article or articles of merchandise, and proceed as in other cases of forfeiture for violation of the customs laws: *Provided*, That the penalties and forfeiture in this section provided for shall only apply to the particular articles in each invoice which are undervalued: *And provided further*, That when it shall be made to appear to the collector by satisfactory evidence that the said undervaluation on said entry was caused by a manifest clerical error, or mere mistake, and without any intention to undervalue or defraud, the collector shall so certify to the Secretary of the Treasury, and with such certificate transmit the evidence in support thereof, and the Secretary of the Treasury, if fully satisfied that said certificate is sustained by said evidence, and not otherwise, may remit said penalty, or may remit said forfeiture at any time before the commencement of legal proceedings for forfeiture, and not afterward; and in such legal proceedings the fact of such undervaluation shall be presumptive evidence of fraud, and the burden of proof shall be on the claimant to rebut the same, and forfeiture shall be adjudged unless he shall fully rebut said presumption of fraudulent intent by sufficient evidence.

Now, what is the meaning of that? If the Senator from Alabama sends an order to England to buy anything, a bale of goods or a dozen bales of goods, and he buys them, say, at £40 a bale, and by reason of a foreign war or any other cause a boom takes place and they spring up to £60 before the time that they are shipped to him, and he furnishes the collector at New York his invoice, which is in truth at £40, and they have advanced to £60, his goods are forfeited and it is a presumptively fraudulent entry, because he does not put in an invoice up to the £60 that they were worth at the time they were shipped, four months after he made his purchase and paid his money. But if, on the other hand, he purchase them at £60, and by some other accident they fall to £40, and were only worth £40 at the day they were shipped, he has to pay taxes on the £60, and if he puts them at the true value at which they were shipped, at £40, his goods are again forfeited as fraudulently undervalued. I have an actual case furnished by a gentleman who acted as appraiser under these circumstances, which I asked him to write out for me.

Mr. MORGAN. Before the Senator comes to that, let me suggest that is the fault of the statute and not of the system.

Mr. BECK. It is the fault of the statute we are seeking to impose, which is even worse under existing conditions, and they are severe enough.

Mr. MORGAN. It is not a necessary consequence of the levying of an ad valorem duty.

Mr. BECK. Of course it is not, but it shows to what extent the bill proposes to go in order to carry out their favorite system and the unjust and unreasonable penalties that the bill we are now considering seeks to impose upon all men who are bringing goods to this country.

Mr. JONES, of Florida. How does the existing law stand on that subject?

Mr. BECK. If the Senator will look at this section of the Revised Statutes he will see that we are proposing to add greatly to the severity and injustice of the present law.

I will now state the case I started to speak about a moment ago, in the words of the friend who told me of it:

A merchant of New York once told me that he was summoned as a merchant appraiser to appraise antimony. A party, not a regular dealer, had imported a lot of antimony and entered same by the invoice, which was cost. The antimony was contracted for at, say, £52 per ton, for shipment in September; the maker did not ship until November, when the market had advanced to £65 per ton. The purchaser, ignorant of the law, had innocently entered the antimony by his invoice which was the actual cost; 20 per cent. penalty had been imposed, which he had to pay. By the proposed law his antimony would have been forfeited, unless he could have convinced the collector and the Secretary of the Treasury and found them in a mood to believe that he was innocent of any intent to defraud.

If his antimony had been bought at £66 and the market had declined to £50 before shipment, he could abate nothing from his invoice, as you will see by the section that it is proposed to pass.

That is all I care to say now. I did not choose that the bill should be gone through with without at least showing in advance of action upon many provisions the iniquities that I think lurk all through this system of basing specifics upon ad valorems.

In this case now before us an ad valorem of 25 per cent. upon this article is equivalent to about 3 cents a pound. For the reason given by the Senator from Maryland [Mr. GORMAN] yesterday, when this industry began the article was selling at four times or three times, certainly very much more than it is now. As it falls in value, as the material becomes cheaper and as the manufacturer can make it for less, what was then equal to 25 per cent., if its value was imposed, the present specific rate is more than 25 per cent. now; owing to the cheapening of the material and the fact they can make it for much less; but if it continues to fall three or four cents, specific tax may in five years be 100 per cent. instead of being 37 per cent., as it is now, whereas if it continues to cheapen, as I hope it will for the benefit of all the manufacturers who have to use it, we will still have 25 per cent. on the actual cost, which I think will be sufficient protection to the manufacturer, with as good an establishment as he has got now added to the freight and transportation from foreign countries, to enable him to compete with any foreign producers.

I shall not vote for the motion of the Senator from Kansas to place this article upon the free-list, though I think it would be better for the whole country if it were there along with many other things of the same class, but I do not believe in striking down in a way that will fatally destroy any one of those so-called industries, especially as old and respectable an industry as this seems to be. I would bring them down gradually and fairly to about 25 per cent. each if I could; many of them now have a protection of at least 100 per cent. As this is 37 per cent.

now, I thought 25 per cent. enough, and therefore I moved the amendment I did.

I desire only to add that I moved the amendment more for the purpose of calling attention to the general provisions of the bill in regard to the much lauded specifics based upon ad valorem rates which, I think, are ruinous to the Government revenues, productive of fraud, and unfair in every regard. As this is a simple specific I care very little whether it is specific or ad valorem; if specific it ought not to be increased above 3 cents, which is about the reduction I hope we will be able to make on most things.

Mr. SHERMAN. Mr. President, I owe an apology to the Senate for attempting to reply to any speech, especially one of so general a character as that made by the Senator from Kentucky, on account of the condition of the business of the Senate. Here we have been I do not know how many days debating a tariff bill for the purpose of reducing taxes. It contains fourteen schedules. Every other schedule, I believe, is more important than the one (Schedule A) we are now engaged upon. We are about half through that schedule. If we are to debate all the questions connected with the tariff policy of this and other countries and the principles which lie at the foundation of them we will never get through with the bill. We must make more progress.

Therefore I owe an apology to the Senate for endeavoring to reply to the Senator from Kentucky, but he has now assailed the axiom recognized by all civilized nations as the proper rule in framing tariff laws. It is now recognized by every nation in the world which levies duties on imported goods that a specific duty should, in every case where the nature of the article allows it, be applied instead of an ad valorem duty. That is so with France; it is so with Germany, and with Great Britain, the country whose policy my friend from Kentucky seems to approve so much, the policy of free trade. The taxes levied by Great Britain on imported goods are in every case specific except one. Great Britain levies no ad valorem duty at all except on the essence of spruce, 10 per cent. All other duties levied by Great Britain are specific.

So it has got to be the axiom of tariff policy to levy specific duties. You might as well attempt when dealing with a geometric problem to endeavor to demonstrate by the rules of logic one of the admitted axioms of Euclid, because now it is an admitted axiom by every man who has ever undertaken in the last forty years to frame a tariff bill that specific duties are better than ad valorem duties. The country which has made free trade the basis of all her revenue laws, which because of a long series of years of protective policy has been enabled to obtain the mastery in all manufactures, even Great Britain recognizes as the fundamental principle of her tariff law that specific rates ought to be adopted rather than ad valorem. Why? Because of the uncertainty of ad valorem rates. The market values of every article rise and fall, and every invoice would have to be inspected and every invoice would have to be tested by the market price on the day of importation. How difficult that is is shown by the experience of the custom-house officers.

In other words, instead of having a fixed rule for levying your tariff duties you would have a variable rule; varying not only from month to month but from day to day, and on every invoice of every article of the goods imported. There is a constant variation on ad valorem duties; the temptation to fraud occurs on every invoice. A reduction of the invoice value by consignment to an agent in this country enables the owner of the property to avoid the duties fixed by the law.

Therefore it is that from the tariff of 1842 including the tariff of 1846 and every tariff which has been framed in this country from that time, it has been the admitted axiom of legislators that specific duties should be substituted for ad valorem duties as far as practicable; and here, in this short session, when we are dealing with a bill which is now before us, we are to debate and discuss these questions of public policy which have been abandoned by every country anywhere that undertakes to levy duties on imported goods.

It is true, as the Senator says, that sometimes from the nature of the articles specific rates can not be put upon duties, and ad valorem must be substituted. To avoid these ad valorem duties as far as possible the class of duties that the Senator comments upon has been adopted, that is by adopting classifications of articles. Take the case of iron. Iron varies enormously in value from the rude pig which is produced by the furnace to a fine iron wire which probably costs ten or twenty times the value of pig. Every one would suppose the system of ad valorem might be applied, but on the contrary experience shows that there is more certainty by classifying the various articles made out of iron according to their value, and then by adopting specific rates so as to make the duty equal to ad valorem duties on the ordinary price of the articles, and by this adoption of a classification of iron and wool and other articles of that kind which vary from the nature of their manufacture, a specific duty is adopted as far as practicable, instead of an ad valorem duty.

The very attempt of Congress and of all governments to avoid the uncertainty of an ad valorem duty of classifying articles that can be classified in order to have a fair duty levied upon them—that very experience of Congress is made the argument by the Senator from Kentucky for putting an ad valorem duty upon the articles. Take for instance the case he puts. He says he can not tell the difference between No. 26 and No. 27 grade of wire. Perhaps he can not by the eye, but by that little instrument which he produced here any custom-house officer would tell the difference in a moment without testing by his eye. They may test the article by chemical analysis; they may test it by gauges or other devices. That little instrument which he produced itself is the answer to his argument, because it is better than the eye. Although the eye might fail in saying whether the wire was No. 27 or 26, and although he threw it over to the Senator from Maine to see whether he could tell the difference by the eye between 27 and 26, yet either of these gentlemen could tell the difference by the use of the little gauge which he produced, and in that way there is avoided all possibility of fraud. Indeed, when articles of this kind are classified according to their value, according to their grade by instruments used by every merchant, you have tests which can not be evaded.

Suppose the market value of wire depended upon the oath of the man who imported it; suppose it depended upon the market value or the estimated value from day to day, how then would there be any mode of testing the grade or quality or value of that article? You could not do it. But Congress has substituted various guides and means of testing.

Take the case of sugar. The old habit of commercial nations justified a gauge by color. That has been abandoned by Holland itself, it has been abandoned by every country in the world, and now for that is substituted an ingenious chemical contrivance by which the saccharine strength of the sugar is told to the buyer, running from seventy-five to one hundred with absolute accuracy. We adopt these tests which have been adopted by other nations as well as our own in order to test the value of these commercial importations.

But the Senator says that these are uncertain because the values are falling constantly. That is an answer to the great argument I have heard him utter so often. These prices have fallen with these large protective duties. What has caused it? What has caused the price of steel and of iron to fall and all the other articles that enter into the consumption of every intelligent nation? It is domestic competition; it is the tariff, the protective laws of this country which have built up here in our own midst workshops which can rival those of any country in the world. Give us a steady protective policy for twenty years longer and America may proclaim free trade to Great Britain and all the nations of the world, but it can not be done if we allow these industries to be broken down in their growth before they have gained their full manhood and strength.

This is the best answer which has ever been made to the argument that my friend from Kentucky has repeated so often. Why put on a protective duty? He says if we put on a duty to-day competition will probably reduce the price. Take this article of bichromate of potash, an article I would not know if I would see it, although other Senators know more about it. Here it is shown that when this article was not manufactured in this country it was worth from 30 to 40 cents a pound. It was controlled by one man in Glasgow who had a monopoly of it. Congress gave this infant industry a small protection and then an enterprising Baltimorean undertook to make it and competing with his Scotch rival under this competition, by domestic manufacture, by domestic production by a single man the price of the article was reduced down to 11 cents a pound foreign valuation and 16 cents a pound domestic valuation.

Sir, what produced this great change in prices? What produced this reduction? Suppose we had had no duty on bichromate of potash, would the price have been reduced? No; the Scotch monopolist in Edinburgh or Glasgow, wherever he lived, would have maintained his price, and every manufacturer would still have paid the old price, but by domestic competition, by aid of a protective tariff, the price has been reduced to 11 cents.

Shall we abandon that protection? No; common sense as well as the experience of mankind would tell us to maintain that protection, to keep up this competition and not allow the Scotch monopolist to beat down, if you please, the American manufacturer, but let them compete with each other. Give the American manufacturer that additional protection which would enable him to pay to his workmen reasonable and fair wages, not such wages as are paid in Scotland, but American wages—give him that protection and, by competition, the article will be reduced lower and lower.

I have no doubt the time will come when bichromate of potash will be produced from the mines of California probably at 6, 7, and 8 cents a pound, but how is it to be done? Would you take off that protection which has thus far built up this industry and reduced the price? No, sir; I would maintain it. That is the difference.

Coming to the single question before this body, the question now is whether, in the midst of the circumstances by which we are surrounded, we will abandon all the experience of all the nations, and abandon the specific duty which is nearly absolute tested by a weight, by tons, by scale, or will you take the ad valorem rate of an importer sworn to by a custom-house oath to estimate the value of bichromate of potash?

It is hardly necessary to answer that question. Experience shows that the real way to test it is the specific rate, and not the ad valorem. All nations confirm that experience. No party line has ever been drawn on this question, but by common consent of all parties in this country a specific rate, founded as nearly as possible upon an ad valorem basis,

shall be levied upon certain articles of merchandise, and wherever an ad valorem rate from its nature can be properly converted into a specific rate it shall be done.

The Senator from Kentucky in the midst of this argument asks us to go back forty, fifty, or sixty years into ancient history to adopt the ad valorem scale again—and why? He says, "Suppose this article goes down, the protection that has been given to the American manufacturer still stands at 4 cents a pound." Suppose it does; is it not better to stand at a fixed rate until in future times there will be Congresses after us, and they may be able to reduce the rate more and more?

Mr. DAWES. The consumer does not suffer.

Mr. SHERMAN. The consumer does not suffer, nor is it added to the price of the article. The price of the article is fixed by competition, and if you remove that competition the price of the article advances. Maintain that competition at a fixed rate, so that it cannot be avoided by a custom-house oath, by an estimate of value, and then you will give to the American manufacturer the fair advantage of a protective duty, and his business it is to reduce gradually the price of the article, as he has done in the past.

I expect to see, I hope to live long enough to see, the time when iron and steel will enter into the material of building houses and barns, as well as steamships and workshops; when iron and steel and various metals yet scarcely developed from the bosom of mother earth will add to the comfort and convenience of the household purposes of the American people, made from the materials now in the deep soil.

The remarkable growth which has been made in this country in twenty years is the best evidence of the wisdom of this policy. Whenever before did a nation spring into power as a great manufacturing nation like the United States of America? Look at your statistics, developed as they have been in the last two decades by your census reports. They show a marvelous progress in growth and in wealth, in power and in prosperity. Thirty years ago this country could do nothing without the aid of imported materials; now it can do everything without the aid of imported materials. We have grown independent, strong, powerful, not only in population but in advancing wealth and strength.

For one, I am willing to give to the American producer of any article that can be fairly developed in this country a reasonable degree of protection and fostering care, with a certain expectation that he will produce the article in competition with foreign labor, and will reduce the price gradually as new improvements and new opportunities develop and enable him to do so.

Let us therefore not go back to ad valorem duties. Let us not abandon the workmen who have built up these industries in our midst. Let us not destroy that capital that is now actively and earnestly and usefully employed in all parts of our country. Let us give to all sections, North and South, East and West, the same opportunities for development.

Within ten years from this time in Alabama and Tennessee there will be built up great hives of manufacturing industry. I expect to see the pig-iron, the steel rails, and the various forms of the iron industry developed in that country. Chattanooga will become a center like Pittsburgh has been of old, and so with other parts of our country.

Away off on the Pacific coast there are almost unknown and undeveloped treasures of all the metals of the world. Our country is ribbed around by three mountain ranges, the Appalachian chain and the Rocky Mountain range and the Sierra Nevada range, full of all the minerals which God ever gave to man. Of all the industries which can be developed the iron or metallic industries of this country are those that are most capable of great and advancing development. The iron ore is to be found in almost every State of this broad Union, all along the mountain chains and on the spurs of the mountains. Around Saint Louis and Lake Superior all these materials for future development are to be found. Not only iron, but lead and the base of this very article which we are now considering are found in this country in greater abundance than anywhere else in the world. If you only give to our laboring men and the men who employ capital for the development of this labor a reasonable and fair opportunity they will make this country the great manufacturing nation of the world, as it is now the great agricultural mart of the world.

I wish to see our industries diversified. I wish to see ours not only the greatest cotton-producing country and the greatest wheat-producing country in the world, but the builders of the manufactories and the workshops of the world. This never can be done except upon a broad and liberal policy which will encourage our labor, encourage capital to develop labor and build up the varied industries of our great country. Let us not go back thirty or forty years and revive questions that have been settled by experience, and talk about ad valorem duties, when ad valorem duties have been banished as far as practicable from the custom-house laws of nearly every civilized nation of the world.

Mr. BECK. Mr. President, the Senator from Ohio is right in lauding the great improvements of the country, but the attack that I made upon the bill because of basing specifics upon ad valorem he has not ventured to answer. I maintain that no other country ever adopted such a system, nor is there any other bill that ever did it to anything like the extent that this bill now proposes to do it through its minute classifications. He will not venture to assert before the American people or the Senate that specific rates based upon ad valorems in the way it is proposed in this bill is not opening a door to frauds of the grossest sort, and to an extent wholly unknown heretofore. When I call the attention of the Senate to these facts, which many Senators had not heard of before so far as I know, in a public way, I am told by the Senator that he must apologize to the Senate for taking time in replying to what I may see fit to say, that he is in earnest seeking to reduce duties; and he is doubtless seeking to make the country believe that this bill is an honest effort to do so. I deny that it does so.

Notwithstanding the statement of the Senator from Vermont the other day and the Senator from Ohio now about the reduction of duties, it will be found when schedule by schedule is examined that the bill of the Tariff Commission is an ingenious effort to increase duties in many important regards and to promote frauds upon the revenue. I saw a statement the other day, and I believe it to be true, that the cotton schedule as reported by the Tariff Commission bill was an increase of more than a million dollars over the present rate of duties. I make it so by such calculations as I am able to make, although the Senator from Vermont said it was a reduction of $3,681,000. I saw a statement made by a very careful man that although the Senator from Vermont said we were reducing the sugar tax fifteen and a half million dollars, in fact there would be only a reduction of $8,000,000 and a fraction; and although we were taking off from iron and steel five or six million dollars, I, in endeavoring to make an investigation as to the facts in that regard, sought the aid of the Bureau of Statistics, and the following letter was handed to me yesterday in reply:

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
Washington, D. C., January 15, 1883.

DEAR SIR: In reply to your note of the 12th instant I have the honor to inform you that in so far as it was possible to institute a comparison between the amount of duty collected and the amount which would have been collected under the proposed tariff on the imports of 1882, that was done in the statement prepared for the Committee on Ways and Means of the House of Representatives, the duty being given in the fifth and last columns.

It appears to me that if you would have the first two, the fifth, and last columns cut out of a copy and pasted together, you would have, in a compact form, what you need; but the perplexity of this whole matter consists in the fact that the schedule presented by the Tariff Commission is, in some particulars, entirely different from the present schedule.

For example: Referring to the last article on page 13 and on pages 14 and a part of 15, you will observe that the classification of boiler and other plate-iron, &c., is entirely different from the classification of the same group of commodities under the present tariff. Of course you have the amount of duty raised on this class of irons under the present duties, but I have no means of ascertaining the quantities of the different classes as specified by the Tariff Commission; so that it is impossible for me to carry out the amount of duties which would have been collected on the imports of 1882 at the proposed rates. As stated above I have given the comparative amounts of duty under the two tariffs as far as I have thought it safe to do so. If I could have had at my command an expert in regard to iron and steel, I might have been able to arrive at an estimate on the subject, but I have not in my office any specialist in regard to the manufactures of iron, and, therefore, I do not think I am in any better position to compute the amount of duty which would have been collected under the proposed tariff than are the members of the Finance Committee. I presume that Hon. ABRAM S. HEWITT, of the House, is as well qualified, if not better, than any other gentleman in Congress, to go through this doubtful class of iron and steel, and determine how the computation which you desire should be made.

In so far as relates to iron and steel and manufactures thereof, the duties on which under the present and under the proposed tariff can be stated, the amount of duty collected under the present rate was $22,888,736.26, and under the proposed rates it would have been $26,850,358.82, both being computed upon the basis of imports during the year ended June 30, 1882. This shows an increase under the proposed rates of 17.38 per cent.

Very respectfully, yours,

JOSEPH NIMMO, JR., *Chief of Bureau.*

Hon. JAMES B. BECK, *Senator United States.*

Mr. ALLISON. May I ask the Senator what he means by "proposed rates?"

Mr. BECK. I mean the proposed rates in the Tariff Commission bill, of which the Senator from Vermont spoke and which the Senator from Ohio now endeavors to make us believe and which they themselves say was a reduction of 25 per cent.

I agree with what a very sensible man—I believe, Mr. Endicott, of Boston—says in regard to this bill in a paper which I hold in my hand. Taking up the different goods which the people wear, especially the plain people of the country, and showing that the present rate per cent. is in some cases 75 and the proposed rate is made 120, and so on, each change increasing duties, he says:

Upon all such goods weighing over five ounces to the square yard the present duty is 53 per cent. and 50 cents per pound. Upon such goods weighing just over five ounces and costing 81 per square yard the present duty is 51 cents per yard, and the proposed duty of 40 per cent. and 35 cents per pound would be precisely the same.

Two reflections are suggested by this clause: One is from the point of view of the manufacturer—whether the effort to establish an industry that can barely live with a protection of 100 per cent. is not very like building the factory upon the ice, and whether the effort to circumvent nature is not as likely to come to grief in one case as in the other, through the prevalence of breezes from the south and west, that are pretty certain to come at some time.

The other is of the consumer—whether paying 100 per cent. additional for his goods, in order that his enterprising neighbor may be able to make a doubtful profit of 5 or 10 per cent., is not paying rather dear for the American whistle?

Upon woolen clothing and wearing apparel and upon balmoral skirts and skirtings (now little used) the old rate is 40 per cent. and 50 cents per pound, and the proposed rate is 35 per cent. and 30 cents per pound. This is a sensible reduction in the duty, but the schedule is of little importance.

It should be added that the report recommends the omission of charges and commissions as a part of the dutiable value, which would be equivalent to a re-

duction in the duty upon dry goods of from 2 to 4 per cent. in addition to the changes above noted.

I agree with Mr. Endicott. Lay the bill on the table and enact the report.

All I desire now to say in reply to the speech of the Senator from Ohio is, that I intend to call attention to these things so that Senators may examine and understand them. I will take no more of the time of the Senate than is necessary to do it, but as we reach schedule after schedule I expect to understand it, and when I see a change of classification affording an opportunity for fraud inserted under the guise of reduction, which is in fact an increase, perpetrated upon the people of this country, I will not be deterred from giving my opinion in regard to it and asking Senators to oppose it, no matter if it does consume time.

The tariff of Robert J. Walker from 1850 to 1860 was a low ad valorem tariff, and embracing that the commission give a table and add:

The above table shows that capital increased in the decade ending in 1860 about 90 per cent; during the period between 1860 and 1870 about 110 per cent., and for the last decade only about 32 per cent., to which should be added the difference in the standard of values. That at the close of the first decade referred to the number of hands employed increased 37 per cent.; between 1860 and 1870, 75 per cent.; and between 1870 and 1880, about 33 per cent.

From 1850 to 1860 the wages paid increased 60 per cent.; from 1860 to 1870, 105 per cent.; and from 1870 to 1880, as we come down again to a gold basis, 22 per cent.

The materials used from 1850 to 1860 increased 86 per cent.; from 1860 to 1870, 141 per cent.; and from 1870 to 1880, 36 per cent.

The value of the products of these manufactures increased from 1850 to 1860, 85 per cent.; from 1860 to 1870, 124 per cent.; from 1870 to 1880, 27 per cent.

Yet from 1850 to 1860 was Robert J. Walker's so-called free-trade low ad valorem tariff, under which all these increases took place. Under it we were fast becoming the mistress of the seas and were doing 75 per cent. of the carrying trade to and from this country, and received from other countries $25,000,000 annually from that great carrying trade alone, while to-day, as the Senator knows—he will not venture to speak of it—we have hardly a ship on the ocean, holding only about 15 per cent. of the business, and are paying $130,000,000 to other nations to do what we used to do for them. This protective system, with all its assertion that it builds up industries, only curtails and cripples them and keeps them down to a home trade, making farmers who must export pay twice what the things they need are worth to fatten a few manufacturers, who starve their laborers by organizing strikes whenever they have got more products on hand than our own people can consume; instead of cheapening the material, lowering taxes, and encouraging our commerce, go out to countries of the world with manufactures and get their raw material in exchange for what we give them. I seek to build up commerce with 1,500,000,000 people; I seek to break down nobody; I seek to extend trade and benefit the country in a way I think will most conduce to promote the interest of all.

Mr. MORGAN. Mr. President, I am very much obliged to the Senator from Kentucky for bringing up this discussion upon the question between specific and ad valorem duties on this item of bichromate of potash. It is a clean, clear subject for the application of the one doctrine or the other. There seems to be no classification of bichromate of potash; it is all bichromate and all potash; there is no class first, second, or anything of the kind. It brings up the question distinctly whether or not this article ought to be taxed according to its value at the time of importation or whether it ought to be taxed a specific duty. I thought the remarks of the Senator from Kentucky were particularly relevant and appropriate, and he announced himself when he opened the discussion on this question that he desired now to say in advance what objections he had to certain parts of the bill upon this question in connection with this line of thought without detaining the Senate to take up the discussion on each of the articles as they may arise. We are just approaching in the twilight of the consideration of this bill, I may say; we have not gotten fully into the system of it, and those of us who have not been upon the Committee on Finance are trying to receive light and instruction as to what we ought to do for our constituents and for the country at large.

The Senator from Ohio informs the Senate that the Senator from Kentucky and those who believe in ad valorem duties want to go back to an antiquated and exploded system of ad valorem duties. He complains of this system, he challenges it, he abuses it, he kicks and cuffs it about over the Senate, and one would suppose after he had gotten through with it that it would hardly maintain its respectability in an ordinary debating society, and that no man of any reason or common sense would ever be found to assert that an ad valorem duty was applicable to any part of the tariff. He cites Great Britain, he cites Germany and France, he cites all the civilized countries that have tariffs in support of the idea that the ad valorem duty is something that must be driven out of the consideration of men who pretend to have wisdom enough to levy a tariff for the support of any government whatever.

Contrast that with the fact that this honorable committee have presented a bill which the Senator from Ohio has agreed to take charge of, it seems, in which 33 per cent. of the articles which are taxed are taxed ad valorem. The committee have found an occasion for a resort to pure ad valorem duties in one article out of every three presented in the bill. I have taken the pains to count a little to see how that would work. Between pages 63 and 77 of this measure there are 414 taxed articles and 100 of them are taxed purely upon the ad valorem doctrine. You may read along through these different schedules and you will come to one article of a certain class taxed ad valorem and another description of the same class taxed specific, and no man can imagine why the change is made in the character of the taxation, the principle upon which the tax is levied, and it will become necessary for the honorable committee to explain it, because questions will be asked where men can not see the reason of things. We are not expected to adopt this tariff just as it is reported to us without any explanation; nor do we expect, nor does the country expect that we shall be rebuffed every time we make a question about it, and that it shall be said to us that we are consuming unnecessary time. We have not as yet been as long considering the tariff by far as the committees of the two Houses have been considering a system. We are asking for information and trying to get light on that question, and every time we ask it we are met either by the Senator from Vermont or the Senator from Ohio with a notification that we are not trying to serve the country at all patriotically because we ask these questions about this proposed tariff. Sir, questions must be asked whether they are answered or not, and I here state that there is not a man in this world who is not in the secrets of this arrangement who can account for the committee in flying back and forth from ad valorem to specific duties, changing with every two or three lines in the bill and upon the same general classifications of articles. It is an unaccountable thing.

But one thing I do notice, and that is, when the large manufacturing interests of this country need articles imported from abroad for the purpose of conducting their business operations and making the goods that they manufacture, in nine cases out of ten those goods are supplied to them upon the ad valorem and not upon the specific tax, whereas in the other cases, nine out of ten, the people who have to pay the taxes at last are visited with specific duties and excused from having all concern or interest in ad valorem duties.

Can it be said, will the honorable Senator from Ohio in the face of his bill undertake to make this country or the Senate believe, that he has abandoned ad valorem duties or the ad valorem principle? Read through the bill and you will see an average of more than five items on every page of it upon which ad valorem duties are put by the committee, and then contrast that with the statement of the honorable Senator that it is an antiquated and exploded system, which, out of respect for the progress of human opinion in reference to taxation, the committee were bound to abandon. They have not abandoned it. They have held to it in every case where they believed they could give a fostering hand to the peculiar interests they want to build up at the expense of the people of this country. I utter this on the face of the bill. Here it is. I can read the bill through and point out the articles. The honorable Senator from Ohio certainly forgot that a record existed in this body when he made the statement that we desire to administer the tariff system of this country mostly upon antiquated principles.

Mr. SHERMAN. If my friend will allow me, I think I said distinctly that wherever the article from its nature could be classified by a specific duty the committee had adopted that system; and I believe that is true throughout. There are a great number of articles which are necessarily classed by an ad valorem duty because they are such as can not be classified by specific duties. For instance:

Prepared chalk, precipitated chalk, French chalk, red chalk, and all other chalk preparations which are not specially enumerated or provided for in this act, 20 per cent. ad valorem.

The difference in value of these different kinds of chalk is so great that it would be impossible to classify them in anything like specific duties. Wherever the article could be classified by specific duties it is done. In respect to this particular article, the Senator says that wherever we desire to impose a duty upon the manufacturers we only make the duty ad valorem, as I understood him——

Mr. MORGAN. I do not say wherever, but in the majority of cases.

Mr. SHERMAN. In that the Senator is mistaken. Take the article we are now considering. It is not consumed by the people at all. It is simply a base of manufacture; it is used by the manufacturers of paper, &c., and we have provided a specific duty for it; so I think that rule does not apply. The rule is that wherever an article named in the tariff bill can be in reason classified by a specific duty it is done; and where it is not done, if the Senator will call my attention to the case, I will try and show him that it is because the particular article referred to could not be classified by specific duties.

Mr. MORGAN. The committee have been singularly unfortunate in the application of this doctrine if the committee (and I have no doubt the Senator is correct) have tried to make the application which he insists upon. I can scarcely lay my eye upon a page of the bill which does not either refute the fact of the proper application of this principle or show the unfortunate want of sagacity on the part of the committee in applying it; but no one can impute to that committee a want of sagacity. I will take two articles that just now my eye happens to fall upon, which are here in juxtaposition in lines 1499 and 1500:

Bristles, 15 cents per pound.
Brooms of all kinds, 25 per cent. ad valorem.

Is not there as much difference in brooms as there is in bristles?

Mr. SHERMAN. On the contrary, brooms will vary from the most expensive brooms made of the feathers of the ostrich down to the least expensive feather brush of grass.

Mr. MORGAN. Bristles vary in proportion to their value quite as much as brooms.

Mr. SHERMAN. I doubt it. Bristles are classified generally at about $1 a pound.

Mr. MORGAN. That is some kind of bristles. Then there is the article of timber. Timber is let in upon an ad valorem duty; timber cut is brought in upon a specific duty.

Mr. SHERMAN. It varies in price, as the Senator can see, greatly. The finest mahogany, the product of the islands and of the tropics, is a very different article indeed from the ordinary pine lumber brought in from Canada.

Mr. MORGAN. Mahogany, unless it is specially classified under some other name here, would be admitted under the name of timber and come in at an ad valorem duty.

Mr. ALLISON. It comes in free if it comes in the log.

Mr. SHERMAN. Whenever the Senator comes to an ad valorem duty, if he can give any reasonable rule of specifics I shall be very glad to vote with him to convert any ad valorem duty that he may find into a specific duty, unless it can not be done from the nature of the article itself.

Mr. MORGAN. Now, will the Senator be equally obliging and vote for ad valorem duties where they can be substituted for specific?

Mr. SHERMAN. No.

Mr. MORGAN. We find that they are necessary and indispensable; but how does a case of this kind come before the Senator, what are we to think of a case of this kind where a specific duty is imposed upon an ad valorem duty or upon the value of the article?

Mr. SHERMAN. That is explained by the case of wool, which is the great compound duty of that kind and where it was impossible to change it. There is a duty on the wool produced by the farmer of 10 or 12 cents a pound. As a matter of course the manufacturer must have a corresponding duty on the article which he manufactures, and therefore a corresponding duty of 30 or 40 cents a pound is put on the manufactured goods, because it requires three or four pounds of raw wool to produce one pound of cloth. That experience shows, at least it is so testified to us, and I believe it is admitted on all hands. Therefore a corresponding specific duty is put upon the article of woolen manufacture. Then, in addition to that, as woolen manufactures vary in price from the finest broadcloth and the beautiful wear made for ladies down to coarse jeans, it would be very difficult to frame a specific duty on cloth, and therefore there is a compound duty first upon the manufactured goods to meet the duty on the raw wool, and, second, a reasonable ad valorem rate in order to give our manufacturers fair protection.

Mr. MORGAN. Now, therefore, instead of the ad valorem principle being abandoned as a superannuated or exploded principle, it is taken in this bill as the basis upon which the specific duties themselves are levied. You first ascertain the value and levy a tax upon the value of the article under that principle for which I contend. Then you go upon that and levy a specific duty on the top of that. The new-fangled idea is ingrafted upon the old one. The committee of the Senate have not felt disposed or justified in abandoning the old system, but they retain it as the very basis of taxation, superadding to it this new invention of specific duties.

The ad valorem duty is the most natural; it is the most just, and consequently the committee of the Senate do not hesitate to go to it whenever it is even convenient to do so, or rather when it is inconvenient to arrive at a specific duty. But, sir, when it becomes convenient to stiffen up the prices of imported commodities, so that it makes no difference whether they go high or whether they go low in foreign markets they shall bear a certain price in the markets of the United States, there seems to be no difficulty in putting on a specific duty, even though you first have to ascertain what is the ad valorem duty before you commence to put it on. That is what I complain of in this bill.

I maintain that the people of the United States ought to be taxed equally and justly. I am willing that my section of the country shall contribute its full quota to the support of this Government through the tariff taxation and the internal-revenue taxation; but I do object that specific prices shall be put upon goods that they have got to buy, and shut them out of the market where they can buy, paying a reasonable revenue duty to the Government of the United States. That they shall pay 5 cents specific duty for an article that itself is not worth 3 cents is something that to my mind is extremely wrong and unjust, and they ought to be allowed to benefit by the fluctuations of the markets.

There is one reason for this that has not yet been stated, which to my mind is the great controlling reason. In all the provision crops, in all the cotton crops of this country—I am not sure whether this remark will apply to wool or not, but I am sure in reference to the provision crops and cotton crops—the price is regulated entirely by the foreign demand. We have to take prices for our productions which are put upon us in foreign markets where we have no power to control them, because we are not authorized to put on any export duty. We are obliged to let our commodities go here in this country at the prices fixed upon them in London, Liverpool, Paris, and Berlin.

Now, when the producers of this country must have other markets for what they sell, measured by the foreign demand and foreign prices, why, on the other hand, shall they not be permitted to buy their goods as measured by foreign rates of production, with a bare tariff added for the support of our Government? Why shall not that be allowed to them?

The statement of these two propositions in contrast or in contradistinction to each other is an answer to all that has been said on the other side in opposition to this fair method of taxation. I am very glad that the Senator from Kentucky brought it out, and that he argued it, as he usually does questions of this kind, with so much exactness and so much ability. The country will understand without further argumentation, I think, at least so far as he is concerned, the principles upon which this tariff bill is based; and now as we go along in the consideration of it, when we strike these matters, and the mere question is asked as to the reason that the committee had for changing back and forth from specific to ad valorem duties, there will be no difficulty in the application of a proper rule for our vote.

The PRESIDING OFFICER (Mr. VOORHEES in the chair). The question is on the amendment proposed by the Senator from Kentucky [Mr. BECK] in line 247.

Mr. GORMAN. I hope the Senator will withhold that for the present.

Mr. BECK. I have no objection to the question being taken first on the amendment of the Senator from Maryland. It was not in regard to this particular matter, but as a principle applying to the whole bill that I rose to say anything this morning, because we were approaching much more important schedules than this, and what I said had to be said at some time, and I desired to present it now.

The PRESIDING OFFICER. If there be no objection the vote will be first taken on the amendment proposed by the Senator from Maryland [Mr. GORMAN]. That amendment will be read.

The ACTING SECRETARY. After the word "three," in line 247, it is proposed to insert "and one-half;" so as to make the clause read:

Bichromate of potash 3½ cents per pound.

Mr. GORMAN. I wish to make a single statement in reply to the remarks of the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Maine [Mr. FRYE], made yesterday, as to the immense profit on the manufacture of this article in this country. The broad statement was made by both those Senators that millions of money had been made out of it by a single firm located in Baltimore. I am assured, and I believe the statement from evidence which has been presented to me this morning, that the statement made by both those Senators is without foundation in fact. For the past ten years, with a duty of 4 cents a pound, the average dividend of this manufacturing company in Baltimore has not exceeded 8 per cent. on the capital invested.

Further, as to the statement made by the Senator from Maine, that the company in Baltimore absolutely owns all the mines in the United States, I am assured that is not the fact. There is now another organization in Philadelphia which owns a large portion of the mines in California, and there is a Scottish firm that owns quite a number of the mines, so that Mr. Tyson has not by any means the monopoly of this manufacture in this country so far as the ores are concerned.

Mr. MORGAN. There is plenty of this ore in Alabama that is owned by private people.

Mr. ALDRICH. Will the Senator from Maryland allow me to ask him a question?

Mr. GORMAN. Certainly.

Mr. ALDRICH. How many men are employed by the Tysons in the manufacture of bichromate of potash?

Mr. GORMAN. I can not give the Senator the information as to how many men are employed; but as I understand, their pay-roll for the labor employed in the manufacture of this article amounts to $6,000 a week.

Mr. ALDRICH. I have been informed from sources which I deem to be reliable that they have less than fifty men employed in the manufacture of bichromate of potash, and I should like to know whether the information is correct. I had it from sources which I believed to be reliable.

Mr. GORMAN. I am not able to give the Senator the information, but I know that they manufactured about 2,500 tons of this ore per annum.

Mr. ALDRICH. If the statement which I have alluded to is correct, and the product of these mills is, as I understand it to be, about $10,000,000 per annum, the amount of labor involved is less than 1 per cent. of the product, which the Senator can see at once is a very small proportion.

Now, I have no special antagonism to make to this interest. It is generally understood by people who are conversant with the article and with its method of manufacture, as was stated in the paper on textile fabrics read yesterday, that there is a very large profit in this article. It is controlled by one firm; and they are understood generally to have made a very large amount of money out of it, which I believe to be so.

I say there is nothing in this article, in its character, in its surroundings, in its past history, in its present condition, that should lead the Senate of the United States to select it out for their special care and preservation. The duty recommended by the Committee on Finance is an average duty on articles of this kind. It certainly is all the protection upon any statement which has been made either by the Senator

from Maryland or any other Senator on this floor which it is fairly entitled to. It would amount to about 30 per cent. on the cost of the raw material.

It is not a national industry; it is not a State industry; it is hardly a neighborhood industry, employing, as I say—and that statement will go until it is contradicted—about fifty men in the production of $10,000,000 worth of product per annum, a product which is used, as I stated yesterday, in every manufacturing establishment in this country. I say there is no reason why this industry should be selected out, taken out of the general list, and treated with such care and consideration by the American Congress.

Mr. INGALLS. Mr. President, the Senator from Ohio [Mr. SHERMAN] yesterday, in speaking upon this subject, alluded to the influence of competition in bringing down the price of the article. That Senator is not often suspected of jocularity, but it appears to me that it was a felicitous misuse of language to speak of the relation between the Baltimore house and the Glasgow house as competition. It would be more properly defined as a combination.

The production of bichromate of potash, as I understand, is absolutely under the control of these two houses. It is an absolute and typical monopoly. Not only do they manufacture all that is used, but they control the sources of supply, so that there can be no competition from any source whatever.

I learn from the statistics that the annual consumption of bichromate of potash is about 10,000,000 pounds. The duty heretofore has been 4 cents per pound, making an aggregate of $400,000 for duty alone. The cost is between 7 and 8 cents a pound. The market price ranges from 15½ to 16 cents per pound. This $400,000 is a direct tax that is paid by the people of this country, and the revenue that goes into the Treasury from the tax is about $97,000; so that the people are compelled to pay to this monopoly the sum of $400,000 annually to enable the Government to secure $97,000 of revenue. I think that is an extravagant process. It can not be called profitable; it is not economical; it is sparing at the spigot and spilling at the bung. And upon whom does this tax fall? Not upon those who are most able to bear it, but upon the humble, the lower and the middle classes of American society, those who wear calicoes and cotton goods; for, as I am informed by the Senator from Maryland and from the report of the statistician, this product is used almost exclusively as a mordant for the purpose of dyeing cotton goods.

If any reason can be shown why when these producers obtain a profit that ranges from 7½ to 8 cents a pound upon this production, of which $400,000 in the aggregate is in the nature of a direct tax upon the people, when they have the entire sources of supply under their control and can put their own price upon the product in the market, the duty should be raised from 3 to 3½ cents per pound, I should be very glad to hear it. There never was, so far as my observation has gone, an article that ought to be placed upon the free-list more unmistakably than this article of bichromate of potash, because the men who produce it can protect themselves; they have control of the market; and it has been shown here in evidence that the amount that is imported into this country is the deficiency above what the Baltimore house can manufacture. If they could manufacture more than they do, a less amount would come in from abroad. The Senator from Maryland shakes his head, but I affirm that the evidence is incontrovertible that whenever they have assumed to sell in the American market amounts have been sent over to Scotland from the Baltimore house as a threat or menace to them, so that they would thereafter abstain from attempting to interfere with the sale of this product in the American market.

Sir, this is one of the illustrations that make tariff duties odious in this country. There is no reason why the tax of 3 cents per pound should be retained because we are compelling the people to pay $400,000 or $350,000 under the amendment of the Senator from Maryland for a revenue of less than $100,000 to the Treasury. They can protect themselves.

Mr. GROOME. Mr. President, I will try, without consuming the time of the Senate unnecessarily, to answer very briefly some of the statements which have been made by the two Senators who were last upon the floor.

The Senator from Rhode Island [Mr. ALDRICH] asked of my colleague what number of men are employed by the Baltimore company, and although my colleague told him that while he did not know the number of men employed his information was that the pay-roll of that company amounted on the average to about $6,000 per week, the Senator from Rhode Island chose to assume, upon what information I do not know, that the number of employés of that company is but fifty. This assumption is about as accurate as a good many statements which have been made in regard to the manufacture of bichromate of potash in the progress of this debate. The information which my colleague was not able to give the Senator from Rhode Island I can now give him, and that is that the number of persons employed by this Baltimore company in connection with the manufacture of bichromate varies from time to time from 500 to 1,000.

Mr. ALDRICH. The Senator means, I suppose, in all branches of their business?

Mr. GROOME. The employés on their pay-roll generally, which I understood to be the question the Senator asked.

Mr. ALDRICH. Not at all. I asked how many people were actually employed in making or preparing bichromate of potash alone. This is a large company, doing an immense business in various other things, and any general information of the character suggested by the Senator from Maryland is very far from answering my question.

Mr. GROOME. My information is that the whole number of men employed by them in connection with this manufacture ranges from 500 to 1,000, and that about 300 of them are employed in the manufacturing department. That information I got but a moment ago in order to enable me to answer what I understood to be the question of the Senator from Rhode Island. I was also informed that the pay of those laborers varies from $1.50 to $2.50 per day. So much in reply to what I regard as the Senator's first error.

I also understood that Senator—for I was engaged, while he was speaking, in the attempt to procure the information he desired, and hence may not have understood him accurately—but I understood him to state that this was the only manufactory in this country of bichromate. Did I understand correctly?

Mr. ALDRICH. Yes, sir.

Mr. GROOME. Then he has made another error of fact. There is another establishment in this country, a very considerable establishment, that of Henry Bower, in the city of Philadelphia, of recent origin, I know, but it has manufactured bichromate. I have in my hand a telegram received this morning from Mr. Bower, in which he states that the capacity of his works is one-third that of the Tyson works; that he has invested $150,000 in the plant of this manufactory; that he has $40,000 invested in the mining of ores in the State of California, and that the reduction of this duty may seriously interfere with the profitable manufacture of bichromate in this country. So much for that statement.

The Senator from Kansas [Mr. INGALLS], also in speaking of this article stated it to be the fact that whenever the foreign manufacturers, this immense Glasgow monopoly of J. & J. White, attempted to bring their manufactured article into this country retaliatory measures were taken by the Baltimore house, and that the bichromate manufactured in Baltimore was sent into Europe to undersell the Scotch manufacturers. That statement is an error also. I stated yesterday that in one instance where the Scotch company, having failed to exact terms from Tyson & Co., sent over their article and sold it at a positive loss in the United States with a view to crush out the Baltimore manufactory and thereby obtain absolute control of the market and be able to put up the price to such figures as they might choose to exact, the Baltimore company did meet them upon their own ground and did send bichromate to Europe and sell it at a loss of $40,000 in a single year.

To show the inaccuracy of the Senator from Kansas in stating that that has been the usual course of this business, and that the Baltimore house sends its bichromate to Europe whenever the European house sends to America, it is only necessary to state the fact that every year bichromate is imported into this country to a very large amount. The duties collected upon it last year were upward of $97,000, and the amount imported into this country then was 2,449,875 pounds, showing, as I think, very clearly that the Senator from Kansas was in error in the statement that he made. Bichromate has never been, as I have been informed and believe, exported except in the one case to which I have alluded, and then for the reason I have stated.

I desire to state another fact. I am assured that if the profit were sufficient to justify the working to the very fullest extent of this Baltimore manufactory, to justify the getting out of chrome ore in greater quantities and by more expensive processes, the Baltimore house could furnish the whole supply of bichromate of potash needed for its various uses in our land, and that the only reason that house does not do it and does not attempt to do it is that the margin of profit upon it is not sufficient to justify them in making the extra exertions and incurring the extra expenses necessary to secure that result.

Mr. ALLISON. I should like to ask the Senator from Maryland how long this manufacture has been in existence in Baltimore?

Mr. GROOME. Somewhere from thirty-five to fifty years. I do not know accurately.

Mr. ALLISON. Mr. President, one word only on this subject. I agreed to the recommendation of the committee to place the duty on bichromate of potash at 3 cents a pound. I did so believing that that would be an ample provision for all those who were engaged in its manufacture or who proposed to engage in its manufacture. I think I can say, as the Senator from Rhode Island said yesterday, that there is but one manufactory in the United States at the present time. There is another manufactory about to be started in Philadelphia by Mr. Bower, but he has not yet commenced the production of bichromate of potash.

Mr. GROOME. I will simply say that Mr. Bower states to the contrary.

Mr. ALLISON. He may have made a few pounds of it.

Mr. ALDRICH. I have a dispatch from Mr. Bower in my hand, in which he states that his works are just completed—a dispatch received within five or ten minutes of this time.

Mr. ALLISON. Mr. Bower stated to the committee that his manufactory was about completed, and that he had already transported from California to Philadelphia a thousand tons of chrome ore. I am told that the manufactory in Baltimore also transports its ore from California

to Baltimore for the purposes of manufacture. I understand further that most of the chrome ores in the Atlantic States are exhausted. Whether I am mistaken about that or not I do not know; but I do know that there are considerable quantities of chrome ore in California, some discovered some time ago and some recently discovered. It would occur to persons who are interested in this product that the natural place to make bichromate of potash would be in California, where the ores are; but it seems that these gentlemen transport the ores from California first a considerable distance by rail and other modes of conveyance to San Francisco, and then by water to Baltimore, and also propose to do so from California to Philadelphia.

From 1861 to 1875 the duty on bichromate of potash was 3 cents a pound. This Mr. Tyson was able through all the period of the war, through all the period that followed the war, with heavy internal taxation, to manufacture successfully in competition with the Scotch house bichromate of potash at a duty of 3 cents a pound.

Mr. GORMAN. I know the Senator from Iowa desires to be entirely fair in this matter.

Mr. ALLISON. I do.

Mr. GORMAN. At that time the premium on gold, the duty being collected in gold, made this production more profitable than it would be at a duty of 4 cents now.

Mr. ALLISON. I can not go into the discussion of what the effect of the premium on gold was, either on imported articles or on the production of domestic articles. The general theory has been that the premium on gold had some effect on home prices, so that I suppose the price fluctuated in accordance with it; but here we were with a heavy burden of internal taxes in every form running through a long period of time, and yet this Baltimore firm was able to produce bichromate of potash in competition with the monopoly on the other side of the water at a duty of 3 cents a pound.

In 1875, for what purpose I do not know, but by some remarkable interposition in the little tariff bill which we passed in that year, bichromate of potash jumped up a cent a pound; and by a similar disposition somewhere the Tariff Commission reported it at 4 cents a pound. I do not know why they did that thing. I do not know whether it was because the chemists' association, which had a great deal to do with this chemical schedule, was about to start the manufacture of bichromate of potash or not; but it is quite certain that this article never bore a duty higher than 3 cents a pound in this country until 1875. I am willing to stand by that duty and let it remain at 3 cents a pound; but I am not willing, without protest, to increase this duty beyond what it was during the long period intervening from 1861 to 1875.

Mr. GROOME. I send to the Secretary's desk and ask to have read the dispatch which I alluded to a few moments ago as received from Mr. Bower, of Philadelphia.

The Principal Legislative Clerk read as follows:

PHILADELPHIA, *January* 16, 1883.

JAS. BLACK GROOME, *U. S. S.*:

The assertion made on the floor of the Senate yesterday that the manufacture of bichromate of potash was a monopoly in this country is not true. I am largely interested in the manufacture of this article in this city, and have erected works that have already produced bichromate, and have at present a capacity of one-third that of Tyson's works at Baltimore. A reduction of duty on this article might be disastrous to this enterprise. The claims for reduction come from selfish interests that are largely protected themselves and that are aided by foreign influence to drive this manufacture out of this country. California is largely interested, as the raw material used in my works comes from there. I have $40,000 invested in California in mining chrome ore.

HENRY BOWER, *Manufacturing Chemist*,
Gray's Ferry Road, Philadelphia.

Mr. VANCE. At the risk of being held out of order, I beg leave again to remind Senators that we have a Government that is to be supported by taxation and that the power conferred upon Congress by the Constitution of the United States to levy imposts is for the purpose of defraying the expenses of that Government. I have heard nothing in the course of this discussion except the interest of private parties. We are asked to legislate for the interest of this Baltimore house, whether it is a monopoly or not, or the possible interests of a house that perhaps, peradventure, please God, may be established in Philadelphia. Now, sir, I think it is necessary that we should legislate for the true objects of the Government and under the true sense of the power conferred upon Congress by the Constitution, and look to the revenues a little.

Mr. MAXEY. I ask the Senator from North Carolina for whose interest we should legislate when we consider who pay the expenses of the Government?

Mr. VANCE. The people, as a matter of course. The telegram which has just been read from Mr. Bower, I believe, speaks of the opposition to the present duty upon bichromate of potash as a selfish interest. What right have the people, who pay the taxes on bichromate of potash, which enters into nearly all the manufactures of the country, and that swells the price that is to be paid for the manufactured articles, to complain or interfere in Congress when there is an attempt to lower the price of the articles that they have to pay for? That is denominated as a selfish interest.

I am opposed to the continuance of this duty on bichromate of potash. The house in Baltimore whether it deems it proper to be so styled or not, in the language of a celebrated character whether it regards itself or wishes so to be regarded as a monopoly or not, is virtually a monopoly, inasmuch as no other manufactory of that article is in existence in the United States, if we may possibly except the embryo manufactory of which we have just had notice from Mr. Bower. It employs, I understand, from fifty to seventy-five men.

Mr. GORMAN. From five hundred to a thousand.

Mr. VANCE. From five hundred to a thousand. Say 5,000 if you will, still the interest of Mr. Tyson is to be consulted and not the interest of the 500 or 5,000 or 50 men who are in his employ. It is a virtual monopoly, and it has had three generations, as I am informed, nearly well on to one hundred years to try whether under a protective tariff, ranging according to the discretion of the various Congresses on the subject, other manufactories would spring up and bring down the price, and it has not been done. If it has had a trial for three generations and still continues the same old monopoly with no rival, I am in favor of putting it on the free-list, where it ought to be, and that is the proper way to relieve the manufacturers of this country.

Mr. HAWLEY. Nobody feels more anxious than I to hasten so far as practicable the consideration of this bill, but if my friend from North Carolina will allow me, I propose to say a word in behalf of the manufacturers whom he is seeking to relieve. It does not always follow that the manufacturer desires to put upon the free-list articles which he needs in his manufacture. If bichromate of potash could be got for 2, 3, or 4 cents a pound, he would be very greatly delighted, for it would enable him to produce his calico and his woolen goods more cheaply; but the men who sustain a concern like that at Baltimore—and there are numerous other instances of men who sustain a single concern or two or three of them—are these very manufacturers because they desire a check upon the foreign manufacture of this, to them raw material.

An analogous case is that of the duty upon nickel there being but one nickel-producing mine in the United States. The Connecticut manufacturers of German silver and the men who use nickel in a great variety of ways were afraid to have Mr. Wharton killed as a manufacturer, because he served to keep the price of foreign nickel down, and when it was proposed a while ago to abolish or reduce greatly the duty upon nickel—I have forgotten which—the very Connecticut manufacturers for whom the Senator from North Carolina speaks came to Congress and said, "No, let Mr. Wharton live, we play him off against the foreigners, and without him they would come down upon us with 25 or 50 per cent. increase on nickel."

The New England manufacturers do not want to destroy the Baltimore concern, but this they do wish always, that as fast as it may be practicable such duties may be reduced if a reduction would bring about a decrease in the price of the article. That is not always certain. They want their bichromate of potash as cheaply as they can, and they take naturally enough whichever course would best bring that about. If that course is better brought about by sustaining with a reasonable duty the Baltimore concern, they take that course, and I think in this case they do not want the Baltimore concern destroyed.

Mr. VANCE. I want to disclaim that my aim is primarily to relieve the manufacturers. The manufacturers demand a high protective tariff for their relief. To that I am opposed; but I say if they were allowed to have their raw material free, or very nearly free, they then could afford to do with less of a protective tariff, and in that sense only am I anxious for their relief.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Maryland [Mr. GORMAN].

Mr. SAULSBURY. I should like to inquire of the chairman of the Committee on Finance, or some other gentleman on the committee, how the increase of one-half a cent would affect the revenue on this article?

Mr. MORRILL. If the same amount should be imported, it of course would increase it a little.

Mr. SAULSBURY. That is the very point I should like to know, whether it is likely to affect the importation, whether the one-half cent proposed to be added will decrease or prevent the importation from which we are now deriving ninety-odd thousand dollars.

Mr. MORRILL. I do not think it would be a prohibitory duty, but it would be more protective, and probably there might be a less amount imported, but it would not diminish the revenue.

Mr. GORMAN. I will say to the Senator from Delaware, that the present duty is 4 cents a pound, and the amendment I propose is to make it 3½ cents a pound, a reduction of half a cent a pound. Of course the more bichromate is imported, the greater will be the revenue.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Maryland [Mr. GORMAN].

The amendment was rejected—ayes 9, noes not counted.

The PRESIDENT *pro tempore*. The question now is on the amendment of the Senator from Kansas [Mr. INGALLS], to strike out line 247, in these words:

Bichromate of potash, 3 cents per pound.

Mr. MORRILL. I hope the Senator from Kansas will withdraw that.

Mr. INGALLS. At the request of the chairman of the committee and against my own convictions I withdraw that amendment.

The PRESIDENT *pro tempore*. The amendment is withdrawn. The line as reported is agreed to, unless objection be made.

Mr. VANCE. What became of the motion of the Senator from Kentucky [Mr. BECK] to make the duty 25 per cent. ad valorem?

The PRESIDENT *pro tempore*. That was withdrawn, as the secretary informs the Chair.

The next amendment of the Committee on Finance was to insert as line 248:

Cobalt, oxide of, 20 per cent. ad valorem.

The item was agreed to.

The next amendment was to insert as line 249:

Copper, sulphate of, or blue vitriol, 3 cents per pound.

Mr. SLATER. I move to strike out "three" and insert "two;" so as to read:

Copper, sulphate of, or blue vitriol, 2 cents per pound.

By reference to the imports of last year I find that at the present rate of duty, 4 cents per pound, the total amount of this article imported was 20 pounds, and the total amount of the duty collected was 80 cents.

In order to get some revenue from this article, I desire to put it at a point where we may anticipate that there will be some importation, that the duty shall not be prohibitory in its character.

Besides, I come from the northwest section of the Union, a wheat-producing section, and it has come under my observation that this article is used very largely by farmers as a means to prevent smut in wheat. It is used in large quantities, and while they are taxed upon everything else to the highest point, it seems to me we might begin to give them a little relief on the vitriol they use in saturating their wheat in order to protect it from smut. I really think it ought to go on the free-list.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Oregon [Mr. SLATER].

The question being put, the ayes were 14 and the noes 13—no quorum voting.

Mr. MORGAN. I call for the yeas and nays.

Mr. MORRILL. If there is not a quorum present I know of no other way than to have the yeas and nays. I merely state that this item is a reduction of the present rate of duty from 4 cents a pound to 3 cents.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired for the day with the Senator from Mississippi [Mr. GEORGE]. If he were present, I should vote "nay."

Mr. JACKSON (when the name of Mr. HARRIS was called). I announce the pair of my colleague [Mr. HARRIS] with the Senator from Michigan [Mr. FERRY]. If present, my colleague would vote "yea."

Mr. MCMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM], who was called from the Chamber by the sickness of a friend. If he were here, I should vote "nay" and he would vote "yea."

The roll-call was concluded.

Mr. ALLISON. I am paired with the Senator from Delaware [Mr. BAYARD]. I do not know how he would vote on this proposition, but I should vote "nay" if he were here.

Mr. HARRISON. Perhaps I ought to state that I am paired with the Senator from West Virginia [Mr. DAVIS], but left at liberty on these questions, except one, to vote as I deem proper.

The result was announced—yeas 22, nays 24; as follows.

YEAS—22.

Barrow,	Farley,	Jonas,	Saulsbury,
Beck,	Garland,	Jones of Florida,	Slater,
Butler,	Groome,	Lamar,	Vance,
Call,	Grover,	Maxey,	Walker.
Cockrell,	Hampton,	Morgan,	
Coke,	Jackson,	Pugh,	

NAYS—24.

Aldrich,	Dawes,	Lapham,	Platt,
Anthony,	Hale,	Logan,	Rollins,
Blair,	Harrison,	Mahone,	Sawyer,
Cameron of Pa.,	Hawley,	Miller of Cal.,	Sewell,
Chilcott,	Hill,	Miller of N. Y.,	Sherman,
Conger,	Ingalls,	Morrill,	Windom.

ABSENT—30.

Allison,	Fair,	Jones of Nevada,	Ransom,
Bayard,	Ferry,	Kellogg,	Saunders,
Brown,	Frye,	McDill,	Van Wyck,
Camden,	George,	McMillan,	Vest,
Cameron of Wis.,	Gorman,	McPherson,	Voorhees,
Davis of Ill.,	Harris,	Mitchell,	Williams.
Davis of W. Va.,	Hoar,	Pendleton,	
Edmunds,	Johnston.	Plumb,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs on the adoption of the amendment reported as in line 249.

The amendment was agreed to.

Lines 250 and 251 were read, as follows:

Iron, sulphate of, or copperas, one-quarter of 1 cent per pound.

Mr. ALDRICH. We had several discussions as to the duty on copperas in the committee, and the rate was changed once or twice, but finally fixed by the committee at three-tenths of a cent per pound, but in some way the action of the committee was not incorporated in the bill. The present duty is one-half cent a pound. This item should read three-tenths of a cent per pound. I move to amend so as to make the bill conform to what was the real action of the committee.

The PRESIDENT *pro tempore*. The amendment is to strike out "one-quarter" and insert "three-tenths;" so as to read:

Iron, sulphate of, or copperas, three-tenths of 1 cent per pound.

Mr. BECK. We all agreed to that, after pretty careful investigation.

The amendment was agreed to; and the item as amended was agreed to.

Line 252 was read as follows:

Acetate of lead, brown, 3 cents per pound.

Mr. ALDRICH. The committee desire that these lead provisions should go over until we fix the duty on pig lead and on lead ore, as the whole range of lead products may have to be changed in accordance with the rates fixed on those articles. Therefore down to line 261 should be passed over.

The PRESIDENT *pro tempore*. By common understanding those items can be passed over, from line 252 to line 260 inclusive.

Mr. BECK. That is to await the action on pig lead.

Mr. ALDRICH. On pig lead and lead ore.

The items in lines 261, 262, 263, and 264 were read and agreed to as follows:

Magnesia, medicinal, carbonate of, 5 cents per pound.
Magnesia, calcined, 10 cents per pound.
Magnesia, sulphate of, or Epsom salts, one-half of 1 cent per pound.

Lines 265, 266, and 267 were read, as follows:

Potash:
Crude, carbonate of, or fused, and caustic potash, 20 per cent. ad valorem.

Mr. VANCE. The crude carbonate of potash ought to be upon the free-list. It is made, as is known, from the ashes of leaves, and the source of supply being dependent on our forests, is becoming scarcer and scarcer every day as those forests disappear. It is essential to be used in manufactures. The duty was first put upon the article to protect the potash men in this country against Canadian potash, but since the disappearance of our forests it seems to me it is our true policy, outside of the consideration of the tariff itself, to encourage the importation of the article made from the woods and forests of other countries to the saving of our own; and as the price is getting higher and higher all the time in consequence of the decrease of the wood from which it is manufactured, I move to strike out that article and insert it in the free-list.

The PRESIDENT *pro tempore*. The Senator moves to strike out lines 266 and 267, in these words:

Crude, carbonate of, or fused, and caustic potash, 20 per cent. ad valorem.

Mr. MORRILL. I trust that will not be done. It is merely giving a premium to the people who live on the other side of the line. In all the northern parts of this country they still use wood as a fuel, and therefore make ashes from it, from which they subsequently make potash, and whatever profit there may be in the Northern States of the country in that product I trust will still remain, and that we shall not give an advantage to the people who live on the other side of the line.

Mr. VANCE. The product of the present duty is only $25,000. That is the amount of the revenue collected, and it seems to me so obviously our policy to preserve our forests, because it is utter destruction to the forests to convert them into potash, that we ought to be much obliged to the Canadians who will burn their woods and bring over the potash for our use.

Mr. MORRILL. None of our people burn their forests for the sake of the ashes at the present time.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

The amendment was rejected.

The PRESIDENT *pro tempore*. The question is on the amendment of the committee.

The amendment was agreed to.

Line 268 was read and agreed to, as follows:

Chlorate of, 3 cents per pound.

Line 269 was read, as follows:

Hydriodate of, 50 cents per pound.

Mr. BECK. I should like to ask the Senator from Rhode Island if the committee did not consolidate a number of these matters of detail on a reinvestigation and classify them all under one or two classes, instead of six of them as here inserted? That is my recollection.

Mr. ALDRICH. It was stated to the sub-committee that hydriodate of potash, iodate, and iodide were all the same thing, and that they might properly be all classed as iodate of potash. The whole committee never have acted upon it.

Mr. BECK. I beg pardon; I thought they did.

Mr. MORRILL. I think they ought to be included together.

Mr. BECK. That seemed to be the sense of the sub-committee after hearing the gentlemen who had charge of the matter. I thought the committee had acted on it, but I was not there at the time.

Mr. ALLISON. It will not hurt to leave it as it is.

Mr. MORRILL. I move to amend, on line 269, by inserting after

"hydriodate" the words "iodide of and iodate of," so that they will be all classed together.

The amendment was agreed to.

Mr. MORRILL. Then I move to strike out lines 270 and 271, as follows:

Iodide of, 50 cents per pound.
Iodate of, 50 cents per pound.

The motion was agreed to.

Lines 272 and 273 were read and agreed to, as follows:

Prussiate of red, 10 cents per pound.
Prussiate of yellow, 5 cents per pound.

Lines 274 and 275 were read, as follows:

Nitrate of, or saltpeter, crude, one-half of 1 cent per pound.

Mr. PLATT. I move to amend by striking out, in line 274, the words "one-half of," the object being to leave the duty on saltpeter as it is at the present time, and I desire to make a very short statement, and I think my amendment will commend itself to the Senate.

Saltpeter is manufactured in this country under the name of converted saltpeter. It is imported in a natural state from Calcutta through England. The rate of duty was formerly 2½ cents per pound on crude saltpeter. It has been reduced at different times until the present rate is 1 cent per pound. It is manufactured in my own State, and I know something of the business. The business of the manufacture of saltpeter, which is made from nitrate of soda and muriate of potash combined, has not been a profitable business. The rate as it stood before was only 26.84 per cent. ad valorem. The Tariff Commission propose to reduce it one-half, for what reason I do not know. Nobody asked for it except an importer of the natural article, and the manufacturers protested against it. The manufacturers of powder, who use it, protested against it because they do not want to destroy the manufacture of it in this country.

The importation of saltpeter into this country has been prohibited twice. It was prohibited once in 1861 just when we were commencing the war, and it was that prohibition which established the manufacture of converted saltpeter in this country. It is an article which manifestly, as it seems to me, we ought to manufacture in this country for the purpose of our defense if nothing else, and we ought not to cripple the manufacture in this country so as to give to England the control of that article which enters into the manufacture of powder.

I may say with reference to it that it does not enter into the lower and cheaper grades of powder. They are made of nitrate of soda and not of saltpeter, either the natural saltpeter or the converted saltpeter. It is used for the manufacture of the finer grades of powder, which are really luxuries, sporting powders.

This matter I believe was brought to the attention of the committee and passed over by the committee without full consideration. I am quite sure that to reduce this rate would quite seriously cripple the manufacture of the article in this country.

Mr. COCKRELL. What is the difference between the proposed and the present tariff?

Mr. PLATT. The present tariff is only 1 one cent a pound, or 26.84 per cent. ad valorem. The proposed tariff is one- half cent per pound, or 13.42 per cent. ad valorem. It is a very low duty, as will be seen.

Mr. DAWES. There have been a good many changes in the tariff on this subject since I have had connection with tariff legislation. We once tried the experiment of having the crude at 2½ and the refined at 2 cents a pound, and then it all came in as refined. Then it was changed and reversed so that the refined was put at 2½ and the crude at 2 cents, and then it all came in as crude. I should think that with this arrangement the result would be precisely the same. But if there is anything in the world that we ought to be independent of foreign nations in it is with reference to those materials out of which gunpowder is manufactured. I think that to be dependent upon a foreign nation for the raw materials the component parts of gunpowder, would be a very bad condition of things in time of war. And although gunpowder is not manufactured exclusively of this article, yet it is largely; and it is controlled abroad entirely by Great Britain; and Great Britain on two or three occasions, when they needed all the material out of which gunpowder could be manufactured for their own use, forbade the export of it out of their country. If it so happened that they should be in that condition and at the same time at war with us we should be in a miserably dependent condition if we had no means of manufacturing gunpowder ourselves.

Our grandfathers used to tell us about the straits we were in in the Revolution to get the material out of which gunpowder was manufactured; and that I think was the experience of both sides in the time of the late war. Our friends on the other side, we used to hear, were driven very much to straits in that regard. I should think they would feel like being entirely independent, as all of us would, of foreign governments for any material that entered into the manufacture of gunpowder. We can develop in this country enough of this material, as well as the material out of which the coarser kinds of gunpowder are manufactured. We can do it ourselves and be absolutely independent. Why should we not?

Mr. VANCE. If I am correctly informed, Mr. President, of all the chemicals that enter into the arts this one needs most to be placed upon the free-list for the prosperity of the country. It is not only used for making gunpowder, blasting powder, &c., but I am told that it is one of the most important elements in the manufacture of sulphuric acid, which is the universal solvent for all the materials of which our agricultural fertilizers are composed. The phosphate rock of South Carolina and other similar materials are obliged to be operated upon by sulphuric acid; and the use of fertilizers on the exhausted soils of the Atlantic States, which are rapidly being exhausted, is increasing from year to year. My own State of North Carolina uses about $4,000,000 worth of chemical fertilizers per annum, and they are constantly being used with the best results to the crops. One of the material and most important articles in the manufacture of these fertilizers is sulphuric acid, and I do hope that the Senate will consent to see it placed upon the free-list for the special benefit of the agricultural people of this country.

Mr. PLATT. I do not know to what extent it is used in the manufacture of sulphuric acid. I know that of the persons who appeared before the Tariff Commission there was only one person who appeared asking for a reduction of this duty. He was a druggist, and he gave the uses of it, but he did not mention sulphuric acid. The manufacturer of it appeared and gave the uses of it, among which he did not mention sulphuric acid; and I have never heard anything of its application to the manufacture of sulphuric acid. All that the Senator from North Carolina says may, nevertheless, be true.

Mr. MAXEY. My judgment about it is that the tax should be equitably distributed——

Mr. PLATT. If the Senator from Texas will permit me, I am informed by the Senator from Colorado [Mr. HILL], whom I judge to be an expert in these matters, that it is nitrate of soda which is used in the manufacture of sulphuric acid, and that comes in free, I believe.

Mr. MAXEY. As a matter of course, it is very easy to see that that nitrate is the cheapest element in making sulphuric acid as a solvent. That is not the point I was going to make. My point is simply this, that we have got to raise a large amount of money, and this money must be raised by a tariff laid upon imported goods, and that tariff justly and equitably ought to be distributed among the various articles. Now, I see no reason why this article, which mainly is a luxury, should not bear a fair and equitable proportion of the taxes paid by the people. I think we ought to retain it as it is in the bill.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Connecticut [Mr. PLATT], to strike out "one-half of" in line 274, so as to leave the duty 1 cent per pound.

The amendment was agreed to.

Mr. PLATT. I now move that "nitrate of, or refined saltpeter," in line 276, be put up to 1½ cents per pound, to correspond with the advance in the former line, to make it a half cent more.

Mr. MAXEY. I understand the committee reported one-half of 1 cent, as it now is in line 274.

The PRESIDENT *pro tempore*. The Senate has struck out "one-half of."

Mr. MAXEY. I do not think that was understood, however, here, and I should like to have the vote taken over again. I want to leave the item as the committee reported it.

Mr. PLATT. The present tariff is 1 cent a pound.

Mr. MAXEY. I understand; but the committee report one-half of 1 cent per pound.

Mr. PLATT. The Tariff Commission reduced it to one-half of 1 cent.

Mr. MAXEY. One-half of 1 cent it is in the bill.

Mr. PLATT. The committee had some consideration of this matter, and I think were inclined to restore the tariff to what it is now, but passed over it without coming to any conclusion on this subject.

Mr. MAXEY. My own judgment is that I took this bill and said what I did on the faith of what the committee report. The committee report one-half of 1 cent per pound. That I think is fair, and if the Senate understand the case they will take that view. I therefore ask that that vote be taken again.

The PRESIDENT *pro tempore*. The Senator from Connecticut [Mr. PLATT] moves to strike out "one-half of" in line 274, so as to leave the duty 1 cent per pound. The Chair will put the question again on that amendment.

Mr. MORRILL. This is one of the articles that General Jackson thought we ought to be independent of all the world in manufacturing.

The question being put, there were on a division—ayes 19, noes 21.

Mr. PLATT. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. HAWLEY. One word. There are three things that a nation can not afford to be without; there are three things which it ought to manufacture. One of them is powder, another is iron, another is wool; and you propose by this change in this duty practically to destroy whatever manufactures of saltpeter there are in the country. The most rampant free-trader that I have ever known is disposed to agree with the proposition I make. You can not carry on war, you can not defend your national life, without saltpeter, or powder and iron and wool. Great Britain has twice within a generation cut off the sole supply of saltpeter that we get. We get this crude saltpeter from Calcutta,

within her dominions. We ought, if we have any due regard to the proprieties, the necessities, of the national life, even if it were necessary to pay a bounty, to protect the manufacture of saltpeter in the United States.

Now, the powder manufacturers want this saltpeter quite as cheap as anybody, and yet the men in this country who make powder and who would be glad to get saltpeter as cheaply as possible reconcile themselves to this and assent to a reasonable duty upon saltpeter.

Mr. MAXEY. As far as the use of powder for war purposes is concerned, unless this world changes from what it has alway been heretofore, that will not depend upon putting half a cent additional into the pockets of powder manufacturers in the way of protection. Whenever the United States needed powder it always has had powder and always will have powder; so of iron and so of wool. At last it comes down to a question of this kind, and it is the simple question: Is this a fair, just proportion which this article ought to bear as compared with all other articles that ought to be taxed? That is the only question in it. The committee report one-half cent a pound. That does not suit certain parties; and if the Senate gives way to every particular industry that comes along here you will make the entire fifty millions of people in the United States simply hewers of wood and drawers of water for the protected industries. I am opposed to the whole principle. The amount which is in here is the fair, equitable, and just proportion, and it is all the people should pay.

Mr. PLATT. I do not want to prolong this debate, but I desire to say that if it is advisable that saltpeter should be manufactured in this country it will not do to reduce the present rate of duty. There is the simple proposition. The manufacturers are making no money on it, and most of the firms engaged in the business have failed. It came about just in this way: Great Britain stopped the exportation of saltpeter at the commencement of the war. That developed this industry, and then it had a protection of 2½ cents a pound on the natural saltpeter, and under that tariff this industry was built up. Afterward the tariff was reduced from 2½ cents to 1 cent a pound, and that has taken away all the profit, substantially, of the manufacturers of saltpeter. Now you propose to reduce it one-half cent more. Of course I do not want to say the same thing over and over again about manufactures, but in this instance it is the destruction of the saltpeter manufacture in this country. If you want to do that, very well.

The Principal Legislative Clerk proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from Delaware [Mr. BAYARD].

Mr. PLATT. I think he would vote "yea" on this amendment.

Mr. ALLISON. I should vote "nay" on this amendment.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE].

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "nay" and he would vote "yea."

Mr. JOHNSTON (when his name was called). I am paired with the Senator from Pennsylvania [Mr. MITCHELL], who is absent at home on account of sickness in his family.

The roll-call was concluded.

Mr. McMILLAN. I am paired with the Senator from North Carolina [Mr. RANSOM]. If he were present, I should vote "yea."

The result was announced—yeas 24, nays 21; as follows:

YEAS—24.

Aldrich,	Frye,	Kellogg,	Platt,
Anthony,	Hale,	Lapham,	Rollins,
Blair,	Harrison,	Logan,	Sawyer,
Cameron of Pa.,	Hawley,	Mahone,	Sewell,
Conger,	Hill,	Miller of N. Y.,	Sherman,
Dawes,	Jones of Nevada,	Morrill,	Windom.

NAYS—21.

Barrow,	Coke,	Jones of Florida,	Slater,
Beck,	Farley,	Lamar,	Vance,
Butler,	Grover,	Maxey,	Walker.
Call,	Hampton,	Morgan,	
Camden,	Jackson,	Pendleton,	
Cockrell,	Jonas,	Pugh,	

ABSENT—31.

Allison,	Fair,	Ingalls,	Ransom,
Bayard,	Ferry,	Johnston,	Saulsbury,
Brown,	Garland,	McDill,	Saunders,
Cameron of Wis.,	George,	McMillan,	Van Wyck,
Chilcott,	Gorman,	McPherson,	Vest,
Davis of Ill.,	Groome,	Miller of Cal.,	Voorhees.
Davis of W. Va.,	Harris,	Mitchell,	Williams.
Edmunds,	Hoar,	Plumb,	

So the amendment was agreed to.

The item as amended was agreed to.

Line 276 was read, as follows:

Nitrate of, or refined saltpeter, 1 cent per pound.

Mr. PLATT. I now move to insert in line 276, before "cent," the words "and one-half." There should be that distinction. That would be reducing the duty one-half a cent a pound from what it is now. The change is necessary in order to keep up the equilibrium between the two.

The amendment was agreed to.

The item as amended was agreed to.

Lines 277 to 292 were read and agreed to, as follows:

Sulphate of, 20 per cent. ad valorem.
Soda:
Soda ash, one-quarter of 1 cent per pound.
Soda, sal, or soda crystals, one-quarter of 1 cent per pound.
Bicarbonate of, or super-carbonate of, and saleratus, calcined or pearl ash, 1½ cents per pound.
Hydrate of caustic, 1 cent per pound.
Sulphate, known as salt cake, crude or refined, or niter cake, crude or refined, and Glauber's salt, one-quarter of 1 cent per pound.
Sulphur:
Refined, in rolls, $10 per ton.
Sublimed, or flowers of, $20 per ton.
Wood-tar, 10 per cent. ad valorem.
Coal-tar, crude, 10 per cent. ad valorem.

Lines 293 and 294 were read, as follows:

Coal-tar, refined, naphtha, benzine, benzole, dead oil, and pitch, asphaltum, or bitumen, 20 per cent. ad valorem.

Mr. ALLISON. There is an amendment necessary there. In line 293, the word "refined" should be stricken out there and the words "products of, such as" inserted.

Mr. SHERMAN. That we agreed upon.

Mr. ALLISON. That we agreed upon in committee.

The PRESIDENT *pro tempore*. The amendment will be read.

The ACTING SECRETARY. In line 293, after the word "coal-tar," it is proposed to strike out "refined" and insert "products of, such as;" so as to make the clause read:

Coal-tar, products of, such as naphtha, benzine, benzole, dead oil, and pitch, asphaltum, or bitumen, 20 per cent. ad valorem.

The amendment was agreed to.

Mr. SHERMAN. Asphaltum and bitumen were agreed to be stricken out from this. I call the attention of the Senator from Iowa to the fact.

Mr. ALLISON. Asphaltum may be a product of coal-tar.

Mr. SHERMAN. Asphaltum and bitumen are natural products.

Mr. ALLISON. I know they are as well; but does the Senator from Ohio say they are not products of coal-tar?

Mr. SHERMAN. They are natural products, I believe, of volcanic formation.

Mr. ALLISON. I know they are, but I also supposed that something in the nature of asphaltum and bitumen was produced from coal-tar.

Mr. SHERMAN. I do not know. My impression is that asphaltum and bitumen ought to be on the free-list, especially natural asphaltum.

Mr. ALLISON. Perhaps natural asphaltum or bitumen should be. I think we so agreed in committee.

Mr. MORRILL. A majority of the committee so agreed.

Mr. SHERMAN. I therefore move that "asphaltum" and "bitumen" be stricken out here and transferred to the free-list.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Ohio to strike out "bitumen" and "asphaltum," in line 294.

The amendment was agreed to.

Mr. BECK. The motion is to transfer them to the free-list as well.

Mr. SHERMAN. We can put them in the free-list when we reach it.

Mr. BECK. Very well.

Lines 293 and 294 as amended were agreed to.

Lines 295 to 297 were read, as follows:

All coal-tar colors or dyes, by whatever name known, and not specially enumerated or provided for in this act, 35 per cent. ad valorem.

Mr. COKE. I move an amendment in line 297, that "thirty-five" be stricken out and "twenty-five" inserted; and in support of that amendment I will simply send to the Chair a concise statement of the reasons given for that change, which I ask may be read.

The Acting Secretary read as follows:

COAL-TAR COLORS AND DYES.

The Tariff Commission recommend the following provision:

"All coal-tar colors or dyes, by whatever name known, and not herein specially enumerated or provided for in this act, 40 per cent. ad valorem."

In behalf of the consumers of these dyes, whose names are signed to the petition presented in the House of Representatives, and referred to the Committee on Ways and Means, we urge that the above rate should be reduced and fixed at a rate not to exceed 25 per cent. ad valorem, as asked in the petition.

Our reasons, concisely stated, are as follows:

1. The articles in question are not luxuries, as the 40 per cent. recommended by the Tariff Commission would indicate, but are in the nature of raw material. They enter into the cost of production of silk, woolen, and cotton goods, and the effect of a high rate of duty is to materially increase the cost of the manufacture of such goods—a result disastrous to our home manufacturers, who are making an earnest effort to compete with English manufacturers in foreign markets, notably South America and Mexico.

2. The manufacture of coal-tar dyes in the United States is not an industry that justifies such a rate of duty as is recommended by the Tariff Commission. The largest works, situated in Albany, New York, according to the testimony of the manager before the Tariff Commission, produces but one dye, and that a cheap one, known as aniline red. This dye is made of *arseniate of aniline*, which is on the free-list, and is an article in itself almost a complete dye, requiring but a simple and inexpensive process to convert it into a dye. This article—arseniate of aniline—is largely imported for this purpose.

There are four or five other establishments, some of which do not manufacture dyes, but confine themselves to salts and acids, and none of which produce any considerable quantity of dyes.

This is the condition of the dye manufacture in this country, although it has been protected for eighteen years—by the act of June 30, 1864, at the rate of $1 per pound and 35 per cent. ad valorem, and by the act now in force at 50 cents per pound and 35 per cent. ad valorem.

From the most reliable statistics, we are able to say that there are less than

one hundred persons employed in making these dyes, with an amount of capital invested in proportion.

3. As to revenue. A large proportion of those now imported are cheap dyes. But many dyes, still cheaper, which would be useful to our manufacturers, are prohibited by the present rate of duty, and many would be by a 40 per cent. duty. The increase in quantity that would be imported at a low rate of duty would more than compensate for the reduction in rate, so that the revenue to the Government, instead of being diminished, would, in our opinion, be increased.

Mr. MILLER, of New York. I move to amend the amendment of the Senator from Texas by making the rate 40 per cent. instead of 35 or 25. The circular which has just been read, which purports to be signed by an attorney for consumers, came to me under cover from the importers, or rather from the agents of the German manufacturers. I am surprised that it is presented here indorsed as it has been.

The present rate of duty on coal-tar colors or aniline colors is 35 per cent. ad valorem and 50 cents per pound. Under that rate of duty a number of establishments have been erected where aniline colors of the first quality are now manufactured in the United States, and have been for a number of years back. It has been only since the manufacture began in the United States that the cost of these colors has been reduced to the American consumer on an average of 50 per cent., and in making that statement I speak of what I know by my own personal knowledge.

The recommendation of the committee that the duty be fixed at 35 per cent. ad valorem, taking off the 50 cents per pound, will simply, at one stroke of the pen, wipe out of existence the industry in this country. This proposed reduction of the duty is made undoubtedly, as it is supposed, in the interest of the dyers and printers, but they make a great mistake, in my judgment, in coming here and asking that all manufactories of dyes which have been established in this country shall be broken up, and that they shall again go back and be compelled to rely entirely upon the foreign manufacture. If this manufacture is destroyed in this country, it will not be a twelvemonth before the price of aniline dyes will be raised in this country from 25 to 50 per cent. As I have stated from my own personal knowledge, most of these dyes have been reduced nearly 50 per cent. in their selling price since these establishments were started in this country.

It seems to me that in a reduction of the tariff we should have some consideration for the industries which have been established under the now existing tariff. The now existing tariff, as I have stated, is 35 per cent. ad valorem and 50 cents per pound. The Tariff Commission recommend a rate of 40 per cent. ad valorem. The committee, it seems, were not satisfied with that and have gone still lower, and my friend from Texas proposes to go still lower than that. If the rate of duty recommended here by the committee is to be adopted, or that proposed by the Senator from Texas is to be adopted, it would be much better that we should strike out this clause entirely and put the article upon the free-list, for the rate of duty here proposed or that proposed by the Senator from Texas is not sufficient to maintain the industry in this country; and if we are to entirely destroy the industry, then, as this legislation is supposed to be in the interest of the dyers and printers of calicoes and other goods in this country, it would be much better to put it entirely upon the free-list.

It seems to me that it is wise, that it is in the interest of all the people, and in the interest of the dyers and printers of this country that there should be left upon this article such a rate of duty as will enable its manufacture to be still carried on in this country. The manufacturers of this article tell me that under this rate of duty it will not be possible to go on, and I have facts and figures here to show it, but I will not take up the time of the Senate at this moment by reading them.

It seems to me that in making these reductions we should be governed by some general principle. It has been stated that the reduction of duties generally through the bill is from 20 to 25 per cent. The reduction made by the committee is fully 50 per cent. in this case. I present these facts for the consideration of the Senate, knowing that if either one of these rates is adopted this industry will be entirely destroyed.

Mr. PLATT. I should like to ask whether this matter was fully considered in committee, and whether the committee were agreed on the rate proposed in the bill?

Mr. MORRILL. I will say that the committee had a long discussion upon this matter and the Tariff Commission reported very fully upon it. There are many pages in their report in relation to these aniline dyes.

Only a few years ago some of these colors were very expensive, costing from five to seven or eight dollars a pound. The duty which was then put upon them was not too extravagant; but recently they have been reduced in cost so that the average cost of the aniline dyes imported is at present about $1.25 or $1.30 per pound, and that embraces perhaps one hundred different shades of color and some of these colors are very much more expensive than others.

The committee were anxious to continue the manufacture of these aniline dyes in the United States, from the fact that nearly all the coal-tar which comes from our gas manufactories is now utterly wasted and unused. If there can be a use made for it, it is desirable that there should be. The committee, after full discussion, decided to reduce the amount as reported by the Tariff Commission from 40 per cent. to 35 per cent.

Mr. MILLER, of New York. Will the Senator from Vermont tell us how much this does reduce the revenue received from these dyes?

Mr. MORRILL. It reduces the amount something over half a million dollars, about $550,000 if the importation should be the same as it was last year.

Mr. COKE. Mr. President, the argument which I had read at the Secretary's desk just now is all the information I have on this subject. It was presented to the House of Representatives with a large petition, which states very clearly most cogent reasons for the conclusions drawn in it. It asks that the duty on this head be fixed at 25 instead of 35 per cent., and that argument states that there are less than one hundred men in the United States concerned or interested in the production of these dyes. The dyes enter generally into textile manufactures. It is the interest of the consumers of all sorts of textile goods that dyes should be as cheap as possible; the whole population of this country is interested that they shall be as cheap as possible; and the Senator from New York moves an amendment to my amendment proposing an advance upon the committee's report in behalf, as the argument which was read a while ago from the Secretary's desk states, of less than one hundred people concerned in the production of these dyes.

Mr. MILLER, of New York. May I ask the Senator a question? I should like to know his authority for stating that there are less than one hundred people engaged in this enterprise.

Mr. COKE. That is the statement in the argument accompanying the petition of a large number of manufacturing consumers of these dyes presented to the Ways and Means Committee of the House of Representatives, which was read just now at the Secretary's desk.

Mr. MILLER, of New York. I undertake to say that the statement is unqualifiedly false.

Mr. COKE. I know nothing about it. I only know that this petition was presented to the Committee on Ways and Means of the House with this argument accompanying it. I simply present the argument for what it is worth. It seems to me to be a conclusive one. The only doubt I had about it was as to whether this, instead of having 25 per cent. duty upon it, should not be added to the free-list; but the idea that 25 per cent. is an insufficient protection when from 1846 to 1861 we had a tariff of only about 18 per cent. average, simply shows that we have gotten in this country to a point where the people, the great mass of the consumers of manufactured products, are expected to lie perfectly still and allow themselves to be taxed for everybody's bounty and everybody's advantage. Twenty-five per cent. is the point to which my amendment seeks to reduce this duty. Twenty-five per cent., it would seem, ought to be a sufficient protection, and the consumers of the articles upon which this tax is laid have petitioned that it shall not be above that, saying that it affords ample protection, that it will pay a good revenue, and that beyond that the tax will be oppressive upon them.

Mr. MORRILL. I trust that we shall not reduce the revenue any further than has been proposed by the committee, which is 35 per cent. instead of 35 per cent. ad valorem and 50 cents a pound. I will say to the Senator from Texas that he need not be very anxious for the importation of these colors, because, although exceedingly brilliant, they are also very fugitive and vanish after a little wear.

Mr. ALDRICH. The committee gave considerable attention to this question, and the result arrived at was a sort of compromise of the conflicting views of different members of the committee. Many of us were in favor of making the duty at a still lower rate, but it was finally fixed upon at 35 per cent. as a rate which ought to be satisfactory both to the manufacturers and to the consumers.

Mr. MILLER, of New York. So far as I have examined this bill, I think there is not another item in it where such a reduction has been made, and I insist that if manufactures of this kind are to live at all in this country the reductions which may be made from year to year or from decade to decade must be made with some consideration to their wants and to their necessities, and some consideration to the laws which have created them and under which they have lived. If we are to make a reduction here of at least 50 per cent. on the lower grades of these dyes, it stands to reason that the manufacturer can not be considered.

Then as to whether the consumer is to be benefited or considered in this question, I have already stated and the Senator from Vermont has stated that within the past few years since this industry has been established in this country the price of all aniline dyes has been reduced about 50 per cent. in some cases more and in some less; and the consumer has been benefited to that extent by having the industry established here. It is now proposed by taking away the specific duty entirely and by reducing the ad valorem rate at present imposed to so lower the duty as practically to destroy the home manufacture of these dyes entirely and put the consumer back in the hands of the foreign manufacturer. Those goods are sent here by German and English establishments to their own agents, and we have little control over the invoice price which they see fit to put on the goods. The old rate of duty was 35 per cent. ad valorem and 50 cents a pound. The committee have taken off entirely the 50 cents a pound. Some of these goods, as we know, are worth only from a dollar to a dollar and a quarter a pound. It is an enormous reduction to take off 50 cents a pound, and the committee have gone further than the Tariff Commission went. The Tariff Commission propose to take off the 50 cents a pound, and to make the ad valorem duty 40 per cent. Possibly the manufacturers of these articles might live under

that or under 45 per cent. duty; but if it is the intention of the Senate to legislate entirely in the interest of the great cotton and woolen manufacturers, then take off the duty entirely, put this item on the free-list, and wipe out the little industry that has already been started in this country.

Mr. MORGAN. I desire to ask the Senator from New York if there has been any considerable increase in the amount of these dyes produced in the United States in the last four or five years?

Mr. MILLER, of New York. I can not give the exact amount, but it has been constantly growing. It has been an experimental manufacture. I speak from personal knowledge in regard to the price, and also as to the fact that it is a growing industry, and that it has been of great benefit to all the consumers in this country that the industry has been established here. It gives the American consumer two competing sources from which to buy—the foreign source and the domestic source.

Mr. MORGAN. Now, Mr. President, we have a perfect illustration in this very important article, because it appears that the tax upon this is very large, bringing in more than a million dollars revenue—$1,074,440 revenue during the last fiscal year—of a large amount of revenue being derived from the importation of this article, a large increase in the production of it and a large decrease in the tariff upon it. The tariff up to June, 1864, was at the rate of a dollar a pound and 35 per cent. ad valorem. It started very well under that, I suppose. It was then reduced to 50 cents per pound and 35 per cent. ad valorem. It continued to grow and the price continued to depreciate; so that the people were benefited, and so that the manufacturers, by the reduction of the price, were enabled, because they had more consumers and doubtless because they were in contact with the crude article of coal-tar for manufacturing purposes, to reduce the value of the article they manufactured. This is one of the best illustrations that can be produced of the beneficent effects of a reduction of the tariff as these different industries are developed, as they gain their strength and their growth; and it is due to the people as well as to the manufacturers that the Congress of the United States, following this brilliant example, should reduce the tariff upon all these articles whenever they think they can benefit the consumer and also the manufacturer by it.

It has not been merely the establishment of these manufactures of aniline dyes in the United States that has reduced the price of the market; it has been also, and I think chiefly, if not entirely, the reduction of the tariff that has had that effect. Therefore we see these three beneficent results coming together: a large increase of production, a large amount of importation yielding us over a million dollars a year revenue, and a large decrease in the price. I think the committee ought to have felt encouraged at the instance of the honorable Senator from Rhode Island—for I take it for granted that it was at his instance—to assist the cotton-spinners and cotton-dyers in Rhode Island in getting these aniline dyes at a lower rate, so that they can manufacture goods at a cheaper rate for the benefit of the consumers throughout the country. That is wholesome legislation and sound doctrine. I am glad of the opportunity of presenting in this way the theories for which I contend for the reduction of taxes.

Mr. MILLER, of New York. I am very glad to discover that the Senator from Alabama has come substantially on to my side of this question, and to admit that industries of this kind can be established in this country first by a high rate of duty, and that by being established they very rapidly reduce the cost of the article to all the consumers. So it has been in this case. Starting originally with a very high rate, five, seven, or ten dollars a pound, some of these colors are now sold as low as a dollar and a quarter a pound, and it has been done under this protective tariff system which we have been so long standing here contending for, which we have so ably defended and kept in operation up to the present time.

I am willing, and so are the manufacturers of these dyes, to consent to a large reduction in the rate of duty upon aniline colors; all I ask is that the Senate shall not reduce it to a point at which the industry can not live; that the Senate shall not reduce it to a point which will destroy the industry and put it entirely in the power of the foreign manufacturers. The Tariff Commission, after considering this question fully, fixed a duty of 40 per cent. ad valorem and took off the 50 cents per pound. It does seem to me that the Senate ought not to go further than that, though I know that the Finance Committee, having particularly in charge and care the calico printers and the dyers of wools, silks, &c., thought it necessary to go still further. I believe they have gone so far in this bill that if it shall become a law it will entirely destroy and wipe out the manufacture of aniline dyes in this country.

In my judgment it is unwise for the manufacturers who use these dyes largely to insist on reducing the duty to so low a point as will destroy the industry in this country. I speak from some personal knowledge in this matter, and I believe that it is entirely in the interest of all consumers, first the dyers and the printers, and second the people themselves, that this industry shall be left at such a point that it can continue to live. If it is to be reduced to the rate moved by the Senator from Texas then I should say the item might much better be put on the free-list and our industry wiped out entirely, and let us depend wholly on the foreign market for our supply.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New York [Mr. MILLER], to increase the duty on "all coal-tars or dyes," in line 297, to 40 per cent. The Senator from Texas [Mr. COKE] moved to strike out "35" and insert "25." Then the Senator from New York moved to amend the amendment by making the rate 40 per cent.

Mr. MAXEY. The bill as reported by the Finance Committee is an amendment to the House bill. The Senator from Texas moved to amend that amendment. Does it not have to stop there?

Mr. MILLER, of New York. I am willing to withdraw my amendment until the amendment of the Senator from Texas is acted on.

The PRESIDENT *pro tempore*. By agreement the amendments reported by the committee are regarded as the original text of the bill.

Mr. MAXEY. I was not aware of that.

The PRESIDENT *pro tempore*. The question is first on the amendment of the Senator from New York.

Mr. ANTHONY. Was it not understood at the beginning that the amendments of the Senate committee were to be considered as the text of the bill?

The PRESIDENT *pro tempore*. Yes, sir. The first vote is on the amendment of the Senator from New York to increase the rate to 40 per cent. ad valorem.

Mr. SHERMAN. I would vote, if I was guided alone by my sense of what was right in this matter, with the Senator from New York; but I feel bound by the action of the committee, because I know that the committee gave to this subject the most careful attention.

It seems to me that this industry, which is a very important one, a mere chemical industry, is pretty severely used by both the commission and the committee. The present duty is 74 per cent., and under the operation of that duty the cost of these various articles—and there is a list of them here of about twenty-five or thirty—has been reduced to about one-third of their former price, taking the whole aggregate together. The operation of a protective duty induced parties in Albany to start the production of these aniline dyes, and it has already operated very beneficially to the whole trade. To endanger that industry, to even threaten it by a reduction of the tax so great as is now proposed by the Senator from Texas, it seems to me would be wrong.

The amendment proposed by the committee reduces the tax more than one-half. The present rate of duty is 74 per cent., being a compound duty of 35 per cent. ad valorem and 50 cents a pound. To reduce that now to 35 per cent., as is proposed by the Committee on Finance, would reduce it to less than one-half the present duty. I believe it is true that no other active industry that is struggling for existence is more severely or harshly used than this industry. To go further than that it seems to me would be a gross injustice.

I hope, therefore, the Senate under all the circumstances will stand by the committee on this one matter and leave the duty stand at 35 per cent., which I believe is almost destructive if not entirely so to this industry. I have here a specimen of their handiwork [exhibiting], and everybody can see that it is expressly due to these dyes which enable our manufacturers to give all these various colors the most beautiful forms, not only to cotton, but to wools and silks, and that the industry is one so interesting that it should be protected. They use the rawest and crudest form of materials. They use the coal-tar, and produce out of that chemical compounds, some of which are worth from six to seven dollars a pound, but they range from about $1.50 to $6 a pound. It seems to me that to destroy an industry which makes out of nothing that which would be otherwise waste, this valuable product which is now imported to the extent of more than one million pounds, yielding the Government more than $1,000,000 revenue, even though in an infant state, an industry which has done so much good, would be an act not justified by prudence and good sense.

Mr. MORRILL. I hope the Senator from Texas will withdraw his amendment, so that we may take a vote then on the other proposition.

Mr. MAXEY. I wish to say, before anything of that kind is done, that I have been disposed whenever I thought the action of the committee was fair and equitable to support the committee; and yet when the committee had made a report which I thought was clearly fair on nitrate of potash, the Senator from Connecticut [Mr. PLATT] moved to double that, to increase the duty twice as much as the committee had put upon it, I noticed some members of the committee voting with the Senator from Connecticut. If the committee expect outsiders to act with them in this matter they had better act together themselves and stand by their own report.

I am very much inclined to think that what the Senator from Ohio says about this is reasonable, that this is a very large reduction, and yet I am also very much struck with what my colleague has put forward in the statement made by consumers. I know and everybody else knows that this aniline enters into articles which are used by the whole people. There is scarcely one of the 50,000,000 people in the United States, and especially the female portion of them, who does not use goods colored in some way or other with this aniline dye, and therefore it is a matter in which everybody is interested in getting it at the lowest figure we can.

I wish to do whatever is right about it, but I should like to see the committee act in matters relating to the increase of the tariff somewhat

reasonably. When the Senator from Connecticut moved to increase a duty 100 per cent. over what the committee reported, a part of the committee voted with him, and yet when my colleague moves to decrease the action of the committee the committee go the other way.

Mr. BECK. After a long struggle in committee and a very careful investigation 35 per cent. was the very lowest possible rate upon which we could agree. While I would have been glad to have had it lower, I agreed to vote for 35 per cent. in the committee and I expect to do it now, though I should like to vote with the Senator from Texas [Mr. COKE]. I am delighted that his colleague, the senior Senator from Texas [Mr. MAXEY], has taken occasion to remind other members of the committee, who sometimes think that I vote against them when I ought not to do so, that it is only a few minutes since they themselves voted against the recommendation of their own committee, and I had the honor to stand by it.

While I believe that aniline itself ought to be made as cheap as possible, and agree fully with the Senator from Texas, I shall oppose now the amendment of the Senator from New York, and I hope that the Senator from Texas will be content. If he had heard the contest made in committee and had heard all that was said about it, he would have thought that 35 per cent. was the best we could do. I have no apprehension that they are going to be starved out at 35 per cent., with the freight added.

Mr. COKE. Mr. President, I believe the way to get a revenue tariff is to bring it down to a revenue basis and to strike wherever an item is above the average of that basis. I am willing to take this tariff bill and to go through it and reduce the duties proposed wherever they can possibly be reduced. I introduced evidence which was satisfactory to my mind, and which was satisfactory to a large body of consumers of this product, to show that the tariff could be reduced here and that the revenues would not be decreased. The argument made by these gentlemen was a sensible one. It is sustained by the signatures of good men, practical men, men who know what they are talking about. They take up the point affecting the revenue and go on to make an argument which shows to my mind that the revenue not only would not be reduced but would be increased by the reduction which I propose.

That we ought to cheapen articles of universal use, entering into the consumption of all the people in this country who wear textile fabrics, no one for a moment doubts, and we can only cheapen them by taking hold of the small things in this tariff list which enter into the cost and tend to swell the aggregate. It was with that view that I offered the amendment; but as the Senator from Kentucky, a member of the Committee on Finance, a leading man on our side of the Chamber, in favor of a reduction of tariff duties, proposes to vote against my amendment, I have no other alternative than to withdraw it, still believing that it ought to be sustained.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New York [Mr. MILLER], to strike out 35 per cent. and insert 40 per cent.

The amendment was rejected; there being on a division—ayes 12, noes 28.

The following items, from line 298 to line 302, inclusive, were read and agreed to:

All preparations of coal-tar not colors or dye not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Logwood and other dye-woods, extracts and decoctions of, 10 per cent. ad valorem.

Line 303 was read, as follows:

Ultramarine, 5 cents per pound.

Mr. COKE. In line 303, after the word "ultramarine," I move to strike out "5 cents per pound" and to insert "25 per cent. ad valorem."

This product, I am informed, is used in the manufacture of writing paper, paper hanging, calicoes, and for general painting purposes. The present rate of duty is 6 cents, and it is proposed to reduce it to 5 cents per pound. At 6 cents it is 48 per cent. ad valorem, and at 5 cents it would be 40 per cent. ad valorem. The article is used so extensively that it seems to me it ought to be cheapened as far as possible. I am told that it is manufactured in this country by but two firms; that there are but two houses where it is manufactured. The only doubt in my mind is as to whether it should go on the free-list. I, however, have offered the amendment reducing the duty to 25 per cent. ad valorem instead of 40 per cent., as the committee have reported it, or rather the committee report 5 cents per pound, which would be equal to 40 per cent. ad valorem. It seems to me that 25 per cent. ought to be high enough to tax this raw material entering into so many manufactures.

Mr. MORRILL. I hope the amendment of the Senator from Texas will not be adopted. The present rate of duty upon this article is 6 cents a pound, and it is reduced by the commission and the committee from 6 cents to 5 cents. There has been no demand made to the Committee on Finance for any different action from what we have reported, and therefore I hope it will remain as fixed in the bill.

Mr. MILLER, of New York. I should like to inquire of the chairman of the committee what reasons there are for retaining one rate of duty on ultramarine and another on "colors and paints, including lakes?" It seems to me that naturally they should go together. The article is largely used by calico printers and dyers. In making a specific duty upon it, it seems to me this specific duty ought to be divided, that there ought to be two different rates. The value of ultramarine varies from 8 to 25 cents per pound. Of course 5 cents a pound on an article worth 8 cents is a pretty high rate of duty, but 5 cents a pound on an article worth 30 cents is not exorbitant.

The PRESIDING OFFICER (Mr. VOORHEES in the chair). The question is on the amendment of the Senator from Texas [Mr. COKE].

The amendment was rejected.

The PRESIDING OFFICER. Line 303 will be agreed to if there be no objection, and the next item will be reported.

Lines 304 to 308, inclusive, were read and agreed to, as follows:

Turpentine, spirits of, 20 cents per gallon.

Colors and paints, including lakes, whether dry or mixed, or ground with water or oil, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Lines 309 to 312, inclusive, were read, as follows:

The pigment known as bone-black, and ivory drop-black, 25 per cent. ad valorem.

Bone-char, or bone-black, fit for sugar refining, one-fourth of 1 cent per pound.

Mr. MORRILL. A majority of the Committee on Finance requested an amendment here, and that is to insert, after "drop-black," the words "and bone-char," and to strike out lines 311 and 312; so as to make lines 309 and 310 read:

The pigment known as bone-black, and ivory drop-black, and bone-char, 25 per cent. ad valorem.

Mr. BECK. I desire to ask the chairman if some of those articles are not now on the free-list? I have an impression that they are.

Mr. MORRILL. No, sir, they are not.

Mr. COCKRELL. What is the reason for taking bone-char from line 311 and putting it in line 309?

Mr. MORRILL. It is about the same article as the others. We want to put them together when they are alike.

Mr. COCKRELL. What is the rate of duty, about the same?

Mr. MORRILL. About the same.

The PRESIDING OFFICER. If the Chair hears no objection, lines 309 and 310 will be agreed to as proposed to be amended by the Senator from Vermont, and lines 311 and 312 will be stricken out.

The next item, beginning at line 313, was read and agreed to, as follows:

Ocher and ochery earths, umber and umber earths, and sienna and sienna earths, when dry, one-half of 1 cent per pound; when ground in oil, 1½ cents per pound.

Lines 317 and 318 were read as follows:

Zinc, oxide of, when dry, 1½ cents per pound.

Mr. MORRILL. I ask that lines 317 and 318 be postponed until we consider white lead.

The PRESIDING OFFICER. That order will be made, there being no objection.

Lines 319 and 320 were read, as follows:

Zinc, oxide of, when ground in oil, 1½ cents per pound.

Mr. COCKRELL. Lines 319 and 320 should also be postponed.

Mr. MORRILL. Yes; they are of the same import as the preceding item.

The PRESIDING OFFICER. The Chair hearing no objection, lines 319 and 320 will also be postponed.

Lines 321 to 334, inclusive, were read and agreed to, as follows:

All preparations known as essential oils, expressed oils, distilled oils, rendered oils, alkalis, alkaloids, and all combinations of any of the foregoing, and all chemical compounds and salts, by whatever name known, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Preparations: All medicinal preparations known as cerates, conserves, decoctions, emulsions, extracts, solid or fluid; infusions; juices, liniments, lozenges, mixtures, mucilages, ointments, oleo-resins, pills, plasters, powders, resins, suppositories, sirups, vinegars, and waters; of any of which alcohol is not a component part, and which are not specially enumerated or provided for in this act, 25 per cent. ad valorem.

The next item, beginning at line 335, was read, as follows:

All barks, beans, berries, balsams, buds, bulbs, and bulbous roots and excrescences, such as nutgalls, fruits, flowers, dried fibers, grains, gums, and gum-resins, herbs, leaves, lichens, mosses, nuts, roots and stems, spices, vegetables, seeds (aromatic, not garden seeds), and seeds of morbid growth, weeds, woods used expressly for dyeing, and dried insects, any of the foregoing of which are not edible, but which have been advanced in value or condition by refining or grinding, or by other process of manufacture, and not specially enumerated or provided for in this act, 10 per cent. ad valorem.

Mr. BECK. Mr. President——

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BECK. I beg pardon. I see that clause applies only to those which are advanced in value by manufacture. I thought it took some things off the free-list that are now on it, but I believe it does not.

Mr. MORRILL. No, it does not.

Mr. BECK. It provides only for those that are partially manufactured.

The PRESIDING OFFICER. The item will be agreed to, if there be no objection.

The following items, from line 346 to line 354, inclusive, were read and agreed to:

All non-dutiable crude minerals, but which have been advanced in value or condition by refining or grinding, or by other process of manufacture, not specially enumerated or provided for in this act, 10 per cent. ad valorem.

All ground or powdered spices not specially enumerated or provided for in this act, 5 cents per pound.

All earths or clays, unwrought or unmanufactured, not specially enumerated or provided for in this act, $1.50 per ton.

The next item, beginning at line 355, was read, as follows:

All earths or clays, wrought or manufactured, not specially enumerated or provided for in this act, $3 per ton; china clay, or kaoline, $3 per ton.

Mr. COCKRELL. I may have an amendment to move to that item. The papers that I have I furnished to the chairman of the Committee on Finance, and I will reserve the right to offer the amendment if after comparing those papers with this item I desire to make any amendment. I simply desire that right.

Mr. ALLISON. The Senator wishes to reserve action on the item for that purpose?

Mr. COCKRELL. I want to reserve the right to offer an amendment.

Mr. ROLLINS. That can be done in the Senate.

Mr. MORRILL. The Senator can do that when the bill is reported to the Senate, of course.

Mr. COCKRELL. I want to reserve it as in Committee of the Whole; that is what I asked for.

Mr. ALLISON. All right.

The PRESIDING OFFICER. The right will be reserved.

The next item, beginning at line 358, was read and agreed to, as follows:

Proprietary preparations, to wit, all—

Cosmetics, pills, powders, troches, or lozenges, sirups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or preparations or compositions recommended to the public as proprietary articles, or prepared according to some private formula as remedies or specifics for any disease or diseases, or affections whatever, affecting the human or animal body, including all toilet preparations whatever used as applications to the hair, mouth, teeth, or skin, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

Lines 370 to 372, inclusive, were read as follows:

Alcoholic preparations:

Alcoholic perfumery and cologne water, 75 per cent. ad valorem.

Mr. MORRILL. I am directed by a majority of the committee, I do not know but unanimously, to present the amendments to the items on this page which I send to the desk.

Mr. BECK. Will the Senator from Vermont allow me to make a suggestion to him?

Mr. MORRILL. Certainly.

Mr. BECK. I desire only to make the suggestion to the Senator from Vermont that there are quite a number of amendments in regard to the alcoholic preparations running from the point we have now reached to the end of the schedule. We first obtained information from the Commissioner of Internal Revenue which, after a good deal of examination, we all thought was quite unsatisfactory. Then we received information from practical chemists of Philadelphia who had originally a large share in preparing this schedule. The original schedule I believe as prepared by them, with the explanatory notes, can be found on pages 2583, 2584, 2585, 2586, and 2587 of the report of the Tariff Commission, in the statements attached thereto.

The amendments of the Senator from Vermont, in which I believe I concur, though I should like to consult further with the Senator from Iowa [Mr. ALLISON] and the Senator from Rhode Island [Mr. ALDRICH], who looked at them more carefully than I did, set aside much of what we originally agreed upon, and perhaps make the scheme exactly right; but unless the Senator from Vermont expects to go into the schedule of glass and earthen ware to-night, and to take that up, I should be glad if he would offer these amendments at the proper point and let them go into the RECORD, and then I could compare during the morning hour to-morrow the proposed amendments with the suggestions made by the Philadelphia gentlemen and by the Commissioner of Internal Revenue and see if we had not duplicated some of those items. The Senator from Iowa I see now in his seat. Perhaps he knows better than I do whether they are all exactly right or not. We have changed them two or three times in order to try to get them right.

Mr. ALLISON. If the Senator will yield to me, I think the amendments suggested by the Senator from Vermont are right; but it might be well to pass them over for the time being and finish the remainder of the schedule, and then we can go on perhaps to-morrow morning. I think those amendments are as they should be, as I have looked over them.

Mr. MORRILL. I will state to the Senator from Kentucky that I should be very glad to reach a conclusion of this schedule to-day, but I am quite willing that the amendments which I propose shall be adopted with the understanding that they may be reviewed to-morrow morning, if the Senate sees fit, if there is found to be any objection to them.

Mr. BECK. Very well. I did not want to pass finally upon them. I am not sure that I object to any of them. I rather think I do not.

Mr. MORRILL. I ask not only that they be adopted, but that they be printed in the RECORD.

Mr. ALLISON. They will be printed in the RECORD if adopted.

The PRESIDING OFFICER. The first amendment proposed by the Senator from Vermont, relating to the item now under consideration, will be read.

The PRINCIPAL LEGISLATIVE CLERK. In line 371 it is proposed to strike out "and" before "cologne" and to insert "including;" and to strike out "75" before "per centum" and to insert "two dollars per gallon and fifty;" so as to read:

Alcoholic perfumery, including cologne water, $2 per gallon and 50 per cent. ad valorem.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Vermont will be read by the Secretary.

Mr. ALLISON. Is it all one amendment?

Mr. MORRILL. Let the amendment just read be adopted for the present.

Mr. ALLISON. Does the Senator offer the whole as a single amendment?

Mr. MORRILL. I offer the whole.

Mr. ALLISON. I suggest to the Senator from Vermont that that be adopted as a distinct amendment.

Mr. MORRILL. Very well.

Mr. ALLISON. And that we then adopt the other amendments as we go along.

The PRESIDING OFFICER. The Chair hears no objection, and that course will be pursued. The amendment to line 371 will be considered as agreed to for the present, and the next amendment of the Senator from Vermont will be read.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed, after line 372, to insert:

Distilled spirits, containing 50 per cent. of anhydrous alcohol, $1 per gallon.

Alcohol containing 94 per cent. anhydrous alcohol, $2 per gallon.

Alcoholic compounds not otherwise specially enumerated or provided for, $2 per gallon for the alcohol contained and 25 per cent. ad valorem.

The PRESIDING OFFICER. The Chair hearing no objection, this amendment will be considered as adopted, with the understanding that it will be open to further action to-morrow if desired. The next item in the bill will be read.

Line 373 was read, as follows:

Chloroform, 50 cents per pound.

The PRESIDING OFFICER. This item will be agreed to if there be no objection, and the next item will be read.

The next item, lines 374, 375, and 376, was read as follows:

Collodion, and all preparations of, by whatever name known, 50 cents per pound; rolled or in sheets, but not made up into articles, 60 cents per pound.

The PRESIDING OFFICER. The Senator from Vermont proposes an amendment to this item, which will be read.

The PRINCIPAL LEGISLATIVE CLERK. In line 374 it is proposed to strike out "all" before "preparations" and insert "other alcoholic," and after the word "of" to insert "pyroxyline;" so as to read:

Collodion, and all other alcoholic preparations of pyroxyline, by whatever name known, &c.

The PRESIDING OFFICER. This amendment will be regarded as agreed to, subject to the understanding.

Lines 377 and 378 were read and agreed to, as follows:

Ether, sulphuric, 50 cents per pound.

Hoffman's anodyne, 30 cents per pound.

Line 379 was read, as follows:

Iodoform, $1 per pound.

The PRESIDING OFFICER. The Senator from Vermont proposes an amendment to line 379, which will be read.

The PRINCIPAL LEGISLATIVE CLERK. In line 379, it is proposed to strike out "one" and to insert "two," and to change "dollar" to "dollars;" so as to read:

Iodoform, $2 per pound.

The PRESIDING OFFICER. This amendment will be adopted under the understanding had.

Line 380 was read, as follows:

Acid, tannic, and tannin, 50 cents per pound.

The PRINCIPAL LEGISLATIVE CLERK. In line 380, Mr. MORRILL proposes to strike out "fifty cents" and to insert "one dollar;" so as to read:

Acid, tannic, and tannin, $1 per pound.

Mr. COCKRELL. Why is that immense increase made?

Mr. MORRILL. Because it is an alcoholic preparation.

Mr. COCKRELL. It is made to correspond with the other amendments?

Mr. MORRILL. Yes, sir.

Mr. COCKRELL. It is an enormous increase.

Mr. ALLISON. The duty is $2 a pound now under existing law.

Mr. COCKRELL. I do not see it in the schedule here.

The amendment was agreed to.

Line 381 was read and agreed to, as follows:

Ether, nitrous, spirits of, 30 cents per pound.

Line 382 was read, as follows:

Santonin, $2 per pound.

The PRINCIPAL LEGISLATIVE CLERK. In line 382 Mr. MORRILL proposes to strike out "two" and insert "three;" so as to read:

Santonin, $3 per pound.

Mr. VANCE. I want to inquire why that increase is proposed?

Mr. MORRILL. That is an alcoholic preparation, and a very dangerous one, and very expensive.

Mr. VANCE. It must be a very dangerous alcohol indeed if it costs a dollar a pound. It must be worse than "Jersey lightning." I do not see any reason for putting the revenue tax upon alcohol higher than the cost of the alcohol.

Mr. MORRILL. This is distilled from artemisia, or wormwood, and is obtained from the flower-heads of those weeds, and is very largely used in liquor shops.

Mr. VANCE. I am opposed to that increase, sir.

The PRESIDING OFFICER. It will be open for consideration to-morrow according to the understanding. It is proposed to print the amendments of the Senator from Vermont, and all of them will be open for consideration to-morrow.

Mr. VANCE. Very well.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the Senator from Vermont will be reported.

The PRINCIPAL LEGISLATIVE CLERK. Following line 382 it is proposed to add:

Amylic alcohol or fusel oil, 10 per cent.
Oil of cognac, or œnanthic ether, $4 per ounce.
Fruit ethers, oils, or essences, $2.50 per pound.
Oil or essence of rum, or bay-rum essence or oil, 50 cents per ounce.
Ethers of all kinds not specially enumerated or provided for in this act, $1 per pound.
Coloring for brandy, 50 per cent. ad valorem.

The next item was to insert, from line 383 to line 387, inclusive, the following:

Preparations: All medicinal preparations known as essences, ethers, extracts, mixtures, spirits, tinctures, and medicated wines, of which alcohol is a component part, not specially enumerated or provided for in this act, 50 cents per pound.

Mr. MORRILL. It is necessary, I will say, that this should be read in order to understand the full effect of the other amendments which have already been adopted, but it is specially understood that the Senator from Kentucky shall have the right to go back to these to review them to-morrow. The last amendment I propose relates to the next page. It is not intended that any article should be skipped, but merely that this shall be brought in now in order that the full effect of the amendments proposed shall be seen.

The PRESIDING OFFICER. The item will be agreed to.

Mr. COCKRELL. What has been done with lines 388, 389, and 390?

The PRESIDING OFFICER. No amendment is proposed to those lines.

Mr. ALLISON. We have not reached them yet.

Mr. COCKRELL. If we may go back to them, it is all right.

The next item, beginning in line 388, was read and agreed to, as follows:

Varnishes of all kinds, 40 per cent. ad valorem; and on spirit varnishes, $1.32 additional per gallon.

Mr. PLATT. Are those lines considered as adopted?

Mr. MORRILL. For the present.

Mr. PLATT. I desire to say in reference to the article of varnishes that those are lines which have just been passed, but I shall wish to introduce an amendment reducing the rate.

Mr. COCKRELL. I will join the Senator in that.

The PRESIDING OFFICER. The Chair understands that the amendments of the Senator from Vermont are offered from the committee to be printed for consideration to-morrow.

Mr. COCKRELL. I know; but the particular item to which I refer has no amendment proposed to it, and that is the reason why I called attention to it. If there had been an amendment proposed to it it would have been open for action according to the understanding; but there was no amendment proposed, and I join the Senator from Connecticut in reserving the right to-morrow, when we shall consider these items, to offer an amendment reducing the duty.

Mr. PLATT. It is understood that we can offer an amendment to it to-morrow.

Mr. ALLISON. I think it would be well enough to let us hear the amendment the Senator from Connecticut proposes to the paragraph about varnishes.

Mr. PLATT. I would prefer if the right might be reserved until to-morrow. I have not prepared my amendment.

Mr. ALLISON. Very well.

Mr. PLATT. I wish that I could have unanimous consent to make the amendment I propose to-morrow. It will create some little discussion, probably, and besides I have not prepared the amendment and I should like that unanimous consent.

Mr. MORRILL. I have no objection. It is a spirit article.

Line 391 was read, as follows:

Opium, $1 per pound.

Mr. MILLER, of California. I wish to offer an amendment in line 391. After the word "opium," I move to insert "crude, containing not less than 9 per cent. morphia."

The object of the amendment is to limit the rate on crude opium to that which contains 9 per cent. or over of morphia.

Mr. ANTHONY. To protect the Chinese?

Mr. MILLER, of California. No, it is to protect the United States from a fraud which has been committed and the opportunity of which is open to be committed at any time, because two pounds of crude opium that is 9 per cent. morphia will make one pound of smoking opium.

Mr. BECK. I desire to ask the Senator from California to speak a little louder. We are endeavoring to hear him, but can not.

Mr. MILLER, of California. I am very hoarse, so that it is hard for me to speak any way. The amendment which I propose is to limit the importation of crude opium to that which contains 9 per cent. or over of morphia. The importation of crude opium is for the purpose of extracting the morphia from it. If you permit the importation of crude opium containing less than 9 per cent. of morphia it is profitable to boil it down, two pounds into one, and make smoking-opium of it, the duty upon which is $6 per pound, so that there is a loss to the Government of about $4 a pound by this process.

Mr. ALLISON. May I ask the Senator from California if that is being done now?

Mr. MILLER, of California. It has been done.

Mr. ALLISON. This duty has not been changed. This is the exact rate of duty at the present time.

Mr. MILLER, of California. There has been no opportunity to change it, but the attention of the Department has been called to it by the customs officers at San Francisco, and the law ought to be changed in that particular. It will not pay to import crude opium containing more than 9 per cent. of morphia, for the purpose of making it into smoking-opium, but that which contains less it will pay to import. The revenue ought to be protected by this amendment, and there also ought to be a clause inserted prohibiting entirely the importation of crude opium containing less than 9 per cent. of morphia, or else there should be an internal-revenue tax levied upon smoking-opium prepared in this country, if you wish to protect the revenue.

Mr. MORRILL. Let me ask my friend from California if that would not reverse the whole character of a tariff bill—that is to say, that the lower the value the less morphia contained in the opium, it ought to be charged either with a prohibition or an increased duty?

Mr. MILLER, of California. I think I have sufficiently explained that. If the crude opium contains more than 9 per cent. of morphia it can not be made into smoking opium profitably. I do not see that it affects the principle of the bill at all. The object is to prevent crude opium from coming in, no matter what the percentage of morphia is in it. You should raise the duty on crude opium to make it correspond to something like the duty on prepared opium if you are going to retain the duty at $6 a pound, as you have it here, which I suppose is about the right duty. It was formerly more than that, but I suppose that is about a proper rate on smoking opium. At any rate, there ought not to be an encouragement by legislation here to the importation or the use of smoking opium in this country.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from California, which will be reported.

The ACTING SECRETARY. After the word "opium," in line 391, it is proposed to insert "crude, containing not less than 9 per cent. of morphia;" so as to read:

Opium, crude, containing not less than 9 per cent. of morphia, $1 per pound.

Mr. ALLISON. Suppose it does contain less than 9 per cent.?

Mr. BECK. I desire only to ask the Senator from California as we have passed several other things until the morning, whether he will object to giving us time to look over that matter? He was before the committee this morning, but did not have a hearing.

Mr. MILLER, of California. I should be glad to have it laid over and have it investigated. It ought to be.

Mr. BECK. We never had it considered before us.

Mr. MORRILL. I should like much to get through this schedule, but I do not like to deny a member of the committee.

Mr. BECK. So would I, but I do not know about this matter at all.

Mr. MAXEY. I ask the chairman of the committee, in connection with this item, is opium produced at all in this country?

Mr. MORRILL. Not at all.

The PRESIDING OFFICER. The Chair hears no objection to line 391 going over until to-morrow.

The next item, beginning in line 392, was read, as follows:

Opium, prepared for smoking, and all other preparations of opium not specially enumerated or provided for in this act, $6 per pound; but opium prepared for smoking, and other preparations of opium deposited in bonded warehouses shall not be removed therefrom for exportation without payment of duties, and such duties shall not be refunded.

Mr. MAXEY. I move, in line 394, to strike out "six" before "dollars" and to insert "ten," so as to make the duty on opium prepared for smoking $10 per pound, and I do it because I regard opium-smoking as the most absolute curse in this country. That was the object I had in view in asking the chairman if opium was produced in this country. If it can be prohibited I should like to see it prohibited entirely.

Mr. MORRILL. I will say to the Senator from Texas that I hardly think he will accomplish his object by increasing the duty, because the

article would be brought here as opium and then would be prepared for smoking uses; so it would not effectually exclude it even if we were to put the duty at $20 a pound, and I think $6 is perhaps as much as we can enforce.

Mr. MAXEY. After that explanation I withdraw the amendment. My object was, supposing that it was a preparation made specifically for the purpose of smoking, to exclude it. I judged that from the fact that the duty was put at $6 a pound. If we could exclude it and stop it I think it would be a great good.

Mr. MILLER, of California. I suggest to the Senator from Texas that if we stop the importation of crude opium containing less than 9 per cent. of morphia, then you can put any duty you please on smoking opium and you can enforce it; but as long as the law remains as it is the higher the duty on smoking opium the greater the temptation to bring in crude opium.

Mr. ALLISON. I see that one of the witnesses states that opium can not be introduced having less than 9 per cent. of morphia.

Mr. MILLER, of California. I do not care whether it can or not; I do not want it to be introduced.

Mr. ALLISON. How much more can it contain and still be crude opium?

Mr. MILLER, of California. Crude opium contains from 9 to 10 per cent. of morphia and as high as 12 per cent. perhaps.

Mr. ALLISON. What I want to get at is, if the Senator from California introduces a definition as to what shall be crude opium in one direction, it seems to me he ought to introduce a definition in the other so as to say that crude opium shall be that opium which contains not less than so much morphia and not more than so much.

Mr. MORRILL. The Senator from California has asked to have this item go over until to-morrow.

Mr. ALLISON. Very well.

The PRESIDING OFFICER. The reading will continue.

The following items, from line 399 to line 404 inclusive, were read and agreed to:

Opium, aqueous extract of, for medicinal uses, and tincture of, as laudanum, and all other liquid preparations of opium not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Morphia or morphine and all salts thereof, $1 per ounce.

The PRESIDING OFFICER. The Senator from Vermont proposes to strike out the remaining paragraph of Schedule A. It will be read.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed to strike out from line 405 to line 409, inclusive, in the following words:

And in addition to the duties provided in this act there shall be levied a specific duty, on all alcohol or distilled spirits contained in articles imported, equal to the internal-revenue tax imposed on domestic distilled spirits; but this provision shall not apply to varnishes.

The amendment was agreed to.

Mr. MORRILL. I shall not ask the Senate to remain in session longer upon the bill to-night. Having got through with schedule A, with the exception of the reservations made, I move that the Senate do now adjourn.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate adjourn.

Mr. MORRILL. It is suggested that we ought to have an executive session.

Mr. RANSOM and others. Oh, no.

Mr. MORRILL. I withdraw the motion to adjourn, in order that we may have an executive session.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

Mr. BUTLER. I move that the Senate do now adjourn. ["No!" "No!"]

The motion was not agreed to; there being on a division—ayes 6, noes 33.

Mr. ALLISON. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January* 16, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

BONDED PERIOD FOR DISTILLED SPIRITS.

Mr. WHITE. Mr. Speaker, I rise to correct the RECORD. I find that on page 25 of to-day's RECORD the resolution which I offered yesterday is emasculated so as to leave it almost meaningless. The preamble of my resolution reads:

Whereas it is reported that a thoroughly organized lobby rushed the bonded extension bill for distilled spirits through the House of Representatives on April 3, 1882, under a suspension of the rules, without debate and without a yea-and-nay vote; and

Whereas the Secretary of the Treasury subsequently condemned said bill in a letter as follows:

That letter, which I hold in my hand and which is omitted from the RECORD, is in these terms:

TREASURY DEPARTMENT, *Washington, D. C., April* 21, 1882.

SIR: I have the honor of acknowledging the receipt——

The SPEAKER. Does the gentleman from Kentucky desire to correct the RECORD?

Mr. WHITE. I desire to correct the RECORD by showing that it does not report my resolution correctly.

The SPEAKER. But the gentleman does not expect under the privilege of correcting the RECORD to read a speech or letter?

Mr. WHITE. I propose to read the part of the resolution which was omitted; otherwise I can not show where the error occurs.

The SPEAKER. But the gentleman should first speak to the question of fact. The question is, whether the RECORD contains what occurred yesterday, not whether what the gentleman desired to go in the RECORD is there.

Mr. WHITE. The RECORD does not contain my resolution.

The SPEAKER. Very well.

Mr. WHITE. The point I make, Mr. Speaker, is that the resolution as it now stands in the RECORD is meaningless.

The SPEAKER. That may be.

Mr. WHITE. And it is meaningless because the Clerk did not read the whole of my resolution.

The SPEAKER. But the gentleman must recognize that a correction in the RECORD involves only a question of fact—not a question of what the gentleman desired should be in the RECORD. Under the pretense of correcting the RECORD the gentleman has no right to make a speech on the subject and state what ought to have gone in according to the gentleman's own view.

Mr. WHITE. Not my view, but a part of the resolution. I ask unanimous consent that the complete resolution shall appear in to-morrow morning's RECORD.

The SPEAKER. The Chair will submit that request. But it is fair to those who make up the RECORD to say that it seems to contain exactly what was read.

Mr. WHITE. It does contain what was read, but not the whole resolution.

The SPEAKER. The gentleman asks unanimous consent to have printed in the RECORD of to-morrow morning the complete resolution offered by him yesterday. Is there objection? The Chair hears none.

The resolution offered by Mr. WHITE is as follows:

Whereas it is reported that a thoroughly organized lobby rushed the bonded extension bill for distilled spirits through the House of Representatives on April 3, 1882, under a suspension of the rules, without debate and without a yea-and-nay vote; and

Whereas the Secretary of the Treasury subsequently condemned said bill in a letter as follows:

TREASURY DEPARTMENT,
Washington, D. C., April 21, 1882.

SIR: I have the honor of acknowledging the receipt from you of bill H. R. 5656, entitled "An act to amend the laws relating to the entry of distilled spirits in distillery and bonded warehouses, and the withdrawal of the same therefrom," and of your letter asking the judgment of this Department thereon.

I must and do ask the pardon of your committee for the length of time that I have kept this bill in my hands. It is because of the fact that the routine business of my office necessarily to be disposed of daily has been so great and engrossing; and now I am able to submit as my own only the heads of suggestions upon the bill without amplification.

I then respectfully ask the notice of your committee to the following:

First. The bill changes completely the policy of Congress in regard to the storage of spirits. Heretofore there has always been declared by law a time when they should come out of store, and the tax thereon be paid. This bill fixes no time when the distilled spirits shall be withdrawn from the warehouse, and the tax thereon become due and payable. It is altogether at the option of the owner of the spirits. It will be perceived that thereby power is given to accumulate in unlimited quantity one of the great staples of the country. Thus the bill legalizes the forestalling of a chief product. Forestalling of products was an offense at common law. It is one of the serious evils of the present day. We readily perceive that it is so when the subject of such action is grain, or cotton, or other like things; and I see no reason why it may not be so with any other article that has a large place in the business of the country.

Second. I think that the bill proposes an insufficient security for the final payment of the tax; it is by bond. That bond is not for the payment of the tax, the tax on the whole of the spirits put in store. It is for the tax on what is afterward withdrawn from store, or fraudulently removed.

Section 3296 United States Revised Statutes is looked to by the Commissioner of Internal Revenue as a great security. But it is not necessarily the fact that all spirits put in store will be put there by the distiller. They who become owners by purchase from the distiller may also store. If the distiller has complied with the law his real estate is discharged. Then the reliance for the tax is upon the bond or upon the spirits.

In the great volume of the transactions in this article likely to ensue from the power of accumulation above noted, it may be found by and by the bonds will be a poor reliance, and that the spirits put up for sale in large quantities will fail to bring in market the amount of the tax.

Besides the bonds, though made at the start by solvent persons, who continue such, may not always prove enough in amount to secure the payment of the tax. The bill proposes as the amount of one class of bonds the penal sum of $160,000. Under that class 30,000 barrels may be stored. The tax on that will be $1,080,000, or six-sevenths greater than the bond. Under the class of bonds with $200,000 penalty there is no limit to the amount of spirits that may be stored. Nor is the lien upon the spirits stored a sufficient security in case of great accumulation of the article. The amount of the tax is so much greater than the prime value of the spirits that when, in case of a general failure to pay the tax, the Government should be forced to put the spirits upon the market there would be a glut, and the spirits would fail to bring enough to give the Government its

revenue. If the bid did not equal the tax the officials must bid in for the Government; but the Government can not hold the spirits as its own for length of time, and when it shall try to realize by other sale free from tax it may find it impossible to realize the amount of the lien.

It is pertinently said that the provisions of the bill for bonding spirits in special warehouses are not materially variant from those for bonding imported goods, or for postponing the payment of tax upon tobacco, cigars, and the like. There is, however, a material difference in the articles affected by the several provisions. Spirits grow better by age up to a certain time. Tobacco, cigars, &c., after a time, not long, grow worse. Many imported goods, if kept too long, lose their style and in other ways deteriorate. The owner of spirits is not damaged by holding them for a long time. The owner of tobacco is. The incentive of the latter is to make prompt sale, and thus he soon becomes liable to pay the tax, and needs no compulsion to sell from the law. The owner of spirits, who has means and credit, is not so moved, and needs the compulsion of law.

It is also to be noted that the customs revenue laws in providing for the bonding of imported goods in warehouses have prescribed restrictions not found in this bill and of important effect. The bond required in such case is in double the amount of the duties. If the goods lay in store over one year 10 per cent. of the amount of duties is added, and if not withdrawn in three years from date of importation the goods are treated as abandoned and have to be sold. Nor is it an idle thing to ask attention to the effect that may result from this bill if it becomes a law upon the revenues of the Government. The financial administration of the Government is to some extent to be conducted upon probabilities. Estimates are to be made from year to year and month to month, based upon the data of the past and the reasonable expectations of the future. Of consequence therein is the amount of revenue upon the tax on distilled spirits. If enough is said herein to show that the provisions of this bill may put it in the power of private citizens to suspend collection of an important tax on a large portion of it for an indefinite period, it has also been shown that it may result from it that the financial administration may be embarrassed and defeated in its plans.

The amount of accumulation now is about seventy-five millions of gallons, according to data and estimates. The tax on this, owing, but not yet payable, is over $67,000,000. It surely is an amount to be saved to the country, and presents a reason for care and scrutiny in legislation.

Third. It must be conceded that it is not provident legislation that will tend to produce disturbance in the natural laws of trade, and finally bring about a collapse in any great business and commercial ruin to those engaged in it. I respectfully suggest that such results may well be apprehended from the possible, nay, the probable, and it may almost be said the necessary, effects of this bill.

The statistics of this trade show a large increase in production over consumption; an increase following upon every step in legislation that has permitted the storing, and a postponement of the payment of the tax.

On June 30, 1878, there was in bond about fourteen millions of gallons, an increase of a million almost on that of the year before.

On June 30, 1879, the amount had increased to over nineteen millions.

On June 30, 1880, the amount was over thirty-one millions and a quarter.

On June 30, 1881, it was over sixty-four millions and a half.

The amount is still increasing, and the successive increase has followed steps in legislation that have successively gone toward ease in the carrying of spirits by a postponement of the payment of the tax. The increase is still going on. It is also a significant fact that the accumulation is going on in comparatively few hands and in a restricted locality; for the increase in one State from November, 1881, to March, 1882, is about nine millions of gallons, which is near the increase in the whole country for that short time.

Is it not to be looked for that when at last this process stops, as at some time stop it must, there will be public inconvenience and private disaster? It is plain that the demands of trade for consumption have not come up to the industry and ability of production. Is there reason to suppose that this relative state of things will soon and largely change? If it does not, where is to be found the market for these spirits which will give to the Government its due of revenue and to the owner his money invested?

It is just to note, on the other hand, that the exports of spirits from this country have steadily increased for the last, say, three years, and it is reasonable to assume that a foreign demand is growing and to argue that it will go on increasing; but with this consideration also, that the bulk of the export trade is I think in alcohol, which is made of the high wines, and not from the rectified spirits, which latter are the principal subject of the present accumulation.

It may be said that the whole matter is in the control of Congress, and that it may modify this legislation when need for change is shown. A short answer to this would be that prevention is better than cure. Nor need I remind your committee that legislation is not easy to be had in the face of large private interests, intelligent, zealous, and persevering. And it may be well to consider whether there would not be a quasi vested right to still keep in store for an indefinite period all that had been placed there under this bill, and yet remained there. An argument of that kind would be plausible if not sound, and would strongly appeal to equitable consideration. Especially so in behalf of sureties who might assert that the covenant into which they had come was correlative with the agreement of the Government (if not express yet implied) that the principal might keep in store so long as he pleased without payment of tax. For an enforcement and amplification of this point I cite United States *vs.* Tillottson (1 Paine, C. Cls. R., 320, 321) and the saying of Mr. Justice Thompson there. Does not the law as it exists at the time that the contract of the surety is made, and in reference to which it is made, enter into this contract; and is not a change in the law and an attempt to subject the contract to the new law an unavailing attempt to change the contract? That may not be done. The surety is bound only to meet the contingency when it shall arrive, in the time and mode prescribed by his contract. (Kent, Ch. J., 2 Caine's cases (N. Y.), 57, 58.)

Fourth. There is a possible practical working of this bill that should have attention. It has been noted above that the bond to be given is not to pay the tax on that stored but on that withdrawn from store. Now, the distiller puts his product in store and gives his bond. The bond he has given is for a year only, and renders him and his sureties liable only for what is withdrawn in a year. If none is withdrawn in a year, the condition of his bond has been fulfilled, and there is no obligation after that. He may decline to give a new bond at the end of the year. The spirits may be forfeited. It may turn out that he has sold them subject to the tax. The owner from him is under no personal obligation. The distillery has been freed from lien by the giving of the bond. The spirits are the only reliance the Government has for the tax. The bond has been discharged by the lapse of the year. The Government may distrain upon the spirits. They may at public sale bring the tax, but if there be many such cases there may be so much spirits to be sold as to glut the market, for we have seen consumptive demand has not kept pace with production. Then, for the Government to realize anything, it must finally sell for what it can get, and sell free from tax.

I think any one can foresee that in such a state of things the price will not rule high; that a large amount of spirits will appear in the market at low rates, and that collapse will follow. Is it an idle apprehension that there may be many such cases? My information is that great quantities of the spirits now in store have been sold to many scattered venders, in varying yet comparatively small quantities, on speculative ventures. (See Report Commissioner Internal Revenue on this point for 1881, page lxxviii.)

The probability is that these venders are not men of large means or great credit, and hence not able to carry their ventures through a time of panic.

There is at least this to be said from this view, that the bill should be so amended as to give to the Government a continuous security by bond.

Fifth. The provisions of the bill as to leakage need consideration. The effect of them is to double the allowance for leakage over that which is shown by data to actually occur, and hence we may say to be actually needed. This appears from the following statement, derived from data in this Department.

The first column shows the number of packages from which the leakage was ascertained by test; the second, the number of gallons in the package; the third, the length of time the package lay in store; the fourth, actual leakage as found by test; the fifth and sixth are suppositions and calculations under the rates proposed by the bill. The average of time under columns 3 and 5 would be 16.485 months.

It will be seen that the bill allows twice the amount of leakage which experience shows as likely to occur.

1.	2.	3.	4.	5.	6.
5 packages.....	210 gallons.....	10 months.....	9=1.8	15=	3.00
5 packages.....	210 gallons.....	11 months.....	9=1.8	17=	3.40
60 packages.....	2,520 gallons.....	12 months.....	102=1.7	240=	4.00
10 packages.....	420 gallons.....	15 months.....	14=1.4	40=	4.00
20 packages.....	840 gallons.....	17 months.....	45=2.25	113=	5.65
28 packages.....	1,176 gallons.....	25 months.....	98=3.5	168=	6.00
10 packages.....	420 gallons.....	26 months.....	39=3.9	60=	6.00
138	5,796	116	316=2.275	653=	4.732

Sixth. As a matter mixed of principle and detail, I deem it well to suggest that whatever else may be done with the bill, it will be prudent, if it is to become a law, that it should provide for a payment of the whole tax, by other security than merely by the lien upon the spirits, and for some control by the Government of the time when the tax should become compulsorily due and payable. To this end, the penalty of the bond should be equal to the tax on the spirits covered by the bond; there should be provisions for a compulsory renewal, at the end of the year, of the bond by the original obligors, or the substitution of a new bond by whoever has come into the ownership within the year; there should be provision for reports of sales, to this Department, so that the subsequent owners may be made known; and there should be power in the Department to require additional or other bonds, when need therefor is seen.

Seventh. If this bill is to become a law, there is another matter which should be considered. It is so that there is a large pecuniary interest in the distillation of spirits from fruits. Those engaged therein are worthy of benefit from legislation, as well as others in like pursuits. The query has been made to me whether this bill takes in spirits distilled from fruits. Without making an answer thereto I present the query to the committee, as worthy of consideration in this connection, referring to section 3255 of the Revised Statutes of the United States, and to 8 of the pending bill.

The foregoing are the suggestions that it has occurred to me as fitting to be made responsive to your communication. I may be permitted to add that I am satisfied that an immediate attempt to collect the tax upon the spirits now in store would be oppressive and ruinous to many. I am, therefore, not in antagonism to legislation that shall give temporary aid to an important branch of business. I believe it to be needed and that it may be so accorded as to be healthful to all. This can be effected by a prolongation, but for a fixed period, of the time for which spirits may remain in store without payment of tax. But, in my judgment, there should go hand in hand therewith the preservation of the security of the Government for the ultimate receipt of its just revenue, and forecasting provisions against any evil likely to result from excessive accumulation of a great staple.

I also transmit herewith a communication to me from the experienced Commissioner of Interval Revenue, to whom your letter was referred by me for an expression of his views upon the bill.

It will be seen that they are in some respects variant from mine. Our communications together may serve to present to your committee the two sides of the matter.

Very respectfully, &c.,

CHAS. J. FOLGER.

Hon. JUSTIN S. MORRILL, *Chairman, &c.*; and

Whereas said bill (H. R. 5656) has been amended by the Senate and now lies upon the Speaker's table, as follows:

"Strike out all after the enacting clause of the bill and insert in lieu thereof the following:

"'That the time within which distilled spirits heretofore entered for deposit in distillery warehouses are required to be withdrawn therefrom pursuant to the condition of any warehousing bond, taken upon the entry of such spirits into such warehouse, shall be extended for a period of two years beyond the time limited in such bond; but such extension shall not be made in any case unless there shall be indorsed upon or appended to the warehousing bond, at or before the maturity thereof, a written request for such extension, and an acknowledgment of their liability under the terms of said bond for the period for which the extension is granted, and the accruing interest thereon, as if the same were inserted in the body of said bond by the principal and sureties on said bond, to be duly executed and acknowledged by each of them before a collector or deputy collector of internal revenue, or some other officer authorized by law to take the acknowledgment of deeds: *Provided*, That the sureties on said bond are at the time of such request satisfactory to the collector, and, if not satisfactory, or if the sureties shall fail or refuse to make the request and acknowledgment aforesaid, that a new warehousing bond, with sureties satisfactory to the collector, shall be given: *And provided further*, That no additional allowance for leakage shall be made beyond the limit now allowed by law: *And provided further*, That from and after the expiration of three years from the entry of any distilled spirits now in warehouse, interest at the rate of 5 per cent. per annum upon the tax now imposed by law shall be collected and paid upon all distilled spirits, to be computed to the time of the withdrawal of such distilled spirits in bond; but no fraction of a month shall be computed. And any bonds taken under the provisions of this act shall be for an amount sufficient to cover all taxes due and any accrued or accruing interest on the same.'

* * * * * * *

"Amend the title so as to read: 'An act extending the time within which spirits heretofore entered for deposit in distillery warehouses may be withdrawn.'"

Therefore,

Resolved, That the Secretary of the Treasury be, and he hereby is, requested to report to this House in writing his views as to what effect such legislation proposed in said bill as amended by the Senate will have upon the collection of internal revenue from distilled spirits.

SETTLERS IN NEBRASKA AND KANSAS.

Mr. VALENTINE. I ask unanimous consent for the consideration at this time of a Senate bill. It is one which I asked to have considered a few days ago, when the gentleman from Indiana [Mr. HOLMAN] objected. He has since examined the bill, I believe, and will not now object. I ask to have the bill read and then to make a statement.

The Clerk read the title of the bill, as follows:

A bill (S. 1492) for the relief of settlers and purchasers of lands on the public domain in the States of Nebraska and Kansas.

Mr. BRAGG. I object to that bill.

COUNTERFEITING OF FOREIGN SECURITIES.

Mr. BELMONT. I ask unanimous consent to have taken from the House Calendar for present consideration the bill (S. 1000) to prevent and punish the counterfeiting within the United States of notes, bonds, or other securities of foreign governments.

The bill was read, as follows:

Be it enacted, &c., That every person who, within the United States, or any Territory thereof, with intent to defraud, falsely makes, alters, forges, or counterfeits any bond, certificate, obligation, or other security in imitation of, or purporting to be an imitation of, any bond, certificate, obligation, or other security of any foreign government, issued or put forth under the authority of such foreign government, or any treasury note, bill, or promise to pay issued by such foreign government, and intended to circulate as money, either by law, order, or decree of such foreign government, and any person who causes or procures to be so falsely made, altered, forged, or counterfeited, or who knowingly aids or assists in making, altering, forging, or counterfeiting, any such bond, certificate, obligation, or other security, or any such treasury note, bill, or promise to pay, intended as aforesaid to circulate as money, shall, upon conviction thereof in any circuit or district court of the United States, be punished by a fine of not more than $5,000, and by imprisonment at hard labor not more than five years.

SEC. 2. That every person who knowingly, and with intent to defraud, utters, passes, or puts off, in payment or negotiation, within the United States, or any Territory thereof, any such false, forged, or counterfeit bond, certificate, obligation, security, treasury note, bill, or promise to pay, as mentioned in the first section of this act, whether the same was made, altered, forged, or counterfeited within the United States or not, shall, upon conviction as aforesaid, be punished by a fine of not more than $3,000, and by imprisonment at hard labor not more than three years.

SEC. 3. That every person who shall, with intent to defraud, falsely, within the United States, or any Territory thereof, make, alter, forge, or counterfeit, or shall cause or procure to be so made, altered, forged, or counterfeited, or shall knowingly aid and assist in the false making, altering, forging, or counterfeiting, of any bank note or bill issued by a bank or other corporation of any foreign country, and intended by the law or usage of such foreign country to circulate as money, such bank or corporation being authorized by the laws of such country, shall, upon conviction in any circuit or district court of the United States, be punished by a fine not exceeding $2,000, and by imprisonment at hard labor not more than two years.

SEC. 4. That every person who shall, within the United States, or any Territory thereof, utter, pass, put off, or tender in payment, with intent to defraud, any such false, forged, altered, or counterfeited bank note or bill, as mentioned in the preceding section, knowing the same to be so false, forged, altered, and counterfeited, whether the same was made, altered, forged, or counterfeited within the United States or not, shall, upon conviction as aforesaid, be punished by a fine of not more than $1,000, and by imprisonment at hard labor not more than one year.

SEC. 5. Every person who, within the United States, or any Territory thereof, shall have in his possession any such false, forged, or counterfeit bonds, certificate, obligation, security, treasury note, bill, promise to pay, bank note, or bill issued by a bank or other corporation of any foreign country, with intent to utter, pass, or put off the same, or to deliver the same to any other person with intent that the same may thereafter be uttered, passed, or put off as true, or who shall knowingly deliver the same to any other person with such intent shall, upon conviction as aforesaid, be punished by a fine of not more than $1,000, and by imprisonment at hard labor not more than one year.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. HOLMAN. I desire to reserve the right to object until I hear some explanation of it. The question I wish to put is this: Whether the Judiciary Committee have considered this legislation in regard to the powers of the Federal Government over crime committed in the respective States? Every State in the Union, I presume, has legislation broad enough to cover the offenses covered by this bill. This relates to the crime of forgery or utterance of forged instruments without reference to whether the forgery is to operate on instruments used in the United States or not. I understand this assumes that the Federal Government possesses the power to punish the crime of forgery of instruments which may affect other governments. If so, is not the same power possessed and exercised by the local State governments, and if the Federal Government possesses the power to punish counterfeiting in the respective States, where is the limit of the power of the Federal Government to punish crime? I presume this subject has been considered by the Committee on the Judiciary. If not, I think it is one of sufficient importance to require such consideration.

Mr. WALKER. Is there a report from the committee?

Mr. BELMONT. There is a unanimous report from the Committee on the Judiciary.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. REED. This is a bill which has already passed the Senate and received the consideration of the Judiciary Committee with regard to the point which the gentleman from Indiana makes. I would suggest to him that this is to punish counterfeiting of securities and bills and notes of a foreign government. Now, the United States has the sole control of all matters relating to foreign powers and transactions connected with foreign governments, and it seems to me that it is the only power in this country having authority to treat this particular matter, because it relates to infringements upon the rights of foreign nations, that is, that the effect of the forgery is to cheat a foreign government or the inhabitants of a foreign nation out of property or the value of it. It hardly seems to me it can come within the purview of State laws. At any rate I am informed, although of course I can not speak of a question so widely variant as the laws of all our different States, that there is no law of a State which will punish the crime which this bill is intended to reach.

Mr. ROBESON. Mr. Speaker, if I may be allowed, the question is just this: What is the crime we seek here to punish? It can not be forgery exactly. It must be the utterance of a forged paper, a false token, or something of that kind. Now, the real question in this case, as suggested by the gentleman from Indiana [Mr. HOLMAN], is whether or not when that takes place, within the boundaries of a State, against the peace and dignity of that State, it is a United States matter. Of course it will not be contended that everything that has relation to foreign countries or comes from foreign countries is subject directly to the jurisdiction of the United States. The jurisdiction of the United States on criminal matters in the States extends to the violation of its own laws only, and other violation is against the citizens of the State, is against the proper execution of its laws and the guarantee which State laws give. I think there is a great deal in the suggestion of the gentleman from Indiana. I think it should be examined at least.

Mr. HOLMAN. Unless there is a report from the Committee on the Judiciary of the House, I think the matter should be considered.

Mr. REED. It has been examined by that committee, and there is a report from it.

Mr. HOLMAN. Let it be read.

The Clerk read as follows:

The Committee on the Judiciary, to whom was referred the bill (S. 1000) to prevent and punish the counterfeiting within the United States of notes, bonds, or other securities of foreign governments, beg leave to report:

That they have given the matter careful consideration, and find that the evil sought to be remedied is of sufficient importance to warrant action in the nature of the proposed act; that comity between nations should impel us to enact some such legislation; that the State Department has recommended this bill and desires its passage; that it seems to meet the requirements; and therefore return it to the House with the recommendation that it do pass.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLAND. Yes, I object. The United States court have more than they can do now.

The SPEAKER. The bill is not before the House.

TERMINATION OF HAWAIIAN TREATY.

Mr. KASSON, by unanimous consent, from the Committee on Foreign Affairs, reported joint resolution (H. Res. 318) providing conditionally for the termination of the treaty of the United States with the Hawaiian Government, signed June 3, 1875; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

Mr. PAGE. Does not that require unanimous consent?

The SPEAKER. Unless objected to it will be referred as indicated.

Mr. ALDRICH. Can we not have it read?

Mr. KASSON. It is only presented for reference.

The SPEAKER. The resolution has not been presented for consideration at this time.

ORDER OF BUSINESS.

Mr. RYAN. I ask unanimous consent to present two bills in behalf of my colleague Mr. HASKELL, who is necessarily absent in committee, for reference.

Mr. ROBESON. I demand the regular order.

The SPEAKER. Is there objection to the introduction of the bills as requested by the gentleman from Kansas?

Mr. ROBESON. There is no objection to that.

JOHN THEYE.

Mr. RYAN (for Mr. HASKELL), by unanimous consent, introduced a bill (H. R. 7312) for the relief of John Theye; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

KANSAS CITY, FORT SCOTT AND GULF RAILROAD COMPANY.

Mr. RYAN (for Mr. HASKELL) also, by unanimous consent, introduced a joint resolution (H. Res. 319) for the relief of the Kansas City, Fort Scott and Gulf Railroad Company; which was read a first and second time, referred to the Committee on Pacific Railroads, and ordered to be printed.

CHANGE OF REFERENCE.

Mr. STEELE. I am instructed by the Committee on Military Affairs to report back a petition erroneously referred to that committee, and ask that the same be referred to the Committee on Appropriations.

The SPEAKER. The change of reference will be made through the petition-box.

SWEARING IN OF A MEMBER.

Mr. TAYLOR. I rise to a question of privilege. I present the credentials of Hon. Joseph D. Taylor, who was elected as a Representative to this Congress to fill the vacancy caused by the death of the late Jonathan T. Updegraff. I ask that he be now sworn in.

The SPEAKER. The gentleman from Ohio presents the credentials in due form of the governor of Ohio certifying to the election of Hon. Joseph D. Taylor to fill the vacancy occasioned by the death of the late Mr. Updegraff. This certificate has been examined and found to be in

due form. Unless there is objection made the gentleman will come forward and be sworn in.

There was no objection.

Mr. J. D. TAYLOR having appeared at the bar of the House was then duly qualified by taking the oath prescribed by section 1756 of the Revised Statutes.

The SPEAKER. The credentials will be printed in the RECORD.

The credentials are as follows:

In the name and by the authority of the State of Ohio, Charles Foster, governor of said State, to all to whom these presents shall come, greeting:

I, Charles Foster, governor of the State of Ohio, hereby certify that at a special election held on the 2d day of January, 1883, in pursuance of law, in the sixteenth Congressional district of said State, Joseph D. Taylor was duly elected a Representative to the Forty-seventh Congress of the United States, to fill the vacancy caused by the death of Jonathan T. Updegraff.

In testimony whereof I have hereunto subscribed my name and caused the great seal of the State of Ohio to be affixed, at Columbus, the 13th day of January, in the year of our Lord 1883, and in the one hundred and seventh year of the Independence of the United States of America.

[SEAL.] CHARLES FOSTER.

By the governor:

JAS. W. NEWMAN, *Secretary of State.*

ORDER OF BUSINESS.

Mr. PAGE. I demand the regular order.

Mr. TOWNSEND, of Ohio. I ask unanimous consent to present for immediate consideration the following resolution.

The SPEAKER. The demand for the regular order if insisted upon will prevent the recognition of the gentleman from Ohio to ask unanimous consent.

Mr. TOWNSEND, of Ohio. Let the resolution be read. I do not believe there will be any objection to it.

The SPEAKER. The resolution may be read.

The Clerk read as follows:

Resolved, That House bill No. 6511, to establish a board of commissioners of interstate commerce, &c., be made the special order for Wednesday, the 31st day of January, 1883, immediately after the morning hour, to continue from day to day until disposed of, not to interfere with appropriation or revenue bills nor special orders heretofore made.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BUTTERWORTH. What is that?

The SPEAKER. It is to fix a day for the consideration of the bill establishing a board of commissioners of interstate commerce.

Mr. BURROWS, of Michigan. I desire to inquire if that is a continuing order?

Mr. UPSON. I object.

REVENUE-CUTTER SERVICE AND BUREAU OF MERCANTILE MARINE.

Mr. COX, of New York. I ask unanimous consent to have printed in the RECORD a couple of memorials adopted by the board of directors of the Maritime Association of the Port of New York, with reference to the revenue-cutter service and the establishment of a bureau of mercantile marine. They are short.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection. The memorials are as follows:

NAVAL BUREAU OF MERCANTILE MARINE.

Resolutions of the board of directors of the Maritime Association of the Port of New York.

Whereas the Secretary of the Navy has recommended the establishment of a bureau of mercantile marine in his Department, and a bill (H. R. 7158) has been introduced into Congress for that purpose; and

Whereas the bill provides that the Secretary of the Navy shall have the powers and duties hitherto exercised by the Secretary of the Treasury as regards vessels and seamen, as well as those now devolving upon the United States circuit courts concerning shipping commissions and seamen, that the chief of the bureau shall be a naval officer; and that no person shall be employed in the local marine offices provided for, except with the approval of the Secretary of the Navy: Therefore,

Resolved, That while we believe a governmental department of commerce—upon the absence of which the Joint Select Committee on Shipping have reported to Congress—to be highly desirable, if not indeed indispensable to the proper protection and maintenance of our ocean marine, we, as representatives of the commercial community of New York, emphatically protest against the attempt to centralize in the military or naval department the functions properly belonging to the civic.

Resolved, That we believe the measure proposed by the bill to be unwise and calculated to work injury alike to the public service and to the commerce of the country.

Resolved, That instead of a naval bureau for the protection of the mercantile marine, an executive governmental department similar to the British board of trade, or the French department of commerce, would operate to re-enforce and support the naval establishment in time of war, constituting in peace a naval militia without cost to the Government, while increasing its resources and enriching its people.

[SEAL.] CHARLES F. ELWELL, *President.*

Attest:

F. W. HOUGHTON, *Secretary.*

REVENUE-CUTTER SERVICE.

Preamble and resolutions adopted by the board of directors of the Maritime Association of the port of New York at a regular meeting, January 11, 1883.

Whereas there is pending before Congress a bill (H. R. 7157) "to transfer the administration of the revenue-cutter service to the Navy Department," to which we strongly object: Therefore,

Resolved, That the Maritime Association of the port of New York protests against the proposed change as one wrong in principle, hurtful in practice, and obstructive rather than helpful to commerce.

Resolved, That so to employ the naval forces of the United States would be a dangerous innovation as uncalled for as to use the Army for purely police purposes in time of peace.

Resolved, That the revenue-cutter service, in its intimate connection with the collection of duties and enforcement of the revenue laws, is a natural adjunct of the custom-house, and should therefore remain as hitherto under the control of the Treasury Department.

[SEAL.] CHARLES F. ELWELL, *President.*

Attest:

F. W. HOUHTON, *Secretary.*

The SPEAKER. The memorials will be referred to the Committee on Commerce.

AMENDMENT OF THE RULES.

Mr. POUND. I rise to a question of privilege. I desire to give notice that on to-morrow I will submit for the adoption of the House a resolution amendatory of the rules, which I send to the desk pursuant to Rule XXVIII.

Mr. BRAGG. Under what rule is that privileged—this giving notice?

The SPEAKER. It is provided that the standing rules of the House shall not be amended except upon one day's notice.

Mr. ANDERSON. Is the notice by unanimous consent?

The SPEAKER. The Chair will not undertake to decide what the effect of the notice will be now.

Mr. BRAGG. Is it a question of higher privilege than the demand for the regular order?

The SPEAKER. An amendment to the rules is a matter of high privilege, but the Chair does not undertake to decide what the effect of the notice will be. The resolution will be read.

The Clerk read as follows:

Resolved, That during the remainder of this session of Congress it shall be in order, immediately after the approval of the Journal, to proceed in the House as in Committee of the Whole to the consideration, for the period of one hour, of bills and resolutions which shall have been previously reported by standing committees of the House, and such reports printed, and Senate bills and resolutions on the Speaker's table, which, or substantially similar measures, shall have received favorable action of appropriate House committees, in the following manner, to wit:

The Speaker shall call the standing committees in their order, whereupon, by direction of committees so called, not more than one measure may be called up for final consideration; if not more than three members object such consideration shall proceed, providing that debate on each bill or resolution shall be limited to ten minutes, exclusive of five minutes which may be occupied in reading reports of committees, the latter upon request of a member to be allowed prior to submitting the call for objections; this hour not to interfere with revenue or appropriation bills.

Mr. ANDERSON. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. I desire to know whether it requires unanimous consent now to have this notice given?

The SPEAKER. The Chair thinks not. The rule provides such notice shall be given.

Mr. ANDERSON. But does the rule provide it shall be given as against other questions?

Mr. REED. The resolution might be referred to the Committee on Rules.

Mr. POUND. It is not before the House for consideration.

Mr. REED. The Committee on Rules might be a safe place in which to have it.

The SPEAKER. The Chair thinks the resolution had better be referred to the Committee on Rules; but the gentleman from Wisconsin can take his own course about it.

Mr. POUND. When the resolution is offered for the action of the House that question will be in order.

Mr. McMILLIN. How does the resolution come before the House?

The SPEAKER. It is not before the House. This is simply a notice.

Mr. POUND. I give notice I will submit the resolution to-morrow. It is a revival of the rule of last session.

Mr. McMILLIN. Let it be referred.

Mr. POUND. The resolution is not before the House.

Mr. McMILLIN. Then I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

H. W. HOWGATE.

Mr. SPAULDING. I desire to make a privileged report. I report back from the Committee on Military Affairs, with the recommendation that it be adopted, a resolution of inquiry referred to that committee.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of War be directed to transmit to the House of Representatives, if not incompatible with the public interests, full information in reference to all measures which have been taken by the War Department or the United States Signal Service Bureau to secure the arrest and trial of H. W. Howgate, late property and disbursing officer of the said United States Signal Service.

The resolution was adopted.

Mr. SPAULDING moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

AGRICULTURAL APPROPRIATION BILL.

Mr. CARPENTER. I submit a report of the committee of conference on the agricultural appropriation bill.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the agricultural appropriation bill (H. R. 7052) report as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 9, 15, 16, and 22, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Strike out the word "thirteen" proposed to be inserted by said amendment and insert in lieu thereof the word "fourteen;" and the Senate agree to the same.

C. C. CARPENTER,
J. W. WADSWORTH,
W. H. HATCH,
Managers on the part of the House.

H. G. DAVIS,
P. B. PLUMB,
EUGENE HALE,
Managers on the part of the Senate.

Mr. PAGE. I ask the gentleman from Iowa [Mr. CARPENTER] to give an explanation of the effect of the conference report.

The SPEAKER. The Clerk will read the statement accompanying the report.

The Clerk read as follows:

The managers on the part of the House on the agricultural appropriation bill (H. R. 7052) submit the following detailed statement in explanation of the conference report:

The effect of the action recommended, if agreed to, will be as follows:

On amendment numbered 9: To provide for continuing the experiments in the manufacture of sugar from sorghum and other vegetable plants, and in consequence thereof to increase the total appropriation for the laboratory, $10,000.

On amendment numbered 15: To increase the appropriation in the bill as passed the House for the purchase, propagation, and distribution of seeds, plants, shrubs, &c., $5,000.

On amendment numbered 16: To make the total amount of the paragraph correspond with the changes made therein.

On amendment numbered 22: To reduce the appropriation in the bill as passed the House for repairs, furniture, carpets, &c., $1,000.

On amendment numbered 24: To reduce the appropriation in the bill as passed the House for contingent expenses, $1,000.

The amount of the bill as agreed upon in conference is $405,640, being $115,630 less than the estimates, and $21,640 less than the appropriation for the fiscal year 1883.

C. C. CARPENTER,
J. W. WADSWORTH,
W. H. HATCH,
Managers on the part of the House.

The report of the committee of conference was agreed to.

Mr. CARPENTER moved to reconsider the vote by which the report of the committee of conference was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ADDITIONAL ACCOMMODATIONS FOR CONGRESSIONAL LIBRARY.

Mr. RICE, of Massachusetts, by unanimous consent, from the Select Committee on Additional Accommodations for Congressional Library, reported back with amendments the bill (H. R. 3843) authorizing the construction of a building for the accommodation of the Congressional Library, and moved that the bill and amendments be printed and recommitted.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. CULBERSON. I move to dispense with the morning hour for the call of committees for reports.

Mr. CALKINS. Does the gentleman from Texas state for what purpose he desires to dispense with the morning hour?

Mr. CULBERSON. I propose to call up the special order of the 19th of December.

Mr. CALKINS. What is that special order?

Mr. CULBERSON. An order for the consideration of the bill (H. R. 3123) to regulate the jurisdiction of circuit courts of the United States.

The question being taken on Mr. CULBERSON's motion, it was agreed to (two-thirds voting in favor thereof), and the morning hour was dispensed with.

REMOVAL OF CAUSES FROM STATE COURTS.

Mr. CULBERSON. I call up the special order of the 19th of December.

The SPEAKER. The gentleman calls up for present consideration, under a special order of the House, the bill (H. R. 3123) which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 3123) to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes, approved March 3, 1875.

Be it enacted, &c., That the first section of an act entitled "An act to determine the jurisdiction of circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes," approved March 3, 1875, be, and the same is hereby, amended so as to read as follows:

"That the circuit courts of the United States shall have original cognizance, concurrent with the courts of the several States, of all suits of a civil nature, at common law or in equity, where the matter in dispute exceeds, exclusive of interest and costs, the sum or value of $2,000, and arising under the Constitution or laws of the United States, or treaties made, or which shall be made, under their authority, or in which controversy the United States are plaintiffs or petitioners, or in which there shall be a controversy between citizens of different States, in which the matter in dispute exceeds, exclusive of interest and costs, the sum or value aforesaid, or a controversy between citizens of the same State, claiming lands under grants of different States, or a controversy between citizens of a State and foreign states, citizens, or subjects, in which the matter in dispute exceeds, exclusive of interest and costs, the sum or value aforesaid, and shall have exclusive cognizance of all crimes and offenses cognizable under the authority of the United States, except as otherwise provided by law, and concurrent jurisdiction with the district courts of the crimes and offenses cognizable by them. But no person shall be arrested in one district for trial in another in any civil action before a circuit or district court; and no civil suit shall be brought before either of said courts against any person by any original process or proceeding in any other district than that whereof he is an inhabitant, or in which he shall be found at the time of serving such process or commencing such proceedings, except as hereinafter provided; and where the controversy is between citizens of different States suit shall be brought only in the district of the residence of either the plaintiff or defendant; nor shall any circuit or district court have cognizance of any suit founded on contract in favor of an assignee, unless a suit might have been prosecuted in such court to recover thereon if no assignment had been made, except in cases of foreign bills of exchange; and the circuit courts shall also have appellate jurisdiction from the district courts under the regulations and restrictions prescribed by law."

That the second section of said act be, and the same is hereby, amended so as to read as follows:

"SEC. 2. That any suit of a civil nature, at law or in equity, arising under the Constitution or laws of the United States, or treaties made, or which shall be made, under their authority, of which the circuits courts of the United States are given original jurisdiction by the preceding section, which may now be pending, or which may hereafter be brought, in any State court, may be removed by the defendant or defendants therein to the circuit court of the United States for the proper district whenever it is made to appear from the application of such defendant or defendants that his or their defense depends in whole or in part upon a correct construction of some provision of the Constitution or law of the United States, or treaty made by their authority; and any other suit of a civil nature at law or in equity, of which the circuit courts of the United States are given jurisdiction by the preceding section, and which are now pending, or which may hereafter be brought, in any State court, may be removed into the circuit court of the United States for the proper district by the defendant or defendants therein: *Provided*, That such defendant or defendants are non-residents of the State in which the suit is pending; and when in any suit mentioned in this section there shall be a controversy which is wholly between citizens of different States, and which can be fully determined as between them, then either one or more of the defendants actually interested in such controversy may remove said suit into the circuit court of the United States for the proper district. And where a suit is now pending, or may be hereafter brought, in any State court in which there is a controversy between a citizen of the State in which the suit is brought and a citizen of another State, such citizen of another State whether he be plaintiff or defendant may remove such suit into the circuit court of the United States for the proper district at any time before the trial thereof, by filing an affidavit in such State court setting forth that he has reason to believe, and does believe, that from prejudice or local influence he will not be able to obtain justice in such State court."

That section 3 of said act be, and the same is hereby, amended so as to read as follows:

"SEC. 3. That whenever any party entitled to remove any suit mentioned in the next preceding section, except in such cases as are provided for in the last clause of said section, may desire to remove such suit from a State court to the circuit court of the United States, he may make and file a petition in such suit in such State court, at any time before the defendant is required by the laws of the State or the rule of the State court in which such suit is brought to answer or plead to the declaration or complaint of the plaintiff, for the removal of such suit into the circuit court to be held in the district where such suit is pending, and shall make and file therewith a bond, with good and sufficient surety, for his or their entering in such circuit court, on the first day of its then next session, a copy of the record in such suit, and for paying all costs that may be awarded by the said circuit court if said court shall hold that such suit was wrongfully or improperly removed the reto, and also for their appearing and entering special bail in such suit if special bail was originally requisite therein. It shall then be the duty of the State court to accept said petition and bond, and proceed no further in such suit, and any bail that may have been originally taken shall be discharged; and the said copy being entered as aforesaid in said circuit court of the United States, the cause shall then proceed in the same manner as if it had been originally commenced in the said circuit court; and if in any action commenced in a State court the title of land be concerned, and the parties are citizens of the same State, and the matter in dispute exceed the sum or value of $2,000, exclusive of interest and costs, the sum or value being made to appear, one or more of the plaintiffs or defendants, before the trial, may state to the court, and make affidavit if the court require it, that he or they claim and shall rely upon a right or title to the land under a grant from a State, and produce the original grant, or an exemplification of it, except where the loss of public records shall put it out of his or their power, and shall move that any one or more of the adverse party inform the court whether he or they claim a right or title to the land under a grant from some other State, the party or parties so required shall give such information, or otherwise not be allowed to plead such grant or give it in evidence upon the trial; and if he or they inform that he or they do claim under such grant, any one or more of the party moving for such information may then, on petition and bond, as hereinbefore mentioned in this act, remove the cause for trial to the circuit court of the United States next to be holden in such district; and any one of either party removing the cause shall not be allowed to plead or give evidence of any other title than by him or them stated as aforesaid as the ground of his or their claim; and the trial of issues of fact in the circuit courts shall, in all suits except those of equity and of admiralty and maritime jurisdiction, be by jury.

"That the circuit courts of the United States shall not take original cognizance of any suit of a civil nature, either at common law or in equity, between a corporation created or organized by or under the laws of any State and a citizen of any State in which such corporation at the time the cause of action accrued may have been carrying on any business authorized by the law creating it, except in cases arising under the patent or copyright laws, and in like cases in which said courts are authorized by this act to take original cognizance of suits between citizens of the same State; nor shall any such suit between such a corporation and a citizen or citizens of a State in which it may be doing business be removed to any circuit court of the United States, except in like cases in which such removal is authorized by the foregoing provision in suits between citizens of the same States."

That section 10 of said act be, and the same is hereby, amended so as to read as follows:

"SEC. 10. That all laws and parts of laws in conflict with the provisions of this act and section 640 of the Revised Statutes be, and the same are hereby, repealed: *Provided*, That this act shall not affect the jurisdiction over or disposition of any suit removed from the court of any State, or suit commenced in any court of the United States, before the passage hereof."

Mr. CULBERSON. Mr. Speaker——

Mr. TOWNSHEND, of Illinois. Before the gentleman proceeds I desire to ask what will be the probable course of debate on this bill; how much time will be allowed for debate?

Mr. CULBERSON. I am not instructed by the Committee on the Judiciary to limit debate on this bill or to deprive any member of a

reasonable opportunity to offer amendments. So far as I am concerned, I am willing that the freest and fullest discussion may be had and that ample opportunity may be given for amendments to the bill.

Mr. TOWNSHEND, of Illinois. If there be no desire for a lengthy debate on the bill, it might be well perhaps to have an understanding now that at the conclusion of the hour to which the gentleman is entitled we may then vote on the bill.

Mr. CALKINS. I do not think any such arrangement as that ought to be made now.

Mr. TOWNSHEND, of Illinois. Can not we have some intimation as to the amount of debate that will be had?

Mr. CALKINS. Perhaps the chairman of the Committee on the Judiciary [Mr. REED] might give some intimation.

Mr. REED. The "chairman of the Committee on the Judiciary" has opposed this bill and it is under the control of the gentleman from Texas.

Mr. PAGE. Let the debate run for to-day.

Mr. CULBERSON. I do not think it will run for the day; I think that after the debate has run for a while the House can then better determine what course to pursue in the matter.

Mr. REED. Better let the debate run for a while.

Mr. CULBERSON. Mr. Speaker, I present this bill under the instructions of a majority of the Committee on the Judiciary, and in performing that duty I desire to say in the outset that while in my opinion it does not present a full and adequate relief for the evils which have followed the legislation of Congress extending and enlarging the jurisdiction of the circuit courts of the United States, it will, if it should become a law, afford as much relief as may be reasonably attained under the circumstances which attend legislation in Congress at this time.

There are, Mr. Speaker, some considerations which make it proper and desirable that this bill should become a law, and those considerations in the main arise in the convenience of litigants, the reduction of expenses incident to litigation, and the necessity now apparent of relieving the circuit courts and the Supreme Court of the pressure of business which has of late years accumulated in them. It is conceded, as I believe, on all sides that in consequence of the legislation of Congress during and since the war, and especially by the act of 1875, which is proposed to be amended by this bill, enlarging the jurisdiction of the circuit courts and facilitating the removal of cases from the State court into the circuit court, the business of these courts, as well as the Supreme Court, has accumulated with such rapidity that we must either reduce the jurisdiction of the circuit courts or provide additional judicial machinery and an additional number of judges, at great cost to the Government, to perform the labor.

In almost all the States of the Union the circuit courts are overworked and are unable to determine the business before them with that deliberation, patience, and research which become a judicial tribunal. There are now pending on the docket of the Supreme Court over 1,000 cases. It is a physical impossibility for the judges to dispose of more than about 300 cases annually, and therefore, instead of reducing the number of cases on the docket, they increase every year. It ordinarily requires three years from the date of filing a transcript to reach a case on that docket. Of course such delay is not only vexatious and expensive to litigants, but is tantamount to a denial of justice. The necessity for relief is so pressing and imperative that the Senate has passed a bill, which is now on the Speaker's table, and which, by the way, a majority of the Committee on the Judiciary of the House has recommended to be passed, providing for the appointment of eighteen additional circuit judges and the creation of nine courts of appeal, which are to have final appellate jurisdiction of all causes involving a less sum than $10,000. If the measure now under consideration can become a law, the convenience of litigants will be greatly promoted, the circuit courts and the Supreme Court relieved of a large proportion of the burden of business now unnecessarily imposed upon them, and the cost and expense of litigation both to the Government and the public greatly reduced.

The changes in existing laws proposed to be made by this bill relate to the original jurisdiction of the circuit courts and the removal of causes from the State courts into the circuit courts of the United States. I propose to call the attention of the House, first, to the amendment relating to the original jurisdiction of the courts, and, secondly, to those relating to the removal of causes.

The first amendment proposed by the bill to the act of 1875 is to substitute "two thousand" for "five hundred" where those words occur in said act. This change, if adopted, will fix the minimum jurisdiction of the circuit court at two thousand dollars instead of five hundred, as it is now. The present minimum jurisdiction was fixed by the act of 1789. At that time the population of the United States did not exceed 4,000,000 people, and the business of the country, out of which litigation grows, compared with that of the present day, was wholly undeveloped. Besides, it will be observed by reference to the eleventh section of the act of 1789 that only a fragment of the subjects embraced in the judicial powers of the United States as defined in the Constitution was permitted to go in the circuit court. Quite the largest proportion of them was left to the jurisdiction of the courts of the States, where they remained for eighty-six years.

The United States now contains a population of over 50,000,000 people, engaged in every branch of business which can give employment to an industrious population. By the legislation of Congress during and since the war the jurisdiction of the circuit courts have been extended to the utmost limits of, if not beyond, the judicial powers of the United States as defined by the Constitution. In view, therefore, of the changed relations of the courts to the population and business of the country, and in view of the fact that the present judicial force of the United States is wholly inadequate to perform the labor imposed upon it in consequence of the enlargement of Federal jurisdiction, $2,000 is as low a minimum amount as ought to be fixed for the jurisdiction of the circuit court. The effect of this minimum will not be to diminish the burden of litigation in the Supreme Court, as causes involving a less sum than $5,000 do not ordinarily go into that court by appeal, but it will take from the circuit courts all causes involving a less sum than $2,000, and to that extent will reduce the labors and business of that court.

Just how much relief it will afford can not be estimated with accuracy, but the observations of lawyers and business men justify the belief that it will not be inconsiderable. The next change proposed in the act of 1875 to which I invite attention, and I am now dealing with the most important changes, is to restore the provision of the act of 1789 in respect to assignees of promissory notes and other choses in action. The provision of the act of 1789 referred to provided as follows substantially: "Nor shall any district or circuit court have cognizance of any suit to recover the contents of any promissory note or other chose in action in favor of an assignee unless a suit might have been prosecuted in said court to recover said contents had no assignment been made, except in cases of foreign bills of exchange."

The act of 1875 repealed that provision in part by substituting the following provision substantially: "Nor shall any circuit court or district court have cognizance of any suit founded on contract in favor of an assignee unless the suit might have been prosecuted in such court to recover the same had no assignment been made, except in cases of promissory notes, negotiable by the law merchant, and bills of exchange."

This bill proposes to strike out the exception contained in the act of 1875 and restore the exception as it existed in the act of 1789. The change in the law in this respect made by the act of 1875 greatly increased the business in the circuit court and the Supreme Court as well. During the period from 1789 to 1875, about eighty-six years, no court of the United States had jurisdiction of this class of cases, not because this class of cases is not embraced within the judicial powers of the United States, as defined by the Constitution, for the Supreme Court decided many years ago that this class of cases did fall within the judicial powers of the United States, but that Congress possessed the power to extend or withhold the jurisdiction of circuit courts over it; that the circuit courts being the creatures of Congress had no jurisdiction except such as had been conferred upon them by law, and Congress having exercised its discretion by withholding its jurisdiction from this class of cases, the court could not entertain it.

I do not know, Mr. Speaker, what influence operated upon the First Congress to induce it to withhold jurisdiction over this class of cases, as the debates of that Congress do not show, but it is significant that every Congress assembled from 1789 until 1875 approved the wisdom of the First Congress by withholding such jurisdiction from the circuit courts. Jurisdiction, however, over this class of cases was conferred by the Forty-third Congress and by a slight consideration of the results which have followed the act of 1875 the wisdom of withholding such jurisdiction from the Federal courts for eighty-six years is fully demonstrated and vindicated.

If the Forty-third Congress, Mr. Speaker, had been devising a method by which to swell the dockets of the circuit courts and the Supreme Court, to furnish an easy method by which grave frauds could be practiced upon the jurisdiction of the courts, and multiply the expense of litigation, no better scheme could have been devised than the repeal of the exception contained in the act of 1789, and conferring upon the circuit courts jurisdiction over suits brought by assignees of promissory notes and other choses in action.

It is conceded on all sides that the expense and cost of litigation are greater in the Federal than State courts, and it ought to be conceded also that the results, ordinarily, of litigation in the Federal courts are more favorable to plaintiffs than defendants. This is due to a variety of causes. Ordinarily suits are founded on contracts evidenced by writing, the production of which establishes a *prima facie* case for the plaintiff, and where a defense exists, either in whole or part, to the action it must usually be established by evidence of witnesses produced into court. Circuit courts are not held in every county. Outside of large cities many counties compose a judicial district, and the courts are held, therefore, for the most part remote from the greater number of people. The cost of litigation, the difficulty and expense of producing witnesses in court, the personal expenses of the litigants, the long and vexatious delays which attend an overcrowded docket, deter prudent men from incurring them, however meritorious their defense may be, and the results, therefore, are largely in favor of plaintiffs.

The payees of promissory notes and other choses in action, justly es-

timating the value of such advantages, make assignments, often colorable only, to non-residents for the purpose of having suits brought in the circuit courts of the United States instead of the State courts, and thus the dockets of the circuit courts and the Supreme Court as well, by so many of such cases as find their way into that court by appeal are swelled, and the citizen unduly and unnecessarily oppressed.

The supply of litigation from this source to Federal courts ought to be cut off. We ought to return to the law on this subject as it existed for over eighty years, and which the Supreme Court early decided was a wise and proper provision. No injustice would flow to anybody from its restitution, and on the contrary the expense of litigation, both to the Government and parties involved, would be greatly reduced, the labor of the judges diminished, the ancient custom of trying causes in the vicinity where the cause of action originated restored, and the opportunity to practice frauds upon the jurisdiction of the court by colorable assignments, maintained by perjury, removed.

The next important change of existing law proposed by this measure is known as the "corporation clause." On this clause of the bill there was a divided opinion among the members of the committee. It will be observed that it provides that the circuit court shall not take cognizance of any suit at law or in equity between a corporation created or organized by or under the law of a State and a citizen of any State in which at the time the cause of action arose, such corporation was carrying on any business authorized by the law creating it, except in cases arising under the patent or copyright laws, and in like cases in which courts are authorized by this bill to take original cognizance between citizens of the same State; nor shall any such suit between a corporation and a citizen or citizens of a State be removed from a State court except in like cases, in which such removal is authorized by the provisions of this act, between citizens of the same State. The only amendment proposed by the committee is to strike out all the words after the word "corporation" in line 142, and the word "and" in line 143.

The effect of this proposed amendment of the committee, if adopted, will be to place all corporations created by State or national authority, and foreign corporations as well, upon the same plane for judicial purposes with a citizen of the State in which such corporation may be carrying on business either by the comity or expressed license of the State. If, therefore, the amendment proposed by the committee to this clause of the bill should become a law, no corporation of any kind created either by national or State authority, or by the laws of a foreign government, can sue a citizen of a State in which it may be carrying on its business in the circuit courts of the United States. I am inclined to think, Mr. Speaker, that the members of the committee would not be unwilling to have the House reject this proposed amendment, as after further consideration in regard to the scope of it it appears to be an unwise provision.

Banking organizations created or organized under the act of Congress sue and are sued now in the circuit courts of the United States under the provisions of an act of Congress, and while it may well be doubted whether Congress has the power to extend the jurisdiction of the circuit courts over all suits in favor of or against such banking corporations, no benefits would be gained by taking the jurisdiction away from them since a like jurisdiction has been conferred by another statute upon district courts of the United States, and we do not propose by this bill to deal with the jurisdiction of the district courts at all. Besides, if the amendment of the committee is adopted, it will exclude corporations created or organized under the laws of foreign governments from the privilege of suing in the courts of the United States.

The comity which exists between governments, if the rules of international law did not compel, would require this Government to extend the jurisdiction of the Federal courts to such cases, especially would this be proper as the judicial powers of the United States extend to and embrace them. If the amendment proposed by the committee is not adopted, then the prohibition upon the jurisdiction of the circuit courts will extend to that class of suits which are styled "controversies between corporations created or organized under the laws of any State and a citizen or citizens of any other State in which such corporations at the time the cause of action arose may have been carrying on any business authorized by its charter except in like cases where the courts are authorized to take cognizance of suits between citizens of the same State."

Mr. Speaker, this is not the time or occasion to deplore the tendency of capital to seek employment in almost all the branches of American industry through the agency of corporations; but I may be permitted to say that there is no subject in our social or political polity of more serious magnitude and importance than the rapid accumulation of corporations in this country, and the power and influence which they wield over the business of the people and the policies of government, national, State, and municipal. They occupy all the fields of trade, of commerce, and manufactures, and clutch and hold with greedy hands the richest harvests they yield. They even monopolize the time of the Federal courts in adjusting their controversies with the citizen. There can be no higher duty imposed on this Congress than to lessen their power to oppress the citizen in the courts of the United States by the exercise of vicious privileges secured by the favoritism of legislation. Wherever it may be done lawfully and without injustice, corporations should be compelled in all matters before the law to occupy the same plane with the citizen.

Mr. Speaker, a corporation created or organized under the laws of a State is by the force of judicial construction presumed to be for all judicial purposes a citizen of such State. This presumption, violent and illogical as it is, gives to a corporation a standing in the circuit courts of the United States in a proper case. The law is too well settled to be disputed. However unsatisfactory the ruling of the Supreme Court establishing the principle that a corporation is a citizen of the State in which it is organized may be, and however absurd may be the reasoning by which that principle has been upheld, we must accept it as existing law and deal with it accordingly. The practical questions, therefore, which arise on this proposition are: Does Congress possess the authority under the Constitution to deprive this class of citizens, which may be termed the "corporation class," of the right they exercise under a law of Congress to sue in a proper case in the circuit courts of the United States, or, if you please, to exclude such controversies from the circuit courts; if so, would the interests of the public be promoted by depriving them of the right, and can it be done without injustice to them?

From time to time, Mr. Speaker, since 1789, it has been determined both by legislative and judicial construction that the circuit and other inferior courts of the United States did not derive their jurisdiction directly from the Constitution, but alone from the laws of Congress. It is true, Mr. Speaker, that the judicial power of the United States have their origin and are specified in the Constitution, but, except in a few named cases relating solely to the jurisdiction of the Supreme Court, Congress has the absolute distribution and disposal of them. It may withhold from the jurisdiction of such inferior courts a part of the subjects of litigation within the judicial powers of the Government, or it may vest in such courts jurisdiction over the whole of them. On this point I submit the decision of the Supreme Court in the case of Sheldon *et al. vs.* Sill, 8 Howard, page 441:

> The only question which it will be necessary to notice in this case is whether the circuit court had jurisdiction. Sill, the complainant below, a citizen of New York, filed his bill in the circuit court of the United States for Michigan against Sheldon, claiming to recover the amount of a bond and mortgage which had been assigned to him by Hastings, the president of the Bank of Michigan. Sheldon in his answer, among other things, pleaded that the bond and mortgage in controversy, having been originally given by a citizen of Michigan to another citizen of the same State, and the complainant being assignee of them, the circuit court had no jurisdiction. The eleventh section of the judiciary act, which defines the jurisdiction of the circuit courts, restrains them from taking "cognizance of any suit to recover the contents of any promissory note or other chose in action in favor of an assignee, unless a suit might have been prosecuted in such court to recover the contents, if no assignment had been made, except in cases of foreign bills of exchange." The third article of the Constitution declares that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts as the Congress may from time to time ordain and establish." The second section of the same article enumerates the cases and controversies of which the judicial power shall have cognizance, and, among others, it specifies "controversies between citizens of different States." It has been alleged that this restriction of the judiciary act with regard to assignees of choses in action is in conflict with this provision of the Constitution, and therefore void. It must be admitted that if the Constitution had ordained and established the inferior courts and distributed to them their respective powers they could not be restricted or divested by Congress; but as it has made no such distribution, one of two consequences must result—either that each inferior court created by Congress must exercise all the judicial powers not given to the Supreme Court, or that Congress, having the power to establish the courts, must define their respective jurisdictions. The first of these inferences has never been asserted and could not be defended with any show of reason; and if not, the latter would seem to follow as a necessary consequence; and it would seem to follow also that, having a right to prescribe, Congress may withhold from any court of its creation jurisdiction of any of the enumerated controversies. Courts created by statute can have no jurisdiction but such as the statute confers. No one of them can assert a just claim to jurisdiction exclusively conferred on another or withheld from all. The Constitution has defined the limits of the judicial power of the United States, but has not prescribed how much of it shall be exercised by the circuit court; consequently the statute which does prescribe the limits of their jurisdiction can not be in conflict with the Constitution, unless it confers powers not enumerated therein. Such has been the doctrine held by this court since its first establishment. To enumerate all the cases in which it has been either directly advanced or tacitly assumed would be tedious and unnecessary. In the case of Turner *vs.* Bank of North America, 4 Dallas, 10, it was contended, as in this case, that, as it was a controversy between citizens of different States, the Constitution gave the plaintiff a right to sue in the circuit court, notwithstanding he was an assignee within the restriction of the eleventh section of the judiciary act. But the court said: "The political truth is that the disposal of the judicial power (except in a few specified instances) belongs to Congress; and Congress is not bound to enlarge the jurisdiction of the Federal courts to every subject in every form which the Constitution might warrant." This decision was made in 1799. Since that time the same doctrine has been frequently asserted by this court, as may be seen in McIntire *vs.* Wood, 7 Cranch, 506; Kendall *vs.* United States, 12 Peters, 616; Cary *vs.* Curtis, 3 Howard, 245.

I read as an additional authority on this subject from the case of Cary *vs.* Curtis, 3 Howard, 245, as follows:

> Secondly, in the doctrine so often ruled in this court, that the judicial power of the United States, although it had its origin in the Constitution, is (except in enumerated instances, applicable exclusively to this court) dependent for its distribution and organization, and for the modes of its exercise, entirely upon the action of Congress, who possess the sole power of creating the tribunals (inferior to the Supreme Court) for the exercise of the judicial power, and of investing them with jurisdiction either limited, concurrent, or exclusive, and of withholding jurisdiction from them in the exact degrees and character which to Congress may seem proper for the public good. To deny this position would be to elevate the judicial over the legislative branch of the Government and to give to the former powers limited by its own discretion merely. It follows, then, that the courts created by statute must look to the statute as the warrant for their authority; certainly they can not go beyond the statute and assert an authority with which they may not be invested by it, or which may be clearly denied to them. This argument is in no wise impaired by admitting that the judicial power shall extend to all cases arising under the Constitution and laws of the United States. Perfectly consistent with such an admission is the truth that the organization of the judicial power, the definition and distribution of the subjects of jurisdiction in the Federal tribunals, and the modes of their action and authority have been, and of right must be, the work of the Legislature. The existence of the judicial

act itself, with its several supplements, furnishes proof unanswerable on this point. The courts of the United States are all limited in their nature and constitution, and have not the powers inherent in courts existing by prescription or by the common law.

Mr. Speaker, the Constitution provides that—

The judicial power shall extend to all cases, at law and in equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same States claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens, or subjects.

Thus the classes of cases to which the judicial powers of the United States extends are specified, and they may be thus analyzed:

Without reference to citizenship, and alone in respect to subject-matter as the element of Federal jurisdiction, the judicial power of the United States embraces, first, all suits at law or in equity arising under the Constitution or laws of the United States or treaties made by their authority; second, of all suits in which the United States may be plaintiff or petitioner.

And without reference to subject-matter as the elements of Federal jurisdiction, the judicial powers of the United States extend to, first, controversies between citizens of different States; second, to controversies between citizens of the same State claiming lands under grants of different States; third, to controversies between citizens of a State and foreign states, citizens, or subjects.

Jurisdiction over cases affecting embassadors, other public ministers, and consuls, and all controversies to which a State may be a party are vested by the Constitution in the Supreme Court. Now, the proposition which I submit, in view of the objections urged against this proposed change in the law, is that Congress possesses the power to establish inferior courts and to extend to such courts jurisdiction over one or both of the classes of litigation falling within the judicial powers on account of subject-matter; and that Congress may extend the jurisdiction of the circuit courts over all or any of the classes falling within the judicial powers of the United states on account of citizenship, or it may divide up such latter classes and permit jurisdiction over one part and exclude it as to the other.

I think the authority already submitted is conclusive of this proposition, but it may be not out of place to inquire how the power and discretion of Congress on this subject has been exercised? The First Congress, composed largely of the men who had been members of the convention which framed the Constitution, organized the judicial department of the Government by the act of 1789, commonly called the judicial act. That act gave jurisdiction to the circuit courts over only three of the classes of cases embraced by the judicial powers of the United States; the remaining classes were left unprovided for, in the main, until the passage of the act of 1875. No reference is made to those vested in the Supreme Court by the Constitution. By reference to the act of 1789 it will be seen that only one of the two classes of cases to which the judicial power of the United States extends on account of subject-matter was provided for by that act, namely, "of all cases in which the United States were parties." Over the other, namely, "to all cases arising under the Constitution and the laws of the United States, and treaties made by their authority," no jurisdiction was conferred. Congress exercised its discretion and withheld jurisdiction altogether from the inferior courts over that class of cases.

In respect to those classes of cases in which citizenship determines Federal jurisdiction, only two of the classes were provided for, namely, in suits where an alien was a party, and to "all suits between citizens of different States;" and in respect to the latter Congress discriminated between citizens of different States. The act provided that the holder of a promissory note or other chose in action by assignment, although a citizen of a State other than the State in which the maker resides, could not sue in the circuit court. Therefore it seems that it was in the judgment of the First Congress and all subsequent Congresses down to 1875 constitutional to discriminate between citizens of different States and to extend the right to only a part of them to sue in the circuit courts, and the Supreme Court sustained the constitutionality of the exception.

Again, it will be seen that the judicial power of the United States extends to all cases arising under the Constitution and the laws, &c. If Congress attempts to confer jurisdiction over this class of cases it must over all of them, because the judicial power extends to all of them and not to a part. The judicial power also extends, among others, "to controversies between citizens of different States," not to all controversies. It would therefore seem clear that Congress could determine what character of controversies should be submitted to the jurisdiction of inferior courts. What does this bill propose on this subject? Simply that the circuit courts shall not take cognizance of a controversy between a corporation organized under the laws of any State and a citizen of another State in which such corporation may be domiciled and carrying on its business. There is only an inhibition upon the jurisdiction of the circuit court over one class of controversies provided for in this clause of the bill, namely, such as arise between a corporation and a citizen of the State in which such corporation is carrying on its business.

I come now, Mr. Speaker, to inquire whether such a change in the law will promote the interest of the public, and on that subject there can be no doubt. Fully one-half the litigation in the circuit courts is supplied by corporations, and it is estimated that one-third of the cases in the Supreme Court are those in which corporations are either plaintiffs or defendants. It seems, therefore, that if there is an imperative necessity to relieve these courts of the burden of litigation a cheaper or more satisfactory method could not be suggested than to allow this fruitful breeder of litigation to parcel out its controversies among the courts of the several States. While such a disposition of this character of litigation would be eminently just to the people and economical to the Government, it would not be unjust to corporations. If they are permitted to domicile and carry on their business in a State, is it not even-handed justice to allow the courts of the State to adjust the controversies between them and the citizens of such State? Why should they demand an advantage over the citizen? Why should they be allowed to drag him hundreds of miles from his home to litigate in a circuit court? Why should they not be content with such advantages in the courts of the State as come from superior wealth and a combination of skill?

REMOVAL OF CAUSES.

I propose now, Mr. Speaker, to call attention to the provisions of this bill which relate to the removal of causes from the State courts to the circuit court of the United States, and to show in what respect it is proposed to change existing laws by them.

The provisions of this bill are not in conflict with the statutes providing for the removal of causes, civil and criminal, arising under the "civil-rights" act or of suits, civil and criminal, against revenue officers or against officers acting under registration laws. These statutes were designed to apply to special cases, and however unnecessary their continuance in the statute-books may be, this bill does not propose to repeal them. The measure before the House deals with the general statutes on the subject of removal of causes, the act of 1789, the acts of 1866, 1867–1868, and especially the act of 1875. The twelfth section of the act of 1789, the acts of 1866, 1867, and 1868 were repealed by the adoption of the Revised Statutes, but were subsequently re-enacted in sections 639 and 640 of the Revised Statutes.

The provisions of the act of 1875 which relate to the removal of causes from the State courts to the circuit of the United States are not in conflict with sections 639 and 640 of the Revised Statutes, and therefore do not repeal them.

By the twelfth section of the act of 1789, and now by section 639, the right of removal is given to a non-resident defendant when sued in a State court by a citizen of the State in which the suit is brought, and to an alien when sued in a State court. Thus the law stood from the organization of the courts until the close of the late war. In 1866 the act of 1789 was amended so as to give the right of removal to the non-resident defendant, although he might be joined in the suit with a citizen of the State in which the suit was brought provided the cause could be determined as to him in the circuit court of the United States without the presence of the codefendant.

The act of 1867 was amendatory of the act of 1866, and it provided that when a suit is now pending or may be brought in any State court in which there is a controversy between a citizen of the State in which the suit is brought and a citizen of another State, such citizen of another State, whether he be plaintiff or defendant, if he makes and files in such State court an affidavit that he has reason to believe and does believe that from prejudice or local influence he will not be able to obtain justice in such State court, may have the cause removed to the circuit court of the United States.

Section 640, which is substantially the act of 1868, gives the right of removal to any corporation enacted under a law of Congress, other than a banking corporation, when sued in a State court, upon application of such corporation stating that its defense to the action arises under the Constitution or laws of the United States. It is proposed by the bill before the House to repeal that section of the Revised Statutes.

The provisions of the act of 1875 relating to removal of causes have been construed to be supplementary to all the foregoing acts, and substantially they provide for the removal of any cause from a State court to the circuit court of the United States which by reason of either the subject-matter or the citizenship of the parties might have been instituted in the circuit court originally. In all the acts on this subject prior to the act of 1875 the right of removal when citizenship was the ground was limited to the non-resident citizen. Under the act of 1875 either party, paintiff or defendant, has the right of removal.

This was a sweeping and radical change of the law, and has greatly facilitated the removal of causes from the State into the Federal courts, and consequently has contributed largely to increase the business of the Federal courts.

The change in existing laws which this measure proposes may be thus stated: Whenever a suit is brought in a State court upon a cause of action arising under the Constitution or the laws of the United States or treaties made under their authority the right of removal is given to and limited to the defendant, provided that in his application for a removal it is made to appear to the satisfaction of the court trying the cause that his defense in whole or in part depends for a correct decision upon a right construction of some provisions of the Constitution or laws

of the United States or treaties, &c.; secondly, whenever a suit is brought in a State court against a defendant who is a non-resident by a citizen of the State in which the suit is brought the right of removal is given to such non-resident defendant.

The right to remove a cause is therefore by this bill restricted to the defendant in the suit and taken away from the plaintiff, except in the instance provided for by the act of 1868, which is incorporated in this bill to meet the views of those who otherwise would oppose any changes in the law. The plaintiff who elects to sue in a State court when the suit might originally have been instituted in the Federal court ought, as I believe, be held to his election without exception. If such changes as we propose to make are adopted they will put an end to the practice of plaintiffs dragging a defendant from one court to another, at great expense, for the purpose of gaining an advantage not justified by the merits of the cause.

Mr. Speaker, it is said by some members of the House that a repeal of section 640 of the Revised Statutes would be unjust to Federal corporations. I do not think so, Mr. Speaker, but on the contrary I believe that that section secures to corporations created or organized under the laws of Congress a vicious privilege and an unconscionable advantage over their adversaries in suits, and it is but fair and just that such corporations should be brought down to a plane with the citizen.

The theory upon which section 640 is based is that in every suit where a defendant will state that his defense to the action arises under some provisions of the Constitution or the laws of the United States he ought to be allowed to remove the cause from the State court to a Federal court, in order that he may have the privilege of having the provisions of the Constitution or the laws of the United States under which his defense arises construed by a court of the United States.

But section 640 and the pretended theory upon which it is alleged to rest are in conflict, because it is ruled in practice under section 640 that in any suit against a Federal corporation if it has a defense at all it arises under a law of Congress, because the corporation was chartered under a law of the United States. The consequence is that every suit against a Federal corporation involving the requisite amount is removable under this section from a State court to the circuit court of the United States. There are some Federal railroad corporations traversing entire States, such as the Pacific railroad companies. Every suit brought against them in a State court where the amount involved is $500 is removable to the circuit court of the United States upon the affidavit of an agent or attorney that the defense of the corporation to the action arises under a law of the United States.

In nine hundred and ninety-nine cases out of every one thousand removed into the circuit courts of the United States from State courts under section 640 there is not the semblance, even, of an element of Federal jurisdiction involved. Upon a bare pretense that the defense arises under a law of Congress, the case is removed to the circuit court, and when tried by that tribunal is disposed of by the application of the general rules of law; no provision of the Constitution or the laws of the United States being involved, therefore no construction of either is in the most remote degree necessary. The law therefore contributes to swell the dockets with this class of cases and permits the greatest frauds to be practiced upon the legitimate jurisdiction of those courts. It is used by corporations, not for the purpose of securing the construction of some provision of the Constitution or the laws of the United States by the Federal judiciary, but to harass, to vex, to oppress, and especially to gain advantages over their adversaries by compelling them to ligitate in courts remote from their homes, with all the disadvantages attending.

I believe, Mr. Speaker, in dealing in strict justice and fairness with corporations of all kinds. I am not one of those who would, even in the slightest degree, swell the senseless clamor against them on any account. But I am opposed to extending to them privileges not accorded to the citizen, and I am in favor of taking away from them all such privileges heretofore extended, and as far as practicable bringing them down to a level with the citizen, especially in the courts.

Now, sir, while this bill repeals outright section 640 of the Revised Statutes, it provides that whenever a suit is brought in a State court in which the defense depends for a correct decision upon the right construction of some provision of the Constitution or laws of the United States, and that fact is made to appear to the court, the defendant is given the right to remove the cause into the Federal courts in order that he may have such construction made by a court of the United States.

The only difference, therefore, between the provision of the bill and section 640 is that before such a suit can be removed from a State court to a circuit court of the United States under the provisions of this bill there must be a Federal element of jurisdiction involved, and that must be made to appear to the court trying the cause. Under section 640 a Federal corporation removes a cause from a State court upon a statement that the defense arises under the Constitution or the laws of the United States, when the defense of the corporation may not depend for a correct decision upon the construction of any provision of the Constitution or the laws of the United States.

I have now submitted to the House the most material amendments proposed to the existing laws on the subjects embraced in the act of 1875. There are others of minor importance which will readily commend themselves to the House upon inspection, and I will not consume the time of the House by other reference to them.

Mr. HUMPHREY. Mr. Speaker, I wish to call the attention of the House to the amendment which the Judiciary Committee has reported to this bill. That amendment proposes to strike out, in section 9, line 142, after the word "corporation," the words "created or organized by or under the laws of any State." As thus amended the provision will read:

That the circuit courts of the United States shall not take original cognizance of any suit of a civil nature, either at common law or in equity, between a corporation and a citizen of any State in which such corporation at the time the cause of action accrued may have been carrying on any business authorized by the law creating it, except in cases arising under the patent or copyright laws, &c.

I rise to oppose this amendment. If it be adopted it would simply place every corporation created by act of Congress in a worse condition than a corporation created by the law of a State. Under the existing law such a corporation may in certain instances bring an action in the United States court, whereas this amendment would preclude the United States court from assuming in any case jurisdiction of an action by or against a corporation created under the laws of the United States. It seems to me this was certainly not the intention. I will state what I understand to have been the object of those who proposed the amendment. An insurance company created without the limits of the United States coming into any of the United States to do business can in all cases, under the law as it now exists, bring suit in the United States court, and if sued in a State court can remove the cause to a United States court.

The object of this amendment was to place that class of corporations in the same position as domestic corporations, or corporations created by the laws of any State in the Union. The object was a good one.

But it goes further. The effect of it, as I have already stated, is to prevent the United States courts in all cases from assuming jurisdiction. I wish to draw a distinction here. Now, it is perfectly proper and right if a corporation created by act of Congress should select its forum in a State court that it should be concluded by that action the same as any domestic corporation, and should not afterward be allowed to remove its case from a State court into the United States court unless it can show to the satisfaction of the court that prejudice on the part of the State court or otherwise should entitle it to be so removed.

Mr. CLARDY. Why will not the remarks made by the gentleman from Wisconsin in reference to corporations apply with equal force to natural persons? I understand that by the amendment proposed to the second section a plaintiff who has selected the State court as his forum in which to try his cause may afterward, on his motion, have such cause removed to the Federal court. When a plaintiff has selected the State tribunal for the adjudication of his cause why should he not be obliged to prosecute his cause therein?

Mr. HUMPHREY. I do not understand under this act when any plaintiff has selected his forum, whether a citizen of a foreign state or a corporation, he can remove his case from a State court to the United States court.

Mr. CLARDY. The amendment to the bill expressly provides, as I understand it, for such removal.

Mr. HUMPHREY. Yes; so can any corporation by making an affidavit and showing certain facts.

Mr. CLARDY. Does the law of 1875 authorize a plaintiff who has selected his forum to remove it unless he makes affidavit showing cause?

Mr. HUMPHREY. Certainly it does. The law of 1875 provided that a plaintiff who was a citizen of a foreign state and had selected his forum in a State court, who under the laws could have brought his action in any one of the courts of the United States simply by setting forth the fact he was a citizen of a foreign state, or that it was a corporation organized in a foreign state, should be able to remove his cause from a State into a United States court without showing the court any other reason. In other words, it gave the plaintiff the advantage of going into the State courts and dragging the defendant in there, and then saying to the defendant, "I am not satisfied with my own forum, and therefore I will drag you to another forum."

This law is intended to prevent that. It does not prevent him from selecting a forum in which he can bring his action. If he is a citizen of a foreign state, or if it is a corporation which under the laws is entitled to bring its action in the United States courts, that can still be done, and this does not seek to prevent it. But if he has once brought his action, then he must show some cause which did not exist at the time he brought his action to entitle him to remove it. That is just, that is right. He must show by affidavit some local influence or some prejudice existing which was not within his knowledge when he brought his action in the State court.

But to come back to the other point. While I am not opposed to the amendment proposed by the committee, while it would be harmless, and in fact would be beneficial as it applies to corporations created by foreign countries, like the London and Liverpool assurance companies doing business in this country, yet when they come here they should be subject to the same laws as our domestic corporations. When doing business in Maryland or Pennsylvania they should not select always the forum of the United States court in which to bring their action or take their case if sued in a State court when a corporation created by Maryland and Pennsylvania can not do it. They should be subject to the same laws, and this act should provide it should only be in case they can make affidavit they shall be allowed to remove a cause from a State

to a Federal court. If the amendment proposed by the committee should prevail, then there should be a further amendment to that part of section 9 which provides that nothing herein contained shall deprive any court of the United States from assuming any case where the corporation is created by act of Congress. As has been intimated by the gentleman from Texas [Mr. CULBERSON], this is a question which has never been discussed or disposed of in any court of the United States as to what is the status of a corporation created by act of Congress. This Government assumes jurisdiction over the whole country, and when it creates a corporation it may have a domicile somewhere. It may have a domicile and yet not be a citizen. It may have a domicile and yet may not be a resident. Where an individual is domiciled in a foreign country he does not thereby gain residence. He has a right to determine his own residence.

But here is a case of a corporation created by an act of Congress that has no power to determine any residence whatever; and I do not know that the courts have ever discussed or determined the question so as to settle it. It seems to me, though, that Congress should set the matter at rest for all time, either by this act with necessary amendments or by some bill of a similar character. It should settle that a corporation created by an act of Congress, no matter where domiciled, should, whenever it selects its forum in a State court, be bound by it, excepting under certain conditions. It would not of course be right for Congress to pass a law abridging the jurisdiction of the United States courts over a corporation created by act of Congress, because the constitutions of all of the States provide, and the Constitution of the United States also, that any decision of a court of last resort in any State, if it involves the construction of any law of Congress, or the decision of any tribunal of any sort in a case in which the United States is a party, may be removed by order of the court to the United States courts. Because in such cases the United States courts, with the final court of appeals—the Supreme Court—shall be the supreme tribunal for the final construction and decision of all points involved in the Constitution or under it, and of all laws or treaties made in pursuance thereof.

Therefore it seems to me that if the amendment of the committee to which I have called attention should prevail, and shall be adopted by this House, that we must amend the bill still further, providing that nothing in the act contained shall take away from the United States courts any jurisdiction that they now have over any action brought by or against any corporation created by an act of Congress. It should be provided that it shall not be taken away for the simple reason that it would be an anomaly in our system of government to do so. But on the other hand we should let the provision stand as it does in this bill, that if such a corporation, created under an act of Congress, brings an action in any court of any State in this Union, that it should then, having selected its own forum or tribunal, be precluded from the privilege of removing it to any Federal court unless it shows to the satisfaction of the judge of the State court that local influences or prejudices exist at that time that were not known at the time of the bringing of the action or the selection of the court, which prejudices or influences were such as to preclude the probability of fair and impartial justice being done it.

In that case, where it was reasonably shown that there was an apprehension that justice could not be done, it should be entitled to remove the cause to the Federal courts, but under no other circumstances. This in other words places the corporation in the same position with reference to the courts as any citizen, or any individual, or any other party, who under the laws as they now exist, and the Constitution, have a right to bring an action in the United States courts. Having selected their forum, as I have said, in a State court, it is manifestly proper, for reasons which I shall presently show, that they should be precluded thereafter from changing that forum and dragging the other party to the suit elsewhere; unless, as I have said, sufficient cause is shown that did not exist at the time the forum was selected and the action brought.

Now, this act also provides that section 640 of the Revised Statutes shall be repealed. That section provides that—

> Any suit commenced in any court other than a circuit or district court of the United States against any corporation other than a banking corporation, organized under a law of the United States, or against any member thereof as such member for any alleged liability of such corporation, or of such member as a member thereof, may be removed for trial in the circuit court for the district where such suit is pending, upon the petition of such defendant, verified by oath, stating that such defendant has a defense arising under or by virtue of the Constitution or of any treaty or law of the United States. Such removal, in all other respects, shall be governed by the provisions of the preceding section.

We see by the provisions of this section of the statutes, which is a part of the act of July 27, 1868, and which was enlarged by the subsequent act of 1875, that a corporation created by an act of Congress, or any member of such corporation, may, after having been sued in any State court, go in upon petition and state the bare fact that he has a defense arising under and by virtue of any treaty or under the Constitution of the United States or under any act of Congress, and on such statement may secure the removal of that cause into the Federal court.

Now let us look at the injustice of this act. While in many cases it would operate beneficially, here is an illustration—and this will illustrate it for all practical purposes, because this section and another provision of the law which gives the same opportunity to an individual in certain cases is all that exists on the subject—we will take for instance a party who has transported a cargo of wheat by a continuous line of transportation through two or three different States, and by some negligence on the part of the carrier his wheat is damaged or destroyed. He brings his action in the case against the transportation company. If it is between Saint Paul and New Orleans, and he shipped his cargo from Saint Paul, he brings his action against the company in one of the courts of the State of Minnesota in the city of Saint Paul to recover damages for such negligence. That particular company is possibly organized under the laws of the State of Illinois or the State of Missouri; and it steps into the court at Saint Paul and sets forth in petition that it is a foreign corporation and not a citizen of the State of Minnesota, and takes the whole case out of the State court into the United States court.

Now, in the city of Saint Paul that would not be an unusual hardship, because in that State the court sits in the city of Saint Paul only. But take the case in Wisconsin. Let that action be brought in the town where I reside, where the Saint Louis boats are coming up to our town every day, if they desire, during the season of navigation, and if the action is brought against the company running one of these boats they may take the plaintiff away to Milwaukee or Madison, three hundred miles distant, for a hearing, and if the plaintiff is a poor man he virtually deprives him of that justice which the constitution of the State of Wisconsin provides in such cases by saying he shall not only have a speedy but he shall have a sure remedy. And the Constitution of the United States says it shall be speedy, though the language is not so broad as the constitution of our State. But this actually deprives him of the real benefits which the constitution of the State and the Constitution of the United States intend to give him; and it directs him to a forum where, by a prolonged litigation, he is compelled to submit in certain cases to such terms as he can get, and sometimes he loses his whole cargo of wheat in the litigation.

That is an illustration, and it is not an uncommon one. Now, what Congress should do is to place these corporations created in any one of the States on the same footing as citizens of the State; and that when they shall have chosen their forum they shall be bound by it and never in any instance change it except they show some cause which could not be known to them at the time or could not by reasonable diligence be known to them at the time they selected the forum; because if they could by reasonable diligence that is chargeable to them as notice, and then they should not be allowed to change the forum; and when any corporation created under act of Congress has selected its forum in a State court it should abide by it. But we should not take away that original jurisdiction from the courts of the United States over cases that arise under any law of Congress, because not only would it be anomalous but the result would be you would be depriving the United States court in certain cases of the power of construing the law of Congress and would compel parties to go into United States courts where otherwise they would have a right to select their forum.

Let me be understood as to this. If they select their forum let them abide by it. But if this amendment is agreed to it would prevent the United States courts in any case assuming jurisdiction over a corporation created by act of Congress. That should not be so. We should let the jurisdiction remain where it is, but provide where the corporation has selected its forum it shall not change it except for causes prescribed in this act.

Therefore it seems to me right to repeal the provision of section 640 and not allow—where you sue a corporation created by act of Congress in a State court—not allow them to remove the cause except they show that they are a corporation created under the laws of the United States, and that from local prejudices or local influences justice can not be done them, because then they have had no opportunity to select their forum, and therefore they should be allowed to come in and show that they can not get justice done them, and should be allowed to remove the cause to any Federal court within the district.

Mr. MOULTON. Will the gentleman from Wisconsin allow me to ask a question for information merely?

Mr. HUMPHREY. Certainly.

Mr. MOULTON. If a corporation is created by a law of Congress, does not this bill provide that whenever it is sued in a State court, if the corporation makes an affidavit or a petition stating it involves a Federal question, a constitutional provision, or the construction of a law of Congress, it can remove its cause? Does not this bill provide that?

Mr. HUMPHREY. It does provide that. But that is not the question. I am glad the gentleman from Illinois has called my attention to that. I am referring to this provision of section 3, commencing at line 140. Where the corporation has been sued, and is a defendant, this provides:

> That the circuit court of the United States shall not take original cognizance of any suit of a civil nature, either at common law or in equity, between a corporation and a citizen of any State, &c.

Mr. MOULTON. That is a corporation created by a State and not by Congress.

Mr. HUMPHREY. No, no. Now wait. I say that this bill which comes in here and which is the bill introduced by the gentleman from Texas [Mr. CULBERSON] is a bill with which I find no fault. But I wish

to draw the attention of the gentleman from Illinois to the amendment which the Committee on the Judiciary have proposed to this part of the section.

Mr. MOULTON. I have not heard that amendment.

Mr. HUMPHREY. It is that amendment I have been talking about. That amendment strikes out the words in lines 142 and 143:

Created or organized by or under the laws of any State.

Mr. MOULTON. I am opposed to the amendment.

Mr. HUMPHREY. That is just what I am drawing the attention of the House to. I say it would preclude any Federal court from ever taking any jurisdiction of a case between a corporation created under an act of Congress and an individual.

Mr. MOULTON. I agree with the gentleman from Wisconsin.

Mr. HUMPHREY. But I have said we do need some provision that where foreign insurance companies, which are organized and created by the laws of a foreign country without the limits of the United States—we should provide that when they come into any one of the United States, or the District of Columbia, or any of the Territories, and do business then they shall be subjected to the same laws as any domestic corporation, and that they should be compelled to sue in the State courts in all cases where a domestic corporation would be compelled to do so.

Mr. MOULTON. Where is the amendment to which the gentleman refers?

Mr. HUMPHREY. The amendment is simply proposed. The committee does not strike out the clause in the bill as printed. The gentleman will find the amendment in report No. 680.

I will not spend any further time than simply to call attention to this provision. I believe that without this amendment this act would be productive of great good and great benefit. I believe that the various acts of Congress which were passed from 1862 to 1875 went too far. There are cases where a party should have the right, even when he has selected his own forum, to remove his cause if he can show that anything exists which will prejudice his rights which was not known to him to exist or could not have been known by reasonable diligence on his part when he brought his action. On the other hand, where he has not the opportunity to select his forum, he should have the right to avail himself of it in certain cases.

But these corporations, which are domiciled in every State, and which for judicial purposes are residents of the States which created them, when they do business in other States should be subjected to the same laws as corporations created by the laws of that State. When they sue for a small sum—of five or ten dollars—and the determination of the suit may settle a principle which would be worth half a million of dollars to the community, if the person sued should be poor, the corporations should not have the advantage of subjecting him to great expense by taking the case to a Federal court and putting the defendant to the expense thereby involved. They should stand in the same position as other persons, and persons should stand in the same position as corporations.

No cause should be removed from the State court by any party who would have been entitled to go into the Federal court. If he is a defendant and has been sued in such a court, he should have the right, if he can make it appear that justice can not be done him in the case, to remove the cause. But the plaintiff selecting his forum should not have the right of removal. In the case of the defendant he has the right to remove the case if he is the citizen of another State.

Mr. PEELLE. Will the gentleman permit me to ask him a question?

Mr. HUMPHREY. Certainly.

Mr. PEELLE. I understood the gentleman to say a while ago that the Supreme Court of the United States ought to have the right to interpret the laws and treaties and Constitution of the United States, and I certainly agree with him, as no other tribunal ought or can have, under our Constitution, that power.

Now, by section 2 of this bill it is provided that the defendant may have his cause transferred from the State to the Federal court "where it shall be made to appear" that such cause of action arose out of some law of Congress, some treaty, or some provision of the Constitution. Now, I understand "where it shall be made to appear" to mean that from a certain statement of facts the State court may draw its conclusion; and it is within its own discretion whether the case shall be transferred to the Federal court or not. Might not that work a hardship in some sections of the country?

Therefore that section leaves it discretionary with the State court, upon the statement of fact, to say whether the case shall be transferred to the Federal court or not. If that be so, then might not the Supreme Court be deprived of the right of passing upon a law of Congress unless the defendant saw fit and was able to apply to the Federal court for an order of transfer?

Mr. HUMPHREY. The answer to that question is simply this: It can not be true that this will leave it discretionary with the court. Under this law and under every other law, the moment such fact shall appear by petition or otherwise then the jurisdiction of the State court at once ceases. The United States Supreme Court has decided that the jurisdiction so far ceases that any injunction granted in the State court becomes at once dissolved the moment the petition is filed. When the fact appears the jurisdiction of the State court ceases in the case.

Mr. PEELLE. Appears to the court?

Mr. HUMPHREY. The moment it is made to appear to the court, whether by affidavit or by petition, the jurisdiction of the court ceases at that moment. That is a well-settled principle of law.

We have in Wisconsin a law which provides that if an affidavit is made by any party (and criminals are always making them) that he believes the judge is prejudiced against him (and he need not state what the prejudice is), he can remove his cause outside of the circuit. That is a law peculiar and indigenous to the State of Wisconsin.

The result is that the Supreme Court has decided, and they could not decide otherwise, that when a defendant in any criminal case files a petition or makes a statement, it may be by petition or affidavit to that effect, then the jurisdiction of the court ceases at once, and every act subsequent is null and void.

The Supreme Court of the United States has decided more than once that the moment the petition is filed, or an affidavit is filed, setting forth the reasons here given for removal, that moment the jurisdiction of the court ceases, and any attachment, any injunction, any provisional remedy that was granted by the court, from the time of bringing the action to the time of removal, falls completely.

Mr. PEELLE. Is not that a decision, however, under section 640 of the Revised Statutes?

Mr. HUMPHREY. It was a decision before section 640 was ever enacted.

Mr. PEELLE. Is it not a continuance of the right of removal under that section?

Mr. HUMPHREY. I can only say that if he "makes it appear," the court can not proceed any further. The court is ousted of jurisdiction if his affidavit sets forth what this provision requires.

Mr. PEELLE. Section 640 merely provides that "when the defendant shall state," without setting forth the facts at all, there shall be a removal; there is no discretion in the State court.

Mr. HUMPHREY. It does not make any difference whether he files a petition or makes an affidavit setting forth the fact. The common language of this class of statutes reads, "That if it shall satisfactorily appear to the court;" that is the language always used when there is a discretionary power left to the court. But when the language is "is made to appear," then the court has no discretion. If it proceeds beyond that, the act is *coram non judice*, and therefore void. That is all I have to say.

SPIRITS IN BOND.

The SPEAKER *pro tempore* (Mr. BURROWS, of Michigan). The gentleman from Ohio [Mr. BUTTERWORTH] asks unanimous consent that the amendment of the Senate to a bill now on the Speaker's table, House bill No. 5656, extending the time within which spirits heretofore entered for deposit in distillery warehouses may be withdrawn, be printed for the use of the House. Is there objection? The Chair hears none, and the order will be made.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, announced concurrence in the amendments of the House to the bill (S. 1340) for the relief of the heirs at law of William R. Downing, deceased.

REMOVAL OF CAUSES FROM STATE COURTS.

The House resumed the consideration of the bill (H. R. 3123) to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes, approved March 3, 1875.

Mr. MOULTON, Mr. Speaker, I desire to say a few words in favor of the bill reported by the Judiciary Committee. I regard it as of very great importance to the whole people. It proposes to lessen the right of removal of causes from the State to the Federal courts, and also to materially limit the right of bringing suits in the Federal courts and the right of appeal from the circuit to the Supreme Court.

The law as it now stands is unjust and unequal in its operation, tending to the advantage of the rich and powerful and against the poor. In my section of the country the complaint among citizens is almost universal against the operation of the law that now exists in reference to bringing suits in Federal courts and removing them from the State courts. The operation of these laws seems to be against common right and against justice. I can see no special reason why a foreign corporation coming into the State of Illinois and being permitted there to do business, and receiving the protection of our laws, should insist upon any rights not enjoyed by citizens who reside in the State. There is no reason and no justice in such a claim. No reason can be given why such a corporation should be permitted to sue our citizens in the Federal courts hundreds of miles away from their homes, or that when such corporations are sued they can remove said cause to the Federal court.

Something really ought to be done for the purpose of relieving our present Federal judiciary system from the great oppression and accumulation of business. Citizens in my own district have now suits in the United States court of very great importance, involving fifty or sixty thousand dollars; and it is impossible, from the number of cases on the docket, for my clients and constituents to have those cases tried short of four or five years. It is an absolute denial of justice. If this bill is

passed with the amendments which are proposed it will relieve the circuit as well as the Supreme Court of very much of the burdens that press upon them, and may enable them to discharge their duties more to the satisfaction of the people than they can possibly do under the present system.

I confess that I desire to lessen the jurisdiction of the Federal courts, not only as a means of relieving them of burdens that now oppress them but particularly and especially of restoring to the State courts the rights and jurisdiction of what they have been so unjustly deprived by the encroachments of the Federal judiciary within the past twenty-five years.

If the State courts were restored to their rightful powers the Federal courts could discharge all the duties that rightfully devolve upon them, and this is the proper mode of relieving them.

There is one provision of this bill which, it seems to me, must address itself directly to the common-sense and justice of every person who has practiced law in these courts, as a means of relieving the Federal courts of a very considerable amount of business which finally reaches the Supreme Court. I refer to those cases where jurisdiction is obtained by reason of assignments. Fictitious assignments is a regular business with reference to certain classes of securities, notes for fraudulent patents and among certain parties, to enable them to sue in the Federal courts, as this tends to prevent defenses by poor debtors. The old law as it stood prior to 1875 provided that if A gave his note to B in the same State, under no circumstances, by assignment or otherwise, could that note be sued in the Federal courts. To-day the law is that, although the note be made between parties in Illinois, the payee may assign the note to a citizen of Indiana and that assignee may bring suit at once in the Federal courts. And I am informed that over one-third of all the cases that reach the circuit courts in the Western States arise from permitting such assignees to sue, and by collusion between parties. This operates unjustly, and especially so as against the maker of the note or bonds. I am heartily in favor of that provision of the bill which proposes to correct this practice. It is a very important provision and ought to pass this House. It injures no one and will operate principally for all honest people.

This bill also contains the following important provision:

That the circuit courts of the United States shall not take original cognizance of any suit of a civil nature, either at common law or in equity, between a corporation created or organized by or under the laws of any State and a citizen of any State in which such corporation at the time the cause of action accrued may have been carrying on any business authorized by the law creating it, except in cases arising under the patent or copyright laws, and in like cases in which said courts are authorized by this act to take originial cognizance of suits between citizens of the same State; nor shall any such suit between such a corporation and a citizen or citizens of a State in which it may be doing business be removed to any circuit court of the United States, except in like cases in which such removal is authorized by the foregoing provision in suits between citizens of the same States.

The effect of this proposition is that a corporation created in one State and doing business in another State shall have no more rights and privileges than the citizens of the latter State.

Now, to amplify this so we can see the operation of this provision:

A corporation is created in Massachusetts, and an agency is established in Illinois—it may be a fire and marine or life insurance company, or something of that kind. Under the law as it stands to-day such a corporation may bring the smallest suit against a citizen and drag him two or three hundred miles from home, even upon a promissory note of not more than $50. It is done in this way: These insurance companies have notes against parties in all parts of the State. They claim that there is a default in the payment of a note of $50. They file their declaration in the Federal court, alleging in the *ad damnum* $500. When such a suit is brought in a circuit court of the United States it is a great hardship upon the defendant, residing, it may be, in Cairo, Illinois, to go to Springfield, a distance of two hundred and fifty miles, to attend court. The expenses for himself and his attorney would be more than double the amount for which he is sued. To my certain knowledge hundreds and hundreds of cases of this kind have occurred all over the Western States by reason of the operation of the present law. In my own county as well as others men have been sued in the Federal courts upon notes so small in amount as $15. This is a crying injustice which ought to be remedied in some way. Every one ought to find a speedy remedy in the law and in his own neighborhood or county. This was the theory and practice of the common law, and is the practice now under the State laws.

If this provision of the bill is adopted the citizen will be protected against present injustice. This provision will not operate to the injury of the foreign corporation.

If a corporation is permitted to come into a State and enjoy under its laws protection for its property and rights, why should it not be content with the enjoyment of all the rights of the citizens of the State, but no more? If the corporation has occasion to sue the citizen let him do it in the county where that citizen resides. The courts are always open and there is no justice or reason why the citizen at the caprice of a corporation should be compelled to go hundreds of miles from home at great inconvenience and expense.

This practice is giving all the advantage to the foreign corporation and at the expense of the citizen.

In my judgment if this bill becomes a law as it stands now it will lessen the causes in the Federal courts in the Western States at least one-third. I have not a doubt that it will also lessen at least 25 per cent. the causes which now under the present system reach and clog the docket of the Supreme Court of the United States.

This certainly will be a great advantage to the people and in the direction of a material reformation in our judiciary system.

I wish to say one other thing. This bill provides—and I am rather inclined to go with my friend from Wisconsin [Mr. HUMPHREY]—it provides among other things that if the corporation or the foreign citizen elects his forum and brings his suit in a State court, that if he should subsequently discover or fancy he discovered there was some local prejudice against him, that in that case he should have the right to remove his case to a Federal court. I am opposed to that principle. From my practice for a good many years I am satisfied that there is hardly a county or a locality anywhere in any of our Western States where a man from Connecticut, or Massachusetts, or Pennsylvania can not have as fair and good a chance for his rights in our superior courts as provided for by our State laws as he could in the Federal courts or anywhere else.

In my judgment in nine cases out of ten the incentive or motive for the removal of causes from the State to the Federal court is to harass and obtain some advantage over the other party. This is wrong and should not be tolerated.

Let me say that under most of our State laws, a man charged with murder or felony or in a civil case, if he comes into court and makes an affidavit and says he has reason to believe and does believe that because of a prejudice on the part of the people he can not have a fair and impartial trial he is then entitled to a change of venue. I wish to say that it is my experience and observation, and it must be that of every attorney who has practiced law, that in nine cases out of ten those affidavits are false, and the man who makes them commits perjury. You can always find in all the larger counties thousands of citizens who never heard of the particular case or of the parties or of the subjects-matter of the litigation.

This practice only provides parties with the means of escaping justice, and the rights of the citizen is greatly jeopardized.

And the same thing is true in reference to foreign citizens and corporations. I have seen hundreds of those cases tried in the circuit courts of the States, and I have never known a man suffer by reason of any local prejudice against him.

The foreign citizen or corporation can have as fair a trial in the State courts as citizens. Then the reason of the present rule of law and practice fails and the law as provided in this bill should conform to the reason of the case.

Let me call attention to another class of cases this bill involves and provides for. Take railroad corporations, take the Indianapolis and Saint Louis Railroad Company, chartered by the States of Indiana and Illinois and running through both of those States. In Indiana that corporation is claimed to be a foreign corporation because it is chartered by Illinois, and in the State of Illinois it is claimed to be a foreign corporation because it is chartered under the laws of the State of Indiana. What is the consequence? If that railroad kills a horse or a cow of a poor man and is sued, what does the corporation do by reason of the operation of the laws as they now stand? Why, sir, they remove the case from the State to the Federal court, and the poor man is compelled to lose his horse or his cow or other property which has been damaged or destroyed by this railroad. And this is the general conduct of all corporations so circumstanced.

Mr. RYAN. He is too poor to follow the case to a Federal court.

Mr. MOULTON. Yes; he is compelled to abandon the case because he is too poor to follow it into the Federal court. Let me give you a case which occurred within fifteen miles of where I live only a few years ago. This same corporation brought into the State of Illinois and landed a lot of diseased Texas cattle at the town of Pana, in my colleague's [Mr. SPRINGER'S] district, whereby over a hundred milch cows of poor citizens of that town died by reason of the infection or disease known as the Texas fever. What did they do? The company refused to pay. It was sued by the individual owners of the property lost before a justice of the peace, and it went to the circuit court of Christian County. Under the operation of the laws as they stand to-day that corporation removed every one of the cases brought against it to the Federal court, and as a consequence these poor citizens had to lose their property because they were unable to bear the expense of that removal and litigation away from their homes to the United States courts. No such law as this ought to exist for the purpose of enabling corporations to defraud the citizens under the idea of protecting these great corporations from local prejudice. This corporation could have had its rights protected, and as successfully in the county of Christian as in the Federal court. That they knew, of course, and they also knew the fact that the poor widow who lost her last cow by reason of the wrongful acts of that corporation could not follow it into the Federal court. That is the reason why they availed themselves of this iniquitous statute. I hope this House will wipe it out.

There are some other important provisions in the bill that tend to limit the present jurisdiction of the Federal courts. These provisions are just and necessary so that equal justice may be done to all.

I have a high regard for the Federal judiciary and the eminent men

who adorn the bench. This court is necessary under our form of government; but no reason exists why the proper and necessary jurisdiction of the State courts should not be fully preserved and the rights of the citizen maintained.

Without delaying the House longer I wish to say, Mr. Speaker, that there is a demand for the passage of this bill. I have received hundreds of letters on this subject, asking that something may be done whereby the citizens may be relieved from this injustice of being dragged hundreds of miles from their homes to litigate their rights.

This bill ought to become a law as speedily as possible.

Mr. BISBEE. Mr. Speaker, I had not read this bill until it was brought up this morning for consideration and discussion. I am not prepared to make an argument upon it, and I should be very glad to yield the floor now to some member of the committee who is opposed to the bill.

I believe it is substantially the same bill that passed the House of the Forty-sixth Congress, but did not succeed in getting through the Senate. I am opposed to the passage of this bill. I do not think there is any demand for such a law. I know that in a large portion of this Union a great many of the people are opposed to it. They are opposed to the passage of any law that diminishes the jurisdiction of the Federal courts. This is a bill to deprive the United States of its jurisdiction and confer larger jurisdiction on the States. It is not unlike other bills that constantly creep into Congress and are discussed in this House. There are from certain quarters always coming objections to the exercise of power on the part of the Federal Government, I think without any foundation. It arises either from undue prejudice against or undue jealousy of the authority exercised under the laws of the United States.

This is a bill to strip the Federal Government of power and confer more upon the States of this Union. Now, there has been but one substantial reason given in all of this debate for the passage of such a bill, and that is, it is claimed that it will diminish the labor of the circuit courts of the United States. It is proposed first to amend the existing law in this respect: to change the jurisdiction of the circuit courts from $500 to $2,000. Under existing law where jurisdiction depends upon the amount in controversy it applies only to claims of the value of or of property of the value of $500. This bill proposes to increase that sum and make it $2,000; and it is also gravely urged here that that amendment of the existing law will diminish the number of cases that will go to the Supreme Court of the United States; for it is claimed here that not only will this bill, if it becomes a law, diminish the number of cases in the circuit courts, but also in the Supreme Court of the United States.

Now, Mr. Speaker, it is well known to every lawyer that the jurisdiction of the circuit courts of the United States in all cases involving property in value not amounting to over $5,000 is final under the present law. No case under existing law where the amount of property involved does not exceed $5,000 can go to the Supreme Court of the United States on appeal from the circuit courts, unless it involves a constitutional question or a right under a Federal statute. Therefore this bill would not tend at all, not in the most remote degree, to diminish the number of cases in the Supreme Court of the United States. I say that the reason assigned, that it will diminish the labor of the circuit courts, therefore, is the only substantial reason given for the passage of the bill; and yet another bill now pending in Congress that has already passed the Senate, and known as the bill to establish a court of appeals, proposes to remove that evil by authorizing each of the several circuit judges to hold a circuit court. That is to say, that three courts, if so many judges are present, will be held at the same time; and in this manner, I have no doubt, under the operation of that bill, if it becomes a law, as I think it ought, there would be no trouble in the way of the Federal courts disposing of all of the cases that come before them.

It is said that it is a great hardship on the defendant to sue him in a Federal court and take him from his home and require him to make his defense possibly outside of his own county or district. It is even said here by gentlemen upon this floor that suits are sometimes brought in this manner involving only $15. Now, as all know, if the plaintiff recovers less than $500 in a circuit court of the United States he is compelled to pay all the costs of the case, not only the plaintiff's but the costs of the defense as well.

Mr. ATHERTON. Where does the gentleman find that provision of the law "in all cases?"

Mr. BISBEE. I say in all cases of jurisdiction between citizens of different States if the plaintiff recovers less than $500 (he may lay his claim to more than that for the purpose of getting jurisdiction), but if he recovers less than $500 he is compelled to pay the costs of the suit both of the plaintiff and the defendant.

But there is another side to this question. This bill is in the interest of debtors. It is to enable debtors to evade as long as possible the payment of their obligations.

Mr. ATHERTON. Let me ask the gentleman again if he can turn to the provision of the law by which he claims that costs are to be paid by the party winning the suit in case the amount involved is less than $500?

Mr. BISBEE. I can not now do so. But I will say to the gentleman that I have practiced in the Federal courts for nearly eighteen years, and I know it has been the constant practice in the application of the law in the courts where I have had business to do so.

Now, Mr. Speaker, how about the hardship on the other side? If a defendant is sued now in a State court, and he is defeated in the county court, he can take it to the next higher court in the State, and if defeated there he can take it to the supreme court of the State, or the court of last resort. No matter how frivolous his defense may be, on one pretense or another he can annoy, perplex, and vex his creditor while the case is going from the court of original jurisdiction to the highest court in the State; and that is one reason, I suppose, why they want to enlarge the jurisdiction of the State courts and deprive non-resident creditors of the right to sue unless the claim amounts to $2,000 or over.

But again, when he has gone to the supreme court of the State the judgment of the lower court may be reversed on some technical ground or error in pleading, and he has an opportunity to go through the same course again. Whereas under existing law, if a non-resident brings a suit in a Federal court and the amount does not exceed $5,000 there is an end of it. That decision is final, the case is at rest, and neither party is subject to the expense or delay of litigating the case further.

I believe that the great majority of litigants prefer the jurisdiction to remain where it is. The Federal court's judgment is final in every case when the amount involved does not exceed $5,000. I repeat that I believe that the great majority of litigants in this country prefer that the law should remain as it is.

Now, gentlemen point out individual cases of hardship. But was ever any law passed in the world, as a general rule, that did not operate injuriously in some particular case? Gentlemen prove nothing by simply referring to individual cases in their experience or observation where the law has operated harshly or injuriously. Laws are made to operate generally for the greatest good of the greatest number; and it is impossible to frame a law that will relieve from hardship in all individual cases. And I want to say here I am opposed to this law for a further reason: That this whole subject was gone over but a few years ago and was examined by able committees of the Senate and the House, the result being the passage of the law of 1875. Those laws have been construed. The people and litigants know what their rights are under those statutes. They have become settled; and I am opposed now to this eternal and everlasting tinkering of the jurisdiction of the Federal courts, especially when you undertake to take away from them any jurisdiction they now possess.

The next amendment proposed to existing law is to prevent jurisdiction in the Federal courts under colorable assignments of promissory notes and bills of exchange. Up to 1875 no assignee or indorsee of negotiable paper could maintain a suit in the Federal court unless his indorser or assignor could. In 1875 the law was changed and this restriction removed. The only objection to the law now is that it results in enlarging the jurisdiction of the Federal court. Gentlemen say that fraudulent transfers are made. That may be true in some cases. You can pass no law under which fraud can not be committed. But even this amendment, Mr. Speaker, would not remedy the supposed evil, if it is an evil, which I do not admit. Even if this amendment becomes a law all the creditor needs to do is to have his paper made payable to bearer or to A. B. or bearer; and then the suit is maintainable in the Federal court. Even under the law of 1789 suit could always be brought in the name of any one where it was on negotiable paper made payable to bearer, or A. B. or bearer; and the creditor can always obtain the evidence of his claim in such form as suits him. So that amounts to nothing.

Mr. MOULTON. May I ask the gentleman a question?

Mr. BISBEE. Certainly.

Mr. MOULTON. Does the gentleman assert the proposition that where a note is made payable to A. B. or bearer anybody holding it could sue on it in his own name?

Mr. BISBEE. Yes, sir.

Mr. MOULTON. That is not the common law. Whether he could or not depends on the laws of the different States.

Mr. BISBEE. I say this: Where a promissory note is payable to John Smith or bearer, suit may be brought in the Federal court in the name of any person alleging he is the holder of that note.

The third amendment proposed is to limit the right of removal to the defendant in a suit. We are asked to pass that provision in this bill for the sole reason that if a plaintiff selects a State court to try his case he ought to be bound by that selection.

Now that is more plausible and fanciful than real. I concede that if the plaintiff voluntarily, uninfluenced by surrounding circumstances, brought a suit in the State court, there might be some reason to hold him there and deprive him of the right to remove it to the Federal court. But frequently he is compelled in the first instance to bring a suit in the State court or lose his rights. It may be found that in a few days the statute of limitations will run. He is compelled to bring his suit in the State court and get service on his debtor as soon as he can. He may not have time to apply to the Federal court. He may be one hundred or two hundred miles from the Federal court, and before he could reach it, sue out process, and obtain service the statute of limitations

would have run and he has lost his claim—I have known of such instances as that—and the plaintiff brings his suit in the State court and afterward removes it, if he chooses, to the Federal court.

Then again it may be necessary for the plaintiff or non-resident creditor in such cases as I have mentioned to sue out a writ of attachment, for that in his knowledge he has reason to believe before he could go to the circuit court and get his remedy there the defendant would have parted with his property and subjected him to further delay and litigation. I say that reason, then, is rather fanciful than real. I believe that this bill does provide that the plaintiff may always remove his case on an affidavit of local prejudice.

The theory of this Government is, and the theory of the provision of the Constitution that confers jurisdiction in suits between citizens of different States is, that the defendant, a citizen of the State where suit is brought, by reason of his acquaintance in the locality where he lives, would have undue influence either over the court or the jury, and the plaintiff would not be able to obtain a fair trial, and for that reason this jurisdiction extends to the non-resident claimant or creditor to sue. It is no hardsdip upon the defendant—it is merely technical—to have the case removed any more than it would have been if the suit had been brought to the Federal court originally. Indeed, in many cases, the defendant is saved expense by it. If he is sued in the State court he must generally be sued in the county where he resides. It might not cost a dollar to get service on him, whereas if he were sued originally in the Federal court, residing one hundred or one hundred and fifty miles from it, the costs of the marshal might run up to $50 or $100, or even a greater sum of money.

The next amendment proposed is this: It is proposed to prohibit jurisdiction in a circuit court in suits between the citizens of a State and the corporation of another State doing business in the former State. In other words, a corporation organized under the laws of South Carolina is doing business in the State of Georgia, and this bill proposes that neither the corporation nor the citizen of the State of Georgia can maintain a suit in the Federal court of Georgia.

I think it is but reasonable to maintain the contrary theory. If the State of Georgia allows a corporation of South Carolina to do business in that State—whether it allows it or not—the citizen of Georgia ought to have the right to sue that corporation wherever he can and whenever he pleases.

This bill contemplates doing something that in my judgment we have not the right to do. The Constitution gives to the Federal courts jurisdiction in cases between citizens of different States. And under existing law, and even under this bill, you can not deprive the corporation of South Carolina of the right to remove the case to the Federal court, where it is sued in the State of Georgia by a citizen of Georgia. You say that the corporation shall not be sued in the first instance in the Federal court; you let the citizen of Georgia sue the South Carolina corporation in the State court. Yet under the very terms of this bill that corporation may remove the case to a Federal court, if I understand the bill correctly.

But I am taking up more time than I had intended. I wanted some gentleman on the Judiciary Committee, which reported this bill, who was opposed to it to let the House understand his objections to it; but no member of that committee seems disposed to speak in opposition to it.

One other thing is proposed by the bill: the repeal of section 640 of the Revised Statutes, the absolute repeal of that section. What is that section? It is one which gives the defendant the right to remove his cause from a State to a Federal court in all cases where he rests his defense upon any provision of the Constitution of the United States or of any treaty or law of the United States. And we are gravely asked to repeal that section of the Revised Statutes.

Now, why should it be repealed? Is it to enable the defendant to postpone the judgment day? You sue him in the State court and he goes through all those courts to the highest court of the State, and then he can by appeal or writ of error take his case to the Supreme Court of the United States. Under the twenty-fifth section of the judiciary act you can not deprive him of that right of appeal from the highest court of the State to the Supreme Court of the United States.

Yet you now propose to ask us to repeal the law by which he can remove his case from the State to the Federal court, where he claims a right under the Constitution, treaty, or laws of the United States. That will merely result in postponing the litigation in the State court, continuing it through all the courts of the State to the highest appellate State tribunal, and then by writ of error to the Supreme Court of the United States. There is no reason for that; you will accomplish nothing by it except to multiply the evils of litigation.

There is one other thing which I notice in this bill. I will read a portion of section 1, commencing with line 30:

> And no civil suit shall be brought before either of said courts against any person by any original process or proceeding in any other district than that whereof he is an inhabitant, or in which he shall be found at the time of serving such process or commencing such proceedings, except as hereinafter provided.

That is a repeal or modification of the existing law. Under the present law, in a suit to enforce a lien on real estate, you may bring in a non-resident defendant by serving a rule of court upon him, or, if he can not be found, by advertising in the newspapers. That law was passed because it was found in actual practice to be a necessity. It was deliberately considered and matured, was enacted into a law, and I know of no cause of complaint against it.

It was a necessity, and is still a necessity in many cases of mortgage or other lien on real estate, to enable the Federal court to bring in a non-resident defendant by serving the rule upon him or by advertisement in the newspapers, according to the law or rule of the court.

Mr. MOULTON. That is only in the case of a process *in rem*.

Mr. BISBEE. It is not strictly the case of a suit *in rem;* not at all. It is any case where service has been made upon one or more defendants, and there are other parties in interest on whom service can not be made in the ordinary course of proceeding. That was the necessity for the statute providing that he might be brought into the case by advertisement.

Mr. CULBERSON. I now call the previous question on the bill and amendment reported from the committee. I will state that if the House shall order the previous question, I will yield the hour remaining for debate to any gentleman who may desire.

Mr. BISBEE. Is it in order now to move an amendment to the bill?

TARIFF.

Mr. KELLEY. I ask consent at this time to report a bill from the Committee on Ways and Means and have it referred to the Committee of the Whole on the state of the Union.

The SPEAKER. That can be done if there is no objection.

There was no objection, and leave was granted accordingly.

Mr. KELLEY, from the Committee on Ways and Means, reported a bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes; which was read a first and second time, referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

A MEMBER. How many copies will be printed?

Mr. KELLEY. As many persons will want to see the bill, I will ask that double the ordinary number of copies of the bill and report be printed.

Mr. ROBINSON, of Massachusetts. Allow me to suggest to the gentleman from Pennsylvania that unless some resolution or order is adopted providing for the equal distribution of these copies, many members of the House may not be well served with them, even though double or treble the usual number be printed. I suggest that a resolution be drawn up to provide for that distribution.

The SPEAKER. That can be done pending the printing of the bill and report.

Mr. KELLEY. I ask unanimous consent for the adoption of a short resolution which I send up in obedience to the instructions of the majority of the committee.

Mr. TOWNSHEND, of Illinois. Let the resolution be read subject to objection.

The resolution was read, as follows:

Resolved, That in view of the prolonged discussion of the tariff at the first session of this Congress, of the brief period remaining of the present session, and of the public anxiety touching the probable action of Congress on the subject, which is deranging the ordinary course of trade, general debate upon the pending bill (H. R. 7313) reported from the Committee on Ways and Means be limited to one day, to be equally divided between the friends and opponents of the bill, and that the House proceed to its consideration on Tuesday, the 23d day of January, after the morning hour, and from day to day until completed.

The SPEAKER. Is there objection?

Mr. TUCKER. Mr. Speaker, the report which accompanies this bill has not yet been printed, and when printed will be found to be very brief and general in its character, not giving any information as to the principles of the bill or its special details. The committee have called upon the Treasury Department for information which it is very important should be had, not only by members of the committee but by members of the House, in the comparison of the rates imposed by this bill as well as those proposed by the Tariff Commission with the rates of the existing tariff laws. Until this information be obtained the minority of the committee, who wish to reserve the right to present their views in opposition to the bill, will be unable to prepare their views in writing. I am therefore constrained to object to the present consideration of the resolution offered by my honorable friend the chairman of the committee.

Mr. KELLEY. Objection being made, I ask that the resolution may be printed in the RECORD of to-morrow for the information of members.

The SPEAKER. It will be printed.

Mr. TUCKER. I believe that according to the rules of the House I should ask on behalf of the minority of the committee leave to present their views in writing in opposition to the report of the committee.

Mr. KELLEY. The majority of the committee have no objection to that.

The SPEAKER. Unless objection be made leave will be granted to the minority of the committee to submit their views in writing, which, whenever ready, will be ordered to be printed.

There was no objection.

Mr. KELLEY. I desire now to submit a concurrent resolution for the printing of 2,000 copies of the bill and report for the use of the Senate and 4,000 for the use of the House.

Mr. TUCKER. My objection does not apply to that resolution.

The SPEAKER. The Chair so understands.

The Clerk read the resolution, as follows:

Resolved (the Senate concurring), That 6,000 copies of the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, and the accompanying report be printed, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House.

Mr. MOULTON. There should be in that resolution a clause that the copies be equally divided among members.

The SPEAKER. That will follow as a matter of course.

Mr. RYAN. That is not implied.

Mr. MOULTON. I move to amend by inserting the words "to be equally divided among members."

Mr. ROBINSON, of Massachusetts. When documents are ordered for the use of the House it is always understood that they are to be equally divided; there is no question about that.

The SPEAKER. The practice has been to divide equally all matter ordered to be printed by the two Houses; that practice, it is to be presumed, would be followed in this case. That, however, as the Chair is informed, applies only to bills printed under the rule.

Mr. MOULTON. I withdraw my amendment.

There being no objection, the resolution of Mr. KELLEY was considered and adopted.

REMOVAL OF CAUSES FROM STATE COURTS.

The House resumed the consideration of the bill (H. R. 3123) to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the circuit courts of the United States and to regulate the removal of causes from State courts, and for other purposes, approved March 3, 1875.

Mr. CULBERSON. I have called the previous question on the bill and amendment.

The SPEAKER. The Chair will say to the gentleman from Florida [Mr. BISBEE] that the gentleman from Texas, who controls the bill, has called the previous question, which will operate to prevent the gentleman from Florida offering an amendment, unless the gentleman from Texas should give way for that purpose. The Chair desires to state to the gentleman from Texas that if the previous question be ordered it will not follow that an hour's time for closing the debate will be allowed to the gentleman in charge of the bill.

Mr. CULBERSON. I understand that no further discussion upon the bill is desired, and if the previous question be ordered I shall ask for a vote.

Mr. TOWNSHEND, of Illinois. The gentleman will permit me to say a word. I had intended to address the House upon this bill, but desiring to hasten the disposition of the measure I will simply ask leave to print.

There being no objection, leave was granted. [See Appendix.]

Mr. ROBINSON, of Massachusetts. Does the Chair hold that there can be no debate after the previous question is ordered?

The SPEAKER. The Chair simply indicated to the gentleman from Texas [Mr. CULBERSON] that if the previous question should be ordered he would not be entitled to another hour. Clause 3 of Rule XIV regulates this matter. If this debate had run beyond to-day the gentleman from Texas would have been entitled to an hour after the ordering of the previous question.

Mr. ROBINSON, of Massachusetts. I would like to occupy one or two minutes. Perhaps the gentleman from Texas will withhold his demand for the previous question to allow me that time.

Mr. CULBERSON. I will.

Mr. ROBINSON, of Massachusetts. I am not in favor of the passage of this bill, but I do not propose to occupy time in stating the grounds of my opposition. It seems to me the statutes as they stand at present, in view of the experience we have had since the passage of the original judiciary act, ought to be satisfactory to the country, and I believe they are so in the main. There is no demand for such legislation. I do think, however, the amendment which has been suggested striking out certain words should be voted down. I believe the House will do that. And that is all I propose to say on the bill at the present time.

Mr. CULBERSON. I demand the previous question.

The previous question was ordered.

Mr. BISBEE. I move to recommit the bill to the Judiciary Committee.

The SPEAKER. That motion is not now in order. The question first recurs on the amendment of the committee.

The Clerk read as follows:

Page 7, lines 142 and 143, strike out the following words: "Created or organized by or under the laws of any State."

Mr. CULBERSON. I am authorized by a sufficient number of the members of the Judiciary Committee to state to the House they would be willing to see that amendment rejected.

The amendment was rejected.

The question recurred on the engrossment and third reading of the bill.

The House divided; and there were—ayes 82, noes 28.

So the bill was ordered to be engrossed and read a third time.

The bill being engrossed, it was accordingly read the third time.

Mr. CULBERSON. I demand the previous question on the passage of the bill.

The previous question was ordered.

Mr. BISBEE. I move that the bill be recommitted.

The motion was disagreed to.

The question recurred on the passage of the bill.

Mr. BISBEE. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 134, nays 67, not voting 90; as follows:

YEAS—134.

Aiken,	Cravens,	Humphrey,	Rosecrans,
Anderson,	Culberson,	Jones, George W.	Ryan,
Armfield,	Curtin,	Jones, James K.	Scoville,
Atherton,	Cutts,	King,	Sherwin,
Atkins,	Davidson,	Klotz,	Shultz,
Barbour,	Davis, Lowndes H.	Lacey,	Simonton,
Beach,	Dawes,	Latham,	Singleton, Jas. W.
Belford,	Dibrell,	Le Fevre,	Singleton, Otho R.
Belmont,	Dowd,	Lewis,	Smith, Dietrich C.
Berry,	Dunn,	Lord,	Sparks,
Blackburn,	Ellis,	Manning,	Springer,
Blanchard,	Evins,	Marsh,	Stockslager,
Bland,	Farwell, Sewell S.	Matson,	Taylor, Ezra B.
Blount,	Flower,	McClure,	Thompson, P. B.
Bragg,	Ford,	McMillin,	Townshend, R. W.
Briggs,	Forney,	Mills,	Tucker,
Brumm,	Fulkerson,	Money,	Turner, Henry G.
Buchanan,	Gibson,	Morrison,	Updegraff,
Buckner,	Guenther,	Moulton,	Upson,
Burrows, Jos. H.	Gunter,	Muldrow,	Vance,
Butterworth,	Hammond, N. J.	Neal,	Van Horn,
Cabell,	Hardenbergh,	Nolan,	Warner,
Camp,	Hardy,	Norcross,	Webber,
Cassidy,	Haseltine,	Oates,	Wellborn,
Chapman,	Haskell,	Page,	Wheeler,
Clardy,	Hatch,	Payson,	White,
Clark,	Herbert,	Phelps,	Whitthorne
Clements,	Hewitt, G. W.	Phister,	Williams, Chas. G.
Cobb,	Hill,	Reagan,	Willis,
Converse,	Hitt,	Rice, John B.	Willits,
Cook,	Hoblitzell,	Rice, Theron M.	Wise, Morgan R.
Covington,	Hoge,	Rich,	Wood, Walter A.
Cox, Samuel S.	Holman,	Ritchie,	
Cox, William R.	House,	Robinson, Jas. S.	

NAYS—67.

Aldrich,	Fisher,	Moore,	Smalls,
Barr,	Godshalk,	Morey,	Smith, A. Herr
Bayne,	Grout,	O'Neill,	Spaulding,
Bisbee,	Harmer,	Parker,	Spooner,
Bowman,	Heilman,	Peelle,	Steele,
Brewer,	Hepburn,	Peirce,	Stone,
Browne,	Hiscock,	Pound,	Taylor, Jos. D.
Burrows, Julius C.	Horr,	Prescott,	Thomas,
Calkins,	Hubbs,	Ranney,	Thompson, Wm. G.
Campbell,	Jacobs,	Ray,	Tyler,
Carpenter,	Joyce,	Reed,	Valentine,
Chace,	Ketcham,	Rice, Wm. W.	Van Aernam,
Cullen,	Lynch,	Robeson,	Wadsworth,
Deering,	McCook,	Robinson, Geo. D.	Wait,
Dingley,	McLean, Jas. H.	Russell,	Walker,
Dwight,	Miles,	Shallenberger,	West.
Errett,	Miller,	Skinner,	

NOT VOTING—90.

Beltzhoover,	Frost,	Ladd,	Ross,
Bingham,	Garrison,	Leedom,	Scales,
Black,	Geddes,	Lindsey,	Scranton,
Bliss,	George,	Mackey,	Shackelford,
Buck,	Hall,	Martin,	Shelley,
Caldwell,	Hammond, John	Mason,	Smith, J. Hyatt
Candler,	Harris, Benj. W.	McCoid,	Speer,
Cannon,	Harris, Henry S.	McKenzie,	Strait,
Carlisle,	Hazelton,	McKinley,	Talbott,
Caswell,	Henderson,	McLane, Robt. M.	Townsend, Amos
Colerick,	Herndon,	Morse,	Turner, Oscar
Cornell,	Hewitt, Abram S.	Mosgrove,	Urner,
Crapo,	Hooker,	Murch,	Van Voorhis,
Crowley,	Houk,	Mutchler,	Ward,
Darrall,	Hubbell,	Pacheco,	Washburn,
Davis, George R.	Hutchins,	Paul,	Watson,
De Motte,	Jadwin,	Pettibone,	Williams, Thomas
Deuster,	Jones, Phineas	Randall,	Wilson,
Dezendorf,	Jorgensen,	Reese,	Wise, George D.
Dugro,	Kasson,	Richardson, D. P.	Wood, Benjamin
Dunnell,	Kelley,	Richardson, J. S.	Young.
Ermentrout,	Kenna,	Robertson,	
Farwell, Chas. B.	Knott,	Robinson, Wm. E.	

So the bill was passed.

The following pairs were announced from the Clerk's desk:

Mr. CORNELL with Mr. BLACK.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. URNER with Mr. MCLANE of Maryland.

Mr. MASON with Mr. KENNA.

Mr. DARRALL with Mr. TALBOTT.

Mr. HOUK with Mr. ROSS.

Mr. SMITH, of New York, with Mr. HUTCHINS.

Mr. HAMMOND, of New York, with Mr. HEWITT, of New York.

Mr. STRAIT with Mr. ROBINSON of New York.

Mr. ALDRICH with Mr. SCALES.

Mr. FARWELL, of Illinois, with Mr. SHACKELFORD.

Mr. JONES, of New Jersey, with Mr. DUGRO.

Mr. MARTIN with Mr. CAMP.

Mr. YOUNG with Mr. RANDALL.

Mr. DEZENDORF with Mr. GARRISON.
Mr. HAZELTON with Mr. KNOTT.
Mr. JADWIN with Mr. WISE of Virginia.
Mr. BUCK with Mr. ERMENTROUT.
Mr. HENDERSON with Mr. WILLIAMS of Alabama.
Mr. CANDLER with Mr. RICHARDSON of South Carolina.
Mr. SKINNER with Mr. LATHAM.
Mr. DAVIS, of Illinois, with Mr. CALDWELL.
Mr. WASHBURN with Mr. ROBERTSON.
Mr. RICHARDSON, of New York, with Mr. DEUSTER.
Mr. CANNON with Mr. HARRIS of Massachusetts.

Mr. COOK. My colleague, Mr. REESE, is detained at his room by indisposition.

The vote was then announced as above recorded.

Mr. CULBERSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE TO PRINT.

Mr. WHEELER. I ask unanimous consent to offer certain remarks with reference to the bill which has just been passed.

There was no objection. [See Appendix.]

NAVAL APPROPRIATION BILL.

Mr. ROBESON, from the Committee on Appropriations, reported a bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. MCMILLIN. All points of order are reserved upon that bill.

Mr. ROBESON. I desire to give notice that, nothing of greater importance intervening, I shall move to take up that bill for consideration on Thursday morning.

CHANGE OF REFERENCE.

Mr. RYAN. I am instructed by the Committee on Appropriations to report back the following papers and ask that they be referred to the Committee on Indian Affairs.

The SPEAKER. This being a petition, will be referred through the box.

COMPETITIVE DRILL, NASHVILLE, TENNESSEE.

Mr. HOUSE. I ask unanimous consent to put the following joint resolution upon its passage. I think there will be no objection to it.

The SPEAKER. The joint resolution will be read.

The Clerk read as follows:

Joint resolution (H. Res. 320) authorizing the Secretary of War to loan to the directors of the competitive drill at Nashville, Tennessee, one hundred tents.

Be it resolved &c., That the Secretary of War be, and he is hereby, authorized to loan to the directors of Nashville competitive drill, consisting of James C. Warner (president), W. M. Duncan, G. M. Fogg, H. B. Buckner, J. W. Childress, and James M. Martin, one hundred tents, to be used for encampment purposes during the month of May, 1883: *Provided*, That security satisfactory to the Secretary of War shall be given that said tents shall be returned in good condition immediately after their use as aforesaid.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The joint resolution was read a first and second time, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HOUSE moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILL SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:

A bill (S. 1340) for the relief of the heirs at law of William R. Downing, deceased.

ORDER OF BUSINESS.

Mr. BOWMAN. I move that the House resolve itself into Committee of the Whole House on the state of the Union.

Mr. PAGE. For what purpose?

Mr. BOWMAN. For the consideration of the Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. RYAN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union. The Clerk will report the first bill on the Calendar.

CLAIM OF THE STATE OF MASSACHUSETTS.

The first business on the Calendar of the Committee of the Whole on the state of the Union was the bill (H. R. 686) to reimburse the State of Massachusetts for certain expenditures for coast defense.

The bill was read, as follows:

Be it enacted, &c., That there shall be allowed and paid to the State of Massachusetts, out of any moneys in the Treasury not otherwise appropriated, the sum of $230,100.06, being the sum of money expended by said State for coast defense, which was found to be justly due and owing to said State by the commissioners appointed in that behalf by resolution of Congress approved July 26, 1866, and reported by said commissioners to Congress as being justly due to said State.

Mr. THOMPSON, of Kentucky. Let the report be read.

The report is as follows:

The Committee on Claims, to whom was referred the bill (H. R. 686) to reimburse the State of Massachusetts for certain expenditures for coast defense, have considered the same and make the following report:

This is a claim by the State of Massachusetts to be repaid certain moneys expended by it, at the request and under the direction of the General Government, for coast defenses during the late war, and under at least an implied agreement, which was express, so far as it could be made such by the then officers of the Government, that all such moneys should be repaid to the State.

The facts in this case are as follows:

During the late war it was the desire and persistent purpose of those who were then opposed to the Federal Government to involve it in controversies with foreign powers, and to induce armed foreign intervention in our affairs.

This was, during the first years of the war, not only possible, but probable. It was, therefore, regarded by the General Government as of great importance that the coast defenses should be strengthened and the seaboard be protected as efficiently as possible against attack by foreign cruisers, and that we should put ourselves in a position of complete defense against a possible foreign foe.

It was the sole duty and province of the Federal Government to provide for this defense by building and strengthening fortifications and providing them with the requisite armament, and under ordinary circumstances it would have promptly done this work. At that time, however, every nerve and sinew was fully and entirely engaged in meeting a present enemy, and in creating, equipping, and supplying an immense army and navy for immediate use, and Congress had at the time of the writing of the following letter adjourned without providing as amply as could be wished for coast defenses, and perhaps without then appreciating the immediate necessity therefor.

Under the circumstances President Lincoln directed Mr. Secretary Seward to send to Governor Andrew, of Massachusetts, the following letter:

DEPARTMENT OF STATE, *Washington, October* 14, 1861.

SIR: The present insurrection had not even revealed itself in arms when disloyal citizens hastened to foreign countries to invoke their intervention for the overthrow of the Government and the destruction of the Federal Union. These agents are known to have made their appeals to some of the more important states without success. It is not likely, however, that they will remain content with such refusals. Indeed it is understood that they are industriously endeavoring to accomplish their disloyal purpose by degrees and indirection. Taking advantage of the embarrassment of agriculture, manufacture, and commerce in foreign countries resulting from the insurrection they have inaugurated at home, they seek to involve our common country in controversies with states with which every public interest and every interest of mankind require that it shall remain in relations of peace, amity, and friendship.

I am able to state for your satisfaction that the prospect of any such disturbance is now less serious than it has been at any previous period during the course of the insurrection. It is, nevertheless, necessary now, as it has hitherto been, to take every precaution that is possible to avert the evils of foreign war, to be superinduced upon those of civil commotion which we are endeavoring to cure. One of the most obvious of such precautions is that our ports and harbors on the seas and lakes should be in a condition of complete defense; for any nation may be said to voluntarily incur danger in tempestuous seasons when it fails to show that it has sheltered itself on every side from which the storm might possibly come.

The measures which the Executive can adopt in the emergency are such only as Congress has sanctioned and for which it has provided.

The President is putting forth the most diligent efforts to execute these measures, and we have the great satisfaction of seeing that these efforts, seconded by the favor, aid, and support of a loyal, patriotic, and self-sacrificing people, are rapidly bringing the military and naval forces of the United States into the highest state of efficiency.

But Congress was chiefly absorbed, during its recent extra session, with those measures, and did not provide as amply as could be wished for the fortification of our sea and lake coasts. In previous wars local States have applied themselves, by independent and separate activity, to support and aid the Federal Government in its arduous responsibilities. The same disposition has been manifested in a degre eminently honorable by all the loyal States during the present insurrection. *In view of this fact, and relying upon the increase and continuance of the same disposition on the part of the loyal States, the President has directed me to invite your consideration to the subject of the importance of perfecting the defenses of the State over which you preside, and to ask you to submit the subject to the consideration of the Legislature when it shall have assembled. Such proceedings by the State would require only a temporary use of its means. The expenditures ought to be made the subject of conference with the Federal Government. Being thus made with the concurrence of the Government for general defense, there is every reason to believe that Congress would sanction what the State should do, and would provide for its reimbursement.* Should these suggestions be accepted, the President will direct proper agents of the Federal Government to confer with you, and to superintend, direct, and conduct the prosecution of the system of defense of your State.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

His Excellency JOHN A. ANDREW,
Governor of the State of Massachusetts.

It will be seen by the italicized parts of this letter that the Federal Government made as express a contract as it could then by its officers make to repay the State any moneys which it should advance for the specified purposes. It appealed for help and promised to pay, especially declaring that "*such proceedings by the State would require only a temporary use of its means. * * * There is every reason to believe that Congress would sanction what the State should do, and would provide for its reimbursement.*" In accordance with the requests and recommendations of this letter, Governor Andrew presented the subject to the Legislature in his annual address of January, 1862, and the Legislature passed a resolve (February 14, 1862) appropriating half a million dollars for the above purposes; and the governor again elaborately presented the subject in his annual address of January, 1863, and the Legislature appropriated (March 30, 1863) $1,000,000 for the general purposes of coast defense.

In pursuance of these acts the governor and other officers of the State thoroughly discussed the proper method of advantageously expending these funds with the President, Secretaries of War and Navy, and the heads of the various bureaus connected with this subject, and the agents of the State acted throughout in the expenditure of the money in conjunction with the executive authorities and the military and naval officers of the United States.

The expenditure of the State was largely for strengthening seacoast fortifications and for ordnance for their armament, and is specifically stated in the report of the commission, as hereinafter referred to, and the net expenditure amounted to the sum of $230,100.06, which sum was then equitably and justly due from the Federal Government to the State.

As to the legislative history of this claim, it has never reached final action in

Congress, and has never received adverse action either of committee or either branch of Congress.

In the Thirty-ninth Congress the Legislature of the State memorialized Congress (Senate Miscellaneous Document 104, 1866) for the payment of this claim, and the Senate Committee on Military Affairs and Militia (Congressional Globe, 3071) reported in favor of the claim, and after giving a full history of it, said:

"All the expenditures as set forth in the memorial were made in the interest, on behalf of, and to the advantage of the whole nation. They were available during the war, are now, and will be hereafter, and they were properly and honorably made and should be promptly reimbursed."

Subsequently, under a joint resolution of the Thirty-ninth Congress, approved July 26, 1866, the President, by and with the advice and consent of the Senate, appointed Isaac A. Verplanck and Daniel L. Collier commissioners to "examine into the claim and audit the accounts of the State of Massachusetts for moneys expended for coast defense during the war, and shall make a full and complete report thereon to Congress at its next session." (Congressional Globe, July 24, 1866, page 4033.)

The commissioners examined the subject fully, both sides being represented at the hearings by eminent counsel, and reached a unanimous conclusion and made a full and complete report thereon to the Fortieth Congress (December 16, 1867, House Miscellaneous Document 22), and reported the amount due to Massachusetts without interest to be $230,100.06.

The commissioners made a recapitulation of the case as follows:

Expenditures were made by the State amounting to	$414,140 28
After a thorough examination of each class and item of expenditure the commissioners deducted unexpended balances, arsenal site, guns and war material sold, amounting to	184,040 22
Leaving as the balance of the claim	230,100 06

It thus becomes an adjudicated claim, settled after due trial and hearing by a tribunal duly constituted and empowered by act of Congress; and it would seem that it only remains for Congress to appropriate the money necessary to carry out the judgment of its own court or tribunal.

The House Committee on Claims of the Forty-first Congress (H. R. 103) reported a resolution in favor of the claim in accordance with the report of the commission, and said, as to these expenditures, that "they were carefully and judiciously made, in conformity to the advice of the Executive of the United States, to prevent foreign invasion and with the expectation on the part of the State authority and the officers of the General Government that they would be repaid by Congress."

The committee are satisfied (1) that these expenditures were made at the request and under the direction of the Federal Government; (2) that they were reasonable and such as were necessary in the judgment of all the national and State officials cognizant of the matter; (3) that it was the agreement or understanding between the national and State governments that all such expenditures should be repaid to the latter; (4) that the amount found due by the commission is justly and properly due, and (5) the claim is now in the nature of an adjudicated claim established by a duly constituted tribunal.

The committee therefore recommend the payment of this claim to the State of Massachusetts, and for that purpose report back the accompanying bill with the recommendation that the same do pass.

Mr. BOWMAN. Mr. Chairman, perhaps it is only necessary for me to state in reference to this bill that it is to provide for the appropriation of a sum of money ascertained to be due the State of Massachusetts by a judgment of a tribunal established by Congress to audit and decide upon this claim. It is the unanimous report of the Committee on Claims that is now presented, and the decision of the court which made the adjudication of this case was also unanimously rendered.

This bill is simply for the purpose of making the appropriation under that adjudication precisely as we would make an appropriation for the payment of a judgment of the Court of Claims, and therefore, unless objection is made or questions are asked which will require a fuller explanation, I shall propose in a very few moments to give only the briefest abstract of the case.

Mr. THOMPSON, of Kentucky. Let me ask the gentleman from Massachusetts a question with his permission, whether or not this has been ever adversely reported to Congress?

Mr. BOWMAN. It has not been adversely reported on, and this is the third Congress in which the report has been in substance favorable. It passed the Senate through one stage at the first Congress to which it was presented, and then, from abundant caution, the Senate in substance said, "Although we think this is a true and correct bill, let us nevertheless, from abundant caution, send it to a court of commissioners to be appointed under an act of Congress by the President."

That court was accordingly appointed. Eminent counsel appeared on both sides, the United States being represented by the Attorney-General, and a full hearing was had. The court reported that this sum, as specified in the bill, was due; that report was sent to Congress, and the United States, by the Attorney-General and by its authorities, has always admitted that that sum was due, as established by the court in that long trial.

Perhaps I need only say this in further explanation, that during the war, when there were threats of an intervention by England, President Lincoln and Secretary Seward wrote to the State of Massachusetts that Congress had adjourned, that no money could be obtained, that there was danger of foreign intervention, and our seacoast was unprotected, and said to the State, "If you will raise money, and, under the instructions of the Government officers and of the War Department, and under their superintendence, make some necessary repairs of the coast fortifications, we have no doubt that the Government will repay you." Here is the exact language of the official letter written by Secretary Seward under the instructions of the President:

Such proceedings by the State would require only a temporary use of its means.

This is the language.

There is every reason to believe that Congress would sanction what the State should do, and would provide for its reimbursement.

Massachusetts appropriated the money and the officers of the War Department took charge of the work, and the work was done under the oversight of officers of the United States and of the War Department, using Massachusetts money for that purpose.

The court or board of commissioners then went through the whole case, examined all the vouchers and said that this amount of money was due to the State of Massachusetts. And the State here only asks for the payment of the principal amount of the sum which it expended in 1862, $230,000, and does not ask for one single cent of interest during those twenty years. The bill appropriates merely money enough to pay the principal sum and throws off all interest and all pay and other expenditures for services by officers of the State.

Mr. BRAGG. We have provided for this House certain rules. Those rules provide for the classification of business to be referred to the appropriate committees for the consideration of each class of business. We are bound to presume the Speaker of the House in appointing members to fill positions on these committees makes the appointments with a view to the fitness and capacity of the persons appointed for the business peculiarly designated and given in charge to the proper committee.

Now, I regret to say there has been from time to time an opportunity given, by mere oversight, to steal away bills from the committee that ought to have them under consideration and to carry them to other committees which, under the rules, have no right to consider them. I do not say here it is because a man can be found on a particular committee that will favor a bill that does not properly go to that committee. But it frequently occurs that gentlemen having a pet measure in charge and being upon a committee take it upon themselves to consider that bill instead of sending it to the committee where, under the rules of the House, it ought to go.

This claim is a claim of the State of Massachusetts for money expended by her during the war for fortifications and the strengthening of defenses against the enemy. Is not that a claim arising out of the war? It seems to me most certainly it is. The rules provide:

Claims arising from any war in which the United States has been engaged—

Shall go—

to the Committee on War Claims.

If Massachusetts gets frightened at the complexion of the Committee on War Claims, has this for the time being ceased to be a war claim?

Mr. ROBINSON, of Massachusetts. Will the gentleman from Wisconsin allow me to make a suggestion?

Mr. BRAGG. Certainly.

Mr. ROBINSON, of Massachusetts. It may perhaps relieve him a little from his difficulty for me to suggest that when a claim has been audited and passed upon by commissioners appointed by Congress and they have found a certain amount to be due, it then ceases to be what is technically a war claim and becomes a claim against the Government.

Mr. BRAGG. I will answer the gentleman by saying that this identical bill was, in the Forty-sixth Congress, presented by the same member of Congress who presents this bill; and notwithstanding the claim that this had been audited, he respected the rules of this House and had the bill referred to the Committee on War Claims. If he has received any new light since then that light ought to be made to shine.

This is a claim arising out of the war. There is no adjudication which is in the nature of a final settlement of this claim by any commission or by any person or body. It is a war claim unadjusted. If it were an adjudicated claim it would go to the Appropriations Committee for money to pay it. It is not an adjudicated claim; and that is but a thin, gauzy covering put over the war claim of the patriotic State of Massachusetts. They sent it to Congress away back. How long ago? Was it 1863?

A MEMBER. Eighteen hundred and sixty-six.

Mr. BRAGG. They have had this claim pending before Congress ever since then. They have during that time had a majority agreeing with the opposite side of the House—for a considerable portion of that time in excess of two-thirds—and yet when the claim was fresh and before it had ripened by age and become richer and sweeter and better a Republican two-thirds would not pass this claim for the benefit of patriotic Massachusetts. Why? Because, although it is said that this money was expended under the direction of somebody or upon the advice of somebody, a critical analysis of the papers and of the motives which led to the expenditure of this money will prove it to have been an expenditure of money made upon their own motion to protect their own particular local interest. And if this claim be adjusted and allowed what shall be said to New York and to all others of the States upon the seacoast that took measures to protect themselves against any dangers that might arise growing out of the war; yes, and upon the western lakes also? All these States did this thing; they did it of their own volition——

Mr. MORSE. Not so in this case.

Mr. BRAGG. And for their own protection; and the State of Massachusetts had no authority anywhere to expend this money. If they had, a Republican President and Republican Cabinet and a two-thirds Republican majority in both branches of Congress would have adjudicated and paid it at once. It was money laid out without any authority and without any direction save that direction that the fear of injury

to their own interests gave to those people that expended the money in Massachusetts.

Mr. CANDLER. Was it not done in pursuance of authority from Secretary Seward?

Mr. BRAGG. Secretary Seward had no more authority to direct the State of Massachusetts to expend the money than I had.

Mr. MORSE. But did he not give that direction?

Mr. BRAGG. I care not if he did. Suppose you had written a letter to the governor of the State of Wisconsin, asking him to expend money for such a purpose, would that have brought any obligation on Congress to pay it? We all know how these payments are made, and how the money is appropriated to pay them.

Mr. MORSE. Will the gentleman allow me to ask him one question?

Mr. BRAGG. Certainly.

Mr. MORSE. Do you or do you not consider this a fair claim?

Mr. BRAGG. I consider it an unfair case.

Mr. MORSE. How unfair?

Mr. BRAGG. I consider it an imposition upon this Congress for the patriotic State of Massachusetts to come here and ask us to reimburse her for the money which she expended in her own local defense. If the people of Massachusetts got so badly frightened at that time that they thought the rebels were going to enter their harbors to invade that State and sweep over it, and expended this money in order to defend themselves against such invasion, then all right. But I do not think they have one color or shadow of right to come here to Congress and ask us to reimburse them for money so expended.

But to return. I said that it was a war claim. It has so been considered; it has so been in the hands of the War Claims Committee until this Congress, when it found its way to the Committee on Claims, of which the gentleman who introduced this bill happens to be a member.

Now, in reference to this bill, and in order that it may go to the committee designated by the rules of the House for the examination of this kind of claims, I move that the committee now rise and report this bill to the House with the recommendation that it be committed to the Committee on Claims for consideration, where it properly belongs.

Mr. RANNEY. It is rather late to raise that question.

Mr. BRAGG. It can be raised at any time; the only thing is have we the votes.

Mr. HOLMAN. That the members of the Committee of the Whole may see the points really involved in this claim, I wish simply to call attention to one or two facts. The amount I believe recommended by this auditing committee to be paid is some $230,000.

Stress is laid upon the letter of the then Secretary of State of the United States, which was dated October 14, 1861. I must admit that if the expenditure of this money, considering the condition of affairs at that time, the absence of Congress—for Congress had adjourned the preceding August—if the expenditure of this money had been made by Massachusetts on her coast defenses between that time and the time of the next meeting of Congress, then it would seem that this claim would press itself upon us with great force as one entitled to very fair consideration, and as perhaps a fairly equitable claim upon the Government, resting upon the same basis as other transactions in our history, where the authority on the part of the public officer to justify the expenditure did not exist, but where from the nature of the transaction an equitable claim was based upon the unauthorized act of a Federal officer. Or if this money had been expended before Congress had been enabled to act upon the matter, subsequent to its meeting in December, 1861, or if it had been expended even during the session of that Congress, then I would be inclined to hold that the claim would have some equity in it.

All men now know to what extent Congress at that time was pressed by very important public business during a very large portion of the session commencing in December, 1861. And I am rather inclined to believe that if this money had been expended by the State of Massachusetts even before the adjournment of that session of Congress, and before any opportunity had occurred on the part of Massachusetts to present the subject to the consideration of Congress and receive its direction, then perhaps a claim with strong equity would rest against the Government based upon the letter of the Secretary of State.

But let me call the attention of the gentleman from Massachusetts [Mr. BOWMAN] to one fact. While I have not before me the memorial of the State of Massachusetts sent to Congress, I think, in 1865 or 1866, and therefore can not speak with positive certainty as to the dates—while I have not been able in the short time allowed me to lay my hands upon that memorial, yet my recollection is that officers of the State of Massachusetts came to this Capitol during the early part of the session of Congress beginning in December, 1861, not only to confer with members of Congress, but also with the Secretary of War, and perhaps other officers of the Government, touching the defense of that border.

No arrangement was then made, and the Secretary of War protested, as will be shown by that memorial, I think, against the State of Massachusetts going into the open market for the purchase of arms, inasmuch as it tended to embarrass the Federal Government in the purchase of arms to meet the contingency which was then existing.

I think it further appears that none of this money was expended by the State of Massachusetts not only until long after the adjournment of Congress, which met in December, 1861, but until the year 1863. And the first effective legislation which occurred in the State of Massachusetts under which this money was expended occurred after 1862, if my memory is correct. Yet this letter of the Secretary of State, to which reference has been made, bears date October 14, 1861.

Now, certainly Massachusetts can not say that she acted upon the authority of that letter, in the absence of Congress, when the money was not expended by her until after Congress had been in session for over six months and had then adjourned and another session of Congress had begun.

I do not put the case as strongly even as does the report of the committee auditing this claim. Let me read a few passages from it. It will be found in volume 1, Miscellaneous Documents for the year 1867. On the matter of dates it will be found by reference to that document that there is an item under the head of Schedule A amounting to $354,346.11.

The item in schedule A for guns, projectiles, and powder bought of the United States Naval Ordnance Bureau is claimed on the following ground:

> The proof shows that the State of Massachusetts, in the month of August, 1863, purchased at Philadelphia of the United States Naval Ordnance Bureau 6 guns.

Then it goes on recapitulating the other articles, amounting to a given sum. It was in the month of August, 1863, that these purchases were made, nearly two years after the letter of the Secretary of State on which, as stated by the gentleman from Massachusetts, this claim is predicated.

It is further stated that so much of the claim as refers to expenditures by the town of Gloucester was for labor performed in the months of July, August, September, October, and November, 1863.

Again, a portion of these expenditures were as late as the year 1864, as shown by this report. In the first place I make the point that this claim does not rest upon the letter of the Secretary of State to which reference has been made.

Mr. MORSE. Simply because the money was not expended at that time?

Mr. HOLMAN. It does not rest upon it, because the claim must rest entirely upon the ground that in the absence of Congress, in the emergency of the hour, the State of Massachusetts, upon the assurance of the Secretary of State that the Federal Government would refund the money expended, incurred this indebtedness; while in fact, if these statements are correct, if I have not misread them in the haste of discussion, the State did not commence operations until the year 1863.

Mr. RANNEY. She began before that time.

Mr. HOLMAN. Let us see the legislation on that point. What was the very first step in the legislation on the part of Massachusetts? I have here the memorial to which I have referred, the memorial of the State of Massachusetts for the reimbursement of this money. The dates as presented here are more favorable to Massachusetts than my previous statement would show, and I am very glad to be corrected. I read from this memorial:

> Massachusetts could not and did not hesitate an instant in patriotically answering such a request as this.

Referring to the letter of the Secretary of State—

> Governor Andrew promptly presented this communication to the Legislature in his annual address of January, 1862.

Mr. RANNEY. As soon as they met.

Mr. HOLMAN. But Congress met in December, 1861.

Mr. RANNEY. But the Legislature did not.

Mr. HOLMAN. Congress met in December, 1861. It was for Congress, not the Secretary of State, to provide for the national defense. Could Massachusetts rest upon a letter of the Secretary of State touching a matter of public expenditure when Congress was in session?

> The Legislature passed a resolve, approved February 14, 1862, authorizing the governor to contract for the manufacture of suitable ordnance, and appropriating half a million dollars for that purpose.

I now come to the part of these stores that was bought in England. Further on in this report it is stated that "early in the year 1864 the American minister in London, Hon. Charles Francis Adams, introduced to Colonel Ritchie," then the agent of Massachusetts, Mr. Russell, and others with a view to the purchase of arms there. This was in 1864. A part of this bill has reference to the purchase of arms abroad. Quite an important item was as late as 1864. This same report shows—I speak of this confidently—that long before any of these moneys had been expended, but after the writing of this letter of the Secretary of State, the officers of the State of Massachusetts, including, I think, the governor, were right here in this capital trying to make some arrangement with the officers of the Department of War with a view especially to the question of their defense; and inasmuch as it embarrassed the Federal Government to have a State acting on its own responsibility no arrangement was made.

Having said this much upon the first point, I wish to call attention to another fact.

Mr. RANNEY. The gentleman has not stated how soon after the resolution making the appropriation the work was begun.

Mr. HOLMAN. I go further in my references to this report. I am

very sorry that the absence of this document has prevented me from being fully informed heretofore.

Governor Andrew again, in his annual address of 1863, elaborately presented this subject to the Legislature; and the Legislature promptly appropriated one million of dollars for the general purposes of coast defense. This act was approved March 30, 1863. The governor at once sent his military secretary, Colonel Browne, to Washington—

I am glad to have fallen upon this passage, because it corrects a misstatement I have made—

furnished with a letter of introduction to the President, inclosing a copy of the act of March 30, 1863—

The act under which these expenditures were made, if I am correct—

and expressing a desire "that the expenditure of the money thus appropriated may be made with the co-operation of the Federal Government, and in the furtherance of its matured plans for coast defense, and asking the President to suggest a plan; also directing Colonel Browne to see the Secretary of War and obtain his opinion."

This is the passage to which I referred, supposing that the Governor of Massachusetts was embraced in the statement—

In this letter he directs that the subject of fabrication of heavy ordnance be especially considered, in view of the present lack of it and the prospect of its supply for our harbors under the Government contracts.

Colonel Browne fully complied with his orders and thoroughly discussed the proper method of advantageously expending these funds with the President, Secretaries of War and Navy, and the heads of various bureaus connected with this subject.

His report shows the various opinions received. These opinions, when combined and compared, reduced themselves to three objects as desirable for the appropriation of the funds, first, the construction of a floating steam ram; second, the maturing of plans for harbor obstruction; third, the procuring of approved heavy ordnance for our harbors, from whatever source obtainable.

As to the first object, the officers of the Navy Department expressed an earnest hope that the State would not enter into competition with the General Government by undertaking the construction of such a vessel.

There was no conflict of opinion as to the second object.

As to the third object, it was clear that it was not only of paramount importance, but an essential part of both the others. But how this third object should be effected was not so clear. The Ordnance Bureau at Washington expressed its readiness and desire to absorb the whole product of all the founderies in the country capable of casting heavy guns, and declared that any effort of the State to procure guns from these founderies could only increase the cost, by competition, without adding to the number produced.

Mark you, it is in 1864 this agent comes to Washington city. In this emergency, instead of buying arms in the open market of the United States in competition with the War Department here, or manufacturing them in competition with the War Department, or constructing a floating vessel in competition with the War Department, Massachusetts sends off to Europe to make the purchase. In 1864 and after that time, may be in that year, the larger portion of this expenditure occurred. Yet my friend from Massachusetts is predicating this claim against the Federal Government on the letter of the Secretary of State written October 14, 1861.

Mr. Chairman, one word further. That is a very valuable document for it is a fair statement of the whole transaction and shows, whatever Massachusetts did, she did not rely, or have occasion to rely, on the letter of the Secretary of State, because after that, and before any of this money had been expended, Congress had met and sat and deliberated and made provision for the national defense and adjourned. And before any expenditure had occurred it had again adjourned.

And as to the expenditure of Massachusetts, two Departments of the Government, the Navy and the War Department, objected to her independent action as it embarrassed the movements of the Government for the common defense.

How did Massachusetts treat this matter herself?

In December, 1866, the State of Massachusetts received an offer from the Government of Chili for a portion of the guns and material purchased in Europe as aforesaid by Massachusetts for coast defense. The offer was for certain Low-moor and Blakely guns and material, particularly described in the correspondence and documents herewith submitted, and the State accepted said offer and received for said guns and material the sum of $165,876.58. This sum was the full value of the property sold.

Now my second point, Mr. Chairman, is this: Not only in reference to this item of $165,876.58, but in reference to the whole of this property, as I think is shown by this report, Massachusetts treated this transaction as one of her own. Not as the agent of the Federal Government, not as a State acting on the suggestion of the Secretary of State, but as a transaction of her own, and she entered upon it to the embarrassment of the Federal authorities. And she treated the munitions of war she had gathered together as her own property, selling $165,876.58 of them to the Government of Chili.

And yet this same State is here insisting that all through this transaction she was simply acting as the instrument by which the Federal Government was making preparation for the defense of that coast, while at the same time, as shown by the record, the Federal Government was there on the coast of Massachusetts, as everywhere else within her power, providing for the common defense.

Now, sir, when a State of the Union sets up a claim against the Federal Government it is entitled to respectful consideration, but I trust this case will be decided on its actual merits, that it will not be assumed this expenditure was necessarily or properly made under the letter of the Secretary of State, or that it was in co-operation with the Federal Government, or by authority of the Federal Government, or upon the inducement of Congress in any shape or form, or by any legislation, but was absolutely an independent act on the part of Massachusetts. And the property resulting from the expenditure has always been treated as her own property, and to the extent of hundreds of thousands of dollars has been disposed of without consultation with the Federal Government. Under these circumstances I would desire this subject should be more carefully considered than it has been by the Committee on Claims, for the important facts developed in these two papers I have called to the attention of the committee are not developed by the report of the committee. I think the Committee on War Claims was the one which ought to have considered this matter. One word further and I am done. Congress in 1867 appointed a commission to inquire into this claim, an auditing committee, and they have reported the amount expended by the State, the amount of property sold by the State, and the amount of credit which should be applied to the sum expended, showing a balance of $230,000. This auditing committee do not even favor Congress with a minute history of the transaction. It is simply an auditing committee, to the extent of showing the amount expended, the amount of property sold, the amount of credit to be applied to the expenditure, and the balance, that and nothing more.

Mr. ROBINSON, of Massachusetts. Mr. Speaker, I should like to say a few words on this subject. It has been impossible to hear what the gentleman from Indiana [Mr. HOLMAN] has said in consequence of some little confusion in the Hall. But I understood the gentleman from Wisconsin [Mr. BRAGG] to take the ground because this bill had not been referred to the Committee on War Claims instead of to the Committee on Claims that would be a reason for some adverse action on it. Of course that will not bear consideration for a moment, because if the claim is a just and proper one, it is now reported on, is before the House for consideration, and the whole matter lies in such a position that each member will determine it for himself and will not ask to have another committee pass upon it.

Nor is it an objection, as I understand it, that this claim has not yet been paid, because it goes without saying, and it is the experience of everybody in this House, that there are a great many real and honest claims against the United States which have not been paid, although presented many years ago, and which should have been paid long since. Nor is it any defense against the claim here presented for a gentleman to rise and say that it is an old claim; because we know claims are made old in many cases by reason of vexatious delays in the settlement of them by the Government, and by our failure to take them up and pass upon them one way or the other, as well as the difficulty of getting action upon them by both Houses of Congress during any one session.

The matter of this claim of the State of Massachusetts has been before Congress constantly ever since the expenditures were made; and in order to have it properly investigated the two Houses of Congress sent the whole question to two commissioners to take the subject into consideration and pass upon it. They were to hear the testimony on both sides; gentlemen were chosen to represent the State of Massachusetts and also the United States in that hearing, and the commission, after a thorough examination of all the testimony in the case, reported in favor of the allowance of this amount of $230,000 as specified by this bill. That was in 1866; and, as has been said by my colleague, at no time since that adjudication by this commission has any committee of Congress made an adverse report upon the claim. Every time that it has received consideration it has been reported upon favorably. It has passed first one branch of Congress and then the other, but like a great many other claims it has never succeeded in passing the two Houses in any one Congress.

Now, it is a fact and I assume it to be, on the statement of the gentleman from Wisconsin [Mr. BRAGG] that it was before the War Claims Committee of the last Congress, and I believe he was a member of that committee. I do not know but that he was the chairman of the committee. But he did not report against it. He had it under his charge, and my friend with all of his industry and honesty in the consideration of such matters could not and did not report against the claim. It comes here now on a unanimous report from the Committee on Claims of this House. That brings me therefore to the consideration of the objections offered by my friend from Indiana [Mr. HOLMAN]. Let us look at them.

He says, and I agree with him, because the whole House will go there, that if Massachusetts expended the money in consequence of the letter of the Secretary of State dated October 24, 1861, then she ought to be reimbursed, although there may not be what might be called technically a contract between the Government of the United States and the Commonwealth of Massachusetts; because, as he very well says, in the alarmed and disturbed condition of the country it was necessary for the salvation of the Union that every State should do all that it could do for the protection and defense of the country and the existence of the Government; and that the United States Government should stand ready to reimburse every State government that assisted and put forth its means or power at that perilous time.

Now, I state what everybody knows, that in 1861 the credit of Massachusetts, as well as that of some other States, was better everywhere than the credit of the Union. She could buy supplies because the

country and the world knew that that State would pay, no matter what became of the Government of the United States.

It was in that condition of affairs, and it was one that Mr. Seward, as Secretary of State, fully appreciated, that he, under instruction of Mr. Lincoln, the then President, conferred with the authorities of Massachusetts and also the State of New York. It was not alone the State of Massachusetts that correspondence was had with, but the Government applied as well to the great State of New York, and the same order was sent to that State that was sent to Massachusetts. In New York, however, but $5,000 was spent. That was the only sum expended, although the State Legislature of New York appropriated a larger amount. Still, the governor did not expend a larger amount, as he says in his letter, than $5,000.

Massachusetts went on under the request of the letter of Secretary Seward, the language of which has been quoted and read at length to the committee, and spent the sum of money covered by this bill. Now my friend from Indiana says it was not spent in consequence of that letter. I do not know why he makes that statement. That was written in October, 1861. The Legislature met on the first Wednesday of January, 1862, and the governor then called the matter to the immediate attention of the Legislature in his annual message on the assembling of that body. The Legislature immediately, and for that purpose, made an appropriation at its first assembling after the receipt of the letter. It was made in response to that letter. This was made, as I have said, immediately following the assembling of the Legislature in the next January after the letter was received. There was an appropriation at that time by the Legislature in response to that call, and to meet that emergency, of half a million dollars.

Now, does any one believe that Governor John A. Andrew, of Massachusetts, whose name is familiar in our country's history, and who was one of the war governors in that critical struggle with rebellion—does any one believe that Governor Andrew slept from October to January on this application? He was alive to the exigencies of the situation, and he put himself upon that inquiry so that when the Legislature organized in January he was ready to conclude the contracts and put forward the work of preparing the defenses as rapidly as possible. The report still further says that in the following session of the Legislature a million of dollars was appropriated to carry out the same purpose, in order that full consideration should be shown to the letter of the Secretary of State.

This whole matter was under the direction not only of the Legislature of Massachusetts, but of the governor of Massachusetts, Governor Andrew. There remains upon this floor as a member of this House one of these war governors who labored so honorably for the preservation of this Union and the successful termination of the war. He can testify even better than one of the sons of Massachusetts what was the power, perseverence, and patriotism of Governor John A. Andrew.

Massachusetts went on then year after year making this expenditure; it has been said some of this money was not spent till 1863 or 1864. Why, yes, indeed; the war did not terminate till 1865. And is it not alive in the memory of all of us that in all those years the whole Atlantic seacoast in its northern portion was threatened by the incursion of the rebel pirates, that they might take possession of the harbors and so invade the country and strike our forces in the rear? Was it not important that that work of defense should go on for the succeeding years? All that has been submitted to, all this has been passed upon by a commission chosen by Congress for this very purpose. They sifted out what was spent by the State on her own account, what she ought not to be paid for, and they have returned in their report to Congress what she did justly and reasonably and, as they say, patriotically expended under this emergency.

Further they say—and I ask the attention of my friend opposite—they say the governor of Massachusetts furnished copies of the act of the Legislature to the President of the United States, to the Secretary of War, to the Secretary of the Navy, and the agents of the State conferred with each of those officers and with the Assistant Secretary of the Navy, the heads of the several War and Navy bureaus, the chiefs of the Engineer and Ordnance Departments, and many officers of the Army and Navy, and correspondence was had with them, as appears in the report.

The report shows that the Legislature and governor of Massachusetts conformed exactly to what was asked in the dispatch; and that the whole expenditure was made under conference with the officers of the National Government. There was no departure from that whatever. And when my friend says that Massachusetts sold material that she had not used, I answer—very well; that is not charged up against the Government in this bill. Due credit and deduction is given for that. Everything has been estimated, and everything has been considered, and the amount due in 1866, without interest, up to the present time is all that the committee recommended and all that the State asks, and I believe it is what she ought to have.

It has been said here that the claim is an old one. Mr. Chairman, it will be a much older one if we go on in the same way of declining to pay it or consider it. If it is right and ought to be paid, I believe, without regard to the question whether some other State may not have spent money which she has not been paid, every one will be ready to pay what is justly due from the United States to the State of Massachusetts, which I understand was "patriotic"—I do not know whether my friend from Wisconsin in a sarcastic way implied she was not—but I believe she was patriotic——

Mr. BRAGG. Oh, yes; she filled her quota.

Mr. ROBINSON, of Massachusetts. And I believe it is no disgrace when he talks about her as a State that was not poor, &c. I believe that what is due from the United States will be paid to her promptly.

Mr. CURTIN. I have no serious objection to Congress paying the claim of Massachusetts for money which I have no doubt was honestly and judiciously expended for her defense and the protection of this Government during the time of war. But before the claim is paid on the authority of this letter of Mr. Seward, I desire to recall a chapter of the history of the war, in connection with the letter and events connected with it. It will be found in the archives at Harrisburgh, if not here, in the office of the Secretary of State, that the governor of Pennsylvania received a letter of similar date; my recollection is it was almost, if not quite, a perfect copy of that letter. I know the governor of New York received such a letter. And surely the governors of New Jersey and Delaware also received similar communications from the Secretary. After the receipt of the letters, considering the gravity of the subject, we held a conference, and the State of Pennsylvania, the State of New Jersey, the State of Delaware, and the citizens of Philadelphia expended large sums for the purpose for which these States were summoned by their exposed condition and the measure of prudence justified by the inability of the National Government at that period of the war.

It never crossed the mind of the executive of Pennsylvania that there was a contract that the money thus expended was to be refunded by this Government. And surely a man as enlightened and patriotic as Governor Andrew, and a man of his thorough culture as lawyer and statesman, knew that Mr. Seward as Secretary of State had no right by virtue of his high office and by authority of paramount law to make a contract to bind this Government, nor had he the right to authorize the State to make defenses of her coasts by any written or implied authority. The Legislature of Pennsylvania, not considering there was any contract predicated upon the letter addressed to her executive by Mr. Seward, although large sums of money were expended by that State and neighboring States, never made any claim upon the Government.

The gentleman from Massachusetts can say nothing to which I will not assent of the patriotism of that State and of the wonderful energy of its executive during that trying period of her history. It was my good fortune to know him well and intimately, and to act in concert with him. And I flatter myself now by saying that generally if not always I agreed with him in all which he did for the defense and good of our distressed country.

But I do not wish the House to make this appropriation for Massachusetts on the authority of that letter of Mr. Seward. If you do we have a claim to make in Pennsylvania, and Delaware will make a claim, and New York can, and as is not unusual will, make heavy demands on your Treasury, and the gentleman who so worthily represents the State of New Jersey, sitting in the front row [Mr. ROBESON], will raise his stentorian voice and ask that Jersey be paid too, as neither he nor that State is too modest to ask a share when a precedent is established by the passage of this bill. [Laughter and applause.]

Mr. BOWMAN. Mr. Chairman, I have only a very few words to say after the eloquent remarks of gentlemen on both sides who have preceded me.

Let us, aside from sentiment, analyze this case. I will not take more than five minutes, for I know the House is impatient at the end of this session, the hour being advanced, to get away; but I hope the bill can be completed and a vote taken this evening. Now, what have we as facts that are admitted by every one? First, the United States by its President and its Secretary of State, so far as they had authority, asked Massachusetts to spend this money, and said to that State, "Although we acknowledge that technically we can not make a contract, you have every reason to trust to the honor of the United States and to believe that you will be reimbursed." That was the meaning and the substance of what was said. Massachusetts thus took up a duty which did not belong to her, to build up and repair the seacoast fortifications. Next, it is admitted that the State of Massachusetts went forward and spent $230,000 for that purpose. Third, it is admitted that every cent of that money was spent under the observation, direction, and instruction of the United States officers of the War Department. The report of the board which adjudicated this claim says that the letters from the different officers of the Army and Navy, from the Chief of Engineers and Ordnance Bureau, and from the several heads of the War and Navy Bureaus were on file before that commission.

It is next admitted that every cent of this money was properly expended, and that the adjudication of the claim is an honest and fair one. The gentlemen who oppose this bill here must take the following position, and must say, "We acknowledge the money was honestly spent; we acknowledge it was spent under the direction of the President and Secretary of War; we acknowledge it was spent on the promise by them and on the understanding by Massachusetts that it should be

repaid; we acknowledge that it was usefully and wisely spent, and that so far as the matter of honor and integrity is concerned and the right for Massachusetts to have confidence in and to rely upon the United States, this money is due to that State to-day."

Now I do not know how much or how little was spent by the governor of Pennsylvania or by the governor of New Jersey; but probably very little. My colleague has shown that only $5,000 was spent by the State of New York. The question of the indebtedness to them has nothing to do with this question now before us.

Again, we have to strengthen this claim the fact that Congress sent it to a board, which examined into it and audited all the details, which heard counsel on both sides; and that board, composed of eminent lawyers and disinterested men outside the State, decided unanimously, giving their reasons and the figures, that this amount was justly due to the Commonwealth of Massachusetts.

Yet we hear gentlemen on the other side casting slurs upon the Commonwealth of Massachusetts, not because she seeks money that was not promised to her, not because she seeks money that is not equitably due her, not because she seeks money that she did not honestly expend for the benefit of the General Government, but because she asks to be repaid what she expended under an actual contract, so far as a legal contract could be made at that perilous time, after the complications with England, when every day we expected news might come from England that she had sent or was to send her cruisers to our coasts, and when the southern confederacy, by appeals to foreign prejudices, was endeavoring to bring us into war with foreign powers.

I have only one word to say in conclusion. Massachusetts does not come here seeking for any pound of flesh. The war governor of Pennsylvania and the war governor of Massachusetts stood side by side in those trying days. Every man on this floor knows that Massachusetts poured her money out like water and shed the blood of her sons without stint for the cause of the country. She never held back her hand while her assistance was needed. She always was willing to give money and men for carrying on the war.

I will venture to say that no other State can show a greater list of war expenses in proportion to population or wealth than the State of Massachusetts. Her patriotism needs no defense. She did not hold back. In this case she went on without counting the cost and did what she thought was for the interest of the Government, what she was requested by the United States Government to do for the defense not only of her own borders, but for the defense of the whole country. To refuse payment of this claim would be nothing but rank repudiation of honorable contracts by the Government, adjudicated as such by a tribunal of its own choosing. It is as much a repudiation as to refuse payment of a judgment of the Court of Claims.

Mr. ANDERSON. If this were a bill——

Mr. BRAGG. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BRAGG. My point of order is that the motion I made is not debatable, although debate has been allowed to run on by unanimous consent.

The CHAIRMAN. The Chair thinks the motion is debatable in Committee of the Whole.

Mr. BRAGG. The motion that the committee rise?

The CHAIRMAN. No, not that motion.

Mr. BRAGG. I moved that the committee rise.

The CHAIRMAN. The gentleman from Kansas [Mr. ANDERSON] had the floor.

Mr. ANDERSON. I will yield the floor for that motion.

Mr. BRAGG. I made the motion some time since that the committee rise and report back to the House this bill with a recommendation that it be referred to the Committee on War Claims.

The CHAIRMAN. The gentleman from Wisconsin [Mr. BRAGG] moves that the committee rise.

Mr. SPRINGER. That is not the motion. The gentleman moved that the committee rise and report this bill back to the House with a recommendation that it be referred to the Committee on War Claims. That is a very different motion from the one that the committee rise.

Mr. BRAGG. That was my original motion.

The CHAIRMAN. Does the gentleman from Kansas [Mr. ANDERSON] yield the floor for that purpose?

Mr. ANDERSON. I do not; I am willing to yield it simply for a motion that the committee rise.

Mr. BRAGG. I do not want the gentleman from Kansas to yield. That was the motion that I made when I concluded my remarks, and the debate has been going on since by unanimous consent in order that both sides might be heard.

The CHAIRMAN. The Chair thinks the motion to which the gentleman refers is debatable.

Mr. BRAGG. All right; I have no objection to the debate going on.

Mr. ANDERSON. If this were a bill expressing admiration for the State of Massachusetts I certainly should find no difficulty in the world in voting for it, but, as I understand it, it is a bill to vote $230,000 to the State of Massachusetts. Or if it were a bill expressing the very highest admiration of the war governor of Massachusetts I certainly would vote for it; but, as I understand it, it is a bill to vote $230,000 to the State of Massachusetts.

Mr. MORSE. If it is due to her.

Mr. ANDERSON. I find myself in considerable doubt about the justice of this claim, for the reason that, in the first place, the claim is twenty-odd years old. Now, if any State of this Union has to-day and has always had a bright, vigorous, industrious delegation on this floor and in the other House it is the State of Massachusetts. It is utterly impossible for me to see how a claim that was so patent and clear as these gentlemen claim this one to be has gone unacted upon through all these years. That occasions some doubt in my mind.

Mr. BOWMAN. It was acted on in 1868, when it was sent to a court to be examined.

Mr. ANDERSON. Why did it not pass the House and the Senate? There is this further trouble—in my mind at least: Gentlemen who have attempted to show that this is a righteous claim, so far from adhering to the facts of the case bring in the patriotism of Massachusetts, which we all concede, bring in the resplendent glory of her war governor, which we all admire—bring in anything and everything almost in God's world except the facts of this case. I am in so great doubt about the question that I really would like further time to consider the case. I therefore move that the committee rise.

The motion of Mr. ANDERSON was not agreed to.

Mr. BRAGG. I move that the bill be reported to the House with a recommendation that the enacting clause be struck out.

The CHAIRMAN. The gentleman from Wisconsin [Mr. BRAGG] has already a motion pending.

Mr. BRAGG. I withdraw my former motion and make the motion I have just stated.

The question being taken on the motion of Mr. BRAGG, there were—ayes 85, noes 58.

Mr. BOWMAN. I make the point that no quorum has voted.

Tellers were ordered; and Mr. BOWMAN and Mr. BRAGG were appointed.

The committee again divided; and the tellers reported—ayes 95, noes 53.

So the motion of Mr. BRAGG was agreed to.

Mr. WHITE. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RYAN reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 686) to reimburse the State of Massachusetts for certain expenditures for coast defenses, had directed him to report the same back with a recommendation that the enacting clause be struck out.

Mr. PAGE. I move that the House adjourn.

Mr. BRAGG. I hope the House will not adjourn until we dispose of this bill.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ERMENTROUT, until Monday next.

To Mr. PHELPS, for night sessions, on account of serious weakness of his eyes.

WITHDRAWAL OF PAPERS.

Mr. HOGE, by unanimous consent, obtained leave to withdraw from the files of the House papers relating to the claim of Samuel C. Ludington, of Greenbrier County, West Virginia, for reference to the Commissary-General for settlement, there being no adverse report.

Mr. STOCKSLAGER, by unanimous consent, obtained leave to withdraw from the files of the House the bill (H. R. 3926) to provide for the payment of claims for property taken during the Morgan raid in the States of Indiana and Ohio.

BOOKS IN TREASURY DEPARTMENT.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting a report showing the number of books in the several offices of the Treasury Department; which was referred to the Committee on the Library, and ordered to be printed.

REPRESENTATION OF NEBRASKA.

Mr. HAMMOND, of Georgia, by unanimous consent, presented from the Committee on the Judiciary a report, with accompanying testimony, in the matter of the contingent member from Nebraska; which was ordered to be printed, and recommitted.

ORDER OF BUSINESS.

The question being taken on the motion of Mr. PAGE, that the House adjourn, there were—ayes 49, noes 59.

Mr. PAGE. I call for tellers.

Tellers were ordered; and Mr. PAGE and Mr. BRAGG were appointed.

The House again divided; and the tellers reported—ayes 66, noes 55.

So the motion was agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ANDERSON: The petition of the Cigar-makers' Union, No. 61, of Atchison, Kansas, protesting against reduction of duty on imported cigars—to the Committee on Ways and Means.

Also, the petition of R. T. Kerr and 100 others, of Hollenberg, Kansas, asking that lumber be placed on the free-list—to the same committee.

Also, the petition of citizens of Riley County, Kansas, for the enactment of a law for the equalization of bounties—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. BRAGG: The petition of Wayne, Rand & Co. and others, of Manitowoc, Wisconsin, protesting against increase of duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. COBB: The resolutions adopted by the board of trade of the city of Chicago, for the passage of the Senate substitute for bill H. R. 5656—to the same committee.

By Mr. CRAPO: The petition of John G. Thompson and others, protesting against the transfer of the revenue-marine service to the Navy and against the establishment of the mercantile-marine bureau—to the Committee on Naval Affairs.

By Mr. DAVIDSON: Bills for the improvement of the northwest channel of the harbor of Key West, Florida; of Tampa, Bay, Florida; of Manatee River, Florida, and of Withlacoochee River, Florida—severally to the Committee on Commerce.

By Mr. G. R. DAVIS: The petition of the Cigar-makers' Union of Chicago, Illinois, representing 1,000 members, protesting against any reduction of duty on imported cigars—to the Committee on Ways and Means.

By Mr. FLOWER: The petition of citizens of the city of New York engaged in scientific pursuits, praying for the construction of a national observatory—to the Committee on Public Buildings and Grounds.

By Mr. GARRISON: The petition of James McLaughlin, for relief—to the Committee on the District of Columbia.

By Mr. HASKELL: The petition of Worley Brothers & Co. and others, of Fort Scott, Kansas, relative to the duty on tin-plate—to the Committee on Ways and Means.

By Mr. KASSON: The petition of citizens of Des Moines, Iowa, protesting against terminating the fishery clauses of the treaty of the United States with England—to the Committee on Foreign Affairs.

By Mr. J. H. McLEAN: Papers relating to the claim of Mrs. Margaret Bender—to the Committee on Ways and Means.

By Mr. A. H. SMITH: The petition of D. W. Bair and 68 others, citizens of Lancaster County, Pennsylvania, for increase of duty on Sumatra tobacco—to the same committee.

By Mr. WILLIS: The petition of Dr. John J. Speed and others, for continuance of immigrant inspection service—to the Select Committee on the Public Health.

The following petitions for a reduction of the duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. ANDERSON: Of Charles Pairan and 18 others, of White Rock; of A. F. Abernerthy and 87 others, of Scottsville; of J. Sandilands and 35 others, of Atchison; of Long & Brown and 39 others, of Manhattan; of L. D. Hess and 31 others, of Medicine Lodge; of H. C. Rash and 13 others, of Salina; of William H. Bower and 6 others, of Manhattan, and of C. C. McCarthy and 41 others, of Nortonville, Kansas.

By Mr. BRAGG: Of Charles Farnum and 27 others, citizens of Fond du Lac, Wisconsin.

By Mr. COBB: Of J. W. Cassill and 51 others, citizens of Vincennes, Indiana.

By Mr. CROWLEY: Of William Rudd and 47 others, of Perry, and of James A. Webster and 80 others, of Warsaw, New York.

By Mr. DAWES: Of A. L. Miller and 42 others, and of C. W. Davis and 79 others, of Malta, Ohio.

By Mr. DE MOTTE: Of William Lisk and 30 others, citizens of Wolcott, Indiana.

By Mr. HASKELL: Of N. W. Flemming and 36 others, of Paola, Kansas.

By Mr. LADD: Of 225 citizens of Bangor and Houlton, Maine.

By Mr. REED: Of W. & C. R. Milliken and 249 others, of Portland; of D. C. Palmer and 90 others, of Gardiner; of George M. Bean and 77 others, of Augusta; of T. B. Hume & Son and 88 others, of Eastport; of E. A. Barnard & Son and 36 others, of Calais; of George R. Andrews and 91 others, of Biddeford; of William T. Libby and 82 others, of Auburn, and of H. B. Bartlett and 275 others, of Lewiston, Maine.

By Mr. A. H. SMITH: Of Lewis J. Kirk and 25 others, of A. K. Bender and 40 others, and of Jesse Klugh and 20 others, citizens of Lancaster County, Pennsylvania.

By Mr. SPARKS: Of citizens of New Baden, Clinton County, Illinois.

By Mr. STOCKSLAGER: Of A. J. Hardingand and 34 others, of Osgood, Indiana.

By Mr. M. R. WISE: Of A. O. Caven and 73 others, of Derry Station, and of H. J. Gilmore and 38 others, of Masontown, Pennsylvania.

SENATE.

WEDNESDAY, *January* 17, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. MILLER, of New York, presented resolutions of the board of directors of the Maritime Association of the Port of New York, protesting against the passage of the bill providing for the establishment of a bureau of mercantile marine in the Navy Department; which were referred to the Committee on Commerce.

He also presented a preamble and resolutions adopted by the board of directors of the Maritime Association of the Port of New York, protesting against the passage of the bill to transfer the administration of the revenue-cutter service to the Navy Department; which were referrred to the Committee on Commerce.

Mr. McMILLAN presented the memorial of W. F. Moritz, J. H. Wolterstorff, and other manufacturers, citizens of Saint Paul, Minnesota, using tin-plates and sheet-iron, remonstrating against any increase of the duty on the raw material; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. FRYE, from the Committee on Claims, to whom was referred the bill (S. 2308) for the relief of Joseph Wescott & Son, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

BILLS INTRODUCED.

Mr. EDMUNDS asked and, by unanimous consent, obtained leave to introduce a bill (S. 2380) to provide for the appointment of a commission to investigate the subject of railroad transportation; which was read the first time by its title.

Mr. EDMUNDS. Before the bill is read the second time and referred, I wish to say that it has been prepared by the Commissioner of Railroads. I do not take the responsibility of agreeing to all of its provisions of detail, nor do I know that they are wrong, but it is right to say that it is not my own bill. However, I entirely agree with him, and I hope with a great many Senators, that in some manner the subject of regulating the transportation, the commerce, of this great country, which embraces a continent, in such a way as to deal justly with the people, who produce things and consume them, and at the same time to deal justly with the carriers, prevent unjust combinations either way, but to have fair play, and take into view also the relations of water transportation to railroad transportation, a part of it, is a subject of the very greatest importance. Therefore I very cheerfully introduce the bill which this gentleman has prepared, and after its second reading I ask that it be referred to the Committee on Railroads, which I suppose is the proper committee.

Mr. ALLISON. Unless the bill is very long I should like to have it read at length.

Mr. EDMUNDS. It is not very long.

The bill was read a second time at length, as follows:

Be it enacted, &c. That a commission, to consist of seven members, is hereby constituted to investigate and report to Congress what legislation, if any, is necessary or expedient to regulate interstate railroad transportation services and charges.

SEC. 2. That the President of the United States shall, by and with the advice and consent of the Senate, appoint seven commissioners, three of whom shall be experts in railroad transportation, and one of whom, the first named, shall be president of the commission. The commissioners shall receive as compensation for their services each at the rate of $10 per day when engaged in active duty, and actual traveling and other necessary expenses. The commission shall have power to employ a stenographer and a messenger, and the foregoing compensation and expenses shall be audited and paid by the Secretary of the Treasury out of any moneys in the Treasury not otherwise appropriated.

SEC. 3. That it shall be the duty of said commission to take into consideration and to thoroughly investigate all the questions relating to the establishment and maintenance of reasonable and just interstate transportation tariffs for passengers and freights by railroads or other modes of transportation affecting railroad transportation within the United States; and for the purpose of fully examining the matters which may come before it, said commission, in the prosecution of its inquiries, is empowered to visit such different portions and sections of the country as it may deem advisable.

SEC. 4. That the commission shall make to Congress final report of the results of its investigation, and the testimony taken in the course of the same, together with a bill which shall embody their suggestions, not later than the first Monday of December, 1883, and it shall cause the testimony taken to be printed from time to time and distributed to members of Congress by the Public Printer, and shall also cause to be printed for the use of Congress 2,000 copies of its final report, together with the testimony.

Mr. EDMUNDS. I wish to withdraw my suggestion that the bill be referred to the Committee on Railroads, for I had forgotten there is the Committee on Commerce, which deals with commercial affairs between the States, and the Committee on Transportation Routes to the Seaboard, which also might be a perfectly suitable committee for the consideration of the bill. I do not know to which of those committees the bill fairly ought to go. Therefore I do not make any motion about it, but I think on reflection it ought to go to either one or the other, the Committee on Transportation Routes to the Seaboard or the Committee on Commerce.

The PRESIDENT *pro tempore*. The Committee on Commerce, the Chair suggests.

Mr. DAVIS, of West Virginia. What is the bill?

The PRESIDENT *pro tempore*. It is to appoint a commission on the subject of interstate commerce. The subject is appropriate for the Committee on Commerce; and the Chair will refer it to that committee unless there is objection. The bill will be referred to the Committee on Commerce.

Mr. MCDILL asked and, by unanimous consent, obtained leave to introduce a bill (S. 2381) to establish depositories and provide for the distribution of public documents; which was read twice by its title, and referred to the Committee on Printing.

Mr. COKE asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. 126) providing for the purchase of steam-launches for use in the harbors of Galveston, Texas, and Mobile, Alabama.

Mr. COKE. I ask for the present consideration of the joint resolution.

The PRESIDENT *pro tempore*. It will be read at length for information.

The joint resolution was read the first time at length, as follows:

Resolved by the Senate and House of Representatives, &c., That the Secretary of the Treasury is hereby authorized and directed, if in his judgment the exigencies of the service require it, to use the $16,000 appropriated by act of August 7, 1882, for the construction of steam launches for use in the harbors of Galveston, Texas, and Mobile, Alabama, in the purchase of such launches already built.

Mr. EDMUNDS. That is a joint resolution is it not?

The PRESIDENT *pro tempore*. It is.

Mr. EDMUNDS. Then of course it has to be read a second time and referred.

The PRESIDENT *pro tempore*. That is the usual way. Joint resolutionshave to be read a second time and referred. If there is any objection it will have to take that course.

Mr. EDMUNDS. It is just like a bill.

Mr. COKE. I suggest that it is a matter of some urgency and should be acted on at the earliest moment. There was at the last session of Congress in the sundry civil act an appropriation made of $16,000 for the construction of steam-launches for use in the harbors of Galveston and Mobile. Those launches are not yet constructed, and it will be several months before they can be built.

I have here a letter from the collector of customs at Galveston stating that there is an absolute, pressing, present necessity there for one of these launches. I have also a letter from the chief of the revenue marine service stating that it will be some time before the launches can be built, and suggesting that judicious purchases can be made in New York of launches already constructed.

The object of the joint resolution is simply to confer upon the Secretary of the Treasury the discretion, if in his judgment the exigencies of the service require it, to use this appropriation in the purchase of these launches rather than to wait for their construction.

Mr. EDMUNDS. I have no doubt that the object is a good one, otherwise my friend from Texas would not press it; but there have been so many misfortunes in respect of purchasing vessels when we had provided some other way—some of which I remember—that I for one feel a little sensitive on the subject. Inasmuch as it is really a bill, has all the qualities of a bill, I think it would be better for the public interest, and it need not occasion any delay of more than a day or two, to have it referred to the Committee on Commerce and printed, who can find out from the Treasury Department and examine it and report very soon.

Mr. COKE. I ask, then, that the joint resolution be referred to the Committee on Commerce, and that the accompanying papers be referred with it.

The joint resolution was read the second time by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. MCDILL asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. 127) providing for the sale of public documents; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENT TO POST-ROUTE BILL.

Mr. CALL submitted an amendment intended to be proposed by him to the post-route bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

JOHN H. RUSSELL AND HENRY M. RECTOR.

On motion of Mr. GROVER, it was

Ordered, That the petition and papers of John H. Russell and Henry M. Rector, on the files of the Senate, be taken from the files and transmitted to the Committee on the Public Lands of the House of Representatives.

AGRICULTURAL APPROPRIATION BILL.

Mr. DAVIS, of West Virginia, submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes, having met, after full and free conference have agreed to recommend, and do recommend, to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 9, 15, 16, and 22, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Strike out the word "thirteen" proposed to be inserted by said amendment and insert in lieu thereof the word "fourteen;" and the Senate agree to the same.

H. G. DAVIS,
P. B. PLUMB,
EUGENE HALE,
Managers on the part of the Senate.

C. C. CARPENTER,
J. W. WADSWORTH,
W. H. HATCH,
Managers on the part of the House.

Mr. DAVIS, of West Virginia. I will state for the information of the Senate that the bill is just as the Senate passed it less $1,000, there being a change from $14,000 to $13,000. In all other particulars the House has concurred with the Senate.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3123) to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes, approved March 3, 1875; and

A bill (H. R. 7240) for the relief of William H. Donohoe.

POST-OFFICE APPROPRIATION BILL.

The PRESIDENT *pro tempore*. If there be no further morning business——

Mr. PLUMB. I move that the Senate proceed to the consideration of the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes.

The PRESIDENT *pro tempore*. The Senator from Kansas moves to postpone the Calendar with a view to proceed to the consideration of the Post-Office appropriation bill.

Mr. MORGAN. Does the Senator from Kansas expect to press that bill until it is passed?

Mr. PLUMB. I will respond to the inquiry of the Senator from Alabama by saying that the Committee on Appropriations instructed me to ask for the consideration of the bill this morning, and that it should be continued until disposed of.

The PRESIDENT *pro tempore*. The question is on the motion to postpone the Calendar.

The motion was agreed to—ayes 27, noes not counted.

Mr. PLUMB. I move that the Senate proceed to the consideration of the Post-Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes.

Mr. PLUMB. I suggest that the bill be read for the purpose of acting on the amendments as they are reached, and that it be understood that the mere formal reading of the bill shall be dispensed with.

The PRESIDENT *pro tempore*. That course will be pursued. The amendments of the Committee on Appropriations will be acted upon as they are reached in the reading of the bill.

Mr. PLUMB. The Post-Office bill as reported from the Committee on Appropriations contains one or two items which ought to be explained.

Mr. DAVIS, of West Virginia. Before my colleague on the committee proceeds I desire to say that I was unfortunately absent yesterday when the bill was considered in committee, and I should like to make a suggestion to him. I desire an explanation of one item in the bill. I see that that part of it relating to the reduction of compensation to the land-grant railroads has been stricken out by the committee, and that a new provision is made of $185,000 for necessary and special facilities to trunk lines of railroad. I should like to know what that $185,000 for trunk lines of railroad is for? It strikes me from the wording of it that it is unfair to all lines which are not trunk lines. It strikes me further that it is to compensate particular roads, while other roads all over the country will be excluded. I mention that so that my colleague on the committee may explain the matter to the Senate.

Mr. PLUMB. I will explain in a few words the items about which there may be a controversy, or at all events in which this bill as received from the House contains something in the nature of a departure from previous Post-Office appropriation bills.

I have in my hand an itemized account of the bill as it is reported, compared with the estimates and compared with the appropriations for the last year:

Post-Office appropriation bill.

Amount of estimates for 1884	$46,741,111 25
Amount of bill as passed the House	44,229,520 00
Amount added by the Senate committee	210,000 00
Total as reported to the Senate	44,439,520 00
Amount of appropriations for 1883	44,843,900 00
The bill as reported to the Senate less than estimates for 1884	2,301,591 25
The bill as reported to the Senate less than appropriations for 1883	404,380 00
Amount of estimated revenues for 1884	50,670,456 27

Amount of estimated revenues at 2-cent letter rate	$42,670,456 27
Estimated revenues exceed estimated expenses 1884	3,929,345 02
Estimated revenues at 2-cent letter rate less than estimated expenses 1884	4,070,654 98
Estimated revenues exceed bill as reported	6,230,936 27
Estimated revenues at 2-cent letter rate less than bill as reported	1,769,063 73

The increase made to the bill by the Senate committee is for the following purposes, namely:

For necessary and special facilities on trunk lines	$185,000
For transportation by steamboat routes, increase	25,000
Total	210,000

The changes in amounts made in the appropriations for 1883 by the bill as reported to the Senate are as follows:

INCREASE.

For compensation of postmasters	$450,000
For compensation to clerks in post-offices	315,000
For compensation to letter-carriers	300,000
For wrapping paper	3,000
For marking and rating stamps	5,000
For letter-balances, test-weights, and scales	5,000
For office furniture	5,000
For stationery	5,000
For transportation on railroad routes	545,000
For railway post-office car service	49,000
For railway post-office clerks	267,120
For mail-messengers	50,000
For mail-bag catchers and packing-trunks	29,000
For manufacture of adhesive postage-stamps	21,000
For manufacture of stamped envelopes and newspaper-wrappers	85,000
For manufacture of postal cards	11,000
For registered-package envelopes, locks and seals, &c	30,000
For engraving, printing, and binding drafts and warrants	500
For transportation of foreign mails	50,000
For balances due foreign countries	10,000
Total increase	2,235,620

REDUCTION.

For supplying fourth-class post-offices with canceling-stamps, &c. (omitted)	$25,000	
For rent, light, and fuel	10,000	
For necessary and special facilities on trunk lines	415,000	
For transportation by steamboat routes	175,000	
For transportation by star routes	2,000,000	
For mail locks and keys	5,000	
Total reduction		2,640,000
Net reduction made by bill as reported to the Senate from the appropriations for 1883		404,380

I will proceed first to explain those items in which this bill is a departure and enters upon subjects which may possibly lead to controversy.

The bill as it came from the House contained no appropriation whatever for special mail service. The members of the Senate will recall the fact that last year the appropriation for that led to considerable controversy, and $600,000 was appropriated for what are known as special mail facilities, to be divided among the leading trunk lines in different sections of the country, the intention of the committee and of Congress being to distribute those facilities as nearly as possible according to the needs of the different sections of the country. The Postmaster-General entered upon the discharge of the duty that was devolved on him by that appropriation, and after a long and thorough and patient examination of the subject, and interviews with the different railroad companies as to the service necessary in order to expend properly the money, he found that he could not expend it in such a way as to meet the intention of the law. He therefore did not expend any of it except the sum of about $185,000. That sum was expended in the increase of facilities which amounted practically to expedition on a line from Boston, by way of New York, Philadelphia, Baltimore, and Washington, to Savannah, making at the last named point a connection for Jacksonville and New Orleans. Perhaps the connection for New Orleans was made at Richmond; the connection for Jacksonville was made at Savannah. He also expended part of it in running a train from New York to Albany to make a connection at the latter point with the regular line there that runs to Chicago, in such a way as to make a difference of about six hours between New York and Chicago. That was all of the money that was expended and all of the additional facilities that were provided for under the last appropriation bill.

The House, when it came to consider this subject, dropped out the entire appropriation. When the bill reached the Senate Committee on Appropriations there came before that committee persons representing the merchants of Boston and the various interests which are served by the special facilities of which I have spoken as now existing, and after full consideration of the question the committee decided in effect to recommend an appropriation of sufficient money to continue the service as it now exists, neither adding to nor taking from it, deeming it unwise to diminish any service now existing for which there seemed to be a considerable demand, and believing also that the service we have is a valuable one, not more valuable perhaps than other service which might be had by the expenditure of money, but a service not only valuable, but one which can be had substantially without controversy; that is to say, not involving controversy between two different lines of railroad as to which line shall render it.

One thing which the Postmaster-General encountered in the attempted distribution of the $600,000 to which I have referred was the controversy between lines going out of Chicago to Saint Paul and Omaha, there being two lines to Saint Paul and three from Chicago to Omaha. Neither line of railroad was willing that the other should undertake to render the expedited service, because that would devolve upon them a necessity, connecting itself with their own ordinary business, of rendering the same service themselves, and that, too, without compensation. As all could not be accommodated, the Postmaster-General did not feel warranted in trying to accommodate any; that is to say, referring to this as an accommodation to the railroads, which it really is not, he did not contract with any as he could not contract with all.

The committee found in this bill as it came from the House the paragraph which commences on page 3 of the bill which is in terms an amendment to the Pacific railroad bill, and the effect of which is to assume to modify the original Pacific Railroad charters so that—

> Hereafter the compensation paid or allowed for the carrying and transportation of the United States mails by such railroad companies, or their assigns or successors, shall be fixed by the Postmaster-General, at a rate not exceeding that fixed by him or allowed by law to other railway companies of the same class to which the United States have furnished aid by grant of land, right of way, or otherwise.

The law under which the Pacific railways were chartered provides that they shall have reasonable compensation for such service as they shall render to the Government. It seems to have been assumed in the debate which resulted in the adoption of this provision that the reasonable compensation claimed and allowed to these railroad companies was something other and different from the reasonable compensation claimed, allowed, and paid to other railway companies in the United States. An investigation of the subject at the Post-Office Department disclosed the error in this assumption. The Post-Office Department is actually settling with the Pacific railways upon the same basis that it does with all other railways for similar service, paying no attention whatever to any claims, if there be any, on the part of the railway companies for compensation beyond that received by other railway companies. It was apparent, therefore, to the committee in the first place that this is not in effect any saving in the amount to be paid for the rendering of this service.

In the next place the committee thought if it were adopted at all it ought to be amended, but admonished by the ruling of the present occupant of the chair at the last session of Congress that a substantive amendment to it would be construed to be new legislation, and thus within the rule of exclusion provided by the rules of the Senate, they felt that it would not be proper with their view of the case to have this clause stand as it was, leaving the Senate in that helpless condition in regard to it.

In the third place the committee felt that it was entering upon a large and fruitful subject, one which had received the attention of Congress in the consideration and passage of what is known as the Thurman bill, in which an adjustment of the relations of the Government to these railroads had been undertaken in a comprehensive manner, that adjustment now being under consideration and under operation by the United States and the railway companies, and the result of which has not yet been fully determined.

In the next place it would be undertaking that upon an appropriation bill. While the committee, I think, have not been charged particularly with modesty in regard to general legislation upon appropriation bills, they thought that would be going at least a little further than any step which had ever been taken heretofore in the direction of general legislation. And they themselves were unwilling to engage in this subject at this time and in this way.

There is another thing which also I think had some little weight in determining the action of the committee, and that is that the Government is largely the creditor of all these railroad companies, so largely their creditor in fact that grave doubts have been expressed in influential and well informed quarters whether the Government would ever receive any payment of the indebtedness of these companies to it; and it being now one of the chief concerns of the Government to get in some way its pay it was not deemed best to embarrass that payment in any way by establishing a modified or reduced scale of payment to these railway companies, especially when it would be based upon a deduction not applied to other railroad companies; that is to say, giving them an insufficient compensation judging by the rate paid to other companies.

In the next place, and for a reason which appeals especially to me as a representative of a State traversed by the road of one of these companies, if the Government exacts of these railroads the transportation of its supplies at a price less than that paid by private shippers, that much must be charged over to the people of the States and Territories through which these railways run in order that they may receive that reasonable compensation which they may be said to be entitled to. If the Government can take away one-half of course it can take away all.

I am not dealing now with the right of the Government or with its policy in a certain event, but with its policy as applied to the present condition of things. If the Government can take away a part of the two or three million dollars which it now pays to these railway companies for postal and Army service it may take it all away, and therefore compel the people who are served in their individual capacities by

these railroads to pay just that much more, or at least some portion of that addition to what they now pay, in order that these railroads may subsist and pay the fixed and other charges necessary for their maintenance.

For these reasons the committee deemed it wise to leave out of the bill this paragraph.

In place of section 3, which was framed with the evident intention of securing an investigation of existing methods of transportation by railroad lines and of the compensation for the same, the committee have proposed a substitute, prepared on consultation with the post-office authorities, which they believe will better accomplish the purpose in view and which they are assured will result, if not immediately in greater economy in the transportation of the mails, certainly at once in a much better system and very soon in much greater economy in the transportation.

On page 5, under the general title of "Office of the Third Assistant Postmaster-General," the bill contains an item in the nature of legislation, inserted by the House, reducing the charge for carrying letters from 3 cents per one-half ounce to 2 cents per one-half ounce, providing, however, that the reduction shall take effect on the 1st day of January, 1884. This is what is popularly known as 2-cent postage. After due consideration the committee determined to change the date and to have this reduction of postage take effect on the 1st day of July next, the beginning of the fiscal year.

The estimated revenues of the Post-Office Department for the coming year upon the basis of existing charges for transportation of mail matter are $50,670,456.27. That is upon the basis of an increase of 10 per cent. over the revenues of the last year. The revenues of last year were a little more than 10 per cent. over the revenues of the year preceding, and the Department believe that that is a safe estimate, and in fact that the estimate will be somewhat exceeded by the result. Upon the basis, however, of a reduction of letter postage from 3 cents to 2, there will be a nominal diminution in the receipts from that source of about $8,550,000, the total receipts from 3-cent postage being for the last year $25,660,000. The expenses of the Department by the bill as it is now before the Senate are $44,439,520. The estimated revenues for the same period, upon the basis of existing charges, as I said a moment ago, are $50,670,456.27, and at the reduced charge for letter postage will be $42,670,456.27, provided the reduction in revenue corresponds with the reduction in rate. That would leave a deficiency upon that basis of calculation of $1,769,063.73, a somewhat modest deficiency, it will be borne in mind, compared with some that we have been accustomed to during the past few years. The committee believe that the reduction of postage will not be followed by a corresponding reduction in revenue; that a very considerable number of letters now transmitted unsealed under existing rates will be transmitted as sealed letters, and thus we shall get the added rate of 1 cent, and that to a very considerable extent also there will be an increase of business growing out of this reduction, corresponding to the experience which the country has heretofore had at the various reductions of postage as they have been severally made. Independent, however, of the question of the effect upon the revenue, the committee believe that, as there had been a determination expressed outside, followed by a very decided vote in the House, to reduce letter postage to 2 cents, leaving only a question as to the time when it should be done, it were better to do it at once; that is to say, it should commence at the beginning of the fiscal year.

In arriving at that determination they were confronted by some statements from the Post-Office Department as to the effect of the change at that period of time upon the administration of the affairs of that office, the necessary changes being made on account of the reduction from 3 cents to 2 cents; but the committee did not on consideration regard this objection as of very great value, and as practically of no value compared with what they believed to be the propriety from a legislative standpoint of entering upon this change at as early a day as practicable. If it is to be done at all, the committee thought it ought to be done as early as practicable; and the time that will elapse between now and the beginning of the fiscal year, 5½ months, they believe will give ample opportunity for all adjustments made necessary in the Department and for the printing of new supplies made necessary by the change.

In view, also, of the condition of the Treasury, there being money enough to meet any deficiency, even if it were as large as the maximum of which I have spoken, without inconvenience, the committee thought that it might be encountered for the coming year without assuming any very great responsibility on account of this diminution. But believing as they do that this deficiency, in place of being, as it commonly is, one and three-quarter million dollars, will be less than a million dollars, they do not regard the deficiency as in any way very material in the consideration of this question.

The additions which have been made to the appropriation for the current expenses of the Department, it will be observed by a careful examination of the bill, are such as grow out of the natural and inevitable increase in the business of the Department. There have been no additions for railway mail service, for star-route service, for steamboat service, for the salaries of postmasters, for clerk-hire, or for incidental expenses of any kind or description whatever, to correspond even in amount to the percentage of increase of the revenues which is estimated for the coming year.

Only one increase in regard to an item of administration is made, and that is for inland transportation by steamboat routes. That appropriation in the bill as it came from the House was $600,000. The committee have added to that sum by $25,000 upon the statement of the Department that the service as being rendered now would somewhat exceed the amount provided for by the House. With that exception the committee have not added to any item of the bill and have only inserted one new item of expenditure, the one I spoke of in the opening of my remarks for special facilities upon trunk lines.

Now, I will say to the Senator from West Virginia that if he takes any exception whatever to the word "trunk" or to the discrimination in the character of the railroad lines on which special services shall be rendered I shall be willing to accept any suggestion which he may make that leaves the purpose unimpaired. He understands what it is. It is simply to keep up the existing service in that direction.

Mr. DAVIS, of West Virginia. I will state to the Senate that it will make no difference what you name it. Two of the great companies of this country get the whole of this money, $185,000, the New York Central and the Pennsylvania Central. It makes no difference in what way you name them, I think the whole expenditure goes to those two companies, and other companies, who are just as deserving and who would do more service to the community at large if the amount was more equally and properly divided, get nothing. I prefer giving nothing and let the commercial community of all the cities stand on the same footing, and not give special benefits to one particular city.

My colleague on the committee will notice that each one of these lines starts from New York and starts over two roads and two roads only, and the city of New York and those two roads get the whole of the $185,000.

Mr. PLUMB. The Senator is mistaken in regard to that.

Mr. COCKRELL. When that first mail-train leaves New York, how far does it go in advance of the train that leaves at the ordinary time in the morning? How far is it until the train that leaves in the morning overtakes it?

Mr. PLUMB. I do not understand that it overtakes it at all. I have a letter here which was written to two members of the House and which was before the Committee on Appropriations, a letter written by Mr. Thompson, superintendent of the railway mail service, which I ask to have read, which will answer the inquiry of the Senator from Missouri, as also the objection of the Senator from West Virginia, more fully than anything I can state.

The Acting Secretary read as follows:

POST-OFFICE DEPARTMENT,
OFFICE GENERAL SUPERINTENDENT OF RAILWAY MAIL SERVICE,
Washington, D. C., January 12, 1883.

SIRS: Referring to the conversation with the honorable Postmaster-General of this morning, at which time you presented a resolution adopted in Boston respecting fast mail leaving Boston about 9 p. m. and reaching New York between 3 and 4 o'clock a. m., I have the honor to make the following statement respecting mail facilities for New England, and from New England to the South and West:

Prior to December last there was a train that left Boston at 7 p. m. on the New York and New England Railroad. The mail reached the New York office at 4 a. m. The train for Philadelphia and points south was taken on the steamer Maryland at Harlem River, thence to Jersey City, where it made the connection with the 4.35 a. m. train for Charleston, South Carolina, and points west and south of the last-named place. At that time the steamer Maryland became disabled, and it was withdrawn from service. Consequently, the New York and New England train leaving Boston at 7. p. m. was discontinued, which deprives Boston and all New England of a connection with the fast train leaving New York at 4.35 a. m. for Philadelphia, Baltimore, Washington, Richmond, and Wilmington, arriving at Charleston next morning after leaving New York at 6 a. m., Savannah 10.30 a. m., and Jacksonville, Florida, at 4.50 p. m.

To remedy this delay as far as possible the honorable Postmaster-General on the 1st of December last placed clerks on the trains leaving Boston, also New York at about 10.30 p. m., and distributing the city mail in transit, which has been done since that time, and it has worked very successfully, the mail having been delivered in each city by the first carriers' delivery, with a few rare exceptions.

The expenditures out of the special-facilities appropriation for the present fiscal year are about as follows:

New York to Springfield	$17,647 06
New York to Albany	25,000 00
Philadelphia to Charleston, South Carolina	142,274 26
Total	184,921 32
In round numbers	185,000 00

You will see that this entire expenditure, with the exception of the $25,000, was largely for New England, and prior to the discontinuance of the New England train, above referred to, this secured a continuous train from Vanceborough, Maine, on the line between the United States and New Brunswick, to Jacksonville, Florida.

To be sure the special facilities between Philadelphia and Charleston perfected the system of trains and made a continuous service.

The House has passed the appropriation bill for the next fiscal year without any appropriation for special facilities. Consequently this whole system will be discontinued after the 30th day of June next. Now, I would suggest that if Congress should make an appropriation of $185,000 for special facilities it would continue the present service during the next fiscal year.

If the appropriation is made, so that the railroad companies can feel reasonably certain of the connection from New York and Philadelphia to the South, I have no doubt that the honorable Postmaster-General can secure the service on the steamer Maryland, and the New England train will be re-established without paying any money out of the special-facilities appropriation for that portion of the service; and, in addition to this, this train and its connections to the South

within the next sixty days will be more important than they ever were before, from the fact that an additional link of road is being completed west of Bainbridge, Georgia, so that it will have a continuous and direct connection to New Orleans, Louisiana, where it will make direct connection for all of the Texas roads through to Laredo, on the Rio Grande, between Texas and the Republic of Mexico.

This arrangment, if continued, would give a train leaving Boston at 7 p. m. (after the arrival of all the evening lines at Boston), arriving at New York at 4 a. m.; Philadelphia at 7 a. m.; Washington, 11 a. m.; Richmond, 3 p. m.; Charleston, the second morning, at 6a. m.; Savannah, 10.30 a. m.; Jacksonville, 4.30 p. m.; and New Orleans, the third morning, at 9 a. m.; and in addition to that continue the city distributers on the trains that leave Boston, also New York, at 10 p. m.; so that this mail will be delivered by the first carriers' delivery except when trains are late. I am clearly of the opinion that it would make a very perfect service and one that would satisfy your people.

I think it very important for the interests of New England and the coast-line cities that this appropriation should be made and the service continued; otherwise Boston's connection with the South after the 1st of July will be about as follows:

Leave Boston, 10.30 p. m.; leave New York the next day at 8.15 a. m.; arrive at Washington at 5 p. m.; remain at Washington until the next day at 7 a. m.; thence going South on a slow train that stops at all way stations. This you will see will be a very slow and unsatisfactory schedule.

If I have not made this clear, and there are any other points upon which you desire information, I will only be too glad to give you all the information that it is possible for me to do.

Very respectfully,

W. B. THOMPSON,
General Superintendent.

HONS. A. A. RANNEY and LEOPOLD MORSE,
House of Representatives.

Mr. PLUMB. It will be proper for me to say at this point that the committee considered a question which was discussed when a similar bill was under consideration a year ago, in regard to the cost and proper charge for carrying fourth-class matter. They addressed a communication to the Postmaster-General upon the subject with a view, if it should be found practicable, of increasing the charge upon certain portions of the fourth-class matter carried in order to make up some of the apparent deficiency which would be created by reason of the reduction of letter postage. In reply to the inquiry the letter which I send to the desk to be read was received.

In addition to the conclusion at which the Postmaster-General has arrived, which was a surprise not only to him but to the committee as well, it was thought advisable not to interfere at all with this class of postal matter, either in regard to the charge for carrying or in regard to the facility of carriage which should be extended to it, until the report of the commission provided for in this bill should be had, by which time we expect to have such information as will enable Congress to act, if at all, with precision. Therefore that question which has been made the subject of considerable discussion was left to stand exactly as it is by existing law.

I now ask the Secretary to read this letter. I think, however, that I will simply ask that it be printed in the RECORD and not detain the Senate to hear it read.

Mr. COCKRELL. I should like to hear it read.

Mr. PLUMB. Very well; let the Secretary read it.

The Acting Secretary read as follows:

POST-OFFICE DEPARTMENT,
Washington, D. C., January 15, 1883.

SIR: I have the honor to acknowledge the receipt of a letter addressed to me under date of December 26, 1882, by the clerk of the Committee on Appropriations, asking on behalf of your sub-committee the views of this Department upon the subject of "reducing the deficiency which will follow a reduction of letter postage * * * by rearranging third and fourth class mail matter in such a manner as to save the United States from the loss consequent on carrying for long distances, and at the same time prevent the express companies from taking from us in transporting for short distances those things that pass as fourth-class mail matter."

Your committee evidently contemplate the idea of regulating the charges on small parcels of merchandise according to the distance to which they are to be conveyed. That would seem to be the only possible way in which to avoid losses for carrying long distances, and at the same time to furnish inducements to the public for patronizing the mail service rather than the express companies for short distances. Such a scheme would tend to accomplish the object sought by your committee, since by far the largest element in the cost of conducting the postal service is that of transportation. The scheme is equitable in principle, and I have been inclined to favor it; but upon close examination I fear its execution would be attended with difficulties that would prove almost insurmountable. These difficulties grow mainly out of the great magnitude of the postal service. The service is spread over a vast area of territory; it embraces about 47,000 post-offices, and at the close of the last fiscal year it employed 12,295 different lines of transportation, aggregating 343,618 miles in length, and on which 194,901,703 miles of service were performed during the year. In view of the wide extent of our territory there would have to be many variations in the rates; and it would be necessary not only that each postmaster should be informed as to the specific charges for given distances, but that he should be furnished with some means of determining the distance to any other post-office. It would certainly be impracticable to furnish each postmaster with a list of distances to all the other post-offices, and a list of distances between the principal post-offices would hardly serve the purpose.

The plan of charging according to distance is not new, it having been adopted when our service was founded; but so many difficulties were encountered in carrying it into practical effect, and it was productive of so much dissatisfaction on the part of the public, that by successive acts of Congress, all gradually tending toward that end, it was finally abandoned in 1863, and uniform rates were established for all distances.

The difficulties previously encountered in carrying this plan into operation would be largely increased by the new matter since admitted into the mails, and by the greater proportions to which the service has attained. The difficulties would be still further increased by the changed conditions with respect to the manner of paying postage. Formerly prepayment was optional; and if by design or accident the postage was not prepaid, either in whole or in part, the matter was forwarded and the postage collected at the office of destination. The postmaster at the mailing office had no other duty than simply to forward the matter. If mistakes were made through the ignorance of the sender or of the mailing postmaster, they could be rectified at the other end of the line at the expense of the addressee. Only on the refusal of the addressee, or the failure to find him, did the matter come to the dead-letter office.

From motives of sound policy prepayment in full is required for third and fourth class matter. It would scarcely be wise to abandon that principle under any circumstances whatever. Under a system of optional prepayment many articles embraced within the designation of third and fourth class matter would from their very nature be refused by the addressee if he were called upon to pay the postage on them, and the Department would not only suffer the loss of transporting them, but would be put to the expense of finally disposing of them. If a package deposited in a post-office for mailing should furnish a clue to the name of the sender it would be the duty of the postmaster to call on him for any deficiency of postage; if without such clew the only recourse would be to send the package to the dead-letter office, with the chances largely against its ultimate restoration. These instances would not be of infrequent occurrence, as it is not reasonable to expect that the public would be sufficiently well informed to act intelligently upon a scheme of charges graded by distances. Indeed, in the light of experience, it may well be doubted whether as a rule postmasters could be depended upon to exercise the intelligence and care necessary to a proper execution of such a scheme. In any event this plan would very largely increase the labor of postmasters, and greatly swell the volume of matter coming to the dead-letter office.

In a letter addressed by me to the Speaker of the House of Representatives, under date of May 18, 1882, I expressed the opinion that the cost of handling and transporting fourth-class matter exceeded the revenue derived from that matter. That was the opinion which at that time, and for a period long previous to that time, had obtained in the Department. I fear I accepted it without due consideration. I accepted it because it was the opinion of those most familiar with the service, and because it seemed most plausible. It seemed to me inevitable that while the Government had one fixed rate for all distances, and at the same time the express companies were at liberty to transport the same matter, and were actually doing so, at a tariff of rates adjusted according to distance, they would carry the matter over all distances where our fixed rate would yield a profit, and leave the mails to be carried over such distances as our rate would entail a loss. I am not sure either that the opinion was correct, or that the reasoning was sound. The fact remains that there are more post-offices than express agencies; consequently, that the mail reaches a great many localities which the express companies do not visit. From this, or from some other cause, it seems pretty evident that the bulk of the fourth-class matter carried in the mails is not carried over the longest distances but over shorter distances. By my direction an actual count was made in the New York post-office of fourth-class parcels dispatched from that office for the twenty-four hours beginning at midnight of November 10, last. The whole number of such parcels was 24,446. Of these 18,145, or 72.2 per cent., were sent less than 1,000 miles; 4,886, or 20 per cent., were sent more than 1,000 and less than 2,000 miles; 808, or 3.6 per cent., were sent more than 2,000 miles and less than 3,000 miles. Only 517 parcels, or 2.1 per cent., were sent over 3,000 miles. I have no reason to believe that the day on which that count was taken was other than a representative day of the business transactions at that office.

Besides, these results are in harmony with the facts reported from the same office to the Second Assistant Postmaster-General under date of the 24th of October, last. That report gives the weight of fourth-class matter dispatched from the New York office for one week ending on that day. The total weight was 11,606 pounds. Of that 4,664 pounds were addressed to Buffalo and points east; 3,770 pounds were sent to points west of Buffalo and east of Chicago; 864 pounds were sent to points west of Chicago and east of Omaha, and 2,308 pounds to points west of Omaha and east of San Francisco. In other words, 40 per cent. of the total weight did not go beyond Buffalo, a distance of 442 miles from New York; while 72.48 per cent. did not go beyond Chicago, a distance of 984 miles from New York. Eighty per cent. of the same class of matter stopped at Omaha, or points east of Omaha, which is distant 1,484 miles.

The influence of distance upon the amount of fourth-class matter sent by mail is illustrated by the fact that 20 per cent. of the whole weight dispatched from New York that week went to points west of Omaha, while 95 per cent. of the population is located east of that point.

The superintendent of railway adjustments estimates that the cost of transporting the mails on railways, calculated upon the basis of 5,000 pounds per day, is 11.92 cents per pound.

The mail is transported in part over railways, in part on water, and for the residue over what are known as "star routes." During the last fiscal year the aggregate number of miles over which the mail was carried by the two last methods was 80,906,385. While the existing contracts last, that portion of the carriage of fourth-class matter costs the Government nothing, as it is well known it is carried on such routes at a stipulated price without regard to bulk. On railways alone is the compensation for carrying the mail adjusted according to the weight. It is not practicable to ascertain what it costs per pound to carry the mails on railways, since the rate per pound varies on different roads according to the total weight carried. According to a calculation made in the office of the general superintendent of the railway mail service on a road which carries an average of 200 pounds per day, the present postage charge of 16 cents per pound will carry one pound 273½ miles; on a road which carries 500 pounds one pound would go 388¼ miles; on a road which carries 1,000 pounds per day one pound would go 673 miles; on a road which carries 1,500 pounds per day one pound would go 820 miles; on a road which carries 3,500 pounds per day one pound would go 1,366 miles; and on a road which carries 7,000 pounds per day one pound would go 5,468¾ miles. It is obvious that if the Government has but one rate for carrying merchandise, while express companies have rates graduated according to distance, if the Government rate should be raised the effect of that increase would be to exclude this class of matter from a larger extent of territory which is served by express companies, and at the same time impose the additional burden upon the communities which are not visited by the express companies.

After the fullest consideration which I have been able to give to the subject, with such meager data as I can now obtain, I am not prepared to advise an increased rate on fourth-class matter. If some feasible way could be found for graduating rates according to distance, or if it were thought expedient by Congress to monopolize the carriage of fourth-class matter, as the carriage of first-class matter is monopolized, I am inclined to the opinion that the great bulk of merchandise which we now carry might be carried at a less rate than is now charged, and with more profit to the service.

I have the honor to be, &c.,

T. O. HOWE, *Postmaster-General.*

Hon. P. B. PLUMB,
Chairman Sub-Committee on Appropriations,
United States Senate.

Mr. PLUMB. I ask now that the bill be read, for amendment.

The Principal Legislative Clerk proceeded to read the bill. The first amendment reported by the Committee on Appropriations was to strike out the following proviso from lines 62 to 77:

Provided, That for the better accomplishment of the objects of the acts authorizing the construction of the railroads hereinafter referred to, and the better to secure to the Government the use and benefit of the same, the acts authorizing the building and construction of those railroads which have received, in addition to

land grants, Government aid by the loan or guarantee of bonds by the United States, and all other acts, parts of acts, and provisions having relation thereto, are hereby so altered, amended, and modified that hereafter the compensation paid or allowed for the carrying and transportation of the United States mails by such railroad companies, or their assigns or successors, shall be fixed by the Postmaster-General, at a rate not exceeding that fixed by him or allowed by law to other railway companies of the same class to which the United States have furnished aid by grant of land, right of way, or otherwise.

Mr. DAVIS, of West Virginia. I ask the Senator who has charge of the bill, and who understands this provision much better than I do, to explain it. I was unfortunate enough to be absent from the Committee on Appropriations when the bill was considered there. If I do understand this clause, it is a reduction of the amount paid to railroads that have received subsidies from the Government by way of loans of bonds. Am I right in that?

Mr. PLUMB. It assumes to reduce the compensation, but it is not an actual reduction.

Mr. DAVIS, of West Virginia. I should be glad to hear why it is not.

Mr. PLUMB. I stated that the compensation now allowed to the Pacific railroads was precisely that allowed to other railroads in the United States. In other words the Post-Office Department treats them precisely as it treats other railroads. With respect to that which they have claimed under the provision of their charter, that they shall have reasonable compensation, the Department pays them just what it pays other railroads—a reasonable compensation—and consequently the allowance made to the Pacific railroad companies is precisely the same paid to the Baltimore and Ohio, the Pennsylvania Central, and all other railroads in the United States.

Mr. DAVIS, of West Virginia. Then why strike out the proviso? If this confirms by law what the Postmaster-General is now doing, and there are some doubts about his authority, why strike it out?

Mr. PLUMB. In the first place, I think the question would be much fairer to ask why put it in. Why assume to exercise a power and authority which, if proper to be exercised legally, really accomplishes nothing?

Mr. DAVIS, of West Virginia. My colleague on the committee will understand that I only wanted information. He asks why do an idle thing? I agree with him that we should not do an idle thing. So far as that is concerned he and I do not disagree; but I understand that this clause proposes to confirm by law what is now done by the present Postmaster-General. So I understand from the Senator, though I did not think so previously. If that be so, why not let this clause stand so that any future Postmaster-General may have law for his action instead of going upon an assumption of what is right in regard to this matter?

Mr. PLUMB. So far as that is concerned, of course whatever I may say about this matter is argumentative, except the statement of fact as to what the Postmaster-General is now doing. If the Senator will examine it carefully he will ascertain that this is entering into a very important subject. It is an assumed modification of the charters of these railroad companies. I do not say they ought not to be modified; I do not say they ought not to be repealed. I am not going to say that they ought not to carry all the mails of the United States for nothing. I am only saying that it is a question of such magnitude and of such importance as involving our relations heretofore fixed by what the Supreme Court has said to be a contract, that I think we ought not to enter upon it on an appropriation bill.

Mr. DAVIS, of West Virginia. I do not wish to detain the Senate, but this subject was discussed very thoroughly in the House, and I understand it was believed by the committee to be a considerable reduction, and upon that theory the House adopted the proviso. I do not know what the Postmaster-General has said upon this subject, but it occurs to me that it is a reduction of the cost of carrying the mail, and only puts the railroad companies who received bonds in aid of the construction of their roads on a footing with all other roads and with individuals. Why should not that be done? The Senator answers that it is now being done. That is probably the case. Of course it is if he says so; I take that for granted. Although it is now being done, some future Postmaster-General may believe that he has no authority to do it, and may not do it; and I think it would be better to retain the proviso. However, I have no special argument to make about it. I think it would be wise for the Senate to retain the provision. It certainly would make a law, and would direct the Postmasters-General in future as to what is now uncertain as to their authority.

Mr. PLUMB. There is one further consideration in reference to what the Senator from West Virginia has said, or what is implied in what he has said. I do not regard it myself as being a matter, in the present state of the case, of a great deal of moment whether the proviso reduces the pay or not, or whether it confirms by law what the Postmaster-General is now doing, for two reasons. As I said, I think this is not the proper place to enter upon a discussion of so delicate and difficult and at the same time so important a question and one which has been so recently the subject of exhaustive discussion and of somewhat drastic enactment by Congress. The other reason is, that if it were itself to reduce the pay, manifestly if the Government is to get its carrying of the mail or other matter at less than individuals pay, individuals then must pay more, and, as I am willing to admit, if the Government were paying the money to these railway companies upon a basis that it pays to the other railroad companies, that is, if it dealt with them on the same basis and had no other relations to them than it had to other railway companies, it might not be conclusive, because the Government would have the right perhaps to say that it would make a cheap bargain even if it did work an imposition of a higher rate upon some private person. But in this case the Government relation to these railway companies is modified by the fact that these companies owe it large sums of money which they are not paying and which a good many people, as I said before, believe they will not be able to pay, or at least will not pay; and therefore what the Government pays to them is not full value, as it would be if the money was appropriated out of the Treasury. I do not regard it worth while to enter in this irregular and to some extent reprehensible way and at this time and place, upon the regulation of that, even if we should thereby save nominally a little something to the Government, which after all would only be a saving in the book-keeping or in the ink with which the entries were made of credit upon the books of the Treasury Department.

The whole matter, therefore, looked upon as a matter of money, from my standpoint, is wholly inconsequential. From the standpoint of the relations which we occupy to these railroads, and which we may modify by legislation, as I have no doubt we may, considering the place and the time in which it is assumed to be done, I think it is a matter of considerable moment. Therefore I am led to indorse the action of the committee in saying that this is not the place to determine what we shall do in relation to these railroad companies about the carrying of the mails or anything else; and in the next place that it is not worth while to enter upon a doubtful domain when there is absolutely nothing in money to be gained by it.

Mr. INGALLS. Can the Senator having charge of the bill inform us what is the rate now fixed or allowed by law to other railway companies designated in lines 75, 76, and 77 of the part proposed to be stricken out?

Mr. PLUMB. It is the same rate as is allowed to all other railway companies, less, I think, a reduction of 10 per cent.

Mr. INGALLS. Then if the proviso between lines 62 and 77 were retained the result would be an aggregate reduction on certain lines of 10 per cent. from the amount now allowed by the Postmaster-General.

Mr. PLUMB. Provided the legislation should be held to be effective and accomplish anything, it would accomplish that.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to strike out the proviso from line 62 to line 77 inclusive.

The amendment was agreed to.

Mr. PLUMB. The next amendment proposed by the committee is not to take the place of what has been stricken out, but at the same time it occurs in the bill at this particular point.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, after line 79, to insert:

For necessary and special facilities on trunk lines, $185,000.

Mr. MAXEY. Congress began several years ago to make appropriations like this for special mail facilities on trunk lines, but it was found practically that about all the benefit which resulted from that appropriation went to the city of New York and to lines running out from that place. Last year the Senate amended the House bill in such a manner as to require an equitable distribution of this appropriation so that the whole country should have the benefit of these special mail facilities, and I believe the amount of $600,000 was appropriated; but notwithstanding that provision in the act the benefit resulted again only to the city of New York and lines running out from there. The country west of the Mississippi River did not get the benefit of that appropriation. I find that at this time the appropriation is reduced to $185,000.

My judgment about it is that the people of the whole country are just as much entitled to mail facilities as the people of the city of New York, and unless these facilities reach out to the whole country there ought to be no appropriation of this kind. I think this amendment put in by the Senate Committee on Appropriations ought to be stricken out.

Mr. BUTLER. I think the Senator is mistaken in saying that the only part of the country deriving any benefit from this service is the city of New York.

Mr. MAXEY. And lines reaching from it.

Mr. BUTLER. It so happens that one of these fast mails runs from this point to Charleston and from Charleston to Jacksonville, which has been of very great service to the people of my section of the country, and I therefore trust that the amendment of the committee will not be stricken out. It is of the very last consequence to the people of my part of the country that the appropriation of $185,000 shall be retained. I have a statement from the superintendent of the railway mail service which shows that the appropriation for this purpose has been distributed from New York to Albany and from Boston and from New York to Charleston, and to Jacksonville, Florida, and also from Springfield, Massachusetts, to New York, as I now remember.

Mr. ALLISON. We can not hear, Mr. President.

The PRESIDENT *pro tempore*. It is very difficult to keep order today.

Mr. BUTLER. I was simply saying that I hope the amendment of the committee will be sustained.

Mr. MAXEY. I never have believed in making fish of one and flesh of another. I believe that the people west of the Mississippi River who aid in supporting this Government and who constitute now a very large proportion of the population of the United States, are just as much entitled to the benefit of mail facilities as the people in the city of New York or anywhere east of the Mississippi. We do not get them, and it is not just, it is not fair that we should be required to pay taxes for the benefit of other people and receive no corresponding benefit for our own people.

Mr. BUTLER. I say to the Senator from Texas very frankly that if the people of the West have not received those facilities to which they are entitled (and I admit that they are entitled to just such facilities as other portions of the country), if he will introduce an amendment giving them the benefit of these facilities, I will take very great pleasure in voting for it and supporting it. I have no desire whatever to discriminate against the West, so far as I am concerned.

Mr. MAXEY. I will state to the Senator from South Carolina that we did do just that thing at the last session of Congress. We put in an amendment which we thought would be effective, requiring an equitable distribution of the amount which was then largely increased by the Senate over the House appropriation, up to I think $600,000.

Mr. DAVIS, of West Virginia. It was $600,000.

Mr. MAXEY. We put a special clause in the act that the amount appropriated should be equitably distributed so as to accommodate the various commercial centers. Saint Louis is, I believe, the fourth city in the American Union, and the people of Saint Louis, Galveston, San Antonio, San Francisco and Omaha and other great points west of the Mississippi River, are just as much entitled to the benefit of special mail facilities as the people east of that river. We do not get them. We did not get them when we put in the very amendment which the Senator from South Carolina now speaks about. As long as I am a member of the Post-Office Committee, I shall oppose anything of this kind which makes fish of one portion of the community and flesh of another.

Mr. BUTLER. Then I suggest to my friend from Texas that the remedy he has would be to hold the Post-Office Department to account. That is his remedy. I can not see the force of the position which the Senator from Texas takes when he permits the Postmaster-General to go on without rebuke or without accountability and attempts to deprive that portion of the country which is now getting the benefit of these facilities, of them. It seems to me that his proper remedy would be to call upon the Post-Office Department to know why they have not made an equitable distribution of the $600,000 appropriated for this purpose.

Mr. MAXEY. I can reply to that in an instant. The House did give the rebuke and the precise rebuke which the Post-Office Department ought to have had. The appropriation was not distributed according to the spirit of the law, and the result was that the House refused to put in this bill any appropriation whatever for this purpose, and there is where it ought to stand.

Mr. McMILLAN. I should like to ask the Senator from Texas if it was not on account of the refusal of the railroad companies to comply with the terms prescribed by the Post-Office Department, and not the fault of the Post-Office Department that this distribution was not made? Were not the purposes of the Post-Office Department defeated by the action of certain of the railroads?

Mr. MAXEY. This appropriation of $185,000 is practically to all intents and purposes a donation of that much to the railroads. Last year when the question came up, as is well recollected by the Senator from West Virginia [Mr. DAVIS] and the Senator from Kentucky [Mr. BECK], it was shown that sixty odd thousand dollars which justly and rightly belonged to the general railroad service, the distribution of the mails for the general railroad service had been used. After the appropriation for special mail facilities had been exhausted, New York had not got as much as they wanted New York to get, and there was given to Mr. Vanderbilt's line sixty-odd thousand dollars that belonged honestly to the general railroad mail service throughout the United States.

This $185,000 is simply a donation for the benefit of the railroads leading out of New York, and for the benefit of what are called the metropolitan papers going from there, and is of no service whatever to the great mass of the American people who have this tax to pay. The House of Representatives was right when it struck it out, and that was a condemnation of the Post-Office Department which came justly from the House, and I propose to stand by it.

Mr. BECK. Last year, after a full conference with the Senator from Texas and other gentlemen who think as he and I do, that these matters ought to be fairly and equitably adjusted or that we ought to stop these fast-mail facilities, so called, when they become partial, we allowed $600,000, inserting in the body of the bill the provision the Senator from Texas has just quoted, that it should be equitably distributed to accommodate the various commercial centers. It became apparent to us all then that we should have to increase that amount somewhat in order to reach the object fully, but we saw that that would be a good starting place.

The Postmaster-General, as I am advised, endeavored faithfully to execute the act of Congress. He went to Chicago and he endeavored to have those facilities carried up to Saint Paul and Minneapolis; but the conflicts between the various railroads along those lines were of such a character that he was unable to do it. He then sought from Saint Louis to reach the great lines running to the southwest through Arkansas and the Indian country and the Union and Central Pacific and Kansas Pacific roads, but he did not seem to meet with much better success. I know he came before the Committee on Appropriations several times and told us the trials and tribulations he had in endeavoring to accomplish our object. The real difficulty in the way was that he could not give the service to one large line of railway without the other roads cutting rates against that road, and he could not give it to all. The competing lines there interfered with him so that he could not do anything at all. Take the Chicago and Northwestern, and the Chicago, Milwaukee and Saint Paul Railroads, running almost side by side from Chicago to Minneapolis and Saint Paul. He could make no arrangement with one of those roads that the other would not resist, and there was the difficulty.

Mr. MAXEY. So far as the roads from Saint Louis to the southwest are concerned that objection does not apply, for the whole line is under one control practically.

Mr. BECK. Perhaps so; but at any rate the objection proved fatal. We were met with this question in the sub-committee the other day. If we abandoned the service altogether, as the House seemed disposed to do and as the Senator from Texas thinks ought to be done, we should in the mean time be cutting off established facilities that are of great benefit to a very large section of the country. We have cut the appropriation down from $600,000 and recommended $185,000 now so as not abruptly to destroy the fast line running from Boston, New York, and Washington to Charleston and Savannah and extending on to New Orleans. By allowing that line to run on at the present rate it enables gentlemen from Boston, for example, who have been here giving their views before our committee, to get their mails delivered at 11 o'clock in the morning, instead of at 5 in the afternoon. The great facilities afforded are exhibited by the letter which has been read at the desk; and they extend from Washington clear on to Charleston, Savannah, and New Orleans. While we are endeavoring to cut this service down, I do not feel authorized to cut off that line abruptly; but the committee recommend this amendment as an additional section at the end of the bill:

SEC. 3. That the Postmaster-General is hereby directed to make a thorough investigation into the railway mail service of the United States, and for that purpose may designate not to exceed three competent officers of the Post-Office Department, experienced in matters relating to the transportation of mails on railroad routes, and the system of compensating for the same, as a commission to so aid him that he may devise and report to Congress, in December next, with the data upon which it is based, a more complete system of gauging the rates of pay for carrying the mails on railroad routes, in order to secure the better protection of the interests of the Government, and the allowance of just rates of compensation for the service required; and he is authorized to expend not to exceed $10,000 out of the appropriation for the transportation of mails to compensate the commissioners for their specific services, and for clerk-hire, and expenses involved, which sum shall be immediately available.

We were advised by the Post-Office officials that if that were done they could in course of a year or two make a new readjustment which would be equitable to all, and which would save the Government a large amount of money and make a proper readjustment of the lines of road over which the mails have to run, and the speed at which they should run; and in the mean time, as this great line extends along the seaboard from Boston to New Orleans, it furnishes facilities the cutting off of which would be very severe. We thought that while this investigation was being made under the provision in the bill that I have read, we should allow this line to continue rather than to upset and upturn all the existing accommodation on this one line.

I thought that was a reasonable proposition, and I shall so vote now, although I agree with the Senator from Texas that unless some means is devised to make the service equitable all over the country I shall not vote to continue special facilities in one section over another; but it seems almost too hard to cut off at once all the special facilities. We make a reduction from $600,000 to $185,000, allowing this one line to remain as it is now established, and the taking off of which would result in serious inconvenience to the people all the way from Boston to New Orleans along the seaboard, until we can see if we can make a new adjustment. Feeling very much as the Senator does, I am not quite prepared to go at this moment where he is prepared to go.

Mr. COCKRELL. The Senator from Kentucky said that the committee was cutting down this appropriation from $600,000. As I understand we did not expend that appropriation at all.

Mr. PLUMB. No doubt that is a very interesting conversation; but if it is, it ought to be heard on this side of the Chamber.

Mr. COCKRELL. I said that the Senator from Kentucky stated that the committee was cutting down this appropriation from $600,000 to $185,000. Now I ask whether that $600,000 had ever been expended at all, and whether this $185,000 is not as great an appropriation as has actually been expended heretofore.

Mr. BECK. It is nothing like what has been expended heretofore; but it is as much as was expended of the appropriation made last year, because of the failure to accomplish what the Postmaster-General and Congress earnestly desired should be accomplished.

Mr. COCKRELL. Then this is simply the amount that was expended last year?

Mr. BECK. Simply the amount expended last year, because the Postmaster-General did not expend the money we authorized him to expend, having failed to make the arrangements we authorized him to make with the railroads.

The Senator from Missouri is a member of the Committee on Appropriations as well as myself, and he heard a good deal of this discussion. The letters which have been read from the desk explain why this one route is sought to be maintained at present until we can see what can be done hereafter, and I would rather (having confessedly no great familiarity with the subject) that the Senator from Missouri would look at that letter which has been put in the RECORD by being read this morning, and say if he does not think there is good reason in continuing it at least for a time, until we see whether a better adjustment can be made. That is all I care to say.

Mr. COCKRELL. I was not a member of the sub-committee which had this bill in charge. I will ask some other Senator, in the course of this discussion, to explain what I asked the Senator in charge of the bill to explain, and which that letter does not explain—what is the benefit of this service? These fast-mail trains leave New York about 4 o'clock in the morning; how many letters do they carry?

Mr. BECK. They bring all the Boston mail of the night before.

Mr. COCKRELL. They leave New York at 4 o'clock in the morning; now, what mail matter do they take out of New York? They take out the mail which is brought in from Boston.

Mr. BUTLER. Leaving Boston at 7 o'clock on the evening before.

Mr. PLUMB. They take out all the mail that is deposited in New York between 6 o'clock the evening before and this period of 4.30 in the morning, at which time the fast train departs, besides the newspapers which are printed in the morning at about 3 or 4 o'clock.

Mr. BECK. And all the Boston mail which left there the night before.

Mr. PLUMB. It includes not only the mail deposited in Boston and gathered up at intermediate points between Boston and New York, but the mail from Halifax, which includes also quite a considerable foreign mail.

Mr. BECK. I ask the Senator from Kansas if I was right in saying that the present arrangement enables not only the Representatives and Senators, but everybody else in Washington, to obtain the Boston mail at 11 o'clock in the morning instead of 5 in the afternoon, as would be the case if this train was taken off?

Mr. PLUMB. It makes a difference of six hours.

Mr. McMILLAN. I should like to ask the Senator in charge of the bill how much sooner does the 4 o'clock mail from New York reach Chicago than the subsequent morning mail?

Mr. PLUMB. The saving is about six hours.

Mr. McMILLAN. To Chicago?

Mr. PLUMB. To Chicago.

Mr. COCKRELL. Are there not trains leaving New York at 1 o'clock in the morning going south and going west which take all the mail matter deposited up to that time?

Mr. PLUMB. I am not aware of any train leaving New York at 1 o'clock a. m. There is a train that leaves New York at 12.10.

Mr. COCKRELL. Well, 12.10 at night. When there are trains leaving New York at about 12 o'clock at night which take all the mail matter deposited up to that hour going south and west, what does this train at 4 o'clock take?

Mr. PLUMB. My understanding is that that 12 o'clock train does not carry the mail from New York.

Mr. DAVIS, of West Virginia. Yes, it does.

Mr. COCKRELL. I understand it does, and it is reported and published in the press of the country that it does, and that was the reason I wanted the Senator to explain what mail these fast trains take out of New York. They start at 4 in the morning. The trains that leave at 12, or about 12, take all the mail matter deposited up to that time. They take, as the Senator from Kentucky says, the mail which leaves Boston the previous afternoon at, say, 7 o'clock and arrives in New York just before 4 o'clock. That is distributed and put on and goes immediately on, and that is all.

Now, I should like the Senator to explain further how far these fast trains carry mail matter? What mail does the train going from New York to Chicago take on the route, and where does the morning mail train from New York overtake the same mail matter?

Mr. PLUMB. It is not overtaken at all. The fast mail train which leaves New York is not overtaken by any subsequent train; on the contrary, it itself overtakes, and there is the advantage of it, a train which departs from Albany at a period which would make it impossible to make the connection by the regular train. It goes, it is true, into a regular train at Buffalo.

Mr. COCKRELL. Where it stops.

Mr. PLUMB. No, I beg pardon; it does not stop there. It goes right on with that train.

Mr. COCKRELL. What mail does it carry?

Mr. PLUMB. All the mail which it takes out from New York and what it gathers up subsequently.

Mr. COCKRELL. Between 12 and 4 in the morning. That is all.

Mr. PLUMB. Oh, no. The Senator from Missouri has got either his geography or his facts wonderfully mixed up, or both. He was talking at first about a 12 o'clock train going south, and now he is talking about a 12 o'clock train going west, and there is none.

Mr. COCKRELL. There is one going in each direction about the same hour.

Mr. PLUMB. Going to Chicago?

Mr. COCKRELL. Yes, sir.

Mr. PLUMB. Not at all.

Mr. COCKRELL. The Pennsylvania Railroad train which leaves New York about 12 o'clock, and which takes all the mail up to that hour, gets into Chicago before your fast mail train in the morning.

Mr. PLUMB. We are talking about an entirely different train; we are talking about the train which leaves New York on the New York Central Railroad, and not about the train which departs from New York on the Pennsylvania road. There is no pay to the Pennsylvania Railroad Company for its train. The Pennsylvania Railroad Company, as the Post-Office Department assures us, declined to continue the service at the price the Post-Office Department had before been paying, and the price only which it can afford to pay for the service rendered. The amount paid for the service of which I speak is a trifle, only $25,000, I think.

Mr. SAULSBURY. To what road?

Mr. PLUMB. The New York Central. That is only for the service between New York and Albany. The remaining portion is paid on the line from Boston to Savannah.

Mr. BUTLER. I have some special interest in the fast mail from the points south, particularly from here to Wilmington and Charleston, and hearing that this appropriation had been left out in the House, I addressed a note to the superintendent of the railway mail service, making some inquiries about it. I should like to have his letter read in reply to my communication. It is very short.

Mr. DAVIS, of West Virginia. Previous to that I should like to correct a statement of fact. I read from the official report——

Mr. BUTLER. I submit to the Senator that the letter I have sent up should be read.

The PRESIDENT *pro tempore*. The Senator from South Carolina has the right to have read the letter which he has sent to the desk.

The Acting Secretary read as follows:

POST-OFFICE DEPARTMENT,
OFFICE GENERAL SUPERINTENDENT OF RAILWAY MAIL SERVICE,
Washington, D. C., January 16, 1883.

SIR: I have the honor to acknowledge the receipt of your letter of the 15th instant, and in reply say that the appropriation for the fast mail service as applied to the Atlantic coast line has been of very great service to the large section of country which it supplies. The service will not be maintained without the companies are paid the "special facilities."

This was an additional train placed on the road on the schedule arranged by the Post-Office Department, and if the compensation should be withdrawn I am confident that the train would also be withdrawn. The managers have informed me to that effect.

In view of their statements and the fact that they did not run a similar train to this prior to the payment of "special facilities," I am clear the train will not be continued longer than the present fiscal year. If such is the case, on and after the 1st day of July the through schedule from New York to Charleston, South Carolina, will be once per day, arriving at the last-named place at 4 p. m. instead of 6.50 a. m. I inclose herewith a copy of a letter that I wrote Hons. RANNEY and MORSE, of the Massachusetts delegation, which I think will fairly represent the case.

If, however, you should desire anything more definite, I will be glad to furnish all the information in my power.

Very respectfully,

W. B. THOMPSON,
General Superintendent.

Hon. M. C. BUTLER,
United States Senate, Washington, D. C.

Mr. BUTLER. It will be seen that the effect of withdrawing this appropriation will be to put the mail in Charleston from New York later by eight hours than under the present arrangement. That fast-mail train leaves here at 11 in the morning and arrives in Charleston next morning about 6—eighteen hours. If this appropriation is withdrawn, that mail will not reach Charleston until 4 o'clock p. m. that day, instead of 6 in the morning. That is the effect on that part of the country.

Mr. MAXEY. If the Senator from Missouri [Mr. COCKRELL] be correct, the whole matter is perfectly clear. The Senator states that there is a train leaving New York between 12 and 1 o'clock at night, about 12.10. As a matter of course that train takes up all the mail which is deposited previous to that time. Does not everybody know that there is no mail of any consequence, if any at all, deposited between 12 o'clock at night and 4 o'clock in the morning? So that the train which starts out at 4 o'clock in the morning carries not letters but simply carries mainly the morning papers issued that morning. That is about the principal business it has to do, and the papers really go by express and pay no postage.

Mr. BUTLER. What does the Senator say about the train leaving here at 11 o'clock a. m. going south? I feel a special interest in the mails from here to Charleston; I do not care so much about the mails from New York.

The PRESIDENT *pro tempore*. The hour of 1 o'clock has arrived, and the unfinished business comes up.

Mr. PLUMB. I think there is probably no item in this bill except this one which will excite debate, and I presume debate on this has been substantially concluded.

Mr. MORRILL. But this bill can just as well be finished to-morrow in the morning hour as to-day.

Mr. PLUMB. I hope the Senator from Vermont will give us a few minutes at least. If it is going to make delay beyond a few minutes, I shall not press it.

Mr. HOAR. The Senator from Vermont will allow me to say that he ought not to use his power to antagonize all other business. I do not mean that the Senator is at all inclined to do so; but to drive this bill into the morning hour drives down everything else.

Mr. MORRILL. If we are to complete the tariff bill we must continue earnest work upon it every hour and minute of the time that we have. If the Senator from Kansas thinks the appropriation bill can be disposed of in ten minutes, I will yield for ten minutes.

Mr. PLUMB. I think it can.

Mr. ROLLINS, Mr. HOAR, and others. Let us take a vote.

Mr. BUTLER. I do not desire to say anything further on the point I was discussing; but I avail myself of the privilege I have while on the floor to say that I hope the Senator from Kansas having the bill in charge will insist on its being finished now.

Several SENATORS. Vote! Vote!

Mr. JONES, of Florida. I wish to give notice that on Saturday after the expiration of the morning hour I shall call up the resolution introduced by me——

Mr. HOAR. My friend will allow me. It is too bad to take up this ten minutes that the Senator from Vermont allows us with notices. Why not give them at some other time? Let us vote on this bill.

Mr. JONES, of Florida. Why should the Senator object?

Mr. HOAR. I do not object; I merely appeal to my friend.

Mr. JONES, of Florida. I wish to give notice that on Saturday I desire to call up the resolution introduced by me on the 27th of December in relation to the treaty between the United States and Spain, on which I shall desire to make a few remarks.

The PRESIDENT *pro tempore*. Does the Senator mean after the usual morning business?

Mr. JONES, of Florida. Yes, sir.

Mr. PLATT. I am as anxious to have this appropriation bill disposed of as any member of the Senate, but I desire to say a few words in connection with the subject of the reduction of letter postage, and if there is to be an effort to finish the bill in ten minutes I thought perhaps I ought to give that notice at this time.

The PRESIDENT *pro tempore*. There is no agreement about that. If the Senator from Vermont does not call up the unfinished business, the Chair will understand that this appropriation bill continues before the Senate.

Mr. DAVIS, of West Virginia. The Post-Office appropriation bill is still before the Senate?

The PRESIDENT *pro tempore*. It is.

Mr. DAVIS, of West Virginia. This is a question of great importance to some of the commercial cities of this country who have to pay tribute to the larger cities, as I understand. The entire country has to pay its portion of this $185,000, while the city of New York gets almost the whole benefit of it. All the trains to which any money is paid for special mail facilities start from there. From New York to Springfield $17,000 is paid; from New York to Buffalo, $46,000; these are some of the items that make up the $185,000; $150,000 of it is for service from one city. I believe with the exception of a little crumb dropped here in the South to one or two roads between Charleston and Richmond, New York gets the entire amount, and not one dollar is for any other city.

The Senator who has charge of the bill stated a moment ago that $25,000 was the amount that was paid for the mail service out of New York.

Mr. PLUMB. Not out of New York, but out of New York west.

Mr. DAVIS, of West Virginia. The official report says $46,000 from New York to Buffalo.

Mr. PLUMB. The Senator has got the report for the preceding year.

Mr. DAVIS, of West Virginia. It is the same, the Postmaster-General tells you, and the only excuse he has got for paying the same as last year is that he made no changes.

Mr. PLUMB. I hold in my hand the letter of the superintendent of the railway mail service, in which he says:

The expenditures out of the special-facilities appropriation for the present fiscal year are about as follows:

New York to Springfield	$17,647 06
New York to Albany	25,000 00
Philadelphia to Charleston, South Carolina	142,274 26
Total	184,921 32

Mr. DAVIS, of West Virginia. If the Senator is right in that, there is no mail coming from Boston through. If the southern fast mail starts from Philadelphia and not from New York, there is no direct connection from Boston through. The official report which I hold in my hand says that it is from New York to Charleston, and it starts from New York and not from Philadelphia. That letter is gotten up for this purpose, while this official report was gotten up for the whole country.

The Postmaster-General has said in his report, and so has the superintendent of the railway mail service, if not in words substantially, that $600,000 should be given to supply the whole country; and there is no reason why the city of New York for one or two great lines should have $185,000, the whole country paying the expense and getting no benefit whatever. My friend from South Carolina says that this fast mail service does his people a great deal of good. How? Not by any money being paid on his part of the line to any extent. It is paid to great corporations in the city of New York, whose lines move south and connect with the regular trains when they get to Richmond or about there, and then they go on. It is not for the benefit of the Senator's constituents in South Carolina. New Orleans also is spoken of; but I say not one cent out of this $185,000 is paid to any part of the South except between New York and Charleston.

Mr. BUTLER. In reply to what the Senator says, I beg to remark that I do not care the snap of my finger whether the railroads make one dollar out of this service or not. That is not the question. The point I referred to when I said it was of great benefit to my part of the country was the convenience to the business portion of the community, the merchants particularly on the line of the road, the merchants in Charleston and Wilmington, and on all the lines connecting with this fast mail service. I do not care whether the railroads get any advantage from it or not; it is not a matter of the slightest consequence to me whether trunk lines or branch lines or other railroads get it; I was referring to the benefit it was to the business community, the business interests of the South.

Mr. DAVIS, of West Virginia. May I ask the Senator how far it is from Florence to Charleston?

Mr. BUTLER. Something over one hundred miles. The fast mail goes right to Charleston via Florence. I do not know whether the Northeastern Railroad gets the benefit of it or not, but I know the mail goes through, for I went on the same train myself.

Mr. DAVIS, of West Virginia. It has been shown by the Senator from Missouri and others that there are in the evening, after business hours close in New York, I think four trains leaving there before this fast train in the morning leaves that carries the metropolitan newspapers, and that was what it was put on for, and for hardly any mail matter whatever.

Mr. MAXEY. I submit that the most of those papers are carried by express and pay no postage.

Mr. BUTLER. I think the Senator is entirely misinformed about the quantity of mail matter brought by that train. I am not prepared to say how much, but in conversation the other day with the superintendent of the railway mail service he made a statement of the number of pounds of mail matter brought by that mail, and I was very much surprised at it.

Mr. DAVIS, of West Virginia. I admit that there is a great number of pounds, but what is it? Newspapers.

Mr. BUTLER. No, the fast mail does not bring newspapers.

Mr. DAVIS, of West Virginia. I will state the case as I understand it, and I think I understand the question as to the mail service. This train leaving New York, say, at 4 o'clock in the morning is put on more especially for the newspapers. Why? There is a mail now leaving New York for the South and West, I believe, at 7.45 in the evening, which takes nearly all the mail that is gathered during the day. Last year I heard the statement of the officers of the Post-Office Department, and it was that the mail leaving New York at 7.45 in the evening, which is not in any way compensated other than as the regular service, is the first to get to all the southwest cities, to Cincinnati, Louisville, Saint Louis, New Orleans, and everywhere in the Southwest and in the Texas country. Following that, I believe, at 9.40, a train leaves New York going south and going west, with no extra compensation. Again, at 12.10, I think, a train leaves New York to take whatever else is gathered, without compensation, starting south and starting west, and gathering up all the mail matter of the day from the commercial communities through which it runs, and there is no extra compensation whatever on the part of the Government.

A train leaves New York in the morning at about 4 o'clock. As I understand, that train takes the metropolitan newspapers, and there is a large amount of them. I know, as was said by the Senator from Texas, that they are generally sent as express matter and not as mail matter. The train brings them here and takes them south in very good time; but why should the Government pay specially for a train which runs out of New York to carry newspapers when the mail has nearly all preceded it? Why should the Government pay from New York to South Carolina on one train about $100,000 a year when trains have preceded it with both mail and passengers?

What is the result of this? The train that leaves New York at 4 o'clock in the morning comes by way of Philadelphia, it is true, and by way of Baltimore and to this city and on south. There is also a train, without patronage in any way, without aid from the Government, which leaves Baltimore at 4 o'clock in the morning, with no pay from the Government whatever, and it takes the Baltimore papers and the

Baltimore mail matter and the Baltimore passengers, and it is run down at Florence by this fast train from New York, which is paid for by the Government, and from Florence south the two trains go together, without compensation, everywhere south, to New Orleans, Mobile, Florida, as I understand.

These are the facts about the southern trains, and I believe I am correct in the statement; so that the only thing which the fast train does that my friend from South Carolina talks about is that it does bring in the papers; but the train that leaves Baltimore at 4 o'clock, which will take him or me or anyone else, is just as fast a train as the one that leaves New York at that time.

Mr. BUTLER. The Senator is entirely mistaken about that, I can assure him. He has referred to the fact that the train which arrives here about 11 o'clock brings the metropolitan newspapers. I wish to say that that is of very great consequence to the country, for everybody in the country is always extremely anxious to see the New York papers. While I admit that it would hardly be proper for the Government to pay for that specially, I think it accomplishes a great deal when we get the New York papers at 11 o'clock in the morning, and at Charleston the next morning at 6 o'clock. I think that accomplishes a great deal. I have no doubt the mails go, as the Senator says, from New York at 4 o'clock in the afternoon or 12 o'clock at night, but the point I make—and I only do that by way of illustration—is that we get the mails in Charleston eight hours earlier by this fast train, which is rendered possible by the special-facilities appropriation, than we should do by the running of the ordinary trains. That is all there is of it.

Mr. DAVIS, of West Virginia. So far as New York is concerned the Senator is right, but not so far as Baltimore and Washington are concerned. Why should the Government pay for special mail facilities for running the Southern train to which he refers? I speak of that now, for that is the most important one and the one for which the most money is paid. Why should the Government pay for this New York train, so that New York papers or letters may be put in advance of the mail matter of other sections of the country? Why should not other sections of the country have the same facilities?

Mr. BUTLER. I will ask the Senator a question. Does not that same train take up the mail at Philadelphia and Baltimore and Washington and Richmond and Weldon and Wilmington, as it goes along, increasing it and expediting it to that extent?

Mr. DAVIS, of West Virginia. Is a passenger or a letter to wait in Baltimore in order to allow a train from New York to come along and take him or it up, and should the Government pay expressly for that train? Is that right? Is it proper? Is it just?

Mr. BUTLER. I do not understand that the Government pays anything. It is only on this train that it pays.

Mr. MORRILL. I call for the regular order.

The PRESIDENT *pro tempore*. The Chair can not take the Senator from West Virginia off the floor.

Mr. MORRILL. I thought the Senator from West Virginia was through.

Mr. DAVIS, of West Virginia. No, sir. To the people whom I represent this is a very important question, and it will take the Senate some time to get through with it.

Mr. MORRILL. I merely ask, as it is obvious that this bill can not be completed at least in less than an hour's debate, whether the Senator will not forego his explanation until to-morrow morning?

Mr. DAVIS, of West Virginia. I have no objection at all to giving way for the purpose of going on with the revenue bill.

Mr. MORRILL. Then I call for the regular order.

Mr. DAVIS, of West Virginia. The matter now under consideration can not be passed without proper discussion, I will say to Senators.

Mr. EDMUNDS. I hope my colleague will not take the Senator from West Virginia off the floor if he wishes to proceed.

Mr. MORRILL. I do not propose to do so.

Mr. DAVIS, of West Virginia. I give way for that purpose. I willingly yield to the Senator from Vermont.

The PRESIDENT *pro tempore*. The regular order is called for.

Mr. PLUMB. I do hope that we may get through with this appropriation bill. I have no desire to antagonize the tariff bill which the Senator from Vermont has in charge, but in the absence of any new instruction from the Committee on Appropriations I feel constrained to insist that the further consideration of this bill shall be continued.

Mr. MORRILL. The Senator must see that the bill will excite discussion. The question as to reducing the postage from 3 cents to 2 cents will occupy at least an hour. Therefore it had better go over until to-morrow morning, so that Senators may have full time to consider it.

Mr. EDMUNDS. It can be taken up to-morrow as soon as the routine morning business is concluded.

Mr. PLUMB. I think on the whole the argument is a good deal stronger in favor of getting through with the appropriation bill, because we shall get more time by going ahead now. I do not feel that I have any discretion in the matter under the instruction of the committee except that I must ask the Senate to continue the consideration of the bill.

Mr. MORRILL. I ask for the consideration of the unfinished business.

Mr. BUTLER. If the Senator from Kansas does not feel authorized to do so, I move that the Senate proceed with the consideration of the appropriation bill.

Mr. PLUMB. No; that is my own position. I said I did not feel warranted in yielding to the Senator from Vermont.

Mr. BUTLER. I misunderstood the Senator.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the unfinished business, which is the revenue bill.

Mr. PLUMB. I move to lay aside the unfinished business until to-morrow.

The PRESIDENT *pro tempore*. The Senator from Kansas moves to postpone the unfinished business until to-morrow.

Mr. MORRILL. I trust that will not be done.

Mr. BUTLER. I hope it will.

Mr. MORRILL. I ask for the yeas and nays on the motion. We may as well have it understood whether we are to go on with the revenue bill.

The yeas and nays were ordered.

Mr. ALLISON. I trust we shall not spend time now in taking the yeas and nays as to the order of business. It seems to me the appropriation bills ought to pass, and certainly we ought to go on with the tariff bill with rapidity, spending each day some hours upon it. If we do not do it, we are certain not to have a tariff bill or tax bill at this session.

Mr. SHERMAN. I wish to say that the appropriation bills were never, as my recollection goes, so far advanced at this period of the session as they are now. None of them will go into effect until the 1st of July, except there be special provisions as to particular items. It is not expected that these bills will pass before the 4th of March, and they are just as certain to pass as that the sun will roll around. If we are to take up and act on the tariff question, either upon the pending bill or any measure for the reduction of taxes, we must go on and do it to the postponement of other business or we have got to abandon it. I for one will stand by the tariff bill and the Senator from Vermont against all other business, unless it is his discretion to waive the morning hour or any other time to such matters as may be pressing. There is no necessity and I do not think it is fair to press these appropriation bills, which are in the nature of bills that will pass and must pass in due time, against the tariff bill, unless there is an indifference to the tariff bill or a determination to defeat it.

The PRESIDENT *pro tempore*. The roll will be called on the motion to postpone the revenue bill until to-morrow.

The Principal Legislative Clerk proceeded to call the roll.

Mr. JACKSON. I wish to announce the pair of my colleague [Mr. HARRIS], who is absent, with the Senator from Michigan [Mr. FERRY]. I make the announcement for the day.

The result was announced—yeas 27, nays 31; as follows:

YEAS—27.

Barrow,	Davis of W. Va.,	Jonas,	Pugh,
Butler,	Garland,	Jones of Florida,	Ransom,
Call,	Grover,	Kellogg,	Saulsbury,
Cameron of Wis.,	Hampton,	Lamar,	Vance,
Chilcott,	Ingalls,	Maxey,	Vest,
Cockrell,	Jackson,	Morgan,	Walker.
Coke,	Johnston,	Plumb,	

NAYS—31.

Aldrich,	Davis of Ill.,	Hoar,	Pendleton,
Allison,	Edmunds,	Jones of Nevada,	Platt,
Anthony,	George,	Lapham,	Rollins,
Beck,	Gorman,	McDill,	Sawyer,
Blair,	Groome,	McMillan,	Sewell,
Camden,	Harrison,	Miller of Cal.,	Sherman,
Cameron of Pa.,	Hawley,	Miller of N. Y.,	Slater.
Conger,	Hill,	Morrill,	

ABSENT—18.

Bayard,	Ferry,	McPherson,	Voorhees,
Brown,	Frye,	Mahone,	Williams,
Dawes,	Hale,	Mitchell,	Windom.
Fair,	Harris,	Saunders,	
Farley,	Logan,	Van Wyck,	

So the motion was not agreed to.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes; and it was thereupon signed by the President *pro tempore*.

HOUSE BILLS REFERRED.

The bill (H. R. 3123) to amend sections 1, 2, 3, and 10 of "an act to determine the jurisdiction of the circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes," approved March 3, 1875, was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 7240) for the relief of William H. Donohoe was read twice by its title, and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on Finance, to whom was referred the bill (S. 2356) to authorize the increase of the ca ital stock of

the Second National Bank of Xenia, Ohio, reported it with an amendment striking out the preamble.

PRINTING OF HOUSE TARIFF BILL.

Mr. ANTHONY. I am instructed by the Committee on Printing, to which was referred a concurrent resolution of the House of Representatives for printing House bill No. 7313 and accompanying reports, to report it without amendment and recommend its passage, and I ask for its present consideration.

Mr. INGALLS. I object to its consideration to-day.

Mr. ANTHONY. It is merely to print some extra copies of the House tariff bill.

Mr. INGALLS. I object.

Mr. ANTHONY. I hope the Senator from Kansas will not object.

Mr. COCKRELL. Let the resolution be read for information.

The resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That 6,000 copies of the bill (H. R. 7313) to impose duties upon foreign imports, and accompanying reports, be printed, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House.

The PRESIDING OFFICER (Mr. MILLER, of California, in the chair). Objection being made, the resolution will lie over until to-morrow.

BILL INTRODUCED.

Mr. SHERMAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2382) to confer upon the senior associate-justice of the Supreme Court of the District of Columbia, in the absence or inability of the chief-justice of said court, the powers and duties now conferred upon said chief-justice relative to the extradition of fugitives from justice; which was read twice by its title, and referred to the Committee on the District of Columbia.

IMPROVEMENT OF THE DETROIT RIVER.

Mr. CONGER. I present a letter from the Detroit Board of Trade in regard to the improvement of the Detroit River, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

Mr. ANTHONY. I do not like to object, but really we are cumbering up the RECORD with petitions and memorials to a great extent.

Mr. CONGER. This is a question of such general national importance that I feel it would be desirable to have this paper go into the RECORD.

The paper was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

DETROIT BOARD OF TRADE.
Detroit, Mich., January 9, 1883.

DEAR SIR: At a meeting of the Detroit Board of Trade, held this a. m., the following preamble and resolutions, introduced by W. Livingstone, jr., were unanimously adopted:

"Whereas the Lime Kiln Crossing in Detroit River is the most dangerous obstruction to navigation on the chain of lakes; and

"Whereas 40,000 vessels, with 20,000,000 tons of freight, pass through the Detroit River in a single season, incurring an enormous loss in revenue from detention, damage, and sinking in crossing this obstruction; and

"Whereas the present improvement will be of little or no benefit to vessels until entirely completed, and as the present appropriation will soon be exhausted, leaving the work in a dangerous condition:

"*Resolved*, That this board of trade do earnestly request our Representatives and Senators in Congress to use all possible efforts to secure an appropriation of $200,000, estimated to be sufficient to entirely complete the work.

"*Resolved*, That a copy of these resolutions be sent to each of our Representatives and Senators."

W. LIVINGSTONE, JR., *President.*
JNO. H. MACIVER, *Secretary.*

Hon. OMAR D. CONGER, *Washington, D. C.*

BARBARA MARQUARDT.

Mr. MILLER, of New York. I ask unanimous consent that the vote by which the Senate indefinitely postponed the bill (H. R. 4357) granting a pension to Barbara Marquardt, which was reported adversely January 2, and which escaped my attention, may be reconsidered and the bill recommitted to the Committee on Pensions. We expect to be able to present some new testimony in the matter. I did not notice the report at the time.

Mr. JACKSON. As a member of the Committee on Pensions I reported the bill referred to by the Senator from New York. I understand that there is additional evidence to be introduced, and I trust that the Senate will assent to the recommittal of the bill.

Mr. MILLER, of New York. I ask unanimous consent for that purpose.

The PRESIDING OFFICER. There being no objection, the vote by which the bill was indefinitely postponed will be reconsidered and the bill recommitted to the Committee on Pensions.

AMENDMENT TO A BILL.

Mr. BLAIR submitted an amendment intended to be proposed by him to the bill (H. R. 1410) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service; which was referred to the Committee on Pensions, and ordered to be printed.

INTERNAL REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDING OFFICER. Schedule B will be proceeded with.

Mr. PLATT. Yesterday I reserved the right to propose an amendment to the item about varnishes, but as I understand that amendments may be made as well in the Senate as in Committee of the Whole, I shall reserve the amendment until the bill comes into the Senate. I desire to obtain some further information in relation to the matter. I think there should be a serious reduction on the article of varnishes below what the committee have reported.

Mr. BECK. Yesterday I asked leave to reserve until this morning the amendments offered by the Senator from Vermont [Mr. MORRILL] upon all that portion of Schedule A relating to alcoholic preparations. I did so for the purpose of sending the bill as modified by those amendments to the Commissioner of Internal Revenue this morning, who had furnished the committee with a long and somewhat complicated statement of changes which he thought ought to be made, many of which were not approved by the committee, and others substituted in their place. I have not had an opportunity this morning (being in a session of a committee until the Senate met and looking somewhat into the Post-Office appropriation bill since that time as a member of the Committee on Appropriations) to make the comparison and examination that I hoped to be able to do before this hour this morning. I will reserve whatever amendments I may see fit to offer in regard to those items until the bill reaches the Senate, having no reason to believe that I shall then offer any, as other members of the committee who have looked into the matter believe it is now right. I state that as a reason why I do not now ask to go back to those amendments.

Mr. LAPHAM. Before the reading of the bill is proceeded with, I ask to go back to lines 227 and 228, the consideration of which was reserved when the item was reached; and I offer in connection with that item the amendment which I send to the Chair.

The PRESIDENT *pro tempore*. The Chair supposes there is no objection to going back.

Mr. COCKRELL. I reserved those lines.

Mr. MORRILL. I think the Senator from New York reserved the item or had it reserved.

Mr. COCKRELL. I will say to the Senator from Vermont that I reserved it expressly.

Mr. LAPHAM. The Senator from Missouri expressly reserved it, and I offer the amendment which I now send to the Chair.

The PRESIDENT *pro tempore*. The amendment will be reported.

The ACTING SECRETARY. It is proposed to strike out lines 227 and 228 in the following words:

All imitations of natural mineral waters, and all artificial mineral waters, 30 per cent. ad valorem.

And in lieu thereof to insert:

Mineral waters, 3 cents per bottle or jug.

Mr. ALLISON. Suppose they should not be imported in a bottle or jug?

Mr. LAPHAM. They are not imported in any other way.

Mr. INGALLS. They probably would be if the law were put in this form.

Mr. LAPHAM. I ask the Secretary to read a brief statement in support of the amendment which I send to the desk.

The PRESIDENT *pro tempore*. The communication will be read.

The Acting Secretary read as follows:

MINERAL WATERS.

All imported mineral waters should pay duty, first, because there are important home interests to protect; and, second, because they are luxuries from which revenue should be derived.

There are about 8,000,000 bottles of mineral waters imported annually, 90 per cent. of which are artificial—mostly sparkling table waters.

As the present law is construed by the Secretary of the Treasury, these waters pay no duty. It is believed that his construction of the law is erroneous, and that an annual revenue of about $400,000 should be derived from this source under the existing law.

There should be a specific duty on mineral waters of not less than 3 cents per bottle or jug. A duty of 3 cents would secure a revenue of $240,000 per annum, and afford some protection to home interests. An ad valorem duty would yield little revenue, for the reason that the waters are invoiced so low as to defeat the object of the law.

The cost of mineral waters in Europe is trifling, and the cost of labor, bottles, bottling, &c., much cheaper than in this country.

The owners of natural mineral springs and the manufacturers of mineral waters in this country have invested many millions of dollars in their business, and employ thousands of men—between 3,000 and 4,000 in the city of New York alone. And there are mineral-water factories in most of the important cities and towns in the country.

The admission of 8,000,000 bottles of mineral waters free, or at a nominal duty, annually, is a positive injury to the business of the glass bottle manufacturers in this country. It is equally detrimental to the business of the bottlers, who employ a large amount of capital and many thousands of laborers.

The various interests above referred to place this question among the important ones to be considered in connection with the tariff.

H. R. 5538 should be amended as follows:

"Strike out lines 227 and 228, page 16, and insert in lieu thereof the following:

"'Mineral waters, 3 cents per bottle or jug.'

"Strike out line 1875, page 83."

Mr. LAPHAM. In order to obviate the suggestion of the honorable Senator from Iowa [Mr. ALLISON], which had not occurred to me, as this amendment was sent to me to be introduced, and at the suggestion of the chairman of the Finance Committee I ask leave to modify my amendment by taking the provision which I find in the bill which passed the House, the report of the Committee on Ways and Means of

the House, page 11, lines 245 to 249. I ask to substitute those lines in lieu of the amendment I sent to the Secretary's desk.

The PRESIDENT *pro tempore*. We have no such bill here.

Mr. LAPHAM. It is on our tables.

Mr. ALLISON. I make the point of order that it is not in order to allude to a tariff bill which may have passed or may be pending in the House.

The PRESIDENT *pro tempore*. We have no such bill of the House before us.

Mr. BECK. The bill of the House is on our tables.

The PRESIDENT *pro tempore*. It may be on Senators' tables.

Mr. BECK. I object to bringing the action of the House before the Senate. It is not in order.

Mr. LAPHAM. I do not bring the action of the House before the Senate. I offer the language of that bill as my amendment, in lieu of the amendment I first sent up.

The PRESIDENT *pro tempore*. The Senator has a right to do that.

Mr. ALLISON. But he has no right to allude to what occurred in the other House.

The PRESIDENT *pro tempore*. He has no right to allude to what occurred in the other House.

Mr. LAPHAM. I have not stated what occurred in the other House. I stated that I found those words in a printed document on my desk, and I asked to substitute them for the amendment that I first proposed.

Mr. ALLISON. That is all right.

The PRESIDENT *pro tempore*. The Secretary will read the amendment offered by the Senator from New York [Mr. LAPHAM].

The ACTING SECRETARY. It is proposed to strike out lines 227 and 228 and to insert in lieu thereof:

Natural and imitation mineral waters and all wholly artificial mineral waters containing not more than one quart each, 3 cents per bottle or jug; containing more than one quart or fraction thereof, 3 cents additional for each bottle or jug.

Mr. MORRILL. I desire to say in relation to this proposition—

The PRESIDENT *pro tempore*. The Senator from New York has the floor.

Mr. LAPHAM. I yield to the Senator from Vermont.

Mr. MORRILL. I would not take the floor from the Senator from New York. I thought the Senator was through.

Mr. LAPHAM. Certainly, I yield.

Mr. MORRILL. My impression is that all natural mineral waters ought to come in entirely free. I have no objection to putting any sort of duty upon the imitations or the artificial mineral waters. I think that some duty should be placed upon the bottles, but 3 cents would be a great deal too high, probably at least 200 per cent. on the bottles. If there was any duty to be placed upon them at all, it should be at a lower rate, and perhaps it should be made specific, probably 1½ cents a pound. The small pint bottles weigh less than a pound, and the quart bottles weigh more. But I really think that the natural mineral waters from abroad, which differ essentially from those which we have in this country, for instance like apollinaris water, an article of large consumption, ought to come in as they do now, entirely free.

Mr. BECK. Mr. President, this seems to be the last straw, and they say it was the last one that broke the camel's back, that natural mineral waters are a home industry. I suppose the Saratoga Springs were flowing there before ever a white man approached the American continent, and that they will continue to flow, and because Mr. Hathorne, or anybody else who happens to get possession of those springs, desires a monopoly against all the world and all the waters that anybody may want to drink, the proposition is now made to levy a duty on imported mineral waters. There was a story told once, at a time when England was taxing everything until Sidney Smith burlesqued it in his inimitable way, which I will repeat. Dean Swift had a little country place in a hilly part of Ireland. A lady friend of his, who was tired of the fogs of London, went to pay him a visit. After being there a little while she said that the air was perfectly delicious. The dean laid his hand on her shoulder and said, "Madam, do not speak of it; they will tax it." This is coming as near that condition of things as anything I know of.

Mr. COCKRELL. Is not this a luxury?

Mr. BECK. A luxury! Has not a man a right, if he desires to have water that he thinks is good for his health, to enjoy it without paying 3 cents a bottle to put into the pocket of somebody who owns a little Saratoga spring or something else? If we were struggling for revenue, and it was a matter of life or death to the Government that we should have a large revenue, that might be one consideration; but the struggle now is to get clear of the surplus revenue. We are paying $81,000,000 for six months of this year on the principal of the national debt, when, as the Senator from Missouri, who asks if this is not a luxury, very well knows that under the arrangement of our bonds we can only pay $26,000,000 a year from now until 1907, when the last of the bonds fall due. And now, because somebody is likely to get water that may do him good, or which the doctors may advise him to use, as Vichy, if he is sick, or if it is prescribed for the health of his family, he is to pay tribute to somebody living in Saratoga. I look at it as simply an outrage.

Mr. LAPHAM. The amendment that I first offered did not include natural mineral waters in terms. The substitute which I offer does in terms include natural and imitation mineral waters. I have no desire whatever to impose a duty upon natural mineral waters; because they are not brought into this country in very large quantities; but I wish to do so upon the imitations, which the Secretary of the Treasury has ruled as a matter of law in the Department can come in free under the provision of the present tariff permitting natural mineral waters to come in free. Artificial waters in vast quantities come into the country now free of duty under that decision. The object of the amendment is to strike at that evil, and to relieve the Treasury Department from the trouble to which it has been subjected in determining that question.

These artificial mineral waters come in at a mere nominal price, and an ad valorum duty upon them amounts to nothing whatever. They are purely articles of luxury, and they are thrown in here in competition with our natural mineral waters without paying anything whatever, whereas by the imposition of a 3 per cent. bottle tax, as is now proposed, not only a fair revenue would be obtained but probably the importation of them would be to some extent restricted.

Mr. ALLISON. If the Senator will allow me a moment, do I understand him simply to desire a change in the phraseology of line 228, so as to require a specific duty instead of an ad valorem duty?

Mr. LAPHAM. That is all the change that I desire.

Mr. ALLISON. Then I submit to him that he can do it very readily by inserting instead of 30 per cent. ad valorem the specific duty that he proposes.

Mr. LAPHAM. I will consent to that modification. My only object is to make this a specific duty. In answer to the suggestion of the Senator from Vermont that 3 cents a bottle is too much of a tax upon these waters if they contain anything whatever of any value, I suggest that this very bill imposes a tax of 3 cents per bottle upon all bottles containing wines which are imported into this country.

Mr. MORRILL. I will say to the Senator that the bottles containing champagne are very much more valuable than the lower-priced bottles, which contain nothing but beer or mineral water.

Mr. INGALLS. How does the amendment stand now, Mr. President?

Mr. ALLISON. As modified.

The PRESIDENT *pro tempore*. It will be reported.

The ACTING SECRETARY. It is proposed to strike out lines 227 and 228 and to insert in lieu thereof:

Natural and imitation mineral waters and all wholly artificial mineral waters containing not more than one quart each, 3 cents per bottle or jug; containing more than one quart or fraction thereof, 3 cents additional for each bottle or jug.

Mr. INGALLS. I move to amend the amendment by striking out the words "natural and" in the first line of the proposed amendment.

Mr. MORRILL. I thought the Senator from New York consented to amend the text of the bill according to the suggestion made by the Senator from Iowa.

Mr. INGALLS. I asked the Chair what the question pending was, and he answered by what was read by the Secretary.

The PRESIDENT *pro tempore*. That is all the Chair now understands to be the amendment of the Senator from New York.

Mr. MORRILL. I think the Senator from New York intended to modify it.

The PRESIDENT *pro tempore*. Does the Senator from New York modify his amendment?

Mr. LAPHAM. I consent to take the suggestion of the Senator from Iowa and in line 228 will move to strike out "30 per cent. ad valorem" and to insert:

Three cents per bottle or jug of not more than one quart each, and 3 cents for each additional quart or fraction thereof.

So as to make lines 227 and 228 read:

All imitations of natural mineral waters and all artificial mineral waters, 3 cents per bottle or jug of not more than one quart each, and 3 cents for each additional quart or fraction thereof.

Mr. ALLISON. That makes the amendment now apply to all artificial mineral waters?

Mr. LAPHAM. To purely artificial mineral waters.

Mr. BECK. And is a raising of the tariff upon them about 100 per cent. above what it now is.

Mr. MORRILL. The Senator is mistaken.

Mr. ALLISON. The Senator from Kentucky is mistaken about that.

Mr. MORRILL. The duty is now 3 cents a bottle and 25 per cent. ad valorem.

Mr. SHERMAN. But the amendment as now proposed does not reach what the Senator from New York wished to accomplish.

Mr. BECK. I mean that it raises the tariff about 100 per cent. above the 30 per cent. ad valorem proposed in the bill.

Mr. VANCE. In other words it will be equivalent to about 60 per cent. ad valorem.

Mr. BECK. It will be equivalent to about 60 per cent.

Mr. ALLISON. I think 3 cents per quart is about 20 per cent.

Mr. BECK. I beg pardon.

Mr. ALLISON. If the Senator will turn to his own tables he will see that these waters now pay 3 cents a bottle and 25 per cent. ad valorem.

Mr. ALDRICH. The unit of value last year was 11.1 cents per bottle.

Mr. ALLISON. That is about 20 per cent.

Mr. ALDRICH. Three cents a bottle would be about equivalent to 20 per cent. ad valorem.

Mr. ALLISON. That is what I endeavored to state.

Mr. VANCE. I rose, Mr. President, to inquire if the object of this duty was to protect artificial mineral waters manufactured in this country in counterfeit of the natural? If so, I think it is against good morality as well as health. I think there ought to be a prohibitory duty levied upon all these infernal concoctions which pass for mineral waters in imitation of the natural. If we are to have protection, I think the protection ought to be all around. Most of the bottles, I believe, have the corks secured with wire. There ought to be a duty levied on the wire in behalf of the Pennsylvania iron interest. I am not sure that any corks are produced in this country, or I should move that a tariff be levied on the corks also. Let us have the whole thing protected, if we go in for protection at all.

Mr. VEST. Mr. President, it is very evident that the demand for this increased duty and this specific duty does not come from the consumers of this country, whether they belong to the very wealthy classes or the middle classes or the poorer classes. It comes from the manufacturers of artificial mineral waters, and it is intended to give them a monopoly.

A very respectable gentleman, a constituent of mine, in the city of Saint Louis, has sent me a brief argument on this question addressed to Mr. CARLISLE, of Kentucky. I ask the Secretary to read it. It comes from the American Mineral Water Company. Out of the two millions and a quarter of people whom I represent I have only heard from one or two manufacturers of mineral water in regard to this matter; the rest seem to be very indifferent on the subject.

The PRESIDENT *pro tempore*. The Secretary will read what the Senator from Missouri has sent to the desk.

The Acting Secretary read as follows:

DEAR SIR: The undersigned respectfully submit their views in accordance with those expressed by other mineral water manufacturers on the following passage in the Tariff Commission report:

"All imitations of natural mineral waters and wholly artificial mineral waters, 30 per cent. ad valorem."

This provision will yield no revenue, because practically no mineral waters embraced by it are being imported. The great bulk of highly effervescent table waters, although artificially impregnated with carbonic acid, are neither imitations of natural mineral waters nor are they wholly artificial, because the water and the carbonic acid of natural springs are used in their manufacture and therefore would come in duty free. They are luxury waters, constituting over 90 per cent. of the entire importation of mineral waters which, under the present tariff, if properly applied, should have paid over $300,000 duty for the current year.

Special Treasury Agent Colonel Tichenor, in a recent report on German mineral waters, designates as dutiable such waters as taunus, rheuse, &c., although the changes made in the above before bottling are less than in the case of the Apollinaris Spring.

Considering that most imported mineral waters are luxuries, it would seem that the best way of adjusting the matter, and of avoiding confusion, trouble, and expense, would be to impose a reasonable duty of, say, 30 cents per dozen bottles or jugs upon all mineral waters.

This would impose a reasonable duty upon a foreign luxury the importation of which has grown to such enormous proportions as to overshadow and injure all domestic mineral water interests.

But should it be deemed advisable to admit natural mineral waters free of duty, then we suggest that the above quoted paragraph in the Tariff Commission report be made to read as follows:

"All mineral and other waters, for any purpose impregnated with carbonic acid or other minerals by artificial means, 30 cents per dozen bottles or jugs."

Most respectfully submitted.

Hon. JOHN G. CARLISLE, M. C., *Washington, D. C.*

Mr. VEST. I will simply say that the idea that the mineral springs of the United States, the natural springs which gush from the sides of the mountains in almost every neighborhood and township, not to say county, throughout the length and breadth of the Union, need this tariff duty to protect them from the natural or manufactured mineral waters of foreign countries is simply a monstrous absurdity. The Senator from Delaware [Mr. SAULSBURY] says that this is a movement for the protection of American labor. What I have presented in the shape of a letter coming from a manufacturer of mineral waters shows the view of the gentlemen who manufacture them. We are asked now seriously in the interest of that company to put upon the thousands and millions of people in the United States who consume mineral waters, according to their own taste or according to medical necessity, a tax of 3 cents a bottle on those who drink the seltzer water or the apollinaris that is brought here.

The pretense is made that it is giving revenue to the amount of $300,000, while at the same time it puts upon the consumers of the United States this tax coming directly out of their pockets.

It is stated in this letter that these waters are luxuries. An argument could be made which I think would absolutely destroy that assertion. They are medical waters; they are prescribed in a great many cases. In one word, I am opposed to the whole thing.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from New York [Mr. LAPHAM].

The amendment was rejected.

The PRESIDENT *pro tempore*. The Senate will now proceed with the consideration of Schedule B.

The item in lines 410 to 413, inclusive, was read and agreed to, as follows:

Schedule B.—Earthen-ware and glass-ware:

Brown earthen-ware, common stone-ware, gas retorts, and stone-ware not ornamented, 25 per cent. ad valorem.

The item from line 414 to line 417, inclusive, was read, as follows:

China, porcelain, parian, and bisque ware, including plaques, ornaments, charms, vases, and statuettes, painted, printed, or gilded, or otherwise decorated or ornamented in any manner, 60 per cent. ad valorem.

Mr. BECK. Mr. President, I do not propose to argue these questions; I only desire before we pass upon them to call attention to them.

The first item in the schedule, "brown earthen-ware, common stone-ware," &c., upon which a duty of 25 per cent. ad valorem is imposed by the bill, is the same as the existing law; but we make that in such quantities that we export it everywhere, and the whole import of it amounts to only $9,000. It would not make any difference whether the duty was 20 per cent. or 100 per cent. or 500 per cent., because nobody can compete with it.

In the item just read the proposed increase is from 50 per cent. ad valorem to 60 per cent. ad valorem. The Tariff Commission asked for 65 per cent. and the Senate committee recommend 60. Many of those things are luxuries, if you choose to so term them. On that item of china, porcelain, and other things the rate is now 45 per cent. ad valorem. The item beginning at line 421 is an important one, and is as follows:

All other earthern, stone, and crockery ware, white, glazed, edged, printed, painted, dipped, or cream-colored, composed of earthy or mineral substances, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

The present law is 40 per cent. ad valorem. The Senate committee proposes 50 per cent. ad valorem; the Tariff Commission recommends 55 per cent. ad valorem. It will be observed that they are all increases except the first item, which does not amount to anything, and in regard to which it makes no difference what the duty is, because none is or can be imported.

Mr. PUGH. The entire schedule is increased.

Mr. BECK. The entire schedule is much increased. For example, if the commission bill is carried out, for it is only in regard to that that comparisons can be made, the china, porcelain, parian, and bisque ware, of which the value imported was $2,075,707.90, on which the duty collected last year was $1,037,853.97, would yield $1,349,210.16, or an increase of over $310,000. If we were seeking for a revenue and to increase our revenues this would be valuable because it would be an increase of revenue and of course an increase of the burdens as well.

Mr. SAULSBURY. Provided we imported as much.

Mr. BECK. Provided we imported as much; and perhaps we should import as much or nearly as much as is now done. These are generally high-priced goods, and people who desire to ornament their houses with fine sets of china would not, in all probability, care much about the price.

On the item beginning at line 418, "china, porcelain, parian, and bisque ware, plain white, and not ornamented or decorated in any manner," the duty is now 45 per cent.; by the commission it is proposed to be put at 60 per cent.; and by the bill as reported it is fixed at 55 per cent. If the report of the commission were carried out, there would be an increase of about $50,000 revenue if the same quantity was imported. On the plain earthen, stone, and crockery ware, the importation of which was large, at 40 per cent. the revenue was $1,775,294.93. If the same amount was imported at 55 per cent. as recommended, that would be an increase of 37½ per cent., producing $2,441,030.55 or $665,735.62 above the present duty. I have not made the calculation at 50 per cent. as proposed by the Senate committee. This last class is used by all the people of the United States.

Mr. VANCE. The first and last are.

Mr. BECK. The first may not be used by all, but the last certainly is. I object to the raising of these duties, and for the reasons which I shall state. They are an absolute necessity, especially the last class, on which we propose to increase the duties from 40 to 50 per cent. We have given to the manufacturers of those goods since the present tariff, which provided 40 per cent. ad valorem, a great many privileges that they did not have at the time the tariff was enacted. For example, we put by the present bill the duty on refined borax, which they use in very large quantities, at 3 cents a pound instead of 10 cents, as now. That is a reduction of 70 per cent. on refined borax. Litharge, which they use largely, we have reduced 33⅓ per cent., or from 3 cents a pound to 2 cents a pound. China clay, or kaolin, we have reduced 40 per cent., or $35 a ton. Feldspar, which they use largely, from 20 per cent. we have put on the free-list. A large number of the articles that they use have been free for some time. Stilts and spurs, which are used in the perfection of earthen-ware, were 24 per cent. when the present tariff was enacted. That we have made free since that time.

The following raw materials are free now, and it is proposed to continue them so: Borax or tincal, crude; flint-stones and ground flint; stilts and spurs; cobalt, ore of; magnets, and bolting-cloths.

We have reduced the duty on a great many other things. Hair pencils which they use, it is proposed to reduce by the bill from 35 per cent.

to 30 per cent. Indeed on nearly all the items which are most used by these manufacturers we have reduced the rates, and put a great many upon the free-list. The object has been to bring down the price of these articles by giving their manufacturers free materials.

It is claimed that by taking off the duty on crates and transportation from the inland to the seaboard we have substantially reduced 15 per cent. I hold in my hand a paper which I do not care to take time to read, "a brief statement of facts concerning the tariff on pottery," in which a very large number of cases are given from actual transactions, in which it is shown that 5 per cent. is in fact about the reduction that is made by taking off the duty on crates and commissions and other charges before reaching the seaboard instead of 10 per cent or 15 per cent., and we have made reductions of at least 5 per cent. by the additions we have made to the free-list of the things which I have named.

I submit the following extracts from the statement to which I refer:

The honorable Tariff Commission, in its report, on page 13, goes on further to state:

"This recommendation, as to increase (of 15 per cent.) of duties, is largely more apparent than real, as it will be observed that the proposed abolition of duties upon packages, inland freights, charges, and commissions, affects this species of earthenware in general use more seriously, perhaps, than any other article embraced in the tariff schedule."

The latter part of this remark is quite true, but as to the former remark, that the abolition of duties on inland charges, packages, &c., offsets the increase recommended in the tariff, is refuted by the following statistics; referring you to the table on page 760 (Tariff Commission's Report):

One hundred crates of earthenware as now imported—

Net cost of ware at Staffordshire potteries	$3,019
Charges and commission, free on board at Liverpool	744
	3,763
Duty, 40 per cent	1,505

The duty according to the recommendation of Tariff Commission—

Cost of ware at Staffordshire potteries	3,019
Duty, 55 per cent	1,660

Showing an advance of $155 on $1,505, or over 10 per cent. increase in duty.

According to the change proposed by the Committee on Ways and Means, placing ordinary printed earthen-ware in the same class as highly decorated china, as we see by the press is proposed—

Net cost of ware at Staffordshire potteries	$3,019 00
Duty, 65 per cent. on $1,509, assuming the importations to consist of 50 per cent. of white granite, and printed or colored	981 00
Duty, 55 per cent. on $1,510, assuming the importations to consist of 50 per cent. of white granite, and printed or colored	831 00
Total	1,812 00

Showing an advance of $307 on $1,505, or 20 per cent. increase in duty.

These figures are based upon the adoption of the recommendation that the duties be abolished on packages, charges, inland freight, &c. Should this recommendation not be embodied in the tariff, then the increase would be greater than the percentage above noted.

And we submit further calculation, made up from actual importations, showing how white and decorated china will be affected.

TARIFF AS AT PRESENT ASSESSED.

Thirty-two cases white china, cost of ware at Limoges	$2,130 00
Charges and commission, free on board, Bordeaux	175 00
	2,305 00
Duty, 45 per cent	1,037 25

ACCORDING TO RECOMMENDATION OF TARIFF COMMISSION.

Cost of ware at Limoges	$2,130 00
Duty, 55 per cent	1,171 50

Showing an increase of $134.25 on $1,037.25, or 13 per cent. increase in duty.

This is without duty on packages, charges, &c.; and should their recommendation not be accepted as regards abolition of duty on packages, charges, &c., the duty would be 55 per cent. on $2,305 ..... 1,267 75

Showing an increase of $230.50 on $1,037.25, or 22¼ per cent. in duty.

TARIFF AS AT PRESENT ASSESSED.

Fifteen cases decorated china, cost of ware at Meissen	$1,245 00
Charges and commission, free on board, at Hamburg	99 00
	1,344 00
Duty, 50 per cent	672 00

ACCORDING TO RECOMMENDATION OF TARIFF COMMISSION.

Cost of ware at Meissen	$1,245 00
Duty, 65 per cent	809 25

Showing an increase of $137.25 on $672, or 20¼ per cent. increase in duty.

This is without duty on packages, charges, commission, &c.; and should their recommendation not be accepted as regards abolition of duty on packages, charges, &c., the duty would be 65 per cent. on $1,341 ... 873 60

Showing an increase of $201.60 on $672, or 30 per cent. in duty.

TARIFF AS AT PRESENT ASSESSED.

Thirty-three casks of decorated china-ware, cost of ware at Limoges	$1,802 00
Charges and commission, free on board, at Bordeaux	188 00
	1,990 00
Duty, 50 per cent	995 00

ACCORDING TO RECOMMENDATION OF TARIFF COMMISSION.

Cost of ware at Limoges	$1,802 00
Duty, 65 per cent	1,171 30

Showing an increase of $176.30 on $995, or 17¾ per cent. increase in duty. This is without duty on packages, charges, commission, &c.; and should their recommendation not be accepted as regards abolition of duty on packages, charges, &c., the duty would be 65 per cent. on $1,990 ..... 1,293 50

Showing an increase of $298.50 on $995, or 30 per cent. increase in duty.

TARIFF AS AT PRESENT ASSESSED.

Ten casks gold band (decorated) china, cost of ware at Limoges	571 00
Charges and commission, free on board, Bordeaux	53 00
	624 00
Duty, 50 per cent	312 00

ACCORDING TO RECOMMENDATION OF TARIFF COMMISSION.

Cost of ware at Limoges	$571 00
Duty, 65 per cent	371 15

Showing an increase of $59.15 on $312, or 19 per cent. in duty.

This is without duty on packages, charges, &c.; and should their recommendation not be accepted as regards abolition of duty on packages, charges, &c., the duty would be 65 per cent. on $624 ..... 405 60

Showing an increase of $93.60 on $312, or 30 per cent. increase in duty.

The present rate of duty is all that these people ask, all that they ought to have; and as we are reducing on an average 25 per cent. on everything else, if we allow those things to stand where they are, simply taking off the charges on crates and increasing the free-list and reducing their raw material, surely we have done better by them than any other industry expects us to do.

I shall therefore, whenever I have an opportunity, move to return to the present rates of duty, simply allowing these things to remain as they are now, at 50 per cent. instead of 60 per cent. in the first class, at 45 per cent. instead of 55 per cent. in the second class, and at 40 per cent. instead of 50 per cent. in the third class. Admitting that the people of the country are getting the benefit of the reduction already caused by removing the very serious and embarrassing and annoying and, especially in ad valorem cases sometimes, if you please, fraudulent amounts charged upon freights and transportation and commission and drayage from the city to which goods come, we have compensated them very fully by the increase of the articles that they necessarily use upon the free-list; and by the reduction of those that are not made free, as in the case of borax 70 per cent., in the case of litharge 33 per cent., in the case of china-clay or kaolin 40 per cent., in the case of feldspar, making it free, and with the other reductions that we have made from time to time in the articles that they use, we have substantially left them where they are, far better off, I think, than they are under the present tariff, especially if you reduce other things to the extent we propose. Therefore I shall move as we proceed with these items to make the reductions I have indicated.

Mr. MORRILL. It ought to be remembered by Senators who have read the report of the Tariff Commission or the present bill, that the abolition of inland freights, commissions, and charges for consular certificates, will take off about 5 per cent. upon all articles that are now dutiable, and upon such articles as glass and crockery-ware it will certainly not take off less than 10 per cent. In the statements that were presented to the Tariff Commission, it will be seen that one hundred crates brought in here with the duties computed at the rate of the present charges, and with the present charges omitted, would absolutely make a difference of at least 10 per cent. The Tariff Commission thought these manufacturers ought to have 15 per cent. in addition to compensate them, not only for this but for the extreme closeness with which business had to be carried on in the manufacture of these articles.

The Senator from Kentucky has referred to the reduction that we propose to make on borax and litharge. It will be a mere trifle if it were to become a law, in no way adequate to compensate for the loss of 5 or 10 per cent. duties upon these articles. Besides that, if the Senator had read the bill that comes to us from the House this morning he would find that the House was not in favor——

Mr. BECK. I object again, and I intend to continue to object, to any statement made on this floor as to what the House has done or proposes to do, as being out of order. I have no doubt that there are members of that House committee, if I dared to speak of them, who would prohibit anything——

The PRESIDING OFFICER (Mr. INGALLS in the chair). If the Senator from Kentucky desires to submit a point of order, it should be done briefly, that the Chair may decide upon it.

Mr. BECK. I object to an allusion to what the House has done. The Senator from Vermont has called me to order more than once; I am more frequently guilty of this than he; and therefore I propose that he shall be in order.

Mr. MORRILL. I will not transgress any rule of the Senate, and I think I would not have done so if I had made the statement precisely as I intended to make it. But to ease the mind of the Senator from Kentucky I will refer to a bill now on our tables and say that should it be preferred by Congress instead of the Senate bill no reductions would be made in these raw materials that are used, but if there were such a reduction it is too insignificant to be accounted for in this way by a reduction of the duties upon crockery-ware.

So far as the revenue is concerned there will be just about the same amount of revenue received that there was before, not more, and I do not think much less, and the articles will be offered to the public here as low as they ever have been. If this policy of encouraging the production of these articles so useful and so extensively demanded throughout the country is continued it will not be a great while before the clays of the Southwestern States of this country will be used, and we shall make all that we require for consumption instead of about one-half. I trust, therefore, that the amendment of the Senator from Kentucky will not prevail.

Mr. HOAR. Let the amendment be reported.

Mr. BECK. My proposition is to strike out 60 per cent. and insert

50 per cent. ad valorem in line 417. I hold in my hand a list of actual importations under each of these classes, by which it may be seen that 5 per cent. instead of 10 or 15 per cent. is the actual amount of reduction, because of the freights and charges in crates, commissions, &c. I have no doubt the Senator from Vermont has seen it as it has been prepared by men who are engaged in the trade with great accuracy even down to a cent.

Mr. MORRILL. The Senator from Kentucky knows very well that the statements on either side have to be taken with a grain of salt.

Mr. BECK. To that I agree.

Mr. MORRILL. And that statement must be so received.

Mr. BECK. The exact amount is figured out.

Mr. MORRILL. A statement made by an importer, as that is, while the importer may be disposed to state the truth, will not agree with the statement of the manufacturer, who is equally disposed to state the truth.

Mr. BECK. I am not vouching for either. They are like other people, perhaps.

Mr. SAULSBURY. Mr. President, we are engaged in very important legislation. At the last session of Congress there was a general admission on both sides of the Chamber that we were raising more revenue by duties upon imports than was necessary, and that there ought to be a reduction of taxation. Now, when this bill comes to the Senate we find that while there are reductions in some things there is an increase of duties upon other articles which are essential and important to every class of people in this country.

There is nothing which is in more common use than the character of articles on which the duty is proposed to be increased by this bill—articles which enter into everybody's family, for the poorest people of the country as well as the rich have to use them. I do not see why upon articles of that kind which enter into general consumption, where a reduction would relieve people of all classes of society, we should not reduce the taxation. If you want to increase the duty on any articles increase it upon those that enter into consumption only by the more wealthy—those which are luxuries, or which are used because people are able on account of their means to use them.

It seems to me that we are not engaged in a discussion of this bill with a view to reduce taxation, but that on the other side of this Chamber the great effort is to protect certain interests in this country. We must have revenue, but I am in favor of putting the bill in such a shape as to yield a sufficient amount of revenue to the Government. I do not want to see the Government crippled in its revenues. I want to see such a tariff adjustment as will secure to the Government all necessary revenue and at the same time will give to the people of this country, especially those who are least able to bear the burdens of the Government, the proper relief from taxation.

This stone-ware and some of these other articles are matters in regard to which we can afford some relief to the poor classes of people, and yet it is proposed to increase the duty on those very articles. I am opposed to an increase upon matters of that kind. I am in favor of reducing, as the Senator from Kentucky has said, the tariff on the raw material. We have already put some of those articles on the free-list, and there is a general reduction of 5 per cent. on the raw materials that enter into these articles. Yet we propose to raise the duty from 50 per cent. to 60 per cent. and from 45 per cent. to 55 per cent. upon some of the articles. There is no justification for it.

If the object is, as was intimated a while ago on the other side of the Chamber, to legislate so as to protect the industries of this country the bill is well adapted to accomplish that purpose. If, however, the object is to grant relief from taxation, then I say this bill is a failure, and the bill prepared by the Tariff Commission is a failure.

We ought as legislators to address ourselves honestly and squarely to the question of the reduction of taxes, and we ought to so adjust the tariff that the people of this country shall be relieved from the burdens under which they have so long struggled. If the bill is passed as recommended by the Tariff Commission, or as reported from the Committee on Finance, there will be no sensible reduction of taxation upon the great body of the people.

I am therefore in favor of going over this bill in detail and cutting down taxation upon all those articles which enter into general consumption.

Mr. HOAR. I believe I shall vote, if I have an opportunity, to make this duty 55 per cent., which is half way between the proposition of the Senator from Kentucky and the proposition of the committee, believing on the authority of persons for whose judgment I have a high respect that 5 per cent. is enough to make a fair equivalent for the loss of the addition of charges which the Tariff Commission estimate at 10 per cent.

I wish to have read as containing my own views to some extent, so far as relates to this matter of charges only, at any rate containing a very excellent statement of the argument of the importers, a brief letter written me by an importer in my own city. Although he looks at this question from the point of view of the present interest against the duty, he is a person whose intelligence and integrity may be relied upon. The letter is very brief, and I should like to have the Secretary read it.

The letter was read, as follows:

WORCESTER, *Mass.*, *December* 30, 1882.

DEAR SIR: We have read with great surprise the report of the Tariff Commission on earthen-ware. How any body of men could have arrived at such conclusion seems incomprehensible. The trade had looked with a feeling of absolute certainty for a reduction of the duties to at least 30 per cent., and many had been confident that an investigation by candid men would lead to a recommendation of 25 per cent. But instead of this we have an advance. The duty on these goods was advanced as a war measure to 40 per cent., which duty was levied on the goods and packages, and all costs of the goods delivered at tide-water, so that the duty itself was about 50 per cent. on the cost of the goods alone, and the amount of protection afforded to the American maker by reason of this duty and the transportation and other expenses was on an average lot fully 90 per cent. That is surely protection with a vengeance, and we had felt certain that the most rabid protectionist would say that it was too much, and with the added influence that the temper of the people is strongly in favor of lower duties on all merchandise the result could not possibly be other than a lower rate for the future, and we know that the most the American makers had hoped to accomplish was to keep the rate where it was. This is a matter of great importance to us and we trust you will bear with us in patience while we attempt to show its absurdity. Now, if the duty was abolished altogether the American maker would have a very large protection, owing to the very bulky nature of the goods and the extra loss from breakage incident to so long and expensive transportation.

We are told that the trade is languishing in this country. This is true without doubt. Now why? It is simply a question of quality. The product of the makers in this country has had the great fault of failing in actual service, being soon covered with fine cracks in the glazing, which at once makes it absorb impurities and unfit for use. This is a fault they have labored in vain to overcome, and to accomplish which they have tried every expedient, have imported the best workmen from abroad, but without success. We have frequently been positively assured that this difficulty had been overcome, and we have made several attempts to use it (some of them recently), but each time with serious loss; and it has come to be a settled conviction with the dealers that it never will be overcome, owing to some inherent difficulties in the material found here. We have been led to attempt to use it for several reasons which will appear plain to you. First, it is cheaper than the foreign. Second, it involves much less capital and labor to us from the ease and rapidity with which our stock is kept up and replenished, as we could do the same amount of business with half the stock that we are now obliged to carry on account of being so far from our base of supplies. Third, the American product is in shape, color, and appearance much better than the average foreign product. These reasons have led us, as we say, to repeated attempts to make use of the American product. It is simply a question of quality in service, and when they do produce a good wearing article they can command the trade under a 25 per cent. duty. We do not at present offer for table use a single piece of it, or should we if the rate of duty was increased as proposed. And we do not believe the increase would result in the more extended use of American goods, except to perhaps a very few who might from sheer necessity be compelled to buy a lower cost article, without regard to its intrinsic value. The result would only be to still further limit the sales of the dealers and to impose an additional burden on the purchaser. To the new housekeeper the price they now have to pay for their crockery always startles them, and is the dearest of all the things they have to buy, and seems to them, and does, cost beyond its seeming value. It is the ambition of every good housekeeper, however poor, to present an attractive table, and is one of the prides of the home; but the price of all except the plainest articles are beyond their reach. This is a hardship and a burden not only to them but to the trade, and the small extent of the crockery business in this country for its population is amazing.

The very small number of people who are engaged in the manufacture in this country, of wares which would be imported, even under free trade, is another fact to which we call your attention. In all the statements which have come under our eye from the organized manufactures—has included everybody who was engaged in potting of any kind. Now, not one-third of these would lose their vocation under actual free trade. The country at large could better afford to support a few at some good hotel. The American makers are able, under the present schedule, to undersell the foreign. Why, then, more protection except to compel a few of the poorer classes to use them. These goods are not, as some would have us believe, produced by the pauper labor of Europe. This is a well-sounding phrase and may be true, to considerable extent, in the iron trades, but from positive and personal knowledge we assert it is not true of the earthern-ware trade. The industry in this country was unhealthily stimulated by the years immediately succeeding the war. When the premium on gold gave a large additional bounty and the extraordinary and sudden revival of business caused a demand which the light stocks of foreign goods, caused by the previous hard times, could not supply and some kind of goods must be had at once and in those times, as every business man knows, it was not a question of equality or price, but to get the goods of some kind at once.

The commission reported a duty of 55 per cent. to be levied on goods only, and we understand that the Trenton manufacturers, stimulated by their unexpected success, are going to make an effort to get this last provision stricken out, so that the 55 per cent. shall be levied, as the 40 per cent. was, on all charges.

Now, we are not free-trade advocates by any means. We belive in a fair and honest protection to American labor, but we do not believe in building a Chinese wall around this country.

We recognize the difficulties the trade and the people labor under, and the advantages which the potters have by having one of their number a member of Congress, and consequently in a position to have more influence than thousands of people unorganized. It seems to us that one of the great dangers of a revision of the tariff is the power and influence that the manufacturers of all kinds are able to exact by their immense wealth, organization, and social position, while the great mass of the people are unheard and unfelt.

It is, perhaps, fair and undoubtedly legitimate to make use of all fair means they can to advance their own interests, and it is a legitimate advantage which they have and a misfortune to the rest of the people who have different interests. In this connection we are reminded of a friend of ours in another line—a manufacturer whose business, to our certain knowledge, has paid an average profit of 25 per cent., and who has accumulated a large fortune—rushing to Washington to urge against a proposed reduction of 5 per cent. on the line of goods he makes. It is all right; it affects his pocket, and it is his business to make as much money as he can; and when he gets to Washington we suppose he will urge his claims under the guise of protection to American labor.

As analogous to the pottery business we ask your attention to a similar industry—glass-makers—who have completely captured the trade in this country under a lower duty (35 per cent.) than the potters have enjoyed. We appeal to you for your influence in favor of justice and right in this matter.

Respectfully yours,

CLARK, SAWYER & CO.

Hon. GEORGE F. HOAR.

Mr. MORRILL. I regret that the Senator should present a document of this kind here to be read. I could present half a dozen quite the reverse of the position of this gentleman who writes to the Senator from

Massachusetts, and who, I have no doubt, is a very respectable gentleman. I regret still more the purpose manifested by the Senator to reduce the rate proposed by the Tariff Commission 10 per cent., and even that proposed by the Committee on Finance, 5 per cent.

I want to say to the Senator from Massachusetts that before we get through with this bill we shall find that there are articles in the bill in which his State is more interested than in this article and upon which a higher rate of protection is required, and articles which are manufactured by machinery instead of being solely by hand. Every article of crockery-ware has to be made by hand labor. We have not made any improvement from the time of Moses in the way of manufacturing crockery-ware; that is to say, in the manipulation, in the manual labor required.

I wish to add further that at the present time in the decoration of these articles a very large number of young women are engaged and usefully employed, and they find that they can obtain higher wages than they can at anything else. Mr. President, I should like to encourage this labor on the part of the young women of the country. It is not only a useful labor, but it is in some respects artistic. I do not wish to prevent their going on as they have been for the last five or ten years; and in a short time hereafter there is no question but what we may reduce the present rate.

So far as the difference between the proposed bill and the existing tariff is concerned, upon an examination of the report of the Tariff Commission it will be seen that there is no essential difference between the present duty and that proposed by the Committee on Finance.

Mr. HOAR. I agree with the Senator from Vermont in regard to his general principle, but the point is precisely this: The manufacture of pottery has now a very high protection and a protection under which it is living in this country. It has a high protection, in addition to the duty fixed in the law, by the bulky and fragile character of the article protected, because the foreign importer has of course to incur the loss by breakage and the extra cost of freight of the article, which is out of proportion to its intrinsic value. The Tariff Commission put an increase on this duty, but the Senator's committee differ with them and say it ought not to be increased. The argument which the Senator addresses to me might just as well be addressed to him by somebody standing on the ground of the Tariff Commission, who might say, "Why, the commission put on this duty for excellent workmen and excellent goods, and now you are cutting it down." The chairman of the Tariff Commission might of course say, "I regret that the honorable Senator from Vermont is cutting down the duty on an article upon which these good Americans are at work." It is a question not of principle but of fact. The committee agree that they wish to have this duty remain as the existing tariff places it. We put on after the war a high increase of the old duty. We all agreed to that. That is where I stand and that is where the Senator stands. The Senator, however, thinks that having abolished the allowance for breakage and so on, 10 per cent. should be put on to the existing nominal duty as an equivalent, and I think 5 per cent. is enough to cover it.

So, then, the mere question between me and the Senator is whether 5 per cent. is or is not a sufficient equivalent for the breakage and other allowances which are now provided for under the existing law. There is the point. To that I have had read, stating the fact that the gentleman writing it is an importer, but a man of integrity and character, a very able and well-stated letter. That is the whole of this point, whether these importers are right in their statements as to the equivalent for inland transportation, breakage, &c. That is all there is to it.

Allow me one word further as to the Senator's suggestion—certainly he will not adhere to it on reflection—that there may be other industries affecting the State which I represent that ought to have a high duty, but if they do not go for a high duty that is not just somewhere else, they will not have it.

Mr. MORRILL. I made no such suggestion. I merely suggested to the Senator that there were articles in which his State was deeply interested which were protected where the article produced was by machine labor, and that this article was made entirely by hand labor.

Mr. HOAR. That is a very strong, potent, cogent, wise argument for the Senator's position, and I agree with every word of it, so far as this particular crockery is concerned; but it does not help us to determine whether 5 per cent. or 10 per cent. is enough as an equivalent for the inland transportation charges to tell me that there are some very highly protected machine-made articles in my State. It does not help us in the least to settle that question.

Mr. VANCE. Mr. President, I would propose to strike out the rate named in the committee's report and reduce the duty to 50 per cent.; indeed I should be glad to reduce it to 40 per cent., or even to 30, and at the proper stage of the consideration of the bill I shall move to change the duty on the fourth classification of stone-ware, &c., to the same duty as the first enumerated, that is to say—

Brown earthen-ware, common stone-ware, gas retorts, and stone-ware not ornamented, 35 per cent. ad valorem.

In the clause which reads—

All other earthen, stone, and crockery ware, white, glazed, edged, printed, painted, dipped, or cream-colored, composed of earthy or mineral substances, not specially enumerated or provided for in this act, 50 per cent. ad valorem—

I shall move to make the rate 25 per cent. also, for it is precisely the same ware, I understand, with the simple exception of any coloring matter or any decoration or ornamentation that may be given to it. By the placing on white stone-ware or earthen crockery-ware of whatever description of any ornamentation, a flower or a ring of some coloring paint, or anything of that kind, immediately the duty increases 100 per cent. by this clause. From the best information that I can get no possible ornamentation given to common stone-ware in this country can exceed 2½ to 5 per cent. of the cost of the article, so cheap are the processes by which this ornamentation is given; and it is even provided that if the clay or substance of which they are made has a different shade from the plain white, as cream-colored or otherwise, then the duty is increased 100 per cent.

I can see no reason for that in the world, except to give the manufacturers on this slight pretext this great duty upon the article. I shall move to make it 25 per cent. when that clause is reached.

Generally in regard to crockery-ware, I wish to read what Mr. Thomas C. Smith testified before the Tariff Commission. He represented himself to be a manufacturer of porcelain at Green Point, New York. He said:

The present duty of 45 per cent. on white china should not be altered, as it is preferable to have a low and permanent rate of duty than a temporary high rate of duty, with the certain prospect of a lowering of that high rate in a few years and again agitating this question. This present rate, with the full intent of the law properly executed as regards classification of goods, and goods honestly invoiced, is sufficient to enable the manufacturer in this country to compete with imported goods, by the further application of machinery and a constant effort to lessen cost of production.

In answer to this question—

What is the prospect for an extension of your industry in this country?

He answers:

I see no reason why it should not be extended if the present duty is adhered to. The duty of course is a low one, but as it has been the rate for some time we have got used to it, and would rather have it remain as it is than take the chances of any change in the tariff. I can get along with the tariff as it is. I have introduced a large amount of machinery, which I employ in the manufacture of those goods, and I have been spending large sums of money in that way during the present year.

Mr. President, here is a large manufacturer of this class of goods who comes before the Tariff Commission and says that he is satisfied; that the present duty is sufficient to protect him against the competition of foreigners, and that he does not want to see it changed. He can get along with it; and yet the Finance Committee, for some reason I know not what, following perhaps the Tariff Commission, increased the duty on these articles 20 per cent., some of them, and some more than that, in the face, as it were, of the manufacturers, who say they do not need it and do not require it. I will therefore move at the proper time to strike out the duty of 50 per cent. in line 424 and insert 25 per cent., making it correspond with the plain white and undecorated ware mentioned in the first clause of the schedule.

Mr. COKE. Mr. President, this entire schedule is an advance of some 15 or 20 per cent. as reported by the committee over the rates of the present tariff, and this in a bill which professes to reduce taxation, and upon a class of products which are of universal use and consumption. I shall vote for every reduction which is proposed to any item in the schedule. I believe that it ought to be largely reduced. I can not conceive why so large an increase has been proposed by the committee. The manufacturers of pottery, earthen-ware, and glass-ware, so far as I can learn from all the testimony accessible, are satisfied with the tariff as it now stands. The country certainly has not expected an increase of duties, but on the contrary a reduction.

The tariff as it now stands on this schedule, if I believe evidence which I have before me, is greatly too high. It is not necessary for the fostering of American industry, while it does lay a very great burden upon the people. I have here an argument made before the Finance Committee of the Senate by dealers in pottery, or rather a statement of facts and argument; and in that statement it is said:

On page 12 of the report of the honorable Tariff Commission we find a table giving the production of earthen-ware for the decade ending with the year 1850. According to this there were already four hundred and eighty-four establishments, producing $1,466,000. In 1860 this industry had increased to six hundred and sixty establishments, with a product of $2,706,000, showing in this decade, with a tariff of only 24 per cent. and no gold premium, an increase of over 92 per cent. in the productions, while, according to the honorable Tariff Commission (see table, page 8), the entire industrial progress of the United States during the same period was only 85 per cent., hence clearly showing that under a tariff of 24 per cent. and no gold premium the industry of the manufacture of earthen-ware ran far ahead of the general increase of the entire manufactures of the country.

Here under a 24 per cent. tariff this industry ran ahead of any other industry in this country. The manufacturers admit that the existing tariff, which is some 40 or 45 per cent., is enormously protective, yet the Finance Committee have recommended here an increase of some 15 or 20 per cent. average, and this upon products which are used universally by all the people of the whole country. Why so? Why increase the tariff duties upon a schedule confessedly enormously protective, satisfactory as it now stands to the manufacturers and already oppressive to the consumers? It seems to me, sir, to be very wantonness in the exercise of a taxing power to add to the already existing burdens upon this class of goods.

The honorable Senator from Vermont [Mr. MORRILL] says that no

improvement occurs in the manufacture of this class of goods; that it is all manual labor. The honorable Senator from North Carolina [Mr. VANCE] just now read from testimony to show that machinery is largely used, and at least one manufacturer testified before the Tariff Commission that he was introducing largely new and improved machinery into his works.

However that may be, the fact that, under a tariff of 24 per cent., this industry showed a larger per cent. of increase and development than it has ever shown since it was increased up to 40 or 45, of itself answers all the arguments made by gentlemen in favor of the protection of American labor and the development of American industry. If 24 per cent. would develop this industry at a more rapid rate than even 45 per cent. has done since, why add to the impost duty?

Mr. President, confessedly, if the import duties are reduced reasonably, and importations encouraged, while the people will be getting the products cheaper, the Treasury will be losing no revenue. There is no part of this bill which, in my judgment, needs revision, and no part of the existing tariff law which, in my judgment, needs revision more than this particular schedule, and instead of improving it by reducing the burden of taxation upon the people—for they are bound to have all the things embraced in this schedule—the duties are absolutely raised from 15 to 20 per cent., and that in a bill which professes to reduce the burdens of taxation. I can see nothing but the rankest injustice in this schedule to the great mass of the people, and the most odious favoritism to a few manufacturers. If we needed revenue there would be some plausibility in the argument in support of it, but we do not. The Treasury is overflowing and we profess to be trying to reduce our income. The Treasury not needing the money, and the industry as I have shown from the record not needing protection, the increase of duties is utterly without a shadow of justification.

Mr. SEWELL. Mr. President, I beg to call the attention of the Senate to the report of the Tariff Commission on the pottery interests of this country, and their reasons for the recommendation of a nominal increase of 15 per cent. in the tariff thereon. They recommend at the same time the doing away of the tariff on freights, breakage, and transportation. In the course of their investigations they report a 10 per cent. reduction on these items. The commission took into consideration the position of the trade in this country at the present time, and recommended a 5 per cent. advance in the tariff on this article, that being the difference between the 10 per cent. taken off in the items I have referred to and the 15 per cent. nominally added to the duty on this article.

The Senator from Texas alluded to the trade having progressed at one period under a 24 per cent. tariff. I beg to say that if he had looked into the history of pottery in this country he would have found that there was not at that time a single white-ware pottery in this country, that only made tiles and drain-pipes, and that tariff was probably sufficient protection because such articles were used where they were produced.

The gentleman whose testimony the Senator from North Carolina read manufactures no pottery except Portland knobs, which he does with machinery and which he can do at the present tariff.

Mr. VANCE. Do I understand the Senator to say that Mr. Smith, from whose testimony I read, manufactures no pottery?

Mr. SEWELL. Unless you call Portland knobs pottery. I mean he makes no ware such as we are talking about, table-ware.

Mr. VANCE. It comes under the generic term pottery, as I understand.

Mr. SEWELL. But it is a class of pottery where they can use machinery in manufacturing. You can not use machinery in the manufacture of table-ware. The actual wages expended on the article from the time it is taken out of the ground to the time that it is sold constitute about 90 per cent. of the cost. I ask the Secretary to read that part of the report of the Tariff Commission which refers to their action on this matter. I have marked it, commencing on page 12.

The Acting Secretary read as follows:

> The commission has not recommended any change in the duties on brown earthen-ware and common stone-ware, as these duties are already low, and the progress of manufacture in this country is such that notwithstanding the proposed abolition of the duties on packages, charges, and commissions, it is believed that the old rates will afford a reasonable protection to the manufacture here.
>
> On white and printed earthen-ware, and on white and decorated china, porcelain, and parian ware, the commission recommends an increase of duty in each instance of 15 per cent., and also a change in the wording of the schedules, which, it is believed, is necessary for the purpose of more clearly describing the articles subject to duty.
>
> This recommendation as to increase of duties is largely more apparent than real, as it will be observed that the proposed abolition of duties upon packages, inland freights, charges, and commissions affects this species of earthen-ware in general use, perhaps, more seriously than any other article embraced in the tariff schedules, so that, as will be apparent from the statement of the president of the Pottery Dealers' Association, and substantially all statements made to the commission which bears upon the question, a duty of 40 per cent. under the present tariff is substantially equal to a duty of 50 per cent. on these goods with the proposed abolition of dutiable charges.
>
> To illustrate, taking the "calculations on one hundred crates of earthen-ware, being a fair average of the goods as imported," in the statement of the president of the Pottery Dealers' Association, the original cost is given at $3,019, on which the duty at 50 per cent. would be $1,509.50, while the dutiable basis on the same importation under the present tariff, with dutiable charges and commissions added, is $3,763, which at 40 per cent. gives $1,505.20 as the amount of duty; so that the duty under the proposed rates is substantially only 5 per cent. higher than those under the present tariff, because of the proposed abolition of the duty on charges and commissions.
>
> The commission's justification for recommending this increase is that the condition of this industry is such as to make the increase absolutely necessary to its maintenance, and we are convinced that without the relief proposed there must be a very material reduction—if not an absolute destruction—of the manufacture of earthen-ware in the United States.
>
> The statements made before the commission show that this industry is one of very recent introduction; that at the time the present duties were imposed it had substantially no existence in this country, and that its establishment under the present rates could hardly have been accomplished but for the premium on gold, which, during and after the war, operated as an incidental protection. Under the stimulus of the incidental protection the manufacture of white earthen-ware commenced less than twenty years ago, preceding attempts having resulted in failure.
>
> The present tariff on this class of goods was not intended as protective in any sense, as there was not at the time of its passage any such industry to protect, and the rate of duty was increased from 24 per cent. to 40 per cent. as a revenue measure only. Referring again to the comparative statement of the earthen-ware business presented above, we find that although the manufacture of white ware did not commence until 1863, the growth up to 1870 was very much in excess of the growth of the succeeding ten years; while we believe, as indicated in the statements made before us, that at present it is on the decline; and the small value of the product in comparison with the capital and labor employed seems to indicate very severe competition in the business.
>
> This is also, as we think, shown in the fact that although the foreign cost of production has actually increased since 1860, the prices to the retail dealer and consumer have decreased, which we think is fully established by the clear statements which have been presented by the representatives of the industry, accompanied by actual invoices of sales to retail dealers; and, we may add, that we think a careful examination of the statements of the importers and dealers will lead to the same conclusion, for while some of these think prices are now higher than between 1850 and 1860, many of them admit that they are about the same or somewhat lower.
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> The reason of the reduction of prices since 1860 is proper matter for consideration, and the commission is unable to indicate any cause except the competition occasioned by manufacture in this country. The machinery used in this business, unlike that used in almost all others, seems to be incapable of material improvement; the potter's wheel of to-day is substantially that in use at the commencement of the century, and even of much earlier times. A very large proportion of the work has been, and must be, hand labor; and the fact of an increase in the cost of production within the last thirty years clearly shows that the reduction in price can not be attributed to any of the usual causes for reduction, namely, improvement in machinery and appliances, and consequent decrease of cost of production; so that we are driven to the conclusion that the competition occasioned by the establishment of the industry here has resulted in a reduction of the profits of the foreign manufacturer and of the importer and dealer, which has lowered the price to the consumer in this country, until now it is probable that as to foreign goods there is very little margin, if any; and the statements show that as to domestic goods the price has been reduced so low that there is no margin to warrant a continuance of the business at present rates.
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> The difference of wages in Staffordshire, England, and in this country is, we think, clearly shown to be 113 per cent., without allowing for the fact that in England the production of each workman is counted "good from kiln," and in this country "good from hand." That is, the work being mainly piece-work, in England the workman is only paid for such articles as are good when burnt, while in this country he is paid for the articles which he delivers good before burning; so that here the employer pays for and loses the ware spoiled in firing, which, as the statements show, makes a difference of about 12 per cent., and makes the actual difference in wages about 125 per cent.
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> We think the statements as to wages may be fairly assumed to be correct. The foreign statement was made in the progress of a wage-arbitration proceeding, and apparently admitted to be correct both by workmen and employers, and is confirmed by other statements before the commission; while the home statement is for the same articles, as shown by the books of a like number of potteries at Trenton, New Jersey.
>
> As to the relative value of American as compared with the same grades of foreign wares, we think that while, in the earlier manufacture here, there was just cause of complaint, because of the greater liability of the American product to "craze," this has now been overcome, and the American ware is at least as good as the foreign of the same class.
>
> In less than twenty years this industry has been established to such an extent that it produces about one-half of the $10,000,000 of these wares used in the country; it is now, as we think, languishing, and, in view of all the facts appearing in the statements made to us, the small increase of duty recommended is necessary to its continued existence in this country.

Mr. VANCE. As to the statement made by the Senator from New Jersey, and which I saw stated by several orators before the New York tariff convention, that 90 per cent of this pottery business is labor, I desire to call the attention of the Senate to the tables prepared by the Tariff Commission on the pottery interest. In 1880 there were 686 establishments, there were 9,494 hands employed, there were $6,380,610 capital invested, there were wages paid $3,279,535, and the product was $7,943,229. They were lacking right smartly of 50 per cent. instead of 90.

Mr. SEWELL. Will the Senator allow me to help him along?

Mr. VANCE. Certainly.

Mr. SEWELL. There is to be added to that the cost of labor on the coal and clay and everything that is used in the production of the article. That which he quotes is simply what is paid out as wages at the potteries.

Mr. VANCE. I did not catch the Senator's remark.

Mr. SEWELL. I say the direct expenditure for labor amounts to about 60 per cent. in the manufacture of pottery. The other 30 per cent. is that which is represented in getting out the raw material, the coal, the clay, and other articles used.

Mr. VANCE. I suppose the cost of materials would cover that, and that is given here as "materials, $2,564,259." Certainly the potters do not buy the material in the market and then pay for the getting of it out also.

Mr. SEWELL. I make the statement that it is nearly all labor.

Mr. VANCE. Well, there is a discrepancy somewhere. This is a great matter to the people of the United States, for under this head, to which I called the attention of the Senate a moment ago, earthen,

stone, or crockery-ware, &c., it will be seen that the importations amount to $4,438,237.36; the duties received amount to $1,775,294.93, showing that that classification is the one most in use by the people of the United States, and it is estimated, I believe, that there is manufactured in this country three times as much as is imported. So that this duty of $1,775,294.93 which is paid on the importation is trebled when we come to calculate the amount we pay upon the domestic product. So here we have struck no item in this bill more important to the great majority of the common people of this country.

Mr. MAXEY. The general average of tariff on imported goods, as the law now stands, is about 43½ per cent. That yields confessedly a very much larger revenue than is necessary for the payment of the interest on the public debt, for providing for the sinking fund, and the current expenses of the Government. This bill professes to be a reduction of the tariff, and yet we find here in this article now under consideration not 43½ per cent. but 60 per cent. is charged. Some of these goods go into every house in all the length and breadth of this country. Everybody uses china-ware, porcelain-ware, or something that is named here. An industry which can not stand on a protection of 50 per cent. ought to go down, but I suppose that this is one of those infant industries which need to be protected. It is one of the hungry daughters of the horse-leech, and it has already learned to cry "Give, give!" I have heard nothing but "give, give, give" from the people, and "give" to these protected industries from the beginning to the end of this bill.

Mr. President, we have in the State which I have the honor in part to represent a great bed of kaolin, which experts have pronounced to be of the most excellent quality and description, and in due course of time factories will be raised there for the manufacture of china and porcelain ware; but I say that if a factory can not stand with a protection coming out of the pockets of the people of 50 per cent. it ought to go down. And where goods like these, which reach every house in the land, from the palace of a lordly Vanderbilt or Gould down to the poor man out on the frontier of Texas, are used by everybody, it is common justice and fair dealing that a reasonable, and no more than a reasonable, tariff should be laid upon them.

Therefore I shall favor the proposition made by the Senator from Kentucky, and would have done so if he had put the duty down to a general average of not exceeding 40 per cent.

Mr. SHERMAN. This Schedule B embraces two articles only, earthen-ware and glass-ware. Prior to 1863 there was no white earthen-ware made in the United States of America. It is therefore what Senators call an infant industry; and yet we have in this country of ours a greater amount and a greater number and variety of articles which enter into the manufacture of these two things than any other country in the world. In Texas, as the Senator says, in Missouri, in Indiana, in Ohio, in Pennsylvania, and in nearly every State there are pure white clays adapted to the manufacture of pottery, and latterly there has been discovered the finest possible article to make glass-ware out of.

Under the effect of the tariff, and partly because of the high price of gold added to the tariff duty during many years, there has grown up in this country within the last twenty years an enormous industry. In the State of New Jersey I do not know how many furnaces there are, but in a single neighborhood in Ohio, called East Liverpool, there are now over one hundred furnaces engaged in manufacturing the most beautiful ware. In New Jersey I believe the production is still larger. They draw from all parts of the country clay used in the manufacture of this article. They bring it from Missouri largely and from other States. The result has been that ordinary china-ware such as is consumed by the mass of our people has been reduced to one-half and in many cases to one-third its former value. Such has been already the effect produced in the production of crockery in this country by home competition. Formerly all forms of ware were brought from Liverpool and places in England.

In regard to glass-ware the result has been more remarkable still. Mainly by the capital and ingenuity and ability of a Mr. DePauw of Indiana, who has established great glass-ware factories in Southern Indiana, the price of the article has been greatly reduced, and the article produced here now is better than even the French plate-glass. I remember a case where this article made in Indiana was brought in direct competition not only as to quality but as to price with the article produced in France, because formerly France had practically a monopoly of plate-glass. Now our American product is gradually taking the market and is supplying the wants of our own people at a greatly reduced rate.

When this question came before the Tariff Commission they found that although the progress had been remarkable and very great, yet now the industry was languishing; and I know of my own knowledge that that industry, upon which the livelihood of thousands of people along the banks of the Ohio River depends, is now languishing, and these people are not making any profit. It is so, I am informed, in New Jersey; and it is well known that the glass-ware factories in Indiana are struggling for existence, and the gentleman whose name I have mentioned, who lost a million dollars in the attempt to establish it, is maintaining it now barely at a reasonable and what would be called a very small profit.

The Tariff Commission, who seem to have given to this subject a great deal of care and attention, representing all parts of the community as well as the parts represented in the pottery and glass-ware business, came to the conclusion that it was not wise to reduce the present rate of duty; that the present rate of duty would enable these people to develop their industry and gradually to reduce the price, and no doubt in a short time the rate of duty may be reduced without injury to them; but they found it necessary in their revision of the tariff laws to base the rate of duty upon the actual cost at the place of production, excluding from the foreign valuation all cost of boxing, of package, of breakage, and everything of that kind. They show by their report that the effect of this change, and a wise change, in the tariff laws so as to give a certain market value at the place of production as the basis of the computation of foreign value is a reduction of 10 per cent. upon the foreign valuation, and consequently a reduction of the amount of duty levied upon the article caused by throwing out of the estimate of valuation these items which enter into the cost of all importations as well as into the cost of the domestic production.

The result was that if they proposed a tariff containing the same rates as in the old tariff it would be a very serious reduction of the duty on these two articles, which is absolutely necessary for their maintenance, and they therefore, in order to compensate for this reduction, in one way gave to this industry a corresponding increase of the nominal rate of duty, but the actual rate of duty is no greater than it was in the old tariff. When this matter came before the Committee on Finance it was discussed very fully, and it was shown that the rate proposed by the Tariff Commission was perhaps 5 per cent. more than the old rate; and therefore the Committee on Finance, in order to leave the duties on these articles the same as they were under the existing tariff, reduced the commission rate 5 per cent., so as to make the proposed rate exactly equivalent to the present tariff rate on an industry which is languishing but has been productive of great good in the past.

Mr. President, I say here to the Senate what is manifest by the concurring testimony of all the persons engaged in this business, by the report of the Tariff Commission, by what I supposed was the unanimous opinion of the Committee on Finance, that this industry can not exist in its present condition of infancy unless the old rate is maintained; and therefore when I myself conceded upon the arguments which were presented to us a reduction of the nominal rate proposed by the commission, 5 per cent., I supposed that the committee were unanimous that this industry should have a chance to live and struggle along.

Any reduction of this rate of duty upon any theory which may be advanced, however plausible, which will put the duty below what it is now, practically will destroy this industry; while if it is maintained by a reasonable rate of protection it will be built up and grow stronger and stronger year by year, until not only can we manufacture the white-ware of Liverpool but we can manufacture the highest grade of this ware, ware which combines the highest art of painting with the production of beautiful ware.

The case in Indiana was very marked, and the gentleman concerned in it and who had risked his fortune in developing the industry, said distinctly that if the duty was reduced any further than it had been proposed to be reduced he could not continue his establishment. I know that is the case with the small potteries scattered along the Ohio River near East Liverpool; they can not bear this reduction and live; they will simply go out of the business. Their work is simply and solely the result of labor; and that the whole cost of the production is the labor and the interest on the capital employed is shown by the very fact that it is made out of the earth—that it costs nothing, made out of these different kinds of clay carefully mixed; the various kinds mix with each other so as to make the article designed. They use entirely articles of American labor, and there is no money involved in it except the interest on the capital invested in producing this article and the cost of building the furnaces. Every particle of the industry is simply American labor seeking to build up a new industry for the first time established in this country within twenty years, and all they ask of Congress is to let them alone, to see whether or not they can develop this industry as the cotton industry and other industries have been developed.

I say it would be cruel in the last degree to knock from under them the props which have enabled them to build up this industry. It would be simply to destroy a large mass of American capital and to throw out of employment a multitude of American laborers, merely to open up again the absolute monopoly of the English crockery-ware in this country. The French and the Belgians and the Hungarians, and also the Germans have established higher forms of pottery. They excel in them. The Bohemian ware probably is the most valuable; next to that is probably the French ware, used mainly by the rich; but our people by importing skilled laborers to instruct the native people in this production have developed remarkable skill, and now in the city of Cincinnati there is a pottery producing articles of vertu, articles of taste, which adorn the homesteads of the poor as well as the rich, and this has been built up mainly by the energy and enterprise of ladies of taste who have devoted their time to the development of this beautiful industry. They have but recently established a pottery which is confined to the burning and producing the very highest forms of this class of ware, making out of simple earth the most beautiful articles of ornament and ware.

They have so cheapened the ordinary crockery of commerce that now any poor family starting in life can eat from plates as good as any that were ever made in Liverpool, at a cost so insignificant that it would scarcely be realized, so that a vast quantity, a crate of these articles, you may say, can now be sold from seventeen to twenty-five dollars, containing an assortment of all the plates used in the ordinary homesteads of America.

The result of the destruction of this industry would be to compel us to import these articles, simply because we will not give to our own people a reasonable chance to build up this industry. You say the rates of duty are high. So they are, because those rates of duty are levied upon the cost of the article in Europe, which simply represents the cost of molding and forming these plates in their ordinary way. The rates are high because the cost of the materials which enter into their construction is very low indeed; the cost of the clay is nothing; it can be found almost everywhere in our country, as I said. It is the labor, the handiwork of our own people which has developed this industry in a most remarkable degree. The plate-glass now which is made by Mr. De Pauw is competing in the New York market with the ordinary plate-glass of France, and the French had a monopoly of it once. I remember when this competition occurred, the importer came and examined the ware, went to Indiana, and finally said that he could not compete with this Indiana plate-glass, because the materials that were used in the manufacture of plate-glass in Indiana were superior to any that could be found in the world. And yet on account of the difference in the price of labor between this country and Europe it would be very easy for them, unless our people have a chance to build up this industry, to break it down. I appeal to the Senator from Indiana to say—he knows and lives among the people who have developed this industry—whether any further reduction or any change or tampering with the substantial rates which have been fixed by law will not break down that great industry which has marked the history of Indiana perhaps more than any other in the development of her manufactures.

I trust Senators will not deal carelessly with this question. Give some faith at least to the unanimous testimony of your Tariff Commission that placed these rates higher than we have placed them, because we have reduced them somewhat, in deference to the argument that was made before us. Why, sir, if you can not rely to some extent upon the judgment of the Tariff Commission and upon the judgment of the Committee on Finance, who have passed upon this question, what is the use of referring these matters to commissioners or committees? We can not here debate all these questions of detail which require close and intense labor and examination; we can not debate them item by item in this bill, and I say to my friend from Kentucky in all kindness that I supposed when he agreed finally after the debate was exhausted in the Committee on Finance to the reduction of the rate of duty from 65 to 60 per cent., that was the end of the controversy, and that we agreed practically unanimously that this schedule should not be changed.

In substance and in fact, in every way in which you can present it, the rates now proposed are the rates under the existing law, raised nominally, it is true, 10 per cent. above the present rates, but actually not raised at all, because under the old tariff the cost of the box, the cost of the freight, the cost of the packing, the unavoidable loss by breakage, was all deducted and thrown off for the convenience and for the economy of the administration of the customs laws, and the duties now proposed by this bill are simply the old rates changed only to meet the changes made by this bill in the existing law.

I may say that all this schedule shows the most careful examination by the Tariff Commission, and I am told that there was no controversy about it. I have here in the books of testimony the testimony of many witnesses, experienced witnesses, laboring men and manufacturers, giving the facts which I have briefly narrated. The testimony is voluminous. I ask if the Senate is prepared, without examining this volume of testimony, without looking into the facts in detail and examining the nature and character of this industry, to change the work of the Tariff Commission and of the Committee on Finance, or whether it will undertake to do it? Are you not willing at least to concede that much of care, that much of credit, that much of respect for the work of the Tariff Commission created by Congress, which reported this schedule unanimously, and also to the Committee on Finance, who examined it carefully? What is the use of referring these matters of detail to ordinary committees? We may go through this tariff bill item by item, we may renew this debate on every item contained in this and the other schedules, and, after all, the individual members of the Senate can not have that full information in regard to these details which was known and shown to the Tariff Commission, which is here contained in these public documents, and that information which it was the duty of the Committee on Finance to examine, and which they did examine with care and attention.

Sir, we have no more desire to impose burdens on the people of the United States than have others; but we have some regard to the interests of the people employed in this industry; we have some regard for the revenue, for I say if you reduce this down you may make more revenue, and this is one of the articles where a large reduction of the duty will increase the revenue. The reduction proposed here would increase our revenue, but it would destroy our home industry. I trust, therefore, the Senate will take this schedule, which has been carefully gone over in all its details, reported by the Tariff Commission and reported by the Finance Committee. I am not at liberty under the rules of the Senate to refer to what has been done in the House of Representatives, but when their work comes before you you will see how they have regarded it. It is not proper for me to do more now than refer to it in that way, but your committee and the Tariff Commission have examined these details. I have not attempted to read to you the testimony on which that judgment is founded.

Mr. DAVIS, of West Virginia. May I ask my friend from Ohio a question?

Mr. SHERMAN. Certainly.

Mr. DAVIS, of West Virginia. Shall I understand the Senator to say that the rate proposed in the bill is not an increase of the present duty?

Mr. SHERMAN. I said that it was not an increase; that although the nominal rate was increased from 50 to 60 per cent. on one grade, and from 40 to 50 on the other, yet the reduction in the invoice value caused by striking out from the invoice value the costs of freight, transportation charges, commissions, and breakage, makes 60 per cent. upon the invoice value framed under this new tariff law no higher than 50 per cent. on the invoice value under the old law.

Mr. DAVIS, of West Virginia. In other words, as the bill now stands the Senator thinks it is about equal to the present duty.

Mr. SHERMAN. It was intended to be exactly equal. That was the purpose of the committee, and I appeal to my friend from Kentucky whether it was not expected or designed when the reduction was made from 65 to 60 per cent. that the reduction was made on that ground?

Mr. BECK. In answering the question now put, I will say that it was agreed, so far as the committee examined it, to make no increase on the present duty, and it was asserted that we had made no increase after reducing it down to the point the Senator from Ohio now has it at; and yet tables have been furnished us of importation after importation, showing that we have in fact increased it, and that it ought to be 55 instead of 60 per cent., all of which has been furnished since the committee acted.

Mr. SHERMAN. I ask the Senator from Kentucky whether it was not shown to us, not only by the report of the Tariff Commission which has been read at your desk, but by the testimony in these books, that the duty on the cost of the foreign article, the expense which entered into the final value of the goods, was so reduced as in the opinion of the Tariff Commission to amount to 10 per cent.?

Mr. BECK. In the opinion of the Tariff Commission it amounted to 10 per cent., but when the actual fact was brought before us it was shown that it did not amount to over 5 per cent., and the opinion of the Tariff Commission, which is said to be entitled to great weight, has been demonstrated in every instance to be entitled to no weight whatever, because the Tariff Commission themselves admit that they turned over the schedules in nearly every instance to persons interested in them, and merely flung them together as they were presented. The great difficulty we have had with this bill has been, and will be clear through the schedules, to undo what the Tariff Commission reported, which was furnished to them by other people and not by their own investigations.

Therefore, while I believed at first the report of the Tariff Commission was entitled to great weight, I am now satisfied that its report is entitled to no consideration at all, and that we have to look to the truth in each case, and in this case the truth as developed by the men who have made the importations shows, as I had read at the Secretary's desk when I was up before, that 5 per cent. covers this cost, instead of 10 or 15, as was claimed when they appeared before us.

So it is that I have moved merely to restore the duties to those fixed in the existing law, not to reduce any of them, but to stand on the present law as it is.

As I showed when I was up before, we have put upon the free-list a very large number of articles formerly dutiable for the benefit of these very manufacturers. We have reduced duties on articles used by them in some instances 75 per cent., in some 33 per cent., in some 40 per cent., and put other articles used by them upon the free-list. When we have reduced in this way the cost of their raw materials, and then given, as we propose throughout this bill, 25 per cent. average reduction on sugar, woolen and cotton goods, and everything else, if we allow them to stand with all that the present law now gives them, surely it is all they can ask.

Mr. SHERMAN. The Senator attacks the Tariff Commission. I think that is greatly unjust, because in this matter they have shown the utmost care, and they give the facts and figures upon which they base their statements. He says the Tariff Commission turned these questions over to interested parties. As a matter of course they heard interested parties, heard their testimony and reported their testimony here; but they acted upon this matter item by item, and they made these schedules, sometimes dividing the labor among themselves as subcommittees, as members of the Committee on Finance and other committees often do, but these were all reported to the commission and

were gone over in detail, and no doubt alterations made from time to time. Here is what the Tariff Commission say:

This recommendation as to increase of duties is largely more apparent than real, as it will be observed that the proposed abolition of duties upon packages, inland freights, charges, and commissions affects this species of earthen-ware in general use perhaps more seriously than any other article embraced in the tariff schedules, so that, as will be apparent from the statement of the president of the Pottery Dealers' Association, and substantially all statements made to the commission which bears upon the question, a duty of 40 per cent. under the present tariff is substantially equal to a duty of 50 per cent. on these goods with the proposed abolition of dutiable charges.

Then they go on:

To illustrate, taking the "calculations on one hundred crates of earthen-ware, being a fair average of the goods as imported," in the statement of the president of the Pottery Dealers' Association, the original cost is given at $3,019, on which the duty at 50 per cent. would be $1,509.50, while the dutiable basis on the same importation under the present tariff, with dutiable charges and commissions added, is $3,763, which at 40 per cent. gives $1,505.20 as the amount of duty; so that the duty under the proposed rates is substantially only 5 per cent. higher than those under the present tariff, because of the proposed abolition of the duty on charges and commissions.

And in order to meet the argument and not to increase the duties on these articles we threw off that 5 per cent., taking the estimate of the Tariff Commission as just and correct. Having done that, having gone into detail in all these matters, why is not that satisfactory to the Senate? If you may strike at random, breaking down one industry here and another industry there, you may create trouble in this country which you will hear of often again.

My idea in regard to this revision of the tariff is to leave industries, which are not unduly prosperous, which are merely making a living, to stand upon the present law and reduce on all other articles raw in their nature which tend to cheapen prices in this country as far as possible. A great many articles we have transferred to the free-list. In this way we have made a reduction of 10 or 15 per cent.

This matter must be arranged with care. You can not strike at the multiplied industries of this great country at random by a 10 per cent. reduction all around, because upon some duties you can take off more than 10 per cent., and in some cases we have taken off 30 or 40 per cent. Perhaps in some cases we have gone too far, but in these cases where infant industries, interesting and valuable, those producing articles which are used by every homestead in the land, where they have been developed, and the effect of home production has been a decrease of price one-half, we say, "Well done, good and faithful servant, give them a chance, let them build up their industry," and I have no doubt that in twenty years from this time East Liverpool will be as famous for its production of home ware as old Liverpool was in former days. I have no doubt that Indiana plate-glass will be made in this country and exported to foreign lands, if you will only give an opportunity to build up this industry. They have got to experiment, and get glass here and get glass there and try it. It takes a long period of time to develop an industry of this kind, and while it is in the process of development no rude hand should be thrust upon it to kill it off. Better deal with care with these industrial interests until the productions of our country are as diversified as those of Europe.

Mr. BECK. The Senator from Ohio has made a worse attack upon the policy of the Tariff Commission than I think I have when he insists that his idea of what we ought to do is to allow the present law substantially to stand.

Mr. SHERMAN. Only in the case of industries that will not bear a reduction.

Mr. BECK. And he will never find an interest that thinks it can in any regard bear any reduction. I propose to allow the present law to stand so far as these earthen-ware men are concerned, and I believe it is entirely satisfactory to them. It is one of the few things as to which I am willing to allow the present law to stand. I will show wherein the Senator makes an attack on the commission, high protective as they were, by reading what they say themselves ought to be done:

Early in its deliberations the commission became convinced that a substantial reduction of tariff duties is demanded, not by a mere indiscriminate popular clamor, but by the best conservative opinion of the country, including that which has in former times been most strenuous for the preservation of our national industrial defenses. Such a reduction of the existing tariff the commission regards not only as a due recognition of public sentiment and a measure of justice to consumers, but one conducive to the general industrial prosperity, and which, though it may be temporarily inconvenient, will be ultimately beneficial to the special interests affected by such reduction. No rates of defensive duties, except for the establishment of new industries, which more than equalize the conditions of labor and capital with those of foreign competitors, can be justified. Excessive duties, or those above such standard of equalization, are positively injurious to the interest which they are supposed to benefit. They encourage the investment of capital in manufacturing enterprise by rash and unskilled speculators, to be followed by disaster to the adventurers and their employés, and a plethora of commodities, which deranges the operations of skilled and prudent enterprise.

Numerous examples of such disasters and derangements occurred during and shortly after the excessively protective period of the late war, when tariff duties were enchanced by the rates of foreign exchange and premiums upon gold. Excessive duties generally, or exceptionably high duties in particular cases, discredit our whole national economic system and furnish plausible arguments for its complete subversion. They serve to increase uncertainty on the part of industrial enterprise, whether it shall enlarge or contract its operations, and take from commerce, as well as production, the sense of stability required for extended undertakings. It would seem that the rates of duties under the existing tariff—fixed, for the most part, during the war under the evident necessity at that time of stimulating to its utmost extent all domestic production—might be adapted, through reduction, to the present condition of peace requiring no such extraordinary stimulus. And in the mechanical and manufacturing industries, especially those which have been long established, it would seem that the improvements in machinery and processes made within the last twenty years, and the high scale of productiveness which has become a characteristic of their establishments, would permit our manufacturers to compete with their foreign rivals under a substantial reduction of existing duties.

Entertaining these views, the commission has sought to present a scheme of tariff duties in which substantial reduction should be the distinguishing feature. The average reduction in rates, including that from the enlargement of the free-list and the abolition of the duties on charges and commissions, at which the commission has aimed, is not less on the average than 20 per cent., and it is the opinion of the commission that the reduction will reach 25 per cent. The reduction, slight in some cases, in others not attempted, is in many cases from 40 to 50 per cent.

And yet in the face of that report the Senator from Ohio insists that we shall stand by the present law and shall reduce nothing when anybody says that he wants it kept up. In this particular case I am willing to stand by the present law, asking no other benefit for the consumer than the slight reduction on freights abroad, which is proved by the imports I have laid before the Senate to be only about 5 per cent., and to compensate for that we have voted a reduction upon some of the articles they use, important articles to them, of 75 per cent., on others of 40 per cent., on others of 33 per cent., and placed others on the free-list. We give them all this without proposing any reduction below the present law on their product, though they have the benefit of the reduction of 20 or 25 per cent. on all the articles they themselves will have to use. That I regard as being entirely satisfactory to the producers of earthen-ware. If it is not I am at a loss to comprehend the meaning of the report of the committee, and, as far as I recollect, that is substantially what, on the slight examination—for it was slight, of course—we made in the Committee on Finance, we expected to do.

Mr. SEWELL. I desire to correct the Senator from Kentucky. I have no doubt he believes all that he states in relation to the reduction made on articles in the tariff that are used by the pottery men, but the facts are that they do not use them at all. They do not use the articles he refers to in the manufacture of pottery.

Mr. VANCE. The statement I endeavored to controvert this morning has been again made by the Senator from Ohio [Mr. SHERMAN], that nearly all the expense of the potteries is labor. I can not permit that to go unchallenged. If he will look at the statement prepared by the Tariff Commission, which has been referred to more than once this morning, he will see that both labor and materials do not amount to 75 per cent. instead of being 90, as has been again and again stated, for labor alone. He goes on to put the whole of the merit of this duty on the ground of protecting American labor, and he cites the glass manufacturing interest of this country as an instance of that protection. I happened this morning to come into possession of a circular issued by the Malaga Glass and Manufacturing Company, 400 Chestnut street, Philadelphia, dated December 28, 1882:

We now take pleasure in announcing that after four months of idleness, caused by striking workmen, we have resumed the manufacture of window glass at Malaga, New Jersey.

We are working with French operatives, who have proved themselves equal, if not superior, to the American workmen; and we feel confidence in asserting that we are now manufacturing glass that will compare favorably with any made in this country for window glass, picture, car, and photographic purposes.

* * * * * * *

MALAGA GLASS AND MANUFACTURING COMPANY.

That is the way that American labor is protected. Reference was also made by the Senator from Ohio to a great manufacturing establishment in the State of Indiana by one Mr. De Pauw, and that was given as an instance where the American labor was protected, and the duty was commended for that reason. Now, I desire to read from the testimony of a man by the name of Bishop, who appeared before the Tariff Commission—O. A. Bishop, an iron-worker of Chicago, Illinois—who remarked that he was born in the city, had never had but three months' education, and that the paper which he submitted to the Tariff Commission was written at his work-bench; and then he goes on to give an account of his observations in relation to the protection of American labor. He says:

I will cite one or two cases in point. Some four years ago the glass-blowers were receiving $1.50 per box for making glass, and a good journeyman could make from $175 to $225 per month (none too much, considering the average life of a glass-blower is only nine years). They had a strong union; every man and boy was protected by it. They had a large treasury and could prevent competition among themselves. But in an evil hour their employers discovered that they could use the steamships which the workingman's genius and energy had perfected, to whip him into the traces of slavish toil. They saw over in Belgium a lot of idle glass-blowers. The high tariff had shut out their wares from our market, and the expense to bring a man over here was only $28.

They immediately sent an agent over, and he made contracts for their labor for three years at 50 cents per box, and transportation to and from this country at the expiration of their term of service. Three hundred such coolies were brought over and landed at New Albany, Indiana, and without warning the American worker was given the mean alternative of discharge or 60 cents per box—a reduction of 200 per cent. They very indignantly refused. The foreigners were put at work in their places. The citizens of New Albany refused to deal with or board them, and the masters were forced to build a house for them and furnish them whisky, tobacco, and stale bread and beef, charging to their account "on the truck-pay plan." Thus the masters gained the large tariff tax and $1 per box reduction in wages.

That is how protection protected the American laborer. Of course it was a good thing for the masters, but grievous outrage upon the industrious American worker who had to sacrifice his trade and seek other means of life; and the man that built a house paid as much for his glass as ever. I could cite a parallel case at Saint Louis in the iron trade.

That illustrates the old falsehood that is continually put up that this

protective policy is in the interest of the American laborer. This very man cited here as running such a great establishment, the great bulk of expense concerning which was wages, paid to the American laborer, went to Europe and imported his labor at a reduction of 200 per cent. below what the Americans were charging him, put those men who could not speak the English language and whom the citizens of that country refused to board or to entertain in their places, and the American laborers with their families were turned adrift to starve or hunt something else to do! That was protection against the pauper labor of Europe! That is the way the whole thing works! Why, Mr. President, there is another case cited by this same man.

In a conversation I had not long ago with a journeyman hatter, he said: "Our hat factories at home (Birmingham, England) are all closed up and have been so long that the grass has grown in the factory streets. I saw that nearly all of the hats sold there were made in the United States, and reasoning logically, I came to the conclusion that trade was brisk in America, and I would go there. I scraped together cash enough to pay my fare out to Connecticut, where a large factory was located, and applied for work, only to be told that they did not employ many men, mostly girls and boys, and machines; a girl at $4 per week could make more hat-bodies in a day with a machine than could ten men by hand a few years ago. And to my horror I realized my situation; my seven years' apprenticeship was wasted; my trade which I had made such a sacrifice to acquire was lost, and I could see but one way for us to get the trade back to my home, and that was to invent more perfect tools and employ our little babies to tend them."

This too was in the interest of American labor. And that also illustrates another branch of the false political economy injected into this whole question, which attributes the decline in the price of everything to the blessings of the tariff instead of the invention of machinery and the progress made in the sciences and arts.

Mr. President, this pottery business is spoken of as an infant industry. I wish for a moment, if the Senate please, to show you when this infant commenced taking in pabulum, and how long it has continued to imbibe thereof at the public expense, increasing the appetite of the infant from year to year.

It began in 1789, at which time it had a tariff of 10 per cent. I suppose it was on spoon-victuals then, or was sucking at an artificial bottle. It was changed subsequently to 15 and to 17½ per cent. Then it began to have partially solid food, such as mush or hominy, or something of that kind. In 1812 it was put at 35 per cent. You see the infant was growing in his appetite very rapidly. In 1816 it took a relapse and went back to 20 per cent. In 1842 it got better and got up to 30 per cent. In 1857 it relapsed again to 24 per cent.; in 1861 to 25 per cent.; in 1862 to 35 per cent.; in 1864 to 40 per cent.; and in 1874 to 50 per cent., and is not satisfied still.

That is the history of this American industry, beginning when Congress in 1789 placed a protective duty on pottery—for I suppose there was a pottery in existence then, or Congress would not have legislated for it, beginning almost a hundred years ago, ninety-four years ago—and it has continued to feed all the time.

This same man from whom I have been reading, Hon. J. Hart Brewer, who made an oration before the tariff convention in New York, goes on to explain the whole thing that was before mysterious to me; that is to say, how a high protective duty which lowered prices so much more rapidly than free trade, could at the same time maintain the prices of labor; and how a man working in this country could compete on pauper terms advantageously and make money with his own people at home but could not compete on the same terms with foreign paupers, but would be ruined. This is explained by that same gentleman in this way:

I am often asked the question, "Don't you think you are getting too many potteries in this country?" My answer always is, No, the more the merrier. It is with a growing industry as with all things else—necessity knows no law. When competition in plain goods brings the price down below a living profit, trade stretches out its feelers and twines around a higher and more ornamental branch. So the tree of beauty climbs. Art grows this way, by labor, of necessity. It only can come through experience, wealth, and culture.

No one should fear home competition; the only thing that kills, absolutely annihilates, is foreign competition unchecked by protective laws. Home competition creates new fields, new products, higher grades, so that all can live, with adequate protection. Now, the difference between the cost of labor here and abroad is not the difference between free trade and adequate protection.

Now, sir, the whole thing is explained there. Competition is not injurious because it is competition, but it is only injurious according to the nativity of the competitor. We can compete here with each other if we bring the price of calico down to one-fourth of a cent a yard, and still live and still make money, and the manufacture would still be profitable and the wages paid our laborers would still be higher than those paid in Europe; and there will not be pauper labor by any manner of means; but if competition from abroad brings down the price of the same calico or any other article, although it did not bring it down nearly to one-fourth of a cent a yard, we should be ruined, because it would "kill and annihilate us."

The foreign competition annihilates and ruins, but the home competition is the life of trade! That is the argument in a nutshell, and a more ridiculous and absurd set of propositions I have never known in my life. In the first place it is that the protective tariff absolutely brings down the price of everything, and in the second place that however low the price goes, provided that price comes from domestic competition, it is all lovely and we make money! Is not that a handsome set of propositions to draw to? They comprise the whole argument in this case.

The same old story is again gone over every time a gentleman rises on the other side of the Chamber to advocate some protection—it is an infant industry; it is struggling, struggling against foreign competition, struggling against the pauper labor of Europe, and it must be fed, and when it has obtained the necessary protection its growth is prosperous and prices immediately come down; and with ample machinery there is a busy, happy, contented, and well-dressed people, and a church spire towers over all, and a school-house, with its imposing proportions, is lifted against the sky on a hill top, and a lordly mansion somewhere belonging to the owner of it all, who is getting rich, and all the people happy and prosperous and so forth; and now, if you withdraw this protection it will die, it will perish, and everything will rise in price again. That is the same old story I have heard again and again and again—and I expect to hear it until the 4th day of March—every time an attempt is made to lower duties.

No one on the face of the earth doubts that if you will give a man a monopoly, and will shut out all competition from him and oblige people to buy his goods at a higher price than they can get them anywhere else, he will get rich, and he can afford (whether he does it or not) to pay his laborers higher prices than other people, and he can build school-houses, and can build churches, and he can have the nicest time in the world. The question is, where does it all come from? It all comes out of the pockets of the consumers, as a matter of course.

Mr. President, if we are to do anything for the relief of the people by this bill we ought certainly to go forward and do it, and we ought certainly to have some regard for the interests of the Government in raising the revenue necessary for its support. It seems to me that our whole legislation and our whole time here should not be employed in consulting how the people of this country may be taxed to sustain some one man's private interest or a dozen men's private interest or the private interest of any particular community; and yet that is just what we are doing; that is the whole course of our legislation.

But, Mr. President, I have digressed from the subject under consideration. My wish was simply to say that the whole subject of pottery, the cost of labor and of the material together, does not reach quite 75 per cent.; and it is clearly shown that the employers, whenever they can, employ foreign labor, to the detriment and exclusion of American labor; and as there is a tax on the goods of the foreign pauper coming into this country, there will be no protection to American labor until there is a tax on the pauper himself to prevent his coming in. That is shown in the case of De Pauw. Whenever a man can get cheaper goods manufactured by bringing in foreigners he will do so, and the American labor may shift for itself. All that I want, all that I long for, and all that I labor for and all that I live for politically is to see the day come when the American workingman will no longer be made a dupe of, but will see that these taxes levied in his name are a fraud upon him and for the purpose of enriching the manufacturer who puts the tax in his own pocket.

Mr. SLATER. Mr. President, in connection with what the Senator from North Carolina has been saying I desire to call attention to substantial facts which, I think, throw a little light upon what protection is and who claim protection. I do this at the risk of being taken to task again for the use of figures which have been placed before us by the Tariff Commission; but I can not understand why they should be placed before us if they are not to be used, and to be used legitimately, as it would seem they were intended to be used by the commission itself.

I find on page 104 of the Tariff Commission's report a schedule under the head of "mechanical and manufacturing industries of the United States, &c." Glancing over the column of the various manufactures there referred to, I find that the output for 1882 is $5,696,677,060, all of which has had the benefit of a protection under our present laws.

By referring to the tariff schedule furnished us in table 26 I find that this class of mechanical industries for 1882 received a uniform protection of 42 per cent. Then carrying out the calculation I find that these industries received in round numbers the beneficial effects of tariff legislation to the amount of $1,627,622,018, a sum more than $100,000,000 greater than our interest-bearing bonded debt of the United States. And looking again to it I find that the amount received at the Treasury in 1882 was $215,000,000 and something more. In other words, the people of the United States are paying to these protected industries $7.50 to get $1 into the Treasury of the United States. It was supposed that something happened last fall in the November elections, and this is the reason of it. The people are beginning to understand what protection is and who bears the burdens of protection.

Mr. MORGAN. Mr. President, the discussion of this branch of the tariff seems to have brought directly up various phases of the doctrine of protection. It seems to have two sides to it, in which capital is in controversy with the consumer and also in controversy with the operatives, the men employed in making manufactures of various kinds. I would naturally help those who belong to the class of consumers, inasmuch as there are not a great variety of manufactures in my section of country; but I have always believed that a high protective tariff bore more severely upon the men who are employed in manufactures, who give their skill, their genius, their labor, and their sacrifices of every kind to the building up and conducting of these industries, than on almost any other class that could be named. A very intelligent

gentleman, Mr. William R. Wright, of Philadelphia, president of the Association of Dealers in Pottery in the United States, made an address before the Tariff Commission at Buffalo, New York, and he called attention in that address to a memorial which had been sent by the operative potters of the city of Trenton, New Jersey, to the Senate and House of Representatives; and as his quotation from that is very brief I will read it:

To the Senate and House of Representatives:

We, the operative potters of the city of Trenton, being convinced by experience that a high rate of duty on crockery-ware yields no benefit financially to the workingman and is inimical to his interests in its effects in increasing the price of living generally, respectfully petition your honorable bodies for such a revision of the tariff as will reduce the rates on crockery to a revenue basis.

We respectfully submit that the only plea upon which a high protective tariff can be justified is that it enables the manufacturer to pay better wages to the laborer than he receives in European countries, and that the artisan thus shares in the benefit of a higher price which protection allows the manufacturer to obtain. This not being the case, a tariff levied in the name of "*protection to American industry*" is a false pretense and a delusion.

It is highly injurious to the workingman when his fair share of its benefits are withheld and *all* its benefits are appropriated by the manufacturer, because it strengthens the task-master, while its indirect results being to increase the price of all necessaries, it weakens the task-doer.

In its practical operation it is monopoly for the benefit of the few at the expense of the many.

Such being our experience, and believing that, with the exception of the privileged few who reap its fruit, a high tariff entails disadvantages for which it offers no compensation, we respectfully ask for such a reduction as will destroy monopoly and encourage healthy competition; and your petitioners will, as in duty bound, ever pray, &c.

I do not know, considering the source from which that petition emanated, that a more eloquent speech could possibly be made in behalf of the operatives in the potteries of the United States than is there presented. It comes directly from home; it comes from the men interested, the men whose skill contributes to the production of articles of high value in the line of pottery; men whose labor is utilized by capital for the purpose of the production of these articles of value, and men who, it appears according to their own statement, are almost entirely ignored in the benefits of the high protective tariff. I do not know any way by which we can measure the rights of the capitalist and the rights of the operative in the production of any kind of manufacture. You may pass a law by which it shall be said that the capitalist is protected to the extent of 50 per cent. on his capital invested, and that he shall divide 25 per cent. of that with the operative; but that law would be unconstitutional and in the nature of communism, and we should never venture to enact a statute of that kind.

Now, in what way is this petition of the potters of Trenton, New Jersey, to be answered otherwise than by a reduction of the tariff on pottery to a revenue standard? They know perfectly well that if it is so reduced they will not be put out of employment, for the world demands so much pottery; clays are at hand in New Jersey, and if they are not they are convenient in Alabama in great abundance for the manufacture of the very best description of wares that can be produced in any country this side of China, and I do not know but what our wares are as good as some of those. These men know that the demand for pottery and for the skill and taste with which they make it and decorate it will always supply them with a sufficient amount of employment, and that at living wages. They know that they can not get a division of profits with the men who furnish the capital and who receive the direct and actual benefits of protection. They know that no law can be passed here to compel the capitalist, who receives the protection, to divide his profits with them. Then they resort naturally and properly to the only other means by which their earnings and their income shall have some reasonable approximation to the amount of actual value that they confer upon the articles in the making of which these large amounts of capital are employed. What is that? It is the reduction of the general rates of the tariff, so that the living of that man and his family may be cheapened. That is the only resource the man has got in the world, and well might the Senator from North Carolina congratulate the country that the workingmen of this land are beginning to understand the actual reasons of this proposition; that they are beginning to see that in the enactment of laws for protection there is no possibility of conferring upon the laboring men of this country engaged in manufactures any reasonable share of the bounties and benefactions of the Government otherwise than by reducing those articles of necessity and those articles of comfort and those articles of luxury also which they desire that they and their families may enjoy in common with the people of the United States.

I am a little opposed to the doctrine which deprives the laboring man and his wife and his children of the benefit of what we term luxuries. I think it is the right of every young woman in this country, and every young man too, to grow up in the enjoyment of everything that enables that young person to make a better appearance, to have a better education, and to have richer food and in more abundance, and to have all the facilities which society makes necessary for the introduction of that person comfortably into any class or range of company to which he or she may be admitted. I do not believe in placing beyond their reach all that may contribute to the adornment of the person and the cultivation of the mind and the cultivation of the taste, the elevation of the pride, if you will have it so—for that is a noble sentiment in the human bosom—and the doing of everything which has any effect and tendency to lift them up and put them on as high ground as any other people in the world can occupy. They deserve it. They toil day in and day out; they are honest and faithful laborers; they cut themselves off from every opportunity of enjoyment of what passes through the world during their hours of labor; they find themselves constrained by actual necessity under the influences of a high tariff to limit their personal expenditures down to starvation points, and while it may be true that under our system they get more dollars and more cents for a day's work than laborers do in other countries, yet it is certainly true that half the money in other countries would buy for them more than they can buy with the whole sum here.

What is it that they are trying to do? It is to improve, to develop, to increase, to prosper, to grow in every good respect and in every worthy way. Then, in order to enable them to do that we must put our laws, so far as we can control these subjects by law, upon a basis which will make the money that they receive for a day's wages, whether it is a half dollar or whether it is a dollar and a half, buy more than can be bought anywhere else in the world. If we put the laboring people of this country connected with manufactures upon that foundation, they will not only become prosperous, but they will become happy and contented, and we shall have no more of those strikes which have disturbed the equanimity of this country during the last seven, eight, or ten years, and indeed a great many more years than that.

I must here express my regret that the Committee on Education and Labor of the Senate have not probed into the question which was committed unto them at the last session and ascertained from men like Mr. Wright and from others like the man from whom the Senator from North Carolina read a while ago exactly the condition of affairs as between the operatives and the employers. There is the unrevealed field of truth into which we are trying to dig and to probe to-day; and if that whole subject could be laid open with the frankness and intelligence which this gentleman, Mr. Wright, possesses, and has exhibited in his remarks before the commission and in the petition which he there advocated, we should be far less at a loss to know what to do for the protection of the American laborer. I am for protecting him, but I am, in the language of this petition, for giving him honest and genuine protection. I am not for allowing the name of protection to American industry to be used as a false pretense and a delusion for the purpose of enabling the capitalists of the country to get the advantage of all the protection under the tariff system and refuse to divide with the men who do the work and furnish the skill and the taste which brings them the money.

These are the reasons which have caused me to be more willing than otherwise I should be to reduce the general average and range of tariff protection in this country. It is not merely because I represent the consuming class and that that class desires to get out of all other operative classes a large amount of their values and their earnings at a small price, but the intermediary, the man who gives his skill, as in the case read by the Senator from North Carolina, seven years' apprenticeship to the promotion of a particular line of industry, after these things have been done, deserves that Congress shall do for him all that it can, and that in no grudging spirit. When we find that we can benefit such men only in one way, and that is by cheapening the duties upon the articles on which they and their families must subsist, and which they may use and must use in order to make a decent appearance in the world, then, sir, does not duty point out to us clearly the path which we must follow not only in respect to the consumer but also in respect to the operative? There is a perfect identity of interests between the consumers and the operatives in this country, because the expenditures of the operatives are in the same line with the expenditures of the consumers; they use the same things; their families consist of the like membership; their wants and their necessities are the same; their aspirations and their hopes of cultivation and improvement are the same; and they are allied classes. The capitalists of this country, under a false pretense and a delusion, claim an alliance with the operatives, when the true alliance is between the consumer and the operative and not between the capitalist and the operative. The capitalist uses his power to crush both classes. Therefore, when I argue in favor of low rates of duty, measured by the standard of revenue, my argument goes just as far for the protection and benefit of the operative in these factories as it does for the consumer who produces the raw material only.

Mr. MORRILL. We have now had more than four hours of debate on a single item of this bill, which I think ought not to have occupied over thirty minutes, and we might have obtained in that time all the information we have received. I hope now we may be permitted to have a vote.

Mr. MORGAN. I should like to say in reply to that stereotyped remark of the honorable Senator from Vermont, that if he was half as economical of the expenditures of the people of the United States as he is of the time of the Senate we should be very happy throughout the whole country.

Mr. EDMUNDS. I should like to inquire whether it would be in order to move that there be a tax of 50 per cent. ad valorem on debate, in order to protect the industry of debate in this country? [Laughter.]

Mr. PLUMB. In reply to the Senator from Vermont [Mr. EDMUNDS] I wish to ask him what he thinks such a tax would actually yield if it was based on the value of the debate? [Laughter.]

Mr. EDMUNDS. That is a question for the Treasury Department; I cannot say.

Mr. PLUMB. If a specific duty were levied I think it might realize something, but an ad valorem duty would yield nothing.

The PRESIDING OFFICER (Mr. INGALLS in the chair). The question is on the amendment offered by the Senator from Kentucky [Mr. BECK].

Mr. BECK called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. FARLEY (when his name was called). I am paired with my colleague [Mr. MILLER, of California]. I do not see him in his seat. If he were here, I should vote "yea."

Mr. JACKSON (when his name was called). I am paired with the Senator from Maine [Mr. FRYE]. If he were present, I should vote "yea."

Mr. JONES, of Florida (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN]. If he were here, I should vote "yea."

Mr. SEWELL (when Mr. MCPHERSON'S name was called). I desire to announce that my colleague [Mr. MCPHERSON] is paired with the Senator from Arkansas [Mr. WALKER] on this question.

Mr. SLATER (when his name was called). I am paired with the Senator from Louisiana [Mr. KELLOGG]. Otherwise I should vote "yea."

Mr. WALKER (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, he would vote "nay" and my vote would be "yea."

The roll-call was concluded.

Mr. ALLISON. I am paired with the Senator from Delaware [Mr. BAYARD]. I do not know how he would vote on this question, but if he were here, I should vote "nay."

The result was announced—yeas 21, nays 29; as follows:

YEAS—21.

Barrow,	Coke,	Lamar,	Saulsbury,
Beck,	Garland,	Maxey,	Vance,
Butler,	George,	Morgan,	Vest.
Call,	Grover,	Plumb,	
Camden,	Hampton,	Pugh,	
Cockrell,	Jonas,	Ransom,	

NAYS—29.

Aldrich,	Dawes,	Lapham,	Sawyer,
Anthony,	Edmunds,	McDill,	Sewell,
Blair,	Groome,	McMillan,	Sherman,
Cameron of Pa.,	Harrison,	Mahone,	Voorhees,
Cameron of Wis.,	Hawley,	Miller of N. Y.,	Windom.
Chilcott,	Hill,	Morrill,	
Conger,	Hoar,	Platt,	
Davis of W. Va.,	Ingalls,	Rollins,	

ABSENT—26.

Allison,	Frye,	Jones of Nevada,	Saunders,
Bayard,	Gorman,	Kellogg,	Slater,
Brown,	Hale,	Logan,	Van Wyck,
Davis of Ill.,	Harris,	McPherson,	Walker,
Fair,	Jackson,	Miller of Cal.,	Williams.
Farley,	Johnston,	Mitchell,	
Ferry,	Jones of Florida,	Pendleton,	

So the amendment was rejected.

The item from lines 414 to 417 was agreed to.

The PRESIDING OFFICER. The reading will proceed.

The Acting Secretary read lines 418 to 420, as follows:

China, porcelain, parian, and bisque ware, plain white, and not ornamented or decorated in any manner, 55 per cent. ad valorem.

Mr. BECK. My motion covers that line, making it 45 per cent., the present law.

The PRESIDING OFFICER. The amendment is to strike out "fifty-five" and insert "forty-five."

Mr. BECK. I want the yeas and nays on that.

The yeas and nays were ordered.

The Principal Legislative Clerk proceeded to call the roll, and Mr. ALDRICH answered to his name.

Mr. PLUMB. What is the proposition?

The PRESIDING OFFICER. The Secretary will report the amendment.

The PRINCIPAL LEGISLATIVE CLERK. In line 419 it is proposed to strike out "55 per cent." and to insert "45 per cent.;" so as to read:

China, porcelain, parian, and bisque ware, plain white, and not ornamented or decorated in any manner, 45 per cent. ad valorem.

Mr. PLUMB. I move to amend that proposition by making the duty 50 per cent. ad valorem.

Mr. ALDRICH. I have answered to my name on the roll-call.

Mr. MORRILL. The roll-call had commenced.

The PRESIDING OFFICER. As a strict question of parliamentary law——

Mr. PLUMB. I withdraw the amendment.

The PRESIDING OFFICER. The Senator from Rhode Island having answered to his name, the amendment can not be moved, but it is usual in such a case to regard the call as not having commenced.

Mr. PLUMB. I was not aware that an answer was given to the call, or I should not have proposed the amendment. I withdraw it.

The PRESIDING OFFICER. The Secretary will proceed with the roll.

The roll-call was resumed.

Mr. FARLEY (when his name was called). I am paired with my colleague [Mr. MILLER, of California]. If he were here, I should vote "yea."

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. SLATER (when Mr. GROVER'S name was called). My colleague [Mr. GROVER] is paired with the Senator from Louisiana [Mr. KELLOGG]. I have transferred my pair to my colleague.

Mr. JACKSON (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. JONES, of Florida (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN]. If he were here, I should vote "yea."

Mr. WALKER (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. ALLISON. I am paired with the Senator from Delaware [Mr. BAYARD].

The result was announced—yeas 20, nays 27; as follows:

YEAS—20.

Barrow,	George,	Maxey,	Ransom,
Beck,	Groome,	Morgan,	Saulsbury,
Camden,	Hampton,	Pendleton,	Slater,
Cockrell,	Jonas,	Plumb,	Vance,
Coke,	Lamar,	Pugh,	Vest.

NAYS—27.

Aldrich,	Davis of W. Va.,	Lapham,	Rollins,
Anthony,	Dawes,	McDill,	Sawyer,
Blair,	Harrison,	McMillan,	Sewell,
Cameron of Pa.,	Hawley,	Mahone,	Sherman,
Cameron of Wis.,	Hill,	Miller of N. Y.,	Voorhees,
Chilcott,	Hoar,	Morrill,	Windom.
Conger,	Ingalls,	Platt,	

ABSENT—29.

Allison,	Farley,	Jackson,	Mitchell,
Bayard,	Ferry,	Johnston,	Saunders,
Brown,	Frye,	Jones of Florida,	Van Wyck,
Butler,	Garland,	Jones of Nevada,	Walker,
Call,	Gorman,	Kellogg,	Williams.
Davis of Ill.,	Grover,	Logan,	
Edmunds,	Hale,	McPherson,	
Fair,	Harris,	Miller of Cal.,	

So the amendment was rejected.

Mr. BECK. In line 419 I move to strike out "fifty-five" and to insert "fifty," so as to make the rate of duty 50 per cent. ad valorem, which is the present law; and 5 per cent. in addition is a sum sufficient to cover all that could be possibly claimed for striking off crates, if we do strike them off, which we have not yet done.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. BECK].

Mr. ALDRICH. I desire to call the attention of the Senator from Kentucky and the Senate to a statement made by Mr. William R. Wright, a gentleman whom the Senator from Alabama has just quoted in a laudatory manner, upon the question of the cost of packages and inland freight. On page 761 of the testimony Mr. Wright shows that a calculation made on a fair average of one hundred crates of earthen-ware imported, the cost of the packages and straw was 13 per cent., and of inland freight 6⅔ per cent., making the aggregate cost of these two items 19⅔ per cent. In the same report, page 2291, in a statement made by two hundred and fifty persons and firms, importers and dealers, throughout the country, embracing almost all the States in the Union, they say:

We ask for the abrogation of duty on packing charges, &c., because on the lower grades of white and printed earthen-ware, majolica, and Bohemian glass-ware, on which the nominal duty is 40 per cent., the actual duty collected on the cost of the goods amounts to from 70 to 80 per cent., and we have every reason to believe that none outside of those who are engaged in the importation of these goods have, and even those who enacted the laws respecting thereto had, the remotest idea of how onerous the packing charges, inland freight, &c., bear on the original cost of the goods.

This is testimony before the Tariff Commission from the very gentlemen who have been quoted on the other side upon this question.

Mr. BECK. I only desire to say that I have placed the testimony on file of twenty or thirty cases where 5 per cent. covered it; besides we have not taken off any charges from the crates, and I judge from the way the Senate is voting now we do not propose to do it, although there is a clause when we come to it that Senators will have a chance to vote upon. I assume that those gentlemen who have voted for protection will vote for protection upon crates as well when it comes to that.

Mr. PLUMB. I voted to reduce the duty on these various articles of china, &c., so far as they have already been voted upon, and I expect to keep that up. I desire to say, however, now, more particularly with reference to the argument adduced upon this question, that I have

yet to hear a single word uttered in regard to the interest of the class of people who have got to pay these taxes. The Senator from Ohio argued laboredly and ably as to the interests of the people who manufacture, but I have yet to learn that a single person who is interested in this matter from the basis of the tax-payers has ever been heard before the commission, or that his interest has been considered in the slightest degree. It is simply what is necessary to keep these people going and to give them an ample and plethoric profit upon their labor and their capital.

I am not willing to accept that alone as the basis upon which we should proceed. I am not willing to consider in connection with this matter the importer at all; I am willing to leave him entirely out; but I would be glad to hear from somebody who is interested in this from the basis of the tax-paying standpoint, and then strike a difference perhaps between him and the person interested from the manufacturing standpoint, and see if we could not get something that was reasonably equitable.

I venture the prophecy now that any tariff bill which proceeds entirely and exclusively, as this seems to do, upon the basis of the person who is to manufacture and who is to receive the profits, and any report which is based solely upon counsel with that class of people, will not become a law. Not only will it not probably become a law, but what is worse it will beget, I think, a most unhappy state of feeling in the public mind in regard to what is proposed for the people of this country in the shape of a tariff bill. I think it would be wise to moderate to some extent the demands and exactions of those who manufacture, and to consider to some extent the interests and wishes of those people who have got to pay the taxes, if they are to be levied at all.

With that idea, not because I assume to know more about it than anybody else, but because I think the truth usually lies between extremes, I propose to vote, so far as I have any vote to give, for a reduction of the tariff upon every single item that is proposed in this bill, and not to base an increase of duty upon the outcry of manufacturers that they can not live unless they are protected.

The Senator from Ohio advanced what seemed to me a very novel argument. He said because trade was dull we ought to put up the duty. In other words, up to within about six months these people have been making large profits in the manufacture of these various wares, but in the last six months trade has been dull. It seemed to be an extraordinary argument indeed that at a time when goods could not be sold at all and consequently there was a cessation in their manufacture we should remedy that disease by putting up the duty. If the basis upon which we are to proceed is that every time trade is dull we shall proceed to turn the screw upon the people who are paying for these things and raise the duty in favor of the men who are manufacturing them, I venture the hope that no tariff bill will be passed.

I think it would be an outrage upon the people of the United States; it would be flying in the face of the latest authentic expression of their wishes in regard to what ought to be done. If it is to be a tariff to put things up in order that men may have some shelter behind which to labor and put up prices in place of putting them down, then I think the sooner we abandon any effort to reconstruct the tariff until we can come to the consideration of it from the basis of the interests and wishes and well-being of the entire people of the United States the better.

Mr. MORRILL. I trust that the Senator from Kansas has not forgotten so soon that on his motion we increased the rate of duty upon castor-oil, consumed by the common people all over the country.

Mr. PLUMB. No, my dear sir, we did not; we simply did not put it down as much as the Tariff Commission recommended it should be. With a very great consideration for the people who were heard before them, they raised the tax upon the manufactured article and put it down upon the agricultural production of the country; and I only protested against that and insisted that the duty should only be reduced in proportion, as some manufactured articles had been. No, Mr. President, upon my motion the duty upon castor-oil and castor-beans was not put down; it simply was not raised.

Mr. MORRILL. It was put up from what it was in the bill.

Mr. PLUMB. Oh, it was put up from what it was in the bill.

Mr. BECK. If the Senator from Kansas will allow me, even after the increase he moved at 30 per cent. it stands below the present law, while this is a proposed increase of 5 per cent. above the present law.

Mr. PLUMB. That is what I was about to say. I do not ask that any duty shall be increased. No one raising anything within the State of Kansas and no manufacturer in that State asks for an increase of duty on anything. We do ask that a ring, if I may use that expression without offense, a collection and combination of interests located upon the eastern frontier of this country, near to the seat and source of power, easily accessible to tariff commissions, and easy to get their ears, shall not have their own way about everything of this kind entirely, irrespective of the sections of this country remote from the seat and sources of power.

Mr. President, some of us have got to be consulted before this bill finally passes, and some of us will be consulted after the bill has passed in regard to the reasons for the action or non-action taken. I say now to the persons who have the run of this thing, to those who have had control and are better posted, and have been able by arts and by various processes to do those things which were not thoroughly understood—I beg of them to consider that the people are watching this proceeding, and that they want no higher taxes, but lower taxes, and that in giving the protection for American industry they want to have a decent chance for a class of people who by reason of their calling can not be protected at all, but who have got to take their chances in the markets of the world for their products, hard products to raise, expensive products to get to market, and in the production of which there is the smallest margin of profit.

I was talking with a farmer from Massachusetts to-day about this thing. He said he had as good a farm as there was in the old Bay State, and yet he said that he could barely make both ends meet, and he complained to me that one of the reasons why he could not do so was because everything else that surrounded him was so much protected that it simply took the difference between profit and loss in his calling and left him a very slim chance indeed from year to year.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kentucky [Mr. BECK] to strike out "55 per cent. ad valorem" and insert "50 per cent. ad valorem."

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. FARLEY (when his name was called). I am paired with my colleague [Mr. MILLER, of California] on this question. If he were here, I should vote "yea."

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. JACKSON (when his name was called). I am paired with the Senator from Maine [Mr. FRYE]. If I were not paired, I should vote "yea."

Mr. JONES, of Florida (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN]. If he were here, I should vote "yea."

Mr. WALKER (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "yea."

The roll-call having been concluded, the result was announced—yeas 22, nays 27; as follows:

YEAS—22.

Barrow,	Coke,	Maxey,	Saulsbury,
Beck,	George,	Morgan,	Slater,
Butler,	Groome,	Pendleton,	Vance,
Call,	Hampton,	Plumb,	Vest.
Camden,	Jonas,	Pugh,	
Cockrell,	Lamar,	Ransom,	

NAYS—27.

Aldrich,	Dawes,	Lapham,	Rollins,
Anthony,	Hale,	McDill,	Sawyer,
Blair,	Harrison,	McMillan,	Sewell,
Cameron of Pa.,	Hawley,	Mahone,	Sherman,
Cameron of Wis.,	Hill,	Miller of N. Y.,	Voorhees,
Chilcott,	Hoar,	Morrill,	Windom.
Conger,	Ingalls,	Platt,	

ABSENT—27.

Allison,	Farley,	Jackson,	Miller of Cal.,
Bayard,	Ferry,	Johnston,	Mitchell,
Brown,	Frye,	Jones of Florida,	Saunders,
Davis of Illinois,	Garland,	Jones of Nevada,	Van Wyck,
Davis of W. Va.,	Gorman,	Kellogg,	Walker,
Edmunds,	Grover,	Logan,	Williams.
Fair,	Harris,	McPherson,	

So the amendment was rejected.

The PRESIDING OFFICER. The Secretary will proceed with the reading.

The item from line 421 to line 425, inclusive, was read, as follows:

All other earthen, stone, and crockery-ware, white, glazed, edged, printed, painted, dipped, or cream-colored, composed of earthy or mineral substances, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

Mr. VANCE. According to the notice I gave I now move to strike out the word "fifty," in line 424, and to insert "twenty-five;" so as read "25 per cent. ad valorem."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. Mr. President, I desire to detain the Senate but a single moment, as I partially discussed the proposition before we came to it in the previous remarks which I made.

This is the clause in the specification of these goods which the great bulk of the people are most interested in, the amount of importations for the year ending June 30, 1882, being $4,438,237.36 in value, and the amount of duty collected $1,775,294.93, showing the extensiveness to which the articles are used by all the people at large.

The difference between the goods named in this paragraph and those in the first clause, beginning at line 411, is simply the little matter of ornamentation which may be given to them, as I before explained; and why a man should be permitted to buy a lot of plain white stone-ware for the use of his table at a certain price, and should be compelled, if he bought the same lot of stone-ware precisely with a little ornamentation, with a little ring around the plates and saucers, or a flower, or something in the way of decoration displaying taste among the people,

to pay 100 per cent. more for that, when the fact is that the ornamentation does not cost more than 2½ per cent. or 5 per cent. on the article, is something that I can not see any reason for. Of course the additional cost of ornamenting the article is included in the ad valorem which will be levied.

For these reasons, in the effort to bring decorated common earthenware within the reach of the poorest people of the country and of all the people, I have moved to reduce the duty from 50 to 25 per cent.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from Delaware [Mr. BAYARD].

Mr. FARLEY (when his name was called). I am paired with my colleague [Mr. MILLER, of California].

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. HAWLEY (when his name was called). I am paired with the Senator from South Carolina [Mr. HAMPTON], who was obliged to leave the Chamber. If he were present, I should vote "nay."

Mr. JACKSON (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. WALKER (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "yea."

The roll-call having been completed, the result was announced—yeas 20, nays 27; as follows:

YEAS—20.

Barrow,	Coke,	Maxey,	Ransom,
Beck,	George,	Morgan,	Saulsbury,
Butler,	Groome,	Pendleton,	Slater,
Call,	Jonas,	Plumb,	Vance,
Cockrell,	Lamar,	Pugh,	Vest.

NAYS—27.

Aldrich,	Davis of W. Va.,	Lapham,	Rollins,
Anthony,	Dawes,	McDill,	Sawyer,
Blair,	Hale,	McMillan,	Sewell,
Cameron of Pa.,	Harrison,	Mahone,	Sherman,
Cameron of Wis.,	Hill,	Miller of N. Y.,	Voorhees,
Chilcott,	Hoar,	Morrill,	Windom.
Conger,	Ingalls,	Platt,	

ABSENT—29.

Allison,	Ferry,	Jackson,	Mitchell,
Bayard,	Frye,	Johnston,	Saunders,
Brown,	Garland,	Jones of Florida,	Van Wyck,
Camden,	Gorman,	Jones of Nevada,	Walker,
Davis of Ill.,	Grover,	Kellogg,	Williams.
Edmunds,	Hampton,	Logan,	
Fair,	Harris,	McPherson,	
Farley,	Hawley,	Miller of Cal.,	

So the amendment was rejected.

Mr. BECK. In line 424, I move to strike out "fifty" and to insert "forty," so as to read "40 per cent. ad valorem." That is restoring the present tariff upon this plain class of goods which are the lowest-priced goods of this sort and which the poorest people are compelled to have. The present value of these goods imported is $4,438,237.36, and the duty collected upon them is $1,775,294.93, the tariff being 40 per cent., and upon this class of cheap goods it is now proposed to make the duty 50 per cent., or an increase of 25 per cent. upon the present rate of duty, and to add $443,823 to the taxes that the people will have to pay for the crockery they can not get along without. I propose to restore it to the present rate.

Mr. SEWELL. I wish to say that the present rate of duty is 40 per cent. and the rate proposed by the committee is 50 per cent., allowing 10 per cent. for the difference on the crates, commissions, &c. It has been proved to the satisfaction of the Senate, I think, from the votes of the Senate, that that amounts to fully 10 per cent., although some of the importers themselves when desiring an allowance for that figured it up to 19 per cent. The report of the committee on this question, fixing the rate at 50 per cent., is practically, as I said before when on the floor, the same as the present tariff. The adoption of the amendment of the Senator from Kentucky would practically close every productive industry of this kind in the country to-day, because under this clause the articles are principally made.

Mr. DAWES. The Senator from Kentucky is exceedingly well posted in figures. I should like to inquire of him if he has any figures to show the cost to the consumer for several years past, whether it has been on the rise or on the fall?

Mr. BECK. I know of no means of reaching that.

Mr. DAWES. Why I inquire is because it would be interesting to know how much the consumer is suffering, year in and year out, in consequence of this great duty that is imposed, whether the price is going up or going down. I did not know but that the Senator might have had his curiosity led to that branch of inquiry.

Mr. BECK. I can only answer that the consumers of this product have to pay 50 per cent. more than the thing is worth in the open markets of the world by reason of this tax, not only upon all that is imported but upon all that is made here, because the clamor is that unless that amount of money is paid to a few people here they will starve and this industry will be ruined. That is the general cry raised on every item of the bill, while the only object of requiring people to pay 50 per cent. more than the article is worth is to put the money into the pockets of some men who will not work as cheap as somebody else.

Mr. SEWELL. The result of the tariff of 40 per cent. during the last twenty years has been to cheapen this article 50 per cent. It is that much cheaper to-day than it was then.

Mr. VANCE. I think I can answer that question if permitted.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. DAWES. If the Senator from Kentucky would look into the evidence before the Tariff Commission perhaps he might be enabled to fortify himself and satisfy himself that he is in the right; that the consumer has to pay this price, and that the duty puts so much into the pockets of somebody else, and perhaps it would overthrow that theory in his mind. The Senator does not seem to have investigated that fact. The truth that cannot be controverted is that under this policy the price to the consumer has been going down all the time, and it has fallen within these few years 50 per cent.

Mr. PLUMB. Within what time?

Mr. VANCE. Mr. President——

Mr. ALDRICH. If the Senator——

The PRESIDING OFFICER. The Senator from North Carolina——

Mr. ALDRICH. If the Senator from Massachusetts will allow me——

Mr. VANCE. I believe I have the floor.

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

Mr. DAWES. The Senator from Kansas [Mr. PLUMB] expresses to me some surprise——

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

Mr. DAWES. Will the Senator allow me to relieve the Senator from Kansas from the surprise he seems to be laboring under?

Mr. VANCE. In a moment, if the Senator pleases. I think if the Senator were to do so now he would stir up the Senator from Kansas, and then I should have to give place to him.

Mr. ALDRICH. Will the Senator from North Carolina allow me to read some figures?

Mr. VANCE. Excuse me, if you please. In a moment the Senator can have the floor. I want to say that I have been indulging in some equations of the third degree, and am able to answer the question of the Senator from Massachusetts. The consumers of these products are suffering just precisely to the amount that the manufacturers have been benefited, within the fraction of a cent. It is a demonstration.

Mr. ALDRICH. On page 618 of the testimony before the Tariff Commission it will be found that a crate of crockery-ware of the kind which the Senator from Kentucky has alluded to would cost in 1864, $210.75; in 1877, $110.10; and in 1882, $57.89, or about one-quarter of the price which it would have cost in 1864, the same goods.

Mr. SAULSBURY. Does the Senator attribute the reduction in price to the fact that there has been a tariff put upon the article?

Mr. ALDRICH. I think that is one of the principal reasons why the price has been reduced.

Mr. VANCE. Then we had better make it over 100 per cent. and get our goods for nothing, and bring the manufacturers in debt to us. [Laughter.]

Mr. BECK. I have only one additional remark to make. It is evident by the admission of gentlemen on the other side that these men are to be driven out by cheap goods; that every man who lives anywhere outside of the limits of the United States can buy these things to-day, any citizen of Mexico or Canada or the West India Islands, for precisely 50 per cent. less than we buy them for. It is because that is the fact, that 50 per cent. tax is put on to prevent our people from getting them at the same price that the English and the French and the German are to-day selling to every other country but this.

Senators say that prices have come down. Of course they have. In 1864 it took a man three months and perhaps cost him $500 to get to California. The railroad takes him there now in six or seven days, and that railroad is guilty of extortion I have no doubt. The answer would be, "Suppose it is; did it not take four months before, and did it not cost $500 where it costs $100 now; and you want to go for $50? What are you grumbling about?" It is the same in regard to Bessemer steel. I showed the other day that England is selling the railroad bars and the locomotives, and everything that goes into Mexican roads at just $26 a ton for rails and $5,000 apiece for locomotives, cheaper than we are buying them at Fort Worth; and yet they say competition keeps them down. It is competition between countries that have a right to sell free. France and Germany are competing with England, and that competition keeps the price down. We are competing with nobody. We are making a tariff of 50 per cent. and 100 per cent. to make our people pay what nobody else will pay, while other nations are competing with each other and bringing down prices everywhere.

Mr. MAXEY. I suggest to the Senator from Kentucky that, so far

as this talk about the tariff reducing the prices is concerned, the price of all articles, including every article that the Senator has referred to in England, where the tariff was not placed, is being reduced as rapidly as in this country. It is the increased competition and the improvement in the machinery that does it, and not the tariff.

Mr. BECK. Of course.

Mr. MAXEY. The tariff has got nothing to do with the reduction.

Mr. BECK. Germany is competing with England, Belgium is competing with England, France is competing with England, the world is competing with England, and her prices come down and keep down lower than the rest of the world, and she is paying to-day 25 per cent. more than the best paid labor in France; she is paying 30 per cent. more than the best paid labor in Germany; she is paying 40 per cent. more than the best paid labor in Belgium, and 50 per cent. more than they are paying in Spain and Italy, and because she has free material and free commerce she has driven them out of their own markets by her intelligent labor, for pauper labor is the dearest labor in the world. It is intelligent labor that we want, and that this country has got if it would only take the shackles off its hands and quit crying about starving infant industries that have been pampered to death to ruin the laborer.

Mr. ALDRICH. The Senator from Kentucky has alluded to the fact that this same article of earthen-ware could be bought at half the price abroad at which it may be bought here. That may be accounted for to a very large extent by the fact that the average wages paid to plate-makers in England is $7.70, as shown by a table at page 617 of the Tariff Commission report, against $20.30 for wages paid to the same class of laborers in New Jersey. About one-third the rate of wages is paid in England that is paid to the same class of labor exactly in this country. Those are the pockets exactly that the Senator from Kentucky has alluded to in which this excess of cost is put—the pockets of the laboring men in the State of New Jersey who are engaged in the making of this earthen-ware. Dish-makers are paid $9.62 in England, $19.43 in America; cup-makers $9.92 in England, against $19.67 in America; and so on through the long list, which I shall not detain the Senate to read.

Mr. BECK. The Tariff Commission have furnished a schedule of the wages paid to all the persons engaged in pottery, stone-ware, and porcelain. There are 9,494 hands; the wages paid is $3,279,535, only about $400 a year.

Mr. VANCE. Three hundred and forty-five dollars.

Mr. BECK. Three hundred and forty-five dollars I am told exactly, less than a dollar a day, and yet these people who get less than a dollar a day—here is the amount of wages, $3,279,535, the number of hands 9,494; anybody can make the calculation—are paying twice what anybody else is paying for all they use, and they are not getting rich very fast.

Mr. MAXEY. The whole theory upon which this bill proceeds is as false in political economy as it is in the theory of our Constitution. We have a right under the Constitution to lay and collect taxes, duties, imposts, and excises for the purpose, and for the purpose only, of paying the public debt, providing for the common defense, and promoting the general welfare of the country. Now we are told when we strike this protected article that it is not the tariff that increases the price. If it is not the tariff which does it, I ask how it is that when you strike one of these protected industries every Senator who represents a protected industry is instantly upon his feet to fight for the highest tariff he can get? The actions do not correspond with the theory.

Again, it is said that this is done for the purpose of protecting labor. Out of whose pockets is the money taken to protect the labor? The very item we are acting upon now is the poorest class of crockery-ware, the cheapest class of crockery-ware, a ware which is used by the negroes of the South, which is used by the poor people throughout the whole country, which is used by the laboring people of the country; and yet the theory is that we have got to take part of the hard earnings of these people who work day by day for their living, who work by day's labor to make the money to feed their families, in order to protect some other labor. Where is there honesty or justice in taking the money out of the pockets of the people of your State, Mr. President, to put it into the pockets of anybody else?

What is fair and right is to raise by taxation whatever amount of money is necessary for the due purposes of the Government, and not one farthing more. The whole theory of protection from beginning to end is false in logic, false in political economy, and in violation of the very spirit and purpose of our Constitution.

Mr. CAMERON, of Pennsylvania (at 5 o'clock and 15 minutes p. m.). I move that the Senate do now adjourn.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. HAWLEY (when his name was called). I am paired with the Senator from South Carolina [Mr. HAMPTON]. If he were here, I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 20, nays 24; as follows:

YEAS—20.

Barrow,	Cockrell,	Jonas,	Saulsbury,
Beck,	Coke,	Maxey,	Slater,
Call,	Davis of W. Va.,	Pendleton,	Vance,
Camden,	George,	Pugh,	Vest,
Cameron of Pa.,	Jackson,	Ransom,	Voorhees.

NAYS—24.

Aldrich,	Dawes,	McDill,	Plumb,
Anthony,	Harrison,	McMillan,	Rollins,
Blair,	Hill,	Mahone,	Sawyer,
Cameron of Wis.,	Hoar,	Miller of N. Y.,	Sewell,
Chilcott,	Ingalls,	Morrill,	Sherman,
Conger,	Lapham,	Platt,	Windom.

ABSENT—32.

Allison,	Ferry,	Harris,	McPherson,
Bayard,	Frye,	Hawley,	Miller of Cal.,
Brown,	Garland,	Johnston,	Mitchell,
Butler,	Gorman,	Jones of Florida,	Morgan,
Davis of Ill.,	Groome,	Jones of Nevada,	Saunders,
Edmunds,	Grover,	Kellogg,	Van Wyck,
Fair,	Hale,	Lamar,	Walker,
Farley,	Hampton,	Logan,	Williams.

So the Senate refused to adjourn.

The PRESIDING OFFICER. The question recurs on the amendment offered by the Senator from Kentucky [Mr. BECK].

Mr. BECK called for the yeas and nays.

The yeas and nays were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. CAMERON, of Pennsylvania (when his name was called). On this question I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were here, I should vote "nay."

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea;" and while I am on the floor I will announce the pair of my colleague [Mr. WALKER] with the Senator from New Jersey [Mr. MCPHERSON].

Mr. HAWLEY (when his name was called). I am paired with the Senator from South Carolina [Mr. HAMPTON].

Mr. JACKSON (when his name was called). I am paired with the Senator from Maine [Mr. FRYE]. But for that, I should vote "yea."

Mr. ROLLINS (when Mr. LOGAN's name was called). The Senator from Illinois [Mr. LOGAN] is paired with the Senator from Florida [Mr. JONES].

Mr. MCDILL (when his name was called). On this question I am paired with the Senator from Mississippi [Mr. LAMAR]. I desire to say that I voted on the last call of the yeas and nays, having forgotten my pair.

Mr. WINDOM (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. Otherwise, I should vote "nay."

The roll-call was concluded.

Mr. HARRISON. I desire to state for the Senator from California [Mr. MILLER] that he is paired with his colleague [Mr. FARLEY].

Mr. HALE. My colleague [Mr. FRYE] is paired with the Senator from Tennessee [Mr. JACKSON].

The result was announced—yeas 17, nays 22; as follows:

YEAS—17.

Barrow,	Coke,	Maxey,	Vance.
Beck,	Davis of W. Va.,	Pendleton,	Vest.
Call,	George,	Pugh,	
Camden,	Groome,	Saulsbury,	
Cockrell,	Jonas,	Slater,	

NAYS—22.

Aldrich,	Dawes,	McMillan,	Sawyer,
Anthony,	Hale,	Mahone,	Sewell,
Blair,	Harrison,	Miller of N. Y.,	Sherman,
Cameron of Wis.,	Hill,	Morrill,	Voorhees.
Chilcott,	Hoar,	Platt,	
Conger,	Lapham,	Rollins,	

ABSENT—37.

Allison,	Frye,	Jones of Florida,	Plumb,
Bayard,	Garland,	Jones of Nevada,	Ransom,
Brown,	Gorman,	Kellogg,	Saunders,
Butler,	Grover,	Lamar,	Van Wyck,
Cameron of Pa.,	Hampton,	Logan,	Walker,
Davis of Ill.,	Harris,	McDill,	Williams,
Edmunds,	Hawley,	McPherson,	Windom.
Fair,	Ingalls,	Miller of Cal.,	
Farley,	Jackson,	Mitchell,	
Ferry,	Johnston,	Morgan,	

So the amendment was rejected.

Mr. VOORHEES. It is now half past 5 o'clock, and I do not know what advantage can be obtained by further staying here. I therefore renew the motion to adjourn, and I hope the Senator from Vermont will not antagonize the motion. I think we have reached a point where it is very proper and reasonable to adjourn. I make that motion.

The PRESIDING OFFICER. The Senator from Indiana moves that the Senate do now adjourn.

Mr. EDMUNDS. Let us have the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. McDILL (when his name was called). I am paired with the Senator from Mississippi [Mr. LAMAR].

Mr. WINDOM (when his hame was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll-call was concluded.

Mr. BARROW. The Senator from Tennessee [Mr. JACKSON] is paired with the Senator from Maine [Mr. FRYE].

The result was announced—yeas 22, nays 21; as follows:

YEAS—22.

Barrow,	Coke,	Jonas,	Slater,
Beck,	Davis of W. Va.,	Maxey,	Vance,
Call,	Garland,	Pendleton,	Vest,
Camden,	George,	Pugh,	Voorhees.
Cameron of Pa.,	Groome,	Ransom,	
Cockrell,	Hale,	Saulsbury,	

NAYS—21.

Aldrich,	Conger,	Lapham,	Sawyer,
Allison,	Dawes,	McMillan,	Sewell,
Anthony,	Edmunds,	Mahone,	Sherman.
Blair,	Harrison,	Morrill,	
Cameron of Wis.,	Hoar,	Platt,	
Chilcott,	Ingalls,	Rollins,	

ABSENT—33.

Bayard,	Grover,	Kellogg,	Plumb,
Brown,	Hampton,	Lamar,	Saunders,
Butler,	Harris,	Logan,	Van Wyck,
Davis of Ill.,	Hawley,	McDill,	Walker,
Fair,	Hill,	McPherson,	Williams,
Farley,	Jackson,	Miller of Cal.,	Windom.
Ferry,	Johnston,	Miller of N. Y.,	
Frye,	Jones of Florida,	Mitchell,	
Gorman,	Jones of Nevada,	Morgan,	

So the motion was agreed to; and (at 5 o'clock and 31 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 17, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

WILLIAM H. DONOHOE.

Mr. NEAL. I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 7240) for the relief of William H. Donohoe, and that the bill be now put on its passage.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William H. Donohoe, late a private in detachment of the Signal Corps, out of any money in the Treasury not otherwise appropriated, the sum of $300, for the balance of veteran bounty due him.

Mr. NEAL. Before objection is made, I ask that the report be read. It is the unanimous report of the Committee on War Claims, having been submitted by my colleague [Mr. GEDDES].

The report was read, as follows:

The Committee on War Claims, to whom was referred the petition of William H. Donohoe, late private in detachment of the Signal Corps, report as follows:

That it appears from the records of the War Department that petitioner enlisted on the 19th day of April, 1861, in Company A, Eighteenth Regiment of Ohio Infantry, re-enlisted in Company H, Sixth Regiment of Ohio Cavalry, and served as a private in the latter regiment until January, 1864, at which time he was transferred to the Signal Corps, and assigned to duty at headquarters Army of the Potomac; and in February of the following year he re-enlisted as a veteran, to serve three years or during the war, for which service he was to receive the pay and allowances of a private soldier, and a bounty of $402. He continued in said service until August 2, 1865, when, by a special order of the War Department, he was honorably discharged, and had the last paid installment of $50 bounty deducted from his pay.

The members of the Signal Corps were held in service until August 3, 1865, when a general order of the War Department was issued, providing for the discharge of all the members of that organization east of the Mississippi River, including the detachment on duty at headquarters of the Army of the Potomac, to which petitioner belonged.

The petitioner protested against this discharge being granted under a special order, and made every effort to have the special order revoked, that he might be discharged with his comrades, and like them receive bounty.

It appears from the proof submitted that petitioner's father made application to President Johnson for his son's individual discharge. The President referred the letter to Major Charles L. Davis, commanding detachment of the Signal Corps, who returned the application to the President with the recommendation that it be granted. The President, on August 2, 1865, ordered his discharge, and on the next day the Secretary of War ordered the discharge of the whole detachment. The detachment were discharged under general order, and received their bounty in full.

The petitioner applied to the Second Auditor of the Treasury Department for the $300 due him as the balance of the veteran bounty. This officer rejected his claim on the ground that he was discharged by special order, and not a general order. He then made application to the Secretary of War for a revocation of the special order of August 2, 1865. The Secretary of War, under date of March 11, 1870, in reply thereto, decided that "the case is one that can only be changed by action of Congress."

The statement of the petitioner's service shows that he fulfilled all the requirements of the law; and it is difficult to find any valid reason why he is not entitled to the bounty of $300.

The committee are of opinion that it would not comport with the dignity of the Government thus to break faith with the gallant men who in that hour of gloom stood forth to peril their lives for their country. They therefore report the accompanying bill appropriating the sum of $300 to pay William H. Donohoe the veteran bounty due him, and recommend its passage.

There being no objection the Committee of the Whole House on the Private Calendar was discharged from the further consideration of the bill; which was thereupon ordered to be engrossed for a third reading, and was accordingly read the third time, and passed.

Mr. NEAL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CAPTAIN DOUGLASS OTTINGER.

Mr. MUTCHLER. I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 4169) for the relief of Douglass Ottinger, of the revenue-marine service, and that the bill be taken up for passage.

The bill was read, as follows:

Whereas Captain Douglass Ottinger, of the revenue-marine service, has been in the said service since 1832, is now over 77 years of age, and has a stainless record as an officer and a man; and

Whereas his services as an official have been largely supplemented by useful inventions for saving life, all of which have been freely donated to the United States and are in actual use in its work of life-saving, and the said Douglass Ottinger is now too old for active service: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said Douglass Ottinger shall hereafter be entitled to receive the full pay of his rank in the said revenue-marine service during the remainder of his natural life, whether on active duty or otherwise.

Mr. DINGLEY. I object. We should not begin pensioning officers of the revenue-marine service.

RAILWAY COMMUNICATION WITH CENTRAL AND SOUTH AMERICA.

Mr. BELFORD, by unanimous consent, presented the memorial of Hinton Rowan Helper on the subject of railway communication between North and Central and South America; which was referred to the Committee on Commerce.

AGRICULTURAL APPOPRIATION BILL.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced the adoption of the conference report on the agricultural appropriation bill.

STEAMER JACKSON.

Mr. OATES. I ask by unanimous consent that the amendments of the Senate to the bill (H. R. 2156) for the relief of certain owners of the steamer Jackson be taken from the Speaker's table and concurred in.

Mr. PAGE. I object.

SARAH A. SCOTT.

Mr. WISE, of Pennsylvania, by unanimous consent, introduced a bill (H. R. 7315) for the relief of Mrs. Sarah A. Scott; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GEORGE GRAHAM.

Mr. RICE, of Missouri, by unanimous consent, introduced a bill (H. R. 7316) for the relief of George Graham; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HELEN M. THAYER.

Mr. DAWES, by unanimous consent, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 6923) granting a pension to Mrs. Helen M. Thayer; which, with the accompanying report, was referred to the Committee of the Whole House, and ordered to be printed.

SWEARING IN OF A MEMBER.

Mr. BROWNE. I rise to a question of privilege, and present the credentials of Mr. Charles T. Doxey, Representative-elect from the ninth Congressional district of Indiana, elected to fill the vacancy occasioned by the death of Mr. Orth, former Representative. There is no controversy as to the election, and I ask that he be now sworn in.

The SPEAKER. These credentials have been examined and seem to be regular in form, and unless objection is made the gentleman will come forward and be sworn in. The credentials will be printed in the RECORD.

They are as follows:

EXECUTIVE DEPARTMENT.

I, Albert G. Porter, governor of the State of Indiana, do hereby certify that Charles T. Doxey was regularly elected to the Forty-seventh Congress of the United States of America, from the ninth Congressional district of the State of Indiana, on the 9th day of January, A. D. 1883, in accordance with the laws of the said United States and the State of Indiana.

In witness whereof I have hereunto set my hand and caused to be affixed the seal of the State of Indiana, at the city of Indianapolis, this 13th day of January, A. D. 1883.

ALBERT G. PORTER.

By the governor:

E. R. HAWN, *Secretary of State.*

Mr. DOXEY presented himself in front of the Speaker's desk and was qualified by taking the oath prescribed by section 1756 of the Revised Statutes.

NEW MIXED COMMISSION WITH VENEZUELA.

Mr. RICE, of Massachusetts. I move to dispense with the morning hour for the call of committees for reports.

Mr. PAGE. For what purpose?

Mr. RICE, of Massachusetts. To call up the special order fixed for

January 10, which is House joint resolution 277, providing for a new mixed commission in accordance with the treaty of April 25, 1866, with the United States of Venezuela.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. RICE, of Massachusetts. I now call up the special order. It will be seen by reference to the Calendar that it was—

Resolved, That the Committee of the Whole House on the state of the Union be discharged from the further consideration of H. Res. 277, entitled "A joint resolution providing for a new mixed commission in accordance with the treaty of April 25, 1866, with the United States of Venezuela," and that said resolution be made the special order for Wednesday, January 10, immediately after the morning hour, and from day to day thereafter until disposed of, not to interfere with revenue or general appropriation bills; said resolution to be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. BUTTERWORTH. How long will this take?

Mr. RICE, of Massachusetts. The report of the Committee on Foreign Affairs was unanimous on the subject, and I only desire to make such brief presentation as will enable the House to vote intelligently on it.

The joint resolution was read, as follows:

Whereas since the dissolution of the mixed commission appointed under the treaty of April 25, 1866, with the United States of Venezuela, serious charges, impeaching the validity and integrity of its proceedings, have been made by the Government of the United States of Venezuela, and also charges of a like character by divers citizens of the United States of America, who presented claims for adjudication before that tribunal; and

Whereas the evidence to be found in the record of the proceedings of said commission, and in the testimony taken before committees of the House of Representatives in the matter, tends to show that such charges are not without foundation; and

Whereas it is desirable that the matter be finally disposed of in a manner that shall satisfy any just complaints against the validity and integrity of the first commission, and provide a tribunal under said treaty constructed and conducted so as not to give cause for just suspicion; and

Whereas all evidence before said late commission was presented in writing and is now in the archives of the State Department; and

Whereas the President of the United States has, in a recent communication to Congress, solicited its advisory action in this matter: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he hereby is, requested to open diplomatic correspondence with the Government of the United States of Venezuela, with a view to the revival of the general stipulations of the treaty of April 25, 1866, with said government, and the appointment thereunder of a new commission, to sit in the city of Washington, which commission shall be authorized to consider all the evidence presented before the former commission in respect to claims brought before it, together with such other and further evidence as the claimants may offer; and from the awards that may be made to claimants, any moneys heretofore paid by the Department of State, upon certificates issued to them, repectively, upon awards made by the former commission, shall be deducted, and such certificates deemed canceled; and the moneys now in the Department of State received from the Government of Venezuela on account of said awards, and all moneys that may hereafter be paid under said treaty, shall be distributed pro rata in payment of such awards as may be made by the commission to be appointed in accordance with this resolution.

Mr. PAGE. Let the report of the committee be read.

The report of the committee was read, as follows:

The Committee on Foreign Affairs, to whom was referred a bill in relation to the Venezuela awards (H. R. 3159), and the message from the President of the United States relative to the same awards, dated May 25, 1882, having had the same under consideration, submit the following report and accompanying joint resolution, the passage of which they recommend.

The committee have not thought it necessary to make any original investigation into the questions relating to the Venezuela awards, the consideration of which has been submitted to them. For fifteen years these awards have been the subject of diplomatic correspondence and Congressional investigations. We have deemed it impossible to obtain, after this long interval, any fresh information, not already spread upon the record, of this correspondence and these investigations. Our work, therefore, is of collation and reference, so far as may be necessary to form conclusions upon the points submitted to us. Our report will be narrative rather than argumentative, and we shall quite briefly state the conclusions which the facts seem to suggest:

CLAIMS AGAINST VENEZUELA.

Prior to 1864 many unsettled claims had accumulated in favor of American citizens against Venezuela. In 1864 Hon. E. D. Culver, then minister of the United States to Venezuela, made schedules of these claims, to be forwarded to his Government. Those schedules, marked A and B, are appended to this report.

Schedule A is headed "Claims of citizens of the United States, pending and unliquidated, which have been presented to the Government of Venezuela, with the proofs and documents in support thereof." These claims amount to $308,263.74, exclusive of those referred to in the note, which nominally would be some $46,000 more.

Schedule B is headed "Claims of citizens of the United States which have been liquidated and adjusted, but which are yet unpaid in whole or in part." These amount to $55,314.74.

The minister is careful to guard against prejudicing any claims which might have been brought to his knowledge, or might have been inadvertently omitted by him; but there is no reason to suppose that he did not use due care to ascertain and include all claims then known to be outstanding of the character described.

THE TREATY.

April 28, 1866, a convention was made between the United States and Venezuela for a commission for the settlement of claims of citizens of the United States upon the Government of Venezuela. A copy of the treaty, marked C, is hereunto appended. This treaty provided for a mixed commission consisting of two members, one to be appointed by the United States and one by Venezuela, to meet in Caracas within four months from the exchange of the ratification of the convention. The commissioners were to appoint an umpire to act in cases of disagreement between them, and if they could not agree in the selection of the umpire, he was to be named by the diplomatic representative either of Switzerland or of Russia in Washington.

The commissioners were to hear one person in behalf of each government in every separate claim, if so required. They were to issue certificates of the sums to be paid to the respective claimants under their decisions where payment was provided for. The commission was to terminate its labors in twelve months from the date of its organization, except an extension of thirty days, if necessary, for the issue of the certificates on the awards of the umpire. The last article made the decisions of the commission and umpire final and conclusive as to all claims pending at the date of their installation, and claims not presented within the twelve months were to become disregarded and invalid.

By the record of the commission, as deposited in the State Department, it appears that it organized August 30, 1867, and finally adjourned August 5, 1868. This record assumed that the date of the organization was at the first meeting of the two commissioners, rather than at that after the appointment of the umpire, April 18, 1868. A statement of the claims allowed and disallowed by this commission is hereto appended, marked D. From this statement it appears that the claims presented to the commission aggregated $4,823,273.31, of which the commission allowed $1,253,310.30, and disallowed $3,569,963.01. It may be inferred from a comparison of these amounts with those reported by Minister Culver that the soil of a commission possesses peculiarly fertilizing qualities for the growth of claims.

PROTEST OF VENEZUELA.

When the first installment of the awards became due, Venezuela protested against payment on the ground of irregularities in the commission, and asked to have the entire award set aside and a new commission ordered. The charge cited especially three cases; at a subsequent time seven cases were cited. Inclosure I, with the communication of the Secretary of State, forwarded by the President with his message, states these seven cases; they are those of the awards made by the arbitrators; that is, those as to which the commissioners did not agree, but which the umpire was called to settle. These seven claims, as allowed, amounted to $794,122.

THE PRESIDENT'S MESSAGE.

The President's message is in the Appendix, marked E. It will be noted from this communication (pages 7 and 8) that Venezuela has paid sufficient to enable the United States to pay her dividends upon all the awards amounting to 15 per cent. and still leave a balance on hand of $221,065.89. She has not, however, nearly paid the amounts called for by the terms of the treaty protesting against the validity of the awards.

The Secretary of State recommends the passage of an act directing the Court of Claims * * * to hear and determine * * * whether any, and, if so, which of the seven awards objected to by Venezuela were obtained by fraud or corruption. He suggests an inquiry by the Court of Claims as to whether the holders of any of the certificates of awards found to be fraudulent are innocent holders, that they may be instituted for the original claimants in any future negotiations with Venezuela to the extent of their certificates.

The Government of Venezuela protests against the entire action of the commission, alleging that it was tainted by fraud and therefore should be treated as a nullity. It claims that there has been no valid commission, and therefore that the treaty provision creating a commission is yet unexecuted.

The President says, in his message:

"In case either House takes action upon it (the subject of his message) during the present Congress, I shall feel it my duty to direct that this prolonged discussion be definitely terminated by recognizing the absolute validity of all the awards."

It has been argued by able counsel that Congress, surely the House of Representatives, has no jurisdiction in this matter, but that it is wholly for the decision of the Executive; but now the President himself expresses his desire "to secure an expression of legislative purposes and wishes respecting this matter," and "earnestly invites the attention of Congress" to his communication. It does not seem necessary, therefore, to consider this objection to Congressional action at this time, but to enter upon an examination of the subject with the earnestness expressed by the President and demanded by its great importance. If these awards are tainted by fraud they should not be enforced; but we are now assured that their validity will be recognized unless Congress acts. The right and the duty of Congress are thus made clear. The honor of the nation is committed to it. It devolves upon it to investigate the charges of fraud made by Venezuela, and, having done so, to express its "purposes and wishes."

PREVIOUS CONGRESSIONAL ACTION.

In the Forty-first Congress Mr. Wilkinson, from the House Committee on Foreign Affairs, made a report sustaining the award, but no action was taken thereon. (House Report No. 79, second session, Forty-first Congress.)

At the second session of the Forty-second Congress Mr. Packard, from the same committee, made a report, which says:

"Your committee have examined the testimony and can not avoid the conclusion that it shows reasonable ground for complaint on the part of the Government of Venezuela and the claimants whose cases were not adjudicated before the tribunal. These complaints are of the following tenor: That powers of attorney were given in some of the cases to the American commissioner, and he received pecuniary compensation for executing the same; that an improper intimacy existed between the American commissioners, the umpire, and Mr. William P. Murray, who was the attorney of sundry claimants, and was also represented as being the secretary of legation, all the claims having to pass through his hands, and that the said William P. Murray received from the tribunal of arbitration certificates to the amount in heard cases of one-half the sum allowed the claimants."

The report closes with the opinion that the President should be directed to suspend payment on the certificates and authorized to enter into negotiations with Venezuela for a rehearing of the claims. (House Report No. 29, second session Forty-second Congress.

In the third session of the same Congress the same committee reviewed its first decision, and, contrary to their former report, said that they did not find "that the complaints were so clearly established as to cause the awards of the commission to be set aside." On this finding a bill passed Congress, February 15, 1873, providing—

"That the adjudication of claims by the convention with Venezuela of April 25, 1866, pursuant to the terms of said convention, is hereby recognized as final and conclusive, and to be held as valid and subsisting against the Republic of Venezuela."

In the Forty-fourth Congress, first session, an exhaustive investigation was made into these complaints. The report then made, and the testimony which accompanied it, supplemented by that taken before the same committee of the Forty-fifth Congress, so fully cover the whole ground as to render it unnecessary for any future committee to do more than to review it. (Report No. 787, Forty-fourth Congress, first session; Report No. 702, Forty-fifth Congress, second session; Mis. Doc. No. 11, Forty-fifth Congress, second session; Mis. Doc. No. 30, Forty-fifth Congress, second session.)

After a careful review of the whole case, the report of the committee of the Forty-fourth Congress closes as follows:

"Now that a careful inquiry has been made by your committee in reference to the conduct of our officials, and also to the fraudulent character of the claims awarded by the commission—which investigation, in the opinion of your committee, has demonstrated the truth and reasonableness of the allegations of Venezuela—a further and continued refusal on the part of our Government to respond to the appeals of that government can not be justified on principles of international honor and comity. If Venezuela were the equal of this Government in area, population, and resources, she would have long since ceased to address our Government by appeals to our magnanimity and sense of justice, and would have terminated all diplomatic intercourse and assumed toward us the attitude which we now bear toward her. In order, therefore, to vindicate the proud position which our Government has always assumed toward other

nations of the world, and to preserve intact the peaceful means of national arbitrament for the settlement of all differences arising between nations, we should at once proceed to do full justice in the premises. We can afford to respond to the appeals of Venezuela in this case, and by so doing will honor ourselves and vindicate the ancient precept, that 'righteousness exalteth a nation, but sin is a reproach to any people.'

"In view of the fact that this session of Congress will soon adjourn, and that definite and final legislation on this subject can not be effected at this session, your committee recommend the passage of the following joint resolution suspending all further payments by the Secretary of State to holders of Venezuelan certificates, and withholding further demands upon Venezuela for future payments until the 4th day of March next, or until further legislation by Congress:

"Joint resolution in reference to the payment of awards of the Venezuelan mixed commission.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is hereby requested to withhold further demands upon the Government of Venezuela on account of the awards of the mixed commission under the convention of April 25, 1866, until the 4th of March, 1877, and the Secretary of State is authorized and directed to suspend all further payments to holders of certificates awarded by said mixed commission until said time, unless Congress shall otherwise direct.

"The committee unanimously concur in recommending the passage of the foregoing joint resolution. But upon concurring with the report of the committee, the following explanations are made:

"By Mr. Monroe, of Ohio:

"'The undersigned concurs in the conclusion reached by the committee in regard to the fraudulent character of the claims decided by the umpire and in the disapproval of the conduct of the United States commissioner, but is not prepared, with present opportunities for examination, to adopt all the incidental statements and opinions of the report.

"'JAMES MONROE.'

"By Messrs. Packer and Banks:

"'The undersigned members of the Committee on Foreign Affairs concur in the foregoing resolution; but in view of the fact that the testimony taken by the sub-committee has not all been printed, has not yet been submitted to the committee, and is incomplete, and that the time afforded for an examination of the questions involved has been limited, they do not wish to commit themselves to all the findings, deductions, and propositions contained in the report.

"'J. B. PACKER.
"'N. P. BANKS.'"

The resolution so reported was unanimously adopted by the House.

The report of the committee of the Forty-fifth Congress summed up as follows:

"The committee think it unnecessary to extend this report to the length that would be required by an exhaustive analysis of the large mass of testimony and documentary evidence bearing upon the case, but propose to state briefly the general conclusions to which a careful examination of all this testimony and evidence and the whole history of the commission has led them. Your committee are of the opinion, from such examination, that there was irregularity in the selection of the umpire and manifest incompetency on the part of the commission; that some of the claims allowed were, to say the least, very questionable in character, and that the entire proceedings are so tainted with fraud and corruption that the objections urged thereto by the Government of Venezuela are well founded, and its request for a rehearing is entitled to favorable consideration; and that justice to American citizens who have been wronged and defrauded by the commission, as well as a proper regard for the honor and character of this Government, requires that there should be a re-examination of all the claims passed upon by that commission."

Following the recommendation of this report, Congress, June 20, 1878, repealed the act of February 25, 1873.

The report of the Committee on Foreign Affairs in the Forty-sixth Congress states the leading facts, as follows:

"The appointment of the umpire was confirmed on the 18th of June, 1868. This was really the date of the organization of the commission, but the commissioners held that their organization was complete on the 30th of August, 1867, because on that day they had met and consulted about an umpire. They adjourned finally on the 5th of August, 1868, twenty days less than twelve months after organization, according to their own construction, and only three months and eighteen days after the confirmation of the appointment of the umpire. They left unsettled claims amounting to about half a million of dollars, alleging that they were not presented in time, but the evidence tends to show that these claims were not considered because their owners would not pay 50 per cent. thereof, which was the amount demanded as the price of presenting them before the commission.

"The testimony conduces to prove that the appointment of the umpire, who was the attorney and agent of Mr. Talmage (the United States commissioner), was procured by him in fraud of both governments; that Mr. Murray, the brother-in-law of the American minister, Stillwell, was permitted to manage the claims before the commission, although no attorney was permitted to appear. (See Miscellaneous Document 30, second session, Forty-fifth Congress, page 24.)

"The testimony further conduces to prove that there was a corrupt understanding between Stillwell and Murray and Talmage and the umpire, and a man named Whiton, in New York, by which Murray was to charge for presenting the claims one-half of the amount allowed by the commission, and that the amount so charged should be divided among the conspirators, and that, to make sure of that amount, the commission, instead of awarding one certificate to each successful claimant, issued certificates of $100 each, and a few of $1,000 each, enough in each case to make up the amount awarded, and made them payable to bearer, and that 50 per cent. only of said certificates was delivered to the claimants, the remainder being retained and divided among the conspirators; that Mr. Stillwell's share was one-fifth of the 50 per cent., and amounted to about $85,000; that the certificates thus retained and divided amounted to $425,000; that Mr. Talmage, the American commissioner, was the attorney of some of the claimants, and received these certificates to the amount of several hundred thousand dollars, and was the owner of a large amount of such certificates after his return to this country. The evidence also indicates that all of the seven claims allowed by the umpire, and amounting to $794,122, were either without any foundation or were grossly and fraudulently enlarged."

These numerous and influential findings of our predecessors have constrained this committee to the conclusion that they would be remiss in duty did they allow the validity of these awards to be recognized without at least an examination of the testimony upon which these findings were based.

THE COMMISSION.

Ratifications of the treaty were exchanged April 17, 1867. The treaty was proclaimed May 29, 1867. David M. Talmage, of New York, having business interests in Caracas, was appointed commissioner on the part of the United States July 20, 1867. August 4, 1867, he arrived at Caracas, and presented his credentials to the government on the 8th of the same month. On the 19th he was notified of the appointment of General Antonio Grosman Blanco, then the foremost man of Venezuela, as commissioner for that government. On the 30th the commissioners met and exchanged credentials, and appointed a secretary.

Talmage indulged in angry correspondence with the representatives of the Venezuelan Government, complaining of an intention to delay the organization of the commission, but there is no evidence of any such intention. Affairs were then unsettled in Venezuela, and General Blanco was absent from home and otherwise busy. Talmage's complaints are quite as indicative of an intention on his part to quarrel with the Venezuelan Government.

At the first meeting, August 30, the commissioners conferred as to the selection of an umpire.

At the first meeting Talmage proposed T. O. G. Rolandus, consul-general of the Netherlands; General Blanco objected to Rolandus, but offered to accept either one of the diplomatic representatives of four European powers, to wit, England, France, Germany, and Spain, then resident at Caracas. Talmage refused to accept either one of these, but insisted upon Rolandus. This contention continued until October 7, when Blanco resigned and Francesco Condè was appointed in his place. Condè added to the names proposed those of nine eminent persons resident in Caracas, one of them William Stinup, consul-general of Denmark, a prominent and reliable person, sometimes, both before and since this time, intrusted with the affairs of the United States legation as well as of Denmark; but the devotion of Talmage to Rolandus could not be shaken. He proposed no other name and would accept none of those suggested by his associate. We append the minutes of the commission on this subject, marked F. Venezuela need not be ashamed to compare the style and temper of the two commissions.

By referring to these records it appears that September 13 Blanco suggested that application should be made to the minister of Switzerland or Russia at Washington, according to the treaty for the selection of an umpire. To this Talmage objected in the language found in the record. October 7 Talmage remarked—

"That in virtue of so much time consumed on his part in endeavoring to agree upon an umpire and of his determination not to accept now any person that may be proposed, his desire now is that the designation of an umpire be submitted to the embassador or minister of Switzerland or Russia, accredited at Washington as provided in the treaty."

Talmage swears in his testimony that he first became acquainted with Juan N. Machado, jr., afterward umpire, in September. October 4 he executed a power of attorney to this Machado to attend to his private business during an absence; and on the 9th he left Caracas for the United States, with a protocol referring the selection of an umpire to the Russian or Swiss minister at Washington. We shall hereafter have opportunity to become better acquainted with Machado, but it is well to inquire now, who was this Rolandus upon whose selection as umpire the American commissioner insisted to the exclusion of everybody else and to the great delay of the business of the commission.

No. 42 of the claims presented to the commission was by W. P. Murray, and was for some broken bank notes to the amount of $483,686.53. Referring to the testimony of Murray (Mis. Doc. No. 11, second session, Forty-fifth Congress, page 85), it appears that he received these notes from Rolandus, and represented him in presenting them. The person for whom Talmage consented to act as umpire, to the exclusion of all others, was interested to this great amount against the Government upon which he was to be forced as umpire, which he afterward sought to prove by transfer to an American citizen. It is true the claim was disallowed. Better opportunities had presented themselves, in the mean time, more profitable to all parties in interest, excepting Venezuela and Rolandus; and Rolandus, being no longer useful, was dismissed, without his once anticipated reward.

October 22, Talmage was in New York with a proctocol, signed by himself and Condè. The method by which this proctocol was obtained is given by Talmage himself in his statement before the Foreign Affairs Committee of the Forty-first Congress (H. Report No. 79, Forty-first Congress, second session, page 5). After describing his last meeting with Blanco, which resulted in the resignation in disgust of that commissioner, and stating that Francesco Condè was appointed in his stead, Talmage says:

"Aggrieved by the many indignities already suffered at the hands of that government, and in view of my determination to return to the United States, I declined any communication with the newly appointed commissioner unless he should consent that, at our first meeting, we determine to refer the appointment of an umpire (as provided by treaty in case of non-agreement by commissioners) to the embassador of Russia at Washington. Two months or more having elapsed in vain attempts to secure a selection by commissioners, the commissioner of Venezuela finally consented to such proposition; and at our first official meeting, 7th October, 1867, we protocolized our respective governments to that effect. * * *

"For more than three months the commission awaited the appointment of an umpire. I forbear to comment upon such delay, save to remark that it was not occasioned by any lack of promptness or solicitation on the part of the United States."

This promptness and solicitation had consisted in suggesting the name of Rolandus for umpire, August 30; in refusing to consider any name proposed by Blanco or Condè; in refusing, September 13, Blanco's proposition to refer the selection to one of the designated ministers at Washington, and October 7, three days after having made Juan N. Machado, jr., his private attorney, insisting that the selection should be referred to Washington.

Mr. Talmage declares his opinion of Condè in his testimony as follows:

"I found him to be a wily, astute diplomat, alive to every artifice and subterfuge by which to secure advantage in argument or negotiation."

The committee have not the advantage of Condè's expressed opinion of Talmage.

Talmage arrived in New York October 22. He was able to restrain his impatience for action sufficiently to refrain from writing to the Department of State regarding the appointment of an umpire until November 13. November 15 Mr. Seward acknowledged receipt of this letter.

November 18 Mr. Seward addressed Thomas N. Stillwell, United States minister to Venezuela, the following note:

DEPARTMENT OF STATE,
Washington, November 18, 1867.

SIR: The Department is informed by Mr. Talmage, United States commissioner under the convention with Venezuela for the adjudication of the claims of American citizens against the latter government, that the commissioners have been unable to agree upon the selection of an umpire to decide upon any case or cases upon which they may disagree, or upon any point of difference that may arise in the course of their proceedings.

The contingency provided for in the convention has consequently occurred, and the parties must request the diplomatic representative, either of Switzerland or of Russia, in Washington, to appoint the umpire.

Mr. Florencio Rivas, chargé d'affaires *ad interim* of Venezuela, having been addressed in reference to the above state of affairs, in a communication of the 12th instant, informs this Department that he has received no instructions from his government upon the subject.

You will, therefore, at an early date after your reception by the President of Venezuela, in a communication to the minister of foreign affairs, urge the necessity of that government's immediately instructing their representative to unite with this Department in requesting the minister of His Majesty the Emperor of Russia to make the appointment, Switzerland having no diplomatic representative in this country.

I am, sir, your obedient servant,

WM. H. SEWARD.

THOMAS N. STILLWELL, Esq., *&c., &c., &c.*

At this time it appears Rivas, chargé of Venezuela, had received no instructions from his government regarding the appointment of an umpire.

November 23 Talmage left New York for Caracas, where he arrived December 7.

January 24, 1868, Mr. Seward addresses a note to Rivas, informing him of the receipt of a communication from Gutierrez, Venezuelan minister of foreign relations, and requesting him to unite in requesting the minister of Russia to make the appointment of an umpire, Switzerland having no minister at Washington.

February 6 the application was made to Baron Stoeckl, Russian minister.

February 27:

WASHINGTON, *February* 27, 1868.

By your communication of the 6th of February ultimo you send me a copy of a convention between the United States and Venezuela to arrange the arbitrament of certain claims, in which convention it is stipulated that, in case the two commissioners employed respectively by the two governments do not agree with the election of one arbiter, he will be appointed by me as representative of His Majesty the Emperor of all Russia in the United States.

I have been trying to fulfill the confidence reposed in me by those two governments, and, therefore, I have appointed an impartial and respectable man as arbiter, which man is Señor Machado, who, according to the best information I get about him, has the qualifications.

I have submitted his election to Mr. Rivas, who is in charge of the business belonging to the United States of Venezuela, and he has regarded it as favorable.

I am, &c.,

STOECKL.

April 18 the minutes of the commission record the following:

CARACAS, *April* 18, 1868.

Whereas the embassador of Russia at Washington city has appointed an umpire in pursuance of the convention entered into between the Government of the United States and that of Venezuela on the 25th of April, 1866, and Mr. Juan N. Machado, jr., being the person so appointed, and he having accepted same, and made proper oath before the commission, and the commissioners at the same time having been hereon advised by their respective governments, they resolved to continue the meetings of the mixed commission, pursuant to resolution of 7th October, 1867, and to notify the same to the minister resident of the United States and Venezuela.

Resolved, That the meetings of the commissioners be holden daily (Sundays excepted), from 1 to 4 o'clock p. m., at the office of the commission, No. 30 Sol street, Caracas.

Adjourned to the following day at 1 p. m.

DAVID M. TALMAGE,
Commissioner of the United States.
FRANCISCO CONDE,
Comisionado de los EE. Unidos de Venezuela.
ALFRED ALDERSON, *Secretary.*

April 22, Mr. Seward addressed the following note to Baron Stoeckl:

WASHINGTON, *April* 22, 1868.

DEAR SIR: Upon turning to your note appointing the arbiter under the convention between the United States and Venezuela, it is noticed that you accidentally omitted his Christian name. As it is desirable that the omission should be supplied, you will oblige me either by withdrawing the original note and substituting another of the same date with the full name of the person intended to be appointed, Juan N. Machado, jr., or by addressing to me a supplementary note stating that it was your intention to appoint that gentleman.

I am, very truly, yours,

W. H. SEWARD.

Mr. EDWARD DE STOECKL, *&c., &c., &c.*

Mr. Haywood, clerk at the Department of State, testified as to the result of this letter as follows:

"Question. What was the date of Baron Stoeckl's original letter?

"Answer. February 22, 1868. The subsequent one, which is on file as the original, was no doubt substituted by Baron Stoeckl himself."

Mr. Pile stated to the committee that Mr. Machado took the oath of office as umpire and entered on the duties of the office in Caracas on the 18th of April, 1868.

"By Mr. PILE:

"Q. On the original of this note is there a note by Mr. Hunter, Assistant Secretary of State, which fixes the date of the substitution of the second original for the first?

"A. The original is supposed to bear the date 27th of February, 1868. The translation does not give the date. Afterward we discovered that Baron Stoeckl did not give the Christian name of the umpire, and then this letter of the 22d of April was written to him asking him to supply the omission, either by withdrawing the note and sending another one, or else giving a supplementary note. He seems to have been satisfied with giving a duplicate of the first note, putting in the Christian name of Mr. Machado, and Mr. Hunter has put upon it the date of its receipt, 29th of April. The first note is marked, 'Received 28th of February,' and the next 29th of April. The latter note was no doubt handed in in person, with the date of the first note, and was substituted for the first note, as it was never supposed that any more would be thought of it; and as we only wanted a translation for the use of the office no new translation was made, but Mr. Hunter took his pen and wrote in the translation of the first note the words, 'Juan N.' and 'jr.'"

April 7, Mr. Talmage had written Mr. Seward the following letter:

CARACAS, *April* 7, 1868.

SIR: I am notified by Thomas N. Stillwell, United States minister resident at this legation, that Mr. Edward de Stoeckl, the diplomatic representative of Russia in Washington city, on the previous invitation of the Governments of the United States and Venezuela, had been pleased to name Juan N. Machado as umpire under the convention between the United States and Venezuela, concluded at Caracas April 25, 1866.

Our minister resident, Thomas N. Stillwell, has notified Juan N. Machado, jr., of his appointment as umpire, he being undoubtedly the person intended, and not the father, Juan N. Machado, senior, who is disqualified, being aged and infirm.

I mention this circumstance so that the person intended be particularly designated, so as to prevent any possibility of misunderstanding in the future.

The business of the commission will now proceed.

I have the honor to be, your obedient servant,

DAVID M. TALMAGE.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States, &c., &c., &c.

This correspondence tells its own story and requires no explanation or comment from the committee.

February 27, 1867, Baron Stoeckl appointed Señor Machado as umpire.

April 7, 1868, Talmage informed Secretary Seward that Stillwell, United States minister, had notified Juan N. Machado, jr., that he was appointed umpire, he being undoubtedly the person intended, and not the father, Juan N. Machado, sr., who is disqualified, being old and infirm.

April 18. Juan N. Machado, jr., appeared and took his oath as umpire.

April 29. Baron Stoeckl, at request of the State Department, first wrote into his note of appointment "Juan N." "junior."

Juan N. Machado, jr., was the son of a respectable citizen of Caracas, who it is claimed was by no means incapacitated by age and infirmity. Talmage swears that he first became acquainted with the young man in September, 1867. He was so well pleased with him that he appointed him his private attorney to look after his matters during his visit to the United States to see about the appointment of an umpire.

Soon after the breaking up of the commission Machado left Venezuela, and seems to have since passed his time in the United States and Europe. The young man was engaged in some business in which he had been established by his father at the time of his selection as umpire.

It is claimed that the appointment was procured by suggesting the name of the father, and afterward substituting the son, already Talmage's private attorney.

The committee have no means of settling this point except inferentially from the facts and correspondence above stated.

The commission was thus at last organized.

It was composed of D. M. Talmage, commissioner on the part of the United States; Francisco Condè on the part of Venezuela, and Juan N. Machado, jr., umpire. Condè resigned upon the decision of the umpire as to rules of procedure, and May 7, 1868, José Gregorio Villafané was appointed in his place, and thus the final adjudicating commission was composed. The history of its organization would seem to justify a watchful eye upon its proceedings.

WILLIAM H. WHITON.

In the winter of 1867-'68 there seems to have been a man named William H. Whiton engaged in the paint and lead business in Fulton street, New York city. In his testimony he swears that he never knew Stillwell, Murray, or Machado; he was not an attorney at law; he was ignorant of the Spanish language; he knew nobody in Venezuela, and yet he became attorney for the prosecution of three claims before the commission for the sum of $525,000, upon which the commission allowed $352,814. These were the Idler claim, the Ralph Random claim, and the James Barnes claim, neither of which is found in the schedule made up by Minister Culver. Why Whiton was selected to represent these claims does not very distinctly appear. He thinks that a Mr. Bogert first spoke to him of the Idler claim, but does not speak very positively about it. He seems to have done nothing about the matter except to have gone to Washington, where he claims that he was informed by some one in the State Department "that if there was an honest claim against Venezuela it was the Idler claim." He swears that he then occupied some six or eight weeks to go over the accounts, &c., not to prove the claim against Venezuela, but to see how it should be divided between the Idler heirs and other parties claiming an interest. He wrote a letter or two about the claim to a Mr. Bermudes at Caracas. He gave Talmage a power of attorney to act for him, authorizing him to do everything he could do regarding the presentation of the claim, receipt of its proceeds, &c. Talmage seems to have performed his duty as attorney most faithfully. The commission, of which he was a member, considered it first upon the list, and awarded $252,814, the certificate for which Talmage receipted for and brought to the United States. For his services in these matters Whiton swears that he was to have one-third of the Idler claim, and other testimony indicates that he was to have 50 per cent. of the others.

Mr. Henry Woodruff, an attorney of New York, represented about a quarter of a million of Venezuela claims. His testimony relating to Whiton is as follows:

"In the spring of 1866 I learned that Mr. Talmage, the commissioner on the part of the United States, had sailed for Venezuela, and I understood about the same time that the Russian minister had designated the umpire to act in connection with the commissioners. Wishing to present the claims in accordance with such rules as the commission might establish, I sought to communicate in some manner with Mr. Talmage, and to that end called upon his brother, a resident of the city of New York, a gentleman who was in business there at that time, and he referred me to a Mr. Whiton, who, he informed me, attended to all matters relating to the Venezuelan business for Mr. Talmage. At that time Mr. Whiton was doing business or had an office on Fulton street, north side, east of Broadway. I called upon Mr. Whiton, and he asked me why I inquired in reference to the matter. I told him that I represented certain claims against the Government of Venezuela. He then said to me that he was engaged in sending forward claims to be placed before the commission, and that if my clients desired he would send forward the claims that I represented. I informed him that there was a gentleman then resident in Caracas to whom I proposed to send the claims to act in behalf of my clients, if any action was required. He (Whiton) said that he would only take charge of the matter upon the condition that the claimants should enter into an agreement to permit him to designate an attorney to act in the matter in Caracas, and receive the certificates or awards that might be made, and that in consideration of the service he was to retain at least one-half of such awards. I suggested to him that I thought the compensation was large, considering the service to be done, as I had the matter all prepared, had presented the claims already myself to the government, and that they were in fact ackowledged, at least I so considered them to be by the correspondence I had with the secretary of foreign affairs and the minister of Fomento.

"Perhaps I had better state in explanation of this that the government did not in terms agree to pay the bonds of the railway, but it acknowledged the seizure of the railroad; acknowledged having taken possession of the franchises of the corporation so far as the running of the road and taking possession of its receipts was concerned. They acknowledged also that they had transferred the enterprise to one Clark, an Englishman, but contended that they had transferred with it the liabilities that pertained to the enterprise. I held, on the contrary, I thought in accordance with law, that when the government had seized the enterprise, and assumed to discharge the subscribers to the stock from their liabilities (the government itself being a subscriber to the stock), it thereby became liable for the bonds of the corporation; and, further, that if the government attempted, as it had done, to dispose of the property to a foreigner, it must itself become liable for the bonds of the corporation then outstanding. For that reason I considered that practically the liability of the government for the bonds was established. I did not consider that anything was to be done before the commission by an attorney.

"In response to some remarks of mine in regard to the largeness of the consideration demanded by Mr. Whiton, he informed me that he would not forward any claims for less than one-half; and then remarked that as to one claim that he had forwarded, 'We have two-thirds;' and 'That claim,' says he, 'will appear as No. 1 on the list.' He did not mention the claim or the claimant; his manner, however, and the positiveness of his assertions in regard to its appearance as No. 1 on the list, caused me to believe that his associations were somewhat intimate with the commission, and I therefore reported the matter to my clients for their consideration, suggesting to them that it might be desirable that they should accede to his demand. They declined, however, and desired me to confer again with Mr. Whiton, and see if I could not make better terms.

"I had a second conference with him, ascertained that I could obtain no different arrangement than the one he had indicated, and I therefore closed the conference, and had no further interviews with him. I then forwarded the papers in the claims, the one standing in my own name on the bonds, and the claim of Flanagan, Bradley, Clark & Co., to the American legation at Caracas. That was about the 9th day of June, 1868. I was advised of the receipt of the claims at the legation, not by any letter from the minister or his secretary, but by a letter from Mr. Sturup, who at the time I was in Caracas was the representative of the Government of Denmark, and, as I understood, at times had charge of our legation when the minister happened to be absent. I had written to Mr. Sturup, asking that he would call upon the legation and see that the claims were properly pre-

sented before the commission. In August, 1868, I received from him a letter dated the 6th of that month, in which he informs me of his having called at the legation in reference to the matter."

Whiton admits the conversation, while denying many of its details.

James S. Mackie, for twelve years at the head of the South American division in the Diplomatic Bureau in the Department of State, twice United States commissioner to South America, made the following statement before the committee of his knowledge of Whiton in this matter:

"With my memorial and with my package of bonds, I went to Mr. Talmage's office, supposing that I would find him some prominent lawyer or merchant of large experience in New York. I went into a coal-broker's office and found Mr. Talmage to be a coal-broker, dealing largely in anthracite coal. I introduced myself and congratulated him on his appointment, and said: 'Mr. Talmage, I want you to do me a favor—to look at a memorial which I have here (referring to a parcel of bonds). Have the goodness to count the bonds over and to see that they are all there, as stated in my memorial, and take charge of them in behalf of American citizens, whom I represent as attorney.' Mr. Talmage said, 'I can not have anything to do with that kind of business.' I said, I beg your pardon; I thought you were a commissioner on the part of the United States to represent our citizens.' Said he, 'I have nothing to do with taking charge of their claims.' I said, 'Mr. Talmage, if you will excuse my personality, I was twelve years in the Department of State, and I have known about all the commissions to the Spanish governments in that time, and I have never yet heard a commissioner, either an American commissioner or a foreign commissioner, say that it was no part of his duty to take charge of the claims of his fellow-citizens. I take it that that is one of the objects of your appointment.' He said, 'I can not recognize that at all. I will have nothing to do with it.' I then said, 'Mr. Talmage, I was a commissioner of the United States myself to Peru, and I felt it not only a duty but a privilege to give every attention that I could to American claims before I went abroad.' He still persisted. I said, 'It is very strange; here I am an attorney for these recognized claims, and you, as commissioner, refuse to take charge of them. What am I to do?' Said he, 'Mr. Mackie, I advise you to go to a gentleman who happens to have a great deal of that business in his hands, and I think he is the best man that you can give your claims to.' I said 'Who is he?' He said 'Mr. William H. Whiton.' He gave me his address—I think some place in John street or Maiden Lane. I went down to that place, and went through rows of bales of hay piled up all through a warehouse, until I came to a gentleman sitting with his hat on at the desk writing. I said, 'Is Mr. Whiton here?' This gentleman looked up and said 'Yes.' I said, 'Whiton, is that you?' I recognized in him an old friend and neighbor of mine when I was living on the heights of Georgetown. Said I, 'I am looking for another man.' He said, 'Who?' I said, 'A man of the same name, W. H. Whiton.' He said, 'What do you want with him?' I said, 'I was referred to him by Mr. Talmage as having charge of Venezuelan claims; but you have nothing to do with Venezuelan claims?' 'Yes,' said he, 'I have; I am the man.' With a little strength of expression I asked him what the deuce he knew about Venezuelan claims. He said that he had peculiar facilities for presenting them and having favorable action upon them. I said, 'Whiton, I have got a bundle of claims here, but I do not know why I should give them to you more than to anybody else. What are you going to charge for taking care of them?' He said, '50 per cent.' Said I, 'That is modest. There is about $180,000 of these claims, and as much accrued interest, and you want half for presenting the memorial and claims. All the claims are recognized; they are simply protested notes of Venezuela. I can not give you 50 per cent., because I could not control that.' Said he, 'I can not do it for less, for I have got to divide.' I said, 'You can not divide any of my friends' money,' and I went out. I then immediately wrote to the Department of State and transmitted my papers, and I have the receipt from the Department of State, in which the Department promised to send them to Venezuela."

It is probable that Mr. Mackie mistook the brother of Talmage for Talmage himself. Whiton admitted the interview, but denied many of the details, as he had done with Woodruff.

MINISTER THOMAS N. STILLWELL.

Thomas N. Stillwell was appointed minister for the United States to Venezuela in the fall of 1867. He was a citizen of Anderson, Indiana, where he was president of a bank. He was not confirmed as minister, and returned to Indiana early in 1868. He died in 1874, both he and his bank being largely insolvent. Stillwell had a brother-in-law, by name William P. Murray, a practicing lawyer in Saint Paul, Minnesota. Murray's eye was quite open to the main chance. His character and aspirations can be judged from the following letter, addressed by him to Stillwell:

OFFICE MINNESOTA INSURANCE COMPANY,
Saint Paul, Minn., September 21, 1867.

DEAR TOM: Your letter was received last night. In reply Colonel Nobles, of this city, who was in Venezuela in 1862 and 1863, was contracted with by that government to run a line of mail steamers from New York city and La Guayra, a port of the Republic of Venezuela. This contract was made while Paez was chief. As soon as he was deposed and the Falcon faction came in power the contract was abrogated, and this at a time when he had one steamer ready for sea and another almost ready. The contract run for thirty years, the Government of Venezuela paying $50,000 a year for three years and $60,000 for twenty-seven years, with extraordinary privileges. Under this contract Nobles claims damages to a large amount. He is anxious that I should take hold of it for him and go out with you. He thinks by seeing Paez, the late chief and president of Venezuela, and Dr. J. C. Beales, of New York, that in addition to this claim they could put me on the track of a large amount of business. Beales resided a number of years in Caracas and is in high favor with the present party in power. Nobles has shown me a letter from Beales, in which he offers to give letters to any one who goes out to all the principal men of the republic, and Páez to the principal men of his party. I feel disposed to try it on. As soon as you reach Washington I want you to post yourself thoroughly as to the lay of the land and write me in detail. Johnson should have made the resident minister commissioner, which he had the power to do under the resolution authorizing the appointment. The commissioner will make the money. Can not Talmage be rejected by the Senate as commissioner? Nobles will send you a letter of introduction to Dr. Beales, and while *en route* to Washington, or on return home, I want you to see him. He will post you as to how we shall proceed, &c.

Colonel Nobles proposes, if I consent to go, to foot the expense-bill in case of a failure to succeed in accomplishing anything. Yet it might be a fellow would have to stay six or eight months in that God-forsaken country, where a nigger, a negro, a black man, a colored gentleman, is better than a white man.

I would like to have something to do. Can you not, while in Washington, ring me in some way as an attaché, consul, attorney, or something else that will pay? Look to this. It would suit me better to go out the last of November. Our courts commence the fall term a week from Monday, and I will be busy most of the month; after they close it will take two or three weeks to get everything ready. All well. Write me as soon as you make any discovery.

Yours,

MURRAY.

Murray testified (Miscellaneous Document, Forty-fourth Congress, second session, page 63), that when he first heard of Stillwell's appointment to Venezuela, "I was as ignorant of Venezuela as an ordinary member of Congress would be of Jerusalem. I don't know that I had ever heard of it until I heard of Mr. Stillwell's appointment." But he knew Colonel Nobles, of the firm of Beales, Nobles & Garrison, of New York, and the claim of which he speaks in his letter expanded to one for $614,700 before the commission, of which $250,000 was allowed. This claim does not appear upon the schedule furnished by Minister Culver. Murray accompanied Stillwell to Caracas, where, as events will show, he became a leading member of the United States deputation in that city.

Talmage sought Stillwell's acquaintance during his visit to New York from Caracas. Stillwell and Murray met Talmage while in New York. In November they sailed for Caracas, and Talmage followed on the next vessel.

WHAT THE COMMISSION DID.

After the organization of the commission by the induction of Machado as umpire, the first thing was to settle the rules to regulate its proceedings. The most important of these were to the effect that the claims were to be listed by the secretary in the order in which they were presented. (As they were presented from the American legation, this put it in Stillwell's power to arrange the list.) That—

"3. Each claim shall be considered by the commission according to the order in which it may appear on the secretary's list; and shall be finally decided upon by the commissioners in the same order, within five days, to count from that upon which the commission shall have resolved to consider it."

And, sixth, that—

"When an award shall be made upon any claim by virtue of the decision of the commissioners or that of the umpire the commissioners shall issue certificates of the sum or sums to be paid the respective claimant or claimants (of like tenor and date) in such number and for such amount each as the respective claimant, agent, or attorney may request: *Provided*, That whenever more than one certificate shall be issued for or on account of any one award the amounts in the aggregate in such several certificates expressed shall not exceed the amount of the sum awarded such respective claimant by virtue of the decision made by the commissioners or the umpire, as provided in article 3 of the convention."

Rules 3 and 6 were opposed by the Venezuelan commissioner, Condè, but were allowed by the umpire. He claimed that the purpose of the last rule was to enable a division and distribution to be made to parties in interest, without depending upon the good faith of the original claimant. He shrewdly added:

"That such a division of the indemnities very probably might arouse in the public mind a suspicion that their product would be divided among several persons, which would lean to the detriment of the honor and probity of the commission."

When the umpire decided against him Condè resigned and Villafané was appointed in his place.

After this the business of the commission ran along quite smoothly.

The umpire was qualified April 18. August 5 the commission closed its labors. August 6 Talmage and Murray took boat for New York. Stillwell had preceded them, not having been confirmed by the Senate.

The commission awarded $1,253,310.30; of which Murray represented $851,000; Whiton represented $352,000—$1,203,000; leaving a balance allowed to others of $50,000. The claims represented by Woodruff and Mackie were pigeon-holed "without prejudice," whatever that may mean.

Talmage and Murray receipted for, and carried away, all the certificates of award, excepting for $10,000 to Lorenzo H. Finn.

It is not the purpose of the committee to analyze or discuss, to any extent, the voluminous testimony which has been taken regarding this matter before former committees of this House.

In 1869 and 1870 we find Stillwell, Talmage, and Murray all earnestly at work in Washington to secure the passage of an act making the Venezuelan certificates redeemable by the United States. They were very much interested in behalf of the holders of these certificates. In this they did not succeed, but they did succeed in procuring the payment of two dividends upon them, one of 7 per cent. and one of 8 per cent. The letters of congratulation which they wrote to one another, not forgetting "Dear John" Madrado, are very interesting and suggestive reading, but it is unnecessary for our present purpose to do more than to refer to them.

The triumvirate were first brought to bay in the Forty-fourth Congress.

SETH DRIGGS,

a remarkable figure throughout all these transactions, to whom an award of about $300,000 was made, partly in his own right and partly as attorney for other parties, memorialized Congress, charging that the whole proceedings of the commission had been fraudulent. The following is an extract from Driggs's memorial:

"The commission passed a rule that one claim should be decided within every five days, and as there were forty-nine claims pending in the legation to be adjudicated, and only ninety working days remaining of the twelve months allowed by the treaty for the commission to conclude its labors, it was believed that not more than half the claims could be adjudicated within the time limited.

"The American minister intimated that those claims supported by powers of attorney would have the preference of being sent to the board of commissioners for adjudication. Mr. Talmage himself advised your memorialist to give a power of attorney to Murray, as it would be for his interest to do so, and Murray was very urgent; and finally on the the 6th of May, 1868, seven days after the prohibitory rule had been passed (which was well known to Murray, but concealed from your memorialist), the power of attorney was signed authorizing William P. Murray to prosecute your memorialist's claims before the mixed commission; which power had been previously prepared by Murray with a clause to allow him one-half the amount to be adjudicated, with authority for David M. Talmage to draw the certificates from the board of commissioners.

"Under all the circumstances, and considering his advanced age and infirmities, your memorialist was actually coerced into the measure for fear of being left out in the cold, as some others were, whose powers of attorney omitted the 50-per-cent. clause."

Driggs seems to have been willing to pay 50 per cent. upon that part of the award which belonged to him, but charged that Talmage took and retained $150,000, or one-half of the entire award made in his name, while he had only agreed to pay one-half of that belonging to himself. Driggs's testimony was direct and positive; if believed it would fully sustain the allegations of fraud against Talmage. Of course this committee are obliged to take the testimony as it reads, without the advantage of seeing and hearing the witness as he gave it.

It is certain, however, that Driggs, a man thoroughly competent to manage his own affairs, with his proofs all prepared, himself in Caracas, agreed to pay one-half of his immense claim to Murray when allowed, and that Talmage should draw the certificates. For what innocent purpose this could have been done can not be conceived, and Driggs swears positively that it was for the purpose of bribery and corruption. In the judgment of this committee the admitted facts tend strongly to corroborate his testimony.

Talmage was a witness before the same committee. He was closely pressed as to his ownership of certificates of awards made by the commission, of which he was a member, and charged with having acted corruptly as such. The following is extracted from his testimony:

"Question. Did you ever give Mr. Orth to understand that you owned some of these certificates in your own right?

"Answer. I presume so.

"Q. State how much you owned?

"A. I have no idea.
"Q. From whom did you get them, and in what manner?
"A. I can not tell exactly; my impression is that what I had I bought. In disposing of certificates, selling them, &c., I bought some myself at times.
"Q. From whom did you ever buy any?
"A. I was interested in some that I bought from Murray.
"Q. How much did you buy from Murray?
"A. I can not tell you exactly.
"Q. Those certificates that you bought from Murray, did they have the name of Seth Driggs as payee?
"A. No, sir.
"Q. You can not tell how many of these certificates you owned at that time?
"A. No, sir.
"Q. Nor from whom you bought them, except that you bought some of them from Murray?
"A. I recollect buying some of them from Murray.
"Q. What did you pay Murray for them?
"A. I think I paid about 30 cents on the dollar.
"Q. How much did you buy from Murray?
"A. I do not know.
"Q. Did you buy $1,000 or $50,000 of certificates?
"A. I may have bought $6,000 or $7,000 of certificates.
"Q. Did you pay in cash for them 30 cents on the dollar?
"A. I did.
"Q. When was that?
"A. I can not tell.
"Q. Can you give any idea?
"A. No, sir; it was a couple of years ago.
"Q. Was it not immediately after your return from Venezuela?
"A. No, sir.
"Q. Did you come from Venezuela with Murray?
"A. I did.
"Q. Did you purchase any of these certificates from him in New York on your arrival from Venezuela?
"A. No, sir.
"Q. Not one?
"A. No, sir.
"Q. Do you mean you bought $6,000 or $7,000 worth of them, or bought certificates of that amount of face-value?
"A. That amount of face-value.
"Q. What have you done with those certificates?
"A. I sold them.
"Q. To whom?
"A. I can not tell you.
"Q. Did you ever draw any dividends on them?
"A. No, sir."

A few pages further along we find the following:

"Q. Do you own any of these certificates now?
"A. No, sir.
"Q. How long is it since you owned any of them?
"A. Six months or a year; a year at least, I think.
"Q. From whom did you purchase the last certificate that you had?
"A. From Murray.
"Q. Where is Murray now?
"A. I suppose in Saint Paul, Minnesota.
"Q. How many certificates does he own?
"A. I do not know.
"Q. How many did you purchase from him then?
"A. From seven to ten.
"Q. At 30 cents on the dollar?
"A. I am not certain about that; it was between 30 and 40 cents."

This uncertain knowledge under such circumstances was certainly suspicious.

In the Forty-fifth Congress Murray was a witness before the committee. It would seem that he had not reviewed the testimony given before the last committee with sufficient care. He swore that he had sold Talmage certificates. He swore to selling him three lots. After he had given this testimony the following questions and answers appear:

"Question. Then you sold him in all $30,000, $25,000, and $14,000 of them?
"Answer. I sold him in all $69,000.
"Q. How much money did you get for them?
"A. At my figuring, there was $10,000 at 33⅓ cents, $14,000 at 15 cents, and $25,000 at 10 cents, making $14,600.
"Q. Mr. Talmage, then, has paid you in cash $14,600 for $69,000 of these certificates?
"A. Yes, sir.
"Q. How do you explain that in connection with this testimony of Mr. Talmage, on page 92 of the printed report:
"'A. I recollect buying some of them of Mr. Murray.
"'Q. What did you pay Murray for them?
"'A. I think I paid 30 cents on the dollar.
"'Q. How much did you buy from Murray?
"'A. I do not know.
"'Q. Did you buy $1,000 or $5,000 of certificates?
"'A. I may have bought $6,000 or $7,000 of certificates.
"'Q. Did you pay in cash for them 30 cents on the dollar?
"'A. I did.
"'Q. When was that?
"'A. I can not say.'

"The WITNESS. That was the last purchase.

"Mr. SPRINGER (continuing quotation):

"'Q. Can you give any idea?
"'A. No, sir; it was a couple of years ago.
"'Q. Was it immediately after your return from Venezuela?
"'A. No, sir.
"'Q. Did you come from Caracas with Murray?
"'A. I did.
"'Q. Did you purchase any of these certificates from him in New York, on your arrival from Venezuela?
"'A. No, sir.
"'Q. Not one?
"'A. No, sir.
"'Q. Do you mean that you bought $6,000 or $7,000 worth of them, or bought certificates of that amount of face value?
"'A. That amount of face value.
"'Q. What have you done with those certificates?
"'A. I sold them.
"'Q. To whom?
"'A. I can not tell you.
"'Q. Did you ever draw any dividends on them?
"'A. No, sir.'

"Now, it seems that after a very sharp examination of Mr. Talmage, he only admitted to have bought, on the face value, $6,000 or $7,000 of these certificates from you, yet you say here that you sold him $69,000 worth.

"A. I do; yes, sir.
"Q. Then he is wrong about it?
"A. Well, I am correct so far as my statement is concerned. I do not know what he swore to.
"Q. Are you sure that he has paid you this amount of money in cash for these certificates?
"A. Well, I know that he has."

Murray was very forgetful and uncertain how Talmage paid him; only he was sure it was in currency, and could not tell where he deposited or used the money.

But Talmage was not the only one to be covered by Murray's protection. Stillwell died in 1874. Among the assets of the bank which he had shipwrecked were found $80,400 of the Venezuela certificates pledged for his overdrafts. How came they into his possession? Murray attempted to explain this by saying the bonds were his; that he had left them with Stillwell for safe-keeping, and that he had pledged them without leave for his own indebtedness. Why, living in Saint Paul, Minnesota, he should have deposited these bonds in Anderson, Indiana, for safe-keeping, or why he should have so deposited a portion and not all of which he was the fortunate possessor, is not apparent to an ordinary understanding.

Another remarkable witness appeared before the committee of the Forty-fifth Congress in the person of John C. Nobles, brother of Colonel Nobles, of Beales, Nobles & Gamsen, who had died. John C. swore that his brother disclosed to him before his death the frauds by which the awards were made by the commission, and gave him a letter from Murray, in which Murray wrote to him in detail how much he paid to different parties to accomplish his purposes.

Murray denied writing this letter, which would have been exact and conclusive evidence. It was exhibited to the committee, but as the testimony of Nobles was hearsay and scarcely warranted by rule, this committee choose not to dwell upon it at length.

There was very much more testimony, the reading of which conduces to establish the truth of the charges of fraud alleged by Venezuela. The committee has, however, thought best to call special attention to the above points taken from the parties themselves. We can not see how our predecessors in the Forty-fourth and Forty-fifth Congresses, from the testimony before them, could have failed to reach the conclusions they did, and which are already stated in this report. In our opinion any honest and intelligent jury, upon the recorded testimony, would convict Talmage, Machado, Stillwell, and Murray of conspiring to defraud Venezuela through the mixed commission of 1867 and 1868.

Having concurred in the conclusions reached by our predecessors, to the effect that members of the mixed commission were improperly interested in the claims before them, it remains to decide what legislative action we shall recommend.

Congress can not remain inactive and allow these awards to be enforced against Venezuela and distributed to these guilty conspirators; they have already secured too much of their booty. Nor can the committee, after examining the testimony and reaching the conclusions stated above, adopt the recommendation of the Secretary of State and refer the awards for examination to the Court of Claims.

The Committee on Foreign Relations of the Senate, during the present session, through its chairman, Mr. WINDOM, have reported on a bill referring the Venezuela award to the Court of Claims, as follows:

"That in their opinion the Court of Claims can not be clothed with jurisdiction to modify or annul the action of the commission organized under the provisions of the act of April 20, 1866, between the Governments of the United States and Venezuela. The committee are also of the opinion that the Department of State has full power and authority touching the distribution of the moneys paid in under the awards made by said commission, and they therefore recommend the indefinite postponement of said bills."

The grounds of decision taken by this committee render it unnecessary to discuss the correctness of the foregoing opinion.

The treaty with Venezuela provides for a commission to consider the claims of American citizens against Venezuela. There has been no valid commission as called for by that treaty.

The alleged commission was a conspiracy; its proceedings were tainted with fraud. That fraud affects its entire proceedings. It was diseased throughout; and there is no method known to the committee by which to separate the fraudulent part from the honest part and establish any portion in soundness and integrity. *Falsus in uno, falsus in omnis.*

It is a principle not only of the common law but of universal jurisprudence that fraud vitiates every act, public or private. No record, however solemn, estops an allegation of fraud. Judgments of courts of competent jurisdiction impart absolute verity whenever they are brought in question, but if obtained by fraud they are set aside.

Justice to Venezuela demands that these proceedings should be set aside speedily and without circuitous action. The Court of Claims is an American tribunal in whose creation Venezuela has no voice, and to whose jurisdiction she has not submitted. She has agreed to submit these claims to a mixed commission, and as yet there has been no such tribunal where action is binding and valid. She is now ready to co-operate with our Executive in creating such a commission, and professes to be ready to perform its awards. A great nation seeking a position of highest influence among the republics of the continent can not afford to do anything in her own dealings with these republics inconsistent with exact and impartial justice. Her honor must be kept unstained. We do not recognize any conceivable danger to innocent holders of these certificates or award, if any such there are. The certificates have no such character as to exempt them from the equities between the original parties. Moreover, the same precautions suggested for the protection of innocent holders can be provided regarding the awards of new commissions.

Justice to the parties who refused to comply with the demands of the conspirators, and whose claims were not considered by the former commission, requires a new one by whom they can be heard and judged according to their merits.

Your committee therefore report the following joint resolution, and recommend its adoption.

All of which is respectfully submitted.

Mr. RICE, of Massachusetts. Mr. Speaker, I hope the unpopularity which must attach to the author of this report will not be visited on the cause he represents, and that the members of this House, already wearied by attention to its reading, will accord to me a little patience while I endeavor to explain the reasons which have induced its adoption by the Committee on Foreign Affairs.

May 25, 1882, the President of the United States, by special message to this House, communicated a letter of the Secretary of State, which may be found on the thirty-first page of the report, in the appendix, and in that message the President uses these words:

I earnestly invite the attention of Congress to this communication and the accompanying inclosures. In case neither House takes action upon it during the present Congress, I shall feel it my duty to direct that this prolonged discussion be definitely terminated by recognizing the absolute validity of all the awards.

It becomes, therefore, Mr. Speaker, not only the privilege but the imperative duty of this House to consider the subject of these awards, in order that the honor of the nation may be preserved and that no injustice be done to a sister republic. This communication of the President was referred to the Committee on Foreign Affairs of this House, and that committee, with substantial unanimity, instructed me to present the report with the accompanying resolution which has been laid before the House.

In its decision the committee of this House but followed the example of the committees of three successive Congresses immediately preceding. This is the fourth report, made in four successive Congresses, which, with almost unanimous accord, have denounced these awards as fraudulent and invalid. And in the face of this fact, and of the fact that the President says that their enforcement can only be prevented by action of at least one House of Congress at this session, we feel that we have the right to call the attention of the House for a short time to their consideration.

Venezuela is the broad right shoulder of South America, thrust out into the waters of the ocean. Its mountains are lofty, its rivers are mighty, its valleys are fertile. Its Spanish conquerors, when they first discovered it, thought they detected in its wave-indented shores some resemblance to old Venice, and called it in musical syllables Venezuela—Little Venice. Its inhabitants are Spanish, Indians, negroes, and mixed. Their blood is heated by the sun of the tropics; their passions are strong; their impulses are restless. Their soil is the cradle of earthquakes, and their society of revolutions.

From 1808 to 1828 Venezuela was distracted by a succession of revolutions which were denominated a war for independence, but were really frequently only contests between rival chieftains for supremacy in the state. Among these Bolivar at length became supreme, and established a somewhat settled government, which was maintained for a few years, during his lifetime, after which revolutions again broke out, and have succeded one another with but little interruption until a time near the present.

During all these troubles in Venezuela claims were accumulated against that state by citizens of many nations; claims contracted with one of the chieftains or another, with one government or another. Some of these claims were contracted by American citizens. The attention of the State Department of this Government was frequently brought to these claims, and in 1864 Secretary Seward instructed Mr. Culver, then minister of the United States to Venezuela, to ascertain and report in regard to the amount of claims of citizens of the United States against Venezuela. He submitted a report, which is also printed in the appendix to the report presented by your committee.

According to that report there were then pending of claims of citizens of the United States against Venezuela, of liquidated and adjusted claims, $54,184; and of unliquidated but presented claims, $222,263; making $276,448, that sum covering the entire amount of claims which could then be discovered as having been presented by American citizens against the Republic of Venezuela, with some slight possible exceptions referred to in foot-notes.

In 1866 a treaty was established between the United States of America and the United States of Venezuela, providing for a joint mixed commission which should sit, consider, and award in regard to these claims. The commission was to consist of one selected by the United States, one selected by Venezuela, and an umpire to be selected by the two, or, in default of their agreement, by the Russian minister resident at Washington.

In July, 1867, David M. Talmage was appointed commissioner on the part of the United States. General Antonio Grosman Blanco, the foremost citizen of Venezuela, then and since president of that state, was appointed commissioner on the part of Venezuela. Talmage left for Venezuela in the early fall of that year, and the first meeting of the commission was held in September, 1867.

Before proceeding to consider the action of the United States commissioner upon which this report is based I desire to call the attention of the House to a few circumstances which surrounded the commission, collateral circumstances which, as it seems to me, bear to a considerable extent upon the judgment we should form of the action of the commission itself.

Just before the appointment of the commission, Mr. Wilson, the United States minister to Venezuela, deceased, and Thomas N. Stillwell was nominated for minister in his stead. As has already been observed from the reading of the report, Mr. Stillwell had a brother-in-law named Murray, who, immediately upon the nomination of Stillwell for the place of minister at Venezuela, thought that he saw an opportunity to make some money. He therefore wrote the letter which has been read in the report to his brother-in-law, Mr. Stillwell. I am not proposing to re-read that letter, but I desire to call the attention of gentlemen to it, as found on page 13 of the report. The letter is dated September 21, 1867. It begins:

DEAR TOM: Your letter was received last night.

And he then goes on to state that he has had a proposition to go out to Venezuela to present a certain claim before the commission, which claim was made by one Colonel Nobles against that republic. Near the close of the letter, and I call the attention of the House to it as disclosing the true character of the writer, he says:

As soon as you reach Washington I want you to post yourself thoroughly as to the lay of the land, and write me in detail. Johnson should have made the resident minister commissioner, which he had the power to do under the resolution authorizing the appointment. *The commissioner will make the money.*

This man saw that there was an opportunity for the commissioner to make the money, and he desired that his brother-in-law should be commissioner rather than minister, and then desired, to use his own elegant language, that his brother-in-law should "ring him in" somewhere for a share of the spoils.

Murray was the first of the American representatives to set foot upon the soil of Venezuela; he preceded his brother-in-law Stillwell, who very soon followed him. In the mean time Talmage was getting ready to go to Venezuela. Stillwell and Murray had no previous acquaintance with Talmage. They formed that acquaintance very soon after they came together in Caracas. They were after the same game and concluded to hunt in company.

The first business of the commission was to choose an umpire; and here is the first point in the conduct of the United States commissioner, Talmage, to which I desire to call the attention of the House, as tending to impeach his integrity as commissioner. The commissioners, by the terms of the treaty, were to choose an umpire. Talmage named one T. G. O. Rolandus. Blanco, on behalf of Venezuela, said that he would be content with any one of the four ministers resident in Venezuela, either of England, France, Germany, or Spain. Talmage refused to accept either of them; he said that he had nominated a good man, and he would not abandon that name, but insist upon it.

After some little delay Blanco resigned. He had a revolution to attend to just about that time, and one Condè was appointed commissioner in his stead.

Immediately upon Condè being qualified for his position, he enlarged the proposition which Blanco had made, and said that he would not insist upon the nomination of either of the four ministers as umpire, but would be content to take somebody else; and he named eleven respectable gentlemen, one of whom was Mr. Stinup, consul-general of Denmark, and often intrusted with the matters of the American legation during the absence of its representative from the capital of Venezuela.

Talmage replied, "No; Rolandus or nobody," and then said, "There can be no agreement. I insist upon Rolandus, and if you will not take him, then let us certify to our respective governments that we can not agree, and let the minister of Russia at Washington make the selection of the umpire as provided in the treaty." Mark you that he had but a few weeks before this, when Blanco made the same proposition to submit the matter to the decision of the minister of Russia, refused it, saying to Blanco he would not yield Rolandus; but now, when Condè had named a large number of persons from whom the selection of umpire was to be made, he said, "We will try this no longer, but refer the whole matter to the minister of Russia at Washington."

To two things here I desire to call the attention of the House. One is that it afterward was proved that this Rolandus upon whom Talmage insisted as his only choice for umpire held a claim of over $400,000 against the Republic of Venezuela, and afterward assigned it to this Murray, to whom I have referred, through whom he sought to have it allowed before the commission. So that the man upon whom Talmage insisted for umpire was himself a claimant against the Republic of Venezuela. His claim was not allowed, to be sure. Why not? Because, as Talmage himself told one of the witnesses who testified before the committee in the Forty-fifth Congress in relation to another claim, the umpire had already allowed so many claims against Venezuela that he did not dare to show his face in the streets, and therefore Rolandus, not being longer necessary to the purposes of the commission, was ruled out.

The commissioners agreed to notify their respective governments of their inability to agree upon an umpire, and Talmage left for New York in order to bring the message to our Government. As a result of this visit one Juan N. Machado, jr., was appointed umpire by Baron Stoeckl, the minister of Russia to the United States. It has been claimed heretofore that this Machado was not the person Baron Stoeckl intended to appoint. I know not and care not whether that be true or otherwise. Baron Stoeckl in his note of appointment nominated as umpire Señor Machado, with no Christian name mentioned, and it was upon that nomination of Señor Machado that notice was sent to Venezuela, where Talmage had already returned, and then this Juan N. Machado, jr., was notified that he had been appointed, and consequently appeared and qualified as umpire. Then Minister Stillwell notified Secretary Seward that the Christian name of the umpire had been omitted, and that Juan N. Machado, jr., was his name. Accordingly Secretary Seward wrote a note to Baron Stoeckl, calling his attention to the omission of the Christian name, and kindly informing him that the name was Juan N. Machado, jr. Baron Stoeckl then went into the State Department, and with a stroke of the pen interlined the name, and that was done after Juan N. Machado, jr., had appeared and taken his oath in Caracas as umpire of this commission. Now, somebody knew that it was Juan N. Machado, jr., who was to act in that place. Somebody knew his Christian name and gave the information to him and to Minister Still-

well, and saw to it that Secretary Seward was notified, that the name might be inserted in the original defective certificate of Baron Stoeckl, and thereby the proceedings of the commissioner confirmed and made valid. Who was this person?

Mark one thing, Mr. Speaker; four days before Talmage sailed for New York to notify the Government that he and the Venezuelan commissioner could not agree upon the selection of an umpire he had appointed this very Juan N. Machado, jr., his own private attorney to negotiate certain business transactions which he as a private individual had in the Republic of Venezuela. He therefore knew this man. He knew his name. He came to New York and had communication with our Government, he had communication with Baron Stoeckl, and the result was the appointment as umpire of the commission of the very man whom four days before he left Caracas he had selected as his own private attorney.

It is true that Rivas, the representative of Venezuela in the United States at that time, dwelling in New York, concurred in Talmage's recommendation of Machado, but there is no evidence that he knew Juan N. Machado, jr.; and afterward, when the commission had done its work, and its integrity had been attacked, he said, this same Rivas, to Castro, then the representative of Venezuela to the United States, that he was induced to recommend Machado because he was a citizen of Venezuela, and he thought that he would not therefore be unfavorable to his native state. Therefore he was induced—induced by whom?—induced to concur in recommending his appointment, for which he had afterward been very sorry.

Now we have the commission complete. Talmage, Condè, for whom Villafané was very soon substituted, and Machado as umpire, and Murray, the brother-in-law of Stillwell, occupying the same house with Stillwell, as attorney, preparing claims to be presented before the commission. The first thing after the commission was completed, and the next thing to which I desire to call the attention of the House, as impeaching the integrity of this commission, was the adoption of rules by the casting vote of Machado by which the claims were to be presented by the American minister, Stillwell, and to be considered in the order of their presentation. The claims were then arranged by the American minister's brother-in-law, Murray, and were laid before the commission. What was the result? Minister Culver, less than four years before, had reported that there were but $276,000 of claims which he could ascertain against Venezuela.

Before this commission were presented $4,823,000 of claims, and there were allowed $1,253,000. The commissioners agreed to $459,000, and Talmage and Machado to the balance, $794,000. Not one of these last, with possibly one small exception, can be found in the lists of those which were ascertained by Minister Culver and reported to Secretary Seward. I have no doubt that the $459,000 of claims are substantially just, and have been, and will be, concurred in by Venezuela. This $794,000 were claims disallowed by the Venezuelan representative, but allowed by Talmage and Machado, and against which it is charged that they are fraudulent and were allowed by fraudulent means and for fraudulent purposes.

Those claims are seven in number. They are stated in the appendix to the report which has been read. They are in favor of four individuals and one firm, and as I said are in seven items. The first of them is the claim which Mr. Murray had picked up when he wrote his letter to his brother-in-law, "Dear Tom," and asking that he might be rung in somewhere, as he wanted to make some money. It is a claim in favor of Beales, Nobles & Garrison. This claim was presented by Murray for some four or five hundred thousand dollars. Two hundred and fifty thousand dollars was the modest sum awarded by Talmage and Machado.

What was the claim?—and I do not propose to weary you with a prolonged discussion of these claims—what was the claim? These claimants, Beales, Nobles & Garrison, asserted that they made a contract with Paez, who was dictator of Venezuela for a few months, not recognized by the United States, to establish and run a line of steamships between Venezuela and New York. They never did anything to carry out the contract; they never spent a dollar; they never built a ship; they never laid the keel of a ship; they made no expenses. The government of Paez went down. Nothing was done about the contract. But they claimed through Murray they would have made four or five hundred thousand dollars out of the contract if they had carried it out. Murray took the claim, carried it to Caracas, presented it before the commission, and got $250,000 allowed upon it.

Mr. SPRINGER. The gentleman from Massachusetts might state also the manner in which that claim was divided.

Mr. RICE, of Massachusetts. I am coming to that in a moment. The gentleman from Illinois [Mr. SPRINGER] knows all about this; he has been over it before. I am coming to that, and the gentleman will rake up after me if I omit anything.

Another claim was presented to the commission, upon which $11,500 was allowed, by a man who claimed that he had been whipped by an Italian in Caracas and was so frightened he did not dare to stay and sell his goods, and therefore was obliged to sacrifice them and lose that amount; and that claim was allowed by Talmage and Machado.

Mr. SPRINGER. A case of consequential damages.

Mr. RICE, of Massachusetts. Another claim was by one Seth Driggs, who had been imprisoned in Caracas for alleged forgery and perjury, and I know not what other crimes, and he claimed he had been damaged, I think, $100,000—at any rate, a large sum—for being imprisoned there, and these righteous commissioners awarded him an amount as a gratuity to his wounded feelings for imprisonment in the prisons of Caracas on a charge of forgery and perjury.

Mr. BUTTERWORTH. How much did they allow him?

Mr. RICE, of Massachusetts. I think only $35,000 for that; he got $100,000 for something else.

Now, that is the character of these seven awards. I am not going to consider them any further.

I want to say right here that it is not every claim made by the citizen of one government against a foreign government which is entitled to the protection and support of that government. It is discretionary with the government to say whether the character of the claim is such as to entitle it to be presented and enforced by itself.

Lord Palmerston in 1848, in a celebrated circular letter addressed to the diplomatic representatives of Great Britain, asserts this policy, and I believe it is the correct policy for all governments, that claims of a speculative character made by the subjects of Great Britain must not be supported against the governments against which they are made. He said that it would encourage citizens of that nation to make investments for high rates of interest, speculative investments of British capital in insecure countries, and then rely upon the protection of their own home government to enforce the claims. I call this policy to the attention of this House as what should be inaugurated, as it seems to me, in regard to many classes of claims which are preferred by citizens of the United States against these small, restless, revolutionary republics of Central and South America.

When a man, for the sake of great gains, makes loans or investments in countries which are distracted by revolution, he takes his risk; the doctrine of contributory negligence should apply to him, and this country should say, "You put yourself in danger voluntarily. You thought you saw where you could reap sufficient reward to justify the risk. We can not follow you there to exact doubtful and exaggerated compensation or remuneration from the nation into which you thus recklessly thrust yourselves."

Mr. Speaker, I have called the attention of the House to the character and the amount of the claims upon which awards were rendered by this commission against Venezuela by the vote of the umpire, most of which, as it appears to the committee, were baseless and fraudulent. Of all the claims which were allowed by the commission, it is a remarkable fact that Murray, who wanted to be "rung" in for something, appeared as attorney in $851,000 of the $1,250,000; and a man, Whiton, in the city of New York, as attorney for $352,000 of the balance; leaving only $50,000 of the entire sum that were not represented by either Murray or Whiton. I have told you who Murray was. I desire now to tell you who Whiton was. Whiton lived in New York. He says in his testimony before the committee:

> That after the departure of David M. Talmage to Venezuela in July, 1867, it occurred to him (Whiton) that he might buy up or prosecute or otherwise interest himself in any claims of American citizens against the Republic of Venezuela that might seem to him well grounded in law and equity. And thereupon he visited Henry Talmage, brother to the said commissioner, and inquired of the said Henry Talmage whether he was acquainted with any of the claims or had any knowledge of any kind of the claims. The said Whiton, thinking that in the absence of the commissioner claimants would naturally visit his brother, requested the said Henry Talmage to refer such parties to said Whiton, which the said Talmage agreed to do.

Whiton had never been in Venezuela. He had no interest in Venezuela. He testified he knew nothing about Venezuela till this occurred to him. It was quite remarkable, therefore, that he should so suddenly have become interested in this, to him, before unknown republic and subject.

What is the secret of Mr. Whiton's interest? I will not read to you the evidence on the subject, but I will state it substantially. One Henry Woodruff, a respectable gentleman of New York, says that, representing Venezuelan claims, he called upon Mr. Talmage to find what he should do with them. First he called upon the brother of Mr. Talmage, commissioner, who he says referred him to Mr. Whiton, "who he informed me attended to all matters relating to the Venezuelan matters, for Mr. Talmage." Mr. Woodruff went to Mr. Whiton. Mr. Whiton said he would take charge of the matter, upon condition that the claimant should enter into an agreement to permit him to designate an attorney to act in the matter in Caracas and receive the certificates of awards that might be made, and that in consideration of the service he should retain one-half of the awards. Mr. Woodruff suggested to him that he thought this rather steep; but Mr. Whiton said he would not forward any claim for less than one-half, and "as to one claim," he said, "we have two-thirds." "That claim," said he, "will appear No. 1 on the list;" and it did. The modest sum of $252,000 was awarded upon it.

Mr. Mackie, for twelve years head of the bureau for South America in the Department of State in this city—a gentleman of unquestionable integrity and veracity—also called to see what he could do about certain claims which he represented. He found Mr. Talmage himself, and Mr. Talmage himself referred him to Mr. Whiton. According to the

testimony of Mr. Mackie this honest commissioner said, "I advise you to go to a gentleman who happens to have a great deal of this business in his hands; I think he is the best man you can give your claim to." "Who is it?" "Mr. Whiton," said Mr. Talmage. Mr. Mackie went to Mr. Whiton, and stated he had a bundle of claims. Mr. Whiton said, "I have peculiar advantages for presenting claims." "What will you charge for taking care of mine?" "Fifty per cent." "That is modest," said Mr. Mackie; the claim was for $180,000. Said Mr. Whiton, "I can not do it for less, for I have to divide." "You can not divide any of my money," said Mr. Mackie. That claim was not allowed. Mr. Woodruff's claim was not allowed by these commissioners. These men would not "divide."

Mr. SPRINGER. Mr. Mackie represented the Aspinwalls, of New York.

Mr. RICE, of Massachusetts. Yes, sir; he represented the famous house of the Aspinwalls, of New York, and that claim was simply pigeon-holed when it got out there. It was presented by somebody else than Mr. Murray or Mr. Whiton.

Said Mr. Whiton to Mr. Woodruff, "You will recollect I must name the attorney." Whom did Whiton name as attorney to represent his claims before the commission and to receive the awards? Mr. Speaker, will it be credited when I say that Talmage, commissioner, was the attorney of record of William H. Whiton, prosecutor of claims, and receipted for and brought home to New York the certificates of the awards which were made?

There was yet another man, one of the principals whom Woodruff represented. He could not believe this story that Mr. Woodruff told him; that he must pay 50 per cent. of his claim in order to get it considered. He went himself to Mr. Whiton and asked him about it. Whiton said to him as a reason why he should allow him 50 per cent. of this money: "I have certain relations with the commissioners, and I have great influence with them. I can have your claim passed if we can make an engagement."

Both Mr. Whiton and Mr. Talmage deny that they had anything to do with each other in this matter. All criminal lawyers know what the testimony of parties is worth. You may believe what they say or you may disbelieve it, but you are very likely to get a good deal of information out of their testimony upon the subject under investigation which they do not intend to impart. They deny that they had anything to do with each other in this matter; and Whiton denies that he had these conversations with these other men. But they are respectable men, each and all. And it is for this House to decide whether the committee was not right in believing them rather than the parties accused.

One thing more. Mr. Woodruff saw Mr. Talmage after he returned to New York, and complained to him that he had not allowed the claim which he had sent out there. What did Mr. Talmage say? "You ought to have put it into Whiton's hands when I told you to." He does not say, "It would have been allowed if you had done so;" but he says, "You ought to have done that." What is the inference? The inference is irresistible that Whiton was an *alter ego* for Talmage, and that the two were interested in the awards.

Mr. Speaker, I have shown that of the $1,250,000 awarded by this commission all but $50,000 was upon claims which were represented by either Murray or Whiton. There was one man named Driggs, an old man who had had many years of business, and rough business, too, in Venezuela, who had claims, some of them just, probably, and some of them unjust. He was in Venezuela at the time the commission was sitting there. He had prepared his papers, as he swears. His claim was all ready for presentation before the commissioners when he was induced—this man accustomed to law was induced—to make Murray his attorney and to promise him 50 per cent. of whatever sum might be awarded to him by the commission.

Thereupon some $300,000 were awarded on the various claims of Seth Driggs, of which Talmage retained one-half the certificates for Murray. Driggs swears that Talmage told him to go to Murray and put his claim into his hands, and when the claim was put into Murray's hands it was allowed and a power of attorney was given by Driggs and Murray to Talmage that he might receive the certificates of award and divide them between Driggs and Murray. Murray was to have 50 per cent. of them. When Talmage gave the certificates to Murray and Driggs he exacted from Driggs a receipt specifying by number each of the certificates which he gave to him. From Murray he took a receipt in the lump—acknowledging receipt from Talmage of certificates of award in full of all claims against him.

Why this difference? Why did Driggs give to Murray this power of attorney, and why did Driggs and Murray give their power of attorney to Talmage? Why, that Seth Driggs might be held to pay 50 per cent. of his claim to Murray, and that Talmage might have the certificates in his hand to divide according to any agreement that might be had between himself and Murray.

Thus, Mr. Speaker, the commission did its work, made its awards and left, as it is said, between two days. I do not know how that was, nor do I care. They brought home the certificates, Murray and Talmage coming together to New York, and they were followed by remonstrances from the injured republic, addressed to the Department of State, declaring that the proceedings of the commission had been fraudulent, and therefore ought not to be enforced.

It has been said sometimes that Venezuela did not make complaint promptly and at once, but I have here the letter of De Cantro to Grant, within a year after the dissolution of the commission, assailing these claims and saying they were fraudulent. I say that Venezuela was not remiss, that she did press upon our Government at once and has persistently pressed it ever since that the proceedings of this commission were tainted by fraud.

To be sure, the early Secretaries, Seward, Fish, Washburne, did not listen to the charges made by the Venezuela representatives. Why not? Because they were unable then to prove them. Investigations were not had which have since been had before committees of Congress, and the facts which I have detailed to you had not then been spread upon the records of Congress, and no Secretary of State, no committee of this House, since those investigations and since that testimony, has declared anything else than that these awards were tainted with fraud and therefore ought not to be enforced.

But, Mr. Speaker, I see my time is passing. I am like a counsel summing up in an hour a case the testimony upon which it has taken months to put in. I am only able to touch the most prominent points, leaving the great bulk of the testimony undiscussed and unreferred to.

One thing more I desire to say. Fifteen per cent. of these claims was exacted by the early Secretaries. Fifteen per cent. has been paid of these awards, and a balance of $221,000 is in the Treasury exacted from Venezuela and remaining to be divided.

Mr. SPRINGER. In the custody of the Secretary of State.

Mr. RICE, of Massachusetts. Yes, in the custody of the Secretary of State. It has never been covered into the Treasury.

Now, Mr. Speaker, when these matters come before Congress whom do we find here at once taking charge of the matters and seeking, in the first place, that the United States Government should assume the payment of these certificates and then collect the amount from Venezuela. Who? Talmage, Murray, Stillwell, all here, confrères in Venezuela, transferring the scene of their operations from Caracas to Washington, seeking to induce the Congress of the United States to assume the payment of $1,250,000 of awards which had been made in the manner I have stated against the sister Republic of Venezuela. They were brought to bay by old Seth Driggs, who, when he came to think the matter over, thought he had paid rather too much for his award, and concluded he would tell the whole thing. He presented a statement of facts in a memorial to Congress, which led to the investigation conducted by the committee of which my friend from Illinois [Mr. SPRINGER] was a member.

I say these men appeared here to lobby their claims through Congress; and when they testified in behalf of these awards Talmage was asked, "Do you own any of these certificates of awards?" I only give substantially the interrogatories and answers, as I can not take time to read them. He answered, "Yes; I do." "How many?" "I think I own six or seven thousand dollars." "Where did you get them?" "I do not know." Finally, however, he thought he bought them of Murray. He was asked, "Do you mean six or seven thousand dollars in value or in amount?" He said, "In amount." A little later Murray was put on the stand and he testified that he had sold Talmage at one time $30,000; at another, $25,000; at another, $14,000—making in all $69,000.

The SPEAKER. The gentleman's time has expired.

Mr. WHITE. Mr. Speaker, I move that the gentleman be allowed by unanimous consent to proceed until he concludes his remarks.

Several MEMBERS. Go on.

The SPEAKER. Without objection the gentleman will proceed.

There was no objection.

Mr. RICE, of Massachusetts. Mr. Speaker, I regret to trespass upon the patience of the House, but this is a matter, as I said at the outset, of some importance, and there are a few points yet remaining which I desire to discuss before I leave this subject. I will therefore trespass upon the forbearance of the House for a little while longer. I said that Talmage declared that he had about six or seven thousand dollars' worth of these certificates of award and no more; while Murray said that he himself had sold to Talmage some $69,000 worth. That is contained in the report which was read this morning. Beyond this Talmage was asked, "Why are you here interesting yourself in these matters, having, as it appears, no personal interest in them yourself?" And he replied, "I am here as an attorney; I am paid to be here." Who paid you; who hires you? These are the questions and answers:

Who paid you the money?
I was paid by different parties.
Name some of them?
I was paid by Ben. L. Swann.
Where does he live?
In New York city; I was paid by him and other associates in the claim of Jacob Idler.
How much did he pay you?
I think altogether about ten or twelve thousand dollars.

Benjamin L. Swann paid Talmage ten or twelve thousand dollars to represent his interests before the Congress of the United States, he holding a large amount of these certificates of award.

Mr. SPRINGER. And Talmage being the judge who made the award.

Mr. RICE, of Massachusetts. Now, Mr. Speaker, what said Benjamin L. Swann when these questions and answers were read to him?

What reply have you to make to his statement that you paid him that money?
I never paid him a cent of any kind for any purpose or in any manner, form, or shape; not a cent. Was that Mr. Talmage's testimony? There is no truth in the statement that I paid him anything. It is true it might have come from Bogart and Kneeland—

They were partners of Swann—

but it is impossible, for they had no money to pay it.
Do you know of any of your associates paying him money for such services?
I do not.
If Bogart and Kneeland had paid anything it would have been on that account, and you would have been called upon for your share of the assessment to meet that expense?
I presume so.
Your associates have not consulted with you about paying him anything?
No, sir.
And you did not assent to any such payment?
No, sir; of course not. I never was consulted about it at all.
Who, then, did pay you?

Talmage was asked as a final corner question with reference to his employment here. And who, Mr. Speaker, of all the world, was the one, according to his own testimony, by whom this money was paid to Talmage to appear in Washington? William H. Whiton, his *alter ego*, for whom he took out the claims to Caracas and for whom he brought back the certificates of award.

Now, Mr. Speaker, I do not know David M. Talmage. I never saw him to my knowledge; but I say that I find him in the first place in suspicious relations with a man in New York to whom very large awards were made by himself; I find him insisting upon a single man as umpire, which man was himself a large claimant, who was the owner of a large claim and afterward presented before the commission; I find him, as I believe, abandoning that candidate to secure the appointment of his own confidential friend attorney; I find him denying the ownership of the certificates of award.

I find him when the certificates are traced into his possession unable to explain where he got them. I find him affirming that he was employed to represent the Venezuelan claimants before a committee of Congress, when these claimants denied that they had ever employed him. I find him recommending claimant after claimant to the man Whiton, whose attorney he was, and with whom it is charged, with probable truth, he divided at last the award which he himself made. I find him thus covered all over, as it seems to me, with badges of suspicion and fraud, and I am unwilling for one to allow him to represent the honor of my country in an international commission established for the peaceful settlement of claims between our citizens and the Government of Venezuela. I ask therefore, Mr. Speaker, that this matter may receive such consideration at the hands of this House as shall put it to rest for ever. Venezuela is ready to pay what she owes. She is not ready to be bound by a commission the fraudulent character of which she claims has been established not only to her own satisfaction, but also to that of investigating committees of successive Congresses of the United States.

We can not afford to stand before the nations of the earth as enforcing claims rendered in such a manner as these appear to have been. In behalf, therefore, of the honor of our country, and as a matter of good faith to a weak and struggling sister republic, I ask the members of this House to give proper attention to this subject and to adopt this resolution recommending to the President that a commission, which has not yet been had according to the treaty, may be established, to sit not in Caracas but here in Washington, to consider the old testimony and the new and to pass upon these claims, so that citizens of the United States shall have no occasion to hang their heads in shame when they walk the streets of Caracas, the capital of Venezuela. [Applause.]

Mr. BLOUNT. The resolution pending before the House at this time from the Committee on Foreign Affairs I believe received the support of every member of that committee, except one, possibly, the gentleman from West Virginia [Mr. WILSON.] I am not sure as to that. That report proposes that an award made by virtue of a treaty between the United States and Venezuela to adjudicate certain claims, which claims were adjudicated, shall be set aside on the ground of fraud in the conduct of the commissioners and parties connected therewith.

This is not a new question. In the Forty-first Congress the award was sustained; the evidence which has been developed since was then unknown to the country. In the Forty-second Congress it was re-examined and disapproved. In the Forty-fourth Congress it was examined very fully and a great deal of testimony taken—to be found in the volume I have in my hand—under the especial and efficient conduct of the gentleman from Illinois [Mr. SPRINGER]. The subject was again examined and reported on by the Forty-fifth Congress and was again reported on by the Forty-sixth Congress. In all cases save one the report sustained the idea that the commission were guilty of frauds in the making up of the award, of a character so outrageous as to affect the honor of this Government and to require it to yield to the request on the part of Venezuela that the award should be set aside and a new commission created and a fair examination had under it.

These reports have not always been acted on by the House. Gentlemen can well understand how reports from various committees come in and are never reached, reports of very great importance, and this very instance is an illustration.

A practice, Mr. Speaker, seems to have sprung up on the part of a certain class of our citizens who display enterprise in gathering up old and fraudulent claims against various governments in South America, and then come here to the State Department at one time and to committees of Congress at others and by *ex parte* statements obtain the sanction of the one or the other branch of the Government. Great scandals are likely to arise from such a practice, and we should watch them with care.

During this very Congress one of the most monstrous jobs that we have ever known, the Shipherd claim, was presented to the country through the Committee on Foreign Affairs, and it appeared that some of the most eminent citizens of this country were either disposed to enter into the criminal purpose, or were duped by him. One of the claims connected with that investigation was known as the Landreau claim. Acting without proper care a committee of this House unanimously reported that the Government of the United States should use its good offices for the collection of that claim. I apprehend that no gentleman now, in view of our troubles in South America and the discussions which have taken place, would be silent if any committee should seek to bring that or any similar claim forward. It is well, therefore, for us to examine with care—with suspicion, if you please—any effort on the part of citizens of this country to make and enforce claims against the feeble governments in South America.

In the instance presented by the present resolution there was a schedule of claims amounting to $308,000 made out by Hon. E. D. Culver, minister of the United States to Venezuela.

This was the basis of the commission. This was the occasion of the treaty and the especial matter to which the attention of the commission was called.

Subsequently, after the ratification of the treaty, there came a series of details in connection with this matter which it is important for this House to carefully understand in order that they may see as I think that this is not an exceptional case to the general conduct in reference to claims in this country against South American governments. We had nominated about the time of the submission of these claims a minister to Venezuela, a Mr. Stillwell, who had a secretary of legation at Caracas, a Mr. Murray. Mr. Murray, in a communication in this testimony, writes to the minister at this city, about the time he was to be appointed, a letter asking that he shall be connected with the legation in some way, and insisting that it would be a right thing for the American minister to be made the United States commissioner; that the commissioner was the man that would make the money. This secretary of legation, mark you, was the brother-in-law of the American minister.

A Mr. Talmage was appointed as one of the American commissioners. Under the treaty the American commissioner and the Venezuelan commissioner where they did not agree were authorized to select a third man to settle the differences between them—an umpire. We find the American commissioner selecting one single man and insisting always that he and nobody else should be the umpire, and we find that this very man had a corrupt claim. While he was doing this the Venezuelan minister was urging the representative of this and that court—eight or ten; but on the part of the American commissioner nobody was to be allowed except a man by the name of Rolandus. Unless he was selected there could be no agreement between the commissioners.

The treaty provided that the Russian minister or Swiss minister should name the umpire where the two commissioners could not agree. When they reached this point the American commissioner left Caracas, and, having first employed a young man by the name of Machado as his secretary and agent, came to Washington, and presented the matter of the submission of the appointment of the umpire to the State Department. There was no minister from Switzerland here and the duty of selecting the umpire devolved upon the Russian minister. He selected an old man at Caraccas by the name of Machado; the papers disclose that fact. The American commissioner returned and substituted as the umpire his private secretary and his agent.

Mr. SPARKS. Being of the same name.

Mr. BLOUNT. Being of the same name, and a young man, the son of the elder Machado.

Mr. SPRINGER. The gentleman is incorrect; not the son.

Mr. BLOUNT. The gentleman from Illinois [Mr. SPRINGER], who is quite familiar with the subject, states that I am incorrect in saying that the two were father and son; but they were different persons, and that answers my purpose.

The Russian minister was afterward called on at the State Department, at the instance of the American commissioner, to substitute the name of the younger Machado as umpire, on the allegation that the old man was inefficient. The commission was thus made up.

After the commission was organized there was a meeting and it adopted rules of procedure. One of the rules was that the claims should be taken up in the order in which they came from the office of the American minister at Caracas; he was to list the claims. Bear in mind that Murray was the secretary of legation and he had the listing of these claims.

Murray represented a number of claims at the instance of a party he

knew personally in New York, who had no knowledge of the language and of the people of that country. It was agreed that Murray and the New York party should have one-half, or 50 per cent. of the amount of the claims collected. Murray and this New York man were in partnership. Murray was to list the claims and he and the New York man were to divide the amount they received—50 per cent. of the claims collected.

It turned out that during the time arrangements were being made in New York to gather up these claims, Whiton, the New York man, refused various claims, among them claims which had been reported by the previous American minister. He stated as a reason why he should be employed to collect the claims that he had peculiar advantages. The result shows that he had an understanding with Murray that Murray should list the claims under the rule adopted by the commission.

There were over $700,000 of claims allowed which had never been thought of or heard of before by the American minister at Venezuela. Nearly every dollar of the claims represented by Murray and by Whiton, of New York, were allowed, and in almost every instance where parties had refused to agree to the terms of Whiton the claims were disallowed.

Mr. SPRINGER. In every instance.

Mr. BLOUNT. The gentleman from Illinois [Mr. SPRINGER] informs me that they were disallowed in every instance. The treaty required that the commission should be kept open for twelve months from the date of the organization of the commission. Before the twelve months had expired they adjourned and brought the investigation to a close. All these claims of Whiton and Murray were in and allowed, and the claims of other parties who had refused to make a contract with them were not entertained by the commission.

August 30, 1867, the commission organized and August 5, 1868, the commission adjourned. That is to say, they held that the commission was organized August 30, 1867, although the umpire was not appointed until April 18, 1868. Under a fair construction the commission sat only from April 18, 1868, to August 5, 1868.

The commission having concluded their labors, the American commissioner and Murray hastened home. Under the regulations of the commission they had made a division of these claims. While the treaty required that the certificates should be made out to the claimants for the amount of their claims, the commissioner made a regulation contrary to that and divided them up into small sums.

It appears in evidence that the commissioner had a power of attorney to collect these claims and charged a commission for their collection. They were divided into small sums, it is supposed for the purpose of convenience in making the division between the commissioner, the attorneys, and the claimants.

These parties came back to America, as I have stated, the commissioner with large sums of these certificates, Murray with large sums of these certificates, and Whiton, of New York, with his share.

The Venezuelan Government protested against the payment of the claims, giving various reasons which appear in the report. I will not take time to read them, they are voluminous, and the gentleman from Massachusetts [Mr. RICE] has pretty thoroughly discussed that question already. These persons came back to America laden with these certificates, and a protest was made at the State Department by the Venezuelan minister against the payment.

These parties then appeared at the State Department as lobbyists for the purpose of enforcing these very claims. Now, with such surroundings as these, is it true that this award should stand? The Committee on Foreign Affairs, not only of previous Congresses but in this Congress, have heard the counsel of these claimants. They do not explain these improprieties on the part of the commissioner, on the part of the American minister, on the part of the secretary of legation, but they have been before our committee with counsel arguing that they have vested rights; that the subject had been submitted by virtue of a treaty to a commission, the award had been made and they had rights that were vested, and it was a usurpation on the part of Congress to attempt to interfere with those rights.

This testimony discloses all along through it suggestions on the part of every person connected with these claims of a conspiracy to defraud the Venezuelan Government. I do not think that any gentleman who will examine this matter can escape the feeling that there was gross fraud committed. Committee after committee of Congress after Congress has uniformly so found. Yet these parties are here to-day using all the influences they can outside in the various branches of the Government, making arguments on the ground of vested rights.

Sir, the people of this country have some rights. The Government of the United States has a position to maintain among the nations of the earth; her dignity and her honor to be upheld.

It is right and proper that the Government shall use its good offices in all honorable ways to bring about a settlement, and a just settlement, of the claims of its citizens against foreign governments; that is customary. But it is likewise the right and the duty of the Government, in all proceedings connected with the reclamation of these claims, to see to it that the Government, through any of its agents, shall do no act that shall affect the honor of the American name. No one will undertake to say that if this transaction was fraudulent, if this award was brought about in the way suggested, it is entitled to any of the respect which would belong to an award arrived at by proper methods.

I have therefore felt it my duty to unite with the gentleman from Massachusetts [Mr. RICE] in asking, in view of these facts, that the subject shall be re-examined—re-examined by a commission free from suspicion, free from the allegation of fraud and fraudulent action, which appears all through the pages of this testimony. This examination would wrong no one. Every one of these claims may be and should be re-examined. The Government of Venezuela is asking for a re-examination, and giving in detail the merit of the various causes. Your committee have disclosed the improper conduct of these agents. Can we hesitate?

No man can read the testimony in this case without being astounded that such conduct should have been perpetrated. Sir, I have found in my little experience that in nearly all these cases where parties are clamoring for the payment of claims against these South American governments, these claims, when you come to analyze them, are found to be fraudulent, and the parties are simply attempting to impose on the State Department or on Congress. I have simply said this much at the present time with the view of giving an outline only to this side of the House of the character of this resolution, and the purpose it has in view. As some issue may be taken with the Committee on Foreign Affairs upon this report, I desire to reserve the residue of my time to reply to anything which may be said in opposition to it.

Mr. WILLIAMS, of Wisconsin. Mr. Speaker, if this bill were brought to a vote now I am sure it would pass by a handsome majority. Whether we may endanger it by further discussion remains to be seen.

I am aware, sir, that strong language is not argument, that denunciation is not always fact; but it seems to me that if ever a case was before Congress which should be characterized in unstinted terms that case is this one. Sir, if it were to be supposed that this Government and its Congress would not speedily do what ought to be done in the interests of justice, then I have no hesitation in saying that this pause of fifteen years over such a mass of damning facts as those contained in this report, which have been so analytically and exhaustively detailed by the chairman of the sub-committee having the subject in charge, the gentleman from Massachusetts [Mr. RICE], the Government and the Congress itself would become almost *particeps criminis* in one of the foulest wrongs in the history of this country.

I venture to say that if proceedings like these are not to be corrected, and that speedily and effectually, this Government might as well start its corsairs on the sea, and organize its bandits on the land; I measure my words when I say that in the corruptest days of Rome's proconsulates no fouler thing was done than this, yet fifteen years have brought no correction as yet.

It is said that fraud vitiates everything; that the taint of fraud sets aside judgments and solemn records. Why, sir, this case is not only tainted, it is saturated with fraud. From its inception to the end there is no clean ground anywhere to place your foot upon. It is muck and mire, all; it is scoundrelism everywhere; it reeks with corruption and dishonesty. And all perpetrated by the accredited representatives of this Government, which prates so much of justice to the citizen and fair dealing with weak and friendly nations. I hope that in the action of this House to-day we shall take one step at least to discountenance what seems to be becoming too prevalent, and that is a disregard of honor and justice between nations, especially if they be not backed by shotted guns with which to enforce just demands.

The letter of the Secretary of State embodies in a compact form the salient points involved in this case. He says in his letter to the President:

> It will be observed that the objections rest upon the allegation that there was a corrupt bargain between the commissioner on the part of the United States, the umpire, and the agent of the claimants.
>
> This charge has been often made, and often passed upon by committees of the House of Representatives.
>
> In 1876 the majority of the Committee on Foreign Affairs reported that an investigation "in the opinion of your committee has demonstrated the truth and reasonableness of the allegations of Venezuela." One of the minority of the committee, in a separate report, said that he concurred in the conclusion reached by the committee in regard to the fraudulent character of the claims decided by the umpire, and in the disapproval of the conduct of the United States commissioner. Two other members of the minority declined to express an opinion upon the "findings, deductions, and propositions contained in the report."

If we had any representatives in Venezuela they were the United States minister and the United States commissioner; yet it was demonstrated in 1876 that they were guilty of a corrupt bargain with the umpire, the final judge. Still Venezuela knocks at the door of the American Congress and is turned away unheard.

The Secretary says further:

> In 1878 the same committee, in another Congress, reported to the House that there was "evidence tending to show that there was incompetency on the part of the commission, that some of the claims allowed were questionable in character, and that the proceedings were tainted with fraud and corruption." The minority reported that in their opinion "the charges of fraud have not been sustained." In 1881 the same committee, in still another Congress, reported to the House that the testimony conduces to prove that there was a corrupt understanding between parties by which one of them was to charge for his services in presenting the claims one-half of the amount allowed by the commission, and that the amount so charged should be divided, and the committee reported a bill referring the whole subject of the awards to the Court of Claims.

After so many and so decided authoritative expressions of opinion from representatives of one part of the legislative branch of the Government, it seems impossible for the Executive, in its relations with a foreign power, to say that there is nothing in these transactions which ought to be inquired into. On the contrary, the honor of the country requires that everything of which Venezuela may rightfully complain should be investigated.

I say to the House that it has been investigated most thoroughly and exhaustively by this sub-committee, and they bring you here to-day the result of their labors.

On the other hand, duty to our own citizens whose rights of property are questioned demands that the inquiry should be limited to the points which Venezuela has a just right to assail.

Against the awards to which no exception has been taken, seventeen in number, Venezuela can not, at this late day, rightfully interpose a complaint. They should stand as valid, and the holders of certificates which represent them will be paid from time to time their proportionate sums of amounts paid or that may be paid by Venezuela, except so far as courts of competent authority in the United States, having proper jurisdiction between the parties, may adjudicate otherwise upon their rights, or unless Congress shall direct to the contrary.

Now comes the gravamen of this whole matter:

An examination of the charges formulated by Venezuela against the remaining seven awards shows that they are objected to for various reasons; as, for instance, that the party agreed that his claim was not to be the subject of an international reclamation; that the contracts were not made by the lawful government of Venezuela; that there was no just foundation for the claim; that the claims were grossly exaggerated; that the claimant had not exhausted all his remedies in the local courts, &c. As all such defenses were open to Venezuela in the commission, the time for advancing them has now past. But the allegation that the commissioner or the umpire was induced to make these awards by corrupt combination with the claimants or their agents is quite a different matter. The honor of the United States calls for an investigation of this charge, and the claimants have no rights in the finality of an award which stands in the way of such an inquiry.

What is the evidence of that fraudulent and corrupt combination? The gentleman from Massachusetts [Mr. RICE] has abundantly told you from the record this morning what that evidence is. The first step taken in these proceedings was the appointment as American commissioner of Mr. Talmage. No sooner had he received his credentials than the first thing he did was to employ in the city of New York an agent of his own to collect these claims, asking 50 cents on the dollar of the amounts which should be awarded. The American minister, Mr. Culver, an honorable man, representing this Government at Venezuela, collected all the claims which could be gathered and returned to the Government; they amounted to some $276,000. But under the industry of this commissioner and his interested agent with others, with the subsequent American minister and Mr. Murray, his brother-in-law, and a corrupt umpire, the amount rises from $276,000 to some $4,000,000 presented to this commission, and an award by this corrupt tribunal of $1,225,000, when an honest minister a few years before returned the whole amount, as I have said, less than $300,000. The Venezuelan commissioner acquiesced in awarding $408,000, and the President, through the Secretary of State, tells you that those awards will be paid unless Congress acts. But not satisfied with that, those cormorants, acting under the authority and representing the honor of this nation, claim a bonus of some $700,000 more.

What was the conduct of this Commissioner Talmage, this faithful representative of American honor, when he reached Venezuela? He asked that Mr. T. O. G. Rolandus, the consul of the Netherlands, should be accepted as umpire. Why he? Venezuela objected, saying "No; take one of the representatives of England." Talmage said "no." "Take the representative of France." Talmage said "no." "Take the representative of Germany or Russia or any other honorable government." "No." "Take any one of eleven prominent citizens of character and responsibility in Caracas." "No." "Who then?" "T. O. G. Rolandus." And that was the spirit of equity and justice which the United States displayed in the inception of these honorable proceedings.

Why T. O. G. Rolandus, and nobody else? It turns out that Rolandus held a claim of $483,000 which he had transferred to Murray, the brother-in-law of the American minister. That is the reason, and that is the way the United States was represented in Venezuela. When Rolandus was not accepted, when Blanco resigned, when Condè resigned, when a third commissioner had to be appointed on the part of Venezuela, then it was finally agreed that the representative of Russia, Baron de Stoeckl, should name him, and he named Señor Machado. And the gentleman from Massachusetts has explained to you how beautifully things were manipulated so that the son of Machado was substituted in his place, as advised by Talmage. Why advised by Talmage? Why did he want this impartial umpire the final judge of these claims? Because this model commissioner, this honest man, had a few days before made the other Machado his private attorney. Murray, the disinterested brother-in-law of the American minister, received one bill of $50,000, of which he was to have one-half for its allowance before this pure and impartial tribunal representing American justice and purity in the South American republics. Why, sir, the $50,000 swelled in his hands to $614,000, and was allowed by this immaculate tribunal at $250,000. The original claim of $50,000 reached an allowance of $250,000, and yet such things in the American archives and records of Congress have slumbered without final action for sixteen years.

The commissioners sat from April 18, 1868, to August 5 and awarded—what? Three hundred thousand dollars, that Minister Culver had reported was the maximum amount of the claims? No. Four hundred and eight thousand dollars, as Venezuela was willing to admit? No. What then? Why, $1,253,000 this pure and just commission of ours awarded. Then what? Why, Murray, the brother-in-law of the American minister, brought away of that amount certificates representing $851,000. Whiton, the agent of the American commission (Talmage) in New York that declined Woodruff's proposition—and I happen to know this gentleman Woodruff, who is an old townsman of mine—and because he as an honest man would not submit to this robbery and pay one-half of the amount involved in his claim to get it allowed, it was rejected by this American mixed tribunal; and his claim was pigeonholed "without prejudice." This same man Whiton who would take the claim for 50 per cent. brought away certificates amounting to $352,000; and the total amount that these parties got control of was $1,253,000, leaving to all other claimants the modest sum of $50,000.

Now we come to the American Congress, to the House of Representatives, and ask you to-day, "Shall such villainy as this succeed or shall it be branded with the damnable infamy which any man engaged in it should bear with him to his grave?" It is not a question of dollars and cents with individuals. If this Government is to be preserved in its purity and strength, if it is to carry among the nations of the earth a banner of honor, which its power will enable it to do, then we should see to it that such transactions as this do not longer stain our escutcheon.

But, Mr. Speaker, go further; these gentlemen returned together. The gentleman from Massachusetts [Mr. RICE] has abundantly explained that after the commission was organized, with an interested umpire, with a corrupt commissioner, with a majority of the tribunal already pledged to these fraudulent claims, the first rule established by that tribunal was that the claims should be taken up in the order in which they should be numbered by the American minister at Caracas, and they were so numbered and presented. It so happened that each one of these fraudulent and corrupt claims, in which the agents and the tribunal were to have a fifty-per-cent. share, were the very first ones adjudicated and allowed; and it so turned out that the honest claimants who would not submit to this swindle were turned out of court without a hearing. And after that, after the tribunal had closed its doors, Talmage and the American minister, with Murray, and I think Whiton, took the same ship to Washington, bringing this $800,000 of certificates of award from the tribunal. I say, Mr. Speaker, that this was suspicious enough.

But what was the next step? Uncertain of their ground, knowing that fraud honeycombed all their proceedings, the next move was to come to Congress and ask for the passage of a law by which the United States should bind itself to redeem these certificates, and with that the fraud would be clinched and complete. But, as the gentleman from Massachusetts has stated, at that point the foul and dastardly proceeding was staid, and gradually it grew into the mind of the greater branch of the Government and Congress what the thing consisted of, and the action for relief has grown stronger and stronger at each successive Congress and with each committee of Congress, until it comes here to-day substantially indorsed by three committees of Congress branding these processes with fraud, and we say that the only adequate relief is to commence the proceedings *de novo*. What Venezuela admits we can safely stand by; but a court or tribunal bribed in its inception, corrupt in its every action, impure in all of its movements and findings, should not be relied upon by any nation for any public action whatever. We say, then, that justice to ourselves and our national honor, to honest claimants and to Venezuela, demands that in this Congress the whole proceeding be set aside and a new commission organized and what the honest claimants are entitled to should be speedily collected and paid over and all fraudulent claims be rejected and thrown aside.

I now yield to the gentleman from New York [Mr. Cox].

Mr. MILLS. Before the gentleman takes his seat I would like to ask him a question. There seems no appropriation made in this bill to bear the expense of that commission. I would like to ask how it is to be provided for?

Mr. WILLIAMS, of Wisconsin. I will refer the gentleman to my friend from Massachusetts who has charge of the measure.

Mr. RICE, of Massachusetts. I think that there was no provision made in the original resolution. But the treaty provides that a commission shall be appointed consisting of one from each government, and I presume of course whenever that is done they will be entitled to be paid for their services.

Mr. WILLIAMS, of Wisconsin. An appropriation must be made for that purpose.

Mr. MILLS. In case Venezuela agrees to reopening the question then the money will be appropriated.

Mr. WILLIAMS, of Wisconsin. Why, Venezuela is begging that the question be opened. There will have to be a new commission, and an appropriation of course will follow.

I yield the remainder of my time to the gentleman from New York.

DELEGATE FROM UTAH.

Mr. PETTIBONE. Mr. Speaker, I rise to make a privileged motion. I am authorized by the Committee on Elections to report to the House, in the matter of the application of Mr. John T. Caine to be admitted to a seat for the unexpired term of the present Congress as a Delegate from the Territory of Utah, that the committee, having had the same under

consideration, have unanimously adopted the resolution with which their report concludes, and which resolution I ask the Clerk to read.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That John T. Caine was duly elected as a Delegate to Congress from the Territory of Utah for the unexpired term of the Forty-seventh Congress, and is entitled to the seat as such Delegate.

The SPEAKER. The question is upon agreeing to the resolution.

The resolution was agreed to.

Mr. PETTIBONE. If there is no objection I now ask consent that Mr. Caine be sworn in.

There was no objection.

Mr. CAINE, then appearing before the bar of the House, was duly qualified, taking the oath prescribed by section 1756 of the Revised Statutes.

VENEZUELAN MIXED COMMISSION.

Mr. COX, of New York. Mr. Speaker, I would not undertake to say anything on this bill but for the fact that my relations with the Foreign Affairs Committee in other Congresses have brought me somewhat in connection with this case. I always felt, sir, as if there was some cloud over our country by reason of the perfidy, the corruption, the conspiracy and fraud growing out of this Venezuelan imbroglio. We were not, because of it, Mr. Speaker, in as good condition as we might have been to call other nations to account who conspired to defraud us in arbitration. I refer especially to the fishery award. Without mentioning any names, it is now well ascertained by the unchallenged evidence of men of character—gentlemen, too, of alien nationality—that the $5,500,000 paid so prematurely by an appropriation of Congress for that fishery award was imprudently and wrongfully paid. It remains as a lasting reproach on the British name. It is a scandal on comity and a coarse forgery of national records.

Had the same rules of natural justice been applied to that award by our magnanimous mother country which is now to be applied to this, Great Britain would have returned to us the millions obtained through the deceit and devices of her officials.

Hitherto this House has refused to investigate the fraud connected with the fishery question. It was brought to our attention by the late member from Michigan (Mr. Newberry). It remains and will forever remain an unredressed wrong to us and a stigma on England. The amount was fixed on an appropriation bill in this House about 3 o'clock in the morning, just before we adjourned *sine die*. Two members in this House, one now the governor of Massachusetts and the other myself, were arrested alternately by the Sergeant-at-Arms because we uttered a not very orderly protest against the outrage. We protested and protested against the payment of that five and a half millions, not merely because it was tendered long before it was due, but because there was a doubt hanging over it that demanded investigation and solution.

This experience leads me, sir, to be wary and chary of awards made under foreign auspices, even when made seemingly in our interest.

Let us, however, Mr. Speaker, carry out the highest morality of the law of nations. In justice to others let us forget and disregard the schemes and devices by which we have been robbed. Let us do justice toward other nations in order that we may demand justice from other nations.

International law, if it means anything except the power of the strong, is a rule of right. It is moral obligation resulting from reason. Civilized peoples define it as consisting of those rules of conduct which reason deduces as consonant to justice from the nature of the society existing among independent nations. (Wheaton, page 26.) The best writers call it the law of natural justice and equity. There is no sanction for it in the "legislative or judicial authority which regulates the reciprocal relations of States." It has no amphictyonic magistry, no federation of mankind, to interpret or apply it. Its sanction is found in the text of the best writers, showing what is the approved usage of nations or their general opinion. It is found in the conscience of mankind, in the natural equity which comes to us from the highest sources. It is found as well in treaty obligations as in the adjudications in the courts of admiralty and international arbitrament and commissions.

This law of nations, sir, is a power in the world. Although it has no legislative or judicial sanction, as our laws have, for national or municipal conduct, still it is a law with sanctions of the highest import. As between nations there are ways by which international obligations can be enforced. Two of these rules are named by writers on the law of nations. One is called *via facti;* in the way of war it is force and arms. The other is *via amicabilis;* that is, comity, diplomacy. Our Department of State or our Executive in this latter way creates certain relations by treaty. They constitute courts of prize or international tribunals. This is done in the way of peace. And there is only one event that can happen in case nations do not peacefully agree on disputed points. It is outside of international comity. That way is war; it is the arbitration of arms.

Now, as between Venezuela and the United States Government there was no other except the amicable mode of settling the claims to which attention was called by our minister, Mr. Culver, in 1864. They amounted then to about $360,000. The mode was by arbitration. It is the mode so much commended by gentlemen in these latter millenial days.

Well, sir, we made a treaty and constituted a commission by the treaty of April 26, 1866. That treaty is in the majority report. It is in the usual form of such treaties. Under it the commission was organized in August, 1867. The claims leaped up from $360,000 to $4,823,273.31. Under this organization there was allowed $1,253,310.30. This growth of claims was marvelous, but not more so, as the sequel shows, than their allowance by the commission and its umpire.

If it be said, sir, that there should be an end of controversy when the awards are given and when the umpire coincides, it is well to answer that *in limine*. As will be seen by Exhibit C, in this report, it is provided:

The decisions of this commission and those (in case there may be any) of the umpire shall be final and conclusive as to all pending claims at the date of their installation.

Then it is also provided that certificates shall be issued to these different successful parties. These certificates are signed in pursuance of the treaty, which is a part of the law of nations governing our action. Then the first question which arises, and to which I call the special attention of members, is not so much what the merits or demerits of these cases may be, or what may be the conspiracy, fraud, or corruption of minister, commissioner, umpire, lawyer, or any one else engaged in schemes. The main point is: what is the relation which these certificated awards bear to the law of nations so as to bind our country and to our Congressional action now that we are called upon to act.

We know that Congress has no diplomatic function; none whatever. We are not the Executive. We have nothing whatever to do with making treaties or awards or in setting aside the results of amicable commissions. These awards, if we strictly construe our duty, are under the supervision and control of the Executive alone. What then? Why, simply this: That these certificates of award are claimed by their holders to be like, if not superior to, any other record. They can not be questioned. They impart absolute verity. They are truly sacred: more so, sir, than a promissory note or a bill of exchange; more so than a sealed bill; more than a judgment in a municipal or even a national tribunal. They are the decrees of the highest tribunal. They emanate from a tribunal only next to the tribunal of God; for is it not a tribunal selected by sovereign powers to adjudicate between nations?

If it be said that the awards made by such a tribunal are paramount and of such absolute verity that they can not be set aside, and that the holders or bearers of the certificates can go into the open market and dispose of them, and that innocent purchasers shall have ample recourse upon our Government for the amount of the certificates—what is the answer? What, sir, is the only answer?

If Congress has not power over the subject the President has. In his message he has invoked the power of Congress as an advisory power to assist him in his emergency. In these cases Congress for the last five or six years has responded to the Executive invocation. It has rightfully responded. As the custodian of the war power, as the dispenser by appropriation of the Treasury funds, as the giver of the money to carry on these commissions, Congress has some right, even if shadowy, to advise with the Executive.

But the great right of Congress in these matters is the moral emphasis with which we aid the President in doing—what? Tearing up, when tainted, awards and their certifications? Yes; if tainted by fraud, yes! Here is the point of this whole controversy. Gentlemen who argue other questions or lay stress on other points miss the mark if they fail to see, as this committee has so well said in its report, that—

The alleged commission was a conspiracy; its proceedings were tainted with fraud. That fraud affects its entire proceedings. It was diseased throughout, and there is no method known to the committee by which to separate the fraudulent part from the honest part, and establish any portion in soundness and integrity. *Falsus in uno, falsus in omnis.*

It is a principle not only of the common law but of universal jurisprudence that fraud vitiates every act, public or private. No record, however solemn, estops an allegation of fraud. Judgments of courts of competent jurisdiction impart absolute verity whenever they are brought in question, but if obtained by fraud they are set aside.

Justice to Venezuela demands that these proceedings should be set aside speedily and without circuitous action. The Court of Claims is an American tribunal in whose creation Venezuela has no voice, and to whose jurisdiction she has not submitted. She has agreed to submit these claims to a mixed commission, and as yet there has been no such tribunal where action is binding and valid. She is now ready to co-operate with our Executive in creating such a commission, and professes to be ready to perform its awards. A great nation seeking a position of highest influence among the republics of the continent can not afford to do anything in her own dealings with these republics inconsistent with exact and impartial justice. Her honor must be kept unstained.

We do not recognize any conceivable danger to innocent holders of these certificates of award, if any such there are. The certificates have no such character as to exempt them from the equities between the original parties. Moreover, the same precautions suggested for the protection of innocent holders can be provided regarding the award of new commissions.

Justice to the parties who refused to comply with the demands of the conspirators, and whose claims were not considered by the former commission, requires a new one by whom they can be heard and judged according to their merits.

Do we desire any definition of fraud to reach the essential issue of this contention? If so, let us turn to Judge Story's summing up of the definitions of others (Story's Equity, vol. I, § 186):

This definition is, beyond doubt, sufficiently descriptive of what may be called positive, actual fraud, where there is an intention to commit a cheat or deceit

upon another to his injury. But it can hardly be said to include the large class of implied or constructive frauds, which are within the remedial jurisdiction of a court of equity. Fraud, indeed, in the sense of a court of equity, properly includes all acts, omissions, and concealments which involve a breach of legal or equitable duty, trust, or confidence, justly reposed, and are injurious to another, or by which an undue and unconscientious advantage is taken of another. And courts of equity will not only interfere in cases of fraud to set aside acts done, but they will also, if acts have by fraud been prevented from being done by the parties, interfere, and treat the case exactly as if the acts had been done.

If it be said there is no fraud in this case, I ask, where, sir, will you find one equal to it in the annals of this or any other country?

I am at a loss how to designate or to characterize these proceedings. Fraud in the bud; fraud in the blossom; fraud in the fruit. Fraud at the inception, in the pursuit, and at the termination. Fraud all through it; fraud through and through these transactions. Fraud on the part of the commissioner. Fraud in the very appointment of the commissioner. Fraud on the part of Murray, the brother-in-law, who managed the case. Fraud, as is alleged here, on the part of the minister. Fraud not on Venezuela only, but fraud on the United States Government; for its honest citizens, its Treasury, and its honor were defrauded. Fraud with Stillwell and Murray; between Talmage and Murray; fraud with Stillwell, Talmage, Murray, and the umpire Machado; fraud with Stillwell, Talmage, Murray, and Whiton; fraud in the payment of the money, one-half to be given to these men who themselves were frauds. The fraud is shown in the certificates, issued in denominations of one hundred and one thousand dollars so as to make the fraud more desirable and convenient of execution. The very fact of making the certificates payable to bearer is a badge of fraud. The fact that they were delivered to the lawyer and that one of the commissioners acted as lawyer and received hundreds of thousands of dollars of these certificates shows fraud. Fraud on the part of the commissioner with reference to the seven rotten claims to which Venezuela calls our attention, amounting to $800,000; fraud all through and through and through, over, under, and around.

Do you want a specimen? Consider Whiton! Who was he? What was he about? Let the report (page 10) answer:

In the winter of 1867–'68 there seems to have been a man named William H. Whiton engaged in the paint and lead business in Fulton street, New York city. In his testimony he swears that he never knew Stillwell, Murray, or Machado; he was not an attorney at law; he was ignorant of the Spanish language; he knew nobody in Venezuela, and yet he became attorney for the prosecution of three claims before the commission for the sum of $525,000, upon which the commission allowed $352,814. These were the Idler claim, the Ralph Randon claim, and the James Barnes claim, neither of which is found in the schedule made up by Minister Culver.

Why Whiton was selected to represent these claims does not very distinctly appear. He thinks that a Mr. Bogert first spoke to him of the Idler claim, but does not speak very positively about it. He seems to have done nothing about the matter except to have gone to Washington, where he claims that he was informed by some one in the State Department "that if there was an honest claim against Venezuela it was the Idler claim." He swears that he then occupied some six or eight weeks to go over the accounts, &c., not to prove the claim against Venezuela, but to see how it should be divided between the Idler heirs and other parties claiming an interest. He wrote a letter or two about the claim to a Mr. Bermudes at Caracas. He gave Talmage a power of attorney to act for him, authorizing him to do everything he could do regarding the presentation of the claim, receipt of its proceeds, &c.

Talmage seems to have performed his duty as attorney most faithfully. The commission, of which he was a member, considered it first upon the list, and awarded $252,814, the certificate for which Talmage receipted for and brought to the United States. For his services in these matters Whiton swears that he was to have one-third of the Idler claim, and other testimony indicates that he was to have 50 per cent. of the others.

Whatever is alleged or sworn to, the facts point to a gigantic conspiracy, an enormous fraud, all the more monstrous because of the dignity of the tribunal and the forum of conscience. If it be true that fraud is more odious than force, as Cicero says; if it be true that courts decline to define its protean shapes "lest other means of avoiding the equity of the courts should be found out," what can be said of the despicable audacity of this ramified conspiracy to cheat a sister republic and dishonor our own?

I need not argue the matter of fraud after what has been so ably said by the diligent and learned gentleman from Massachusetts [Mr. RICE]. I need not show further details as to how the umpire was selected to show that fraud was there; nor any further or other *indicia* of fraud. I need not say that there never was a case so reeking with fraud as this. The sadness is that it has remained for some twelve or thirteen years utterly remediless.

Mr. Speaker, are we to say here and now, when the President calls our attention to it for our advice and aid, that there is no remedy, that our nation shall stand before the world besmirched with the frauds, and that there is no remedy?

The Senate proposes to refer this matter to the Court of Claims. What has that court to do with it? This is an international matter and belongs to another and not a national tribunal.

Since treaties can be abrogated or renewed by consent of two nations, since the very law of nations contemplates an agreement between them as to all matters in dispute, the best thing as a remedy to be proposed for this crying mischief and fraud is that proposed by my honorable friend from Massachusetts [Mr. RICE], namely, the making of a new treaty with a new commission, where all these cases can be re-examined, and where on the re-examination the money already paid may be credited on any future awards.

I will conclude what I have to say by one further remark. That is, that it becomes the American Congress to vindicate the honor of the country when the subject is so palpably brought before it as on this occasion. We are not here representing the peculiar powers of Congress under the Constitution to make laws for ourselves. There is no question here as to the dividing line of sovereignty between States and the Union. We are acting here to-day in a higher capacity. We are acting in a law-giving capacity in the highest sense of national justice and equity. It is the sense which Hooker declared, whose definition of law I always loved to repeat:

Of law there can be nothing else acknowledged than that her seat is in the bosom of God, her voice the harmony of the world; all things in Heaven and earth do her homage; the very least as feeling her care and the greatest as not exempted from her power.

Under that high function as law-givers between nations, for the conscience of mankind and to give emphasis to our own future relations with other governments, I hope that the American Congress, *nemine contradicente*, may pass this joint resolution and vindicate the fair fame of our Republic. [Applause, and cries of "Vote!" "Vote!"]

The SPEAKER *pro tempore* (Mr. CHACE). The Chair recognizes the gentleman from Illinois [Mr. SPRINGER] as entitled to the floor.

Mr. SPRINGER. If the House will pardon me, I will be very brief in the statement I desire to make in this matter. [Renewed cries of "Vote!" "Vote!" "Go on!" "Goon!"] I will be very brief; gentlemen need not be impatient.

Mr. HAZELTON. Take your hour; we want to hear you.

Mr. SPRINGER. This is a matter of great importance and I think it should be thoroughly understood by the House. I will ask your indulgence for a moment by way of recapitulating the facts which have led to the introduction of this joint resolution.

In 1866 there were pending between the Government of the United States and the Government of Venezuela certain claims of citizens of the United States against the latter government. It was agreed between the two governments that those claims should be referred to a mixed commission, consisting of a commissioner appointed by the United States, a commissioner appointed by the Government of Venezuela, and an umpire appointed by one of the resident diplomats near this Government.

That commission was appointed, organized, assembled, and adjudicated certain claims, and adjourned its session on the 5th of August, 1868. It adjudicated claims to the amount of $1,253,310.30.

As soon as the commission had adjourned, or very shortly afterward, the Government of Venezuela, having been much surprised at the large amount of the awards, and especially at the character of some of the claims, protested against the payment of any part of some of the awards, and alleged fraud on the part of the commission.

The response of the Secretary of State of our Government at that time was that the cases had been adjucated, the claims had been allowed. The State Department contended that the claims were *res adjudicata*. There has been no allegation on the part of the State Department that the claims were lawful, were just, or ought to be paid on that account. That real question has been evaded and put aside. The position of our Government was that the cases had been adjudicated.

On the part of the Government of Venezuela it was insisted that although the cases had been adjucated they were adjucated by a commission which was illegal in its composition and fraudulent in its conduct, and that many of the claims were fictitious and fraudulent in themselves.

The position of the Government of Venezuela in reference to these claims was very completely and forcibly set forth by Dr. J. M. Blanco, then secretary of state for foreign affairs. In a letter to the American minister on the 11th of June, 1875, he said:

Can it be that a just government will refuse examination of this cardinal point on the pending question? The Government of Venezuela does not believe it. Venezuela does not repudiate the treaty; far from it; she sustains it and defends its performance. The treaty could not ask for either government consent that the supposed third, in case of disagreement, should be the representative, attorney, personator, and agent of one of the arbitrators. Such abuse of confidence, which evidently appears to be the work of Talmage, with insult to the honor of both governments plainly shows the nullity of the process and of the sentence.

Such being the situation of this disagreeable affair, the Government of Venezuela could not without diminution of its honor and without stain to the dignity of the republic consent to the performance of an act spurious, unlawful, and also criminal, which takes the name of judgment, and with which both governments were deceived, and by which that of the United States of North America continues to be deceived.

For reasons so powerful, and because of the inevitable duties which they impose, the Government of Venezuela is not able, nor will it be able, to pay to the North American legation the sum deposited and those that will be deposited for the payment of the legitimate claims of its citizens without insisting that the government shall keep them in its deposits and give a hearing to the evidently just claim which it has "on the table," to wit, that of the former question, whether there exists a judgment by reason of there having existed a competent tribunal in performance of the treaty, observance of which is all that the republic requires.

The undersigned can not but repeat that this government believes it impossible that the Government of the great Republic of North America will refuse to hear, examine, and discuss the most just question which till now it goes on keeping out of discussion and out of all examination.

This would be in manifest contradiction to the universal and well-deserved conviction of the enlightenment and justice of the native country of Washington..

This was the appeal of the Government of Venezuela to our Government. She appeals to us as the native country of Washington, to do

justice to her—to hear, to examine, to discuss these awards, the conduct of the commission, and the manner in which it was constituted. The Committee on Foreign Affairs of this House has unanimously reported that in the constitution of the commission there was fraud practiced upon both governments. In the selection of the arbitrator of this commission the Government of the United States as well as the Government of Venezuela was imposed upon. The arbitrator selected, instead of being a disinterested person, instead of being the person selected by the Russian embassador, was an agent, an attorney, a clerk of the American commissioner—not the party agreed upon by either government. Such being the composition of the commission, the awards made by it are utterly without any binding force upon either government.

Not only was the commission illegally constituted, but the claims themselves in many cases were fraudulent and fictitious. During the Forty-fourth Congress I had occasion to examine some of these claims. I sent to the State Department a request that all the papers upon which these cases were adjudicated should be sent to the Committee on Foreign Affairs, of which I was then a member. The Secretary of State very kindly furnished the papers in the cases designated, the aggregate awards in which amounted to $794,000. I examined the petitions, the evidence, and all the facts before the commission, and upon which the claims were adjudicated. I give it as my judgment as a lawyer that not one of those claims was meritorious or could have been decided favorably by any man, unless he were either a fool or a knave.

I desire to call the attention of the House to one case—the claim of Beales, Nobles & Garrison. In that case the award was made for $250,000. The claim grew out of two alleged contracts which were entered into and executed by a consul of the Government of Venezuela, then residing in New York city, under the authority of one Señor José Antonio Paez, a military dictator, whose right to be ruler of the country rested upon a revolutionary claim which was never recognized by this country or any other government—a man who, after a brief period of revolutionary existence, styling himself "the supreme chief of the republic," was overthrown and the rightful government re-established. The contracts were annulled in two or three months after their execution by order of the rightful government, which had been re-established in the mean time.

Gentlemen must remember that Venezuela is a republic fashioned in the main after the Government of the United States; it has a house of representatives, a senate, and a president elected by the people. Yet this military dictator, having an existence of only a few months and not recognized by the lawful Government of Venezuela, or by the Government of the United States, or any other nation, assumed to bind that government for thirty years in contracts for running a line of steamships between Venezuela and the United States.

These contracts remit customs duties on certain articles imported, grant lands to colonists who may be brought into Venezuela, give exclusive privileges and promise large sums of money to be paid from year to year. There was no ratification of the contracts by the Venezuelan congress whatever, and in the very nature of the case they were void.

Twenty-five years before the termination of the contracts judgment was rendered by this commission for the amount which the contractors alleged they would have earned if they had put their ships on the line, which they did not do, and for an amount that they would in their opinion have earned on account of carrying emigrants into the country, upon whom they were entitled to so much per capita. "Consequential damages!" Such a case was never heard of anywhere. The judgment of the American commissioner upon this claim is a most remarkable document in its statement of law as well as of fact, and I will incorporate it in my remarks. Gentlemen who have studied law will be interested in the new rule for determining the measure of damages which this astute judge adopted for himself and by which he reached the conclusion that the sum of $250,000 should be paid to the claimants by the Government of Venezuela.

During the Forty-sixth Congress I called upon the Secretary of State for all the papers on file in the State Department in relation to the claim of Beales, Nobles & Garrison, including the contracts, the evidence upon which it was allowed, and the decisions of the commissioner and umpire. These papers were furnished and printed as House Miscellaneous Document No. 42, second session Forty-sixth Congress. To this document I invite the attention of members. From this it will be seen that there was not a particle of evidence before the commission to sustain the claim of Beales, Nobles & Garrison. Their petition was sworn to "as true according to his best knowledge, information, and belief," before a notary public in the city of New York, and Nobles and Beales make separate affidavits before the notary as to certain items of personal expenses which aggregate less than $15,000. The affidavits were wholly *ex parte*, and were made by the claimants themselves in the city of New York. There were no proofs, affidavits, depositions, or evidence of any kind before the commission other than the formal jurats to the petition, as I have stated. No arguments were heard by the commission in this or any other case, and their findings were based neither upon law nor evidence.

I assert without fear of contradiction that in the claim of Beales, Nobles & Garrison there was no legal evidence whatever before the commission upon which the claim could be adjudicated, and that the contracts upon which the award was made on their face excluded the claim from the jurisdiction of the commission. I refer to clause 18, which is as follows:

Eighteenth. An indispensable condition of this contract is, and it is hereby most solemnly agreed, that any doubts, differences, difficulties, or misunderstandings of any class or nature whatever that may arise from, or have any connection with, or in any manner relate to this contract, directly or indirectly, shall be settled in a friendly manner in the city of Caracas or the port of La Guayra by a commission to be composed of two arbitrators, to be chosen one by the Government of Venezuela, and who shall be one of the ministers of the supreme court of the republic, and the other to be selected by the company; and if the arbitrators should not agree, they shall select a third as umpire; and if they should not agree upon an umpire, he shall be named by the minister or representative of Spain in Caracas. Should there be no representative of Spain, then he shall be appointed by the representative of Denmark, Bremen, Holland, or Belgium.

And the opinion of the two arbitrators, or the decision of the umpire, should there be one, shall be considered as a judgment issued by authority after due trial, and shall have no appeal whatever; and therefore this contract shall never, under any pretext or reason whatever, be cause for any international claims or demands.

The arbitration provided for in this clause of the contracts was never invoked. No request appears in the papers for a settlement of any differences which might arise in pursuance of the terms of the contract. It does not appear that the Government of Venezuela ever refused the arbitration provided for in the clause just quoted. This clause in the contract excluded the claim of Beales, Nobles & Garrison from all consideration by the mixed commission. Their claim was only cognizable before the arbitrators provided for, and their arbitration was to be final. There was an immigration clause also in the contract, which was to continue for a number of years. In deciding the case the learned commissioner held that according to the course of emigration between the Old World and the new a certain number of emigrants would have arrived in the United States, and that at least twelve hundred of such emigrants would probably have left this country during the four years from the execution of the contract to the time the commission sat and settled in Venezuela, according to the estimates made by the petitioners, by reason of their steamship line between the United States and Venezuela. Upon this estimate of the number of emigrants which the company might have taken out in their ships for four years a judgment was rendered for $30,000. No emigrants were ever carried; no ships were ever run; not a dollar was earned or expended under the contract; yet a judgment of $250,000 was awarded in this case. I will print as a part of my remarks the opinion of the American commissioner in this case. It is as follows:

Opinion of United States commissioner on claim of Nobles, Beales & Garrison against the Republic of Venezuela.

MIXED COMMISSION OF THE UNITED STATES AND VENEZUELA,
Caracas, June 16, 1868.

This is a claim for $614,700 damages, resulting from the annulment of two several contracts by the Government of Venezuela, which had been executed, one for the purpose of an ocean line of steamers from the city of New York and La Guayra, in Venezuela, and the other to open up a tide of immigration into Venezuela.

It appears from the papers in this case that on the 1st day of May, 1863, two of the claimants, namely, Messrs. Nobles and Beales, entered into a contract with the Republic of Venezuela to run a line of ocean mail steamers from the city of New York to Venezuela for the term of thirty years, at a certain fixed and stipulated sum per annum, as compensation for carrying the mails, &c.

It further appears that on the 5th day of May, 1863, the said Nobles and Beales entered into and executed a second contract with the Republic of Venezuela for the establishment of a current of immigration to Venezuela. It further appears that shortly after the execution and delivering of these contracts Nobles and Beales associated with them Cornelius K. Garrison, one of the present claimants.

It further appears that in September of the year 1863, the President of Venezuela annulled these several contracts.

It may not be necessary, perhaps, in this opinion to give at length the different stipulations of agreement and covenants in these two several contracts. It will be sufficient for our purpose to refer to those of the most importance, and, first, in regard to the "ocean mail steamer contract."

The claimants bound themselves, within a period of one hundred days, to send their first steamer, fitted in every respect for the service, that is to say, of sufficient capacity to carry twenty-five passengers and six hundred tons of merchandise, and to be supplied with a proper place for carrying the mail. (This one hundred days was subsequently extended for a period of eight months in addition.) This was the first thing the claimants obligated themselves to do, under said contract. Did they do it? The proofs show, to wit:

That after the completion of the said contract by its signature at the city of New York on the 1st day of May, 1863, the petitioners at once perfected their arrangements for carrying out each and every of the terms of the said contract literally and faithfully; and to that end they prepared and made ready the steamer West Point, then being a duly registered American steamer of sufficient capacity to carry the number of passengers and the number of tons of merchandise in the first article of said contract stipulated, and which was also supplied with a safe and proper place for carrying the mails.

The petitioners also then had under their control other steamers, which would have followed in their order the West Point (under and pursuant to the terms of the said contract), if the same had ever been carried into effect by the Government of Venezuela. Said steamers were then the property and under the control of the petitioners or of one of them, and were of the size and capacity required by the terms of said contract, and competent in every respect to make the voyages specified in the said contract, with the stoppages therein named. Being so, the proprietors of the said steamers (the petitioners) were able faithfully to comply with and fulfill the conditions specified in the provisions of the said contract numbered from 2 to 10, both inclusive. But long before the expiration of the time limited, the Government of Venezuela declared said contract annulled and of no effect. Following this decree of the President of Venezuela came the protest of the United States minister resident at Caracas, which was as follows:

His Excellency Mr. G. T. VILLEGÁS,
Secretary Department Foreign Relations, &c.:

The undersigned has the honor to make known to your excellency that he has seen with surprise what purports to be two decrees issued by the existing authorities in Venezuela: the one purporting to abrogate and annul a contract exe-

cuted in New York on the 1st day of May, 1863, between Simon Camacho on the one part, and John Charles Beales and William H. Nobles on the other, touching the establishment of a line of steamers between the United States and Venezuela; the other purporting to annul a contract executed in New York on the 5th day of May, 1863, between the same parties, for the encouragement of foreign immigration to Venezuela. The undersigned is assured that the said Beales and Nobles are citizens of the United States; and that the said Simon Camacho, in making and signing said contracts, acted for and on behalf and as the duly authorized agent of the Government of Venezuela; that under and by virtue of said contracts the said Nobles and Beales can well claim that they have become seized of certain vested rights, of which the Government of Venezuela can not divest them except by their consent, or through some fraud or default on their part.

The undersigned has no means of knowing the ground or reasons for annulling these contracts except what is set forth in the preambles of the respective decrees, to wit, in the one case that the concession of land to each immigrant was exorbitant, and that it is not known what action the next national assembly might take, in virtue of its new organization; in the other, that in the scanty condition of the public treasury it should not be submitted to so great an expense for such a slow enterprise.

In the absence of any other reasons, the undersigned must assume that those stated are all that can be assigned for annulling these contracts; and as to those, the undersigned is sure that the bare statement of them must satisfy the authorities of Venezuela that they are wholly insufficient, both in law and equity, to justify the annulment of the contracts. The undersigned has always understood, and such he is confident must have been your excellency's understanding, that parties, in the absence of fraud, are bound by their contracts; that the poverty or feebleness of one of the parties is no ground for annulling his contract; that a nation or government can contract with an individual, or confer on him for a consideration certain grants, privileges, or immunities, and is just as much bound by its acts and grants as an individual.

The truth of these propositions is too manifest to require argument. The undersigned has no means of judging at present of the extent of the injuries to or the damages sustained by the citizens of his Government, who were parties to the contracts; but he feels called upon to enter his protest at the earliest moment against the principle involved in the annulment of these contracts; neither the parties nor the representative of their Government were heard or even notified of the purpose to annul these contracts. The undersigned protests also against this annulment being used as a precedent in any case where his Government or its citizens are concerned. The undersigned would be happy to receive any explanations touching this matter which Mr. Villegás may feel disposed to afford him, as he desires nothing in the premises but what is just and legal for the citizens of his Government, &c.

E. D. CULVER.

The Government of Venezuela, as a matter of fact, assumed and became legally liable for any damages which might flow from and follow the annulment of said contracts.

The contracts having been executed, the claimants citizens of the United States, and having entered upon their performance at a large outlay of money and time, and the government having abrogated the contracts without any laches or neglect upon part of claimants, the only question for our consideration and determination is the amount of damages to which claimants may be entitled.

By the eleventh and thirteenth articles of said contract claimants were entitled to receive $50,000 in gold coin of the United States annually for the period of three years from the 1st day of May, 1863, and by the fourteenth article the sum of $30,000 in gold coin of the United States, annually for the period of twenty-seven years from the 1st day of May, 1866.

The claimants being ready and willing and always with a present and future ability to carry out their contract, what should they receive as damages by reason of the positive action of the Venezuelan Government in abrogating the contract.

The rule of law is well settled that where parties show an ability and a willingness to perform a contract, and are prevented by the acts of the other contracting parties, they are considered as having performed their part of the agreement and entitled to receive the stipulated compensation therefor. The courts of the United States have always held thus; this being true and treating the contract under consideration as having been fully performed up to the present time, or say to the 1st day of May, 1868, claimants would be entitled to receive the sum of $210,000.

This contract runs through a period of time equal to almost the average life of man, still having twenty-five years to run—a quarter of a century. The determination of the question of damages by known and well-established rules of law and equity for the term yet unexpired is more difficult.

The claimants in their petition say:

Fifth. They also respectfully request that they may be adjudicated and decreed to be entitled to a reasonable compensation for the residue of the unexpired term of twenty-seven years, nominated in the fourteenth stipulation of said contract.

The measure of damages (to use a legal phrase) is specified in the stipulation at $30,000 per year, and this is *prima facie* the assessment of damages to which the Government of Venezuela has consented against itself if the contract shall be abruptly broken by it. This covers a period of at least a quarter of a century, during which the vicissitudes of human life or of human endeavor are beyond human previsions, and it can not therefore be either safely adjudicated or decreed that the parties to the contract (especially those represented by the petitioners) would either be in existence or able to fulfill that contract. Still, the legal presumption is in favor as well of the continuity of the contracting parties as of their continued ability to fulfill their contract; and in this view the petitioners would be entitled, at the time the twenty-seven years elapsed, to ask for a judgment in their favor at the stipulated sum multiplied by the given number of years.

But as this application is made before the years have elapsed and before the service is rendered it necessarily presents in that respect a ground for a compromise. The petitioners believe, with that sincerity which is founded upon the possession of that which would enable them to accomplish the terms of the contract to-morrow, next month, or next year, literally, that they have demonstrated their ability to have earned the stipulated compensation.

They also believe that they or their successors, if the contract had been carried into effect by the Venezuelan Government, would have been able to have earned the same stipulated compensation during the entire stipulated period. But as they ask now for a compensation which will terminate as well their obligation and the liability of the Venezuelan Government under the contract, they suggest as a fair compromise of the sum to which they are entitled for the residue of the term of twenty-five years yet unexpired 50 per cent. of the sum nominated in the contract, or $375,000.

While there is no doubt, perhaps, that with the growing importance of trade, commerce, and enlarged facilities for travel between the United States and Venezuela, the increase of population and wealth in these respective republics, this contract would have become more certain and valuable each year, by which claimants or their assigns would have made large sums of money, yet I can not concede the amount which they claim as a just and equitable settlement for the unexpired term of said contract; not but what may be a reasonable demand, not but what they may have and will sustain much heavier damages than any sum this commission may award, still, as many years will have to elapse before the termination of the contract, and no bonds have ever been executed for its entire fulfillment, I am of the opinion that the claimants are not entitled to receive for the unexpired term of twenty-five years the sum of $375,000 as claimed.

But as the action of this commission is to be a finality as to any question which may ever arise under said contract, either as to its breach or damages, I am clearly of the opinion that a reasonable, just, and equitable amount should be awarded claimants for the unexpired term, as the facts establish their ability, responsibility, and readiness to carry out said contract. The amount I have fixed and determined as damages for the unexpired term of said contract is one hundred thousand "hard dollars." It may be possible that I have done the claimants great injustice, but under all the circumstances of the case I do not feel justified in indicating a larger sum.

Passing from the ocean mail steam contract to the contract executed on the 5th of May, 1863, to open up a tide of emigration, the claimants allege in their petition as follows, namely:

"At the same time of the execution of the agreement to which your petitioners have hereinbefore referred, another agreement was executed by and between the said José Antonio Paez and your petitioners, touching the cession by the said government to your petitioners of certain lands within the territorial occupation of the Government of Venezuela for the use of such colonists as your petitioners might be able to debark at Caracas, or elsewhere within the territory of Venezuela aforesaid, to become citizens of the said Government of Venezuela.

"For every colonist so imported by your petitioners your petitioners were to receive a stipulated cession of land and a grant of so many tons of guano.

"This contract by its terms had no less of duration than the contract in relation to the formation of the steamship company. Your petitioners are advised and believe that if they had been allowed to fulfill the last above-named contract the same would have been of great pecuniary benefit to themselves, and of great and permanent benefit to the country and Government of Venezuela. Other enterprises of a similar character have been successfully carried into effect.

"Other suggestions have been made with regard to the direction of the streams of emigration which are constantly flowing from the Old World to the New. Other companies have been formed for the successful direction of a current of emigration from Pennsylvania to New York, or from New York to the Western States.

"The current never ceases. The point where it shall stop and enrich this country is subject to the control of commerce and of capital. The Government of Venezuela is cognizant of this fact, and it yet offers a premium of $25 per capita for each colonist that shall be induced to leave a port of the United States and find a home within the territory of the Government of Venezuela. With a knowledge of this fact, even in its application to one colonist, the damages to your petitioners from a violation of the last-named contract are susceptible of very easy calculation. If but the one colonist should have been turned away by the violation of the contract last above named, which took place simultaneously with the violation of the one first above named, the damages to your petitioners would be the premium offered by the Venezuelan Government.

"From the fairest estimate which your petitioners can make, in view of the statistics showing the annual tide of emigration from the Old World to the New, and how much there is susceptible of deflection from the United States to one of the South American independencies, your petitioners believe that during the past four years they would have been able to have supplied at least twelve hundred colonists under the terms of the last-named contract, upon which, at the specified sum of $25 per colonist (the premium to which your petitioners would have been entitled), would have amounted to $30,000."

It is impossible to indicate what might or might not have been made under this contract. The contract is evidently a liberal one to claimants, and one which large sums of money might have been realized from if carried out. I am of the opinion claimants have not in fact demanded or asked as much as they were really entitled to recover.

As to the items of expenses incurred in procuring and in the execution of said contracts specified in Schedule A, it being shown that they were created at the instance and request of the Executive of Venezuela, I am of opinion that the same should be allowed in amount $9,650.

As to the items on Schedule B, they appear to me to be enormous. I am of the opinion that $1,500 would be a sufficient compensation for the services and expenses mentioned in said schedule.

I have not deemed it proper to allude to the question of jurisdiction arising in the case between the commissioners (and upon appeal), finally decided by the umpire as within the jurisdiction of this commission; therefore, after a careful consideration of the whole case, and as before indicated, I determine and adjudge claimants entitled to receive the sum of three hundred and fifty-one thousand one hundred and fifty "hard dollars" in adjustment of said claim.

Respectfully submitted.

DAVID M. TALMAGE,
United States Commissioner.

—

CARACAS, *June* 15, 1868.

The commissioners having failed to agree upon award in the above case and referring the same to the umpire, in addition to the above, I hereto annex for the information of said umpire the report of the secretary of fomento made September, 1863, to the minister of foreign relations of Venezuela, relating to the contracts in question, showing date and manner of their annulment and the consequences contemplated and expected to result from such unwarrantable abrogation, in the way of indemnity to the parties aggrieved who would be justly *be* entitled to such indemnity, the contracts having been annulled without their knowledge or consent, and from no fault or omission on their part.

DAVID M. TALMAGE,
United States Commissioner.

Following adjudication made as above by United States commissioner.

Damages for abrogation of steamer contract	$310,000
Damages for abrogation of emigration (C)	30,000
For expenses as per Schedule A (Nobles)	9,650
B, Beales	1,500
Total award	351,150

Against that judgment as well as other judgments of the same character the Government of Venezuela has been protesting from that day to this. There is but one explanation of this extraordinary decision, and fortunately that is supplied by the evidence which the Committee on Foreign Affairs has taken in former Congresses. That evidence is to be found in a letter written by the attorney of the claimants to his principals. That letter was transmitted to the House by President Hayes in a message of December 10, 1879, and it is as follows:

Mr. Murray to Colonel Nobles.

SAINT PAUL, MINN., *September* 3, 1868.

DEAR COLONEL: On the 20th ultimo I reached Washington, and the 26th, New York, where I went for the purpose of closing up our Venezuela matter with Dr. Beales. I had hardly reached New York before I received a telegram from Stillwell which required my immediate presence. I at once left New York, on a moment's notice, for Anderson, intending to return to New York. At Anderson I found my family, and then learning you were at Saint Paul, I came to the conclusion it was just as well to report to you, which would obviate the expense of my return to New York. On my reaching Caracas two months elapsed before General Talmage arrived, and two months more before the umpire was appointed.

During this time I examined all the papers and correspondence on file at the United States legation at Caracas and with the Government of Venezuela in regard to the contracts upon which the claim was based.

I found two mistakes had been made in the management and prosecution of the claims. The first was the filing of a claim by Dr. Beales for $200,000, and his correspondence with Culver, which Culver gave to the government as soon as received; the next mistake was in drafting our petition, relying almost wholly on the ocean-steamers contract for damages, whereas we should have based our claim on the emigration contract. I at once went to work to manufacture public opinion, so as to secure an award. Condè was then the Venezuelan commissioner. I tried the usual appliances of talking up the merits of the claim to him, but it was no go. I then offered him, first, $25,000, then $50,000 for a two-hundred-thousand-dollar award, but failed. I then felt satisfied that unless Condè could be got rid of I might as well return home. Stillwell and myself at once went to work at Falcon to secure Condè's removal; but as Falcon had abrogated the contracts, and the filing of the claim had then become notorious in Caracas, Falcon not only refused to remove him, but as a matter of fact approved of his course. The flight of Falcon a few weeks after, and the assumption by Bruzual of the presidential chair, led to another offer on our part to secure the removal of Condè.

After several interviews it was agreed that Condè should be removed provided Bruzual was recognized as president, and the influence of the legation should be used to secure one thousand stand of rifles and four pieces of artillery, which contract was carried out by all parties. The appointment of Mr. Villafané as commissioner led us to hope our trouble was at an end, as I had made him a proposition before his appointment, but I was disappointed, as the success of the revolution suspended everything, and Villafané refused to act any longer as commissioner unless reappointed by Monagas. Monagas, on the other hand, would do nothing unless the legation would recognize his government, which they were compelled to do or let the commission go up. The reappointment of Villafané closed the negotiations with the government. My labor was then with the commissioners.

Upon the arrival of Talmage at Caracas, to get him enlisted I agreed to give him one-eighth of the award; subsequently I agreed to give another party one-eighth to secure the removal of Bruzual. Upon the appointment of Villafané I promised him $25,000 if he would give us an award of $200,000, and finally I agreed to give the umpire $25,000 for a $250,000 award, these sums amounting to $112,000. I paid the several parties, as I agreed, before I left Caracas, leaving $137,500. The original contract, as you will remember, was one-eighth and one-eighth. This was afterward increased to one-half in the event of a $200,000 award. I herewith pay over $100,000, which you can distribute among the parties in interest. The $37,500 I retain as my fee.

Yours,

W. P. MURRAY.

Now, this letter, written by Mr. Murray, the attorney of these claimants, states the fact as to his relation to this commission. I have seen the original of that latter. I am acquainted with Mr. Murray's handwriting, and it is in his handwriting. That letter was brought out in evidence before a committee of this House in the Forty-fifth Congress, and he has never yet asked to come before a committee of this House to deny it. And in addition to that, the brother of one of these claimants testified before the same committee that one of this firm told him that Mr. Murray had truthfully stated in this letter the manner in which this claim was divided.

Here is a claim made against the Government of Venezuela to an amount of $250,000. In order to secure that award the American commissioner received $37,500 in the very certificate he had himself awarded. The Venezuelan commissioner received $25,000 of the award he had made and the umpire received $25,000. Then the attorney was to be paid $37,500, and the remaining $100,000 was paid to the claimants. This is a specimen of the claims adjudicated by this commission. As the gentleman from New York [Mr. Cox] has stated, the commission was fraudulent in its inception, fraudulent in its conduct, and fraudulent all the way through. The umpire was a fraud. The commissioners and umpire were bribed, and shared in their own awards. The claims allowed were fictitious, fraudulent, and without merit. Could anything be more abhorrent to an enlightened judgment than the enforcement of the awards of such a tribunal?

What is the remedy? Enforce the payment of these claims? Should we insist on the payment by Venezuela of such claims as these? I say no. The Government of Venezuela has asked that a new commission be appointed which can adjudicate the claims of American citizens against that government. She agrees to respond promptly to the awards of an honest commission, to the adjudication of honest claims against that government.

I ask whether the binding faith of a treaty is such we can not go behind it and determine whether that treaty was carried out in good faith or not? I maintain it is a part of the law of nations that treaties are binding only to the extent they are carried out in good faith. I call the attention of gentlemen to the law on this subject as laid down by Vattel in the Law of Nations, page 277:

> The faith of treaties should be religiously observed. If, however, the arbitrators, by pronouncing sentence evidently unjust and unreasonable, should forfeit the character with which they were invested, their judgment should deserve no attention.

That is the recognized law of nations on this subject.

Now in this case are not these awards evidently unjust? Is not this adjudication evidently unreasonable? Would it not be unreasonable on the part of our Government to insist on the payment of claims adjudicated in the way these have been? Can a great Government like ours, now numbering over 50,000,000 of people, enforce the payment of fraudulent and dishonest claims against a sister republic too weak to resist, too feeble to do anything save to make solemn protest? I maintain, Mr. Speaker, that we owe it to the honor of this Government to pass this bill. We owe it to ourselves, we owe it to the people of a sister republic, to repudiate this fraudulent commission and authorize our Government to secure the organization of a new tribunal before which all honest claims of our citizens may be heard and determined. Simple justice requires this. To refuse a new commission and enforce the payment of these dishonest claims would be dishonorable in our Government and discreditable to ourselves.

There is another point of view stated by the honorable gentleman from Massachusetts [Mr. RICE] who made this report, namely, that there are certain claimants who refused to divide with these dishonest parties, and whose claims were disregarded. We owe it to those claimants, who were too honest to become parties to a corrupt bargain, that they should be permitted to go before an honest tribunal and have a hearing. They have been disregarded because they were too honest to enter into a corrupt bargain. Will we bar honest claimants from a hearing, in order that dishonest ones may have dishonest awards? I think not. Therefore I appeal to the House to pass this bill by a unanimous vote. Let us place the seal of our condemnation upon that fraudulent commission and testify to the world that the American Congress will not countenance fraud, even though it has taken shelter behind the sacred obligations of a treaty. [Great applause.]

Mr. WILSON. Mr. Speaker, the eloquent gentlemen who have preceded me have discussed the various questions of fact connected with this award. I have not heard that any one of them has discussed the real question brought to the attention of the House by the State Department, and upon that I desire to say a few words. They discussed the facts here. Why? Will any gentleman upon the floor of the House as a constitutional or international lawyer tell you that this House has the power to act upon this question at all? No one will. Whence does it derive its power? It derives it from the Federal Constitution, and I shall address myself to the judgment of the members of this House upon a great question, not of fact, but of the power under the Constitution conferred upon Congress upon this subject.

I undertake to say, Mr. Speaker, that in pursuance of the law and the Constitution of this country the House has no power to pass this resolution; and if I fail to show that, then I shall have failed in the advocacy of the right. I undertake to say, and will repeat, that neither by text nor by precedent, beginning with Washington and coming down to the present time, is there any power in the House to pass this resolution.

A few years ago, in 1878, this question came before Congress for a third consideration. In 1873 an act had been passed affirming these awards, making them final and binding. That act was unconstitutional, and Congress in 1878 passed an act, after full and deliberate consideration, which I desire the Clerk of the House to read, and I invite gentlemen to give careful attention to that reading.

The Clerk read as follows:

> *Be it enacted, &c.*, That the act entitled "An act to enforce the stipulations of the convention of Venezuela of April 25, 1866, and the payment of adjudicated claims," approved February 25, 1873, be, and the same is hereby, repealed: *Provided, however*, That nothing herein, or in the act hereby repealed, shall be construed as an expression of any opinion on the part of Congress in respect to the validity of any awards made under said convention, or as to the propriety of a negotiation by the Executive of a new convention in respect to the same.
>
> Approved, June 20, 1878.

Mr. WILSON. In 1878 Congress repealed the act of 1873 because the latter act was unauthorized.

Mr. RICE, of Massachusetts. Will the gentleman permit me to ask him a question?

Mr. WILSON. Certainly.

Mr. RICE, of Massachusetts. Does not the gentleman think that in this case a different question is presented from that to which he refers, from the fact that Congress merely in response to the request of the President recommends to the treaty-making power certain action; no final action but merely a recommendation?

Mr. WILSON. I am obliged to the gentleman for the question, and I will turn it to his disadvantage.

Mr. RICE, of Massachusetts. Very well.

Mr. WILSON. Congress, Mr. Speaker, in 1878 declined to express an opinion upon the merits or demerits of the matter, for the reason that it rested entirely with the Executive. Of the three co-ordinate branches of the Government that power belonged to one; that is the treaty-making power, to the Executive. In the language of Story on the Constitution—

> The President is the immediate author and finisher of all treaties, and all the advantages which can be derived from talents, information, integrity, and deliberate investigation on the one hand, and from secrecy and dispatch on the other, are thus combined in the system. But no treaty so formed becomes binding upon the country unless it receives the deliberate assent of two-thirds of the Senate.

Now, to answer my friend from Massachusetts, in 1878 Congress said to the President, you have full and adequate powers upon the subject. You are the beginning, the author, and the finisher of treaties.

Not long ago President Arthur sent to the House a letter from which I propose to read only a brief extract. I want to show what he thought of the question, to show also that my distinguished friend who has just addressed the House entirely missed the mark. The President says:

> I earnestly invite the attention of Congress to this communication and the accompanying inclosures.
>
> In case neither House takes action upon it during the present Congress I shall feel it my duty to direct that this prolonged discussion be definitely terminated by recognizing the absolute validity of all of the awards.

The President asked Congress to consider the letter of the Secretary

of State. Now what is that letter? Is it in accordance with the terms of the bill proposed by this committee? Not a word of it. Had it any relation to the bill proposed by this committee, and now before the House? Not a word of it. What does the Secretary of State recommend? The Secretary recommends the passage of an act which shall direct the Court of Claims, upon the documentary evidence now in the Department of State or printed in Congressional documents, and upon such other proof as may be submitted under the rules made or to be made by the court, to hear and determine, with or without counsel, as the court may decide, whether any and if so which of the seven awards objected to by Venezuela was obtained by fraud or corruption.

Now, there is a plain and simple recommendation. The Secretary of State says it appears from the documents in the Department that some of these claims are tainted with fraud. Seventeen of them are unquestioned. Seven are supposed to be tainted by fraud. Now, the Secretary of State asks that you refer that question to the Court of Claims to determine whether or not fraud did exist; and I ask the attention of my distinguished friend from Massachusetts to this matter and am perfectly willing that he shall be permitted to have time to reply and say why the committee did not adopt the recommendation of the Secretary of State.

Mr. RICE, of Massachusetts. Do you desire me to reply now?

Mr. WILSON. I will yield, sir, for a reasonable time.

Mr. RICE, of Massachusetts. The treaty with Venezuela provides for a mixed commission to which these claims shall be submitted. The committee has found that the commission which claimed to sit upon these awards was tainted by fraud. Its proceedings are therefore invalid. There has been, then, no valid commission which has as yet acted under the treaty. Venezuela is entitled to a commission; she never yet agreed to accept as a tribunal to pass upon these claims the Court of Claims, but she has agreed to the commission, and that only.

Mr. WILSON. That is the reason, then, why the gentleman from Massachusetts repudiates the recommendation of the Secretary of State.

Mr. RICE, of Massachusetts. Oh, we considered the question and reported on it according to the judgment of the committee.

Mr. WILSON. They repudiate the recommendation of the Secretary of State. They deny to him what he asked, which is merely the aid of the Court of Claims to determine whether or not there is fraud in seven of these claims.

Mr. RICE, of Massachusetts. What has the Court of Claims to do with a question between citizens of the United States and Venezuela?

Mr. WILSON. I will answer that question. I am obliged to the gentleman for asking it. The Federal Constitution has said that the President shall have power to make treaties. The entire power is with the President, subject only to the ratification by two-thirds of the Senate. As a co-ordinate branch of the Government this House has no power over that subject. The President, who has the power, has made this request to Congress through the Secretary of State.

All the President asks is to let the Court of Claims report to him the fact whether there was fraud in a part of these claims. As my distinguished friend from Ohio [Mr. GEDDES] oftentimes when presiding on the bench has directed a jury to ascertain some question of fact in a chancery cause pending before him, your President, your Executive head, says, "I am satisfied seventeen of these claims are all right. The others I am not certain about." I want to read the recommendation of the Secretary of State, because gentlemen have gone wild on this question and absolutely repudiate and ignore what the Secretary and the President have requested. It is as follows:

Against the awards to which no exception has been taken, seventeen in number, Venezuela can not at this late day rightfully interpose a complaint. They should stand as valid, and the holders of certificates which represent them will be paid from time to time their proportionate sums of amounts paid or that may be paid by Venezuela.

Mr. SPRINGER. Who says that?

Mr. WILSON. The State Department has been examining this matter for more than ten years. The Secretary tells you that out of twenty-four of these claims there are seventeen which Venezuela can not and shall not question. Venezuela has heretofore given her assent that seventeen of them are right.

Mr. RICE, of Massachusetts. Will the gentleman permit me?

Mr. WILSON. I ask the gentleman to wait one moment. But then the Secretary says, or the President through the Secretary says: "I ask Congress to aid me to solve the question of fact; to aid me in this way; let those cases be taken to the Court of Claims, and let that court say whether there is fraud as alleged."

Mr. SPRINGER. Will the gentleman allow me to say that from the statement which I read of Grosman Blanco in the presence of the House it appears, and that has been the position of Venezuela all the time, that there never has been an adjudication of a claim that is binding on the Venezuelan Government?

Mr. WILLSON. Oh, I did not want to talk about the facts in the case, nor quote from Blanco.

Mr. SPRINGER. The gentleman did talk about the facts.

Mr. WILSON. I talked only of the issue here presented; I am talking about the legal question.

Mr. SPRINGER. And I say the gentleman does not present the issue correctly.

Mr. WILSON. I am reading from the letter of Mr. Frelinghuysen, Secretary of State.

Mr. SPRINGER. Mr. Frelinghuysen is mistaken.

Mr. RICE, of Massachusetts. Will the gentleman from West Virginia allow me——

Mr. WILSON. In one minute. After you receive this communication, the committee repudiate the recommendations of both the President and the Secretary of State and bring in a bill here involving the integrity of the whole twenty-four claims. More than that, the Executive only asks, as a court might direct, that where fraud is suspected an inquiry of fact may be directed so as to surcharge the claim. The committee go a bow-shot further, and say "create a new commission and commence the trial of the causes *de novo*."

I undertake to say that no lawyer who enjoys a respectable standing at the bar would say that the resolution proposed is a compliance with the recommendation of the Executive. No tyro at the bar would risk his reputation by asserting that an order to surcharge a judgment or decree would be complied with by setting aside the order or decree.

Mr. SPRINGER. Do I understand the gentleman as saying that no decree of a court has ever been opened for fraud?

Mr. WILSON. No, sir; I did not say that.

Mr. SPRINGER. What did you say?

Mr. WILSON. I did not propose to reply to the argument of fact. The gentleman from Illinois has talked about the Venezuela commissioner, and Venezuela being plundered by him. Now, does he know the fact is proven that Venezuela has kept that commissioner whom she thus charged with fraud in an official position for a series of years; that after charging him with fraud she elevated him to a high position?

Mr. SPRINGER. I do not know anything of the kind.

Mr. WILSON. The gentleman stated awhile ago he knew the Murray letter to be in Murray's handwriting. Does the gentleman know it was proven by a bank officer who knows Murray's handwriting well that the letter was not in Murray's handwriting?

Mr. SPRINGER. I am ready to be sworn and to testify that I know that letter to be in Murray's handwriting. If the gentleman from West Virginia will look at the papers he will see it himself; and I am surprised that he will come here to defend a man for writing such a letter when that man has never attempted to defend it himself.

Mr. WILSON. I am not defending him. I am speaking here of the duty this Congress owes to the Secretary of State and to the executive head of the Government.

Mr. RICE, of Massachusetts. My friend was kind enough to say I might have a moment.

Mr. WILSON. Certainly.

Mr. RICE, of Massachusetts. I understood him to say that Venezuela had never protested against seventeen of these awards.

Mr. WILSON. I did not say that.

Mr. RICE, of Massachusetts. What did you say?

Mr. WILSON. I will tell you what I said. I refer gentlemen to the letter of Secretary Frelinghuysen, and to a sentence in that letter to be found on page 33 of this report. He says:

Against the awards to which no exception has been taken, seventeen in number, Venezuela can not at this late day rightfully interpose a complaint.

I will say this, that in the earlier stages of the inquiry, for the first two or three years, Venezuela never raised her voice against any more than seven of these claims; it was an afterthought.

Mr. RICE, of Massachusetts. Now will my earnest and enthusiastic friend allow me to read from a memorandum of a conversation between Señor Castro and Mr. Seward, February 8, 1869, within less than one year after this commission had dissolved.

Mr. WILSON. I am familiar with that paper. I am speaking of the letter of the Secretary of State. I am talking about the issue now before this House.

Mr. RICE, of Massachusetts. This memorandum was transmitted to Congress.

Mr. WILSON. I can not consent to have all this taken out of my time.

Mr. RICE, of Massachusetts. If the gentleman will not allow me to do so, the House will infer what I would read.

Mr. WILSON. Go on.

Mr. RICE, of Massachusetts. This is it: "Mr. Castro proceeded immediately to say that he regretted that it was his duty to present the views of his government concerning the conduct of the late claims convention, which had committed irregularities so gross that they annulled their awards." There is no exception there.

And I wish further to ask my friend what it is that the President recommends this House to consider; if it is not whether these awards were fraudulent and whether the proceedings of this commission were tainted with fraud?

Mr. WILSON. I can not submit to a long argument. You gentlemen have had all day for yourselves. I want to talk a little while about the issue pending here before Congress.

Secretary Fish, in July, 1875, in a dispatch to our minister at Venezuela, reviewed fully and ably the history of this entire transaction, sustaining the position of our Government, and showing the groundlessness of the complaints of Venezuela, and the utter absence of any testimony to maintain their charge. Here is what Secretary Fish said.

Mr. RICE, of Massachusetts. That was before this testimony came out.

Mr. COX, of New York. Long before that.

Mr. WILSON. But I do not want to break in on my line of argument with all this. I have been upon the Committee on Foreign Affairs for the last three Congresses, and I am to-day the oldest member of the Committee on Foreign Affairs in continuous service.

I am the author of the act of 1878. I prepared that act with my own hands, because I thought the act of 1873 should be repealed. I thought Congress had no power over the subject. I prepared the act that was adopted by this House with singular unanimity, and adopted also by the Senate and approved by the President. In that act the House and the Senate declined to express any opinion on the merits of the subject, the question belonging entirely to the executive department.

One word more. Secretary Frelinghuysen named these seven claims, points them out, as being subject to the imputation of fraud. The other seventeen claims he says, by and with the advice and sanction of the President, ought not to be, and as far as the executive head of this Government is concerned, shall not be disturbed.

Now, I want to talk to the House a moment upon the power of Congress over this subject. Under the articles of the old confederation this House had a voice in the ratification or rejection of treaties with foreign powers. But by the convention which framed our present Constitution that power was taken away from this House. Under the present Constitution the House of Representatives has no control, any more than any other tribunal in the land, over the ratification or the rejection of a treaty.

Mr. PAGE. Not all treaties.

Mr. WILSON. Of all treaties. The President is the treaty-making power, subject only to ratification by the Senate; two-thirds of the Senators present voting so to do make the treaty the supreme law of the land.

I can go back very far in our history, and if this House desires to have read I will read you an analogous case. It commenced in 1796, just after the Jay treaty had been adopted between this country and Great Britain.

Our minister to Great Britain, John Jay, who had negotiated that treaty, came to Philadelphia and was burned in effigy; he was mobbed. The question came before Congress, and this House propounded a resolution which I hold here in my hand.

I ask the Clerk to read that resolution in his clear, stentorian voice [laughter] for the benefit of my friend on the right and my friend on the left. I want to say to the members of the House that this simple question came nearer overthrowing this Government than any other one question of peace or war from that day to this.

The Clerk read as follows:

Resolved, That the President of the United States be requested to lay before this House a copy of the instructions to the minister of the United States, who negotiated the treaty with the King of Great Britain communicated by his message of the 1st of March, together with the correspondence and other documents relative to the said treaty.

Mr. WILSON. The Jay treaty had just been adopted; there was great dissatisfaction with it in the country. As I before observed, Mr. Jay was burned in effigy in Philadelphia. General Washington was denounced. The entire force who gave sanction to that treaty were vilified and abused from one end of the country to the other.

No action of this House ever created greater commotion or came nearer overthrowing the Government than did the simple inquiry proposed in that resolution, asking President Washington to state to the House of Representatives what instructions he had given to our minister in Great Britain while negotiating that treaty. The question was discussed in the House for weeks. We have only brief notes of the discussion at that day, but they fill seven hundred printed pages.

I have not time to read extracts from the speeches of various distinguished men, embracing those who had taken part in framing the Constitution—men whose swords had leaped from their scabbards and whose blood flowed like water in defense of our liberties. The fathers of the Republic declared at that time that this question came nearer to overthrowing the Government than any other propounded up to that time. I will read a few extracts from the speech of Mr. Buck, a patriot of that day, one of the fathers of the Republic:

I am opposed to the resolution now under consideration, not from an apprehension that the papers referred to will not bear the public scrutiny, or from a belief that there would be the least reluctance on the part of the Executive to deliver them on account of any such apprehensions of his; but I am opposed to the resolution in point of principle.

* * * * * * *

If we are to take upon ourselves the right of judging whether it was expedient to make the treaty or not, whether it is as good a one as might have been obtained or not, and if we are to assume the power of judging upon the merits as well as the constitutionality of it, then those papers may be necessary; and if we possess the power of thus judging, then we equally possess the right to call for those papers. But from whence do we derive this right and power? Have the people, when coolly deliberating upon and forming the Constitution, which is the expression of their dispassionate will, in that Constitution given us this right? No; not a syllable in the Constitution that even intimates the idea. Do we possess the right merely because we are the Representatives of the people? No; that can not be, for we are the Representatives only for particular purposes, and the Constitution has prescribed to us our bounds and assigned to us the limits of our powers as well as to the Executive.

* * * * * * *

As I consider the passing of this resolution a direct step toward the abolition of those sacred rights for which we have fought and bled, should I give my consent to it the blood which I have shed and my own mutilated frame would reproach me.

[Cries of "Vote!" "Vote!"]

Gentlemen, I do not object to your calling for a vote. I have desired only to explain my own position. So long as I have been connected with the Committee on Foreign Affairs, and with the Congress of the United States, I have never raised my voice and I will never raise my voice to aid any department of the Government to encroach on the rights of another co-ordinate department. Here is a flagrant encroachment proposed a proposition to do that which we have no more power to do than you have to go into the Senate of the United States and cast your vote without having a membership in that body. If you desire to pass the bill which the Secretary of State asked you to pass, or which the Senate of the United States has passed, I shall waive my objection.

I might go on citing precedent after precedent to show that the popular branch of Congress has no authority upon such a question as this. When President Andrew Jackson had the public deposits removed from the Bank of the United States, Congress for some reason or other sent to him an inquiry asking what instructions he had given his officials on that subject. President Jackson in reply said, as clearly as language could say, "It is none of the business of the House of Representatives, and I do not propose to answer the question." And he did not answer it. The popular branch of Congress, assuming prerogatives that did not belong to them, undertook to encroach upon the rights and powers of the Executive, and President Jackson repelled the encroachment.

One word to my friend from Illinois [Mr. SPRINGER], a man whom I love. God bless him! "With all his faults I love him still!" [Laughter.] But since he has "pitched into" me so savagely, since he has "gone for" me so ferociously, I will remind him of another little incident.

It was when the Democratic party came into power in 1875. I had the honor then to be a member of this House. We had defeated the Republican party and captured this branch of Congress by over sixty majority. We looked to our friend from Illinois [Mr. SPRINGER] as a man who was to bore the Radical party for oil. [Laughter.] He went at them with a will. He offered a good many resolutions which staggered and dumbfounded them. After a while he conceived the brilliant idea of offering a resolution in reference to the places at which the President discharged the duties of his office. "Here we have a man by the name of Grant as President of the United States, a kind of horse-jockey President, frequently running to Long Branch, attending horse-races, and I will call on him," said Mr. SPRINGER, "to tell this House where he performs the duties of his office." [Laughter.] Thereupon my friend from Illinois offered a resolution to have President Grant arraigned before the bar of public opinion and compel him to disclose the facts called for. "Where, you son-of-a-gun, have you been doing the duties of your office?" [Great laughter. Mr. SPRINGER rose.] Well, I take back the expression "son-of-a-gun." [Laughter.]

Mr. SPRINGER. I did not introduce the resolution to which the gentleman refers. It was introduced by another gentleman.

Mr. WILSON. His name is WILLIAM M. SPRINGER. [Great laughter.]

Mr. SPRINGER. I did not introduce the resolution to which the gentleman refers.

Mr. ANDERSON. Did you vote for it? [Cries of "Vote!"]

Mr. WILSON. Who did introduce it, then?

Mr. SPRINGER. It was introduced by Mr. BLACKBURN, of Kentucky.

Mr. WILSON. I thought it was the handsome and versatile gentleman from Illinois who did it. But never mind that. That resolution was passed. We were chuckling to ourselves how we were going to cook Grant's goose. [Laughter.] Well, President Grant received the resolution, and in his reply he said to the Speaker of the House of Representatives, "I have to state in reply to your resolution that my predecessor, George Washington, performed his executive duties at certain places, and my other predecessors, Adams and Jefferson, performed their executive duties at certain other places; my predecessors Jackson and Martin Van Buren performed their duties at certain other places. So far as I am concerned, I beg leave to say to you that it is none of your business and I will not answer your resolution." [Laughter.]

Well, as I have said, the Democratic party came into power here in this House with a majority of over sixty, and yet by just such acts we were not able to retain our hold of power in this House.

Such, Mr. Speaker, was the result in that case when this branch of Congress attempted to usurp the powers of the Executive or call for information we had no right to call for. But there can be no more manifest case of encroachment by this House upon the power of the Executive than we have presented to us in the resolution now pending. But there is another matter to which I wish to refer.

This subject came up on a bill somewhat similar to this one. That bill was not offered by Mr. BLACKBURN, of Kentucky, but by my friend from Illinois [Mr. SPRINGER]. That bill went to the Committee on Foreign Affairs. It provided for having these matters referred to the Court of Claims. The Committee on Foreign Affairs, that is those who

reported on it—I did not—ignored the bill, ignored the gentleman who offered it, ignored the recommendations of the President, ignored the recommendations of the State Department, and they brought in here a resolution, not to accomplish the purpose of the State Department, but a proposition to accomplish a wholly different object. Now, sir, President Arthur to-day can provide for another treaty without the aid of this House.

To pass this resolution is to pass beyond the boundary line between two co-ordinate branches of the Government. We have no more power to do it than the President has to come in here and vote as a member of this House. The President, under the power given to him by the Constitution, in polite terms has asked this House to remit to the Court of Claims—not to let the Court of Claims decide the constitutionality of any question involved, not to decide in reference to any question of international law, but to decide whether from the evidence fraud was committed in the procurement of some of these awards.

This resolution provides for a new mixed commission under a treaty between the United States and Venezuela. Let me read just a few extracts, if you please, from President Washington's message to show how unauthorized this action would be:

> Having been a member of the general convention, and knowing the principles on which the Constitution was formed, I have ever entertained but one opinion on this subject, and from the first establishment of the Government to this moment my conduct has exemplified that opinion, that the power of making treaties is exclusively vested in the President, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur; and that every treaty so made and promulgated thenceforward becomes the law of the land.
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> * * * * * * *
>
> In those journals [those of the general convention] it will appear that a proposition was made "that no treaty should be binding on the United States which was not ratified by law," and that the proposition was explicitly rejected.
>
> * * * * * * *
>
> And as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between different departments should be preserved, a just regard to the Constitution and to the duty of my office under all the circumstances forbid a compliance with your request.
>
> G. WASHINGTON.

The Journal shows that a proposition was made in the Constitutional Convention that no treaty should be binding on the United States which was not ratified by law. There was a proposition made in the convention which framed our present Constitution that the popular branch of Congress should have a vote on the subject of treaties, but that proposition was deliberately voted down. The Articles of Confederation did not work well, and that convention was asssembled, representing all the States, for the purpose of adopting a new constitution, and to form a more perfect union.

One question was distinctly settled, and that was that the popular branch of the Congress should have no power over the question of treaties. They decided that that question should be left entirely to the Executive, who is the beginner, the author, and the finisher of treaties, providing always that no treaty should be valid until two-thirds of the Senate had concurred in the same. Now, Mr. Speaker, I am not talking at random upon that question. I state it from the book, and I say that this resolution which is presented here is a departure, a clear, plain, and palpable departure, from that principle of constitutional power which the convention saw proper to establish, and is in my judgment a manifest—I will not say impertinent—interference with the powers of the Executive. If you want to formulate a resolution upon the subject in accord with the recommendation of the Executive, why in God's name do you not do it? Take the judgment of the Secretary of State and carry out his ideas. I will not consent to any measure that trenches upon the prerogatives of any other co-ordinate department of this Government.

Referring again to the question under consideration, the Executive has virtually said to this House, "I do not ask you to determine what questions of international law are involved in this matter, nor what power the Executive has. I only want you to give me the means to solve a doubt upon the question of fraud, not of the executive power, but of fact." He does not ask the appointment of a new commission. He does not ask you to take into consideration the question of fraud. He only asks you to give him the means to remove the doubt which exists in his own mind.

Will you ignore his request? Will you wring from him the power which he has under the Constitution? Will you wrest from him his authority under the law and frame a new commission and try the case *de novo*, without his consent and inferentially against his will? You propose in this bill to wring from the President the power that he has under the Federal Constitution.

ENROLLED BILLS SIGNED.

Mr. SHALLENBERGER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes.

VENEZUELA MIXED COMMISSION.

Mr. BLOUNT. I desire to occupy the time of the House only for four or five minutes. [Cries of "Vote!" "Vote!"]

The SPEAKER. The gentleman from Georgia reserved some of his time.

Mr. BLOUNT. And I shall occupy but little of the time I reserved.

Mr. RICE, of Massachusetts. I desire to give notice that after the gentleman from Georgia has spoken I shall move the previous question.

Mr. PAGE. I suggest that the gentleman from Massachusetts can not move the previous question until the joint resolution is considered in the Committee of the Whole under the five-minute rule.

The SPEAKER. The joint resolution is not in the Committee of the Whole.

Mr. PAGE. It is in the House as in Committee of the Whole, according to the order that it was to be considered in the House as in Committee of the Whole.

The SPEAKER. The previous question may be ordered upon the resolution, as it was on the motion of the gentleman from California [Mr. PAGE] himself the other day on the shipping bill.

Mr. BLOUNT. I desire to call the attention of the House to a statement of the gentleman who has just taken his seat [Mr. WILSON] that the State Department have declared that there was no assault except upon seven of these claims. Those seven claims amounted to $794,000 of the award. The remaining claims amount to about $459,000. The Venezuelan Government and its representatives here are not asking that those shall be reviewed at all. While they claim that the whole matter has been fraudulent they are willing to avoid any issue as to $459,000. The seven claims amount to $794,000.

The gentleman from West Virginia, who has just spoken, attempts to obstruct this resolution by a suggestion that we are in conflict with the President of the United States upon a constitutional question as to where the treaty power resides. Now, Mr. Speaker, this matter has been for a great many years considered by the Executive and by Congress. I hold in my hand a joint resolution in reference to the payment of awards by the Venezuela mixed commission. In that joint resolution I find this provision:

> That the President of the United States is hereby requested to withhold further demands on the Government of Venezuela on account of the awards of the mixed commission organized under the treaty of April 25, 1866, between the United States and Venezuela, until the 4th March, 1877.

That time has expired, and the various reports of committees of the House of Representatives have induced the Executive of the United States to feel it his duty to stand still in the presence of the charges against that commission. The Secretary of State has, in his communication to the President upon this very subject, made this declaration:

> After so many and so decided authoritative expressions of opinion from representatives of one part of the legislative branch of the Government, it seems impossible for the Executive, in its relations with a foreign power, to say that there is nothing in these transactions which ought to be inquired into. On the contrary, the honor of the country requires that everything of which Venezuela may rightfully complain should be investigated.

This is the language of the Secretary of State, and he simply suggests the reference of these claims to the Court of Claims. The President makes no recommendation upon the subject. He calls the attention of Congress to the fact that their final settlement has been postponed from year to year, and to the reports that have been made. He says it is time that one branch or the other should act, and he is awaiting our action; not suggesting any particular line of action, but waiting for some action from us. He is asking it at our hands. He is not at issue with us on any constitutional question; not at all. On the contrary he is inviting suggestions from us.

And I desire to say, sir, that I have never heard this question of constitutionality raised but once before. This whole argument upon the power of the Executive and the power of Congress on the subject of treaties was elaborately presented by the attorney of the claimants under this fraudulent award to the Committee on Foreign Affairs. They have sought to use that power to protect themselves against setting aside this award on account of its fraud and corruption and infamy. And that is the only occasion on which the Committee on Foreign Affairs have ever heard any suggestion as to constitutionality.

The Committee on Foreign Affairs and the Executive are in thorough accord; and I trust, sir, that with unanimity or almost entire unanimity—my friend from West Virginia dissents, but I trust there will be no other dissent on the part of the House of Representatives—this report will be adopted, and that the expression of the House will be so decided that this whole country and that all countries may understand that the sentiment of honor, the sentiment of regard for national integrity permeates the House of Representatives and every American citizen.

Mr. WILSON. I desire to say just one word. [Cries of "Vote!" "Vote!"] I hope gentlemen will listen to me for a moment.

The SPEAKER. The gentleman from Massachusetts [Mr. RICE] is recognized.

Mr. RICE, of Massachusetts. I demand the previous question.

Mr. WILSON. I desire to make one remark in reply to the gentleman from Georgia. I believe I had the floor before the gentleman from Massachusetts was recognized to call the previous question.

I wish to say a word about this fling of the gentleman from Georgia at me. The gentleman says he never heard this argument before but once, and that was in the Committee on Foreign Affairs. If the gentleman had read the book of his ancestor, the book of Mr. Blount, of

Georgia, who was in Congress in the time of the Revolutionary War, he would have found a statement of the same doctrine; and I think the Mr. BLOUNT of to-day would not, if he had read that book, be holding the position on this question he now does. The gentleman tells the House I have misrepresented what the Secretary of State recommends here. Let me read an extract referring to this very matter, and I ask gentlemen to listen:

The Secretary of State recommends the passage of an act which will direct the Court of Claims, upon the documentary evidence now in the Department of State, or printed in Congressional documents, and upon such further proofas may be submitted under the rules made or to be made by the court, to hear and determine, with or without counsel, as the court may decide, whether any, and, if so, which of the seven awards objected to by Venezuela were obtained by fraud or corruption, &c.

Mr. RICE, of Massachusetts. And the Senate committee has reported that the Court of Claims has no jurisdiction in the matter.

Mr. WILSON. The Secretary of State asks a specific thing; asks that this Congress shall pass an act referring this question to the Court of Claims, and that they shall report whether or not any of the seven claims complained of by Venezuela are fraudulent.

Mr. MILLS. Did not the gentleman from Massachusetts [Mr. RICE] ask the previous question on this joint resolution?

The SPEAKER. He did, but withdrew it and yielded to the gentleman from West Virginia [Mr. WILSON].

Mr. WILSON. Here is an amendment which I want to offer. Add to the joint resolution these words:

Provided, That the seven awards heretofore contested by Venezuela shall be regarded as *prima facie* just unless it shall appear from evidence offered, and to be offered, that they are clearly and manifestly fraudulent.

In other words, that you may surcharge them, but not tear them down entirely.

Mr. RICE, of Massachusetts. I object to that amendment.

The SPEAKER. The gentleman did not obtain the floor for the purpose of offering an amendment.

Mr. WILSON. Does the gentleman object to the amendment?

Mr. RICE, of Massachusetts. I do object to it.

Mr. WILSON. I gave notice that I would offer it.

Mr. RICE, of Massachusetts. I now call the previous question.

Mr. COX, of New York. I ask the gentleman to give me one moment.

Many MEMBERS. Vote! vote!

The SPEAKER. The question is upon ordering the previous question on the engrossment and third reading of the joint resolution.

The previous question was ordered; and under the operation thereof the joint resolution was ordered to be engrossed for a third reading, and it was accordingly read the third time.

The question was upon the passage of the joint resolution.

Mr. RICE, of Massachusetts. I call the previous question.

The previous question was ordered; and under the operation thereof the joint resolution was passed.

Mr. RICE, of Massachusetts, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to,

ORDER OF BUSINESS.

Mr. REED. I move that the House now adjourn.

The SPEAKER. Pending the motion to adjourn the Chair will submit the request of a member.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted for the withdrawal of papers from the files of the House to Mr. MACKEY, the papers and petition in the case of James F. Hogan, now before the Committee on Claims.

BRIDGE ACROSS THE MISSISSIPPI.

Mr. HITT, by unanimous consent, introduced a bill (H. R. 7317) to amend an act entitled "An act to authorize the construction of a ponton wagon-bridge across the Mississippi River at or near the city of Dubuque, in the State of Iowa;" which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

AMERICAN SEAMEN.

Mr. McLEAN, of Missouri, by unanimous consent, introduced a bill (H. R. 7318) to encourage American seamen, and to provide for aged, helpless, and disabled seamen, and for other purposes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. MILLS. I call for the regular order.

The SPEAKER. The regular order is the motion of the gentleman from Maine [Mr. REED], that the House now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 30 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BELMONT: The petition of the Albert Finch Company, Herman Boker & Co., and others, importers and dealers in percussion caps, praying that percussion caps be taken from the list of goods classed as explosives—to the Committee on Ways and Means.

Mr. BELTZHOOVER: The petition of A. Watson, asking for the transfer of the weather bureau of the Signal Service to the Interior Department—to the Committee on Military Affairs.

By Mr. CALKINS: The petition of the mayor and common council of Michigan City, Indiana, on the subject of the communication of the Secretary of War on the river and harbor appropriations—to the Committee on Commerce.

By Mr. GUNTER: The petition of George W. Grayson, for balance of salary due under Creek Indian treaty, August 11, 1866—to the Committee on Appropriations.

By Mr. HATCH: Memorial of the Saint Louis Cotton Exchange, protesting against the transfer of the Signal Service Bureau to the Interior Department—to the Committee on Military Affairs.

By Mr. HOLMAN: Papers relating to the claim of Lewis Hartwell—to the Committee on War Claims.

By Mr. LORD: The petition of the Detroit (Michigan) Board of Trade, for completion of improvements at Lime Kiln Crossing, Detroit River—to the Committee on Commerce.

Also, the petition of 150 citizens of Detroit, Michigan, for continuance of immigrant inspection for sanitary purposes—to the Committee on the Public Health.

By Mr. MOREY: Papers relating to the claim of A. C. Morgan—to the Committee on Military Affairs.

By Mr. O'NEILL: Memorial of tin-plate manufacturers, protesting against a reduction of the duty on the same—to the Committee on Ways and Means.

By Mr. PEIRCE: The petition of Ira H. Gillum and 19 others, ex-Union soldiers of Parke County, Indiana, protesting against the reduction of internal-revenue taxes, and asking for an equalization of bounties—to the same committee.

By Mr. RAY: Papers relating to the claim of Thomas Lynch—to the Committee on Claims.

By Mr. REED: The petition of John W. Munger & Co., for a lightship at Cape Hatteras—to the Committee on Commerce.

By Mr. A. H. SMITH: The petition of C. C. Worth and 81 others, of Jacob Morrow and 53 others, of J. K. Umble and 27 others, and of Jacob Evans and 33 others, citizens of Lancaster County, Pennsylvania, for increase of duty on Sumatra tobacco—severally to the Committee on Ways and Means.

By Mr. WASHBURN: The petition of workingmen, consumers of tin-plates and sheet-iron, protesting against increasing duties on tin and sheet-iron—to the same committee.

By Mr. WHITE: The petition of A. T. Hurst, for relief—to the same committee.

The following petitions for reduction of duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. ALDRICH: Of J. C. Wheaton and 31 others, of Wheaton, Illinois.

By Mr. BELMONT: Of William McNish and 37 others, of Cutchogue, Long Island, New York.

By Mr. BELTZHOOVER: Of J. K. Birdler and 44 others, of Plainfield, Pennsylvania.

By Mr. BROWNE: Of 14 citizens of Pennville, Indiana.

By Mr. J. C. BURROWS: Of Oliver Aldrich and 46 others, of Kendall, Michigan.

By Mr. CARPENTER: Of S. K. Winne and 78 others, of Humboldt, Humboldt County, and of L. T. Jones and 125 others, of Sac City, Sac County, Iowa.

By Mr. CULLEN: Of Charles M. Henssgen and 27 others, of Joliet, Illinois.

By Mr. DEERING: Of 63 citizens of Floyd County, Iowa.

By Mr. DE MOTTE: Of J. M. Ballou and 88 others, of Monticello, Indiana.

By Mr. GUENTHER: Of George W. Wray and 21 others, of Kewaunee, Wisconsin.

By Mr. HATCH: Of C. Hardman and 69 others, of La Grange, Missouri.

By Mr. HOLMAN: Of King Newbro and 44 others, of Clarksburgh, and of R. A. Jamieson and 34 others, of Patriot, Indiana.

By Mr. HUMPHREY: Of G. H. Anderson and 37 others, of Paola, Kansas, and of Robert Sandon and 41 others, of Ontario, Wisconsin.

By Mr. POUND: Of James Bardon & Co. and others, citizens of Superior, and of Elias Boynton and 44 others, of New Lisbon, Wisconsin.

By Mr. RYAN: Of H. W. Andrews & Co. and others, of Wellington; of D. W. Friend and 77 others, of Augusta; of H. C. Stone and 14 others, of Topeka; of L. Martin and 70 others, of Cottonwood; of Thomas Bruce and 75 others, of Howard; of A. Strutle and 53 others, of Madison; and of T. W. Tucker and 74 others, of Florence, Kansas.

By Mr. TALBOTT: Of A. H. Shultz and 29 others, of Peter Hines and 32 others, of John H. Chew and 30 others, and of William F. Cowman and 25 others, citizens of Baltimore, Maryland.

By Mr. URNER: Of Adam E. Hutchins and others, of James H. Robinson and 25 others, of Elkhart Mines, of D. H. Wyand and 65

others, and of F. M. Gramlick and 13 others, of Cumberland; of James Baumgardner and 79 others, of Frederick; of J. Van Glosen and 82 others, of Hancock; of Benjamin White and 37 others, of Poolsville; of M. St. Rohrback and 73 others, of Frederick; and of D. P. Fahrney and 79 others, of Hagerstown, Maryland.

SENATE.

THURSDAY, *January* 18, 1883.

The Senate met at 11 a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

LITHOGRAPHING AND ENGRAVING CONTRACTS.

The PRESIDENT *pro tempore*. If there be no petitions or memorials, reports of committees are next in order.

Mr. ANTHONY. The Committee on Printing, to which was referred the bill (S. 2370) to amend section 3780 of the Revised Statutes, directs me to report it without amendment, and to ask for its present consideration.

Mr. EDMUNDS. Let it be read for information.

After reading, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It amends section 3780 of the Revised Statutes so as to read:

When the probable cost of the maps or plates accompanying one work or document exceeds $1,200, the lithographing or engraving thereof shall be awarded to the lowest and best bidder, after advertisement, by the Congressional Printer, under the direction of the Joint Committee on Public Printing. But the committee may authorize him to make immediate contracts for lithographing or engraving whenever, in their opinion, the exigencies of the public service do not justify advertisements for proposals.

Mr. EDMUNDS. Will the Senator explain to us what the present law is?

Mr. ANTHONY. The present law limits to $250 the amount of a contract to be let without advertisement. The law requires the advertisement to be put in twelve different papers, and the cost of advertising is much more than the difference between the highest and the lowest bids.

Mr. EDMUNDS. The only change then is that it carries it up to $1,200.

Mr. ANTHONY. This carries it up to $1,200, under the direction of the Joint Committee on Printing.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRINTING OF HOUSE TARIFF BILL.

Mr. ANTHONY. Yesterday I reported from the Committee on Printing a concurrent resolution from the House of Representatives authorizing the printing of extra copies of the tariff bill reported in the House, and the resolution was laid over under objection. It would be a convenience to the other House and a courtesy on our part to pass it at once.

The PRESIDENT *pro tempore*. The resolution will be read for information.

The resolution was read and concurred in, as follows:

Resolved by the House of Representatives (the Senate concurring), That 6,000 copies of the bill (H. R. 7313) to impose duties upon foreign imports, and accompanying reports, be printed, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House.

REPORTS OF COMMITTEES.

Mr. LAPHAM, from the Committee on Patents, to whom was referred the bill (S. 2070) for the relief of the Union Metallic Cartridge Company, reported it with an amendment, and submitted a report thereon, which was ordered to be printed.

Mr. COKE. I am directed by the Committee on Commerce, to whom was referred the joint resolution (S. R. 126) providing for the purchase of steam-launches for use in the harbors of Galveston, Texas, and Mobile, Alabama, to report it favorably and without amendment. I am further directed by the committee to ask for action upon the joint resolution at this time.

Mr. EDMUNDS. I should like to see it in print.

Mr. COKE. Then I give notice that I shall ask to take it up and consider it to-morrow morning after the routine morning business.

Mr. EDMUNDS. That is all right.

The PRESIDENT *pro tempore*. The joint resolution will be placed on the Calendar.

Mr. VANCE. I am authorized by the Committee on the District of Columbia, to whom was referred the bill (H. R. 7226) to punish larceny from the person in the District of Columbia, to report it without amendment with a recommendation that it be passed. I file a letter from Judge Snell, of this city, with the bill in the nature of a report.

The PRESIDENT *pro tempore*. The report will be printed.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (S. 2305) authorizing the commissioner of the Freedman's Savings and Trust Company to examine and audit certain claims against said company and to pay certain dividends barred by the act of February 21, 1881, and for other purposes, reported it without amendment.

COAST SURVEY REPORT.

Mr. ANTHONY, from the Committee on Printing, to whom was referred a letter from the Secretary of the Treasury transmitting, in compliance with section 4690 of the Revised Statutes of the United States, a report of the Superintendent of the Coast and Geodetic Survey for the year ending June 30, 1882, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the report of the Superintendent of the Coast and Geodetic Survey for 1881-'82 be printed, and that 3,000 additional copies be printed for the use of the Superintendent of the Coast Survey, the engraving to be given out by contract under existing laws, and executed and printed to the satisfaction of the Public Printer and the Superintendent of the Coast and Geodetic Survey.

BILLS INTRODUCED.

Mr. CHILCOTT asked and, by unanimous consent, obtained leave to introduce a bill (S. 2383) for the relief of Anthony Joseph and Pedro J. Jaramillo; which was read twice by its title, and referred to the Committee on Claims.

Mr. BUTLER asked and, by unanimous consent, obtained leave to introduce a bill (S. 2384) to authorize the retirement of Colonel Henry J. Hunt, Fifth United States Artillery, with the rank and pay of brigadier-general; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MORGAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2385) for the relief of Henry H. Sibley; which was read twice by its title, and referred to the Committee on Claims.

Mr. RANSOM asked and, by unanimous consent, obtained leave to introduce a bill (S. 2386) to authorize the purchase of a wharf for the use of the Government in Wilmington, North Carolina; which was read twice by its title, and referred to the Committee on Commerce.

WITHDRAWAL OF PAPERS.

On motion of Mr. VOORHEES, it was

Ordered, That permission be given to withdraw from the files of the Senate certain papers of the late William S. Carr, subject to the rule governing such cases.

PRINTING OF TESTIMONY.

On motion of Mr. MORRILL, it was

Ordered, That certain testimony concerning the bill (H. R. 5538) to reduce internal-revenue taxation, now being taken by the Committee on Finance, be printed for the use of the committee.

FOURTH ARKANSAS INFANTRY.

Mr. GARLAND. I submit the following resolution, and ask for its present consideration:

Resolved, That the Secretary of War be directed to inform the Senate what action has been taken under the provisions of the resolution approved March 18, 1870, providing for the payment of the Fourth Arkansas Mounted Infantry Volunteers, and to furnish copies of all papers, correspondence, and muster-rolls, on file in his Department, relating to said organization.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. GARLAND. The Secretary of War has discovered that possibly the resolution of 1870 can not be enforced on account of some difficulty in the rolls or the papers in his office, and it is necessary to get copies of them that we may know what legislation is necessary to carry the resolution into effect.

Mr. COCKRELL. I suggest to the Senator from Arkansas that he certainly does not want copies of all the muster-rolls of that regiment. It would entail a work that would take months and months to copy all the various muster-rolls of the regiment from the beginning of the organization down to the close.

Mr. GARLAND. I do not know what will be the amount of work, but as there seems to be difficulty in the matter, and we want to see if we can remedy it, we can not very well shorten the inquiry and meet the difficulty suggested. Let the resolution go in that shape, and if the Secretary of War says there will be any difficulty about it we can arrange it in some other manner.

The resolution was agreed to.

DISTRICT POLICE FORCE.

Mr. INGALLS. I reported from the Committee on the District of Columbia a few days since a House bill to increase the police force of the District of Columbia, and for other purposes, for which I suppose there can be no doubt a great necessity exists. If it is to pass, an additional appropriation will be required. The bill making appropriations for the District of Columbia is now before the Committee on Appropriations, and I should like to have the bill acted upon this morning on that account, if possible, so that the Committee on Appropriations may know what action to take in regard to that appropriation bill. If there is no objection I ask that the bill may be taken up for consideration.

Mr. EDMUNDS. The bill had better be read for information and let us hear what it is.

The Acting Secretary read the bill:

By unanimous consent, the Senate, as in Committee of the Whole,

proceeded to consider the bill (H. R. 3575) to increase the police force of the District of Columbia, and for other purposes.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, line 8, after "exceeding," to strike out "three hundred" and insert "two hundred and fifty;" so as to read:

That section 340 of the Revised Statutes of the United States, relating to the District of Columbia, be, and the same hereby is, amended so as to read as follows: "The police force shall consist of the following officers, namely: One major, one captain, ten lieutenants, twenty sergeants, such number of privates, not exceeding two hundred and fifty, for the regular service."

Mr. CAMERON, of Wisconsin. I will inquire of the Senator from Kansas how much this bill will increase the police force, if it becomes a law?

Mr. INGALLS. The maximum number of police which the commissioners are now authorized to appoint is two hundred. The bill as amended authorizes them to increase the number to two hundred and fifty. The chairman of the board informs me that from twenty-five to thirty additional will probably be the number that will be required for the present. It does not change the official staff of the police force.

The purpose of the bill is also to abolish the present detective force, about which so much scandal has recently been disseminated, and to permit the commissioners to designate a detective force from the rank and file of the police. For this purpose they ask an abrogation of so much of the law requiring this force to be appointed from those who have been soldiers in the Army or employed in the Navy as will authorize them to appoint this number of six detectives from those who have not been in the Army or Navy.

Mr. EDMUNDS. How is the existing law about the present detectives?

Mr. INGALLS. The present detective force is an independent organization, and there has been some doubt whether it is under the control of the commissioners. Great difficulty has resulted from this want of a responsible head. The bill proposes to abolish the present detective force and authorize the District commissioners to designate a corps of six as detectives, the same number now allowed, from those who are now or may hereafter be on the police force.

Mr. EDMUNDS. How are those now allowed appointed?

Mr. INGALLS. I think they were designated originally by the chief of the police. That is my impression, though I am not positive. In any event a discussion has recently arisen as to the question whether the board of commissioners have any authority over them or not. Several of them have been suspended by the action of the commissioners in consequence of difficulties that have arisen, with which I suppose everybody is familiar through the public prints.

Mr. EDMUNDS. How many detectives are there now?

Mr. INGALLS. Six.

Mr. EDMUNDS. Do they come under the present law as to being soldiers?

Mr. INGALLS. They do. Let the amendment which has been reported be acted upon.

Mr. EDMUNDS. Let it be read again.

The amendment was again read.

The amendment was agreed to.

The next amendment was, in line 9, after the word "the," to strike out "board" and insert "commissioners;" so as to read:

For the regular service, as the commissioners may deem necessary.

The amendment was agreed to.

The next amendment was, in line 10, after the word "necessary," to strike out:

And eight detectives; and all promotions to the position of captain, lieutenant, and sergeant shall be made from the next succeeding grade or rank on the force.

Mr. EDMUNDS. Why is that stricken out?

Mr. INGALLS. That would destroy, so we are informed by the commissioners, the efficiency of the force, because to be a competent detective requires some particular qualifications that might not exist in those who would be next in the line of promotion. They therefore ask that they may have the opportunity of selecting these detectives from the whole force of the police.

Mr. EDMUNDS. I see the force of that; but the clause about promotions to the positions of captain, lieutenants, and sergeants being from the next grade, like the military law, applies to the whole body of the police, and if you strike it out with the words "eight detectives" (to the striking out of which I see no objection now), it would leave the commissioners the power to be imposed upon by the claims of favorites and all that sort of pushing, so that they could jump everybody in the regular course. I do not quite see that that is right.

Mr. INGALLS. The Senator will observe that this is analagous to a military force, and it is obvious that a man might be a very good private soldier and not be a good major-general. It appeared to the committee that it would be wise to have this official staff selected from the whole force irrespective of the mere fact of seniority or position upon the files of the office.

Mr. EDMUNDS. What is the present law?

Mr. INGALLS. The present law, I think, is that they may be appointed as the bill provides.

Mr. EDMUNDS. Let us find out about that.

Mr. INGALLS. About this matter I am not strenuous one way or another. The provision came from the House, and if the Senator from Vermont objects to it, it is a matter that I am indifferent about. The great thing is to obtain an increase in the police force which will protect the lives and property of the people, and a detective force that shall detect and not protect criminals.

Mr. EDMUNDS. I should like to have the question divided, and take it first on striking out the words, "and eight detectives." That would leave the clause perfectly homogeneous, and then the question can be taken on striking out the promotion part.

The PRESIDENT *pro tempore*. The Senator from Vermont asks for a division of the question. The question will be first taken on striking out the words "and eight detectives."

The first part of the amendment was agreed to.

The PRESIDENT *pro tempore*. The question is on agreeing to the second part of the amendment.

Mr. EDMUNDS. I rather think it would be better with what we know about this world of ours to try the experiment, if it is not now the law—and I have not time to look to see whether it is or not—of having the captain, lieutenants, and sergeants promoted in regular order as in the military service. It saves so much of favoritism and pushing and all sorts of operations to get high places, that I should prefer to leave it in for one.

Mr. INGALLS. I am entirely willing to leave it to the discretion of the Senate.

Mr. BUTLER. As the Senator from Kansas knows, the opinion given to us by one of the commissioners was very decidedly in favor of allowing them the privilege of selecting from the force generally for promotion. That idea prevails in a very large degree in the military service, and some contend that it ought to be by selection even in the military. I do not agree with that view, but I think in a police force where efficiency can be determined more by experience it would be a little dangerous to make promotion by seniority.

Mr. EDMUNDS. It is not by seniority; it is by grade, so that he may take anywhere out of the list of the force.

Mr. BUTLER. The promotion is practically, I understand, by seniority under the provision proposed to be stricken out.

Mr. EDMUNDS. It "shall be made from the next succeeding grade or rank." There is to be one major, one captain, and then there are to be ten lieutenants. If there be a vacancy in the office of captain, under this clause I think it clear that the appointing power could take any one of the ten lieutenants. They could not go down and take any one of the twenty sergeants or any one of the two hundred and fifty privates. Out of ten lieutenants it appears to me there is considerable range of selection.

Mr. BUTLER. I was not aware that that was the construction put upon it.

Mr. EDMUNDS. I think it is clear that that is it.

Mr. BUTLER. I thought the next in grade went up to the office vacated by resignation, death, or removal of the one who was ahead of him.

Mr. EDMUNDS. The grades are grades of lieutenants, sergeants, and privates. Then the rank is like an army rank; the first lieutenant in the list would rank the other lieutenants; but as this gives leave to appoint by grade as well as rank, I think it clear that they would have that right of selection.

Mr. BUTLER. If that is the case, it enlarges the power of the commissioners.

The PRESIDENT *pro tempore*. The question is on agreeing to the second branch of the amendment, to strike out the remainder of the clause.

The second part of the amendment was rejected.

The next amendment of the Committee on the District of Columbia was to insert as an additional section:

SEC. 2. That the detective force established by the aforesaid section of the Revised Statutes of the United States, relating to the District of Columbia, be and the same is hereby abolished.

Mr. EDMUNDS. Now I should like to see, if we can, how the present detective force is established.

Mr. INGALLS. The House asked for an increase in the force of detectives from six to eight. The commissioners, and the Senate committee following them, thought the increase was not necessary if the six can be effective and honest.

Mr. CONGER. I should like to inquire of the chairman whether that abolishes the law requiring the detectives to be taken from those who have served in the Army or Navy?

Mr. INGALLS. It is the purpose of the committee, by a subsequent section that they have recommended, to permit these six detectives to be selected from citizens of the United States who have not served in the Army or Navy.

Mr. EDMUNDS. That is in the fourth section. We shall come to that presently.

Mr. INGALLS. The remainder of the force, except the six detectives,

is subject to the same limitations that now exist with regard to service in the Army or Navy.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was to insert as an additional section:

SEC. 3. That the commissioners of the District of Columbia are hereby authorized to detail, from time to time, from the privates of the police, such number of privates, not exceeding six, as may in their judgment be necessary, for special service in the detection and prevention of crime; and such privates so specially detailed shall be entitled to receive and shall be paid the compensation now allowed by law to the detective force abolished by this act, during such time as they shall continue so detailed by the order of the commissioners.

The amendment was agreed to.

The next amendment was to insert as an additional section:

SEC. 4. That the commissioners may, and they are hereby authorized to, appoint not more than six privates to be members of the police force, from among citizens of the United States who have not served in the Army and Navy of the United States, but who shall possess all the other qualifications prescribed by section 354 of the Revised Statutes of the United States relating to the District of Columbia.

Mr. EDMUNDS. We having agreed to repeal the present law authorizing the appointment of any detectives, and as this fourth section is intended to take its place I think its legal construction, as it now stands, would be to compel the selection of these six privates to be detectives from among those who have not served in the Army or Navy. I do not suppose that was the intention, but that it was to authorize the commissioners to select them from the Army or Navy men or from others, as should be convenient.

Mr. INGALLS. That was the design of the committee.

Mr. EDMUNDS. I therefore move, to make it clear, in line 4, after the word "have," to insert "or have;" so as to read "have or have not served."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on the District of Columbia was to strike out the original section 2, in the following words:

SEC. 2. That the commissioners of the District of Columbia are hereby authorized to appoint one additional clerk for service at police headquarters.

Mr. INGALLS. The committee found that no such additional force in their judgment was necessary, and they ask that the section be stricken out.

The amendment was agreed to.

Mr. CONGER. Now I ask whether the law in regard to the selection of policemen from enlisted soldiers or persons who have served in the Navy is changed in any other respect?

Mr. INGALLS. In no other respect whatever. The limitations on all the police force, except the six who are to be detailed as detectives, remain as they now exist under the law.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a joint resolution (H. Res. 277) providing for a new mixed commission in accordance with the treaty of April 25, 1866, with the United States of Venezuela; in which it requested the concurrence of the Senate.

POST-OFFICE APPROPRIATION BILL.

Mr. ALLISON. I call up now the Post-Office appropriation bill.

Mr. VEST. I ask the Senator from Iowa, as there are several unobjected House bills on the Calendar, if he will not consent to let them be taken up and disposed of?

Mr. ALLISON. I think we had better finish this bill, and then to-morrow morning we can take up the unobjected matters on the Calendar. They will not take much time.

Mr. VEST. If that can be understood, I shall not object to the Senator's motion.

Mr. ALLISON. It can be understood, as far as I am concerned.

Mr. PLUMB. I think we can dispose of this bill in a short time.

The PRESIDENT *pro tempore*. The Senator from Iowa moves to postpone the Calendar.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Iowa now moves to take up the Post-Office appropriation bill.

The motion was agreed to.

Mr. PLATT. I can not consent to any arrangement which will take up House bills to-morrow morning.

The PRESIDENT *pro tempore*. There has been no arrangement.

Mr. PLATT. I thought there was an attempt made to have an arrangement of that sort. I can not consent to it.

The PRESIDENT *pro tempore*. It was talked of, but no arrangement was made.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, the pending question being on the amendment of the Committee on Appropriations, after line 79, to insert:

For necessary and special facilities on trunk lines, $185,000.

Mr. BUTLER. I desire to present some facts which I have procured from the superintendent of the railway mail service this morning in reply to statements made by the Senator from Missouri [Mr. COCKRELL] and the Senator from West Virginia [Mr. DAVIS] as to the quantity of mail matter that goes out of New York by the fast mail train to the South. I saw the superintendent of the railway mail service this morning and he gave me the following statement:

May 18, 1882, at 4.35 a. m., there were dispatched on this line from the New York post-office, for points south of Washington, 13,997 letters, 21,840 circulars, and 6,560 pounds of second, third, and fourth class matter. Of the last number of pounds above indicated, 700 pounds were daily papers from New York and Philadelphia, and in addition to this the New England connection was received at New York from the train leaving Boston at 7 p. m., and it also had mails from Philadelphia, Baltimore, and Washington, and intermediate points.

The figures I give above are from New York office alone.

W. B. THOMPSON,
General Superintendent R. M. S.

This was the record of May 18, 1882, which Mr. Thompson informs me is the last statement he has had from the New York post-office. This, it seems to me, puts at rest the statement of the Senator from Missouri and the Senator from West Virginia that this morning fast mail train brought nothing but the metropolitan papers.

Mr. DAVIS, of West Virginia. The Senator is mistaken in saying that either of us said it brought nothing but the metropolitan papers. I said the train was put on principally for the purpose of taking the morning papers from New York.

Mr. BUTLER. It seems the Senator is mistaken in that, because it does not appear to have been put on principally for the metropolitan papers, inasmuch as there were 21,840 circulars and 13,997 letters brought on that day.

Mr. DAVIS, of West Virginia. That is a matter of opinion between the Senator and myself.

Mr. BUTLER. Not at all. I give the facts from the Post-Office Department. It is not a question between the Senator and myself at all.

Mr. DAVIS, of West Virginia. When this bill was under discussion last year I presented some tables which I think were about as correct as they can be got. I wish to say but a very few words more, for I believe the Senate will consider this so unjust, so unfair to all other sections of the country than those getting the special service that they will disagree in Committee of the Whole with the Committee on Appropriations. If they do not when the bill comes into the Senate I shall have more to say than I have now. I do not wish to take up time.

The giving of extra pay for these fast trains is a recent thing. The companies get paid regularly as all other railroads do carrying mail matter, but they get an extra compensation, as they say, for fast time. In the last four years the facts are that $1,800,000 has been appropriated for these few lines which take, as they say, the fast mails to the exclusion of all others. Is it fair, is it just, is it right that a few lines of communication should have commercial advantages over others, when all pay the taxes? New York, of course, is the great center of trade in the country; but is it right that every dollar of this money, as I shall show from the Postmaster-General's report, should be expended for lines starting from New York, when no point anywhere south of Charleston gets any benefit, and not one dollar in any form or manner is expended for the West or South?

Mr. BUTLER. I think the Senator is entirely mistaken about that.

Mr. DAVIS, of West Virginia. If the Senator will wait a moment I will give the figures from the Postmaster-General's report.

Mr. BUTLER. If the Senator does not wish to be interrupted, of course I shall not interrupt him; but I merely wanted to correct what I thought was an erroneous impression.

Mr. DAVIS, of West Virginia. Anything the Senator wishes will be agreeable to me; but he will recollect that several times when I have been about reading from the official report I have been interrupted. I ask the Secretary to read a very short paragraph from what the Postmaster-General says under the head of "fast mails and special facilities." It is very short, and I shall be glad to have the attention of the Senator from South Carolina and of the Senator from Kansas to what the Postmaster-General says in his report just submitted to Congress.

I will state first that both the Postmaster-General and the superintendent of the railway mail service recommend an appropriation of $600,000 in their communications to Congress, and not of $185,000. They say they will be able to distribute more equitably $600,000 over the country, but the $185,000 the Postmaster-General tells you in the clause in his report which is about to be read will only enable him to do just what is being done now.

The Acting Secretary read as follows:

Touching these items it is proper to say that I have as yet been unable to make any arrangements for fast service out of the existing appropriation upon terms which seemed reasonable. Certain service which I found in operation is still maintained at the rate of compensation originally agreed upon. This service includes the fast mail between New York and Charleston, South Carolina, New York and Springfield, Massachusetts, and the 4:35 forenoon dispatch from New York, via the Hudson River and New York Central. A full account of this serv-

ice is given in the report of the general superintendent of the railway mail service, page 231.

Mr. DAVIS, of West Virginia. The Postmaster-General says that the three lines to which the $185,000 is given are from New York, and nowhere west and nowhere south.

Mr. BUTLER. Will the Senator permit me to make a remark there? I admit, of course, what is stated in the report of the Postmaster-General, and it was stated over and over again yesterday; but the point I differ with the Senator on is as to the fast mail leaving New York on what is known as the Atlantic coast line. As a matter of course that supplies fast-mail facilities for the entire Southwest, for instance, and the fast mail that leaves here at 11 in the morning connects with all the collateral railroads running into that line. I know, as my colleague does, that Augusta is supplied by reason of a train taking the fast mail at Florence and carrying it to Augusta. While it is true that one line gets compensation for the special facilities, it puts on an extra train and connects with other routes.

If the only benefit was to the vicinity of the road I could see force in what the Senator says; but it benefits the entire country through which collateral railroad lines go.

Mr. DAVIS, of West Virginia. Of course I admit that the facilities on this route are greater than on others; but is it right that the whole country should pay for facilities on particular routes, routes which do not supply the whole country?

For instance, is it right that the city of Boston or Philadelphia or Chicago, or other commercial cities all over the country, should be taxed for the purpose of giving New York commercial facilities over the rest of the country?

Mr. MAXEY. If the Senator from West Virginia will pardon me a moment, it is a very questionable matter whether the collateral towns are benefited at all. We all know that railroads generally run regular trains, not special extra trains; therefore, if the mails were put in one point by special trains, they would not go out until the regular trains went.

Mr. BUTLER. I happen to know a very different state of things from my own personal experience, and I say to the Senator that those trains coming in do connect with these fast trains and do distribute the mails. I know that personally, and I know from the superintendent of the railway mail service that before he gave this additional money for fast-mail service he had a consultation with all the railroad authorities connected with the Atlantic coast line, and it was agreed that they would so run their trains as to get the benefit of this expedited mail service. Therefore I speak from personal experience when I say that the benefit is general. Not only Charleston but Augusta and Jacksonville are benefited, and in a very short time when a road is made through Georgia, Pensacola, Florida, will get the benefit of it in a few months, and the country the Senator himself represents will get the benefit of this very expedited service. The mail then will get to New Orleans from here in two days.

Mr. BARROW. I ask the Senator from South Carolina when the change was made from the old line, the Atlantic and Richmond air line, to the great Atlantic Coast Line?

Mr. BUTLER. I am not able to inform the Senator.

Mr. BARROW. I was under the impression that this fast mail that went south, at least south of this point, was now sent by a line connecting with the Wilmington and Weldon or Atlantic Coast Line. If I am not mistaken the mail was formerly sent on the Richmond and Danville line through the northern part of Georgia instead of following immediately down the Atlantic seaboard, and whatever collateral advantages could be derived by the people from the fast mail were more directly derived when it was sent by that line than when sent by the Atlantic Coast Line.

Mr. BUTLER. My impression is that the Atlanta and Charlotte air-line road which formerly took the mail gave it up themselves.

Mr. BARROW. I presume, then, that the change was made not by the option of the Department, but on account of some alleged failure of the railroad companies.

Mr. DAVIS, of West Virginia. The Postmaster-General's report refers to the report of the superintendent of the railway mail service, and he on page 234 says that $600,000 is necessary. My position is that the Department ought to have what they ask for so as to give the whole country fast-mail service, or there ought to be none. It is also plain to me that there should be the full appropriation so as to give all the commercial community the same advantage as New York. The Postmaster-General tells you that the $185,000 which has been heretofore expended has been expended on three different trains starting entirely from New York and none of it goes to the South or West. I think it would be right to strike out the appropriation or to appropriate the $600,000 asked for, so that all parts of the country may have equal advantages. If that should not be the decision of the Senate in Committee of the Whole, when the bill comes into the Senate I shall have some other facts to present.

Mr. SAULSBURY. I do not think we ought to have a single dollar appropriated out of the public Treasury for fast mails. There is in my judgment no necessity for it. If there is necessity for swift communication between merchants in New York and Chicago and Charleston, the telegraph is resorted to for matters which demand immediate attention, and these fast mails, so far as the business interests of the country are concerned, are entirely useless, for no man who has very urgent business is going to wait the slow process even of a fast mail when he can use the telegraph to correspond with his correspondent at once.

The benefit derived from these fast mails is derived almost exclusively by the metropolitan papers. Between New York and Albany there is a fast train, as I am informed, for which we are paying an enormous amount, that never makes a single stop between New York and Albany, and there are very few stops between New York and Chicago. The metropolitan papers, as I am informed, are thrown out as the cars go along at the different stations, and these trains are being run almost exclusively for the benefit of the metropolitan papers in the large cities.

Mr. MAXEY. That is literally true, and hence the argument that the collateral cities and post-offices get the benefit goes for nothing, because the trains do not stop there.

Mr. SAULSBURY. I am opposed to all subsidies. I am opposed to subsidies for railroad or steamboat lines or any other lines.

Mr. MILLER, of New York. Do I understand the Senator from Delaware to say that the fast train going over the New York Central Railroad makes no stops from New York to Albany?

Mr. SAULSBURY. These particular fast trains which are subsidized by the Government; I do not mean that all the trains do not stop.

Mr. MILLER, of New York. I refer to the fast mail trains.

Mr. SAULSBURY. I mean the fast mail train that is subsidized, leaving New York at 4.35 a. m.; no stop is made by that, as I am informed. I have seen a statement made that there is no stop made between New York and Albany.

Mr. MILLER, of New York. To my own personal knowledge I will state that that is not the fact. The train makes its first stop at Poughkeepsie, a distance of seventy-five miles, and after that it makes a number of stops, and from Albany to Buffalo it makes all the prominent stops, but the mails are carried and thrown off at the various stations and taken up by the catchers. It matters not whether the train stops or not at each intermediate station, the mail is delivered and the mail is taken up.

Mr. SAULSBURY. If we appropriate this money it is the inception step to subsidizing all the railroads in the country hereafter. We ought to have some regard to the interest of the tax-payers of the country, and not propose to appropriate the money which is wrung from them by taxation to special favorites in the form of railroad or steamboat companies, or anything else. Let us be honest with the people rather than generous to corporations.

I shall vote against the amendment. I shall vote against every proposition which is made here to subsidize fast lines of railroad for the benefit almost exclusively of the metropolitan papers of the country.

Mr. BUTLER. As I shall vote for this amendment, I am not quite willing that the statement of the Senator from Delaware shall go unchallenged. I will not vote for it for the purpose of subsidizing any railroad or any steamboat company in this country, and therefore the statement, so far as it applies to me, is not in point of fact correct.

Mr. SAULSBURY. I made no application of my remark to any Senator.

Mr. BUTLER. Of course not.

Mr. SAULSBURY. I spoke of the effect of it.

Mr. BUTLER. I say, differing from the Senator with great respect, that that is not the fact. I say to him that the railroads which perform this service are entitled to be paid for it just as the stage-coach was paid when it ran from here to Charleston, and the persons deriving the benefit from it are the business men of the country.

It is a fact, as I am told by the Post-Office Department, that many of the railroads declined to put on this special train, and for that reason they do not get any of the $600,000 which was appropriated at the last session, and which I have no doubt the Senator voted for at the last session of Congress. It is not for the purpose of subsidizing any road at all that I vote for the appropriation, but it is because it furnishes postal facilities for the country to which I think the people are entitled, and if a railroad company does this extra service it ought to be paid for it just as anybody else would be.

I have no doubt in the world, as the Senator says, if every railroad in the country was destroyed the mail would be sent, but it would be sent by buggies and horses and in the old stage fashion. Is the Senator willing to go back to that system? That seems to be about the argument, that because certain railroads of this country do not choose to put on these extra trains no part of the country is to be benefited by them. That is the argument of the Senator from West Virginia. Now, sir, I am not voting this money for the purpose of subsidizing any road whatever. As I said yesterday, I am not particular whether the railroads make any money out of it or not; but I do know, and speak from experience when I say, that all that portion of the country through which the Atlantic Coast Line runs has been immensely benefited by this fast mail, and I am extremely anxious on their account that it should be continued.

Mr. GORMAN. I am very far from opposing this amendment, on the theory that we ought not under any circumstances to expend any considerable amount in expediting the mails. I agree with the Senator

from South Carolina that it is proper for the Government to expend a proper amount on the railroads running from the commercial centers for that purpose. That was what was contemplated by Congress when the appropriation was made last year, but the amendment, as now proposed, in my opinion—and I think I can demonstrate it—is simply a subsidy to two or three railroads in this country, without any corresponding benefit to the people generally or to the business men at the great centers of the United States.

When an appropriation for this service was first made in 1878 there were only $150,000 appropriated to be expended on lines running out of New York; but from year to year that appropriation has been increased until at the last session of Congress it was $600,000. That was appropriated after I had offered a resolution calling on the Post-Office Department for information as to how the money before appropriated had been expended, and a consultation was had with the officials of that Department, and we were led to believe that if the amount was increased from $425,000 to $600,000 the Post-Office Department would give fast-mail facilities not only from Boston to Charleston and New Orleans, but from Washington and Baltimore through to Cincinnati, Saint Louis, and Louisville, as well as to Chicago and Pittsburgh, over the lines of the Pennsylvania Railroad. The chairman of the sub-committee who had charge of this bill at the last session, if I remember correctly, stated on this floor that then the whole country would be benefited. But what was the result?

After the appropriation was made and the whole country expected to be benefited by it, the Post-Office Department, for reasons best known to themselves, did not make a single arrangement with a railroad company in the country except those which were then being paid for fast-mail service. It was so unsatisfactory to some of the roads that the Pennsylvania Railroad company withdrew its fast-mail service between New York and Pittsburgh, leaving therefore only the two lines running from New York.

Except in the mere instances of the mail that leaves Boston on the way south, there is no part of this country benefited thereby; and to show this let me take the service on the New York Central road. Its fast train leaves the city of New York at 4.35 in the morning; it is paid a large amount as a fast-mail train between New York and Chicago; and yet the fact is, I assert it, and I am sure it can not be contradicted, that at the very same hour, 4.35 in the morning, a train leaves New York for Chicago over the Pennsylvania road, reaching Chicago at the same hour that the fast mail does over the New York Central; and one receives a large amount of money and the other receives not one dollar, and it carries the mail also.

Now, to show how it operates in the State of New York, let me refer to the fact that the fast-mail train that leaves the city of New York by the Central road at 4.35 in the morning runs from New York to Albany, which is 147 miles, in three hours and forty-five minutes, and when it reaches Albany it starts on its way to Syracuse, which is 147½ miles, and makes those 147½ miles in five hours and five minutes. There is the point where the New York dailies cease to be subscribed for to any great extent, and from that on to Buffalo, which is 154 miles farther, the train consumes six hours and fifty minutes in making the trip. It becomes an ordinary local train between Syracuse and Buffalo, and so on to Chicago. The result is that the people in Chicago and the Northwest get their mail by the Pennsylvania Railroad without our paying a dollar extra for it, whereas a large amount for fast service is paid to the New York Central for carrying a mail that reaches its destination no sooner.

I submit to Senators that if this is not a contribution to a monopoly there never has been one in this country, and I ask the distinguished Senator from Kentucky, who is on this committee, whose voice is always for the people, if he is willing in this way to pay corporations for service which is of no benefit?

Mr. MORGAN. I understand that for the current fiscal year $600,000 was appropriated for fast-mail service.

Mr. GORMAN. Yes, sir.

Mr. MORGAN. May I ask how much of that is being applied?

Mr. GORMAN. One hundred and eighty-five thousand dollars.

Mr. MORGAN. Only $185,000; the balance remains in the Treasury.

Mr. GORMAN. I shall reach that point in a moment.

This fast-mail service from New York south the Senator from South Carolina has referred to, and he has read a statement of the superintendent of the railway mail service in regard to it. The Senator claims that by the payment of one hundred and odd thousand dollars between New York and Charleston, South Carolina, the country is benefited. Mr. Thompson says in the communication the Senator read to the Senate yesterday that the schedule for that train has been made up so as to give an advantage to the local mails, and if you withdraw the extra compensation of $100,000 you will lose that advantage. That may be literally true in the case as he states it, but as the Senator from Missouri yesterday said to the Senate, the business of New York closes between 4 and 6 o'clock in the afternoon. There are at least two trains between the hours of 6 and 1 o'clock at night that leave New York and run south as far as Washington. Every communication from the business men of New York that can be mailed up to 1 o'clock can be brought as far as Washington without a dollar of extra compensation.

Mr. BUTLER. Then I would like to ask the Senator if without a dollar of extra compensation that mail matter can be sent from Washington to Charleston, reaching there by 6 o'clock the next morning instead of 4 in the afternoon?

Mr. GORMAN. I will say to the Senator from South Carolina that, in my judgment, every pound of it can reach Charleston at the same hour that it does now.

Mr. BUTLER. The Senator is not as familiar with the trains running from this point to Charleston as I am, and I say to him that, in my judgment, if the special payment to these railroads is taken off that mail matter will arrive at Charleston the following day at 4 o'clock in the afternoon instead of at 6 in the morning as now.

Mr. GORMAN. I have had some familiarity with the railroads now referred to and with those who manage them; and I know that so long as this appropriation is here and is come-at-able it will be alleged that without it the service can not be had; but those roads, like all other roads in the country, must provide for the wants of the community; they must run fast passenger trains, and the mail schedules have been and can be arranged without a dollar of extra compensation. In my own State and in its chief city the same condition of affairs has existed. Its great road had no train leaving Baltimore for the West at 4.45, its last train being at 1 o'clock at night; but the demands of the community, of the newspapers, of the business people required them to put on a train at 3 or 4 in the morning, and they now carry the mail from Baltimore to Washington, connecting with the mails from New York and Philadelphia, leaving Baltimore at 4 o'clock, reaching Cincinnati six hours ahead of any other line, reaching Saint Louis three hours ahead of any other line that runs from the East to the West, and so of the Louisville mail; and all this without a dollar of extra compensation. The managers of the roads will be compelled, the public demand will make them place a train on their roads which will accommodate the people as well as they are now accommodated.

Now, sir, I protest against this partial appropriation. I do not object to paying a fair compensation for the work performed, but it must not be confined to one or two cities. The Postmaster-General in his report has told you that with $600,000 at his command he could not make a satisfactory general system. Congress ought never to vote another dollar until the Post-Office Department, which has been working on this matter from 1878 until now, can present to you a feasible scheme which will do justice to all parts of this country, to every commercial center, and then I shall be prepared, as I am on the ocean as well, to vote a fair and liberal compensation for the service, but never a cent by way of subsidy to a monopoly.

Mr. PLUMB. I want to ask the Senator from Maryland a question. I know he is reasonable, and I sympathize in a very large measure with the special ground of complaint which he has; that is to say, that Baltimore and the railroad which is the pride of that city and the foundation of its prosperity is not recognized in this service. I did all I could in the last year as a member of the committee to see that the complaint of his and of his coworker from West Virginia was remedied. We thought we had succeeded in that effort, but it has been shown by the report of the Postmaster-General that that was impossible to be done. Now I ask the Senator if he will be so unreasonable as to say that because a plan designed in good faith to accomplish what he desires and what I myself desire has failed, nobody shall have anything at all? We have here a service which is working satisfactorily, and I think is giving somebody benefits. Will he now, by what is practically a dog-in-the-manger policy, say, because he can not have now armed and equipped, gridironing and covering the entire country, just exactly what he and I would like to have, a system giving to every locality what upon a fair show of hands it would be entitled to, he will come in and take away that which other localities have got, which they have adjusted their business to, which undoubtedly does give them facilities that otherwise they would not have, and which they would be greatly damaged by being deprived of?

Mr. President, if that will justify the Senator from Maryland, there have been times when I should have been justified myself in voting against the entire Post-Office appropriation bill, because he and his constituents had facilities given to them out of proportion to their business as compared to the facilities given to the people whom I in part represent upon this floor. If the Senator never votes for an appropriation for this service or for any other service until he is certain that every cent of it is so expended that every citizen of the United States and every State in the United States will have its aliquot proportion, then he will not vote for any appropriation bill in his time or mine or in three or four or a dozen generations that shall come after him and me.

Mr. GORMAN. The Senator from Kansas intimates that so far as my opposition to this amendment is concerned it is a dog-in-the-manger fight. If the Senator from Kansas had known me better he would have spared himself the trouble of making such an assertion. I think that I am incapable of opposing any proposition for any section on such a ground as the suggestion of the Senator would seem to imply. I am quite confident that nothing I have said would induce the Senate to believe that there was any such motive controlling my action. I say to the Senator from Kansas now that when my attention was first called to this matter and his attention was called to it, he and his com-

mittee, as I understand, with one voice, determined that unless this service should be general, reaching all the commercial centers of this country, it ought to be abolished. I do not misstate the position occupied by the Senator from Kansas one year ago.

As to local interests, I suppose I am like other gentlemen who represent States, and who naturally look after the local interests of their States; but I would not let Baltimore, with its great road running from the East to the West, have one dollar of this money unless it was also applied to other roads running north and south of us. I beg the Senator to understand that in my action here I am only governed by a general principle.

Mr. PLUMB. I regret that anything I said should have offended the Senator from Maryland. It was not a part of my intention at all to apply the term "dog-in-the-manger" to him in any offensive sense, but simply to allude to his statement that unless the particular locality he represents should have its proportion none should have it. I assure him it was the furthest from my intention to wound his feelings at all or impute to him anything he would not have imputed to me. I used an unfortunate expression, no doubt, which it seems I am apt sometimes to indulge in.

He is entirely correct in stating that last year I, as a member of the committee, and the committee, did say that unless we could so unify and distribute this service as to substantially supply all the interests of the United States it ought not to exist at all; but when we appropriated the $600,000 we were then in the position of admitting that everybody could not get equal advantage out of it; somebody was bound to be discriminated against. It was only another way of saying that we did not believe in giving it to particular localities unless it should be more generally distributed; and that statement precluded the investigation of the particular merits and demerits of the service existing.

Now, what is the state of the case as we find it existing? The Postmaster-General has felt constrained to keep on a portion of the service, and only a portion of that service, and it is the only service he could give to the country by any arrangement with the railroad companies which he thought was just to the Treasury and the people of the United States. The committee simply say, and negatively, too, that they will take the status as they find it; they will not deprive anybody of any valuable service now existing; and that because, in the first place, it has always been the policy of the Government of the United States to extend rather than curtail the service, not only to give the people all they have got, but to give them constantly more; and for the further reason that we are now upon the threshold of an investigation which we hope will so adjust this service to the needs of the people and the position of the Treasury as that what is valuable of this special mail service now being put in use may be extended upon a systematic and intelligent plan to the remaining portions of the United States. Meanwhile, to avoid a temporary upturning of that which already exists, we concluded to leave it just as it was.

Mr. GORMAN. Now, I should like to ask the Senator from Kansas whether the Postmaster-General says that the $600,000 appropriated last summer was not expended because he was unable to make any arrangement with the railroads? Does he not further say, in this very report which the Senator has in his hand, that it is impossible for the Post-Office Department now, after six years of investigation, to determine how much it will take to make a general system; that he is entirely at sea except as to the old arrangement which he found in existence when he came into the Department?

Mr. PLUMB. Certainly; but, in response to that declaration of the Postmaster-General, the committee has put in this bill a provision, which meets with his concurrence, authorizing him to do that which heretofore he has not had either money or authority to do, to investigate the entire relations of the carriage of the mails to the needs and wishes not only of the people but of the Treasury as well, in order that we may have the basis of a plan which shall hereafter avoid the very complaint the Senator from Maryland now makes; and I am not prepared to say that it is not to some extent just.

Mr. DAVIS, of West Virginia. Had we not better wait until we get that report before we appropriate any more?

Mr. PLUMB. If it were a question of putting on service, I should say yes, undoubtedly; but it is not a question of putting on, it is a question of taking off.

I had occasion at the last session of Congress to say what I now repeat, that the entire service is defective; that the compensation paid to railroads is not put upon the proper basis; that we do not pay what we ought to pay for speed, we do not pay what we ought to pay for space, we do not pay what we ought to pay for weight; in other words, we group all these together without any fair degree of consideration as to the cost or value to railroads or people of either or of all combined. But is that an argument for taking off the entire service? Should I say as representing myself or anybody else that because I disagree to the service as I find it, because I think it is unjust to the railroads or unjust to the people or unjust to some particular section, therefore I would destroy the whole of it, leave it all out until I could get something which suited me better? By no means. I say here simply now with regard to the present status of things that we should not arbitrarily and unintelligently interfere with it, but we should go on with it until, as I believe, at the next session of Congress we shall be able to devise something under the plan we have provided for in this bill that shall be better, and in the mean time the people of Boston, New York, Philadelphia, Baltimore, Charleston, Richmond, Savannah, Jacksonville, and New Orleans should not be deprived of a service upon which to some extent they have predicated business, from which as I think it would be unwise now to depart.

Mr. MAXEY. The Senator from Maryland made the statement positively and unequivocally that the New York Central Railroad received of this $185,000 $47,000 for carrying the mail from New York to Chicago on the fast mail train—a special and extra compensation of $47,000—and that the Pennsylvania Central road started a train without extra compensation carrying the mail from New York to Chicago and landed it in Chicago at the same time that the New York Central train landed there. Thus the one gets $47,000 extra for doing the same thing which the other does equally well on the ordinary compensation. There is $47,000 of the $185,000 unquestionably that the people ought not to pay; and at last it comes down in my deliberate judgment to nothing but a simple attempt to subsidize certain railroad interests leading out of the city of New York for the express benefit of newspapers and a few others, and not for the general good.

Mr. PLUMB. I am very glad that the Senator from Texas has made his remark; it enables me to correct him. It is not very material, perhaps, but I did not hear the statement of the Senator from Maryland to which he refers. It has been asserted here over and over again that the Government was paying $47,000 for the fast mail train between New York and Chicago. That is not correct; still I do not expect those who hear what I say to believe me, because they have said it so often that they believe it is getting $47,000. The fact that it is not true does not make any difference.

Mr. DAVIS, of West Virginia. The Senator will allow me to say that it is correct as to the present year.

Mr. PLUMB. The amount being paid is $25,000. Of course the little matter of $22,000 discrepancy is not of any consequence; but still that is the fact.

The further statement is made, for the purpose of discrediting this service, that the Pennsylvania Railroad runs a train out of New York, leaving at substantially the same hour and getting to Chicago at the same hour, on which the mail might be carried. That is not correct. It is correct that the Pennsylvania Railroad runs a train called the limited express train, running just three cars and no more, on which $9 extra passenger fare is charged. If a man has a pass over the Pennsylvania Railroad from New York to Chicago, it is not good on that train. It is composed entirely of Pullman cars, with the exception of what is called an apartment car, one-half of which is a smoking car and the other half is for baggage, and a very small amount of baggage indeed, in which the railroad company permits the Government to deposit a thousand pounds of mail matter and no more.

I have no doubt some will say that we are legislating to the effect that the railroad companies shall carry the mails on their fastest trains, or if they do not they can not get any pay. On the fast train from New York for which we pay $25,000 we put three mail cars. I ask you how long the Pennsylvania Railroad would continue to run a limited express train at that rate of speed which only permits it to run a train of four cars if we were to impose upon them the necessity of putting three heavy mail cars on that train? The result would be to break up the train. That company, simply as a matter of convenience, have agreed that they would carry a thousand pounds of mail matter from New York to Chicago, and that they do carry, and the remainder of the mail is carried on the three postal cars that depart from New York at the same time the Pennsylvania Railroad train does, and for which some $25,000 per annum extra is paid.

Now, a word as to the amount of this mail. I read now from a letter of the superintendent of the railway mail service, which I received this morning, and which I propose to have published in the RECORD:

> This train carries a very large mail from New York. December 20th there was a count of weight taken, and there were 32 pouches and 445 sacks; total weight, 38,000 pounds, that went on this train. December 21st were 32 pouches of letter and circular mail, 504 sacks of paper mail; total weight, 43,020 pounds.

In other words, there is forty times the amount of mail carried on this train which can be carried upon the Pennsylvania Railroad's limited train. It comes then to this, that if you take off this subvention, if you may call it such, or compensation, you take off the mail; that is all.

So far as I know there is not a man, woman, or child in the State of Kansas who has any interest in this matter at all. No mail that goes into Kansas of consequence from New York goes by way of Chicago. It is of no interest to us. Therefore I do not regard this from a local standpoint. I am as much interested as the Senator from Texas or the Senator from Maryland, or any other senator, in the extension of this service, if it is to exist; but as a member of the committee having charge of this matter, in view of the facts which we are all the time concerning ourselves about, the extension of facilities, inquiring how we can get better facilities and at the same time give to the people these facilities for less money, I do not see how we can justify ourselves in breaking up a serv-

ice which is carried on with comparatively small cost to the Government and around which, as I said, the business of important localities has adjusted itself in such a way that to take it away would do perhaps incalculable injury.

It is for these reasons and these reasons alone, and because of the duty devolved on me, having charge of this bill, that I advocate the retention of these special facilities. They are not, as I think, extravagantly paid for. They are, as I believe, of very great value, and they can not be had unless some sum is paid for them; and all the talk about service being rendered to these localities by the regular trains independent of the expedition that is provided for is entirely apart from the fact.

I will read further from the letter which I have spoken of, for the purpose of emphasizing what I have said about the necessity for this, or the desirability of it, at all events. In response to the suggestion of the Senator from Missouri, yesterday, that the fast train to the South was overtaken by a subsequent train, I am informed by the superintendent of the railway mail service that this train which leaves New York for the South at 4.35 in the morning takes three postal cars:

The train that leaves New York at 4.35 a. m. carries three postal cars, two of which are for Pittsburgh and the West.

That much at least of the mail which goes west is expedited by reason of this service. It may not be known to some Senators, but it is a fact, as any one who does travel over that route may have occasion to observe, that all this mail can not be carried in every train. It has to be divided and carried in sections.

Mr. COCKRELL. I will thank the Senator from Kansas to show how one solitary package of mail matter destined for any part of that great region of country west of Chicago is expedited one second of time by this fast train.

Mr. PLUMB. It is not true of course of the mail deposited at Chicago, but it is true of the mail leaving New York and going through Chicago for the West.

Mr. COCKRELL. I should like that to be explained, too.

Mr. PLUMB. The explanation is just as simple as that 2 and 2 make 4. The only explanation I know of—it is sufficient to me—is that the train leaves there six or seven hours earlier. If there is any better one I do not know it.

Mr. SEWELL. I would ask the Senator from Kansas whether it appears that there is any extra charge by the Pennsylvania Railroad Company between New York and Philadelphia on the Southern fast-mail line?

Mr. PLUMB. None whatever.

Mr. SEWELL. That train made up at New York goes to Philadelphia without extra charge.

Mr. PLUMB. I think so; that is my understanding.

Mr. SEWELL. It is so.

Mr. PLUMB. The Senator from New Jersey knows better than I as to that; but it is necessary to divide the mail cars that are taken out on the Pennsylvania road. They run in two sections. One section leaves New York at a later hour and makes a speed which enables it to overtake the preceding train at Pittsburgh.

Mr. SEWELL. It is practically impossible for any one train to carry the mail from New York west and make any kind of time at all. It has to be divided.

Mr. PLUMB. Therefore a portion of the cars, two of them designed for Pittsburgh and the west, are put on this train, taken to Philadelphia on this expedited time, and carried forward from there in such a way as to overtake a train that left at an earlier hour, and thus enable that much of the mail which otherwise would be left over for twelve hours to get forward to Pittsburgh twelve hours ahead of the time it otherwise would. To that extent—although that is a question perhaps of railroad management more than anything else—this train does result in giving a large portion of the mail going to Saint Louis an earlier arrival there than it otherwise would have.

Mr. SEWELL. And that is not a subsidized train.

Mr. PLUMB. It is not; that is not a subsidized train. This letter is in response to an inquiry which was made yesterday on the suggestion of the Senator from West Virginia, and it is tolerably full. I ask that it be inserted in the RECORD.

The letter is as follows:

POST-OFFICE DEPARTMENT,
OFFICE GENERAL SUPERINTENDENT OF RAILWAY MAIL SERVICE,
Washington, D. C., January 17, 1883.

SIR: In compliance with the telephonic dispatch from Thomas P. Cleaves, clerk of the Committee on Appropriations of the Senate, I have the honor to submit the following statement of the companies which at present receive the benefit of special facilities:

New York, New Haven and Hartford Railroad Company, New York to Springfield, $17,647.06.

This is an arrangement by memorandum agreement between the honorable Postmaster-General and the president of the road, which has been in force from year to year for some years. The schedule is as follows:

Leave New York at 5 a. m.; South Norwalk, at 6.33 a. m.; Bridgeport, Connecticut, at 7.05 a. m.; New Haven, Connecticut, at 7.45 a. m.; Hartford, Connecticut, at 9.26 a. m.; Springfield, Massachusetts, at 10.25 a. m.

Without this train the mail would be delivered at New Haven at 10.30 a. m., which connects at New Haven with train leaving at 8.03 a. m., with postal clerk for New London and Providence. Mail is received and delivered at all intermediate offices, and delivered at New London at 10.05 a. m., instead of 12.46 p. m.; and Providence at 12.43 p. m. instead of 3.45 p. m.

There is a train connection from Providence to Boston.

The New Haven and Willimantic railway postal office leaves New Haven in connection with this train at 7.50 a. m.; Willimantic connects with the Boston and Waterbury railway postal office, and mails are delivered and received at all places between New Haven and Boston. Mails are delivered at Middletown at 8.45 a. m. instead of 2.20 p. m., and arrive in Boston at 1.35 p. m. instead of 3.55 p. m.; arrive in Hartford at 9.26 a. m. instead of 11.55 a. m.; in Springfield at 10.25 a. m. instead of 12.38 p. m.

Mail for Lowell and Lawrence is delivered at 3.30 p. m.; formerly delivered at 6.30 p. m. Early deliveries are also made at Worcester, Salem, Lynn, Newburyport, Haverhill, and many other important offices in Massachusetts; also to Nashua, Manchester, Concord, Portsmouth, Dover, Great Falls, and to other offices in New Hampshire, and to points in Maine as far east as Portland.

This train receives a connection from Washington leaving the previous day at 4.20 p. m.; also connections from Baltimore and Philadelphia, which together with the mail from New York is very large.

On the morning of the 20th of December there was dispatched on this train 30 pouches of letter mail and 214 sacks of paper mail; total weight 19,370 pounds. On the morning of the 21st of December there was dispatched on this train 21 pouches of letter and circular mail and 212 sacks of paper mail; total weight 18,985 pounds.

New York Central and Hudson River Railroad, New York to Albany, $25,000.

This train was established at the instance of the Post-Office Department as a special first to Poughkeepsie, and afterwards to Albany, where the postal cars are transferred to the regular train made up there for Buffalo, and from Buffalo to Chicago on the limited express, where it arrives the following day at 10.40 a. m. The schedule is as follows, with comparison:

Leave New York at 4.35 a. m. instead of 8 a. m.; Poughkeepsie at 6.30 a. m. instead of 10.36 a. m.; Rhinecliff at 6.54 a. m. instead of 11.08 a. m.; Hudson at 7.32 a. m. instead of 12.01 p. m.; Albany at 8.20 a. m. instead of 1 p. m.; Troy at 8.50 a. m. instead of 1.15 p. m.; Schenectady at 9 a. m. instead of 1.35 p. m.; Little Falls at 10.45 a. m. instead of 3.50 p. m.; Utica at 11.40 a. m. instead of 4.40 p. m.; Rome at 12.10 p. m. instead of 5.09 p. m.; Syracuse at 1.40 p. m. instead of 6.40 p. m.; Buffalo at 7.20 p. m. instead of 12.15 a. m.; Cleveland, Ohio, at 12.23 a. m. instead of 6.35 a. m.; Toledo at 3.27 a. m. instead of 10.45 a. m.; arrive at Chicago at 10.40 a. m. instead of 8 p. m.

The connection is made at Toledo with the 4.35 a. m. run out of New York that is not made by the run that leaves at 8 o'clock. Mail that arrives at Toledo on the train leaving New York at 8 o'clock remains at Toledo from 10.45 a. m. until 5.40 p. m. going over the Wabash line, arriving in Chicago at 10.40 a. m. instead of 8 p. m. This arrival at Chicago at 10.40 a. m. instead of 8 p. m. is equivalent to saving one business day to Chicago and for all points west and northwest of Chicago, as the principal connections are made at Chicago, and this is particularly the case for all points west of Omaha, as the Union Pacific Railroad only runs one train per day and this train makes no connection. This train carries a very large mail from New York. December 20 there was a count of weight taken and there were 32 pouches and 445 sacks; total weight 38,000 pounds that went on this train.

December 21 there were 32 pouches of letter-circular mail, 504 sacks of paper mail; total weight, 43,020 pounds.

The special-facilities compensation on the Atlantic Coast Line is as follows:

Philadelphia, Wilmington and Baltimore Railroad Company—Philadelphia to Baltimore, 96 miles	$20,000 00
Baltimore and Potomac Railroad Company—Bay View to Quantico, 80 miles	21,900 00
Richmond, Fredericksburgh and Potomac Railroad—Quantico to Richmond, 82 miles	17,419 26
Richmond and Petersburgh Railroad—Richmond to Petersburgh, 23 miles	4,197 50
Petersburgh Railroad—Petersburgh to Weldon, 64 miles	11,680 00
Wilmington and Weldon Railroad—Weldon to Wilmington, 162 miles	29,565 00
Wilmington, Columbia and Augusta Railroad—Wilmington to Florence, 110 miles	20,075 00
Northeastern Railroad of South Carolina—Florence to Charleston Junction, 95 miles	17,337 50
Total compensation from Philadelphia to Charleston Junction, South Carolina, for what is familiarly known as the "Atlantic Coast Line," is	142,274 26

The schedule, with comparative statement, on this line is as follows:

Leave New York at 4.25 a. m. instead of 8.25 a. m.; Philadelphia at 7.20 a. m. instead of 11.50 a. m.; Baltimore at 9.55 a. m. instead of 3.30 p. m.; Washington at 11.25 a. m. instead of 5 p. m.; Richmond at 3.17 p. m. instead of 10 p. m.; Petersburgh at 4.06 p. m. instead of 10.50 p. m.; Weldon at 5.56 p. m. instead of 1.18 a. m.; Wilmington at 10.55 p. m. instead of 7.02 a. m. Arrive, Charleston at 6.50 a. m. instead of 4 p. m.; Savannah at 11 a. m. instead of 11 p. m.; Jacksonville at 4.50 p. m. instead of 7.30 a. m.

Now this is the schedule which is in operation at the present time, and will probably be, so far as the train leaving Washington at 5 p. m. is concerned, only for a short time during the winter months; then it is one train per day, the 5 p. m. train being discontinued. So that mail for points south of Richmond remains at Washington from its arrival at 4.40 p. m. until the following day at 6.30 a. m.

Again, on pages 231, 232, 233, and 234 of the honorable Postmaster-General's annual report for 1882, reference will be found to fast mail and special facilities. The schedule from what is therein stated is but slightly varied.

Prior to December last there was a train that left Boston at 7 p. m. on the New York and New England Railroad. The train for Philadelphia and points south was taken on the steamer Maryland at Harlem River, thence to Jersey City, where it made the connection with the 4.35 a. m. train for Charleston, South Carolina, and points west and south of the last-named place. At that time the steamer Maryland became disabled and it was withdrawn from service. Consequently the New York and New England train leaving Boston at 7 p. m. was discontinued, which deprives Boston and all of New England of connection with the train leaving New York at 4.35 a. m. for Philadelphia, Baltimore, Washington, Richmond, and Wilmington, and arriving at Charleston the next morning after leaving New York at 6.50 a. m., Savannah at 10.30 a. m., and Jacksonville, Florida, at 4.50 p. m.

The special facilities were largely paid between Philadelphia and Charleston, which perfected the system of trains and made a continuous service.

If the appropriation is made so that the railroad companies can feel reasonably certain of the connections from New York and Philadelphia to the South, I have no doubt that the honorable Postmaster-General can secure the service on the steamer Maryland, and the New England train will be re-established without paying any money out of the special-facilities appropriation for that portion of the service, which will re-establish the connection between Boston, New York, Philadelphia, Baltimore, Washington, and the South, which the New England people so very much desire.

The train that leaves New York at 4.35 a. m. carries three postal cars, two of which are for Pittsburgh and the West, and one for Washington and the South. This train carries a very large mail.

December 20, 1882, there was dispatched from New York to this train 54 pouches of letter mail and 585 sacks of paper mail; total weight, 50,350 pounds. December 21 there was dispatched to this train 56 pouches of letter mail and 660 sacks of paper mail; total weight, 56,500 pounds.

May 18, 1882, at 4.35 a. m., there was dispatched to this line from the New York

post-office for points south of Washington 13,997 letters, 21,840 circulars, and 4,560 pounds of second, third and fourth class matter.

In addition to this the train carried the mail received from the New England connection to Philadelphia, Baltimore, and Washington, which made a very large connection.

The train that left Boston at 7 p. m. now leaves New York at 4.35 a. m., and is the only reasonable fast service from New England and New York to the South. Consequently it is the more important that it should be maintained.

Very respectfully,

W. B. THOMPSON,
General Superintendent.

Hon. P. B. PLUMB, *United States Senate.*

Mr. ALLISON. I think we have spent a reasonable amount of time on this question of fast mails; and it seems to me the Senate understands it now as well as it can, at least I shall occupy only a few moments in giving the Senate my understanding of it.

I agreed to this amendment in committee with some reluctance, regretting that we could not expand and enlarge in a limited degree this special service; but that could not be done. As we appropriated in our extravagant way last year $600,000, and only $185,000 of it is being used this year, the committee thought it proper to leave this facilitated service just as it is now. The Senator from Maryland is mistaken and so is the Senator from Missouri when they think that this does not benefit the western portion of our country.

Mr. COCKRELL. I say it does not one particle, and I challenge the proof. I say here now distinctly that it is not one particle of benefit to any portion of the country west of Albany. I say that not a man, woman, or child in Missouri, in Iowa, in Kansas, in Nebraska, in any of that great western country, receives one particle of mail a second earlier by reason of this train.

Mr. ALLISON. I wanted my friend to emphasize that statement. Now let us see. In the first place, there are trains leaving New York known as limited express trains, leaving at 8 or 9 in the morning and arriving at Chicago the next morning at 9.40. These limited express trains do not carry mails from New York city.

Mr. COCKRELL. They can do it.

Mr. ALLISON. They will not do it, and they can not do it, for the reason that the mail can not be thus carried.

Mr. COCKRELL. Here is a provision to make them do it, and we have the power to do it.

Mr. ALLISON. Very well; now the Senator simply wants to have this limited express train taken off.

Mr. COCKRELL. Oh, no.

Mr. ALLISON. Because it is not within their power to do it. The fast train that runs from New York city to Albany carries three postal cars. The train that leaves New York at the same time by way of the Penasylvania road carries three postal cars from New York city, two of them going to Pittsburgh and one of them going south to Charleston and Savannah. The postal cars on the New York Central train run from New York city to Buffalo, and at Buffalo the limited express train picks up the mail and carries it from Buffalo to Chicago, so that the mail train which leaves New York at 4.35 a. m. arrives at Chicago at 9.40 the next morning. Now, suppose that mail did not leave at 4.35 in the morning, when would it leave? It could not leave on the limited express. It would leave there in the evening or on a slower train later in the day, and would arrive at Chicago twelve hours later.

Mr. COCKRELL. Why can it not leave on the Pennsylvania Central at the same hour? The Pennsylvania Central goes out of New York at the same hour that this fast train does.

Mr. ALLISON. That carries no mail, as the Senator knows perfectly well.

Mr. COCKRELL. It carries the mail.

Mr. ALLISON. It can not carry any mail. There is no necessity for any great excitement about this matter. Under the railway situation every citizen west of Chicago and northwest of Chicago receives his mail probably twelve or twenty-four hours earlier than he would if this fast-mail service was not in existence. That is the truth about it.

It happens, as I have no doubt, that this early morning service from New York city originated in the desire of the New York papers to run their papers along the New York Central and Pennsylvania roads. It has that effect; but it also has the beneficial effect of giving all the West, at least that portion of it in relations with Chicago, a mail twelve or twenty-four hours sooner than they could get it without this arrangement, unless the Senator assumes that the mail would be carried upon the limited express trains, and we know it will not be so carried, although it is so carried to a limited extent from Pittsburgh and from Buffalo.

I have now stated my reason in brief for supporting this amendment. I think the roads south of Philadelphia are paid pretty liberally for the service rendered these coastwise cities, when we take into account the amount of trade and commerce there as compared with the trade and commerce in other regions of our country. But the service is there. I do not feel as a member of the Committee on Appropriations that I could dispense with that service under existing circumstances. That is all there is in the case.

Mr. BUTLER. Allow me to say that I have no control whatever over the compensation to the railroads.

Mr. ALLISON. I know that.

Mr. BUTLER. I do not know whether it is much or little, sufficient or insufficient. That matter must be left to the Postmaster-General. All I know and all I say is that the community is very much benefited.

Mr. ALLISON. No doubt of it. Now I want to say just a word further. The Senator from Delaware [Mr. SAULSBURY] insisted that there were no stoppages between New York and Albany. There are three stoppages between New York and Albany of the morning trains.

But I want to say just one word further. The amount paid to the railways in the United States for this mail transportation is only about 1 per cent. of their earnings, all told; and yet the Senator from Missouri seems to think and wishes to impress upon us the idea that the railways will so arrange their affairs for this 1 per cent. of the total amount received as to give a fast mail train from New York city to Chicago upon the present rate of compensation. They will not do it; and failing to do that, we should do the best we can.

Mr. BARROW. Just one word in regard to the practical operation in the South of this fast mail train. If the Department had set itself to work in order to discover a route south of this place that would be of the least possible benefit to the people it could not have selected one better calculated to produce that result than the one which has been designated by the Senator from South Carolina [Mr. BUTLER]. Take the States of Virginia, North Carolina, South Carolina, and Georgia, through which this service is now made, and it touches the extreme eastern portion of each one of these States; it touches the Atlantic at Wilmington, at Charleston, at Savannah, and it almost touches it again at Jacksonville, if I am correct in my understanding of the route over which the service is now rendered. According to the way in which it is now served, ninety of every one hundred people in the States of North Carolina, South Carolina, Georgia, and Virginia receive no benefit from this fast mail.

When the mail was sent over the first route, the Richmond and Danville, which, so to speak, pierces the very center of these States, the practical operations of it, in the State of Georgia at least—I am not prepared to speak for other States—was that a few large cities received some slight benefit from the operation, but all persons who live aside from the road over which the mail was sent received no benefit from it whatever. The town in which I live, which lies forty miles south of the Richmond and Danville road, or, to speak more properly, of the Atlanta and Charlotte Air-Line road, over which this fast mail was originally sent, is connected with that railroad by a branch road. The business men of that place never knew that this fast mail was discontinued until they saw it stated in the papers. There was absolutely no change whatever in the time of the arrival of our letters from New York or our letters from New Orleans or our letters from any intermediate point, and when this fast mail was taken off the air-line and changed to this other route there was no perceptible change whatever in the delivery of the mail in my town.

The same thing is true of all the other towns connected with this road by branch railroads, and for the simple reason that, while they may have made connection with this fast mail, with connecting lines in the direct line to New Orleans, they did not make connection with that train at least on the side lines which connected the country on both sides of the railroad.

Mr. PLUMB. Will the Senator from Georgia permit me to interrupt him a moment?

Mr. BARROW. Certainly.

Mr. PLUMB. I think the service the Senator speaks of was a service which was put on between Danville and some point in his State or in Alabama, and in which the railroad company tried, but ineffectively, for a number of months to make the time the Department required, and finally gave it up. So I can well understand that the people who live in his section of country never got the benefit of it, because it was an ineffective service, and finally was abandoned by the mutual consent of the railroad company and of the Government. So that is not a fair example of the result which has been generally derived from the expedition of the mails on the railroad lines under consideration.

Mr. BARROW. The Senator is eminently correct in saying that it was an ineffective service, but he is eminently incorrect in saying that it was a temporary and local service. It was the fast mail from New York of which I am speaking, not only to Atlanta but to New Orleans.

Mr. PLUMB. That is very true; but what good would a fast mail from New York do the Senator from Georgia or his constituents if it never got beyond Danville, as it did not frequently, on the expedited time, for the reason that the railroads beyond that could not make the speed. And, as the Senator from South Carolina suggests to me, that is justified by statements made to us by the superintendent of the railway mail service that they failed four or five times a week.

Mr. BARROW. That is the very thing I complain of.

Mr. PLUMB. That line was abandoned more than a year ago.

Mr. BARROW. We are called on to spend money for what we never received. And when this change was made, no matter what the cause may have been, we are again called on to pay for other railroads doing the same thing that this road failed to do, and we failed then and we fail now to receive any benefit. As soon as it was found out that the Atlanta and Charleston line could not make money with the amount the Government paid for fast mails, it transferred the service to the present route, which goes along the Atlantic seaboard from here to

Jacksonville, Florida. Who wants to pay $125,000 a year for carrying a fast mail to Jacksonville, Florida? What is the commercial importance of Jacksonville, Florida, that the people of this country should have to pay $125,000 for a fast mail to Jacksonville? It is a town of twenty or twenty-five thousand people. It is a resort of tourists. It is an agreeable spot at which to spend the later winter months. I have no doubt that those who go there suffering, and who are accustomed to mail facilities where they reside, when they go to Jacksonville in winter want those same mail facilities kept up.

Mr. BUTLER. The Senator from Georgia will allow me to correct a very serious misapprehension under which he seems to labor when he says that the fast mail on the Atlantic Coast Line does not benefit any part of Georgia except Savannah. I think if he will consult his constituency at the city of Augusta and the city of Atlanta he will be undeceived as to that statement. I have just talked to a gentleman from Augusta who says that it is of the very last consequence to that city in its business and otherwise that this mail should be continued, because they get the New York papers twenty-four hours earlier by it than they did under the previous arrangement.

Now, as I am up, I will state for the information of the Senator something, perhaps, that he does not know, that the reason for the discontinuance of the fast service on the Richmond and Danville line of railroads was because the Richmond and Danville roads could not make the connection; they failed about four days out of every week to make the connection and carry the mail through. I think it was an agreement between the railroad companies and the Post-Office Department that caused the cessation of that service; but the Senator is entirely mistaken, he is laboring under an enormous delusion, when he says that this line running along the seacoast benefits nobody except those in the particular locality. I state of my own personal knowledge that the entire State of South Carolina is benefited by it, and I undertake to say that the entire State of Georgia is benefited by it, because the fast trains from Augusta to Atlanta connect with it and carry the northern mail to Atlanta at least twenty-four hours earlier than it would otherwise; and therefore the Senator is mistaken, I respectfully submit.

Mr. BARROW. I undertake to say that of the million and a half people in the State of Georgia, there are not five thousand who know that there is such a thing as a fast mail now in operation, or who know by what route it goes.

Mr. BUTLER. Then I suggest to my friend that we should send missionaries to Georgia to inform the people.

Mr. BARROW. So far as missionaries to Georgia are concerned, whenever we do get ready to have them South Carolina would be the very last place on earth we should send to for them. [Laughter.] The only missionaries that ever crossed the Savannah River who have done any good have gone from the Georgia side to the South Carolina side. As the question of missionaries from South Carolina to Georgia has been brought on this floor, I will say to the Senator from South Carolina that when the good offices of Georgia missionaries on one or two occasions have been received by the State of South Carolina, all the good results were claimed by the State of South Carolina and all the odium was laid on the Georgia missionaries.

Now as to the city of Augusta——

Mr. BUTLER. I am sorry that my friend takes so seriously what I said about missionaries. I said it jocularly entirely, and therefore I am surprised at his being so sensitive upon the missionary question.

Mr. BARROW. I am not sensitive as to myself, but when it comes to the State of Georgia, perhaps I am so.

Now, as to the question of the benefits derived by the city of Augusta from this fast mail. The reason which the Senator gives for saying that the Senate ought to vote to appropriate this sum of money, is because there are a few people in the city of Augusta who take the New York papers, and who are benefited by this fast-mail service. Why, sir, of the 25,000 or 30,000 people of the city of Augusta there are not one hundred copies of the New York dailies subscribed for in that town. I say if this service is to be kept up, in the first place some steps ought to be taken to change the route over which it is conducted. It ought to be sent, if possible, through the center of the country, so that others besides those living along the line or at the termini of the line where these trains stop can receive some of the benefits of it, and not confine it to the Atlantic seaboard, so as to benefit the people of Weldon, the people of Wilmington, the people of Charleston, the people of Savannah, and the people of Jacksonville. It is claimed that this mail service is administered for the benefit of the States of North Carolina, South Carolina, Georgia, Tennessee, and Alabama. It does not touch Tennessee; it does not touch Alabama, and it only touches one or two counties in the State of Georgia. Something ought to be done to disseminate these benefits among the people generally, or it ought to be discontinued.

Mr. CALL. Mr. President, it is proper that I should say a few words upon this subject. The fast mail expedites the arrival and the delivery of the mail in Florida between six and eight hours. The mail delivery at Jacksonville, Florida, supplies the southern mail to the Gulf of Mexico and as far as Key West. The expedition with which the mail may be delivered in that State is of great importance to a vast amount of shipping and commerce on the Atlantic and the Gulf that is connected more or less with the ports and shores of the State of Florida.

There is no mail from Key West to Cuba. But because of this expedition the mail can be delivered just that much sooner, that is from six to eight hours, than it would have been by the ordinary trains running on the usual time and for the regular and local demands of the connecting lines of railroad. The objection to fast mail service because one or another line or route is proposed, or because the mail leaves at 4 o'clock a. m. or at any other hour convenient or inconvenient, or because another line of railway makes the same time from other or the same place of departure to the place of delivery, is altogether unreasonable and has nothing to do with the amendment, which simply proposes the continuance of mail service between points where it can not be denied it is of advantage to great commercial interests.

These objections only impeach the good judgment or the honesty of purpose of the Postmaster-General, and not the advantage of the service as a system. If the statements of Senators are true that the ordinary trains deliver the mail at the same time as the fast trains, then the Postmaster-General is to blame. But there has been nothing stated in support of this statement except that another line of road runs a train which makes the same time.

This has nothing to do with the question, and it may have been induced by the establishment of the fast-mail service on the other line, and I have no doubt will find satisfactory vindication, as has been stated by the Senator from Kentucky [Mr. BECK], consistent with the intelligent and capable discharge of his duty by that high official.

So far as the coast line is concerned, it is the most expeditious route to the cities of the Atlantic south and to the terminal points of mail trains. The entire commerce by sea of the State of the Senator from Georgia, who has spoken here against this amendment, is delivered for shipment at Charleston and at Savannah, and a great interest of commerce of that State is concerned in this expedition of the delivery of the mail at Savannah and at Augusta and at Charleston.

I shall not enter into the arguments upon this subject further than to say that there is no force in the idea of this being a monopoly. This is an attack upon the Postmaster-General and his honest and judicious administration of his office.

The Senator from Delaware [Mr. SAULSBURY] contends that a slow mail is better than a fast mail, as if it were not the established business habit of the age to expedite for all business transactions the rapid delivery of the mail. Senators argue as if the denial of this mail facility to some other part of the country was a reason for taking it away from that portion where it is doing efficient service. I undertake to say that a vast amount, at least one-third, of the commerce of this country in the Southern States is directly benefited by this fast-mail service from New York, and that it meets with the entire approval of the business communities of Richmond, of Charleston, of Wilmington, of Savannah, of Key West, and the commercial interests between this country and Havana and the shipping interests of the Gulf of Mexico. How you can make a monopoly or anything resembling it out of compensation given by the Postmaster-General for a fast-mail service it is impossible to understand. If other lines of road should have compensation and fast-mail service, give it to them, but do not call this a monopoly because Senators have not asked and obtained proper legislation to that end.

The PRESIDING OFFICER (Mr. FARLEY in the chair). The morning hour has expired, and the Chair will lay before the Senate the unfinished business, which is the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. ALLISON. I hope the Senator from Vermont will allow us to take a vote on this fast-mail question to-day. If we do not take a vote to-day I think it will take all the morning to-morrow, as we shall go over the same thing again.

Mr. MORRILL. If there is no further debate I shall not object to a vote being taken on this proposition.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Appropriations.

Mr. COCKRELL. I wish to detain the Senate about three minutes upon it.

Mr. ALLISON. All right.

The PRESIDING OFFICER. Does the Senator from Vermont yield to the suggestion made by the Senator from Iowa?

Mr. MORRILL. Yes, I yield for three minutes.

Mr. COCKRELL. The Senator from Iowa [Mr. ALLISON] spoke about my wanting to compel the railroads to do so and so. The Senator is chairman of the Committee on Appropriations, which in this very bill proposes the legislation which I shall read. I suppose that he is responsible for it; he is the responsible head of that committee:

> And if any railroad company shall fail or refuse to transport the mails for which this appropriation is made, when required by the Post-Office Department, upon the fastest train or trains run upon said road, said company shall have its pay reduced 50 per cent. of the amount now provided by law.

If the railroad companies do not transport the mail upon the fastest train, here is the power given to make them do it, and the Senator from Iowa is responsible for it. I challenge the Senator to bring the proof, and I challenge any Senator here to bring any proof, that one solitary particle of mail matter west of Chicago is hastened in its delivery one

minute. I propose to read some evidence on this question, and I will read now from page 10 of the CONGRESSIONAL RECORD of December 17. I read from some statements made by a distinguished citizen of the United States, Hon. GEORGE M. ROBESON, a member of the Committee on Appropriations of the House of Representatives. He says:

It is already shown and admitted that fast trains for the West leave at the same time the special-facility train leaves New York for Philadelphia; and it is also shown that this only covers the mail which has accumulated after business hours, after business is over and business necessities have been satisfied—only the mail which has accumulated so late it can not be carried out on the evening trains leaving as late as half past 8 at least.

I presume he knows something of what he is talking about. He had opportunities of conferring with the Postmaster-General and others, and is a distinguished leader in the public service.

Now, I read from another distinguished gentleman, Hon. JOSEPH G. CANNON, of Illinois, where Chicago is situated, a member of the House Appropriations Committee, a man who is presumed to know what he is talking about. This was uttered on the 16th of December:

I do say further that all they have got to do to run their fast trains for their passengers is to make one passenger-car less and substitute in its place a mail-car for which they receive as much pay, I can safely say, as they receive for the passenger service. I do say further that there leaves the city of New York by the Pennsylvania Central a train at the same hour that the train leaves by the New York Central—the fast mail train—and that reaches Chicago as soon as the other does by the New York Central.

Mr. CAMERON, of Wisconsin. That is admitted, I suppose; but the train that leaves on the Pennsylvania road is the limited express train, and that train only carries a thousand pounds of mail. The question is, if it were compelled to take three car-loads of mail could it run through on the time that it now does?

Mr. COCKRELL. Unquestionably; and here is the power to make it take it:

I do say further that it is in the power of the Postmaster-General——

Mr. INGALLS. I rise to an inquiry: Is the Senator reading from observations made by a member of the House at the present session on this same subject?

Mr. COCKRELL. Am I reading what?

Mr. INGALLS. From a debate had in the House of Representatives?

Mr. COCKRELL. I have said nothing about a debate in the House of Representatives.

Mr. INGALLS. I understood the Senator to say that the remarks were made by Hon. JOSEPH G. CANNON on the 16th day of December.

Mr. COCKRELL. Yes, sir; I did.

Mr. INGALLS. Of course the Senator is aware that it is not in order to refer to what has been said in the other House on this subject?

Mr. COCKRELL. I am not saying a word about what was said in the other House.

Mr. INGALLS. I raise the point of order so that this may not pass into a precedent, because difficulties might arise from the course the Senator from Missouri is now pursuing. Not that I do not agree with him or with what was said, but the parliamentary law is so plain and the reason for it is so just that I think he himself will see that it is improper to repeat speeches here that have been made in the other House.

Mr. COCKRELL. I have not said a word about quoting any man's speech made in the House of Representatives. Distinguished citizens of the United States are entitled to have their utterances, wherever made, quoted when their names are attached to their utterances, and I am simply stating what these gentlemen said about a certaim time. I am not stating that it was said in the other House, nor am I referring to the House debates.

Mr. INGALLS. If the Senator is reading from the CONGRESSIONAL RECORD of the present session remarks made by a member of the House of Representatives upon this subject, I object to it.

The PRESIDING OFFICER. The Chair understands that the point of order made by the Senator from Kansas is well taken.

Mr. COCKRELL. I propose now to make the statement I was proceeding to make, and I do it on my own responsibility: "I do say further that it is in the power of the Postmaster-General to place these 6,000 letters collected in New York after the last regular train leaves on this Pennsylvania train without one cent of additional pay for special facilities, and it is his duty to do it, in my opinion, instead of paying $25,000 a year for the use of a locomotive and car to run from New York to Albany to overtake another train that leaves some time prior to that."

Mr. President, I propose to make another statement. It has been stated that "the special-facility train which leaves New York at half past 4 o'clock in the morning carries 6,000 letters, which accumulate in the New York city post-office after 7 or 8 o'clock in the evening and before the hour of departure of that train, that are destined for points west of Buffalo, and" from that it is "to be inferred that those 6,000 letters are destined for Chicago and other commercial centers of the West."

Mr. President, I say that nearly "all the business mail of New York city for the West goes out on the train which leaves there at 8.40 or 8.50 in the evening, and reaches Chicago in advance of mail carried by the special-facility train of which the gentleman speaks." Now, I challenge them to meet that proposition that nearly "all the business mail of New York city for the West goes out on the train which leaves there at 8.40 or 8.50 in the evening, and reaches Chicago in advance of mail carried by the special-facility train of which the" gentlemen have been speaking. "All the letters deposited in the several mail depositories of New York city not later than 5 o'clock in the afternoon go out on this 8.40 evening train, and reach Chicago and all other points in the West in advance of mail carried by any train leaving New York city at half past 4 o'clock the next morning."

Mr. MORRILL. I call the Senator's attention to the understanding.

Mr. COCKRELL. I shall be through in one minute. I want to make just one other statement as to the trains on the Pennsylvania Railroad. "There is a regular mail train on the Pennsylvania Railroad leaving New York city at 4.30 o'clock in the morning, the same hour at which the special-facility train leaves on the New York Central for Albany. This train on the Pennsylvania Railroad carries the mails regularly. It is not the fast train; but by connection at Pittsburgh, with one of the company's leased lines I believe (the Fort Wayne road) it may put the mail into Chicago at the same hour as the 4.30 special-facility train puts its mail there—what little it does put there. But when this Pennsylvania Railroad train reaches Pittsburgh there is run from that point what is called a fast train, with which it connects. Though by the schedule this train from New York would make such connection, it is claimed by the Department that the connection is not always certain, that this fast train from Pittsburgh to Chicago does not transport the mails regularly. Yet, as I am informed also by the Department, the fact is that all the mail pouched for Chicago may be transported over that fast line and deposited in Chicago at precisely the same time that the special-facility mail would reach there. We of the West derive no benefit whatever from existing special mail facilities, and will not if the amendment prevails."

I state positively that not one particle of benefit is derived by the citizens and business men of Illinois or of any other State west of there by this special-facility train. It is a gratuity, an absolute gift of $25,000 to one railroad company without any equivalent return whatever to the tax-payers of the United States. I hope the amendment will not prevail.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Appropriations.

Mr. COCKRELL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. President, I do not propose to prolong this discussion, but I wish simply to call the attention of the Senate to the fact that the arguments that are made by Senators against the continuance of this service do not show the truth. No Senator will say that there can be a fast-mail service without some consideration paid for it which does not appertain to the ordinary running of the trains, but they discuss the conduct of the Postmaster-General and speak of his injudicious arrangements. The Senator from Missouri will not say that if the fast-mail train left at 8 o'clock in the evening it would not expedite the delivery of letters that much more in Chicago and with all connecting points. His statement is that the fast mail leaves at 4.50 a. m. and other trains leaving at 8 p. m. carry the mail of the day before, no letters being written after business hours.

I merely wish to call attention to the fact that there is no force nor logical truth in these propositions, and to say that the fast-mail service, which is dependent upon roads running special trains without regard to their local interests and local business, requires no additional compensation, and that the time, 8 o'clock a. m., at which the train leaves New York prevents it from carrying a letter mail, is not true or important to the argument for this appropriation. The expedition is what is paid for.

New York is the great commercial center of the country. A fast-mail service to and from her concerns the whole country and all the people.

The press, the newspapers of the great cities of the country, and the people who read them ought to have special mail facilities, and the Government should furnish them the greatest possible expedition. These great papers carry the news which affects prices and trade everywhere, and if Senators want them they should ask for them and not seek to destroy them where they now are.

Mr. BECK. Mr. President, I will take but a moment. I have been unable to hear the discussion to-day. Some reference has been made to the fact that I was unfortunately a member of the committee in having (I believe the expression was) fallen into the trap in regard to this matter. [Mr. MORRILL rose.] I shall not occupy the time of the Senate more than a moment. We have had this service established for some time. We made an effort to extend it. The Postmaster-General failed, for some reasons that I think are satisfactory. We have provided here for a commission to be appointed to try to regulate this thing hereafter carefully so as to give us all equal benefits, and I did not seek, since we could not get all we desired, to break up what is now a beneficial service. The Postmaster-General had shown that he failed to use any of the $600,000 appropriated except the $185,000 now in use, and I thought it was but fair that this service should continue until we saw if we could not extend it, as we all desire should be done. If we can not, then when the proper time comes I will agree with other Senators to strike it all out. In the mean time I think it is fair for the service that the amendment proposed by the committee should be adopted.

Mr. PLUMB. I should like, if the Senator from Vermont will allow

me, to detain the Senate just a moment, to make a statement to go along with the other statements made in regard to the time of the arrival in Chicago, It will not take me over two minutes at the outside.

It has been stated here that there is no gain in time to the mail either at Chicago or west of there by this fast train between New York and Albany. The actual fact is that it arrives at Chicago ten hours earlier than any other train that leaves New York in the morning. There is a gain of twelve hours by reason of the connection to all that section of country west of Chicago, and in some cases even of twenty-four hours where only one mail a day is carried on lines connecting with the main lines leading out of Chicago.

I desired to make that statement simply in correction of the statement that has been made to the opposite effect, so that it might go along with those statements in the RECORD of to-day's proceedings.

Mr. MORRILL. Now, if the vote can be taken without any further debate, I shall not object; but I do object to any further debate upon this question.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Appropriations, on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. JACKSON (when Mr. HARRIS's name was called). My colleague [Mr. HARRIS] is paired with the Senator from Michigan [Mr. FERRY]. I make the announcement for the day.

Mr. MORGAN (when his name was called). On this question I am paired with the Senator from New York [Mr. LAPHAM]. If he were here, I should vote "nay."

Mr. PENDLETON (when his name was called). On this question I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were here, I should vote "nay."

Mr. PUGH (when his name was called). I am paired with the Senator from Florida [Mr. JONES]. But for that pair, I should vote "nay."

Mr. SAULSBURY (when Mr. VANCE's name was called). I was requested by the Senator from North Carolina [Mr. VANCE] to announce when his name should be called that he had been called out of the Senate by reason of the death of one of his colleagues in the House of Representatives.

The roll-call was concluded.

Mr. COCKRELL (after having voted in the negative). I voted without knowing that the Senator from Connecticut [Mr. HAWLEY], who is absent to-day, and with whom I am paired, would vote in favor of the amendment. I am advised that he would vote for the amendment, and, as I voted against it, I withdraw my vote and announce my pair with the Senator from Connecticut, who has been called out of the Chamber on special business.

The result was announced—yeas 32, nays 20; as follows:

YEAS—32.

Aldrich,	Cameron of Pa.,	Harrison,	Platt,
Allison,	Cameron of Wis.,	Hill,	Plumb,
Anthony,	Chilcott,	Ingalls,	Ranson,
Beck,	Conger,	Johnston,	Rollins,
Blair,	Dawes,	McMillan,	Sawyer,
Brown,	Frye,	McPherson,	Sewell,
Butler,	Hale,	Miller of N. Y.,	Sherman,
Call,	Hampton,	Morrill,	Windom.

NAYS—20.

Barrow,	Farley,	Grover,	Slater,
Camden,	Garland,	Jackson,	Vest,
Coke,	George,	Jonas,	Voorhees,
Davis of W. Va.,	Gorman,	Maxey,	Walker,
Edmunds,	Groome,	Saulsbury,	Williams.

ABSENT—24.

Bayard,	Hawley,	Lapham,	Morgan,
Cockrell,	Hoar,	Logan,	Pendleton,
Davis of Ill.,	Jones of Florida,	McDill,	Pugh,
Fair,	Jones of Nevada,	Mahone,	Saunders,
Ferry,	Kellogg,	Miller of Cal.,	Vance,
Harris,	Lamar,	Mitchell,	Van Wyck.

So the amendment was agreed to.

Mr. MORRILL. Now I call for the regular order.

HOUSE BILL REFERRED.

The joint resolution (H. Res. 277) providing for a new mixed commission in accordance with the treaty of April 25, 1866, with the United States of Venezuela, was read twice by its title, and referred to the Committee on Foreign Relations.

INTERNAL REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. BECK. The Senator from North Carolina [Mr. VANCE], who is now necessarily absent because of the death of one of his colleagues in the House, rose just about the time of the adjournment last night to propose to strike out "50 per cent." and insert "45 per cent.," in line 424. I now propose that amendment.

Mr. MORRILL. I merely say I hope this will not be done.

The PRESIDING OFFICER. The amendment of the Senator from Kentucky will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 424 it is proposed to strike out "fifty" and insert "forty-five;" so as to read:

All other earthen, stone, and crockery-ware, white, glazed, edged, printed, painted, dipped, or cream-colored, composed of earthy or mineral substances not specially enumerated or provided for in this act, 45 per cent. ad valorem.

Mr. BECK. Mr. President, the present rate of duty on this class of goods, which, as was said yesterday very frequently, is the class of goods of the cheapest order, which have to be used by everybody, no matter how poor, stands at 40 per cent. ad valorem. The rate proposed by the bill is 50 per cent. and by the amendment 45 per cent., which seems to me to be as high as they ought to be. It is admitted they are about 75 per cent. now, taking into consideration the cost of transportation, which is very great upon bulky goods of a cheap character, because they are just as bulky, although they are of low value, as the finest china, porcelain, or painted parian ware. Therefore the cost is enhanced very largely in proportion to their value, the duty being not less than 75 per cent., perhaps 80 per cent., and it may be, on the lowest orders of them, as high as 90 per cent. The amendment which I move is to insert 45 per cent., an increase of 12½ per cent. upon the present duty of 40 per cent. ad valorem. If we are in earnest at all in endeavoring not to increase taxes, for I have no idea we are going to reduce any, although we profess that we are, I think the rate should not be above 45 per cent.

Mr. COKE. I ask the Senator from Kentucky why he does not make his amendment to bring it down to the present rate?

Mr. BECK. I moved to make it 40 yesterday evening, and upon a call of the yeas and nays I was defeated, and accepting the defeat gracefully I am now trying to make another rate half way between the rate in the bill, 50 per cent., and 40 per cent., the present rate, which was defeated on a call of the yeas and nays yesterday afternoon. I can not control the vote of the Senate, and therefore I have to do the best I can, and now I present the present rate with 12½ per cent. added, which is more than enough to cover all questions of crates. The profession is that though we are adding this increased rate of 50 per cent. we propose hereafter somewhere in the bill to strike off some charge from the place where the goods are made to the point of shipment so that they will be free on board. We have not done that as yet, and I am rather inclined to think that we do not propose to do it, if the yeas and nays taken yesterday are any indication of the sense of the Senate.

I took pains last night to look over these three items of china and cheap crockery ware. Decorated china is now imported to the value of $2,075,707, and pays a duty at 50 per cent. of $1,037,853.97. At 60 per cent., the importations being at the same rate, the duty on decorated china would be $1,245,424, or an increase of $207,571. On plain china, which is now 45 per cent., and imported to the value of $316,810, the duty collected is $142,564. We propose to make the duty 55 per cent., and with the same amount imported that is imported now, the duty would $174,245, an increase of $31,681. On the present schedule that we are now dealing with the most important article of all is the cheap crockery-ware for all the laboring people who can not afford to buy china. Whether a man is white or black, he can not be so poor that he is not obliged to have a plate, for he can get a plain plate for less even than the tin plate would cost him, on which we have put up the ad valorem duty to an extent beyond this. The amount imported now in money value of this cheap crockery ware for laboring people put at 40 per cent. is $4,438,237, and the amount of the present duty at 40 per cent. is $1,775,294. At 50 per cent., as it now stands in the bill reported by the Senate committee, on the same values, we should collect $2,219,118, or on this single item of absolute necessity now protected nearly 80 per cent. an increase of $443,824, or on the three items increase of $683,076 in an effort to reduce burdens. Senators talk about giving relief, but surely there can be no propriety in exceeding the present rates of duty and adding $683,076 to the enormous taxes imposed upon the people.

My friend from Massachusetts [Mr. DAWES] yesterday afternoon asked me if these things are not cheaper now than they were years ago. I presume they are; but a man living in Windsor, in Canada, can buy them 90 per cent. cheaper than a man living in Detroit, across the river, can buy them. A man in Windsor can go over to Detroit and work all day and go back at night and it will only cost him a dollar a month to cross the ferry, and he will get his crockery 100 per cent. cheaper and his blankets and everything else that much cheaper, and he can underwork the American laborer who has to pay this 100 per cent. This is one of the items that every man must have. So it is at Buffalo; so it is all along the line; so it is everywhere.

Why should our people have to pay in this way on things they must have, when we do not need the revenue, and the men who are making the goods do not need and do not ask any more protection than they have at present? Why shall we exact on this necessary article $443,824 more than we are exacting now? The men who manufacture the article do not ask any more protection than they have now, and the amendment which I propose will give them an increase of 12½ per cent. over the present rate, to cover any contingency that may grow out of the question of freights.

As a further proof that the tariff as it now exists is a full and adequate protection to the manufacturers, I hold in my hand the proceedings of the sixth annual convention of the United States Potters' Association

held at Cincinnati, December 2, 3, and 4, 1879. An extract from the report of the committee on labor, page 13, reads as follows:

Your committee further believe that the impetus now given to this branch of business will have a healthy growth, and that if we continue to receive that protection from the Government which we now receive, and which we so much require, the great bulk of foreign goods which now glut our markets will before long be replaced by those of our own manufacture, and why not?

I say so too. If they receive the same protection that they receive now, and my proposition gives them fully up to what they receive now, why should they not be able to carry on their business prosperously? They say they can. That was the action of their own convention, and the report of their own committee on labor. An extract from the report of the committee on raw materials, on page 18, reads thus:

A high protective tariff can not be expected, and should not be desired to remain for an improper length of time upon any industry, more particularly upon industries that deal only in crude material. Hence, it behooves us all to take the utmost advantage of the existing state of things, for we must not forget that a protective tariff is for the general good, and not for individual benefit.

In all their meetings both the committee on raw materials and the committee on labor express themselves as not only content but gratified at the rate of protection they were then receiving, and say that they can not expect it to continue even at that rate much longer. Why increase it when we are seeking to relieve burdens? Why increase it when we are giving aid to manufacturers in a great variety of ways and to this manufacture in particular?

I desire before I sit down, because I do not like to be contradicted about a fact that I have stated, to call attention to the language used by the Senator from New Jersey [Mr. SEWELL] yesterday in reference to a statement that I had made. I could not hear him yesterday; we are in remote parts of the Chamber, and he does not speak quite as loud as I wish he did. The Senator from New Jersey said:

I desire to correct the Senator from Kentucky. I have no doubt he believes all that he states in relation to the reduction made on articles in the tariff that are used by the pottery men, but the facts are that they do not use them at all. They do not use the articles he refers to in the manufacture of pottery.

I had said:

We have given to the manufacturers of those goods since the present tariff, which provided 40 per cent. ad valorem, a great many privileges that they did not have at the time the tariff was enacted. For example, we put by the present bill the duty on refined borax, which they use in very large quantities, at 3 cents a pound instead of 10 cents, as now. That is a reduction of 70 per cent. on refined borax. Litharge, which they use largely, we have reduced 33⅓ per cent., or from 3 cents a pound to 2 cents a pound. China clay, or kaolin, we have reduced 40 per cent., or $5 a ton. Feldspar, which they use largely, from 20 per cent. we have put on the free-list. A large number of the articles that they use have been free for some time. Stilts and spurs, which are used in the perfection of earthenware, were 24 per cent. when the present tariff was enacted. That we have made free since that time.

Then I quoted some other articles on the free-list. Turning to the testimony of J. H. Brewer before the commission, I find he said that the great article they use is this China clay, or kaolin. All the articles I named are named by him as articles that are the foundation of their labor. I think I could not be mistaken in asserting that the articles I named, notwithstanding the flat contradiction of the Senator from New Jersey, if there is any truth in the testimony of the pottery men themselves, have been greatly reduced below what they were when the tariff was enacted, and are being still further reduced by this bill. Therefore, in addition to the other reasons, they ought not to ask more than 12½ per cent. increase upon the present rates of duty. I think that is far too high, but, having been voted down upon every other proposition, I propose a call of the yeas and nays upon that question, so that we may see exactly how the record will stand.

I desire also to say that I hope to obtain the vote of the Senator from Massachusetts [Mr. HOAR], who, when I made the proposition yesterday to reduce from 60 per cent. to 50 per cent. upon another class of these articles, said:

I believe I shall vote, if I have an opportunity, to make this duty 55 per cent., which is half-way between the proposition of the Senator from Kentucky and the proposition of the committee, believing on the authority of persons for whose judgment I have a high respect that 5 per cent. is enough to make a fair equivalent for the loss of the addition of charges which the Tariff Commission estimate at 10 per cent.

Then he had read a very interesting letter from a firm in Worcester, Massachusetts, showing that that was the fact. The 12½ per cent. I now propose over the present rate is greater than was proposed then, and I hope that the Senator from Massachusetts and other Senators can at least meet half-way on this proposition and vote for 45 per cent., which is 12½ per cent. increase over the present rate of duty, especially as it seems to me that it is all those gentlemen themselves desire or expect, and certainly all that we ought to give.

Mr. MORRILL. I merely desire to say that this question was debated and voted upon in substance pretty nearly all the day yesterday, and I should owe an apology to the Senate for repeating the arguments in reply to the suggestions made by the Senator from Kentucky. The mere difference between the Senator from Kentucky and the Finance Committee is, that while he believes that all the cost of packages, of other charges, of consular certificates, of commissions, and of inland freight would not amount to more than 5 per cent., the Finance Committee agree with the Tariff Commission that it does amount to 10 per cent. Therefore the amount proposed by the bill as it now stands being 5 per cent less than that proposed by the commission is no more than would cover the reduced cost the importers will have in making their purchases of these articles.

There is one thing in relation to what the Senator from Kentucky said that is certainly new to me. I am informed by him that a man may live at Windsor, in Canada, go across to Detroit, and obtain American wages, and yet go back to Windsor and buy crockery-ware for 90 per cent. less than he can buy it in Detroit; and the Senator even went so far as to say he could buy it for 100 per cent. less. That is to say, a dollar spent in the United States will not buy as much crockery-ware as 10 cents will in Windsor, and that it is subject even there to 100 per cent. reduction; that is to say, we may go there and have the crockery-ware given to us. I think we shall all be disposed to go to Windsor and buy our crockery and do our work in Detroit.

Mr. BECK. The last suggestion of the Senator from Vermont is smart, perhaps, but it does not deceive anybody. What I said was that with the protection of 70, 80, or 90 per cent., according to this proposition, a man can buy in Windsor, Canada, if the article is imported free there, or opposite to Buffalo, or in Mexico or the West Indies, or anywhere where there is not a protective tariff, for $10 as much as he can buy here for $20.

Mr. MORRILL. I did not mean to misrepresent the Senator.

Mr. BECK. That is the only statement I intended to make, and I supposed it was understood by everybody on both sides, not excepting the Senator from Vermont.

Mr. MORRILL. If the Senator will refer to the RECORD he will find that I have not misrepresented his words.

Mr. BECK. He has certainly—I will not say misrepresented me (I do not think he would do that in any regard), but in order to say a bright thing he has endeavored to make me say what he very well knows I did not intend to say, if I said it. We give 12½ per cent. advance in the duties here by the proposition I make, and I am content to allow the vote to be taken.

Mr. McPHERSON. Mr. President, all of the articles comprised in this schedule B, known as earthen-ware and glass-ware, occupy almost a distinct and separate position in the tariff bill. It is known to every Senator here that the material from which they are made is of a cheap character; but men are compelled to dig down in the earth and to first move vast quantities of earth to reach the clay or kaolin in beds from which the material is taken. It then has to be transported upon cars or by some method of transportation to some central point where conveniencies and facilities are found for its manufacture. The methods of manufacture are old. There has scarcely been an improvement yet found upon the old potter's wheel by which the clays have been mixed.

It is said by those who profess to know that a very large percentage of the cost, fully, I suppose, 80 per cent., represents labor alone. It is also stated by testimony before the commission that the difference between the labor employed in these industries in this country and that upon the other side is more than 125 per cent.

The Senator from Kentucky states that these goods can be bought in Canada 90 per cent. cheaper than upon the American side. Do I misstate him or do I not?

Mr. BECK. I do not know what they can be bought for in Canada, but I say they can be sold and are sold by the people of England and France and Germany and all other countries to anybody anywhere outside of the United States, if there is no tariff duty, for just the amount less the tariff duty we impose upon them.

Mr. McPHERSON. I will answer the Senator's proposition when we come to that point. If there is a difference of 90 per cent. in the cost of goods between the Canada side and the American side it proves one of two things. If 80 or 90 per cent. of the cost represents labor, it either means that American labor is overpaid or that Canada labor is underpaid. There is no evading the conclusion; one or the other result must be true; one must be vastly overpaid or the other underpaid.

There was no such thing as a pottery industry in this country until the period during the war or immediately subsequent to the war, when we had large gold premiums that enabled our people to compete with foreign countries in the manufacture of earthen-ware, stone, china, and everything of the pottery kind, and also glass-ware. Had it not been for that fact we should not to-day have a single enterprise of this kind in existence, and to-day these enterprises are languishing. Scarcely any business is being done. In the great pottery industries of Trenton, some ninety in number, they are practically doing only enough to keep their labor employed so that the men shall not absolutely starve. The wages paid to the employés there are not a sufficient recompense to enable them to live as the laboring people of this country should live.

I am not one of those who will ever consent to reduce the reward of labor in this country to such a mere pittance that the laboring man can not educate his children and make them fit representatives of republican government when they take our places upon the scene. I will not consent to deprive the children of laboring men of every comfort and of every convenience that belongs to a civilized community. I will not consent to strike down an industry which has been for years and years struggling, until to-day it has made the cost of these products to the American people 50 per cent. what it would have been if this interest had not been fostered and protected.

Mr. MORGAN. Will the Senator from New Jersey allow me to ask him a question?

Mr. McPHERSON. Yes, sir.

Mr. MORGAN. I want to know what is to prevent a capitalist, or anybody else who chooses to do it, from going to England or to Germany, wherever he finds the pauper labor of which we hear, and bringing in any quantity of it he wants to compete with the higher-priced labor of this country, and whether these people can not get on board a steamer and come here inside of ninety days?

Mr. McPHERSON. That is a very proper question of the Senator from Alabama, and one deserving an answer. In reply I will ask the Senator a question: How long would the pauper labor of which he speaks remain in the United States of America occupied in a manufacturing establishment, while upon the opposite side of the street was a concern employing American labor, without demanding the same price that is paid to American labor? There is not an instance of that kind. Even the Belgians imported four weeks ago into South Jersey and employed in the glass factories are to-day demanding and receiving exactly what the men were receiving who were turned out.

Mr. MORGAN. Then the competition between labor is not like the competition between any other productions or any other commerce that I can think of, if the competition between labor keeps the price up, while competition between meats, provisions, sugars, or what not puts the price down. I do not believe in any proposition that is so utterly illogical as that must necessarily be. If we have got a larger supply of laborers here than the market demands at the moment, the price of labor is bound to go down. If there are 10,000 laboring men in the city of Washington to-day, and there are only 5,000 of them needed for the work that is required to be done, the price of labor is bound to go down. You can not keep it up. The 10,000 can not each afford to demand and they will not demand for their labor what each of the 5,000 would get. I can not conceive of a proposition so thoroughly paradoxical as that must be, that the introduction of more labor into this country raises the price instead of reducing it.

Mr. McPHERSON. I am willing to admit that supply and demand regulate all markets, even the labor market; but there are other influences that control very largely the labor interest of every country. Take it in Germany, where they employ laborers for a mere pittance; take it in some other parts of Europe, particularly in Belgium, where this industry is largely carried on; there is found the material of which the product is made. It is conveyed of course to central points, where it is manufactured. Labor there is cheap.

In addition to that there is another point I wish to notice at this time. There is one thing that has become almost an axiom among the people engaged in this branch of manufacture. If A, B, or C desires to buy a large quantity of pottery or glass-ware he will visit the other side, either personally or by an agent; he will make application for the purchase of a quantity of materials. What is the answer? "Well, we will give you no price upon it here; we will make our price delivered to you in New York, in Philadelphia, in Baltimore, or in other ports." Why not send Mr. A, or Mr. B, or Mr. C, as the case may be, a bill of goods and take his money at the point of shipment? Their object is to sell, and not to make any price upon the other side that can be considered a market value for the goods; but, on the other hand, the article comes duty-paid to our great central points, giving them all the opportunity of concealing the real price. For instance, while the value of the article might be equivalent to a dollar and a half upon the other side to a customer, it is valued at such a rate in the port of New York with the duty paid, and then it is subject to competition with our manufacture. I have no objection to all the capital of Europe coming to this country; I have no objection to the labor of Europe coming here. Let them engage in manufacturing enterprises, bring their labor, bring their capital, and consume the products of agriculture here. We will willingly accept and receive them, and every one that comes to this country and establishes himself becomes a competitor with the man already established here, and in that way prevents extortion.

I do not believe, sir, that the duty upon crockery-ware has any more to do with the price of it than anything in the world. It is the home competition that regulates and controls this matter, but the duty prevents the flooding of the markets here with a product that defrauds our labor of employment.

The Senator from Kentucky says that he wants to reduce this duty——

Mr. BECK. No; I want to give these manufacturers all they have now.

Mr. McPHERSON. But it is the intention, I understand, to make a reduction. I want to say to the Senator that in my opinion—and I am confirmed by the testimony of the whole pottery industry in my State—if this duty is reduced it will simply be the destruction of that industry. Thousands of laborers are employed. They can not stand it. The duty should be increased. They should have more protection than they have, and I would willingly vote for more. I will vote for protection to an industry where I find that it can hardly stagger under the load it has to bear.

Mr. BECK. I have only one suggestion to make to the Senator from New Jersey. I am not seeking to reduce this duty at all below what it now is. The Senator speaks of the wages which are being paid. These men furnished the Tariff Commission themselves with a statement of what they do. They employ 99,494 hands; they pay $3,279,535 in wages; they pay for materials $2,564,159. The value of their product is $7,943,229. The average wages paid are only $345 a year, or ninety-four cents a day. There can be no great deal of money that comes into the pockets of the laborers engaged in this manufacture.

Mr. CAMERON, of Wisconsin. That is assuming that all these laborers are employed constantly during the year, which I understand is not the fact.

Mr. BECK. It is not the fact because the manufacturers organize strikes whenever they have a surplus on hand which they can not sell at their own price. It is not the case of laborers organizing strikes, but of manufacturers organizing strikes, and while these laborers are not at work they have to feed their wives and their children, and pay house-rent and for clothing, and buy this very pottery and other things while they are lying idle; but their average wages for the year, idle and employed, is thus furnished by themselves.

Mr. CAMERON, of Wisconsin. If they were employed the whole year the compensation that they did receive would amount to 94 cents a day.

Mr. BECK. Yes, but it is worse for them to lie idle until the glut leaves the market, when the manufacturer confines himself to selling to our own people and will not sell outside. It is better they should work every day and receive regular wages all the time, even if they work for less.

The Senator from New Jersey says this is a new industry grown up since the war. Why, sir, there were 2,289 hands employed in it, producing $1,466,063, in 1850; there were 3,144 hands, receiving $1,044,598 wages, in 1860, and it has been going on like all the rest of our industries. It will always be an infant, and the older it gets the more protection it gets and the more it needs.

Mr. COKE. During the period from 1850 to 1860 the protection was only 24 per cent., and the industry during that period outran the average increase of American industries.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kentucky [Mr. BECK].

Mr. BECK. I desire the yeas and nays on that.

The yeas and nays were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. MAXEY (when Mr. MORGAN'S name was called). I am requested by the Senator from Alabama [Mr. MORGAN] to say that he is paired with the Senator from New York [Mr. LAPHAM]. The Senator from Alabama, if here, would vote "yea."

Mr. VANCE (when his name was called). I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. HAMPTON. I beg to announce the pair of my colleague [Mr. BUTLER] with the Senator from Pennsylvania [Mr. CAMERON].

Mr. ROLLINS. The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES] for the day.

Mr. PLATT. My colleague [Mr. HAWLEY] is paired with the Senator from Missouri [Mr. COCKRELL] for the whole day.

Mr. COCKRELL. He would vote "nay" on this amendment and I should vote "yea."

The result was announced—yeas 20, nays 28; as follows.

YEAS—20.

Barrow,	Garland,	Lamar,	Saulsbury,
Beck,	George,	Maxey,	Slater,
Call,	Grover,	Pendleton,	Vest,
Coke,	Hampton,	Pugh,	Walker,
Farley,	Jackson,	Ransom,	Williams.

NAYS—28.

Aldrich,	Dawes,	Logan,	Morrill,
Anthony,	Edmunds,	McDill,	Platt,
Blair,	Frye,	McMillan,	Rollins,
Brown,	Gorman,	McPherson,	Sawyer,
Cameron of Wis.,	Hale,	Mahone,	Sewell,
Chilcott,	Harrison,	Miller of Cal.,	Sherman,
Conger,	Hill,	Miller of N. Y.,	Windom.

ABSENT—28.

Allison,	Davis of W. Va.,	Ingalls,	Mitchell,
Bayard,	Fair,	Johnston,	Morgan,
Butler,	Ferry,	Jonas,	Plumb,
Camden,	Groome,	Jones of Florida,	Saunders,
Cameron of Pa.,	Harris,	Jones of Nevada,	Vance,
Cockrell,	Hawley,	Kellogg,	Van Wyck,
Davis of Ill.,	Hoar,	Lapham,	Voorhees.

So the amendment was rejected.

The item was agreed to.

Lines 426, 427, 428, 429, 430, and 431 were read and agreed to, as follows:

Stone-ware, above the capacity of ten gallons, 20 per cent. ad valorem.
Encaustic tiles, 35 per cent. ad valorem.
Brick, fire-brick, and roofing and paving tile, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Lines 432, 433, and 434 were read, as follows:

Slates, slate pencils, slate chimney pieces, mantels, slabs for tables, and all other manufactures of slate, 30 per cent. ad valorem.

Mr. VANCE. *De minimis non curat lex.* I move to strike out "slate pencils," so that the urchin who is acquiring knowledge may not be worried by the idea that the pencil with which he ciphers is taxed 30 per cent.

Mr. MORRILL. I trust that will not be done. It is merely a small article and very insignificant in its cost. A very excellent article is made for a very small sum. I trust we shall not pick this bill to pieces in that infinitesimal style.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

The amendment was rejected.

The item was agreed to.

Line 435 was read and agreed to, as follows:

Roofing slates, 25 per cent. ad valorem.

Lines 436 to 443 were read, as follows:

Green and colored glass bottles, vials, demijohns, and carboys (covered or uncovered), pickle or preserve jars, and other plain, molded, or pressed green and colored bottle glass, not cut, engraved, or painted, and not specially enumerated or provided for in this act, 30 per cent. ad valorem; if filled, and not otherwise in this act provided for, said articles shall pay, exclusive of contents, 30 per cent. ad valorem in addition to the duty on the contents.

Mr. MILLER, of New York. I move to amend, in lines 440, 442, and 443, by striking out the words "30 per cent. ad valorem" and inserting "1½ cents per pound," making the duty specific. This is in accordance with the recommendation of the Tariff Commission, who gave this subject much attention. They say in their report:

In the matter of glass manufactures we have recommended a change in the wording of the paragraph covering plain, mold, and pressed glass, and flint or lime glass-ware, and the adoption of a specific instead of an ad valorem duty, which we believe to be as low as it can be put and permit the continuance of the manufacture here.

One and a half cents per pound is the rate recommended by the commission.

Mr. WILLIAMS. Will the Senator tell me what is the difference really between the specific duty he proposes and the ad valorem duty of 30 per cent. in the bill?

Mr. MILLER, of New York. I am scarcely able to answer that question. I have sought for information upon it; but I find that in the importation of all this class of goods on the greater portion of them the same condition of affairs exists as does in regard to porcelain-ware, that the manufacturers on the other side refuse to make a price in Europe, and make it delivered in New York or at the works where the bottles are to be used in this country.

Mr. WILLIAMS. I ask the question simply because as a general proposition I prefer the ad valorem where it can be properly applied; but sometimes there are special reasons why a specific duty might be better than an ad valorem one.

Mr. BECK. My information is on a card I have in my hand, to this effect:

The proposition is to increase from about 30 per cent. to nearly 100 per cent.

Mr. MORRILL. I wish to say to the Senator from New York that I would prefer, perhaps, a specific duty in the latter part of this clause, but not in the first part, and if he will make his specific low enough I shall be willing to vote for it; but 1½ cents a pound would be a very large increase upon the ad valorem rate. If he will make his proposition so that it shall be but 1 cent per pound I think that it would be more reasonable, and I shall be willing to vote for it; but I can not vote for 1½ cents.

Mr. McPHERSON. I wish to say that 1½ cents a pound would be equivalent to about 30 per cent. duty on the absolute cost of manufacturing the goods here. What it is upon goods purchased on the other side is very difficult to state, because, as the Senator from New York truly says, they refuse to make a price there, and sell their goods nowhere except delivered on this side, showing very plainly, or at least leaving it to be assumed, that very large undervaluations are taking place. I think the rate named by the Senator from New York, 1½ cents per pound, is no more than it ought to be, and I shall vote to make the duty 1½ cents per pound.

Mr. BECK. It is an increase to 100 per cent. from 30.

Mr. VANCE. Will Senators inform me whether any struggling industry will die if this duty on empty bottles is withdrawn? If so, any industry that will die over an empty bottle ought to perish.

Mr. MILLER, of New York. About the only people in this country who are to receive any benefit from having a low rate of duty upon empty bottles are the distillers of whisky and the brewers of lager beer. For one I do not care particularly to legislate in their favor. Neither lager beer nor whisky will be cheaper to the consumer because the distiller or brewer buys his bottle a little cheaper and buys it in Germany rather than buy it in this country. I am in favor of protecting the manufacturer of the glass bottle in this country and not of legislating in the interest of the others. I prefer to protect the package rather than the contents.

The Senator from North Carolina asks whether any struggling industry will perish for want of this protection. I beg to refer him to the report of the Tariff Commission upon this question, which he finds it convenient so often to quote here whenever it suits his particular ideas. I confess that in regard to the action of the Senate Committee on Finance in this matter I am unable to see upon what principle the committee have seen fit to act. Frequently they receive and adopt the recommendations of the Tariff Commission, and the Senator from Ohio [Mr. SHERMAN] told us the other day that they had endeavored usually to give us specific rather than ad valorem rates of duty. In this case the Tariff Commission have recommended 1½ cents per pound upon these articles, recommending a specific rather than an ad valorem rate of duty.

Mr. McPHERSON. Will the Senator please state if his amendment keeps up the uniformity all through this whole class. The uniformity of rate will be kept up by adopting his amendment, I understand.

Mr. MILLER, of New York. Certainly. I desire to maintain it throughout all the items pertaining to this matter. Bottles are largely imported now in bulk, in bins, in ships, without going to any expense for packages whatever. I have here a statement that only a short time ago there arrived in New York city a single ship containing fifty carloads of empty beer bottles which were brought in bins without any package whatever and were taken out and shipped directly to the lager-beer brewers.

One of the principal materials used in the manufacture of glass, as we all know, is soda-ash in its various forms. This is not manufactured in this country at all, but the Tariff Commission and the Finance Committee have retained a large rate of duty on that article. We have already passed it. That is another reason why the manufacture of glass requires these rates of duty.

I do not desire to go into any lengthy argument on this question, but rest chiefly on the report of the Tariff Commission, unless good reasons can be given why it should not be followed. I have heard none yet from the Finance Committee.

Mr. BECK. I only wish to say that an increase of from 30 to 100 per cent. upon lager-beer bottles and bottles containing apollinaris and other waters is not a very good thing to do; but I suppose the Senate will do it.

As a suggestion has been made about the articles out of which bottles are made, I wish to say that in a reduction of about a million dollars, which is all we made in the whole chemical list, there are two items, on hydrate or caustic soda, which I believe is a more valuable character of soda-ash, more highly refined, and on the aniline dyes, which are things that are cheapened; we have made a reduction upon caustic soda of $284,394.49, and upon dyes of $552,440, the total. So we propose to reduce the cost of making these things to the amount of $836,834 out of an aggregate of about a million in all the chemical list which we were working on for a week; and now, though on caustic soda we have reduced the taxation $284,394.49, the Senate is asked to put up the tariff on the goods themselves from 30 per cent. to 100 per cent. I do not think that is a good thing to do.

Mr. MILLER, of New York. Do I understand the Senator from Kentucky to say that the rate of duty on soda-ash has been changed?

Mr. BECK. No, I said on caustic soda, which I understand is an improvement on soda-ash.

Mr. MILLER, of New York. Caustic soda is not used in the manufacture of these glass bottles at all, as I understand. I have visited a number of glass establishments, and I never saw or heard of a single pound of caustic soda being used in that way. Soda-ash is used, and that is the only form in which soda is used, so far as I am informed, and I think I am correctly informed upon that subject.

Mr. BECK. That may be so.

Mr. MILLER, of New York. The duty on soda-ash remains just as it has been for a number of years.

Mr. BECK. I ask the Senator if I am correct in saying that caustic soda or hydrate of soda is not of the same general character as soda-ash, but more refined?

Mr. MILLER, of New York. Caustic soda is precisely of the same character as soda-ash. It is in a refined and concentrated form. In that form it is not in a proper condition to be mixed with the sand for the making of glass, and it is not so used. Caustic soda is used more generally by bleachers.

Mr. MORRILL. It is about four times the value of the other.

Mr. MILLER, of New York. As the Senator from Vermont suggests, caustic soda is about four times the value of soda-ash. Soda-ash is the element of chief cost in the manufacture of all glass.

Mr. LOGAN. What is the proposition of the Senator from New York?

Mr. MILLER, of New York. The amendment I have moved is to make the duty on all these glass bottles, so far as we have reached them in the bill, 1½ cents per pound, making it specific, instead of 30 per cent. ad valorem, and that is in accord with the recommendation of the Tariff Commission.

I stand upon that, and I have information from a large number of glass manufacturers in the country that while they asked for a larger duty, 2 cents per pound, with this rate of 1½ cents the industry will be able to go on. For the last eighteen months 15 per cent. of all the glass

furnaces in this country manufacturing this kind of goods have been out of work, have ceased to work, and that arises entirely and solely from the fact that this class of goods is imported from Europe in large quantities, as I have shown you fifty car-loads coming in one ship a few days ago into New York, coming in at an ad valorem rate of duty that leaves the trade in this country entirely at the mercy of the manufacturers on the other side who, as I have said, refuse to give the price of the goods there, but make the price delivered in New York, duty paid, and they have so undervalued and so invoiced their goods that they are rapidly destroying this industry in this country. In the last eighteen months 15 per cent. of all the glass-furnaces in this country have gone up and ceased to work. If we do not vote to give them proper protection in this bill, if we leave this duty where the Senate Finance Committee has put it, I believe that in less than eighteen months 50 per cent. of them will go out of work. They employ between 7,000 and 8,000 operatives; they use up large quantities of native materials in the way of sand, &c., which are very valuable.

The protection of glass has always been a subject of great consideration with all governments. No government has ever believed that it could afford to go on without manufacturing its own glass. For many years England and France maintained prohibitory duties, absolutely preventing it from being exported to other countries in order that it might be made at home. In fact we may say that the manufacture of glass in any country at the present day is necessary in order that it may maintain its civilization.

I believe that these facts can not be gainsaid, that the industry can not be carried on without a specific rate of duty, and that it must be specific in order to avoid the frauds which are practiced in importation.

Mr. MORRILL. I move to amend the proposition made by the Senator from New York by making the rate 1 cent a pound instead of 1½ cents.

The Committee on Finance examined this question very thoroughly and I think were quite willing that the duty should be made 1 cent a pound, but were equally unwilling to go beyond that, believing that 1 cent a pound was an adequate duty upon these articles, and that it would be more sure of being executed if it was made by the pound than it would be if it was an ad valorem duty.

Mr. DAWES. There is no industry in the world, I think, in which there is such a disparity between the wages paid in this country and abroad as in the glass manufacture. I think the employés in glass manufactories abroad are paid a more scanty and beggarly pittance than any other operatives in any manufacturing establishments. They barely drag out a miserable existence. The question is whether that kind of service and pay shall supply our markets here while the material out of which the glass is made is abundant on all sides of us, and we can use it up and pay a man for the work a competence for his wages so that he can build up a home and make himself a useful citizen, rather than draw out a beggarly and ragged existence such as they do in Europe employed in the making of glass.

If there is any industry in the wide world upon which a man can express his opinion of the difference he desires to make and to preserve and keep up between those who labor for a living in this country and those who labor for a living abroad, he has an opportunity to show it here; but if he care not whether the laborer lives here as he lives abroad, if he has no distinction in his own mind or in his own purpose, then he will put down the duty upon glass made abroad to such a point that it can be brought in here as is described by the Senator from New York, made abroad by men who do not get enough to live on while they are at work, and who spend the rest of their time begging from door to door for the clothes they wear upon their backs.

Mr. McPHERSON. Mr. President, I can not see any propriety in the honorable chairman of the Committee on Finance desiring to have the duty fixed upon glass bottles at less than the duty upon other qualities and kinds of glass-ware of the same grade. Certainly the Tariff Commission, in fixing this schedule, made it with some degree of uniformity, and I must say, in my opinion, with some degree of justice. It will be noticed as we go on down in the list of the other articles, none of which is protected to an extent more than is needed, that they all occupy a corresponding position except the one we are now considering. I am informed by the president of the Glass Blowers' Association that a duty of 1½ cents per pound would not be more than equivalent to a 30 per cent. duty upon the absolute cost of manufacturing the bottles here. Now, suppose it costs double to manufacture them here that it does abroad, you only make a duty of 60 per cent. on a special industry, and there are many things on the tariff list which have a duty as great as 60 per cent. ad volorem, and none of which requires it more than this. As the Senator from New York has well said, there is to-day 15 per cent. of the glass establishments of the country out of blast by reason of the depression in the trade, the surplus of material on the market. Goods are brought over in ballast, any quantity of them, and sold here, duty paid, and therefore we can reach no valuation whatever upon them on the other side on which to base an ad valorem duty.

I submit that this amendment should be made in order to make this item correspond with the rest of the schedule, and also to be just to this industry.

Mr. VANCE. The honorable Senator from New Jersey is mistaken in saying that the duty on glass bottles ought to be commensurate with that on all other articles of glass-ware. I find that the duty at present on these articles is 35 per cent. and the bill makes it 30 per cent. A cent and a half a pound will raise it to the neighborhood of 100 per cent.

I wish to call the attention of the Senator and the Senate to the fact that cast polished plate-glass unsilvered, not above 10 by 15 inches, is taxed by the bill 16.03 per cent.; above that, and not exceeding 15 by 24 inches, 15.19 per cent.; above that, and not exceeding 24 by 30 inches, 21.46 per cent. If 15, 16, and 21 per cent. are sufficient for cast polished plate-glass silvered and unsilvered, I think it will be very well for old bottles, or for bottles coming in filled with some other material which is highly taxed also, to be put at 30 per cent.

Mr. CONGER. Mr. President, I do not know what ad valorem duty would be the equivalent of a cent and a half a pound. This class of manufacture is made abroad as cheap as the cheapest kind of material and the very cheapest and lowest class of labor in the world can make it. There are some one hundred and ten or one hundred and fifteen—I do not know the exact number—glass-works making this kind of glass-ware in the United States. There are a good many thousand people employed in the manufacture. We have substantially all the materials, except soda-ash, in this country, and they cost nothing but the labor put upon them. It is within the knowledge of any one who has examined this subject that the common glass bottles are brought here even without the expense of transportation. They are placed in the holds of vessels as mere ballast, without packages, filled in like brick, and come in thousands of bottles at a time in the holds of vessels, the other cargo being placed on top of them, at a very slight cost of transportation or as ballast, or as part ballast and part freight.

Crude materials lying all over this country in fifteen of our States have been used by our people to make glass bottles.

Of the one hundred and ten of that class of works in the United States, I understand fifteen have been idle for the past year, because in one form or another so many of the cheap foreign bottles have been imported by thousands and hundreds of thousands into this country at a very slight cost in the first instance, and therefore the ad valorem duty is small. This importation has broken down or stopped the work of at least fifteen of the glass manufacturing establishments of that kind of ware in the United States.

The Senator from North Carolina says that 1½ cents a pound would be 100 per cent. ad valorem. One hundred per cent. on what? On bottles brought in without paying any duty on the value of the bottles in this market, brought here as ballast, as so much stone or brick. What is the value at the place of shipment? Where is the ad valorem duty attached to the value? Or is it on the false invoice which accompanies these bottles and breaks down our industry?

In my own State there are glass works still existing. There are places where there have been large manufactories of that kind of glass which have been broken down, and their works lie idle and are wasted and useless. If there is any propriety at all in making a duty which shall be more protective to a class of labor and industry which takes the raw material in all our States and works it into uses of this kind, this is the case.

If the object of the committee or any one else be to break down our industries instead of protecting them, a duty of 30 or 35 per cent. ad valorem will do it more effectually than the lightning which might destroy the buildings and the factories. I think there is no question about that. This is not an industry affecting any one State. There is scarcely a State in this Union where the material for this manufacture may not be found, and the encouragment of the labor would be useful to the State.

I hope the amendment of the Senator from New York will be adopted and that some kind of regularity in the tariff which we make now will be made effective to protect the material and labor of our own people.

Mr. SEWELL. Mr. President, a fair illustration of what is necessary for the bottle interest would be to take the present duty on common window-glass, which is made of the same material, in the same pot, and which costs the same as it does to make a bottle. The present duty is 2 cents a pound on the commonest window-glass which is blown in large globes, opened, heated, and cut. It takes more labor to manufacture a bottle or a series of bottles than it does to manufacture that window-glass. These bottles run from a very small size up to a quart bottle, for instance. There is more labor used in the manufacture of a bottle to-day than there is in window-glass, and window-glass has been put for some years at 2 cents per pound.

Mr. MILLER, of New York. And it is at 2 cents a pound in this bill.

Mr. SEWELL. Two cents a pound is recommended by the Tariff Commission and by the Finance Committee. The necessities of the trade are such that they absolutely need and must have a specific rate of duty. They can not get along with an ad valorem rate. The duty proposed by the chairman of the committee of 1 cent a pound per bottle will not cover the case. If 2 cents a pound proposed by the same committee is right for window-glass it is certainly right for an article which costs more labor to make it than window-glass.

Mr. LOGAN. I rose when the Senator from New Jersey did, and he

has made about the speech I was going to make in reference to the inequality in the specific duty provided by this committee in regard to ordinary window-glass and glass bottles. In the State that I have the honor to represent in part we have quite a number of manufacturing establishments engaged in manufacturing glass bottles, and many of the persons engaged in this industry have been, I understand, before the Committee on Ways and Means and the Committee on Finance. I can not understand how it is that the committee came to the conclusion that they have in reference to this duty on bottles of 1 cent per pound and at the same time arrived at the conclusion that 2 cents per pound was the proper duty on ordinary window-glass. All the information I have been able to obtain on this subject from those men who are engaged and employed in this business is about to this effect: That unless a specific duty of at least 1½ cents per pound is imposed their manufacturing establishments will have to go out of existence. As has been stated by several Senators, quite a number of these establishments have ceased to manufacture this article, for the reason that the tariff was of such a character that they could not possibly compete with the importation of foreign glass bottles brought here as mere ballast in ships, as has been stated by the Senator from New York.

I feel a good deal of interest in having this duty fixed, as the Senator from New York has proposed, at 1½ cents a pound. I think that would be fair to the manufacturers and would accord more nearly with the tariff fixed on other articles of glass than would be the case if we brought it down to 1 cent per pound. That certainly would have the effect, as has been stated by Senators, to at once cause many of these establishments to go out of existence. I hope that the amendment of the Senator from New York will be adopted, and duty on glass bottles fixed at not less than a cent and a half a pound.

Mr. VANCE. Mr. President, although according to the Senator from Michigan there was nothing for the ad valorem duty to attach to, it seems that this clause yields $178,189 of revenue, as will be seen by adding the three items under the present tariff. Really the proposition is to increase the present duty at least 100 per cent. Inasmuch as the bulk of this is a duty levied upon bottles that come in filled with something else for sale, we increase the duty to that extent or we shall have to prohibit altogether the importation of the contents of the bottles. I do not see why, if we are to levy such an enormous duty not only upon the contents of the bottles but upon the bottles themselves which hold the materials imported, we should not in justice to all the other interests go the whole round. A case of bottles comes in a box, and we should apply the lumber duty to the box.

Mr. McPHERSON. Allow me to ask a question. Suppose the bottle manufacturers on the other side desire to get their bottles here free of duty and simply fill them with water and send them as ballast in ships; the water being admitted free, they have accomplished their purpose of getting the bottles in.

Mr. VANCE. Will the Senator from New Jersey be kind enough to tell me if that should happen who would suffer by it?

Mr. McPHERSON. The bottle-makers here.

Mr. VANCE. Would the great mass of consumers, the 50,000,000 people who use bottles, be hurt? It seems to me not. I suppose, as a matter of course, if there was a tariff levied upon the bottle proper the appraisers and inspectors of the custom-houses would not allow it to be evaded by bringing in a bottle filled with water. That is on the supposition that the officers did not know their duty or would not do it.

As I was saying, I do not see on the same principle why we should not put the lumber duty on the boxes in which the bottles come; why we should not attach the gunny-bag duty to the bags that they come in; why we should not apply the iron duty to packages that come in bales with iron hoops; why we should not apply the jute and hemp duty to a package which came in tied up with a string; why we should not apply the cork duty to a bottle that came in with a cork; why we should not apply the duty on hay to a box that comes in with glassware packed in hay; why we should not do the whole thing, and then make it indictable for anybody to send anything into this country, in behalf of the suffering industries here, which are about to die!

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. MORRILL] to the amendment of the Senator from New York [Mr. MILLER].

Mr. MILLER, of New York. I did not understand that the Senator from Vermont made any motion, but he made the suggestion that he thought the committee would be willing to accept 1 cent a pound.

Mr. HARRISON. He did make the motion.

Mr. SHERMAN. The Senator from Vermont did make the motion. He is now temporarily absent, but I do not ask that the vote be postponed on that account. I do not agree with him on the motion, but I ask that the vote be taken on his motion.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. MORRILL] to the amendment, which is to make the duty 1 cent per pound.

The amendment to the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the Senator from New York [Mr. MILLER], to strike out, in line 440, "30 per cent. ad valorem" and insert "1½ cents per pound."

Mr. BECK and Mr. VANCE called for the yeas and nays, and they were ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. WALKER (when Mr. GARLAND'S name was called). My colleague [Mr. GARLAND] is paired with the Senator from Vermont [Mr. EDMUNDS]. My colleague, if here, would vote "nay."

Mr. VANCE (when his name was called). I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. COCKRELL. I am paired with the Senator from Connecticut [Mr. HAWLEY]. If he were present, he would vote "yea," and I should vote "nay."

Mr. JONES, of Nevada. I am paired with my colleague [Mr. FAIR].

Mr. ALLISON. I am paired with the Senator from Delaware [Mr. BAYARD]. I do not know how he would vote on this question and therefore I refrain from voting.

Mr. ROLLINS. The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

The result was announced—yeas 28, nays 22; as follows:

YEAS—28.

Aldrich,	Davis of Ill.,	Lapham,	Miller of N. Y.,
Anthony,	Davis of W. Va.,	Logan,	Pendleton,
Blair,	Dawes,	McDill,	Platt,
Camden,	Frye,	McMillan,	Rollins,
Cameron of Pa.,	Gorman,	McPherson,	Sawyer,
Cameron of Wis.,	Harrison,	Mahone,	Sewell,
Conger,	Hill,	Miller of Cal.,	Sherman.

NAYS—22.

Barrow,	George,	Lamar,	Slater,
Beck,	Grover,	Maxey,	Vest,
Butler,	Hampton,	Plumb,	Walker,
Call,	Ingalls,	Pugh,	Williams.
Coke,	Jackson,	Ransom,	
Edmunds,	Jonas,	Saulsbury,	

ABSENT—26.

Allison,	Ferry,	Johnston,	Saunders,
Bayard,	Garland,	Jones of Florida,	Vance,
Brown,	Groome,	Jones of Nevada,	Van Wyck,
Chilcott,	Hale,	Kellogg,	Voorhees,
Cockrell,	Harris,	Mitchell,	Windom.
Fair,	Hawley,	Morgan,	
Farley,	Hoar,	Morrill,	

So the amendment was agreed to.

Mr. BECK. I desire to give notice that I will call for a vote in the Senate on the amendments voted down in line 424 of the bill, instituting 45 and 50 per cent., respectively.

The PRESIDENT *pro tempore*. The Senator can renew his amendments in the Senate.

DEATH OF REPRESENTATIVE SHACKELFORD.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, communicated to the Senate the intelligence of the death of JOHN W. SHACKELFORD, late a member of the House from the State of North Carolina, and transmitted the resolutions of the House thereon.

Mr. RANSOM. Mr. President, deeply affected as my colleague and I are at the sorrowful announcement, I ask that the resolutions of the House be laid before the Senate.

The PRESIDENT *pro tempore*. The resolutions of the House of Representatives will be read.

The Acting Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *January* 18, 1883.

Resolved, That the House has heard with profound sorrow the announcement of the death of Hon. JOHN W. SHACKELFORD, a Representative from the State of North Carolina.

Resolved, That the Clerk communicate these proceedings to the Senate.

Resolved, That as a token of respect for the memory of the deceased the House do now adjourn.

Mr. RANSOM. Mr. President, at a proper time my colleague and myself will ask the Senate to unite with the House in rendering ceremonies of proper respect to the memory of our lamented associate of the House. At present I will ask that the resolutions which I send to the desk be read.

The Acting Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN W. SHACKELFORD, late a Representative from the State of North Carolina.

Resolved, That the President *pro tempore* appoint a committee of three Senators to join a like committee on the part of the House of Representatives to escort the remains of the deceased to his late home in North Carolina.

The resolutions were agreed to unanimously.

The PRESIDENT *pro tempore*. The Chair appoints as the committee provided for in the resolutions the Senator from North Carolina [Mr. RANSOM], the Senator from Tennessee [Mr. JACKSON], and the Senator from Wisconsin [Mr. SAWYER].

Mr. RANSOM. Mr. President, as a further mark of respect to the memory of the deceased I move that the Senate do now adjourn.

The motion was agreed to; and (at 3 o'clock p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January* 18, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

AMENDMENT OF RULES.

Mr. KASSON, by unanimous consent, submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That during the remainder of this session each of the following committees shall be entitled to one day for the consideration by the House of one or more bills approved by them respectively, to be selected by such committee, subject only to revenue and appropriation bills and existing orders, namely: The Committee on the Judiciary, the Committee on Commerce, the Committee on Foreign Affairs, the Committee on Naval Affairs, the Committee on Territories, and the Committee on the Public Lands.

RIGHT OF WAY THROUGH FORT SMITH MILITARY RESERVATION.

Mr. UPSON. I ask unanimous consent to have taken from the Speaker's table for present consideration the bill (S. 2239) granting right of way for railroad purposes and a telegraph line through the lands of the United States included in the Fort Smith military reservation at Fort Smith in the State of Arkansas. This bill is recommended by the Secretary of War, the Secretary of the Interior, and the Quartermaster-General.

Mr. BUTTERWORTH. Is there a report from a committee recommending this bill?

Mr. HISCOCK. Let the bill be read subject to objection.

The bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. SINGLETON, of Illinois. I object.

ORDER OF BUSINESS.

Mr. MOREY. I ask, by unanimous consent, that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of House bill No. 5007, for the relief of Benjamin D. Lakin.

Mr. BRAGG. I think we had better proceed with the regular order.

The SPEAKER. The regular order is called for. The gentleman from Pennsylvania [Mr. SMITH] rises to submit a privileged resolution.

CLARENCE W. DE KNIGHT.

Mr. SMITH, of Pennsylvania, submitted the following resolution; which was referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be, and is hereby, authorized and directed to pay to Clarence W. De Knight, for services rendered as page, the difference between the pay of a folder and that of a page from January 11, 1882, to June 30, 1882, the amount being $86.64.

MILITARY TELEGRAPH LINES.

Mr. ANDERSON, from the Committee on the Post-Office and Post-Roads, reported back with a favorable recommendation the following resolution; which was read, considered, and adopted:

Resolved, That the Secretary of War be hereby requested to inform the House of Representatives what telegraph lines have been built under his direction by the Army of the United States, what disposition, if any, has been made of the same, and upon what terms, with maps showing all such lines and the lines now in use by the Army.

Mr. ANDERSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DANIEL B. STORMS.

Mr. KNOTT. I ask unanimous consent to introduce a bill for reference.

The SPEAKER. The regular order was called for; but if that call is not insisted upon the Chair will recognize the gentleman.

Mr. KNOTT, by unanimous consent, introduced a bill (H. R. 7319) granting a pension to Daniel B. Storms; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LOAN OF ARMY TENTS.

Mr. STEELE, by unanimous consent, reported back from the Committee on Military Affairs, with a favorable recommendation, the bill (H. R. 7255) to authorize the Secretary of War to loan tents to the Grand Army of the Republic, Denver, Colorado; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

Mr. WHITE. I call for the regular order.

Mr. ROBESON. I move to dispense with the morning hour for the call of committees.

Mr. ROBINSON, of Massachusetts. Will the gentleman be kind enough to inform the House what he desires to reach?

Mr. ROBESON. I desire to reach the naval appropriation bill.

The motion was agreed to (two-thirds voting in favor thereof).

AMENDMENT OF RULES.

Mr. POUND. I rise to a privileged question.

The SPEAKER. The gentleman will state it.

Mr. POUND. In pursuance of the notice which I submitted to the House on the day before yesterday, I move now the adoption of the resolution which I send to the desk, a resolution amendatory of the rules.

Mr. ANDERSON. I rise to a parliamentary inquiry whether, without unanimous consent, the gentleman from Wisconsin [Mr. POUND] has the right to call up this resolution at this time?

The SPEAKER. Neither the gentleman from Kansas nor the Chair has heard the resolution. The Clerk will read it, after which the Chair will decide the question.

The Clerk read as follows:

Resolved, That during the remainder of this session of Congress it shall be in order, immediately after the approval of the Journal, to proceed in the House as in Committee of the Whole to the consideration, for the period of one hour, of bills and resolutions which shall have been previously reported by standing committees of the House, and such reports printed, and Senate bills and resolutions on the Speaker's table, which, or substantially similar measures, shall have received favorable action of appropriate House committees, in the following manner, to wit:

The Speaker shall call the standing committees in their order, whereupon, by direction of committees so called, not more than one measure may be called up for final consideration; if not more than three members object such consideration shall proceed, providing that debate on each bill or resolution shall be limited to ten minutes, exclusive of five minutes which may be occupied in reading reports of committees, the latter upon request of a member to be allowed prior to submitting the call for objections, this hour not to interfere with revenue or appropriation bills.

Mr. ROBINSON, of Massachusetts. I make the point of order that this should go to the Committee on Rules.

Mr. KNOTT. Is this resolution reported from the Committee on Rules?

The SPEAKER. It is not.

Mr. KNOTT. Then I object to its consideration.

The SPEAKER. An objection will not carry it over.

Mr. KNOTT. I move that the resolution be referred to the Committee on Rules.

The SPEAKER. The motion is in order.

Mr. ROBINSON, of Massachusetts. I make the point of order, Mr. Speaker, that it must be referred, under the rules, to the Committee on Rules.

Mr. HOLMAN. I rise to a parliamentary inquiry. Is this a privileged question? I wish to inquire whether or no this measure upon objection ought not to go to the Committee on Rules under the rules of the House?

Mr. POUND. Does the Speaker entertain the motion of the gentleman from Kentucky?

The SPEAKER. The Chair entertains the motion of the gentleman from Kentucky to refer the resolution to the Committee on Rules.

Mr. POUND. That motion is not debatable.

Mr. HOLMAN. What is the motion of the gentleman from Kentucky?

The SPEAKER. The gentleman from Kentucky [Mr. KNOTT] moves that the resolution be referred to the Committee on Rules.

Mr. ROBINSON, of Massachusetts. I rise to a question of order.

Mr. ROBESON. I rise to make a parliamentary inquiry.

The SPEAKER. Two gentlemen are now trying to get answers to their parliamentary inquiries.

Mr. TOWNSHEND, of Illinois. The point of order is pending, as I understand it.

Mr. ROBESON. I believe that a parliamentary inquiry takes precedence.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ROBESON. I desire to ask the Chair whether this motion is privileged? I mean the motion of the gentleman from Wisconsin, over my motion to go into the Committee of the Whole House on the state of the Union for the purpose of taking up the naval appropriation bill.

Mr. POUND. The gentleman has not made any such motion.

The SPEAKER. If the motion of the gentleman from Wisconsin is properly before the House at all it is of higher privilege than the motion of the gentleman from New Jersey to go into Committee of the Whole House on the state of the Union.

The point of order is made that the resolution should be referred under the rules to the Committee on Rules. There is no doubt the rules provide that all resolutions looking to a change of the rules, whether standing rules or otherwise, would have to be referred to that committee. But the rules also provide that one day's notice may be given of any proposed change of the rules. The Chair is inclined to think that means something, and that it means, having given the whole House notice, as was done two days ago in this case, that a motion would be made to amend the rules in accordance with the resolution just read, it becomes a privileged matter, and it does not follow necessarily that it must go to the Committee on Rules. A change or amendment of the rules is one of high privilege.

But the gentleman from Kentucky moves that this resolution shall be referred to the Committee on Rules, which motion the Chair has entertained.

Mr. COX, of New York. I make the point of order, Mr. Speaker, that the resolution under the rules must go to the Committee on Rules.

The SPEAKER. That is the point of order which the Chair has been trying to decide.

Mr. COX, of New York. I wish to have the rule on the subject read. It is Rule XI, I believe.

The SPEAKER. The rule provides that the proposition submitted to the House for change of the rules shall be referred to the Committee on Rules. The Chair remembers that distinctly; but the gentleman from New York can have it read if he desires it.

Mr. COX, of New York. Yes, I would like to have the rule read.

The SPEAKER. But the rules also provide that one day's notice may be given of a change of the rules.

Mr. ANDERSON. Will the Chair inform the House whether the gentleman from Wisconsin could have given that notice by unanimous consent when objection was made?

The SPEAKER. The Chair decided that two days ago, and the gentleman from Wisconsin did give notice.

Mr. ANDERSON. He did give notice, but I do not understand the Chair to decide whether it was in order for him to give that notice or not.

The SPEAKER. The Chair did so decide.

Mr. ROBINSON, of Massachusetts. I wish to say something on the point of order. The Chair was making a statement to the House a while ago, and I did not wish to interrupt him.

The SPEAKER. The Chair will hear the gentleman from Massachusetts now.

Mr. ROBINSON, of Massachusetts. I am not aware whether the Chair has decided it or not. If he has it would be useless for me to proceed. But my suggestion is this: That the rule is explicit that all proposed action touching a proposed change of the rules shall be referred to the Committee on Rules. That is very definite, explicit, and clear. There is no discretion about it. It shall be referred to the Committee on Rules.

Now, the other clause to which the Speaker refers is simply a clause put in to protect the House against any precipitate action on the recommendation of the Committee on Rules. Otherwise we are in this position: A gentleman may rise here this morning and say, "I propose to-morrow to move for a change of the rules." It is not before the House at the time he gives that notice, as the Chair very properly ruled the other day. Therefore the House is in this condition: Without the action of the Committee on Rules a member may force the consideration of his proposition against the explicit language of the rule I alluded to.

Now, it is of course obvious to every member of experience here that our whole framework of rules rests upon the idea of first responsibility in the committee. Any subject shall first go to a committee to receive consideration. The rules are iron-clad in that direction to guard the House against individual propositions precipitated upon its attention. Therefore our rules provide that such propositions shall be considered first by a committee, and, with all respect to the suggestions of the Speaker, I repeat that our rules are in strict harmony upon this subject. First, I may propose something in the shape of a modification of the rules, but it shall go to the Committee on Rules; and then within one day, or after the expiration of one day, that committee may bring the House to action upon it, but not before. They may report before the expiration of one day, but their report is not in order for immediate action, and shall stand over one day before consideration can be demanded upon it. That is what the rule means, and in that respect the two provisions of these rules are strictly in harmony. Their report must stand over one day.

The SPEAKER. There is nothing of the kind in the rules.

Mr. ROBINSON, of Massachusetts. But if the Speaker will permit me I argue from the two rules taken together. The Chair argued by taking a single rule. I state it definitely because we have to meet the proposition definitely, otherwise the House would be at sea all the time. Some member will rise, possibly of the majority side of this House, or the next, and propose something to be put upon the rules, and next morning, without any consideration on the part of the committee, the matter will be forced upon the consideration of the House. Now there might be on the Committee on Rules a minority that have an opinion upon the matter, but their views will be silent and smothered, because the majority can say, "Never mind the Committee on Rules; we will overrule it at once and bring the matter immediately to the consideration of the House." I think it well that we proceed in a conservative way about a matter of this kind and adhere to the well-established practice of the House.

Mr. KNOTT addressed the Chair.

Mr. POUND. I think this, Mr. Speaker, is a useless consumption of time, after the Chair has decided the point of order.

The SPEAKER. The gentleman from Kentucky is recognized.

Mr. KNOTT. Mr. Speaker, I suppose that our rules must be construed in the light of the well-recognized canons of legal interpretation elsewhere. One of the most familiar rules of legal interpretation is that where there are two or more provisions touching the same subject-matter they must be construed together; and, unless there is a conflict between them, must be taken as having all of the force imparted by their words respectively. I suppose that there is no better or more thoroughly settled canon of interpretation of the legal construction of language anywhere in the world than that implies.

Now, Rule XI, section 41, provides:

That all proposed action touching the rules and joint rules of the House shall be referred to the Committee on Rules.

The other provision to which the Chair has alluded is this:

No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion therefor.

Therefore there is no conflict between those two provisions at all; but full force and effect can be and should be given to each. One day's notice is required of the motion to change the rules; and when that motion comes up for action, by this last provision of the twenty-eighth rule which I have quoted it must go to the Committee on Rules. There is no escape from it by construing both rules together and giving to each the force intended by the language employed. I think the proposition is too plain for discussion.

The SPEAKER. The Chair has entertained the motion of the gentleman from Kentucky to refer the proposition to the Committee on Rules, for it is simply a question of reference. There is no doubt that the Committee on Rules is the committee to which it should be referred.

Mr. KNOTT. But my point is that it should be sent there under the rules, by the very force of the rules themselves, on the point of order, and that no motion is required for that purpose.

The SPEAKER. The Chair so understands the rule, and there is no difficulty at all about it and no difference of opinion, except that the Chair holds that a member, although he may have his proposition referred to the Committee on Rules, has a right upon giving notice—and the Chair sees by turning to the precise language what that notice is—to have that motion entertained in accordance with the provisions of the rules which provide how a standing rule of the House may be changed; that is, after one day's notice. That is in accordance with the practice of the House, and in the judgment of the Chair there is no clearer rule than that. The two rules are quite consistent and both can be given full effect. All matters relating to the rules, when for reference, must under the rules go to the Committee on Rules. But a mere *motion* to amend the rules can only come up after one day's notice as a privileged matter, as provided by paragraph 1 of Rule XXVIII, which reads as follows:

No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion therefor.

While the two rules (XI and XXVIII) must be construed together, both should be given effect if possible. The two can stand, in the opinion of the Chair.

Mr. REAGAN. If that is the ruling of the Chair, I respectfully appeal from the decision.

Mr. TURNER, of Kentucky. The decision is clearly right.

Mr. HAMMOND, of Georgia. I desire to know, Mr. Speaker, whether we can now appeal from the decision of the Chair, or whether that is a repetition of the decision made some time ago?

The SPEAKER. It is the same thing.

Mr. HAMMOND, of Georgia. I desire to appeal from the decision, unless it is too late.

The SPEAKER. The Chair thinks it is too late. It has been so decided over and over again.

The question is on the motion to refer the resolution to the Committee on Rules.

The motion to refer was agreed to.

JAMES REILLY, DECEASED.

Mr. URNER. I desire to submit a privileged report from the Committee on Accounts. I am directed by the committee to report back a substitute for the resolution which was referred to the committee.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay out of the contingent fund of the House to Mrs. James Reilly, widow of James Reilly, late an employé in the folding department of the House of Representatives, a sum equal to his salary for three months, and also his funeral expenses, not exceeding in amount $250.

The resolution was agreed to.

Mr. URNER moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. ROBESON. I rise to a privileged motion. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the naval appropriation bill.

Mr. BUTTERWORTH. I rise to a parliamentary inquiry. I understand that the gentleman from New Jersey moves that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the naval appropriation bill. I desire to ask whether it is in order, and if so I desire to do it, to raise the question of consideration on the motion for the purpose of going to the

Speaker's table and calling up House bill No. 5656. The object I will state frankly——

Mr. ANDERSON. What is that bill?

Mr. BUTTERWORTH. To amend the revenue laws.

Mr. ANDERSON. For what purpose?

Mr. BUTTERWORTH. For the purpose of affording relief.

Mr. ANDERSON. What kind of relief?

Mr. HUMPHREY. Radway's Ready Relief. [Laughter.]

The SPEAKER. The Chair for the information of gentlemen directs the Clerk to read paragraph 9 of Rule XVI.

The Clerk read as follows:

At any time after the expiration of the morning hour it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue or general appropriation bills.

The SPEAKER. Under that paragraph of Rule XVI the Chair holds that the motion of the gentleman from New Jersey [Mr. ROBESON] takes precedence of the motion to go to business on the Speaker's table.

Mr. BUTTERWORTH. I raise the question of consideration on the motion of the gentleman from New Jersey.

The SPEAKER. That question can be determined by the vote on the motion.

Mr. BUTTERWORTH. That is, by voting down the motion.

Mr. ATKINS. So far as I am concerned, I do not care about going to business on the Speaker's table. But it has been suggested to me by several gentlemen that they have not had an opportunity to examine the naval appropriation bill.

Mr. REED. Is this a debatable question?

The SPEAKER. It is not.

Mr. REED. Then I object to debate. We have had no opportunity to examine this other bill.

The SPEAKER. The gentleman from New Jersey [Mr. ROBESON] moves that the House resolve itself into Committee of the Whole House on the state of the Union, and states his object is to call up for consideration in the committee the naval appropriation bill.

The question being taken on Mr. ROBESON'S motion by a *viva voce* vote, the Speaker stated that the "ayes" seemed to have it.

Mr. BUTTERWORTH. I call for a division.

Mr. WHITE. I call for the yeas and nays.

Mr. BUTTERWORTH. I suggest to my friend from Kentucky that we can determine this question without the yeas and nays.

The yeas and nays were ordered—42 members voting therefor.

The question was taken; and it was decided in the affirmative—yeas 143, nays 67, not voting 82; as follows:

YEAS—143.

Anderson,	Fulkerson,	McCoid,	Scales,
Beach,	Garrison,	McCook,	Scoville,
Beltzhoover,	Godshalk,	McLean, Jas. H.	Shallenberger,
Bisbee,	Grout,	McMillan,	Sherwin,
Bland,	Guenther,	Miles,	Singleton, Jas. W.
Bliss,	Hall,	Miller,	Skinner,
Blount,	Hammond, N. J.	Mills,	Smalls,
Brewer,	Hardy,	Moore,	Smith, A. Herr
Briggs,	Harmer,	Morey,	Smith, Dietrich C.
Buchanan,	Harris, Benj. W.	Morse,	Spooner,
Buck,	Haseltine,	Moulton,	Steele,
Burrows, Julius C.	Haskell,	Murch,	Stockslager,
Burrows, Jos. H.	Hatch,	Mutchler,	Stone,
Calkins,	Hazelton,	Norcross,	Taylor, Ezra B.
Cannon,	Heilman,	Page,	Taylor, Joseph. D.
Carpenter,	Henderson,	Parker,	Thomas,
Caswell,	Hepburn,	Paul,	Thompson, Wm. G.
Clements,	Herbert,	Payson,	Townshend, R. W.
Cook,	Hewitt, G. W.	Peelle,	Turner, Henry G.
Crowley,	Hiscock,	Peirce,	Tyler,
Culberson,	Hitt,	Pettibone,	Updegraff,
Cullen,	Horr,	Phelps,	Vance,
Cutts,	Houk,	Pound,	Van Aernam,
Davis, Lowndes H.	Humphrey,	Prescott,	Wadsworth,
Dawes,	Jadwin,	Randall,	Wait,
Deering,	Jones, Geo. W.	Reagan,	Walker,
De Motte,	Jones, Phineas	Reed,	Ward,
Dezendorf,	Joyce,	Reese,	Warner,
Dibrell,	Ketcham,	Rice, Theron M.	Watson,
Dingley,	Klotz,	Rice, Wm. W.	Webber,
Doxey,	Lacey,	Rich,	Wellborn,
Dunn,	Ladd,	Ritchie,	West,
Dwight,	Lewis,	Robeson,	White,
Farwell, Sewell S.	Lindsey,	Robinson, Geo. D.	Willits,
Fisher,	Lord,	Russell,	Wood, Walter A.
Forney,	Lynch,	Ryan,	

NAYS—67.

Armfield,	Cobb,	House,	Simonton,
Atkins,	Converse,	Kelley,	Singleton, Otho R.
Barr,	Covington,	Knott,	Springer,
Bayne,	Cravens,	Leedom,	Talbott,
Belford,	Davidson,	Manning,	Thompson, P. B.
Belmont,	Davis, George R.	Martin,	Townsend, Amos
Blackburn,	Deuster,	Matson,	Tucker,
Blanchard,	Ellis,	McKenzie,	Turner, Oscar
Bragg,	Erreit,	McKinley,	Upson,
Buckner,	Evins,	Money,	Van Horn,
Butterworth,	Farwell, Chas. B.	Morrison,	Wheeler,
Cabell,	Flower,	Muldrow,	Whitthorne,
Caldwell,	Ford,	Nolan,	Willis,
Carlisle,	Geddes,	Richardson, J. S.	Wise, George D.
Chapman,	Hardenbergh,	Robinson, Jas. S.	Wise, Morgan R.
Clardy,	Hoblitzell,	Shelley,	Young.
Clark,	Holman,	Shultz,	

NOT VOTING—82.

Aiken,	Darrall,	Jorgensen,	Robertson,
Aldrich,	Dowd,	Kasson,	Robinson, Wm. E.
Atherton,	Dugro,	Kenna,	Rosecrans,
Barbour,	Dunnell,	King,	Ross,
Berry,	Ermentrout,	Latham,	Scranton,
Bingham,	Frost,	Le Fevre,	Shackelford,
Black,	George,	Mackey,	Smith, J. Hyatt
Bowman,	Gibson,	Marsh,	Sparks,
Browne,	Gunter,	Mason,	Spaulding,
Brumm,	Hammond, John	McClure,	Speer,
Camp,	Harris, Henry S.	McLane, Robt. M.	Strait,
Campbell,	Herndon,	Mosgrove,	Urner,
Candler,	Hewitt, Abram S.	Neal,	Valentine,
Cassidy,	Hill,	Oates,	Van Voorhis,
Chace,	Hoge,	O'Neill,	Washburn,
Colerick,	Hooker,	Pacheco,	Williams, Chas. G.
Cornell,	Hubbell,	Phister,	Williams, Thomas
Cox, Samuel S.	Hubbs,	Ranney,	Wilson,
Cox, William R.	Hutchins,	Ray,	Wood, Benjamin.
Crapo,	Jacobs,	Rice, John B.	
Curtin,	Jones, James K.	Richardson, D. P.	

So the motion was agreed to.

The following pairs were announced:

Mr. CORNELL with Mr. BLACK.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. URNER with Mr. MCLANE of Maryland.

Mr. MASON with Mr. KENNA.

Mr. SMITH, of New York, with Mr. HUTCHINS.

Mr. HAMMOND, of New York, with Mr. HEWITT, of New York.

Mr. STRAIT with Mr. ROBINSON of New York.

Mr. HILL with Mr. ERMENTROUT.

Mr. SPAULDING with Mr. JONES of Arkansas.

Mr. WASHBURN with Mr. PHISTER.

Mr. LACEY with Mr. ROSS.

Mr. AIKEN with Mr. BINGHAM.

Mr. O'NEILL with Mr. COX of New York.

Mr. ALDRICH with Mr. DUGRO.

Mr. WASHBURN. I am paired with Mr. PHISTER, of Kentucky. If he had been present, I should have voted in the affirmative.

Mr. STRAIT. I am paired with Mr. ROBINSON, of New York. If he had been present, I should have voted "ay."

Mr. BLACKBURN. A pair was announced between Mr. HUBBELL and myself. That pair is limited to political questions. Not regarding this as a political question, I have voted.

The SPEAKER. That is for gentlemen themselves to determine.

The result of the vote was then announced as above stated.

CONTINGENT EXPENSES OF NAVY DEPARTMENT.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Navy, transmitting a detailed statement of the expenditures of the contingent fund of the Navy Department and for the bureaus and offices therein for the fiscal year ending June 30, 1882; which was referred to the Committee on Expenditures in the Navy Department, and ordered to be printed.

FIRE-PROOF BUILDING FOR RECORDS.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting a report of the Supervising Architect of the Treasury with plans and estimates of the cost of a fire-proof building for the safe-keeping of records of the legislative, executive, and judicial departments; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

NAVAL APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole, Mr. PAGE in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

Mr. ROBESON. I ask unanimous consent that the first and formal reading of the bill be dispensed with.

Mr. BLOUNT. As the bill and report have just been laid upon our tables, and members have as yet had no opportunity to examine the bill, I think it had better be read.

The CHAIRMAN. The Clerk will read the bill.

Mr. CALKINS. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALKINS. Or rather an inquiry directed to my friend from New Jersey [Mr. ROBESON], in charge of this bill. It is whether or not he designs to have any general debate; and if so, how long? I desire to be heard myself for a short time in general debate, and would like to know from the gentleman how long he proposes to allow general debate to run, if he can now indicate.

Mr. ROBESON. That is a matter to be determined by the House. I desire myself to occupy very little time on behalf of the committee. If other gentlemen desire to speak generally on the subject-matter of the bill I shall not interpose any objections.

The CHAIRMAN. That answers the question of the gentleman. The Clerk will now read the bill.

The Clerk proceeded to read the bill at length, but before concluding,

Mr. ROBESON said: I desire to ask the gentleman from Georgia [Mr. BLOUNT], now that the Clerk has read everything in the bill except the mere formal provisions, those that are always contained in bills of like character, is he not willing to dispense with the further formal reading of the bill?

Mr. BLOUNT. I have no objection.

The CHAIRMAN. If there is no objection the further reading of the bill will be dispensed with. [After a pause.] The Chair hears no objection.

Mr. ROBESON. The bill now before the Committee of the Whole, Mr. Chairman, is the ordinary bill making appropriations for the maintenance of the naval service, containing the usual provisions and appropriations for the *personnel* and material of that service, with the addition of certain items of legislation framed in accordance with the rules of this House, generally the same as that which passed this House at its last session, when a similar bill was under consideration, but which at that time failed to receive the assent of the Senate of the United States, and also one or two additional provisions of importance to the service and to the country.

Among those provisions which, as I have said, passed the House at its last session was a provision that the grade of commodore in our naval service shall be allowed to die out, for the reason that in the opinion of your committee that grade is not useful for any naval purpose. It puts upon the navy-list, with a rank too high for practical service in our Navy, officers who ought by reason of their years to be admirals, if they are to be promoted at all, and who, if they are not to be promoted at all, ought to remain captains and to command ships.

The grade of commodore is a grade which is not suited to our Navy as now organized. It never had a legal status until the late war. The idea of a commodore is an officer who shall command a division or subordinate section of a fleet, which fleet is under the command of an admiral.

In old times and before the war we had neither commodores nor admirals. The highest grade then known to the service was post-captain, and that post-captain when he took command of a squadron or of a fleet was called commodore as a mere matter of courtesy. There was no such grade in our service of officers having separate pay, precedence, and rank.

During the late war, when our fleets were large, when we bought or pressed into our service every available material in order to guard our coasts, commodores or flag-officers were employed for the purpose of commanding subordinate squadrons. But as our Navy is now organized our fleets are small; they have no divisions, and there is no reason why they should be divided.

As I said at the last session, a commodore is an anomaly in the service, who stands up between the commander of a ship and the commander of a fleet, too big for a ship and too small for a fleet. During the period when that rank is occupied by officers time and years roll on, and the officers who ought to be on active duty and bring to the command of squadrons or to the command of single ships their experience and their remaining vitality stay upon this dead list drawing their pay, and with no usefulness at all to the service which could not be as well supplied by a lower or higher rank.

We do not propose that anybody who is now a commodore shall be discharged. We merely propose that as these people become liable to retirement, or as they die, or resign, or take for themselves the steps for getting out of the way, this grade shall die out. We provide also that promotions to the rank of rear-admiral shall be made by selection, upon the recommendations of a naval board of admirals, who are of such rank that they are beyond any personal interest in the matter, and that these promotions shall be made from captains or from commodores, just as the best men may be found in either grade. We provide also that the commodore who under the present system would be promoted by mere lapse of time and progress of years shall have the right, if he chooses, and if a junior has been promoted over him, to go upon the retired-list as a rear-admiral, the rank to which in the ordinary progress of affairs he would be promoted. So that we avoid, as far as possible, any injury to the individual, while we endeavor to benefit the service and the public.

I know that in the minds of many gentlemen who have not considered this subject fully there is natural objection to the idea of selection by any body. They prefer that the service shall go on and promotion be worked out through the automatic processes of existing laws. So long as this idea prevails the result is that every man who reaches a certain age, every man who lives long enough in the service, goes upon the list as an admiral.

Mr. BLOUNT. May I ask the gentleman from New Jersey whether the officer is not now, under the existing law, examined by a board as to his mental, moral, and physical qualifications?

Mr. ROBESON. I think not.

Mr. BLOUNT. I so understand.

Mr. ROBESON. That provision, I think, applies only to officers below the rank of commodore, but I am not sure, as I can not now recall all the provisions.

Mr. BLOUNT. I do not so understand.

Mr. ROBESON. But I call the attention of my friend from Georgia to the operation of this law, under which more than half of our admirals go upon that list and receive the higher pay when they have not two years to serve as admirals before they are retired by law. The officer who last went upon the list, a short time ago, will retire in May of this year as an admiral. He has had no time left to do any service, as an admiral, in the rank to which he is promoted, can not be ordered anywhere, for he is officially dead before he can do any real duty. Merely by lapse of time he comes on the stage, acquires his right to the additional pay and rank, and goes off with the full-fledged glories of the highest rank.

Mr. BLOUNT. The gentleman will allow me to call his attention to section 1497 of the Revised Statutes:

> In time of peace no person shall be promoted from the list of commodores to the grade of rear-admiral, on the active-list, until his mental, moral, and professional fitness to perform all his duties at sea has been established as provided in the preceding section.

Mr. ROBESON. Does not the preceding section confine this examination to officers below the rank of commodore?

Mr. BLOUNT. Yes, sir; but that section relates to officers below the rank of commodore, while the section which I have read relates to rear-admirals. At the present time rear-admirals are all subject to examination.

Mr. ROBESON. Then I was mistaken and the gentleman is right. But does he suppose that any one of these officers is in fact ruled out by a board on the ground of mental, moral, or professional unfitness, merely because he has but six months to serve as an admiral? No board would do that. The result is that no man who has come up for promotion since this grade has existed has ever been declared unfit for promotion from the rank of commodore to that of admiral. They all go through, and would go through if there were twenty boards. In view of the associations of a lifetime and the conditions of a service like this, it can not be expected that it would be otherwise. Naval officers are but men. They have been educated during the whole of their lives to look regularly upward toward these higher ranks. They themselves are enjoying the benefit of the system. It would be a very marked case, it would be considered almost a personal degradation, if by the action of a board of his fellows a commodore were barred in his pathway to promotion. The truth is that if you are to restrain or regulate these things within the limits of propriety, you must establish your barriers firmly so as to justify boards and the men who compose them saying, "Here is the law upon which we are constrained to stand."

This bill proposes that these gentlemen shall be promoted by selection by a board who are to name for the action of the President five officers as the five best fitted from which he shall select one for promotion. Now, to name five officers and to say "These are the men whom we select as those from among whom promotion is to be made" is a very different thing from imposing upon any man the hard task of saying on his individual responsibility "This man who now comes up by mere lapse of time, who has been my friend from boyhood, with whom I have associated in the close contact of a naval vessel in youth and in manhood during fifty years of my life—with whom perhaps I have stood side by side on some slippery deck where life was victory and death was honor—is by reason of the lapse of years, by reason of some personal or individual infirmity, weakness, or affliction, not the man who ought to be put in this position to command our fleets."

But he may say, without being forced to meet this question, these five men by common consent and by the knowledge we have of the service are the five who are fittest in the list, and thus without putting any personal imputation on anybody.

Mr. BLOUNT. I should like to ask my friend if I am to understand he thinks under the present law any physical disability growing out o wounds prevents promotion?

Mr. ROBESON. Growing out of wounds?

Mr. BLOUNT. Yes, from wounds received in battle.

Mr. ROBESON. I do not think it does. These details are very much mixed on the statute-book, having been compiled in the Revised Statutes from a dozen different systems of a dozen different years and put together without proper regard to system. But, sir, I do not think any man is debarred on that account merely by reason of wounds, if he is otherwise competent.

But all people agree, and every Representative when he comes to exercise his representative duty in voting on these bills agrees, that the country and its interests are entitled to have the best man for the highest position; and every reasoning man will understand that it is the part of good and wise law-makers so to legislate, if they can, that the best men get in the places of the highest responsibility and power.

Now there are differences between men. Nobody can deny that. Nobody will tell me here that in the ordinary businesses of common life John Jones should be put at the head of a railroad company because he is 60 years old, and Thomas Smith, who has during the course of a long life shown superior ability, shall not be promoted because he is still young enough to be useful, and John Jones is older than he is. I put it now as a practical question to business men, and I say to gentlemen here that there is no service in the world anywhere that I know of, cer-

tainly none among the civilized nations, where men attain to the highest places of responsibility and power merely by growing old, except the American Navy. It stands as an anomaly in the systems of the world. In no other military service is it so provided, not even in the American Army. For when a general is to be made, he is made by selection. Up to the rank of colonel men proceed by regular progression as vacancies occur. But when they reach that position from which they are to step away from subordinate positions to the responsibilities of a separate and important command, then they are made by selection, and with the assent of the service and of the country.

This has been illustrated by the success which that system has had in our Army, but in our Navy we push every year four or five men on to the rank of rear-admiral—the rank of major-general in the Army—and let them roll off at the end of six months or a year without doing any service, because they have grown too old to do it before they get there, and because there has been no selection made earlier from the best youth and blood of the service and bringing it to the top of the list, thus utilizing in its prime the best brains and activity of the service.

Mr. Chairman, I have been betrayed into a much longer discussion of this provision than I had intended; but it seems to me to be so self-evident on its surface that I can not forbear to express my opinion when I realize that certain gentlemen in the past and in the present array themselves in opposition to a provision which seems to me to be so just and right.

It may be said, Mr. Chairman, that if you give the power of selection to any one he may be influenced by favor. Well, all human affairs must be conducted through the means of human agency, and you can not carry on any military or other service on business principles in any department unless you realize that the men who control and direct it are human. While they have the feelings and interests of humanity, they have also the courage and the conduct of those men who in a country like ours, where power depends on popular appreciation, have reached that position of responsibility and power where they are authorized to exercise judgment and selection. How false in theory and how futile in practice is the system which makes iron-clad rules destroy the discretion of those men who have been selected by reason of their recognized discretion for the places where they are called upon to exercise it!

We propose also in this bill another amendment, Mr. Chairman, which to your committee has seemed to be a reform. We all admit in theory, if we are not willing to enforce in practice, the idea that the naval service is made for the country and not for the individual members of the profession. We educate the selected youth of the country at an academy, which is carried on with great expense of money and talent. We pay them liberally through all their lower grades. Why? To make seamen of them. Now the experience of our country is that officers of the Army do not require for efficiency in the ordinary grade and for ordinary purposes of campaign or battle any great special education or service.

The experience of all parts of our country has shown that intelligent men called out from the lawyer's office, from the counting-room, from the store-house, from the workshops, the factory or the farm—men leaving their education and employments behind them to take their part in the great battles of their country—after a few months' experience make efficient and effective officers for all the purposes of an ordinary campaign. But a naval officer is a different thing. He is the production of long years of special training for a special service. It is necessary that he should enter his career in his youth; that he should adapt himself early to the trying phases of the naval service. No man is fit to go to sea or command a vessel, to enforce its discipline, to direct its operations and control its power who has not had long and close training in all the branches of his special and technical profession.

Therefore it is that in this bill we seek to provide that when we have launched an officer from our educational institutions into this service, for its benefits and for its duties, that he shall devote as much of his time as is practicable to the service to which he is accredited; and to this end we have provided that when these examining boards examine officers for promotion to a higher grade, they shall exact as a condition of professional fitness that the various officers who are to be reported fit professionally to discharge all of the duties of the higher grades shall have had a certain specified and sufficient amount of sea-service in the grade below.

It is a remark, Mr. Chairman, which we hear every day from the lips of every one, when they indulge in general remarks without personal or individual application, that there are too many naval officers in Washington. They number largely more than we believe are necessary to discharge the special duties here. Everybody knows that personal and political influences are brought to bear when a man is ordered to sea to have the order rescinded and to let the seaman remain on shore, and that other influences and social and domestic power are used very often to keep him at home, though he is paid and educated to do service abroad. There is not one of us who has not been guilty in that regard; not one of us all could throw a stone. Now we propose by this bill to make sea-service a premium.

We have put a provision into this bill which will make young gentlemen anxious to go to sea, not anxious to stay at home, because only by going to sea a certain number of years and seeing a certain amount of sea service can they win their promotion; and we have also provided that if they remain without promotion in that particular grade until they reach a certain age by reason of the want of sea service or any other reason, then they shall go upon the retired-list of the lower and not of the higher grades; that if a man who as a lieutenant, lieutenant-commander, or a commander has not been willing or if he has not been able—because that is his misfortune, a mere personal matter of which the country can not take account, for we are entitled to and must have the best men—if he has not been willing or able to go to sea and has not seen a proper amount of sea service during his grade, he can not be promoted to a higher, but remains in the lower grade; and if he remains there in that grade without winning his promotion until he reaches a certain age, he shall go upon the retired-list with the emoluments and pay of a retired officer of the lower grade and not of the higher grade for which, through domestic and political influence or personal solicitation or any other reason, he has not been forced or has not been willing to qualify himself.

Now, there is a reform in the service. I state it frankly in the hearing of all people, to both sides of this Chamber. It is a reform which is in general accord with the provisions and systems of other maritime and naval nations. It is not exactly like the provisions of the English law, but it approaches it in form. It is not identical with the provisions of other naval countries. It is much more lenient than any of them. Now, if gentlemen want reform, there it is. For myself I care personally nothing about it. My views are known. I am only striving to do some good to the service with whose needs I am familiar and with whose *personnel* I was so long associated. Within the lapse of a few weeks I shall pass from this scene without further influence upon legislation, good or bad, in this House. But I will say, and I challenge dispute from any source, that so long as I have endeavored to illustrate and enforce legislation here it has been always, as far as my judgment went, in the interest of my country and of the people.

I may differ from other gentlemen in the exercise of their individual and political judgments, but no man can put his finger on any public act of mine in this House which has been guided by prejudice or controlled by interest, and which has not been in the direction of public duty. I profess to have the courage of my opinions and to pursue the path of duty which I consider to be before me without turning aside for fear or favor.

Here is a reform in this service, a chance not only to have good men, but good sense to apply the proper tests of efficiency to promotion, to encourage the active, the devoted, the intelligent, and to leave the drones and laggards and loafers behind in the race; to make motion and promotion all along the line; to have the survival of the fittest, not of the stupidest. I know that there is a struggle against it, the protest of inferiority against the process by which superior excellence must come to the front. But I put it to you, representatives of the people, who maintain this service for the country and for its interests, whether we are to take the ordinary and reasonable means to make it right, or whether we are to yield to individual feelings, personal interest, or social solicitations, or political influence? It matters not to me; it matters something to your country and much to the naval service.

And let me say before the country and before the service, that unless they submit without interference or obstruction to reasonable and proper restriction and reduction along the line of their country's interest, when they are dealt with wrongly, as may happen to them, and their interest and their system, so obstinately cherished, comes to be swallowed up in the destruction perhaps of other greater interests, they will not, from their attitude in the past or their conduct upon these questions, have the right to claim the sympathy and support of those who are their real friends. Let them remember that when the child is ill, when congestion seizes upon the brain, and the system is top-heavy, he is the real friend who has the courage to give the purge or let the blood, despite the cries and struggles of the child, while the fond fool, that for a moment's peace would soothe it with an opiate, is guilty of its destruction. It may be that gentlemen will say and think that the medicine applied is not the proper remedy. But then let them apply some remedy. Do not say, "I do not agree with your allopathic medicine; I am a homeopath and therefore he shall have neither." Give us something which looks to practical relief to the ills complained of.

So much for the *personnel* of the service. Now we approach the provisions of legislation in this bill which look to the *matériel* of the service. It will be remembered that in this House last year a provision was passed authorizing the construction and completion of the engines and machinery of the double-turreted monitors; that when that came to the Senate after favorable report from the Committee on Appropriations it was on motion in that body stricken out so far as it related to completing these engines, upon the suggestion that we ought to have further examination and new reports upon the subject; and it was provided that the naval advisory board which was constituted by that bill should re-examine this subject, which five or six other boards had already examined, and report to this session of Congress as to the propriety of finishing and as to the manner of finishing the vessels. When that provision came back to this House I, who had charge of this bill, said to my committee and on this floor that I accepted that; that I was

so confident that we had provided the best thing that could be done, that it was right in every particular, that it would illustrate itself before all men as right, that I would submit to the delay until the meeting of Congress in its present session for a new investigation. That investigation has been had. The board has reported unanimously. A board composed of naval and civil officers, a civil engineer, and a civil ship-builder, has reported unanimously in favor of completing these ships. It was questioned at that time whether one of this class of ships would float or not. It had been questioned previously whether any of them would. But the Miantonomoh of one type was launched and did float, and that, if it did not settle, ought to have settled that question with regard to that type. But it was then questioned whether the Puritan would float. Since the last session of Congress she has been launched and does float with a hundred tons more flotation than was calculated. She is so buoyant that you can put a hundred tons more of steel on her without injuring her power or her speed, to protect her and the men who man her and the interests which she represents from the shot and shell of any enemy. Therefore we have provided in this bill $450,000 again for the completion of those engines and machinery.

There was also at the last session enacted a provision in the naval appropriation bill in accordance with the recommendations of the Naval Committee of this House, that the Secretary of the Navy was authorized to enter upon the construction of certain steel cruisers. We have recognized that authority, and have also given him authority in this bill to commence two steel cruisers and a dispatch-boat.

Mr. CALKINS. The same as provided for in the last bill?

Mr. ROBESON. Not the same.

Mr. CALKINS. In addition?

Mr. ROBESON. Two in addition; two steel cruisers and a dispatch-boat. And we appropriate $1,300,000 to that end; for that is about all the money that can be expended in the current year. We have provided that those ships shall be built according to the recommendations of the advisory board, and according to the provisions of the Naval Committee bill which was incorporated last year into our naval appropriation bill. And we have been able to do all this without materially increasing the appropriation. The appropriations will be nearly $200,000 less than the appropriations made by the House last session, and about $300,000 more than the bill was when it became a law, and about or nearly the same as the bill which was passed in the previous year for the fiscal year 1882.

Now, Mr. Chairman, when I rose to my feet to speak upon this subject I expected only to occupy at most a quarter of an hour. But I have gone on answering suggestions of my friends on both sides with such point and reason as I was able to bring to their suggestions. I may have omitted certain things in this bill which I ought to have spoken of, but I recall none now which are not familiar to this House and to all persons interested in naval legislation.

Mr. CALKINS rose.

Mr. BERRY. Before the gentleman from New Jersey takes his seat I would like to ask him a question.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. ROBESON] has not expired.

Mr. BERRY. Having just come in, I would like to inquire of the gentleman what provision is made in this bill in regard to the Monadnock?

Mr. ROBESON. No special provision with regard to the Monadnock. The provision is this with regard to the monitors: $450,000 is appropriated to build the engines of that one of these double-turreted monitors which the advisory board shall report as proper to be first completed. If the gentleman desires to make that sum greater and apply it to all of the double-turreted monitors he will have my support. But neither the Monadnock nor any other vessel is named. We have left that entirely to the discretion of the Secretary and of the advisory board.

We have left another thing to their discretion, and it is proper I should state it here. Much question has been made in the past about the contracts for this machinery and the engines. I have maintained in the past that the old contracts were proper, and so proper that they ought to be adhered to. Other gentlemen, representing different views, have questioned their propriety and the advantage to result from them to the interest of the Government.

We have therefore provided in this bill that the Secretary of the Navy shall do this work under the old contracts or under new contracts, just as he may deem it best for the interest of the country. And we have also provided that the execution of no contract, whether new or old, shall be entered upon until it is examined by a board of officers and pronounced by their report to be for the best interest of the country and at the lowest market prices for the work and materials to be used.

Mr. ROBINSON, of Massachusetts. The board to be selected by whom?

Mr. ROBESON. By the Secretary of the Navy.

Mr. ROBINSON, of Massachusetts. Then it comes ultimately to his decision.

Mr. ROBESON. The reports of all boards come to his decision. But you may make it the President of the United States if you want it; I do not care.

Mr. ROBINSON, of Massachusetts. I am only asking for information.

Mr. ROBESON. You may make it the President or the Secretary of the Navy or one of his bureaus. But I will say that at his suggestion we have put in this bill a provision to prevent combinations. It is well understood that there are but few firms in this country competent to do this work and put in these engines. Now, in order to prevent the possibility of their combining and putting up the price on the Government we have provided that the Secretary of the Navy shall take the old contracts if he finds them better, or take new ones if he finds them better, but that he shall take none, old or new, until the items of the contract are reported upon by responsible boards of naval officers as being the lowest market prices for work and materials to be used.

Mr. BERRY. Then I understand that the Secretary of the Navy, if he sees proper, has power to put the Monadnock afloat.

Mr. ROBESON. If he wishes to.

Mr. BERRY. And can use the money appropriated in this bill for that purpose.

Mr. ROBESON. Undoubtedly.

Mr. ATKINS. I wish a moment to correct what I understand to be a statement of the gentleman from New Jersey [Mr. ROBESON]. He has stated that the present bill exceeds in amount the law of the last session some two hundred or three hundred thousand dollars.

Mr. ROBESON. Of last year, yes.

Mr. ATKINS. It does exceed it by about $360,000.

Mr. ROBESON. I did not undertake to give the exact figures.

Mr. ATKINS. The gentleman should have stated that this bill provides for the reappropriation for the Bureau of Steam Engineering and the Bureau of Construction and Repair, with a small reappropriation for the Bureau of Ordnance, of nearly $1,700,000.

Mr. ROBESON. That is unexpended money.

Mr. ATKINS. Yes, unexpended.

Mr. ROBESON. Already appropriated.

Mr. ATKINS. But it is carried in this bill.

Mr. ROBESON. We carry along in this bill the unexpended balances.

Mr. ATKINS. But they are reappropriated.

Mr. HISCOCK. I beg the gentleman's pardon; all those sums of money carried in this bill can be properly expended under the provisions of the last appropriation bill.

Mr. ATKINS. I would ask the gentleman from New York [Mr. HISCOCK] if the money that was appropriated for the Bureau of Steam Enginering and the Bureau of Construction and Repair has been expended?

Mr. HISCOCK. It has not been expended.

Mr. ATKINS. Will it be expended?

Mr. HISCOCK. Let me answer the gentleman's question. It has not been expended.

Mr. ATKINS. How much has been expended?

Mr. HISCOCK. I suppose there is a half million of dollars at least unexpended in one of the bureaus. The money which has not been expended will doubtless be expended before the end of the current year upon the 4,000-ton ship provided for in the last bill.

Mr. ATKINS. I would inform the gentleman from New York [Mr. HISCOCK] that in one of the bureaus there is over $800,000 unexpended; in another over $400,000, instead of there being only about $400,000 in all not expended. I say this bill reappropriates that money.

Mr. CALKINS. I understand that the gentleman from New Jersey [Mr. ROBESON] has yielded the floor, and if it is not the desire of the gentleman from Tennessee [Mr. ATKINS] to take the floor, I ask to be recognized by the Chair.

Mr. ATKINS. I do not want to speak now.

Mr. CALKINS. Then I will take the floor.

Mr. ROBESON. I ask the gentleman to yield for a motion.

Mr. CALKINS. I will yield to the gentleman.

Mr. ROBESON. I am informed by the representatives from the State of North Carolina that one of their number has to-day departed this life, and they desire now that the committee may rise in order that they may submit the usual appropriate motion for the adjournment of the House. I therefore move that the committee rise.

The motion was agreed to.

The committee accordingly rose, and the Speaker having resumed the chair, Mr. PAGE reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes, and had come to no resolution thereon.

DEATH OF HON. JOHN W. SHACKELFORD.

Mr. VANCE. I rise, Mr. Speaker, to the discharge of a painful duty. With sincere grief I announce that Hon. JOHN W. SHACKELFORD, a Representative from the State of North Carolina, died at his residence in this city to-day, of pneumonia, at 45 minutes after 11 o'clock. Mr. SHACKELFORD, by reason of sickness, has not been able to occupy his seat in the House during the present session of Congress. He arrived in this city some thirteen days ago, since which time he has been growing worse until to-day, when he died.

On a future occasion the House will be asked to pause in its regular business to pay honor to the memory of a worthy and noble man.

I move the adoption of the resolutions which I send to the desk.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow the announcement of the death of Hon. JOHN W. SHACKELFORD, a Representative from the State of North Carolina.

Resolved, That the Clerk communicate these proceedings to the Senate.

Resolved, That as a token of respect for the memory of the deceased the House do now adjourn.

The SPEAKER. Before submitting the question on these resolutions the Chair announces as the committee of escort on the part of the House to accompany the remains of the deceased member to the place of burial Mr. LATHAM of North Carolina, Mr. HUBBS of North Carolina, Mr. LEEDOM of Ohio, Mr. MCKENZIE of Kentucky, and Mr. DE MOTTE of Indiana.

The resolutions submitted by Mr. VANCE were then adopted unanimously; and in accordance with the last resolution (at 1 o'clock and 35 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BROWNE: The petition of 176 ex-Union soldiers, for the repeal of the limitation clause in the arrears-of-pensions act—to the Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. BRUMM: The petition of Ellis Smalley and others, relative to limiting the amount of public lands sold to one individual—to the Committee on the Public Lands.

By Mr. CHAPMAN: The petition of Elizabeth A. Anderson, for compensation for two slaves emancipated in the District of Columbia by an act of Congress—to the Committee on Claims.

By Mr. MILES: The petition of citizens of Monroe, Connecticut, for increase of duty on Sumatra tobacco—to the Committee on Ways and Means.

By Mr. PETTIBONE: The petition of Mrs. Lucy A. Bell, for a pension—to the Committee on Invalid Pensions.

By Mr. PETTIGREW: The petition of J. A. Scott and others, citizens of Elendale, Dickey County, Dakota Territory, asking that lumber and other products of the forest be placed on the free-list—to the Committee on Ways and Means.

By Mr. SCRANTON: The petition of members of the bar of Northumberland County, Pennsylvania, for the passage of the bill establishing the northern judicial district of Pennsylvania—to the Committee on the Judiciary.

By Mr. UPSON: The petition of citizens of Corpus Christi, Texas, protesting against an increase of duty on tin-plate—to the Committee on Ways and Means.

Also, the resolution adopted by the board of directors of the San Antonio (Texas) Exchange, urging a speedy settlement of the agitation of the question of the tariff on wool and woolen goods, and protesting against any reduction in the same—to the same committee.

The following petitions for reduction of duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. S. S. FARWELL: Of Martin H. Betzer and 34 others, citizens of Muscatine, Iowa.

By Mr. HASKELL: Of citizens of Paola and of Independence, Kansas.

By Mr. HENDERSON: Of Holt & Wilson and 15 others, of Moline; of W. B. Steele and 74 others, of Dixon; and of William G. Geedzell and 23 others, of Fiskilara, Illinois.

By Mr. WEBBER: Of East & Brown and 161 others, citizens of Michigan.

SENATE.

FRIDAY, *January* 19, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

THE YELLOWSTONE NATIONAL PARK.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in compliance with a resolution of the 9th instant, copies of all letters and other communications in his Department in regard to the contract made with certain parties concerning the Yellowstone National Park; which was ordered to lie on the table, and be printed.

CREDENTIALS.

Mr. HALE presented the credentials of WILLIAM P. FRYE, elected by the Legislature of Maine a Senator from that State for the term beginning March 4, 1883; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of 65 citizens of Meigs County, Ohio, praying for an increase of the pension of soldiers and sailors who lost an arm or leg in the service to $40 per month; which was referred to the Committee on Pensions.

Mr. CAMERON, of Pennsylvania, presented the petition of C. G. Jackson, Post No. 159, Department of Pennsylvania, Grand Army of the Republic, of Berwick, Pennsylvania, praying for an increase of pension to soldiers who lost an arm or leg in the service of the Government; which was referred to the Committee on Pensions.

Mr. PENDLETON presented a memorial of the seventeenth annual encampment of the Grand Army of the Republic of Ohio favoring the bill now pending to increase the pension of all soldiers who have lost an arm or a leg in the line of duty to $40 per month; which was referred to the Committee on Pensions.

He also presented a petition of the members of the Ohio State board of agriculture, praying that the present rates of duty on wool be not lowered; which was ordered to lie on the table.

Mr. CAMDEN presented resolutions adopted by the State board of health of West Virginia at a meeting held in Wheeling, January 13, 1883, indorsing the action of the National Board of Health, and favoring its continuance; which were referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

REPORTS OF COMMITTEES.

Mr. HARRISON. I am directed by a majority of the Committee on Territories, to whom was referred a petition of citizens of Yankton County, Dakota, praying for the passage of a bill to enable them to refund their county indebtedness, to submit a report thereon, accompanied by a bill intended to give the relief asked for by the petitioners.

I should like to say in this connection, if the Senate will bear with me, that it is very clear from the petition, whatever may have been the merits of the controversy between the railroad company and the county, that there is a general disposition on behalf of the people of that county to have such legislation as will enable them to refund their debt and to remove the imputation of repudiation which rests upon them.

The bill (S. 2387) to authorize and empower the County of Yankton, in the Territory of Dakota, to issue bonds to be used in refunding and paying off its outstanding indebtedness, and to provide for the payment of the same, was read twice by its title.

Mr. HARRISON. I may add that I shall, at a very early day, in the morning hour, ask the unanimous consent of the Senate to put this bill upon its passage. I should do so this morning but that the report ought to be printed so that everybody may see it.

Mr. HALE. I heard the suggestion of the Senator from Indiana about not asking for the passage of the bill this morning; but I believe that it is a bill which has been fully considered by all persons and parties, and it may be that no objection would be raised to its passage to-day.

Mr. HARRISON. I should be glad to ask that the bill be taken up now, and will do so. I ask unanimous consent for that purpose.

Mr. SHERMAN. It is so unusual to make such a request that I think the bill ought to go over.

Mr. HARRISON. There is a written report, and I thought Senators would desire to see it before acting on the bill.

Mr. GARLAND. I wish to state that that bill will be resisted. A minority, consisting of three members, of the committee object to the passage of the bill. They have not presented and will not present a written report, but when the subject-matter comes up they will present their objections to the bill at large. I have no objection to the bill being taken up now or at any other time, but we shall object to the passage of the bill most strenuously.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar and the report will be printed.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2233) to authorize the Secretary of War to establish a home for indigent soldiers and sailors in the State of Kansas, submitted an adverse report thereon, which was ordered to be printed; and the bill was postponed indefinitely.

BILLS INTRODUCED.

Mr. HARRISON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2388) granting a pension to Catharine Bullard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. JOHNSTON (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2389) for the erection of an equestrian statue to the memory of General La Fayette; which was read twice by its title, and referred to the Committee on the Library.

RATES OF PENSIONS.

Mr. BLAIR. Day before yesterday I submitted an amendment intended to be proposed by me to the bill (H. R. 1410) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service. There has been considerable inquiry in regard to it, and I ask that the amendment be read so that it may be printed in the RECORD.

The PRESIDENT *pro tempore*. The amendment will be read.

The ACTING SECRETARY. It is proposed to strike out all after the word "duty," in line 6 of the bill, and to insert:

Shall have lost a hand or foot, shall be entitled to a pension of $24 per month; all persons who in like manner shall have suffered amputation at or above the elbow or knee, at the rate of $30 per month; all who shall in like manner have suffered amputation at the hip-joint or at the shoulder-joint, or who shall have lost one hand and one foot, or shall be totally disabled in one hand and one foot, or shall be totally deaf in both ears, or shall be unable to perform manual labor, shall receive pension at the rate of $40 per month; and all persons who in like manner shall have contracted a disability equal or equivalent to any of the foregoing specified disabilities shall be entitled to receive a pension per month of the amount hereby granted to such disability; and in case of amputation below a joint, but with such effect as to produce a disability equal to that produced by amputation at or above the joint, pension shall be paid as for the disability actually resulting from such amputation.

FREEDMAN'S SAVINGS AND TRUST COMPANY.

Mr. MORRILL. I ask the time of the Senate long enough to have read a bill in relation to the Freedman's Savings Bank, authorizing the disbursement of about $8,000, which was barred under the act of 1881. The Comptroller of the Currency thinks it ought to be paid out of the allowance to claimants who had presented their claims at that time. I merely ask for the reading of the bill; I think there can be no objection to it. It was reported unanimously by the Committee on Finance.

The PRESIDENT *pro tempore*. The bill has been reported?

Mr. MORRILL. It was reported yesterday.

Mr. COKE. I gave notice yesterday morning, when I reported a joint resolution from the Committee on Commerce to authorize the purchase of steam-launches for the harbors of Galveston and Mobile, as by direction of the committee, that I should call it up at the earliest practicable moment. I ask the unanimous consent of the Senate to take it up this morning.

The PRESIDENT *pro tempore*. If there be no further morning business the Senator from Vermont [Mr. MORRILL] has asked for the consideration of a bill.

Mr. MORRILL. Let the bill to which I referred be taken up, because it will take but a moment.

Mr. EDMUNDS. Let us have one bill at a time.

Mr. COKE. I did not understand that the request of the Senator from Vermont was to put a bill on its passage.

Mr. PLUMB. I do not wish to have it understood that in letting this proceeding go on I am yielding the right of way of the Post-Office appropriation bill. I shall call that bill up this morning, and if any of these proceedings are likely to detain the Senate more than a few minutes I shall move that the Senate proceed to its consideration.

Mr. MORRILL. This bill will not take any time.

The bill (S. 2305) authorizing the commissioner of the Freedman's Savings and Trust Company to examine and audit certain claims against said company and to pay certain dividends barred by the act of February 21, 1881, and for other purposes, was read, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. INGALLS. Is there a report in that case?

Mr. MORRILL. There is no report, but I should like to have a letter from the Comptroller of the Currency read.

Mr. INGALLS. I should like to hear something about it.

Mr. MORRILL. I send to the desk a letter from the Comptroller of the Currency.

The PRESIDENT *pro tempore*. The letter will be read.

The Acting Secretary read as follows:

OFFICE OF THE COMMISSIONER OF THE FREEDMAN'S SAVINGS AND TRUST COMPANY,
Washington, December 30, 1882.

SIR: The eighth section of an act entitled "An act amending the charter of the Freedman's Savings and Trust Company, and for other purposes," approved February 21, 1881, provides that all claims against the Freedman's Savings and Trust Company, not presented to the commissioner of said company for examination and credit [audit] within six months from and after the passage of said act, as well as all dividends declared upon audited accounts, not called for within two years from the date of their declaration, shall be barred, &c.

Claims amounting to $4,108.15, and dividends amounting to $3,927.18, barred under the foregoing provisions of law, have been presented since August 21, 1881, for examination and payment.

These claims include many cases of extreme hardship, and while I am not willing to recommend an entire revocation of the limitation prescribed by the act of February 21, 1881, because likely to involve the final settlement of the company's affairs in uncertainty and confusion, I think it eminently proper that provision be made for the payment of the claims and dividends above referred to.

I have therefore prepared a bill intended to accomplish this purpose, and also to make provision for the future payment of barred claims and dividends, should any unexpended balance remain in the hands of the commissioner after the two-year limit for the payment of the final dividend shall have expired.

As you are familiar with the subject-matter of the inclosed bill you will oblige me by introducing it in the Senate and doing what you can to promote its passage.

Very respectfully, your obedient servant,
JOHN JAY KNOX, *Commissioner.*

Hon. A. H. GARLAND, *United States Senator.*

Mr. EDMUNDS. I should like to hear the bill read again. The commissioner appears to say that he has prepared a bill which opens the presentation of these claims indefinitely.

Mr. MORRILL. Oh, no.

Mr. EDMUNDS. That is the way the letter reads—to make provision for the payment of them in future after the expiration of two years, he says. That is the way it reads. Let us hear the bill. We shall pass the bill, and not the letter, perhaps.

The bill was read, as follows:

Be it enacted, &c., That the commissioner of the Freedman's Savings and Trust Company be, and he is hereby, authorized and directed to examine and audit all claims against said company, and to pay all dividends on audited accounts which may have been presented to him for that purpose since the 21st day of August, 1881, notwithstanding the limitation for the presentation of such claims and the payment of dividends contained in section 8 of an act entitled "An act amending the charter of the Freedman's Savings and Trust Company, and for other purposes," approved February 21, 1881.

SEC. 2. That said commissioner shall keep an accurate record of all claims presented for examination and audit, and all dividends barred under existing laws, called for from and after the passage of this act; and if after the two-year limit for the payment of the final dividend prescribed by the act approved February 21, 1881, any balance remains in the hands of said commissioner, he is hereby authorized and directed to make a pro rata distribution of said balance among the claimants who may have presented their claims for examination or for payment of barred dividends after the passage of this act.

Mr. EDMUNDS. There you see that the second section does open indefinitely the disposition of this fund, and leaves it all the time in the control of that particular officer. Unless we were greatly wrong in passing the act of limitation to try to make an end of this business two years ago, we ought not to pass this second section. The first section covers the cases of hardship which are referred to as having already occurred; but the second section opens it without any limit at all as long as there is any money left, and leaves it entirely to the discretion of this officer.

Mr. MAXEY. I suggest to the Senator from Vermont to add in the second section at the word "claims," so as to read "all claims of the character described in the first section." That would limit it to that class filed under the act of 1881.

Mr. EDMUNDS. But that would leave it then to his discretion as to cases of hardship. There is no need of the second section in regard to the claims that are already known to exist, and I move to strike out the second section.

Mr. MORRILL. I will merely say in reply to my colleague that the second section provides for other claims that shall be presented before the expiration of the time of limitation. I see nothing wrong in it myself. I therefore hardly assent to the proposition to strike out the second section.

Mr. EDMUNDS. I do not think I should have moved to strike it out if it had been limited to the two years, but the way it reads is:

That said commissioner shall keep an accurate record of all claims presented for examination and audit, and all dividends barred under existing laws, called for from and after the passage of this act; and if after the two-year limit for the payment of the final dividend prescribed by the act approved February 21, 1881, any balance remains in the hands of said commissioner, he is hereby authorized and directed to make a pro rata distribution of said balance, &c.

Mr. MORRILL. Would it satisfy my colleague to say "at the expiration of the limitation?"

Mr. EDMUNDS. I want to stop it in some way, because I do not think an indefinite and endless discretion ought to be left in the hands of any officer about claims.

Mr. MORRILL. If it was limited to the expiration of two years, I think it would be right.

Mr. EDMUNDS. If the Senator will allow the bill to go over for a few minutes, probably it can be fixed so as to be satisfactory to me.

The PRESIDENT *pro tempore*. The bill will be passed over for the present.

STEAM-LAUNCHES AT GALVESTON AND MOBILE.

Mr. COKE. I ask the Senate to take up the joint resolution which I reported yesterday.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 126) providing for the purchase of steam-launches for use in the harbors of Galveston, Texas, and Mobile, Alabama. It proposes to direct the Secretary of the Treasury, if in his judgment the exigencies of the service require it, to use the $16,000 appropriated by the act of August 7, 1882, for the construction of steam-launches for use in the harbors of Galveston, Texas, and Mobile, Alabama, in the purchase of such launches already built.

Mr. COKE. I ask that the accompanying letters be read.

The PRESIDENT *pro tempore*. The letters will be read.

The Acting Secretary read as follows:

WASHINGTON, D. C., *January 16, 1883.*

DEAR SIR: I have the honor to call your attention to the large increase in arrival of foreign vessels with dutiable cargoes at the port of Galveston, and consequently pressing necessity for the use of the steam-launch, for which an appropriation was made at the last session of Congress.

The outer roads, where the larger vessels are anchored, are distant from the wharf eleven miles, and with the present facilities for boarding these vessels customs officers are unable to reach them in many instances for a week after their arrival, during which time these foreign ships are visited by small vessels from the coast, thus giving opportunity to smuggle, which to prevent I would suggest the immediate purchase of a steam-launch, from the fact that to construct one would require many months and result in great inconvenience to the port and loss to the Government.

Respectfully, &c.,

A. G. MALLORY,
Collector Port of Galveston, Texas,

Major E. CLARK,
Chief Revenue Marine Bureau.

UNITED STATES REVENUE MARINE, TREASURY DEPARTMENT,
January 3, 1883.

DEAR SIR: I have the honor to acknowledge the receipt (this a. m.) of your letter dated the 1st instant, in which you refer to the pressing necessity for a

steam-launch at Galveston, Texas, for which Congress made an appropriation at its last session, and inquire if there is any method by which its procurement may be expedited.

I beg to say in reply, that under the law authorizing the construction of a steam-launch for Galveston Harbor, the necessary specifications have been nearly completed, and it is contemplated to issue advertisements inviting bids for the construction of the vessel as soon as practicable. It ought not to require more than two or, at the longest, three months for completing the launch when taken in hand. Were authority given for the *construction or purchase* of the vessel required, I think one might be obtained with very little delay, as there are always small vessels, comparatively new, at or in the vicinity of New York, which may be purchased at a reasonable cost. It is not deemed that the present law gives authority for the purchase of a completed vessel. If a joint resolution were passed authorizing the Secretary of the Treasury to apply the appropriation, or so much as may be necessary, to the *purchase* of a suitable vessel, it would enable us to proceed at once.

Very truly,

E. W. CLARK, *Chief, &c.*

Hon. RICHARD COKE, *United States Senate.*

Mr. EDMUNDS. Is there any letter from the Secretary of the Treasury?

The PRESIDENT *pro tempore*. Those are all the papers here.

Mr. COKE. This resolution simply changes the enactment in the act of August 7, 1882, requiring the construction of these steam-launches, so as to give the Secretary of the Treasury the discretion to purchase them if in his judgment the interests of the service require that course; that is all. The collector of the port of Galveston shows the pressing necessity for the purchase of a launch there. The purpose of the joint resolution is to give the Secretary of the Treasury discretion to purchase one already built instead of waiting several months to construct one, as under the law now he would have to do.

Mr. EDMUNDS. The only thing I regret about it is that we have no recommendation either from the President or the Secretary of the Treasury, but only from these subordinate officers; but I dare say with the explanation it is all right in this instance.

Mr. ALLISON. I should like to inquire of the Senator from Texas how this money is to be distributed as between Galveston and Mobile? I remember very well when the appropriation was made that it was at first intended that $8,000 should be allowed for Mobile and $8,000 for Galveston, and afterward it was suggested that $16,000 be appropriated in bulk as a steam-launch at Galveston would probably cost $10,000, while one at Mobile could possibly be built for $6,000.

That appropriation was made on the 7th of August. It seems to me that if there was such great necessity for haste in the matter the specifications and plans could have been made sooner. I doubt very much the propriety of this legislation in the absence of a recommendation from the Secretary of the Treasury himself.

Mr. COKE. I would suggest to the Senator that if the Secretary of the Treasury does not concur in this action he will not carry it out, because the matter is all left to his discretion.

As to the division of the appropriation between Galveston and Mobile, that is just as it stands in the original enactment, at the discretion of the Secretary of the Treasury.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FREEDMAN'S SAVINGS AND TRUST COMPANY.

Mr. EDMUNDS. Now I am ready to take up the other bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2305) authorizing the commissioner of the Freedman's Savings and Trust Company to examine and audit certain claims against said company and to pay certain dividends barred by the act of February 21, 1881, and for other purposes.

Mr. EDMUNDS. I withdraw my motion to strike out the second section, and move to amend it by inserting what I have written in.

The ACTING SECRETARY. In line 2, section 2, after the word "presented," it is proposed to insert "within the time limited by existing law;" so as to read:

SEC. 2. That said commissioner shall keep an accurate record of all claims presented within the time limited by existing law for examination and audit, &c.

Mr. EDMUNDS. I think that should be "finally limited," so as to leave it within the two years.

The PRESIDENT *pro tempore*. The amendment will be so modified.

The amendment was agreed to.

Mr. EDMUNDS. In line 4 of section 2, after the word "if," I move to strike out the word "after" and insert "at the expiration of;" so as to read:

And if at the expiration of the two-year limit for the payment of the final dividend prescribed by the act, &c.

The amendment was agreed to.

Mr. EDMUNDS. At the end of the section I move to add "and within the time aforesaid."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SECOND NATIONAL BANK OF XENIA.

Mr. SHERMAN. I call the attention of the Senate to a bill which ought to be passed now to give the relief required. I ask to take up the bill (S. 2356) to authorize the increase of the capital stock of the Second National Bank of Xenia, Ohio. If when the bill is read there is any objection I shall not press it.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The Committee on Finance reported the bill with an amendment, in line 5, before the word "amended," to strike out "said."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The Committee on Finance proposed to strike out the preamble, in the following words:

Whereas the stockholders of the Second National Bank of Xenia, Ohio, have unanimously voted to amend the fifth article of the articles of association of their bank so that it shall read as follows: "The capital stock of the association shall be $150,000, but the same may be from time to time increased, subject to the limitations of the act, to any sum not exceeding $250,000; and in such increase of capital each stockholder shall have the privilege of subscribing for such number of shares of the proposed increase of stock as he or she may be entitled to according to the number of shares owned by him or her before the increase is made; the shares of stock to be $100 each:" Therefore,

Mr. SHERMAN. The committee propose to strike out the preamble because it is not necessary.

The preamble was rejected.

BANKRUPTCY SYSTEM.

Mr. HOAR. I ask consent to present at this time the memorial of the National Board of Trade, which consists of delegates from boards of trade of the principal cities in the country, extending from Portland in Maine to Portland in Oregon, and San Francisco. The memorial is very short, as short as I should make a statement of its contents under the rule. I ask, therefore, to have it read.

The memorial was read and ordered to lie on the table, as follows:

To the Senate and House of Representatives of the United States:

The memorial of the National Board of Trade respectfully showeth: That at a meeting of the board held in this city on the 17th of January, 1883, the following preamble and resolutions were unanimously adopted:

"Whereas the National Board of Trade has heretofore affirmed the necessity of a general bankrupt law; and

"Whereas it is generally admitted that the bill known as the Lowell bankruptcy bill has been carefully constructed to this end, and has received the approval of the great majority of the mercantile organizations of the country; and

"Whereas this bill is now before the Senate of the United States for its final action: Therefore,

"*Resolved*, That the National Board of Trade again affirms its opinion as to the existing necessity for a general bankrupt law, and believing that the Lowell bankruptcy bill will meet this admitted necessity, it urges the passage of this bill at this time as a wise and beneficent measure.

"*Resolved*, That this preamble and these resolutions be sent to both Houses of Congress."

In behalf of the National Board of Trade:

FRED. FRALEY,
Of Philadelphia, President.
HAMILTON A. HILL,
Of Boston, Secretary.

WASHINGTON, *January* 18, 1883.

ALCOHOLIC PREPARATIONS.

Mr. HOAR. I give notice of a proposed amendment to the bill (H. R. 5538) to reduce internal-revenue taxation, which I desire to have printed and referred to the Committee on Finance. I ask leave to say that while I introduce this amendment by request, as a means of bringing the subject before the committee, and as at present advised I am very strongly in favor of it, if the committee should suggest some new or other view of the expediency of the legislation, I should reserve the right as in all cases to modify my opinion.

The PRESIDENT *pro tempore*. The proposed amendment will be referred to the Committee on Finance and printed.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in answer to a resolution of the 2d instant, a report of the Chief of Engineers as to the condition of the work for improving the entrance to the Saint John's River, Florida, and to Cumberland Sound, Georgia; which was referred to the Committee on Commerce, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in answer to a resolution of the 11th instant, a report of the Chief of Engineers in regard to the condition of the work for the improvement of Cumberland Sound, Georgia; which was referred to the Committee on Commerce, and ordered to be printed.

POST-OFFICE APPROPRIATION BILL.

Mr. PLUMB. I move now that the Senate proceed to the consideration of House bill 7049, which is the Post-Office appropriation bill.

The PRESIDENT *pro tempore*. The Senator from Kansas moves to postpone the Calendar.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Kansas now moves to take up the Post-Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the

Whole, resumed the consideration of the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes.

Mr. PLUMB. I hope it will be the pleasure of the Senate to finish the bill this morning, and I shall ask the Senate to continue its consideration till it is disposed of.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 83, to increase the appropriation "for inland transportation by steamboat routes" from $600,000 to $625,000.

The amendment was agreed to.

The next amendment was in the appropriation for the "office of the Third Assistant Postmaster-General," in line 110, after the word "of," to strike out "January" and insert "July;" and in the same line, after the word "and," to strike out "eighty-three" and insert "eighty-four;" so as to make the clause read:

And upon all matter of the first class, as defined by chapter 180 of the laws of Congress approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and by that act declared subject to postage at the rate of 3 cents for each half ounce or fraction thereof, postage shall be charged, on and after the 1st day of July, A. D. 1883, at the rate of 2 cents for each half ounce or fraction thereof; and all acts, so far as they fix a different rate of postage than herein provided upon such first-class matter, are, to that extent, hereby repealed.

The amendment was agreed to.

Mr. MAXEY. I call the attention of the Senator in charge of the bill to the change which is made in lines 110 and 111 by the Senate Committee on Appropriations from the time fixed by the House. The purpose of this clause is to reduce the postage from 3 cents to 2 cents on a letter weighing less than half an ounce. The House fixed the 1st day of January, 1884, for the reduction to go into effect. The Senate Committee on Appropriations alter that and make the change go into effect on the 1st day of July, 1883. I desire to call the attention of the Senator in charge of the bill to this; and I do so with great deference, having had some experience as a member of the Post-Office Committee.

The purpose of the clause as it is found in the bill coming to us, for this reduction to go into effect on the 1st day of January, 1884, is to rid the Department of the stamps already stamped at 3 cents and thereby save that much expense to the Government. The effect of making the change take effect on the 1st of July, 1883, will be that all those stamps which happen to be left over on the 1st of July, 1883, will be a dead loss. In the next place, a deficit unquestionably will be produced temporarily—I do not believe it will ultimately—by the cutting down of postage from 3 cents to 2 cents; and the postponement of the provision taking effect till the 1st day of January, 1884, is to make suitable and necessary provision without at once creating a large deficit in the postal Department. I doubt the propriety of the amendment proposed by the Appropriations Committee.

Mr. PLUMB. The committee gave very thorough consideration to all these questions. I think the Senator from Texas is in error in supposing that there will be a loss to anybody by the change. Some 3-cent stamps will be in use at any time when the change can be made to take effect. They will be no more necessary to be withdrawn from the post-offices or canceled or destroyed by the Government than the 5-cent stamps are. Some 5-cent stamps are carried over from quarter to quarter and year to year, and 3-cent stamps are just as effective for paying large postage as 5-cent stamps or 10-cent stamps. When we shall reduce the postage, 3-cent stamps will be just as useful for the payment of larger postage as 5-cent stamps are now. It will not be necessary, therefore, for the Government to recast a single account, to withdraw a single stamp, to change for one single hair's breadth its relations to any postmaster or to any agent of the Department by reason of this change. The only question is as to the time necessary for the Government to prepare itself for the change. The Government is now printing upon plates all the denominations of stamps, including 2-cent stamps. The only effect so far as the contract for stamps is concerned is to enlarge the office, and consequently increase the number of 2-cent stamps used. The contract of the Government with the persons who make the stamps is for printing so many stamps. A 2-cent stamp does not cost more or less than a 3-cent stamp. The contract extends until some time in 1885, I understand. The Third Assistant Postmaster-General under this change will only order more of the 2-cent stamps and fail to order any 3-cent stamps. The Senator from Texas will remember that it is now over five months until the beginning of the fiscal year when this change will take effect if the amendment of the committee shall be adopted.

Now, in regard to the revenue, it is possible there will be a slight deficiency, but I am not prepared to say that I fully believe there will be one even of a small amount. There will be a nominal deficiency of about one and three-quarter million dollars; but it is to be borne in mind in considering the question of a deficiency that everybody recognizes now, I think, that the Post-Office Department should not be carried on at a profit, that the Government should not in any event calculate and plan to get from the people of the United States, in the shape of postages, more than the amount which is necessary to carry on the postal service. The Government does impose upon the post-office service the carrying of public documents, public correspondence, &c., to an amount which is estimated by the Department to cost $2,000,000 a year. That amount is charged to the people of the United States in the excess of postage which that carriage makes necessary. So that if we were to-day to credit the Department with the carriage of free matter at the ordinary and usual price charged to individuals for similar matter, the Department would be self-sustaining, even upon the basis of a reduction in postage, which should make an equivalent reduction in revenue, but the reduction of postage has always been accompanied by an increase of revenue.

It is a fact well attested in the experience of the Department that the addition of the postal card, while entailing no additional expense to the Government except the printing of the card, has been followed by an addition to the net proceeds of the operations of that Department nearly equivalent to the entire amount received. In other words, the Government, by adding 1-cent postage in the shape of a postal card, has added nearly the total amount received from the postal cards to its net revenue.

I believe myself, and I think the committee all were thoroughly impressed with the same belief, that the reduction in postage will increase the number of letters to be carried in two ways. In the first place, a larger number will inevitably be carried anyhow; in the second place, some of the postage matter now carried at the lower rate will be carried at the higher rate. That is to say, it will interfere relatively with the amount of postal cards used, and also with the amount of 2-cent postage in other directions which will go to the credit of the carriage of the letter mail, and partly also because of the fact that the Department has now devised a letter-sheet which will be as convenient nearly as a postal card, and which a person can use to send a sealed communication for 2 cents with just as much facility as he can now send one by postal card which is open to the inspection of the public. This will induce a great many people to use this method of sending a sealed communication at 2 cents rather than to continue the sending of postal cards at 1 cent, so that I shall be greatly surprised if, when we come to consider this subject a year from now, we do not find that the reduction of postage to 2 cents has been followed by a relative increase in the numner of letters carried nearly if not quite sufficient to wipe out the apparent deficiency which we create by this action.

Mr. MAXEY. The statement made by the Senator from Kansas in charge of the bill that so far as postage on a letter requiring more than 3 cents is concerned the present 3-cent stamp will not be lost is true; but the salaries of postmasters in country post-offices are paid by the number of stamps sold, and those stamps go into the hands of private parties who rarely use more than one stamp. Hence there will be a loss to that extent. So much for that argument.

I am as much in favor of the reduction of postage to 2 cents per letter as any Senator in this body; but I desire further to say that the first effect of a reduction of postage, not only in the United States but in England, has been always and invariably to create a deficiency in the revenue. That was the effect when the Rowland Hill policy of penny postage went in force in England; the immediate effect was to create a deficit; the ultimate effect was to increase the revenue. So when the postage in our country was reduced by various acts down to the last one we have on the subject, the immediate effect was to create a deficit; the ultimate effect was to increase the revenue. So I believe the same precisely will occur here. The immediate effect of this will be to create a deficit; the ultimate effect will be to increase the revenue.

I desire to say in one additional word why I am in favor of this reduction to 2 cents. The records of the Post-Office Department show that the amount of postage paid by those who write letters creates a fund of from three to four million dollars annually more than the expense of the transmission of letters. Hence these people, letter-writers, pay three or four million dollars into the Treasury which is consumed by the sending out of newspapers and third and fourth class mail matter, none of which pays its way through the mail. It is not equitable, in my judgment, to require writers of letters to pay for the carrying of newspapers and third and fourth class mail matter.

Mr. PLATT. Mr. President, I hope that this amendment will not prevail. I believe that this proposition to reduce postage from 3 cents to 2 cents upon sealed letters is premature, and I desire that Congress shall have the opportunity for a second sober thought before the law goes into operation. I will endeavor in the briefest manner possible to give my reasons why I think this proposed reduction is premature.

In the first place, if postage is to be reduced there are other directions in which the reduction is as imperatively demanded as in this direction. The additional postage of 1 cent upon drop-letters in cities having free delivery is a real burden upon the business correspondence of those cities. I think it should receive first attention, as I will endeavor to show as I proceed. It doubles the postage upon letters as a penalty for having free delivery which the Government ought not only to give without additional pay but ought very largely to extend.

Then I think the postage on unsealed letters, business correspondence in unsealed letters, might be reduced to 2 cents quite as properly as this reduction; but I think that the whole scheme of the reduction of postage at this time is premature. I know that there seems to be the opinion prevailing in Congress and in certain newspapers that there is a very general demand for this reduction in letter postage. I confess I have

not heard it out of Congress and out of the newspapers. I have not heard it among the people, and I do not believe that the people esteem it to be any hardship upon them to pay 3 cents postage upon a letter sent to any part of this country. Where one person has spoken to me on that subject ten persons have spoken to me on other matters connected with the post-office system, and I think the general desire among the people is that there shall be no reduction of postage till the revenues of the Post-Office Department have been expended to develop and perfect the post-office system and give the people greater conveniences than they now have, and make that system more efficient.

I make no criticism upon the Post-Office Department. The growth and development of the post-office system has been great. Postmasters-General have done all that they could under the disposition in Congress not to make large expenditures for the Post-Office Department so long as there was a deficiency. Many improvements which they would have desired to introduce and have recommended to Congress time and time again they have not been able to carry out because Congress would not make the necessary appropriations, and the reason given in Congress for not making the necessary appropriations always has been that the Post-Office Department entailed a large deficiency. Now, for the first time in twenty years, I think, the Post-Office Department is self-sustaining, and we have arrived just at that point where we ought to improve this system, where we ought to make it more efficient, where we ought to study the convenience of the people and see that the United States is not behind the rest of the world in the conveniences which it affords to the people through this postal system.

Now, allow me to refer to some minor matters. The matter of office accommodations at the third and fourth class offices is a matter in which there may be very great improvement. The convenience to the people can be wonderfully enhanced. I will not weary the Senate by going into details. It is within the personal observation of every Senator who is familiar with the post-offices in the smaller places, that the conveniences might be increased a hundred and two hundred per cent. with very little additional expense. I think it ought to be done. I think the expenses necessary to make this increase should be borne now when the Department is self-sustaining. If it is not done now it never will be.

Another thing that I wish to speak of is this: We should have more frequent mails. Take New England and the Middle States, and Senators will be surprised to learn, I think, that certainly one-fifth of the mail routes in the New England and Middle States are less than daily. Is there any reason why in these States where a railroad reaches usually within ten or fifteen miles of every town, every town should not have a daily mail? I know towns in my own State, within eight or ten miles of a railroad, that have but a semi-weekly mail. I have endeavored to have it increased to a daily mail, but I have been met continually with the statement that Congress would not appropriate sufficient money for that purpose, and the reason Congress would not do it was because there was a deficiency in the Post-Office Department. Take the towns and cities that are situated upon railroads, the mails carried upon railroads should be increased in frequeney. A town of three or five thousand inhabitants situated upon a railroad should never be dependent upon one daily mail. And upon this point, there is no reason why we should not have special mail facilities by fast trains. That subject, which was discussed here yesterday, points what I am saying upon this matter. The speed of mails should be increased. We should carry mails as fast as passengers are carried in this country, and we should not stand here higgling and debating whether we will spend $185,000 in a year to increase the speed of mails, to make it possible to send a letter to Chicago or Saint Louis and get an answer a day quicker than we should otherwise. What the people want in these matters is to be well served, served as well as it is possible that they shall be served, no matter what the expense is.

Take the matter of box-rents. The whole subject of box-rents needs readjusting. They need to be cheapened. We want better offices, better box accommodations, better service at offices.

But, Mr. President, there is another thing that we want still more. We want the free delivery of the mails extended, and largely extended. There are in the United States, according to the census, 246 cities of over 10,000 inhabitants. In those cities very nearly one-quarter of the population of the United States resides. There is no reason why the Government should not deliver in every one of those cities of the United States, without the additional charge of 1 cent upon each drop-letter, the letters received in those cities, at the doors of the individuals to whom they are addressed. Oh, but, Senators say, that will cost money. Indeed it will cost money, but I desire that the Post-Office revenues shall not be reduced until a convenience like that shall be extended just as far as it is practicable to extend it.

I find by the Postmaster-General's report that only one hundred and twelve cities now have free delivery. The law only makes it obligatory upon the Postmaster-General to give a free delivery of letters in cities of 30,000 inhabitants, and makes it discretionary with him to allow it in cities where the population is 20,000, or the gross revenues are $20,000. I think that that law should be repealed. I find by the Postmaster-General's report, desirous as he has been and desirous as Congress has been that there should be no deficiency in the Post-Office Department any longer, that this free-delivery system has been extended to but three cities in the United States during the past fiscal year.

Take my own State. From recollection I say that there are something over fifteen towns and cities having a population compact, I think, within a mile or two of the post-office to the farthest delivery, ranging in population from five to twenty-five thousand inhabitants. I think it much better to spend the surplus revenues of the Post-Office Department in seeing that within such towns and cities as those letters are delivered at the doors of those to whom they are addressed without extra charge for the service, rather than that postage should be reduced. I believe that the people think so too. I do not believe that the people are clamoring at the doors of Congress to reduce postage from 3 cents to 2 cents until these improvements have been adopted. In Great Britain more than 90 per cent. of the letters are delivered to the individuals at their residences or places of business, and, I think, without extra charge. It is a principle of the English system that the delivery of letters shall be universal.

Mr. SAULSBURY. Does the Senator mean to say that they deliver at everybody's house in England?

Mr. PLATT. More than 90 per cent. of the letters going through the British post-office are delivered at the doors of the persons to whom they are addressed. In the early history of the postal system in England it was the law that it should be so done. As far back as 1794 there are cases in the reports where actions were brought against postmasters for not delivering letters wherever they were addressed, and it was decided to be the law of England that they should be so delivered. It was the law in this country during the Confederate Congress. Letter-carriers were always appointed in this country at the discretion of the postmaster to deliver letters without additional charge, until this free-delivery system, as it is called, came into vogue. It should be one of the fundamental principles of a well-regulated postal system that every letter should be delivered to the individual addressed, where it is possible and practicable that it should be done.

It would be an improvement which the people would hail with joy, ten times the joy that they will hail the reduction of postage, but it never will be done until the Post-Office is not only self-sustaining but earns a surplus revenue.

I can not, with the pressure of time that there is upon the Senate, stop to dwell upon these things; I can merely outline them; I can merely call the attention of Senators to what I believe to be the real desire of the people upon this question, and I will when I close propose an amendment to change the existing law with reference to the free delivery of letters.

But there is another subject to which I desire to allude, a subject in which there is already a great interest, a growing interest, an interest that will grow and make a voice that will have to be heard and heeded in the halls of legislation, and that is the question of the transmission of messages by electricity, by the telegraph. The telegraph to-day is the rich man's mail. The time is coming, and it is hastening rapidly, when the people of this country will demand that it shall be no longer the rich man's mail, but that it shall be brought within the reach and ability of every individual in this land. I can not understand how it is that a Government like ours, that professes to be in advance of the world, that boasts of its progressive spirit and tendencies, that boasts of its invention, that boasts of the utilization of the arts and sciences in its borders, should fall back on the slow railroad and steamboat for the transmission of its messages, and allow quick transmission to be in the hands of a single corporation substantially in this country.

I said that the telegraph to-day was the rich man's mail. The transmission of letters and messages is a Government function, it pertains to the Government, and it ought never to have been suffered to go out of the hands of Government. We ought just as much to utilize the telegraph as to utilize the sending of letters by the railway. Formerly letters were carried on foot or on horseback. I remember when the saddle-bags thrown across the horse contained the letters which were sent through the country. Then we adopted the steamboat and then the railroad, and then we insist that we shall have fast trains. Why? That we may get a letter to California in a week and get an answer in a week, and the Government proposes to do it for 3 cents. The Government can send a letter of twenty words to California and get an answer in a single day at an expense, I verily believe, of not more than 25 cents. Ought not the Government to do it? Can the Government excuse itself for not serving the people with this new means of communicating messages?

I said that the transmission of messages by electricity was mainly in the hands of a single corporation. I am not continually talking about monopolies, but I do say that this business of carrying letters, of transmitting messages, is a monopoly which belongs to the Government of the United States and not to corporations, and if those gentlemen who are troubled with the power and the increasing power of monopolies, and justly troubled, desire to look about for the greatest monopoly of the world in proportion to its capital, they will find it in this same telegraph company. Its receipts the last year were $17,000,000 and its acknowledged profits were $7,000,000, more than 40 per cent. of its receipts. I say its acknowledged profits; what its real profits were no one knows.

If the Government, as it ought to have done under the statute of 1866 authorizing it to do so, had taken control of the telegraph system of this country it would have saved last year $7,000,000 to the people of this country; and that is a better saving than the saving which they propose to effect upon postage, because with that saving would have come the added convenience, as the telegraph would have been brought within the reach of the humblest individual. If an individual in common life now receives a telegraphic dispatch he fears that it means death or disaster. If the Government in 1866 had taken the telegraph it would be a common means of communication between the common people of this country to-day.

The enormous profits which are lost to the individuals of the country and are put in the pockets of the stockholders of this corporation are nothing to what they are expected to be. The president of the corporation in his last annual report estimates that the receipts of the company in the year 1887 will be between $31,000,000 and $32,000,000, and the profits $16,000,000.

I insist upon it that there should be no diminution of the revenues of the Post-Office Department until its surplus funds have been used at least to make a fund for the purchase, at an appraised value, of the telegraph lines of the United States. Looking forward five years to 1887, taking the report and estimate of the president of that corporation in the year 1887, it would save $16,000,000 to the people of the United States and afford them vastly increased facilities for corresponding with each other. I have no time to elaborate this proposition to-day. I believe that when the people come to think of these matters they will vastly prefer that the convenience of the present system shall be extended; that new improvements shall be adopted; that the frequency of mails shall be increased; that the speed of mails shall be increased; that free delivery shall be extended almost indefinitely; and that Congress shall take steps before the coming storm to see to it that the control of the telegraph system of this country passes into the hands of the Government.

I submit my amendment at this time and ask to have it read for information as I shall propose to offer it.

The PRESIDENT *pro tempore*. The amendment will be read for the information of the Senate.

The ACTING SECRETARY. It is proposed to add:

All laws and parts of laws forbidding the employment of letter-carriers for the free delivery of letters in cities having a population of less than 20,000, or having a gross annual revenue of less than $30,000, are hereby repealed, and the Postmaster-General is hereby authorized to extend the free delivery of letters from time to time according to his discretion.

Mr. PLUMB. I shall raise the point of order on that amendment.

Mr. MAXEY. Mr. President, the importance of the subject now before the Senate will, I trust, be my apology for adding something to what I said in the opening. The pivotal point in the argument of the Senator from Connecticut [Mr. PLATT] is that the expenditures of the Postal Department shall not exceed its revenue. From that theory I dissent. The original purpose and design of the post-offices of this country was to transmit intelligence. That was the purpose of it. The Constitution when adopted gave the monopoly the exclusive control of the transmission of that intelligence to Congress: "Congress shall have power to establish post-offices and post-roads." That power being vested in Congress it becomes a monopoly. No private individual can interfere with that; no State can interfere with it.

It is therefore manifestly just that in the exercise of this great power Congress should do equal and exact justice to all its citizens, and extend to all, whether denizens of great cities, or of towns or villages or thinly settled neighborhoods or hardy frontiersmen, who go to the outermost verge of civilization and lay the foundations for new cities, towns, villages, and neighborhoods, every facility for receiving and transmitting intelligence that a broad-minded, liberal, and wisely economical policy will justify.

Therefore, I submit, the primary duty of Congress under that clause of the Constitution is to transmit intelligence with certainty and at a reasonable expense. The secondary consideration is that it shall be done within the revenues of the Post-Office Department, but the primary duty is to transmit intelligence with reasonable certainty and at a reasonable expense.

When the Constitution was adopted (and I am not surprised at all at some of the early utterances of the men of that day and time) these postal duties might have been performed within the revenues of the Post-Office Department, but since the Constitution was adopted the great Louisiana Territory has been annexed to the Union, adding that vast country from the Mississippi River out as far as Minnesota and then west to the Pacific, including Oregon. The great country of Texas has been added since that time, with an area greater than one-third of that of all the original thirteen States of the Union, and whose population of 150,000, at annexation, December 29, 1845, has increased till it is now 2,000,000.

All that vast territory which was brought in under the treaty of Guadalupe Hidalgo of February 2, 1848, reaching out to and including California, has been added, as well as the Alaska purchase; so that the conditions now are wholly different from what they were in the early days of the Republic. If you charge the men who live on the frontier and in remote districts, and whose mails are yet carried to them on horseback, by buckboard, hack, and stage-coach, with the entire expense, the practical effect will be that you will make the postage to those people who are settling up your frontiers so enormous that it will cut off intelligence from them. The resources of these hardy settlers are always limited. Such a policy would prohibit to them intercourse through the mails. Such is not the purpose of the Constitution; such policy would be very narrow.

In addition to that, the great policy of this Government is and has been to extend its borders, strengthen its outposts, to care for the liberty and well-being of its people, and to settle up its waste places. Whatever can be constitutionally done toward settling up the waste places of this country and toward carrying out the purposes indicated it is policy, it is economy to do. When you send out to those people living on the frontier, who are settling up the wilderness, their mails with reasonable certainty and at reasonable expense, you are giving for this country and its tax-payers, wherever they may live, vastly more than the mere cheese-paring policy of keeping the postal expenses inside of the postal revenues, to the direct injury of remote settlers and to the general detriment of all.

The Senator from Connecticut speaks about the magnificent system that he wants of daily mails all over his country, and of deliveries to everybody. I speak in behalf of those men who seem to labor under the ban and proscription of the Post-Office Department, the frontiersmen and residents in thinly-settled neighborhoods, who have the poor privilege of getting their mails once a week grudgingly granted and who seem to be the orphan children of the great American family. They are to stand on one side; but those who happen to live in large cities, having their mails laid down on their tables four, five, six, or seven times a day, seem to be the favored few. The railroads and those who live on railroads are favored to such an extent that yesterday we agreed, against my vote, to pay $185,000 in order practically that newspapers from New York might be laid before the favored people on a few lines out of New York at a little before the ordinary time. Beautiful complacency! Yet when you come to a provision for furnishing the inhabitants of thinly-settled neighborhoods with their mails there is always a great hue and cry; and because somebody is charged with having malappropriated the funds appropriated for that purpose the people on the frontier and in sparse settlements are made the vicarious offering for the sins or alleged sins of those who have the control of these affairs. There is no justice or fair dealing in it. Let every tub stand on its own bottom. Let the strong hand of the law be laid heavily on every robber and peculator of the public Treasury. Every honest man will hold up the hands of the Government in such effort. In the mean time every honest man ought to say that the people should not suffer in their mail facilities because crime may have been committed in postal administration.

The first and foremost proposition is that intelligence shall be transmitted through the mails with certainty and at reasonable expense. So far as the statement is concerned as to this bringing about a great deficit in the revenues, the same statement was made in 1850 when the first great stride was taken toward the reduction of postage in this country; it has always been made on every occasion when the subject has come up. As I stated when I was on the floor before, the immediate effect of this reduction will be to create a deficit, but that will be more than made up in the course of a few years by the increased number of letters which will go out over the country. Such is the lesson of history, and history but repeats itself, and will, I have no doubt, do so in this instance. The reduction to 2 cents a letter under half an ounce is a great stride forward, and will stimulate letter-writing, especially among those not favorites of fortune, to such extent that the revenues in a few years will be greater than the expense, leaving a margin for reduction on other mail matter.

While I believe that the Post-Office Department should extend to the citizens of all the large cities of the older States, when we are able to do it, the facilities suggested by the Senator from Connecticut, I also believe that it is the bounden duty of that Department to extend the privileges to those men in less favored localities, and to those who are out on the frontier building up and making States and bringing them into the Union. The policy which is now talked about of bringing mails within the revenue of the Government would have excluded the vast country which was settled up after the adoption of the Constitution, between here and the Mississippi River, from the benefit of the mails, because from the very time those new States began to be admitted, Kentucky, Ohio, Illinois, and all that region of country, they were an expense to the Post-Office Department, they were an expense to the Government. Was that a reason why this Government should step in and with a purblind policy refuse to give those people their mails? When the great country west of the Mississippi River was added we heard the same hue and cry. I ask, should they have been cut off? When California was admitted into the Union and the charge was made on the floor of the Senate, on a proposed reduction in a postage bill, that it would cumber down the revenue of the country, Mr. Seward, and I say he deserves credit for it, said that if the Government of the United States could not send the mails to California and let those people have the same privileges as to the transmission of intelligence that were extended to all others of our people, they had better cut California loose and let her take care of herself.

I believe in protecting every man in this country, and I believe the men whom I represent and those who live out in the Sierras and in the Rocky Mountains and are scattered all over the vast frontier of this country of ours which we are trying to settle up are entitled to the mails as much as anybody else. I believe that the true policy of this country is to encourage the transmission of intelligence in every way that we can, because the virtue and the intelligence of the people are the underlying strata upon which the perpetuity of this Government rests.

I believe that whatever may be the ultimate result it is wise and sound policy to adopt the provision made by the House in favor of the reduction of postage to 2 cents. It may be that other things hereafter may come; it may be that the things the Senator talks about may come; it may be that we may be able to do something else hereafter; but let us take hold of this proposition, go through with it, reduce postage down to 2 cents, and, in my judgment, for so doing we will have the blessings of the American people.

Mr. PLATT. Mr. President, I desire to agree with the Senator from Texas in one thing, and that is that there is no section in this country where the convenience of the people should be studied in the administration of the postal system more than another. I think one reason why we have not had greater improvement and development has been sectional jealousy, which did not like to see a few dollars expended in one section unless something could be expended also in another section. I think we ought to do away with all that thing. Wherever there is a demand for improvement, for more conveniences, for greater service, there the whole country ought to see that it is had.

Mr. HAWLEY. Mr. President, I wish to add a few suggestions in the general direction of what my colleague [Mr. PLATT] has said. I suppose that a reduction of the postage to 2 cents would result probably immediately in a large increase in the number of letters sent so that the the resulting decrease of receipts would be partially compensated, but it should be remembered that a reduction of postage is not the only thing to be sought. There should be also an increase of facilities, and in my opinion an increase of facilities now would have a much more marked and striking effect in enlarging the receipts than could the reduction of rates. I wish to state certain facts and to refer to certain statutes here that I may put this matter in its true light in the RECORD for future reference. The original theory of the post-office in Great Britain from which we borrowed the organization of our post-office was that every letter committed to the mail should be carried to the person to whom it was directed. The British fell short of that for some time, but now, as my colleague has said, more than 90 per cent. of the letters of Great Britain are delivered to the persons to whom they are directed.

The delivery of letters by carriers at the doors of the persons addressed, free of charge other than the postage, was not a part of the postal reform inaugurated by Rowland Hill in 1840. It dates back to the time when the post-office was first established in Great Britain, more than two hundred years ago. By reference to Cowper's Reports, volume 1, page 189, it will be seen that Justice Willes said in 1874 that—

> The usage in London and other great towns has been to deliver all letters at the houses of the respective inhabitants to whom they are directed. In smaller post-towns the postmaster has declined to do so without an additional allowance, other than the postage, probably because there were only a few persons to dispute the right.

In the fifth Burrows, pages 2709 to 2715, is the report of a suit brought against the postmaster of Gloucester in which Lord Mansfield said (page 2714) that up to 1769 "letters directed to the inhabitants of Gloucester were always delivered to them at their places of abode, within the said city, by the postmaster without any gratuity or reward over and above the common rate of postage."

This was in a suit against a postmaster for not delivering without extra charge and the postmaster was defeated.

The duty of a postmaster thus to deliver letters in Great Britain had not, up to 1774, been prescribed by statuory law, and, I believe, it has not been thus prescribed up to the present day. The only allusion to the duty of postmasters in regard to the delivery of letters in the then existing law was in the section which said:

> One postmaster-general shall be appointed by the Crown; which postmaster-general and his deputy and deputies, and his and their servants and agents, and no other person or persons whatsoever, shall from time to time and at all times have the receiving, ordering, dispatching, sending post or with speed and *delivering* of letters and packets whatsoever which shall be sent to or from all places of Great Britain, &c.

About the year 1770 the postmaster of Gloucester and other postmasters, acting under the sanction and approval of the postmaster-general, refused thus to deliver letters, and demanded compensation therefor. Suits were brought against the postmasters; the cases went to the Court of King's Bench, and in every instance the decision was against the postmaster and in favor of the people. (See the cases referred to above; also, Rowing *vs.* Goodchild, third Wilson, page 343; and Barnes *vs.* Folley, fourth Burrows Reports, page 2149.)

Up to the Declaration of Independence it was, under the law already quoted, the duty of the postmasters in the American Colonies thus to deliver letters. It was our theory that a letter should be carried to the person to whom it was addressed. In 1782 the United States in the Congress of the Confederation adopted the phraseology of the same British law in an ordinance which empowered the Postmaster-General to carry and "deliver letters." (See Journal of Congress, volume 4, page 94.)

In 1794 this common-law duty of the postmasters was so far modified as to authorize the letter-carriers to charge 2 cents for each letter they delivered (see volume 1, page 366 United States Statutes), and in 1860 the carrier's fee was reduced to "not exceeding 1 cent" per letter. (United States Statutes, volume 12, page 38.)

Up to 1874 repeated acts of Congress said the Postmaster-General "shall appoint letter-carriers," &c., for the delivery of letters. (See United States Statutes, volume 1, page 366; volume 4, page 112; volume 5, page 89.)

In 1863 it was enacted that "no extra postage or carriers' fee shall hereafter be charged or collected upon letters delivered by carriers." (Volume 12, United States Statutes, page 705, section 23.)

In 1874 it was enacted that (except in places where they were already employed) "letter-carriers shall not be employed for the free delivery of mail matter" in any town or city having a population of less than 30,000. (See volume 19, page 231.)

The insidious cause that led to this backward march in the progress of postal reform was the increasing use of boxes, which for many years the postmasters sold at whatever price they pleased, pocketing the proceeds; and after the fee for boxes was reduced to $2 they were allowed to take one-half of it themselves. The consequence was an abandonment of the original theory of the post-office.

In 1879 this limitation was extended to cities having a population of 20,000. (Volume 20, page 317.)

With the prohibition of free delivery in 1874 the law forbidding letter-carriers to collect a fee for delivering remained unrepealed. As a result of this legislation the people in places of less than 20,000 have been deprived of their common-law right, and can neither have their letters delivered to them by carriers free or for hire.

There is a large range of places in the United States where the people would be very glad to give, as they did in the old way, a cent for a letter delivered to them, but they can not do it. Of course they can go and hire somebody outside of the Department; you can hire a man for a dollar a day to bring your own mail if you choose; but there is no general arrangement by which a carrier authorized by the Government is at liberty to take the letters and deliver them and charge the fee of 1 cent each.

The law for the first time in upward of two centuries now requires them to go to the post-office for their letters. You may say the law requires that they shall go to the post-office for their letters; the Government will offer them no facilities for cheap delivery at their doors.

The re-enactment of section 11 of the act of March 3, 1863, would authorize the Postmaster-General to appoint letter-carriers at any post-office he pleases. This law was in force eleven years and the Postmaster-General, in the exercise of his discretion, did not abuse the power intrusted to him. He extended the free delivery very gradually. In fact, he was always subject to the limitation of Congress, as expressed in its appropriations for letter-carriers.

In 1863 the free-delivery service was begun in forty-nine cities. In 1882, nineteen years thereafter, it had been extended to only one hundred and nine cities—I think one hundred and twelve now.

In Great Britain, during a period of only thirteen years—from 1864 to 1876—free delivery was established for the first time in 5,204 places, and in 5,866 places additional carriers were appointed or the area of delivery enlarged. In 1839 in Great Britain there were only 4,500 receptacles for posting letters. In 1881 there were 28,860.

If the question is asked, why the delivery of letters has not been extended in the United States, I give the answer which I have already indicated. It is found in the fact that it has been for the pecuniary benefit of every postmaster not to have the delivery by carriers adopted at his office, as such a delivery would tend to diminish his perquisites derived from box-rents.

Postmaster-General Montgomery Blair must have seen this, for he secured the enactment of a law which deprived postmasters of their perquisites and gave them fixed salaries in lieu of commissions and perquisites. (See section 6 of the act of 3d March, 1863, volume 12, United States Laws; also the act of 1864, volume 13, page 336.)

This feature of the law was, however, soon circumvented, for while postmasters still receive "salaries," the amount of their salaries is ascertained by "adding to the box-rent (not exceeding $1,350 per annum) commissions on the postage." Postmasters of the fourth class have a salary equal to "all the box-rent and commissions." (See post-office acts 1872, 1874, 1876, and 1878, volume 17, page 294; volume 18, page 236; volume 19, page 81; volume 20, page 141.)

Postmaster-General Blair, who seems to have well comprehended the true functions of the post, after establishing this free delivery in so many places in 1863 sent out these instructions:

> It is the special duty of postmasters to provide that all letters are regularly, frequently, and promptly delivered by the carriers, so that citizens may have no excuse for clinging to the old custom of calling at the post-office. The purpose of the law providing for a free delivery of letters at the houses of owners is to promote the public convenience, and at the same time reduce the labor in post-offices. Postmasters will especially discourage the use of private boxes and steadily aim at reducing them to the lowest number possible.
>
> Where carriers are not yet employed postmasters should immediately recommend one or more for appointment.

Postmaster-General James in his report said:

I have felt no hesitation in pressing the claims of the free-delivery branch of the service with some urgency, for the reason that the advantages which I believe will result from an allowance sufficient to provide for an extension of its operations will not be confined to any particular city, nor to any section of the country, but will be shared by the business community and the general public in every portion of the land.

In the one hundred and twelve cities of the United States where we have the free-delivery system there is an aggregate population of about 10,000,000. That leaves 45,000,000 people without the privilege of free delivery and without the benefit of the old law which enabled them to get the delivery by the payment of an additional penny on each letter.

I submit to the honorable Senator who has charge of this bill that there might be an amendment in the general direction that my colleague indicated in the amendment which I have endeavored to support.

I am indebted for my historical references to the law to a constituent of mine, who has given great and prolonged consideration to these questions, and who may be considered learned in the history and law of the matter, Mr. Henry L. Goodwin, of East Hartford, Connecticut, and I want to give him credit for it. I coincide heartily with his views, and I beg the committee, if the amendment submitted by my colleague can not be adopted, to give the matter favorable consideration, perhaps in an independent bill. That, however, should come from the Post-Office Committee, and to that committee I have sent a memorial from Mr. Goodwin setting forth these facts at length.

Mr. PLUMB. Mr. President, there does not seem to be any particular logical connection between the opposition to the proposed diminution of postage and the affirmative propositions embraced in the remarks of the Senator from Connecticut [Mr. PLATT]. The Appropriations Committee did not deal with the entire question of the administration of the Post-Office Department, but only with that branch which was committed to them by reason of the bill as it came from the House, which provided for the reduction of postage. They believed and still believe that the reduction ought to take place at the beginning of the fiscal year, both as a matter of convenience and as a matter of justice and fairness to the people of the United States, who are paying the revenues of the Post-Office Department.

I may say for myself that I do not believe in extending the privileges of the free-delivery system at the expense, at least not too largely at the expense, of the general public. That free-delivery system is now in operation in one hundred and twelve cities of the United States. In all but twelve of them it is carried on at a loss of about $2,000,000, which is charged to the general revenues of the Government. I do not speak of that to complain of it particularly, but simply to say that it is hardly fair that the mass of the people of the United States living in the country districts shall be charged more than it costs to deliver their mail in order that the inhabitants of the towns may have theirs at less than cost. That seems to be hardly a fair distribution of the benefits and burdens of the postal service.

The Committee on Appropriations were not unmindful that they were dealing with an appropriation bill and an amendment to that bill which, by the ruling of the Chair, they must deal with in such a way without going generally into the question of the administration of the postal department, and I do not mean to say, as I understand it, that there may not be other directions in which reform may be made or instituted.

Mr. HOAR. May I ask the Senator a question? I presume I did not catch the first part of his remarks. Did I understand him to say that the cost of the Post-Office Department falls on the rural or agricultural portion of the people for the benefit of the people of the cities—that the latter pay less than their share of the cost of the post-office and the others more?

Mr. PLUMB. I did not say so.

Mr. HOAR. I did not think the Senator said so, but in the direction of the remarks of the Senator from Texas I wanted to call the Senator's attention to that.

Mr. PLUMB. I do not complain of the existing system. I only say that the extension of the free-delivery system in the method suggested by the Senator from Connecticut at a loss, as it would be to the Government, would entail upon the general public who do not live in towns the necessity of paying more for postage, in order that the service might be kept up.

Mr. HOAR. Do not all the towns where that is done, or where it is proposed to be done, pay a good deal more than their share to the post-office?

Mr. PLUMB. The profits that come to the Government by the operation of the post-office in New York are just as much to the credit of New York as the payment of the whisky tax by the town of Peoria would be to the credit of Peoria if that town pays more than its proportion of the whisky tax of the United States.

Mr. HOAR. If a countryman writes a letter to New York and that letter is delivered quickly by the free-delivery system, and answered quickly by the New York correspondent, by a convenient mail service in New York, the countryman gets the benefit just as much as the New Yorker.

Mr. PLUMB. Well, Mr. President, you can run anything of that kind in the ground. I do not mean to say that the service ought not to exist in New York; but what I mean to say is that its indefinite extension would entail an expense which must be borne by the people who are not specially interested in this delivery. It is not necessary, however, to go into that discussion, because this is not the proper place for it. The committee did not give it any attention, because it was not within the purview of their authority to do so. They dealt with the question and the only question presented to them by the bill, and that was the reduction of postage, and that does not connect itself either with the free-delivery system or with the telegraph system. I take it the Senator from Connecticut does not care to accumulate a great surplus from the carriage of letters in order that somebody may get a telegram for nothing; that if we are to have a postal-telegraph system he is willing the people who get the benefit of it should pay for it, and if they do there is no necessity of collecting from the people of the United States who send letters a sum of money to build a telegraph for the people who deal only in telegraphic dispatches.

I feel constrained by the instruction of the committee and by the necessities of the situation to make the point of order on the amendment offered by the Senator from Connecticut.

Mr. SAULSBURY. I desire to say in reference to the question of free delivery which has come up that I think the smaller towns do now pay an additional amount of postage because of the facilities furnished to larger cities by the free-delivery system. Take the smaller towns, the town in which I live and towns of that kind. In the first place, we are compelled to go and hire a box for our mail matter to be put in. That goes to the general credit of the postal service. Then we are compelled to go to the post-office ourselves to receive our letters.

The complaint of the payment of 2 cents on the letters which are delivered at the door is an unreasonable complaint on the part of gentlemen who live in those cities where there is free delivery. Who had not rather pay 2 cents than to pay 1 cent and be compelled to go to the post-office by day or night, rain or shine, snow or blow? If there is any complaint anywhere, or if there is any ground for complaint anywhere, in reference to this thing it is on the part of those smaller cities which have not the free-delivery system.

Mr. President, while I am on my feet, and I rose principally for that, I wish to make an inquiry of the Senator having the bill in charge in regard to another matter. I believe that the expenses of the Post-Office Department, like the expenses of every Department of this Government, ought to be cut down as low as they can be with any proper degree of convenience in the administration of the Department. It occurs to me that there are in this bill some unnecessary expenses provided for, and I say now that this bill has never been before the Post-Office Committee, of which I have the honor to be a member, but it comes from the House of Representatives direct to the Appropriations Committee, and, therefore, I am compelled to make inquiry now of the Appropriations Committee upon a subject which, if the bill had been properly before us, we might have looked into as the Committee on Post-Offices and Post-Roads.

I find that there are appropriated in this bill:

For pay of agent and assistants to distribute stamps, and expenses of the agency, $8,100.

That is for the distribution of stamps alone. Then there is a further provision:

For pay of agents and assistants, to distribute stamped envelopes, newspaper-wrappers, and letter-sheets, and expenses of agency, $16,000.

There is a still further provision:

For pay of agent and assistants to distribute postal cards, and expenses of agency, $7,300.

Three different agencies established for the distribution of postal stamps, postal envelopes, and postal cards, at an expense of about $33,000. In my judgment the whole of that matter should be attended to at one agency at one-third of the expense that is here appropriated. We ought not to make these appropriations unless there is some necessity for these three separate agencies. The country is large, I am aware, but one agent, with assistants to distribute all these things, ought to be sufficient, without having so much machinery in the administration of the Postal Department. I suppose the Appropriations Committee has given proper consideration to this question, but as we had not this bill before the Post-Office Committee I am compelled to call upon the Appropriations Committee for information in reference to these items.

The PRESIDENT *pro tempore*. The hour of 1 o'clock has arrived.

Mr. MORRILL. I call for the regular order.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the unfinished business, which is the revenue bill.

Mr. PLUMB. I hope the Senate will proceed to the consideration of this appropriation bill. I think we shall be able to get through with it shortly. The other amendments are merely formal.

Mr. ALLISON. The debate is ended on this amendment.

Mr. PLUMB. I think so.

Mr. MORRILL. If we can have a vote without further debate I shall not object, otherwise I shall insist on the regular order.

Several SENATORS. Vote! Vote!

Mr. LAPHAM. I have an amendment to offer before this clause is acted upon.

Mr. ALLISON. There is no objection to the amendment being received, if it is in order.

The PRESIDENT *pro tempore*. The Senator from New York will send up his amendment.

Mr. PLUMB. The question is on the adoption of the amendment of the committee, I understand, and the amendment of the Senator from New York will come in at a later period I think. I take it the amendment of the Senator from New York is not an amendment to the amendment of the committee.

The PRESIDENT *pro tempore*. The Chair does not know.

Mr. LAPHAM. I present it that the Senate may understand what it is.

The PRESIDENT *pro tempore*. The amendment suggested by the Senator from New York will be read.

The ACTING SECRETARY. After line 112 it is proposed to insert:

That on and after the date aforesaid, on all field, garden, and flower seeds produced in the United States and Territories, distributed through the mails, the postage shall be one-half cent for each ounce or fraction thereof, instead of one cent as now provided by law.

Mr. PLUMB. I make the point of order on that.

The PRESIDENT *pro tempore*. The amendment is not in order, being legislation.

Mr. LAPHAM. I desire to be heard on that question.

Mr. INGALLS. Debate is only in order upon an appeal. Questions of order must be decided without debate.

The PRESIDENT *pro tempore*. In the opinion of the Chair the amendment is legislation, and no legislation is proper on an appropriation bill.

Mr. LAPHAM. This whole clause is legislation.

The PRESIDENT *pro tempore*. Of course it is legislation, but it comes from the House of Representatives.

Mr. LAPHAM. The committee have offered an amendment to that clause.

Mr. MILLER, of New York. Under Rule 29 must not this question be submitted to the Senate for its decision as to whether the amendment can be admitted?

The PRESIDENT *pro tempore*. The Chair can submit the question to the Senate.

Mr. MILLER, of New York. I should like to have the rule read.

The PRESIDENT *pro tempore*. The rule will be read.

Mr. LAPHAM. It is a very important question.

Mr. ALLISON. The Chair has already decided that this amendment is not in order.

The PRESIDENT *pro tempore*. But the reading of the rule is asked for.

Mr. INGALLS. It is not a question of relevancy.

The Acting Secretary read Rule 29, as follows:

29. No amendment which proposes general legislation shall be received to any general appropriation bill; nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

Mr. LAPHAM. This question is one of too much importance to be hastily disposed of, and I suggest that the bill stand over until to-morrow.

The PRESIDENT *pro tempore*. The Senator from New York objects to the further consideration of the bill now.

Mr. MORRILL. Regular order.

Mr. PLUMB. I move to lay aside the unfinished business until to-morrow in order to continue and complete the consideration of the Post-Office appropriation bill.

Mr. MORRILL. I trust that will not be done. I do not wish to consume time in discussing the propriety of such a motion as that.

Mr. PLUMB. I think we can dispose of the Post-Office appropriation bill now within a very short period of time. If it goes over until to-morrow we shall have the same debate probably and shall make less progress.

Mr. MORRILL. I think the whole day will be consumed with the bill, and I therefore object to its continuance.

The PRESIDENT *pro tempore*. The Senator from Kansas moves to postpone the regular order with a view to continuing the Post-Office appropriation bill.

Mr. ALLISON. I think if the Senator from Vermont will waive the regular order for a few minutes, this bill can be finished pretty soon.

Mr. HOAR. Give twenty minutes.

Mr. MORRILL. I would have no objection if it could be accomplished within fifteen or twenty minutes, but I have no idea anything of that sort will take place. This is a question that is open to debate for a long period.

Mr. CAMERON, of Wisconsin. I hope this bill will be completed to-day. I do not think that it ought to occupy the entire morning hour for every day; and, as has been suggested by the Senator from Kansas, if it be not completed to-day the probability is that the whole discussion substantially will be gone over again to-morrow as it has been gone over day after day for three days.

Mr. BECK. I desire to say only a word if I may be allowed. I was a member of the sub-committee that reported this bill, and agreed to the 1st day of July, 1883, instead of the 1st day of January, 1884, as the time when the reduction of postage should take place, mainly because if the bill was passed promptly all matters relating to stamps could be accommodated in five months, and the sooner we do it the better. I think we can pass the bill now a good deal quicker than we can by starting at it again on a new day; and if we are going to make the reduction apply on the 1st of July we ought to give the Post-Office Department as long a time as we possibly can to arrange for the altered condition of things. We may as well do it now as at any other time.

Mr. SHERMAN. That practically displaces the pending order not only to-day, but for all time, I think. That is not according to the understanding of the Senate.

The PRESIDENT *pro tempore*. It displaces it for to-day.

Mr. INGALLS. A majority can take it up at any time to-day.

Mr. SHERMAN. It may displace it to-morrow, because the appropriation bill may not be disposed of to-day.

The PRESIDENT *pro tempore*. But the regular order comes up to-morrow anyhow.

Mr. LAPHAM. I only want my amendment to have fair consideration.

The PRESIDENT *pro tempore*. The Chair informs the Senator from New York that his amendment is clearly general legislation. There can be no question about it.

Mr. LAPHAM. Must not the question of relevancy be submitted to the Senate?

The PRESIDENT *pro tempore*. It is not decided on the point of relevancy at all; it is decided on the point that it is general legislation. If there was a question of relevancy the case would be different.

Mr. LAPHAM. It is an amendment to a provision in the bill which is itself general legislation.

The PRESIDENT *pro tempore*. The Chair is perfectly aware of that.

Mr. LAPHAM. The Committee on Appropriations of the Senate have offered an amendment to it. Can not I offer another amendment to it?

The PRESIDENT *pro tempore*. Not under the rule.

Mr. SHERMAN. That is a good reason for voting against it.

The PRESIDENT *pro tempore*. The amendment does not come from a standing or select committee. There is a way of presenting an amendment by having it come from a committee. This is general legislation, and is not in order until the Senate changes its rules. It is saying that hereafter upon flower seed the postage shall be half a cent an ounce instead of what it is now. That is changing the law, which is general legislation.

Mr. LAPHAM. Then I hope the objection to the amendment will be waived and let it be fairly considered on its merits. It is a very important matter to the people of the State of New York.

Mr. PLUMB. If the Senator wants to use his amendment for the purpose of making a speech——

Mr. LAPHAM. I do not want to make a speech, but simply to submit a letter from one of the largest seed-growers in my State, who contributed more than $5,000 to the relief of the sufferers by the destruction occasioned by the overflow of the Mississippi River last year, a public-spirited man, a man of fortune; but he is one of thousands who are engaged in this business and who absolutely need this protection in the distribution of seeds; and they can not see any reason why when the Government is sending seeds free all over the country every year they should be compelled to pay the rate of postage which they are now paying. They ask for a reduction of one-half. I hope it may be assented to. It is a large industry. It is in accordance with the theory of the Government that these seeds which are distributed for the general benefit of agriculture shall go as nearly free as possible through the mails.

Mr. PLUMB. Well, Mr. President, the answer to that, it seems to me, is this: The bill before us is an appropriation bill. The committee has not gone in for a general recasting of the entire postal service. The measure the Senator speaks of ought to go to the Post-Office Committee. I can say to him that if the Committee on Appropriations had not found on this bill already a proposition for 2-cent postage they would not have undertaken to introduce it; but they were compelled by the fact of its being on the bill and the bill being referred to them to consider it, and that is all. Now, if we open the door in regard to this amendment, backed as it is by a gentleman who is so liberal with his money and who is so wealthy, it may open the door to the consideration of all the interests affected by the general transmission of mail matter, and thus we may get into a debate which will be interminable, and prevent our disposing of this bill at all.

Mr. LAPHAM. I do not think any such consequence as that is to follow.

Mr. MORRILL. Regular order.

The PRESIDENT *pro tempore*. Did the Senator from Kansas move to postpone the unfinished business?

Mr. PLUMB. Yes, sir, I have moved to postpone it.

The PRESIDENT *pro tempore*. It is moved to postpone the regular order with a view to continue the consideration of the Post-Office appropriation bill.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). During my absence I was paired with the Senator from Kansas [Mr. INGALLS]. He transferred the pair, as I am informed, to the Senator from Michigan [Mr. FERRY]. The Senator from Michigan [Mr. FERRY] being still absent, I shall observe the pair and withhold my vote. While on the floor I desire to say that my colleague [Mr. JACKSON] is absent under the order of the Senate. He is paired with some Senator, but I do not remember who.

Mr. VANCE (when Mr. RANSOM'S name was called). My colleague [Mr. RANSOM] is paired with the Senator from Wisconsin [Mr. SAWYER]. He is absent from his seat in attendance upon the remains of a deceased Representative of the other House.

The roll-call was concluded.

Mr. FRYE (after having voted in the negative). I voted "nay." I had forgotten that I was paired with the Senator from Tennessee [Mr. JACKSON], who has gone to North Carolina. I withdraw my vote.

Mr. JOHNSTON (after having voted in the affirmative). I withdraw my vote. I am paired with the Senator from Pennsylvania [Mr. MITCHELL], and this vote is said to come under the pair; so I withdraw it.

Mr. ALLISON. I do not know why this comes under any rule about pairs. I am paired with the Senator from Delaware [Mr. BAYARD].

Mr. JOHNSTON. I do not know myself; but I am so informed, and I prefer therefore to withdraw my vote.

Mr. ROLLINS. The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

The result was announced—yeas 28, nays 28; as follows.

YEAS—28.

Allison,	Cameron of Wis.,	Hampton,	Pugh,
Barrow,	Cockrell,	Ingalls,	Saulsbury,
Beck,	Coke,	Lamar,	Slater,
Brown,	Farley,	Maxey,	Vance,
Butler,	Garland,	Morgan,	Vest,
Call,	George,	Pendleton,	Walker,
Camden,	Grover,	Plumb,	Williams.

NAYS—28.

Anthony,	Edmunds,	Hoar,	Morrill,
Blair,	Gorman,	Jones of Nevada,	Platt,
Cameron of Pa.,	Groome,	Lapham,	Rollins,
Chilcott,	Hale,	Logan,	Sewell,
Conger,	Harrison,	McMillan,	Sherman,
Davis of Ill.,	Hawley,	Miller of Cal.,	Van Wyck,
Dawes,	Hill,	Miller of N. Y.,	Windom.

ABSENT—20.

Aldrich,	Frye,	Jones of Florida,	Mitchell,
Bayard,	Harris,	Kellogg,	Ransom,
Davis of W. Va.,	Jackson,	McDill,	Saunders,
Fair,	Johnston,	McPherson,	Sawyer,
Ferry,	Jonas,	Mahone,	Voorhees.

So the motion to postpone was not agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 6501) granting a pension to Patrick Horan; and

A bill (H. R. 4982) granting pensions to Frederick Nelson, T. Caine, and Henry C. Sanders..

REGENT OF SMITHSONIAN INSTITUTION.

The PRESIDENT *pro tempore* laid before the Senate the following communication:

SENATE CHAMBER, *January* 19, 1883.

SIR: I desire to inform you that I have resigned the office of Regent of the Smithsonian Institution.

I am, very respectfully, yours,

GEORGE F. HOAR.

HON. DAVID DAVIS, *President of the Senate.*

The PRESIDENT *pro tempore*. The Chair, in pursuance of the statute, appoints the Senator from Vermont [Mr. EDMUNDS] in place of Mr. HOAR.

ROBERT STODART WYLD.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was ordered to lie on the table and be printed.

To the Senate of the United States:

I have carefully considered the provisions of Senate bill No. 561, entitled "An act for the relief of Robert Stodart Wyld."

I am of the opinion that the general statute is sufficiently liberal to provide relief in all proper cases of destroyed United States bonds, and I believe that the act above referred to constitutes an evil precedent.

It is not, however, so objectionable as to call for my formal disapproval, and I have allowed it to become a law under the constitutional provision, contenting myself with communicating to the Senate, in which the bill originated, my disapproval of special legislation of this character.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 6501) granting a pension to Patrick Horan; and

A bill (H. R. 4982) granting pensions to Frederick Nelson, T. Caine, and Henry C. Sanders.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated the 17th instant, inclosing copies of letters respectively from the Chief of Engineers and Colonel A. F. Rockwell, in charge of public buildings and grounds in this city, urging the importance of an immediate appropriation of $1,000, for removing snow and ice from the walks and pavements in and around the various public reservations under his control during the remainder of the present fiscal year.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated the 18th instant, inclosing an extract copy of the report of the Adjutant-General respecting the military reservation of Fort Cameron, Utah Territory, and recommending that authority be granted during the present session of Congress for the disposal of said reservation, it being no longer needed for military purposes.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress, a communication from the Secretary of War, dated the 17th instant, inclosing, with other papers upon the subject, a petition of Thomas Mulvehill, of Pittsburgh, Pennsylvania, praying for the repossession of certain shore land at Pittsburgh erroneously conveyed by him to the United States.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill and accompanying papers, to accept and ratify an agreement with the confederated tribes of Flathead, Kootenay, and Upper Pend d'Oreilles Indians for the sale of a portion of their reservation in the Territory of Montana required for the Northern Pacific Railroad, and to make the necessary appropriation for carrying the same into effect.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. ALLISON. I trust the Senator from Vermont to-morrow will call up this tariff bill immediately after the morning business and proceed with it, and then we shall have time to take care of appropriation bills. For one I shall insist on night sessions next week to take care of appropriation bills unless we can get this tariff bill out of the way.

Mr. HOAR. I trust the Senator will not ask the Senate or insist on destroying the morning hour. It does seem to me that when other committees of the Senate or other Senators have been charged with the duty of presenting important measures they are entitled to consideration, and the two great committees, utterly regardless of any interest except the bills they have in charge, ought not to crowd out all other business. They are interested in the general public business and they ought not to use their power to choke off other important measures. I voted against displacing the tariff bill, meaning to stand by the Committee on Finance; but the time from 1 o'clock till night is abundant and ample to deal with this question if we are going to deal with it at all this Congress. The attempt to crowd out every other measure I can not consent to.

The PRESIDENT *pro tempore*. The pending amendment will be read.

The ACTING SECRETARY. The pending amendment is to the clause beginning in line 441: "If filled, and not otherwise in this act provided for"——

Mr. SEWELL. Was not that included in the amendment of the Senator from New York [Mr. MILLER] acted on yesterday?

The Acting Secretary read the clause beginning with line 441 and ending with line 443, as follows:

If filled, and not otherwise in this act provided for, said articles shall pay, exclusive of contents, 30 per cent. ad valorem in addition to the duty on the contents.

Mr. SEWELL. The motion of the Senator from New York as stated in the RECORD is:

Mr. MILLER, of New York. I move to amend, in lines 440, 442, and 443, by striking out the words "30 per cent. ad valorem" and inserting "1½ cents per pound."

That covers both those points.

The PRESIDENT *pro tempore*. The Senate adopted one of the amendments, in line 441, and then the proceedings of the House in relation to

the death of one of its members were read and we did not reach the second clause of this paragraph.

Mr. SHERMAN. I understood the amendment to apply to each place in the paragraph where the words "30 per cent. ad valorem" occur.

Mr. SEWELL. The motion applied to the 30 per cent. in all cases.

Mr. SHERMAN. No division was called for.

The PRESIDENT *pro tempore*. The question will be now on striking out "30 per cent. ad valorem," in lines 442 and 443, and inserting "1½ cents per pound."

Mr. MORRILL. I must move the amendment I proposed, in relation to the other line, of 1 cent per pound, instead of 1½ cents. I wish to say that I understand these bottles cost less than a cent apiece, and 1 cent would be a very high duty upon them. Some of them weigh a pound; a quart bottle will weigh a pound and a half; and 1 cent a pound is all that is necessary even to content the manufacturers. I do not think we ought to place so high a rate of duty as 1½ cents a pound on these articles. I therefore insist upon the amendment I proposed yesterday of 1 cent.

The PRESIDENT *pro tempore*. The amendment of the Senator was voted on yesterday.

Mr. MORRILL. I move it now to the clause now pending to strike out the 30 per cent. ad valorem where it last occurs in the clause.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to amend the amendments by making the rate 1 cent per pound.

Mr. MILLER, of New York. I thought this was disposed of yesterday.

The PRESIDENT *pro tempore*. No, sir. The Chair has explained that the last clause of this paragraph was not voted on yesterday. In consequence of the message from the House, the proceedings were interrupted; but the first amendment of the Senator from New York was adopted.

Mr. MILLER, of New York. My amendment, then, so far as line 440 was concerned, was adopted?

The PRESIDENT *pro tempore*. That was adopted, but the remaining part was not acted on.

Mr. LOGAN. The amendment adopted applied to empty bottles, and this now is as to filled bottles.

Mr. BECK. I wish to ask the Senator from New York how we are to ascertain the weight of the bottle with the contents in it? If bottles come in filled, of course we can not ascertain until they are emptied what is the weight of the bottles.

Mr. MORRILL. There is no difficulty about that at all. A single sample will be tested by the appraisers and thereafter serve as a rule.

Mr. VANCE. Estimated!

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. MORRILL] to the amendment of the Senator from New York [Mr. MILLER].

Mr. BECK. I desire to know what it is really. I have not yet been able to catch it.

The ACTING SECRETARY. In line 442, after the word "contents," it is moved to strike out "30 per cent. ad valorem" and insert "1 cent per pound."

Mr. BECK. Is that an amendment to the amendment of the Senator from New York?

The PRESIDENT *pro tempore*. It is.

Mr. MORRILL. The amendment of the Senator from New York is to fix the duty at 1½ cents a pound, and I propose to put it at 1 cent.

Mr. FRYE. The amendment of the Senator from New York would make the duty about 125 per cent. ad valorem, and the Senator from Vermont would make it about 80 per cent. ad valorem. I am a pretty good protectionist myself, and am so regarded, but it strikes me that both of those amendments give altogether too much, and especially on the bottles that come in filled, for instance, with apollinaris water. We admit the water free of duty, and then propose to put a duty on the bottles of 80 per cent. The bottle must inevitably be purchased abroad, and when it is emptied here it is sold as old junk. I am in favor of the 30 per cent. ad valorem in the bill rather than either of these amendments.

Mr. MORRILL. The Senator from Maine is somewhat mistaken. Under the ruling of the Department 30 per cent. is now imposed upon bottles that are filled; but under the decisions of the court where articles come in free, like apollinaris water, the bottles also come in free. It is proposed by our bill that the natural mineral waters are to come in free, and therefore unless some amendment shall hereafter be adopted those bottles will not be subject to any duty. I would say, however, that some of these bottles are worth a great deal more than the Senator from Maine asserts. I admit that the black junk bottles come in at a very low rate, but there are some of them which are of a very much better quality, and are worth perhaps 25 or 30 per cent. more than what the Senator from Maine intimates. One cent a pound will be ample protection, and yield ample revenue.

Mr. FRYE. The Senator I think misunderstood me. I understood what the ruling of the Department had been. I was favoring the report of the committee which made the duty 30 per cent. ad valorem.

Mr. MORRILL. I think it had better be specific for the reason that there are so many descriptions of these bottles and they come in in such a miscellaneous heap that it is very difficult to ascertain their value, and it is reported that none of them are sent here except to be delivered on this side, without any proper invoice abroad as to their value or the testimony of the consuls, or anything of that kind.

Mr. FRYE. I yield my judgment to the Senator.

Mr. BECK. It was announced yesterday that we received little or no revenue from bottles, because they had no fixed value. I understand the Senator from North Carolina [Mr. VANCE] stated the facts yesterday, which are that we received last year from bottles, empty and filled, $178,189 of revenue. There must be, therefore, considerable value attached to them or they would not bring nearly $180,000 of revenue; and the valuation of the bottles themselves indicates that 30 or 35 per cent. ad valorem is about the existing rate.

I shall vote for the amendment of the Senator from Vermont [Mr. MORRILL], because 80 per cent. is better than 120 or 130; but it does seem to me that we are fishing in very shallow water when we are hunting up old empty bottles as a proper subject of taxation. I am sorry to see a Senator from a great State like New York seeking to tax spring-water, and then somebody else seeking to put 100 per cent. on an empty bottle in order to raise money. There was a Senator from that State on this floor once who, I believe, would not have moved to tax running springs or empty bottles, and I am sorry it is attempted to be done now. The amendment of the Senator from Vermont is a modification of the proposition accepted yesterday, and therefore I prefer it.

The members of the Committee on Finance, first one and then another, have taken great pleasure, as the debates well show, to indicate that I at times vote against the recommendations of the committee, and the Senator from Ohio [Mr. SHERMAN] stated more than once that there was no hope for this bill if the recommendations of the committee were not sustained by members of the committee, I was several times in the debate called to task about it by the Senator from Vermont and the Senator from Ohio; and yet on this article a recommendation was made——

Mr. MORRILL. I wish to remark that the Senator is in error in saying that I have called any member of the committee to account for not voting with the committee.

Mr. BECK. Perhaps so, but the Senator from Ohio has very distinctly done so once or twice. When a proposition was made to increase the rate of duty on these articles from what the committee have recommended, 30 per cent. ad valorem to 130 per cent. ad valorem, or 1½ cents a pound, I find on the call of the yeas and nays that the Senator from Ohio voted against the recommendation of the committee of 30 per cent., and the Senator from Rhode Island [Mr. ALDRICH] and others did the same. In short not one member of the committee who was present—some were absent, I admit—is recorded as voting to stand by the action of the committee on this particular thing, except myself. I want to say, therefore, that I did for once vote to sustain the recommendation of the committee, against all the others who voted.

Mr. SHERMAN. That is the first time.

Mr. BECK. If it is about the first time I hope Senators will recollect as well that the recommendations of the committee have been disregarded and a higher rate of duty imposed, and the committee do it by their vote.

I do think this is a very small matter, and I am sorry the Senator from New York should insist upon placing such a high rate of duty either upon water or bottles, whether filled or empty.

Mr. INGALLS. Is it the design of the committee to impose a tax upon the bottles that contain waters which are admitted free of duty?

Mr. MORRILL. No, sir. Under the present law they would come in free.

Mr. INGALLS. Then is it the design of the committee to change that law so that the container of a free product shall pay a duty?

Mr. MORRILL. The committee never have acted upon that subject. I do not know what their purpose may be.

Mr. INGALLS. I do not understand the language exactly here, unless that is the design of the committee.

If filled—

That is the bottles, if filled—

and not otherwise in this act provided for, said articles—

That is the bottles—

shall pay, exclusive of contents, 30 per cent. ad valorem in addition to the duty on the contents.

If there is no duty on the contents, according to the language of this clause, the bottles come in free. I understood that the wish of the committee was to have the bottles pay a duty.

Mr. MORRILL. It is the purpose of the committee to have all the bottles taxed where the contents are now taxed in the tariff.

Mr. INGALLS. But not otherwise?

Mr. MORRILL. No.

Mr. MILLER, of New York. The Senator from Kentucky [Mr. BECK] has undertaken to tell the Senate what some predecessor of mine would or would not have done on this question, and he has denominated this

as a matter of small consequence. Yesterday, when I proposed my amendment, I made a mistake in the lines and originally proposed it in line 442, but I discovered my mistake and transferred it to line 440, so as to change the duty of 30 per cent. upon manufactured glass bottles in that clause, and not in the second clause of this paragraph. Now I desire to say once and for all in regard to this debate what my position is upon the tariff and upon any reduction of the tariff or any increase of it. I am in favor of such a tariff upon every article which can be properly produced in this country as will enable that industry to live and thrive and to pay the present high rate of wages, and any proposition from the Finance Committee or any propositon which may be made here in this Senate to so reduce duties as that the result will of necessity be to reduce the wages of the laboring man I am opposed to; and, as a representative of the State of New York, I know I am most thoroughly indorsed by the majority of my constituents.

This matter of the manufacture of glass bottles has been termed here a small matter, employing only a few laborers throughout the country, and as being altogether too small a business for the Senate to look at. Mr. President, it is the small manufacturing industries of this country that do need looking after. The great industries, such as the iron industry and the cotton industry and the wool industry, have their great national organizations, and they are able to impress upon Congress their ideas as to what should be done in regard to those great industries. But New York is filled with small industries. The last census shows us that the city of New York is the largest manufacturing city in America, and there is not within the bounds of that city a single cotton-mill or a single woolen-mill or any blast-furnace or any rolling-mill whatever. The industries of New York city are small comparatively, but they employ more than a quarter of a million of people directly in the city of New York, and there is more than one-half of the population of that great city depending every day upon the wages paid in the small manufactories in that city. And so there is scattered throughout the whole length and breadth of the land small industries like the glass industry and a hundred others which might be mentioned. Taken by themselves and singly they are small, and as the Senator from Kentucky has said perhaps unimportant, but when we take them as a mass in their whole bearings they are as important as the iron industry or the cotton industry or the wool industry.

Now, sir, if a duty shall be placed upon glass which will continue to close and shall finally close the glass-furnaces in this country, what will be the result? Eight thousand people will be thrown out of employment; from twenty to thirty thousand people will be deprived of a livelihood; these laboring men will press upon the other trades and professions; and then if this body shall go on and do as it did in the case of aniline colors, where it reduced the duty more than 50 per cent. and placed on it a rate of duty which will undoubtedly destroy that industry, another body of men will be turned loose; and so we may go on from one small industry to another until we shall have turned out of employment in this country one-half of all the laboring men, and then I think it will be no small question to consider.

Mr. President, I stand here to-day to represent the small industries. The large industries are able to take care of themselves, and they are ably represented in this Capitol to-day. This is one of the industries which is in a drooping condition. As I showed yesterday 15 per cent. of all the glass-furnaces in this country have gone out of operation during the last eighteen months. I think it is no small matter that an industry which employs or gives employment to 8,000 men shall be cared for by this body.

The rate of duty which I have asked for here is simply the rate which was provided for and recommended by the Tariff Commission; and, sir, I repeat that no matter what the recommendations of the commission might be, no matter what the recommendations of the Finance Committee might be, if I understood that they proposed a rate of duty which in my judgment threatened destruction to any manufacturing interest of this country, which would close their works and would turn out the laboring men, or compel them to accept a lower rate of wages than they now have, I would oppose it by my vote and by my influence on this floor; and in doing so I beg to say to the Senator from Kentucky that I represent the views of a majority of the people of the State of New York.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. MORRILL] to the amendment of the Senator from New York [Mr. MILLER].

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question now is on the amendment as amended.

Mr. INGALLS. Now the question comes between 1 cent a pound and 30 per cent. ad valorem.

Mr. WILLIAMS. I understand that the Senator from New York offered an amendment to make the duty specific at 1 and 1½ cents a pound in lieu of the ad valorem tax fixed in the bill. The Senator from Vermont moves to amend the amendment by inserting "1 cent" instead of 1½ cents. I voted for the amendment of the Senator from Vermont to the amendment of the Senator from New York, but now when the vote comes up on the amendment to the report of the committee, I shall vote against it.

The PRESIDENT *pro tempore*. The question is on the amendment as amended.

Mr. COKE called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. FRYE (when his name was called). On this question I am paired with the Senator from Tennessee [Mr. JACKSON].

Mr. HARRIS (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. I should vote "nay" if the Senator from Michigan were present.

Mr. JOHNSTON (when his name was called). My pair with the Senator from Pennsylvania [Mr. MITCHELL] has been transferred to the Senator from Oregon [Mr. GROVER]. I vote "nay."

Mr. JONAS (when his name was called). On this question I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. WALKER (when his name was called). I am paired with the Senator from Colorado [Mr. HILL]. Otherwise I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 26, nays 27; as follows:

YEAS—26.

Aldrich,	Chilcott,	Lapham,	Rollins,
Anthony,	Conger,	Logan,	Sewell,
Blair,	Davis of Ill.,	Mahone,	Sherman,
Brown,	Dawes,	Miller of Cal.,	Voorhees,
Camden,	Hale,	Miller of N. Y.,	Windom.
Cameron of Pa.,	Harrison,	Morrill,	
Cameron of Wis.,	Kellogg,	Platt,	

NAYS—27.

Allison,	Gorman,	Jones of Nevada,	Saulsbury,
Barrow,	Groome,	Lamar,	Slater,
Beck,	Hampton,	McDill,	Vance,
Butler,	Hawley,	Maxey,	Van Wyck,
Call,	Hoar,	Morgan,	Vest,
Cockrell,	Ingalls,	Plumb,	Williams.
Coke,	Johnston,	Pugh,	

ABSENT—23.

Bayard,	Frye,	Jackson,	Pendleton,
Davis of W. Va.,	Garland,	Jonas,	Ransom,
Edmunds,	George,	Jones of Florida,	Saunders,
Fair,	Grover,	McMillan,	Sawyer,
Farley,	Harris,	McPherson,	Walker.
Ferry,	Hill,	Mitchell,	

So the amendment as amended was rejected.

The item from line 436 to line 444 as amended was agreed to.

The item from lines 444 to 450, inclusive, was read, as follows:

Flint and lime glass bottles and vials, and other plain, molded, or pressed flint or lime glass-ware, not specially enumerated or provided for in this act, 40 per cent. ad valorem; if filled, and not otherwise in this act provided for, said articles shall pay, exclusive of contents, 40 per cent. ad valorem in addition to the duty on the contents.

Mr. MILLER, of New York. In lines 446 and 447 I move to strike out "40 per cent. ad valorem" and insert "2 cents per pound." This makes the proportional rate of duty about the same as that adopted yesterday in line 440, where upon common glass bottles the rate was fixed at 1½ cents per pound. This is a finer grade and much more expensive in its manufacture, and I see that the committee in its report put the first at 30 per cent. ad valorem and this at 40 per cent. ad valorem. Now, in order to make the duty specific, and to correspond with the rate fixed yesterday on the other class, I make this motion to strike out "40 per cent. ad valorem" and insert "2 cents per pound."

Mr. MORRILL. We are following in the bill the rate proposed by the Tariff Commission. Not having changed the last item, I hope we may not change this. There is a difference between 30 and 40 per cent., and that I think will be sufficient.

Mr. SEWELL. I will state to the Senate that the object of this proposed change is to get a specific duty. It does not increase the rate of duty. The proposed specific duty does not amount to more than 40 per cent. ad valorem on this class of ware. It is the fine ware used by druggists. It is solely for the purpose of safety in the invoicing on the other side that the manufacturers here desire a specific duty instead of an ad valorem. At present this ware is being brought in at very much less than it can be made for here, and very much less practically than it is made for on the other side.

Mr. MILLER, of New York. If I understand the matter correctly, and I think I do, the specific rate which I have proposed, 2 cents per pound, is little if any more than 40 per cent. ad volorem upon the true value of those goods when imported. It seems to me that it is appropriate that we should provide a specific duty here as we did in the other case, and it certainly will be in the interest of the revenue which so many are anxious to look after and increase.

Mr. SHERMAN. My friend from Kentucky [Mr. BECK] seemed to think that while he might vote as he pleased without regard to the report of the Tariff Commission or the action of the Committee on Finance, of which he is a member, I can not do it in a single case. He regards himself as at liberty to vote against the report of the committee of which he is a member, and even as to matters to which he had agreed in committee. I do not think he is bound by the action of the committee; nor am I; but I have voted in regard to the duty on bottles as I have done simply because the Tariff Commission propose on bottles of two

different classes a specific duty and not an ad valorem duty. It is true that on the very cheapest kind of bottles, such as are used for bottling beer, the rate proposed, 1½ cents per pound, is a very large rate; but as to other bottles which are embraced in the same schedule, probably the rate proposed is not higher than the ad valorem rate fixed by the committee at 30 per cent., there is such a wide range of value. It seemed to me on the whole that as ordinary bottles brought in here empty can be best classified by a specific duty, although there is quite a grade in their range of prices, so I thought it was better to put a specific duty of 1½ cents per pound on them. Then I was willing to vote for the proposition of the Senator from Vermont to put on a specific duty of 1 cent a pound. The matter is easily ascertained, and there will be no trouble about it. I think that is the best thing to do.

So in respect to this class; this is a higher grade of bottles, more expensive, so that no doubt a tax of 2 cents a pound would not be more than the equivalent of an ad valorem rate of 40 per cent.; at least that is the statement made by the witnesses—and I think there is no contradiction of it—that about 2 cents a pound is equivalent to 40 per cent. ad valorem. It may be that on some of these bottles it would advance the rates, and on other classes of bottles it would reduce the rates. That is the unavoidable effect of a specific duty. A specific duty, being by the pound, must make a lower rate on articles of higher value. I think now the best way would be to put 1 cent a pound on that class of articles and 1½ cents a pound on the other class of bottles, and that would be about a fair adjustment of this matter.

I shall vote accordingly for the proposition as recommended by the Tariff Commission. The Committee on Finance made it an ad valorem rate. In that respect I think the Committee on Finance were wrong, and I am ready to correct any errors which may be pointed out in their classification or in their rates.

Mr. ALLISON. The duty on this class of goods is now an ad valorem.

Mr. SHERMAN. It is under the old law an ad valorem, and the result has been that great frauds, or at least alleged frauds, have been committed. That is to say, bottles are brought over as ballast, dumped into the hold of the vessel without wrapping and brought in at a very low rate, consigned to agents in this country and sold then to the great manufacturers, probably brought in at one-half their cost; at any rate they are brought in at one-third what is said to be the domestic cost. I think probably there is an evasion of the law. It was to avoid that evasion that the Tariff Commission, who examined this question carefully, reported in favor of a specific duty rather than an ad valorem duty, and I follow their recommendation.

Mr. COCKRELL. I should like to ask the Senator from Ohio what is the difference between the 30 per cent. ad valorem, in line 436, on "green and colored glass bottles, vials, demijohns, and carboys," &c., and 1½ cents per pound?

Mr. SHERMAN. I said before that on the cheapest form of these bottles I have no doubt 1½ cents a pound is a great increase, probably is equivalent to 100 per cent. on the cheaper quality, or what is called the beer-bottle; but there are bottles included in that classification that are probably worth 3, 4, or 4½ cents.

Mr. COCKRELL. Do you mean lime-glass bottles put at 40 per cent. ad valorem?

Mr. SHERMAN. Which line was the Senator referring to?

Mr. COCKRELL. Line 436. There are two clauses here; one, beginning in line 436, providing that on "green and colored glass bottles, vials," &c., the duty shall be 30 per cent. ad valorem, and another, beginning in line 444, providing that on "flint and lime-glass bottles and vials," &c., a duty of 40 per cent. shall be imposed.

Mr. SHERMAN. On some of those bottles a rate of 1½ cents a pound would be equivalent probably to 100 per cent. That would be on the cheapest form of beer-bottles; but among the "green and colored glass bottles, vials, demijohns, and carboys," &c., there are quite a variety worth 4½ or 5 cents a pound; and a duty of 30 per cent. ad valorem on some of those other bottles would probably be more than 1½ cents a pound. The amendment proposed 1½ cents a pound on the whole classification, and the necessary effect of that is to make a higher rate in proportion to value.

Mr. COCKRELL. That makes a very high rate on the cheap value and a much lower rate on beer-bottles.

Mr. SHERMAN. That is the effect of all specific duties; but it was thought on the whole better to apply one specific rate, so as to avoid the possibility of fraud and secure certainty and cheapness in the administration of the customs law.

Mr. COCKRELL. Forty per cent. is placed on "flint and lime glass bottles." How much a pound would that be on that glass?

Mr. SHERMAN. It is supposed that 40 per cent. is about equivalent to 2 cents a pound. It was not the intention of the Tariff Commission to raise the duty on these articles.

Mr. COCKRELL. How much would 40 per cent. ad valorem amount to per pound?

Mr. SHERMAN. About 2 cents on this second classification, I should say, from the information we have.

Mr. COCKRELL. Then that would be much higher than the commission recommended. They recommended 1½ cents a pound.

Mr. SHERMAN. No; they recommended 2 cents on the second class.

Mr. COCKRELL. Excuse me, I see that the Senator is right in that respect.

Mr. SHERMAN. Now, let me say again, to generalize this matter, that on earthen-ware and glass-ware contained in this schedule the commission say that their purpose was to maintain the present rate of duty, enlarging the nominal rate on certain classes in order to cover the reduction or throwing off of the cost of packages and transportation and intermediate charges and reducing to a specific rate the present ad valorem duties on glass in its various forms. You will see that the old tariff provided 30 to 40 per cent. for these two classes of articles; and the commission proposed 1½ cents a pound on one and 2 cents a pound on the other, their purpose being, so far as practicable, to maintain the old rate of duty on these classes of goods without making any diminution, making this industry an exception to the general bill, which reduces duties, as they allege.

Mr. WILLIAMS. I see that the committee have reported in all these various grades of bottles an ad valorem rate of duty. The Senate has just determined not to change one of these classifications upon the amendment of the Senator from Vermont, and I think their recommendation of the various classes of glass on the ad valorem is sufficiently high in all conscience. I think the ad valorem mode of taxation is the natural and philosophical mode of collecting a tax, and as the committee has recommended it, I prefer it to the amendment offered. I prefer it because it is an ad valorem tax, in the first place, and because I think it is high enough.

The PRESIDING OFFICER (Mr. MILLER, of California, in the chair). The question is on the amendment of the Senator from New York [Mr. MILLER].

Mr. MILLER, of New York. I call for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). On this amendment I am paired with the Senator from Iowa [Mr. ALLISON]. If he were present, I should vote "yea" and he would vote "nay."

Mr. FRYE (when his name was called). I am paired with the Senator from Tennessee [Mr. JACKSON]. I announce at this time the pair for the day.

Mr. HARRIS (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. I should vote "nay," if he were here. I announce the pair for the day, and will not announce it again. I will also state that my colleague [Mr. JACKSON] is absent under the order of the Senate.

Mr. JONAS (when his name was called). On this amendment I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "nay."

Mr. WALKER (when his name was called). I am paired with the Senator from Colorado [Mr. HILL]. If he were present, I should vote "nay."

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Illinois [Mr. DAVIS] upon this amendment.

The roll-call was concluded.

Mr. BECK. I am requested by the Senator from Arkansas [Mr. GARLAND] to say that he is paired with the Senator from Vermont [Mr. EDMUNDS]. They are both necessarily absent.

Mr. ROLLINS. The Senator from Kansas [Mr. INGALLS] is paired with the Senator from Missouri [Mr. VEST].

The result was announced—yeas 22, nays 24; as follows:

YEAS—22.

Blair,	Harrison,	Logan,	Plumb,
Cameron of Pa.,	Hawley,	McMillan,	Rollins,
Chilcott,	Hoar,	Mahone,	Sewell,
Conger,	Jones of Nevada,	Miller of Cal.,	Sherman.
Dawes,	Kellogg,	Miller of N. Y.,	
Hale,	Lapham,	Platt,	

NAYS—24.

Barrow,	Farley,	Lamar,	Pugh,
Beck,	George,	McDill,	Saulsbury,
Brown,	Gorman,	Maxey,	Slater,
Butler,	Groome,	Morgan,	Vance,
Call,	Hampton,	Morrill,	Van Wyck,
Coke,	Johnston,	Pendleton,	Voorhees.

ABSENT—30.

Aldrich,	Davis of W. Va.,	Hill,	Saunders,
Allison,	Edmunds,	Ingalls,	Sawyer,
Anthony,	Fair,	Jackson,	Vest,
Bayard,	Ferry,	Jonas,	Walker,
Camden,	Frye,	Jones of Florida,	Williams,
Cameron of Wis.,	Garland,	McPherson,	Windom.
Cockrell,	Grover,	Mitchell,	
Davis of Ill.,	Harris,	Ransom,	

So the amendment was rejected.

The item was agreed to.

The item from line 451 to line 454, inclusive, was read as follows:

Articles of glass, cut, engraved, painted, colored, printed, stained, silvered, or gilded, not including plate-glass, silvered, or looking-glass plates, 45 per cent. ad valorem.

Mr. PLATT. I think that the duty ought to be what the Tariff Commission recommended, 50 per cent. upon cut-glass and also upon Bohe-

mian glass in line 498, but I am very anxious to get on with this bill, and I think if I can have an opportunity of bringing the matter to the attention of the committee they will agree that the rate ought not to be reduced below what the Tariff Commission recommended. I will therefore reserve—I do not suppose I need to reserve or give notice—but I will give notice that I shall move the amendment in the Senate.

Mr. VANCE. I could not hear the amendment of the Senator from Connecticut.

Mr. PLATT. I said I would make the motion to amend in the Senate.

Mr. VANCE. This item, the article of cut-glass, &c., at the present rate pays a duty of 40 per cent. This raises it to 45 per cent., and is an increase of 12½ per cent. I move to strike out "forty-five" and to insert "forty."

Mr. MORRILL. I desire merely to reiterate that the Committee on Finance reduced this 5 per cent. below what the Tariff Commission recommended; and so far as charges and freight and other incidental expenses that are released upon this class of goods are concerned, they are actually larger than on any other class of crockery or glass-ware; therefore, it would be a very serious blow to strike this down. Besides that, these are all articles of luxury consumed by persons of wealth, being cut and engraved glass. I trust, therefore, the amendment will not be adopted as proposed by the Senator from North Carolina.

Mr. PLATT. If we are to have the sense of the Senate taken on this question, I may as well propose my amendment at this time.

Mr. MORRILL. No, I would not.

Mr. SHERMAN. I suggest to the Senator to withhold it.

Mr. PLATT. On the whole, I will take the sense of the Senate on the amendment proposed by the Senator from North Carolina. I am sure we can show to the Finance Committee and to the Senate that this rate ought to be 50 per cent. ad valorem. I will reserve that amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE], to strike out "45 per cent." and insert "40 per cent." in lines 453 and 454.

The amendment was rejected.

The item was agreed to.

The Principal Legistative Clerk read the next item, from line 455 to line 474, inclusive, as follows:

Unpolished cylinder, crown, and common window-glass, not exceeding 10 by 15 inches square, one cent and one-half per pound; above that, and not exceeding 16 by 24 inches square, 2 cents per pound; above that, and not exceeding 24 by 30 inches square, 2½ cents per pound; all above that, 3 cents per pound: *Provided*, That unpolished cylinder, crown, and common window glasses, imported in boxes containing 50 square feet, as nearly as sizes will permit, now known and commercially designated as 50 feet of glass, single thick and weighing not to exceed 55 pounds of glass per box, shall be entered and computed as 50 pounds of glass only; and that said kinds of class imported in boxes containing, as nearly as sizes will permit, 50 feet of glass, now known and commercially designated as 50 feet of glass, double thick and not exceeding 90 pounds in weight, shall be entered and computed as 80 pounds of glass only; but in all other cases the duty shall be computed according to the actual weight of glass.

Mr. VANCE. I desire to call the attention of the Senate to some matters connected with the charges upon glass, and to a discrimination made against common window-glass by the table, that I do not understand, and I desire information in regard to.

It will be seen that the various kinds of common window-glass enumerated, from 10 by 15 inches and upward to 24 by 30 inches, and above that, is taxed a duty ranging from 59.72 to 84.78 per cent. That article is in common use by everybody, rich and poor, according to the size of the glass; and it will be seen that cast polished plate-glass, silvered, of the same sizes, not exceeding 10 by 15 inches, is taxed but 17.43 per cent.; above that, and not exceeding 15 by 24 inches, 23.69 per cent; above that, and not exceeding 24 by 30 inches, 35.34 per cent; above that, and not exceeding 24 by 60 inches, 84.8 per cent.

The unsilvered glass of the same character and dimensions runs 16.03 per cent., 15.19 per cent., 21.46 per cent., and so on.

Why it is that the common article in use by the great masses of the community, the plain, unfinished window-glass, should be taxed almost three times as much as the higher qualities, the silvered and unsilvered plate-glass, is something that I should like to be informed upon. I should like to know the reason for that discrimination. It seems to me that it violates not only the principles of political economy, that high duties should be levied upon those things in use by the rich, by the people able to pay, but it violates the principle of common humanity, which would enjoin upon us the duty of imposing as light taxes as possible upon those who are poor. For the glass in the window of the poor man's cabin, if it has a window to it, he pays, if less than 10 by 15 inches, 59.73 per cent., almost 60 per cent., whereas the polished plate-glass unsilvered costs 16.03 per cent., &c., according to the size, and the polished plate-glass silvered costs 17.43 per cent., and so on, as I have read.

Why is that? I want to see if the Senate of the United States is going to stand up here and say to the people of this country that the glass in the window of the poor man's cabin shall pay three times the price that the polished glass pays in the rich man's palace. I want to know if they are going to say that. I for one certainly shall not vote for any such a schedule of duties which makes such a discrimination.

Mr. MORRILL. I will ask of the Senator from North Carolina and the Senate permission to reserve all there is on this page for a final report of the Committee on Finance. I ask to have it passed over.

Mr. VANCE. What is the request of the Senator? I am not able to hear him.

The PRESIDING OFFICER. How far does the Senator from Vermont desire to have the reservation made?

Mr. MORRILL. I merely ask to have down to line 474 reserved.

The PRESIDING OFFICER. From line 455 to line 474?

Mr. MORRILL. Yes.

The PRESIDING OFFICER. If there is no objection that will be done.

Mr. VANCE. I suppose it requires unanimous consent, does it not?

The PRESIDING OFFICER. It does.

Mr. VANCE. I do not see anything particular to be gained by the bill falling into the hands of the Finance Committee. The Finance Committee I think have taken the trouble to raise the duties wherever they could, and then when they come in with a report they do not stand to it if there is a proposition from a friendly quarter to increase a duty.

Mr. MORRILL. I will merely say that the committee have not completed their examination of this common glass, and I ask to have it go over until to-morrow, or until after they have considered it.

Mr. VANCE. From where to where?

Mr. MORRILL. From line 455 to line 474.

Mr. COCKRELL. Do I understand the Senator to say that the Committee on Finance is still considering this bill while the Senate has it under consideration?

Mr. MORRILL. No. We are in point of fact considering it every day, and we have in some cases found omissions of articles that were not included in any list of the tariff.

Mr. COCKRELL. Then the bill is not the matured report of the Finance Committee, but it is thrust here into the Senate to be acted upon while the Finance Committee is also considering it and bringing it in by piecemeal.

Mr. MORRILL. Any information that is given to us we feel bound to consider. So far as this particular item is concerned I think that we may have something further to say about it; that is all.

Mr. HOAR. It is the case with every appropriation bill and every tax bill, that the committee of the Senate in charge of the measure consider an amendment when it comes in. I had an amendment referred this morning, as I thought it proper for the Finance Committee to consider it.

The PRESIDING OFFICER. The lines from 455 to 474 will be passed over, if there be no objection. The Chair hears none.

Mr. VANCE. I am on the floor, I believe, Mr. President.

Mr. MORGAN. Will the honorable Senator from North Carolina allow me to ask a question of the chairman of the committee?

Mr. VANCE. Certainly.

Mr. MORGAN. Will the rest of us have the privilege of stopping the proceedings in the Senate and asking the committee to reconsider their report upon any proposition that may come up? I should like to have some equality in this matter, or otherwise recommit the bill entirely, and let the committee come in with their matured opinion about it.

Mr. MORRILL. The request is nothing unusual. There is no revenue bill that has ever been proposed since I have been a member of the Senate or of the House that has not had propositions of amendment proposed by the committee during its pendency, and the majority of the committee ask for the consideration of further amendment. This is nothing unusual.

Mr. MORGAN. That is very true; but it is unusual to take a section out of a bill, I think, and recommit it and allow the rest of the bill to stand here for discussion. We do not know what the bill is to be. That is what I object to.

Mr. MORRILL. We shall not change the bill. That will have to be done by an amendment in the Senate. We can not change the bill unless there is a vote of the Senate.

Mr. VOORHEES. It is not an uncommon thing to have an item in an appropriation bill, or any other bill, passed over at the request of a Senator who desires time to look into it.

Mr. MORGAN. It looks very much to me as if the committee were retreating before the skirmish line. The honorable Senator from North Carolina had not got out his full line of battle, and the committee seem to have retreated into their line of fortifications before the full battle began.

The PRESIDING OFFICER. Does the Senator from North Carolina object to reserving action on the pending item as proposed by the Senator from Vermont?

Mr. VANCE. I should like to continue my remarks. However usual it may be for a committee to ask to postpone the consideration of an item in a bill, I believe it is not usual to take a Senator off his feet without his consent.

The PRESIDING OFFICER. The Senator from North Carolina will proceed.

Mr. VANCE. In relation to this subject of glass and the tax imposed

upon common glass I have a calculation here which I should like to have read to the Senate.

The PRESIDING OFFICER. It will be read.

The Principal Legislative Clerk read as follows:

Calculation of common window-glass per box of fifty square feet, charge for packing included.

	Cost in Europe.	Duty.	Sold here.
Single thick glass—			
Up to 10x15	$1 04	$0 82	$2 70
Up to 16x24	1 12	1 10	3 07
Up to 24x30	1 52	1 83	3 75
Up to 30x40	1 73	1 65	4 35
Half double glass—			
Up to 16x24	1 40	1 65	4 20
Up to 24x30	1 85	2 07	5 33
Up to 30x40	3 10	2 48	6 00

The above calculation of cost of glass leaves out entirely freight and transportation charges by sea and inland, besides the enormous percentage of breakage which the article incurs.

Mr. VANCE. Under that duty the importations for the year 1882 amount in value to $1,454,833.07 of this common window-glass, the duties collected on which were $1,114,165.57. By the best information that I can obtain, the amount of domestic manufacture consumed in the country was about three times that of the importations. If that be so, we then paid in 1882 to the manufacturers of this common window-glass about three and a half million dollars, or a fraction less, because the tariff all goes on to the price in this instance. There is no doubt about that.

Why we should continue to collect out of the people of this country three and a half million dollars I can not possibly see, unless it is placed upon the ground of protecting American labor. One of the largest manufactures of this glass in the United States, to which I had occasion to refer the other day, is located in the State of Indiana, and is conducted by a man of the name of De Pauw. If I am correctly informed, I have not the statute before me, this same man was allowed to import his machinery all free of any duty. The duty was a gift to enable him to start his factory, which in addition to the manufacture of common window-glass was also to manufacture plate-glass. He says, in answer to a question before the Tariff Commission:

Q. You manufacture practically all the plate-glass manufactured in this country?

A. No, sir. I presume we manufacture about two-thirds of all the plate-glass in the United States. With reference to the tariff upon plate-glass, I can say that while we have been manufacturing it for the last ten or eleven years, the importations during that time have been increasing also, the reason of which is that the glass has become so cheap (in comparison with what it was formerly) in consequence of the manufacture of it in this country.

By Commissioner BOTELER:

Q. Are you satisfied with the present rate of duty?

A. We are satisfied with the duty upon the large sizes, which is four-fifths or 80 per cent. of our product, but not upon the small, say, one-fifth.

That is to say, 60 per cent. or very nearly that upon the commonest article of window-glass, the smallest size, 10 by 15 or under, is not satisfactory to this gentleman who had the gift of the duty upon all of his machinery.

In so far as it is charged that this price is for the benefit of the American laborer, I wish to recall the attention of the Senate to the fact that I stated the other day that this is the man who, when his glass-blowers would not labor at prices to suit him, went over to Belgium and brought over a lot of men from that country who could not speak the English language and who blew at 50 cents a box instead of $1.50 a box.

Mr. VOORHEES. Does the Senator state that of De Pauw?

Mr. VANCE. Yes, sir, on the testimony of O. A. Bishop.

Mr. HARRISON. Will the Senator from North Carolina allow me to interrupt him?

Mr. VANCE. Yes.

Mr. HARRISON. I desire to say that after the Senator read from the testimony of Mr. Bishop the other day I communicated its substance by telegraph to Mr. De Pauw, and he denied altogether the statements which are there made. I call his attention further to the fact that the witness he quotes is not a worker in glass, that he does not live at New Albany or in the neighborhood where these events are said to have taken place, but that he is a worker in iron living in Chicago, and must in the very nature of things have spoken on the merest rumor and without any knowledge of what he was testifying to.

Mr. VOORHEES. If the Senator from North Carolina will allow me, I desire to say that I was astonished at his statement, because it is the first intimation of such a fact I ever heard. The great prominence of Mr. De Pauw and his works in Indiana is such that it would be impossible for such a circumstance to take place without its having attracted the general attention of the State. I never heard of it before, and I do not believe that one word of it is true. I have no idea that it is true, and in the nature of things it can not be so.

Mr. VANCE. The testimony of Bishop, taken before the Tariff Commission, is the authority I had for making the statement. In addition to that I have the statement of Mr. De Pauw himself, which I am trying to find, and which I hope the Senate will indulge me in looking for. In his statement he says he had to go to Europe and employ Belgian laborers.

Mr. HARRISON. The Senator does not need to refer to it. That statement is true. There were departments of work in connection with the manufacture of plate-glass when it was introduced that no man in America could be found who had the skill to do it. Undoubtedly the earlier workmen were from the very necessity of the case brought from Belgium or France or the English manufactories of glass, precisely as in another industry in our State, in which we take a great pride, the encaustic-tile factory, the man who was to inaugurate the industry and train our own workmen so that the work could be done here was brought from the Minton tile factory in England. Does the Senator think that in starting a new industry like this we can find men who are able at the beginning to do its skilled work?

Mr. VANCE. I am glad the Senator admits partially the statement that I made here on the authority of Mr. Bishop; that is, that Mr. De Pauw did go to Belgium to get glass-blowers or other men to work in the factory.

Mr. HARRISON. No, sir; I did not say glass-blowers. If the Senator will read the testimony of Mr. De Pauw he will find that it was not the case. I think it was another class of workmen.

Mr. VANCE. I should like to know whether Mr. De Pauw also denies the fact that for the same class of work that he had been paying American laborers $1.50 a box for, he put in Belgians who could not speak the English tongue at 50 cents a box and put the dollar of profit in his own pocket?

Mr. HARRISON. I say to the Senator that I telegraphed to Mr. De Pauw the substance of his statement, which was, as I understood him, that he having had difficulty with his own workmen and they having struck because of insufficient wages, he had sent to Belgium and imported glass-blowers upon labor contracts for three years and paid them about one-third the rate of wages he had been paying before. That statement Mr. De Pauw pronounced to be altogether without foundation.

Mr. VANCE. Very well, sir; we will give Mr. De Pauw the benefit of the denial. Still the question remains why should he have had his machinery imported duty free, and employ as he does foreign labor instead of American labor? Why should he have a tax levied upon the great bulk of the consumers of this country to pay that foreign labor higher wages than it was getting when it was seduced away from its home in Europe?

Mr. HARRISON. The Senator from North Carolina certainly does not wish to misrepresent Mr. De Pauw. The number of the skilled foreign laborers who were brought from abroad was very small. He employs about 1,000 men, as I understand, in his great establishment at New Albany, and a very large proportion of them are natives.

Mr. VOORHEES. Will the Senator from North Carolina allow me a moment?

Mr. VANCE. Certainly.

Mr. VOORHEES. Another statement made by the Senator a few minutes ago greatly surprised me, and that was that Mr. De Pauw had had the machinery or the materials out of which his machinery was constructed imported duty free. I have never heard that statement before, nor do I believe it is the fact. I have just inquired of the chairman of the Committee on Finance, the Senator from Vermont [Mr. MORRILL], who has been connected with that kind of legislation for a quarter of century, and he has never heard of the circumstance. I shall challenge that statement as being incorrect until it is proven from the legislation of the country. I can not conceive how it could be possible. It is something entirely new to me and unheard of. It is just as new to me as it is to hear that persons had been imported from Europe to work in the glass-works at New Albany, where I go two or three times a year, and where I think I know pretty well the people who are there. The fact of such an importation of labor I never heard mentioned at New Albany, and I have been among the workmen where it would be discussed. Doubtless there was here and there a person skilled in a particular branch of this great industry who was brought over for the purpose of inaugurating the work, but as for there being an introduction of foreign laborers in any sense in which the Senator from North Carolina is speaking, I apprehend it will be found entirely untrue, as I think it will be found untrue that any article of the machinery was made exceptional and imported free of duty.

Mr. VANCE. I will look up the statute, if there be such a one; and if there be none, of course I shall stand corrected and admit that my informant was incorrect.

Mr. VOORHEES. The Senator will find De Pauw's testimony at page 1529.

Mr. VANCE. I will read over his statement.

Mr. VOORHEES. I will read it, too.

Mr. VANCE. Perhaps one or the other of the Senators from Indiana will also take occasion to deny that the Malaga Glass and Manufacturing Company of Philadelphia have issued a circular in which they declare that in consequence of their workmen striking they have employed

Frenchmen, and the Frenchmen are doing about as good work as the Americans.

Mr. HARRISON. I must decline to answer the Senator's invitation to put in a denial in that case, as I am in the habit of confining myself in denials as well as affirmations to those things I know something about. The Senator from Pennsylvania probably can answer something about that charge.

Mr. VANCE. I suppose it is a matter of notoriety generally, not only in the case of the Malaga Manufacturing Company and of Mr. De Pauw's works, but of all the manufacturers of this country, that they employ largely foreign labor, and as soon as a man comes in and takes a position in a factory, although he can not speak our tongue, and can not even ask for bread or water in the language of our nativity, he forthwith becomes an American laborer, so precious in our eyes that it is the duty of Congress to levy a tax upon 50,000,000 people to give him a good support. That is almost the universal rule in all the factories of the country.

Mr. HARRISON. Do I understand the Senator from North Carolina to desire to make a discrimination against those immigrants who have been but one month upon our shores and are here laboring for their own maintenance and that of their families? Do they appeal less strongly to his sympathies for protection than those who have been here one year or are native-born?

Mr. VANCE. That is the part of the question that I was coming to precisely. The manufacturer says he must be protected for the laborer's sake against foreign pauper labor or the fabrics and the product of foreign paupers. Congress accordingly levies a tax upon all the goods imported into this country that would come in competition with the product of that manufacturer and his workmen. Consequently that tax is paid on the domestic product as well as on the foreign importation. That protects the manufacturer in the name of the laborer. Will any one tell me what protects the laborer of this country against the pauper himself? Taking it for granted in the language used by the protectionist that all foreign labor is pauper labor, we protect our home people against the products of the foreign pauper, but we do not protect our home workmen against the foreign pauper himself, and he comes in consequently to compete.

Mr. HARRISON. If the Senator will yield for an answer I have no objection to giving him one that is on my mind.

Mr. VANCE. I will hear it with pleasure if it is not too long.

Mr. HARRISON. The difference is this: The man whom he characterizes as a pauper laborer abroad, and whose diminished wages we resist if brought in competition, ceases to be a pauper and becomes a participant, not only in the political and social but in the industrial benefits of this country, when he declares his citizenship and settles among us.

Mr. VANCE. If the laborer is a pauper when he comes from Europe, and ceases to be a pauper as soon as he settles down here, why should not the product of the pauper laborer in Europe, when it becomes the property of a free American citizen, cease to become pauper property? In other words, we have a law to protect the manufacturer, and you can not buy any of his products except with the competition of the whole world shut out; but we have no law to regulate the labor market. When a man from Belgium or Germany, or Europe generally, or Asia or Africa or South America or Mexico or Central America or the Islands of the Sea comes here to obtain work he hires himself; that is to say, he sells his product, his labor, which is all he has, in a market made cheap by admitting the competition of the whole world.

Mr. MILLER, of New York. Allow me to ask the Senator if I am to understand him to say that our labor is in competition with that of the whole world that it may come in free?

Mr. VANCE. Certainly, sir.

Mr. MILLER, of New York. I thought we passed an act at the last session prohibiting the citizens of one of the most populous parts of the world from coming here. I joined with the Senator in voting for that act, and I did it as a protection for American labor.

Mr. VANCE. Yes, I did vote for that act, and the advocates of the American laborer voted to turn in the barbarians of that eastern empire here to compete with their own people. That is just the difference between us. I was consistent and they were not. I do want to protect the American laborer and they do not.

Mr. MILLER, of New York. Does the Senator mean to say that I did not vote with him on that proposition?

Mr. VANCE. I do not remember.

Mr. MILLER, of New York. The record will show that I did.

Mr. VANCE. But the Senator's side of the House did not vote that way.

Mr. DAWES. The mistake which the Senator from North Carolina falls into is this: We desire to have the labor performed for Americans performed in America; he prefers to have it performed in foreign nations.

Mr. VANCE. My love is not so great as that of the Senator from Massachusetts. I think his love for the laborers of this world exceeds the love of woman.

Mr. DAWES. I desire to confine mine for the present to labor performed in America. When that is taken care of and built up to the level to which it can attain, I will then do what I can for the laborers outside. I will not begin with the Senator from North Carolina outside and let the labor that is to be performed for Americans be performed abroad while the laborers in America starve. It does not make any difference with me whether the laborer in America was born here or born abroad, if he comes here to identify himself with our institutions and share our fortunes I will do what I can to see that the laborer here is protected.

Mr. VANCE. I am glad to see that I have stirred the Senator up. He sadly needed it. His love for the foreign pauper is so great that he sends for him and brings him over here and taxes the home laborer who is plowing in the fields at $10 a month in order to give that foreigner bigger wages than he got in Europe or Asia or anywhere else.

Mr. PUGH. And turn his own men out of doors.

Mr. VANCE. And turn his own men out of doors, if those foreigners will work cheaper. I say that the proposition can not be successfully met, and no appeals to the "Star Spangled Banner," "Hail Columbia, Happy Land," or anything of the kind can meet the stern facts. My charity begins at home. I want to legislate for the benefit of the American laborer, and I am now trying to have a proposition enacted by the Senate that the poor American laborer, if his cabin has a window to it, shall have the light of heaven admitted through that window by paying not more at least than that which is paid for the glass through which the light is admitted into the palace. But the Senator from Massachusetts, I judge, wants the American laborer taxed and he wants the Belgian laborer who comes over here to work in glass-works to be paid twice as much as he is paid in Europe, and the American laborer has to lose his place, and then has to be taxed to pay the increased price of foreign laborers.

Mr. DAWES. No; I want the laborers in America to have all the labor that is performed for Americans to perform. I want the work done here; I want the work performed here; and whether it be by a foreigner or an American, if he has any work to perform or anything to make for Americans, I want him to do it on our soil, to bring his capital here, to bring his men here, to bring everything here that pertains to manufacture. Let it be on this side and not on that side. Let him build up his town here, let him build his school-house here, let him expend his money here, let him educate his children here, let him build up whatever institutions arise out of his industry on this side and not on the other side. That is my doctrine.

Mr. WILLIAMS. Will the Senator from North Carolina excuse me a moment?

Mr. VANCE. Certainly.

Mr. WILLIAMS. The whole argument of the Senator from Massachussetts amounts to this: that there is no labor in the country except manufacturing labor; that there are no industries in this country except manufacturing industries; that a factory hand ought to be paid $2 a day when a farm hand upon an average does not get over 75 cents, and in order to enable the factory hand to get $2 a day the poor farm hand has got to be taxed a quarter of a dollar a day to make up to him the extra pay. That is just the whole of it.

Mr. DAWES. No; the very man who is put into a factory gives place to a man on the farm and enhances the labor and the compensation of the man on the farm. Stop the factories in this country and turn the operatives out upon the farms and you strike down more than 50 per cent. at one blow the compensation of every man who works upon a farm. It is by giving employment in manufactories and in making markets for the products of the farmer and keeping as many men employed in manufactures as you can, that you build up the farmer, that you furnish him a market; that you give him compensation for his labor. You relieve the farmer and you enhance the product and the opportunities and the profits of the farmer in that way.

Mr. WILLIAMS. Mr. President, that is all bosh. There are not more than 5 per cent. of our people engaged in manufactories in the whole United States. There are not more than two and a half million out of the 52,000,000 people so engaged to-day, and the idea that the factories give a market for farm products is nonsense. The farmers of Pennsylvania, the greatest manufacturing State in this Union, not only make enough to support her own hands in her own factories, but she annually ships her agricultural products to Europe. I can put my finger upon counties in the States of Illinois, Iowa, and Kansas; I can pick out two counties in either of those States that can raise more products than every factory operative in this country can consume.

Mr. DAWES. Mr. President——

Mr. VANCE. Mr. President, I hope you will not forget that I am entitled to the floor and want to say a few words further.

Mr. WILLIAMS. I had the consent of the Senator from North Carolina to submit a few remarks in response to the Senator from Massachusetts. I say the idea of talking about the factories giving farmers higher prices for their products is all nonsense. They may help a few men who have farms or gardens round about the factories; but what northern factory buys anything from my farm or from your farm in Illinois, Mr. President? While I say it may give a good market to the farmers and gardeners who live immediately around the factory, that is too small an affair to affect the supplies of the country.

Mr. DAWES. If the Senator from North Carolina——

Mr. VANCE. I think I have the floor. I see that Senators are a good

deal like those who receive the benefit of a protective tariff; if you give them a small protection they are not satisfied, but wish to come in with a big speech. [Laughter.]

Mr. DAWES. Will the Senator from North Carolina allow me to say one word to the Senator from Kentucky?

Mr. VANCE. I suppose so.

Mr. DAWES. The Senator from Kentucky says that Pennsylvania not only raises enough to feed her own operatives but sends abroad, and so does Illinois. That is true; but would it not be better for them to have that market abroad brought to their own door? Would it not be better that they should have a Birmingham in Illinois than in England? Is not every dollar that they pay to carry their products across the water so much loss to them? Is not every manufacturing establishment built up in this country to that extent bringing their Birmingham and their large manufacturing towns to which they now carry their products to their own door? Is there anything made to the farmer by the freight he pays to the railroad to get his products to the seaboard, and to the vessels that carry them across the water? If they supply anybody the farther off that anybody is the worse it is for the farmer.

Mr. VANCE. In the name of the American farmer I thank the Senator from Massachusetts for his interest in him. No doubt he would have perished from off the face of the earth before now but for the protection Massachusetts has afforded him.

Now, I want to look at the boasted fact that labor is so much higher in this glass and pottery business here than it is in Europe. The report of the Tariff Commission, which I have here, shows that $9,112,000, excluding fractions, were paid in wages in the year 1882, while the product was $21,013,000, excluding fractions, being a little over 43 per cent. of the cost of the article. That is the labor. The material was $7,991,000, which, added to the labor, makes about 75 per cent., leaving 25 per cent. for interest, expenses, and profits. These wages divided among 23,822 hands engaged in the manufacture of glass gives $384 per annum for each hand, which, counting three hundred and thirteen working days, that is every day except Sunday, gives about $1.22 per day. That is the wages paid to the American hand, as I calculate it from the reports made by the Tariff Commission on pages 119 and 120.

By the same authority I learn that the wages of Englishmen is about $1.07 per day, making a difference of only about 15 cents per day between the pay of the English glass-blower or glass-worker and those employed in America.

In the American potteries, as I calculate it, on the same basis and from the same tables, the hand averages about $1.10 per day, while the average for all the hands engaged in an English pottery is about 80 cents per day. If that be so, what becomes of the 80-odd per cent. that is imposed upon pottery and glass-ware for the benefit of the laborer? We see that the increased price of labor in this country does not keep up with the tariff laid for that purpose by at least 50 per cent.

For the accuracy of those calculations the Tariff Commission are responsible. If they have given us incorrect tables on pages 119 and 120 then my calculation is subject to correction, otherwise it must stand.

It will not do to say, as they always say, that the manufacturers make little or no money. Nearly every man engaged in the manufacture of pottery and glass-ware in this country who appeared before the commission wanted to produce the impression that he made little or no money. There are a hundred ways of losing money in business besides the want of more tariff.

Judgment, skill, experience, the cost of material, and the cost of transportation, all those things combined have very much to do with the failure of these men, if any of them have failed in making money in this business; though to hear the Senators on that side talk you would naturally suppose that there never had been a failure in any of the manufacturing business of this country which was not attributable to the want of more tariff. I think that want of skill, want of experience, want of business capacity, want of judgment, want of thrift, and want of cheap raw materials will account for at least one-half the failures in manufacturing in this country, and that high railroad transportation will account for the rest.

In several of these items where an increase over the recommendation of the commission has been requested in order to save from perishing some industry, I have been struck with the fact that they have been able to exist and to flourish up to the present time on the present duty, and have inquired seriously within myself why they can not live a little while longer as they had lived so long. But it seems that they are all going to perish for the want of more duty.

Mr. President, this question can not be blinked. The whole scheme is simply one for enriching a few men by taxation levied unconstitutionally upon the rest of them. So far as the fact goes that we are compelled to levy a tariff duty to some extent for the support of the Government of the United States, which we can do under the Constitution, as a matter of course, I am willing for them to derive all the protection that arises from it. But we have been in discussion here over this tariff bill, ostensibly to raise revenue, at least that is the pretense of it, for nearly two weeks, and if I have heard any Senator on that side make an argument or move a proposition for the purpose of raising revenue for the Government it has escaped my attention entirely.

What kind of way is that for the Senate to do? Why should we set every man up in business and agree to insure him against all losses, incompetency, misfortunes, or otherwise, by a high protective tax levied on that industry? When Senators tell us that this industry will perish if we do not give it this support then they admit that they are running a losing business without that support, and the question would occur to any sensible, prudent man in the world, is it worth my while or am I making any profit by running a losing business? If no man in his senses would continue to engage in a losing business in the face of his losses, how can it be a sound principle of political economy as applied to nations that they should continue to tax their subjects or their people to support a losing business?

The whole duties on glass-ware and pottery, on the average, have been increased by this bill, as I am informed by those who have made the calculation, about $811,000 net. That is the increase of the revenue that will arise from this schedule on glass and pottery. Why increase it? Is it not one of the proposed objects of this legislation to reduce the already existing taxation that is so great that people complain of it? And if we begin to reduce should we not begin to reduce in behalf of the poor people?

In support of the statement I made at the outset in relation to Mr. De Pauw, I want to read from his testimony. He said:

> We pay from two to four times as much as is paid in Europe for the same class of labor. Our industry is just in this shape: Being a new industry, we have been obliged to import men who have understood the business in order to build it up in this country.

There is the acknowledgment that the men were brought in. The testimony of Bishop tells how many and with what results. Upon that I leave that branch of the subject.

Mr. CALL. To what pages does the Senator refer?

Mr. VANCE. I read from page 938; Mr. Bishop's statement is found on page 1039.

One more strange thing connected with the subject I will mention, and I will detain the Senate no longer, and that is, that nearly every Senator who has risen in his place to advocate an increase of duty or the maintenance of the present rate has alleged as a reason for so doing that it has invariably brought the prices down, and sometimes brought the prices down as far as one-half; but that Senator would go on to add immediately that if the duty was now withdrawn the industry would perish.

I should like some Senator to answer me this question: If at the time the duty was laid the American manufacturer could not compete at the then high price with foreign labor, how can he compete with domestic labor when the price is reduced one-half? I should like very much to hear that question answered. We constantly hear the statement made "if you withdraw this protection this industry will perish," and "this industry has had the effect of bringing prices down one-half." Now, if a manufacturer here could not compete with an Englishman when prices were double what they are now, how can he compete now with the home manufacturer when prices are one-half what they were at the time the duty was laid?

There is only one refuge for this whole subject. Senators on the other side may sit still and vote solidly to impose these duties on the country, but they can not answer these propositions, and the only safety there is on that side of the question is the placing of a high protective or prohibitory duty on human logic so as to keep it out of the country, and then protection can flourish.

Mr. MORRILL. Mr. President, I desire to say a single word. I am always delighted when the genial and humorous Senator from North Carolina [Mr. VANCE] takes the floor. I had supposed that since his union with the Democratic party he had forgotten his former American predilections, but it seems that he entertains as much hostility now to the coming in here of foreigners as he did twenty years ago.

In relation to the testimony of this man Bishop, of Chicago, it is very apparent that he did not know anything at all about what he was talking of. I do not know, but I presume that he belongs to that club which was recently addressed in Chicago by a communist in favor of killing and dividing the property of those who had more property than he had.

In relation to this particular item in the bill, the report of the committee leaves the articles under precisely the same duty that they have been for years past, and my only purpose in having them passed over was in order to enable the committee to complete their consideration of this particular item, which accidentally came in here without complete consideration, expecting that there would be a reduction upon it. I may say so far as these articles are concerned, that their prices since the original tariff was adopted have gone down so very much that it is impossible, even with an extravagant rate of duties, to prevent a very large importation. At the same time, my own judgment is that they ought to be diminished, and I merely ask to have them passed over for that purpose.

Mr. VANCE. I wish to say simply a word in explanation of my position, which I forgot to do when I was on the floor before.

The Senator from Vermont intimates that I desire to keep foreigners out. That is not my proposition. I say it is illogical to keep out the product of the foreigner from competing with the product of our own people, and permit the foreigner to come in and compete personally.

That was my position. The absurdity is in trying to keep out the foreigner's product by such a tariff, and my proposition is to do away with that absurdity and permit everybody to come in; that, as the man when he comes here has to compete in the free-labor market of the world, let him compete with his product in the free markets of the world, or as near free as the necessities of this Government will permit it to be.

Mr. DAWES. Mr. President, the argument of the Senator from North Carolina in behalf of the foreign producer is worthy really of a better cause. The persistency with which the Senator, and those who believe with him, have followed the idea that it were better to go abroad for that which can be produced at home, renders it necessary for him to shut his eyes to everything around him, to turn his back upon the lessons of experience, and to adhere to a doctrine that would keep the nation itself where it was when Sir Walter Raleigh sent his men over into North Carolina in advance of any other State in the Union in order that those at home might profit by what they could get out of those living here. From that day to this the Senator and his followers have clung to the idea that the producers of this world live abroad; that the producers for this country did not live here and could not live here. He makes frequent allusion to a different policy which has obtained in other States, Northern States; and he claims that this policy is designed to favor what he calls monopoly and the putting of money into the pockets of the few at the expense of the many, and the remedy is that instead of producing for ourselves we shall buy what we want of others and go on buying and omitting to produce ourselves if by any means we can obtain that with which to buy, and never concern ourselves with production at home.

Sir, admit for the purpose of the argument that a different result has obtained from a different policy in other States, I have no objection to his pointing to the Lowells and the Lawrences and the Holyokes of my State, to all the wealth there is in and around those cities, and to the thousands of people that they employ, and to the capital invested there, and to say that that is the result of this policy. Let me ask the Senator why he and his State do not avail themselves of that policy. There is a water-power in North Carolina far superior to any and to all combined in the State of Massachusetts upon the single river Roanoke above Weldon, a river larger than the Connecticut at Holyoke, or the Merrimac at Lawrence or Lowell, which has a fall within nine miles of seventy-five feet, when there are only thirty-eight feet at Holyoke, and less at Lawrence and at Lowell. The two counties through which it passes, last year produced each of them 18,000 bales of cotton. The coal is within a stone's throw and the forests of magnificent trees that were there when Raleigh's men came there are now to be sold at 15 cents a cord; and there are 1,100 people at Weldon and not another hundred till you get to Petersburgh, sixty miles off.

Is the Senator glad that there is no Lowell and no Lawrence and no Holyoke at that magnificent water-power? Within my memory there have grown up these three great cities of wealth and of industry and of prosperity; and there is no reason why double either of those cities is not to-day in a flourishing condition around about Weldon, moved and stirred by that magnificent water-power, except that men had rather get out tar and make turpentine and buy what they need of foreign producers, rather than take hold and produce for themselves, and in producing for themselves bring wealth and comfort and competence and independence to all around them.

It amazes me that the Senator from North Carolina will shut his eyes to the opportunities right before him and around him and in his own State to make his State rich and great and powerful, only by availing himself of the means that God has placed there for the use of man.

Sir, the Senator turns to foreign producers. He had rather have what he needs produced abroad. He knows that it can not be produced there without the workmen being there, without the capital being there, without the market being there, without all that gathers around such a city being there, and still he had rather that the primeval forests of North Carolina should continue to grow and go to decay, and the water-fall run to waste than turn in upon his own resources and those of his own great State the energies and the enterprise and the capital and the industry that belong here to produce here what is needed here. Producing here what is needed here brings all the rest with it; and producing it here and securing to those who produce it here a market here brings competition here, and competition here brings down prices here, and thus we have all the advantages and all the opportunities and we have all the benefit of the competition here rather than competition with those abroad.

Sir, while I commend the zeal of the Senator from North Carolina, I regret its application, as well for what is possible in his State as for what is possible in my State, and for what is possible to the whole country by an American policy. Let it be understood, let it be made a law that can not be repealed, that to Americans belong American labor, in America shall be performed for Americans whatever Americans need, and it brings with it as necessarily as the light follows the sun all else that will bring to the point by competition, the lowest possible point of remunerative labor, every product that is produced here. If on the other hand into this competition come also the laborers who perform their work abroad and not simply the laborers who perform their work here, then we have the laborers here driven out of their employment first, and, the competition ended, the price fixed by those abroad.

Take the article of Bessemer steel, about which so much has been said. See the effect of a high, a too high protective tariff upon Bessemer steel. Has it been to increase the price of the product? Has it not stimulated on the other hand competition here? The tariff being too high has stimulated it to an unhealthy point, so that at this moment, with a tariff of $28 a ton upon Bessemer steel, it can not be sold in the market at remunerative prices.

Just make up the difference between the condition of foreign products and the conditions under which the native products shall be produced; just equalize them up; and that is all that any rational or intelligent producer of any kind, whether he be a manufacturer or whether he be a farmer, whether he be an artificer or whether he be a skilled laborer or a common laborer, asks of an American Congress. All he asks of you is to put him on a level with the rest of the world, and then he will take care of himself. His own energy, his own enterprise, his own skill, his own industry and frugality, will compete with the world if he be put upon a level with the world.

But, sir, the Senator from North Carolina is unwilling to do that. The Senator from North Carolina desires a policy which will require that the product be made abroad and that we shall be purchasers of everything else except the products of our farms. Pray, what would the products of our farms be to us were there nobody but farmers to consume them here? The farmer is as dependent upon the general producer as any other class of men. He is dependent for his market, and the more extensive and the larger his market and the nearer it is to his door, the better for him. All classes of industry, it has been pointed out, are dependent upon each other. They walk arm in arm. What injures one injures another. The head can not say to the foot "I have no need of thee." Every part of this body-politic, every branch of its industries, I do not care what it is, is dependent upon the prosperity of all the rest. Sir, so far as I represent a manufacturing people, I ask for them nothing beyond such a policy as will put them and put every other producer, I do not care of what he is a producer, on a level with the producers of the world. That is all we want, sir.

Mr. VANCE. Mr. President, I am obliged to the Senator from Massachusetts for his lecture and for his wise advice. The glittering generalities with which he has adorned his discourse it strikes me I have heard before, but I am not sure. He says that my policy is to have everything come from abroad. I deny it. My policy is the simplest one in the world; it is the policy which the boy who has 10 cents to spend in candy or something else will naturally and instinctively adopt, and that is to buy where I can get the most for my money, and that is the policy of the people of North Carolina. The policy of the Senator from Massachusetts is to force me to buy where I can get the least for my money, provided he and his people are the recipients of the price. That is the difference in the two theories.

I wonder now if I could put the Senator on his *voir dire*, and have an honest sworn statement from him, if he really does desire everybody in the South to go to manufacturing cotton? What would become of Massachusetts if that should happen? There would be no longer any necessity for the Senate hesitating about a bankrupt law. The people of Massachusetts would live until the means that they have gotten out of the people South by this high protective tariff were exhausted, and then they would, in fact and in truth, go to the poor-house. They are virtually there now; that is, they are supported by the public. The only difference between them and other mendicants is that other mendicants go to the poor-house and take such fare as the county commissioners see proper to allot them; but these mendicants, supported at the public expense, live in marble palaces and in the finest style, and drink champagne or nothing less costly than Bourbon whisky. That is the difference between the two systems.

Now, we can not all manufacture. The people of North Carolina chose from the beginning to engage principally in agriculture, and trusted to manufactures springing up in obedience to the call of public necessity; that wherever they were demanded they would spring up. That is the natural law of political economy—not to force them by a hot-house process of taxation. There is no political economy in that. That is not the road to public wealth, though I admit that is the road to private wealth.

Mr. President, if we undertook to manufacture in the South the first thing we should have to do would be to levy a high protective tariff against New England goods. The same reasons that New England had for calling for a high protective tariff against old England would exist in the South if we extensively entered into manufactures now. They have acquired experience, they have acquired wealth, they have accumulated a vast amount of capital, and new beginners can not compete without a protective tariff that they have talked so much about.

Fortunately for them the Constitution of the United States prevents any legislation of that sort on the part of the States; so that if we should abandon our fields and go to manufacturing we should be much more at the mercy of the New England paupers—as we should then have the right to term them paupers, as they now term everybody else—we should be much more at the mercy of New England paupers than the people of New England now are at the mercy of the foreign paupers.

No man need undertake to lecture me or to teach me the advantages of manufactures to a country. I should be insane to undertake to deny not only the advantage in the accumulation of wealth, but the actual necessity for the civilization of the world of manufactures. It would be idiotic in me to do it; but I say that manufactures must come when public necessity calls for them, and they are advantageous under those circumstances; but when they have to be forced by the hot-house process of taxation, then I say they are a curse. That is the difference between the Senator from Massachusetts and myself.

No wonder the Senator says he is willing that the Holyokes and Lawrences of his country should be alluded to as examples of the accumulation of wealth. I hold in my hand a paper published in New England, the Hartford Courant, of January 12, in which an account of the doings and the prosperity of some of these companies that he speaks of is recorded, and I notice that the "Southington Cutlery Company," which has a protective tariff of 50 per cent. in its behalf to protect it against foreign paupers—

Have just declared a dividend of 7½ per cent., making the cash dividends of this company for the past year 20½ per cent., which, with $12,000 in addition added to the surplus, makes the total dividends of this company for the past year on their capital stock about 30 per cent.

All levied under this high protective tariff of 50 per cent. on cutlery to protect American laborers! Thirty per cent. in the pockets of the manufacturer is what they call protecting American labor! The laborer is making according to the census far less than a dollar a day, and this manufacturing company is making 30 per cent. on its capital.

Mr. PLATT. I understand that the Senator refers to the Southington Cutlery Company.

Mr. VANCE. Yes, sir; I did refer to that on the authority of the Hartford Courant.

Mr. PLATT. If that company were only to pay the dividends it made on that portion of its business which comes from pocket-cutlery (and that is the only cutlery which it manufactures) I venture to say there would not be 5 per cent. It makes its money on other things.

Mr. VANCE. It seems that there is always some explanation to be given for anything and if the facts of the case happen to come in collision with the theories or opinions of any Senator, so much the worse for the facts.

It was stated here the other day by the honorable Senator from New Jersey [Mr. SEWELL] that T. C. Smith, of Greenpoint, New York, does not manufacture any pottery except Portland knobs. Mr. Smith said himself before the Tariff Commission that his was almost the only house in the United States that manufactured a regular course of porcelain table-ware. Perhaps he did not know anything about what he was doing himself; but still there is always some explanation of unpleasant facts.

Now, perhaps the Senator or some other Senator can give me an explanation of the following manufacturing stock which I see quoted in the same paper:

	Bid.	*Asked.*
Collins Company (par 10)	11.75	12.20

Over 100 per cent—

	Bid.	*Asked.*
Hartford Carpet Company	.....	257

That will do pretty well by way of protecting American labor, will it not? The laborer, of course, gets all that! They put it in as a matter of form to show the profits of the company, but, of course, they divide it all to the laborer so that they have little or nothing left! They use it to endow colleges, build churches, &c.!

	Bid.	*Asked.*
Willimantic Linen Company (par 25)	.....	79

Just a little over 300 per cent. That is doing tolerably well! A good thing for the workmen!

Pratt & Whitney Co.—

Whatever that may be—

bid, ——; asked, 111½.

And so they run, and the people of this country, the laborers of this country, the poor men who stand between the handles of the plow, and the poor men who are putting up brick somewhere in this city or throughout the country in the snow, if the ice would permit them to do it, and the hod-carriers and the dray-drivers, and the street-car men who are running the cars in this city sixteen hours a day for less than $2 a day, and all those others who are getting the minimum of wages reduced by the free competition of the whole world in this country, are being taxed 50 per cent. on their cutlery, nearly 100 per cent. on the old bottles they get to carry a little molasses home or a little medicine in, 60 per cent. on their crockery, 80 to 90 per cent. on their woolen socks to keep their feet warm, 92 per cent. on the flannel that keeps the baby warm, and 69 per cent. on the salt that is sprinkled on their meat, and all to make these stocks worth 111½ per cent. and 250 per cent., and 300 per cent., and so on and so on.

Mr. PLATT. Will the Senator permit me a single word?

Mr. VANCE. Certainly; it needs explanation badly.

Mr. PLATT. The 111 per cent. which he talks about means that the stock is at par and 11 per cent. premium. That is what that means. Now, in relation to those companies of which he speaks, some of them I know about. Some of them for years put their earnings into construction, into the building of works, until their real capital is two and three and in some instances four or five times their nominal capital. For instance: I know a single company there that has been in existence some twenty or twenty-five years with a nominal capital of $62,500. I have no doubt that the real capital of that company accumulated from its earnings and withheld dividends, now amounts to $625,000, or ten times the amount of its nominal capital.

Mr. VANCE. Then it seems they have been making big dividends from false capital where they really had not invested in.

Mr. PLATT. Not at all. The dividends are declared on their nominal capital, and do not in any of the instances the Senator has spoken of amount to more than 5 or 6 per cent. on their real capital. I know in reference to a manufacturing establishment in my own city that its nominal capital is $1,100,000 and its real capital is more than $5,000,000. Of course a dividend declared upon its nominal capital looks large, but the man who pays the present value of its stock and takes the dividend does not get more than 5 per cent. on his investment.

Mr. VANCE. I should like to know what becomes of the real capital if this is declared on the nominal capital. What is that real capital doing?

Mr. PLATT. It is very easy to explain. Suppose the nominal capital is $100,000, and you declare a 25 per cent. dividend on that; if your real capital is four times as large as your nominal capital you have declared but a 6 per cent dividend on your real investment.

Mr. VANCE. Well, Mr. President, I do not understand why men should make a false statement to the public of their prosperity. It is generally understood that men a little understate their profits in order not to attract attention, especially not to attract the attention of Congress when it is about to levy tariff duties, rather than overstate it; but here it seems these gentlemen have made a statement, or at least some of them have, of a dividend upon their nominal capital which would not be true if their real capital were included in the estimate. Now, the Hartford Carpet Company, for instance, declared a dividend of 257 per cent.

Mr. HAWLEY. The Senator is mistaken about that.

Mr. VANCE. No; the stock is worth that.

Mr. HAWLEY. I own a little of that stock myself, and I want to hear the statement again.

Mr. VANCE. According to the report of the Hartford Courant the Hartford Carpet Company's stock is worth 257 per cent.

Mr. HAWLEY. It has gone down a little, I am sorry to say.

Mr. VANCE. This report was on the 13th day of January. I suppose it has fallen a little, perhaps in consequence of the agitation of the tariff question. [Laughter.]

Mr. HAWLEY. That is too true in many cases.

Mr. VANCE. Yes, sir; too true in many cases. I believe the Senator perhaps has some connection with this paper himself. If so, I shall hold him responsible for the accuracy of the statement.

Mr. DAWES. I should like to make an inquiry of the Senator from North Carolina for information. If that is a fair representation of the profits of that company published in a newspaper of wide circulation, why does not the capital of the country rush into that business? If that is a fair representation of the profit on each $100 engaged in that kind of manufacture, as long as everybody else in the world can go into it as well as they, why does not all the world rush with its capital into that kind of business when it pays so much as the Senator represents?

Mr. VANCE. I am unable to account for the devious sinuosities pursued by New England capital; I can not tell why all the world do not do it; but we know this, that if all the world did go into that particular business the profits would come down soon; we are assured of that. Many men have secured a reputation for some particular kind of manufacture that prevents others from successfully competing with them.

Mr. MORGAN. The debate this evening has taken a pretty wide range, and I suppose because the committee have asked the privilege of reconsidering some part of this bill which they have reported here, and Senators on both sides of the Chamber think it a good time to express some opinions through which perhaps, if the committee may not be enlightened, their attention may be called to various propositions that have been debated. In the course of this debate the Senator from Massachusetts [Mr. DAWES] has taken the ground that the people of the South had been somewhat derelict or delinquent in not having more largely engaged in manufactures. I am aware that that argument and that challenge has been brought to the attention of the Southern people and of the country for a number of years, and as a full answer to all the iniquities of the tariff system we have been asked the question, "Why have you not engaged in manufactures, and why have you not availed yourselves of your free right to benefit by the protective features of the tariff laws?" That is a question which addresses itself as forcibly to the West as it does to the South. It addresses itself also to the condition of the people of this country, and the condition that they have occupied since its first organization as a government. It is to be answered in many ways, any one of which is entirely satisfactory.

The first proposition that I desire to advance in answer to the honorable Senator from Massachusetts is this: Every man in the world de-

sires to be the master of his own business. Hence farming, and particularly farming on a small scale, is very attractive to men of small means and particularly to those who have to live by their own manual labor. A man rejoices in a home with his family around him, with his own forest trees from which to gather his timber, his wood, his fencing, whatever he may need, with his cattle browsing upon his own grounds, with a brook that belongs to him meandering through his own land and turning his own mill, if he is able to own one; and all the blessings which belong to what is termed an independent condition in life concenter in the pursuit of agriculture, particularly in a small way. This is the real invitation that we extend, and which we have done so profitably for the increase of our population, to foreign countries, and which induces such an enormous influx of people into this land. They come here in order that they may have the opportunity once for all, or once at least in life, of being the masters of their own time, of their own families, of their own business, of their own production, and of their own profits.

The people of the South and of the West belong to that class of independent men who go and have gone to these new countries to seek opportunities for the rearing of families in the land. This class of people have not been willing to subordinate themselves in the condition of laborers under taskmasters; they have sought a freer course and current of employment than is to be found in the manufactures of New England or of Old England or of Germany or of France. It may be safely said that in ninety cases out of every hundred those people find themselves engaged as operatives in manufacturing establishments who have no other means of subsistence. There is not a man or a woman to-day in a manufacturing establishment in the United States, unless it may be one who is very highly skilled, and who therefore is enabled to earn extraordinary profits from a day's work, who would not freely abandon that manner of employment for the sake of being engaged in pursuits that are more congenial to the tastes of human nature. That is one answer to it.

There is another answer, sir, which relates to the employment of capital. The reason why manufactures have sprung up and prospered in New England is because that is an old and thrifty country; it had an early start in money-making and money-saving; it accumulated capital through the thrift and industry of its people, which I think is entirely honorable to them; and having a sterile, barren country in which to operate, which did not yield in fact much fruit in the way of agricultural returns, they found it necessary to engage in fisheries, where they demanded and received from us large bounties directly given by the Federal Government; in banking, where they had the control for a long series of years of the finances of the country, and still hold that control; in manufactures, where capital was present to employ labor and put it at its own price into its service.

There was another class of capitalists in this country who, from the first foundation of this Government until the year 1860, were men who also controlled large masses of people. They were the slave-holders. We held our slaves in the South by the tenure of the Constitution by a title of personal property, whereas the men in the North held their operatives by the title of the necessities under which they were to serve in classes of business that were not congenial to their natures. The capitalists in the Northern States were enabled to employ men by compulsion, as you may say, arising out of necessity; the capitalists of the Southern States were enabled to employ men who were slaves and who were held in bondage by the law. The capitalists of the Southern States did not have material in the people that they owned out of which to build up important manufactures. A negro is a very poor operative in any kind of skilled labor, any kind of delicate work, any kind of work out of which profit can be made in the manufacture of nice light cotton goods, fine silks, fine hats, fine cutlery, or any of the other beautiful descriptions of goods which are yielded by the genius and skill of the people who are employed in the Northern manufactories; and therefore, finding ourselves the owners as capitalists of a large mass of labor that was not capable of being converted into that quality which made manufacturing profitable, we sought agriculture; we went into the field.

When Whitney made his cotton-gin invention and put that great staple upon the world we devoted our time to raising cotton for the supply of the nations. We also raised sugar, we also cut trees and made turpentine and ship-stores; but we engaged very little in manufacturing, because the people whose labor we controlled, not more powerfully and more completely and thoroughly than the New England man controlled the labor that was dependent upon him, was not so well adapted to it. The people whose labor we controlled we could not use in these descriptions of work; otherwise long since Massachusetts would have been clamoring to be protected against Southern industry and Southern genius. If the people whom the capitalists of the South owned and controlled had been persons of equal talent and skill and taste with those who were owned and controlled through the law of necessity by the Northern capitalists, you would have seen the South doing that which she very soon will accomplish, outstripping all of you in manufactures, and that too without the necessity of a high-protective tariff or a tariff discriminating in favor of established industries under the pitiful plea that they are still infants, though they are 100 years old.

These are some of the reasons why it is that we of the South have not gone into the manufacturing business. We have paid all the time out of our treasure-house; we have yielded bounties to the gentlemen who have controlled white labor; and it has been because of our sympathy for the very people out of whom they derived their enormous earnings more than anything else that we have yielded to a system which from the beginning down to this time has been always one of inequality and injustice.

Mr. MAXEY. If the Senator from Alabama will pardon me, I will add one further reason to those he is now giving. There is in the South a paucity of both capital and labor. Labor there, as the Senator has well said, is employed in the field. In the Northern States there is an excess of both capital and labor, and therefore they have the conditions to manufacture and we have not.

Mr. MORGAN. I am very much obliged to the honorable Senator for the suggestion. It is one that is very important in its bearings upon the question which the honorable Senator from Massachusetts suggested.

We have a beautiful continent, inviting in almost all of its features, and in almost every locality. As you approach the South and the Southwest the beauty and the grandeur of the country increase the further you go to the West. All new countries, fertile, with salubrious climates, deep, navigable streams, and flowing fountains of water from the hillside, are inviting, you may say, to the poetry of even the poorest and humblest man's nature; and here stood these vast forests before us, and the pioneer, who scarcely settled himself down to get a board roof over his head until he, filled with the spirit of enterprise, would pick up his family and move still further west, not feeling comfortable if his neighbor was within the sound of a horn or a gun from his cabin door.

These are the things that have caused us to spread ourselves over these vast areas South and West, where we have been employed in cutting down the forests, in building towns and villages, in building highways, in building bridges, in building churches and school-houses, in opening States and opening counties, and building court-houses. There we have had this draft made upon our capital continually for the institutions which we have been bound to build in order to accommodate our civilization. A people one hundred years older than we were in their enterprises, or two or three centuries older, had these things furnished to their hand by the fathers who left them an honorable inheritance, while we, the pioneers of this country, have had to build it from end to end.

Now, sir, behold the progress that we have made. Look at the railway system of the South. I grant you we borrowed the money from you largely to do it; nevertheless we had the credit to do it, or you would not have let us have the money. Look at the number of those splendid cities that have been built up in the South, the Southwest, and the West; look at the vast cities that have reared themselves throughout that country. What have the people of the valley of the Mississippi and of the Ohio spent in the building of that wonderful town, Chicago, and the other, its almost equal, Saint Louis? Why, sir, we have had drafts made upon the current labors of two or three generations which have never before been taxed upon the generations of mankind in the same length of time. These Western and Southern American people have done more in a given period of time to beautify and adorn and make fruitful the land that they have occupied than any other people have ever accomplished in all the history of the world; and while having been engaged in labors like these, we are now taunted by the honorable Senator from Massachusetts because we have not built up corporations which shall make us 220 or 225 per cent. dividend or which shall increase the stock from its par to 220 or 225 per cent. premium.

They do not allow us what we deserve; and when we claim the right to an equal participation in the advantages of legislation here, and when we claim that we shall no longer be compelled to yield our substance to the fattening of those who for a century have been growing fat upon our labors, they arise and inform us, as the honorable Senator from Massachusetts has done, "You allow your vast streams to go to waste and your forests to perish and your mines to lie undug in the bosom of the earth." If Massachusetts had the soil and the country that we have got, with her enterprise she would never dream of standing at the doors of the Congress of the United States tapping continually like a mendicant for a pittance to be dealt out to her as a favor. Her manhood and her pride would bring her above that; but she has worn deep into the rut of mendicancy; she is always crying, "Give, give!" until now it seems that no plea will answer but one that must be responded to with some donation at the expense of somebody else.

Sir, as I have observed before, I represent an interest here; other Senators represent other interests here. I do not blame a Senator for standing up to his own side of this question and getting from the other interests involved all that he can justify his conscience in claiming; and in the conflict of interests here and in the attempt to balance these things up we perhaps may get a tariff not perfect in itself, but after all one that will be satisfactory to the great body of the American people, and with that I shall be content; and whether it contain the peculiar ideas which I may entertain in reference to tariff levies, or tariff doctrines, or tariff discriminations will not make a difference with me.

I now represent here an industrial interest. I represent also a very growing, beautiful, prosperous, manufacturing interest. We have the

protection of geography around us; we have the protection of the greatest possible abundance of the raw material of every description thrown into juxtaposition; and if there is one thing for which we thank God above all the others, it is that He has through His beneficence enabled us to prosper and grow rich, without at the same time bowing the knee of beggary to somebody else. There is a glorious and proud independence in our position in that regard which I think will some of these days challenge even the envy of the nabobs of the East.

But, sir, the class that I refer to are not confined to Alabama or to the South or to the West; they are also in New England, and judging from some remarks that I have had occasion to observe lately made by one of the New England farmers, and from which I expect to draw pretty freely in the speech I am now making, I must say that while the New England farmers are perhaps not as well educated in all of the tricks of trade, in all of the arts of finesse connected with finance and manufactures and tariff legislation as some others, they have ingrafted into their pure minds and honest hearts a sound and sober judgment which is worthy of observation by the honorable Senators from that section, and which, whether or not it receives it, does deserve observation and acknowledgment of profound gratitude from those who represent agricultural classes in other parts of the country.

I can not help thinking of the remarks that were made before the Tariff Commission by Mr. E. D. Goodwin, of Connecticut, a regular "old pumpkin-pie and apple-sass Yankee farmer," a man who makes his own living at home and who says that for fifty successive seasons he has labored in the sterile soil of New England, and labored to prosper. Now, I want, because it is a far better speech than I could make if I were to take a pen and sit down and undertake to write one out on this question, to ask the Secretary to inform the Senate of the opinions of this old "apple-sass and pumpkin-pie" farmer and see whether or not after all he has not got a just idea of what the tariff ought to be, as just ideas of finance and commerce and of the whole system among which he lives—I was about to say as any Senator on this floor—I will say an idea of it quite as just as any Senator who lives south of this city. Now, I ask the Secretary to read the remarks of Mr. Goodwin on this very question which we have been discussing this evening before the Tariff Commission.

The Acting Secretary read as follows:

NEW YORK, *October* 4, 1882.

Mr. E. D. Goodwin, of Falls Village, Connecticut, a farmer, addressed the commission as follows:

GENTLEMEN: In appearing before your honorable body and advocating a modification of our present tariff rates by a reduction of 10 per cent. thereof, to take effect June 1 next, and 10 per cent. more at the expiration of two years, thus gradually reducing its average from 45 to 35 per cent., I have no special interests to subserve, as many who have appeared before you.

Wool and mutton, grain, beef, and butter are my chief products, and whatever fancied sacrifice such reduction may bring to me I cheerfully accept in subordination to the interests of all. My position is such that I am compelled to combat its adverse influence upon me and upon the nation, upon the general principles of equity and fairness as applicable to the high trust of constitutional administration. I protest against it as both unjust and impolitic—at variance with correct principles of economic production, adverse to us in the long run, and unbecoming our position, wealth, and development among the more prominent nations of the world—distinguished alike in science and in art—each struggling for its ascendency in industrial resources and in commerce with a spirit in keeping with their intense activities, their high civilization.

As a farmer I am located in New England; for fifty successive seasons on its sterile soil have I struggled with its extremes of heat and cold for a competence; of my various products I can raise but one crop a year, and that at the hazard of storm, blight, and drought, while my manufacturing neighbor—but give him a market—can multiply his wheels *ad infinitum*, and there is no limit to his products and his profits.

Long before our civil war they had laid the foundations of their liberal fortunes; through it and since, under your extreme protective system, they have become the millionaires of the land, dominating in politics and monopolies alike; and to me, born and bred as it were to the soil, it can not but be humiliating to witness your commission, the conception, the inspiration of these interests, traveling over the land listening to their plaintive tones for bounty still, with scarcely a single farmer in the whole land to assert his rights and his manhood. Have I no interest in the matter, and no standing in court? Am I not on a footing of equality as to rights and interests, and have I no grievances at the hand of Government?

What are my products worth but what our agricultural surplus brings in the European markets, and that dependent there upon the ability of labor to consume at their rate of wages, while in those markets I have to compete with the cheap labor and lands of all Europe and the Indies, with the Atlantic between us, with its freights and commissions.

My neighbors, these clamorous, bounty-loving manufacturers, are feeding their labor at a cost less than their foreign competitors by ocean freightage, insurance, and commissions, while this same ocean bearer intervenes to protect their fabrics, besides a 45 per cent. average tariff, and perhaps a long line of inland transportation.

There seems no limit to human audacity. When the tariff of 1862 was enacted it was justified only by the exigencies of civil war, and so great was the injustice and favoritism of the measure that an internal or drawback tax was levied on manufactured products, ostensibly to come out of the pockets of the manufacturer himself, but in fact charged to cost of product and paid by the consumer. Why this favoritism, this domination of one interest to the prejudice of all others, and this a minor interest?

About three-fifths of our people are engaged in agriculture, one-fifth in trade and commerce, and one-fifth in manufacturing, and there must be "something rotten in Denmark," with its government inspired and controlled by one-fifth of its people.

It is an undisputable fact, demonstrated by its fruits, that this class have aggregated to themselves more than their share of the national wealth; they are in the ascendant in government, a privileged class, fortified in their position by dominant political fallacies, and appeals to the laboring classes.

This tariff was a war measure modified by the tax on products, supposed to be a part of the profits rendered back into the Treasury as a compensation for the favoritism; but soon after the close of the war, and in the flush times succeeding it, this drawback tax was abolished, and the tariff left substantially as it was as to rates, and it has come down to us unchanged, save the reduction of 10 per cent. in 1872.

In our system of government, State and national, individuals and interests as to rights, obligations, and opportunities are supposed to be on a footing of equality before the law. The States are sovereign over all local matters, the General Government is guardian of interests common to all, and is sovereign in the exercise of all powers granted to it in the organic law. The trust of government is to be exercised equitably and impartially, and the general welfare, a welfare common to all, should not be lost sight of; and all interests are alike sensitive to this principle in the exercise of your revenue powers.

These interests may be classed as agricultural, manufacturing, and commercial—agriculture being the base or foundation interest upon whose prosperity the others largely depend. Here are 50,000,000 people, with their varied and conflicting interests to be affected by the exercise of your revenue powers; and the great and vital question is, how shall these functions of government be so administered, according to the letter and spirit of the organic law, and so in harmony with the conflicting interests at stake as to best promote the public good, the general welfare? Bear in mind all interests, every individual, is on a footing of equality before the law, and equity commands fairness and impartiality, with laws so adjusted as, approximately at least, to make tributary to the general burdens all, according to their ability to respond.

Your organic law empowers a tariff for revenue purposes, and, to meet the necessary expenses of government, with judicious administration, a 30 per cent. levy would be ample, and all that sound policy would dictate from this source. This is an incidental protection, the necessity and justice of which no one can dispute, giving to the home fabricant this advantage over his foreign competitor, aside from the cost of transportation, risks, and commissions.

Even this tax falls not equitably upon the people according to their ability to pay, but in a ratio to the consumption of the individual; falling on the laboring man of large family altogether in disproportion to his means. Time was when this discrepancy of burdens was modified by a general income tax, but this just, equitable resource had to yield to the fiat of our bounty-loving manufacturing friends.

If these objections are pertinent and well grounded, on the score of equity and fairness, as against a revenue tariff, how much more so when pitted against your present highly protective system? The burdens of government should be borne equitably among our citizens according to their means, that all may become so interested as to insist on purity and economy of administration.

The same law holds to the nation as to the individual; flush resources lead to liberal expenditures, and extravagance and demoralization follow in their train. It is not wise in nations or in individuals to antagonize natural forces, set at naught the laws of trade and of an enlightened political economy for a mere temporary prosperity; your policy to be fixed and permanent must be based upon the organic law, conceived in equity and fairness, alike in the interests of all and of coming generations.

The advocates of the present highly protective system make great pretensions of sympathy for the laboring classes; it is enough to show their duplicity in this respect to recapitulate what I have already said, that while they have relieved themselves of the internal taxes on manufactured products, of the income tax also, the burdens of government are left to fall largely upon the people according to their consumption of dutiable merchandise, with capital left largely intact from all contribution whatever.

Labor keeps up the world over, while capital shrinks in its nominal income; it is to shield their capital and avoid this law of depreciation that they insist upon keeping up this extreme system. The tendency of the times is to lower values, the fruition alike of cheap capital and the inventive skill of man; labor is a living resource the world over; the few accumulate while the many merely gain a livelihood, and employment to our town and city population is as essential to insure law and order as to their health and subsistence.

To the laborer this is indeed a land of promise; our lands, to be had almost for the asking, are opened up to him by unequaled inland rail and water communications, making the field for labor almost boundless for generations yet to come, and labor will take care of itself.

So long as three-fifths of our population are engaged in agriculture the value of their labor must largely gauge that of the other two-fifths, and this law of equalization must have its force. There is a nominal and a real value to labor, the latter being its purchasable power over the necessities, comforts, and luxuries of life. Reduce both in the same ratio, and their fruits of labor remain the same. We have cheap and abundant capital and unsurpassed mechanical skill; what you want is cheap raw material and living, and labor in a measure to correspond; and but give the New England manufacturer these conditions, and her valleys and plains will preserve continuously her present if not an accumulative activity, with a command of the markets of the world for her products.

As a nation and a people we are not in the infancy of our development and growth; we have the accumulative wealth, the manufacturing skill, of the Old World, and exceed them all in mechanical devices; what we want is not the paternal care of Government, but a fixed policy more in keeping with the laws of political economy, tending to a reduced cost of manufactured products, that they may flow outward from us and be consumed by other nations than our own. It is a question of employment and subsistence to over fifty millions, especially so to our city population; we must make the less advanced nations tributary to us by manufacturing more for them, as England, Germany, and France do, while the latter consume our surplus farming products.

As a rule your city population is fixed and less migratory than our more rural people, and our limitless territories attract comparatively few from these classes, and the question of employment to these millions in the near future is far more vital than the rate of wages.

This policy of extreme protection, so at variance with all principles of equitable administration and of sound economy, not only affects the farmer disastrously, but the commercial interests of the country also, and is a standing injustice to the masses of Europe who consume so largely our surplus products. Its injustice is not its only obnoxious feature or fruit; it is largely the source and foundation of the general demoralization in politics. Your successful millionaire manufacturers have entered political life largely by force of their money, and when in Congress, to perpetuate this system, every device to spend the public money is encouraged, either directly or tacitly, from the "arrears-of-pensions bill" to the "river and harbor appropriation."

In seeking redress for the evils of life I would not be rash and radical; take this tariff as it stands to-day and its extreme features should be gradually ameliorated. Its general average is about 45 per cent.; it is in fact what its friends have made it.

Now reduce it by 10 per cent., to take effect June 1 next, and at the expiration of two years 10 per cent. more—the reduction to be permanent until a general revision could be reached—thus leaving its average over 35 per cent. This seems the only practical way of adjustment at present; it is summary, but public sentiment demands it, and your protective features are only modified and not abolished. This reduction would not only tend to lower values more in keeping with the price of labor and of capital, but might favor a more healthy competition to the detriment of shoddy fabrics.

It would pave the way to that scale of values in all merchandise favorable alike to the consumer at home and abroad, and lead to increased commercial intercourse with the outside world, thus augmenting the balance of trade in our favor. I am not so easily flattered with a tariff levying duties on Canadian grain and live animals which results in shutting them off from our lines of trans-

portation and driving them down the Saint Lawrence to their ultimate markets as a part of the great agricultural surplus of the continent. Neither have I become enamored of your duties on wool, the chief fruit of which crops out in an enormous production of shoddy fabrics, enshrouding the whole American people in their deceptive embraces, as cold as the hearts that made them, leaving my wool on the market a beggar at the lowest rates of the last forty years.

Many of our American manufacturers are honorable producers of their varied fabrics, creditably emulous to excel in the quality of their productions, gaining thereby a reputation equivalent to and becoming a part of their capital. On the other hand too many have gone into shoddy productions; not content to make a genuine article, so amply provided for by your liberal tariff margins, they have flooded our markets with their deceptive fabrics and adulterated products, so that most of us know not what we eat, drink, or wear. To remedy this, reduce your tariff; scale down this barrier to freedom of trade, giving us a more healthy competition, throwing this class of producers more upon their merits and their reputations.

As a farmer while the price of my products might be somewhat lower in keeping with our immense agricultural resources, I should in return for my productions buy at less rates my family and farming supplies.

There is no natural antagonism between capital and labor: not only are they mutually dependent, but mutually beneficent each to the other. Labor gives to capital an enhanced value, and capital in its turn not only adds to the efficiency of labor, but increases its reward also. There is an equalizing tendency to values the world over, and in the long run natural forces must be felt.

Let us eliminate ourselves from the hodge-podge of political fallacies enveloping us, and let in the clear light of truth. And why not make capital contribute more directly to your Treasury resources by a general income tax, predicated upon the cumulative surplus resources of the individual? Its possessor is largely indebted to labor for it, either directly or indirectly; he may have caught it on the wing as it were, by his manipulations and sharp practices, Jay Gould like—or otherwise it has come largely by the appreciation of values incident to all new countries, the resultant fruition of the care, the toil, and travail of all for the last hundred years. Relax the burdens of government taxation upon labor and place them more upon capital, assert the principle that a man's necessary living resources should in a measure be exempt from taxation, and the burdens of government be placed more upon the surplus means of the individual, and you at once open up the way for a more healthy prosperity national-wise and place labor with its products more in keeping with the value of capital here, and the general price of commodities in other countries.

Mr. MORRILL. I ask the Senator from Alabama if he will not permit this long essay to be printed in the RECORD without the further consumption of time in reading it?

Mr. MORGAN. No; I think this Yankee farmer has a right to be heard here. It is very seldom he can be heard here. He is speaking very splendidly. The honorable Senator from Vermont will find it worthy of his talents, worthy of his great abilities to answer that argument. If I could have had the honor of delivering that argument in the Senate from my own lips, I should have felt very proud of it.

Mr. HAWLEY. Quite right. We have many such farmers. Gentlemen might be proud to equal them in the ability to present their case; but I beg them not to sorrow overmuch because of the miseries of our Connecticut farmers or our operatives in factories.

Mr. MORGAN. If this was an appeal being made to-day in behalf of the great monopolists and manufacturers of the North I think no Senator would rise and try to stop its reading and to have it printed in the RECORD without being read. Let this gentleman have his voice here. He is nothing but a simple farmer, though he seems to be a man of fine ability and education.

Mr. EDMUNDS. Simply "a Roman citizen."

Mr. MORGAN. Simply "a Roman citizen;" but in the beautiful character of an American citizen he has the right to be heard even through the lips of a stranger to him who represents a State far to the South. This gentleman has not had the advantage of a representative who stood near by his side to bring his views before the Senate. He comes now before the Senate through a man against whom I dare say he even now entertains some opinions of perhaps bitterness.

Mr. EDMUNDS. Mingled with a good deal of sweet, however.

Mr. MORGAN. Possibly so; I hope it will be mingled with a great deal of sweet hereafter, and he deserves the respect of every man in this country, and that argument of his will find its way into every homestead in this land. It is now upon the wings of the wind, and every farmer in this country will take up the profound doctrines which this man so eloquently and so sincerely puts before the Tariff Commission, and the people will weigh them at their hearthstones and by their firesides, and there will fruit come of them for the benefit of this entire country.

Mr. HOAR. I desire to ask the Senator if this argument which he now proposes to have read at the desk was not sent to every member of the Senate in print before we assembled; whether it has not been printed again for the use of the Senate, and therefore whether having it printed for the third time in this way is not simply a consumption of time, and not in the least a hearing?

Mr. MORGAN. It is not brought in for the consumption of time. There has never yet been a finer statement of the question.

Mr. WILLIAMS. Will the Senator allow me a moment? As a farmer myself, I hope the Senator will insist on having the argument read, because it is mighty good reading, much better expressed than I could do it. I hope the reading will continue.

Mr. MORGAN. I concur in the views expressed by the Senator from Kentucky, and I do not think that argument will be answered in this Senate before the close of this debate.

Mr. HOAR. It occurred to me that as it had been read a third time, it might now be engrossed. [Laughter.]

Mr. EDMUNDS. It might be passed. [Laughter.]

Mr. MORGAN. The Senator from Massachusetts must recollect that the people throughout the United States have not got the facilities his people have got for receiving information, and when light does appear in the midst of such an enormous cloud of darkness as we have followed in this case, as all will concede, I suppose it is right that we should give utterance to it as often as we can.

Mr. WILLIAMS. This is the only farmer who appeared before the Tariff Commission, and if the Senator from Alabama does not insist, I will insist on the reading of his argument to the end.

Mr. MORGAN. Oh, I insist on it.

The PRESIDING OFFICER. The reading will proceed.

The Acting Secretary continued the reading, as follows:

The English merchantman goes out to all the ports of the world loaded down with every species of human product, and returns with the selected productions of other climes, for consumption at home, either as food or raw material, or again to be re-exported to other lands having less commercial facilities than her own. Hence her successful commerce, her vast mercantile marine.

We are shut out from these markets by our higher-priced fabrics, and our vessels go out half-loaded with our more crude products, and your own commerce languishes with your merchant marine almost banished from the ocean. And why should the policy of Government be inspired by this one interest at the expense of all others?

During our civil war the East was largely devoted to manufacturing, while the West was almost exclusively agricultural, and it was largely due to the brave, adventurous spirit of our more western soldiers that success finally crowned our arms. Later still, years after the war, while struggling along in doubt and despair with our depreciated currency, it was our immense agricultural surplus, wrenched from the soil by these same hard-handed, self-sacrificing yeomanry of the West, that turned the balance of foreign trade in our favor, enabling us to resume specie payments, while these same aristocratic bounty-loving manufacturers scarcely furnished a bagatelle of their products for export.

This condition of things is inimical to the spirit of our institutions, as well as adverse to the laboring masses. The resources of government coming largely from your levy on importations not only increases their cost to the consumer but also the cost of all similar home productions without further compensation than a mere nominal increase of wages. You not only favor capital engaged in these interests, but leave all capital intact and largely exempt from all contributions to the general burdens, thus favoring the accumulation of large estates, leaving labor in the future at the mercy of monopolists, with little chance to rise. You shut out the raw materials of other nations to the prejudice of our ocean marine, leaving us for our exportation largely only our more crude productions, reversing in this respect the policy of our more enlightened European competitors.

Your cotton and tobacco, your grain and other products, exhaust our soils of vital principles, the cream of their fertility that can not be returned to them when consumed abroad, and the débris, the excrement from their consumption, goes to enrich the lands of Europe under their more careful system of husbandry. It is only seventy-five years since the center of wheat production was upon the banks of the Hudson; it has already reached the basin of the Upper Mississippi, leaving behind the old States, largely exhausted of their wheat-growing capacity; and so of cotton also.

Aside from this, I have shown an advanced condition of things to the general farmer, inimical to the keeping up and improvement of the soil. We are comparatively a new country; but already the old States have lost their virgin fertility, and nearly one-half of these lands are scarcely worth the owning.

I have always looked upon our vast Western areas as largely the living resources of future generations, rather than of our own, and that the policy of opening them up so rapidly to our exhaustive system of husbandry was all wrong. We must have something besides these crude products to meet our balance of trade with Europe; we must fabricate for others than ourselves. The crisis is already upon us, the balance of the year ending September 1, when compared with that of '81, being adverse to us by $150,000,000 nearly, leaving out of the count the precious metal. As a New Englander, I wish to see the basis of her prosperity established on a more enduring basis; in capital, skill, and resources she is prepared for the emergency that is upon us, but give her the opportunity and she will furnish her share in exportable resources to turn this overwhelming tide against us.

You would naturally expect that interests so long petted would be able to stand alone; undoubtedly most of them are, and all should be; but this system of favoritism is adverse to economical production. Extreme profits lead to extravagance of management, joint-stock corporations with their watered stock, and innumerable official positions for the whole family circle. Instead of reserving their extreme profits to tide them through adverse times, they have either been distributed in lavish dividends or perhaps been diverted to other plants, or else absorbed by a consolidation with kindred interests of doubtful value, the minor stock interest being at the mercy of the major one.

There seems a community of interest and ways among our railroad and manufacturing magnates, and all their devices are largely either for the concealment of their profits or for the perpetuation of their monopoly at the expense of the people at large.

Now, would the manufacturer suffer, especially would your more inland Western one suffer, from this reduction with a long inland line of transportation in their favor, with all their accumulated resources to sustain them? All other capital commands reduced rates, and why not this? money yielding only about half its former return? Why not place a barrier on foreign capital as well as on foreign products, or so adjust matters that people of reduced incomes shall command their necessities at reduced rates also.

If you are going to regulate and protect one interest at the expense of all others, why not equalize the damage? Better, far better, confine yourselves to your legitimate constitutional duties; let all quackery go by the board, and leave labor, capital, and interests to adjust themselves as the laws of trade demand. In the long run, individual and national prosperity lie in this direction. The motto is as pertinent to the Government as to individuals: "Mind your own business and leave others to care for theirs."

Mr. MORGAN. Mr. President, I have asked the attention of the Senate——

Mr. WILLIAMS. Will the Senator from Alabama allow me a word right there? I want simply to say that I have heard with great pleasure that argument which has been read from the only farmer who was examined by the Tariff Commission. I cordially indorse and approve of everything he has said, and if it were proper in the Senate of the United States I would here to-day propose three cheers for the farmer from Connecticut; but as I can not do that, I will commend it to the whole country, to all the tax-payers in the nation, and especially to the farmers as the best speech that has been made or will be made by any man on that side of the question. It knocks the bottom entirely out of the whole theory of protection.

Mr. MORGAN. Mr. President, I also heartily concur in the praise

of that argument which I have caused to be read. The farming people of the Southern States have in reference to this subject the same moderation of opinion that this Connecticut farmer has. Our people have no prejudice against any other class of people. We do not desire to break down anybody else; we merely desire to have a living chance and to contribute our full quota to the support of this Government under whatever system of taxation may be adopted.

Speaking now, sir, for the farmers of the South, to say nothing of any other class, I think I can claim that in all their history they have not shown the slighest disposition to aggress upon the rights of any other class of people or any other section of the country. They have been entirely content to enjoy what they could earn by hard labor, by frugality, by assiduous attention to business, by the cultivation of all the better virtues of our nature, both in respect to material prosperity and mental, social, and moral culture, and they have asked nothing of the Government except that in times of peace they might have a fair opportunity to contribute to its prosperity, and in times of war to contribute to its defense.

The agriculturists have furnished the soldiery of this country in all of its great wars. They have been made in a certain sense—I will not charge it as having been done with any purpose of breaking them down or injuring them—but from the necessity of the case they have been made a prey to all the other industries of this land; all of the middlemen have been sustained by them, and the capital employed in all the different operations of manufactures have been sustained by them. The miners and the operatives are co-operatives with them, of course, in their labors and are absolutely indispensable, but there is an immense class of non-producers in the United States who draw their subsistence entirely from the agricultural classes.

Now, sir, arrange this matter as you will, make any tariff that you can devise, and the great weight and burden of that tariff must necessarily shoulder down at last upon the agricultural class. Instead of the Congress of the United States undertaking to devise means by which this class of people can be continually made to yield larger tribute, from a motive of natural regard and gratitude to this immense power and this immense class it seems to me that we should direct our attention more than we have done to the alleviation and regulation of their burdens. Let us not, Mr. President, make wealth for one class of this country at the expense of those men who, from the very nature of their calling and from the fact that they are scattered about, each man standing upon his own little farm independent of all the rest, are unable to combine together. One millionaire with his dollars can combine ten thousand operatives under his control, and it has been said, and I dare say truly, that he can control them in almost every action of their lives, particularly in their political action.

You can not find a combination of 10,000 farmers in the United States, and since slavery has been abolished you can not find one man that controls absolutely a thousand laborers engaged in agriculture. The opportunities for combination, even for the purpose of resistance against injustice, are absolutely denied to this class of people. They can not assemble through representatives of great numbers, they can not be heard except in the way that I have had the honor of presenting one of them to the Senate this afternoon; but when they are heard they come with truths in their hands, and this gentleman in particular has come before us with an appearance of sincerity and honesty which I think commends itself to every Senator here, and as to the ability with which he has expressed himself, and with which he has handled this great subject, I think that almost any Senator on this floor will find that he has a well-matched foe when he undertakes to antagonize him.

Mr. HAWLEY. Mr. President, I rise positively with pain to say anything whatever on this matter, because I had made up my mind that I would sit still during the whole of this debate, speaking only directly to the point of a pending amendment, and I presume I ought to do so; but three Senators have done my noble little State the honor to make its capital and its farmers and its manufacturers and operatives the subject of their comments. They do well to say that Mr. Goodwin has presented his argument very well indeed. I think they do well to admit that he has done it better than they could and done it as well as any man in the Senate could present that view; certainly better than any Democrat has presented it yet in this Chamber.

Such, sir, are the farmers of Connecticut, bred under her common schools and her protective tariff. Unfortunately, however, the majority of that worthy and excellent class of citizens happen to vote the Republican ticket with great vigor and determination. That Connecticut is not a State ten or twenty thousand Republican in its annual vote is not the fault of the men of Connecticut names like Mr. Goodwin, and of Connecticut descent and of Connecticut training. I have no fault to find with what a foreign vote may bring us, for we started to admit all men, and I cling to the doctrine yet for the Chinaman or anybody else; but the majority of the Democratic vote of Connecticut does not come from men like Mr. Goodwin; it comes from that foreign element, welcome among us, which makes from a quarter to a third of our total vote. The farmers that these gentlemen do well to compliment are, a large majority of them, staunch puritan Republicans—abolitionists, a great many of them. I am happy to hear that the Senator from North Carolina is practically an abolitionist, preaching the doctrine that brought brickbats and rotten eggs twenty-five years ago by declaring for the absolute equality of all men and the payment of just wages to every man whom God made, no matter what his color or race.

I doubt very much whether our excellent friend Mr. Goodwin, who, I think, is mistaken, ever sent one pound of his products to a foreign market. I doubt whether he ever sent $500 worth of them outside even of Connecticut to a market, unless it might be some of his excellent Litchfield County mutton to the city of New York. I do not know the gentleman, and I say that upon a guess, because Litchfield County is traversed by rough mountain ridges, rising often to 3,000 feet, from which Mr. Barnum cuts his wood for his iron mines, and each of the little fertile strips of valley has in it a little stream that is vexed from its source to the sea by the wheels it has to turn in manufacturing, and a farmer can not get to the railroad and he can not get to New York or to Massachusetts without having an offer for his butter and his eggs and his potatoes and his sheep and his beef. There are towns there, hill towns, in all that region, where there happens to be perhaps not a single manufacturing establishment in the town—all are farmers.

If it were not for the manufacturing villages on their borders their farms would not sell for ten cents on the dollar of their present valuation, because they can not carry their goods any distance and get a price for them in competition with the illimitable wealth of the great West that rolls down to us and brings beef even to those very farmers' doors sometimes. They can not compete with the West in a foreign market, they can not compete with it at Cincinnati or at Cleveland or at Saint Louis or in the New York market. Their market is found at the boarding-houses of the factories and the villages that cluster around every manufacturing establishment, and there is no class of men—gentlemen very well compliment them for intelligence—who better understand that the very life-blood of Connecticut depends upon a diversified industry. A large portion of our soil is rocky and hilly, some of it delightfully fertile; but ours are a people of mixed pursuits of all kinds. I doubt whether there is an equal population in the world that makes so many different articles. In that way they get their living. Nor is there a class of people, all things considered, who have more diligently studied these questions of political economy.

I am sorry to say that one of the Senators who has spoken has exhibited a very remarkable misapprehension of some of the ordinary figures of commercial reports. I am afraid in the good Old North State, of which I shall always speak with respect as the State of my mother, there are very few establishments that have occasion to quote stock above par. I am afraid it has a very limited number of corporations of any kind that have occasion to quote stock of any sort. It is too exclusively an agricultural State. The honorable Senator from Massachusetts has well called attention to the water-power there, that surpasses Holyoke and Lawrence, unimproved.

The Senator from North Carolina quoted from a paper which I judge he thought to be one that I owned a part of, from the way he looked over to me and inquired, and of course therefore the market reports are correct in it. He quoted the Hartford Carpet Company as having made a dividend of 257 per cent., and then, on further examination, he decided that was the market price of the stock and that there must be something extraordinary about a concern whose stock was up to 257. The explanation is very simple indeed. That concern failed some years ago; it went down with an overwhelming crash in utter bankruptcy, after having struggled under some of the ablest managers that New England has ever given to any manufacturing establishment. It passed into the hands of the predecessors of the present holders, many of them the present holders, at less than one-third, less than one-fourth of what it had cost. The capital of that concern to-day, which is a million and a half (it may be just a fraction above or below, but I think it is just a million and a half), represents property that could not be replaced for $5,000,000. Put it even at four and a half millions and the present dividend is about 5 per cent.; the regular stated dividend is at present about 5 per cent. on the true, honest cost and value of that concern. The company may be able to make a 16 per cent. dividend. It looks very large, but nobody is able to get that stock without paying from 250 to 280 for it. There is no violation of sound principles of political economy in that. There is nothing for which those aristocratic corporators are in any respect to blame. They are wisely, most indefatigably managing that concern, and they give employment to and make a market for many thousands of people around them, including the farmers in that portion of the country who bring their products to market at Thompsonville.

I am a little surprised that gentlemen seem to think that transportation is a blessing and a profit instead of being as it truly is a burden and a loss. What good does it do anybody to carry the products of the farmers of this New World 3,000 miles across the ocean? What good does it do anybody to bring the articles there purchased 3,000 miles back across the ocean? Not one farthing of value, nothing of usefulness, is added to either in the transportation. It is a dead loss to everybody engaged in it except the carriers. If it can be avoided—it is a supreme folly if there be any reasonable way by which we can avoid it and bring the consumer and producer as next-door neighbors to each other. It would be just as foolish to employ commerce to exchange

these products as it would be to carry a stone on one side of a meal bag and corn on the other on the way to the mill.

Let us suppose a town of farmers on one side of a mountain, and upon the other side a town of manufacturers, cabinet-makers, blacksmiths, weavers, carpenters, and all that class of men. There is naturally enough started between them a long string of wagons which will cross the mountain from one side to the other and back again. That is commerce. It is very delightful, it is profitable doubtless to the wagoners, it is absolutely indispensable to the people of the two towns, one on each side of the mountain. But by and by some radical protectionist discovers that it would be a good thing to bring over some of the mechanics and manufacturers to the farming town and take some of the farmers over to the other town. The moment that is done, down with a crash goes this invaluable commerce, the one hundred six-horse wagons are for sale, for they are no longer needed, and the people of the two towns become thousands of dollars richer by being able to dispense with the cartage between the two places.

On a larger scale that is just exactly international commerce. There is no more reason in the world why we should carry wheat, corn, beef, pork, and flour from the Ohio, Mississippi, and Missouri Valleys over to Europe to buy there our cotton and woolen goods than why the two towns of which I have spoken should continue, one wholly farming and the other wholly manufacturing, within five miles of each other but with a mountain between. There is no more reason than there would be in putting a grindstone in one end of the meal-bag and the corn in the other. That is the very foundation of the rightfully taught doctrine of protection, and that is all there is to it.

There has been a great deal said about my people one way and another. The Senator from Alabama intimated just now that some of the manufacturers could employ or did employ perhaps 10,000 people whom they governed and controlled in all the relations of life, even including their votes. What a monstrous misconception that is! I do in all sincerity invite the Senator to come and spend a fortnight with me next summer; but I would not introduce him to one of those very intelligent and numerous audiences of Yankee farmers and mechanics by reading that extract from his speech. They would resent it as personally offensive to them. There is no manufacturer nor any man, bishop or king, much less statesman or politician, who can control their votes. The man who wants their votes must address them with as much courtesy and even a little more care as to expressions than he would use in the Supreme Court of the United States. It is distinctly understood among them that they vote as they please. It so happens that some of our largest and most prosperous manufacturing towns give a heavy democratic majority with aristocratic, grasping, dominating, slave-holding manufacturers sitting right by and looking on utterly helpless, and they see elections go in a manner that they sincerely believe to be for the destruction of their own business sometimes.

A manufacturer will see two, three, or four hundred men march out of his shop doors at noon and go and vote between 12 and 1 o'clock so that they may lose no time, and every one of them vote in opposition to the party that he believes necessary for the wise government of the country. I can not say that they vote free-trade doctrine, for I am happy to say that the free-trader is very scarce indeed in Connecticut in every party. Mr. Goodwin appears as one. It is a name long honored in the State. My people have tilled that soil for two hundred years, and my grandfather and his grandfather and his grandfather before him never had time to write an essay as long as that in the summer months, during which it was written. I doubt very much whether Mr. Goodwin earned his money and earned his leisure and earned his farm in the pursuit of farming in Connecticut.

Several Senators have spoken as if our operatives there were very much oppressed, and as if somebody else took all the profits of the business. Some gentleman read a proposition, or what would be a proposition if he could see any practicable way of carrying it out, to divide the enormous profit of 50 per cent. that the manufacturers make, with the laborer. Do not let him be alarmed about these people not getting their share of whatever good is going on. They know what the manufacturer makes. We have never had a serious strike in my State. Whenever the manufacturers see that they can fairly afford to raise the prices of labor, they are pretty apt to be informed of it, but in a great many cases they anticipate the workmen, and are willing to grant it, and then they have within their power the proposition to ask them to permit a reduction when the time for it comes. I know village after village where the wages rise and fall with the prosperity or decadence of business, without disturbance of any kind whatever. The operatives manage under the wisdom of that arrangement to get what is practical cooperation, a fair share of the profits of the business.

Let us see whether this shows in any other respect in my little State. Our population is 622,000 by the last census. I will not go into statistics except in one little matter. We have eighty-five savings-banks, as shown by the official report, in which the total deposits are $80,522,000 and $3,435,000 interest due, making due the depositors $84,000,000 at the last annual report. The number of depositors having $500 or less—this is scattered among the poor people—is 176,963. The amount of such deposits is $21,000,000; depositors having over $500 and less than $1,000, 24,000, one-sixth of the other number. Not to read further but to give a summary, the total number of depositors is 225,366 out of 622,000 people, and $84,000,000 is due these operatives, these grounddown operatives, the people who are made to vote and work as their masters please!

I have heard it said in my town that the Irish girls own the city. There is bank after bank there, and one with which I had a nominal connection for a time, has $8,000,000 deposits, and these operatives, of which so much has been said in a deprecating way as not knowing how to get what was due them for wages, had the majority of that sum in their possession, and nearly every place in Hartford was mortgaged more or less for funds taken from these various savings-banks. The money on deposit amounts to $130 apiece for every man, woman, and child in Connecticut, and it amounts to $370 apiece for the 225,000 depositors. Sir, I am very proud of this record. There are very few people who can show such a wholesome diffusion, I will not say of wealth, but of something of the means of comfortable living.

A word or two as to the foreigners who come to us. When they get here they do not come, the majority of them, from what may properly be called the pauper labor of Europe, because they had enough to get here and in many cases they had some well-known means of getting a living. They come here and perhaps at first are willing to be employed at a less price than the American mechanics and operatives whom they find around them, because they can live upon a lower scale, and are very glad to get a sum which seems so much larger than what they got in their old homes, but only a short time elapses before they demand, and will have, of course, as they get accustomed to their work, all that anybody gets. For a time they save money faster than any Americans, but very soon the young girls desire to dress as well as anybody in going to church, and the boys at school must have their sleds and bats and school-books, and there must be a carpet in the house, and some engraving on the wall and a good Yankee clock there also, and so on and so on, and in two or three years the home is transformed and they are living like Yankee mechanics and operatives, and spending just as much money as they; and it is they also who are keeping up this $84,000,000 of deposits, which they use to bring over more and more people of that sort, and I am very glad of it.

I may say that by the second generation a great many of them lose the principal characteristics which distinguished them as foreigners; you can not tell them from our own people. I know well a place, and it is an illustration of what has occurred in a million cases, where thirty years ago, in a small cabin by the side of a railroad, an Irishman and his wife, industrious people, lived. They have gone; but one of the sons is one of the best dentists to be found in Connecticut; one of them has been a superintendent on the railroad; one of them is a successful lawyer, and the other an admirable telegrapher. Those are the four black-haired Irish boys who came out of that cabin thirty years ago. That is the immigration we desire to bring and that is the kind of transmutation that common schools and protective tariffs bless the poor people of Europe with.

Mr. HARRISON. I believe it was agreed that the paragraph under consideration should be passed over at the request of the chairman of the Committee on Finance.

The PRESIDENT *pro tempore*. That was the understanding.

Mr. HARRISON. Then I desire to offer an amendment, to come in after line 474.

Mr. VANCE. Do I understand the Chair to say that the paragraph has been passed over?

The PRESIDENT *pro tempore*. So the Chair understands, by agreement.

Mr. VANCE. It has been passed over for the present by agreement?

The PRESIDENT *pro tempore*. Yes, sir. The amendment of the Senator from Indiana [Mr. HARRISON] will be reported.

The ACTING SECRETARY. At the end of line 474 it is proposed to add:

Fluted, rolled, or rough plate-glass, not including crown, cylinder, or common window-glass, not exceeding 10 by 15 inches square, 75 cents per 100 square feet; above that, and not exceeding 16 by 24 inches square, 1 cent per square foot; above that, and not exceeding 24 by 30 inches square, 1¼ cents per square foot; all above that, 2 cents per square foot. And all fluted, rolled, or rough plate-glass, weighing over 100 pounds per 100 square feet, shall pay an additional duty on the excess at the same rates here imposed.

Mr. BECK. Is that to be an independent amendment or part of the paragraph which has been passed over?

Mr. HARRISON. It is an independent paragraph to supply an omission.

Mr. MORRILL. I may say that the Tariff Commission entirely omitted the description of rough plate-glass, and it was also omitted by the Committee on Finance.

Mr. HARRISON. In offering this amendment I have simply taken the existing law, which I have copied literally as it stands upon the statute-book to-day. It is not introducing into the tariff-list an article which has been upon the free-list, nor is it an attempt to increase the duty that now exists upon this unpolished glass.

I desire while I am upon the floor and this amendment is pending to call attention to a few facts in relation to the manufacture of window-glass, as some assault has been made upon those duties in anticipation,

for we have only now arrived at this article in the list. I have before me Census Bulletin No. 118, which is devoted to a consideration of the manufacture of glass. Upon the second page of that bulletin I find the statistics as to the manufacture of plate-glass in the United States in the census year.

There were six establishments only. The capital invested was $2,587,000; the material used in the manufacture amounted to $438,457; the wages paid, $292,253. In other words, the aggregate of material and wages in this manufacture was $730,710. The total value of the product is stated here to be $868,305, leaving a surplus of $137,595 to represent the profits of this business, provided we do not take into account those items of the cost of manufacture which were alluded to the other day by the Senator from Maine. This includes simply the two items of material and labor. It does not include the item of insurance, the item of the wear and tear of machinery, the item of freights or commission, nor taxes. All these items are omitted. I have no means of ascertaining what should be added on that account, but if we were to calculate the profits here simply, as the Senator from Kentucky has done in the discussion of kindred questions, it must be apparent to the Senate that the profit realized upon the manufacture of plate-glass is, as Mr. De Pauw in his statement to the commission fixes it, not more than 5 per cent.

Mr. WILLIAMS. Will the Senator be interrupted if I ask him a single question right there?

Mr. HARRISON. Not at all.

Mr. WILLIAMS. I notice in all the speeches made by the friends of protection here every Senator without a single exception who has undertaken to give the profits of manufacturing has set down the amount of material purchased, the cost of the labor employed, and the amount of production sold. If you take the cost of the material and the cost of the labor from the gross amount sold, it certainly leaves the gross profits of the concern. Now, I say not one single one of you, from the beginning of this discussion to the present moment, continuing all during the last session of Congress, has attempted to give a detailed statement of the other cost connected with the manufacture of wool, iron, cotton, or any other subject. They give us the gross profits.

Mr. HARRISON. The Senator from Kentucky advises us with considerable pride that he is a farmer. I fear that if he were a manufacturer at the head of any manufacturing concern, and undertook to declare a dividend upon the residue left after deducting the cost of the material and the cost of the labor at the end of the year, he would have a bankrupt establishment on his hands before very long.

Mr. WILLIAMS. May I say to the Senator that I am a farmer? I keep an account of all the stock I buy, of all the labor I hire, and an account of everything I sell, and taking one from the other is my gross farming profit. That is the way I make my calculation, and that is the way the calculation of the manufacturing establishment is made. Whatever is the balance left to me, I call the profit on my farm.

Mr. HARRISON. The Senator from Kentucky is giving us an account of how he keeps the profit and loss account in farming. I think that if in the beginning of the year he paid $100 for an animal, and that animal died during the year, he would probably take that loss into account when he came to make up his profit and loss. Just so in every manufacturing establishment. There is machinery that is wearing out. It constituted at the beginning of the year a part of the plant; it is exhausted during the year, and yet it does not enter either into the item of wages or material.

The percentage of waste in running any establishment is very great, and no prudent man, no man who understands how to keep such an account, would fail at the end of the year to take that into consideration. I think he would also take into account the item of taxes paid on moneys invested. These great establishments pay very large sums in the way of local and municipal taxes. Would not the Senator deduct them, or would he regard that money as cash in the treasury and divide it to the stockholders at the end of the year? It is perfectly plain to every one who will think of it for a moment that the items mentioned, the wages and materials, do not by any means constitute the entire aggregate which should be deducted from the gross product of the year in order to ascertain the actual profits.

Mr. WILLIAMS. I say to the Senator, if I should calculate all my traveling expenses, hotel bills, and expenses at the springs in the summer, I would not make one-half per cent., nor would anybody; but the true way to make the calculation is what you get more than you pay out. That is the way to keep every account, and it is a fair statement.

Mr. HARRISON. The Senator is exactly right, but he leaves out of account much that he must pay out every year.

Mr. WILLIAMS. If a further detailed statement is required to show the exact profits of the concern, why do Senators who advocate the system not give it to us? Not one of you have done it, although you have been discussing this question now for twelve months.

Mr. HARRISON. I submit it is clear to every Senator who will think for a moment that in addition to the items of material and labor there are deductions which must be made from the gross profits of the year in order to arrive at the true net profit. I have stated that the profit, after taking out these two items only upon the two and one-half millions invested in the plate-glass business, was only $137,000.

I want to say only a word or two further about this industry.

Mr. WILLIAMS. I will ask the Senator if he does not take out of that the salary of himself and his sons and his kinfolk who are president and vice-president and secretary and clerk of this establishment and all that sort of thing? The very establishments themselves have to pay these large salaries, and I ask if he does not take them out of the net profits?

Mr. HARRISON. In running any incorporated concern undoubtedly the salaries paid to officers must be deducted. That would not be true in any business conducted by a mere partnership. In this industry it is true—I challenge contradiction—that up to so late as the year 1875 no plate-glass establishment in America had made one dollar. They had made losses up to that year. There had been no profit made by any one engaged in this manufacture. Up to that time the single establishment at New Albany had sunk more than half a million dollars. It has been made successful simply by the energy and determination of Mr. De Pauw, by the fact that he spent a long time in Europe inquiring into the methods of their manufacture, and by the fact that he had to borrow the money he sunk until he made the business remunerative, and then in a very low degree. Here is an industry, then, that under the tariff under which we are now operating has not realized, since it began to pay, any profit over 5 per cent. to those who are pursuing it.

The statistics are given also as to the amount paid for labor here and abroad. I will not detain the Senate to read the details, but it is true to-day that the different classes of operatives in these glass-works are paid twice the wages that the same class of laborers in England receive in England and three times as much as they receive in Belgium and France.

The question is put sharply and clearly in the shape of this industry. It is not asking any increase of the tariff, it is asking simply that the present duties may remain as they are. Is it too much that they ask, when under the protection of these duties there has not been in any year since 1879, when the first profits were realized, over 5 per cent. realized on the capital invested by any one? Does any Senator believe that if these duties are lowered the industry can be continued at all with as narrow a margin of profit as 5 per cent.? Does any Senator believe that any reduction of these taxes would not absolutely close, and speedily close, every manufactory of plate-glass in the United States?

This is no case of a monopoly; this is no case where under a protective duty men have accumulated fortunes; it is a case where capital has been but poorly remunerated, and where I dare say there is not one of the establishments as this evidence shows which has recovered the actual losses it incurred in starting the business.

In addition, it appears in evidence here as to the cost of this material, plate-glass, that some description of it is not more than one-third what it was when the tariff duty was imposed; other descriptions of it are not selling for more than one-half. I move this amendment and make this plea in behalf of an industry that is scarcely upon its feet; an industry that will inevitably be brought down to a narrow margin of profit to those who now conduct the business and who are most careful and best skilled in the manufacture of plate-glass, and if that margin is removed by any reduction of duty it is the end of the business.

The PRESIDING OFFICER (Mr. MILLER, of California, in the chair). The question is on agreeing to the amendment of the Senator from Indiana. [Putting the question.] The "ayes" seem to have it. The "ayes" have it.

Mr. COKE. I ask for the yeas and nays. ["No!" "No!"]

Mr. ALLISON. I think the Senator from Texas did not hear the explanation of the Senator from Indiana, which is that this is an omitted article, and is put into the bill at the same rate now provided by law.

Mr. HARRISON. Precisely. My amendment is an exact literal copy of the statute as it stands now.

Mr. ALLISON. It was omitted in the schedule of the present bill.

Mr. GEORGE. What was omitted?

Mr. MORRILL. Rough plate-glass was omitted by the Tariff Commission and then omitted by the Finance Committee, which did not discover the omission until after the bill was reported.

Mr. VANCE. I should say, then, it was not very badly needed if people forget it, if it escaped the committee.

Mr. SHERMAN. It would have been covered by a higher rate if it had not been.

The PRESIDING OFFICER. The Chair understands that the Senator from Texas does not insist upon a call of the yeas and nays, and the amendment is agreed to.

Mr. BUTLER (at 5 o'clock and 17 minutes p. m.). I move that the Senate adjourn.

Mr. HARRISON. Was the vote announced on my amendment?

The PRESIDING OFFICER. The amendment is adopted.

Mr. MORRILL. I hope the Senator from South Carolina will allow us to finish this schedule. There are but two items more to be voted on, I believe.

Mr. BUTLER. I do not think we shall be able to do that this evening.

Mr. MORRILL. I think it will take but a moment.

Mr. SHERMAN. And then we can adjourn.

Mr. BUTLER. I do not like to be disobliging to the Senator from

Vermont, but I have no idea we can finish this schedule to-night. It is getting dark and is very cold, and my friend from Alabama [Mr. PUGH] says it is slippery out of doors.

The PRESIDING OFFICER. Does the Senator from South Carolina insist on the motion?

Mr. BUTLER. I will withhold it for the present.

The PRESIDING OFFICER. The motion to adjourn is withdrawn, and the reading will proceed.

The next item, from line 475 to line 483, inclusive, was read, as follows:

Cast polished plate-glass, unsilvered, not exceeding 10 by 15 inches square, 3 cents per square foot; above that, and not exceeding 16 by 24 inches square, 5 cents per square foot; above that, and not exceeding 24 by 30 inches square, 8 cents per square foot; above that, and not exceeding 24 by 60 inches square, 20 cents per square foot; all above that, 40 cents per square foot.

Mr. MORRILL. I desire to say that it was the intention of the Committee on Finance to make this precisely according to the present duties, but there was a misprint in the document that was ordered to be printed by the Senate, which misled the committee. The rate on line 481 should be 25 cents, and on line 482, 50 cents. I therefore move, in line 481, after "twenty," to insert "five," so as to read "25 cents per square foot;" and in line 482 to strike out "forty" and insert "fifty," so as to read "all above that, 50 cents per square foot."

Mr. MORGAN. I should like to ask the chairman of the committee why it is that a specific duty is put on this article, inasmuch as there appears to be no classification in the article itself, but only in the number of square feet?

Mr. MORRILL. This has been the duty for a good many years.

Mr. MORGAN. I understand that.

Mr. MORRILL. We merely propose to reinstate it exactly as the law now is.

Mr. MORGAN. Would not an ad valorem duty give the people here the benefit of a reduction of prices abroad?

Mr. MORRILL. The large size glass articles are expensive and are luxuries, and bought only by those who are amply able to pay for them.

Mr. MORGAN. I know that, and the merchants of course charge up the duty on their customers. I merely wanted to know why it is that a specific duty is made applicable to this description of product. It seems to me an ad valorem duty would be more appropriate.

Mr. INGALLS. It is only 120 per cent. ad valorem.

Mr. MORGAN. That is all. I do not object to the amount of duty, it is only the way of putting it. If there should be any reduction in the prices of foreign manufacture, it seems to me our people ought to have the benefit of it.

The PRESIDING OFFICER. If there be no objection the item will be considered agreed to.

The next item was read, being to insert, from line 484 to line 492:

Cast polished plate-glass, silvered, or looking-glass plates, not exceeding 10 by 15 inches square, 4 cents per square foot; above that, and not exceeding 16 by 24 inches square, 6 cents per square foot; above that, and not exceeding 24 by 30 inches square, 10 cents per square foot; above that, and not exceeding 24 by 60 inches square, 35 cents per square foot; all above that, 60 cents per square foot.

Mr. BECK. I only desire to say that in that provision, "above 24 by 30 inches, and not above 24 by 60," the rate is 80 per cent. I am not sure that attention was called to it or whether anybody objects to that high rate, but that is the rate we are fixing.

Mr. VANCE. I think it would be but fair, if we leave open one paragraph for the benefit of the chairman of the committee, that this paragraph should be also left open.

Mr. MORRILL. I will say to the Senator from North Carolina that we shall come back again to the cylinder and common glass, and I should be glad to get through with this schedule to-night. This clause proposes exactly the rate of duty which now exists, and does not make an addition, as we have done upon crockery, in consequence of the withdrawal of the duties which have been heretofore imposed upon packages and upon inland transportation and various other charges.

Mr. VANCE. The chairman of the committee did not hear all I had to say.

Mr. MORRILL. This will really be a reduction in point of fact and practically of not less than 10 per cent.

Mr. VANCE. I simply wanted to suggest that it would be fair to the rest of us that after we have disposed of the reserved items we might have the privilege of offering any amendment that might then be necessary in the subsequent paragraphs.

The PRESIDING OFFICER. That right will exist in the Senate.

Mr. MORRILL. The Senator will have an opportunity to do that in the Senate hereafter, if he chooses.

Mr. BECK. There was one paragraph passed over that I desire to call attention to. The Senator from Alabama asked a question about it. We propose to increase all not above 24 by 60 to 25 cents, which is a large importation. All above that we had made it 40 cents per square foot in committee, and have just now made it 50 cents. That appears by the official returns to be 120.93 per cent. I was anxious to hear something about that and thought that was one of the reserved questions.

Mr. MORRILL. No, sir.

Mr. BECK. Then I insist that we shall have an explanation of that. The committee made it 40 cents.

Mr. MORRILL. By accident; for we intended to make it precisely according to the present law, and if there had not been a misprint in the document it would have been so made originally.

Mr. BECK. The fact that we did not have the document before us and passed over it was one of the reasons why I supposed it would be be passed over now and come up to-morrow morning.

Mr. MORRILL. We had the document that was misprinted before us; the first one that was published.

Mr. BECK. Is there an error in the print of 120.93 per cent.?

Mr. MORRILL. I do not know as to that, for I have made no computation.

Mr. BECK. That is the way it appears in the table I hold in my hand. If it is in fact 120 per cent., I think we ought to look at that in connection with the other matter in the morning. That seems to me to be a very unreasonable percentage.

Mr. HARRISON. What line is the Senator calling attention to?

Mr. BECK. Line 482, which the committee made 40 cents per square foot, and it is now said to have been a mistake in making it 40, all above 24 by 60 inches. That is larger than all the others put together.

Mr. CALL. How much is it decreased?

Mr. BECK. We lowered it from 50 to 40 cents, the present rate of duty being 120.93 per cent., but now it is suggested to go back to 50 cents and still keep that rate up. As we are looking over some of the other items, I should like to look at that in the morning.

Mr. MORRILL. I only desire to make a little progress each day. It is so small that I can hardly see it when I come here again next morning.

Mr. BECK. That involves an importation of $601,663 in value, and the duties collected amounted to $727,609, showing that we collect $126,000 more duty than the article itself was valued at. I thought that was one of the things we were to look at hereafter, and that is the reason why I was not paying as much attention at the moment as I otherwise would have done. That seems like an enormous duty, being $126,000 more money in duty than the articles themselves are worth. I should like to look at it. It may be all right.

Mr. VOORHEES. I have not the figures at hand; I had them at one time; I have had them hunted for this afternoon, but without finding them. The figures as I saw them and estimated them made the percentage that the Senator speaks of as 120 about 55. I think there is an error, but I am not prepared to demonstrate it by figures at this moment. I think that is a mistake. I know that when Mr. De Pauw was here he insisted that the rate would not be over 55 per cent. upon the article which the Senator from Kentucky now speaks of, and he submitted his figures in proof of his statement, but I have not got them now.

Mr. BECK. That is an additional reason why we should pass over the item until to-morrow morning.

Mr. VOORHEES. I am not combating that.

Mr. BECK. I thought at the time the Senator from Alabama asked a question in regard to that particular item.

Mr. MORRILL. At the request of a member of the committee I can not refuse to leave the item unacted on to-night, but I want to finish the schedule before we adjourn.

Mr. BECK. If it turns out right I shall have nothing to say.

The PRESIDING OFFICER. The paragraph has been already amended.

Mr. MORRILL. Would it not suit the Senator from Kentucky as well to regard the item as agreed to, and hereafter when the bill comes into the Senate the item will be open to amendment?

Mr BECK. No, because if there is a mistake in it, as the Senator's colleague on the committe thinks there is after looking at the figures, and as he has said to members of the committee he is advised, I think we ought to look at the matter if he finds them in the morning. If he does not, and still further time is desired, it might be reserved in the Senate; but I should like to leave it open until to-morrow morning. I think that would be satisfactory to the Senator from Indiana [Mr. VOORHEES]

Mr. VOORHEES. Yes.

The PRESIDING OFFICER. The Senator from Kentucky suggests that action be reserved on this clause ending with line 482.

Mr. BECK. That portion which changes the rate from 40 cents to 50 cents.

The PRESIDING OFFICER. It will be reserved until to-morrow if there is no objection. The Chair hears none.

The item from line 493 to line 497 was read and agreed to, as follows:

But no looking-glass plates or plate-glass, silvered, when framed, shall pay a less rate of duty than that imposed upon similar glass of like description not framed, but shall be liable to pay, in addition thereto, 30 per cent. ad valorem upon such frames.

The following item, from line 498 to line 502, inclusive, was read:

Porcelain and Bohemian glass, painted glass-ware, stained glass, and all other manufactures of glass or of which glass shall be the component material of chief value, not specially enumerated or provided for in this act, 45 per cent. ad valorem.

Mr. ALLISON. That is an increase of 5 per cent. I suggest to the Senator from Vermont that must be a mistake. It is 40 per cent. now.

Mr. BECK. It is now 40 per cent.

Mr. MORRILL. But it is only an increase of 5 per cent., and the deductions to be made from the duty in consequence of packages, &c., will be more than 5 per cent.

Mr. PLATT. It is a reduction of 5 per cent. from the recommendation of the Tariff Commission?

Mr. MORRILL. Yes.

Mr. PLATT. The Tariff Commission recommended that it be 50 per cent.

Mr. ALDRICH. This is the same rate as recommended by the Tariff Commission.

Mr. ALLISON. I am speaking of the existing law. The existing law is 40 per cent.

Mr. ALDRICH. The increase was made on account of the difference made by taking off the duty on packages and inland freight.

Mr. ALLISON. I merely call attention to it. I understood the Senator from Vermont to say it was the intention to leave this article just as the existing law leaves it.

Mr. MORRILL. That was as to plate-glass.

Mr. BECK. The present rate of duty is 40 per cent. or 45 per cent., depending upon how you count it! This is 12½ per cent. increase in the duty, 5 per cent. upon the value of the article. We obtain now upon that class of articles $698,449.68 in revenue, and if we import at the rate of duty proposed the same quantity we have imported this year we shall obtain $782,041, an increase of $83,592 on the same amount, making on this whole schedule taken together a very large increase—I have not figured it up, but somewhere near a million of dollars increase, about as much increase on this little schedule as we take off all the chemicals put together. Unless it is necessary for some purpose, I hardly see why that should be done, and unless there is great urgency about voting on it now I should like very much to have it looked at carefully in the morning with the other classes in the schedule, to see whether we ought to increase this item to 45 per cent. I do not think we ought. I think 40 per cent. is enough on the unenumerated articles. I wish the vote may not be taken on this now.

Mr. SEWELL. I desire to add "chemical glass-ware" to the schedule under consideration. It is the finest glass manufactured in this country at the present time. It is about as thin as a wafer, and is made for chemical tests. I move to amend by inserting after "Bohemian glass," in line 498, "chemical glass-ware."

Mr. MORRILL. It would be included in the last part of the clause.

Mr. SEWELL. I would prefer to have it named in the schedule.

Mr. BECK. That may be all very proper; but what I desired to call attention to was this: The clause is "porcelain and Bohemian glass-ware;" the amendment now adds "chemical glass-ware" and "painted glass-ware." Perhaps if we were hunting for revenue these things might stand 45 per cent. ad valorem; but in connection with that is "all other manufactures of glass or of which glass shall be the component material of chief value, not specially enumerated or provided for in this act;" no matter how plain it may be, no matter how common it may be, it is to be increased from 40 to 45 per cent., or 12½ per cent. added to the present rate. I am not sure but that "porcelain and Bohemian glass and painted glass-ware," together with the amendment of the Senator from New Jersey, might not be included in a class that perhaps if we desired to raise revenue, being hard pushed, might be put at 45 per cent.; but surely the unenumerated articles, many of which may be of a very cheap character, ought not to be raised above the present rate unless there is some very special reason for it.

Mr. SEWELL. I will say to the Senator from Kentucky that the glass-ware which I desire to put in the clause is used for chemical tests. It is of a very fine quality.

Mr. BECK. This provision, according to the classification sent us by the Treasury Department, is a substitute for a large number of things, all of which are specially named, and we ought to look at it closely to see whether we can afford to have 45 per cent. on all of them. If the Senate is about to adjourn, as I am told it is, it may not take long in the morning. I have nothing to say about it now, but I should like to look at it and see whether we ought to make two classifications of this clause or not.

Mr. MORRILL. If the Senator from Kentucky persists, I shall again appeal to the Senate. I now offer a resolution, which I shall call up on Monday morning for the consideration of the Senate.

The PRESIDING OFFICER. Is it understood that this paragraph is passed over until to-morrow?

Mr. MORRILL. I suppose so.

The PRESIDING OFFICER. If there be no objection that will be done. The amendment of the Senator from New Jersey [Mr. SEWELL] is left pending.

The Acting Secretary read the resolution of Mr. MORRILL, as follows:

Resolved, That on and after Monday, January 22, the Senate will take a daily recess from 5½ o'clock p. m. to 7½ o'clock p. m., until otherwise ordered.

The PRESIDING OFFICER. This resolution lies over.

Mr. BECK. I can sit as long as anybody, but it seems to me that is pressing us rather hard.

Mr. VANCE. I am not so anxious to have my constituents taxed as to be willing to sit up all night to do it. We can impose as many taxes on them in daylight as they are willing to pay.

The PRESIDING OFFICER. The resolution goes over until to-morrow.

Mr. SEWELL. I ask if there is any objection to my amendment being considered now?

Mr. MORRILL. I have none whatever.

The PRESIDING OFFICER. The question then is on the amendment of the Senator from New Jersey [Mr. SEWELL].

Mr. ALLISON. I ask the Senator from New Jersey if the class of glass that he speaks of now is not already enumerated in some of these schedules?

Mr. SEWELL. It is not.

Mr. ALLISON. If it is not, that special class will come in under the general unenumerated head.

Mr. SEWELL. I prefer to have it enumerated in this schedule.

Mr. WILLIAMS. I move that the Senate do now adjourn.

Mr. HARRISON. I hope the Senator from Kentucky will allow this amendment to be put. It will not take a moment.

The PRESIDING OFFICER. Does the Senator from Kentucky yield?

Mr. SEWELL. The manufacture of this acticle is very important.

Mr. WILLIAMS. If the Senator will renew the motion I will withdraw it for the present.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey [Mr. SEWELL].

Mr. BECK. I shall object to the amendment of the Senator from New Jersey at present. I am willing that this language shall be inserted in connection with the Bohemian glass, but I am not willing to have a vote on that class now without seeing whether the unenumerated articles are put too high.

Mr. SEWELL. I only want my amendment put in connection with the Bohemian glass. The rest of the clause can be left until to-morrow if the Senator desires.

Mr. BECK. I do not know that I object to adding those words.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey.

The question being put, there were on a division—ayes 18, noes 11.

The PRESIDING OFFICER. There is not a quorum voting.

Mr. MORRILL. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 41 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January* 19, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, communicated resolutions of the Senate upon the announcement of the death of Hon. JOHN W. SHACKELFORD, late a Representative from the State of North Carolina.

The message also announced that the Senate had agreed to the resolution of the House to print extra copies of the bill (H. R. 7313) to impose duties upon foreign imports, with the accompanying reports.

The message further announced that the Senate had passed a bill of the following title; in which the concurrence of the House was requested:

A bill (S. 2370) to amend section 3780 of the Revised Statutes.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House was requested, the bill (H. R. 3575) to increase the police force of the District of Columbia, and for other purposes.

AMENDMENT TO THE CONSTITUTION.

Mr. MOORE, by unanimous consent, introduced a joint resolution (H. Res. 321) proposing an amendment to the Constitution of the United States rescinding Article XI of the present Constitution, and providing for the enforcement of the obligation of contracts entered into by any State of the Union; which was read, as follows:

Resolved by the Senate and House of Representatives (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and is hereby, proposed to the States, to become valid when ratified by the Legislatures of three-fourths of the several States as provided in the Constitution:

ARTICLE XVI.

SECTION 1. That Article XI of the present Constitution be, and the same is hereby, rescinded.

SEC. 2. That Congress shall have power to provide by appropriate legislation for the legal enforcement of the obligation of contracts entered into by any of the States of this Union.

The joint resolution was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MARY JANE VEAZIE.

Mr. SINGLETON, of Mississippi. I ask unanimous consent to have taken from the Private Calendar for present consideration the bill (S. 566) for the relief of Mrs. Mary Jane Veazie.

The bill was read, as follows:

Be it enacted, &c., That the sum of $4,400 be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, to pay Mrs. Mary Jane Veazie, of Natchez, Mississippi, for property taken for the use of the United States troops stationed at Natchez, Mississippi.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. HISCOCK. I ask that the report, if there is one, be read.

Mr. PEELLE. Has this bill been considered by any committee of this House?

Mr. BURROWS, of Michigan. I object.

The SPEAKER. Objection being made, the bill is not before the House.

WILLIAM H. LOOMIS.

Mr. SPAULDING, by unanimous consent, introduced a bill (H. R. 7320) for the relief of William H. Loomis; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BANKRUPTCY.

Mr. HUMPHREY, by unanimous consent, presented the following memorial of the National Board of Trade with reference to the enactment of a law on the subject of bankruptcy; which was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD.

To the Senate and House of Representatives of the United States:

The memorial of the National Board of Trade respectfully sheweth:

That at a meeting of the board, held in the city of Washington, on the 17th of January, 1883, the following preamble and resolutions were unanimously adopted:

Whereas the National Board of Trade has heretofore affirmed the necessity of a general bankrupt law; and

Whereas it is generally admitted that the bill known as the Lowell bankruptcy bill has been carefully constructed to this end, and has received the approval of the great majority of the mercantile organizations of the country; and

Whereas this bill is now before the Senate of the United States for its final action: Therefore,

Resolved, That the National Board of Trade again affirms its opinion as to the existing necessity for a general bankrupt law, and believing that the Lowell bankruptcy bill will meet this admitted necessity, it urges the passage of this bill at this time as a wise and beneficent measure.

Resolved, That this preamble and these resolutions be sent to both Houses of Congress.

In behalf of the National Board of Trade.

FRED. FRALEY,
Of Philadelphia, President.
HAMILTON A. HILL,
Of Boston, Secretary.

WASHINGTON, *January* 18, 1883.

WAR CLAIMS.

Mr. HOUK, by unanimous consent, reported from the Committee on War Claims a bill (H. R. 7321) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department; which was read a first and second time, ordered to be printed, and recommitted.

LIGHT-SHIP AT CAPE HATTERAS SHOALS.

Mr. HEWITT, of New York (by Mr. HISCOCK), presented, by unanimous consent, the following petition of underwriters, merchants, and masters of vessels engaged in the coasting trade of the United States, praying an appropriation for stationing a light-ship on the outer side of Cape Hatteras Shoals; which was referred to the Committee on Appropriations, and ordered to be printed in the RECORD:

To the honorable the Senate and House of Representatives, Washington, D. C.:

We, the undersigned underwriters, merchants, and masters of vessels engaged in the coasting trade of the United States, believing that a light-ship, stationed on the outer side of Cape Hatteras Shoals, would be of great service in navigating along that part of the coast, and, largely to lessen the risk of disaster, respectfully pray that your honorable bodies will make the appropriation for this purpose, the same to be expended under the direction of the honorable Secretary of the Treasury, as president of the Light-House Board.

REAR-ADMIRAL J. W. A. NICHOLSON.

Mr. FLOWER, by unanimous consent, introduced a joint resolution (H. Res. 322) authorizing Rear-Admiral J. W. A. Nicholson to accept a medal conferred upon him by the King of Sweden and Norway; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

SUGAR WAREHOUSE BILL.

Mr. HOLMAN. I call for the regular order.

The SPEAKER. The reglar order is the morning hour for the call of committees for reports.

Mr. KASSON. I ask the gentleman from Indiana to withhold his demand for the regular order for a single moment, in order that I may ask to take up a bill.

Mr. HOLMAN. If the gentleman has any public business to call up which is urgent I will hear what it is.

Mr. KASSON. Yes, I desire to ask the attention of the House to the bill (H. R. 2222) to amend section 2983 of the Revised Statutes of the United States so that the duties paid upon sugars shall be assessed upon the quantity delivered from instead of the quantity entered into bonded warehouses, only defeated by a single objection, that of the gentleman from Kansas [Mr. ANDERSON], who yesterday authorized me to say he would no longer make objection. It is known as the sugar warehouse bill. My desire for action now is because I am informed that in the course of the next two weeks, if the law is not settled, the entire warehouse business will be damaged.

Mr. MILLS. I object to it.

Mr. KASSON. I think the gentleman will withdraw his objection when he knows what the bill is.

Mr. MILLS. I insist on my objection.

HAMPTON SOLDIERS' HOME, VIRGINIA.

Mr. HENDERSON, by unanimous consent, from the Committee on Military Affairs, reported back the preamble and resolution making serious charges against the mismanagement of the soldiers' home at Hampton, Virginia, and moved the adoption of the following substitute:

Resolved, That the Committee on Military Affairs be directed to examine into the management of the national military soldiers' home at Hampton, Virginia, and the charges aforesaid, and report upon the same as soon as convenience will permit; and the said committee are hereby authorized to appoint a sub-committee to visit said home if they shall deem it necessary, and to send for persons and papers and to examine the books and papers and accounts of said home, and report thereon, and employ a stenographer; the expenses of said investigation to be paid out of the contingent fund of the House.

The substitute was agreed to, and the resolution as amended was adopted.

Mr. HENDERSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WITHDRAWAL OF PAPERS.

Mr. MANNING. Mr. Speaker, I move by unanimous consent that permission be granted for the withdrawal of the papers in reference to the cases of the claims of Enoch Taylor, Matthias App, and Mary Beasley.

Mr. HOLMAN. The condition should be stated of the withdrawal that there has been no adverse report in these cases. It has happened that claims reported on adversely have in this manner been withdrawn and again presented for action.

The SPEAKER. The Chair thinks the rule provides for that and requires in every instance copies of papers which are to be withdrawn shall be left on file.

Mr. HOLMAN. It should also appear that there has been no adverse report in the case of a claim where the papers are asked to be withdrawn.

The SPEAKER. That was the old rule, but the new rule does not seem to require that.

Mr. MANNING. As a matter of fact, I understand there have been no reports in these cases.

The SPEAKER. Rule XXXIX provides for the withdrawal of papers. It is as follows:

No memorial or other paper presented to the House shall be withdrawn from its files without its leave, and if withdrawn therefrom, certified copies thereof shall be left in the office of the Clerk; but, when an act may pass for the settlement of a claim, the Clerk is authorized to transmit to the officer charged with the settlement thereof the papers on file in his office relating to such claim, or may loan temporarily to any officer or bureau of the Executive Departments any papers on file in his office relating to any matter pending before such officer or bureau, taking proper receipt therefor.

There was no objection, and leave was granted for the withdrawal of the papers indicated.

BRIDGES AS POST-ROUTES.

Mr. GROUT, by unanimous consent, introduced a bill (H. R. 7322) to authorize the construction of certain bridges and to establish them as post-roads; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CONDEMNED CAST-IRON CANNON.

Mr. SPAULDING, by unanimous consent, from the Committee on Military Affairs, reported back, as a substitute for House bills 6868, 6893, 6951, 7005, 7138, 7167, 7184, and 7272, a bill (H. R. 7323) to supply condemned cast-iron cannon and cannon-balls for monumental purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying reports, ordered to be printed.

BRIDGE ACROSS WILLAMETTE RIVER.

Mr. WASHBURN, by unanimous consent, from the Committee on Commerce, reported back the bill (H. R. 5776) to allow the construction of a bridge across the Willamette River, at Portland, Oregon; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CALL OF COMMITTEES.

The SPEAKER. The regular order is the morning hour and the call of committees for reports.

WILLIAM TALBERT.

Mr. DEZENDORF, from the Committee on Naval Affairs, reported a bill (H. R. 7324) for the relief of William Talbert; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

STAR-ROUTE SERVICE.

Mr. BINGHAM, from the Committee on the Post-Office and Post-

Roads, reported back with a favorable recommendation the bill (H. R. 7063) repealing section 3961 of the Revised Statutes and the proviso of section 2 of an act providing for a deficiency in the appropriations for the transportation of mails on the star-routes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

JOSEPH B. SELLERS.

Mr. MATSON, from the Committee on Invalid Pensions, reported back with an amendment the bill (H. R. 6917) to increase the pension of Joseph B. Sellers; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN GLENN.

Mr. MATSON also, from the same committee, reported back with amendments the bill (H. R. 2294) granting a pension to John Glenn; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. MATSON also, from the same committee, reported back with an adverse recommendation the bill (H. R. 1386) granting a pension to John Slevin; which was referred to the Committee of the Whole House on the Private Calendar, and the adverse report ordered to be printed.

ISABELLA J. RAMSDELL.

Mr. BROWNE, from the Committee on Invalid Pensions, reported back the bill (H. R. 5099) granting a pension to Isabella J. Ramsdell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. C. P. CULVER.

Mr. TURNER, of Georgia, from the Committee on Claims, reported a bill (H. R. 7325) for the relief of Mrs. C. P. Culver; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. HOLMAN, from the Committee on War Claims, reported back with an adverse recommendation bills and petitions of the following titles; which were severally laid on the table, and the adverse reports ordered to be printed, namely:

A bill (H. R. 5238) for the relief of John Kane;

A bill (H. R. 6674) for the relief of Mrs. Jane E. Semes;

Petition of Sarah Townsley, administratrix of Stephen Townsley, deceased; and

Petition of Charles G. Bobo, executor of Eliza S. Bobo, deceased.

MARIA E. WARFIELD.

Mr. HOLMAN also, from the Committee on War Claims, reported back with an adverse recommendation the bill (H. R. 2465) for the relief of Maria E. Warfield.

Mr. HOLMAN. That bill, Mr. Speaker, involves a question of some importance touching the correctness of certain taxes on cotton imposed by certain public officers of the Union Army during the war. From this cotton, which was virtually sold to the Government, a tax of 25 per cent. was deducted. If the gentleman introducing this bill is present and desires that it should be referred to the Private Calendar, I will make no objection; otherwise I move that it be laid upon the table.

The SPEAKER. The regular course would be to lay the bill upon the table. If any gentleman desires it to go to the Calendar it can be done on motion at any subsequent time.

The bill was laid on the table and the accompanying report ordered to be printed.

JANE GOUDY.

Mr. CHAPMAN, by unanimous consent, introduced a bill (H. R. 7326) granting a pension to Jane Goudy; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHARLES N. MULLAN, DECEASED.

Mr. CHAPMAN also, by unanimous consent, introduced a resolution authorizing the Clerk of the House to pay a sum of money to the administrator of Charles N. Mullan, deceased, late an employé of the House during the Forty-fourth Congress, for funeral expenses; which was referred to the Committee on Accounts.

POST-ROUTE BILL.

Mr. BINGHAM. I am directed by the Committee on the Post-Office and Post-Roads to present the post-route bill, and ask unanimous consent for its immediate consideration.

Mr. ROBINSON, of Massachusetts. I would like to ask the gentleman whether the bill contains any legislation?

Mr. BINGHAM. I have examined it, and there is no legislation other than the establishment of post-routes.

Mr. SPARKS. Can we have the bill read, Mr. Speaker.

The SPEAKER. It is a very long bill. Of course, if the gentleman insists upon it, it will be read.

Mr. SPARKS. I do not insist upon it.

Mr. RANDALL. Assurance has been given that it contains no legislation.

The SPEAKER. The title of the bill will be read.

The Clerk read as follows:

A bill (H. R. 7327) to establish certain post-routes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was read a first and second time, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BINGHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FANNIE S. BEAUMONT.

Mr. MORSE, by unanimous consent, introduced a bill (H. R. 7328) granting a pension to Fannie S. Beaumont; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

COMMITTEES TO SIT DURING SESSIONS OF THE HOUSE.

Mr. PAGE. I ask unanimous consent that the Committee on Commerce may have leave to sit during the sessions of the House.

There was no objection.

Mr. CALKINS. I ask that the same leave be granted to the Committee on Elections.

There was no objection.

JOHN KANE.

Mr. KING. I ask that the adverse report on House bill No. 5238, for the relief of John Kane, be placed on the Private Calendar.

The SPEAKER. Is that the bill reported this morning by the gentleman from Indiana [Mr. HOLMAN], from the Committee on War Claims.

Mr. KING. Yes, sir.

The SPEAKER. The bill and report will be referred to the Committee of the Whole House on the Private Calendar.

ORDER OF BUSINESS.

Mr. HISCOCK. I call for the regular order.

The SPEAKER. The regular order would be a motion that the House resolve itself into Committee of the Whole House for the consideration of the Private Calendar.

Mr. ROBESON. I move to dispense with the consideration of private business for this day.

The question being taken on Mr. ROBESON'S motion, there were—ayes 50, noes 33.

So (two-thirds not having voted in the affirmative) the motion was not agreed to.

Mr. WHITE. I call for the regular order.

Mr. PEELLE. I move that the House resolve itself into Committee of the Whole House for the consideration of business on the Private Calendar.

Mr. BURROWS, of Michigan. There are several cases reported from the Committee of the Whole House that have not yet been disposed of.

The SPEAKER. When the committee rises they will be taken up.

Mr. BURROWS, of Michigan. If the Committee of the Whole should consume the day these cases may not be taken up at all.

The SPEAKER. It is a question whether the bills heretofore reported from the Committee of the Whole House would come up as unfinished business till after the House had been in Committee of the Whole on the Private Calendar. But the Chair will not decide that question now. The Committee might rise at an early hour, so that those bills may be reached.

Mr. BROWNE. I think the cases which have been reported back from the Committee of the Whole to the House ought to be disposed of.

Mr. SPRINGER. I understand bills in that position are now unfinished business for Friday, and come up as such immediately after the call of committees. Unfinished business is in order immediately after the call of committees on the day on which that business is in order.

Mr. BROWNE. I confess I do not know what the rule may be; but I would be very glad if the House would proceed to consider those cases that have been heretofore reported back from the Committee of the Whole to the House.

Mr. SPRINGER. In the very nature of the case those bills take precedence of going into Committee of the Whole to bring other business before the House.

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. PEELLE], that the House resolve itself into Committee of the Whole House.

Mr. HOLMAN. I call for a division.

Mr. BROWNE. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWNE. What will be the result in the event of the motion

of the gentleman from Indiana being voted down? Would the House then be called on to consider those cases that have heretofore been reported back to the House from the Committee of the Whole?

The SPEAKER. The Chair thinks they could then be taken up.

Mr. BROWNE. Then I hope the motion will be voted down.

Mr. WHITE. I rise to make a parliamentary inquiry. I desire to know what is the regular order?

The SPEAKER. The regular order is to proceed to business on the Private Calendar, which is brought up by the motion of the gentleman from Indiana, that the House resolve itself into Committee of the Whole House.

Mr. HOLMAN. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOLMAN. If this motion should be voted down, would it not be in order then to take such steps as might be necessary to proceed to the consideration of the naval appropriation bill? Could not the motion then be made that the regular order of business for to-day be dispensed with?

The SPEAKER. The House has voted down that motion once.

Mr. HOLMAN. Could the motion not be submitted again?

The SPEAKER. The Chair thinks it could.

Mr. TUCKER. I desire to ask the Chair what course the House pursues with reference to those bills which have been reported back from the Committee of the Whole House on the Private Calendar?

The SPEAKER. The Chair has not indicated anything definitely as to that. They certainly would be first in order after the committee rose before other business that might be reported to-day. The only question left is whether they could be taken up before going into Committee of the Whole.

Mr. CALKINS. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALKINS. I desire to know whether, the House having voted down a motion to go into Committee of the Whole, it would not be competent for the gentleman from New Jersey [Mr. ROBESON] then again to move to dispense with private business for to-day.

The SPEAKER. The Chair thinks after intervening matters that motion might be renewed. The gentleman from Indiana [Mr. PEELLE] moves that the House resolve itself into Committee of the Whole on the Private Calendar; and on that a division is called for.

The House divided; and there were—ayes 48, noes 31.

Mr. SKINNER. No quorum.

The SPEAKER. The point being made that a quorum has not voted, the Chair appoints as tellers the gentleman from New York, Mr. SKINNER, and the gentleman from Indiana, Mr. PEELLE.

The House again divided; and the tellers reported—ayes 92, noes 25.

Mr. SKINNER. I do not ask for any further count.

So (no further count being called for) the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. RICH in the chair.

The CHAIRMAN. The House is now in Committee of the Whole, for the consideration of business on the Private Calendar.

LAND CLAIM IN NEW MEXICO.

The first business on the Private Calendar was the bill (H. R. 3835) to confirm a certain land claim in the Territory of New Mexico, which in Committee of the Whole, December 8, 1882, had been passed over informally.

Mr. BROWNE. I move that the bill be again passed over informally.

There was no objection, and it was so ordered.

ANDREW J. MORRISON.

The next business on the Private Calendar was the bill (H. R. 2142) granting arrearages of pension to Andrew J. Morrison; reported adversely from the Committee on Invalid Pensions, and in Committee of the Whole, June 9, 1882, passed over informally.

The bill was read, as follows:

Be it enacted, &c., That the pension authorized for Andrew J. Morrison by the act of Congress approved February 7, 1879, shall commence from the date of the disability for which the same was authorized, in the same manner as if said pension had been allowed and authorized by the general laws regulating pensions.

Mr. BROWNE. Let the report in this case be read.

The report was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2142) granting arrearages of pension to Andrew J. Morrison, have considered the same, and report:

The committee find the facts to be as stated in House Report No. 311, Forty-sixth Congress, second session, which said report is hereto annexed and made part of this report:

"That from an examination of the evidence placed before your committee we find that the said petitioner raised a regiment of cavalry in the fall of 1861, in the State of New York, known as the Seventh New York Cavalry, of which the petitioner was made colonel, in which capacity he served till the last of April, 1862, when the regiment was disbanded; he then served as volunteer aid on the staff of General Palmer through the whole peninsular campaign, doing most effective service, as stated by the general. At the time the general had only one other aid, and the services of said petitioner was not only most useful, but almost necessary, to the general at that time.

"The petitioner served as such volunteer aid from the early part of May, 1862, till September 16, 1862, without pay, bearing all his own expenses, and losing in the battle of Fair Oaks, while in such service, a valuable horse.

"While serving as such aid, on the 25th day of June, in one of the six days' battles of that time, the petitioner was wounded in the left hand by a piece of shell, which carried away the second and third fingers and also the second and third metacarpal bones of that hand, and so damaged the hand as to render it absolutely useless.

"The petitioner, in spite of his wound, continued to serve as aid to General Palmer until September, 1862, when he was commissioned colonel of the Twenty-sixth Regiment of New Jersey Volunteers, in which capacity he served until the time of that regiment (nine months) expired, when he was appointed colonel of the Third New Jersey Cavalry, which he commanded till August 29, 1864.

"The petitioner was actively engaged in the following battles: Williamsburgh, Seven Pines, Fair Oaks, The Seven Days, Malvern Hill, Fredericksburgh (first), Fredericksburgh (second), Wilderness, Hanover Court House, Ashland, Hawe's Shop, White Oak Swamp, Smith's Store, Malvern Hill (second), siege of Petersburgh, Winchester, Summit Point, and Kearnstown.

"We further find that this is a claim where no application was made under the general law, for the reason that at the time the injury was alleged to have been received the claimant was not regularly mustered into the service of the United States. There is no other evidence presented than the sworn statement of claimant and a letter from Brigadier-General I. N. Palmer, United States Army, on whose staff Colonel Morrison was serving as a volunteer aid when he received the wound for which he desired to be pensioned.

"The letter of General Palmer is indorsed by Hon. M. I. TOWNSEND, who states that he is personally acquainted with Colonel Morrison, and knows that he performed the services above set forth, and can procure evidences of his service if required."

For the reason that this committee has refused in all special cases to grant arrearages of pensions, the report in this case is adverse.

Mr. BROWNE. I move that the bill be laid aside and reported adversely to the House.

The CHAIRMAN. The Chair will recognize the gentleman from Vermont [Mr. JOYCE], he having submitted the report in this case.

Mr. JOYCE. This bill has been before the Committee of the Whole once or twice before, and has been pretty thoroughly discussed. I would not say a word on this occasion were it not for the fact that I know Colonel Morrison very well, and also the further fact that the report shows that the only reason why this bill was reported adversely was because the Committee on Invalid Pensions had adopted a rule that they would grant no arrearages of pensions in any special case.

If there ever was a case in the world where a man ought to have the pension that is asked for in this bill, this is such a case. The report shows that Colonel Morrison raised a regiment in the fall of 1861 and was engaged with that regiment until April, 1862, when it was mustered out of the service.

In April, 1862, the Army of the Potomac was engaged in the peninsular campaign and was lying upon the Warwick River. Colonel Morrison, instead of going home when his regiment was mustered out of the service, became a volunteer aid on the staff of General Palmer, commencing in May, 1862, and serving as such aid to General Palmer upon his staff voluntarily until September, 1862, finding his own horse, paying his own expenses, and not receiving a penny from the Government of the United States during the whole of that time.

During that time, on the 25th of June, 1862, he received this wound. In 1870, I think it was, Congress passed an act giving Colonel Morrison a pension.

Mr. BROWNE. Will the gentleman permit me to ask him a question for information?

Mr. JOYCE. Certainly.

Mr. BROWNE. When was it that Colonel Morrison was appointed and commissioned colonel of the Third New Jersey Cavalry?

Mr. JOYCE. The report shows.

Mr. BROWNE. I do not remember: that is the reason I asked.

Mr. JOYCE. It was in September, 1862. He served as a volunteer aid on General Palmer's staff from May, 1862, until September, 1862, and then he was commissioned as colonel of the Twenty-sixth Regiment of New Jersey Volunteers, serving in that capacity until the time of that regiment expired, it being a nine months' regiment, when he was appointed colonel of the Third New Jersey Cavalry, which he commanded until August 29, 1864.

This bill proposes to pay Colonel Morrison his pension from the time he received his wound to the time that Congress passed the special act granting him a pension. I say, as I said before, that if there ever was a case where a man ought to receive the pension asked for in this bill this is such a case.

Mr. BROWNE. I regret that I differ essentially from my colleague on the Committee on Invalid Pensions, the gentleman from Vermont [Mr. JOYCE]. It is true that Colonel Morrison served as volunteer aid-de-camp without pay for a few months in the year 1862, and that on the 25th of June he was wounded in the hand, a wound which on the evidence was certainly not a very serious one.

In September, 1862, he was commissioned colonel and served from that date until the 29th of August, 1864, receiving the pay of his rank of colonel of cavalry.

That certainly was ample compensation for the wound he received. The Government of the United States by that commission, it seems to me, made ample reparation to Colonel Morrison, not only for the wound he had received, but for the voluntary and gratuitous service he had performed on the staff of General Palmer.

In 1870, six years after he was discharged from the service, Congress by a special act placed the name of Colonel Morrison on the pension-roll because of the wound he had received at a time when, under the general law, he would have been entitled to no pension whatever. Not being, in the strict sense, in the military service of the United States, he was

not entitled to a pension because of the wound he had received. But the Congress of the United States in 1870 put him on the pension-roll.

Now the case stands just in this way: While serving as a volunteer aid in 1862 Colonel Morrison was wounded. A very short time after receiving that wound he was made colonel of cavalry of the Third New Jersey Regiment and continued to serve with that rank and with the pay of that rank for two years. He then went out of the service, being under the general law entitled to no pension whatever.

But in 1870, by a special act of Congress, he was put on the pension-roll and became a pensioner upon terms precisely equal to over 1,400 other officers and soldiers who have been in the same way put on the pension-roll.

Mr. RYAN. Upon what rank was he pensioned?

Mr. BROWNE. He was put on the pension-roll with the rank he bore at the time the wound was received—colonel and volunteer aid. Now under all these circumstances he asks that he be permitted to receive arrears of pension going back to the time when he received the wound or to the time when he was discharged from the service of the United States in 1864. While he has received by reason of the act of Congress recognition that has seldom been accorded to others under like circumstances, he asks now to be placed above 1,400 other persons to whom Congress has deliberately denied arrearages of pension.

As the Committee of the Whole will remember, we passed, a year or two ago, a bill allowing arrearages to all those who had been pensioned by special acts of Congress. The Senate refused to concur in that bill; and the result is that 1,400 persons who have been put on the pension-roll by these special acts are denied the benefit of the arrearage act. We are asked in this bill to make an exception in this case. The Committee on Invalid Pensions has reported adversely. The Committee of the Whole may do just as they please in regard to this matter. If they say that these arrearages ought to be paid in this case, they ought to say that we should grant arrearages in 1,400 similar cases. If that is the opinion of the committee, so far as I am individually concerned I shall be in favor of that policy hereafter. This is the whole question presented in this case. I do not care to present the question to the Committee of the Whole again; it has been repeatedly presented. If the Committee of the Whole are disposed to overrule the Committee on Invalid Pensions upon this question, let them do so. I am standing on the report of the committee.

Mr. SPARKS. I do not think members of the House have heard all the gentleman's statements, and he will allow me an inquiry. There is no case, as I understand, where arrearages have been allowed when the pensioner has been put upon the pension-roll by special act of Congress.

Mr. BROWNE. None that I am aware of.

Mr. SPARKS. This is a case of that kind, as I understand; and the wound on account of which this man was put on the pension-roll was incurred at a time when he was not in the regular service of the United States.

Mr. BROWNE. That is correct.

Mr. SPARKS. I hope the report of the Committee on Invalid Pensions will be sustained.

The CHAIRMAN. The gentleman from Indiana [Mr. BROWNE] moves that this bill be laid aside to be reported to the House adversely.

The motion was agreed to.

JOHN F. SEVERANCE.

The next business was the bill (H. R. 694) for the relief John F. Severance.

The bill was read, as follows:

Be it enacted, &c., That there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $85, to be placed to the credit of the Post-Office Department; and the proper accounting officers of the Post-Office Department are hereby directed to credit John F. Severance in his account as postmaster with the same, it being for loss by robbery of his post-office on the night of the 19th day of June, 1878, but without fault or neglect on the part of said postmaster.

Mr. TALBOTT. A general law has been passed for the relief of all cases of this kind. I move, therefore, that this bill be passed over without prejudice.

Mr. ROBINSON, of Massachusetts. If the gentleman from Maryland will hear the report read, he will discover that this case is not covered by the general law.

The report was read, as follows:

The Committee on Claims, to whom was referred the bill for the relief of John F. Severance, of Shelburne Falls, in the State of Massachusetts, have considered the same, and respectfully report:

The report of the Committee on Claims of the Forty-sixth Congress (Report 913) was as follows:

"This is a claim for relief by the said Severance as postmaster at Shelburne Falls, in Franklin County, in the State of Massachusetts, from loss occasioned by the robbery of his office on the night of June 19, 1878. The claimant was appointed as postmaster at Shelburne Falls, and entered upon the duties of his office March 1, 1878. On the night of June 19, between 12 and 3 o'clock, burglars forced open the windows of the office, blew open the safe with gunpowder, and carried away all the stamps therein, of the aggregate value of $435, and all the money therein, of the value of $100, which money had been received from the sale of stamps and postal cards and from postage. At the same time the burglars broke open the jewelry store of J. G. Brown, in the next building to the post-office, and blew open the safe therein and rifled it of jewelry and $375 in money, the loss of said Brown amounting in all to from $2,000 to $3,500. Early the next morning it was discovered that the post-office and jewelry store had been robbed.

"The post-office was separated by a partition from the express office, and the outer door of the express office and the partition door between that and the post-office had been forced open. The safe door was badly torn by powder and the inside door blown off. It was a fire-proof safe of the usual construction, and made by E. R. Morse, a manufacturer of good reputation. Pursuit was immediately made of the burglars. The same evening the said Brown and Mr. Bartlett overtook a man eight miles from the said village with a valise, and on asking to see it he emptied two revolvers at his pursuers, hitting Mr. Bartlett, and then ran into the woods. They followed his trail but lost it. The next night the bridges over which he might escape were guarded and a similar man was seen on the railroad bridge near by. The patrol opened fire with revolvers, which the man returned. They fired away all their cartridges, but the man escaped into the woods. The next morning a man who lived near by found on the spot where this affray had occurred blood on the timbers and a bundle dropped on the abutments of the bridge. It contained the jewelry of the said Brown and specie belonging to him, and a package with $13 in silver change and all the postage-stamps which the postmaster had lost. Some weeks after an old valise was found near the supposed trail of the burglars with $2 in pennies.

"The postmaster's account of his loss is, then, as follows:

Stamps stolen from the office		$435 00
Money stolen from the office		100 00
Total		535 00
Recovered:		
Silver	$13 00	
Pennies	2 00	
Stamps	435 00	
		450 00
Making the balance lost by the postmaster		85 00

"Full affidavits of all the facts were represented to the committee by the claimant and by other reputable citizens who are acquainted with the circumstances of the case, and some of whom joined in the hunt for the burglars.

"A report in the said case was made by the special agent of the Post-Office Department to said Department, which report is as follows:

"'BOSTON, *March* 5, 1879.

"'SIR: I have the honor to return ordinary case No. 11381, and to inform you that after investigation I found that the office was entered by burglars on the night of June 18, 1878; that $435 worth of stamps and $100 of postal money was stolen, and that the day following there was found all of the stamps and $13 of the money by the roadside, leaving a loss of $87 to the postmaster.

"'Up to this time no trace of the depredators has been found, although the town officers have been on the constant hunt and have offered a reward of $250 for their apprehension.

"'Very respectfully,

"'CHARLES FIELD,
"'*Special Agent Post-Office Department.*

"'DAVID B. PARKER,
"'*Chief Special Agent Post-Office Department, Washington, D. C.*'

"The testimony satisfies the committee beyond a doubt that the claimant and the officials connected with the office have always borne the highest character, and that they used due diligence in the care of the property intrusted to their charge. They did all that any man could reasonably have been expected to do in order to secure the property in the post-office. It is also evident from the circumstances, as reported, that everything was done that was possible to secure the burglars and the property which they had stolen, and it was owing to the diligence and perseverance of the pursuers that so large a portion of the stolen property was recovered and the loss of the postmaster was reduced from the sum of $535 to the sum of $85. The committee believe that the claimant ought to be relieved of the loss, and therefore report back the accompanying bill, and recommend its passage."

This committee find the statements in said report to be true, adopt it as their own, and report back the accompanying bill, and recommend that the same do pass.

Mr. TALBOTT. I see from the reading of the report that this case is not covered by the provisions of the general act. I therefore withdraw my motion that the bill be passed over informally without prejudice.

Mr. ROBINSON, of Massachusetts. The amount is small—$85. I move that the bill be laid aside to be reported favorably to the House.

Mr. BROWNE. I think this bill ought to pass; but I am somewhat surprised to find a favorable report in this case when I remember the history of a case I had the honor to present about a year ago.

The post-office in the town of Winchester, Indiana, where I reside, was entered by burglars and the safe blown open. Some money and a large amount of postage-stamps were abstracted from the safe. The postmaster employed detectives and put them on the trail of the burglars, who were captured at the city of Toledo, Ohio. The postmaster was able to retake about one-half of the postage-stamps which had been stolen, but was compelled to pay to the officers sent in pursuit a sum of money almost equal to the value of the postage-stamps reclaimed. When that case was presented—I presume to the same committee that reported this bill—they allowed the postmaster a sum equal to the postage-stamps lost, deducting those that were recovered, and refused to allow him a penny for the money that was stolen or for the expenses of the capture of the thieves and the retaking of the postage-stamps. I do not exactly understand why this case from Massachusetts should stand on higher ground than the case from Indiana. That is all I want to say. I think the claim in both cases should have been allowed.

Mr. ROBINSON, of Massachusetts. This is a good case, is it not?

Mr. BROWNE. Mine was a better one.

Mr. ROBINSON, of Massachusetts. This is a good one.

Mr. BROWNE. Reasonably fair, considering it is from Massachusetts. [Laughter.]

Mr. BEACH. I would like to inquire of the gentleman from Massachusetts in what respect this claim differs from the class of claims provided for by the law passed at the last session?

Mr. BROWNE. It differs because this bill proposes to allow for the postal money abstracted as well as for stamps.

Mr. BEACH. Was not that question in regard to allowances for the postal money thoroughly discussed when the general law was passed, and was not the sense of the House opposed to making allowances on claims of that character?

Mr. ROBINSON, of Massachusetts. As the gentleman will remember, it was believed that to allow the Department under a general law to make allowances for money stolen might lead to abuses; that such allowances should not be made without a consideration by Congress of all the facts of each particular case. Therefore Congress kept in its hands the power to dispose by special act of all such matters. The gentleman will recollect that after the passage of the general law last session we took up and passed a bill similar in character to this—a bill for the relief of Henry Mullen, of Columbia, Pennsylvania. That was a case very much like this; but the amount of money was larger.

This amount is small, and the gentleman will see by the report of the special agent of the Post-Office Department that he certifies to the fact that it was postal money. There can not be any question about this thing, and it seems clearly to be one of those cases which the House ought to pass.

Mr. BEACH. If I remember rightly, the object of passing a general bill in reference to all these cases was to provide that the consideration of all such claims of this character should be taken away from the halls of Congress.

Mr. ROBINSON, of Massachusetts. That is, all claims of the character described in that general act.

Mr. BEACH. Yes, the purpose of that general act was to provide by general legislation for the disposition of this character of claims. This bill, to my mind, looks like special legislation, and in view of the general act on this subject it ought not, in my judgment, be passed by this committee.

Mr. ROBINSON, of Massachusetts. I wish to suggest to my friend from New York that if he thinks this a meritorious claim and ought to be paid, then Congress, without regard to the course of legislation heretofore, should proceed to pay it in the only way in which it can be done. If it does not come under the general law and is a good claim, as is generally admitted, then Congress ought to pay it as soon as possible.

Mr. BEACH. In the passage of that general law all cases which it included were provided for, and to pass this bill now, as I have already said, looks to me like special legislation.

Mr. BROWNE. If I understood the reasoning of the House when it arrived at the conclusion to pass the general law, it was this: While it was prudent to allow postmasters to be reimbursed for loss to the amount of postal property such as postage-stamps, postal cards, and stamped wrappers, it would be dangerous to allow them to recover for money which they alleged to have been received from the sale of postage-stamps, postal cards, &c. In this case it is clear that the money had been received from the sale of postage-stamps, postal cards, and matters of that character. Now, my opinion was at the time the general act was passed that postmasters were as much entitled to be reimbursed for the loss of money taken in a day or two before for stamps as for the loss of the stamps themselves. But the House thought otherwise—thought to establish that rule would be dangerous, and therefore the general law was passed excluding compensation for loss of the character provided for in this bill.

I am in favor of my friend's bill notwithstanding the general law, but I insist there shall be no discrimination in favor of Massachusetts. That is all.

Mr. ROBINSON, of Massachusetts. I hope that will not prevent the passage of the bill which my friend admits is just. I move that the bill be laid aside to be reported to the House favorably.

The motion was agreed to; and the bill was accordingly laid aside to be reported to the House favorably.

WILLIAM LAKE.

The next business on the Private Calendar was the bill (H. R. 792) for the relief of William Lake.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and hereby is, directed to pay to William Lake, postmaster at Vassar, Tuscola County, Michigan, out of any money in the Treasury not otherwise appropriated, $544.32, being the amount of money-order and postage funds in his possession belonging to the United States and taken from his safe by burglars on the night of the 28th day of January, 1881, without any fault or want of care on his part, and since fully paid by him to the United States.

Mr. HOLMAN. I presume that is covered by the general law, and I therefore move it be laid aside to be reported to the House with the recommendation that it be laid on the table without prejudice.

Mr. RICH. In view of the action taken by the committee on the bill for the relief of John S. Severance, I hope the motion of the gentleman from Indiana will not be agreed to. If the report of the committee be read, it will be seen this case stands precisely upon the same footing as the one just passed upon.

Mr. HOLMAN. Very well, let the report be read.

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill H. R. 792, having had the same under consideration, beg leave to report as follows:

William Lake, on the 29th day of January, 1881, was and still is postmaster at Vassar, Tuscola County, Michigan, and on the night of said day, about midnight, his post-office building was forcibly entered by burglars, his safe blown open by the use of gunpowder, and everything of value therein stolen, including $22.57 money-order funds, $32.95 money received for box and drawer rents, $369.50 in postage-stamps, and $119.30 cash received from the sale of postage-stamps, amounting to $544.32.

The postmaster lost of his individual property several hundred dollars' worth on the same occasion. From the evidence submitted, no suspicion arises of any complicity in the robbery on the part of Mr. Lake, or even that he was in any manner neglectful of his duties in caring for the funds and property of the Government in his keeping. In fact, the evidence excludes all such suspicion.

Your committee therefore report back the bill with a recommendation that it do pass.

Mr. HOLMAN. Mr. Chairman, I think it is very important that we should adhere to the purposes of the general law which we passed upon this subject of relieving postmasters from the loss of stamps or postal funds where such loss occurred without negligence on their part. I think the general law goes to the outer edge of the relief that should be granted; in fact it goes beyond it. But it is the law. I do not think the purpose of that law should be defeated. While that is true, I find here that this bill covers substantially, as far as I can see from it, all that is embraced in the general law. It is alleged that this money was postal-order money, and therefore not covered by the law as applicable to postage-stamps. If, however, there is anything embraced in this bill which is not covered by the general law, I would suggest to the gentleman in charge of the bill that he had better limit it to such fund, leaving out of it all that is covered by the general law.

The report in this case is a very brief one. The facts are not entered into in any detail; mere conclusions are announced by the committee, and nothing more. The simple statement that the claimant has been guilty of no negligence is not sufficient, in my judgment, to warrant us in taking this bill out from under the operations of the general law and making it a special exception here. The statements furnished by the reports, as I have said, are very general; they give no information whatever beyond the mere opinion of the committee, which is of little importance unless the facts are cited. I suggest, therefore, to the gentleman to allow this bill to be amended so as to cover simply what is not now covered by this general law.

Mr. ROBINSON, of Massachusetts. That is right.

Mr. RICH. I have no objection to that.

Mr. HOLMAN. Then I will move, with the consent of the gentleman, to strike out of the bill all such portion of this proposed appropriation as is covered by the general law. Nothing should be in this bill that is covered by the law.

Mr. ROBINSON, of Massachusetts. Let me suggest to my friend from Indiana that it will be necessary to be careful how we frame the bill, because under the general law the party can apply to the Department for a portion of the amount lost, and we might pass such a bill as would authorize duplicate payments or bring it in conflict with the general law.

Mr. HOLMAN. I ask that the bill be again reported.

The bill was again read.

Mr. ROBINSON, of Massachusetts. There seems to be no objection to the proposed amendment if the amendment is made in proper form. I suggest, therefore, to my friend from Indiana, that we pass over the bill informally and take up the next bill, and in the mean time we can prepare the necessary amendment, after which we can return to this bill.

Mr. HOLMAN. I have no objection to that.

The CHAIRMAN. Without objection, this bill will be laid aside temporarily to be returned to before the committee rises.

There was no objection.

ORDER OF BUSINESS.

Mr. BROWNE. I move that the committee now rise. I will state that the object of my motion is that we may go to the unfinished business of a private character that has been reported from the Committee of the Whole back to the House.

The CHAIRMAN. The Chair will suggest to the gentleman from Indiana that unanimous consent having been given that the bill just before the committee should be laid aside temporarily and informally while an amendment is being prepared to it, the Chair thinks that we could not now rise until after the consideration of that bill has been had in committee.

Mr. BROWNE. If that was the understanding, I withdraw the motion.

CAREY B. PEPPER.

The CHAIRMAN. The Clerk will report the next bill on the Private Calendar.

The next business on the Private Calendar was the bill (H. R. 2525) to reimburse Carey B. Pepper, postmaster at Oneonta, New York, for postal stamps and postal funds stolen from his office.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Treasury is hereby authorized and directed to pay unto Carey B. Pepper, postmaster at Oneonta, Otsego County, New York, the sum of $1,090.18, for postage-stamps and postal funds stolen by burglars from his office on May 2, 1881; and that sum is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

SEC. 2. That this act shall take effect and be in force from its passage.

Mr. HOLMAN. I think that this bill should be amended in the same manner, so I ask that it be passed over informally for the present.

The CHAIRMAN. That may be done by unanimous consent. Is there objection to the suggestion of the gentleman from Indiana?

Mr. PEELLE. The report in this case, Mr. Chairman, seems to refer to money-order funds and postage-stamps.

Mr. HOLMAN. It will have to be divided in some way so as to take it from under the operation of the general law.

Mr. PEELLE. No, sir; money-order funds are covered by the general bill. I presume that this bill is covered entirely by the general law; but in the absence of the gentleman from New York [Mr. MASON], who reported the bill, I think it will be well to pass it over informally, and he can take such course in the Senate as he may choose in reference to it.

Mr. HOLMAN. I think it is of the highest public moment that the general law should be effective as far as possible. The language of this general law is:

For the loss of money-order funds, postage-stamps, stamped envelopes, newspaper wrappers, postal cards, belonging to the United States, &c.

Now, this bill is for postal money and post-office stamps. It is covered by the general law. I therefore move that it be reported back to the House with the recommendation that it be laid upon the table without prejudice.

Mr. PEELLE. Mr. Chairman, I hope that my colleague will consent to let us pass the bill over informally on account of the absence of the gentleman from New York [Mr. MASON], who reported the bill.

Mr. HOLMAN. I have no objection to that.

Mr. BROWNE. Will my colleague allow me to ask him if he meant anything by the general law, which I believe he reported himself? If it means nothing, let it be so understood. If, however, it was intended to get rid of this character of legislation, let that also be understood.

Mr. PEELLE. I will state, in answer to my colleague, that the general law covers postage-stamps, money-order funds, and I was anxious that it should also include postal funds; but out of deference to what had been the action of the Senate previously postal funds were excluded. Now, with reference to the bills pending before the committee, both of these were reported before the general law was passed.

Mr. BROWNE. Is not this bill covered by the general law?

Mr. PEELLE. I presume it is; but, as I have said, this bill and the other one were reported before the general law was passed, and therefore I ask that it be passed over informally, out of deference to the gentleman from New York, who is absent.

Mr. HOLMAN. Why pass over the bill informally instead of disposing of it?

Mr. PEELLE. I make that suggestion for this reason: I find that the bill speaks of "postal funds," while in the report they are described as "money-order funds;" and I am not sure which is correct. For that reason I want the bill passed over, that the gentleman from New York, who reported it, may have an opportunity of speaking for it himself.

Mr. HOLMAN. I withdraw my motion.

There being no objection, the bill was passed over informally.

WILLIAM LAKE.

Mr. HOLMAN. The bill for the relief of William Lake, which was passed over a few moments ago until an amendment should be prepared, is for postage-stamps and money-order funds. That is covered by the general law. The general law covers both items. What else is there?

Mr. RICH. Money received from drawer-rents and the sale of postage-stamps.

Mr. ROBINSON, of Massachusetts. The amendment will be ready in a few moments.

Some time subsequently,

Mr. ROBINSON, of Massachusetts, said: The amendment in regard to the bill for the relief of William Lake is now ready.

The Clerk read the proposed amendment, as follows:

Strike out all after the word "appropriated," in line 6, down to the word "in," in the eighth line, and insert "$32.95 for box and drawer rents, and $119.30 for cash received from the sale of postage-stamps."

Mr. RICH. This amendment which I have offered provides for the payment of just the amount which is not provided for in the general law. The application has been made for this amount, and all the papers connected with the case are now with the Department. I hope there will be no objection to the adoption of the amendment.

Mr. ROBINSON, of Massachusetts. It just covers the case.

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House.

CHARLES W. BUTTON.

The next business on the Private Calendar was the bill (H. R. 3842) to pay to Charles W. Button the costs of advertising property levied on by the collector of United States internal revenue in the fifth district of the State of Virginia.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to pay to Charles W. Button, editor and proprietor of the Lynchburgh Virginian, the sum of $80.93, the balance due him on account for advertising the sale of property levied on by E. Boyd Pendleton, late collector of the United States internal revenue for the fifth district of Virginia.

Mr. HOLMAN. Let the report be read.

The report was read, as follows:

The Committee on Claims, having had under consideration the petition to pay to Charles W. Button the costs of advertising property levied on by the collector of United States internal revenue in the fifth district of the State of Virginia, submit the following report:

Charles W. Button was the proprietor and publisher of the Lynchburgh Virginian, a newspaper published at Lynchburgh, within the fifth Congressional district of Virginia, in 1867, 1868, 1869, and during that time published certain official advertisements for the United States, by contract made with E. Boyd Pendleton, the collector for said district, in the course of his official duty. The advertisements were principally for the sales of property for payment of taxes, and the charges were at the regular established rates of advertising in that newspaper. The collector, while admitting the justness of the account, declines to pay it, and the Government refuses to pay, alleging that it can only deal with the collector, E. Boyd Pendleton. The amount stated in the bill is the balance due on this account. The proceeds of the sale of the property advertised were either embezzled or paid into the Treasury of the United States, and in either event the claimant should be paid for his work.

The committee report the accompanying bill, and recommend that it do pass.

Mr. HOLMAN. The bill calls for a very small amount. The report does not show why this money was not paid by the collector. Perhaps the gentleman from Missouri [Mr. CLARK], who made the report, can state why the money was not paid.

Mr. SPARKS. What does the report show as to that.

Mr. HOLMAN. It does not show anything. If the gentleman from Missouri [Mr. CLARK] is not prepared to answer the question, I will not delay the action of the committee.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM J. POLLOCK.

The next business on the Private Calendar was the bill (H. R. 1408) for the relief of William J. Pollock.

Mr. ERRETT. A Senate bill of the same character was passed by the House last session, and is now a law. I move that the bill be reported back to the House with the recommendation that it do lie upon the table without prejudice.

The motion was agreed to.

THOMAS DOAK.

The next business on the Private Calendar was the bill (H. R. 942) for the relief of Thomas Doak.

The bill was read.

Mr. HOLMAN. I call for the reading of the report.

The report was read.

Mr. HOLMAN. This bill for the relief of a postmaster is subject to the same objection as a similar bill which was passed over informally a few moments ago. I trust this bill also will be passed over, unless gentlemen present having it in charge think proper to modify it, so as to make it conform to the views that have been expressed.

There being no objection, the bill was passed over informally.

HENRY L. JAMES.

The next business on the Private Calendar was the bill (H. R. 693) for the relief of Henry L. James.

The bill was read, as follows:

Be it enacted, &c., That there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200.74, to be placed to the credit of the Post-Office Department; and the proper accounting officers of the Post-Office Department are hereby directed to credit Henry L. James, of Williamsburgh, Massachusetts, in his account as postmaster, with the same, it being for loss sustained by robbery of his office on the night of the 8th of August, 1872, but without fault or neglect on the part of said postmaster.

Mr. ROBINSON, of Massachusetts. Let the report be read.

The report was read, as follows:

The Committee on Claims, to whom was referred the bill for the relief of Henry L. James, have considered the same, and respectfully report:

The report of the Committee on Claims of the Forty-sixth Congress (Report No. 911) was as follows:

"This is a claim that the said James be allowed the sum of $200.74, being the amount of money and stamps stolen from the office in Williamsburgh, Massachusetts, at which he was postmaster. This claim has formerly been considered by Congress, though no final action has been taken in regard to it. The Committee on Claims of the Forty-fourth Congress, second session (February 1, 1877, Report No. 163), made a favorable report to the House of Representatives, and in the Forty-fifth Congress, second session, a favorable report on the same claim was made to the Senate, and the bill passed the Senate June 12, 1878. The report of the Committee on Claims of the Forty-fourth Congress was as follows:

"'Henry L. James, of Williamsburgh, in the State of Massachusetts, claims that he was for a long time postmaster at that place; that on the night of the 8th of August, 1872, his office was entered by burglars, the safe in which he kept all of the valuables pertaining to the office blown open, and contents thereof carried off about a mile, where it was looked over, and such as was not deemed of value to the robbers was left under a bridge, where it was found the next day, the balance being carried away, and no part of the same was ever recovered; that there was taken $65.84 of the money-order fund, and he estimates $150 worth of postage-stamps, making a total of $215.84; that this loss did not arise from neglect or from any fault on his part; that he had money and other valuables of his own in the said safe that were likewise carried away and not recovered. As proof of the foregoing statement the postmaster submits his own affidavit and that of Gains O. Wood, his assistant. The latter swears that the postmaster was also acting as express agent, and the express company sustained a loss at the same time by reason of said robbery; that the said express company caused an examination of the facts and circumstances connected therewith, and became satisfied that no blame could be attached to Mr. James or to the employés, and allowed him a credit for the amount stolen. In reply to a letter of inquiry, the Third Assistant Postmaster-General replies, stating that the amount of money-order funds in the hands of the postmaster at the date of the robbery, as it appears from the books of the Department, was $50.74, instead of $65.84 as stated by the postmaster; that an order issued by him the next day for $15.10 would just make the difference; that the amount of stamps claimed to have been lost is not unreasonable, according

to an estimate from the books. The committee recommend that an allowance be made as follows:

For money-order funds stolen	$50 74
For stamps stolen	150 00
	200 74

"This committee, after full consideration, find the facts to be as stated in said report of the Committee on Claims of the Forty-fourth Congress, and adopt the same as their report. It appears that due diligence was used by the postmaster, both in the care of his stamps and money before the robbery and in endeavoring to recover the property stolen by the burglars, and that he certainly used that reasonable care which any man of ordinary diligence would employ in the protection of his own valuables. The committee therefore report back the accompanying bill, and recommend that the same be passed."

This committee find the statement in said report to be true, and adopt it as their own; and therefore report back the accompanying bill, and recommend that the same do pass.

Mr. HOLMAN. This bill is like those which have been passed over. The amount is small, but I think we should adhere to the same rule.

Mr. NORCROSS. I desire to suggest that this bill for the relief of Mr. James is within the purview of the general law—the whole of it. I therefore move that the bill be reported back to the House with the recommendation that it do lie upon the table without prejudice.

The motion was agreed to.

JOSEPH WESCOTT & SON.

The next business on the Private Calendar was the bill (H. R. 3850) for the relief of Joseph Wescott & Son.

The bill was read, as follows:

Be it enacted, &c., That the sum of $3,468 be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying to Joseph Wescott & Son, of Portland, in the State of Maine, the said sum, as a balance due to them for cut granite furnished by them, under contract and otherwise, for the construction of two stairways in the east wing of the State, War, and Navy Departments Building in Washington, and to reimburse them for cut granite omitted by mistake from their estimates for said contract, and for other granite ordered by the Government independently of said contract.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay the said sum of money to the said Joseph Wescott & Son upon the execution and delivery to him of proper receipts therefor.

Mr. BROWNE. May I inquire what is the sum appropriated by this bill?

The CHAIRMAN. Three thousand four hundred and sixty-eight dollars.

Mr. BROWNE. I understand the report in the case is a long one.

Mr. REED. I will be very glad to state the nature of the case if the House prefer it rather than have the report read.

Mr. BROWNE. I should prefer that course myself.

Mr. REED. If there is no objection, I will state the leading facts in the case as I recollect them.

Mr. HOLMAN. I think the report had better be read first.

Mr. BROWNE. I will say to my colleague [Mr. HOLMAN] that the report is very voluminous, and as I desire at an early moment to move that the committee rise, I hope he will allow the gentleman from Maine [Mr. REED] to make a statement instead of calling for the reading of the report.

Mr. HOLMAN. I have no objection to that.

Mr. REED. This bill was first introduced into Congress some four or five years ago. In what I state I do not profess to be accurate as to amounts, nor possibly as to details. But the principle upon which the House will have to vote upon this bill is a very simple one.

Messrs. Joseph Wescott & Son were granite-cutters in my State. The officer in charge of the new State Department Building advertised for certain work to be done, to wit, a winding staircase in one corner of the new State, War, and Navy Building. That work is of a very peculiar nature. No one step is like any of the other steps, and it consequently required new plans and special labor for each stone. It is a very unusual kind of work.

It also turned out in the result that the plans were calculated to mislead, not, of course, intentionally, but it so happened that the plans were so made that they would mislead even an experienced builder.

The offer for this work was made by the Messrs. Wescott not for the purpose directly of making money, but it being then a time of great depression in business, they desired to keep their workmen employed, and consequently they deliberately calculated upon a transaction which was to give them, in their judgment, only enough money to pay their workmen, the advantage to them being that they kept up their organization.

They bid to do this work for $15,000. The report of the engineer in charge shows that the work which they did cost them, in actual money paid to their laborers, nearly $10,000 more than they received, without allowing a single cent for profit or for any other purpose.

The report of Colonel Casey also shows that the work which they performed for this sum of $25,000 was work of the same character that in another corner of the same building, with one story less of steps, cost the Government $66,000. At the same rate at which the steps in the other corner of the building were constructed, the staircase which these contractors constructed at a cost to them of twenty-five or twenty-six thousand dollars would have cost the Government something over $80,000.

These contractors made a claim for the amount of money which they had disbursed beyond their contract. The committee said, and said very properly, "We can not construe contracts in that sort of way. If you make a contract and it comes out wrong, you lose; and if you make a contract and it comes out right, you gain. We can not change the law in that respect; otherwise there would be no use in making contracts."

But the committee did say that while they can not rectify any contracts of that kind, they can rectify a mistake of fact. Now, it turns out that in calculating upon this matter from the plans, the builders left out of their calculation some of the work, owing to the nature of the plans, which are very fully detailed in the report of the committee. I will say that Colonel Casey admits this to be a righteous and proper claim, and one which he would himself have paid, but he had no authority under the law to pay it. Colonel Casey is the officer in charge of the work.

The item in regard to which it is found there was an actual mistake of fact foots up the amount which is contained in this bill, and on this account the committee recommend the passage of the bill. The committee says:

It is clear that, as to the stones thus omitted, the claimants, in the exercise of due and reasonable care and without culpable negligence, made a mistake of fact in not taking any account of them. It was a mistake which any man might have made and which probably most men would have made, and one against which the claimants took peculiar and unusual precautions, by getting a clerk in the Government office to with them check off on the list the stones called for in the estimates and plans, and it may be said that the clerk in the employment of the Government assisted the claimant in making the mistake. Neither the clerk nor the claimant was in fault, because the mistake might naturally have happened to any one.

I believe these are all the points in the case which deserve any consideration. This bill simply covers the amount of loss occasioned by the mistake in fact. It does not reimburse these men for money actually paid out, and to-day the Government has work for which these men paid out in actual money $6,000 more than they will receive even if this bill should become a law.

I would add further that the mistake was discovered before the work had proceeded very far, and the senior member of the firm said to Colonel Casey: "I find I have made a mistake, and I am disposed to throw up this contract." But Colonel Casey assured him that if he went on and finished the work, and showed that a mistake was made, the Government would rectify it; and he also pointed out to him that if he did not do it he would be in the position of a defaulting Government contractor. The members of this firm being honorable gentlemen, and being moved by what Colonel Casey said to them, went on and completed the work.

To recapitulate. If these men get the money covered by this bill they will still be out actually $6,000, and will have furnished to the Government of the United States for the sum of about $20,000, work similar to that which has cost the Government in another part of the same building at the rate of $80,000. I move that the bill be laid aside and reported favorably to the House.

Mr. HOLMAN. I have before me the report of the committee, to which is appended a letter from Thomas Lincoln Casey, lieutenant-colonel, Corps of Engineers, to the gentleman reporting this bill. Although this seems to be a claim for loss resulting from taking a contract at too low a rate, I am not certain, upon the brief examination I have been able to make of this statement of the engineer, that there may not be some equitable foundation for the claim. I think as a general proposition it is exceedingly unwise for the Government to attempt to rectify contracts which have proven in their execution unfavorable to the contracting parties. There will undoubtedly arise occasionally a case of sufficient strength in equity to justify the Government in compensating the parties for their loss. Upon my hasty examination of this report I am not prepared to say this claim may not be of that class. I am inclined to ask the reading of the letter to which I have referred, as it presents the case very fully. It is, however, a document of some length.

Mr. REED. I can assure the gentleman from Indiana [Mr. HOLMAN] that there is nothing in this report or in the facts of this case which militates at all against the principles he has laid down. I myself do not believe in rectifying Government contracts except in circumstances under which a court of equity would rectify them; that is, in cases where there has been a mistake of fact. Where parties have innocently made a mistake of fact, a court of equity will grant relief. I believe that Congress should do the same. I do not believe Congress should take into account, except incidentally as a matter of inducement, the question whether or not a man has made or lost by his contract. The object of the Government in making a contract is to get the work done at a fixed price; and that ought not in general to be deviated from. But when there has been a mistake of fact the actual status of the contractor as to profits may possibly be stated as a matter of inducement bearing upon the equities of the case.

Mr. HOLMAN. The letter to which I have referred contains a passage which seems to present the whole case; and as it is brief I will read it, so that we may act understandingly upon this subject:

The senior partner, Captain Joseph Wescott, after having cut one of the two stairways, called upon me and stated that, owing to their loss in this cutting, he was of a mind and had about determined to throw up the job and forfeit the amount of the bond, together with the retained 10 per cent. of what they had already earned. I advised him not to do so, as if he did he would put himself in the position of a failing contractor, and so deprive himself of an opportunity

to have his bids considered upon any other work that might arise; and that it would be better for him to go on in the face of known loss and appeal to Congress for relief, and that if he could show to Congress, fair and square, that he was necessarily expending, or had expended, more than he was to receive, in my judgment his loss would be made good to him.

That paragraph presents the entire case. There were two stairways which were contracted for jointly. After the material for the construction of one had been furnished the contractor, discovering that he was sustaining heavy loss, determined to throw up his contract, forfeiting his bond and also the 10 per cent. retained by the Government on what had already been earned, but it would appear that under the advice of the engineer he reconsidered his decision and determined to make this appeal to Congress.

Mr. HUMPHREY. Mr. Chairman, it seems to me this is the ordinary case of a man bound to carry out his contract, if he can, but entitled to rely upon any equitable consideration which would allow him relief. If a man makes a contract under a mistake of law, no matter how learned or how ignorant he may be with respect to the law, he can never obtain any relief from the consequences of that mistake; but if he acts under a mistake of fact, the courts will relieve him just as readily as they would allow him to sue on a promissory note. It seems to me Congress should not for one moment hesitate to grant relief where a contractor is entitled to it upon any equitable consideration. In this case I think we should give this man relief as an incentive to contractors to act honestly in such cases and fulfill their contracts even at a loss.

The question being taken on the motion of Mr. REED that the bill be laid aside to be reported favorably to the House, it was agreed to.

S. P. YEOMANS AND A. LEECH.

The next business on the Private Calendar was the bill (H. R. 301) for the relief of Stephen P. Yeomans and Andrew Leech.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Stephen P. Yeomans, late register of the United States land office at Sioux City, Iowa, out of any money in the Treasury not otherwise appropriated, the sum of $7,500, in full for all extraordinary services or expenses rendered or incurred by him during his term of office as such register.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Andrew Leech, late receiver of the United States land office at Sioux City, Iowa, out of any money in the Treasury not otherwise appropriated, the sum of $4,050, in full as indemnity for all extraordinary expenses incurred by him during his term of office as such receiver.

Mr. DEERING. Mr. Chairman, as this bill was introduced by me, and one of the claimants resides in my district, I wish to say a few words in explanation of the claim here presented. The report is somewhat voluminous, and as my friend from Indiana [Mr. BROWNE] is anxious to progress as rapidly as possible with the consideration of the Private Calendar, I hope it will not be necessary to read the whole of it, although all of it may be printed in the RECORD. I will refer to certain portions which really embody the essential points, and those portions if necessary can be read to the House.

Now, Mr. Chairman, the object of this bill is to refund to these claimants, the receiver and the register of this land office, certain moneys paid out by them for extraordinary expenses during their term of service for clerk-hire, office-rent, &c. It is known to most members, certainly to those coming from the West, that registers and receivers of land offices acted under the impression that they were entitled to a certain fee for the location of land-warrants, which amounted to about $1 for every forty acres located.

Mr. SPARKS. The gentleman means a dollar to both and fifty cents to each.

Mr. DEERING. Yes, one dollar to both, and that of course would be fifty cents to each on every forty acres. Well, sir, acting under this impression that they were entitled to these fees, they made no charges for office-rent or clerk-hire. This was the case not only with this land office, but with all others throughout the West. After a term of years the United States brought suit to recover the amount of the fees which had been retained by these officers. The first suit was brought against a register or receiver by the name of Babbitt in the State of Iowa. The case was brought before the present United States judge of that district, and was decided in favor of the claimant. It was then taken up to the Supreme Court of the United States, and after being carefully heard the decision of the district court of Iowa was reversed. This money was taken from these claimants. They were compelled to refund it to the Government.

Not less than half a dozen bills of a similar character, and for similar services, were introduced in the Forty-third and Forty-fourth Congresses, and were passed in every case and almost without opposition. This bill was introduced by myself in the Forty-sixth Congress, and after being very carefully considered by the Committee on Claims was reported with a unanimous recommendation that it should pass; but it was not reached on the Calendar. It was again introduced by me at the first session of this Congress, and referred to the Committee on Claims, and again, after very careful consideration by that committee, was unanimously reported with the recommendation that it should be passed.

I will not detain the House longer, Mr. Chairman, but will merely ask that certain portions of the report which I have marked be read by the Clerk, as they embrace what is most important for the information of the House.

The report of the committee is as follows:

Your committee, to whom was referred the bill (H. R. 301) for the relief of Stephen P. Yeomans and Andrew Leech, report:

That this claim was referred to the House Committee on Claims in the second session of the Forty-sixth Congress, who, after a full investigation, made a report in favor of the same; which report, No. 872, made as aforesaid, is adopted by your committee and herewith submitted, and they report the bill herein back without amendment, and recommend its passage:

"The Committee on Claims, having had under consideration the bill (H. R. 1110) for the relief of Stephen P. Yeomans and Andrew Leech, beg leave to submit the following report:

"The claimants in this case seek indemnity for clerk-hire and office-rent expended by them respectively as register and receiver of the Sioux City land office, Iowa.

"Stephen P. Yeomans was appointed register March 7, 1855, and remained in said office until May, 1861, something over six years. He asks compensation upon the following basis:

Office-rent, at $600 per annum	$3,600
One clerk, six years, at $1,000 per annum	6,000
Additional clerk-hire	2,000
Total office-rent and clerk-hire	11,600

"He also prays compensation for services in investigating, by order of the Secretary of the Interior, charges against a receiver at Omaha, Nebraska, and the surveyor-general's office in Kansas, of $500. Also for services in depositing money at Dubuque, received from the receiver at Sioux City, in the sum of $300, making a total of $12,400.

"Andrew Leech was appointed October 8, 1856, and continued in such office till March 31, A. D. 1860, a period of nearly four years and one-half. He prays compensation upon the following basis:

Clerk-hire	$4,000
Office-rent and incidental expenses	1,500
Total	5,500

"In response to an inquiry addressed to the honorable Secretary of the Interior by your committee, the acting Commissioner of the General Land Office, in a letter under date of February 10, 1880 (herewith submitted), says:

"'It appears from the records of this office that Andrew Leech was receiver of public moneys at the land office at Sioux City, Iowa, from the 29th of November, 1855, to the 31st March, 1860, and that Stephen P. Yeomans was register at the same place during all of said period. The register and receiver during the whole of the time were paid their salaries, and were each allowed the fees and commissions authorized by law on the business of said office, even to maximum compensation.

"'1. No allowances were made for "clerk-hire or office-rent" during their terms of office, for the reason that such allowances were not made twenty or twenty-five years ago, the time of their incumbency.

"'2. Mr. Yeomans, as register, has not been allowed anything "for depositing at Dubuque," for the reason that he was not required nor authorized by law to make deposits.

"'3. No credit has been given the disbursing agent for the register's claims for services in investigating charges against the surveyor-general's office in Kansas.'

"It appears abundantly, from the evidence submitted to your committee, that both Yeomans and Leech supposed themselves to be entitled, as a part of the emoluments of their office, to certain warrant charges exacted of parties entering the Government land agreeably to the various acts of Congress on that subject, and more particularly the sixth section of the act of March 3, 1855, which provides—

"'That registers and receivers of the several land offices shall be severally authorized to charge and receive for their services in locating all warrants under the provisions of this act the same compensation or percentage to which they are entitled by law for sales of the public lands for cash at the rate of $1 per acre, the said compensation to be paid by the assignees or holders of said warrants.'

"These warrant charges were, in the aggregate, very considerable, and, had they belonged to these officers, would have rendered the emoluments of these positions sufficient to cover all necessary expenses, and afford at the same time ample salary for the incumbents thereof.

"The claim to these charges, as a part of the emoluments of these offices, seems to have been universal among registers and receivers. It was based upon the construction given to the said tenth section of the act of March 3, 1855, and the various other acts of Congress relating to the sale of public lands by several eminent lawyers, and notably among others the late Reverdy Johnson, of Baltimore.

"It seems, however, that the Secretary of the Treasury did not acquiesce in this claim upon the part of registers and receivers, but, on the contrary, insisted that the salary and perquisites of these officers were limited by the act of Congress of April 20, 1818 (3 Stat., 466), to the sum of $3,000 per annum as the maximum amount. Suits were instituted by the Government to settle the construction of the various acts of Congress bearing on the question in controversy.

"Two cases were commenced in 1858 in the United States district court for the district of Iowa, one against Lysander W. Babbitt, as register of the land office at Kanesville, Iowa, and one against Robert Coles, register at Chariton, Iowa. These suits were decided by the district court of Iowa against the Government, Judge Love affirming the right of the defendants to retain the charges as a part of the emoluments of their respective offices. The cases were subsequently taken by writ of error to the Supreme Court of the United States, where the decision of the district court was reversed, the court holding that the maximum amount of the emoluments of these offices was fixed by the act of 1818 at the sum of $3,000. The opinion of the Supreme Court is reported in 1 Black, page 35.

"Under this decision of the Supreme Court the claimants were compelled to account to the Government for all receipts of their offices in excess of the sum of $3,000 per annum.

"It appears from a letter from the acting Commissioner of the General Land Office, under date of February 19, 1880 (herewith submitted), that the claimant Leech, as the receiver of public moneys at the land office at Sioux City, Iowa, 'collected and paid over as fees on military bounty-land warrants the sum of $21,602.11 between the 3d day of December, 1855, and the 31st day of March, A. D. 1860.'

"It is thus seen that had the claimants been correct in their interpretation of the law, the annual incomes of their respective offices would have been very considerably greater than the sum of $3,000. Having been disappointed in what they insist were their just expectations in regard to the emoluments of their offices, they now ask to be reimbursed for what they allege were really extraordinary expenses growing out of the exigencies of the public service and necessarily incurred by them in the proper management of their offices, to wit, clerk-hire and office-rent, and for which, as they assert, no provision or allowance has ever been made them.

"It is obvious that these claimants might have realized from their respective offices the full amount of salaries at the rate of $3,000 per annum, upon a much smaller volume of business than appears to have been in fact transacted by them. From the evidence submitted to your committee it is clear that the claimants

chose rather to afford the public every reasonable facility for the transaction of business. The rush westward for lands in those days was very great. The exigencies of the public service and the burdens imposed upon registers and receivers are well described by Judge Love, of the United States district court of Iowa, in his opinion in the Babbitt case already referred to. He says:

"'The history of the land sales of 1855 will place the object of Congress in passing the sixth section (act of 1855) in a clear and definite light. The rage of speculation had, during that year, nearly reached its height; multitudes of people besieged the land offices, clamorously demanding the location of their warrants. Many millions of acres of land were disposed of in Iowa in an incredibly short space of time. Under these circumstances it was manifest that no ordinary force of clerks and no ordinary means and appliances were sufficient to meet the exigencies of the service. The salaries of the officers were wholly inadequate to meet these expenses. Hence Congress had either to provide the means of paying such expenditures out of the public Treasury, or of enabling the land officers to do it by authorizing them to receive fees adequate to that purpose from those for whose benefit the services were performed and the expenses incurred. Congress chose the alternative least burdensome to the public Treasury.

"'In cash sales the officer had but to count the gold and issue the certificate. In cash sales, one written application and one certificate were sufficient for a whole section. How different is it under the land-warrant system. In the location of warrants, the officers have to examine the assignments, oftentimes numerous and sometimes by guardians, &c., and pass upon their validity. This is often a delicate and responsible duty. A separate application and separate certificate have to be written for every warrant. With 160-acre warrants, four applications and four certificates were required for a section of land, and with 40-acre warrants sixteen applications and sixteen certificates were required for the same quantity of land. (Senate Report No. 176, second session Forty-fifth Congress, case of T. A. Walker.)'

"There seems to be hardly any question about the propriety of reasonable allowances for the extraordinary expenses of these officers. The Commissioner of the General Land Office, in a letter to the Secretary of the Interior, under date of February 14, 1877, which is set forth in the Senate report above cited, says:

"'The following United States land offices were allowed for payment to clerks, rendered necessary in consequence of the magnitude of the sales of Osage and other Indian lands, the sums paid to them having been charged against the proceeds as expenses:

David B. Emmert, receiver at Humboldt, Kansas	$3,145
William Q. Jenkins, register at Wichita, Kansas	3,207
M. W. Reynolds, receiver at Independence, Kansas	2,041

"'The act of Congress of 7th July, 1876, allowed Ariel K. Eaton, late receiver, and James D. Jenkins, former register, at Decorah and Osage, Iowa, $3,000 each, on account of payments for the services of clerks, upon the ground that such employment was necessary, owing to the large number of entries of land at that office.

"'By act of 18th February, 1861 (section 2235 Revised Statutes of the United States), the Secretary of the Interior is authorized to approve the employment for a limited period, and at a reasonable per diem compensation, of one or more clerks in the office of a register of a consolidated land office, &c.; but, with this exception, there is no direct authority of law for the employment of clerks at the expense of the United States in the offices of the registers and receivers of the United States district land offices.'

"In fact, the propriety of these allowances was recognized and authorized by Congress as early as the year A. D. 1856. By section 7 of the general appropriation act of that year it was provided—

"'That in the settlement of accounts of registers and receivers of the public land offices the Secretary of the Interior be authorized to allow, subject to the approval of Congress, such reasonable compensation for additional clerical services and extraordinary expenses incident to said offices as he shall think just and proper, and report to Congress all such cases of allowance at each succeeding session, with estimates of the sum or sums required to pay the same.'

"This rider seems to have been overlooked by the claimants, doubtless from the fact that they were relying upon their supposed right to retain the warrant charges. That question, decided favorably on the first instance, as we have seen, was not settled adversely by the Supreme Court until the year A. D. 1862, when the opinion in the Babbitt case was rendered. In the mean time, the act of February 18, 1861 (section 2235 Revised Statutes), had been adopted. This act applies in terms only to consolidated land offices, and appears to have been regarded as a repeal by implication of section 7 of the general appropriation act of 1856; at all events, that section seems to have been thenceforth ignored.

"It may be proper to remark in this connection that the claimant Yeomans was absent from home for nearly four years, during the late war, as assistant surgeon of the Seventh Iowa Regiment; that during his absence his residence was destroyed by fire, and, as he alleges, all his private papers were consumed, thus preventing him from confirming by original documents and writings much that is alleged in regard to the merits and history of these claims.

"In the opinion of your committee, however, it would be, under these circumstances, obviously unjust to allow any suggestion of delay on the part of the claimants to prejudice their application for relief even at this day.

"The claimant Yeomans has furnished to your committee numerous affidavits, letters, and statements by prominent business men and citizens of Iowa and other parts of the West, who were familiar with the condition of affairs at Sioux City during his term of office as register, all of which are herewith submitted; among others, statements by the following well-known gentlemen: Hon. A. C. Dodge, James Harlan, George W. Jones, James H. Rothrock, W. A. Burleigh, George Wright, Charles Mason. From these statements and affidavits it fully appears that in 1856 the Sioux City land district was a vast region of uninhabited territory, embracing nearly one-fourth of the State of Iowa; that the town itself was then a mere collection of log cabins out upon the verge of civilization; that rents and all the necessaries of life were extravagantly high; that Yeomans was under the necessity of erecting a building at his own expense in order to secure proper office accommodations; that he was compelled to bring materials therefor and his mechanics to construct the same from Saint Louis, a distance of nearly 1,000 miles. It further appears from the evidence submitted that the claimant Yeomans gave his personal attention strictly to the duties of his office; that he kept continuously one competent clerk and additional clerks according to the exigencies of business, the number at times running as high as four.

"The claimant Leech has also furnished numerous affidavits and statements, which are herewith submitted. From these proofs it appears that Leech gave his personal attention strictly to the duties of his office; that he kept continuously one competent clerk; that at times the volume of business was such as to require the services of as many as four clerks. In short, it is the concurrent testimony of numerous gentlemen of all parties and of the highest standing that both these claimants ran their respective offices in the most thorough and business-like manner and gave the highest degree of satisfaction to the public and the Government.

"There is no doubt in the opinion of your committee that both claimants during their term of office supposed themselves to be entitled under the law to the warrant charges. They most undoubtedly believed that such charges were intended to enable them to cover the extraordinary expenses of their offices; and it seems to be the unanimous opinion of the distinguished gentlemen making statements in favor of the claimants that, having been deprived of the warrant charges, they have never received adequate compensation for their many years of faithful service. In accordance with the decision of the Supreme Court they were compelled to account for and pay these charges over to the Treasury.

"Under the circumstances of the case, therefore, your committee is of the opinion that the claimants are entitled to be indemnified for the extraordinary expenses of their respective offices.

"Your committee is of the opinion, from the evidence submitted, that the office expenses of said claimant, Yeomans, including rent and clerk-hire, were somewhere from $1,500 to $2,000 per annum, and that a just indemnity to him for extraordinary expenses would be the sum of $1,250 per annum, and in compensation for these disbursements your committee recommend that said claimant be allowed for the entire period of six years the sum of $7,500.

"Your committee is further of the opinion that the sum of $800 per annum is a fair rate of compensation for the claimant Leech, as indemnity for the extraordinary expenses of his office, and your committee recommend that he be allowed the sum of $4,050 on that account.

"It further appears from the evidence submitted, that the claimant Yeomans, in the winter of 1855-'56, was detailed by the Secretary of the Interior to examine charges against a receiver at Omaha and the surveyor-general's office in Kansas, which service required a journey of some seven hundred miles in mid-winter, in rude conveyances, and also the taking of many depositions. The details of these services are fully set forth in the affidavit of H. C. Bacon, herewith submitted. (See also the statement of Hon. George W. Jones.)

"The claimant Yeomans also alleges that soon after his appointment as register, the then receiver at Sioux City, a Mr. Bryant, was removed; that Bryant, upon his removal, and before the vacancy was filled, turned over the gold coin on hand to the claimant Yeomans, who thereupon proceeded to Dubuque, a distance of three hundred and sixty miles across the State, and made deposit of the same.

"The evidence shows that the actual expenses of the claimant while in Kansas upon the discharge of the duty thus assigned him were adjusted and paid; no allowances for services, however, were made in either instance, there being no law to meet such case. While these services on the part of the claimant Yeomans were undoubtedly meritorious, still your committee, in consideration of the fact that he was a Government officer in receipt of compensation, do not feel inclined to make any allowances therefor.

"Your committee therefore report back the accompanying substitute for House bill 1110, and recommend its passage."

Mr. DEERING. It seems to me, Mr. Chairman, that the report is conclusive, and therefore I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

Mr. SPARKS. Mr. Chairman, I understand that this claim is for extraordinary services as land officers. I do not think the committee thoroughly understand the facts involved.

Mr. DEERING. No, not for services.

Mr. SPARKS. Well, for extraordinary expenditures. Under the law of 1818, I think it was, registers and receivers of United States land offices were entitled to a salary of $500 per annum each. That continues to be the present salary of those officers; they are also entitled to 1 per cent. commission on all cash sales of the public lands, which make those offices very desirable appointments. But there is a limit affixed to this commission so that the total income from the office shall not in gross exceed $3,000 per annum each. That I believe is the substance of the law of 1818 in relation to the pay of these offices. Somewhere about 1848 to 1850 the first land-warrants were issued, and by some provision of law these officers were required to collect from parties locating the warrants a sum equal to the 1 per cent. commission they would have received from the Government if the land had been entered by cash, to wit, for 80 acres of land each officer receives $1.

Mr. DEERING. Forty acres.

Mr. SPARKS. For eighty acres each receives $1, and for forty acres each receives 50 cents, and so on.

Mr. DEERING. The gentleman is correct.

Mr. SPARKS. On land-warrant locations, therefore, they obtain precisely the same pay as from cash entries, but receive it from the party locating the land-warrant. This was done by some provision of law subsequent to 1818. But the act of 1818 fixing the maximum of annual pay of the officers at $3,000 was retained unchanged. That is the law, I think, as it now stands. I understand in this case these officers have received the maximum pay under the law and now claim something in addition thereto.

Mr. DEERING. Let me say to the gentleman that it was clearly understood by these officers that these fees were to pay extraordinary expenses.

Mr. SPARKS. Let me continue. These officers must have accepted the offices with an understanding of the law that their maximum pay should be $3,000 per annum. Now, they have received their $3,000 gross pay per annum each, and they are here to ask for the difference between that pay and the amount over that which they collected on the location of lands by land-warrants.

Mr. DEERING. But let me call the gentleman's attention to the fact that these officers were compelled to pay out more than the sum received—$3,000—for office-rent and for clerk-hire alone.

Mr. SPARKS. I understand my friend very well. He thinks that these parties should have a charge upon the Government for office-rent and clerk-hire in addition to their salaries and commissions. Well, I never knew—and I was a land-office receiver a good many years ago myself—of any United States office where there was any provision made allowing clerk-hire and office-rent, though it may have been allowed under certain extraordinary conditions. And such action may have been within the purview of the law. But if it was done at all at any office it certainly was done under special authority of the Interior Department, of which the General Land Office is a bureau. In this case it is not claimed that the General Land Office gave any sanction or took any action in the premises.

Mr. THOMPSON, of Iowa. Will my friend allow me to call his attention to the language of the statute covering this point?

Mr. SPARKS. Certainly; that is precisely what I want. I want all the light upon the subject that we can get.

Mr. THOMPSON, of Iowa. This law was passed on the 18th of February, 1861. It is section 2255 of the Revised Statutes, and it expressly authorizes the Secretary of the Interior to make a reasonable allowance for office-rent in these consolidated land offices.

Mr. SPARKS. I think I understand that; but, as I have said, where this allowance is made, if made at all, it must have been done under the authority and by the direction of the Secretary of the Interior at the time and the necessity for it certified by him as existing. Now, it was the duty of these officers to get the authority for the employment of clerks, and the authority also for the payment of rents, where the office was so full of business as to make it incumbent upon the General Land Office to pay them additionally beyond the maximum salary and commissions allowed by law. But in this case they made no such application to the Department, and no such allowance is made nor the necessity for it certified to. If we grant the relief sought in this case it may be required in every other case of a similar character, and such claims will be endless. I do not know but that these gentlemen have incurred expenses beyond what should reasonably have been demanded of them under their maximum pay. I know nothing at all of that; I am speaking of the general principle.

But if they did incur this extraordinary expense, and made payments therefor out of their own pockets, they were certainly so remiss as to their own interests in not seeking in a legitimate way to have the Government assume it as to raise the suspicion that they knew there was nothing in it warranting any special allowance from the Government, and that they could get no order therefor from the Department at the time. And of course if they were not then entitled to it, and could not then have had it certified as necessary by the Department, they are not now entitled to be paid through an act of Congress. I state the fact that under the law United States land office registers and receivers are entitled only to the maximum pay of $3,000 per annum each, including salary, commissions, &c. Now unless there was something extraordinary in this case these officers certainly have no right to demand any more, though the fees of the offices may have amounted to $10,000 or any other sum over that. This maximum pay they have received. Their accounts have, as I presume, been duly adjusted in the proper Departments. There is nothing here to show that application was at the time made, nor the necessity for additional pay for extraordinary expenses recognized by the General Land Office at that time, and it seems to me that after the lapse of so many years we ought not now to open it up to pay these men for something they did not venture to urge at the time when the matter was fresh.

Mr. DEERING. At the time these gentlemen were in office there was a great pressure on the offices for locations of land as stated in the report. Now, if these claimants had understood that they were not entitled to anything beyond the $3,000, they might have gone on with their duties in a limited way carrying on the business as best they could, but by so doing the demands of men who were clamoring for lands could not have been met, and both private and public interests would have suffered. They might have gone on year after year doing the business within themselves, in a small office, entirely inadequate to the necessities of the public service. Instead of that, believing that they were entitled to it, they yielded to the pressure; they furnished suitable accommodations and employed a large number of clerks to advance the work to an early completion.

Mr. SPARKS. I think I understand my friend thoroughly, and it results in this, simply that these officers, under the law which gave them only $3,000 per annum each as a maximum pay, undertook to discharge the duties of the offices under the law for that pay, and did it. They could have guarded against extraordinary expenses by application to the Secretary of the Interior, who perhaps had the legal authority and would have allowed them for extraordinary expense if it existed and had been made known to the Department. But no efforts in this direction, it seems, were made or attempted to be made by them at the time.

There is no claim set up here that the Department was called upon to meet an extraordinary emergency which required an additional expense beyond that reasonably devolving upon these officers under their ordinary salary and commissions. Would it not then be an invitation to every other land officer to come to Congress in the face of the law and ask an additional allowance? It strikes me that it would be so, and that much mischief may result from such action on our part. I do not, of course, know the precise facts in this case. They may warrant some relief to those men in the way of additional pay. But as they have failed to pursue the ordinary course to protect themselves, if indeed there was any real merit in their case demanding protection, it strikes me that it is a matter that should require careful consideration before we at this late date give our consent to a relief of so uncertain a character.

Mr. UPDEGRAFF. Mr. Chairman, I only rise to correct as far as I can an erroneous impression which seems to be in the mind of the gentleman from Illinois. He states that there is a provision for an allowance to be made to land officers for clerk-hire and extraordinary expenses under certain contingencies. The statute which authorizes that allowance on the part of the Secretary of the Interior was not enacted until the year 1861. The services or these extraordinary expenditures for which compensation is sought in this bill were rendered between the years 1855 and 1860, or between 1855 and 1861. They were all rendered or the expenditures were incurred prior to the passage of this act.

Mr. SPARKS. Prior to 1861?

Mr. UPDEGRAFF. Yes, sir.

Now, a word more while I am on my feet. Perhaps I am out of place and speaking in the time of other gentlemen, but I will say simply a word more. Those of us who remember the rapid sales of lands in Iowa beginning with the year 1854 can better appreciate the circumstances under which these officers were placed.

It was not in those years an uncommon thing for men to form in line in front of the land offices in Iowa in order to reach their places in regular order; and the places in that line near to the land office were sold and were worth thousands of dollars. Men have time and again braved the storms of the northwestern blizzards through night and day and had their food brought to them by their friends to maintain their places in those lines in order to make their land entries.

Under this pressure these officers incurred extraordinary expenditures for clerk-hire and office-rent in order to meet this extraordinary exigency; and it is for these expenditures that they now ask compensation.

Mr. SPARKS. How in office-rent did they incur any extraordinary expenses?

Mr. UPDEGRAFF. I yield to my colleague [Mr. THOMPSON] who reports this bill to answer that question.

Mr. THOMPSON, of Iowa. The report shows that these expenses commenced as early as 1855 in Sioux City, almost in the northwest corner of the State of Iowa. The gentleman from Illinois, being a frontiersman, will recollect that as late as 1856, in the county adjoining to Sioux City, Inkpadutah and his band of Sioux made a raid and murdered a large number of Iowa citizens. In 1855 Yeomans, almost one-fourth of the entire State of Iowa being then embraced in his district, was compelled to bring his lumber from Saint Louis, nearly 1,000 miles, and his mechanics also from that city, and at his own individual expense erected the building in which the office was kept. He also at his own proper expense hired clerks.

The rush, as my friend and colleague has stated, commenced in 1854 and ceased practically in 1857. The gentleman from Illinois [Mr. SPARKS] understands as well as any other man in this country that almost one-half of these entries during that period were made by land-warrants. Registers believed when they accepted their offices that they were entitled to a percentage upon those entries. The Treasury Department, however, and I think rightfully, decided against them. These men then were rushed night and day as the evidence shows.

It appears from the evidence of the men living at that time who had cognizance of the facts that besides this vast expenditure by these officers of their own time and money in erecting this building and furnishing it for Government purposes, a building which was used from 1855 to 1860, the rush of office business compelled them, owing to the size of the district and the great amount of immigration coming in with land-warrants and cash to make these entries—compelled them to employ additional clerks to meet the emergency and serve the applicants as they came.

The testimony is abundant and clear and beyond dispute that these extraordinary expenses were incurred. The committee, however, have not allowed these parties the amount which they showed they actually expended, but have cut it down to the amount in this bill. Personally I know nothing about it except that being in the State at the time I have a recollection of what took place, and have cognizance of the fact that this rush was made. Beyond that I have no interest whatever in this case. But the testimony does show these extraordinary expenditures were made, and I believe as a man, and as the member of the committee making this report, that these parties are entitled to the relief afforded in the bill. It has already been given to three different men in the State of Kansas and to two in the State of Iowa. It is a matter which Congress ought to dispose of, and I believe a just allowance ought to be made.

Mr. SPARKS. As I stated a moment ago I am not sure but there have been in this land office some extraordinary expenditures. The item of office-rent, however, as it strikes me, amounts to but little in this discussion. A land officer must furnish his own office. These gentlemen, it is said, went to considerable expense in building offices in that frontier town. We all know how that is; labor, materials, &c., for such purposes are expensive in new countries. But mark you, sir, the Government has nothing to do with their buildings. Their buildings are their own property and are supposed to be more valuable to them than they would be in an older country where they are supposed to be built cheaper.

The other point made by the gentleman from Iowa [Mr. UPDEGRAFF] that there was an immense rush of business at this land office is very likely correct, and that much of the entry of lands was by land-warrants. Perhaps three-fourths of all the entries at that land office were made by land-warrants. My experience from 1853 to 1855, inclusive, in an Illinois land office, for the portion of that time prior to the passage of what was known as the "graduation law," was that fully nine-tenths of all the entries were made by land-warrants. But in those warrant locations the officers simply collected from the party locating

the land-warrants a fee equal to the percentage allowed and paid by the Government to them in cash entries, and this collection was made for the benefit of the Government. So much as was necessary to make the officers' salaries up to $3,000 was retained by them and the remainder accounted for and paid into the Treasury.

Sir, there are inconveniences and much labor attached to the proper discharge of duty in all these land offices. There are times of great pressure of parties in making their entries of lands at all land offices, either with land-warrants or by cash entry. There is more of this doubtless in very new offices than in the older ones. But these officers understand in all cases the law, and take them with the expectation of a certain pay, and no more. These men knew that they could receive under the law no more than $3,000 per annum, and accepted the offices at that.

Mr. DEERING. But with the expectation that they would receive the pay and that the Government would supply the additional expenses.

Mr. SPARKS. My friend from Iowa [Mr. DEERING] means to say that these men expected to retain all they received for warrant entries as their own. But he will remember that under the law they were to receive this only as equivalent to the commission they would get on cash entries and as a part only of their maximum compensation of $3,000 per annum. That is very clear.

Mr. DEERING. Allow me to say that it was so far from being clear that when the case came before the United States district court of Iowa the judge now sitting on the bench, and distinguishing himself and the Government by his decisions there, decided in favor of these claimants on that very point.

Mr. SPARKS. I know. The decision of that judge was to the effect that these persons were entitled to all the fees obtained from parties making warrant locations. That was not the law, however. These warrant fees were to stand in the relation of the percentages on the cash entries, and the Supreme Court of the United States so determined in the case decided by that district judge in Iowa by a reversal of his decision.

Mr. HOLMAN. It would have been fortunate if the statement made by the Secretary of the Interior or the Commissioner of the General Land Office touching these claims had been set forth in full in the report. But I think the report very fully presents the case; except that the case on behalf of the Government is not presented to any very material extent.

The facts are these, as will be seen by reference to the report: From 1855, when this service commenced, until 1861 the compensation fixed by law for a register or a receiver of the land office was $3,000 a year, nothing less and nothing more—that is, if the percentages allowed him on the entries amounted to that sum.

Mr. SPARKS. Will the gentleman allow me a moment?

Mr. HOLMAN. Certainly.

Mr. SPARKS. The salary of a register or a receiver is fixed at $500 a year; it was so then and is so now. But those officers are entitled to certain commissions on cash entries, a commission of 1 per cent., and on land-warrant entries, the same to be collected from the parties locating the warrants. But the maximum pay is in no case to exceed $3,000 a year.

Mr. HOLMAN. I was trying to abbreviate my statement in regard to the matter. My friend from Illinois [Mr. SPARKS] is correct; the amount above $500, and to $3,000 a year, was to be made up by the percentages.

Now, up to 1861 no allowance was made by law for clerk-hire or for office-rent, and the compensation of these officers was fixed at $3,000 a year—not to exceed $3,000 a year, and if the percentages did not make up that amount, it was to be less than $3,000 a year by so much.

Under this state of the law these two gentlemen accepted these offices, and the question now is as to whether they were entitled to any compensation beyond the maximum of $3,000 a year growing out of the bounty-land law. That question, however, really does not enter into the case at all, for the reason that they at once, as I infer from the report, acquiesced in the decision of the Secretary of the Interior and of the Secretary of the Treasury that their compensation was to be limited to $3,000 a year.

The Supreme Court cases to which reference has been made were not the cases of these men, but of other officers. The two cases which were taken to the Supreme Court of the United States and there decided were not the cases of these officers. The officers in these cases acquiesced in the decision of the Secretary of the Interior and their accounts were settled for a period of five or six years upon the basis of an annual compensation of $3,000, these officers furnishing their office and paying for their clerks.

That condition of things continued until these gentlemen went out of office. The cases which ultimately went into the Supreme Court of the United States were cases of other parties, and I think it is not necessary that those cases should enter into the decision of this matter.

Mr. DEERING. Allow me to say to the gentleman that he is not exactly right in stating that the suits which went into the United States court were not brought until these gentlemen went out of office. The suits were brought in 1858, and these gentlemen went out of office in 1861.

Mr. HOLMAN. But the suits were brought against other parties.

Mr. DEERING. Against other parties, but while these men were in office, and were equally affected.

Mr. SPARKS. The men retained the fees and the Government sued to recover them.

Mr. HOLMAN. Not these two men.

Mr. SPARKS. The men against whom suits were brought.

Mr. HOLMAN. These two parties are Yeomans and Leech. The cases which were carried to the Supreme Court of the United States were the cases of Babbitt & Coles; different parties entirely.

Mr. SPARKS. Of course.

Mr. HOLMAN. Those cases against those other parties were not brought in the district court of the United States for the district of Iowa until 1858; therefore the law was a fixed fact. These officers were entitled to compensation up to $3,000 a year, and no more, if their fees amounted to that sum; if not, then the compensation was so much less than $3,000 a year as the fees amounted to less.

It is argued in favor of this claim that other persons holding similar offices and performing similar work have been allowed additional compensation for office-rent and for clerk-hire. That is the only reason which is urged in favor of this bill; that and nothing more. Now, that is not a reason for the passage of this bill, because these parties have already received every cent to which they were entitled under the law; they have been paid in full.

As to the extra compensation allowed to other public officers of this class, the statement of the report is as follows:

> The Commissioner of the General Land Office, in a letter to the Secretary of the Interior, under date of February 14, 1877, which is set forth in the Senate report above cited, says:
>
> The following United States land offices were allowed for payment to clerks, rendered necessary in consequence of the magnitude of the sales of Osage and other Indian lands, the sums paid to them having been charged against the proceeds as expenses:
>
> | | |
> |---|---|
> | David B. Emmert, receiver at Humboldt, Kansas | $3,145 |
> | William Q. Jenkins, register at Wichita, Kansas | 3,207 |
> | M. W. Reynolds, receiver at Independence, Kansas | 2,041 |

Now, my friend must observe the fact that these are exceptional cases. These were Indian lands; the subject was under the control of the Interior Department; and apparently without reference to special legal authority, but under the general powers in regard to the sale of Indian lands, these allowances were made. They were clearly exceptional, not in the regular course of compensation to land officers of the Government.

Mr. DEERING. My friend will allow me a moment——

Mr. HOLMAN. Certainly, I will yield.

Mr. DEERING. I wish to state that there was passed in the Forty-fourth Congress a bill precisely similar to this in favor of the register and receiver of a land office, similar in all respects, at the town where I reside, Osage, Iowa.

Mr. HOLMAN. I have that statement before me.

Mr. DEERING. That bill was passed here upon precisely the same principle on which we ask compensation in this case.

Mr. HOLMAN. I was coming to that. The Commissioner of the General Land Office, in the letter which I was just reading, says:

> The act of Congress of 7th July, 1876, allowed Ariel K. Eaton, late receiver, and James D. Jenkins, former register, at Decorah and Osage, Iowa, $3,000 each, on account of payments for the services of clerks, upon the ground that such employment was necessary, owing to the large number of entries of land at that office.

Now, there were periods when in various portions of Kansas, Iowa, Wisconsin, Michigan, and Minnesota these extraordinary sales occurred; and I do not see how we can now upon debate and consideration by the House (for bills frequently pass here without consideration) begin to make extra compensation in this way to a land officer for services rendered twenty years ago, unless we intend to make the rule universal; and I do not think my friend would desire to do that.

These men performed service and received their pay up to the last dollar allowed by law, and according to the regular course of legal proceedings. There was nothing exceptional in their cases, for it can scarcely be said that the sale of lands in the northwestern portion of Iowa at any time exceeded what has occurred at many other land offices west of the Mississippi River at different times. I submit that it would be exceedingly unwise to open up, after this lapse of time, a matter of this sort, and open it up, too, for the purpose of enlarging upon a single precedent which at some unfortunate moment has been established. In the absence of that precedent, I hardly think it could be insisted that these men are entitled to any more than they have already received. They agreed to render a definite service, for which they were to receive a definite compensation. That compensation has been paid, and there is no such equity here as would take these public officers out of the regular routine.

Mr. BROWNE. Unless debate on this bill can be limited by agreement I shall have to move that the committee rise.

Mr. DEERING. I ask the gentleman to withhold that motion for a moment.

Mr. BROWNE. I am ready to consent that the debate may continue ten minutes longer, if that be the sense of the committee, and if the gentleman from Iowa will be satisfied with that time.

Mr. DEERING. I wish to say only a word.

Mr. BROWNE. I understand there is unanimous consent that the debate on this bill shall close in ten minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that debate on the pending bill terminate in ten minutes. Is there objection? The Chair hears none.

Mr. DEERING. I wish only to make a single remark. In this case we ask nothing on account of the fact that similar allowances have been made to others, though in several cases heretofore, as I have already shown, allowances of this character have been made, and precisely similar bills passed in the Forty-third, Forty-fourth, and Forty-fifth Congresses. We ask this allowance on the ground that these are exceptional cases, and have been so determined by the committees that have examined them in the Forty-sixth and Forty-seventh Congresses. I now move that the bill be laid aside to be reported favorably to the House.

Mr. HOLMAN. I move to amend the motion so as to provide that the bill be reported adversely.

The question being taken on the amendment of Mr. HOLMAN, there were—ayes 32, noes 38.

Mr. HOLMAN. I make the point that no quorum has voted.

Mr. BROWNE. Then I move that the committee rise.

Mr. DEERING. I call for tellers.

The CHAIRMAN. The Chair will order tellers unless the gentleman from Indiana [Mr. BROWNE] insists on his motion that the committee rise.

Mr. BROWNE. I insist on my motion.

Mr. DEERING. I raise the point of order that the motion is not in order, as the committee was dividing. Let us have tellers.

The CHAIRMAN appointed Mr. DEERING and Mr. HOLMAN as tellers.

The committee divided; and the tellers reported—ayes 50, noes 74.

Mr. HOLMAN. No quorum has voted.

Mr. SPARKS. I ask by unanimous consent that it be agreed a yea-and-nay vote shall be taken on the bill in the House.

Mr. DEERING. I agree to that.

So Mr. HOLMAN'S amendment was disagreed to.

The bill was then laid aside to be reported to the House with the recommendation that it do pass.

Mr. BROWNE. I move that the committee rise.

Mr. PEELLE. I demand a division of the committee on that vote.

Mr. BROWNE. My object is to proceed to the consideration of the unfinished business coming over from previous days.

The House divided; and there were—ayes 57, noes 15.

So the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RICH reported that the Committee of the Whole House had had under consideration the Private Calendar, and had directed him to report back sundry bills with various recommendations.

FREDERICK NELSON, T. CAINE, AND HENRY C. SANDERS.

The SPEAKER. The first business in order is the unfinished business, and the first bill coming over is a bill (H. R. 4982) granting pensions to Frederick Nelson and others, reported from the Committee of the Whole House with amendments.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the names of Frederick Nelson, T. Caine, and R. Sanders, of Wyoming Territory, late employés of the Quartermaster's Department of the United States Army, who were severely wounded and disabled for life, while connected with Major Thornburgh's expedition, in the engagement with the Ute Indians September 29, 1879, and the pensions allowed them be respectively at the rate of $30 per month.

The SPEAKER. The Clerk will now report the amendments of the Committee of the Whole House.

The Clerk read as follows:

Strike out the letter "R" and in lieu thereof insert "Henry C."

Strike out the words "and the pensions allowed them be respectively at the rate of $30 per month."

Amend the title so as to read:

"A bill granting pensions to Frederick Nelson, T. Caine, and Henry C. Sanders."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DAWES moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PATRICK HORAN.

The next bill coming over as unfinished business was the bill (H. R. 6501) granting a pension to Patrick Horan.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll the name of Patrick Horan, late a teamster in the Quartermaster's Department of the United States Army, with the same rate of pension to which a private soldier would be entitled for like disabilities.

Mr. BROWNE. I ask for the reading of the report.

The report was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6501) granting a pension to Patrick Horan, having had the same under consideration, would submit the following report:

The petitioner, Patrick Horan, of Joliet, Illinois, was enrolled on or about September 15, 1861, as a teamster of the Quartermaster's Department, by Captain G. E. D. Diamond, at Saint Louis, Missouri. He was never discharged, but paid last at Fort Riley, Kansas, and sent back to Saint Louis on the 28th of November, 1866.

While serving as a teamster he was taken prisoner of war at the battle of Poisons Springs, and was confined at Camp Ford, Tyler, Texas, from about April, 1864, to about the middle of February, 1865. While a prisoner he was without shelter or covering of any kind, and in June, 1864, was exposed to a rain-storm of fourteen days' duration. During his confinement he dug a hole in the ground in which he slept. In consequence of his exposure and suffering he was stricken with paralysis, from which disease he has been suffering to the present time.

His statement as to his imprisonment, exposure, and incurrence of paralysis in rebel prisons is corroborated by the testimony of Henry B. Clark, himself an inmate of said prisons, and by the testimony of John B. Arnold, of the Chicago Mercantile Battery.

The evidence also shows that prior to and on his arrival at said prison he was in sound health. The testimony of neighbors, of Joliet, Illinois, shows that upon his return to Joliet, after the war, he was afflicted with paralysis, which has continued to the present time, making him completely unable to perform any physical labor.

Dr. W. Dougall, of Will County, Illinois, states that since 1874 petitioner has been under his treatment; that he has carefully studied his case; that he is suffering from "locomotor ataxia," caused by exposure and sleeping upon damp ground; that it gradually grows worse; is incurable, and will soon render him entirely helpless. His claim was rejected by the Pension Office on the ground that petitioner was not in the military service of the United States and therefore does not come under the general provisions of the pension law; but the Pension Bureau is of opinion that his claim is a meritorious one and should be allowed by "special act;" and that, if such special act is granted, the pension should commence from the date of its passage, at such rate as the claimant, upon examination, may be found to be entitled to.

Your committee are of opinion that the claimant is entitled to the relief he seeks, and therefore recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CULLEN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN C. FENSCKE.

The next bill coming over as unfinished business was the bill (H. R. 3701) granting a pension to John C. Fenscke, reported from the Committee of the Whole House with an amendment.

Mr. HOLMAN and Mr. MCMILLIN asked for the reading of the bill and report.

The bill was read, as follows:

Be it enacted, &c., That a pension be, and is hereby, granted to John C. Fenscke, late an employé of the United States Government, on account of wounds received while in the discharge of his duties as such employé; and that the Commissioner of Pensions be, and he is hereby, instructed to place the name of said John C. Fenscke on the pension-roll.

The SPEAKER. The Clerk will read the amendment reported from the Committee of the Whole House.

The Clerk read as follows:

Amend by adding the words "the pension to commence from the date of the passage of the act."

Mr. HOLMAN. Let the report be read.

The report was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3701) granting a pension to John C. Fenscke, having had the same under consideration, report as follows:

It appears from the evidence in this case that the petitioner, John C. Fenscke, of New Ulm, Minnesota, was a wagon-maker at Lower Sioux agency, in the employ of the United States, on the 18th day of August, 1862, at which time said agency was surprised and attacked by the Sioux Indians. It further appears that in assisting to defend the agency he received a severe wound from an Indian arrow, which passed through the muscles of his back, near the spinal column and between the third and fourth ribs, penetrating his left lung. He was treated for this wound by Dr. Alfred Miller, acting assistant surgeon at the military hospital at Fort Ridgeley, Minnesota, from the 20th of August to 30th September, 1862.

Dr. Miller in his sworn statement testifies that he treated petitioner in hospital aforesaid for arrow wound above described, and that it was received as above stated; that arrow-head remained in the wound until removed by him, dangerously injuring the lung; that since the receipt of said injury affiant has seen petitioner frequently, and that he has never fully recovered and never can from the injury received, the lung remaining in a diseased condition.

It also appears from the statement of Governor L. F. Hubbard, present governor of Minnesota, and other reputable citizens, neighbors of petitioner, that he was a robust and healthy man prior to the receipt of the injury and is now greatly disabled for the performance of manual labor.

After a careful consideration of this case your committee are of opinion that it is a meritorious one, and recommend that the bill do pass.

Mr. HOLMAN. This claim is made by a civilian employed by the Government as a wagon-maker. If I am correct this civilian was employed by the Government as wagon-maker, and I ask my colleague, chairman of the Committee on Invalid Pensions, whether that committee thinks it proper to enter upon the business of pensioning civilians—persons exclusively engaged in civil employment and who were injured while in that service?

Mr. BROWNE. This is a report of the committee, that is, it is the report of the majority of the Committee on Invalid Pensions. The facts are that the beneficiary of this bill was a civil employé of the Government, not connected in any way with its military establishment. While

employed in the capacity of wagon-maker the post at which he was at the time was attacked by Indians. As a matter of course, impelled by the first law of nature, self-defense, he entered into the fight simply because he was attacked and because he wanted to defend himself. In that fight he was wounded.

It was my opinion, as it was the opinion of other gentlemen of the committee, that the Government ought not to grant pensions in that class of cases. It simply amounts to this: A person not connected with the military establishment is in such position he is compelled to fight to defend himself, and in defending himself is wounded, and because he is wounded asks the Government of the United States to pension him. If he is pensioned all persons of the same class should go on the pension-roll by some general law. That is my opinion, as well as the opinion of other gentlemen of the committee.

But the majority believed a pension ought to be granted in this case. I am opposed to it for the reasons I have already stated, that he was a person in civil life temporarily at a post on the frontier which was attacked by Indians, and in defending himself, as it was his duty to do, not because he was in the military service, but because he wanted to save himself, he was wounded.

Now, I do not know of any reason why he ought to be pensioned, I confess, and therefore I am opposed to the passage of the bill as I was opposed to it in the committee.

Mr. DAWES. Mr. Speaker, this is a favorable report from a majority of the Committee on Invalid Pensions. A minority of that committee were opposed to the passage of the bill. The recommendation was made in this manner by the committee. Within ten minutes this House has unanimously passed a bill granting a pension to four civilian employés of the Government, one blacksmith and three teamsters, who were engaged in Major Thornburgh's battle with the Ute Indians on Milk River. That also was a majority report from the Committee on Invalid Pensions, and was opposed by the minority for precisely the same reasons that are stated by the honorable chairman of the committee in opposition to the present bill.

Now, it was thought by a majority of the Committee on Invalid Pensions that these men were really in the military service of the country, that they were mustered into the service by their own blood, and that is what their muster-rolls were written with. They were shot while defending the property of the Government of the United States, and while acting under the orders of the military officers of the United States, and not simply while defending their own lives. But lacking the mere technicality of the mustering in, these men who shed their blood as soldiers, doing the duty of soldiers, it was believed by the majority of the Committee on Invalid Pensions should receive $8 a month pension, although they thought it a very poor recognition of their services. That, however, is all that this report of the committee recommends that they should be allowed, $8 a month, pensions to date from the passage of this bill.

Mr. McMILLIN. Mr. Speaker, I suppose it would not be improper for me, being a member of the Committee on Invalid Pensions, to state that I concurred then, as I concur now, with our distinguished chairman of the committee, the gentleman from Indiana, that there ought to be no pension granted in this case. I believe it was on my motion that it failed to get through the House at a session held before when we had not a quorum and an effort was made to put it through.

Mr. DAWES. Because the honorable gentleman demanded a quorum.

Mr. McMILLIN. That was the reason, because I demanded a quorum; for I believed when this Government went into the pensioning of civil employés, or those who had never been enrolled upon its military rolls, there ought to be more than a handful of the House present to do it. So believing, I demanded a quorum, and I desire to say to the gentleman that it will require more than a handful to pass this bill to-day.

Now the gentleman from Ohio speaks of the muster-roll written with the blood of these men. Does the gentleman remember the fact that to-day there stands more than a quarter of a million of pensioners clamoring at the doors of the Pension Department asking the relief that can not be given them by the Government? Does he remember that there were 1,699,000 men enlisted under the banners of the Union whose claims (or a large portion of whom will claim pensions) will come up before us for possible action, and which will have to be had before we can undertake to begin the pensioning of civilians? Does the gentleman remember that there has been a day fixed for the consideration of the Mexican pension bill; and that it has been admitted on every side of the House that there are many deserving and meritorious men who then served their country, men who were actually enrolled in the military service, whose names were written upon the roll, who could be commanded by an officer of the Government, and who had said that the Government could direct where they went and when they went? And yet we are told here that the Government ought suddenly to become magnanimous and pension those who never were enlisted in its service at all. I believe, as I stated in the beginning, it ought not to be done. My action then was by reason of that belief, and I propose to maintain that same action with reference to the pending bill to-day.

Mr. STRAIT. Mr. Speaker, this man, Fenscke, was wounded at the Lower Sioux agency when he was taking care of Government property at that point. He was one of the employés of that agency in 1862 when the Sioux Indian outbreak took place. The facts of the case may be stated in a few words. There were something over five hundred women and children killed by the Indians in Minnesota during that outbreak; and this gentleman was himself badly wounded in taking care of the Government property at the Sioux agency, being, as I have said, an employé of the Government, and remained there as long as he could; in fact he was shot down and was left lying there for dead. He, subsequently recovering, with others, quite a number, was entitled to be placed upon the pension-roll prior to 1874 by the law then in force. By reason, however, of the expiration of the time prescribed in the statute for presenting his claim, he never received a pension. There was a limit fixed for the adjustment of these claims. His claim was not adjusted prior to that period, hence his application is made directly to Congress.

The House at the last session passed a like bill, placing Captain Nix upon the pension-roll. That is a precedent, if one was needed; but there is no reason why this man should not be placed upon the roll and receive a pension for the service he did at that point for the Government. The application received a favorable report from a majority of the Committee on Invalid Pensions. The report in the case, I understand, has been read. I did not hear the reading, as I have just come into the House, but if gentlemen had listened to the reading the facts would have been fully ascertained, and are in my judgment sufficient to warrant us in passing the bill. I hope, therefore, that there will be no objection to its passage.

Mr. BROWNE. I am constrained, Mr. Speaker, to demand the previous question.

The previous question was ordered.

The SPEAKER. The first question is upon agreeing to the amendments reported by the Committee of the Whole, which have been read.

The amendments were agreed to.

The question recurred upon the passage of the bill.

The House divided; and there were—ayes 36, noes 47.

So (no further count being demanded) the House refused to pass the bill.

Mr. BROWNE moved to reconsider the vote by which the bill was rejected; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a joint resolution and bills of the following titles; in which the concurrence of the House was requested:

Joint resolution (S. R. 126) providing for the purchase of steam-launches for use in the harbors of Galveston, Texas, and Mobile, Alabama;

A bill (S. 2305) authorizing the commissioner of the Freedman's Savings and Trust Company to examine and audit certain claims against said company and to pay certain dividends barred by the act of February 21, 1881, and for other purposes; and

A bill (S. 2356) to authorize the increase of the capital stock of the Second National Bank of Xenia, Ohio.

MORGAN RAWLS.

The next business reported from the Committee of the Whole House was the bill (H. R. 2136) for the relief of Morgan Rawls, the recommendation being that it do pass.

The bill was read, as follows:

Be it enacted, &c., That the sum of $800 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay Morgan Rawls, of the State of Georgia, for a dwelling-house taken from the village of Guyton, Georgia, in the latter part of the year 1865, by order of the United States officer in command at Savannah, Georgia, through mistake for a confederate building.

Mr. CALKINS. I call for the reading of the report.

Mr. BROWNE. I am opposed to the bill, whether the report is read or not.

The report was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 2136) for the relief of Morgan Rawls, have had the same under consideration, and submit the following report:

During the late war a number of buildings were erected by the confederate authorities for hospitals and quartermaster and commissary stores at the village of Guyton, State of Georgia. Standing between and near these buildings was a small unoccupied dwelling house belonging to Morgan Rawls, of the value of $800, not estimating the ground on which it stood. In the fall of 1865, during the absence of said Rawls while in attendance upon the constitutional convention of said State and as a member of said convention, and after he had taken the oath known as the "amnesty oath," a detail of United States soldiers was sent to Guyton, by the United States military authorities, from Savannah, with instructions to take down and remove said confederate buildings to Savannah, the materials to be used in the construction of school-houses for freedmen. In executing said instructions said soldiers destroyed, by mistake, said house belonging to Rawls. Said Rawls endeavored to obtain from the military authorities at Savannah compensation for his loss, but was never paid. A bill similar to this for his relief was introduced in the Forty-third Congress, and also in the Forty-fourth Congress, but no report was made in either Congress upon the bill.

The committee report the bill back with the recommendation that it pass.

Mr. CALKINS. Before that bill is passed I desire to say I do not see how this claim is distinguished from the claims that have been often discussed in this House, known as claims for losses growing out of the

war. It appears to me it falls clearly within that class of cases; and I do not think that the House ought to pass this or any case of that class.

Mr. TURNER, of Georgia. I will state to the gentleman from Indiana that he misconceives, I think, this case entirely. This damage was committed under a mistake by soldiers of the Union Army in the fall of 1865 after the complete occupation of the country by the military forces of the United States, and after the entire pacification of that section of the country. It also occurred after this claimant had taken the amnesty oath which restored him to his relation of loyalty to the Government, and put him as much within the protection of the Government as any other citizen of the country. And further, at the very time when this damage occurred he was in attendance on his duties as a member of the constitutional convention of the State which was endeavoring to restore the political relations of the State to the General Government.

It is true—candor requires me to say—this damage did occur prior to the proclamation of the President formally declaring the cessation of the war. But by decision of the Supreme Court in two cases before me, in 2 Wallace and 16 Wallace, the condition of things existing about the home of this claimant at the date of this damage so placed him as completely within the protection of the laws of the United States as he would have been at any time after the peace proclamation of the President. I will not occupy the time of the House in citing these authorities unless the gentleman from Indiana desires it.

Mr. CALKINS. It occurred to me while hearing the bill read, which contained no statement that the beneficiary of this act was loyal at or before the time of the alleged loss, that the case must either be an exception to that class of cases which we have always provided for by law, or else there was something peculiar in this case which demanded the payment other than exists in those cases for which we have provided by law. After hearing my friend from Georgia [Mr. TURNER] and after hearing the report I am more convinced than ever that this claim falls within the class of claims which this House has almost unanimously refused to pay during the last three or four Congresses. I can not see any distinction between this claim and any other claim which arose after actual hostilities had ceased until the period when the restoration of peace was declared by the President's amnesty proclamation. They all go under the same class; and I can not see why if this claim is paid all the others should not be paid as well.

Mr. TURNER, of Georgia. I desire for the benefit of the gentleman from Indiana to state that in two cases decided by the Supreme Court of the United States it has been held as follows:

> By excepting districts occupied and controlled by national troops from the general prohibition of trade it indicated the policy of the Government not to regard such districts as in actual insurrection or their inhabitants as subject in most respects to treatment as enemies. Military occupation and control to work this exception must be actual; that is to say, not illusory, not imperfect, not transient; but substantial, complete, and permanent. Being such it draws after it the full measure of protection to persons and property consistent with a necessary subjection to military government. It does not indeed restore peace or in all respects former relations; but it replaces rebel by national authority and recognizes to some extent the conditions and the responsibilities of national citizenship.

I read from 2 Wallace, page 277. And in 16 Wallace there is a case precisely to the same effect decided by the Supreme Court of the United States in the year 1872, in a period of profound peace.

Now, the cases to which I have referred arose between the Government and citizens who stood upon no express privilege under the action of the Government; but in the case under consideration, Mr. Speaker, this claimant had under the terms of the proclamation of the President of the United States resumed his allegiance to the Government, had taken the amnesty oath, and had accepted the plighted faith of the Government that he should thereafter receive full protection to his person and property. He had thereby become a citizen as loyal to the Government as was the gentleman from Indiana himself, at the time this invasion of his property occurred. He had, as it were, made his peace with the Government upon the terms proclaimed by the President. Now, the question is whether the Government, after having invited this submission upon the pledge of protection, can refuse the protection which it had guaranteed.

Mr. CALKINS. I do not want to take up the time of the House in the discussion of this claim, for I have no more objection against this claim particularly than I have to any of the class of claims which arose under the same circumstances under which this arose.

I know it has been a disputed point with very many citizens of this country as to the exact time when a citizen who had recently been in rebellion against the Government became rehabilitated and thereafter entitled to be taken out of a condition of affairs which deprived him of the right of compensation for property used and destroyed during the war; I know there has been some conflict of opinion on that point.

I want to call the attention of this House to this fact: After hostilities actually ceased there were a million and a half of Union soldiers scattered throughout the Southern States. Necessarily occupancy by that million and a half of soldiers of tenements and lands and more or less depredations upon the property of the people of the South took place; nobody disputes that or denies it. After a time, when those soldiers had been gradually withdrawn, of course this occupancy and these depredations ceased.

The time up to the period when the President of the United States issued his general proclamation of amnesty, in my judgment, should be included in the war period; and all depredations and all classes of losses that happened up to that time, unless by express contract in cases where the parties were authorized to contract, ought to be classed as war claims and their payment refused. It is with that view that I call the attention of the House to this particular claim, not because I want to be stubborn, but because it is of a class of claims which the Congresses preceding this have always refused to entertain or to pay.

There is another class of cases which were thoroughly discussed and which the last Congress refused to pay, more meritorious even than this class of cases, I think; cases involving the occupation or the destruction during the war of colleges, houses of worship, and the like. Yet the House in the last Congress refused to consider and pay for even that class of claims, a much more meritorious class than this. That is the reason I am opposed to this class of claims.

Mr. RAY. Mr. Speaker, I desire to say——

Mr. HOLMAN. I would like to ask the gentleman from Georgia a question.

Mr. TURNER, of Georgia. I have no objection.

Mr. HOLMAN. Suppose that the act of military occupation is not taken into account, or any act of spoliation within the region of country which the Army was occupying. Independent of all that, does the gentleman from Georgia [Mr. TURNER] hold that the Government should be held responsible for unauthorized acts of spoliation committed by the soldiers composing those armies? Is the Government to be held responsible for those unauthorized acts?

Mr. TURNER, of Georgia. I will give way to the gentleman from New Hampshire [Mr. RAY] as soon as I have answered the interrogatory of the gentleman from Indiana [Mr. HOLMAN]. It is a sufficient answer to his inquiry to recite the facts.

This damage was done by an organized squad of soldiers under the command of a lieutenant sent up from military headquarters at Savannah. It was done by men wearing the uniform of the Government and under orders of its constituted authorities. Now, unless the Government can be held responsible for damages committed under these circumstances I can not imagine a case which would render the Government responsible for damages.

One other fact I will state, which I think is another and a complete answer to the question which the gentleman propounds to me. These buildings were taken down and the materials carried to Savannah and there used by the authorities of the Government of the United States for the construction of school-houses for the freedmen in that city.

Mr. ROBINSON, of Massachusetts. Does that appear in the report?

Mr. TURNER, of Georgia. I think it does; but if it does not so appear, that was the fact. The Government appropriated to its own use the property of an amnestied citizen without compensation. The very least which Congress can do in such a case is to restore the value of the property without interest. I now yield to the gentleman from New Hampshire [Mr. RAY].

Mr. RAY. I desire to make a few remarks touching this bill lest some on this side of the House who did not hear the statement of my colleague on the Claims Committee [Mr. TURNER] might misapprehend the true character of this bill. It appropriates $800 to pay Morgan Rawls for his dwelling-house which was destroyed by a company of United States troops some time in the fall of 1865, after he had taken the oath of allegiance, had been elected a member of the constitutional convention of Georgia, and while he was away from his home attending that convention.

No one would be more opposed to the passage of a bill allowing a war claim, pure and simple, than myself without thorough consideration and a favorable report from the Committee on War Claims. But there must be a line drawn somewhere between what is technically called a war claim and a claim arising against the Government in time of peace.

Morgan Rawls, of Georgia, was a confederate soldier during the war of the rebellion. On the 29th day of May, 1865, the President of the United States issued a proclamation addressed to those who had been engaged in the rebellion, from which I quote the following:

> To the end, therefore, that the authority of the Government of the United States may be restored, and that peace, order, and freedom may be established, I, Andrew Johnson, President of the United States, do proclaim and declare that I hereby grant to all persons who have directly or indirectly participated in the existing rebellion, except as hereinafter excepted, amnesty and pardon, *with restoration of all rights of property*, except as to slaves, and except where legal proceedings under the laws of the United States providing for the confiscation of property of persons engaged in rebellion have been instituted; but upon the condition, nevertheless, that every such person shall take and subscribe the following oath (or affirmation) and thenceforward keep and maintain said oath inviolate; and which oath shall be registered for permanent preservation, &c.

The offer of this proclamation to all who had participated in the rebellion, with certain exceptions not material to this discussion, and who would take and subscribe to the oath of allegiance, was full amnesty and pardon, with restoration of all rights of property except slaves. Morgan Rawls complied fully with these conditions, and has conducted himself as a good citizen ever since. His oath of allegiance is filed in the office of the Secretary of State.

What next? On June 17, 1865, the President addressed a proclama-

tion to the people of Georgia, containing, among other things, the following:

Now, therefore, in obedience to the high and solemn duties imposed upon me by the Constitution of the United States, and for the purpose of enabling the loyal people of said State to organize a State government, whereby justice may be established, domestic tranquillity insured, *and loyal citizens protected in all their rights of* life, liberty, and *property*, I, Andrew Johnson, President of the United States, and Commander-in-Chief of the Army and Navy of the United States, do hereby appoint James Johnson, of Georgia, provisional governor of the State of Georgia, whose duty it shall be at the earliest practicable period to prescribe such rules and regulations as may be necessary and proper for convening a convention composed of delegates to be chosen by that portion of the people of said State who are loyal to the United States, and no others, for the purpose of altering or amending the constitution thereof, and with authority to exercise within the limits of said State all the powers necessary and proper to enable such loyal people of the State of Georgia to restore said State to its constitutional relations to the Federal Government, and to present such a republican form of State government as will entitle the State to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection, or domestic violence, &c.

This proclamation prescribes that none shall vote for or be elected a member of such convention without having previously taken and subscribed the amnesty oath set forth in the previous proclamation before alluded to. And in this same proclamation the President directs:

That the military commander of the department, and all officers and persons in the military and naval service aid and assist the said provisional governor in carrying into effect this proclamation, and they are enjoined to abstain from in any way hindering, impeding, or discouraging the loyal people from the organization of a State government as herein authorized.

Mr. Rawls, having previously taken the oath of allegiance, was duly elected a member of the constitutional convention of Georgia pursuant to the proclamation of President Johnson, and in the fall of 1865 left his home in order to attend the deliberations of that body, leaving his house unoccupied. During his absence a detachment of Federal troops were ordered to take down and remove some captured and abandoned confederate buildings which had been erected nearly or quite adjoining the house of Mr. Rawls, and either by accident or mistake, supposing the building belonged to or was a part of the abandoned confederate buildings they had been sent to take down and remove, they tore down, carried off, and disposed of Mr. Rawls's dwelling-house with the rest. Mr. Rawls's house was worth about $800, and the question now is, Shall he be paid for it?

Mr. RROWNE. Will the gentleman allow me a question?

Mr. RAY. Certainly.

Mr. BROWNE. Assuming that Morgan Rawls had never been in the confederate service, but had been at all times a loyal citizen, and the soldiers of the United States Army, without authority from their superior officers, had destroyed his property either willfully or by mistake, would he have had a legal claim against the Government of the United States? Would not the act be a mere trespass, unauthorized by the Government or any of its agents, and therefore without remedy?

Mr. RAY. The gentleman has stated a proposition which was considered by the Committee on Claims. If this man had any remedy by suit at law against the United States he would not be here asking for relief by act of Congress. This damage was done by a body of soldiers in obedience to orders from their officers, all of whom probably were and are pecuniarily irresponsible.

If the soldiers tore down this house in good faith, supposing it to be one of the abandoned confederate buildings, as the truth really is in regard to this case, it would be a great hardship on the part of the Government to require them to pay the damages out of their own pockets. Again, to have required Mr. Rawls to obtain his satisfaction out of these soldiers and their commanding officer would have been in those days a practical denial of justice to him, because he probably could not have obtained service of legal process on them, or jurisdiction over them in any civil court in Georgia at that time, or have collected a judgment against them if one had been obtained even if they had been pecuniarily responsible. The house was not willfully or maliciously destroyed, but its materials, so far as they were of any value, together with those of the adjacent confederate buildings, were taken and disposed of under the authority of the Government, and the money paid into the Freedmen's Bureau in the State of Georgia.

I submit that upon sound legal principles Rawls was entitled to recover against anybody who ordered or participated in the destruction or conversion of his building, provided due service of legal process could have been made on the defendants. If the building or its materials were disposed of and money or its equivalent received therefor, Rawls could waive the tort and recover as for money had and received against any one holding the money who ordered, committed, or abetted the trespass, no matter whether it was done by mistake or otherwise. But he can not sue the Government, notwithstanding his house was taken without his consent by Government troops while fairly and reasonably obeying orders, after he had been pardoned for participation in the rebellion, taken the oath of allegiance, and been granted full protection of his property.

Therefore it does not seem just or equitable for the Government or for Congress to say, "This was a trespass; we did not authorize it and ought not to be made responsible for it," especially when it appears that the materials have been disposed of and the money appropriated by the United States.

Mr. CALKINS. What was done with it?

Mr. RAY. It was paid to the Freedmen's Bureau in Georgia.

Mr. CALKINS. What was done with the proceeds of this house?

Mr. RAY. It went in with the rest. The proceeds of all these buildings went to the Freedmen's Bureau, and was used for the benefit of the freedmen, as I understand.

Mr. CALKINS. How did they sell it?

Mr. RAY. I do not know how. All these confederate camps and buildings, I understand, were disposed of and the proceeds turned over to the Freedmen's Bureau.

Now, if these troops, acting in the line of their duty, obeying orders, being unable to distinguish between confederate and private property, without intending any malicious act, and exercising ordinary care and prudence, took a citizen's property, and the Government by its officers and agents disposed of it, I think it quite fair and equitable that the Government should pay.

Mr. BROWNE. Will the gentleman let me make a single suggestion? At a time when a distinguished gentleman of Kentucky by the name of John Morgan invaded Indiana certain United States troops were sent in pursuit of him, and during that pursuit they took the horses of our farmers, invaded smoke-houses and took the bacon belonging to our people, took corn and forage of every description. These things were appropriated to the use of the Government. We have been attempting for weary years to get the Congress of the United States to recognize the right of our people to remuneration for this property of our citizens taken by United States troops and appropriated for the purposes of the Government; yet the Government has refused to make such payment. I think those claims are quite as strong against the Government as a claim for payment for a building which was taken by mistake and without authority—a mere trespass.

Mr. RAY. Let me ask the gentleman a question.

Mr. BROWNE. Yes, sir.

Mr. RAY. Was not the property to which the gentleman alludes taken in time of war?

Mr. BROWNE. It was taken at a time when we thought there was a speck of war in our State.

Mr. NEAL. I wish to state in answer to what the gentleman from Indiana has stated, that this celebrated John Morgan raided through Ohio, and the Government of the United States has paid and is paying to-day for every horse that the Union soldiers took, for every bushel of corn and for every bit of property they destroyed. They have refused to pay for the stealing and destruction done by Morgan's men, but what was taken and used by the troops of the United States the Government has paid for, the same exactly as if the quartermasters had purchashed it and given vouchers therefor. And I presume, if the gentleman will examine the matter, he will find the same is the case in regard to Indiana.

Mr. DAWES. Is my colleague in favor of paying everything that was taken by Union soldiers during the war?

Mr. NEAL. I am in favor of paying for everything the soldiers took in the prosecution of the war.

Mr. DAWES. In the South?

Mr. NEAL. Yes, sir; from loyal citizens.

Mr. HOUK. In the South or anywhere else, if it is an honest claim.

Mr. RAY. I believe I have the floor. Now, Mr. Speaker, if this destruction of Rawls's house had occurred while the rebellion was flagrant, before the proclamation granting amnesty had been made, or before he had taken the oath of allegiance and been guaranteed protection to his property, I should oppose the payment of this claim. I do not believe in paying for damages done by soldiers in the enemy's country during time of war; but there is a line of division somewhere between war and peace. When the President of the United States made proclamation to the people of Georgia that if they would lay down their arms and take the oath of allegiance they should have full pardon and be protected in the enjoyment of their property, and on the faith and credit thereof her citizens, like Morgan Rawls, accepted the situation, the Government ought certainly to protect them in the use and possession of their property, and Congress should not delay in making just reparation for property taken by the Government or its agents under the mistaken idea that it belonged to the United States.

At the time his house was destroyed Mr. Rawls was away from home attending the constitutional convention engaged in an honest endeavor to reconstruct the State of Georgia, upon the invitation of the President, and I think the bill for his relief ought to pass. The loss was incurred nearly eighteen years ago, and we only allow him the fair value of the property at that time, without interest.

Mr. BELFORD. Was this property destroyed after the issuance of the President's proclamation?

Mr. RAY. Yes, sir; several months afterward.

Mr. CALKINS. That was the special amnesty, not the general amnesty.

Mr. RAY. Yes; I have given the dates of both proclamations. The amnesty was full and general, so far as Rawls is concerned, some time before his loss occurred.

Probably no serious objection would be made against this claim had the transaction occurred in Ohio or New Hampshire, for example, or

in some other State not engaged in the war of the rebellion. I am aware that the final proclamation of cessation of hostilities in all parts of the country was not issued until August 20, 1866, and that the Supreme Court of the United States has judicially determined that date to be the time when military rule ceased in every part of the late confederacy and peace prevailed throughout the land. But in Georgia all actual hostilities ceased in the spring of 1865. The people there were quietly engaged in an honest effort to reconstruct the State and bring her back into harmony with the Federal Government.

The United States had an undoubted right to take possession and dispose of all confederate camps, buildings, hospitals, and other property at any time, but it had no right, through its troops, or otherwise, to dispossess a loyal or an amnestied citizen of Georgia of his property, without making due and just compensation, in the fall of 1865.

For these reasons, Mr. Speaker, after a careful investigation of the facts, I felt it my duty to concur with my colleagues of the Claims Committee in making a favorable report upon this bill and to favor its passage.

Mr. TURNER, of Georgia, demanded the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. TURNER, of Georgia, demanded the previous question on the passage of the bill.

The previous question was ordered.

Mr. CALKINS demanded the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. ROBESON. Pending that, as this will remain the unfinished business, to come up the first thing in the morning, I move the House adjourn.

The House divided on the motion to adjourn; and there were—ayes 80, noes 42.

Mr. BEACH. I demand tellers on the motion to adjourn.

LEAVE OF ABSENCE.

Pending the motion to adjourn,

Mr. GODSHALK, by unanimous consent, was granted leave of absence from to-morrow until Wednesday next.

WITHDRAWAL OF PAPERS.

On motion of Mr. SPRINGER, by unanimous consent, leave was granted for the withdrawal of the papers in the pension case of Dr. William T. Kirk.

MORGAN RAWLS.

Mr. TURNER, of Georgia. I rise to a parliamentary inquiry. What will be the attitude of this bill if the House should now adjourn?

The SPEAKER. It will come up as unfinished business to-morrow immediately after the morning hour, because the previous question has been ordered. That is the impression of the Chair at present.

Mr. SPRINGER. It will not come up until Friday next.

Mr. RANDALL. I hope all opposition will be withdrawn on the statement of the gentleman from New Jersey [Mr. ROBESON] that this bill will come up to-morrow morning.

The SPEAKER. The Chair is inclined to think that under the operation of the previous question this would come up anyway.

Mr. RANDALL. With the understanding that it is to come up as unfinished business to-morrow, I believe all opposition to the motion to adjourn will be withdrawn.

Mr. BEACH. I withdraw the demand for tellers.

Mr. ROBESON's motion was agreed to; and accordingly (at 3 o'clock and 2 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By the SPEAKER: The resolutions adopted by the Maritime Association of New York, protesting against the transfer of the revenue-cutter service to the Navy Department—to the Committee on Naval Affairs.

Also, papers relating to the claim of Clara G. Scott—to the Committee on Claims.

By Mr. BEACH: The petition of Malven, Gordon & Co. and others, citizens of Orange County, New York, protesting against an increase of duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. GEORGE: The petition of citizens of Oregon engaged in the canned-goods industry, asking that the duty on tin-plates be reduced to one-half cent per pound—to the same committee.

By Mr. HITT: Memorial of the mayor and 40 others, citizens of Rockford, Winnebago County, Illinois, asking appropriation for the continuance of the immigrant-inspection service—to the Select Committee on the Public Health.

By Mr. LUNA: The petition of Benjamin M. Read and others, protesting against reduction of duty on lead and copper—to the Committee on Ways and Means.

By Mr. MARTIN: The petition of Robert J. Simmons and 30 others, citizens of Dover, Delaware, protesting against increase of duty on tin-plate and sheet-iron—to the same committee.

By Mr. R. M. McLANE: The resolutions adopted by the Baltimore Board of Trade protesting against the transfer of the Life-Saving Service to the Navy Department—to the Committee on Naval Affairs.

By Mr. MORSE: The petition of Vashti H. Palmer, for a pension—to the Committee on Invalid Pensions.

By Mr. OATES: The petition of L. A. Foster and others of Auburn, Alabama, for reduction of duty on tin-plate and sheet-iron—to the Committee on Ways and Means.

By Mr. A. TOWNSEND: The petition of the Cigar Manufacturers' Association of Cleveland, Ohio, relative to the duty on cigars—to the same committee.

By Mr. WILLIS: The petition of Brinkley & Co. and others, of Louisville, Kentucky, protesting against increase of duty on tin-plates and sheet-iron—to the same committee.

The following petitions for reduction of duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. BLOUNT: Of J. B. Weller and 28 others, of New Brighton, New York.

By Mr. S. S. FARWELL: Of L. J. Richards and 50 others, of Wyoming, Iowa.

By Mr. HOGE: Of M. Walsh and 40 others, citizens of Harper's Ferry, West Virginia.

By Mr. HUMPHREY: Of Henry Gilbert, J. L. Linderman, and 37 others, of Osseo, Wisconsin.

By Mr. McKINLEY: Of E. T. Crowl and 77 others, of Canton, Ohio.

By Mr. PAYSON: Of J. M. Baker and 79 others, of Dwight, Illinois.

By Mr. SHERWIN: Of Thomas W. Cole and 38 others, of Rockford, Illinois.

By Mr. A. TOWNSEND: Of H. N. Wickoff & Son and 72 others, of Chagrin Falls, Cuyahoga County, Ohio.

By Mr. WALKER: Of James Jordan, jr., and 75 others, of Dushore, Sullivan County, Pennsylvania.

By Mr. W. A. WOOD: Of George W. Calkins and 52 others, of Westland Lake, New York.

SENATE.

SATURDAY, *January* 20, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of War, transmitting, in compliance with section 1665 of the Revised Statutes, a statement of expenditures at the Springfield armory, and of the arms, &c., fabricated and repaired during the year ended June 30, 1882; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also laid before the Senate a letter from the Secretary of War, transmitting, in response to a resolution of December 21, 1882, reports of officers of the Engineer Corps, United States Army, in relation to the improvement of the harbors at Savannah and Brunswick to the Savannah River, between Savannah and Augusta, and above Augusta; to the Altamaha River and Romney Marsh, Georgia; also to the improvement of Coosa River, Georgia, and Alabama and Oostenaula, Coosawattee, Ocmulgee and Oconee Rivers, Georgia, and also reports upon Mobile Harbor, Alabama, and Chattahoochee and Flint Rivers, Georgia; which was referred to the Committee on Commerce, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BLAIR. I present the memorial of officers and teachers of the Normal and Agricultural Institute of Hampton, Virginia, and many others, praying for aid to the cause of common school, industrial, and normal school education. This is a very brief written memorial, setting forth the views of the leading minds of that institution. I think they are entitled to very great weight, and it is an unusually forcible and brief presentation of the views and facts bearing upon that question. I ask that it be printed in the RECORD.

Mr. ANTHONY. I hope the Senator will not press that request. The practice has become so general of printing memorials in the RECORD that they swell it to very great proportions.

Mr. BLAIR. There is no doubt of that, and yet this is one of those brief memorials upon a very important subject which touches the matter more closely, and will, I think, give more light upon it than many a two-hours' speech that might be made in either House of Congress; and it is in the hope that it may reach the eye of members of the House and of the Senate that I ask that the memorial be printed in the RECORD. It may avoid a long speech.

Mr. ANTHONY. I have no doubt that it would be more interesting and more edifying than the long speeches, but it will not save the long speeches; we shall have them just the same.

Mr. BLAIR. It may, however, enable those who make the long speeches to make them more to the point and to talk more sensibly and effectively in relation to the provisions of the various pending bills. I assure you, Mr. President, it is a fine and excellent memorial, and it will do good. It will do good to us all; and I hope it may be printed and that it may be read.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks that the memorial be spread upon the RECORD.

Mr. ALLISON. Is it from a State Legislature?

Mr. BLAIR. It is from the Normal and Agricultural Institute of Hampton, Virginia, and represents the matter of industrial and common and normal school education so far as the problem exists at the South.

The PRESIDENT *pro tempore*. Is there objection to printing the memorial in the RECORD? The Senator from Rhode Island made an objection. If he does not withdraw it——

Mr. ANTHONY. No, I will not object; but I give notice that I shall object to the next proposition to print in the RECORD any memorial of any kind whatever.

Mr. BLAIR. The effect of this little episode in reference to this memorial will lead to its being read.

Mr. ANTHONY. It can not be read at the desk without the consent of the Senate.

Mr. BLAIR. I understood the objection was withdrawn to its being printed in the RECORD.

Mr. ANTHONY. I did withdraw the objection.

Mr. HOAR. I desire to say that my honorable friend from Rhode Island is a good deal like Rip Van Winkle. He is always going to leave off printing at the next glass, and not the present one. He always gives the notice, and always withdraws it.

Mr. ANTHONY. It is not my fault that I am the most good natured man in the Senate.

Mr. BLAIR. It is highly creditable to the honorable Senator to withdraw his objection to printing this memorial in the RECORD. I have no objection to its being asserted as to almost any other that may be presented.

The PRESIDENT *pro tempore*. The objection is withdrawn, and if there is no further objection the memorial will be printed in the RECORD.

The memoral was ordered to lie on the table and to be printed in the RECORD, as follows:

HAMPTON NORMAL AND AGRICULTURAL INSTITUTE,
Hampton, Va., January —, 1883.

SIR: The undersigned, officers and teachers of the Hampton Normal and Agricultural Institute, beg leave to present, through you, to Congress the following statement and petition:

We have the past fourteen years been engaged in the work of diffusing intelligence among the negroes of the South, with whose condition and needs we have become familiar through the over five hundred graduates and ex-students who have gone from here as teachers throughout the Southern States. Experience has shown the negro's eagerness for knowledge, capacity for improvement, and at the same time the utter inadequacy of the educational opportunities supplied these 6,000,000 blacks by the various State appropriations, amounting to something over a million dollars annually.

Virginia, ahead of other Southern States in providing for the negro, has not one-third of the competent teachers needed; her school sessions (except in cities) of from four to six months—but three months in most States—are wholly inadequate; Southern country school buildings generally are wretched makeshifts, comfortless and miserably appointed; proper supervision is usually wanting; for the small salaries paid the county superintendents do not justify them in doing anything but keeping accounts and records and in making examinations and appointments. Teachers go and come pretty much as they please; many who act disgracefully could, by inspection, be made efficient. The training of teachers, a vital matter, is well done at a few points, chiefly by Northern charity, but it can not supply one-tenth of the existing demand; many of those now teaching are worse than none at all.

The large class of poor whites is no better off than the blacks; even the increase alone of both races is not being properly taught. In the more southern States especially the moral and mental condition is as low as that in Africa. If intelligence and virtue have to do with the fate of republics there is danger ahead. Masses of ignorant voters are controlled by hired demagogues or deprived of their rights. They are not capable of intelligent action. There is danger whether their vote is cast or suppressed. This can be prevented only by such efficiency of the system of Southern education as Congress can supply.

We represent in part the vast Northern charity, aggregating since 1862 about $12,000,000, given by individuals not only for the Christian education of the negro, but in payment of a debt to humanity and in fulfillment of a duty of the nation to those whom it has given the ballot without an idea, a power without the knowledge how to use it, creating thereby most serious conditions for the future. Why should not Congress follow the people in this great national work?

England, neglecting the emancipated slaves of Jamaica for more than thirty years, now aids in their education. The United States, except through the Freedmen's Bureau, has done nothing for the moral emancipation of the ex-slaves in twenty years from the time of their freedom. We believe it will yet be forced to provide against the increasing sum of illiteracy and consequent evil.

We therefore, through your committee, most earnestly petition Congress to make prompt and adequate provision for the increased efficiency of all schools for the illiterate classes throughout the land, recognizing therein the need of normal schools, teachers' institutes, and the equally great importance of industrial training, without which an intelligent but useless class, political hangers-on and adventurers, averse to labor, may be raised up.

Hon. HENRY W. BLAIR,
Chairman Committee on Education,
United States Senate, Washington, D. C.

Mr. BLAIR. I present the following petitions, praying for national aid to common schools:

A petition of the president and faculty of the Ohio Wesleyan University;

A petition of H. F. Spaks and 45 other citizens of York County, Virginia;

A petition of A. B. White and 46 other citizens of the Isle of Wight County, Virginia;

A petition of Andrew Bassette and 219 other citizens of Elizabeth City County, Virginia;

A petition of William H. Ash and 41 citizens of Southampton County, Virginia;

A petition of M. L. Walkin and 40 other citizens of the Isle of Wight County, Virginia;

A petition of Zacharias Dupee and 22 citizens of Chesterfield County, Virginia;

A petition of R. Kelser and 20 other citizens of Scottsville, Albemarle County, Virginia;

A petition of Frank Procter and 39 citizens of Norfolk, Virginia;

A petition of B. J. Davis and 54 other citizens of Palmyra, Halifax County, North Carolina;

A petition of J. P. Weaver and 40 citizens of Enfield, Halifax County, North Carolina;

A petition of J. S. McCulloch and other citizens of Knoxville, Knox County, Tennessee; and

A petition and resolution of the Teachers' State Association of Michigan.

The petitions from Virginia and North Carolina, I am informed, are signed almost exclusively by citizens of the colored race. I move that they all lie upon the table.

The motion was agreed to.

Mr. COCKRELL. Valley Grange, No. 60, of the county of Bates in the State of Missouri, have transmitted to me a petition. This is a petition representing that "agriculture is the leading industry of all countries and in the United States engages the labor of more than one-half our entire population, and the annual value of farm products in the United States is greater than all the other industries combined, and the interests of agriculture, despite the immense value of its products and despite the fact that it furnishes nearly, if not quite, nine-tenths of the business of transportation on railroads and other freight conveyances, mainly supports all our industries and is the life and soul and body of our foreign commerce, yet has been continuously ignored in recent years by our executives and shamefully neglected by our National Legislature, for the reason as we believe that these great interests have no executive representation in the Cabinet of the President and almost no representation in the National Congress," and they therefore "earnestly request that the Senate of the United States at as early a period as practicable take up and consider and enact into a law the House bill passed at the last session of Congress to create the office of Secretary of Agriculture, to be filled by an experienced and practical farmer."

I move that this petition lie upon the table as the bill is now pending before the Senate.

The motion was agreed to.

Mr. ALLISON presented resolutions of the board of trade of Council Bluffs, Iowa, protesting against the granting of a charter for the construction of a bridge across the Missouri River between Council Bluffs and Omaha; which were referred to the Committee on Commerce.

He also presented a petition of J. H. Gallaher, of Jefferson, Iowa, praying legislation for the relief of Robert C. Gallaher, late of Mifflintown, Pennsylvania, in regard to certain bonds owned by him which were lost or destroyed; which was referred to the Committee on Finance.

Mr. VOORHEES. I do not know whether it comes properly under the head of petitions and memorials, but I present a resolution passed at the last annual meeting of the State board of agriculture held at Indianapolis, Indiana. I think it is a proper thing to be presented, and as it is touching a very important public interest it had better be read.

The PRESIDENT *pro tempore*. The resolution will be read if there be no objection.

The resolution was read and referred to the Committee on Agriculture, as follows:

Resolved, That this society heartily approves of the Senate bill introduced by Senator LOGAN, proposing a transfer of so much of the Signal Service as relates to climate and weather forecasts to the civil department of the Government; but we earnestly recommend that this transfer be made to the Department of Agriculture, where the subject of climate naturally belongs as being closely related to agriculture.

Very respectfully,

ALEX. HERON, *Secretary.*

Mr. MILLER, of New York. I present a memorial of the chamber of commerce of the State of New York, protesting against the transfer of the revenue-cutter service to the Navy Department, and also against the establishment of a bureau of mercantile marine in the Navy Department. This memorial is signed by the president of the chamber and attested by the secretary. I move its reference to the Committee on Commerce.

The motion was agreed to.

Mr. MILLER, of California, presented a petition of citizens of California praying for the passage of a law instructing the Postmaster-General to make no further contracts which shall include the carriage of the mails on the Sabbath, &c.; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SEWELL presented a memorial of employés of the American Sheet Iron Company of Phillipsburgh, New Jersey, remonstrating against any reduction of the tariff duties on raw materials used in the manufacture of sheet-iron below the rate recommended by the Tariff Commission; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on Finance, to whom was referred the bill (S. 2377) to authorize the stockholders of the First National Bank of Grand Rapids, Michigan, to amend the fifth article of the articles of association of the said bank, reported it with an amendment.

BILLS INTRODUCED.

Mr. ROLLINS asked and, by unanimous consent, obtained leave to introduce a bill (S. 2390) granting a pension to Emma De Long; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MILLER, of New York (by request), asked and, by unanimous consent, obtained leave to introduce a bill (S. 2391) to amend an act entitled "An act to regulate immigration," approved March 3, 1882; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2392) to grant to the Court of Claims jurisdiction to hear and determine the claims of the Tice Manufacturing Company against the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HOAR asked and, by unanimous consent, obtained leave to introduce a bill (S. 2393) granting a pension to Sarah Jane Prince; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EDMUNDS asked and, by unanimous consent, obtained leave to introduce a bill (S. 2394) granting a pension to Horace S. Spear; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLAIR asked and, by unanimous consent, obtained leave to introduce a bill (S. 2395) granting a pension to Henrietta Ann Lewis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. VOORHEES asked and, by unanimous consent, obtained leave to introduce a bill (S. 2396) granting an increase of pension to Jesse S. Harrold; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALDRICH asked and, by unanimous consent, obtained leave to introduce a bill (S. 2397) granting a pension to John Sweeney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2398) to authorize the Secretary of the Treasury to convey land in Providence, Rhode Island, for highway purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BLAIR asked and, by unanimous consent, obtained leave to introduce a bill (S. 2399) granting an increase of pension to Albert G. Fifield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LAPHAM (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2400) granting a pension to the widow of the late Major-General G. K. Warren; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLUMB asked and, by unanimous consent, obtained leave to introduce a bill (S. 2401) for the relief of William H. Simmons; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. JOHNSTON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2402) to pay to Charles W. Button the costs of advertising property levied on by the collector of United States internal revenue in the fifth district of the State of Virginia; which was read twice by its title, and referred to the Committee on Claims.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2403) for the relief of J. D. Morrison, surviving partner of C. M. & J. D. Morrison; which was read twice by its title, and referred to the Committee on Finance.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. 2404) for the relief of William D. Martin; which was read twice by its title, and referred to the Committee on Finance.

AMENDMENT TO A BILL.

Mr. FRYE submitted an amendment intended to be proposed by him to the post-route bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

REPORT ON INDUSTRIAL EDUCATION.

Mr. BLAIR. I submit a concurrent resolution for printing extra copies of the report upon the condition of industrial education in the United States. The work comprises some three or four hundred pages. It is a very valuable one. There is a great call for it from agricultural colleges and from teachers and those interested in education throughout the country, and now that the type is being set the cost of additional or extra copies will be simply that of the material, I suppose. I have made some inquiry and learn that the cost of 8,000 extra copies without covers will be something less than $800; with the ordinary covers such as we find upon the agricultural report and other like works, the cost will be less than $1,800 per 8,000 extra copies. I suppose this is a matter that should be referred to the Committee on Printing.

The concurrent resolution was read, and referred to the Committee on Printing, as follows:

Resolved by the Senate of the United States (the House of Representatives concurring), That of the report on industrial education furnished by the Commissioner of Education to the Senate in compliance with its resolution of December 15, 1882, there be printed 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 5,000 copies for distribution by the Commissioner of Education.

Mr. BLAIR. I will say in addition, and I ask the attention of the Committee on Printing to the fact, that it will be necessary to act somewhat expeditiously, or the type may be taken down, and then the furnishing of extra copies would be of course much more expensive.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2136) for the relief of Morgan Rawls;

A bill (H. R. 7327) to establish certain post-routes; and

A bill (H. R. 7330) to remove the disabilities of Francis H. Smith, sr., of Virginia.

The message also announced that the House had passed the bill (S. 422) for the relief of George W. Maher.

POST-OFFICE APPROPRIATION BILL.

The PRESIDENT *pro tempore*. The morning business is over.

Mr. COCKRELL. The Calendar, Mr. President.

Mr. PLUMB. I move that the Calendar be postponed in order that I may move to take up the Post-Office appropriation bill.

The motion was agreed to.

The PRESIDENT *pro tempore*. Will the Senate consent to take up the Post-Office appropriation bill?

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, the pending question being on the amendment in line 110 to strike out "January" and insert "July," and at the end of the line to strike out "eighty-four" and insert "eighty-three;" so as to read:

Postage shall be charged, on and after the 1st day of July, A. D. 1883, at the rate of 2 cents for each half ounce or fraction thereof.

Mr. SHERMAN. Mr. President, I wish to say that I shall vote against the pending proposition, not so much that it may not be possible to reduce the rate of postage to 2 cents, but because I am utterly opposed to this kind of legislation in an appropriation bill.

It is true that under the Constitution the House of Representatives alone may prescribe its rules, and we can make no point of order against any proposition which may be attached to any bill sent to us by the House, because they have their own mode of conducting business, and they have the right to conduct it as they see proper; but the effect of this legislation is to compel Congress to consider an important proposition, involving a loss of revenue of about $9,000,000, hurriedly without the power of amendment, without the power of making other provisions so as to relieve our people in another direction.

We are excluded by our rules from amending this proposition. The Senator from New York [Mr. LAPHAM], who desired to give some little relief to persons who were engaged in distributing seeds in competition with the Agricultural Bureau, was not allowed by our rules, correctly enforced by the Chair, to offer an amendment that would reduce the rate of postage on the carrying of seeds. I am not at liberty to propose amendments to this bill in relation to the postal service that have infinitely more value, in my judgment, than the reduction of postage from 3 cents to 2 cents.

In other words, the bill comes to us in such a form that the Senate has no power to amend it; it has no power to deal with it consistent with its rules, and we are compelled to vote without examination, without the report of a committee, without any action whatever of the Committee on Post-Offices and Post-Roads, on a proposition to throw off $9,000,000 of the receipts of the Post-Office Department hurriedly in this way.

Mr. President, I shall not do it. I have got tired of it, and from this time forward, unless there is some strong and special reason for such amendments to an appropriation bill, I shall vote against them. I think if the Senate would make up its mind that it would not allow such amendments to be put upon appropriation bills in violation of public policy, without giving us an opportunity to examine them, without having the report of our appropriate committee; and if they would make up their minds to resist the enactment of laws in this way, they would put a stop to this faulty practice.

I am told (at least I see it in the newspapers; I have no right further than that to refer to it) that we will have all sorts of legislation on the naval appropriation bill. At the last session of Congress nearly all the

difficulties we encountered in legislation were on account of incongruous amendments that were put upon the Army appropriation bill and the naval appropriation bill, and other appropriation bills. This can not be corrected until the Senate, on some question like this, will take its ground and say that we are not willing to consider any proposition of reform like the reduction of postage on an appropriation bill; and that we insist upon it that the proposition shall come before us in such a shape that the Senate may amend the proposition or improve it by substituting some other reform; and that at least it shall come in such a form that it may be referred to the Post-Office Committee, the committee of the Senate charged with the consideration of this subject. But as it comes to us and is only referred to the Committee on Appropriations, who by our rules have no right to do anything except to appropriate money for the carrying into execution the existing law, we are compelled to consider this bill in the hurried morning hour without any examination by the appropriate committee and without having power to amend it.

I say now that this is a case when the Senate as a body, without reference to its opinions upon the proposition to reduce postage from 3 cents to 2 cents on letters, ought to take a stand upon that ground, and insist upon it that we shall have that opportunity to investigate, according to our mode and manner, these important propositions. Upon that ground I intend to vote.

I should like very much to reduce the letter postage from 3 cents to 2 cents on the half ounce, if I thought that was right and fair and just, or that we were in a condition to do it. There is a strong feeling in favor of cheap postage. I was myself very much attracted by the history of the reduction of postage in England under the guidance of Rowland Hill. But the striking difference between our country and England in regard to this subject is, in the first place, that 3 cents here is no more than 2 cents there. Besides, the rate of 2 cents or a penny in England only covers an extent of country that is scarcely equal to New England, scarcely equal to New York and Pennsylvania combined, and which might be put in the plains of Texas and be lost out of sight. The population there is dense. There are 32,000,000 people in the Island of Great Britain, and the extent of the country, from the Isle of Wight to the northern point of Scotland, is probably less than it is from New York to Chicago; I think it is just about the same; and when compared to our continental dimensions across the continent, or from Maine to Texas, it is infinitesimal.

Therefore a rate of postage, say 2 cents, which may be just and proper in England or Great Britain does not apply to our country, because of the greater distances to be carried, the less value of money here than there, and because our population of 50,000,000 is spread over a vast area of country ten times, twenty times, greater than the whole Islands of Great Britain.

What I object to is that we are compelled to consider this question, involving so much as eight or nine million dollars a year, in this hurried way and to vote upon the impressions of the moment. We would all be glad to reduce postage from 3 cents to 2 cents, but we might give relief to our people in various reforms by the reduction of taxes to the amount of eight to nine million dollars infinitely greater than this. This service is cheaply performed now, more cheaply than in any other country when you consider the bounds of our great country and its vast extent. Why, then, make this hurried change?

If we are able to reduce the rate of postage on letters it seems to me there are other classes of mail matter upon which the rates should be reduced. The whole subject ought to be fairly considered. When we have an apportunity to reduce the postage to the extent of eight or nine million dollars we ought to do it on all classes of postal matter, so that the postage on all matter would bear some relation to each other and not be a reduction on letter postage alone.

I believe the Senate would do a wise thing if they will postpone this important change in our postal laws until the matter has been more fully considered by the people themselves, and has been fully considered by the Post-Office Committee of this body, and until it can come to us in such form that we shall be able to amend it so that we may revise the whole postal rates and do what is just and right in regard to the postal revenues.

Up until this time the Post-Office service has been a heavy burden upon the people. Up until this time the annual deficiency in the Post-Office service has ranged from two million dollars to six or seven million dollars. If we have now a surplus revenue arising out of postage, it would only go a small way toward paying for the enormous deficiencies created which have been paid out of the public Treasury. We can wait a year or two.

I do not believe that the Post-Office Department will be self-supporting or anything like self-supporting with this reduction of postage, and we will have to make that deficiency good as heretofore from the public revenue. Why should not the postal service be self-sustaining? There is no reason why it should not be. There is no reason why, with the exception of that which is performed for the benefit of the people of the United States, the carrying of the letters of the people should not be self-sustaining. There is no reason why money should be appropriated from the public Treasury to pay the expense of carrying any man's mail, either letters or papers or magazines. To the extent that we use the public mails to carry Government matter the Government ought to pay that and no more, but for years the Government has paid, according to the highest estimate, two or three times the amount which should have been paid upon Government postal matter. I think, therefore, we had better move slowly, wait a while and consider the subject, and then, if we can, let us reduce the postage on letters, on papers, on seeds, on packages, on all forms of postal matter.

I should rather also in this connection consider one other subject of infinitely greater importance than even this proposition, and that is whether the time has not arrived in this country when the Government should assume to convey intelligence by electricity, not the management of the present telegraph lines, but when we should transmit through our post-offices and over post-roads communications by electricity, by wires constructed by the Government itself. The Government of the United States might duplicate all the wires and all the means of transportation by electricity for about $20,000,000 or $25,000,000. Yet there is now levied upon the people of the United States over $10,000,000 a year for telegraphic messages.

If, therefore, we wish to do an actual good to our people, if we wish to confer upon them an enormous benefit, we should assume that which we have a right to assume as a part of the postal service of the country, the transmission of intelligence by electricity. In that way by the expenditure of probably $15,000,000 or $20,000,000 we would save to the people of the United States $10,000,000 a year and increase our revenue. This has been done by other countries situated in that connection no better than ourselves.

Why not postpone this proposed important diminution of the public revenue until we consider this question in a broader way and see whether when we are throwing off this large sum of money now coming in as a fruitful source of revenue we can not by the application or use of a little money do a greater good by assuming the telegraph business of the country?

I shall content myself with voting against this proposition; and I hope that the Senate will see proper to defeat it, for the present at least.

Mr. ANTHONY. Mr. President, while it is certainly anomalous that the Senate is not allowed to put legislation upon an appropriation bill by our rules, and that we receive appropriation bills loaded with legislative provisions from the House, I supposed that the rules permitted us to make amendments to legislation that came from the House. I think that it was done on the naval appropriation bill at the last session.

But it seems to me, not by the fault of the Appropriations Committee at all, but by what a Rhode Island judge called "the inevitable flux of concurrent circumstances," all the legislation of the Senate has passed under the supervision of the Committee on Appropriations. If one committee is to control all the business of the Senate, the Army, the Navy, the Patent Office, the Post-Office, the District of Columbia, the printing, the finances, the foreign relations—and all those subjects, and many more, were legislated upon in a single appropriation bill at the last session—I think the only committees that escaped encroachment were the Committees on Revolutionary Claims and on Engrossed Bills; if one committee is to have all this jurisdiction I would as lief it were the committee over which my friend from Iowa [Mr. ALLISON] presides with a *suaviter in modo* equaled only by his *fortiter in re* as any other. My friend knows the respect, the admiration, the affection in which I hold him personally; and he also knows the awful reverence with which I regard him officially. I never approach him officially, as he well knows, but with the address, "May it please your majesty," thus recognizing his right to the kingly office in the Senate over which he rules. I have received from him many favors for which I am humbly grateful; and when he refuses, which I am bound in candor to say he does pretty often, he does it with a seeming reluctance and tender regret which win upon the suppliant more than a concession would from less gracious lips. He sits smiling at me now in the calm consciousness of impregnable power and undisputed authority.

I am willing to submit to this mild despotism so long as it is exercised by him; but I tremble for the time, long distant be the day, unless he be translated to a higher place at the other end of the Avenue, when it may pass into other hands, and then I fear that the Senate may feel in his successor not the velvet glove but the iron claw beneath it.

Mr. MILLER, of New York. Mr. President, I agree with nearly all that the honorable Senator from Ohio [Mr. SHERMAN] has said in regard to the objectionableness of general legislation upon an appropriation bill. My slight knowledge of the rules of this body had led me to suppose that when general legislation had been put upon an appropriation bill by a committee of this body such general legislation would of course be open to amendment in the Senate, but by the ruling of the Chair yesterday I find that that is not the case.

The condition of affairs is simply this: that the Appropriations Committee of this body or of another body meeting in this Capitol may put any sort of general legislation upon an appropriation bill, and then the committee of this body which has been charged with this general legislation and the oversight of it finds its hands completely tied in this body; it can not make a single suggestion in regard to changing the general legislation in the bill, but a point of order is raised by a member of the Appropriations Committee, and the amendment falls and fails to receive any consideration.

Mr. PLUMB. Will the Senator from New York allow me to interrupt him for a moment?

Mr. MILLER, of New York. Certainly.

Mr. PLUMB. I wish to say that the Committee on Appropriations of this body have not put a line of general legislation on this bill, and that there is no more doubt of any point of order lying against such a proposition coming from the committee than if it came from an individual Senator.

Mr. MILLER, of New York. I learned that yesterday to my sorrow. I have no doubt about the rule whatever now. Yesterday I supposed that when an amendment to an appropriation bill was proposed it should be submitted to the whole Senate for its decision as to whether it would be received and considered or not; but I find that I was mistaken in that. I had been so informed by older members of this body, but now I know that no general legislation can be submitted under any circumstances to any appropriation bill in this body. We find our hands completely and absolutely tied.

Mr. PLUMB. I thought the Senator meant—I am sure his language undoubtedly conveyed the idea—that there is a distinction between an amendment proposed by the Committee on Appropriations and an amendment proposed by an individual Senator. All I desire is to correct any such misapprehension as that. Any proposition made by the Committee on Appropriations is, I understand, as much subject to the point of order as one made by an individual Senator. Therefore the rule does not bear more hardly upon the Senator from New York than it does upon the Committee on Appropriations.

Mr. MILLER, of New York. Quite likely that is true. It certainly ought to be as the Senator says it is; but I find that the Committee on Appropriations in this body have suggested and have made an amendment to a clause of general legislation which was found in the bill when it came to this body, and if I understand aright the Senator who has this bill in charge a single objection from any Senator here will prevent the consideration of that amendment which the committee has seen fit to make to the bill. Am I right in that supposition?

Mr. PLUMB. If the amendment which the Committee on Appropriations inserted, or which they tender for insertion in that general legislation as it came from the House, is itself general legislation, then I have no doubt the point of order would lie against it. Whether it is general legislation or not is a question hereafter to be discussed, provided always that the objection is interposed at the proper time. Whether it can be interposed after a discussion of a day or two is a question to be submitted to the Chair.

Mr. MILLER, of New York. As the rule says distinctly that no such amendment can be accepted, certainly the fault of receiving it must lie not with any particular individual member of this body, but it must lie with the Chair, who has the duty of maintaining order and seeing that things are properly conducted in a parliamentary way.

Mr. PLUMB. But a mere change of date, if the Senator will permit me, may not be, under the construction of the Chair, general legislation.

Mr. MILLER, of New York. It may not be, and if we submit to the decision of the Chair it may be so; but it seems to me a change of date from the 1st of January to the 1st of July, which, according to the estimates which have already been made, will make a difference in the revenues of this Government of over $4,000,000, is pretty general legislation. At all events it is decidedly important.

As I was saying, I had supposed that when general legislation was put into an appropriation bill that general legislation could be amended, that suggestions of amendment could be received from any member of the Senate. In view of that, on the 16th of January I submitted an amendment and had it printed, which I proposed to offer to this bill. After line 112 I proposed to add:

From and after July 1, 1883, the postage on seeds shall be one-half cent per ounce.

I find under this ruling, of course, that the amendment can not be received. I had also prepared another amendment, which I thought was important, and which had been in a general way considered in the Post-Office Committee of this body. That amendment was, after the word "thereof," in line 112, to insert:

And drop-letters shall be mailed at the rate of 1 cent per half ounce or fraction thereof, including delivery at carrier offices.

Any one who will give this matter the slightest attention will see that if we are to reduce the rate of postage from 3 cents to 2 cents upon letters which are to be transported through the mails, it will certainly be reasonable and appropriate to reduce the rate of postage upon drop-letters at the offices where there are carriers. Under the present law a drop-letter pays 1 cent at every office in the country except where there are carriers, and where there are carriers the rate of postage is 2 cents. Under this 2-cent clause as it now stands in the bill it would be wise for the Government to change the law in regard to drop-letters. In several of our large cities private express companies, or private post-office companies, as you may call them, have been organized and they are now taking drop-letters and delivering them in those large cities for 1 cent, the Government thereby losing the postage and losing the business which it can do without a single further expenditure of a dollar. It would have been most wise, then, if this bill was to be so amended as to reduce postage, that postage should have been reduced upon the drop-letters, but I find it can not be done under the ruling of the Chair, and I must say that it seems to me to be a fair ruling.

All I have to say in regard to that ruling is that it seems to be most unwise that one of the great legislative bodies of this country should consent to live and to act under a set of rules which are so diametrically opposed to those of another great legislative body that it finds its hands tied while the hands of the other body are left free to do whatever they see fit to do with appropriation bills; but when those bills come to this body, then, no matter what may have been done in another place, we are absolutely helpless to do anything.

Mr. President, I believe with the Senator from Ohio that it would have been wiser and better to have left this matter to be considered by the Post-Office Committees of the two Houses, and to have had a general bill which should have regulated, changed, or reduced the postage upon nearly all of our mail matter. The Post-Office Committee of this body, I may say as a member of it, has given more or less attention to this subject, and while it has taken no official action, I have no doubt from the opinions there expressed that that committee would have presented a bill here to reduce the rate of postage to 2 cents, and it would have undoubtedly arranged this matter of drop-letters, and it would have undoubtedly arranged the matter of postage upon seeds which go in the mails to the farmers of this country.

The rate which the Government is now charging for the transportation of seeds is more than double, it is treble that which has been charged by the express companies. The result has been that the short carriage of seeds has been largely done by express companies, but when a seedsman desires to deliver his seeds in Oregon or Washington Territory or in some distant quarter of the country, he then has recourse to the mails, and the United States Government has been doing a losing business in the transportation of seeds, and the express companies have been doing the only portion of that business which is at all profitable.

There has been an agitation for an increase of the rates upon fourth-class matter. I am frank to say that I should have been opposed to any such proposition, and I am opposed to it. I am opposed to increasing the rates of postage upon fourth-class matter. The fourth-class matter comes largely to the homes of the farmers and the scattered population of this country. It is used chiefly by people living off the lines of railway, living away from express offices, and it is the only means which they have of procuring small supplies and small articles which they wish to purchase in large cities. The rate on fourth-class matter in my judgment is fully large enough. If there should be any change in it, the only change that would be at all for the benefit of the Government would be a change in regard to the size of the packages which shall be allowed to be carried in the mails.

I say I have no doubt that the Committee on Post-Offices and Post-Roads of this body would have favored 2 cents as the rate of postage on letters. As I find that our hands are completely and absolutely tied in this matter, and as now the time has come when we can well afford to reduce the rate of postage, I am inclined to favor the amendment, even notwithstanding all the difficulties of doing anything further which are thrown in our way.

I had hoped that the two amendments which I prepared might have been accepted and acted upon without any objection being interposed in regard to the rules; and as the Appropriations Committee have the power of waiving the point of order, as I understand it, I will appeal to the Senator having this bill in charge to waive the parliamentary objection against these two amendments in regard to the drop-letters and in regard to the transmission of seeds in the mails, throwing myself entirely upon the mercy of the committee, knowing that we have no right and no power except such as they may grant.

Mr. PLUMB. I do not like to have the Senator from New York put anything so strongly as that.

Mr. MILLER, of New York. I know no other way to put it. I know no other way to get it done except by an appeal to the Appropriations Committee to allow these two amendments to be considered upon their merits. That is all I ask.

Mr. PLUMB. Of course any Senator may renew the objection if I waive it.

Mr. MILLER, of New York. I would make the same appeal to that Senator that I do to the Committee on Appropriations; and if any Senator sees fit to object of course the responsibility must rest with the Senator making the objection.

Mr. PLUMB. I want to call the attention of the Senator from New York to one fact. This provision came here from the House. It was considered in the House and passed almost unanimously, if I may be permitted to refer to proceedings there. It had been the subject of consideration by the proper committee of that House, the Committee on Post-Offices and Post-Roads, and had received their concurrence, as I understand. It came here with the sanction, therefore, of all these different sources of power and consideration, and the Committee on Appropriations felt constrained to keep the provision in for that reason. When we came to consider it there were many suggestions made in the discussion in reference to this matter as to other directions in which the postal revenues might be diminished, nominally at all events, and the revenue of the Department not decreased. The question of drop-

letters was considered, and members of the Committee on Post-Offices and Post-Roads presented very strong reasons, somewhat in the nature of those presented by the Senator from New York, why the postage on drop-letters should be diminished to 1 cent at the carrier offices.

But the trouble in the first place was, if we should have amended this in any way we should have been confronted with a knowledge of the fact that any member of the Senate could have raised the point of order. We therefore did not give the matter consideration.

I will only say, in view of the fact that these things have not been considered thoroughly by any committee of this body, that they might lead to interminable discussion, that the moment we reduce the postage on seeds the question of the free delivery extension, which was likewise proposed I think by the Senator from Connecticut [Mr. PLATT], will come up. There are many who believe that the postage on newspapers ought to be diminished or taken off entirely; and before we should have got through we should undoubtedly have embraced in our discussion on the various propositions of amendment here the entire range of service covered by the Department. I feel on the whole, in view of all these things, as though I ought, as having charge of the bill and as responsible to some extent for its consideration, to interpose this objection.

In answer partly to what the Senator from New York has said about the drop-letters, and for the purpose of showing that the matter has been considered by the Department and that they have not yet been able to arrive at a conclusion which would seem to justify the action which he proposes, let me refer to page 29 of the report of the Postmaster-General. There this matter is referred to, and it is stated that—

> Large private express companies, through which local correspondence was principally carried on in New York and Philadelphia, when this service was established, and for several years afterward, have been discontinued by reason of the greater and cheaper facilities afforded by this mode of delivery.

It is further stated that the American messenger service has grown up, which does take up letters at times when the postal service does not take them, and deliver them for 1 cent; and he suggests that in one city the question of the reduction of postage on drop-letters might be experimented with or tried in order to ascertain whether it would work with or without profit to the Department. I only speak of that to show that the moment we have entered upon the discussion of that question we have entered upon a very wide one, that might detain us for weeks in debate.

Mr. PLATT. Will the Senator allow me to interrupt him right there?

Mr. PLUMB. Certainly.

Mr. PLATT. Has the Postmaster-General arrived at the conclusion that letter postage ought to be reduced from 3 cents to 2 cents? Has he recommended it? I do not so read his report.

Mr. PLUMB. The question as to the reduction of postage is a legislative question, not an administrative question. It is not a question for us to consider whether the Postmaster-General has recommended it or not.

Mr. MILLER, of New York. Perhaps the same rule would apply to drop-letters at carrier offices and the transmission of seeds.

Mr. PLUMB. That is a question more largely of detail. I do not say it ought not to be done; I only say that it enters upon a question which has not heretofore been considered, either in the Department or elsewhere, and consequently it would undoubtedly consume a good deal of time and the final bent of these things would be entirely unknown. We know now the utmost effect that can grow out of the adoption of a 2-cent postage. We know it can not reduce the letter postage more than one-third. That we can figure on.

Mr. MILLER, of New York. It seems to me that the proposed reduction from 3 cents to 2 cents carries necessarily with it, without argument or without consideration, the necessity of reducing the rate on drop-letters at offices where there are carriers. It seems to me that it is almost self-evident also that the rate of a drop-letter at a carrier office never should have been more than 1 cent, for certainly if we can carry letters from Portland, Maine, to Portland, Oregon, for 3 cents, we can take letters in the city of New York, Chicago, or any other city, where there are carriers, and deliver them for 1 cent. We make no extra charge upon the 3-cent letter at a post-office where there are carriers; it is precisely the same rate at a carrier office that it is at an office where there are no carriers. Why there should have been any difference in the rate on drop-letters it is impossible, I think, for any one to give a proper reason. Therefore it seems to me that that question need not necessarily lead to any long discussion; and it is a proposition which follows necessarily from any measure to reduce the postage in that direction.

In regard to the transmission of seeds, as it has been explained by my colleague and others, that is a matter which comes home to that class of our people who are not to be so directly benefited by a reduction of letter-postage from 3 cents to 2 cents. Our people who live scattered over the country and who receive their mails only weekly or semi-weekly or tri-weekly by stages send comparatively few letters, and the reduction from 3 cents to 2 cents in their case will amount to almost nothing; it is the smallest part of their business; but they do receive by mail seeds or they receive packages of merchandise which they can get in no other way, from the fact that the only communication which they have with the outside world is through the mail.

The benefit arising from a reduction of the postage from 3 cents to 2 cents of course is to go largely to the commercial classes, to the manufacturing classes, to the business classes; and as a representative largely of all those interests in my State I am decidedly in favor of it; but I had hoped that when a reduction of postage should come it might be a change which should go through the entire list and which should simplify our rates. We have so many different rates now that I confess myself, as a member of the Post-Office Committee, when I want to mail packages of various kinds I am compelled to send them to the Postmaster of this body in order to determine what the proper and legal rate is. We have too many rates in our law, and it should be simplified. There should under no circumstances be more than three rates, and I doubt if it would not be much better if we were to reduce our rates to simply two rates, or if we should have only two classes, I will say, instead of two rates, varying of course and depending upon the weight of the packages.

If the Appropriations Committe will waive their objection in regard to these two amendments, I believe that there is not one Senator in this body who will interpose an objection.

At all events, I should like to lay the matter before the Senate and to see whether those amendments can not be considered and disposed of in a few moments; and I now ask whether the Senator from Kansas insists upon his objection to the passage of the amendments which I have offered.

Mr. PLUMB. I do not hear the Senator distinctly.

Mr. MILLER, of New York. I ask that the Senator will consent that these two amendments may come in upon their merits and let us see whether any other Senator in the Senate will object to their fair consideration, and if they lead to a discussion of more than a few minutes then I shall make no objection to the Senator interposing the parliamentary objection.

Mr. PLUMB. I am acting under instructions and under a sense of obligation, having charge of the bill, and I must object to any amendments of that kind.

Mr. MILLER, of New York. I suppose, then, this body must submit, and that although there is general legislation put into this bill the Senate of the United States has no possible redress, it has no way by which it can secure any consideration of any other proposition.

I have a suggestion to make, however, to the chairman of the Committee on Rules, a gentleman who has served in another body, and who knows something about the rules which prevail there. I ask him that his committee shall take this matter into consideration and see whether it be not wise to take the shackles off the hands of this body and leave it where it may do something in this matter so long as the rules of another body shall permit that body to put general legislation on appropriation bills.

Mr. WILLIAMS. I wish to ask the Senator from Kansas a question. If we make the proposed reduction of postage would the Post-Office Department still be self-sustaining? If so, I am for voting for every facility to the people, but I would hesitate to give a vote that might create a large deficiency and require to that extent additional taxation on the people to make it up.

Mr. PLUMB. I answered all that at length in the remarks I had the honor to submit at the time the question was first brought up. There will be a nominal deficiency of a million and three-quarters dollars. The committee believe that is argumentative merely; that a large portion of the deficiency, if not all of it, will be wiped out by an increase of business.

Mr. EDMUNDS. Mr. President, the difficulty arising from a difference between the rules of the House of Representatives and of the Senate is one that must always exist as long as there are two Houses. Even if we have a joint rule that neither House shall put legislation on an appropriation bill and the House of Representatives chooses to violate that rule and sends a bill over here that does contain legislation, we can not rule it out on a point of order; all we can do is to reject it.

The rules of the Senate are intended, and wisely intended, to make appropriation bills what their name implies, and that is, the appropriation of money to carry out duties required by existing law, and nothing else. If we had the courage to stick to it the Committee on Appropriations would not be receiving the compliments it has received this morning from the Senator from Rhode Island [Mr. ANTHONY], for there would be no occasion for such compliments. Its duties would be simple and clear, to scan estimates, to examine existing laws and make the proper provision, and stop there.

Now, what is our redress? We have exactly the same power now over this question that we would have if there were a joint rule against it, which is the utmost that you can have unless you open all appropriation bills to every kind of legislation; and that is simply to strike out of this appropriation bill and every other everything that can justly be characterized as a substantial change of the law and send it back to the House of Representatives stricken out. Then if the House of Representatives insist upon it, let the Senate insist upon disagreeing to that change in the law, and the House of Representatives, as always it must, will recede, because neither House can stand upon the proposition that it will not appropriate money to carry on the Government unless the other House will consent to some change of law that it does

not believe in, and that the House proposing the change of law does. That has been tried over and over again. So it is a perfectly simple thing.

Applied to this case, all that it is necessary to do is to strike out the whole of this legislation concerning a reduction of postage and leave the bill simply a Post-Office appropriation bill; and that ends it. Then when we get up a bill which regulates postage my friend from New York will be perfectly able to bring to the attention of the Senate what he has brought to our notice this morning; and as far as I can understand him I think I should vote with him for both his propositions.

I wish to add one word on the subject of what was said by the Senator from Connecticut [Mr. PLATT] yesterday and by the Senator from Ohio [Mr. SHERMAN] to-day concerning a still more important amendment to the post-office laws, and which might just as well as the reduction of postage go on to this bill, and that is to provide for the transmission of intelligence (and that is all there is of the Post-Office Department) by the wire as well as by the steamboat, the railroad, and the post-horse. What the United States in regard to its postal affairs and the welfare of its people needs to do more than anything else is the construction of a postal telegraph, beginning moderately between great points in the country and all intermediate points, and then extending it, just as we have the mail system as the needs of the community and fair economy would require, until every post-office in the country should have, or be within immediate reach of, a postal telegraph. That is what ought to be done and what will be done within a very few years beyond all question.

But I beg the stock operators in New York not to suppose that I for one am in favor of the United States buying out any telegraph company anywhere. I am in favor of the United States building its own postal telegraph and managing it in its own way, and leaving the gentlemen who are engaged in private pursuits to pursue their operations in their own way as private pursuits. We introduced into the postal system not long ago a provision for carrying merchandise, but we did not think it necessary to buy out the operations of Adams Express Company, or the Southern Express Company, or the Union Express Company, and the United States Express Company, and so on, although what we did very seriously diminished their profits and impaired their business. Everything that the United States does operates in that way upon the interests of its private citizens,—everything except the appropriation of money directly. We can not build a ship, we can not build a post-office, we can not do anything in the way of furthering the material interests of this country that does not by just so much interfere with the operations of people engaged in that kind of transaction; there is no doubt about that.

Therefore, I do not wish anybody to take up the idea that when (as I hope I shall be able to do if somebody else does not) at the first session of the next Congress I propose the initiation of a postal telegraph for the United States, that involves in any way dealing with any existing or to exist telegraph company; but involves the simple proposition of authorizing the Postmaster-General to buy the poles and the wires and the machines and set up his lines, first, along the great post-routes of the country, north, and south, and east and west, and then as time goes on and economy will warrant it, the extension of them to every hamlet in the country.

Electricity is just as much a part of the forces of nature and of this world for the transmission of intelligence as a locomotive is, or as the old post-horse was; and it is too late at this day to say that because the world has advanced in the means of disseminating intelligence the telegraph, under the Constitution of the United States, is not an appropriate means of the postal system just as much as it is to transmit letters. That is all I wish to say about that.

In order to get before the Senate what I wish done, and in order to test the sense of the Senate on the subject of amendments to appropriation bills, I move to strike out the whole of this legislative clause in the bill. I do not know whether it is strictly in order at this time, but if it be not I ask——

The PRESIDENT *pro tempore*. As soon as the Senate passes upon the pending amendment striking out "the 1st of January, 1884," and inserting "the 1st of July, 1883," then it will be in order to move to strike out the whole clause.

Mr. EDMUNDS. I ask unanimous consent to make the motion now, in order to test the sense of the Senate whether it will go on with the consideration of this legislative question on this bill, because under the rules as they now are it would seem that my friend from New York is incapable legally of proposing amendments which appear to be proper and right and fair and are certainly entitled to be considered in connection with the reduction of part of the postage of the country. If the Senate is determined to consider this legislative question on this bill, then I for one shall try to find some way if I can consistently, to vote with the Senator from New York to get the question of considering it altogether and everything that belongs to it at the same time, because it would be very unjust, very incongruous, and very wrong as a fact not to do so.

But the first and principal question is to know whether the Senate is willing to put real and substantial general legislation, as this is, and important legislation, upon an appropriation bill. The fact that the House has sent it here is no excuse for us at all, because it is just as much in our power as an amendment offered here, only as to an amendment offered here we have agreed beforehand that it shall not come in. We can not agree beforehand as to a House amendment except by making a rule that the committee shall report to strike out all matters of legislation, and then we should have to send the bill back to the House disagreeing to such provisions. We can test the question fairly by voting on a motion to strike out these words and determine whether the Senate is willing to legislate on this appropriation bill or not. If it is not willing, then we shall have a clean appropriation bill. If it is willing then we must find some means of being able to legislate fairly and completely.

Mr. INGALLS. Section 3 of the bill is general legislation also.

Mr. EDMUNDS. I do not know whether it is or not; I will try the question first on this. I ask unanimous consent, therefore, without waiting to go into the question of amending this clause, to move to strike out on page 5 line 101, all after the word "dollars," down to and including the word "repealed" in line 114 on page 6. That is the reduction of postage; the proposition from the House.

Mr. PLUMB. Before that vote is taken I desire to know whether the amendment in lines 110 and 111 proposed by the committee has been adopted or not.

The PRESIDENT *pro tempore*. It has not.

Mr. PLUMB. I then suggest to the Senator from Vermont that we test the sense of the Senate on the amendment of the committee, and then let the question be taken on his amendment to strike out. By so doing, if finally the House will not agree to recede from its amendment we shall have adopted, if the Senate should vote that way, our own idea in regard to the time the provision is to take effect.

Mr. EDMUNDS. I will state my objection to the Senator's suggestion. Making this change from January to July brings it forward six months. It is an important change. It is a good one, I agree, if it is to go at all; but it is not an amendment of form but of substance to this legislative provision. If it is in order to make that amendment of substance to this legislative provision reported by the committee, why is it not in order to make another amendment of substance proposed by the Senator from New York? I wish to avoid any question as to that, at this moment, because I have not looked up the precedents as to whether that is in order or not. Therefore, I should be glad to take the sense of the Senate first as to whether it will legislate at all on this bill in reference to the question of the amount of postage. If my motion should be rejected, then of course this question of extension would be in order. If my motion to strike out should be agreed to, then it is entirely unnecessary to consider when the clause shall go into effect.

Mr. PLUMB. But similarly, if the Senator's amendment should be agreed to and the House should non-concur we should simply be then in the condition of taking what the House sent to us or nothing.

Mr. EDMUNDS. No, then it is in conference, and when it is sent back here it will be entirely open to amendment.

Mr. PLUMB. But I understand it might not get into conference.

Mr. EDMUNDS. Then it would come back here. They can not pass it very well without sending it back.

Mr. PLUMB. I think under the rule I am entitled to have a vote on the amendment of the committee.

Mr. EDMUNDS. The Senator is; and therefore I make the point of order that the committee's amendment is not in order; that it is amending a general appropriation bill by a legislative provision in point of substance and fact.

Mr. PLUMB. Upon that I desire to say that I think the point of order comes too late, after a debate of twenty-four hours.

Mr. EDMUNDS. I do not think the question of time affects it. The matter is before us.

Mr. PLUMB. At the time the amendment was brought before the Senate the point of order was waived, and I think that the right to raise the point of order at this time is gone. In the next place, I desire to say, with some deference of course, as I do not claim to be an authority on the question of order——

Mr. LAPHAM. I thought the point of order was not debatable.

The PRESIDENT *pro tempore*. It is not.

Mr. PLUMB. I do not know where the Senator got his authority for that.

Mr. LAPHAM. It was stated yesterday on the point of order made on my amendment that I could not discuss it.

Mr. MILLER, of New York. A point of order is not debatable under the twenty-ninth rule.

Mr. FRYE. I desire to make a parliamentary inquiry. When an appropriation bill is reported to the Senate I ask whether the practice prevails, and if it does whether it is right, for any Senator to reserve all points of order and thus protect the Senate in its rights?

Mr. EDMUNDS. We have no such practice here. Points of order come up when they are presented to the Senate, one by one.

Mr. HOAR. There is no necessity for that practice here.

Mr. FRYE. I do not see how you could waive any point of order in the Senate.

Mr. HOAR. That practice comes in the House. When a bill passes beyond its report, through one stage there, of course all points of order

would be waived unless they were taken before that formal advancement took place; but in the Senate points of order are open at any time during the consideration of a bill, without anybody having in advance to save his right to make them.

Mr. FRYE. I confess I have been impressed since I have been in the Senate that courtesy is the rule in this body.

Mr. PLUMB. I only desire to say in regard to this matter that it does not seem to me that the amendment of the committee is general legislation. General legislation was put on the bill in the House. The amendment is to reduce the revenue of the Government more ostensibly than the provision of the House, but that does not make it legislation in the sense in which that term is ordinarily used.

Mr. HOAR. Mr. President——

Mr. EDMUNDS. I have made a point of order.

Mr. HOAR. I understood that a point of order was made. After that is disposed of I desire to say something.

The PRESIDENT *pro tempore*. The Chair ruled last session when this subject was up that any general legislation proposed to be put upon an appropriation bill in the Senate was subject to the point of order; but the Chair is of opinion that this question of time, changing the time, is hardly subject to the point of order that it is general legislation.

Mr. EDMUNDS. With great respect, I appeal from the decision of the Chair, and I ask for the yeas and nays on the appeal, in order that we may get a vote which will enable us to see how such a division will compare with that upon the amendment proposed by my friend from New York.

Mr. HOAR. I ask the Chair to state his decision. The Chair said, I think, that the point came too late. I did not understand it exactly.

The PRESIDENT *pro tempore*. The House has sent to the Senate a provision that the reduction of postage shall take place on the 1st day of January, 1884. The Committee on Appropriations propose to change it to the 1st day of July, 1883.

Mr. EDMUNDS. I understood the Chair to rule that the amendment making the change is in order.

The PRESIDENT *pro tempore*. The Chair holds that simply putting the time when it shall go into operation upon the bill as it came from the House is hardly general legislation in the sense of the rule.

Mr. CONGER. Let the rule be read under which that is done.

The PRESIDENT *pro tempore*. An appeal is taken from the decision of the Chair, and the yeas and nays are asked for.

Mr. EDMUNDS. I do not care about the yeas and nays, as calling them will take too much time. I do not care which way it is decided; we only want to make a step.

The PRESIDENT *pro tempore*. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. CONGER. I asked that the rule might be read.

The PRESIDENT *pro tempore*. The rule will be read.

The Acting Secretary read Rule 29, as follows:

29. No amendment which proposes general legislation shall be received to any general appropriation bill; nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

Mr. INGALLS. I am very obtuse this morning, I presume, but I understood the Senator from Vermont to raise the point of order that the amendment of the committee could not be received under the rules on the ground that it was general legislation.

Mr. EDMUNDS. That is the point.

Mr. INGALLS. Do I understand the Chair to sustain the point of order made by the Senator from Vermont, or to reject it?

The PRESIDENT *pro tempore*. In the opinion of the Chair the Committee on Appropriations of the Senate have clearly the right to propose an amendment fixing the time in which the provision relating to a reduction of postage in the bill shall go into operation.

Mr. INGALLS. The Chair holds that it is not general legislation.

The PRESIDENT *pro tempore*. The Chair holds that the question of time is not general legislation. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The "ayes" appear to have it. The "ayes" have it. The question then is, Will the Senate agree to the amendment of the committee striking out "1st of January, 1884," and inserting "1st of July, 1883?"

The amendment was agreed to.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the Senator from Vermont [Mr. EDMUNDS], to strike out from line 101 down to line 114, inclusive, that being the paragraph relating to a reduction of postage, which has just been amended by the Senate.

Mr. HOAR. I wish to say one word in consequence of what was said by the Senator from New York and the Senator from Vermont. I am very strongly tempted to enter into the discussion of the operation of the rules of this and the other House, to which I have given a great deal of study at some time, on general and appropriation bills; but I do not think I have a right to do it upon this bill, although the subject has been alluded to. But I wish to say, emphatically, that in my judgment one of the greatest manifestations of the patience of the American people is that they tolerate the system of rules which prevails in the two Houses of Congress, especially in the other House, and also to a large extent here.

Here are great grievances which demand redress, claims upon the Government which demand justice, healthy measures of legislation which demand attention—the use of these great national forces in the interest of the business of the country, in the interest of the education of the people, which we meet and formulate into measures. We meet these demands by the formulation of measures which would go through Congress, if they could once be presented to its consideration, by large majorities, and which have the support and interest of the people everywhere who are interested at all in public questions; and they come here session after session and Congress after Congress and are slain by the parliamentary contrivances by which they are prevented from being submitted to a vote of either of these two bodies. There is nothing like it in other parliamentary bodies. There is nothing like it in the House of Commons. They have a responsible administration, responsible for the carrying on of the government, which determines the order of business, and there is nothing worth consideration which does not have its day, if the members of the cabinet in charge of the dominant party see fit, and they deal justly, considerately, with measures other than their own.

But in the Senate—I mean no disrespect to any individual or any committee; I know the great responsibility which the two great Committees of Finance and Appropriations have in carrying on the Government; but in the management of the business here their hand is against every man. The reason of the vicious practice which the Senator from Vermont has so vigorously and so justly condemned of sending up general legislation on appropriation bills is that the Appropriations Committee can not, to do their duty to the great subjects in their own charge, permit general legislation to get even considered unless such as they are willing to take under their own protection and have considered under their own bill.

What is the condition of the Senate at this moment? Here is a measure which has been thoroughly discussed, which has been adopted by a decisive vote, ready for the final decision of the Senate, and half the day is taken up by an appropriation bill and the other half by the tariff. So it has been for a week, and so it may be for weeks to come. Here is the measure of my friend from New Hampshire [Mr. BLAIR]—a measure which in some form, without expressing an opinion as to its details now, is vital, is essential, to the very possibility of Republican government being permanent on this continent. It is a measure of aid to the great institutions of education in the country, and that great leading measure, which the intelligence and education of the country, which its colleges, which its school teachers, which its thoughtful patriotic men are demanding, is having its throat cut by this little petty Post-Office appropriation bill and the little petty details which we are discussing half the day, the other half the day being spent upon the duty on bottles.

Mr. ALLISON. Mr. President, I certainly do not wish to prolong debate upon this bill or upon any other bill. I have been sitting here for some days refraining from expressions of opinion upon public topics relating to the tariff and other questions before the Senate. It is not the fault of the Appropriations Committee even that the business is managed as it is managed in the Senate to-day.

Mr. HOAR. I did not say it was.

Mr. ALLISON. There are two or three things, however, that I think every member of this Senate ought to understand. The first is that on the 4th day of March this Congress dies. The next is that unless the appropriation bills are passed before that time an extra session of Congress is inevitable to carry on the ordinary operations of the Government. We have but thirty-five secular days intervening between this moment and the adjournment of this Congress. We all say and we all affect to believe that in addition to the passage of the appropriation bills it is necessary to relieve the people to some extent from the great burdens that rest upon them in the way of taxation and relieve the overflowing Treasury from the $150,000,000 of surplus in it. I have been willing that every appropriation bill should be cast to the wind until the tariff bill is disposed of either one way or the other in the Senate, and until the methods which we agree to here for the reduction of taxation shall be disposed of; but the Senator from Vermont [Mr. MORRILL] in charge of the financial bill has in his discretion allowed two hours of every day to pass away without taking up that bill; and in the exercise of the discretion and judgment and responsibility which the Appropriations Committee have, we were compelled either to set aside the tariff bill or bring up the appropriation bills during the morning hour. We have not been responsible for the prolonged debate upon these little items in the appropriation bill from day to day, which has now consumed four days of the session.

Mr. HOAR. The tariff bill, the Senator means?

Mr. ALLISON. I mean this appropriation bill, because we have been four days considering this appropriation bill in the morning hour. I am glad that the Senator from Massachusetts has raised the question with regard to the condition of the business of the session and with regard to the condition of the two committees, the Committee on Appropriations and the Committee on Finance. It is true these two committees have this responsibility at this short session of Congress.

Mr. HOAR. The Senator understands, I suppose, that what I said was a criticism upon the rules. I know you are forced into this position, and I said it was your duty, as you conceived it to be, with the subjects you have in charge. It is the patience of the American people with this abominable system of rules that I am wondering at.

Mr. ALLISON. So I understood the Senator.

Mr. MORRILL. I wish to say that I have exercised no discretion whatever, but followed the judgment of the Senate. When this proposition was before the Senate the Senator in charge of the Post-Office appropriation bill insisted upon having the morning hour, and obtained the consent of the Senate to that effect.

Mr. ALLISON. It is, I think, valuable to the Senate that when we begin a matter that must be concluded we shall go on with it to the exclusion of all other business. Therefore I said yesterday, and occupied only a moment in saying it, that I trusted the Senator from Vermont this morning would ask that his tariff bill be considered immediately after the morning business was concluded. I hope now that we shall proceed with this appropriation bill until it is concluded to-day; and that on Monday morning the Senator from Vermont will come in here and insist that the tariff bill shall be proceeded with to the exclusion of every other thing until it is completed. Then we shall make substantial progress in the necessary legislation that we must pass before the end of this session.

Mr. EDMUNDS. May I suggest to my friend——

Mr. ALLISON. Yes, sir.

Mr. EDMUNDS. That if the Senate will stick to the principles of its own rules and strike out this legislation, or if it had done so two days ago, the appropriation bill could have been passed in half an hour.

Mr. ALLISON. I thank the Senator for that suggestion also. That brings me (and I come right to the question now) to the matter of legislation on appropriation bills. The Committee on Appropriations from time to time has been subjected to severe criticism with reference to such legislation. It has been my fortune for nearly two years now to be chairman of that committee. During that whole period the Committee on Appropriations has not originated a single measure of legislation and proposed it to the Senate on any appropriation bill. We have with absolute fidelity adhered to the rules which exclude legislation upon appropriation bills, although we have been pressed and oppressed by other committees of this body to put legislation on appropriation bills. We have refrained from it, not wishing to entangle ourselves in the conflicts of this body with reference to the relative duties of committees of the body. But here come with legislation these bills from the House of Representatives. What are we to do with it? The Senator from Vermont says if we had excluded this legislation and struck it out, we could have finished this bill in half an hour. So we could, but that does not get rid of the question. How are we situated then when we come to a conference upon this important provision which we have before us?

Mr. EDMUNDS. Stick.

Mr. ALLISON. The Senator from Vermont says "stick." But that will only do for a few days or a few hours. The House tell us that here is a great public measure upon an appropriation bill, which has passed there with unanimity, and they say, "We insist upon the provision." Now, what is the result of it? We come in here and disagree to this legislation, as we did last session three or four times, and the House finally insist, and we finally yield. Does the Senator from Vermont expect that the Senate will have the nerve to stick upon this measure of legislation to the defeat of the Post-Office appropriation bill?

Mr. EDMUNDS. I do.

Mr. ALLISON. I know he has that nerve, but I doubt whether a majority of the Senators in this body will so agree. If we can have an understanding with the House of Representatives that no legislation shall appear upon the appropriation bills, then we shall make progress, but we can not so long as they insist, as they did insist last year upon legislation with reference to the Army bill and to the Navy bill. I sympathize with the Senator from Ohio and other Senators here who want the questions of the reorganization of the Army and the Navy discussed and debated here with full and ample power of amendment. It is not the fault of the Committee on Appropriations that that power and authority is not given, but we find these provisions here, and we are bound to deal with them.

Upon this very question of the reduction of postage the Senator from New York offers an amendment with reference to drop-letters in cities; another Senator offers an amendment with reference to the reduction of the postage upon free-delivery matter; another wants a reduction of the newspaper postage. In the very nature of things the Committee on Appropriations can not deal with these controverted questions with regard to the whole subject of postage regulations and postage. Therefore we did nothing with this provision, believing that it was a crude provision, and for myself believing that it has no place in this bill. We only dealt with the distinct and explicit subject we found here, and did not deal with any of the other questions which we have no doubt ought to be dealt with. But we have a Committee on Post-Offices and Post-Roads in this body. If it is important, as the Senator from New York seems to think it is, that other questions of legislation shall be treated, I ask why it is that the Committee on Post-Offices and Post-Roads does not deal with these questions? There is no impediment in the way of the Post-Office Committee coming in here any morning and proposing any new change they see proper to have passed upon the question of postage, whether it is for first, second, third, or fourth class matter.

Mr. MILLER, of New York. Will the Senator allow me to ask him whether he means to be understood that the Post-Office Committee has the right of way here as the Appropriations Committee or the Finance Committee? We may put our bills on the Calendar and they may be there until Congress dies on the 4th day of March.

Mr. ALLISON. Undoubtedly the Post-Office must take its chances with other committees. That is only an argument against legislation on appropriation bills, in which argument I fully sympathize. I should be glad to see every appropriation bill stripped of every particle of legislation; but we can not strip it. We must deal with these questions. I care not whether this provision is retained in the bill or struck out; I would just as lief it should be struck out as retained; but that does not get rid of the trouble. We are confronted with it at every step in the appropriation bills day by day.

Therefore, I do not see that even if the amendment of the Senator from Vermont is adopted we make any progress in the consideration of this bill. We for the time being say the Senate is not in favor of this legislation, but if the House insists, then we are led to a consideration of allowing this bill to fail absolutely or agreeing to the legislation proposed by the House.

Mr. EDMUNDS. The Senator is mistaken; there is no danger of that.

Mr. ALLISON. I have detained the Senate longer than I ought to have detained it for even a discussion of this question. I only say to the Senator and to other Senators who are opposed to legislation on appropriation bills that the Committee on Appropriations have, so far as they could, eliminated every idea of legislation from the appropriation bills for the last two years.

Mr. BECK. Mr. President, I agreed to the amendment offered by the Committee on Appropriations changing the date from January 1, 1884, to July 1, 1883, to the provision inserted in the bill by the House, because I thought we ought to begin at the beginning of the fiscal year if we begin the system at all. The House of Representatives had sent it to us, and we have agreed over and over again to their right to do so. I suppose nobody has ever disputed the right of either House to insert any legislation in any bill that it sees fit to send to the other House. That has been over and over again settled.

Mr. JONES, of Florida. Will the Senator permit me to ask him a question?

Mr. BECK. Certainly.

Mr. JONES, of Florida. How was that settled?

Mr. BECK. It was settled in favor of either House inserting whatever it chose, and that it can not be stricken out upon a point of order in the other House.

Mr. JONES, of Florida. That is not settled. Then I understand the Senator to say that the House of Representatives is at liberty to send a bill here with a provision in it which violates our rules and we are bound to accept it?

Mr. BECK. Oh, no, I say no such thing. I say we can not strike it out upon a point of order.

Mr. ALLISON. We are bound to consider it.

Mr. BECK. We are bound to consider it. If it is a good amendment we can adopt it; if it is a bad one we can reject it; but it is before us for consideration and no point of order can be made against it. To that I suppose everybody agrees.

Mr. EDMUNDS. Will my friend allow me to interrupt him a moment?

Mr. BECK. Certainly.

Mr. EDMUNDS. I had the honor to be a member of the Committee on Appropriations for three or four years a long time ago when precisely these questions, our rules being just about what they are now, used to come up. I remember at one session certainly the Committee on Appropriations of the Senate were determined that we would keep the appropriation bills free from legislation. The House had legislation on the bills. We struck that legislation out in the Senate, not on a point of order, but because, as we told the House in conference, we were unwilling in appropriating money to carry out existing law, to make new laws, and in conference, when the situation of the two Houses was fairly explained, the House conferees receded, as they necessarily must in such a case, as it appears to me.

Mr. BECK. The Senator from Vermont does not controvert the position that I assume, but agrees, as I understand him, that no point of order will lie. I, too, have been a member of the Committee on Appropriations of both Houses for a long time and have resisted new legislation very strenuously, but often with very little effect. While this discussion was going on I referred to the RECORD to illustrate what the Senate has declared to be in order on appropriation bills. February 19, 1879, after a very vigorous protest from me, in my feeble way, when the Post-Office appropriation bill was up, I made the point of order when this amendment was offered:

For ocean steamship service between the United States and Brazil, $200,000; and the Postmaster-General is authorized and directed, after due public advertise-

ment, to contract for ten years for carrying the mails, once each month, commencing not later than July, 1879, from New York, by way of Norfolk, Virginia, to Rio de Janeiro, and once each month, commencing not later than March, 1880, from New Orleans, by way of Galveston, Texas, to Rio de Janeiro, and return, including appropriate intermediate ports, with the lowest bidders, being responsible owners, giving ample security, of first-class American built and owned iron screw-steamships of not less than three thousand tons, after the best modern models, capable of making thirteen nautical miles per hour; such mail carriage to be paid for at not exceeding $30 per mile per annum one way for the distance actually traversed between the termini of each of said routes; the two lines to be contracted for simultaneously, and neither contract to go into effect unless both services shall be contracted for, and the contracts therefor to contain all provisions for securing efficient service which may be customary or required by law in such cases.

When I protested and resisted all I could, the vote of the Senate was called on the yeas and nays and that amendment was declared to be in order on an appropriation bill by a vote of 39 to 23. After bringing it up again and endeavoring, with the aid I admit of the Senator from Vermont, to declare that it was not in order, when the final vote was had upon the proposition it was declared to be in order by a vote of 33 to 26; whereupon the Presiding Officer said:

The affirmative of the question prevails; and the Senate decides that the motion to amend is in order. The question now recurs upon the amendment reported by the committee. It will be reported.

Referring to the amendment which I have just read; upon which a long debate sprang up. That is only a specimen. I could go over dozens, perhaps hundreds of other decisions of the Senate, not all of them as bad as that but many of them approaching it, until the Chair, the present occupant if I recollect aright, announced, after a good many outrageous votes had been taken by the Senate on a call of the yeas and nays, that he had come to the conclusion that whatever the Senate wanted to do was in order, and whatever it did not want to do was not in order.

I want to reduce postage from 3 cents to 2 cents and to make the experiment at a time when we have plenty of money in the Treasury to make up deficiencies without hurting anybody. Therefore I did not move, after what we had done time and again, to strike out the action of the House, if it was in order, but wished a vote upon it to see if it was the sense of the Senate to make the rate of postage 2 cents instead of 3 cents.

Mr. HALE. There is a great deal of work of the Committee on Appropriations just now coming on, and I for one, as a member of that committee, would be very glad to get some kind of expression from the Senate as to the duties of that committee. I should like to ask the Senator from Vermont what he believes to be the duty of the Committee on Appropriations under our rules as they are, on just such a case occurring as this bill presented to us? The House incorporates upon the bill a clean piece of new legislation, a piece of legislation that undoubtedly ought to be reported by, ought to be considered by, the Post-Office Committee. Nobody will deny that originally such legislation ought to emanate from the Post-Office Committee either here or in the other body. But the House of Representatives, greater than all committees there, as the Senate is greater than all committees here, chooses to make the appropriation bill for the Post-Office Department the vehicle for this legislation. It is sent here passed by the House of Representatives, and the Senate, instead of dividing the bill and sending one portion of it to the Post-Office Committee and the other portion, the regular appropriations, to the Committee on Appropriations, sends it all to the Committee on Appropriations.

Now, what shall the Committee on Appropriations do, in the judgment of the Senator from Vermont, whose judgment I should be very glad to get? Shall it, as the organ of the Senate, insist upon the rules of the Senate and strike out that legislation from the bill, and report it clean and simple as an appropriation, or should it, as one branch of the legislative part of the Government has sent it here and put it upon an appropriation bill, bring it in, as it has, to the Senate and take the action of the entire Senate upon this serious proposition, whether we will stand here as a body and declare that henceforth appropriation bills shall be stripped of all features of general legislation?

I, for one, as a member of the Appropriations Committee, am not willing to take that responsibility. I believe it should be taken by the Senate as a body; that the contest should be made here; and I wou'd be glad if it could be settled now, because I can see as plainly as day that the appropriation bills this year are to be subjected to the same test and the same trial that they were last year. Amendment after amendment proposing legislation is to be considered in the different committees instead of reported in a bill here and put upon our Calendar where nobody will ever hear of it again. It will be sent to the Committee on Appropriations with the recommendation that it be embodied in a certain appropriation bill, thereby carrying with it the recommendation of the Senate that the Committee on Appropriations do put it upon the appropriation bill. When the Committee on Appropriations, acting upon that mandate almost of the Senate, reports the bill with the legislation, then fault is found that the Committee on Appropriations have burdened the bill with legislation.

That has been going on during my brief service here and upon the Committee on Appropriations, and I can see, as I have said, that it is to be renewed in the next six weeks of this session upon every appropriation bill. There is not one but what this will apply to. Senators see, and see clearly, that in the productive state of public business, with the tariff bill taking so much time, with the impossibility of passing the Calendar, the appropriation bills must be made a sluiceway for other legislation; and so each man who has a scheme—no matter how good, I call it a scheme—a proper amendment of the statutes, sends it to a member of the Committee on Appropriations. The Senate sends it there at the request of some member, and the committee is confronted with it, and if the committee says, "No, we will not put it on the appropriation bill, although the Senate has recommended that it be put on the appropriation bill," then the Committee on Appropriations is found fault with, and is said on the other side to be usurping functions and keeping matters of legislation from appropriation bills. I wish we could settle it here.

Mr. EDMUNDS. The Senate does not recommend it by referring an amendment.

Mr. CALL. Mr. President, I wish to say a few words on this subject. The Constitution says that each House may determine the rules of its proceedings. The House of Representatives under the exercise of that authority puts general legislation upon an appropriation bill. It comes here to the Senate. The Senate says, "We will not consider it." Why? Because the House in the exercise of its constitutional power to determine the rules of its proceedings has determined upon a rule which we think injurious and evil in its effects, namely, the putting of general legislation upon an appropriation bill. What is that but to say that the Senate will not consider bills passed by the House in the exercise of its power unless they are passed in conformity with rules which the Senate think are wise and appropriate for the discharge of that duty? Suppose in a conference the Senate conferees say to the conferees of the House, "We will not consider that bill because we think it ought not have general legislation upon it." Is it not a proper reply for the House to say, "The Constitution has given the Senate no right to an opinion upon the character of the rules under which the House shall proceed in the discharge of its business?" Clearly this constitutional provision is intended to be construed reciprocally, it gives to either House the absolute right to determine whether all of its legislation shall or shall not be upon appropriation bills.

In regard to the construction of this rule that has been given to it by Senators, it seems to me to be entirely without any justification in reason. The constitutional power and duty of the Senate is to amend, to qualify, to accept or to reject any proposition that may come from the other House, and any rule of the Senate which says that the Senate shall abrogate or deny itself the exercise of any part of that constitutional power would be entirely void. It cannot be so construed. The rule of the Senate has within its purview reference alone to the proceedings which originate within the Senate and bills which are here without general legislation upon them. Any other construction is to deny the constitutional duty and power of the Senate to amend, qualify, accept or reject, which is all contained within its power of legislation.

The PRESIDENT *pro tempore*. The morning hour has expired.

Mr. PLUMB. I move that the unfinished business be laid aside in order to continue the consideration of the Post-Office appropriation bill.

Mr. MORRILL. I will consent to a postponement for a vote upon the pending question.

Mr. PLUMB. We will take the vote any way, and then we will see.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. EDMUNDS] striking out from line 101 to line 114 of the bill.

Mr. JONES, of Florida. Let it be reported.

Mr. EDMUNDS. It strikes out the 2-cents legislation.

Mr. JONES, of Florida. I do not rise to make any speech, but I want to say in the line of what was said by the Senator from Maine [Mr. HALE] a while ago, in view of the effort made last session to reorganize the Navy on an appropriation bill, and the intimation thrown out by the Senator that legislation of a like character would be persisted in hereafter, that I think it is well to meet the question now on this proposition. I shall vote to do away with all legislation on the appropriation bills, so that the committees of this body constituted in conformity with its rules may have an opportunity of acting upon those questions relating to the public service for which they were created.

Mr. HALE. Has the Senator seen the naval appropriation bill as reported to the House?

Mr. JONES, of Florida. I have not.

Mr. HALE. If the Senator will look at that bill he will find that the House Committee on Appropriations has reported new legislation supplementing the legislation of last season in reference to the reorganization of the Navy. I have no doubt it will pass in some form or other the House of Representatives, and we shall be confronted with the same question that we had last year.

Mr. JONES, of Florida. I anticipated that.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. EDMUNDS] striking out from line 101 to 114 inclusive.

Mr. SHERMAN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COCKRELL. If the motion fails to strike out can an amendment then be offered?

The PRESIDING OFFICER. Yes; if the clause is not stricken out amendments to it, of course, will be in order.

Mr. COCKRELL. The clause will be still amendable?

Mr. EDMUNDS. But the Chair has ruled that amendments providing for the transmission of seeds through the Post-Office at a lower rate, as well as drop-letters, are not in order.

The PRESIDENT *pro tempore*. It will be open to any amendment that is proper, of course.

Mr. COCKRELL. So that I can offer an amendment and the Senate can rule on it?

Mr. EDMUNDS. It will not be in order. That is the very trouble.

The PRESIDENT *pro tempore*. The roll will be called.

The Principal Legislative Clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired generally with the Senator from Michigan [Mr. FERRY], but understanding as I do that he would vote as I am inclined to vote, I record my vote "nay."

Mr. MILLER, of California (when his name was called). I am paired with my colleague [Mr. FARLEY]. If he were present, I should vote "nay." I do not know how he would vote.

The roll-call was concluded.

Mr. FRYE. I am paired with the Senator from Tennessee [Mr. JACKSON], who is absent by order of the Senate. Under the advice of his colleague [Mr. HARRIS] I feel at liberty to vote on this question.

Mr. ALLISON. I am paired with the Senator from Delaware [Mr. BAYARD], and therefore will not vote.

Mr. CAMDEN. My colleague [Mr. DAVIS, of West Virginia] is absent from the Senate and is paired on political questions with the Senator from Minnesota [Mr. WINDOM]. If my colleague were present, he would vote "nay" on this question.

The result was announced—yeas 15, nays 40; as follows:

YEAS—15.

Anthony,	Davis of Ill.,	Jones of Florida,	Platt,
Blair,	Edmunds,	Lapham,	Rollins,
Cameron of Pa.,	Hawley,	Miller of N. Y.,	Sherman.
Cameron of Wis.,	Hoar,	Morrill,	

NAYS—40.

Barrow,	Garland,	Johnston,	Plumb,
Beck,	George,	Jonas,	Pugh,
Brown,	Gorman,	Kellogg,	Sewell,
Call,	Groome,	Lamar,	Slater,
Camden,	Hale,	McDill,	Vance,
Cockrell,	Hampton,	McMillan,	Van Wyck,
Coke,	Harris,	Mahone,	Vest,
Conger,	Harrison,	Maxey,	Voorhees,
Dawes,	Hill,	Morgan,	Walker,
Frye,	Ingalls,	Pendleton,	Williams.

ABSENT—21.

Aldrich,	Fair,	Logan,	Saunders,
Allison,	Farley,	McPherson,	Sawyer,
Bayard,	Ferry,	Miller of Cal.,	Windom.
Butler,	Grover,	Mitchell,	
Chilcott,	Jackson,	Ransom,	
Davis of W. Va.,	Jones of Nevada,	Saulsbury,	

So the amendment was rejected.

Mr. PLUMB. I think it will only require the formal reading of this bill now to dispose of it. I think we shall be through with it in ten minutes.

Mr. ALLISON. Let us go on a few minutes.

Mr. MORRILL. I will yield for ten minutes.

Mr. COCKRELL. At what point are we now in the consideration of the bill?

The PRESIDENT *pro tempore*. At line 114.

Mr. COCKRELL. I offer the following amendment, to come in at the end of the word "repealed"——

Mr. PLUMB. I suggest to the Senator from Missouri that he observe the ordinary rule that the committee amendments be first considered, and after they are acted on, other amendments.

Mr. COCKRELL. We have reversed that rule all the way through.

Mr. PLUMB. Not so far. Not one single amendment has been offered to the bill which has not been ruled out on the point of order, except where it was proposed by the committee.

Mr. COCKRELL. I prefer the disposition of this amendment now. I think the committee will accept it. It is at the end of line 114, to add:

And that second-class mailable matter, periodical publications, shall be conveyed in the mails of the United States free from any postal charges; and all laws inconsistent herewith are hereby repealed.

Mr. PLUMB. I raise the point of order on that.

Mr. COCKRELL. What is the point of order?

Mr. PLUMB. That it is general legislation.

Mr. COCKRELL. In keeping with the existing legislation in the bill.

Mr. PLUMB. We have had that discussed already.

The PRESIDENT *pro tempore*. The Chair thinks that it is general legislation. Because the House of Representatives has chosen to send an appropriation bill here simply changing the rates of letter postage, the Senate has no right to enter into the general subject of postage on other mail matter.

Mr. ANTHONY. Is not that an amendment to general legislation which is proposed by the House?

The PRESIDENT *pro tempore*. It is general legislation. The Senate can not go over the whole subject of mail carriage in this bill under its rules.

Mr. ANTHONY. I think the Chair decided this question yesterday and decided it according to precedent correctly; but it seems to me that the precedents are not right; that, although the Senate can not originate legislation, yet it can amend legislation that comes to us from the House.

The PRESIDENT *pro tempore*. The Chair decided otherwise last session.

Mr. ANTHONY. I think the Chair did, and the Senate sustained it by a close vote; and I would suggest, if the Chair decided that question on account of the precedent——

The PRESIDENT *pro tempore*. The Chair thinks that on any other construction than that which the Chair adopts the whole subject of the Post-Office Department would be before the Senate by way of amendment to this bill.

Mr. ANTHONY. I think it is.

The PRESIDENT *pro tempore*. That never was intended by the rules of the Senate. The Senate must change its rules to justify a different construction.

Mr. ANTHONY. Then if legislation comes to us from the House we must either adopt it as it stands or reject it.

The PRESIDENT *pro tempore*. Certainly; or amend by something that is cognate as changing the time in this case.

Mr. ANTHONY. How changing the time?

The PRESIDENT *pro tempore*. The Senate may change the rate of letter postage. The bill says 2 cents; the Senate may change it to a cent and a half or a cent, but it cannot go into a different subject entirely. The Senate must change its rules in order to accomplish what is here proposed.

Mr. MILLER, of New York. I desire to offer in form the two amendments of which I have spoken, and let them go upon the RECORD, and then the Senator from Kansas can make his formal objection so that it may appear.

The PRESIDENT *pro tempore*. Which amendment does the Senator offer first?

Mr. MILLER, of New York. I offer this amendment: In line 112, after the word "thereof," insert:

From and after July 1, 1883, the postage on seeds shall be one-half cent per ounce.

Mr. PLUMB. I raise the point of order.

The PRESIDENT *pro tempore*. The Chair decides the point of order to be well taken.

Mr. MILLER, of New York. I move in line 112, after the word "thereof," to insert:

And drop-letters shall be mailed at the rate of 1 cent per half ounce, or fraction thereof, including delivery, at letter-carrier offices.

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from Kansas as objecting to this amendment?

Mr. PLUMB. I object to all of them.

The PRESIDENT *pro tempore*. The point of order is sustained.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 122, after the word "envelopes," to strike out "and;" and in the same line, after the word "newspaper-wrappers," to insert "and letter-sheets;" so as to make the clause read:

For pay of agent and assistants, to distribute stamped envelopes, newspaper-wrappers, and letter-sheets, and expenses of agency, $16,000.

The amendment was agreed to.

The next amendment was, in section 2, line 3, after the word "act," to strike out "then that;" and in line 4, after the word "Department," to strike out "be, and the same;" so as to make the section read:

SEC. 2. That if the revenue of the Post-Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenues of said Department is hereby appropriated, to be paid out of any money not otherwise appropriated, to supply the said deficiencies in the revenue of the Post-Office Department for the year ending June 30, 1884.

The amendment was agreed to.

The next amendment was, in section 3, after the words "United States," in line 3, to strike out:

And make report to the next session of Congress, on or before the first day of said session, what is the reasonable value of cars and car-space, and transportation of the mails and of all persons connected with the mails, and what difference there is between the cost of the transportation of freight for private persons and the cost of the transportation of the mails.

And to insert in lieu thereof:

And for that purpose may designate not to exceed three competent officers of the Post-Office Department, experienced in matters relating to the transportation of mails on railroad routes, and the system of compensating for the same, as a commission to so aid him that he may devise and report to Congress in December next, with the data upon which it is based, a more complete system of gauging the rates of pay for carrying the mails on railroad routes, in order to secure the better protection of the interests of the Government, and the allowance of just rates of compensation for the service required; and he is authorized to expend not to exceed $10,000, out of the appropriation for the transportation of mails, to compensate the commissioners for their specific services, and for clerk-hire and expenses involved, which sum shall be immediately available.

So as to make the section read:

SEC. 3. That the Postmaster-General is hereby directed to make a thorough investigation into the railway mail service of the United States, and for that purpose may designate not to exceed three competent officers of the Post-Office Department, experienced in matters relating to the transportation of mails on railroad routes, and the system of compensating for the same, as a commission to so aid him that he may devise and report to Congress in December next, with the data upon which it is based, a more complete system of gauging the rates of pay for carrying the mails on railroad routes, in order to secure the better protection of the interests of the Government, and the allowance of just rates of compensation for the service required; and he is authorized to expend not to exceed $10,000, out of the appropriation for the transportation of mails, to compensate the commissioners for their specific services, and for clerk-hire and expenses involved, which sum shall be immediately available.

Mr. MILLER, of New York. I make the point of order on that amendment coming from the committee. It is undoubtedly general legislation.

The PRESIDENT *pro tempore*. The Chair is of opinion that what is added by the committee is simply the administration of the mode of making the report to the next session of Congress, and it is germane. It is simply as to the mode of making this report on the railway-mail service.

Mr. MILLER, of New York. The Chair then holds it to be in order?

The PRESIDENT *pro tempore*. He does.

Mr. COCKRELL. If the Chair will hear me a moment, it reverses the whole system and theory. The House proposition is that the Postmaster-General shall examine—

And make report to the next session of Congress, on or before the first day of said session, what is the reasonable value of cars and car-space, and transportation of the mails and of all persons connected with the mails, and what difference there is between the cost of the transportation of freight for private persons and the cost of transportation of the mails.

That is what is inquired of. This amendment reverses it, leaves that whole question, and sends the Postmaster-General on a wild-goose chase after something else entirely different.

The PRESIDENT *pro tempore*. The Chair is of the opinion that what the House said should be done is one mode of administration, and it is in one sense general legislation; but the Chair is of the opinion that the Committee on Appropriations has a right, touching upon that same question, to administer upon it. It is a mode of carrying out what the House proposed. The question is on the amendment.

Mr. GORMAN. I move to amend the proposed amendment by inserting after the word "required," in line 19:

And shall further report as to the advisability of establishing a general system of fast-mail service; over which railroad routes, if any, it should be so established, with a full and detailed statement of the advantages and the estimated cost of said service, and if the extension or inauguration of a general system is, in the opinion of the Postmaster-General, unadvisable, then he shall report the reason for continuing the contracts now in force for that service.

The PRESIDENT *pro tempore*. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question recurs on the adoption of the committee amendment as amended.

The amendment as amended was agreed to.

Mr. PLUMB. I desire to offer an amendment on page 2, line 26.

Mr. COCKRELL. Has any action been taken upon striking out? I have not heard that yet.

The PRESIDENT *pro tempore*. The Chair put the question on the amendment as amended.

Mr. COCKRELL. I did not hear the Chair put any question about striking out. I heard about the amendment.

The PRESIDENT *pro tempore*. The Chair will put it again. The question is on striking out and inserting, as proposed by the amendment of the Committee on Appropriations.

Mr. COCKRELL. One word before that is decided. I want to know of the Senator in charge of the bill why it is that this very important inquiry in regard to the reasonable value of cars and car space, and what is the difference between the cost of the transportation of freights for private persons and the cost of the transportation of the mails, is stricken out and the Postmaster-General directed to make an inquiry in a different line?

Mr. PLUMB. I do not understand that it is an inquiry in a different line at all. If the Senator will abate something of his zeal for a moment and look at the part stricken out, he will find that if it means anything it must be by a strained construction. What has the question of the value of a car to do with the cost of transportation? Suppose a car costs $15,000, what has that to do with the cost of carrying the mail? If the Senator will look at the construction of that section as it came from the House he will find, I think, that if expected at all to accomplish anything it must be by a very liberal intendment and by no close adherence to its language. We provide the means of carrying it out; we provide the persons substantially through whom it shall be done. We design to accomplish precisely the same thing and more, and believe that the language incorporated by the committee will do that. In other words, we want the elements of cost, and not simply the cost of a car in which the mail happens to be carried, and we do not care particularly even about the value of the persons, although the literal construction of the section as it came from the House would require the commission to ascertain the actual cash value of the route agents, clerks, and so on, who distribute the mails of the United States.

The PRESIDENT *pro tempore*. The Chair supposed he had put the motion to strike out and insert, and he is informed that the Secretary has so entered it. The question is therefore disposed of. Will the Senator from Kansas specify his amendment?

Mr. PLUMB. I propose, in line 26 on page 2, to add after the word "hundred" the words "and seventy-five;" so as to read:

For compensation to clerks in post-offices, $4,775,000.

The amendment was agreed to.

The bill was reported to the Senate as amended.

The PRESIDENT *pro tempore*. Does any Senator wish to reserve a separate vote on any particular amendment?

Mr. COCKRELL. I reserve the vote on the amendment in lines 80 and 81 to insert:

For necessary and special facilities on trunk lines, $185,000.

The PRESIDENT *pro tempore*. The Chair will put the question on concurring in the other amendments as a whole.

The amendments were concurred in.

The PRESIDENT *pro tempore*. The reserved amendment will be read.

The ACTING SECRETARY. The Senate, as in Committee of the Whole, inserted after line 79:

For necessary and special facilities on trunk lines, $185,000.

Mr. COCKRELL. I send to the Secretary the Albany Argus of Friday morning, January 19, 1883, and ask that the article headed "Asked and answered" be read.

Mr. HOAR. I should like to state for the information of the Senator that I believe every Senator has had a copy of that article.

Mr. COCKRELL. It does not make a bit of difference if there have been 10,000 copies sent.

Mr. PLUMB. And I call attention to one other thing, that while it starts out with an allegation that the statement which I made was incorrect, it nowhere denies the correctness of it at all; it very carefully avoids any issue of fact with regard to the question raised by the Senator from Missouri.

The Principal Legislative Clerk read as follows:

ASKED AND ANSWERED.

In the United States Senate, on Wednesday, the Post-Office appropriation bill came up. The report, as published in Thursday's Argus, was to this effect:

"Mr. COCKRELL (Democrat, Missouri) inquired how far the fast mail train from New York went before it was overtaken by the regular morning train.

"Mr. PLUMB (Republican, Kansas) did not understand that it was overtaken at all. He sent up and had read a letter from the superintendent of the railway mail service explaining in detail the fast service and stating that the appropriation was expended now as follows: Between New York and Springfield, $17,747; between New York and Albany, $251,000; between Philadelphia and Charleston, $142,000."

Mr. PLUMB showed clearly that he did not understand the subject, or did not want to answer Mr. COCKRELL's question. The facts are as follows:

"The fast mail train" leaves New York at 4.35 a. m. It makes no stop between New York and Albany, but throws off the New York morning newspapers while in motion at every town between Albany and New York. It gets to Albany at 8.20 a. m., and here it ceases to be "a fast train" at all. It here disbands as a train altogether, and the car is hitched on to a slow local, which "makes up" here for Buffalo at 8.25 a. m. each day. These figures prove clearly that the fast mail is a swindle, only meant to get the New York morning papers carried through to Albany and to points between at the expense of the tax-payers of the United States. Let Mr. COCKRELL and his fellow-Senators read these figures:

From—	Distance.	Time taken.
New York to Albany	147½	3h. 45m.
Albany to Syracuse	147½	5h. 5m.
Syracuse to Buffalo	154½	6h. 54m.
	449½	15h. 40m.

Between—	Stops.	Time per mile.
		Minutes.
New York and Albany	0	1 7/10
Albany and Syracuse	11	2 1/17
Syracuse and Buffalo	29	2 3/10
New York and Buffalo	42	2 4/7
Albany and Buffalo	41	2 1/21

The intention to favor the New York papers, as far as their morning market goes, is proved to a demonstration by these figures. They neither need argument nor permit denial. The pretense that this train is for "business letters" is a naked falsehood. It leaves long after the business letters of the preceding day have been mailed, and long before the business letters of the current day are ready. But suppose, as the Argus has before suggested, it did take business letters. They would reach Utica at 11 a. m., and be distributed toward the close of the active business day; Syracuse at 1.30 p. m., and be distributed about nightfall; Rochester about 5 p. m., and Buffalo at 7.20 p. m., and be distributed not until the next morning.

Now, business men in New York do not use this fast mail at all. They dispatch their mails for each morrow in the 8.50 p. m. mail train of any given night; that secures them the morning delivery in every town between New York and Al-

bany, and from Albany clear to Syracuse, which it reaches at 7 a. m. Moreover, that train reaches Rochester at 10 a. m. and Buffalo at 1 p. m., the letters being in ample time for the business of the day, for which they are written. In like manner the train leaving New York at 6 p. m., and reaching Albany at 10.25, gets to Utica at 1.35 a. m., to Syracuse at 3.10 a. m., and to Buffalo at 8 a. m. The conversion of this always fast train to through mail purposes would really benefit the business of the people of and with New York. But neither of these trains would be in time for the New York morning papers, and hence the people are not taxed hundreds of thousands of dollars a year to run them.

It is a necessity to the jobbers that got up this fast-mail train, ostensibly for business purposes, that no business purposes shall be subserved by it except the circulation of the New York dailies, and when the local limit of that is reached even the semblance of a fast train is dropped. The nation is taxed hundreds of thousands of dollars a year to carry the New York papers 147 miles each morning. No other city than New York has this favor. The papers of no other city can get for pay what the New York papers get at the expense of the Treasury. All journals are taxed alike on postage. Only the New York morning ones are made a present of fast trains by the Post-Office Department, at the cost of the people.

Mr. COCKRELL. Now, Mr. President, I simply desire to state what was said before, that this fast mail train ends at Albany, and no man, woman, or child beyond there is benefited one particle by it. I do not know anything except what is stated in this paper, and this paper is printed at Albany and ought to know the facts. The schedules of the railroad prove the statement here made to be correct, that this fast mail train leaving New York at 4.35 a. m. reaches Albany at 8.20, and there it ceases to be a fast train at all. It is disbanded as a fast train, and the mail-car is hitched on to a slow local made up there at Albany for Buffalo at 8.25 a. m. each day. This does not amount or rise to the dignity of a subsidy; it is the merest gratuity that was ever bestowed by any legislative body.

The PRESIDENT *pro tempore*. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. PLUMB. The Senator from Missouri says this fast mail ends at Albany. That is where the pay is. I want to call attention to the fact that the article which has been read is based on the assumption that we are paying four or five hundred thousand dollars for that service. We pay just $25,000.

Mr. COCKRELL. You admit that it is a local, partial matter and no benefit to anybody beyond?

Mr. PLUMB. I do not admit anything of the kind. I stand by everything I said in the debate the other day, and that article does not change it one single hair's breadth. In fact it confirms everything that I said.

Mr. COCKRELL. Let us have the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY].

Mr. MAXEY (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, he would vote "yea" and I should vote "nay."

Mr. PUGH (when his name was called.) I am paired with the Senator from South Carolina [Mr. BUTLER].

The PRESIDENT *pro tempore*. The Senator from Texas [Mr. MAXEY] announced a pair with that Senator.

Mr. MAXEY. Then I vote "nay."

The roll-call was concluded.

Mr. FRYE. I am paired with the Senator from Tennessee [Mr. JACKSON], who is absent by order of the Senate.

The result was announced—yeas 32, nays 25; as follows:

YEAS—32.

Aldrich,	Chilcott,	Ingalls,	Miller of N. Y.,
Allison,	Dawes,	Johnston,	Morrill,
Anthony,	Hale,	Jones of Florida,	Platt,
Beck,	Hampton,	Kellogg,	Plumb,
Blair,	Harrison,	Lapham,	Rollins,
Brown,	Hawley,	Logan,	Sewell,
Call,	Hill,	McDill,	Slater,
Cameron of Pa.,	Hoar,	McMillan,	Vance.

NAYS—25.

Barrow,	Edmunds,	Jonas,	Vest,
Camden,	Farley,	Lamar,	Voorhees,
Cameron of Wis.,	Garland,	Maxey,	Walker,
Cockrell,	George,	Morgan,	Williams.
Coke,	Gorman,	Pendleton,	
Conger,	Groome,	Sherman,	
Davis of Ill.,	Grover,	Van Wyck,	

ABSENT—19.

Bayard,	Frye,	Mahone,	Saulsbury,
Butler,	Harris,	Miller of Cal.,	Saunders,
Davis of W. Va.,	Jackson,	Mitchell,	Sawyer,
Fair,	Jones of Nevada,	Pugh,	Windom.
Ferry,	McPherson,	Ransom,	

So the amendment was concurred in.

Mr. PLUMB. I have a letter in my hand from the Third Assistant Postmaster-General, which relates to a statement made by the Senator from Delaware not now in his seat [Mr. SAULSBURY], as to the lack of necessity for three several postage-stamp agencies, which is a complete explanation of that necessity. I ask that it go into the RECORD without reading.

Mr. EDMUNDS. I wish to hear the letter read if it is going into the RECORD. It may need some comment.

The PRESIDENT *pro tempore*. The letter will be read.

The Acting Secretary read as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., January 20, 1883.

SIR: Noticing on page 8 of the CONGRESSIONAL RECORD of this morning the inquiry of the honorable Senator SAULSBURY, in the course of the debate yesterday on the Post-Office appropriation bill, as to the necessity for three separate agencies for supervising the distribution of postage-stamps, of stamped envelopes, and of postal cards, I beg to give you the information necessary to answer the inquiry.

The articles named are furnished under three separate contracts. The adhesive postage-stamps are manufactured in New York city under contract with the American Bank-Note Company; the stamped envelopes at Hartford, Connecticut, under contract with the Plimpton and Morgan Envelope Companies; and the postal cards at Castleton, New York, under contract with Woolworth & Graham. The articles are distributed directly from the places of manufacture, and hence the necessity of three agencies to supervise the manufacture and distribution.

Very respectfully, &c.,

A. D. HAZEN,
Third Assistant Postmaster-General.

Hon. P. B. PLUMB,
Chairman Sub-Committee on Appropriations, United States Senate.

Mr. PLUMB. I will simply state that if I had heard the inquiry of the Senator from Delaware, which I did not at the time it was made, I could then have furnished the answer. The statement of the Third Assistant Postmaster-General now furnishes the answer.

Mr. GORMAN. I offer the following amendment: In section 3, line 21, after the word "mails," strike out "to compensate the commissioners for their specific service, and for clerk-hire and" and insert in lieu thereof "for actual and necessary;" so as to read:

And he is authorized to expend, not to exceed $10,000, out of the appropriation for the transportation of mails for actual and necessary expenses involved, which sum shall be immediately available.

The object of the amendment is to strike out that portion of the committee's amendment which provides for extra compensation for the specific services to be rendered by the three officers of the Post-Office Department who are to be detailed for the purpose of examining this question. I see no reason in the world for increasing their compensation.

Mr. ALLISON. I think that amendment is proper enough.

Mr. GORMAN. Then I need say no more.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HOUSE BILLS REFERRED.

The bill (H. R. 2136) for the relief of Morgan Rawls was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 7327) to establish certain post-routes was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 7330) to remove the disabilities of Francis H. Smith, senior, of Virginia, was read twice by its title, and referred to the Committee on the Judiciary.

INTERNAL REVENUE AND TARIFF DUTIES.

Mr. MORRILL. Regular order.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the unfinished business, which is the bill (H. R. 5538) to reduce internal-revenue taxation.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. MORRILL. As the item of "unpolished cylinder, crown, and common window-glass" was reserved yesterday for the consideration of the Committee on Finance, I am directed by a majority of the committee to ask that the duties upon these several descriptions of common glass shall be reduced one-eighth of a cent per pound. On page 25, line 457, instead of "1½ cents" the committee propose to insert "1⅜;" in line 458, to strike out "2" and insert "1⅞;" in line 460, to strike out "2½" and insert "2⅜;" in line 461, to strike out "3" and insert "2⅞;" so as to read:

Unpolished cylinder, crown, and common window-glass, not exceeding 10 by 15 inches square, 1⅜ cents per pound; above that, and not exceeding 16 by 24 inches square, 1⅞ cents per pound; above that, and not exceeding 24 by 30 inches square, 2⅜ cents per pound; all above that, 2⅞ cents per pound: *Provided*, That unpolished cylinder, crown, and common window-glass, imported in boxes containing fifty square feet, as nearly as sizes will permit, now known and commercially designated as fifty feet of glass, single thick and weighing not to exceed fifty-five pounds of glass per box, shall be entered and computed as fifty pounds of glass only; and that said kinds of glass imported in boxes containing, as nearly as sizes will permit, fifty feet of glass, now known and commercially designated as fifty feet of glass, double thick and not exceeding ninety pounds in weight, shall be entered and computed as eighty pounds of glass only: but in all other cases the duty shall be computed according to the actual weight of glass.

Mr. SEWELL. I ask the chairman of the Finance Committee what his estimate of the proposed reduction would be, taking the tariff on the boxes, taking the estimate of the weight which has been adopted on the recommendation of the Tariff Commission, reducing the estimated weight of the boxes on the one class from fifty-five to fifty, and on the other from about eighty-seven to eighty, and doing away with the tariff on the box

itself and this proposed reduction now, what will the reduction be from the present specific rate?

Mr. MORRILL. My impression is that the charges on these articles of glass are very heavy, and the change referred to would make a very serious reduction. The amount proposed by the general provision and by this, I think, would be at least 20 per cent.

Mr. SEWELL. The amount on the box would be about 10 per cent., and on the estimated weight about 5, and this last reduction would be 5 or 6 per cent.; so that the Finance Committee recommend on this article a reduction in the tariff of a little over 20 per cent., which I hope will not be adopted.

Mr. MORRILL. Not quite so much as that.

Mr. HAWLEY. I see here by the schedules which the committee has been using that some of this glass has been paying a duty of 84 per cent.

Mr. MORRILL. From 60 to 80 per cent.

Mr. HAWLEY. Some manufacturers among my constituents use a very large quantity of common window-glass. They assert that the present duty upon that is equivalent to 80 per cent., and they say that they can not find the kind they need in the United States, and they think 80 per cent. is much more protection than anybody ought to have or needs to have on that class of goods. I certainly shall support the committee in the proposed reduction and would cheerfully vote for a much greater reduction.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment proposed by the Senator from Vermont [Mr. MORRILL].

The amendment was agreed to.

Mr. MORRILL. There was an amendment suggested by the Senator from Kentucky [Mr. BECK] as to "cast polished plate-glass." I hope that after a night's cheerful rest he will not ask to have any change made in line 482. It is on the very highest priced plate-glass, of which I think a single plate is all that is packed in a box, and the boxing therefore is exceedingly expensive.

Mr. BECK. In looking over the schedule as furnished by the Treasury Department, I find that all this glass "above 24 by 30 inches and not above 24 by 60" is now paying at the rate of 25 cents per square foot. Of that class goods to the value of $395,478, paying a revenue of $247,550.40, were entered during the last year, and the average rate ad valorem upon those goods was 62.60 per cent.

On the item to which I called attention, which reads "above 24 by 60 inches," the rate of taxation jumps from 62.60 to 120.93 per cent.; that is to say, a grade of glass that may be 25 or 26 inches by 61 or 62 inches, the slightest grade above what is now paying at the rate of 62 per cent., is taxed up to 120.93 per cent. In other words, on this class upon a valuation of $601,663 the duty collected was $727,609. That seems to me to be altogether out of proportion.

Mr. ALLISON. What would the Senator suggest?

Mr. BECK. I suggest to strike out "fifty" and insert "forty." The difference between 20 cents a square foot and 40 cents a square foot between the two grades would make ample allowance for all the increased value of the higher article. Much of these goods is used by shopkeepers in their windows. It seems to me that a duty of 123 per cent., carrying it up 62, is too high.

Mr. INGALLS. Probably the Senator from Kentucky has forgotten that the Senator from Indiana stated that this is rendered necessary by the greatly increased rate of wages paid to American operatives, which he said were two or three times those paid to English and French operatives. I find by computation from the one hundred and eighteenth census bulletin that the annual rate of wages paid to those who are employed in the manufacture of this article is $316, something less than a dollar a day. That being the case, it is obvious that the wages of operatives in England and France must be certainly low, and that accounts for the great duty that is imposed on this article here.

Mr. BECK. The Senator from Kansas I think agrees with me that there is a good deal of miscalculation and misunderstanding about wages.

Mr. INGALLS. I took the entire aggregate of wages that is reported on page 4 of this bulletin and divided it by the entire number of operatives employed, and the result is a little less than $316 per annum.

Mr. HARRISON. Yes, Mr. President, but the Senator from Kansas should recollect that in that calculation he is taking in a very large amount of unskilled labor, and has averaged the amount of wages received by each one by dividing the total amount received by the total number of operatives. The Senator will find that the comparison of wages as given on page 1532 of the Tariff Commission report, embracing those laborers who are really skilled laborers, shows that the wages of the foremen of the casting house per week are, American, $22.50; French, only $13; German, only $9.37, and Belgium, $9, as against $22.50 for this country. The casting-house mixers receive here $8.33; in Germany they are paid but $5.62; and in Belgium $5.50. So as to the furnace and table men, so as to the grinding men, so as to all the skilled labor employed here; it is a class of labor which is expensive. Of course there is about an establishment like this, making not simply plate-glass but window-glass and bottles, a very large amount of comparatively unskilled labor, so that the average which the Senator from Kansas has attempted to make does not affect the question which is presented here.

I might call the attention of the Senate in a little more detail to the facts with reference to this industry. I stated yesterday that Mr. De Pauw's establishment at New Albany had sunk $600,000.

Mr. INGALLS. How long has he been established in Indiana?

Mr. HARRISON. I have not the date here, but a few years before 1879.

Mr. INGALLS. He has been there four or five years?

Mr. HARRISON. Yes. I can not now recall exactly the time, but much longer than that.

Mr. INGALLS. Nearly ten years?

Mr. HARRISON. About seven years I think. It appears that the Saint Louis factory sunk $500,000, then changed hands, and since that time has only made a profit of about 7 per cent. in all, or 1 per cent. a year. The Jeffersonville factory in Indiana sunk about $300,000, and so with the factories in Kentucky, Pennsylvania, and Massachusetts. At the best now, with the tariff as it stands to-day, this report from the Census Bureau shows that not more than 5 per cent. per annum is being realized upon this class of manufactures. If the reduction which the Senator from Kentucky proposes should be adopted by the Senate it would certainly obliterate the small part of the profit which exists in this branch of manufacture.

Mr. BECK. The Senate bill was 40 cents per square foot.

The PRESIDING OFFICER. The Chair will state to the Senator from Kentucky that yesterday there was an amendment proposed striking out "forty" and inserting "fifty," which amendment was at the time agreed to, but upon the request of the Senator from Kentucky the Chair understands that it was regarded as reconsidered, and hence the pending question is to strike out "forty" and insert "fifty" in line 482.

Mr. BECK. That is right. I was afraid it had been adopted when I first spoke.

The PRESIDING OFFICER. It had been, but was regarded as reconsidered by unanimous consent.

Mr. BECK. Then my suggestion is to allow the text of the bill to stand in that regard. I said that if there was a mistake about it and any statistics could be obtained which the Senator from Indiana [Mr. VOORHEES] perhaps would be able to lay his hands on by this morning, I would wait until I heard from him before I pressed the suggestion. That was all I wished.

Mr. VANCE. I do not rise to make a speech, but I ask the Senator from Indiana [Mr. HARRISON] what authority he read from to show the price of labor in Europe?

Mr. HARRISON. I read from the table appended to the testimony of Mr. De Pauw before the Tariff Commission.

Mr. VANCE. There is nothing more absurd than the estimates of the prices of labor in Europe and in this country given to us, because they are prepared in this country by parties who are largely interested in making their own payments of labor as large as possible and the wages of labor in Europe as small as possible, for the sake of the contrast. I have in my hand the address of Mr. Isaac Cline, who represents himself as being a member of the Glass Manufacturing Association of Pittsburgh. The address was delivered before the tariff convention, in which he uses the following words:

> From January 1, 1880, to January 1, 1881, about 150,000 packages of window-glass have been landed in the city of New York, independent of plate and polished glass. About 97 per cent. of this glass was made in Belgium, where a higher rate of wages is paid for blowing cylinder window-glass than in any other country in Europe, and nearly equal to the wages paid in our own country.

So it seems that this gentleman representing the glass-working industry of this country acknowledged that the wages paid in Belgium were nearly equal to what were paid in this country. So this schedule of duties laid upon glass, which I had the honor to call the attention of the Senate to yesterday, can not meritoriously and justly be based upon the high price of wages paid to labor in this country.

The section has been changed by an amendment of the Finance Committee, but I give notice that in the Senate I shall move to reduce the rate still further on common window-glass. I am very thankful to the committee for getting this much. I believe it amounts to about 12½ per cent. Sixty thousand dollars, I am informed by the Senator from Kentucky, who has made the calculation, is reduced from the amount we pay on common window-glass; and then when you multiply that by 3½ or 4 for the domestic production, the saving to the American people by even this little reduction, the greatest concession of the Finance Committee, will amount to several hundred thousand dollars on this one article of necessity. I give notice that I will move in the Senate to reduce it still lower.

Mr. VOORHEES. Mr. President, the subject of glass, and especially the manufacture of plate-glass, was very carefully considered by the Finance Committee. It is comparatively a new industry in this country, and there is a history connected with it that is somewhat surprising. I believe I am safe in saying that Mr. De Pauw's, at New Albany, are the only works which remain in the original hands that started them in the United States. They have been systematic failures all over the country; and if it had not been for his great capacity and his ability financially as well, he would have been borne down as other enterprising persons were in this work.

It is true, now, that up to January 1, 1877, Mr. De Pauw with his works at New Albany, which seem to excite so much jealousy and distrust in certain quarters, had lost over $600,000; and since that time he has not made more than 5 per cent. per annum on his investment. I make that statement in the hearing of the Senate and of the country.

Further, Mr. President, there was a factory of glass started at Saint Louis, which, after losing over $500,000 in trying to compete, without a proper tariff, with foreign manufactures, especially in France, changed hands, and has only in the last few years been able to make a profit of something like 7 per cent. Works of this kind were also started at Jeffersonville and lost over $300,000. The Louisville works lost over $400,000, the Pennsylvania works lost over $600,000, and the Massachusetts glass-works lost over $1,100,000; and it has only been since the present tariff rates have been laid, and these works have adjusted themselves somewhat to the rates, that there is any degree of prosperity at all.

The Finance Committee regarded that as a strong argument in favor of letting the present rates alone. We had not heard any great complaint in the country in regard to the price of glass, especially the large glass of which I shall speak more fully directly; and we did see that these great industries had become permanent and strong enough to sustain themselves under the present rates of duty. So on full consideration it was unanimously, as I understood—and the subject was very specifically considered—agreed in the committee that the present rates of duty on glass of the various sizes of manufacture should remain as they have been fixed for years.

Mr. President, it is very easy to attack. The Senator from North Carolina makes an attack upon the duty laid on window-glass. I do not know how much it is, but I have a reliable table in my hand, for the reliability of which I vouch, which shows that the average of duty on glass is a very reasonable and fair one. Commencing with window-glass, for instance, above 10 by 15 inches and not above 16 by 24 inches, I find that the duty is 15 per cent. and a fraction over. Take the next grade, the larger glass, above 16 by 24 and not above 24 by 30 inches, and it will be found that the duty under the present rate is 21 per cent. and a fraction over. On larger glass still, above 24 by 30 and not above 24 by 60, the duty is 62.60 per cent. Then we come to the point made by the Senator from Kentucky in regard to the plate-glass proper, and that, it is true, has a high rate of duty when considered by itself. Now, I ask the Senator from Kentucky and I ask the Senator from North Carolina, who are the people, what class of people use this plate-glass? I have shown that the poor man, in his small house, on his window-panes has a duty of but 15 per cent. The Senator from Kentucky rises here and declaims against 120 per cent. That applies only to one class of manufactured glass, and that used alone by the rich. There is not a poor man in the United States, there is not a man in middle circumstances, medium circumstances, who is engaged in using large heavy plate-glass. There is not a thousand dollars' worth of plate-glass used in the State of North Carolina, and I speak with entire respect of North Carolina as I do of my own State. I say that the plain people of Kentucky, whom I regard equally with the people of Indiana, do not use it. I am familiar with their ways and habits of life, and among the millions who inhabit that great valley the rarest thing to see is the use of this curious article about which my friend from North Carolina is so sensitive.

Mr. VANCE. Will the Senator submit to an interruption?

Mr. VOORHEES. Of course.

Mr. VANCE. I would ask him what portion of my remarks or which one of my votes has indicated that I was trying to keep the duty down on plate-glass. I was speaking for the cabin and the cottage, not for the palace.

Mr. VOORHEES. I am glad to hear that; but I thought the Senator from North Carolina was running amuck generally on the subject.

Mr. VANCE. No, sir. I wanted to know the reason why the common glass was about 50 per cent. and the plate-glass 15.19.

Mr. VOORHEES. I have shown that common glass is not over 15 per cent., and for all the smaller panes like those we see here looking through the windows about us the duty will not average a rate of over 20 per cent., according to the table I have here by me. Take the whole average of glass, the large and small sizes, and the rate stands just about as I indicated last evening, from 50 to 55 per cent.

One hundred and twenty per cent. duty sounds large. The Senator from Kentucky is right in saying that it sounds large; but I wish Senators to understand that that only applies to heavy plate-glass, glass so heavy that each plate is bought by itself. That rate does not apply to the glass which is in common use among the farmers or middle classes in the country. Plate-glass is used by the Vanderbilts, by the Goulds, by the millionaires, by the great houses. I ask the Senate what article can be pointed out in the whole range of this bill that should better afford a high duty and thus encourage labor and protect trade in this country than the very article we are talking of now.

Mr. President, I hope the work of the committee will not be disturbed on this great question. I think the work of the committee has been wisely and well done on this branch of the bill. As I said, it is easy to declaim and to object; but where a work has been conscientiously done as this was, in committee, with so little divergence of opinion, I think the duty of this body is to let that work alone.

Now, a word as to the attack the Senator from North Carolina made last evening upon Mr. De Pauw. I do not stand here to say more of that gentleman than that he is one of the most prominent, able, and public-spirited citizens not only of Indiana but of the United States. I have received a dispatch from him but a few moments ago, which I will take the liberty of reading on the floor of the Senate. With that kindness and politeness which characterize him he telegraphs me in the following words:

NEW ALBANY, IND., *January* 20, 1883.

Hon. D. W. VOORHEES, *United States Senate:*

Assure Senator Vance that I paid full duty on machinery; never had any come in free. Never imported Belgian glass-blowers.

W. C. DE PAUW.

And those who know him know that that is as true as if it was written between the leaves of the Bible. That is all I care to say at this time. I hope and trust that the Senate will not disturb the bill as it stands upon this question. I think something is due to the careful consideration bestowed on this bill by the committee. Consequently I said early in this discussion that unless controlling reasons were given to me why an item should be changed, why a rate of duty agreed upon in committee without contest should be raised or lowered, I thought it was due to my position as a member of the committee to sustain its work.

Mr. BECK. One word. The Senator from Indiana, I think, is somewhat mistaken in assuming that the "cast polished plate-glass, unsilvered," are articles that are used only by the Vanderbilts, and men of great wealth over the country. I understand that this character of glass is used more largely than anywhere else in the store windows, in the shops, in places where men have goods to display; and of course they have to use this plate-glass in such a way as to display their wares to the best advantage. It reaches to every shop-window of any reasonable respectability in the country. The owners of these shops generally are not men who are millionaires, or of the class described by the Senator from Indiana. This reaches to every class of people, as the importations show, for if you will turn to the schedules you will observe that there were imported 1,455,218 square feet of this kind of glass, of the value of $610,663. They paid a duty of $727,609, an average of 120.93 per cent. The committee in the bill reduced the duty on that class from 50 to 40 cents a square foot, which, by the vote of yesterday, was restored to 50; but that question is now open. The Senate thought the tax was too high. Cutting it down to 90 per cent. surely ought to afford sufficient protection. Changing it from 50 cents to 40 has that effect. That is the bill as reported, and I propose to stand by it. After this was done the Senator from Indiana [Mr. VOORHEES] believed that we were mistaken in there being such a high percentage as that, and on his calling attention to the fact, I said, I for one, and I believe all the committee, agreed if there is a mistake about it, if the rate in the bill does not afford the protection we think it does, we will consider it. We have no desire to cut this down below everything else, and yesterday afternoon I made this statement:

There was one paragraph passed over that I desire to call attention to. The Senator from Alabama asked a question about it.

I alluded to the Senator from Alabama [Mr. MORGAN], who was on his feet at the time.

We propose to increase all not above 24 by 60 to 25 cents, which is a large importation. All above that we had made it 40 cents per square foot in committee, and have just now made it 50 cents. That appears by the official returns to be 120.93 per cent. I was anxious to hear something about that and thought that was one of the reserved questions.

Then the Senator from Indiana [Mr. VOORHEES] remarked:

I have not the figures at hand; I had them at one time; I have had them hunted for this afternoon, but without finding them. The figures as I saw them and estimated them made the percentage that the Senator speaks of as 120 about 55. I think there is an error, but I am not prepared to demonstrate it by figures at this moment. I think that is a mistake. I know that when Mr. De Pauw was here he insisted that the rate would not be over 55 per cent. upon the article which the Senator from Kentucky now speaks of, and he submitted his figures in proof of his statement, but I have not got them now.

Mr. VOORHEES. On examining the papers as well as I have been able to do since last evening, I am satisfied that the duty on the large plate-glass is as stated by the Senator from Kentucky; but taken in connection with the small glass, the fact is that my statement of from 50 to 55 per cent. average on glass is correct. The duty is low upon small glass, and gets higher as the glass gets larger, and that is the way it ought to be, in my judgment. That is the statement I desire to make now, in addition to what I said last evening.

Mr. BECK. I have no doubt the Senator from Indiana has sought to arrive at the exact facts, and so have I. I have no desire to cut down the workmen of Mr. De Pauw or any other workmen; but when we jump from 62 per cent. to 120 per cent. when an article is an inch one way and an inch the other larger than the 62 per cent. rate, and when as I believe these very articles are used in all the modern shop windows of the country, and they are things that men have to put in their shop-windows to keep up appearances, because a great deal depends on appearances in the selling of some goods, the action of the committee as originally taken ought to stand. It was at one time thought there was a mistake about it; but, as I now think, the action was proper because of the immense percentage on these articles. We ought to stand

by the action of the committee and not change it as was proposed to be done yesterday afternoon.

I think 40 cents a square foot will be a protection of about 90 or 95 per cent. on this class of goods. I believe that will be satisfactory to all of the workmen in this class of glass. That is my judgment about it.

Mr. DAWES. I do not wish to prolong this discussion; but I have some information in regard to the manufacture of glass, perhaps as much as I have in reference to any matter in this tariff bill. I was on the Committee of Ways and Means of the other House when the present rates were established, and I think the Senator from Kentucky—my memory is not quite fixed about that—was on the committee at the same time. I know that the late Speaker of the House, Mr. Kerr, of Indiana, who was a resident of New Albany and had a personal knowledge of all the matters of detail, was upon that committee, and after an examination by him with that fidelity which he addressed every matter of legislation, and with all his theories and principles in reference to duties like those of the Senator from North Carolina and the Senator from Kentucky, the Committee of Ways and Means, so far as I can recollect, were unanimous in adjusting the tariff on that occasion on these goods on the principle on which it stands, in which they had the hearty support of the gentleman to whom I have alluded. He could not have been biased in any matter of legislation by any special interest; he rose above all that; but his theories were fixed, and he acted upon the principle which I doubt not the Senator from Kentucky and the Senator from North Carolina act upon to-day; and that was that he would not so legislate as to destroy the manufacture of glass in this country; in other words, that to be dependent upon the foreign product for our window-glass would be a condition of things in the United States that no citizen would desire to find it in, and no citizen would be guilty of any legislation that would contribute to that end.

That was the view of all those who framed the existing tariff on these articles. He, upon personal examination, was satisfied that it could not compete here and be admitted free. It was utterly impossible although we had the material out of which window-glass and plate-glass, rough and polished, could be made, of a better quality than is ever imported, and finer sand producing a clearer glass than any that we have imported; yet it was perfectly demonstrated that unless there was some duty upon the manufactured article we should be in a condition of absolute dependence upon the foreign manufacturer for our window-glass, to say nothing of the rough or polished plate-glass, a condition that no man would desire to have us in.

Then the question came up how much was necessary in order to make the glass manufacture a living business here. That was the study when this existing tariff was formed, and it was supposed then to have been fixed at as low a point as would maintain the manufacture of glass in this country. The experience under it has been this: When the present tariff was enacted there were but two establishments in this country that were trying to make polished plate-glass. There were one or two more that made rough plate-glass, but there were only two in this country that were trying to make polished plate-glass; one was this gentleman's at New Albany, and one was in my own State. The one in my own State I knew all about. There never was a more frugal and prudent and enterprising set of men than those who undertook to manufacture plate-glass, rough and polished, in Massachusetts. They ran their establishment as economically as possible; they got their employés as low as they could, with the freedom on their part to go anywhere where they could get the highest wages. They were compelled to pay the average cost of wages or else lose their employés. They struggled on year after year till finally that establishment succumbed; it was utterly unable under the existing law to manufacture, although sand as white as the driven snow lay in the hillsides right in sight of the establishment. Yet such was the great disparity between the wages they were compelled to pay to keep their men and those that are paid abroad, that they could not in Massachusetts manufacture plate-glass, and they succumbed.

That left only the establishment at New Albany, at the head of which was a man of great enterprise and iron will, and more capital behind him than the other, who determined that he would not succumb; but he was compelled, as I have understood, to take his polished plate-glass establishment to Saint Louis, where there happens to be a peculiar kind of material used for the polishing, by which he is enabled, under the existing law, to maintain the polished plate-glass establishment at Saint Louis, which is the only one, I believe, now, or certainly was then, the only one in the country. I do not want any such legislation as will extinguish the only effort to manufacture that article here.

As to the window-glass, there are more manufacturers of window-glass in this country, but it is a struggling effort yet, and will be until the condition of things constantly equalizing up on the other side shall come to our rescue. It is costing every day more to manufacture abroad, and that will contribute with this existing tariff. The operative abroad is brought close home to the operative here, closer every day in facilities of communication, in transition backward and forward of information to relatives. Men go back and tell their neighbors and associates and relatives among the operatives there the difference in the conditions of life here and there; and in order to keep their people there foreign employers are obliged every day to add something either to their comfort and subsistence or to their wages, or both, all which aids us in keeping up this manufacture here, and will ultimately solve to a great extent this whole question over which there is a controversy now here in the Senate Chamber. It is equalizing up at both ends, and the operative gets the advantage of it.

The census and other returns show that the manufacture of all kinds of glass has fallen very far short of almost every other manufacture in its remuneration. The manufacture of rough plate and polished plate-glass barely keeps its head above water with the existing tariff. Although, as I said, that great establishment in Massachusetts succumbed, went under, yet on its ruins there is a new effort by new men in a moderate way to try again the experiment.

I wish that the Committee on Finance had seen their way clear not to have advised any reduction on window-glass, but I am not disposed as a general thing to antagonize that committee. I can not but think that if they understood the case as thoroughly—I do not want to say as thoroughly as that committee which framed the existing law, but as thoroughly as the Tariff Commission did who heard these men—they would not have moved this amendment. However, I shall not object to the amendment they bring in this morning, but if you go below that, the effect, in my opinion, will be to put this country in the position of one that depends upon foreign manufactures even for the lights of the windows of its people.

Mr. VANCE. Mr. President, I ought to say a word in relation to a statement made by the Senator from Indiana whom I do not now see in his seat [Mr. VOORHEES]. If I understood him correctly he stated that the duty on common window-glass was about 15 per cent. The statement that I made was based upon the calculation which is laid before us by the Chief of the Bureau of Statistics of the Treasury Department, showing the amount of duty levied upon certain articles, the amount of importations under that duty, the amount of duty paid, and then reducing the specific to the ad valorem rate for the information of the Senate, and that statement reads as follows:

Unpolished, cylinder, crown, and common window-glass, not exceeding 10 by 15 inches square—

Is taxed 1½ cents per pound, equivalent according to the statement of the statistician to——

Mr. MORRILL. I desire to call the attention of the Senator from North Carolina to the fact that the point referred to by him now as stated by the Senator from Indiana was that on the plate-glass which is used more commonly of the dimensions of 10 by 15 the present duty is 16 per cent.

Mr. VANCE. I think not. I think I have stated it correctly. When I stated that I had been laboring not for the palace-owner but for the cottage and the cabin the Senator from Indiana turned and said he was glad to hear it, and as he understood it the duty on that common window-glass was about 15 per cent.

Mr. MORRILL. If he said so he was in error. It was the other kind of glass that I think was referred to generally by him.

Mr. VANCE. I rose to say that either he was mistaken or the statistician of the Treasury, who made up these figures, was very widely mistaken, because the duty on common window-glass, as I was proceeding to say when the Senator from Vermont so summarily took me off my feet, is 1½ cents per pound, which, being reduced to the vernacular or to the ad valorem, means 59.72 per cent. for the lowest kind used by the commonest and poorest class of people in the United States who use glass at all in their windows, nearly 60 per cent. Then for sizes not exceeding 16 by 24 inches, 2 cents per pound, which, being reduced to ad valorem, is 74.16 per cent. On the next size above that, not exceeding 24 by 30 inches, the duty is 82.33 per cent., and above that 3 cents per pound, or 84.78 per cent.

That is the description of common glass used by the people of this country, from the cheapest and the smallest to the greatest size of "unpolished, cylinder, crown, and common window-glass," and the duty paid upon that is three times the duty paid upon unsilvered polished plate-glass and silvered polished plate-glass, to wit: The unsilvered polished plate-glass not exceeding 10 by 15 inches square is 3 cents per square foot, or 16.03 per cent. ad valorem; above that, and not exceeding 16 by 24 inches square, 5 cents per square foot, or 15.19 per cent. ad valorem; above that, and not exceeding 24 by 30 inches square, 8 cents per square foot, or 21.46 per cent. ad valorem; above that, and not exceeding 24 by 60 inches square, 25 cents per square foot, made 20 by the bill, equivalent to 62.60 per cent., or about 50 per cent., as I take it, if the provision of the bill making it 20 cents a square foot instead of 25 cents is carried out. And the next above that is 50 cents per square foot, equivalent to 120.93, which the committee made 40 cents and now want to restore to 50, according to the present tariff and to the recommendation of the Tariff Commission.

Those are the rates given. Certainly there can be no dispute between the Senator from Indiana and myself about those rates; and certainly the common window-glass, not to repeat myself too often, in use by the whole people of this country, by the farmers and the country people and the workmen and the mechanics wherever they have a cottage or a cabin and use glass at all, pays about three times as much as the polished, plate, silvered and unsilvered glass which goes into the mansion of the wealthier man.

Now, sir, I want to do justice even to a manufacturer of plate-glass. I stated the other day in debate that I had been informed that a bill had been procured to be passed for the benefit of Mr. De Pauw, allowing him to import his machinery free. My informant was at that time a member of the House, and the bill did pass the House. I have it in my drawer here and I showed it to the Senator from Indiana; but it seems that the bill failed to pass the Senate. My information, therefore, was incorrect; the bill did not become a law, although it was asked for and passed one House. So much for that.

I also stated upon the authority of a man by the name of Bishop that Mr. De Pauw, for his glass-works at New Albany, Indiana, had imported a lot of Belgian glass-blowers to take the places of some American laborers who were turned out into the streets without employment, and I read in support of Bishop's statement the statement from the son of Mr. De Pauw, who is the manager of his works, before the Tariff Commission, in these words:

Being a new industry, we have been obliged to import men who have understood the business in order to build it up in this country.

The telegram which the Senator from Indiana read from De Pauw, and which I hold in my hand, denies the statement in such a manner, I suppose, as would bear out the truth of his denial.

Assure Senator Vance that I paid full duty on machinery; never had any come in free.

I give him the benefit of that absolutely.

Never imported Belgian glass-blowers.

You see, Mr. President, the denial is based upon the fact of the assertion that the men imported were glass-blowers and that they were Belgians; but it does not cover the substance of the statement that he did import foreign labor and that they were glass-workers, though they may not have been glass-blowers and they may not have been Belgians.

Mr. HARRISON. Will the Senator from North Carolina allow me to send to the desk and have read a letter which will remove the quibble which he seems to make upon the telegram?

Mr. VANCE. If the Senator will permit me to say that the quibble is not mine, but the quibble is Mr. De Pauw's, then I will allow him, of course, to have the letter read.

Mr. HARRISON. Certainly I will allow him to say that; yet I think the criticism of the Senator is not justified by the language of Mr. De Pauw.

Mr. VOORHEES. I will not allow the Senator from North Carolina to set a criticism of his own on Mr. De Pauw. This dispatch comes from Mr. De Pauw without any solicitation of mine. He has evidently seen in the general press dispatches a statement of the remarks made by the Senator from North Carolina yesterday. What he saw I do not know, and the Senator does not know; and if the Senator from North Carolina wants the precise information on which Mr. De Pauw wrote his dispatch, it would be fairer to criticise the telegram then than to do it now.

Mr. VANCE. The Senator will bear me witness that I made no criticism of that in the nature of attributing to it a quibble until it was suggested by the Senator from Indiana, the Senator's colleague.

Mr. HARRISON. Will the Senator from North Carolina allow me to say that the charge he brought against Mr. De Pauw was upon the testimony of O. A. Bishop, which is found on page 1038, volume 1 of the Tariff Commission report? That evidence was distinctly that Mr. De Pauw had imported glass-blowers. That was what the Senator charged. Mr. De Pauw was informed of the charge, and his denial is as broad as the accusation; and I think if the Senator will listen to the letter which I have now sent to the desk to be read, he will be satisfied that the only laborers, as I said the other day, imported by Mr. De Pauw were those laborers who could not be furnished in this country, but had to be brought from a country where the plate-glass manufacture was known. How could anybody start a plate-glass factory in this country without having somebody who knew how to make it? There was no one in this country that did. The charge the Senator brought was that Mr. De Pauw had imported glass-blowers, and that class of labor can be found in this country. If the Senator will hear the letter from Mr. De Pauw read I think he will agree that he has put in a pretty broad denial of that accusation.

Mr. VANCE. I think the Senator from Indiana is the only one now keeping the letter from being read. I am not, I am sure.

The PRESIDING OFFICER. The Secretary will read the letter.

The Principal Legislative Clerk read as follows:

NEW ALBANY, IND., *January* 18, 1883.

MY DEAR GENERAL: I have your telegram saying that Senator Vance uses against us the testimony of a Mr. Bishop before the Tariff Commission, on page 1038.

As we never heard of Mr. Bishop and have not the testimony taken before the Tariff Commission and have been unable to find it either here or at Louisville, we asked you by telegraph, "Who is Bishop and what does he allege?" To which we have your night telegram and the words following: "Bishop, a Chicago iron-worker, said you had trouble with your glass-blowers; sent to Belgium and hired men on three-year labor contracts at one-third wages paid by you before."

It affords us great pleasure to assure you that there is no truth whatever in Mr. Bishop's statement. We never imported glass-blowers from Belgium or any other land, and as to wages, we are now paying and have always paid glass-blowers and all other glass-workers in all departments the association prices, the very highest wages paid in America; and, as you know, American wages are the highest paid in the world.

I repeat and emphasize it that Mr. Bishop's statement is made out of whole cloth and is absolutely false.

It has been a pleasant life work with me to give employment to a very large number of men and pay them the very highest wages the business would justify. I believe my men fully appreciate this fact and that I have their confidence and respect, and they regard me as their friend, and I am sure there is no dissatisfaction among them.

Very respectfully, yours,

W. C. DE PAUW.

Hon. B. HARRISON, *United States Senate.*

Mr. VANCE. That is substantially what is in the telegram, except that the telegram is more condensed. The gist of the statement, for the purposes of this discussion of course, was that this manufacturer who was claiming protection in behalf of American labor had absolutely employed foreign labor.

Mr. HARRISON. If the Senator will allow me to interrupt him, that was not the gist of the accusation——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Indiana?

Mr. VANCE. Yes, sir.

Mr. HARRISON. The accusation was that Mr. De Pauw had imported glass-blowers, and the testimony of Mr. Bishop was read to that effect. If the Senator had made the charge that he had imported another class of workmen, that would have been submitted to Mr. De Pauw for his confirmation or denial. Certainly it is not kind in the Senator to suggest that Mr. De Pauw's denial is too narrow when it is quite as wide as the charge.

Mr. VANCE. I do not think the Senator from Indiana understood what I said; perhaps he did not hear it correctly. I said that for all the purposes of this debate the gist of the charge was that this man had employed foreign labor to the exclusion of American labor, and I say that that is true. I do not pretend to say that it is important whether they were from Belgium or elsewhere, so that they were foreigners, or whether they were glass-blowers or not.

Mr. HARRISON. Will the Senator allow me to interrupt him again?

Mr. VANCE. I prefer that the Senator should wait until I get through.

Mr. HARRISON. If the Senator in his good nature will yield this time I will promise him not to say a word more.

The PRESIDING OFFICER. Will the Senator from North Carolina yield?

Mr. VANCE. I will try it once more.

Mr. HARRISON. The Senator says the gist of the charge was that Mr. De Pauw had employed foreign labor to the exclusion of native labor. I ask the Senator whether he has any information that Mr. De Pauw ever brought over any laborer when the place could have been supplied by any man living in America, and whether the fact is not that he brought men to fill places that no one in this country could fill?

Mr. VANCE. That is entirely begging the question. Whether there is any man in America who could do the same work that a European could, of course Mr. De Pauw is to be the judge of, and we have his own statement here that he did import foreign labor. It did not come seeking employment; he brought it over here, the statement is; he went after it and brought it to this country; and if the introduction of foreign labor displaces American labor, then of course the labor that was brought over here by Mr. De Pauw did displace American labor to that extent. There was no harm in that; I am not assailing the man for getting the best labor that he can and the cheapest. There is no harm in the world in his going to Belgium or to Nova Scotia or to any other portion of this mundane sphere to get labor if it served his purpose better than labor he could get at home. I am not assailing him for that; I am assailing the general principle of men getting foreign labor in their factories, and that labor being employed in a labor market cheapened by competition with the whole world, and then asking that their products shall be put up and made dear by shutting off the competition of the whole world as to their products. That is what I was assailing; and all of this special pleading, this confession and avoidance of Mr. De Pauw in denying that these men were Belgians, and in denying that they were glass-blowers, I am willing to let pass for what it is worth. I do not care anything about it.

The general proposition I was trying to maintain was that it is a false cry that these men are giving out to the country when they ask for legislation in their behalf in order that they may protect American labor in their employ when that labor can not speak the English tongue and had just landed in this country and when it had been brought here. That is all right in the course of business. That is according to free-trade doctrine. Let them go and get labor wherever they can in the world, and get it as cheap as they can, as they do undoubtedly. They buy their labor in the market for what it is worth; and not according to the amount of tariff imposed for their benefit. They never do that, and that is what I was complaining of. But let that all go; I care nothing about it. In the general statement that I made I quoted the authority that I gave for it, and I quoted the language of the authority. It turns out that Mr. De Pauw denies that there is a word of truth in the story of Bishop. Very well; let it go. There is some truth in his own story that he brought in foreign labor here. I believe that is all I have to say.

Mr. VOORHEES. Mr. President, I am not willing that this matter shall pause upon a false issue. In the sense of bringing labor from Eu-

rope to compete with labor at New Albany, Mr. De Pauw has never done anything of the kind. I know the facts. The Senator from North Carolina would make the impression, he sought to make the impression yesterday, and clings to it now, that Mr. De Pauw's plea in behalf of this great industry and in behalf of American labor is a false one because he has brought European labor here to the exclusion of American labor.

I will state the fact. Mr. De Pauw employs more than a thousand laborers, and of that number there are perhaps half a dozen in his employ, possibly a few more, who had learned how to do what nobody in this country had been called on to learn. In other words, this is a new industry. Mr. De Pauw's works have not been in existence ten years; every other American manufactory of glass failed except his; and in going into this enterprise he obtained here and there a skilled man to instruct his men, Americans, in the art of making glass; but in the sense of importing laborers here, as has been done in other instances, to take the place of American laborers, he has not done it. I am not willing, knowing the facts as I know them, to have the impression go out to the contrary. I know the facts in this whole transaction. I have been through those works time and again. So has the Senator from Vermont, the chairman of the Committee on Finance. He knows, and well knows, the truth of what I am stating now, that it was simply the employment of skilled men from countries where the manufacture of glass had been brought to perfection, in this country where it was a new and almost unknown art. That is all that Mr. De Pauw did. He has excluded no labor that sought employment as his hands there, and it will be news to the people of Indiana, it will be news to the people of New Albany, when they read the statement made by the Senator from North Carolina.

He gives his authority. I know about that too. I know that a charge was made by some person connected with the press at New Albany some time ago. I will not characterize him as an irresponsible man, for I do not know him. I only know the charge was made, and untruly made, that Mr. De Pauw was importing foreign labor there. I know it was taken up and repeated at Chicago, and that is the single little item out of which has grown the testimony of this man Bishop, doing great injustice to Mr. De Pauw.

Mr. VANCE. Will the Senator allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from North Carolina?

Mr. VOORHEES. Oh, yes.

Mr. VANCE. I simply want to assure the Senator that I had never seen the newspaper reports he refers to. I never saw anything on the subject but the testimony of Mr. Bishop.

Mr. VOORHEES. That is doubtless correct, of course; but I know where Mr. Bishop's inspiration came from, and the whole matter is as I state it. There is not a more conscientious, kind-hearted, broad or liberal-minded business man in the world than Mr. De Pauw, and his statements here are entitled to the utmost respect and consideration. Instead of being capable of making a quibble in a dispatch, he is as little capable of doing so as any man I ever knew or heard tell of. This much I think it is due to truth to state. These are the facts in regard to this industry.

Mr. MORRILL. Now, I hope we can have a vote. I merely desire to restate the question, and that is that the committee by accident reported this item at 40 cents instead of 50 cents per square foot, and when we discovered the mistake, it having originated from a misprint in a table from the Treasury Department, we restored it as was proposed by the Tariff Commission, to leave the duty as it now exists. I wish to say that there will be a larger reduction in consequence of the inland transportation and charges on packages and other charges than there will be perhaps on any other article in the whole list of the tariff schedules.

Mr. BECK. I desire to say that there was no misprint by the Treasury Department that I have ever been able to ascertain.

Mr. MORRILL. Oh, yes.

Mr. SHERMAN. I can show it to the Senator.

Mr. BECK. One hundred and twenty per cent. was believed not to be the true per cent. paid. The official figures show that it was the true per cent. paid, and it was because we believed that the true per cent. was 60 or 70 instead of 120 that we were willing to restore this to what the Tariff Commission had recommended. If 60 or 70 was the true percentage, there was no mistake so far as I know. I ask the Senator from Vermont if he desires to keep these articles at 120 per cent. tax and to make every man who buys plate-glass to go into a shop-window pay $120 tax for the privilege of buying $100 worth in the markets of the world? I do not believe any member of the committee wants to do any such thing.

Mr. SHERMAN. I wish simply to show by the document before me, which the Senator from Kentucky had before him when the committee were considering this matter, that by a misprint the old duty has been placed at 20 cents when it should have been 25 cents, and at 40 cents where it should have been 50 cents. I will send it to the Senator.

Mr. MORRILL. He has got it there.

Mr. BECK. I ask the Senator from Vermont again if he ever voted to retain a duty of 120 per cent., with these facts before him?

Mr. MORRILL. I voted to retain the duty as it now is, or at least I supposed I was doing so, but made a mistake.

Mr. SHERMAN. Here it is in print.

Mr. BECK. Very well; the Senate can vote upon it.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Vermont [Mr. MORRILL] to strike out "forty" and insert "fifty" in line 482.

Mr. MORRILL called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. CAMERON, of Pennsylvania (when his name was called). On this question I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "yea."

Mr. CAMERON, of Wisconsin (when his name was called). The Senator from Tennessee who now occupies the chair [Mr. HARRIS] is paired with the Senator from Michigan [Mr. FERRY]. I am paired with the Senator from Delaware [Mr. SAULSBURY]. We have agreed to transfer the pairs so that the Senator from Delaware will be paired with the Senator from Michigan. That will leave the Senator from Tennessee and myself at liberty to vote. I vote "yea."

Mr. FRYE (when his name was called). I am paired with the Senator from Tennessee [Mr. JACKSON].

Mr. JOHNSTON (when his name was called). I am paired with the Senator from Pennsylvania [Mr. MITCHELL]. I make the announcement for the day.

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. PUGH (when his name was called). I would vote "nay" if I were not paired with the Senator from Minnesota [Mr. WINDOM].

Mr. WALKER (when his name was called). I am paired with the Senator from Illinois [Mr. DAVIS]. If he were here, he would vote "yea" and I should vote "nay."

Mr. MCMILLAN (when Mr. WINDOM'S name was called). My colleague [Mr. WINDOM] is paired with the Senator from Alabama [Mr. PUGH], as already announced. My colleague, if here, would vote "yea."

The roll-call was concluded.

Mr. EDMUNDS. I am paired with the Senator from Arkansas [Mr. GARLAND] on this question.

Mr. ROLLINS. The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

The result was announced—yeas 27, nays 16; as follows:

YEAS—27.

Aldrich,	Dawes,	Lapham,	Morrill,
Anthony,	Hale,	Logan,	Platt,
Blair,	Harrison,	McDill,	Rollins,
Brown,	Hawley,	McMillan,	Sewell,
Cameron of Wis.,	Hill,	Mahone,	Sherman,
Chilcott,	Hoar,	Miller of Cal.,	Voorhees.
Conger,	Kellogg,	Miller of N. Y.,	

NAYS—16.

Barrow,	Farley,	Hampton,	Morgan,
Beck,	George,	Harris,	Slater,
Call,	Gorman,	Lamar,	Vance,
Coke,	Groome,	Maxey,	Williams.

ABSENT—33.

Allison,	Fair,	Jones of Florida,	Saunders,
Bayard,	Ferry,	Jones of Nevada,	Sawyer,
Butler,	Frye,	McPherson,	Van Wyck,
Camden,	Garland,	Mitchell,	Vest,
Cameron of Pa.,	Grover,	Pendleton,	Walker,
Cockrell,	Ingalls,	Plumb,	Windom.
Davis of Ill.,	Jackson,	Pugh,	
Davis of W. Va.,	Johnston,	Ransom,	
Edmunds,	Jonas,	Saulsbury,	

So the amendment was agreed to.

Mr. MORRILL. I now ask the Senator from Kentucky if he has any amendment that he wants to propose to the clause beginning in line 498 and ending in line 502? We have passed that, but the Senator from Kentucky reserved the right to go back to it. If he has no amendment to propose, I want to ask permission of the Senate——

Mr. BECK. I do not propose to increase duties very largely when they get over 100 per cent.; I do not have much hope of succeeding; but I was about to move an amendment that that clause should be divided into two classes, one of which shall embrace porcelain and Bohemian glass, painted ware, and stained glass, together with the character of glass suggested by the Senator from New Jersey [Mr. SEWELL], the exact name of which I have not before me——

Mr. SEWELL. Chemical glass-ware.

Mr. BECK. I would put all that character of glass at 45 per cent.

Mr. SEWELL. The pending question at the adjournment yesterday was on the motion I made to amend line 498, by adding "and chemical glass-ware." There was not a quorum present. I ask that that amendment be now made.

Mr. BECK. My amendment is to let Bohemian glass, painted glass-ware, and stained glass be at 45 per cent. ad valorem, and then to have as a separate paragraph—

All other manufactures of glass or of which glass shall be the component material of chief value, not specially enumerated or provided for in this act, 40 per cent. ad valorem—

Forty per cent. being the present rate.

Mr. SEWELL. Will the Senator from Kentucky allow my amendment to be acted on first?

Mr. BECK. I have no objection to that.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey, to insert "chemical glass-ware" after the word "glass," in line 498.

The amendment was agreed to.

Mr. BECK. Now I move to make "porcelain and Bohemian glass, painted glass-ware, and stained glass" to be one class; that may remain at 45 per cent. Then it will read:

Porcelain and Bohemian glass, chemical glass-ware, painted glass-ware, stained glass, 45 per cent. ad valorem, and all other manufactures of glass or of which glass shall be the component material of chief value not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Striking out the "five" at the end of line 501.

The PRESIDING OFFICER. The amendment of the Senator from Kentucky will be read.

The ACTING SECRETARY. After the word "glass," in line 499, it is proposed to insert "45 per cent. ad valorem," and in line 501 to strike out "45" and insert "40."

Mr. BECK. I have no objection to 45 per cent. on the highest glass-ware; but among the unenumerated articles many may be of the lowest qualities of glass, and the present rate being 40 per cent. it seems to me that is as high as we ought now to make the unenumerated articles.

A good deal has been said about what we propose to do about striking off the charges on crates and other things. I am one of those who do not believe that crates will be stricken off, notwithstanding all that has been said. I have known no case where the Committee on Finance, with one or two exceptions on this side, have not voted to increase everything that has been suggested in the way of increase; and when it comes to the question of crates, I expect to see the duty on them retained and all this additional taxation imposed besides. I expect, in other words, to see a protective tariff far higher, far more oppressive on the people, imposed on this country than even, I was about to say, the infamous tariff under which we are now living. I do say it.

Mr. MORRILL. Mr. President, a single word in relation to this. The Senator from Kentucky is right so far as the fact is concerned that this is nominally 5 per cent. increase upon articles not enumerated, but it is in fact not less than 5 per cent. lower than the existing rate in consequence of the reduction that will be made in consequence of the additional charges being removed from packages and from inland transportation. Let me say that this includes articles like decanters, goblets, tumblers, and wine-glasses, the most expensive kind of drinking glass, and they ought to have at least as high a duty upon them as any other description of glass in the whole tariff-list.

Mr. BECK. As to all that class of glass I propose to allow the committee to retain the 45 per cent. ad valorem they propose; but when it comes to the manufactures of glass or of which glass shall be the component material of chief value not otherwise provided for in this act, I want the rate to be 40 per cent. ad valorem.

Mr. MORRILL. That is the very class I spoke of.

Mr. BECK. These articles of which glass may be the component material of chief value may be the little preserve jars or little bottles in which is brought over olive-oil or the ten thousand things which people must have and which come in glass to this country, no matter how cheap they are. We have put a tax on empty bottles and bottles which are full and on everything that is of the character of glass; and gentlemen are now seeking to raise all the unenumerated glass, as well as the decanters and cut-glass and other things mentioned to a higher rate. In other words this is a direct act to put 45 per cent. upon anything that has glass in it or of which glass is the chief component article of value, no matter how cheap it may be, or whether it is simply brought here because of the contents which the people here want. In addition to all the tax paid upon the contents, whatever they are, we are to increase the present rate on the glass from 40 per cent., which is certainly high enough, to 45 per cent. under the suggestion that there may be some cut-glass in it.

We collect at the present rate of duty of 40 per cent. on these articles which we now propose to raise to 45 per cent. $698,449. The proposed rate will, if the importations continue just as now, produce $782,041.89, in other words an increase of $83,592, and that $83,592 the Senator says is equivalent to the tax upon the crates. It would buy double all the crates and straw in which these things are wrapped. Still, I suppose my motion will not prevail.

Mr. ALDRICH. There are several reasons why the motion of the Senator from Kentucky should not prevail aside from the very potent reason given by the chairman of the Committee on Finance that we have actually reduced the rates about 10 per cent. by abolishing the duties on inland charges and packages. The average duty on all articles of glass is more than 45 per cent., and if we allow the non-enumerated class to be fixed at 40 per cent. we are fixing a premium upon frauds of all kinds. The names of various articles of glass-ware in the enumerated class could be readily changed and new names and descriptions adopted for the sake of securing a lower rate of duty in the class now under consideration. It is in accordance with the plan which the Tariff Commission have very wisely recommended that all non-enumerated articles should be placed at a higher rate than the average of the class to which they belong.

Mr. MORGAN. The Senator from Rhode Island is very familiar with this question of glass manufacture; and I wish him, if he can, to name an article where a change of the name would alter the classification or alter the rate of duty.

Mr. ALDRICH. Take Bohemian glass, for instance; they might call it by some other name.

Mr. MORGAN. Would that change the rate of duty if the article were really Bohemian glass?

Mr. ALDRICH. If Bohemian glass was at 75 per cent. and non-enumerated glass at 40 per cent.; and by calling it something else they could get it in at 40 per cent., it would be done.

Mr. MORGAN. It seems to me it would be a very absurd thing for a custom-house officer to allow the United States to be defrauded of its revenue by allowing an article by reason of a mere change of name to come in at a less duty than that fixed by law.

Mr. ALDRICH. It occurs now on half a dozen articles well known to every Senator familiar with the subject, on steel wire rods and cotton-ties.

Mr. MORGAN. I was asking the Senator to inform me, inasmuch as he was acquainted with this glass-ware importation and production, on what articles of glass-ware the rate of duty would be changed by a change of name.

Mr. ALDRICH. Experience has shown that the people who are interested in importing glass-ware and other merchandise will devise names enough and make changes to meet any requirement if they can save anything by it.

Mr. MORRILL. I would say that the great bulk of all the articles not described in this schedule will be the very articles I before mentioned, glass tumblers, goblets, wine-glasses, and plain decanters, and that class and description of glass will form nine-tenths of all the glass that will be imported, and it is of the very finest, clearest crystal glass, and therefore ought to have this rate of duty upon it.

Mr. BECK. If it is it will be valued at 40 per cent. of what it is worth, and that will surely be enough tax for anything persons are enabled to discover a new name for.

One thing I agree with the Senator from Rhode Island in, and the Senate may as well look at it all the way through. The policy of the Tariff Commission is referred to from time to time. The Tariff Commission had no policy except to allow the men interested in each schedule to endeavor to exclude by every possibility everything they could exclude unless it paid the very highest rate they thought the people would stand, and then their policy was, if there was anything that by possibility they might have missed and could not name and could not catch, to make the unenumerated articles higher than any enumerated, so as to make it impossible for anybody to discover anything that could escape their clutches. I agree that the policy of the Tariff Commission is properly stated by the Senator from Rhode Island, and it has done it in this case as well as in all others.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kentucky [Mr. BECK].

Mr. BECK. I call for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. CAMERON, of Pennsylvania (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER]. But for that I should vote "nay."

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND].

Mr. CAMERON, of Wisconsin (when Mr. FERRY'S name was called). The Senator from Michigan [Mr. FERRY] is paired with the Senator from Delaware [Mr. SAULSBURY].

Mr. MORGAN (when his name was called). I am paired with the Senator from Iowa [Mr. MCDILL]. If he were here, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. ROLLINS (when Mr SAUNDERS'S name was called). The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

Mr. CAMERON, of Wisconsin (when Mr. SAWYER'S name was called). My colleague [Mr. SAWYER] is paired with the Senator from North Carolina [Mr. RANSOM].

Mr. WALKER (when his name was called). I am paired with the Senator from Illinois [Mr. DAVIS].

Mr. WILLIAMS (when his name was called). I was paired with the Senator from Nebraska [Mr. SAUNDERS], but the pair has been transferred to the Senator from Florida [Mr. JONES]. So I am at liberty to vote.

The roll-call was concluded.

Mr. MCMILLAN. My colleague [Mr. WINDOM] is paired with the Senator from Alabama [Mr. PUGH]. If here, my colleague would vote "nay."

Mr. JONAS. I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. GORMAN. I desire to announce the pair of my colleague [Mr. GROOME] with the Senator from New York [Mr. MILLER].

Mr. ALLISON. I am paired with the Senator from Delaware [Mr. BAYARD].

Mr. PENDLETON. I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. ROLLINS. The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

The result was announced—yeas 16, nays 25; as follows:

YEAS—16.

Barrow,	Coke,	Hampton,	Maxey,
Beck,	Farley,	Harris,	Slater,
Call,	George,	Kellogg,	Vance,
Camden,	Gorman,	Lamar,	Williams.

NAYS—25.

Aldrich,	Dawes,	Logan,	Rollins,
Anthony,	Hale,	McMillan,	Sewell,
Blair,	Harrison,	Mahone,	Sherman,
Brown,	Hawley,	Miller of Cal.,	Voorhees.
Cameron of Wis.,	Hill,	Miller of N. Y.,	
Chilcott,	Ingalls,	Morrill,	
Conger,	Lapham,	Platt,	

ABSENT—35.

Allison,	Ferry,	Jones of Florida,	Ransom,
Bayard,	Frye,	Jones of Nevada,	Saulsbury,
Butler,	Garland,	McDill,	Saunders,
Cameron of Pa.,	Groome,	McPherson,	Sawyer,
Cockrell,	Grover,	Mitchell,	Van Wyck,
Davis of Ill.,	Hoar,	Morgan,	Vest,
Davis of W. Va.,	Jackson,	Pendleton,	Walker,
Edmunds,	Johnston,	Plumb,	Windom.
Fair,	Jonas,	Pugh,	

So the amendment was rejected.

The item from line 498 to line 502, as amended, was agreed to.

Mr. MORRILL. I now ask that we skip over to page 41 of the bill in consequence of the Committee on Finance not having been able to get in print some testimony that they have had taken as to two or three paragraphs in the iron and steel schedule, which comes next to the one we have just disposed of. Let us take up "Wood and wooden-wares."

The PRESIDING OFFICER. The Senator from Vermont asks unanimous consent to informally pass over the part of the bill named by him and take up Schedule D.

Mr. VAN WYCK. I do not wish to object, but I did not understand precisely the reason given by the Senator.

Mr. MORRILL. Because the Committee on Finance has taken some testimony that was authorized by the Senate to be printed, but it has not yet been printed.

Mr. LOGAN. I wish to give notice that when the bill comes into the Senate I shall move to reject an amendment that was presented this morning on an agreement of the Finance Committee as I understand. I was absent on committee business until 1 o'clock, and I understand that a number of other gentlemen interested in the question of window-glass were out at the time when there was a vote taken here this morning on that question. If the committee choose to come in in that way when persons interested in an item are absent——

Mr. MORRILL. I did not know that the Senator was absent.

Mr. LOGAN. I supposed the vote would have notified the Senator that we were absent; and it was announced yesterday that the Senator from Indiana [Mr. HARRISON] and the Senator from New York [Mr. MILLER] and myself certainly had some constituents who were interested in this proposition. The Senator certainly ought to have known it, because I handed him several telegrams myself that came from persons interested in this industry.

Mr. MILLER, of New York. Right on that point, I was about to ask for information what actually has been done by the Senate to-day in regard to the 1½ cents per pound on "unpolished cylinder, crown, and common window-glass not exceeding 10 by 15 inches square," in lines 455, 456, and 457?

Mr. MORRILL. The rate was made one-eighth of a cent a pound less.

Mr. MILLER, of New York. That I understand is the point the Senator from Illinois is inquiring about.

Mr. LOGAN. Exactly.

Mr. MILLER, of New York. It was changed without even a vote, as I understand.

Mr. ALLISON. It was changed about a quarter past 2 o'clock to-day. We were on an appropriation bill until very nearly 2 o'clock.

Mr. LOGAN. No matter when it was changed; I was engaged on a committee this morning until I came into the Chamber, and when I came in the Senate was acting on this bill. I was necessarily absent from the Chamber during the morning. The first information I had about this change was what was told me by one of the Senators.

The PRESIDING OFFICER. The only question before the Senate is, Is there objection to the request of the Senator from Vermont?

Mr. MILLER, of New York. I rose to a question for information.

The PRESIDING OFFICER. Will the Senator from New York propound his question so that he can obtain the information?

Mr. MILLER, of New York. One question was in regard to the change which has been made to-day on crown and common window-glass in lines 455, 456, and 457.

The PRESIDING OFFICER. The Secretary informs the Chair that there has been a change by a reduction of one-eighth of 1 cent per pound.

Mr. MILLER, of New York. Then in line 458 I desire to know what change has been made there.

The PRESIDING OFFICER. The same change was made in that as in the other case.

Mr. MILLER, of New York. I can only say that I am surprised at the action of the committee, and that it took place when nearly every Senator who had spoken on the glass question and who had insisted on the rates of duty which the committee had recommended in the bill happened to be out of the room. I understand the Senators from Indiana were out, the Senator from Pennsylvania [Mr. CAMERON], also the Senator from Michigan [Mr. CONGER], the Senator from Illinois [Mr. LOGAN], and myself. It was our misfortune. I understand that this was done without any yea-and-nay vote being called upon it. While it is not possible under the rule established here to go back, yet I desire to give notice that when this bill comes into the Senate I shall move to reconsider that vote. I hope the Finance Committee hereafter, if they are to make serious changes in the bill, will at least print their suggestions and amendments, so that each Senator may be informed as to what is to be done. I would not have been out of the room under any conditions if I had supposed any such amendment was to be offered by the committee, and I was out not more than five or ten minutes at most.

Mr. MORRILL. This clause was specially reserved yesterday for the purpose of revision by the Finance Committee, and it would be naturally supposed that if they took any action it would come up the first thing when the bill was resumed to-day.

Mr. LOGAN. Specially reserved for the committee to look into! The Senate reserved it at the request of the Senator from Kentucky that he might inform himself.

Mr. MORRILL. Oh, no; this was not at his request.

Mr. LOGAN. I beg the Senator's pardon.

Mr. SHERMAN. I desire to inform the Senator from Illinois, so that he may be aware that there was no secrecy about it, that the Senator from Vermont——

Mr. LOGAN. I did not say there was any secrecy about it.

Mr. SHERMAN. The Senator from Vermont last night, before the adjournment, desired that the clause about window-glass should be passed over until it could be submitted to the committee this morning, and a majority of the committee this morning reported favorably on a reduction of one-eighth of a cent per pound. I will do all I can to get that restored to where I think it ought to be, the rate fixed in the old law. At the same time it was done after notice given yesterday by the Senator from Vermont.

Mr. LOGAN. There was notice given, it is true, and it was reserved and not voted on last night for the purpose of the committee re-examining it; and this morning, as I understand, when the committee came into the Senate there was no notice given to the Senate that the committee would propose this amendment.

Mr. SHERMAN. Not until it was offered.

Mr. LOGAN. It was not known until the proposition came up in the progress of the bill, so that nobody had any notice of any amendment being offered other than what was offered yesterday.

Mr. MORRILL. It will come up again.

Mr. ALDRICH. When this clause was reached yesterday after discussion by the Senator from North Carolina [Mr. VANCE] the chairman of the committee stated very clearly in the hearing of the Senate that the committee had not fully considered it, and he asked to have it passed over until this morning.

Mr. LOGAN. Certainly; nobody disputes that he desired to have it go over.

Mr. ALDRICH. It was a reasonable supposition that the committee desired to reconsider their action for the purpose either of increasing or lowering the rates.

Mr. LOGAN. But we did not know which.

Mr. ALDRICH. The committee acted on the clause this morning, and reported through their chairman, and the changes recommended by them were adopted by the Senate by a *viva voce* vote.

Mr. LOGAN. Certainly, reported at the time the proposition came up in the bill, but not reported to the Senate this morning as a report from a committee.

Mr. ALDRICH. Yes, it was. The chairman stated clearly what the committee recommended.

Mr. LOGAN. Certainly, when the proposition came before the Senate, but not as reports are made from committees to give notice to the Senate. When the committee came into the Senate this morning there was no report made.

Mr. ALDRICH. No committee ever makes a report in that way on a bill pending before the Senate. I never knew of one, and I challenge the Senator to find a precedent of that kind.

Mr. LOGAN. We will not go to looking into that now, but it is very frequently done, and it is usual that a committee offer their amendments and have them printed, so that they may be examined by the Senate. That is the usual course.

Mr. ALDRICH. I do not understand it to be the usage of the Finance or other committee to look up Senators who are interested in the various propositions pending before the Senate to ascertain whether they understand what action is proposed. The question on the adoption of the committee amendment was clearly stated by the Presiding Officer and carried. The Senator from Ohio [Mr. SHERMAN] and the Senator from New Jersey [Mr. SEWELL], I remember distinctly, voted "no." I do not know why any charge should be made of unfairness against the committee.

Mr. LOGAN. The Senator from Rhode Island is getting excited over nothing. Nobody has charged the committee with unfairness or impropriety except the fact——

Mr. ALDRICH. If I understood the language of the Senator from New York it certainly could be construed as an intimation that the committee had pushed this amendment through with undue haste when he happened to be out for a minute.

Mr. LOGAN. I have nothing to say about the Senator from New York, but so far as I am concerned I only called attention to the fact that when this bill came into the Senate I would move a reconsideration of that vote and move an amendment to this proposition; and I stated the fact that I was necessarily absent at the time and had no notice that this change was going to be made by the Committee on Finance. If there is any reflection in that I can not help it. There was none intended.

Mr. ALDRICH. I suppose the Senator understands that while this bill is under consideration the Committee on Finance will press it earnestly for action. Some Senator is interested in every clause of the bill, and it would be impossible to postpone and delay action until all the friends of each particular sentence should happen to be in their seats.

Mr. LOGAN. Now I say to the Senator from Rhode Island that the Committee on Finance is not the only committee in the Senate. Other committees have business here. Other committees press their business. You would think from what the Senator says that this was the only committee that had any business in the Senate, and that they were pressing it and it was necessary for everybody to be here at every moment because they are here all the time. I find that gentlemen who belong to that committee are not here very frequently.

Mr. ALDRICH. You do not find them complaining if action is taken on measures they are interested in that happened to be passed while they are out.

Mr. LOGAN. That is very true. The Senator is very modest in his suggestions. Very true they do not complain; neither do other committees complain that get together and juggle up a proposition and come in and pass it without any notice to anybody. Nobody complains when things are done the way he wants them done. I give notice to the Senator now that this Finance Committee can not pass any bill over the heads of gentlemen in this way in the Senate, and they had just as well understand that the interests of different constituencies here are to be respected as well as the interests of the constituencies of the gentlemen who compose the committee. They had better not undertake to ram things down people's throats and notify them that they have got to be here at every moment or they will pass things over their heads. They had better be a little careful about that.

Mr. MILLER, of New York. As I have been referred to in this debate, I have to say that I desire to make no reflection on the Finance Committee, but just the plain statement of the facts. I expected the entire schedule on glass was to be considered; I was expecting and waiting for it. We went partially through it yesterday; and the Finance Committee, of its own motion, through its chairman, asked that a certain portion of that schedule be passed over for the time being for the day. I had no idea that they expected to make any such change in its provisions as it seems has been made to-day; and the Senator from Rhode Island and the chairman of the Finance Committee knew very well from what I had said here that I was taking a deep interest in the question of the duty upon glass.

As I understand the ordinary procedure in the Senate and the courtesy of the Senate, when it is known that any Senator takes a particular interest in any particular bill or in any particular clause of a bill, he is at least to have ample notice of its consideration. It is impossible that any Senator should remain in this Chamber continuously from 11 to 5 or 6 o'clock. Just before the closing of the appropriation bill this morning I was called out by a card, but I certainly was not gone to exceed ten minutes. When I came back I was informed that this entire portion of the schedule on glass had been amended and passed without debate, and that it had been hurriedly done. I was surprised. I inquired of the two Senators from Indiana if they had been present and consented to it, and they said they were temporarily absent from the room. I inquired of the Senator from Michigan [Mr. CONGER] if he had been here and consented to it, and he said he had been absent. I inquired of the Senator from Illinois [Mr. LOGAN] and the Senator from Pennsylvania [Mr. CAMERON], and it had happened that they too were out.

I do insist that the entire Senate, and particularly the Finance Committee, knew that each and every one of these Senators had a deep interest in this question, and desired to be heard upon it. I did not suppose that the Finance Committee intended after all to rush the bill through without giving us an opportunity to be heard. They were ready to report upon the question at that moment, and did it, and did not know that we were not here; but I find that during a temporary absence what I consider to be a very great wrong was done to a large number of my constituents, and the duties reduced out of proportion. Already the bill had provided for a reduction of 10 per cent. or an equivalent of 10 per cent. in regard to packages, and another reduction of about 5 per cent. had been made upon fixing the weight of the glass. This morning, without any discussion or any yea-and-nay vote, the duty has been still further reduced, somewhere from 6 to 12 per cent. I do not know how much. I actually believe that when this shall go into effect, if it ever shall go in that form, it will entirely stop the manufacture of common window-glass in the States of New York, Pennsylvania, Michigan, Illinois, and Ohio. That is my candid judgment about it. At all events, I did desire to be heard upon it before the Senate when it should be up; but as I can have that opportunity in the Senate, I make this explanation now, and I shall endeavor to be present in the Senate when it is finally voted upon in the Senate.

Mr. KELLOGG. I move that the Senate proceed to the consideration of executive business.

Mr. MORRILL. No; I trust we shall continue at least to the next schedule, which will only take a few minutes, I think.

Mr. KELLOGG. Very well. I withdraw the motion, and move that the Senate adjourn.

The PRESIDING OFFICER (at 3 o'clock and 53 minutes p. m.). The Senator from Louisiana moves that the Senate do now adjourn.

The motion was not agreed to.

The PRESIDING OFFICER. Is there objection to the proposition of the Senator from Vermont to pass over informally to Schedule D?

Mr. BECK. Before that is done I desire to make a parliamentary inquiry of the Chair. There are several amendments which I have offered, for example, to the item on glass, that was increased from 40 cents per square foot, as reported by the committee, to 50 cents, and to the unenumerated articles. Is it necessary to give notice to have a separate vote in the Senate; or have I that right without notice?

Mr. MORRILL. Of course the Senator has that right.

The PRESIDING OFFICER. All the amendments agreed to in Committee of the Whole the Senator can demand a separate vote upon in the Senate. The amendments rejected in Committee of the Whole may be offered again when the bill is reported to the Senate.

Mr. BECK. So that there is nothing gained by reserving separate votes now?

The PRESIDING OFFICER. Nothing whatever.

Mr. BECK. We have been in the habit of reserving votes from time to time.

The PRESIDING OFFICER. When the bill is reported to the Senate every Senator can reserve a separate vote upon each amendment agreed to in Committee of the Whole.

Mr. MORRILL. Or can move any other amendment he sees fit.

The PRESIDING OFFICER. The bill is open to amendment in the Senate. The Senator from Kentucky or any other Senator can offer any amendment he sees proper in the Senate.

Mr. BECK. One other inquiry. The last amendment that I offered was rejected, and the text of the bill remained as reported in that regard. In that class of cases must I give notice?

The PRESIDING OFFICER. The Senator from Kentucky must renew the amendment if he desires it voted upon in the Senate.

Mr. BECK. And I may do it as well without giving notice of it?

The PRESIDING OFFICER. Just as well as by giving notice. Nothing is gained by giving notice.

Mr. FRYE. As I understand, that rule was made for the very purpose of preserving the rights of Senators who might by mistake not attend to the amendments they desired in committee, and under that rule the last half hour has been simply a waste of time.

Mr. MORGAN. The question now is upon the consent of the Senate to skip over Schedule C, on metals, I believe.

The PRESIDING OFFICER. The Senator from Vermont asks unanimous consent of the Senate to pass informally over the metal schedule, and to proceed to the consideration of Schedule D, "wood and wooden-wares."

Mr. BECK. I desire to do that for to-day, but I do not desire that the metal schedule shall be postponed indefinitely or until the other schedules are gone through with. For this day I should desire to have it postponed, because by Monday morning we shall have other members of the committee here, and we shall have perhaps better information, and some facts printed which are not now in print, not testimony, but observations by a member of the Tariff Commission, Mr. Oliver. I ask the Senator from Vermont whether he means that the metal schedule shall stand postponed to any definite time, or just for the time being?

Mr. MORRILL. Until we get that testimony or information which has been communicated to the committee.

Mr. HALE. I want to ask the Senator how long he proposes to postpone the metal schedule, because upon the answer depends, of course, somewhat the readiness of Senators for other schedules following. Does he desire to postpone it longer than to-day?

Mr. MORRILL. I hope we shall be ready to take it up on Monday, if not on Monday, as early as Tuesday at any rate.

Mr. BECK. I had that matter somewhat in view when I made my inquiry, because I announced to the Senator from Louisiana [Mr. JONAS] this morning that perhaps the sugar schedule would be called up to-day, and he remarked to me that not expecting it to come up to-day he had failed to bring papers with him that he desired to use, and I do not wish any Senator to be taken by surprise on Monday.

Mr. MORRILL. I do not think there will be any objection to going on with "wood and wooden wares." It will take but a few minutes, and I hope we shall go through with that schedule

Mr. ALLISON. I merely rise to suggest that we proceed with the schedule of "wood and wooden wares," and then when we reach the sugar schedule, as I understand the Senator from Vermont has some amendments to that schedule, he had better put them in this afternoon and have them printed, and then we shall understand the question more clearly on Monday morning. I trust Senators who may happen to be out will be able to see these amendments in print.

The PRESIDING OFFICER. Is there objection to proceeding at this time to the consideration of "Schedule D, wood and wooden wares?"

Mr. CONGER. I should like to inquire, so as not to be entrapped again, whether this postponement is for the purpose of enabling the committee to report amendments to come up in regular order for consideration by the Committee of the Whole? I have the same feeling as other Senators about the manner in which, at the request of certain gentlemen, the glass matters were brought up the first thing this morning, after there had been a request for time to consider them, and we supposed naturally there would be time to discuss them here. That action was taken this morning on the report of a committee made so hurriedly and in such a low voice and stated in such a way that I, who was passing from the lobby to the cloak-room, did not understand that that subject was brought up at all, and therefore was not here to call for the yeas and nays. The thing was passed on the report of the committee as if it was some clerical amendment.

Now, I should like to know if these questions are to come up at the time they are considered? I want to say here that so long as this committee gives opportunity to particular amendments in the interest of our constituents, I am ready to vote upon those subjects and to stand with the committee; but so long as I see a disposition to force this bill because the committee say so, and have examined it without a proper regard to the views of other members, I am ready to lay the bill aside.

Mr. MORRILL. I think there has been an unnecessary "tempest in a tea-pot" here this afternoon in relation to the action of the Finance Committee. It was clearly indicated to the Senate that the sections referred to were thought, by at least the other side of the Chamber, to have been reported at too high a rate; and after the discussion by the Senator from North Carolina [Mr. VANCE] I did propose to reserve the matter for further consideration, because in the Committee on Finance, when we passed over the common window-glass, it had never received any particular attention; we gave all our attention to plate-glass, without giving any attention to crown-glass. Immediately on coming in to-day, of course, it was necessary to finish the schedule in which this glass was, and therefore the amendment was called up, and it was stated in as loud a voice as I can command that it was a reduction upon every grade of common window-glass of one-eighth of a cent per pound. I do not regard it as a very important amendment, and yet I think it was a fair one. But now, so far as I am concerned, I am perfectly willing that the Senator from Michigan or the Senator from Illinois or any other Senator shall have the privilege of going back and taking a vote upon this on Monday morning or at the present time.

Mr. ALDRICH. I was about to make the suggestion that it would be as well to take it up now and have it settled.

Mr. MORRILL. I will give my consent so far as I am concerned to go back and have a vote on it again if it is so desired.

Mr. MORGAN. I will not consent to that on my part. Every time we get a reduction made a number of gentlemen on the other side are allowed to go back and consider the subject to increase the tariff.

Mr. MORRILL. They will have a chance in the Senate. So there is nothing lost.

Mr. SHERMAN. I move to reconsider the vote by which the classification of window-glass was adopted to-day. I was present at the time, and I feel bound to say in behalf of the committee, the chairman of the committee especially, that he was very frank about it. He stated yesterday his desire to review the items, and to-day he reported the action of the majority of the committee, to which I did not agree.

Since Senators feel that they have been taken by surprise in their absence, it is better to settle the matter now. I therefore move to reconsider the vote by which the amendment of the Senator from Vermont was agreed to.

Mr. MORRILL. The Senator from Ohio can not make that motion, because he voted on the losing side.

Mr. SHERMAN. There having been no yea-and-nay vote, that point can not be made. That is the rule, and I have a right to make the motion.

Mr. MORRILL. The Senator is correct.

The PRESIDING OFFICER. No division having been had any Senator can make a motion to reconsider.

Mr. VANCE. What is the proposition, sir?

The PRESIDING OFFICER. The Senator from Ohio moves that the vote by which the duty on certain classes of glass was reduced one-eighth of a cent this morning be reconsiderd.

Mr. BECK. The reason I asked the question I did a while ago whether everything would be open in the Senate, was to give assurance to all these gentlemen that they would have a full opportunity to take a vote in the Senate on each item as it came up. A great deal has been said about saving time, about progressing rapidly, and each time any objection is stated to the bill we are charged with killing time and seeking to prevent the bill from passing. Now, if we can have a motion to reconsider whenever we find one side of the Chamber reasonably full that will vote for increases of taxation, and take the chance of getting the side of the Chamber reasonably empty that votes to reduce taxation, there will be nothing like fair play in the management of this bill. The gentlemen on the other side understand that while they could not carry their point this morning in a pretty full Senate when one or two of them were absent, now at a late hour on Saturday evening when they have rallied their forces they can move to reconsider and restore what was voted out this morning without waiting until we get into the Senate, when they can make the motion just as well as now. That does not seem to me like a fair way of proceeding.

As much complaint could be made now that this motion to reconsider is called up when gentlemen are absent who this morning voted to reduce the duty, without giving them notice that the motion to reconsider was about to be made, as can be made that the vote was taken in a full Senate after full notice given yesterday that it would be had this morning. No right is lost by not making this motion now, and the question can be raised in the Senate. If that is to be the course pursued wherever taxation is reduced as it was this morning, and it is not to be done wherever gentlemen have succeeded in increasing taxation, then I shall understand what we have to look for in the management of this bill, that we are never safe a moment after we have succeeded in reducing anything, when the other side are always safe when they have succeeded in putting a duty up.

Mr. MILLER, of New York. I think the Senators who are largely interested in this question do not ask any reconsideration at this time. I prefer that the matter should go over. I agree entirely with the remarks of the Senator from Kentucky. I merely rose to call attention to the fact that we were temporarily absent; and I have no desire that the question should now come up. I would much prefer that we should let it go over and see what is done with other schedules.

Mr. BECK. I am glad to hear the Senator from New York say so, because the only member of the committee who voted against the reduction this morning, now, when he is beaten in the Senate, takes advantage of the fact that the yeas and nays were not taken and moves to reconsider; which I regard as utterly unfair.

Mr. ALLISON. I call the Senator from Kentucky to order. He has no right to state what occurred in the committee-room.

Mr. SHERMAN. Not only is the Senator from Kentucky out of order, but he is entirely unjust; he is not fair. What I did was to relieve the Committee on Finance from the imputation made by several Senators here that some undue advantage had been taken.

My position is known on this matter perfectly well. I was opposed to this change in committee, did not think it ought to be made; but I feel bound to say for the committee that they acted openly, fairly, honestly; and when complaint was made here I stood up in defense of the committee; but I desire to see this matter fairly voted upon after full debate. I think myself now it will be probably injudicious to press the question this afternoon, because Senators may be absent. I hope, therefore, the matter will go over, either to be decided on Monday or when the bill is reported to the Senate.

Mr. MORRILL. You can call up the motion at any time.

Mr. SHERMAN. My motion to reconsider may be entered.

Mr. BECK. The Senator from Ohio himself had stated in violation of the rules of the Senate that he voted against the reduction in committee. He so stated on the floor of the Senate; and if he can state how he voted in order to please somebody who wants a bonus on glass, I have a right to state that he voted in a very small minority, if not alone; and when the Senator from Iowa calls me to order I merely desire to say that he ought to have called the Senator from Ohio to order, who seemed to take some credit for having voted in committee against this amendment.

Mr. ALLISON. I beg pardon of the Senator from Kentucky for not calling the Senator from Ohio to order. I did not observe that Senator's remark.

Mr. SHERMAN. I do not think I said so. I said I voted against it here.

Mr. ALLISON. I must call the Senator from Kentucky to account for another suggestion he made; and that was that one side of the Chamber is to have credit for this reduction. The Senator from Vermont moved this reduction upon glass. It is not a party question, I trust. The Senator from Vermont, chairman of the committee, made the motion in the Senate, and it was adopted by a *viva voce* vote.

Mr. ALDRICH. Under the understanding upon which we are proceeding on this bill, I do not think the motion to reconsider is in order. After a clause has been passed the understanding was when we took

this bill up that we should not go back to it except by unanimous consent. That being so, this clause having been voted on, it seems to me a motion to reconsider is not in order. I hope, however, that by unanimous consent——

The PRESIDING OFFICER. The present occupant of the chair knows nothing of any understanding, but under the rules of the Senate the motion to reconsider is certainly in order.

Mr. ALDRICH. Of course it would be if there were not an understanding. If the Chair is correct the understanding amounts to nothing that we proceed by clauses and do not go back unless by unanimous consent. If you can move at any time to reconsider, it vitiates the understanding under which as I believe we have been proceeding. But I should like to have this question come up again. Of course every Senator knows that the rights of all these gentlemen are preserved by a vote in the Senate, where there can be unlimited discussion of the question of window-glass. They know it as well as I.

Mr. FRYE. Then there is no object in reconsidering.

Mr. ALDRICH. There is no object in reconsidering; but if gentlemen prefer to go on with this matter on Monday, as they seem to do, I hope unanimous consent will be granted that it may be taken up on Monday, reconsidered and rediscussed and finally disposed of.

Mr. MILLER, of New York. I think I spoke the sentiments of nearly all interested in this glass tariff when I said that we ask no consideration of it at the present time. I fully agree with the remarks of the Senator from Kentucky that we ought not to do it in this case where the tariff has been reduced any more than we would in a case where it had been increased. Therefore I hope the Senator from Ohio will withdraw his motion to reconsider.

Mr. MORRILL. He can enter it.

The PRESIDING OFFICER. The motion is entered and pending. It can go over according to the request of the Senator from Ohio. And the Chair will ask once more, Is there objection to proceeding to the consideration of Schedule D at this time?

Mr. VAN WYCK. I desire to know if there is to be any objection to offering amendments to any part of that schedule or to striking it all out. If not I want to offer an amendment. Then I am willing it shall be passed over.

Mr. ALLISON. Let us hear the amendment.

The PRESIDING OFFICER. The amendment of the Senator from Nebraska [Mr. VAN WYCK] will be read.

The ACTING SECRETARY. The proposed amendment is to strike out all Schedule D and provide that all articles mentioned therein be placed in the free-list.

The PRESIDING OFFICER. Is there objection to proceeding to the consideration of Schedule D at this time?

Mr. INGALLS. When are we to return to the consideration of Schedule C?

Mr. MORRILL. As soon as we get through with this.

Mr. INGALLS. That is the understanding, that when this is through with the Senate is to return to the consideration of the omitted schedule?

Mr. MORRILL. I think we shall not be able to return to it before Monday, possibly not until Tuesday.

Mr. INGALLS. I am unwilling that the consideration of the Senate should be permanently withdrawn from the omitted schedule.

Mr. MORRILL. It will not be.

Mr. INGALLS. And I shall only consent to the omission and the consideration of Schedule D with the understanding that we are to return to this immediately after that is finished.

Mr. MORRILL. I have stated all I propose to say about it.

The PRESIDING OFFICER. Is there objection to proceeding to the consideration of Schedule D? The Chair hears none.

Mr. INGALLS. I object unless we are to have an understanding when we are to resume the omitted schedule.

The PRESIDING OFFICER. The Chair understands there is objection.

Mr. SHERNAN. Then let us proceed with the metal schedule.

Mr. INGALLS. If the understanding is clear that when Schedule D is completed we are to return to the other schedule——

Mr. SHERMAN. I object because I understand the Senator from Kentucky was the gentleman who desired to have this postponed, and now it seems there is difficulty in the way. This has never been denied to a committee. The committee have examined a member of the commission who largely formed and reported this schedule. He is now under examination. His testimoney is being reduced to writing and print, and we want the use of that testimony in considering the metal schedule. It is only proposed to lay over the metal schedule for a day or two until that testimony can be printed, and in the mean time to make progress on the bill. I think we can make progress with the bill by going on with the metal schedule. I think, therefore, we had better go on with it.

Mr. MORRILL. I hope the Senator from Kansas will not object, because it will contribute to the convenience of the Senate as well of all parties, I think.

Mr. INGALLS. I do not wish for one to go to the consideration of the sugar schedule until after the metal schedule is concluded. I am entirely willing that the Schedule D shall be now considered, in which I understand there is no change whatever from existing rates, if it is to be understood that we do not go immediately on to the consideration of the sugar schedule.

Mr. VANCE. I rise simply to assure the Senators on the other side that I sympathize with them in the trouble that they are having. I am aware of the difficulty in arranging a vast scheme of plunder like this tariff bill is where there are mutual jealousies and rivalries to be satisfied, and where now and then some Senator would think his folks were not getting their fair share of the plunder. They are having all kinds of trouble. I sympathize with them and beg to assure them of that sympathy, and hope that they will arrange themselves and get along with the business in some style, and save time.

The PRESIDING OFFICER. Does the Chair understand the objection of the Senator from Kansas to be withdrawn?

Mr. INGALLS. With the understanding that I have stated.

Mr. MORGAN. What is that understanding?

Mr. ALLISON. That we take metals before we do sugar.

The PRESIDING OFFICER. The Secretary will proceed to report Schedule D.

The Acting Secretary read lines 847 to 891, as follows:

SCHEDULE D.—*Wood and wooden ware.*

Timber, hewn and sawed, and timber used for spars and in building wharves, 20 per cent. ad valorem.

Timber, squared or sided, not specially enumerated or provided for in this act, 1 cent per cubic foot.

Sawed boards, plank, deals, and other lumber of hemlock, white wood, sycamore, and bass wood, $1 per 1,000 feet, board measure, all other articles of sawed lumber $2 per 1,000 feet, board measure. But when lumber of any sort is planed or finished in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished, 50 cents per 1,000 feet, board measure.

And if planed on one side, and tongued and grooved, $1 per 1,000 feet, board measure.

And if planed on two sides, and tongued and grooved, $1.50 per 1,000 feet, board measure.

Hubs for wheels, posts, last-blocks, wagon-blocks, ore-blocks, gun-blocks, heading-blocks, and all like blocks or sticks, rough hewn or sawed only, 20 per cent. ad valorem.

Staves of wood of all kinds, 10 per cent. ad valorem.

Pickets and palings, 20 per cent. ad valorem.

Laths, 15 cents per 1,000 pieces.

Shingles, 35 cents per 1,000.

Pine clap-boards, $2 per 1,000.

Spruce clap-boards, $1.50 per 1,000.

House or cabinet furniture, in piece or rough, and not finished, 30 per cent. ad valorem.

Cabinetware and house furniture, finished, 35 per cent. ad valorem.

Casks and barrels, empty, sugar-box shooks, and packing-boxes, and packing-box shooks, of wood, not specially enumerated or provided for in this act, 30 per cent. ad valorem.

Manufactures of cedar-wood, granadilla, ebony, mahogany, rosewood, and satinwood, 35 per cent. ad valorem.

Manufactures of wood, or of which wood is the chief component part, not specially enumerated or provided for in this act, 35 per cent. ad valorem.

Wood, unmanufactured, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

The PRESIDING OFFICER. The question now is on the amendment of the Senator from Nebraska [Mr. VAN WYCK].

Mr. HALE. What is that?

The PRESIDING OFFICER. It will be read.

The ACTING SECRETARY. The amendment is to strike out all of Schedule D, and insert in the free-list the articles mentioned therein.

Mr. CONGER. Has the reading of the schedule been finished?

The PRESIDING OFFICER. It has been.

Mr. VAN WYCK. Mr. President, although this is a very important interest, I find the commissioners in their report treat it very summarily. I did suppose that probably here was a very fine opportunity to find a realization of what had been heralded with so much noise and flourish of trumpets, that the Tariff Commission had so far discharged their duty as to be able to make a reasonable concession to the popular demand of this nation and reduce a little of the burdens of taxation by reducing the customs duties. I have not been able as yet to find that that hope has been realized, that either in the report of the commission or in the bill of the Finance Committee the people of this nation have thus far any right to hope that there shall be some redress from taxation. When they reach this branch of the case this commission content themselves with some four or five lines. They tell us:

SCHEDULE D.—*Woods.*

The duties in this schedule have not been changed. The following table includes the annual product of lumber, as well as the several branches of wood manufactures, and illustrates the importance and progress of this industry in the United States.

And then they give a table. These gentlemen, if they obtained the facts, knew that this important industry, the manufacture of lumber, had nearly vanished in the United States. This idea of support to the different industries, notably that of glass, which was mentioned just now, was that they were in their infancy, that they needed encouragement and support, when the fact is notorious that the lumber interest of this country has nearly vanished. If the census reports of that branch, obtained at so much expense to the Government are true, we have but eight years' supply now in this nation from its pineries. They will be exhausted in eight years, and there will be the end.

Will gentlemen tell us this commission could not have paused long enough to have thrown in a fact, to have introduced an argument whereby

this tariff duty should still be retained? My friend from Wisconsin, who I see is listening to me, of course has a natural feeling in this matter. Two or three States contain all the pineries of any account in the United States, and these, large as they seem to be to-day, have been diminishing so rapidly that if the supply in the future continues as it is now eight years will find a termination of it. Then will gentlemen tell us why this commission has recommended that this duty should be continued upon the American people? Is there any reason? This industry is developed; the pineries of this nation are in the hands of a few holders. If we put these articles upon the free-list and open competition with Canada, the owners of American pineries, the manufacturers of lumber in this country have the advantage, because those who purchase pine lands in Canada purchase at higher rates than they would purchase the pine lands here of the United States Government.

Those who manufacture in Canada probably manufacture at higher rates than the manufacturers of lumber in the United States, because they probably have not the opportunity of machinery that we have. They must transport their lumber to market from Canada, and have an increased expenditure in that way. So there is no reason why another advantage in the way of a tariff of from $1 to $3 a thousand should be given.

These are the facts as far as the manufacture is concerned; and yet millions are required to use lumber, the price of which has continually been growing from year to year until soon it will be beyond the reach of even persons of ordinary ability to construct houses entirely of pine. Why this duty should be continued we have no reason given in the Tariff Commission report, and we have had no reason assigned here except it be the fact that every industry of this country, it is claimed by some gentlemen, needs some protection from the Government.

When my friends were arguing a while ago on the civil-service bill and were endeavoring to find what the people meant, there was a vast deal of examination and philosophy indulged in as to what the people meant and a vast deal of willingness manifested on the part of certain gentlemen to bow meekly to what the decree of the American people had been. That was their anxiety and they thought they had found it in the erection of a civil-service tribunal. I beg gentlemen not to stop there.

The American people desire some relief from taxation, and that was the voice they spoke with no uncertain sound. They could see no reason why certain industries in this country should be protected at the expense of others. I ask gentlemen whose constituencies are required to build houses above their heads, to make fences around their farms, to make barns to house their cattle in winter time, if they can give a satisfactory reason to their constituents why this tax should continue to be imposed upon them? One thing is evident; the manufacturing industry of wood in this country does not need it; it is not in the suffering condition which the glass interest was mentioned as occupying. There is no pretense of that kind.

Then I say to my friends who are so anxiously looking for the verdict of the American people and desire to know what it meant and who supposed they were yielding a little to that demand, that it was published throughout the length and breadth of the land that the Tariff Commission had so bowed to that decree as to lower the duties upon articles, and yet we have failed to find it within their report; we have failed to find it in the discussion on this question upon this floor. If it be so, then it is so small that it requires a microscopic vision to find it. But I request gentlemen to pause just a moment in the condition of the lumber trade of this country to consider the wants of those who require the use of the products of this industry, and ask themselves—because their people at home understand it—whether there be any necessity to protect this industry.

Mr. HALE. Will the Senator yield to me for a question?

Mr. VAN WYCK. Certainly.

Mr. HALE. Does the Senator understand, first, that the committee has left all of this subject of lumber untouched so far as duties go upon it, and secondly, that the raw material, the round log in every form, is put upon the free-list? So there is simply the protection upon the manufacture of the lumber, the labor here that comes in competition with labor abroad. Everything in the nature of the raw material is free, absolutely so, and is found in terms in the subsequent part of this bill placed upon the free-list, and to that the lumber interest do not object. Let the lumber be cut down in Canada, anywhere in the Dominion, it may be brought in here for manufacture free; the more the better for the protection of our forests.

Mr. VAN WYCK. I say to my friend if his theory be good that the log should come in free, why not the product of that log when it is converted into boards in Canada? Why not?

Mr. COCKRELL. Will the Senator from Nebraska yield a moment?

Mr. VAN WYCK. Yes.

Mr. COCKRELL. In lines 890 and 891 the language used is:

Wood, unmanufactured, not especially enumerated or provided for in this act, 20 per cent. ad valorem.

Does not that cover logs and every other kind of lumber?

Mr. HALE. No. If the Senator will turn to page 91, in line 2074, he will find upon the free-list:

Logs and round unmanufactured timber, not specially enumerated or provided for in this act, and ship timber,

Mr. COCKRELL. Yes; but here it is provided for. That is only a dodge.

Mr. HALE. Does the Senator believe that is a dodge?

Mr. COCKRELL. I do think it is taxed.

Mr. HALE. Does the Senator believe that as in terms the committee has put upon the free-list "logs and round unmanufactured timber not specially enumerated by or provided for in this act" the provision for "wood" would cover logs and unmanufactured timber and ship timber?

Mr. COCKRELL. What is wood but logs?

Mr. HALE. It means wood, in distinction from logs that are cut for timber, that are round and unmanufactured; there is no question about that; the classification has always been distinct. Wood itself means the wood consumed, burned, fire-wood. It is entirely distinct from lumber and has never been considered the same in the Department. I know that the Senator can not point to a construction in the Department anywhere contrary to what I am saying, but I can point to him any number of constructions fixing this matter, and it is well understood by anybody who has had anything to do with the Department. And it goes further than this. In another part of the bill shingle-boards, the raw material, unsawed, unmanufactured, are let in free, just as the shingle-makers in my State and other States are entirely willing they should, and that concession is made to the advocates of the admission of raw material duty free. The Senator from Missouri and the Senator from Nebraska need not trouble themselves about the provision for wood interfering.

Mr. VAN WYCK. Oh, no; that is not troubling us. Now, will the Senator tell me, if his theory be good—and I take it it is—that the log should be allowed to come in free of duty, why the product of that log converted into lumber in the Dominion of Canada should not come in free?

Mr. HALE. Does not the Senator know that there he is dealing with the broad domain of the difference between protecting the raw material unmanufactured, and the manufactured material that is increased in value by our workmen coming in competition with underpaid foreign labor? That is one of the great questions that is apparent to every body when he looks at it.

Mr. VAN WYCK. We were promised during the last session of Congress that we were to have a tariff so simplified that he who ran might read and understand it, but it seems that this same old thing must be continued; we must have a tariff here which it requires an expert to explain and a lawyer to fully understand. I understand this theory of the protection of labor; but will the gentleman tell me when he is protecting a few thousand men in converting sawed logs in Michigan or Wisconsin into lumber and imposes a tax of $3 per thousand upon lumber, how many laboring men in this nation does he strike and draw a tax of that amount out of their pockets? There are laborers on the other side of the question who unfortunately are not considered here; thousands upon the plains of the West and in the East also, who are under the necessity of purchasing lumber. Do you say that to protect American labor from one to three dollars shall be taken out of the pocket of a man in the West and placed in the pockets of the owners of an industry that needs no protection in this land, an industry which has grown to its full strength, and which, as far as the material is concerned, must soon pass away? The difficulty here is that every single laborer, as you call him, must combine to protect one another, and against the people who suffer from the exactions on them; and hence it is you find your glass interests, when suffering, are compelled to come up and push up the cart of the owners of pineries whose interests are not suffering. That is the difficulty with all these interests that come here to seek protection as against the people.

There can be no sort of reason or argument to sustain this tax upon lumber to-day. You say you admit the log free. I can swing around the other part of the circle and point to gentlemen and ask them if they can explain that matter to their constituents at home. Is it any answer when a man is required to pay $3 a thousand tax on lumber to tell him, "Yes; you can go to Canada and buy the lumber in the log and roll the log over to your home?"

Mr. CONGER. The Senator's speech undoubtedly will go into history.

Mr. VAN WYCK. With the Senator from Michigan's.

Mr. CONGER. Therefore I desire that he should not say $3 a thousand. The highest rate in this bill is $2 a thousand.

Mr. VAN WYCK. I think it is as high as $3.50, but the bill will show. I will accept the proposition at $2.

Mr. CONGER. So many people would take the gentleman's speech instead of the bill that I wished him, if possible, to be correct.

Mr. VAN WYCK. I am obliged to the Senator. I will put it at $2, and then propound the same question and let that go into history.

Mr. CONGER. I will answer it.

Mr. VAN WYCK. I hope so. I hope the Senator will tell me why with the pineries in his State increasing in value from year to year you strike for this duty which will protect the owners of pineries at the expense of the millions whose necessities require them to purchase lumber, and then will explain why it is necessary to impose a tax of $2 a thousand on lumber.

Mr. CONGER. If the gentleman wishes, I will tell him.

Mr. VAN WYCK. It is in violation of all the principles upon which these taxes are imposed, as I understand. The ground has been the necessity to protect the infant industries of this nation. That is the pretense, and yet, as I have before stated, here is an industry which has grown to its full strength and to its full manhood, an industry which has been growing in value from year to year.

I ask the Senator if he does not know the fact that even in Michigan the American manufacturer of lumber can compete without any duty with the manufacturer of lumber in Canada. The manufacturer of American lumber can stand upon thatfooting and be successful.

It does not amuse anybody or please anybody, if only $2 a thousand is exacted, to tell him the log is free. Is not that a strange position to take? The man that buys 1,000 feet of lumber, and can hardly buy that, to build him a cabin on the plains of the West, is told that the log is free, and therefore his right has been recognized to have taxation reduced in a measure:

Mr. President, I desired only to call the attention of the Senate to this matter. I desired especially the attention of some of my friends on this side of the House, who were looking so anxiously to find the meaning of the verdict of the American people. I want to call their attention to the fact that they can find it right here. We have been amused in the months gone by with the assertion that there was to be some reduction of taxes, some lifting of the load which rested on the American people; that we had millions on millions in the Treasury we did not know what to do with, and we were hunting around to find where we could unload a little, where we could relieve burdens. This body during the last session and now are wrestling with the great proposition how can we get less money in the Treasury? That notoriously was the position taken.

Some gentlemen are so anxious to prevent money being poured into the Treasury that they would take the taxes off tobacco and whisky. The enormities of the internal revenue just begin to glare upon the minds of some gentlemen, and the enormity of this internal revenue is so terrible that it must all be wiped out. That is the theory of some. We are getting too much money in the Treasury; that is corrupting, demoralizing, dangerous. First you put the money there by taxes, and the great absorbing question seems to be how to get money out of the pockets of the people, and then how to spend it after it is got out.

This great problem is to be solved by taking less money from the people and putting less into the Treasury of the United States. Fifty million dollars too much we collect, and the nation can not be safe, true political principles can not be safe in this nation unless we collect fifty millions less out of the pockets of the people; and yet when we come right down to this simple matter of lumber, where there is no pretense that any injustice or wrong will be done, or that there will be even any sensible diminution of the fortunes of the owners of the great forests in this country by putting lumber on the free-list, gentlemen stand up and refuse to aid, to assist the American people in this very point where they could render them a little assistance and relieve a little of the burdens of taxation which rest upon them.

Mr. CONGER. Mr. President, there are some comments of the Senator from Nebraska [Mr. VAN WYCK] which I desire to remark upon. The general usual speech of the Senator I would not undertake to grapple with so late in the week and so late in the day.

The Senator from Nebraska represents an agricultural and cattle-raising and wool-raising community. He has gone, to escape the force of my remarks, but I hope he will read them.

Mr. VAN WYCK. No, I am coming to hear them.

Mr. CONGER. I am glad the gentleman is here. The Senator represents an interest in this country which I assert without fear of contradiction to-day is better protected by the tariff now existing, and, as far as I can see, by the tariff proposed, than any and all other interests put together; and with a knowledge of those facts, if he does know them—and if he does not he ought to—he has now and on former occasions attacked the system of protection of industries for the industries' sake, vehemently, violently, rashly. I want to call his attention and that of his constituents to the fallacy of his theory and his position, and to the injurious effects, if he could carry out his wishes, upon every constituent who has honored him by giving him a place in the Senate. If he could carry out the doctrine and the theory he has proposed here, he would do more to cut down and destroy the interests of his agricultural, cattle-raising constituents than all the free-traders on the other side of the House or in any of the colleges of the country or among any of the members of the Cobden Club could effect if they could carry out their views.

The Senator moves here and advocates putting upon the free-list all the articles in this schedule, but his remarks are directed more particularly to lumber, and he has made an astounding proposition, which, coming from any man who had any acquaintance whatever with lumber, would seem to me to be the idle sayings of an idle man. I will venture to say that the Senator does not know to-day the meaning of the price of stumpage. Does he?

Mr. VAN WYCK. I say to my friend that if he will compare notes he will find out that the stumpage in the United States is less than the stumpage in Canada. I call attention to that fact.

Mr. CONGER. The gentleman has replied to my inquiry as to his knowledge by asserting my ignorance, a usual method but not always successful. Perhaps the reply is all that I should have expected, for I venture to say that the question of stumpage, its price, its cost, the range of the last few years in this country and in Canada, is as unknown to the Senator from Nebraska to-day as the kind of trees that grow along the Congo River, in Africa; and if I am mistaken in that God knows how much I should like to be enlightened. I say that for this reason: The Senator said in his remarks now that the stumpage in the United States was less than in Canada. In his former remarks he said that lumber could be produced in the United States cheaper than in Canada. The whole subject is covered over by a mantle of ignorance on the subject of lumbering that would astonish the driver of a team in the pine woods of Michigan, and would make that boy who drives the team wish to God that he could be in the Senate of the United States for a few minutes to inform Senators on a subject of which they seem to be so ignorant.

Now, sir, without pretending to be exact in the statement I make to a few cents or a cent, I will state what I do know in regard to the stumpage of pine in the United States in the three great Northwestern pine States, in some of the Southern States along the pine belt there, and in Canada.

In Michigan the average value of stumpage per thousand of the timber standing throughout the whole extent of the upper peninsula and the lower peninsula may safely be said not to be less than $5 a thousand feet; in some cases eight, nine, and ten dollars a thousand, the very choice timber and very near the streams or the lakes where it may be floated to mills and to market; in other places one, two, and three dollars per thousand; but it is the common opinion of lumbermen and of the people who have charge of that interest that the average value in open market for cash to-day of the pine in Michigan would not be less per thousand feet stumpage than $5. In Wisconsin I understand that the stumpage is a trifle less. The quality of the large portion of Wisconsin lumber is not quite as good in the higher grades as in Michigan. In Minnesota the stumpage of all the regions accessible to the streams for floatage is about the same as in Wisconsin. In the Southern States, in the whole belt around from the Atlantic coast to the Gulf, I understand the stumpage remote from streams is much less than in the North. I understand that along the streams the stumpage of the pine of the South is very nearly the same as the stumpage of that class of coarser pine in the State of Michigan. Not less than two to three dollars per thousand is the average of all the Southern States, that which is accessible to the streams and that which is more remote.

Now, one word as to the exhaustion of pine in the United States.

Mr. INGALLS. The Senator did not state the pine stumpage in Canada.

Mr. CONGER. I am coming to that. In Canada the stumpage of the Crown lands, which is the main portion of the pine region of Canada, from the Ottawa and streams tributary to the Saint Lawrence, and around the Georgian Bay and Lake Huron and Lake Superior, is fixed by law, changed but once or twice within the last fifteen years. The great portion of the pine lands are Crown lands belonging to the government. By the laws of Canada the commissioner of Crown lands may give permits to people who desire to cut pine upon the Crown lands without buying the soil to cut the pine lands under certain fixed terms by law. They have varied but a few cents in fifteen years. There is to be a deposit of a small amount made to the government before the cutting. After the permit is obtained and the parties holding the permit cut off the lumber and manufacture it, taking the results from the mill, there is a royalty now of 45 cents a thousand, formerly 25 cents a thousand, a few years ago raised to 35 cents, and the last regulation in regard to that was a stumpage of 45 cents a thousand; and that too after it has been cut and converted into lumber and all the waste lumber thrown out.

The whole cost of entering the lands, getting the permit, paying all that is to be paid to the government, is less than 50 cents per thousand feet stumpage, and that for only manufactured articles, after all the waste of the log is thrown out. I speak of that merely, that this is thrown out, because in the measurement of logs anywhere by any of the rules or schedules it is understood that a log is measured as to its soundness, its crookedness, its facility for manufacture. It is measured as near as can be for what the log will produce in lumber in inch boards; so that with proper scaling it would be supposed that the measurement could not vary very materially of lumber after it was sawn per thousand and the ordinary scaling of the log for market.

Mr. VAN WYCK. I wish to ask the Senator in that connection whether in Canada the purchasers of the logs become also the purchasers of the soil?

Mr. CONGER. I stated that; the Senator did not notice. I said the Crown pine lands were not sold to those who wish to take off the timber. The soil remains in the government, but all the timber of all kinds that may be manufactured is granted in the permit with a condition. The royalty, I think, is now at 45 cents a thousand, and the whole expense of royalty and deposit and all is less than 50 cents a thousand.

Those are the statements I make in regard to the question of the value

of stumpage, the value of the standing pine which the purchaser may take and convert into logs and lumber and the price he would have to pay for it. The difference then is at least four dollars and a half a thousand between the value of the standing tree in the United States, in Michigan, and in Canada.

Mr. VAN WYCK. Will the Senator allow me to interrupt him?

Mr. CONGER. Wait a minute. I know the impetuosity of my friend, but he can wait a minute, I think, for I have seen him do that when I have made a special request before.

The average between all the pine of Maine, the remaining timbers of Maine, of the hill country of Pennsylvania, of New York, of Michigan, of Wisconsin, Minnesota, and the entire belt of the Southern Atlantic and Gulf States might be placed at $3 per thousand feet stumpage standing timber, and it would not be a very incorrect if at all an incorrect proposition, without taking the soil, because I do not speak of stumpage in these States with the soil. It is not the soil that is bought, but it is the value of the standing timber or the down timber if it be suitable for logs, to be taken off within a given period, and the soil remains in the hands of its owners or is sold to somebody else for cultivation. Now I will hear the Senator from Nebraska

Mr. VAN WYCK. Most of the owners of the pineries in this country obtain their land by purchase from the Government.

Mr. CONGER. That is not so; but I will let it pass.

Mr. VAN WYCK. Very well; then pass it. That land was obtained at $1.25 an acre. I do not know by what process. I shall not make my question long.

Mr. CONGER. Make it any time this afternoon; that will be time enough.

Mr. VAN WYCK. I will gratify my friend, then. I do not know just how my friend manipulates his figures. I suppose they are manipulated about the way all these figures are made.

Mr. CONGER. I do not propose that the Senator shall insert in the midst of the speech I am making, which will be sought for and read by all my constituents, his own speech, which must stand upon its merits.

Mr. VAN WYCK. But I want to put a little sound doctrine into it.

Mr. CONGER. The Senator will excuse me.

Mr. VAN WYCK. I will ask the question.

Mr. CONGER. I will resume the floor and go on with my remarks.

Mr. VAN WYCK. Will the Senator not allow the question to be asked?

Mr. CONGER. I have not heard any propounded.

Mr. VAN WYCK. I rose to propound a question to the Senator and he suggested that I take all the time I desired, which I proceeded to do.

Mr. CONGER. I meant when I was through.

Mr. VAN WYCK. I will consult the Senator's convenience, but I want to say that he is wrong in his statement; I want that to go with his speech; and I will be able to show the fact that he is mistaken in his figures, as all figures in regard to the tariff are apt to be a misstatement. I wanted to ask a question, but the Senator declined to yield for it.

Mr. CONGER. I suppose almost anybody could go through this kind of catechism and interruption and dinning in the ears when making a statement of facts without being embarrassed. I admit my sensitiveness and my inability to control myself in the midst of such a din of words, and would desire to go on with my remarks, unless it is for a question, which has not been propounded yet.

Mr. VAN WYCK. I will propound the question.

Mr. CONGER. Let me get through.

Mr. VAN WYCK. The Senator refuses to allow a question.

Mr. CONGER. No, I do not refuse.

Mr. VAN WYCK. Then will the Senator allow a question?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. CONGER. I must insist that the Senator shall regard the ordinary rule, and that when a Senator undertakes to make remarks he shall be allowed to make them. It does not add anything to the weight of my remarks or the Senator's. Whether my statements are true or false, that is for the Senate and for the country to say. Familiar as I have been almost all my life with the lumbering of Michigan, with the examination of the importations of lumber from Canada, with the amount produced each year, I have given to the best of my knowledge and judgment the relative value of stumpage in the United States, including all the States in which pine lumber grows and is manufactured. I have given the stumpage in Canada. If my statements are true, then the remarks of the Senator from Nebraska that the pine of Canada standing costs more than it does in Michigan is very far from correct. I want now to speak of another point of the Senator's remarks.

Mr. FRYE. Will the Senator pardon an interruption?

Mr. CONGER. I do not care to interrupt gentlemen who are talking all around, but they must either talk louder or I must, one or the other, and see who has the floor.

The PRESIDING OFFICER. The Senator from Michigan has the floor, and other Senators will please observe order. Does the Senator from Michigan yield to the Senator from Maine?

Mr. FRYE. I simply desire one thing to be distinctly understood. When the Senator speaks of stumpage in the United States he means the trees without the land always, does he not?

Mr. CONGER. Yes, sir.

Mr. FRYE. And when he speaks of royalty in Canada he means the stumpage without the land?

Mr. CONGER. Yes, sir.

Mr. FRYE. Royalty there taking the place of stumpage here? I simply wanted Senators to understand.

Mr. CONGER. Yes, sir, I want it understood distinctly, when I speak of the value of stumpage in the United States I mean the standing or fallen trees which are purchased and may be converted into logs or into lumber. When I speak of royalty in Canada I mean the price paid per thousand feet for the timber taken from the land without reference to the soil, and added to the royalty a small amount, which I can not exactly state now, which is given beforehand to secure the permit—it may be perhaps $20 or $30 for the permit, embracing sometimes whole townships, which adds a little to the stumpage, but makes it all considerably less than 50 cents a thousand feet stumpage.

Now, I come to another proposition of the Senator from Nebraska, which I consider to be utterly and entirely incorrect. It is that the Canadian lumber costs more in its manufacture than American lumber. Those who have been familiar with the lumber business know how incorrect that is. I need not make any remarks for my constituents and for those in the Northern or in the Southern States who are engaged in the manufacture of lumber. Let it be understood then that any man desiring to lumber in Canada can get a permit of from one mile square to a whole township of thirty-six miles square, or two to three townships if he desires to do so, by paying the stumpage which I have stated. He may select it in the most advantageous place possible for transportation, as they do all around the Georgian Bay or Lake Huron, all around the north shore of Lake Huron, all around and along the shores of Lake Superior, that whole region, and all along British Columbia on our western border, and all along Maine and Connecticut and New Hampshire, where there is more or less lumbering being done.

The value of labor of the various kinds in the mill in Canada is from 15 per cent. one year and never varying more than from 15 to 17 per cent., less than American labor. Right alongside of the straits on which I live, within view of my own porch, the laborers have crossed the river, not in the lumber region now, for the lumber there is taken away, and labor is from 15 per cent. to 25 per cent. less in Canada than it is in Michigan.

Mr. FRYE. How about the teams?

Mr. CONGER. The value of teams per day's labor in Canada is in many parts of Canada 50 per cent. less than it is in Michigan. To illustrate, there came across the river in one year, coming into Michigan and Wisconsin to go into the pine woods, with their little packages upon their shoulders, their ax, and their little clothing, and entered themselves, with these materials as the tools admissible under the law, as laborers—there came in the month of November and up to the 15th of December three years ago, which is the time I have my figures, over 5,000 laboring men out of Canada into Michigan and into Wisconsin, into the lumber woods, in the fall of the year, when the lumber camps were being formed. On this very day, when the Senator is talking about the dear labor of Canada, there are 10,000 or more Canadians working in this midwinter in the forests of Michigan and Wisconsin and Minnesota, more than 10,000 men coming from Canada into the lumber woods of those three States alone, to my certain knowledge, and there have been for years past. Why do they leave Canada in such great hordes, with their bundles on their backs and their ax with them, if it is a favorite one, to go into our woods, if they get so much more at home in Canada? Canadian teams, under the law, are permitted to come in and stay six months bonded, and if they are returned back before the end of the six months they can come in and give bond and go and work in our woods and return to Canada when the winter's work is done, and by showing their teams to the custom-house officers have their bonds canceled and pay no duty.

Mr. CAMERON, of Wisconsin. Will the Senator allow me to ask him a question?

Mr. CONGER. Yes, sir.

Mr. CAMERON, of Wisconsin. The Senator is very familiar with this subject, and I ask him what duty the Canadian Government imposes upon American lumber imported into Canada?

Mr. CONGER. I can not tell the Senator that, for this reason: Until the last few years there was no duty upon American lumber.

Mr. CAMERON, of Wisconsin. I understand the duty is about 15 or 20 per cent.

Mr. CONGER. In the new provisions of the tariff, which are changing from time to time in that country, I have not the latest report of it.

Mr. CAMERON, of Wisconsin. I know a constituent of the Senator from Minnesota, who is manufacturing lumber very largely, as the Senator is aware, at Minneapolis and other portions of that State, attempted to export lumber into the Canadian metropolis of the Northwest, and the duty is so heavy that notwithstanding the high price of lumber there he could not do it profitably.

Mr. CONGER. So I have understood.

Mr. CAMERON, of Wisconsin. It is higher than the duty we impose upon Canadian lumber.

Mr. CONGER. In the manufacture of salt, from very frequent inquir-

ies, and from the manufacture of lumber, from knowledge and inquiries I have made for the last thirty years on that subject, having been myself in former years a lumberman and interested directly in knowing these things, I know that the labor of Canada is at least from 25 to 35 per cent. all the year round for all kinds of labor less than it is in the United States—in Michigan, I will say.

Mr. VAN WYCK. As the Senator is conversant with this subject, I ask him whether the American manufacturer of lumber has any advantage by improved machinery over the Canadian manufacturer?

Mr. CONGER. He has not a particle. There is not a new mill-dog, there is not a new setting-machine, there is not a new ratchet, there is not a new siding-mill but what a manufacturer on any large scale of lumber in Canada provides himself with it just as quick as he does in the States. All through the States and all through Canada expensive machinery is thrown out every month and new inventions facilitating the labor of the mill are put in. Those changes are going on so often that if a man goes into any leading mill of the Saginaw Valley or of any part of Michigan, or Wisconsin, or Minnesota, or Canada, six months after he has seen it once, and he knows what the machinery is, he will see entire changes perhaps in the same mill and in its machinery; and the Canadians do manufacture in Canada mill machinery and agricultural implements, keeping up with the times, as good as are made anywhere, because the moment we have anything valuable here, without the royalty and without the patent the Canadian can take possession of it and have the free use of our invention and of our labor just as they want, and as their friends here want the Canadian to have the free use of the American labor in our midst.

I do not need to dwell longer upon the fact that labor in Canada is cheaper than it is in the States by from 25 to 50 per cent. in all its branches, and especially in the lumbering regions. There emigrated into the Northwestern States from Canada, of actual immigrants, families, young men, the bone and sinew of Canada, through one port, that of Port Huron, where I reside, 20,000 people in one year three years ago, and nearly that number since that in each year of emigrants from Canada came into the States, into Michigan and Wisconsin and Minnesota and Dakota to live there and to grow up there, because of the better wages and the better fortunes which they can make in the States. Tell me that the labor in Canada receives more wages than the labor in the United States! All these facts go to show how futile and foolish is such a proposition as that.

The productions of Canada on which the laborer lives are cheaper there than in the States; and that brings me around to say a word or two in regard to the inconsistency of gentlemen representing the prairie States, where there is no lumber, who attack lumber because it is produced in other States and they buy it—their inconsistency in being free-trade men and attacking tariff because they do not happen to produce lumber and do happen to produce, in an overgrowing abundance, almost all the great agricultural products of the country.

I said incidentally a few moments ago that if you look through the entire tariff-list, look through the advantages given to all kinds of manufacture, and in their aggregate they are less and properly less as protective duties, as tariff duties, than upon agricultural products, the productions of the State of the Senator who is ridiculing all tariff.

Why, sir, in Nebraska and in the prairie States and in the Southern States, in Texas and all that region, they raise quantities of wool. Wool is protected as these gentlemen assure us beyond all limit. Wool is the production of almost every State in this Union. Michigan a few years ago was the third State in the Union in the amount of its wool production, but Texas has outstripped it and become the second State in the Union, I believe, for its wool production to-day; and yet the representatives from Texas with their free-trade views, if carried out with regard to wool, would crush the wool-raising industry of the United States and make sheep raising worthless here. Take wheat. The gentleman knows what wheat is and where it is grown all over his own State. Wheat has a duty larger than any manufacturing industry for its protection. Twenty-five cents per bushel the tariff gives here and elsewhere as a protection for the industry of those great wheat-raising States, and 15 cents for corn—another overshadowing industry of all the States from whence these free-trade gentlemen come up here and denounce tariffs for manufactures. Oats have a duty of 10 cents a bushel; barley 15 cents a bushel, and so on through the list of grains. Do those who raise cattle and make beef and pork know that in these lumber States, in the camps, there are $4,500,000 worth of products of the soil, of the farm, used in every year in three States of this Union where the lumber comes from, Michigan, Wisconsin, Minnesota? Does the gentleman know that we buy from the prairie States, protected as they are by duties higher than those on any other branch of industry, some millions of dollars of their products, and which we will protect and do protect and labor to protect as earnestly as we do the lumber or the steel or the iron interest?

Now, sir, along the chain of lakes which border upon most of the lumber region of the three great Northern States, in the same latitude, in the same climate, with people speaking the same language and with the same institutions—right along those waters, in Canada the people raise exactly the same products, the lumber, wheat, corn, wool, cattle, beef, pork, butter, lard, the whole list on which I could enumerate the duties; and far off near the Northwest prairie States, in that great newly discovered wheat region of Manitoba, where commencing with 30,000 or 40,000 bushels of wheat three years ago we have half a million this year, with the prospect of receiving ten, fifteen, or twenty millions of increase to compete with the prairie States themselves. Do they desire to take off the duty on grain, on wheat, on oats, on cattle, and leave our Northwestern and Western prairie States at the mercy of that great producing region? That is a question for these gentlemen to consider.

Now, sir, I have said that we purchase for the lumber camps from one quarter and another between four and five million dollars' worth of farm products. We can buy them in Canada cheaper than we can get them from Iowa; we can buy them in Canada cheaper than we can get them in Indiana or Illinois. They are less in price there, and they want our great market, they demand reciprocity. A narrow river, from a quarter of a mile to a mile wide, divides us along the straits, and the lakes divide States producing exactly the same product in each. The waters which lead to Chicago will bring lumber from Georgian Bay as cheap as they can from the Saginaw country, and cheaper. There is no difference hardly in that respect against the lumber region of Canada. They can take wheat, and cattle, and beef, and pork, and all the things for the camp into our lumber woods in Michigan and Wisconsin as cheap as we can get them by rail from the interior of Iowa, Southern Illinois, Indiana, or Ohio. They can send them cheaper there; they can fill our market.

What is the duty on cattle? We buy now several hundred thousand dollars' worth of horses and oxen for our lumber woods from Canada. The duty on these animals is 20 per cent. of their value. The Canadians for years have been raising the breeds of large draught horses, suited to the lumber woods. We buy immense numbers of that class of horses. We buy for these woods beef and pork. What is the duty on beef and pork raised everywhere in the United States? A cent a pound for all beef and for all pork, and 20 per cent. of the value on all living animals of every kind.

I ask the attention of gentlemen who represent agricultural regions to the facts I am stating, or to their denial if they be not true. I do not go into the question of manufactures and the amount of products consumed by manufacturers; others will attend to that; but I desire to say that in the three States to which I have alluded—and of course the same remark applies to all that chain of Southern States where lumbering has been commenced, and is being carried on to some considerable extent, I understand—there is a market for nearly $5,000,000 worth of agricultural products. If the lumbering interest is properly protected and if labor is protected we furnish a market for $5,000,000 worth of produce from these very agricultural States. If it is destroyed all that must seek another market. Now, it seems to me as if the argument is unanswerable that those States which produce the articles on which our lumbermen subsist have just as much interest in protecting that market and preventing that industry from being destroyed as any set of men can be who are not directly engaged in the business. I make that statement and that appeal to gentlemen to look at it in that light.

Mr. VOORHEES. If the Senator will yield to a motion to adjourn——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Indiana?

Mr. CONGER. If the chairman of the committee wishes to adjourn I do not care to go on further now.

Mr. VOORHEES. If it be agreeable to the Senator from Michigan and also the Senator from Vermont, the chairman of the committee, I will move an adjournment.

Mr. MORRILL. I had hoped we should get through with this schedule to-night.

Mr. VOORHEES. I do not think it is possible to come to a vote on this schedule to-night.

Mr. MORRILL. Before we adjourn I desire to lay before the Senate some changes which have been proposed by the Committee on Finance on sugar and molasses, and I ask to have the schedule on sugar down as far as molasses printed in the RECORD as the Committee on Finance will propose to amend it.

Mr. COCKRELL. Let it be printed separately too, on slips.

Mr. EDMUNDS. Let it be printed separately.

The PRESIDING OFFICER. The amendment suggested by the Senator from Vermont will lie on the table and be printed.

Mr. MORRILL. Very well.

Mr. ALLISON. And also in the RECORD.

The PRESIDING OFFICER. In the RECORD also.

The proposed schedule is as follows:

SCHEDULE E.—*Sugar.*

All sugars not above No. 13 Dutch standard in color, shall pay duty on their polariscopic test as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty of 1.25 cent per pound, and for every additional degree or fraction of a degree shown by the polariscopic test, they shall pay five hundredths of a cent per pound additional.

All sugars above No. 13 Dutch standard in color, shall be classified by the Dutch standard of color, and pay duty as follows, namely:

All sugars above No. 13 and not above No. 16 Dutch standard, 2.65 cents per pound.

All sugars above No. 16 and not above No. 20 Dutch standard, 3.15 cents per pound.

All sugars above No. 20 Dutch standard, 3.65 cents per pound.

Molasses testing not above 56° by the polariscope, shall pay a duty of 4 cents per gallon; molasses testing above 56° shall pay a duty of 8 cents per gallon.

Mr. MORRILL. If the Senator from Michigan will give way, I move that the Senate adjourn.

Mr. CONGER. I am willing to yield to that motion with the understanding that I retain the floor.

Mr. MORRILL. Then I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 26 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January* 20, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

FUEL FOR COMMITTEE-ROOMS.

Mr. ROBINSON, of Massachusetts. I offer, Mr. Speaker, for immediate adoption, the resolution which I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the Clerk of the House be directed to purchase immediately ten cords of wood for use in the committee, cloak, and retiring rooms of the House, the same to be paid for out of the contingent fund of the House.

Mr. ROBINSON, of Massachusetts. The necessity for the immediate passage of the resolution is that the committee of which I am a member had to sit last evening without a fire, and again this morning we were informed that no fuel was on hand. I think we ought to have some fire in the rooms such weather as this.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

BRIDGE ACROSS THE MISSOURI RIVER.

Mr. BUCKNER, by unanimous consent, introduced a bill (H. R. 7329) to amend an act entitled "An act to authorize the construction of a bridge across the Missouri River at the most accessible point within five miles above the city of Saint Charles, Missouri," approved April 14, 1882; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

COMMITTEE EXPENSES, MISSISSIPPI RIVER IMPROVEMENT.

Mr. BURROWS, of Michigan. I ask leave at this time to present for immediate consideration the resolution which I send to the desk.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That a sum not exceeding $1,000 out of the contingent fund of the House may be applied and used by the Clerk of the House for the payment of such vouchers as may be presented by the select committee relative to appropriations for the improvement of the Mississippi River, said vouchers to be approved by the chairman of the Committee on Accounts.

Mr. RANDALL. That ought to go to the Committee on Accounts.

Mr. BURROWS, of Michigan. I will state to the gentleman from Pennsylvania that the funds of the committee have been exhausted and there are several witnesses here who have not been paid. It will not take, I think, exceeding a thousand dollars, perhaps not so much.

Mr. RANDALL. I am not objecting to the resolution, but merely calling attention to the fact that the funds can not be taken out of the contingent fund of the House unless on approval of the Committee on Accounts.

Mr. BURROWS, of Michigan. The intent of the resolution is that the Committee on Accounts shall examine these vouchers.

Mr. RANDALL. So that they are approved by the committee I do not object; but the Committee on Accounts should take cognizance o the matter.

The SPEAKER. The Chair is informed that all of these vouchers have to be examined by the Committee on Accounts.

Mr. BURROWS, of Michigan. If the resolution is not broad enough to cover that construction it can be so modified, or, if preferable, it can be referred now to the Committee on Accounts.

The SPEAKER. The Chair thinks it had better be referred to the Committee on Accounts.

The resolution was referred to the Committee on Accounts.

REMOVAL OF POLITICAL DISABILITIES.

Mr. TUCKER. I ask unanimous consent to introduce now and put upon its passage a bill for the removal of the political disabilities of Mr. Francis H. Smith, of Virginia. I will say that a bill of similar import was reported favorably in the last House.

Mr. ROBINSON, of Massachusetts. Has it been reported by a committee of this House?

Mr. TUCKER. Not of the present House, but in the last House there was a favorable report.

The SPEAKER. The bill will be read, subject to objection.

The Clerk read as follows:

A bill (H. R. 7330) to remove the disabilities of Francis H. Smith, sr., of Virginia.

Be it enacted by the Senate and House of Representatives (two-thirds of each House concurring therein), That the disabilities incurred by Francis H. Smith, sr., of Virginia, under and by virtue of the fourteenth amendment to the Constitution of the United States be, and are hereby, removed.

Mr. PAGE. Is there a petition accompanying the bill?

Mr. TUCKER. Yes, sir.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read a first and second time, ordered to be engrossed for a third reading, read the third time, and passed (two-thirds voting in favor thereof).

Mr. TUCKER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

GEORGE W. MAHER.

Mr. ALDRICH. I ask unanimous consent to take from the Speaker's table Senate bill 422, for the relief of George W. Maher, for present consideration.

The SPEAKER. The bill will be read, subject to objection.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and required, out of any money in the Treasury not otherwise appropriated, to pay to George W. Maher the sum of $700, in full for the demand of said Maher for extra services on the committee placed in charge of the reserve vault in the Treasury Department of the United States from March 1, 1873, to July 1, 1874.

Mr. HOLMAN. I think there should be some explanation of that bill.

Mr. McMILLIN. Regular order.

Mr. ALDRICH. Is there objection to the bill?

The SPEAKER. The Chair does not understand the gentleman from Indiana as objecting.

Mr. HOLMAN. No, sir; I only suggest that we should have an explanation of the bill.

Mr. ALDRICH. Mr. Speaker, the gentleman from Michigan [Mr. SPAULDING] was on the committee that examined this, and can explain exactly the character of the bill.

Mr. SPAULDING. I was not upon the committee, but I am advised that this gentleman, Mr. Maher, was upon a committee in charge of what was known as the reserve vault in the Treasury Department in 1873 and 1874. He had charge of it for a year or more in connection with two other gentlemen, he being immediately responsible, during which time large amounts of money, from one to two millions of dollars, were in their custody.

Mr. PAGE. Did he get paid for the service?

Mr. SPAULDING. He did not. The other two were paid from the Treasury, but before this gentleman applied that fund was otherwise disposed of, and there was no authority under the law to make payment to him out of any other fund. The other gentlemen, as I have said, received their pay.

Mr. ALDRICH. The report of the Senate fully explains all the facts.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was taken from the Speaker's table, read by its title a first and second time, ordered to a third reading, read the third time, and passed.

Mr. ALDRICH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MORGAN RAWLS.

Mr. ROBESON. I demand the regular order.

The SPEAKER. The regular order is called for, being the call of the yeas and nays upon the passage of the bill pending before the House at the adjournment last evening. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 2136) for the relief of Morgan Rawls.

The question was taken; and it was decided in the affirmative—yeas 96, nays 64, not voting 131; as follows:

YEAS—96.

Aiken,	Buchanan,	Covington,	Evins,
Armfield,	Buckner,	Cox, Samuel S.	Farwell, Sewell S.
Atkins,	Burrows, Jos. H.	Cravens,	Flower,
Beach,	Cabell,	Culberson,	Ford,
Berry,	Carlisle,	Curtin,	Forney,
Blackburn,	Chace,	Darrall,	Fulkerson,
Blanchard,	Chapman,	Davidson,	Gunter,
Bland,	Clardy,	Dibrell,	Hammond, N. J.
Bliss,	Clements,	Dowd,	Haseltine,
Blount,	Cook,	Ellis,	Hatch,

Herbert,	Moore,	Robinson, Geo. D.	Turner, H. G.
Hill,	Mosgrove,	Rosecrans,	Turner, Oscar
Houk,	Neal,	Scoville,	Tyler,
Jones, Geo. W.	Nolan,	Shelley,	Upson,
King,	Paul,	Shultz,	Urner,
Knott,	Peelle,	Singleton, J. W.	Vance,
Ladd,	Pettibone,	Singleton, Otho R.	Van Horn,
Martin,	Phelps,	Spaulding,	Warner,
McKenzie,	Phister,	Stone,	Wheeler,
McKinley,	Pound,	Talbott,	White,
McLane, Robt. M.	Randall,	Taylor, Ezra B.	Whitthorne,
McLean, James H.	Rice, Theron M.	Thompson, Wm. G.	Williams, Thomas
McMillin,	Richardson, J. S.	Townsend, Amos	Willis,
Mills,	Robeson,	Tucker,	Wise, George D.

NAYS—64.

Aldrich,	Farwell, Chas. B.	Lacey,	Sparks,
Anderson,	Fisher,	Lindsey,	Steele,
Bayne,	Geddes,	McCook,	Taylor, Joseph D.
Bragg,	Grout,	Miller,	Thomas,
Briggs,	Guenther,	Morey,	Updegraff,
Browne,	Hardenbergh,	Peirce,	Van Aernam,
Buck,	Harris, Benj. W.	Prescott,	Wadsworth,
Burrows, Julius C.	Hazelton,	Ranney,	Wait,
Carpenter,	Hitt,	Rice, Wm. W.	Walker,
Caswell,	Holman,	Rich,	Ward,
Converse,	Horr,	Richardson, D. P.	Washburn,
Cullen,	Jacobs,	Ryan,	Watson,
Dawes,	Jadwin,	Shallenberger,	Webber,
Doxey,	Kasson,	Sherwin,	Williams, Chas. G.
Dwight,	Kelley,	Skinner,	Willits,
Errett,	Ketcham,	Smith, A. Herr	Wood, Walter A.

NOT VOTING—131.

Atherton,	Dezendorf,	Jones, Phineas	Ray,
Barbour,	Dingley,	Jorgensen,	Reagan,
Barr,	Dugro,	Joyce,	Reed,
Belford,	Dunn,	Kenna,	Reese,
Belmont,	Dunnell,	Klotz,	Rice, John B.
Beltzhoover,	Ermentrout,	Latham,	Ritchie,
Bingham,	Frost,	Leedom,	Robertson,
Bisbee,	Garrison,	Le Fevre,	Robinson, Jas. S.
Black,	George,	Lewis,	Robinson, Wm. E.
Bowman,	Gibson,	Lord,	Ross,
Brewer,	Godshalk,	Lynch,	Russell,
Brumm,	Hall,	Mackey,	Scales,
Butterworth,	Hammond, John	Manning,	Scranton,
Caldwell,	Hardy,	Marsh,	Simonton,
Calkins,	Harmer,	Mason,	Smalls,
Camp,	Harris, Henry S.	Matson,	Smith, Dietrich C.
Campbell,	Haskell,	McClure,	Smith, J. Hyatt
Candler,	Heilman,	McCoid,	Speer,
Cannon,	Henderson,	Miles,	Spooner,
Cassidy,	Hepburn,	Money,	Springer,
Clark,	Herndon,	Morrison,	Stockslager,
Cobb,	Hewitt, Abram S.	Morse,	Strait,
Colerick,	Hewitt, G. W.	Moulton,	Thompson, P. B.
Cornell,	Hiscock,	Muldrow,	Townshend, R. W.
Cox, William R.	Hoblitzell,	Murch,	Valentine,
Crapo,	Hoge,	Mutchler,	Van Voorhis,
Crowley,	Hooker,	Norcross,	Wellborn,
Cutts,	House,	Oates,	West,
Davis, George R.	Hubbell,	O'Neill,	Wilson,
Davis, Lowndes H.	Hubbs,	Pacheco,	Wise, Morgan R.
Deering,	Humphrey,	Page,	Wood, Benjamin
De Motte,	Hutchins,	Parker,	Young.
Deuster,	Jones, James K.	Payson,	

So the bill was passed.

The following pairs were announced:

Mr. CORNELL with Mr. BLACK.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. SMITH, of New York, with Mr. HUTCHINS.

Mr. HAMMOND, of New York, with Mr. HEWITT, of New York.

Mr. STRAIT with Mr. ROBINSON of New York.

Mr. HILL with Mr. ERMENTROUT.

Mr. SPAULDING with Mr. JONES of Arkansas.

Mr. DAVIS, of Illinois, with Mr. CALDWELL.

Mr. MASON with Mr. DUGRO.

Mr. GODSHALK with Mr. ROSS.

Mr. JOYCE with Mr. REAGAN.

Mr. CALKINS with Mr. HEWITT of Alabama, on this vote.

Mr. O'NEILL with Mr. WELLBORN.

Mr. BARR with Mr. GARRISON.

Mr. JONES, of New Jersey, with Mr. HOBLITZELL.

Mr. HENDERSON with Mr. TOWNSHEND of Illinois.

Mr. YOUNG with Mr. DUNN.

Mr. SPRINGER with Mr. HUMPHREY.

Mr. BLACKBURN. I desire to say that on all political questions I am paired with the gentleman from Michigan [Mr. HUBBELL]; but not regarding this as such, I have voted "ay."

The result of the vote was then announced as above stated.

Mr. TURNER, of Georgia, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FUEL FOR FOLDING-ROOM.

Mr. PETTIBONE. I ask unanimous consent to submit for present consideration the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to purchase at once, for the use of the folding-room, three tons of coal, and pay for the same out of the contingent fund of the House.

Mr. PETTIBONE. I hope the resolution will pass. It is necessary in order that the folding may be done.

The resolution was adopted.

Mr. PETTIBONE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. ROBESON. I call for the regular order.

The SPEAKER. A number of gentlemen have bills which they desire to introduce for reference. If the regular order is not insisted on the Chair will recognize the gentleman from Illinois [Mr. TOWNSHEND] for that purpose.

Mr. O'NEILL. Is not Monday bill day? Why can not gentlemen wait till Monday morning?

Mr. ROBESON. I have no objection to the introduction of the bills which have been sent to the desk.

DAVID SNEED.

Mr. TOWNSHEND, of Illinois, by unanimous consent, introduced a bill (H. R. 7331) granting a pension to David Sneed; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOSHUA TEAGUE.

Mr. TOWNSHEND, of Illinois, also, by unanimous consent, introduced a bill (H. R. 7332) granting a pension to Joshua Teague; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ALBERT C. PONTIUS.

Mr. McKINLEY, by unanimous consent, introduced a bill (H. R. 7333) for the relief of Albert C. Pontius; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. ROBESON. I move to dispense with the morning hour for the call of committees for reports.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. ROBESON. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAGE in the chair, and resumed the consideration of the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

NAVAL APPROPRIATION BILL.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of further considering the naval appropriation bill. The gentleman from Indiana [Mr. CALKINS] is entitled to the floor.

Mr. ROBESON. By the courtesy of the gentleman from Indiana I am permitted to ask a question. I desire to inquire what is the wish of the Committee of the Whole with regard to general debate upon this bill, and to ascertain, if possible, within what time the committee will be willing to limit the general debate.

The CHAIRMAN. The Committee of the Whole has no power to limit debate.

Mr. ROBESON. Except by unanimous consent.

Mr. THOMAS. We do not want it limited yet.

Mr. BLOUNT. The gentleman is rather premature in asking to close general debate at this time.

Mr. ROBESON. I am not asking to close it now.

Mr. BLOUNT. This is a very important bill, and should receive the careful consideration of the Committee of the Whole.

Mr. ROBESON. Very well; I yield the floor back to the gentleman from Indiana.

Mr. CALKINS. When the naval appropriation bill was reported to the last session of Congress by the Committee on Appropriations with provisions in part reorganizing the Navy, I objected to many of its provisions. I find in this bill there are retained many of the provisions which were in the bill of the last session. I find in this bill many of the same provisions, or provisions like them, which were in the last appropriation bill, and in my judgment this is a worse bill than that one was.

It may not be out of place for me to say that ever since I have been a member of this House I have objected to the Committee on Appropriations assuming to control all the legislation of this body. I can but repeat to-day that the practice is a pernicious one and I hope to see the powers of the House distributed among its committees and the responsibilities of legislation allowed to rest where they properly belong, and where it was originally intended they should rest.

The Committee on Naval Affairs of this House have for years been investigating and trying to mature a plan for the reorganization of the Navy. It has on more occasions than one presented bills to the House for that purpose, and has given the subject its best thought and consideration. Many bills which are now on the Calendar and in the hands of that committee ought to be taken up, considered, and acted upon by this House. And the Committee on Appropriations in my judgment ought never to be permitted to enter upon the domain of legislation in any of the Departments, unless there is an absolute necessity for it.

At the close of the war we had one of the best navies in the world. In fact, the necessities of the war had produced an entire revolution in naval warfare. The naval engagement between the Merrimac and the Monitor attracted at once the attention of the world; and the flotillas belonging to other countries were immediately changed and altered so that it was supposed they would be at least able to cope with the ironclads which had been successfully put afloat by the American nation.

I remember to have seen, shortly after the war, a paragraph from one of the London papers on the occasion of the visit of Admiral Farragut to London, in which it was said that with humiliation the English nation would have to admit, and did admit, that even the city of London was practically in the power and in the hands of the American Admiral.

But when the war closed we stopped our improvements, while other nations went along at express speed in perfecting theirs. Our American vessels have now become useless or practically so except for harbor defense, while the navies of the other powers of the world have been continually improving.

I am well aware that even if I had the time I am not able now to give an epitome of the different vessels and armaments of the navies of the world. But I may say that, added to the quality which we found necessary to adopt during the last war, a high rate of speed has been found to be useful and necessary, and has been accomplished by many governments, so that many of the best vessels are able to steam at a rate of from fifteen to sixteen knots an hour, while carrying some of the largest and most destructive ordnance which has ever been invented.

I can say that in common with all the people of this country I would like to see the American Navy again put upon the footing and the plane where it properly belongs, and there is no reason why that should not be done. We are the greatest civilized and Christian nation on the earth. It is true that the census of Russia shows more population than ours does, but in that population is embraced many of the uncivilized tribes and people of that country, while ours includes nothing but the civilized and Christian people, showing that we have become the greatest civilized and Christian nation on earth.

There is no reason why the Navy of this Republic should not be equal to that of the navy of any government in the world. Our own sailors are as brave men, our genius is as great, and our resources are beyond those of any other nation.

Returning now, however, to the bill before us, I may be allowed to say that in my judgment the reformation of the Navy, which the honorable gentleman in charge of this bill [Mr. ROBESON] tells us he seeks, is begun at the wrong end. I desire briefly to call attention to some of the evils of our present naval establishment, without attempting upon this bill to correct those which I shall specifically point out.

In the first place, I will call the attention of this committee to the fact that we have in our Navy Department eight bureaus, each separate and distinct, and all of them in no sense drawn together and united by common concert of action so as to accomplish the best results.

I wish to call attention to the fact that the different bureaus in our Navy Department act in a disconcerted and disjointed manner, with no co-operation between them, and the consequence is that there is not only a waste of the money which is appropriated for each of the bureaus, but there is no perfect result and nothing that comes near to it as the joint production of the work of the several bureaus.

For example, we have the Bureau of Navigation, the Bureau of Ordnance, the Bureau of Equipment and Recruiting, the Bureau of Yards and Docks, the Bureau of Provision and Clothing, the Bureau of Construction and Repair, the Bureau of Steam Engineering, and the Bureau of Surgery and Medicine. These bureaus expend and there is annually appropriated for each of them hundreds of thousands of dollars. For the Bureau of Navigation this bill appropriates $120,000; for the Bureau of Ordnance, $323,000; for the Bureau of Equipment and Recruiting, $869,000; for the Bureau of Yards and Docks, $244,000; for the Bureau of Provision and Clothing, $1,140,000; for the Bureau of Construction and Repair, $1,020,000, and for the Bureau of Steam Engineering, $1,011,000; making, in all, $4,727,000.

I have said that these bureaus operate disjointedly and disconnectedly. I mean by this that bureaus charged with certain duties act without knowledge on the part of other bureaus as to the particular subjects with which they are charged. For example, during the excitement incident to the capture by the Spanish authorities of a crew of Americans not many years ago, on the Island of Cuba, orders were issued for the immediate dispatch of certain vessels into the Cuban waters. One of our vessels, called the Despatch, was ordered by the Navy Department to be made ready immediately to sail to the scene of trouble. The Ordnance Bureau gave orders to have her immediately loaded with shot and shell. So the crew, under orders from that bureau, worked all night to load the vessel with shot and shell. But when the Bureau of Construction and Repair heard of the matter, the authorities there said the vessel could not stand the load which she had been ordered to carry; so they sent an order to have all the ordnance stores which had been put on the vessel the night before taken off immediately. Of course, the crew worked all night again to unload the vessel. These orders were sent without consultation between the bureaus.

Another instance: The Swatara, another one of our vessels, was ordered not long ago to be temporarily repaired by the Bureau of Construction and Repair for a cruise for the winter. Right on top of that order the Bureau of Steam Engineering sent an order that the Swatara should be repaired for a three years' cruise. Thus the parties in charge of the vessel were in possession of two orders from two bureaus, operating without any concert of action, and whose orders were directly in conflict.

Another instance: For the Pinta, one of our tugboats, the Bureau of Steam Engineering was ordered to get boilers ready. Without any knowledge of how she was built, that bureau went to work and repaired boilers for her. But when the boilers were finished it was found they did not fit, so the Pinta had to be torn to pieces and the boilers turned around in order to get them in the ship at all. The Bureau of Construction and Repair had gone on building the vessel without reference to or consultation with the Bureau of Steam Engineering, and the Bureau of Steam Engineering had gone on and built the boilers without reference to the Bureau of Construction and Repair.

Each bureau makes its own part of the ship without reference to or co-operation with any other bureau. The consequence is that when the different parts of the ship are brought together none of them fit. This has been the history of our Navy for the last twenty years.

Take another case. The Mohican, one of our vessels, was fitted out and guns prepared for her. When they were sent down to be put in it was found that there was not sufficient space left for the guns to work in, so the guns were taken out and sawed off twelve or fourteen inches, and the vessel put to sea with clipped guns.

Another instance: Just after the war, and before my friend from New Jersey [Mr. ROBESON] became Secretary of the Navy, some immense engines were ordered to be built at the navy-yard here. They were built; they cost an immense sum of money; without saying exactly how much, I will say $600,000; that is in the neighborhood of what they cost. They were built for a vessel whose keel was never laid—a vessel that was never named. After the engines were built it was found necessary to tear out one end of the building in which they were constructed in order to get them out. Those engines were sold at last for old iron, and realized about $20,000.

This is the way our Navy has been going on for many years. I say it ought to be reorganized. It ought to be reorganized upon a basis which would bring all these bureaus together under a common and general head, so as to make a harmonious whole. My friend from Massachusetts [Mr. HARRIS], the chairman of the Committee on Naval Affairs, has introduced a bill to abolish these bureaus as now constituted, and substitute something like the British board of admirality, which would bring the bureaus together so that they could act in concert, thus bringing about something of an improvement at least upon the present disjointed and disconnected system. But this great reform has not been attempted in this bill, nor can it be, because if we should open up that subject, as my friend in charge of the bill well knows, these reforms could scarcely pass even in a long session upon an appropriation bill.

But, Mr. Chairman, another thing I wish to call the attention of members of this committee to is that we have eleven navy-yards, including three naval stations. They are located at Portsmouth, Boston, New London (naval station), Brooklyn, League Island, Washington, Norfolk, Port Royal (naval station), Key West (naval station), Pensacola, and Mare Island. In each one of these navy-yards and naval stations there are branches of the eight bureaus which I have named, that is, in each navy-yard are a bureau of construction and repair, a bureau of navigation, a bureau of ordnance, a bureau of yards and docks, a bureau of provision and clothing, a bureau of steam-engineering, and a bureau of medicine and surgery. These, with their superintendents, their clerks, their machinery, make up an American navy-yard.

Now, Mr. Chairman, my judgment is that if you bring together these naval establishments into one compact system you can reduce naval expenditures, not only in these several particulars I have mentioned, but you can bring the Navy out of that chaotic state into which it has fallen and build up a navy which will compare favorably with any navy in the world and at much smaller expense.

The Navy ought to be reformed in another particular, and just here I wish to direct attention of this committee to the staff of the Navy. One of my great objections to this naval appropriation bill, because I am now coming to the consideration of the bill itself—one of my grave objections to this bill as it stands is that it applies the knife to the real navy, and the only real navy we have, which consists of the line officers. They are the life-blood of the Navy, Mr. Chairman; they are the men who go to sea and maintain the honor of our flag as well as they

can aboard the old crafts we furnish them for cruising in foreign seas. Instead of striking, as I believe should first be done, at the real abuse, which in my belief is to be found in the staff of the Navy, this appropriation bill strikes alike at the staff and the line.

Let us look at the staff of the Navy for a moment. It consists of an engineer corps, a medical corps, a paymasters' corps, a construction corps, a civil engineer corps, professors of mathematics, and chaplains.

I am not going to deal with the engineer corps, because I think of all the corps in the Navy that is one of the most important and one which would require long experience and close study in order to point out any objection which might be taken to it or suggest any reformation.

I direct attention to the medical corps of the Navy, and I want to point out some incongruities, anomalies, as my friend from New Jersey [Mr. ROBESON] said the other day, in the medical corps of the Navy. You will remember we have some thirty-seven ships in the Navy.

Mr. ROBESON. About forty.

Mr. CALKINS. About forty which are seaworthy, as I am corrected by my friend from New Jersey. What does the naval medical corps consist of? Fourteen medical directors, with the rank of colonel in the Army. They can not go to sea. They never do go to sea. They can not go to sea under the provisions of law. They have too much rank. They would rank the commanding officer of a ship, and consequently they are put on shore duty. That particular shore duty seems to be to live at their ease, without performing duty of any kind, at least very light duty if any.

I ought to add in this connection, Mr. Chairman, before passing from the subject, that I notice in the French navy, where there are 40,000 men, all told, and about 4,000 officers, they have only one medical director for the entire French navy.

We have fifteen medical inspectors, with the rank of lieutenant-colonel; they have too much rank to go to sea except with a fleet, but we have only six fleets, and consequently but six of the fifteen can go to sea at all. The other nine belong to the staff of the Navy and are on duty somewhere else—probably light duty about Washington.

But I come to the next. We have fifty surgeons for our forty vessels and naval stations in addition, with a rank corresponding to that of major in the Army; we have eighty passed assistant surgeons, with the rank of captain in the Army, and twelve assistant surgeons, with the rank of lieutenant in the Army, making in all one hundred and eighty-one medical officers.

Now, if I were asked what I would do with this top-heavy corps, I would answer, "Muster them all out down to the actual needs of the service." They have a good profession. They are not like officers in the line, who have studied for years to make themselves naval officers and who would be left entirely without any other profession. These medical gentlemen have a good profession, and I would muster all out down to the needs of the service and let them go into the general practice of medicine. That is where I would put the pruning-knife first.

I now come to the paymasters' corps, and, as Dickens makes Squeers say, "here is richness." We have thirteen pay directors, with a rank corresponding to that of colonel in the Army. They can not go to sea. They have too much rank. They never do go to sea. They are prohibited by law from going to sea; but whether they are prohibited or not they do not go to sea.

We have thirteen pay inspectors with rank corresponding to that of lieutenant-colonel in the Army. We have six fleets. These thirteen pay inspectors may go to sea, but only with a fleet. We have only six fleets to go in. Necessarily the seven who have no fleets must stay at home. We have fifty paymasters, with rank corresponding with that of major in the Army; we have thirty passed assistant paymasters, with the rank of captain and lieutenant; we have nineteen assistant paymasters, with rank corresponding to that of lieutenant, making in all one hundred and twenty-five gentlemen with varying ranks in the Navy to pay our thirty-six or forty vessels, and the rest of them to spend their time in pleasure. Now, you ask me what I would do with this branch of the service. I would wipe it out from top to bottom, that is what I would do with it; and I would detail officers of the line to pay the navy-yards and ships.

But you say these paymasters give bond. Yes, that is true; paymasters give bonds to the Government; but there are as many of them that default with the bonds as there are without; and I know that there are officers of the line, who do not give bond, that are disbursing and paying more money to-day in the Navy than any of these paymasters. Take as examples the officers in charge of the light-houses, and, as has been suggested, if it is found necessary you may require bonds to be given by the line officers. But this system, in addition to its being an incubus and hanging about the neck of the Naval Department, like the albatross about the neck of the sailor, its appointees come from civil life. I would sweep the whole thing away. That is my idea about it; because we want an efficient Navy, and we want above and beyond all things such stable laws as will settle the minds of men that the Navy is not going to be overhauled every time Congress meets. The whole naval establishment is set to effervescing and thrown into a state of feverish excitement at every assembling of Congress. One of the greatest abuses connected with our naval establishment is this constant feverishness and uncertainty which is allowed to remain in the minds of the line officers by reason of these constant changes with reference to legislation connected with the Navy. This ought to be stopped, and a permanent, stable rule established for its government.

The next feature to which I wish to call attention is that we have of chief engineers sixty-nine. Ten of these do not go to sea at all. We have ninety-nine passed assistant engineers, sixty-two assistants, and sixty-two cadet engineers. I desire to leave this part of the discussion of the bill, however, to my friend from Illinois [Mr. THOMAS], who has the matter better in hand than I, and will pass over that portion.

The ten civil engineers which belong to the staff, in my judgment, ought to be mustered out and bear no rank at all in the Navy, and the eleven mathematicians which we employ, and who are engaged in speculative astronomy, in computing the distance between stars and sweeping the heavens to discover comets, might just as well let the tinsel and epaulets fall from their uniforms and go back again into civil life. I do not care to maintain them as a part of the naval establishment. They are of no practical service to it, and there is no sense in continuing them in the service as naval officers.

While upon that subject I might as well say that I agree entirely with the idea that we ought to have a national observatory, and that these mathematicians should be assigned to and would find good employment in running it; but it ought to be disconnected from the naval observatory altogether. That ought always to remain in charge of the naval officers of our Government. They make the nautical almanac, observe the constant stars, and make the charts for the sailor when he has nothing to guide him except the stars and sky upon unknown seas. Therefore the naval observatory should always remain in charge of the line officers of the Navy, and these other gentlemen should be in another department.

We have ten naval constructors and six assistants. These are ship-carpenters. They ought not to have any naval rank, but simply be employed by the Navy.

Now, I have gone through some of the reforms which I think ought to take place in the Navy; but, as I said in the outset, when these reforms take place it should be done by the committee charged with these duties, and not by the Appropriations Committee, which, under the rules of this House, has for years become the great sponge which absorbs everything else; the octopus that spreads out its arms, grasping the entire legislation of the country and excluding all the other committees from a share. Now, I have not talked harshly about the Appropriations Committee of this Congress, not nearly so harshly as I have done heretofore, because I think that they have been reasonably free from trespassing upon the domain of the other committees of the House.

The Admiral of our Navy, I may say in passing, has on his staff but one aid, and he is a lieutenant. Probably that ought to be changed a little, but I will not stop to discuss it as I do not know the Admiral's feelings on the subject. You can not reduce it very much under its present organization.

Now, Mr. Chairman, I desire to call attention to some of the provisions of the bill to which I shall also invite the attention of the committee later, and against which I shall make certain points of order, of which I now give gentlemen due notice.

Against the provision of the bill commencing on page 3, and at line 50, in the following words:

Provided also, That when any commodore shall reach the age of 60 years, any captain the age of 55 years, any commander the age of 51 years, any lieutenant-commander the age of 47 years, or any lieutenant the age of 45 years, he shall be retired by the President from active service, and shall go upon the retired-list of the Navy as of the grade held by him at the date of his retirement.

When we reach that proviso in this bill I shall make the proper point of order upon it that it is a change of existing law and does not retrench expenditures, but on the contrary increases them. But if that shall be overruled I shall maintain and do maintain now that if gentlemen desire to strike a blow at the retired-list, and sooner or later have it entirely wiped out, they can do it in no better way than by adopting that provision. Retired-lists in the Army and Navy have never been very popular in this country. The more you increase it and call public attention to it the less sure it is of permanent continuance.

The only way to maintain a retired-list for the Army or Navy in this country is to guard it jealously and see that none but the really deserving go upon it, and the people will maintain it. But if you retire a class of men when they are in the prime of life, at the age of 45, 47, 49, and 51, simply because they have served a certain length of time with a certain rank, you will as certainly break down and swamp that whole retired-list as that you pass this bill.

There is one other objection I take to the bill, which relates to the clause preceding the one I have read. It provides that promotion shall not take place in the line unless the parties have seen certain years of sea-service in the grade or rank which is named. That is, lieutenants must have seen six years' service with the rank of lieutenant, and so on down through the list.

Now, there is a strange thing about the bill, to which I call the attention of my friend from New Jersey. Going on till it gets to the rank of

commander it there suddenly stops. It does not say anything about captains. I wonder why that is—why a captain before he is promoted ought not to see certain sea-service before promotion? Why is it? Is it that there is some captain lurking somewhere in the Navy in some soft spot that does not want to be interfered with? Or is there some other reason not apparent why a captain should not serve a few years in active service before he is promoted? Is there some reason for it which does not apply to the commanders and lieutenants?

But the point I desired particularly to call attention to was that this bill will work a positive injustice to these officers unless we increase the number of ships that we have. It places in the hands of the Department the power to prevent a person whom they want to retire from going to sea. We have only forty ships. The Department may keep an officer on shore when the time approaches for promotion, and although he may want to go to sea never so bad, the Department may put its hands upon him while he sees the time approaching when he has to go to the retired-list. I simply offer that by way of criticism on the bill.

I come now to the next question I propose to discuss, which is the question of selection. I am opposed to the method of selection, which places in the hands of a board the right to say arbitrarily who of the captains and the commodores who are presented shall be promoted to the rank of admiral. I believe that the bill provides that the names of five officers shall be selected from whom the admiral must be chosen. The provision which I take exception to is this:

That hereafter all promotions to the grade of rear-admiral on the active-list shall be made by selection from the grades of commodore and captain; and no more promotions to the grade of commodore shall be made, that grade being hereby abolished: *Provided, however*, That no commodore, &c.

I shall not read that proviso, for I have no objection to it.

And provided further, That when a vacancy in the grade of rear-admiral shall occur it shall be the duty of the Secretary of the Navy to convene a board of three officers, not below the grade of rear-admiral, who shall select the names of five officers not below the grade of captain, one of whom shall be nominated by the President to fill the said vacancy: *And provided further*, That the senior commodore over whom a junior in rank is thus promoted may, upon his own application, be placed upon the retired-list with the rank of rear-admiral.

I shall make the point of order against that also. But I maintain that the mode of selection here pointed out is wrong. If there is to be a promotion, as there must be, let the promotion be made as now made with reference to the junion officers of the Navy, by seniority, coupled with the examination which is now required. Before the board as now constituted for the examination of junior officers the record of these men is spread out; their conduct, their ability, all is spread out before this board; and after they have examined that, and have ordered the man before them for an examination, they have the entire record as well as the examination which the officer then stands from which to make selection; and that is the best mode of selection in the world. But to say that three men shall select but from five names and shall consider but the five, and then if they promote a junior the senior commodore may retire, upon his own application, with the rank of rear-admiral, is all wrong.

I next call attention to the fact that on page 3, at line 58, is a proviso with reference to the vacancies which are provided for in the bill of last year. I shall offer an amendment to that. The section, as I propose to amend it, will read:

That hereafter all the vacancies which shall occur in the various grades of the line or staff of the Navy shall be filled by promotion as follows: For each two vacancies there shall be one promotion in each of the lower grades until such grade shall be reduced below the numbers fixed by the provisions of the act of August 5, 1882.

While I am upon this subject of selection I want to call attention to another thing.

Just after the war closed there was a board convened who selected from among the officers of the Navy certain persons and advanced them certain numbers for distinguished service and gallant conduct. It is a strange commentary upon the action of some of the officers of the Navy that ever since that time bills have been pending in this and the other end of the Capitol to undo what was done by that board of selection. As my friend from Massachusetts [Mr. MORSE] suggests, there were only 50 selected out of 1,000, and ever since that selection was made, almost entirely because of the way this has been done, there have been constant assaults upon that selection and to undo what was then done; and even now bills are lying in the committee-room to do it.

I now come to the question of commodores. I only want to repeat what I said a year ago in reference to them. My friend from New Jersey [Mr. ROBESON] has said (and he said it twice and said it well) that these gentlemen are a little too big for a ship and not quite big enough for a fleet; that they are sort of supernumeraries in the Navy, and should be got rid of as soon as possible.

I say to this House, and especially to those members of the House who served in the volunteer forces during the war, when the war closed we found this grade of commodore in the Navy. We told these officers who had won their rank in the conflict and had been promoted for gallantry that if they would devote their lives to the naval service here was a grade to which they should be promoted.

We have retained that grade in the service for the seventeen years since the war closed; and now just as these men are ready to step into the grade which we promised them long ago, it is proposed by a Congress said to be friendly to them to sweep it away entirely. I say you can not do that without performing an act of great injustice.

But it is said it is only a grade—only a rank in the Navy. Exactly. And when you and I served in the Army, if we were second lieutenants we never were satisfied until we got to be first lieutenants and so on all the way up. We struggled just as hard for the next grade above as we had done to get the grade we started with.

It is said of Lord Nelson, that grand old hero of the British navy, that when he lost his arm he declared that he did not know but what he would be willing to lose the other if he could be advanced to the grade which he longed for. That is exactly what officers of the Army and of the Navy look forward to; this advance in grade is all they have to look forward to.

It is true we feed them and give them a sort of impecunious support. But the only thing they have to look forward to in the future as a reward for their service is the promotion in grade. Yet we now propose, after we have got these men to give their services to the country, to sweep away the grade we promised them just as they are ready to step into it.

I come now to that part of the bill making provision with reference to furnishing the ships which have for a long time been in process of construction. These are the Miantonomoh, the Puritan, the Amphitrite, the Terror, and the Monadnoc.

The bill of last year provided for the launching of some of these vessels, the Puritan and Miantonomoh among the number, and for cruises to be made by them. A cruise was made by the Miantonomoh, and she has been somewhat tested since the appropriation was made last year. It is due to the country and to the members of the House who have not particularly examined the report made in reference to it that some of the salient points should be stated.

The Miantonomoh in her present condition, according to the report of her officers, can probably be forced to a speed of 11½ knots an hour. She has made 10½ knots an hour, and probably can be forced up to the greater speed named.

When driven at the rate of ten and a half knots an hour, however, the water in her front was banked up five feet and six inches above the level of the sea and passed over her bow at a depth of one foot and a half, running off in a stream on either side. I ask gentlemen to note this fact particularly. When being forced along through the water at the rate of about ten or ten and a half knots an hour the water was forced over her bow to a depth of one foot and a half. And if she was forced to a speed of eleven and a half knots an hour the accumulation of water on her decks would be very much greater.

Be that as it may, it seems, and I think it will be conceded by all, that as far as speed is concerned the ship will never be able to compete with the better class of ships in the other navies of the world. She must be used entirely for harbor defense. I think probably the same is true with regard to the Puritan, although the Puritan is a very much larger ship and a very much better one.

But I have no objection to the finishing of these ships, and shall never put any obstruction in the way of finishing them. We have them thus far along and they can be used for harbor defense, and will be useful in that way.

My judgment is that they will probably never be able to be used on the high seas, for I notice that when the Miantonomoh went down the Delaware and came around to Washington she went under the convoy of one of our other vessels.

Another singular thing about the construction of these ships which I wish to call attention to is, that if one of them should start to cross the Atlantic she would have to be recoaled in mid-ocean, for she could not carry coal enough at one time for the entire trip.

Mr. ATKINS. Will the gentleman allow me to ask him a question?

Mr. CALKINS. Certainly.

Mr. ATKINS. I believe the gentleman is a military man. I desire to ask him this question: Does he not think that the sum of money which would be necessary to complete these monitors if expended upon forts and fortifications and for harbor defense would be better expended than to complete these vessels?

Mr. CALKINS. Well, with due deference to the gentleman, that is a question upon which I do not care to enter, for it would be entirely speculative.

Mr. ATKINS. The gentleman, as I understood him, was arguing that these monitors were not suitable for operations on the ocean, but were suitable only for coast defense.

Now, if these monitors are suitable only for coast defense could not the money necessary to complete them be better expended for fortifications? For only a little over $2,000,000 has been expended already on these monitors, whereas it will take $4,000,000 or more additional to complete them.

Mr. CALKINS. The gentleman misunderstood, I think, the full purport of what I intended to say. What I intended to say and what

I do say now is, that ships of the class of the Miantonomoh must disappear from the fleets of the world in the open ocean, because the ships already built and owned by the other countries of the world are so much superior in speed, in armament, and in sea-going qualities. They can be used, however, and must be used for harbor defense and general defense along the coast, and possibly in the Cuban waters.

Mr. KASSON. You can not move a fortification; you can move a monitor.

Mr. CALKINS. Yes, as the gentleman from Iowa [Mr. KASSON] suggests, a fortification can not be moved, while a monitor can.

Mr. ROBESON. The gentleman will permit me to say that the monitors are not constructed to cross the ocean. They are constructed for coast and harbor defense and for service in the West Indies, the Isthmus, and the Spanish Main. By reason of their draught, their construction, and their armament, they are suitable for this purpose only.

Mr. CALKINS. Be that as it may, I do not care to enter into that branch of the question at all. What I desire to say and to impress upon the committee is that the United States ought to have at least three of as good sloops of war as there are in the world. Those sloops ought to be able to compete on the high seas or in any harbor of the world with the navy of any other nation. As an American, I have grown tired of seeing one country snubbed and derided by the other nations of the world. No longer ago than the war between Peru and Chili, when Admiral Balch undertook to make some kindly suggestions between the two nations, the Chilians simply told the American admiral, and the American Government through him, that if he did not mind his own business they would send him and his fleet to the bottom of the ocean. That was the purport of the communication.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. CALKINS] has expired. The gentleman from Tennessee [Mr. WHITTHORNE] is recognized.

Mr. CALKINS. I would like about five minutes more.

Mr. WHITTHORNE. I will yield the gentleman five minutes of my time.

Mr. CALKINS. I am very much obliged to the gentleman.

The CHAIRMAN. The gentleman from Indiana is recognized for five minutes longer.

Mr. CALKINS. As I was saying, in the recent war between Chili and Peru, the American Navy and the American Government were insulted openly; and the only thing that could be done was to pocket the insult, which we did as meekly as possible.

Now, I am tired of this sort of business; and I want the American people to have as good a navy as any other government in the world. We can construct a navy with as little expense as any other nation; and the genius of the American people is equal to bringing forward the best built vessels in the world. The American sailor is as brave a man as ever walked the deck of any ship. As a government is known abroad very much by her naval force, I am in favor of building up the American navy and making it such as we can all be proud of.

Mr. Chairman, for these reasons and for many others which I had intended to speak about, I oppose certain features of this bill. I urge upon gentlemen in charge of this branch of the service to make these reforms which are so much needed. I urge upon the committee to strike out portions of this bill and to enter at once upon the building of a navy which shall be the glory and honor of our country, that we may again, as we did in the days when Perry won so much distinction in his fight against the British navy, bring American seamanship and the American Navy up to the high standard which in view of our character as a nation they should occupy.

[Here the hammer fell].

Mr. WHITTHORNE. Mr. Chairman, having been for a number of years a member of the Naval Committee of this House, and during those years having given much thought and labor and study to the naval administration of the Government, although not now connected with any committee of this House having charge of that matter, yet from mere force of habit, if from no other consideration, I take very great interest in every proposition which affects that administration. Besides, sir, as an American citizen I claim to take pride in that which contributes to the upholding of the honor, the majesty, and the power of the Government of the United States. Therefore, when this bill was submitted to the House it at once enlisted my attention, and I must say, Mr. Chairman, that I regard the bill in all its relations as one of the most important ever submitted in regard to the naval or military service of the country. It proposes large expenditures of money. It proposes what are claimed to be, and in some measure I am ready to admit are, reforms in the service.

Before proceeding to notice the terms of the bill, I may be permitted to ask the attention of the committee to what is the real condition of the United State Navy. I content myself now with the simple answer that at present its condition is one of lamentable weakness and inefficiency. And after making that answer I turn to gentlemen and direct their attention to the other question, what is the condition of the other naval powers of the world? England ranks first, France second, Italy, in my judgment, third, Germany fourth, and so on. That is, Mr. Chairman, I take that to be the general judgment and answer of the world. I shall in a moment or two probably reverse that order. Why? Because, owing to recent experiments, it is demonstrated that the condition of progress, so to speak, in naval armanent has been arrested and changed. From the hour of the naval conflict between the Monitor and the Merrimac at Norfolk there has been more development and progress in naval science than almost in any other department of thought or science throughout the world. The fight has been going on steadily ever since between aggression and resistance, so to speak; that is, between guns and armor. Up to and within a very recent time in the progress of this conflict the advantage has been with aggression, or with guns. But I beg gentlemen who will give a moment of thought to this question to turn their minds to recent experiments made at Spezzia, where it has been shown for the first time that armor has the advantage.

That experiment, Mr. Chairman, was this: A test with the improved guns and the improved shot was made against steel plates, the manufacture of three of the first firms in the world, Brown & Co. and Cammell & Co., of England, and the Creuzot Company, of France. These were vertical plates of steel, with heavy backing and well bolted. Against these plates the improved ordnance was brought into play, and I submit that it was demonstrated by that experiment that the power of resistance obtained the victory.

Mr. MILLS. What was the thickness of these plates?

Mr. WHITTHORNE. About eighteen inches. That which I desire to call the attention of the committee to is this: These being vertical plates, this being demonstrated, we have an able and accomplished American inventor who has recently brought to the attention of the country what is known as deflective steel armor. I refer to the invention of Assistant Engineer N. B. Clarke, now on the retired-list. I submit for the consideration of gentlemen if these experiments at Spezzia, under the authority and conducted by officers of the Italian Government, have shown the results I have stated, then with deflective steel armor the day of aggression, so far as the gun is concerned, is well-nigh numbered. I submit, then, to the careful study and thought of gentlemen charged with the military defense of our coasts, if these results are true, what may not be accomplished by steel-cased forts, so to term them?

In view of these recent experiments, in view of the accomplished facts I have stated, I am free to say that not only in regard to the American Navy, but in regard to all the navies of the world, their inefficiency and weakness are demonstrated. I tell my friend from Indiana [Mr. CALKINS] that the days of the style of vessels known as Puritan and Miantonomoh are numbered. They belong to the past in comparison with present improved naval vessels. And I say now, with these improvements and developments in the science of naval warfare, the power of the English navy, of the French navy, and of the German navy pale before that of the few vessels of the Italian navy. If I were called on to-day to name the naval power of the most strength I would hesitate whether I would follow the order which I named in the outset of my remarks, inclined as I am to rank that of Italy at least as second.

The special weakness of the American Navy is this: First I name the ordnance of the American Navy. We have no guns; and why I say no guns I will explain in a moment.

In the second place, we have no vessels of any speed. In the third place, we have no armored vessels fit to cope with the weakest naval power known to the history of the world. Now, I mention right in that connection that we may take the Miantonomoh and the Puritan and before the guns of the Chinese gunboats they could not protect themselves or give protection to our cities and coast, but would be merely as driftwood. None of our vessels built or proposed to be built could withstand an attack from any one of the naval powers. Our cities would be at their mercy except for one thing. Nature has done much for America. Nature protects our coasts against the heavy vessels of the world. Our resources afford the other protection; and the capacity and the great power that belongs to America always to prove herself equal to any emergency, as well as the knowledge of this fact by the world, afford us security—the Navy of itself plays no part. Peace now prevails. I for one trust that it shall always be the inheritance of our people. But yet the careful student of the struggles of mankind must know that peace is not the constant inheritance of any people; hence we should be ready for defense. Besides, we owe something to our commerce. We owe something to the protection of our coasts. What shall be done? We can not go, and ought not to attempt to go, to the extent of any large armaments. It is contrary to the policy, to the theory, and to the genius of our Government; and in view, Mr. Chairman, of what has been done in the last decade of years, the immense improvements that have been made, which I have barely referred to, what is the proper policy and course for the people of the United States?

It is, in my judgment, that of liberal expenditures in the way of experiments. We need speed; we need guns and we need armor. Shall we build a large number of vessels at once in order to get these things? In my judgment, no. Practical common sense would say, make your experiments first to illustrate the question of speed. Make your experiments first and build your guns in your own factories. Make your experiments, in the third place, to demonstrate the full power and effect

of steel-clad armor. Make these. The opportunities, as I shall presently refer to, are offered by the invention of the distinguished gentleman to whom I have but a moment ago alluded.

But, Mr. Chairman, what is proposed by this bill? I agree very heartily in the remarks of my friend from Indiana as to the fact that upon a mere appropriation bill these alleged reforms or new legislation should not appear; and we might well inquire what is the office and the functions of the Naval Committee of this House? Why is it that this measure, which should appropriately come from the great labor and study of the Naval Committee of the House, did not come from that quarter? I do not know whether the Appropriations Committee did the members of the House Naval Committee the honor to consult and confer with them upon the subject. But, sir, much is attempted by this bill. It is alleged, and in that fact I agree, that the Navy so far as its *personnel* is concerned is top-heavy. There are too many officers for the number of vessels. That is true. From that admitted fact an attempt at reform is made. That attempt is by the controlling of the rank and the retirement of officers. Now, I submit that in the present condition of the naval service of this country a large number of officers who have come there and are borne upon the register were placed in that position as a result of the recent civil war.

A number of them were placed there from the volunteer ranks, and they illustrated their patriotism and heroism and their devotion to the interests of the country by their magnificent service, rendered to the country in the naval branch of the service. For their service in that connection they have got upon the lists of the Navy. Now I believe, although I can not say positively, that they are the first persons to receive the full effect of the reform blow. Now, while there is a large number of officers and a very limited number of vessels, and which are decreasing year by year, how or by what method I am not here now to say or discuss, but certainly it is not through the fault of the brave and gallant officers of the Navy that there are no vessels for them to go to sea upon. Hence the Navy is top-heavy. The facts are well established. Now the effect, I submit, of the proposed changes in this bill is to disturb the harmony of the service, to breed jealousies and to promote favoritism, to increase the retired list, and to enhance the pay of the Navy.

How are these reforms proposed to be made? I notice first, Mr. Chairman, that it is proposed to abolish the rank of commodore. For one I am free to say, sir, that I regard the rank as somewhat anomalous and out of place in our service. I think it should be got rid of gradually; and I believe that the rank of commodore should be known only in the special instance of cases where a senior captain or a captain is called upon to command a squadron. When in that condition and for that period the rank should be known in that case only. And as has been suggested by my distinguished friend from California [Mr. ROSECRANS] that provision should be made with reference to the navy-yard, because it expedites and harmonizes the business of the yards.

Now, we have this proposition to select rear-admirals:

After having abolished the rank of commodore to select by a board to be appointed by the President, who designates from the rank of captain or commodore a given number from whom the President appoints the rear admiral to be promoted. I do not fancy boards or commissions much, and in the naval service they have been singularly unfortunate. But, Mr. Chairman, I will read for the purpose of calling the attention of my colleague from the State of Tennessee to it, who is a member of the Committee on Appropriations, a provision of the bill. It is provided—

> That the senior commodore over whom a junior in rank is thus promoted may upon his own application be placed upon the retired-list with the rank of rear-admiral.

It is, in my judgment, Mr. Chairman, a little singular, I submit, that when a board has found a gentleman not fit for the rank of rear-admiral, you shall, upon a showing of his incompetency, promote him to the retired-list as the rank of rear-admiral. Again I ask my friend and colleague if this provision is not liable to this construction: Assuming that there are twenty commodores now, as it will be under the act of the last Congress—twenty commodores upon the register—now, suppose a captain is selected and promoted to admiral; may not under this provision every commodore have the right to be retired as a rear-admiral? Why should the first commodore on the list have the right and not the second and third and so on? Is not the reason the same in each instance?

I submit these methods of selection and promotion and retiring are far-reaching in their effects. They will tend, in my judgment, to demoralize the service. When I say this the committee will not understand me as not being opposed to the gradual abolition of the rank of commodore.

Upon the reform proposed here by arbitrary retirement, so far as I am concerned, I shall be perfectly frank with the committee in giving my own opinion and judgment. The first provision in regard to retirement is a requirement of sea-service. Now, every other thing being right, that is a step in the right direction. Every other thing being right, the requirement of sea-service for promotion is correct in principle.

But, Mr. Chairman, I submit to the Appropriations Committee, who have taken charge of this legislation, as I would submit to the Naval Committee, that they ought to exercise caution, so that when an officer desires sea-service and is entitled to it he shall have it. I have known of instances where parties claimed at least that they were entitled to sea-service, and say they have year after year demanded it of the Secretary of the Navy; but from partiality or prejudice that demand was not complied with. Let the regulation of this be legal; let it be regular; let it be impartial. When that is done the theory here is correct.

But I beg to ask my friend from Tennessee [Mr. ATKINS] one other question. I observe that this requirement of sea-service applies to the lieutenant, to the lieutenant-commander, and to the commander. Why does it not apply to the captain just as well? Why are captains left out?

Mr. ATKINS. My colleague has asked me several questions. It would take a great portion of his time, indeed I would have to make a speech, to answer his questions. If he desires me to answer them now I will do it, but will occupy a good deal of his time. If he prefers I will do it hereafter.

Mr. WHITTHORNE. I ask my colleague to take note of these questions. I am quite certain in the suggestion I have last made I have the hearty concurrence of my colleague from Tennessee that this is an omission, though it may not be an intentional one, that captains are not required to have sea-service as other officers. I notice this as one of the things which if left unamended will of itself breed discord in the naval service and which ought to be remedied.

The other proposition is that you shall retire officers at certain ages; you shall retire a captain at the age of 55; a commander at the age of 51; a lieutenant-commander at the age of 47; a lieutenant at the age of 45. Now mark you, it is not said he "may be" retired, but "shall be" retired. Why, sir, take the faithful officer of the Navy who has followed the flag of his country through every hour of peril that demanded service from him; take him as he has waited patiently for his promotion, and the fact that he is not promoted is not at the expense of the devotion of his brain or his body, not at the expense of his honor or his patriotism, but God Almighty has not permitted the sun to stand still and its revolution has added years to his years of honor; but those years are years of penalty to him.

Is it right that in the present condition of your naval registry, men who have been waiting as I have said patiently for their hour of promotion should be retired in this way? You have said the officers of the Army shall be retired at given ages; the General, the Lieutenant-General, and the major-general shall be retired at a given age. You have said that the rear-admiral of the Navy shall be retired at the age of 62. Why do you take the subordinate lieutenant who has reached the age of 45 years and cause the guillotine to fall upon him and his fortune? Does the brain cease to act and the body to perform its functions at 45? It will apply with peculiar hardship to the line officer of the Navy, who at that age can not go out in the world and make for himself another occupation or profession. It is unjust to make it compulsory.

At this point I desire to arrest the attention of my colleague [Mr. ATKINS] and other members of the Committee on Appropriations. Will they tell me whether these provisions of the bill referring to promotion and retirement apply to the staff of the Navy or not?

Mr. ATKINS and Mr. BUTTERWORTH. No; they do not.

Mr. WHITTHORNE. Two members of the committee say they do not. Why, then, gentlemen, do you make this discrimination at the expense of the line officer of the Navy? What good reason is there for it? Can my friend from Ohio, who has informed me what the provision means, tell me any good reason why the ax should fall on the lieutenants in the line at the age of 45, and not fall upon the doctor or the paymaster or the engineer at 45?

Mr. ATKINS. Because staff officers are never in command of a ship at all.

Mr. BUTTERWORTH. I can only give the gentleman the reason which is given me.

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. WHITTHORNE. Yes, sir.

Mr. BUTTERWORTH. That is, as I understand, officers enter the service in the staff much later in life than in the line; at 21, 23, or 25, while in the line they enter much earlier. But so far as that is concerned, I am in favor of putting them on the same footing, or at least of opening a flow of promotion in the staff. Under the provisions of this bill and the last bill the lieutenant in the Pay Department will get no promotion inside of twenty years in some cases, and in other cases in not less than forty years.

Mr. WHITTHORNE. I will ask my friend from Ohio if he is not aware of the fact that the staff, when it comes to a question of rank, gets the benefit of six years to offset what the line officer has in his six years at the Academy? And does not my friend know when the line officer gets the benefit of these six years that it gives him that much leverage in passing from the rank of lieutenant to that of lieutenant-commander; and if the staff officer enters at a higher age than the lieutenant he gets it back there again, so to speak?

Again, Mr. Chairman, I have to ask the members of the Committee on Appropriations if they are enabled to tell this House the effect of this provision; how many men in the different ranks named will be placed on the retired-list within the next five or ten years? Can they answer that question? And yet this House ought to know before they pass this wholesale provision. You propose to go on increasing the retired-list until you will bring the Navy, in its *personnel* as well as in its material, into reproach before the country. The country now stands, as I may say, appalled at the fact that in this bill you appropriate over $700,000 for the support of men on the retired-list who do nothing. And yet you propose to increase that retired-list, and after increasing it you do not diminish the number of officers on the active-list.

When any criticism is made upon the provisions in this bill the suggestion is thrown out that some means of reformation ought to be proposed. I reply that among other things it is suggested that we pause with the Naval Academy for five or ten years, or in some other manner diminish the number of naval cadets and stop the flow of officers into the service long enough to do justice to those who are already in the service.

I have thus hurriedly gone over the *personnel* of the Navy, and will leave other criticisms upon the subject to another occasion and another time. I now pass to notice the material of the Navy.

In the bill I hold in my hand—and I ask the attention of the committee to what I now state—it is set forth that the total estimates of the Navy Department for the fiscal year ending June 30, 1884, were $23,388,887.54, and that the total amount recommended by the bill from the Committee on Appropriations for that fiscal year is $15,209,100.23.

Now, I respectfully suggest that when members come to look at the appropriations in this bill, instead of there being only $15,000,000, they will find that the Committee on Appropriations have recommended measures herein which, with the direct appropriations, will involve an expenditure of over $23,000,000. In the report which accompanies the bill, which I have before me, is embraced some of the estimates of the Navy Department, and among them is one for increase of the Navy, $7,045,000. The report also states that the sum recommended to be appropriated for that purpose is $1,700,000.

Now is that true in fact? Does this bill stop at the total amount of appropriation of $15,000,000? Does it mean to stick in the wood or in the bark, and authorize contracts to be made which the next Democratic House will be called on to appropriate money for as a deficiency or otherwise?

Mr. ATKINS. I am sure my colleague wants to be exact in his statement.

Mr. WHITTHORNE. Certainly.

Mr. ATKINS. The estimate he alludes to in the letter of the Secretary of the Treasury was not adopted by the committee. I will say, in justice to myself, that I do not concur in some of the provisions of this bill at all. I do not concur in the provision in relation to the increase of the Navy, and all that.

But I suppose my colleague wants to be accurate, and in that regard I call his attention to the fact that only about $4,000,000 is appropriated for the specific purpose of the steel cruisers to which he refers. About $4,000,000 in all that can be contracted for, not $7,000,000. The estimate was for $7,000,000, but only about $4,000,000 are called for in the bill.

Mr. WHITTHORNE. I am glad that my colleague interrupted me. It was for that purpose I desire to call his attention and that of the committee especially to a sentence which I will read. Now, what do these words mean, commencing in line 361 and going down to line 372 of the bill?

But the execution of no contract shall be entered upon for the completion of either of these vessels—

That is, the completion of the monitors—

But the execution of no contract shall be entered upon for the completion of either of these vessels until the terms thereof shall be approved by a board consisting of one line officer, one naval constructor, and one engineer, who shall approve only such contracts as may be to the best advantages of the Government, and fair and reasonable, according to the lowest market price for similar work, from responsible and competent bidders, and at a total cost not to exceed the amounts estimated by the advisory board, in its full report, required by the act of August 5, 1882.

Mr. ATKINS. Allow me just a word more; that has reference to the monitors.

Mr. WHITTHORNE. Yes.

Mr. ATKINS. And the remark I made had reference to the increase of the navy, to the steel cruisers.

Mr. WHITTHORNE. I will come to that in a few moments. Now, I submit to my colleague, or to any lawyer on this floor, if the provision which I have read is not full authority for the Secretary of the Navy to make these contracts? I submit that that was the intention of that clause.

Mr. ATKINS. Will my colleague allow me just one word more?

The CHAIRMAN. Does the gentleman yield?

Mr. WHITTHORNE. Certainly.

Mr. ATKINS. I now state to the House that I am not in sympathy with that part of the bill.

Mr. WHITTHORNE. In my judgment—and I would be willing to leave it to any lawyer—this provision of the bill was intended to confer upon the Secretary of the Navy authority to complete these monitors. And I ask the gentlemen of the Committee on Appropriations, from the chairman all through the committee, to contradict me if I am not correct when I say it will take from four to six millions of dollars to complete these monitors, and if you do that then that amount is to be added to the sum of $15,000,000 which it is stated is appropriated by this bill.

Now, if it is not intended to confer upon the Secretary of the Navy the authority to complete these monitors, then what office and what mission does that sentence in this bill propose to accomplish?

Mr. HISCOCK. To what sentence does the gentleman refer?

Mr. WHITTHORNE. To the sentence commencing in line 361 and ending in line 372.

Mr. HISCOCK. Read it, if you please.

Mr. WHITTHORNE. I have just read it.

Mr. HISCOCK. The bill intends simply to appropriate a certain sum of money for the completion of the engines and machinery of one of the monitors; and it does not intend to allow the expenditure of any further sum than that upon the monitors. If there is any language in the bill which will bear any other construction than that we will co-operate with the gentleman in changing the language so as to make the intention clear and distinct.

Mr. WHITTHORNE. I am aware that the gentleman from New York is a lawyer and a gentleman of candor. I desire his attention while I read this clause of the bill to him:

INCREASE OF THE NAVY.

To be applied by the Secretary of the Navy under the appropriate bureaus: For completing in accordance with the recommendations of the naval advisory board the engines and machinery of the double-turreted iron-clad, which said board may advise to be first completed by new contract or otherwise, as the Secretary may think best for the interests of the Government, $450,000.

Now, before I read the next sentence, I understand the gentleman from New York to say this is all that is proposed to be done.

Mr. HISCOCK. It is.

Mr. WHITTHORNE. Now, I ask him as a lawyer and as a fair and candid man what under the face of the sun means the next sentence, which I will read, and if it means nothing why is it here?

But the execution of no contract shall be entered upon for the completion of either of these vessels until the terms thereof shall be approved by a board consisting of one line officer, one naval constructor, and one engineer.

Mr. HISCOCK. If the gentleman desires to have the bill amended so that no other contract for the completion of engines and machinery shall be entered upon, I believe I am authorized in saying the committee will accept that amendment.

Mr. WHITTHORNE. Then upon that point, having accomplished what I desired, I have not a word further to say.

Mr. HISCOCK. The committee have no concealed purpose; it was their intention to authorize the expenditure of a given sum of money, and no more.

Mr. WHITTHORNE. Then I am satisfied on that point.

Mr. ATKINS. I think that the language which my colleague is criticizing, when fairly construed, relates merely to the vessel which may be selected by this naval advisory board to be completed, and has no other application.

Mr. WHITTHORNE. I am content to rely on the statement which the gentleman from New York has made.

Mr. HISCOCK. There need be no trouble on the part of gentlemen on the other side. We are entirely willing to have this provision of the bill made specific so as to confine it to the engines and machinery of the vessel, though I have no doubt it is so confined now.

Mr. WHITTHORNE. With that assurance I pass on. I have not another word to say on that point.

Now take the sentence next following. I like to deal with my friend from New York [Mr. HISCOCK], for I find him always explicit and to the point. I read the next sentence:

And the Secretary of the Navy shall take possession of the double-turreted ironclads, and if he thinks best, remove the same to the Government navy-yards; and he shall determine the amounts which ought to be paid to the contractors severally for the use and occupation of their yards.

Now, I submit to my friend from New York that the power ought not to be lodged in the hands of the present Secretary of the Navy to "determine the amounts which ought to be paid to the contractors severally for the use and occupation of their yards."

Mr. HISCOCK. In reference to the language which the gentleman has just read, I will say that further on in the bill he will find a provision that the amounts shall be reported to Congress. The Secretary of the Navy pays nothing; he has to report to Congress what in his judgment is a fair and just amount. I drew that provision myself, and it was my intention to reserve to Congress the final auditing of the amount. I intended to do that, and I have no doubt that I did it.

Mr. WHITTHORNE. I am arguing with my friend as a lawyer, and he will see that the moment he delegates to any officer the power to

determine the amount, he gives away everything; and the officer simply reports the amount to Congress—not for auditing or adjustment, but for payment. Under this provision the Secretary of the Navy is to "determine the amounts which ought to be paid" and to report the same to Congress.

Mr. BLOUNT. I would like to ask my friend from New York [Mr. HISCOCK] whether the language of the bill does not carry with it an acknowledgment on the part of the Government that it is bound to pay something for the use of those yards?

Mr. HISCOCK. I will answer that question. I believed when that provision was prepared that we were bound to pay something, not for the failure on the part of the Government to perform the contract heretofore made, but for the use and occupation of the premises of these people. That was my idea.

Mr. BLOUNT. I supposed it was.

Mr. HISCOCK. But if the gentleman will look further on in the bill he will find that this allowance is limited in terms to an allowance for the use and occupation of their premises.

Mr. WHITTHORNE. I am now in this general debate developing the facts in regard to matters upon which, when we consider the bill under the five-minute rule, I shall most likely have something to say, and then I shall take issue with my friend as to the liability of the Government. I now read another provision of the bill:

For the construction of the steel cruiser of not less than 4,000 tons displacement now specially authorized by law, two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each, and one dispatch boat, as recommended by the naval advisory board in its report of December 20, 1882, $1,300,000.

Then a little further down we find that the amount appropriated by the last Congress and unexpended—about $1,200,000, as I understand—is reappropriated for this purpose.

Mr. HISCOCK. I wish to say this to the gentleman, as he asks me the question: My understanding is that it does not amount to $1,200,000 applicable to that purpose. It is only so much of those appropriations which are now unexpended. There are six months' appropriations yet unexpended.

Mr. WHITTHORNE. So much the better, then, for the point I am making. I submit that under the language of this bill the Secretary of the Navy is authorized and directed to contract for or to have built a cruiser of 4,000 tons, two of not less than 2,500 tons, and the dispatch boat. He is authorized to do that, and now I submit——

Mr. HISCOCK. Just there I wish to say——

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. HISCOCK. He is asking me a question.

Mr. WHITTHORNE. Certainly, I yield to the gentleman from New York.

Mr. HISCOCK. Under the law of last summer he was authorized to build the vessel mentioned here of not less than 4,000 tons displacement. The new authority in this bill is to build two vessels, between 2,500 and 3,000 tons displacement, and the dispatch boat.

Mr. WHITTHORNE. The point I am desiring to bring to the attention of the committee, and I submit it to the candor of the gentleman from New York, is, that when you have authorized the building of four vessels you have not on the face of the bill appropriated the amount required for that purpose. Hence, Mr. Chairman, the next Congress of the United States will find itself bound by your authorized contract to meet the deficiency required for the completion of these vessels. I submit to my friend, I submit to the committee, that it would be frank to name the entire amount required for the construction of these vessels which are authorized by this bill.

Mr. HISCOCK. If the gentleman will look at the estimates of the advisory board he will find precisely the amount which it will cost to build these vessels.

Mr. WHITTHORNE. Ay, and it is because I have looked at that report that I have discovered you have not in this bill appropriated a sufficient amount for that purpose.

Mr. HISCOCK. Oh, no; there is nothing concealed here. We say very distinctly and explicitly we have not intended to appropriate all of the money necessary to build these vessels. We intended only to appropriate such money as can be expended during the next fiscal year.

Mr. WHITTHORNE. That is the point I am coming to. Then during the next Congress of the United States we are to be held responsible for these contracts. And these vessels are to be built—where? The proviso says that he shall utilize the national navy-yards for that purpose. Sir, I appeal to the distinguished chairman of the Committee on Naval Affairs, to the gentleman from Massachusetts [Mr. HARRIS], and ask him to answer before this committee whether the navy-yards of the United States are in a condition to fill any of the requirements to build any of these steel vessels?

Mr. HARRIS, of Massachusetts. I wish the gentleman from Tennessee to answer me one question.

Mr. HISCOCK. First let me answer that question.

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from New York?

Mr. WHITTHORNE. Certainly.

Mr. HISCOCK. He is to utilize the navy-yards where it can be done with advantage. That is the language of the bill.

Mr. HARRIS, of Massachusetts. Will the gentleman from Tennessee yield to me?

Mr. WHITTHORNE. Yes, sir.

Mr. HARRIS, of Massachusetts. Will the gentleman from Tennessee vote to appropriate all of the money at this session of Congress necessary to finish the cruisers named in this bill, because I propose to do that?

Mr. WHITTHORNE. I will answer my friend candidly and frankly, that he knows now that the work can not be done at the navy-yards in their present condition. It will take a large sum of money to do that. I will say that I will vote to build one steel cruiser of the size determined at the last session, one of 4,000 tons displacement, one 2,500 tons displacement, and a steel ram or two. I will vote for a dispatch boat and for a torpedo boat.

Mr. HARRIS, of Massachusetts. I am glad to hear that.

Mr. WHITTHORNE. I will have to say for myself, Mr. Chairman, that I believe I was the first man in the legislative halls of this country to advocate the building of steel cruisers. At that time I was ridiculed, or rather the idea was ridiculed, on this floor.

Mr. O'NEILL. Will the gentleman yield to me?

Mr. WHITTHORNE. For a moment.

Mr. O'NEILL. Merely to ask the gentleman a question. I ask him in view of what he has stated, where he would have those vessels built, whether in the navy-yards of the country or in private ship-yards?

Mr. WHITTHORNE. I have stated to my friend I am in favor of a good and proper bill providing for the building of these vessels by contract, but not at our navy-yards.

Mr. O'NEILL. Mr. Chairman, it appears to me the provisions of this bill in respect to these monitors are going rapidly to the end of closing the navy-yards of the country and putting them in the possession of contractors as the place where they may build their ships. That is my objection to this section. The bill is in the line of closing the navy-yards of the United States where many of these vessels could be properly built and giving up those navy-yards to the use of private contractors.

Mr. WHITTHORNE. I thank my friend from Massachusetts [Mr. HARRIS] for his interruption, for I had about come to the conclusion of the remarks I had proposed to submit to the committee on this occasion.

No, Mr. Chairman, let the Government be protected in making contracts for these experimental vessels, and I think it can, for we have the statement of one of the distinguished ship-builders of this country, who says, in substance, if the Government will give him the contract he will undertake to build a steel or iron cruiser guaranteeing 17-knot speed. I refer to Mr. Ganze, of Wilmington. But no such vessels as that are proposed to be built here. You are making an experiment. All of your steel cruisers that you propose here are simply experiments, and for one I would not trust this work to your navy-yards and pay all the cost of failure. I would protect the Government, and seek while making the experiments the highest ability, engineering skill, and constructive talent of the country. And in doing so I would avail myself, as I have referred to heretofore, of the skill of an American citizen, for I believe that the solution of this armor question is to be solved by the genius, the perseverance, and the skill of that distinguished officer now on the retired-list, Passed Assistant Engineer Clark. I believe his invention and genius will determine the question, and in that way I would be as liberal in appropriations for this service as the gentleman from Massachusetts desires to be.

I thank the committee for its attention.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. ROBINSON, of Massachusetts, having taken the chair as Speaker *pro tempore*, a message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

NAVAL APPROPRIATION BILL.

The Committee of the Whole resumed its session.

Mr. THOMAS. Mr. Chairman, the bill before the committee is entitled "A bill making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes." An examination of the terms and provisions of the bill and an investigation of the different objects and purposes of the various proposed appropriations have served to produce many and changing emotions in my mind.

Quite a number of objects are mentioned and appropriated for in this bill. Its far-reaching arms extend from the pay of the Admiral to that of the common sailor, and from the building of a 4,000-ton steel cruiser to the repairing of a captain's gig.

Upon the assembling and organization of the Forty-seventh Congress, the Committee on Naval Affairs set to work in earnest to devise some means by which the Government could secure some decent, effective, modern war vessels upon which to float the American flag, vessels that the whole country would be proud of and which would secure to us the respect of the world as well on the land as on the sea.

That committee worked from three to four days in each week for four months, taking evidence, making examinations, listening to arguments, and observing experiments.

As the fruit of that arduous and exhaustive examination the committee, by its chairman [Mr. HARRIS], whom the whole country honors for his ability, integrity, energy, and industry, reported to the House the following bill, which was placed upon the Calendar:

A bill authorizing the construction of vessels of war for the Navy of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and directed to cause to be constructed six cruising vessels of war, the same to be constructed of "open-hearth" steel, of domestic manufacture, having a tensile strength of not less than 55,000 pounds to the square inch, and a ductility in eight inches of not less than 25 per cent., said vessels to be provided with full sail-power and full steam-power.

SEC. 2. That two of said vessels shall be of not less than 5,000 nor more than 6,000 tons displacement, and shall have the highest attainable speed, and not less than an average speed at sea of 15 knots per hour under steam alone, and shall each be armed with four breech-loading rifled cannon of high power, of not less than 8-inch caliber, and not more than twenty-one breech-loading rifled cannon of high power, of not less than 6-inch caliber. Four of said vessels shall be of not less than 4,300 nor more than 4,700 tons displacement, and shall have the highest attainable speed, and not less than an average speed at sea of 14 knots per hour under steam alone, and shall each be armed with four breech-loading rifled cannon of high power, of not less than 8-inch caliber, and not more than fifteen breech-loading rifled cannon of high power, of not less than 6-inch caliber.

SEC. 3. That the Secretary of the Navy is hereby further authorized and directed to cause to be constructed one steam-ram, having a displacement of not more than 2,000 tons, to have an average speed at sea of not less than 13 knots per hour, and to be constructed of steel of the quality and kind hereinbefore designated; and four steam cruising torpedo-boats, not exceeding in length one hundred and twenty-five feet each, and having a maximum speed of not less than 21 knots per hour; and four steam harbor torpedo-boats, not exceeding in length one hundred feet each, and having a maximum speed of not less than 17 knots per hour; all of said torpedo-boats to be constructed of steel of the quality and kind hereinbefore designated. And there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000,000, to be expended under the direction of said Secretary of the Navy for the construction of said six cruising vessels of war, their engines, boilers, and armament; the said steam-ram, its engines and boilers; and the said torpedo-boats; which sum, or so much thereof as may be necessary, shall be immediately available on the passage of this act.

SEC. 4. That the Secretary of the Navy is hereby empowered and directed to organize a board of naval officers and experts for his advice and assistance, to be called the "naval board of advice and survey," to serve during the period required for the construction, armament, and trial of the vessels hereby authorized to be constructed, and no longer. Said board shall consist of five officers on the active-list of the Navy in the line and the staff, to be detailed by the Secretary of the Navy, without reference to rank and with reference only to character, experience, knowledge, and skill, and two persons of established reputation and standing, experts in science and in the arts of ship-building, steam-engineering, and naval ordnance, to be selected from civil life and employed for this sole duty by the Secretary of the Navy, and to be paid such sum, out of the appropriation hereby made, not exceeding $50,000, as he may direct: *Provided, however*, That no person shall be a member of said board who has any interest, direct or indirect, in any invention, device, or process, patented or otherwise, to be used in the construction of said vessels, their engines, boilers, or armament. It shall be the duty of said board to advise and assist the Secretary of the Navy, in his office or elsewhere, in all matters referred to them by him relative to the designs, models, plans, specifications, and contracts for said vessels in all their parts, and relative to the materials to be used therein and to the construction thereof, and especially relative to the harmonious adjustment, respectively, of their hulls, machinery, and armament; and they shall examine all materials to be used in said vessels, and inspect the work on the same as it progresses, and have general supervision thereof, under the direction of said Secretary. But said board shall have no power to make or enter into any contract nor to direct or control any officer of the Navy, the chief of any bureau of the Navy, or any contractor, but shall in all things be subject to the order and direction of said Secretary.

SEC. 5. That the Secretary of the Navy is hereby directed to cause one-half in number, as near as may be, of the vessels hereby authorized to be constructed, including their engines and boilers, to be built in the navy-yards of the United States having the requisite facilities for the work, and to cause the other half to be built in whole or in part by contract: *Provided, however*, That if it shall be found to be impracticable to build one-half of said vessels in the navy-yards without the expenditure of money for the necessary tools or plant beyond the amount now appropriated, or hereafter to be appropriated, and made available for that purpose, during the next fiscal year, then the same, or any part thereof, may be built by contract. And the cannon and their carriages for the armament of said vessels may be built by contract, or partly by contract and partly in the navy-yards having the facilities therefor, as the Secretary of the Navy may determine. The Secretary of the Navy shall require of all persons contracting for the building of said vessels, their engines, boilers, or armament, bonds, with approved sureties, for the faithful performance of such contract; and he shall retain at least 20 per cent. of the contract-price until the contract is completed and the work accepted.

SEC. 6. That neither of the vessels hereby authorized to be built shall be contracted for or commenced until full and complete detail drawings and specifications thereof in all its parts, including the hull, engines, and boilers, shall have been provided or adopted by the Navy Department, and shall have been approved, in writing, by said board, or by a majority of the members thereof, and by the Secretary of the Navy; and after said drawings and specifications have been provided, adopted, and approved as aforesaid, and the work has been commenced or a contract made for it, they shall not be changed in any respect, when the cost of such change shall in the construction exceed $100, except upon the approval of said board, or a majority of the members thereof, in writing, and upon the written order of the Secretary of the Navy; and if changes are thus made, the actual cost thereof and the damage caused thereby shall be ascertained, estimated, and determined by said board; and in any contract made pursuant to this act it shall be provided in the terms thereof that the contractor shall be bound by the determination of said board, or a majority thereof, as to the amount of the increased or diminished compensation said contractor shall be entitled to receive, if any, in consequence of such change or changes.

SEC. 7. That the Secretary of the Navy is hereby authorized to cause either or any of the six cruising vessels of war aforesaid to be provided with interior deflective steel armor, if the same, upon full investigation, shall seem to be practicable and desirable, and if the same shall be approved by said board, or a majority thereof, in writing. Before any of the vessels hereby authorized shall be contracted for or commenced, the Secretary of the Navy shall, by proper notice, invite all engineers and mechanics of established reputation, and all reputable manufacturers of vessels, steam-engines, boilers, and ordnance having or controlling regular establishments and being engaged in the business, all officers of the Navy, and especially all naval constructors, steam-engineers, and ordnance officers of the Navy, having plans, models, or designs of any vessels of the classes hereby authorized, or of any part thereof, within any given period, not exceeding sixty days, to submit the same to said board; and it shall be the duty of said board to carefully and fully examine the same and to hear any proper explanation thereof, and to report to the Secretary of the Navy, in writing, whether, in their opinion, any such plan, model, or design, or any suggestion therein, is worthy of adoption in the construction of said vessels, their engines, boilers, or armament; and if in such construction any such plan, model, design, or suggestion shall be adopted, for the use of which any citizen not an officer of the Navy would have a just claim for compensation, the Secretary of the Navy shall report the facts to Congress, with a statement of the amount which in his opinion should be paid to such person.

SEC. 8. That section 3721 of the Revised Statutes is hereby amended so that the provisions which require that supplies shall be purchased by the Secretary of the Navy from the lowest bidder, after advertisement, shall not apply to ordnance or the material entering into the manufacture of ordnance, gunpowder, and war explosives, or the materials entering into the manufacture thereof.

SEC. 9. That the Secretary of the Navy is hereby authorized to cause to be constructed a vessel to be used for the defense of our commerce upon the Northwestern lakes, of not more than 1,200 tons displacement, the same to be built of steel and armed with guns of approved character for that service, said vessel to be constructed so as to be able to pass over the shoals in Lake Saint Clair and the Detroit and Saint Clair Rivers, and to have all the speed possible without too great a sacrifice of other necessary qualities, at a cost not exceeding $400,000, the same to be constructed out of any fund which may hereafter be made available for such purpose.

Many efforts were made by Mr. HARRIS and other members of the committee during the last session of Congress to have a day fixed for the consideration of that bill; but the consideration of bills authorizing the construction of public buildings all over the country, the Tariff Commission, and the approaching election seemed more important to a majority of the House of Representatives than rebuilding the American Navy, and so the bill has never yet been considered and I fear never will be.

The biting frost of the last November election, which nipped the budding hopes and ended the official career of so many of the country's Congressional servants, seems to have driven the leaders of this House squarely into that narrow road of "retrenchment and reform" by which the Democratic party, under the leadership of that great patron of cipher dispatches, Samuel J. Tilden, tried, but fortunately failed, to reach the control of this country.

Niggardly and insufficient appropriations for proper purposes are never indorsed by the people, and instead of economy, are the worst sort of demagogy.

This bill is much too liberal—liberal even to reckless extravagance—in some of its provisions, while in other matters of the greatest possible moment to the country it is wholly insufficient.

Have the members of this House examined as to the number, quality, and condition of the vessels composing our Navy, and compared them with the vessels and armament of other countries? Let me quote from the report of the Naval Committee of the House where full and complete information on these points may be obtained:

The Naval Register last issued brings official information concerning the Navy down to January 1, 1882. The list of one hundred and forty vessels there given is made up of the following classes:

Steam-vessels:		
First rates		13
Second rates		20
Third rates		27
Fourth rates, including two torpedo-boats		8
Total		68
Sailing vessels:		
Second rates	4	
Third rates, first-class	6	
Third rates, second-class	8	
Fourth rates	5	
Total		23
Iron-clads		24
Tugs		25
Total number of vessels of all classes		140

On the 10th day of January last this committee made a report (No. 139) to the House on the subject of the bill H. R. 677, entitled "A bill to provide a permanent construction fund for the Navy, and for other purposes," in which they give a list of eight steam-vessels which are unfinished on the stocks in the navy-yards, rotten and utterly worthless. That list is as follows:

Name.	Age.	Guns.	Tonnage.	Displacement.	Location.
Connecticut	1867	21	2,869	4,450	Boston.
Pennsylvania	1867	22	2,490	4,000	Do.
Java	1867	21	2,490	4,000	New York.
Colossus	1867	4	2,127	.....	Do.
Massachusetts	1867	4	2,127	.....	Portsmouth, N. H.
Oregon	1867	4	2,127	.....	Boston.
Virginia	1818	.....	2,600	4,150	Boston, partly cut down.
New Orleans	1818	.....	.....	4,150	Sackett's Harbor.

Another list is given of fourteen vessels, which includes only worn-out, obsolete, and worthless vessels, which it would be shameless folly and unpardonable extravagance to attempt to repair, having no possible present or prospective

use, and which cost annually a considerable sum to guard and save from depredation by harbor thieves. That list is appended:

STEAM VESSELS.

Names.	Age.	Guns.	Tonnage.	Displacement.	Location.
FIRST RATE.					
Niagara	1855	12	2,958	5,440	Boston.
Florida	1864	12	2,135	4,220	New London.
SECOND RATE.					
Susquehanna	1850	23	2,213	3,980	New York.
Congress	1867	16	2,000	3,050	Portsmouth, N. H.
Worcester	1867	13	2,000	3,150	Norfolk.
Benicia	1867	12	1,122	2,400	Mare Island.
Canandaigua	1862	9	955	2,130	Norfolk.
Monongahela	1862	9	960	2,100	Mare Island.
THIRD RATE.					
Narragansett	1858	5	566	1,235	Mare Island.
Kansas	1863	3	410	900	Portsmouth, N. H.
Saco	1863	3	410	900	Mare Island.
Nyack	1863	3	410	900	Do.
Shawmut	1863	3	410	900	Norfolk.
FOURTH RATE.					
Frolic (purchased)	1864	8	614	1,300	Washington, D. C.

Still another list is given, which includes eight old sailing ships and two ironclads, all of which, with perhaps the exception of the ironclad Dictator, are utterly worthless for naval purposes and wholly unworthy of repair. That list is as follows:

SAILING VESSELS.

Names.	Age.	Guns.	Tonnage.	Displacement.	Location.
Ohio	1820	5	2,700	4,250	Boston.
Constitution	1797 and 1876	6	1,335	2,200	League Island.
Sabine	1855	22	1,475	2,450	Portsmouth, N. H.
Savannah	1842	.....	1,475	2,330	Norfolk.
Cyane	1837	2	695	950	Mare Island.
Guard (purchased)	.....	2	925	.....	Portsmouth, N. H.
Relief	1836	2	468	.....	Washington, D. C.
Supply	1846	2	547	.....	League Island.
Dictator	.....	2	1,750	4,500	Do.
Roanoke	.....	6	2,260	.....	Chester, Pa.

Of the twenty-five "tugs, &c.," borne on the Naval Register, the committee estimate that at least ten are worn out and useless, and which should be sold or demolished. If the committee are correct in their estimate, here are forty-two, out of one hundred and forty vessels of all classes, whose names appear as part of the "Navy of the United States," representing not only no naval power whatever, but which can hereafter serve no useful purpose, and which are, moreover, a constant drain on the appropriations for the support of the Navy, and a consequent loss to the Government to the extent of the cost of their protection, which aggregates annually no small sum.

As an illustration, we may take the case of the Niagara, at Boston, which has been tied up to her dock, a worthless hulk, since the attempt to repair her, nearly or quite eighteen years ago, was abandoned. She has cost for her care alone since that time more than $98,000, and it is doubtful if she is worth to-day, or will bring $25,000 at auction. Other instances of the same kind are numerous, and the statistics on that subject are in preparation and will be laid before Congress.

We regret that we are unable to present them in this report for want of time for their completion. From the list of one hundred and forty vessels whose names are borne on the Register, forty-two thus fall out at once, without question or doubt, and we are left with a total navy of only ninety-eight vessels of all classes. But this does not, by any means, tell the story of our naval weakness, for of these ninety-eight fifteen are but navy-yard tugs, which are not serviceable for war purposes. We therefore treat them as tools, useful in navy-yards and naval stations, as are other tools and machines, as a part of the plant, rather than as vessels of the Navy, and we strike them out of the ninety-eight, leaving only eighty-three as the total number of our vessels of the Navy capable of service.

But our humiliation is not yet complete. Of these eighty-three fourteen are old sailing vessels of a by-gone age, and of an outgrown and abandoned system. We give their names, ages, tonnage, guns, and their present location and use:

Name.	When built.	No. of guns.	Tonnage.	Displacement.	Location and use.
New Hampshire	1818	15	2,600	4,150	Repairing at Norfolk for training-ship for boys.
Vermont	1848	19	2,400	4,150	Receiving-ship at New York.
Constellation	1797 and 1854	10	1,226	1,886	Practice-ship at Naval Academy.
Independence	1814	22	1,891	3,270	Receiving-ship at Mare Island, California.
Santee	1855	48	1,475	2,430	Gunnery-ship at Naval Academy, Annapolis, Maryland.
Portsmouth	1843	12	846	1,125	Apprentice training-ship.
Jamestown	1844	12	888	1,150	Fitting for apprentice training-ship.
Saratoga	1843	12	757	1,025	Training-ship at Washington; a hulk.
Saint Louis	1828	.....	431	830	Receiving-ship at League Island, Pennsylvania.
Saint Mary's	1844	8	766	1,025	Public Marine School, New York. Lent to that State.
Dale	1839	8	320	675	Practice-ship at Naval Academy, Annapolis, Maryland.
Pawnee	1858	.....	872	1,650	Store-ship at Port Royal.
Onward	(*)	3	704	.....	Store-ship at Callao, Peru.
Freda	(*)	.....	.....	.....	Mare Island, California.

* Purchased.

By deducting these our list falls from eighty-three to sixty-nine. These sixty-nine include steam-vessels only and were intended for war purposes. This number must be again reduced by withdrawing the name of the Arctic ship Rodgers, which was purchased for and sent out on the humane mission of rescuing lost Arctic explorers and burned, and the names of four double-turreted ironclad monitors, now on the stocks in the private yards of contractors at Wilmington, Chester, Philadelphia, and Mare Island, with the question of their fate still undecided, namely, Amphitrite, Puritan, Terror, and Monadnock; and also the name of the Miantonomoh, now afloat at League Island, Pennsylvania, new and in perfect condition and ready for sea; except that having neither turrets nor guns she has no excuse for going to sea. With this reduction our list falls to sixty-three. But if we seek our present real naval power for active service at sea we must continue this dissolving view. The following table gives the names, ages, displacement, tonnage, guns, and present use of several steam-vessels of the Navy, some of which are not in present condition for service, some of which can never be made so, and all of which are of very doubtful value to the service:

Name.	When built.	Guns.	Tonnage.	Displacement.	Present location, condition, and use.
Franklin	1854	39	3,173	5,170	Receiving-ship at Norfolk.
Colorado	1855	46	3,032	4,700	Receiving-ship at New York.
Minnesota	1855	46	3,000	4,700	Training-ship at Newport, R. I.
Wabash	1854	45	3,000	4,650	Receiving-ship at Boston.
New York	1865	21	2,490	4,070	A frame on the stocks at New York; live oak; worthy of being finished.
Iowa	1865	25	2,019	4,000	Probably worthless; at Boston; machinery taken out; white oak; built at close of the war; very fast; did no service.
Antietam	1865	21	2,490	4,000	A mere hulk; at League Island; white oak; launched in 1874; used as store-ship and marine barracks; no machinery on board.
Michigan	1844	8	450	685	Iron paddle-wheel lake boat at Erie, Pa.; should give place to a vessel of war to fill treaty rights of United States.
Tallapoosa	1863 and 1874	2	650	1,270	A transport used by Navy Department; lately repaired; a good vessel and useful to the Government in this service.
Dispatch	Purch'sd.	4	730	.....	A mere dispatch vessel; a purchased pleasure yacht; fast, and useful to the Government in this service.
Intrepid	1870	.....	311	800	Built for torpedo service; strong and able, but too slow; could be made useful if completed; no torpedo machinery on board.

It is manifest that these vessels can be of little if any practical service in actual war, and we deduct them from our list, which reduces the navy to fifty-two. But of this reduced number fourteen are of the single-turreted monitor class, not suited for cruising service, and only to be relied upon for coast and harbor defense. They are good vessels of their class, have been rebuilt of iron, or rather have had their old wooden beams replaced with iron since the war. Whether good or bad, they are all we have in the nature of iron-clad harbor defenders afloat and armed, and yet there is not one breech-loading rifle gun of any size in the entire fleet. They are all armed with smooth-bore guns of large caliber, but of small power and short range. They did good service during the war in a contest with an enemy which had no navy. Some of them bear the scars of war, and are objects of respect and veneration, but it is unsafe longer to rely on them as our sole defense against the powerful navies of modern times. They are all classed as fourth-rates, and are as follows, with their guns, tonnage, &c.:

Name.	When built.	Guns.	Tonnage.	Displacement.	Location.
Ajax	1865	2	550	2,100	City Point, James River.
Canonicus	1864	2	550	2,100	Navy-yard, Pensacola.
Camanche	1865	2	496	1,875	In ordinary, Mare Island, Cal.
Catskill	1863	2	496	1,875	City Point.
Jason	1863	2	496	1,875	League Island, Pennsylvania.
Lehigh	1866	2	496	1,875	City Point.
Mahopac	1864	2	550	1,875	Do.
Manhattan	1864	2	550	1,875	Do.
Montauk	1863	2	496	1,875	In commission, Washington.
Nahant	1863	2	496	1,875	League Island.
Nantucket	1863	2	496	1,875	Annapolis, Maryland.
Passaic	1862	2	946	1,875	Receiving-ship, Washington.
Saugus	1864	2	550	2,100	Laid up at Washington.
Wyandotte	1866	2	550	2,100	In commission, Washington.

We have now left to account for only 38 vessels, and in this number is to be found all the naval power for ocean service of the United States. We annex a table of these 38 vessels, their ages, tonnage, displacement, and guns, the present service, or location, if out of active service. We give them by classes as they stand in the register:

Ocean service of the United States.

Name.	When built.	Tonnage.	Displacement.	No. of guns.	Kind of guns.	Service.
FIRST RATE.						
Tennessee	1863	2,840	4,840	21	18 s. b.,*3 rifle	Flag-ship, North Atlantic squadron.
SECOND RATE.						
Powhatan	1850	2,182	3,980	16	14 s. b., 2 rifle	Paddle-wheel, on special duty.
Trenton	1876	2,300	3,800	11	11 8-inch rifle	Out of commission at New York.
Lancaster	1858	2,120	3,250	20	20 s. b.	Lately repaired, European station.
Brooklyn	1858	2,000	3,000	18	16 s. b., 2 rifle	Flag-ship, South Atlantic station, en route.
Pensacola	1858	2,000	3,000	22	20 s. b., 2 rifle	Flag-ship, Pacific station.
Hartford	1858	2,000	2,900	16		Rebuilding at Boston, to have rifled 8-inch converted.
Richmond	1858	2,000	2,700	14	12 s. b., 2 rifle	Flag-ship, Asiatic squadron.
Alaska	1867	1,122	2,400	12	10 s. b., 2 rifle	Pacific station.
Omaha	1869	1,122	2,400	12	12 s. b.	Repairing at Portsmouth, New Hampshire.
Plymouth	1867	1,122	2,400	12	12 s. b.	Do.
Lackawanna	1862	1,026	2,220	9	6 s. b., 3 rifle	Pacific station.
Ticonderoga	1862	1,019	2,220	9	6 s. b., 3 rifle	Lately returned to New York.
Vandalia	1874	981	2,080	8	7 s. b., 1 rifle	North Atlantic squadron.
Shenandoah	1862	929	2,100	9	6 s. b., 3 rifle	Flag-ship, South Atlantic squadron.
THIRD RATE.						
Juniata	1862	828	1,900	8	7 s. b., 1 rifle	Repairing at New York, nearly complete.
Ossipee	1861	828	1,900	8	8 s. b.	Repairing at League Island.
Quinnebaug	1866	910	1,900	8	6 s. b., 2 rifle	European station.
Swatara	1865	910	1,900	8	7 s. b., 1 rifle	Asiatic squadron.
Marion	1874	910	1,900	8	7 s. b., 1 rifle	South Atlantic squadron.
Mohican	1858	910	1,900	8	7 s. b., 1 rifle	Repairing at Mare Island, California.
Iroquois	1858	695	1,575	7	7 s. b., 1 rifle	Do.
Wachusett	1861	695	1,575	7	6 s. b., 1 rifle	Pacific station.
Wyoming	1858	726	1,560	7	6 s. b., 1 rifle	Naval station, Port Royal.
Galena	1862	910	1,900	8	7 s. b., 1 rifle	European station.
Tuscarora	1861	726	1,560	7	6 s. b., 1 rifle	Repairing at Mare Island, California.
Kearsarge	1861	695	1,550	7	6 s. b., 1 rifle	North Atlantic station.
Adams	1874	615	1,375	6	5 s. b., 1 rifle	Pacific station.
Alliance	1874	615	1,375	6	5 s. b., 1 rifle	Lately returned from Arctic voyage.
Essex	1874	615	1,375	6	5 s. b., 1 rifle	Pacific station.
Enterprise	1874	615	1,375	6	5 s. b., 1 rifle	North Atlantic station.
Nipsic	1863 and 1879	615	1,375	8	6 s. b., 2 rifle	European station.
Ashuelot	1865	786	1,370	6	4 s. b., 2 rifle	Asiatic station.
Monocacy	1866	747	1,370	6	4 s. b., 2 rifle	Do.
Alert	1874	541	1,020	4	3 s. b., 1 rifle	Do.
Ranger	1874	541	1,020	4	3 s. b., 1 rifle	On surveying duty in the Pacific.
Yantic	1864	410	900	5	4 s. b., 1 rifle	North Atlantic station.
FOURTH RATE.						
Alarm	1873	311	1,550	1	1 s. b., 15-inch	In commission at Washington.

* s. b., smooth-bore.

It may seem useless to further point out the weakness of our Navy, buf it is best that the whole truth be known now, so that we who have the responsibility for the future peace and safety of the country upon us may have the perils and dangers of neglect of present duty clearly before us. A careful examination of the last table, in which is displayed the whole of our offensive naval power, will satisfy any person that many of the vessels there named are old and nearly worn out, slow in speed, feeble in offensive power, and utterly deficient in defensive power, even in the power of running away from danger, and which, when war comes, will only be safe behind fortifications or unapproachable harbors.

The Powhatan will serve as an illustration. She is our second ship in size in active service and is at the head of our list of second rates. She was built in 1850—more than thirty years ago—and is propelled when under steam by the paddle-wheel, which is now seldom seen at sea. She is little more than a sailing-vessel with auxiliary steam power. She could not fight with the smallest vessel of our Navy. The little torpedo boat Alarm, with her one smooth-bore fifteen-inch gun and more rapid speed and her wonderful capacity of so maneuvering as always to keep her sharp deflective armored prow and great gun to the front, would be an antagonist with which the Powhatan would never successfully engage. And if, in addition to her gun, the Alarm would bring her bow torpedo into play, in a contest with the Powhatan, the trial would end in a few minutes by the sinking of that first of our second-rate vessels of war.

The Omaha, the Plymouth, the Ossipee, and other of our vessels are now out of active service, awaiting destruction or repair as future necessity or policy shall determine, and it is extremely doubtful whether a wise economy does not dictate their abandonment as vessels of war. The Lancaster has lately been rebuilt at enormous cost, and we can not but entertain a doubt whether every dollar spent upon her has not been wasted. She is really a new ship, and in many respects better than she was at first, but she is a new ship on an old and outgrown model, and possessed of but few of the qualities required in modern cruising vessels of war. It is often said of her that she is a fine ship in times of peace.

But we have little respect for a ship of war which is only good in times of peace. Profound respect is paid to that ship in times of peace or war which is ready for war, and such vessels, and such only, few in numbers though they may be perhaps, are those which this country can afford to maintain. One such vessel is worth a whole navy of obsoletes. The Hartford is undergoing the same process at large cost and will soon be completed, but when finished and afloat she will be only a new ship on an old plan, as good as before and no better. The progress of an age has been made—an age of startling development in war and the arts of naval architecture—since she was conceived and brought into being. When she first took the sea and proudly bore her flag she was the equal in speed and in offensive and defensive power of any vessel of her class in the world. When she achieved her victories and won glory for herself and immortal fame for her great commander she was but five years old and as good as any vessel of her class afloat. She was built of wood, and so were most of the war ships of her time.

Other vessels have, within a few years, been brought back from "rotten row" into the service in the same way and at great cost. The process may go on indefinitely unless a different and wiser policy is now established.

Had the money which has thus been expended (and properly expended in the absence of authority of Congress to make wiser use of it, perhaps) been applied to the completion and armament of our double-turreted iron-clad monitors we should not now be, as we confessedly are, helpless to defend our own shores and great commercial centers against the attack of the smallest nation of the earth, which may have had the courage and the wisdom to buy and to fit out a modern iron-clad vessel of war effectively armed.

The double-turreted iron-clad monitor Monadnock is now on the stocks in the private ship-yard of Mr. Burgess, at Vallejo, California, half finished. She was intended to be a defense for the city of San Francisco and the west coast. The money which has been expended in rebuilding obsoletes of wood since work on the Monadnock was suspended would have finished and armed that vessel with the most powerful guns of modern times, and San Francisco, the great center of our Pacific commerce, would be in no danger from an enemy. We are not probably in danger of falling into new difficulty with Chili; but that people have just passed through a great war with Peru. They are flushed with victory. They may, like other nations under similar circumstances, feel able to resent supposed insults, and may treat gentle expostulation as intended threat. War generally comes without sufficient cause and with short notice. Should Chili find cause to make war on us she would have it all her own way from the start, and in one day would inflict greater injury upon our people than the cost of fifty Monadnocks could repay.

Chili has three European-built ironclads in her navy, namely:

Name of vessel.	Thickness of armor, in inches.	Displacement, in tons.	Speed, in knots.	Number and description of guns.
Almirante Cochrane*	4½ to 9	3,560	12.8	6 9-inch 12½-ton guns.
Blanco Encalada*	4½ to 9	3,560	12.8	Do.
Huascar†	4½ to 5½	1,100	11	2 300-pdrs., 4 40-pdrs.

*Full sail-power. †Captured from Peru.

The United States naval force on this—the South Pacific station—consists of four unarmored wooden vessels, namely, Pensacola (flag-ship), Alaska, Lackawanna, and Adams. The Pensacola can make 8 knots per hour; the Alaska, 11 knots; the Lackawanna, 8 knots; and the Adams 11 knots. Not one of these vessels could either overtake or run away from the Almirante Cochrane or the Blanco Encalada. The entire squadron is not of sufficient force to compete successfully with even one of these two ironclads, and not of sufficient speed to avoid a hopeless conflict.

It is manifest that in a conflict with this small nation the United States would be helpless to resist the first attack, the most important thing to do in war always, and Chili could levy tribute on the city of San Francisco or seal up the Golden Gate as with an iron wall.

GUNS.

It is not in ships alone that we are weak. The guns on the single-turreted monitors are all smooth-bore muzzle-loaders. There are in the armament of the thirty-eight cruising vessels shown in the table three hundred and eighty-six guns of all classes.

We may not be entirely accurate in this statement, and we have again to regret the absence of official information in the course of preparation. But it is manifest that our Navy is sadly deficient in guns and that we have not one high-power long-range rifled breech-loading cannon afloat in the Navy, and it may as well be said here that we have not one to put afloat.

It is perhaps not to be regretted that we have not spent large sums of money in the manufacture of guns since the close of the war, for we have doubtless escaped many expensive blunders thereby. The time has not been wholly lost. Our manufactures have been developed during that period to a degree quite unprecedented in our own history. At the close of our war there was not a pound of steel made in this country fit for the fabrication of cannon. To-day our manufacturers can produce steel of the best quality for that purpose in very large quantities, and with their present plant can supply over 150,000 tons a year for that purpose, besides supplying the present demand for steel for all other purposes. The steel made in this country is better than that made in Europe. In six months' time, if we were called upon for it, we could furnish all the steel which the gun-makers of the world could use.

Such is the Navy of the United States.

The defense of our harbors and the great centers of our commerce is found in fourteen light-draught monitors armed with twenty-eight smooth-bore muzzle-loading guns, and one experimental torpedo-boat with one gun.

Our naval power on the ocean is represented by thirty-eight cruising vessels of all classes, carrying three hundred and fifty-seven guns of all calibers, none of which are of power or high breech-loaders, and only sixty-two of which are rifled.

In order to enable this House and the country to compare our Navy with the navies of other countries we here insert tables of the English navy compiled from official records at the Navy Department and a few leaves from a pamphlet lately prepared at the Navy Department. The pamphlet does not pretend to absolute accuracy, but is probably sufficiently accurate for all practical purposes and for mere comparison. The contrast may be humiliating, but it will prove useful and result to our advantage.

We here take leave of this branch of the subject with no further comment; argument would seem to be quite out of place.

ARMORED VESSELS.

Showing their class, displacement, draught, and maximum speed.

[Compiled from official reports of steam trials.]

GREAT BRITAIN.

Name.	Vessel.		Maximum indicated horse-power.	Displacement and draught on trial.		Maximum speed.
	Material.	Class.		Displacement.	Maximum draught.	
					Ft. In.	Knots.
Inflexible	Partly steel	Turret ship	8,483	9,515	23 0	14.74
Dreadnought	Iron	do	8,207	9,120	24 6	14.52
Thunder	do	do	6,272	9,190	26 6	13.40
Devastation	do	do	6,652	9,190	26 6	13.84
Agamemnon	do	do	a6,000	8,490	24 0	a13.00
Ajax	do	do	a6,000	8,490	24 0	a13.00
Monarch	do	do	7,842	8,070	25 9	14.93
Neptune	do	do	7,993	9,170	25 3	14.21
Colossus	Steel	do	a6,000	9,150	26 3	a14.00
Majestic	do	do	a6,000	9,150	26 3	a14.00
Conqueror	do	do	a4,500	6,200	24 0	a13.00
Collingwood	Iron	Barbette ship	a7,000	9,150	26 3	.....
Alexandria	do	Broadside ship	8,615	9,432	26 3	14.99
Temeraire	Steel and iron	Barbette towers	7,516	8,571	27 4	14.65
Sultan	Iron	Broadside ship	8,778	8,723	26 10½	14.20
Hercules	do	do	8,529	8,676	26 5½	14.69
Bellerophon	do	do	6,312	7,369	26 8	14.05
Swiftsure	do	do	4,832	6,537	25 7	13.70
Triumph	do	do	5,156	6,552	25 8	14.16
Audacious	do	do	4,021	6,170	23 0	12.82
Invincible	do	do	4,832	5,563	21 6	14.09
Iron Duke	do	do	4,789	5,563	21 6	13.85
Penelope	do	do	4,703	4,863	17 4½	12.76
Superb	do	do	7,431	8,950	26 0	13.78
Shannon	Iron and steel, with wood sheathing	Belted cruiser	3,370	5,390	23 4	12.35
Nelson	do	do	6,645	7,473	25 1	14.05
Northampton	do	do	6,073	7,652	25 3	13.17
Belleisle	Iron	Broadside ship	3,200	4,738	19 5	12.20
Orion	do	do	2,329	5,070	26 10	11.44
Agincourt	do	do	5,917	10,230	26 6	13.73
Minotaur	do	do	6,702	10,230	26 10	14.41
Northumberland	do	do	6,558	10,548	27 9	14.13
Achilles	do	do	4,975	9,934	27 5	13.78
Warrior	do	do	5,267	9,231	27 8	14.07
Black Prince	do	do	5,772	9,300	27 3	13.60
Hector	do	do	3,256	6,455	25 8	12.36
Valiant	do	do	3,348	6,485	25 6	12.51
Resistance	do	do	2,329	6,300	26 11	11.40
Defence	do	do	2,343	6,077	26 1	11.23
Lord Warden	Wood	do	6,706	7,839	27 9	13.49
Repulse	do	do	3,347	6,010	25 10	12.28
Polyphemus	Steel	Torpedo and ram	a 5,500	2,640	20 6	a 17.00
Armored harbor-defense.						
Glatton	Iron	Turret	2,868	4,900	19 5½	12.10
Hotspur	do	Turret and ram	3,497	3,980	20 2	12.65
Rupert	do	do	4,635	5,152	22 10	13.59
Prince Albert	do	Turret	2,121	3,809	20 00	11.26
Cyclops	do	do	1,660	3,100	15 5	11.02
Gorgon	do	do	1,669	3,311	16 0	11.13
Hecate	do	do	1,755	3,059	15 6	10.89
Hydra	do	do	1,474	3,142	15 8½	11.20
Scorpion	do	do	1,455	2,660	16 4	10.51
Wivern	do	do	1,446	2,602	16 1	10.05
Viper	do	Gunboat	696	1,180	11 10	9.58
Vixen	Composite	do	658	1,189	11 11	9.06
Abyssinia	Iron	Turret	949	2,816	14 8	9.59
Magdala	do	do	1,436	2,997	14 8	10.66
Cerberus	do	do	1,369	2,920	14 2¼	9.75

a Estimated.

ARMORED VESSELS—Continued.

FRANCE.

Name and class of vessel.	Vessel. Thickness of armor, in inches.	Vessel. Displacement, in tons.	Vessel. Maximum speed, in knots per hour.	Armament: Number and description of guns.*	Remarks.
Sea-going cruisers.					
Admiral Duperré	21.6	10,322	14.5	14 13½-inch and 14 5½-inch	Iron and steel, ram, ship-rigged.
Dévastation	15	9,454		4 12½-inch, 4 10½-inch, and 8 5½-inch	Do.
Foudroyant	15	9,454		do	Do.
Redoubtable	14	8,661	14	8 10½-inch and 6 5½-inch	Do.
Friedland	8.66	8,684	14	8 10½-inch and 8 5½-inch	Iron ram, full sail-power.
Richelieu	8.66	8,651	13	6 10½-inch, 2 5½-inch, and 5 9½-inch	Do.
Trident	8.66	8,183	14.5	8 10½-inch, 4 5½-inch, and 2 9½-inch	Do.
Colbert	8.66	8,183	14	8 10½-inch, 6 5½-inch, and 1 9½-inch	Do.
Amiral Baudin	22			3 100-ton guns	Building.
Formidable				do	Do.
Duguesclin	10	5,789	14	4 9½-inch, 1 7½-inch, and 6 5½-inch	Iron and steel, ram, full sail-power.
Bayard		5,789		do	Full sail-power.
Turenne		5,789		do	Do.
Vauban		5,789		do	Do.
Triomphante	6	4,133	13	6 9½-inch, 3 7½-inch, and 6 5½-inch	Do.
Victorieuse	6	4,074	13	6 9½-inch, 1 7½-inch, and 6 5½-inch	Do.
La Gallisonière	6	4,088	13	6 9½-inch	
Two others, not named					
Suffren	7½	7,480	13	4 10½-inch and 4 9½-inch	Wood hull, ram, full sail-power.
Ocean	7½	7,244	13	4 10½-inch and 4 7½-inch	Do.
Marengo	7½	7,244	13	do	Do.
Solferino	4½	6,689	13	52 6½-inch	Do.
Flandre	5.9	5,613	14	8 12-ton and 4 7-ton	Do.
Gauloise	5.9	6,613	14	do	Do.
Guyenne	5.9	5,613	14	do	Do.
Magnanime	5.9	5,643	14	do	Do.
Provence	5.9	5,613	14	do	Do.
Revanche	5.9	5,613	14	do	Do.
Savoie	5.9	5,613	14	do	Do.
Surveillante	5.9	5,613	14	do	Do.
Valeureuse	5.9	5,613	14	do	
Gloire	4½	5,442	13	36 6.3-inch	
Héroine	5.9	5,613	14	8 12-ton and 4 7-ton	Iron hull, ram, full sail-power.
Couronne	4½	5,700	12	2 12-ton and 10 7-ton	Do.
Alma	6	3,617	11.8	6 7-ton	Wooden hull, full sail-power.
Armide	6	3,617	11.8	do	Do.
Atalante	6	3,617	11.8	do	Do.
Belliqueuse	6	3,617	11.8	do	Do.
Jeanne d'Arc	6	3,617	11.8	do	Do.
Montcalm	6	3,917	11.8	do	Do.
Reine Blanche	6	3,617	11.8	do	Do.
Thetis	6	3,617	11.8	do	Do.
Seven coast defenders, 1st class	13	5,402	14	2 12½-inch and 4 4½-inch	Iron and steel, 3 now built.
Three coast defenders, 2d class	11½	4,458	10	2 10½-inch and 4½-inch	Iron and steel.
Five coast defenders, 3d class	6 to 9	3,190 to 3,643	11.3 to 13	1 or 2 9½-inch	Single revolving turret.

GERMANY.†

Kaiser	10	7,560	14.5	8 10½-inch and 1 8½-inch Krupp	Ram bow, full sail-power.
Deutschland	10	7,560	14.5	do	Do.
Sachsen	10	7,135	14	6 10½-inch guns	Ram bow, brig-rigged.
Baiern	10	7,135	14	1 36-ton and 4 18-ton	Do.
Würtemburg	10	7,135	14	do	Do.
Baden	10	7,135		do	Do.
Preussen	9.2	6,748	14	4 10½-inch, 2 6.7-inch, and 4 3-inch	Turret ship, bark-rigged.
Friedrich der Grosse	9.2	6,558	14	do	Do.
Konig Wilhelm	8	9,602	14.7	18 9½-inch and 5 8½-inch guns	Broadside ship, full sail-power.
Prinz Friedrich Karl	5	5,819	13.5	16 8½-inch guns	Do.
Kronprinz	5	5,393	14.3	do	Do.
Hansa	6.2	3,497	12	8 8½-inch guns	Corvette, full sail power.
Arminius	4.5	1,558	10.5	4 8½-inch guns	Coast defender, local service.
Prinz Adalbert	4.7	1,456	9.5	1 8½-inch gun and 2 6.7-inch	Do.
Chamäleon	8	1,000	9	1 36-ton (12-inch) gun	Coast defender.
Wespe	8	1,000	9	do	Do.
Viper	8	1,000	9	do	Do.
Mücke	8	1,000	9	do	Do.
Biene	8	1,000	9	do	Do.
Scorpion	8	1,000	9	do	Do.
Basilisk	8	1,000	9	do	Do.
H. J. K. and L	8	1,000	9	do	Do.

AUSTRIA.‡

Tegethoff	14.5	7,390	14	6 11-inch Krupp	Line-of-battle cruiser, bark-rigged.
Custozza	9½	7,060	14	8 10-inch Krupp	Line-of-battle cruiser, ship-rigged.
Lissa	6½	6,080	13	12 9½-inch Krupp	Do.
Erzherhog Albrecht	8.3	5,940	13	8 10-inch Krupp	Do.
Kaiser	6½	5,810	12	10 9-inch Armstrong	Do.
Don Juan d'Austria	4½	3,550	8.5	12 7-inch Armstrong	Line-of-battle cruiser, ram, ship-rigged.
Kaiser Max	4½	3,550	8.5	do	Do.
Prinz Eugen	4½	3,550	8.5	do	Do.
Erzherhog Ferdinand Max	5	5,140	10.3	14 8.27-inch Krupp	Line-of-battle cruiser, ship-rigged.
Habsburg	5	5,140	10.3	do	Do.
Salamander	4½	3,110	7	10 7-inch Armstrong	Ordinary station service, ship-rigged.
Maros	1.5	310	5.6	2 5.9-inch Krupp	River monitor.
Leitha	1.5	310	5.6	do	Do.

* All breech-loading rifles. † Krupp. ‡ All rifled.

ARMORED VESSELS—Continued.

RUSSIA.

Name of vessel.	Vessel. Thickness of armor, in inches.	Vessel. Displacement, in tons.	Vessel. Maximum speed, in knots per hour.	Armament: Number and description of guns.*	Remarks.
Peter the Great	14	9,510	13	4 12-inch 40-ton guns	
Knaz Minin	12	8,800	13	4 11-inch 28-ton guns	Full sail-power.
Duke of Edenburgh	6	4,438	13	4 8-inch and 2 6-inch guns	Do.
General Admiral	6	4,438	13	do	Do.
Sevastopol	4½	6,200	11	16 8-inch 9-ton guns	Do.
Petropavlavski	4½	6,200	11	20 8-inch 9-ton guns	Wooden hull, ram bow, full sail-power.
Knaz Pojarski	4½	4,500	11	10 8-inch 9-ton guns	Iron hull, ram bow, full sail-power.
Admiral Lazareff	5½–6	3,700	10	6 9-inch 14½-ton guns	
Admiral Gruig	5½–6	3,700	10	3 11-inch 27½-ton guns	
Admiral Tchitchagaff	6	3,700	10	2 11-inch 27½-ton guns	
Admiral Spinidaff	6	3,700	10	do	
Pervenetz	4½	3,300	9½	26 8-inch guns	Full sail-power.
Ne-tron-meña	4½	3,300	9	16 8-inch guns	Do.
Kreml	6	3,300	9	26 8-inch guns	Do.
Auragan	4½	1,555	6.7	2 9-inch 14½-ton guns	Single-turret vessel, monitor.
Tiphon	4½	1,555	6.7	do	Do.
Latnik	4½	1,555	6.7	do	Do.
Lava	4½	1,555	6.7	do	Do.
Vetchoun	4½	1,555	6.7	do	Do.
Kaldoun	4½	1,555	6.7	do	Do.
Streletz	4½	1,555	6.7	do	Do.
Edenorag	4½	1,555	6.7	do	Do.
Bronenosetz	4½	1,555	6.7	do	Do.
Perm	4½	1,555	6.7	do	Do.
Smertch	4½	1,380	11	4 9-inch 14½-ton guns	Double turrets, monitor.
Tcharageika	5	1,835	11	4 11-inch 27½-ton guns	Do.
Rousalka	5	1,835	11	do	Do.
Novgorod	11	2,490	7	2 11-inch 27½-ton guns	Circular, monitor.
Vice-Admiral Popoff	18	3,550	9	2 12-inch 40-ton guns	Do.

HOLLAND.†

Koning der Nederlanden	8	5,201		4 11-inch Armstrong and 4½-inch Krupp	Ram bow, for general service, ship-rigged.
Prins Hendrik der Nederlanden	4½	3,322	12	4 9-inch Armstrong	Do.
Guinea	6	2,340	12	2 9-inch Armstrong	Ram bow, coast defender, brig-rigged.
Buffel	6	2,163	12.4	do	Do.
Schorpioen	6	2,141	12.8	do	Do.
Stier	6	2,036	12.4	do	Do.
Cerberus	5½	1,506	8	do	Do.
Bloedhond	5½	1,506	8	do	Do.
Heiligerlee	5½	1,506	8	do	Do.
Krokodil	5½	1,506	8	do	Do.
Tijger	5½	1,392	9½	do	Do.
Adder	5½	1,541	7½	do	Do.
Haai	5½	1,541	7½	do	Do.
Hyena	5½	1,541	7½	do	Do.
Panther	5½	1,541	7½	do	Do.
Wesp	5½	1,541	7½	do	Do.
Luipaard	5½		7½	1 11-inch Krupp	Do.
Matador	5½		7½	2 11-inch Krupp	Do.
Draak	8		7½	do	Do.
Vahalis	4½	332		None	For ramming bridges.
No. 1	4½	394		2 60-pounders	Gunboat.
Rhenus	5	370	7½	2 4½-inch Krupp	For river service.
Mosa	5	370	7½	do	Do.
Isala	5	370	7½	do	Do.
Merva	5	370	7½	do	Do.

The unarmored fleet of Holland is composed of 1 frigate, 31 corvettes, 31 small gunboats, 13 side-wheel steamers, and 16 torpedo-boats.

TURKEY.‡

Mesoodiyeh	12	8,994	13.74	12 18-ton and 3 6½-ton guns	Ram bow, ship-rigged.
Noosretiyeh	10	7,900	13	10 12-ton and 2 6½-ton guns	Do.
Aziziyeh	5½	6,400	12	1 12-ton and 15 6½-ton guns	Ram bow, bark-rigged.
Osmaniyeh	5½	6,400	12	do	Do.
Orkaniyeh	5½	6,400	12	do	Do.
Marmondiyeh	5½	6,400	12	do	Do.
Assar-i-tevfik	8	5,687	12	8 12-ton guns	Full sail-power.
Feth-i-Bulend	9	2,719	14	4 12-ton guns	Do.
Mookademi Khain	9	2,719	14	do	Do.
Avni Illah	6	2,314	12	do	Ram bow, full sail-power.
Moovini Zaffer	6	2,314	13	do	Do.
Idjlaliyeh		2,300	11	2 12-ton guns and 2 6½-ton	Full sail-power.
Nedj-im-shefket		2,300	11.5	5 9-ton guns	Do.
Assar-i-shefket		2,300	11	do	Do.
Hafiz-i-Rahman	4½	2,300	12	2 9-ton guns and 2 4-ton	
Hizber	3	404	7	2 80-pounders	Monitor.
Feth-el-Islam	3	335	8	do	River gunboat.
Semendriyeh	3	335	8	do	Do.
Burdj-idelan	3	335		do	Do.

Turkey has an unarmored fleet of 1 ship of the line, 5 frigates, 7 corvettes, 14 gunboats, and 41 transports and smaller vessels.

JAPAN.‡

Foo-sō	9	3,718	13	4 15½-ton and 2 5½-ton (Krupp)	Iron hull, full sail-power
Kon-gō	4½	2,200	14	2 5½-ton and 6 4-ton (Krupp)	Composite hull, full sail-power
Hi-yei	4½	2,200	14	do	Do.
Rin-jō	4	2,300	6½	2 7-cwt. and 8 5½-cwt. (Vavasseur)	Wooden hull, full sail-power.
Adzuma	3½	1,303	9½	12 13-cwt., 2 50-cwt, and 1 43-cwt. (Armstrong)	Iron ram (Stonewall).

*Krupp. †All rifled. ‡Breech-loading rifles.

ARMORED VESSELS—Continued.

ITALY.

Name of Vessel.	Vessel. Thickness of armor, in inches.	Vessel. Displacement, in tons.	Vessel. Maximum speed, in knots per hour.	Armament: Number and description of guns.*	Remarks.
Italia	.....	13,480	.....	4 100-ton guns and 18 smaller ones	Building.
Lepanto	.....	13,480	.....	....do	Do.
Duilio	21.65	10,401	15	4 100-ton guns	Estimated cost, $3,500,000.
Dandolo	21.55	10,401	15	....do	Do.
Principe Amadeo	6	5,780	.....	1 23-ton and 6 18-ton guns	Wooden hull; line-of-battle cruiser, full sail-power.
Palestro	6	5,780	10	....do	Do.
Roma	6	5,697	.....	6 18-ton and 2 12-ton guns	Do.
Venezia	6	5,697	.....	....do	Do.
Castelfidardo	4½	4,194	13	9 9-ton and 2 12-ton guns	Full sail-power.
San Martino	4½	4,194	13	....do	Do.
Maria Pia	4½	4,194	13	....do	Do.
Ancona	4½	4,194	13	....do	Do.
Affondatore	5	4,070	.....	2 12-ton guns	Coast defender, full sail-power.
Conte Verde	4½	3,932	.....	6 12-ton guns and 1 9-ton gun	Full sail-power.
Varese	5½	2,700	10	4 9-ton guns	Do.
Terribile	4½	2,700	10	30 6½-ton guns	
Formidabile	4½	2,700	10	....do	

The unarmored fleet of Italy is composed of 3 frigates, 7 corvettes, 20 gunboats, 10 dispatch vessels, 7 screw transports, and a number of smaller vessels.

SPAIN.†

Numancia	5	7,053	13	6 18-ton, 3 9-ton, and 16 7-ton	Broadside battery, ram bow, ship-rigged.
Vittoria	5½	7,000	.....	4 12-ton, 3 9-ton, and 12 7-ton	Full sail-power.
Saragossa	4½	.....	.....	4 11-inch, 2 8¾-inch, and 14 7¾-inch	Do.
Arapiles	4½	.....	.....	2 18-ton, 5 9-ton, and 10 7-ton	Do.
Mendez Nunez	.....	.....	.....	4 9-inch and 2 8-inch	Do.
Sagunto	6	6,300	.....	2 18-ton, 5 9-ton, and 10 7-ton	Do.
Aragon	8½	3,650	.....	3 guns	Being built.
Castilla	8½	3,650	.....	....do	Do.
Navarra	8½	3,650	.....	....do	Do.
Duque de Tetuan	4	600	.....	1 6½-inch and 4 4½-inch	
Puigserda	4	515	.....	1 6½-inch and 2 4½-inch	Monitor.

This country has a small unarmored fleet of large size vessels, but many small gunboats for the defense of her colonies—in all 9 frigates, 20 corvettes, and 57 gunboats.

DENMARK.*

Helgoland	12	5,265	.....	1 12-inch, 4 10½-inch, and 5 5-inch	Broadside, full sail-power.
Odin	8	3,036	12.4	4 10-inch	Frigate, full sail-power.
Danmark	4½	4,664	8.1	12 8-inch and 12 6-inch	Do.
Peder Skram	4½	3,321	11	6 8-inch and 12 6-inch	Do.
Gorm	8	2,308	12.2	2 10-inch	Corvette, full sail-power.
Lendermen	5½	2,044	12	2 9-inch	Do.
Rolfe Krake	4½	1,323	7.8	3 8-inch	Do.

The unarmored fleet consists of 3 frigates, 9 corvettes, and 12 gunboats.

UNARMORED VESSELS.

GREAT BRITAIN.

Name.	Vessel. Material.	Vessel. Class.	Maximum indicated horse-power.	Displacement and draught on trial. Displacement.	Displacement and draught on trial. Draught.	Maximum speed.
					Ft. In.	Knots.
Shah	Iron sheathed with wood	Frigate	7,477	5,922	25 7¼	16.45
Inconstant	....do	....do	7,361	5,328	24 7	16.51
Raleigh	....do	....do	5,541	5,285	25 2	15.15
Boadicea	Iron cased with wood	Corvette	5,292	3,883	22 4	14.89
Bacchante	....do	....do	2,490	3,631	22 0	12.07
Euryalus	....do	....do	5,109	4,223	23 6	14.71
Rover	....do	....do	4,964	3,462	22 7	14.53
Volage	....do	....do	4,500	3,080	21 6	15.12
Active	....do	....do	4,131	3,033	21 3½	15.08
Iris	Steel	Dispatch	7,556	3,290	20 6	18.58
Mercury	....do	....do	7,534	3,290	20 6	18.87
Cleopatra	Steel and iron cased with wood	Corvette	2,611	1,922	17 0	13.95
Carysfort	....do	....do	2,400	2,398	19 0	12.96
Champion	....do	....do	2,300	2,380	18 10½	13.00
Comus	....do	....do	2,387	2,427	19 3	12.79
Conquest	....do	....do	2,674	1,930	17 0	13.98
Curaçoa	....do	....do	2,541	1,930	17 0	13.58
Constance	....do	Twin screw corvette	2,020	2,781	20 9	12.30
Cordelia	....do	Corvette	a2,300	2,380	18 6	a13.00
Canada	....do	....do	a2,300	2,380	48 6	a13.00
Opal	Composite	....do	2,187	2,098	19 0	12.53
Tourmaline	....do	....do	1,972	2,119	18 10	12.62
Turquoise	....do	....do	1,994	2,195	19 2	12.32
Garnet	....do	....do	2,005	1,973	18 2	13.20

* Breech-loading rifles. † Krupp. a Estimated.

UNARMORED VESSELS—Continued.

GREAT BRITAIN.

Name.	Vessel.		Maximum indicated horse-power.	Displacement and draught on trial.		Maximum speed.
	Material.	Class.		Displacement.	Draught.	
					Ft. In.	Knots.
Emerald	Composite	Corvette	2,170	1,636	16 3	13.87
Ruby	do	do	1,833	2,126	18 10	12.28
Pelican	do	Sloop of war	1,066	860	14 6	12.24
Penguin	do	do	719	973	15 0	10.20
Phœnix	do	do	1,128	804	14 4	a11.00
Cormorant	do	do	951	1,131	15 4	11.31
Pegasus	do	do	972	1,131	15 10	11.47
Kingfisher	do	do	900	1,130	15 9	11.00
Wild Swan	do	do	797	1,094	15 6	10.35
Miranda	do	do	1,020	884	14 7	a11.00
Osprey	do	do	946	980	15 0	11.38
Mutine	do	do	786	1,200	14 6	10.25
Dragon	do	do	1,006	1,142	15 8	11.52
Gannet	do	do	1,107	1,150	15 10	11.53
Espiegle	do	do	900	1,137	15 9	11.00
Daring	do	do	915	926	13 11	10.63
Sappho	do	do	884	931	13 10	10.59
Flying Fish	do	do	836	925	14 1	10.95
Egeria	do	do	1,011	949	14 0	11.30
Albatross	do	do	838	918	14 0	10.51
Fantôme	do	do	975	949	14 0	11.00

FRANCE.

Name of vessel.	Vessel.		Armament: Number and description of guns.*	Remarks.
	Displacement, in tons.	Maximum speed in knots per hour.		
Sea cruisers.				
Duquesne	5,350	15.9	7 7½-inch and 14 5½-inch guns	Frigate, iron, ram, ship-rigged.
Tourville	5,390	16.9	do	Do.
Iphigénie				
Naïde				
Duguay-Trouin	3,140	15	5 7½-inch and 5 5½-inch guns	Iron corvette, ram, bark-rigged.
Villars	2,232	15	6 6½-inch and 9 5½-inch guns	Wooden hull, ram, ship-rigged.
Forfait	2,232	14.5	do	Do.
Magon	2,232	14.5	do	Do.
Roland	2,232	14.5	do	Do.
La Pérouse	2,220	15	do	Iron hull, ram, ship-rigged.
D'Estaing	2,220	14.5	do	Do.
Monge	2,220	14.5	do	Do.
Nielly	2,220	14.5	do	Do.
One not named				Building.
Champlain	1,900	14.4	1 6½-inch and 9 5½-inch guns	Second-class corvette, full sail-power.
Dupetit-Thouars	1,900	14.4	do	Do.
Fabert	1,900	14.4	do	Do.
La Clocheterie	1,900	14.4	do	Do.
Seignelay	1,900	14.4	do	Do.
Rigault de Genouilly	1,617	15	8 5½-inch guns	Wooden hull, ram bow, full sail-power.
Éclaireur	1,617	15	do	Do.
Beautemps-Beaupré	1,250	12.3	1 6½-inch and 5 5½-inch guns	Old type.
Duchaffant	1,269	12.3	do	Do.
Hugon	1,270	12.3	do	Do.
Leguelen	1,260	12.3	do	Do.
Chasseur	781	12	4 5½-inch guns	Gun-boat, ram bow, wooden hull, full sail-power.
La Bourdonnais	781	12	do	Do.
Bisson	781	12	do	Do.
Hussard	781	12	do	Do.
Lancier	781	12	do	Do.
Parseval	781	12	do	Do.
Voltigeur	781	12	do	Do.
Boursaint	781	12	do	Do.
Bouvet	781	12	do	Do.
Eight transports	1,571	10	do	Bark-rigged.
Six gun vessels	454	9.7	1 7½-inch and 2 4½-inch guns	Composite vessels, three-masted.

In adition to the above there are 57 gunboats similar in construction to La Bourdonnais.

The French general service fleet consists of 9 ships of the line, 6 frigates, 10 corvettes, 21 sloops of war, 11 gunboats, 42 transports, and a number of smaller vessels.

JAPAN.*

Tsukuba	1,695	8	14 guns	Screw corvette, full sail-power.
Rasuga	1,015	12	6 guns	Paddle corvette.
Kai-mow	1,490	12	9 Krupp guns	Screw corvette, full sail-power.
Tenrin	1,490	12	do	Do.
Amagi	1,000	11	5 Krupp guns	Gunboat, bark-rigged.
Sei-ki	895	11	do	Do.
Banjō	600	10.8	3 Krupp guns	Do.
Five additional gunboats				

*All breech-loading rifles. a Estimated.

UNARMGRED VESSELS—Continued.

GERMANY.

Name of vessel.	Vessel. Displacement, in tons.	Vessel. Maximum speed, in knots per hour.	Armament: Number and description of guns. (Krupp.)	Remarks.
Leipzig	3,863	14	12 6.7-inch guns	Iron corvette, double decked, full sail-power.
Sedan	3,863	14	do	Do.
Bismarck	2,460	15	16 6.7-inch guns	Do.
Blücher	2,460	15	do	Do.
Stosch	2,460	15	do	Do.
Moltke	2,460	15	do	Do.
Greisenau and Stein	2,856		do	In process of construction.
Hohenzollern	1,697	16		Iron dispatch vessel, brig-rigged.
B and C				Building, brig-rigged.
Kyklop	412	8	4 guns	Gunboat.
Otter	129	8	3 guns	Do.
Walf	470		4 guns	Do.
Hyäne and Iltis	470		do	Building.
Six vessels, now building	2,169			Single-decked corvettes, full sail-power.

Germany has a general-service fleet of 26 corvettes and gunboats.

RUSSIA.

Europe	3,000	13.5	3 6-inch and 6 4-inch guns	American built; speed given was continuous. Full sail-power.
Asia	2,650	12.5	3 6-inch and 7 4-inch guns	Do.
Africa	2,580	12.5	3 6-inch and 6 4-inch guns	Do.
Zabiaca	1,200	14	2 6-inch and 4 4-inch guns	Do.
Kreuzer	1,334	13	3 6-inch and 4 4-inch guns	Russian built cruiser, full sail-power.
Djigit	1,384	13	do	Do.
Rasbojnik	1,334	13	do	Do.
Najezdnik	1,334	13	do	Do.
Strelok	1,334		3 6-inch and 2 4-inch guns	Do.
Plastoune	1,334		do	Do.

Russia has a general service fleet of 2 frigates, 18 corvettes, and 56 gunboats.

With this humiliating condition of our Navy, as compared with that of other powers of the earth, staring us in the face, with the consciousness of our utter weakness and inability to defend and protect our flag, our commerce, our extended coast line, our citizens, or our country when assailed by the smallest naval power of Europe, or even by Chili, and when we remember that we have in our country more than 50,000,000 of inhabitants; that we have the grandest country in resources, developed and undeveloped; that we have a Treasury overflowing with gold and silver and currency; that we have such an enormous national income that wiseacres, business men, and statesmen are eagerly seeking some means of reducing it, can any gentleman stand in his place and say that the appropriation for building and completing new vessels of war is sufficient or adequate to the demands or needs of the country, or can any one defend the "retrenchment and reform," misnamed economy, attempted by the committee in the proposed appropriation for the building and repairing of new ships?

I think we ought to have an efficient Navy. The Naval Committee, of which I am a member, are of the unanimous opinion that we ought to have a better, larger, and more efficient Navy, and the country demands of us, while we have a plethoric Treasury, that we rebuild our Navy.

When we contemplate the official *personnel* of our Navy, as it is presented to us by this bill, the first natural inquiry of the mind is, "What does it cost to keep this large army of officers of high and low rank, what duties have they to perform in time of profound peace, and where and how are they employed?"

This bill discloses the fact that it costs the country $3,939,400 for the pay and emoluments of the official active-list of the Navy alone, and that the pay and allowances of the retired-list amounts to $703,180—$4,642,580 for the salaries of officers alone.

The following table, which I have prepared with some care, and which yet may contain some errors, shows the number of officers of the different grades with their individual and collective annual compensation:

Annual collective pay of officers.

Designation.	Number in each grade.	At sea.	On shore duty.	On leave or waiting orders.	Total pay to each grade.
Admiral	1	$13,000	$13,000	$13,000	$13,000
					13,000
					13,000
Vice-Admiral	1	9,000	8,000	6,000	9,000
					8,000
					6,000

Annual collective pay of officers—Continued.

Designation.	Number in each grade.	At sea.	On shore duty.	On leave or waiting orders.	Total pay to each grade.
Rear-admirals	11	$6,000	$5,000	$4,000	$66,000
					55,000
					44,000
Chiefs of bureau	8	5,000	4,000	3,000	40,000
					32,000
					24,000
Commodores	24	5,000	4,000	3,000	120,000
					96,000
					72,000
Captains	48	4,500	3,500	2,800	216,000
					168,000
					134,400
Commanders	90	3,500	3,000	2,300	315,000
					270,000
					207,000
Lieutenant-commanders:					
First four years	80	2,800	2,400	2,000	224,000
					192,000
					160,000
After four years	80	3,000	2,600	2,200	240,000
					208,000
					176,000
Lieutenants:					
First five years	280	2,400	2,000	1,600	672,000
					560,000
					448,000
After five years	280	2,600	2,200	1,800	728,000
					616,000
					504,000
Masters:					
First five years	100	1,800	1,500	1,200	180,000
					150,000
					120,000
After five years	100	2,000	1,700	1,400	200,000
					170,000
					140,000
Ensigns:					
First five years	100	1,200	1,000	800	120,000
					100,000
					80,000
After five years	100	1,400	1,200	1,000	140,000
					120,000
					100,000
Midshipmen	91	1,000	800	600	91,000
					72,800
					54,600
Medical directors	14	4,400			61,600
Medical inspectors	15	4,400			66,000

Annual collective pay of officers—Continued.

Designation.	Number in each grade.	At sea.	On shore duty.	On leave or waiting orders.	Total pay to each grade.
Surgeons	50				
First five years		$2,800	$2,400	$2,000	$140,000 120,000 100,000
Second five years		3,200	2,800	2,400	160,000 140,000 120,000
Third five years		3,500	3,200	2,600	175,000 160,000 130,000
Fourth five years		3,700	3,600	2,800	185,000 180,000 140,000
After twenty years		4,200	4,000	3,000	210,000 200,000 150,000
Passed assistant surgeons	80				
First five years		2,000	1,800	1,500	160,000 144,000 120,000
After five years		2,200	2,000	1,700	176,000 160,000 136,000
Assistant surgeons	12				
First five years		1,700	1,400	1,000	20,400 16,800 12,000
After five years		1,900	1,600	1,200	22,800 19,200 14,400
Assistant surgeons not in line of promotion.	2	1,700	1,400	1,000	3,400 2,800 2,000
Pay directors	13	4,400			57,200
Pay inspectors	12	4,400			52,800
Paymasters	50				
First five years		2,800	2,400	2,000	140,000 120,000 100,000
Third five years		3,500	3,200	2,600	175,000 160,000 130,000
After twenty years		4,200	4,000	3,000	210,000 200,000 150,000
Passed assistant paymasters	30				
First five years		2,000	1,800	1,500	60,000 54,000 45,000
After five years		2,200	2,000	1,700	66,000 60,000 51,000
Assistant paymasters	19				
First five years		1,700	1,400	1,000	32,300 26,600 19,000
After five years		1,900	1,600	1,200	36,100 30,400 22,800
Chief engineers	69				
First five years (minimum)		2,800	2,400	2,000	193,200 165,600 138,000
After twenty years (maximum)		4,200	4,000	3,000	289,800 276,000 207,000
Passed assistant engineers	99				
First five years		2,000	1,800	1,500	198,000 178,000 148,500
After five years		2,200	2,000	1,700	217,800 198,000 168,300
Assistant engineers	62	1,700	1,400	1,000	105,000 86,800 62,000
After five years		1,900	1,600	1,200	135,800 99,200 74,400
Cadet-engineers	62	1,000	800	600	62,000 49,600 37,200
Chaplains	23	2,500	2,000	1,600	57,500 46,000 36,800
After five years		2,800	2,300	1,900	64,400 52,900 43,700
Professors of mathematics	11				
First five years (minimum)		2,400	2,400	1,500	26,400 26,400 16,500
After fifteen years (maximum)		3,500	3,500	2,600	38,500 38,500 28,600
Naval constructors	10		3,200	2,200	32,000 22,000
After twenty years			4,200	3,200	42,000 32,000

Annual collective pay of officers—Continued.

Designation.	Number in each grade.	At sea.	On shore duty.	On leave or waiting orders.	Total pay to each grade.
Assistant naval constructors	6		$2,000	$1,500	$12,000 9,000
After eight years			2,600	1,900	15,600 11,400
Warrant officers	195	$1,200	900	700	234,000 175,500 136,500
After twelve years		1,800	1,600	1,200	351,000 312,000 234,000
Mates	40	900	700	500	36,000 28,000 20,000

NOTE.—Civil engineers the same as professors of mathematics.

Mr. HISCOCK. May I inquire of the gentleman from Illinois what he would suggest in the way of action for the committee? I understand his argument is rather in the line of an attack on the Committee on Appropriations because it has not reduced the pay of the line of the Navy.

Mr. THOMAS. I shall be most happy to inform the gentleman from New York before I shall have finished my remarks what I propose.

Mr. HISCOCK. And I desire to say further I understand that other gentlemen upon the floor have been attacking the Committee on Appropriations also because it has done so much in the direction of reducing the amount of pay.

Mr. THOMAS. I decline to be further interrupted. I have stated to the gentleman that if he will wait until I have finished my remarks he will know what I am in favor of. I will say to him, however, as has just been suggested to me by a member of the committee, that if the Committee on Appropriations had looked to the Committee on Naval Affairs for information as to what ought to be done for the Navy he would not be compelled to ask me now what I am in favor of. If the Committee on Appropriations had not usurped the rights of the Committee on Naval Affairs and attempted without consultation and without investigation, even in the very face of the examination and investigation made by the Committee on Naval Affairs, and come in here assuming to say what must be done and what must not be done for the Navy, he would not be compelled to ask or to interrupt me by asking in the midst of my speech what I am in favor of or what the Committee on Naval Affairs desires.

The Naval Register shows how these officers are employed. That our Navy is officially top-heavy, unless we build a large number of new ships and enlist several thousand more sailors, every one must admit. But what causes it to be top-heavy? Let us look into this Naval Register and see.

We have eleven rear-admirals on the active-list, only five of whom are on sea duty, commanding stations.

We have twenty-three commodores, not one of whom is performing sea-duty.

We have forty-eight captains, nine only of whom are performing sea-duty.

There are fourteen medical directors, with the relative rank of captain in the Navy or colonel in the Army, not one of whom is performing sea-duty or can perform sea-duty on account of having too much rank.

There are fifteen medical inspectors who have the relative rank of commanders in the Navy or lieutenant-colonel in the Army, who on account of their high rank can only go to sea as fleet-surgeons, and only three of the fifteen are performing sea-duty.

There are fifty surgeons with the relative rank of lieutenant-commanders or majors in the Army.

There are eighty assistant-surgeons, twenty-nine of whom have the relative rank of lieutenant in the Navy or captain in the Army, and fifty-one of whom have the relative rank of a master in the Navy or first-lieutenant in the Army.

There are twelve assistant surgeons, with the relative rank of ensigns in the Navy or second lieutenants in the Army, and two without rank and not in the line of promotion, and yet who receive a handsome compensation, as will be seen by the bill; making one hundred and seventy-three medical officers in all.

There are thirteen pay directors, with the relative rank of captain in the Navy or colonel in the Army, who can not go to sea on account of having too much rank.

There are twelve pay inspectors, who can only go to sea as fleet paymasters, as they have the relative rank of a commander in the Navy or a lieutenant-colonel in the Army; and only four of the number are now performing sea-service.

There are fifty paymasters, with the relative rank of lieutenant-com-

mander in the Navy or major in the Army, twenty-two of whom are now performing sea-service.

There are thirty passed assistant paymasters, with the relative rank of lieutenant in the Navy or captain in the Army.

There are nineteen assistant paymasters (an increase of one), with the relative rank of ensign in the Navy or second-lieutenant in the Army; making in all one hundred and twenty-four pay officers in the Navy.

There are ten chief engineers, with the rank of captain, who can not go to sea.

There are fifteen chief engineers, with the rank of commanders, who can only go to sea as fleet-engineers.

There are forty-five chief engineers, with the rank of lieutenant-commander.

There are eighty passed assistant engineers with the rank of lieutenant and fifteen with the rank of master.

There are eleven assistant engineers with the rank of master and fifty-one with the rank of ensign, making one hundred and sixty-one engineer officers, and there are sixty-two cadet-engineers in addition.

There are four chaplains with the rank of captain in the Navy, seven with the rank of commander, and six with the rank of lieutenant, and six plain chaplains—six honest, straightforward chaplains without gold lace, without shoulder-knots, and without rank, to point to a higher world and lead the way.

There are eleven professors of mathematics, three of whom have the relative rank of captain, four with the rank of lieutenant.

These professors are employed at various places. Some of them are at the Naval Academy and some at the Naval Observatory, while some of them are on "special duty." Just what that special duty is the Lord only knows. [Laughter.] Mr. Chairman, with all the education, classical, useful and costly, that we give all our naval officers at Annapolis, with their six years' course at that institution, it is a most humiliating concession to have to make to the American people that they are not capable of going into that institution and teaching sufficient mathematics for our naval cadets. But professors of mathematics are employed from civil life and thereby the *personnel* of the service is increased, the Treasury Department is depleted, and the country is taxed for their support. Not satisfied with civilians' compensation, not satisfied with the pay that is usually given in colleges and universities of learning to such professors, they come forward and suggest that Congress give them the rank of captain with the pay and emoluments of that rank, and they appear before the mathematical classes and the world with a lieutenant's, captain's, or commander's uniform, pay, allowance, and relative rank.

There are sixteen naval constructors and assistants of various relative ranks, from captain to masters. There are ten civil engineers, and to this distinguished class of officers I desire specially to call the attention of this committee. They are called civil engineers, and one of them has the relative rank and pay of a captain in the Navy. I am credibly informed by an officer high in rank in the United States Navy that six years ago this highest, grandest, and first of the civil engineers on this list was an ox-driver in Norfolk navy-yard, and was engaged in the highly intellectual pursuit of hauling flitch about the navy-yard of that place. I am informed that his duty to-day, notwithstanding his shoulder knots, notwithstanding his relative rank of captain in the Navy or colonel in the Army, is to take care of oxen and see that the navy-yard is cleaned up. Here are ten civil engineers, gas-fitters, ox-drivers, cleaners up of the navy-yards, entered on the United States Naval Register, loading it down and making it top-heavy.

Of these ten officers, or so-called officers, there is but one of them who is performing any of the legitimate duties of a civil engineer. Their names are as follows: With the relative rank of captain in the Navy, Peter C. Asserson; with the relative rank of commander in the Navy, M. T. Endicott and A. J. Menocal; with the relative rank of lieutenant-commander, W. S. G. White, Henry S. Craven, F. C. Prindle; with the relative rank of lieutenant in the Navy, T. C. McCollum, Chris. O. Wolcott, Frank O. Maxson, and Robert E. Peary. There is but one of these so-called officers of the Navy who has any legitimate duty to perform, and that is Wolcott, who is stationed at Mare Island navy-yard, in California, and is engaged in superintending the building of the dry-dock at that yard.

There are fifty-three boatswains to swell this official *personnel* of the Navy. There are fifty gunners, fifty-four carpenters, and thirty-seven sailmakers. There are forty mates and three hundred and thirty-five naval cadets.

Here we have, then, the official *personnel* of the Navy. That it is top-heavy every one must admit. That the pruning-knife ought to be laid in earnest to that list everybody that has the good of the service or the good of his country at heart ought to admit. And instead of this bill coming in here to make provision for the continuance of these useless officers, these men who perform no duties, who are cumberers of the Naval Register of this country, the Committee on Appropriations ought to have brought in a bill to abolish these useless offices. There are not five of the boatswains on the whole list of fifty who perform any duty at all. Only the gunners that are on the training-ships have any duty at all. The carpenters on board ship have a carpenter's mate and men under him who perform all the duty. So that if the deck needs repairing the executive officer says to the carpenter, "I want this deck repaired;" and the carpenter, putting his hands in his pockets, says to the carpenter's mate, "I want this deck repaired;" and the carpenter's mate calls up a workman from below and says, "I want that deck repaired." And so the deck is repaired, and the workman reports to the carpenter's mate, and the carpenter's mate reports to the carpenter that the deck is repaired, and the carpenter reports to the executive officer, and the executive officer reports to the captain, who is delighted beyond measure as he receives the message from the executive officer that the deck is repaired. And yet this long list of useless officers is continued on the Naval Register and they are paid without any justification or excuse on earth.

Then there are thirty-seven sailmakers, and there is not one of them that have performed one particle of duty or is ever allowed to do so in the way of making sails. The sails are made by civilian foremen who are employed to do the work, and these men—the men who hold the positions of sailmakers—are simply official figure-heads who have as their duty the very arduous and life-abrading service of drawing their salary.

I think, sir, whether we build ships or not we ought to cut out this dead wood, this useless and unwarranted expenditure of money in the payment of officers who perform no duty, who have no duty to perform, and who are wholly useless. We must do one of two things. We must not only cut off the carpenters and the sailmakers and the boatswains and the gunners, but we must cut off the pay directors and the pay inspectors and some of those high-rank chief engineers who can not go to sea at all.

But I should like to see Congress rise to the occasion and make the necessary appropriation to build a navy commensurate with our power and dignity as a nation. If we had such ships as we need, we would not be compelled to take off the list any necessary officers.

This bill proposes various things, and among others to abolish the grade of commodore. In looking over their assignments to duty as they appear in the Register, I find that we have twenty-three commodores and that there is not one of them performing one solitary particle of sea-duty. They have unfortunately too much rank to be placed in command of our naval stations; they have too much rank to fill any position except that of commandant of a navy-yard. Not one of that number of officers, with the relative rank of brigadier-general of the Army, is doing one solitary day or hour of sea-service. It is not possible for them to do any; they have too much rank. I say, therefore, this cutting out of the rank of commodore is a move in the right direction, and I commend the committee for its courage in going forward and lopping them off—not putting them literally out of the service at this time, but stopping promotions to a grade which is purely ornamental, and which is not needed at all in our service.

But this bill proposes to retire other officers at certain ages mentioned therein.

The proposed legislation will at once burden the retired-list with thirty-four additional names, for no other reason than to satisfy the ambitious longings of some young officers who consider that their advancement does not proceed with sufficient rapidity. The officers to be retired are mostly from the volunteer service, all of whom did excellent service during and since the war, and most of whom are not only fit for but are actually engaged in active service on board ship. If they are not too old for the duty required, then why retire them at the early age of 45 and 47? If they are unfit from age to properly perform their duty, the Secretary of the Navy has a remedy fully sufficient under existing law; he may order the officer before a retiring board of surgeons and senior officers, whose report that he is unable to perform his duties authorizes his immediate retirement. This shows that the evils complained of are imaginary, and that the real reason may be looked for in ambition for promotion.

Can it be said that economy is achieved by retiring from active service thus to an enforced idleness officers who are now actively engaged on duty which, if not performed by them, must be done by others?

Look for a moment at some of the cases of volunteer officers affected.

Lieutenant-Commander F. M. Green, aged 47, would be retired at once. This officer has been in the service nearly twenty-two years, with but seven months leave of absence or waiting orders in all that time. He has had command of six scientific surveying expeditions, which have received the high commendation not only of our own but foreign governments, and from one of which he has just returned to find that as a reward for his good service he is to be summarily retired from active service.

Lieutenant-Commander Thomas Nelson, aged 48, after twenty-one years of unblemished and most valuable service, is now serving actively on board ship in the Pacific. His distinguished services are known to every naval officer of any standing, and it would be the grossest injustice and absurdity to throw away as useless the skilled services of so valuable an officer.

Lieutenant John F. Merry, aged 43, after nearly twenty-one years of active service, with repeated acts of gallantry during the war, in which he was desperately wounded at Fort Fisher, with constant service in all parts of the world since the close of the war, and now actively serving on board ship.

This list is only a specimen of what might be justly urged in behalf

of the officers we are asked to retire in order that young lieutenants who have never seen a shot fired in anger may be promoted.

Before these officers from the volunteer service could be received in the regular Navy, every one of them had received special mention for gallant service in battle from his commanding officer; and we are asked to cast aside these men of proved courage and great experience as worthless and unserviceable.

I think that the naval list may be sufficiently reduced by the abolition of the grade of commodore and by the application of a retiring rule which is not so sweeping in its character as the one proposed; and at the proper time I shall offer an amendment to except from the operation of this bill such officers as entered the service from the volunteer Navy, who were placed in the regular service because of wounds received and gallant deeds performed, provided an examination shows them qualified mentally and physically to perform their duties at sea and on shore.

I desire to call the attention of the committee to another subject, and that is the finishing of the monitors. The Committee on Naval Affairs, at their own expense, went to the different navy-yards where these monitors are lying (with the exception of the one at Mare Island navy-yard, the Monadnock) and made a personal examination of them. That examination was made under the direction of some of the brightest and ablest officers of the Navy, who were present to aid the sub-committee and explain to them those points with which the sub-committee were not familiar.

Now, I am certain that if these monitors are completed in accordance with the plan which is likely to be adopted by the present naval advisory board, and if the deflective armor and the deflective turrets invented by Mr. N. B. Clark, a passed assistant engineer of the Navy, should be applied to these monitors, they would be the best vessels of war of their class afloat.

The gentleman from Indiana [Mr. CALKINS] spoke of the speed made by the Miantonomoh. I think if he will examine the log-book of that vessel he will find that she made more than 10 knots an hour; that she made 11½ knots an hour on her trip up. He will find more, and that is if she is completed with this deflective armor she would be the best ship of her class in the world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMAS. I would like not to exceed five minutes more.

Mr. FLOWER. I ask unanimous consent that the time of the gentleman be extended for five minutes.

Mr. ROBESON. I shall not object to extending the time of the gentleman from Illinois [Mr. THOMAS], but I give notice that I shall object hereafter to any extension of time, because I desire to bring the general debate on this bill to a close this afternoon.

Mr. SPRINGER. That would not be fair.

Mr. HAZELTON. That would not be equitable.

The CHAIRMAN. The Chair hears no objection to the gentleman from Illinois proceeding for five minutes.

Mr. THOMAS. The naval advisory board appointed in conformity with the act of August 5, 1882, has examined a number of these monitors, and devised plans for the completion not only of the Miantonomoh but of the Monadnock and the Puritan. The Puritan is the largest of these vessels. She has a beautiful model, and if completed with deflective armor and deflective turrets and provided with proper engines and machinery, and armed with high-power guns, I have no hesitation in saying that she would be the best vessel of war of her class in the world.

Every consideration of right demands of us that we make the necessary appropriations to complete these vessels. Why talk about coast defense in the shape of forts? They can not be moved from place to place. These monitors are light-draught vessels, capable of carrying high-power guns, and we used them for our coast defense. It is criminal for Congress to sit here with our country in its present defenseless condition and refuse the necessary appropriations to complete these monitors.

There is nothing more humiliating than that lack of patriotism which Congress exhibits in failing to strengthen the national bond, in kindling anew the patriotic fire which is the power, the shield, the strength, the only hope of this nation. That patriotic fire is smothered and extinguished by the niggardly action of Congress in failing to promote this purely national arm of the service. Nothing fills the heart of the American citizen with more patriotism than a knowledge of the fact that on the broad seas there floats a navy of the United States proudly bearing the American flag at its mastheads. It makes our country honored at home and abroad.

Mr. KNOTT and Mr. HARRIS of Massachusetts rose.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. KNOTT] as entitled to the floor, and will next recognize the gentleman from Massachusetts, the chairman of the Committee on Naval Affairs.

Mr. BLOUNT. I understood from the Chair that I was to be recognized before the gentleman from Massachusetts.

The CHAIRMAN. The Chair has now recognized the gentleman from Kentucky [Mr. KNOTT], and will say that it is customary to alternate on the different sides of the House.

Mr. BLOUNT. Most of the argument already has been on the other side.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. HISCOCK. I would like to inquire of gentlemen on the other side how much more time they think they want?

Mr. SPRINGER. We will settle that after a while.

Mr. BLOUNT. I do not know that there is any understanding about the matter. I have been hoping all day to get some time, certainly not to exceed an hour and perhaps not half that time. I would rather speak on Monday morning, and I hope the gentleman will not attempt to close general debate this evening.

The SPEAKER. All this discussion is by unanimous consent. The gentleman from Kentucky [Mr. KNOTT] is entitled to the floor.

Mr. SPRINGER. I object to everything that interrupts the gentleman from Kentucky. I want to hear him.

Mr. BLOUNT. I do not understand that the gentleman from Kentucky is objecting.

Mr. ROBESON. I give notice that after the gentleman from Kentucky [Mr. KNOTT] shall have concluded his remarks I shall move that the committee rise for the purpose of having the House limit general debate to-day.

Mr. SPRINGER. We may not do it.

Mr. BLOUNT. We will not be apt to do it.

Mr. KNOTT addressed the committee. [See Appendix.]

The CHAIRMAN. The gentleman has ten minutes of his hour left.

Mr. BLOUNT. I thank my friend from Kentucky [Mr. KNOTT] for his kindness and courtesy, but that time will not be sufficient for my purpose.

The CHAIRMAN. Then the Chair will recognize the gentleman from Massachusetts [Mr. HARRIS] as entitled to the floor.

Mr. HARRIS addressed the committee. [See Appendix.]

Mr. DEZENDORF. Mr. Chairman, the general debate upon this bill has shown these facts: first, that we have practically no war vessels, in the modern acceptation of that term; second, that we have no guns worthy of the name with which to arm ships; third, that we have a large number of as gallant officers as any navy can boast of, who have no ships to sail or command. After having revolutionized naval warfare we went to sleep, and like Rip Van Winkle woke up after twenty years to find ourselves practically powerless on the sea, $200,000,000 having been in the mean time expended upon the naval establishment of this Government.

This bill proposes in some measure a remedy for these evils. It proposes to construct ships and guns, and, sir, in order to construct ships and guns we must have money appropriated. I am in favor, Mr. Chairman, of building vessels, as recommended by the committee, of American materials, in American navy-yards, and by American workmen. It is practically useless, Mr. Chairman, for us to talk about building vessels by contract when we make appropriations by piecemeal as we have been doing for the last twenty years. The vessels recommended by this committee to be built will cost $5,000,000; yet we find our Appropriations Committee recommending an appropriation of $1,500,000, to which is added the unexpended balance of last year's appropriation, which will amount perhaps at the end of the fiscal year to $200,000 or $300,000.

Now, Mr. Chairman, for one, as a member of the Naval Committee, I am totally opposed to further action of this kind. If we intend to build ships, let us give the Secretary of the Navy the money with which to build them. If we intend to build them by contract, let us say so, and appropriate the money necessary therefor. If the Secretary of the Navy is to be confined to the amount of money appropriated in this bill, then I insist, as a matter of economy and as a matter of justice to the people of this country, that these ships should be built in our navy-yards.

I heard some gentlemen on the other side of the House ask whether the navy-yards of this country are prepared to build these ships. To them I make this answer: The chief naval constructor says that with an appropriation of $150,000 for tools and plant we can build these ships in the navy-yards already owned by the Government. So far as the Norfolk navy-yard is concerned, I undertake to say that with an appropriation of $50,000 for extra tools any ship which the Secretary of the Navy may recommend to be built can be built there.

Now, sir, as to the matter of retirement. That subject has been gone over so thoroughly I propose to say but a few words on it, and those few words I want to say in behalf of the volunteer officers of the Navy. As I understand the provisions of this bill, they will after a few years virtually put out of the service all the volunteer officers. I think that justice should be done to the volunteer officers both of the Army and of the Navy. Those men went into the service of their own accord. They were not in the service at the outbreak of the war; they were not in a position where they had either to go to the front or to be disgraced; but they came forward voluntarily in behalf of their country and risked their lives in its defense.

I happen to know one or two volunteer officers this bill will after a few years put out of the service, because I know, and I think every gentleman on this floor knows, after a few years this retired-list will have become so large that it will be found necessary to cut off a portion of it. I therefore hope, sir, that on the final passage of this bill some attention will be shown to those officers who deserve well of their country.

Something has been said here about bureaus and about the different bureaus of the Navy Department. I undertake to say, sir, that bureaus are of just as much importance to the proper organization of the Navy Department of this Government, or any other government, as the committees of this House are to the House itself. They have just exactly the same relation to it.

And right here, Mr. Chairman, I wish to say a few words in defense of a gentleman who has been alluded to here to-day by name, Captain P. C. Asserson, civil engineer of the Norfolk navy-yard. He has been alluded to in this debate as an "ox-driver." I undertake to say that no more capable and efficient officer holds a commission in the United States Navy to-day than P. C. Asserson, civil engineer of the Norfolk navy-yard. When he was first appointed in the Navy he was appointed as a line officer, a volunteer officer, and he served his country faithfully and well during all the war of the rebellion. After the war was over he entered into business, but unfortunately for him one of the banking establishments of the city of Norfolk failed, and he was compelled to take the position of superintendent of laborers in the Norfolk navy-yard. He might in the discharge of his duties have taken a goad and driven an ox-cart. If he did, I say it was all the more to his credit as a man. He is an educated gentleman, he is a civil engineer under the Navy Department, and a member of the American Society of Civil Engineers. What are the duties of a civil engineer? I would like to ask some of the gentlemen who alluded to him; what are the duties of this position of civil engineer? Do they know what it is?

Mr. THOMAS. Will the gentleman permit me to ask him to inform us of what special duty he is now performing as civil engineer.

Mr. DEZENDORF. Yes, sir; I will. When the war was over, as every man knows that knows the history of the country, the Norfolk navy-yard had been devastated; almost every building in it was razed to the ground. Most of those buildings were rebuilt under the superintendence of Captain P. C. Asserson. That was the legitimate duty of the civil engineer of that navy-yard. He is as much entitled to his rank of civil engineer as General Wright is to the rank of brigadier-general while performing the duty of civil engineer in the United States Army.

Now, so far from seeing that bureau done away with, I intend to introduce an amendment to this bill putting a civil engineer in charge of the Bureau of Yards and Docks. The duties of that bureau come legitimately under the direction of a civil engineer.

What has that bureau to do? It has to test the strength of materials, to test the security of foundations, to lay out yards, &c. It is true, as has been said, that it is a part of the duty of the civil engineer to see that the navy-yard is kept in proper order. I say now, and make the declaration, that no man employed by the Government of the United States has a better record than Captain P. C. Asserson, civil engineer of the Norfolk navy-yard.

Mr. THOMAS. How many of the buildings referred to by the gentleman in the Norfolk navy-yard were built by contract?

Mr. DEZENDORF. I do not think any of them were built by contract. They were all built by the day, and they were all built under the estimates, every last one of them. They were all built under the superintendence of Captain P. C. Asserson.

I wish to say a word now in reference to the ironclads. I am in favor of completing all the ironclads, not one of them, but all of them. I believe the time has come when, if we need cruisers, we will also need something for harbor defense.

Some gentlemen asked why not take this money and apply it to the building of coast fortifications. Where would your fortifications have been when the Merrimac came to Fortress Monroe but for the "Yankee cheese-box," the Monitor? The day of fortifications is past, practically, forever. What we need now is swift cruisers to go to sea, and the ironclads, armored vessels, for harbor and coast defense.

A great deal has been said about these ironclads now in an unfinished condition. I have heard it asserted upon this floor in times past that they would not float; that they were practically useless; that it was money thrown away to appropriate for them any more. What is the result? Why they have been launched and they do float, and they have shown more free-board than the bill calls for. I undertake to say that if completed, with the deflective armor of Passed Assistant Engineer Clark, they will be the most formidable vessels that float upon any waters.

And right here I desire to say a word simply by way of repetition of what I before said last session, that we have the port of San Francisco practically at the mercy of that little power called Chili. She can come in there and levy tribute or burn down the town and demand her millions, and we have not a vessel that could stand in her way. Now, one of these ironclads is at the Mare Island navy-yard, and I think that vessel ought to be completed at once. I am ready to vote the money to do it with at once. Why should not we do it? We have to relieve our Treasury. We have too much money there. It is overflowing with treasure. We do not know what to do with it. You are here trying to devise some means and measures to cut down the revenues of the country and yet you are not willing to appropriate the revenues of one single week to put this country in a position where we can command the respect of our enemies, or rather of foreign powers, for we have no enemies just now.

I repeat, sir, the revenues for one single week of this nation in its present condition will build all the ships the committee call for, and we ought to appropriate the money to do it, not by piecemeal. I said on this floor on the first occasion when I had the honor to address this House, during the last session, that that money so appropriated would practically be wasted. I did not say too much. I think the facts will bear out that assertion. You might just as well have taken it and poured it into the depths of the sea as to have appropriated in the manner you did and to expect any good results to come from it. Why, the amount left over would not lay the keel of any one of these ships. And yet this committee comes in here again with $1,500,000 of an appropriation, which is not sufficient to build one ship. The result will be that the next Congress—this work to be done by contract and the contracts awarded—will come in and revoke the contracts, and you will have a repetition simply of the old ironclad business over again. Now, either appropriate the money in bulk and build properly by contract, if you choose, or else, if you intend to vote the money piecemeal in this manner, then build your ships in the navy-yards of the country.

The best ships that this Government owns to-day were built in its own navy-yards; the ships that won all of our great victories were built in our own navy-yards; and I for one desire to raise my voice in earnest protest against this continuing of the piecemeal business by contract.

I believe, Mr. Chairman, that we ought to adopt the system of deflective armor if the experiments prove it to be as valuable as I believe it will be. I think we ought to appropriate money for torpedoes of American manufacture. What is the use in going to England for all such things? We can build anything in this country as well as they can in England or anywhere else on the face of the globe. Give an American the money to do it with, and he will do it, and do it well. I am in favor, therefore, of doing all the work with American material by our American artisans in American navy-yards.

The hour is so late, Mr. Chairman, that I will not detain the committee longer. I thank gentlemen for their considerate attention.

Mr. SHALLENBERGER. I desire, Mr. Chairman, simply at this late hour, on the suggestion of several members, to submit an amendment which I propose to offer to the pending bill, with the request that it be printed in the RECORD.

There was no objection.

Mr. SHALLENBERGER'S proposed amendment is as follows:

Line 516, page 22, add the following:

"Hereafter for the purpose of appointing candidates for admission to the Naval Academy as naval cadets the Secretary of the Navy shall divide and arrange the entire country, considered as Congressional districts, Territories, and the District of Columbia, into forty territorial districts, composed of not less than eight and not more than nine of the above-named subdivisions, and as nearly as possible of contiguous territory, to be numbered and designated as naval cadet districts, from each of which forty districts one appointment for admission to the Naval Academy shall be made every year, under the following conditions, namely: The Secretary of the Navy shall name a competent board of examiners and arrange for a competitive examination every year in each of the forty districts. Representatives, Delegates, and the president of the board of commissioners of the District of Columbia may each name one candidate every year to appear for examination in their respective cadet districts, the candidate standing highest on the list of those examined to receive the appointment; the candidate next highest may be appointed alternate and proceed to Annapolis at his own expense, to be immediately examined for admission in the event of the failure of his principal, provided that this legislation shall not affect admission to the academy during the year 1883.

Mr. ROBESON. I shall now move that this committee rise, and when in the House I design to move that all general debate be limited to one hour on Monday next.

I move that the committee do now rise.

Mr. BLOUNT. I would like to ask the gentleman from New Jersey how he will dispose of the hour?

Mr. ROBESON. I expect to give it to the gentleman from Georgia.

Mr. BLOUNT. I have no complaint about that.

The CHAIRMAN. The question is on the motion that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAGE reported that the Committee of the Whole House on the state of the Union having had under consideration the naval appropriation bill had come to no resolution thereon.

Mr. ROBESON. Mr. Speaker, I now move that when this House again resolves itself into Committee of the Whole on the state of the Union all general debate upon the pending bill be limited to one hour.

Mr. MILLS. Say two hours.

Mr. ROBESON. No; one hour.

Mr. MILLS. I understand the gentleman from Georgia desires to be heard.

Mr. BLOUNT. The gentleman from New Jersey has agreed to give me the hour.

The motion to limit debate was agreed to.

Mr. ROBESON moved to reconsider the vote by which general debate was limited; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. ROBESON. I move that the House do now adjourn.

JULIA A. NUTT.

Mr. HOUK. The Committee on War Claims, to whom was referred the letter of the Secretary of War transmitting the report of the Quartermaster-General on his examination of the claims of Julia A. Nutt, widow and executrix of Haller Nutt, late of Natchez, Mississippi, have instructed me to report the same back to the House, and to ask that the letter of the Secretary of War and accompanying papers be printed and recommitted to the Committee on War Claims.

There was no objection, and it was so ordered.

JOHN G. DOREN.

Mr. LE FEVRE, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Accounts:

Resolved by the House of Representatives, That the Clerk be, and he hereby is, directed to pay to John G. Doren, late index clerk of the House, $812.25, being the amount necessary to reimburse him for money actually paid out during the Forty-fifth and Forty-sixth Congresses, for indispensable assistance in making the indexes for the use of the House.

HARBOR OF EAST DUBUQUE, ILLINOIS.

Mr. HITT, by unanimous consent, introduced a bill (H. R. 7334) to continue the improvement of the harbor of East Dubuque, Illinois; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

JOSEPH P. MATTHEWS.

Mr. RAY, by unanimous consent, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 6383) granting a pension to Joseph P. Matthews; which was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

JULIUS M. CARRINGTON.

On motion of Mr. TOWNSEND, of Ohio, by unanimous consent, leave was given to withdraw from the files of the House the papers of Lieutenant Julius M. Carrington.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed, with amendments in which the concurrence of the House was requested, the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes.

ENROLLED BILL SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (S. 422) for the relief of George W. Maher.

CATHARINE BULLARD.

Mr. PEELLE, by unanimous consent, introduced a bill (H. R. 7335) granting a pension to Catharine Bullard; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SECTION 2603 OF REVISED STATUTES.

Mr. RICE, of Ohio, by unanimous consent, introduced a bill (H. R. 7336) to amend section 2603 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

POST-OFFICE APPROPRIATION BILL.

Mr. HISCOCK. I ask that the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, with amendments by the Senate, be taken from the Speaker's table; and I move that the bill and amendments be referred to the Committee on Appropriations and printed.

The motion was agreed to.

THE LATE HON. J. T. UPDEGRAFF.

Mr. J. D. TAYLOR. I ask unanimous consent that Tuesday, February 6, at 2 o'clock, be assigned as the time for appropriate remarks on the memory of the late Hon. Jonathan T. Updegraff.

There was no objection, and it was so ordered.

LOUISIANA JUDICIAL DISTRICTS.

Mr. ELLIS. I ask that the bill (S. 1963) to attach the parishes of Saint Mary and Iberia, in the State of Louisiana, to the western judicial district of Louisiana, be taken from the Speaker's table and referred to the Committee on the Judiciary.

There was no objection; and the bill was taken from the Speaker's table, read a first and second time, and referred to the Committee on the Judiciary.

SHERMAN C. PERRY.

Mr. BEACH, by unanimous consent, introduced a bill (H. R. 7337) for the relief of Sherman C. Perry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THOMAS MULVEHILL.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Commerce, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated the 17th instant, inclosing, with other papers on the subject, a petition of Thomas Mulvehill, of Pittsburgh, Pennsylvania, praying for the repossession of certain shore lands at Pittsburgh erroneously conveyed by him to the United States.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

PAYMENT FOR LANDS IN INDIAN TERRITORY.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication, dated the 18th instant, from the Secretary of the Interior, with accompanying papers, in relation to the request of the Cherokee Indians in the Indian Territory for payment for lands in that Territory west of the ninety-sixth degree west longitude, the cession of which to the United States for the settlement of friendly Indians thereon is provided for in the sixteenth article of the treaty of July 19, 1866.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

REMOVAL OF SNOW AND ICE IN THE DISTRICT.

The SPEAKER also laid before the House the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated the 17th instant, inclosing copies of letters respectively from the Chief of Engineers and Colonel A. F. Rockwell, in charge of public buildings and grounds in this city, urging the importance of an immediate appropriation of $1,000 for removing snow and ice from the walks and pavements in and around the various public reservations under his control during the remainder of the present fiscal year.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

FORT CAMERON, UTAH TERRITORY.

The SPEAKER also laid before the House the following message from the President of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated the 18th instant, inclosing an extract copy of a report of the Adjutant-General respecting the military reservation of Fort Cameron, Utah Territory, and recommending that authority be granted during the present session of Congress for the disposal of said reservation, it being no longer needed for military purposes.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

INDIAN LANDS FOR NORTHERN PACIFIC RAILROAD.

The SPEAKER also laid before the House the following message from the President of the United States; which was referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Interior, with a draft of a bill and accompanying papers to accept and ratify an agreement with the confederated tribes of Flathead, Kootenay, and Upper Pend d'Oreilles Indians, for the sale of a portion of their reservation in the Territory of Montana required for the Northern Pacific Railroad, and to make the necessary appropriation for carrying the same into effect.

The subject is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 19, 1883.

The motion of Mr. ROBESON was then agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By the SPEAKER: The resolutions adopted by the Ohio State Board of Agriculture, protesting against any reduction of the duty on wool—to the Committee on Ways and Means.

Also, the resolutions adopted by the Illinois Bar Association, urging the passage of bill to establish an intermediate court of appeals—to the Committee on the Judiciary.

By Mr. G. R. DAVIS: The resolutions adopted by the Chicago Board of Trade, recommending as a proper and wise business measure the immediate passage of the Sherman bill for the extension of the bonded period on spirits—to the Committee on Ways and Means.

Also, papers relating to the pension claim of A. H. Germer—to the Committee on Invalid Pensions.

By Mr. ELLIS: Memorial of commercial organizations and merchants of New Orleans, praying for the establishment of a light-ship at Cape Hatteras—to the Committee on Commerce.

By Mr. GEORGE: The petition of the Portland (Oregon) Board of Trade, for an appropriation for the improvement of the mouth of the Columbia River—to the same committee.

By Mr. KASSON: The petition of George H. Maish and others, of Des Moines, Iowa, for the passage of the Senate substitute for bill H. R. 5656—to the Committee on Ways and Means.

By Mr. R. M. McLANE: The petition of William H. Perot and others,

of Baltimore, Maryland, for damages on account of unlawful seizure and detention of sundry cargoes of sugar by the Treasury Department—to the Committee on Appropriations.

By Mr. MORRISON: The petition of J. B. Brewster & Co. and 18 others, manufacturers, for the repeal of the duty on spring-steel—to the Committee on Ways and Means.

By Mr. MORSE: Papers relating to the claim of Lieutenant W. F. Rice—to the Committee on Claims.

By Mr. O'NEILL: The petition of the Philadelphia Board of Underwriters, and of vessel-owners, merchants, masters, and pilots of vessels of Philadelphia, relative to gas-lighted buoys—severally to the Committee on Appropriations.

By Mr. PAUL: The petition of members of the faculty of the University of Virginia, for an appropriation for educational purposes—to the Committee on Education and Labor.

By Mr. PETTIBONE: The petition of Mrs. Jennette McLelland, for a pension—to the Committee on Invalid Pensions.

By Mr. REAGAN: The petition of L. T. Fuller and others, of Robertson County, Texas, protesting against an increase of duty on tin-plates, &c.—to the Committee on Ways and Means.

By Mr. R. W. TOWNSHEND: Paper relating to the pension claim of David Sneed—to the Committee on Invalid Pensions.

By Mr. VANCE: The petition of J. W. Nash and 50 others, for the establishment of a mail-route from Sandy Mush to Pigeon River, North Carolina—to the Committee on the Post-Office and Post-Roads.

By Mr. WARD: The petition of iron-workers of Parksburgh, Chester County, Pennsylvania, protesting against reduction of tariff duties—to the Committee on Ways and Means.

By Mr. C. G. WILLIAMS: The petition of Jacob Walrath and 83 others, citizens of Rock County, Wisconsin, for the abolition of the tax on tobacco, cigars, &c.—to the same committee.

The following petitions for a reduction of the duty on sugar were presented and referred to the Committee on Ways and Means:

By Mr. KASSON: Of J. H. Eno and 74 others, of Warren County, and of J. H. Clark and 46 others, of Wayne County, Iowa.

By Mr. PETTIGREW: Of Benjamin Sammens and 33 others, of Grand Forks; of Keenan & Moore and 47 others, of Casselton; and of Frank Anders and 20 others, of Fort Ransom.

By Mr. C. G. WILLIAMS: Of J. H. Sabin and 48 others, of Wilmot, Wisconsin.

SENATE.

MONDAY, *January* 22, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of proceedings of Saturday last was read and approved.

CHEROKEE INDIAN LANDS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication dated the 18th instant, from the Secretary of the Interior, with accompanying papers, in relation to the request of the Cherokee Indians, in the Indian Territory, for payment for lands in that Territory west of the ninety-sixth degree west longitude, the cession of which to the United States for the settlement of friendly Indians thereon is provided for in the sixteenth article of the treaty of July 19, 1866.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 20, 1883.

PETITIONS AND MEMORIALS.

Mr. PENDLETON presented the memorial of W. G. Hyndman & Co., Scott & Co., Swift's Iron and Steel Works, Licking Rolling Mill Company, Globe Rolling Mill Company, James F. Hazen & Co., Lowry Hardware Company, and eight other firms of Cincinnati, Ohio, protesting against a discriminating duty in favor of tin-plate, and in favor of a duty of 2½ cents per pound on tin-plates and that in no case the duty be less than 2.2 cents, as recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. HALE presented a memorial of citizens of Maine, remonstrating against any reduction of the present duty on anchovies and sardines, packed in oil or otherwise, in tin boxes, as embraced in Schedule G of the report of the Tariff Commission; which was ordered to lie on the table.

Mr. FRYE. I present a petition of the governor of Maine, the members of the council, and nearly all the members of the Legislature of Maine, in favor of the bill now before the Senate Committee on Pensions increasing the pensions of soldiers who lost a leg or an arm in the service. I move the reference of the petition to the Committee on Pensions.

The motion was agreed to.

Mr. LAPHAM. I present a memorial adopted by the convention of cider and cider-vinegar makers and fruit-growers of Western New York, held at Rochester, protesting against the passage of what is termed the "storekeepers' bill," and in favor of the unconditional repeal of the law authorizing the manufacture of vinegar in distilleries; which I move lie on the table.

The motion was agreed to.

Mr. PLATT presented the petition of F. R. Scoville and others, tobacco dealers of Torrington, Connecticut, praying the allowance of a rebate equal to any reduction that may be made in the tax on tobacco and its manufactures; which was ordered to lie on the table.

Mr. CAMERON, of Pennsylvania. Mr. President, I present the petition of M. H. Eckerd and other workingmen, employés of Woodward & King, of Steelton, Dauphin County, Pennsylvania; the petition of David Miles and other workingmen, employés of the Thorndale Iron Works, of Thorndale, Chester County, Pennsylvania; the petition of Charles B. Watson and other workingmen, employés of Ferguson, White & Co., of Robesonia Furnaces, Berks County, Pennsylvania; the petition of H. A. Brady and other workingmen, employés of Newgold, Scheide & Co. (rolling-mill), of Bristol, Pennsylvania; the petition of E. E. White and other workingmen, employés of Hussey, Barnes & Co., of Pittsburgh, Pennsylvania; the petition of Lewis R. Hampton and other workingmen, employés of the Parkesburgh Iron Company, of Parkesburgh, Chester County, Pennsylvania; the petition of David Griffy and other workingmen, employés of Valentine & Co., iron-workers, of Bellefonte, Centre County, Pennsylvania; the petition of William M. Weaver and other workingmen, employés of the Macungie Iron Company, of Macungie, Lehigh County, Pennsylvania; the petition of E. Oscar Hampton and other workingmen, employés of George V. Cresson, shafting-maker, of Philadelphia, Pennsylvania; the petition of F. Kilheffer and other workingmen, employés of the Harrisburgh Nail Works, of Fairview, Cumberland County, Pennsylvania; the petition of Henry C. Fish and other workingmen, employés of Lindsay & McCutchen, Star Iron Works, of Pittsburgh, Pennsylvania; the petition of Daniel Wiland and other workingmen, employés of McCoy & Linn, Milesburgh Iron Works, of Milesburgh, Centre County, Pennsylvania; the petition of Daniel K. Rettew and other workingmen, employés of the Susquehanna Iron Company, Columbia, Pennsylvania; the petition of W. C. Fownes and other workingmen, employés of William Clark & Co., Solar Iron Works, of Pittsburgh, Pennsylvania; the petition of Mahlen Miller and other workingmen, employés of iron-workers at Blanden, Berk's County, Pennsylvania; the petition of Samuel McClure and other workingmen, employés of the Stewart Iron Company, of Sharon, Mercer County, Pennsylvania; the petition of William McGurk and other workingmen, employés of H. Lloyd, Son & Co., Kensington Iron Works, of Pittsburgh, Pennsylvania; and the petition of L. Crater and other workingmen, employés of William McIlvain & Sons (rolling-mill), of Reading, Pennsylvania. The petitioners respectfully set forth the following facts:

In common with other workingmen they have been prepared to acquiesce in the schedules of duties on foreign products recommended by the Tariff Commission, although not approving of all of the provisions of the schedules—their principal reason for accepting the schedules arising from a strong desire to see the tariff question settled upon a basis that would offer some hope of permanence, and that would also offer some hope of stability to the industries of the country.

They have, however, viewed with alarm the effects upon general business of the mere proposition of the commission to reduce duties, and of the widespread apprehension that Congress may go even further in the work of reduction than the commission has recommended, and they point to the recent stoppage of mills and factories and workshops, to the enforced idleness of many workingmen, to the shrinkage in values and the decline in prices, to the largely increased number of financial failures, to the tendency toward lower wages for labor, to the hesitation of capital to engage in new enterprises, and to the withholding of orders for supplies by railroad companies and other great corporations, as conclusive proofs of the depressed condition of many of our leading industries and of the great shock which our whole industrial system has experienced.

They believe that this serious and threatening condition of our industrial interests can only be changed and confidence and prosperity be restored to the country by the firm refusal of Congress at its present session to do anything that will tend to increase the importation of foreign goods, or that will make competition between the manufacturers of this country and of other countries for the supply of our markets so severe that the wages of American workingmen must be still further and permanently reduced.

They call special attention to the large importations of iron and steel which have taken place during the past year, and ask that they may receive the careful consideration of Senators and Representatives in connection with the proposed changes in the duties on these products. The large importations referred to occurred in a year of low prices in our own country, and when our capacity for the production of iron and steel of every description was fully equal to the demand, and also when our iron and steel markets were wholly free from all abnormal excitement, and they show that the present duties on iron and steel are not only not prohibitory, but that they are in some instances not sufficiently protective of the capital and labor engaged in their domestic production. In some cases they are not so high as it was the manifest intention of Congress to impose, and in these cases the Tariff Commission, in recommending an increase of duties, has aimed simply to correct erroneous decisions by the Treasury Department and the courts. Duties, therefore, should not be seriously decreased on any articles of iron or steel, and they should be increased on tin-plates, steel-wire rods, steel-blooms, pig-iron, cotton-ties, and all "non-enumerated" articles. To decrease the duties on many iron and steel products which could be named could only result in an increase of importations, and a consequent increase of revenue, or else in a great reduction of wages, to be followed by general distress and discontent.

The workingmen whose names are appended therefore pray that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; and they further pray that Senators

and Representatives, in this crisis of our manufacturing industries which have done so much to develop the resources of the country and to increase and extend its prosperity, will take counsel of the experience of the past, which tells a warning story of the effects upon American industries of a too ready acceptance of the economic views of our foreign rivals.

I move that these petitions lie on the table.

The motion was agreed to.

Mr. CAMERON, of Pennsylvania, presented the memorial of the Franklin Institute of the State of Pennsylvania for the Promotion of the Mechanic Arts, remonstrating against the transfer of the United States Coast and Geodetic Survey from the Treasury to the Navy Department; which was referred to the Committee on Commerce.

He also presented the petition of Peter Wright & Sons and others, ship-owners, merchants, masters, and pilots of vessels, of Philadelphia, Pennsylvania, and a petition of ship-owners, merchants, masters, pilots of vessels, and representatives of marine insurance companies, of Philadelphia, Pennsylvania, favoring a liberal appropriation for the introduction of a system of gas-lighted buoys along our coast and inland waters; which were referred to the Committee on Commerce.

He also presented the petition of Dr. J. S. Johnson and 24 others, citizens of Bucks County, Pennsylvania, and the petition of Jesse Merrill and 80 others, citizens of Clinton County, Pennsylvania, praying for the passage of a bill increasing the pension of soldiers who lost an arm or leg in the service of the Government; which were referred to the Committee on Pensions.

Mr. BAYARD presented the petition of S. Matthews and 68 others, citizens of Delaware, praying for the passage of a law to prevent railway discriminations; which was referred to the Committee on Commerce.

Mr. HOAR presented the memorial of the Phœnix Plate Company and other dealers and manufacturers of black tagger-iron as raw material, of Worcester, Massachusetts, remonstrating against the increase of duty on that article proposed by the Tariff Commission; which was ordered to lie on the table.

Mr. PLATT presented the petition of John Clary and 122 citizens of New Britain, Connecticut, asking for national aid to common schools; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. HAWLEY. The Committee on Civil Service and Retrenchment, to whom was referred the joint resolution (S. R. 96) relative to schools of medical practice in the United States and the graduates thereof, and certain memorials and petitions on the subject, have instructed me to report that in their opinion the matter belongs rather to the Committee on Military Affairs; and the Committee on Civil Service and Retrenchment ask to be discharged from the further consideration of the subject, and that the joint resolution and accompanying papers may be referred to the Committee on Military Affairs.

The report was agreed to.

Mr. BLAIR. I am instructed by the Committee on Education and Labor, to whom was referred the joint resolution (S. R. 109) presenting the thanks of Congress to John F. Slater for a bequest of $1,000,000 to be appropriated for the benefit of the colored race in this country, to report it back without amendment and to recommend its passage. I ask that the accompanying report may be printed, and I give notice that I shall call up the joint resolution at an early day.

The report was ordered to be printed.

Mr. LOGAN, from the Committee on the Judiciary, to whom was referred the bill (S. 2262) for the regulation of telegraph and cable companies, reported it with amendments.

Mr. MORRILL. I am directed by the Committee on Finance, to whom was referred the bill (S. 1632) to provide for paying certain advances made to the United States by the States of Maryland and Virginia, to report it back and ask to have it referred to the Committee on Claims. If there is any basis at all, as I do not believe there is, for the bill, it should go to the Committee on Claims.

The PRESIDENT *pro tempore*. The Committee on Finance will be discharged from the further consideration of the bill, and it will be referred to the Committee on Claims, if there be no objection.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 1058) to prevent the unlawful occupation of the public lands, asked to be discharged from its further consideration, and that it be postponed indefinitely, which was agreed to; and he reported a bill (S. 2405) to prevent the unlawful occupation of the public lands; which was read twice by its title.

FRANCIS H. SMITH, SR.

Mr. GARLAND. The Committee on the Judiciary have had under consideration the bill (H. R. 7330) to remove the disabilities of Francis H. Smith, sr., of Virginia, and direct me to report the same back without amendment, and with a recommendation that it pass. It is a unanimous report, and I presume there will be no objection to it. I ask for the present consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FRYE. Was the removal of disabilities asked for?

Mr. GARLAND. The petition is on file. This is a bill from the House.

The PRESIDENT *pro tempore*. No bill for the relief of political disabilities is ever reported unless it is asked for.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed (two-thirds of the Senators present voting therefor).

BILLS INTRODUCED.

Mr. MORGAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2406) to amend the law as to the issue of postage penalty envelopes to certain public officers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. CALL asked and, by unanimous consent, obtained leave to introduce a bill (S. 2407) to confirm the title of Eliza Stanly and her heirs to certain lands; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLATT. I ask leave without previous notice to introduce a bill to authorize the Postmaster-General to extend the free delivery of letters, and I desire to call the attention of the Post-Office Committee to the bill. I do not see any member of the committee present except the Senator from Colorado [Mr. HILL].

The PRESIDENT *pro tempore*. The Senator from Colorado is the acting chairman of the committee.

By unanimous consent, leave was granted to introduce a bill (S. 2408) to authorize the Postmaster-General to extend the free delivery of letters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PLUMB asked and, by unanimous consent, obtained leave to introduce a bill (S. 2409) granting a pension to Alexander Montgomery; which was read twice by its title, and referred to the Committee on Pensions.

PROPOSED EVENING SESSIONS.

Mr. MORRILL. I now ask the Senate to take up the resolution submitted by me on the 19th instant in relation to a daily recess.

The PRESIDENT *pro tempore*. The resolution will be read.

The Acting Secretary read the resolution, as follows:

Resolved, That on and after Monday, January 22, the Senate will take a daily recess from 5½ o'clock p. m. to 7½ o'clock p. m. until otherwise ordered.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. MORRILL. Mr. President, I bring this resolution up at the suggestion of several Senators in order that we may determine whether we are to make any earnest effort to go through with the revenue bill at the present session. It is very important that we should have a little more time, and we must either begin immediately after the morning business and continue late every day or we must take a recess from the usual hour of adjournment until some hour in the evening. The resolution proposes to take a recess from 5½ o'clock until 7½ o'clock.

It is sometimes asserted by many Senators that the revenue bill under consideration does not make any reduction on the tariff. I wish not to make an argument, but to present the facts as to the reduction proposed by the bill which we have reported below the present existing tariff. I think I can satisfy the Senate and the country that we have proposed very radical reductions from beginning to end; and I will read them so that the Senate may understand precisely what we are about:

Reductions effected by proposed tariff.

Gelatine	$7,923

Soap—

Before even the amendment of the Senator from North Carolina [Mr. VANCE] was made it was $46,168.

Castor-beans—

Before the amendment of the Senator from Kansas [Mr. PLUMB] it was $14,334.

Castor-beans	$14,334
Licorice paste	20,535
Hemp-seed and rape-seed oil	3,340
Artificial mineral waters	3,718
Whiting	15,892
Potash, nitrate of, crude	58,980
Potash, nitrate of, refined	4,357
Soda, caustic	284,395

These are estimates based upon the importations of last year, supposing that the importations were to be the same for the coming year.

Coal-tar	$2,951
Aniline colors	551,932

Which the Senate even reduced very considerably from the figures that were presented in the bill.

Ultramarine	$9,067
Essential oils, &c	181,177
Medicinal preparations	48,714
Barks, beans, berries, &c	35,980
Slate, &c	4,577
Potato starch	8,731
Rice starch	14,645
Rice, cleaned	158,134
Rice, uncleaned	3,093

I may say in passing that I do not think the duties ought to have been reduced either upon rice or upon potato starch.

Sardines, quarter boxes	$126,088
Sardines, other forms	2,828
Salmon	6,310
Vinegar	2,836
Raisins	218,899
Fruits, preserved	11,144
Almonds	26,523
Almonds, shelled	25,532
Mustard, ground	15,789
Spool-thread	21,136
Brown and bleached linens	149,375
Cotton bagging	12,331
Books, &c	143,429
Manufactures of paper	372,180
Alabaster, &c	6,858
Baskets, &c	13,346
Blacking	4,091
Bone, ivory, &c	7,443
Bonnets, hats, &c	513,240
Brushes	49,191
Bulbs	6,666
Buttons and button molds	182,360
Clocks, &c	22,366
Coal slack	6,077
Coal, bituminous	198,931
Coke	2,663
Combs	3,375
Sweetmeats, &c	29,615
Corks	6,015
Crayons	1,060
Dolls and toys	91,744
Emery ore	2,765
Emery grains	5,202
Galloons, laces, &c	10,091
Floor-matting	60,894
Fur, articles of	30,703
Horse-hair and hair of all kinds	18,476
Hemp-seed and rape-seed	8,344
India-rubber manufactures	7,757
Inks	7,494
Jet	21,550
Calf-skins, &c	125,846
Manufactures of leather, not otherwise provided for	43,344
Musical instruments	7,544
Osier or willow	2,247
Papier-maché	6,183
Pipes and smokers' articles	46,963
Plants, shrubs, &c	121,598
Pencils of lead	24,629
Salt	145,814
Rattans and reeds	8,527
Stone, undressed	8,399
Umbrellas, &c	4,444
Hay	4,148

That, however, the committee corrected and put upon another schedule, so that there will be no reduction on hay.

Pulp	$2,492
Asafœtida	1,373
Cassia	158,096
Cinnamon and cloves	82,355
Lemon and lime juice	5,730
Mace	18,094
Nutmegs	572,496
Orange oil	53,661
Pepper, unground	454,076
Pimento, unground	64,554
Acid: Benzoic, carbolic, sulphuric, and other	9,383
Magnesia, carbonate of	11,326
Drugs, crude, and dyes	71,902
Mineral and bituminous substances in crude state	24,314
Copaiba, balsam of	19,265
Arrowroot	3,121
Fruit: Bananas, pineapples, plantains, &c	192,042
Macaroni and vermicelli	57,559
Parchment	3,023

Then on iron, wool and woolens, cotton, and silks there is also a very conspicuous and large reduction, amounting to several million dollars on each, I suppose.

Mr. HARRIS. I should like to ask the Senator from Vermont if this statement is based upon the action of the Committee on Finance?

Mr. MORRILL. I had the clerk of the Committee on Finance to go through the items for my own information, and state the reduction on each article.

Mr. HARRIS. I ask is the statement based upon the action of the committee upon the bill reported by the Committee on Finance?

Mr. MORRILL. It is, with the exception of some three or four amendments which have been since proposed.

Mr. HARRIS. Does the memoranda contain a statement of the articles upon which duties have been increased, and an estimate of the increase of revenues which will result?

Mr. MORRILL. It does not; but I do not remember that we have proposed to increase the rate of duty upon any article of any importance above what has been proposed by the Tariff Commission.

Mr. DAVIS, of West Virginia. May I ask the Senator what is the total amount of reduction?

Mr. MORRILL. I have not added it up. I made an estimate of the amount in my opening remarks upon the subject.

Mr. DAVIS, of West Virginia. I wish to ask another question. The statement, I believe, does not include the reduction on internal revenue.

Mr. MORRILL. Not at all. I have merely made this statement in order to disabuse the minds of some Senators that the bill instead of a reduction of duties proposed an absolute increase. That is a gross misstatement.

Mr. DAWES. Did not the Senator give that before?

Mr. MORRILL. I did in my opening remarks.

Mr. ALLISON. I wish to ask the Senator from Vermont what his estimate now is on sugar as the bill has finally been agreed upon?

Mr. MORRILL. I have not carefully computed it and am not ready yet to make an estimate. It is a very considerable reduction, and possibly more of a reduction than it was when the bill was reported.

I merely make these remarks in order that if the Senate is disposed to go on and go through the revenue bill they will give us the necessary time. Either we must take up the bill immediately after the morning hour and continue to a late hour through the day or we must have a recess if it is proposed to do any other business at this session in connection with the subject of taxation and the tariff.

Mr. BAYARD. Mr. President, I shall vote with great pleasure for any proposition that is to have the effect of bringing to some practical conclusion the tariff measure now before the Senate. I do not expect that that bill at the present session shall be such as I individually would draft or with the whole of whose provisions I should be at all content; but I believe it is wise and right that a step should be taken, even though a short step, in favor of reform in our system of tariff taxation, and far more in the simplification of our system of duties than in the bare nominal reduction.

I am perfectly aware that a great deal of the reduction suggested will prove illusory, for the reason that already in many cases the duties are so high that they are prohibitory at present rates, and the reduction, although apparently liberal, still leaves the duties at prohibitory rates. As it matters very little to a man whether he is to be drowned in fifteen or twenty feet of water, just so I hold that if you have a tax as we have to-day exorbitantly high upon a great many commodities you can not by reducing it 15 or 20 per cent. bring it down to a point of material relief; the increase of revenue under it will be nothing. So I say to my friend from Vermont that so far from believing that the reductions in the bill according to the table he has just read, which has been so carefully prepared, will lead to a reduction in revenue, I believe they will lead to an increase of revenue, obviously so. A prohibitory duty excludes revenue; you lower it, and revenue takes the place of prohibition.

The table which has been prepared I think will prove entirely illusory, and so far from diminishing the amount that comes into the Treasury it will increase the amount. But I believe there will be a relief otherwise to the tax-paying people of this country, who while they may pay to-day no apparent revenue yet do the same thing to them in paying an enhanced price for all that they use. Therefore there will be relief, although it will not come under the figures and under the suggestions proposed by the Senator from Vermont.

Now, sir, as to the practical question; desiring, as I do, and expecting to prove my faith by works in the shape of votes, that a bill shall pass the Senate as soon as practicably it can be done, effecting some reformation and an improvement, or certainly a change in the existing tariff system, I wish to give all the time that I think can be economically bestowed by the Senate upon it. Shall we advance that by having night sessions? I put it to the experience of gentlemen who have served here for many years whether, after all, you can count upon night sessions securing the presence of a quorum of the Senate, whether you can work from 11 o'clock in the morning until 5 o'clock in the afternoon in an attentive and careful manner, and then, adjourning for two hours, come back and work for three or four more hours at night? I do not believe there is any other class of labor in the country where such a distribution of the working time would be thought efficient. I see before me a great many men who are professional men, whose duty it is to work zealously and closely at professional work, and they can best say whether they can not do more efficient work by a continuous session than by breaking it up with an interval of two hours and coming back to start it anew.

After all, our work has got to be performed imperfectly by men with only the average amount of physical endurance and of brain power; and whether you can work, as is proposed by the Senator from Vermont, upon this subject for some eight hours out of the twenty-four, and whether you will produce beneficial results from that kind of labor, I take leave respectfully to doubt.

I think it would be wiser for us to take up this bill immediately upon the meeting of the Senate, after the expiration of the half-hour necessary for the formal business of the morning hour, which, as we all know, is exceedingly small at this period of a short session, at the close of a Congress, and sit steadily through until our adjournment, giving close attention to the bill. I believe far more would be accomplished by doing that than by coming back here at night to find a scattered handful of men assembling at 7 o'clock and postponing a vote upon important measures for want of a quorum, with a general sense of lassitude and fatigue pervading almost everybody in the Senate Chamber. Therefore I submit to my honorable friend from Vermont whether it would not be well not just now to adopt this motion for night sessions?

I would state further that I believe where the consideration of any

important subject is pending before the Senate embraced in the tariff discussion, we had better sit a half-hour, an hour, or more than that later for the purpose of getting through it; and that there should be a common consent in the body that there is to be something done with this tariff question by the Senate at this session. That I am warmly in favor of. I do not expect that the bill to be passed will be entirely, to me personally, satisfactory; but I expect to vote, if I can vote at this session, for a bill reforming more or less the present tariff.

Mr. MORRILL. I shall be content with anything that will be likely to get through with this bill the present week. I am very anxious to get through with the bill this week.

Mr. HOAR. I wish to say one word, Mr. President. I think if this immense tariff bill fails to get through the Senate the present week, or at any rate so soon that it may ripen into a law at the present Congress, it will be one of the most significant evidences of the unfitness of these two branches as at present constituted for their great function of legislation that ever has been given in any parliamentary body whatever.

In addition to the great reductions of taxes suggested by the honorable Senator from Vermont, it was not within the province of what he had to say to remind us of the great reduction of internal-revenue taxes which the same bill provides. Here is a measure which is to relieve this country of burdens to the amount of somewhere from thirty-five to fifty million dollars at least annually, upon which this body and the other House I believe are substantially agreed.

Mr. LAPHAM. About seventy millions, I would suggest to the Senator, including the internal revenue.

Mr. HOAR. That depends partly on the question whether every reduction of duty in the tariff is really a reduction of revenue. In many cases where the duties are reduced the revenue will be increased, and allowance should be made for that.

Now, the difference is not between the reduction of internal revenue proposed by the bill and the present law; it is not between the reduced rates of duties on imports proposed by the bill and the present rates; the only question of dispute is that some Senators think we ought to go further than we do go. The Senator from North Carolina [Mr. VANCE], the Senator from Kentucky [Mr. BECK], and the Senator from Delaware [Mr. BAYARD] wish perhaps graver and more serious reductions, great changes of public policy, and Senators on this side of the Chamber and some Senators on the other side of the Chamber differ with them; and we are spending our time in those disputes when we are all agreed substantially that at least this vast reduction ought to be made.

If a tax bill should be brought in here containing simply these provisions upon which every member of the Committee on Finance was agreed, only differing as to whether they ought to go further, or if the leading representative men on the two sides of this Chamber divided politically should appoint two committees and those committees should make a schedule of those items on which they were unanimous, we should accomplish nearly everything in regard to the mere relief of public burdens which the country demands. I do not mean by that that we should have agreed upon a policy or a system which our friends on the other side would consider in accordance with wise economical laws. Now, if we fail to do this thing because of our differences as to whether something else should or should not be done, we shall exhibit to the country an example of incompetency and folly which I think none of us caring for the good name of the Senate or of Congress would desire to have exhibited.

I shall therefore follow cheerfully the lead of my honorable friend from Vermont, whose lead I have almost always followed in public questions, in making this effort for night sessions. The Senator from Delaware says that the experience of professional men and of workingmen is not in favor of such extraordinary labors, and that is true when you are speaking of the ordinary conduct of their professional life; but there are certain occasions when the doctor or the lawyer or the workman sits up all night and has an extra labor which his frame would not bear if it were to be continued through the year.

We are within six weeks of the ending of this Congress by the Constitution, and this work must be done all over again if we do not do it now. Therefore it is a time for an extraordinary effort and for those labors which tax the physical and the mental powers of men to perform them to their utmost. The objection to sitting, as the Senator from Delaware suggested, beginning this work as soon as the Journal is read, is that that is the displacement of all the other important business of the Senate. Nothing from the Judiciary Committee, nothing upon the Calendar, nothing from the Committee on Foreign Relations, can be dealt with at all unless we have the morning hour. So I think the Senator from Vermont has chosen wisely; and I think the question whether Senators will come here in the evening and make a quorum, sacrificing their own personal ease for a few evenings during the remainder of this week, is one of the most important questions, one which is to have a great influence on the public satisfaction with Congress and on the public interest itself, which is more important than public satisfaction, in questions with which we are called upon to deal.

Mr. PLATT. Mr. President, I shall very cheerfully vote for the resolution submitted by the chairman of the Finance Committee, but I desire to do more than that. I desire also that the suggestion of the Senator from Delaware, supplementing the suggestion made by the Senator from Iowa, the chairman of the Committee on Appropriations, that we should commence the consideration of this bill immediately after the morning business each morning, should be adopted. I think that this measure is of importance enough to postpone all the other business of the session until it is finished. I think that no measure has been proposed in Congress in the last ten years that it is so important to act upon and act upon speedily as the measure now under consideration. I believe that is the sentiment of the country. Business is stagnated throughout the entire country while the consideration of this measure goes on, and I believe that the demand of the people is that we shall take it up immediately upon the assembling of Congress, to the exclusion of other business, and devote as many hours to it as it is possible for us to do within the limits of physical endurance; and therefore I hope that both the measure suggested by the chairman of the Finance Committee and the proposition of the Senator from Delaware will be adopted.

I have letters from all portions of the country asking that we may act, and act finally upon this subject. I think action is more important than the details of the bill. What the business men of the country want is that this matter shall be settled in some way. I trust that nothing will interfere with it. My short experience here has taught me that the two hours which we spend in the morning on miscellaneous business do more to hinder the progress of important measures than we ourselves are aware of. We come here fresh at 11 o'clock; and we can do more business upon the tariff bill in the two hours following 11 o'clock than we can in any other two hours during the day. We can get along with the bill more during those two hours than during any other two hours of the day. The effect of spending an hour or two in miscellaneous business is to divert our attention from the important matter in hand, to weary us and to hinder the progress of the measure. I think that we may not only take it up in the morning immediately after the morning business, but that we may well devote two or three hours each evening to it. It is important enough to make the effort.

Mr. MORGAN. Mr. President, the friends of this bill are very anxious, evidently, that progress shall be made with it, and to manifest that anxiety they generally occupy a couple of hours in discussing the best means of getting forward with it, particularly in cutting off other persons who are opposed to the bill or want to learn anything about it from any opportunity to find out what is in the minds of the committee or in the mind of anybody else about this bill.

I intend to vote for this resolution to come back after night and stay as long as the Senator from Vermont wants us to do it, my reason being that I want some chance to transact other business which, though it does not involve as many millions of dollars as are supposed to be involved in this bill, is still entitled to the attention of Congress. The business may be of small importance in itself considered, but it is of the greatest possible importance to the people concerned, and it is the duty of the Government of the United States to extend to all of its citizens a fair consideration in reference to the business they ask its attention to.

Now, Mr. President, the Senator from Connecticut who was last up said that the business men of this country were exceedingly anxious that there should be some settlement of this tariff dispute. There are all kinds of clamors coming up from various quarters. We hear of strikes in all directions among the large manufacturers of steel, &c.; we hear of great discontent among the operative population of the country. The farmers and the consumers are going along in a very quiet way. They know that whatever fate is to befall them they are to receive anyhow, and they bow their heads to it without any sort of protest, and so they are not getting very much aggravated or under any great anxiety about the progress of this bill. The business men and the operatives in the vicinity of large manufacturing establishments are all at once getting into a great buzz about it. I noticed that the honorable Senator from Pennsylvania [Mr. CAMERON] this morning put in as many as twelve or fifteen of these patent outside or inside petitions, all printed on the same press and at the same time, and circulated as the expression of an intelligent view by the operatives in a large number of iron establishments in Pennsylvania in reference to the proper manner of adjusting the tariff on iron. That is a flood of light coming in from these agitated operatives in Pennsylvania. They have got into a sudden state of frantic energy about the question of the regulation of the tariff, and they comprehend it all entirely and send us information here of their views, which of course we must receive, because it is printed on a patent-inside paper and every petition is exactly alike. Four or five or six thousand men can not possibly agree in the expression of their opinions through type in exactly the same identical language unless the conclusions at which they had arrived about a proper manner of adjusting the tariff were so perspicuously uttered as that no human being of any common sense could deny that they were right.

Now, sir, the concurrence of so many men on the same morning, presented through the hands of one Senator in the Senate of the United States upon a great proposition of remodeling or modifying the tariff, is one of the most striking incidents in American history. It shows the harmony and unity of opinion among our people; it shows the remarkable breadth and depth of intelligence and experience and observance, and it certainly brings a flood of light here which we are not prepared in any respect to disregard.

The business men are very much excited about this matter. How were they at the last session of Congress, and the session before that, and the session before that, and clear on back to 1870? They and the politicians here were very quiet during all the last session of Congress until after the two Houses had agreed upon a day for final adjournment. Then a bill was sent to us from the House, called the little revenue bill, that did not touch the tariff at all, made no impression upon it, took no notice of it, which only concerned internal revenue. That bill was referred to the Committee on Finance, of which the Senator from Vermont was then chairman, as he is now. He took it and reported it back, with some modifications, as an internal-revenue bill. It remained in this body for a very short time, when certain amendments, I think about thirty in number, were offered one fine morning to that bill, making the bill one affecting the tariff, and some of these amendments came from gentlemen from west of the Mississippi River. There was evidently trouble in the camp. There was a spasmodic enunciation on the part of the farmers and other laborers in the country west of the Mississippi River of a purpose to have certain amendments to the tariff laws to go along with the amendments proposed by the committee to the internal-revenue laws.

Thereupon the honorable Senator from Vermont had his bill carried back to his committee, and there he revised it. He came back, the committee reporting favorably upon certain reductions of the tariff, some on sugar and some on other articles, thereby inaugurating in this bill a tariff bill as well as an internal-revenue bill, and taking the very best means to prevent the passage of any bill whatever in reference to internal revenue or in reference to tariff reduction. It was supposed that that report thus made and this small effort, this weak endeavor in the direction of a modification of the tariff, taken in connection with the fact that the Senate and the House had agreed to appoint a tariff commission, would be satisfactory to the clamors of the great body of the people of the United States. That was the calculation, and if the elections in November had gone as the honorable Senator from New York [Mr. MILLER] prophesied they would go, that the Southern States would be sending up high-protective men to take the places of our men here who want moderate rates, and that the Northern States would come down with an immense avalanche of voted opinion in reference to raising higher duties rather than lowering them—if that prophecy made by the honorable Senator had been realized, we should not have had the privilege of voting upon any tariff bill whatever at this session of Congress.

But all of their calculations and prophecies were reversed by the people; and no set of men in this world understand better than the honorable Senators on the other side of the Chamber, who are now upholding a higher standard of tariff taxation than we have ever had before, that the people of the United States demanded a thorough revision of this system. Sir, they feel it in every bone in their bodies, and men who love the luxuries of life and the enjoyments of society as well as others are here this morning found on the floor of the Senate protesting that they want to come back here after night for the purpose of working up this tariff that they themselves have put every obstacle in the way of and have devised every means for delaying. Now, let the world understand the canting hypocrisy which conveys upon its lips a boast of desire to remodel the tariff and compare it with the conduct which everlastingly prohibits any effort looking to an honest reduction of taxation.

Mr. President, it is time that we had begun to understand that we represent an intelligent constituency and that they are sincere in their criticisms upon our conduct. They are not to be hoodwinked by pretenses of this kind; they will dig into the truth of this matter, and they will understand it. After they have got a tariff commission, which is no other than a packed jury; yes, a jury deliberately packed with men directly interested in the result, and picked for that purpose—after they have got the report of this packed jury and brought it before the Houses of Congress, they now desire that we shall accept the verdict of that jury without the right even to poll them and to ask them why it is they reported thus and so, and what personal or special interest they themselves had in the report which they submitted to the country. That partisan set of men were picked on purpose to doctor a tariff to be sent here, and after it gets here great agitation springs up among the operatives and among the monopolists of the country. They are said to be aroused and to be excited, and we must have the thing voted down our throats without examination and without care as to what may become of us, because they are clamorous for a final judgment on that verdict.

Sir, it was remarked by the honorable Senator from Massachusetts that the other House were practically agreeing with us upon the bill that was reported from our Committee on Finance. I do not know how it appears that that is so unless it is by a comparison of the tariff bill which they reported with the tariff bill reported by the House committee. If I am allowed to——

Mr. HOAR. Does the Senator refer to me in that connection?

Mr. MORGAN. Yes, sir.

Mr. HOAR. Then he misunderstood me.

Mr. MORGAN. I referred to the Senator.

Mr. HOAR. What I said was that there was a vast reduction of internal revenue and duties on imports, upon which every Senator, and I think everybody in the other House, was practically agreed; that our discussion, in which we were occupying time that endangered the passage of any bill at all, grew out of contests as to whether we should go further, and I thought it would be a disgrace to our common sense, on both sides, if we failed to do what we agree ought to be done because we could not agree as to something else. That was all. I did not speak of the House and Senate being agreed.

Mr. MORGAN. I inferred that if the other House or any portion of the other House had practically agreed upon any tariff measure whatever which corresponded with the one we were trying to agree about the evidence of it must be derived from the action taken by the House on the bill they reported.

Mr. HOAR. I said nothing on that subject.

Mr. MORGAN. I know the Senator did not, but I infer that that is the source of his information. He has, however, other sources of information that I have no access to and no right to speak of.

Mr. HOAR. Allow me to ask my friend a question, if he will pardon me. I do not want to prolong this, because we are wasting the hour, and I confess my share of it, and I ought not to waste any more myself; but does not the Senator from Alabama agree that every reduction which has been agreed to by the Senate so far ought to be made both in the internal and external taxation? If he does, my point is why he and I can not go and do that which we have agreed on, which will accomplish thirty-five to fifty millions reduction at least, instead of spoiling all that by debating whether we ought not to go a good deal further? That is my point.

Mr. MORGAN. I agree to every reduction that has been made so far as the tariff itself is concerned; I would not commit myself upon the internal-revenue taxation, for I have some doubts about voting for the reduction made in some parts of that. I do not agree that those reductions have been sufficient to accomplish any public good. I agree with the Senator from Delaware that these reductions have merely lowered the tariff upon a great many of the articles enumerated this morning by the Senator from Vermont down to the line of prohibition, so that the manufacturer will get all the benefit of the protection up to the rate which is prescribed, and the Treasury will be shut out from all benefit of revenue.

There is a great deal open for discussion and a great deal that ought to be discussed about this tariff, but we are not to have the benefit of discussion if we can be deprived of it. The two Houses, it appears, are moving on somewhat parallel lines, neither of them agreeing entirely with the Tariff Commission about this matter. But what is to be the result? To-morrow, I understand, is the day fixed for taking up the tariff discussion in the House. Perhaps one day, or it may be two days, will be allowed for general debate there. Then the *clôture* will be applied to it. They will cut down debate then upon amendments or limit it perhaps to five minutes; and the tariff will be skimmed over in that way in the House of Representatives; and, not impeaching the wisdom of that body in the slightest degree, there will perhaps not be thirty men in that body by the time the tariff gets through who will understand its actual provisions, and that for the want of time to consider it, want of time to debate it and to have the facts that bear upon the various provisions brought to view.

What is to be the result here? What is it that these Senators are so anxious about? It is simply this: This bill is to be legislated in a conference committee. The Senate of the United States and the House of Representatives are not to enact this law according to the ordinary forms of procedure, but it is expected that the House will prepare itself upon its own bill and the Senate will prepare itself upon its own bill, and it will be an easy matter of comparison between the two bills as to the opinions fixed and settled by party divisions perhaps in the two Houses what the difference between them shall be, what the ground of agreement shall be. The Senator from Vermont I dare say wants to hustle his bill off out of this body into the hands of a conference committee in order that he may there have an opportunity of passing a measure which he does not wish to have debated in the Senate. Time is of the essence of the contract in that case. It is a great point with them. I intend to give them all the time they wish, but at the same time, so far as I am personally concerned, I intend to give them a fair opportunity for full debate.

I noticed the reading of the list this morning of the reduction of taxes which the honorable Senator from Vermont said would be accomplished by the bill as reported by the committee and as already amended in the Senate. You may take an old farmer of the South or of the West and sit him down by his dip-candle with his brass-bound spectacles, and let him look over that list, and by the time he has got it spelled through he will have ascertained that there is no benefit in the world in it to him, that he has been diligently overlooked, carefully excluded from all the provisions and all the benefits that are alleged to be derived to the country from that bill. He will find the tax reduced on toys and dolls from Germany, and he will no doubt admire the emphasis, he certainly would if he had heard it, with which the honorable Senator from Vermont announced the fact that there had been a large reduction upon toys. He will find that a great many articles that are useful to the manufacturers and enable them to cheapen their processes of manufacture have the tariff reduced upon them. But what did

the Senator have to say about iron and steel and wool and cotton goods, ready-made clothing, shoes, leather, matters of daily consumption—what is said about reduction of prices on things of this kind? Nothing. They have been forgotten, severely neglected.

This wise and sagacious committee, looking over the broad field of taxation, forgot to make any provision for forty millions of people in their anxiety to make provision for ten. They have left out the big end of the subject in the scrutiny which they bestow upon the little end. Sir, they do not feel any responsibility to the real people of this country. Never shall we get a tariff which is just in its provisions, never will the Senate stop to consider the rights and welfare and interest of the real people of this country, until they have risen again in their majesty and put their votes right down on this proposition and have again declared themselves against the tariff as reported by the Committee on Finance.

I, sir, for one want to present the facts to them in full array upon this tariff bill, which gives us the first distinct opportunity we have had for thirty years of going into the depths of this question. I want to present it in array before the people item by item with all the facts that are necessary for its elucidation, so that when the next ballot-box is approached by the sovereigns of this land they shall be able to express an opinion that even the Senator from Vermont will respect; in which they will say that the people of this country must have some beneficial interest in its legislation; that they must not be longer made pack-horses and bearers of burdens for the monopolists and the nabobs of the land, who are the pets and favorites of this scheme of tariff taxation.

Sir, it is a fraud and a delusion. It looks well upon the surface, but it is a whited sepulchre, and before we get done with it we shall bring out of it the foul remains of combinations, conspiracy, and fraud, and we will lay it open before the sound-minded people of this land. Then the honorable gentlemen of the West who from good motives, as they say, favor the people whom they represent, will have an opportunity of accounting to their constituents for the reasons which have led them to continue to rivet upon them the shackles of barbarous restraint, and they too will consider their responsibility to the people who sent them to this body. Let not the Senator from Vermont suppose that because he wishes to go into the deep hours of the night we will not follow him there. I will vote for his resolution, and I will keep pace with him, and until he gets his consent to make some concessions to the people of this country who fill up its armies and its navies, who make its bread, who work its mines, who furnish the foundations upon which the great fabric of this Government and this great social system are alike founded.

Mr. MORRILL. Mr. President, I have confined myself during the progress of this bill to a very lean and bare statement of facts and have not, although often tempted, entered into any protracted debate. I have seldom been more tempted than by the speech just closed by the Senator from Alabama. Why, Mr. President, he commenced by assailing the action of the Senate at the last session of Congress. It is well known that the bill reducing internal revenue would have passed then but for the storm of opposition and ridicule thrown upon it as being merely a reduction on patent medicines and cosmetics and matches. Why, sir, some of the leaders on the other side of the Senate proclaimed that they would talk forty-eight hours rather than have that bill passed. It became obvious, therefore, that the bill could not pass without including some reductions of the tariff, and thereupon two articles were selected—sugar and Bessemer steel railroad bars. This would have made a sensible reduction of the revenue of the country, and would have stopped the mouths of Senators like the Senator from Alabama, about Bessemer steel rails. When that came in upon the report of the Committee on Finance it became obvious that the whole time of the Senate was to be consumed in debate, and it was absolutely impossible, after a serious and earnest effort, to pass the bill.

Now the Senator from Alabama proclaims that we have not done anything in behalf of the farmers or consuming interest of the country in the proposed reduction. That is a stupendous error. The Senator will see that we have reported a reduction on such articles as salt, on all the common grades of cottons throughout, on the wool and woolen interest, and I think we shall show that we have made a reduction on silks as well as upon iron and on sugar. The articles that are consumed in every family of the country will be found to be embraced in the reductions I have read this morning.

But, Mr. President, the Senator from Alabama goes off from the question before us in order to discuss the general subject of the tariff. I supposed we might have really in earnest come to some conclusion as to what we would do in order to give time and to facilitate as much of discussion as Senators see fit to bestow on the subject, and to get through with the bill in season to legislate upon some other subject. I hoped that we might come to some agreement by which we should get through the bill this week. I have no idea of trying to stop or to curtail discussion on a bill of this kind, but I want time to do it, and if we do not take a recess, then I hope there will be a general understanding of the Senate to take up the bill immediately after the morning business, say at about half-past 11 o'clock, and continue it as long as the patience of the Senate will endure.

Mr. BECK. Mr. President, I am willing to meet as early and sit as late as the chairman of the committee may desire in order to facilitate the discussion of this bill; but whenever suggestions are made as to limitations of debate I shall object to any intimation which tends to prevent Senators from being fully and fairly heard on every item of it. We are only on the threshold of it as yet. We have gone through two schedules; we are hanging on another, a little one now, as to wood. The great schedules are yet untouched. What have we done? We have gone over item by item the schedule which relates to chemicals; we spent a week on it, and the final result was a reduction of about a million dollars; $825,000 of that is upon the two items relative to aniline dyes and caustic soda. We spent two or three more days in going over the glass schedule, and the result of that has been an increase upon the present taxation of about $748,167.

After ten days, nearly two weeks, spent on the threshold of this bill the Senator from Vermont has not saved money enough yet to pay the Holladay claim. We are now about to consider an important schedule, the schedule on metals; and it will be made apparent as we discuss that schedule that there is not only no real reduction of taxes below the present rates, but an absolute increase of burdens. If we can not reduce that schedule there will be little or no hope for reducing the schedules on woolens and cottons, or anything else.

From the best calculation I am able to make, instead of the promised reduction on the cotton schedule there is an absolute increase of nearly if not quite a million dollars in the carefully arranged proposition laid before us in regard to these articles.

My investigation in regard to the metal schedule would make the increase even more than the Bureau of Statistics made it in the report of its investigation furnished me the other day, the closing sentence of which reads:

> In so far as relates to iron and steel and manufactures thereof, the duties on which under the present and under the proposed tariff can be stated, the amount of duty collected under the present rate was $22,888,736.26, and under the proposed rates it would have been $26,850,358.82, both being computed upon the basis of imports during the year ended June 30, 1882. This shows an increase under the proposed rates of 17.38 per cent.
>
> Very respectfully, yours,
>
> JOSEPH NIMMO, Jr., *Chief of Bureau.*
>
> Hon. JAMES B. BECK, *Senator United States.*

It is, I believe, conceded, at least it will hardly be denied, that the purpose of the Tariff Commissioners was to increase on the average the rates of taxation in the iron schedule, though that purpose would not be discovered by reading their report; indeed a very pronounced reduction would be expected. I hope that each item and change, both of rated classification, will now be examined by Senators who desire reduction of taxes, and that all the facts will be placed upon the record. I trust that they will not be deterred by suggestions that time is consumed by discussion. This bill, or rather some bill I fear a good deal worse than the bill which passes the Senate, will in all probability pass both Houses before the 4th of March; if so, the facts now placed upon the permanent records of the country will constitute this justification of those of us who vote against it, not only for our votes, but for any future effort we may make to obtain the relief which the country demands, but which I feel assured this Congress does not propose to give.

I think it will soon be apparent, if it is not so now, that the real object of the men who control legislation here through the Tariff Commission and this proposed revision was to secure higher protective duties on cotton-ties, wire for fences, tin-plates, and many other important articles now entered as unenumerated products of steel and iron at 30 and 35 per cent. ad valorem, the values of which for the year 1882 amounted to $10,249,891, and the duties paid amounted to $3,300,285. The bill under consideration more than doubles, on the average, the duties on the articles which now go to make up the unenumerated products. Of course I do not believe that the revenue received from them at the increased rate of taxation will be doubled, the object being to make the rate so high as to prevent importation, and increase the cost of the total consumption of them in this country up to a shade under the foreign price with the tariff tax added, and thus enable the manufacturers to pocket the whole tax which they induce Congress to compel the people to pay by prohibiting competition from abroad. That is, of course, one way of reducing the revenues of the country. Total prohibition would be more effectual and equally honest. This bill takes a long stride in that direction.

I have a very faint hope of success in making valuable or important reductions, and if we do I have still less of having them retained in the bill which will become a law. The protectionists are all looking to the all-powerful conference committee for the results they desire. Four men at last will frame the bill, and they will be sure to give the men who rely on legislation to enrich themselves all they can. On all provisions of importance to the monopolists which the Senate has increased or kept in better shape for the protected interests than the House has, the House conferees will concur in the provisions of the Senate amendments, and having done that much to oblige the Senate the Senate conferees will of course reciprocate their kindness by concurring in such increases and adjustments as the House conferees can show that their action has made in the same direction. Thus the bill will be made more oppressive than either House would make it. I expect, in short, to be called upon to vote, as a whole, without the

right to amend, alter, or even protest, for a worse bill than either House passes, and therefore propose to give my reasons for demanding reductions now while we can consider the items in detail I propose to appeal from Congress to the country, and to make up the record now. Of course one of the three conferees of each House will be a Democrat and in favor of reduction of taxes, but he will not be heeded in the conference and need not even sign the report.

If we fail to vote for any bill, however oppressive and unjust, that the conference committee agree on, we will be denounced as opposing all reduction of taxes; and if it passes in spite of us, no matter how oppressive its provisions may be, and we venture hereafter to seek relief by legislation, we will be loudly denounced by the able and well-paid press of the monopolists as agitators and disturbers of the business of the country. We may all as well make up our defense as we go on. We will be told that Congress was pledged by the appointment of the Tariff Commission to accept as a finality the bill passed on its recommendation, and every man and woman in the employ of the protected interests will be threatened with reduction of wages or dismissal from service if they do not join in the hue and cry that will be raised by those who seek to perpetuate their monopolies.

Mr. MAXEY. Suppose we have a conference committee, its majority being gentlemen whose theory is that the tariff should be laid for protection with revenue as an incident, what chance would the tax-payers have?

Mr. BECK. I want the Senator from Texas now to discuss this bill item by item, so that he can show to his people in the permanent records of the country what the facts are.

We may as well look the facts in the face and speak plainly. The ultimate decision is in the hands of the chairman of the Committee on Finance in the Senate and of the Committee on Ways and Means of the House, each with their most reliable supporter he can select from his committee to sustain him, in a secret committee of conference, where those four are omnipotent in regard to all questions of difference between the two Houses. Each of the chairmen regards himself as the father of the protective system, and each can establish about equal claims to its paternity. The Senator from Delaware may be at the tail end of the Senate Committee for form's sake, and Mr. CARLISLE, of Kentucky, may be on the House Committe; they will both be powerless. The commission they obtained was selected because each member of it was interested in maintaining the highest protection and the greatest privileges for the monopolists he was chosen to advocate; each had to sustain all the others so as to secure his own; and the friends of each made up the schedules they were interested in, so as to obtain all possible; and when they were flung together into a bill, the combined forces of protected wealth and monopoly rushed to Washington, and have night and day besieged Senators and Representatives, urging them under all sorts of pretenses, I was about to say by promises, flattery, and threats to sustain what the commission had done for them. Yet we are told that the Tariff Commission and its recommendations are entitled to grave consideration because of their careful, intelligent, and impartial investigation. I do not care to speak about their action, or to read all the letters I have seen, but here is one dated August 10, 1882, signed "Duncan F. Kenner," showing how matters were worked up, calling on one of his friends to come and aid him. The letter is short. I will hand it to the Reporter, as I do not care about taking time to read it. In it the writer states that he can not appear as an attorney where he has to act as a judge.

Mr. PENDLETON and others. Read it.

Mr. BECK. Here it is:

LONG BRANCH, N. J., *August* 10, 1882.

DEAR SIR: The time has about arrived when I will require your assistance and views in modifying the tariff on sugars. Can you possibly make it convenient to come to Long Branch for two or three days? Before doing so, please reduce your views and thoughts to writing, so you can read them to the commission. If you can not possibly come you will, by all means, make arrangements to meet the commission when they go to Boston, which, I presume, they will do in two or three weeks; but if you can spare the time come to Long Branch and stay a day with us and talk over the matter, so that we will be fully posted as to what line of argument I should wish you to adopt in your written suggestions. This matter is of so much importance to yourself and our people in Louisiana that is the excuse for my asking it. You will readily see that I can not very well be an advocate where I am called upon to be a judge; hence I can make no remarks on the subject. Your familiarity with the sugar interest, your knowledge of statistics, your location in Massachusetts and identification with the interests of Eastern cities, and your well-known standing in Eastern States will give a force and character to your suggestions which no other man connected with the sugar interests can possibly give.

Yours, truly,

DUNCAN F. KENNER.

F. M. AMES, *Canton, Mass.*

Mr. Kenner was only a little more outspoken and bolder than the others. Each schedule was placed in the hands of the parties appointed to guard the interest affected, a combination was made by the friends of each to make the whole as protective as possible; then all were flung together; and we are told that we have to accept the result without discussion and without delay as though it was a fair, honest, well-considered tariff bill in the interest of the people, made up by impartial, disinterested men. I never knew, Mr. President, a case so prepared and presented. Your Honor sat upon the bench a long time——

Mr. MORRILL. Will the Senator allow me to ask him a question? I wish to ask him who has proposed to limit debate or discussion or anything of the kind?

Mr. BECK. I have never risen since this tariff debate began that I have not been taunted with seeking to consume time, and the intimation made that there was an effort to kill time so as to prevent action upon this bill. I insist that I have never spoken except to expose wrong, as I understand it. The proposition to limit debate has come not by direction, but by every indirect hint and taunt that could be thrown out against each gentleman who delays the much-desired conference committee from putting its bill in shape.

I propose to prove to the country, if not to the Senate, that the work of the Tariff Commission was done by men laboring in their own interest and not in the interest of the people. I was about to say, Mr. President, that you had tried many a case; but that you never saw a case where the judges were the managers on one side, where the jury was packed, where the witnesses were all interested, and where the party defendant, whose property was sought to be taken away from him, was not allowed a hearing, and was not present when the case was being tried. That is this case, unless Senators and Representatives are allowed to appear and speak on behalf of the tax-payers.

The leaders of the two Houses; the chairmen of the committees, the fathers of protection, are the ultimate judges. The Tariff Commission was made up improperly; I say it with all respect to the President of the United States, who, I suppose, was imposed upon. I judge so from his late message. Men were placed upon it who ought never to have been allowed, any more than a juror pecuniarily interested. Mr. Kenner and Mr. Oliver, indeed all of them combined to promote their own interests, and to put money into the pockets of their friends—after their part of the work was done. It is safe to say that there never was such a powerful lobby organized in the city of Washington as is around this Capitol now, to sustain and perfect their work. Close these doors this morning, and there will be found five hundred men in the corridors, in the lobbies, in the committee-rooms, in the reception-rooms, everywhere, besieging Senators and Representatives to stand by them, and by their interests. Promises, flattery, threats, everything, is resorted to; there is not a farmer among them. Only one of that great tax-paying class was heard, as the Senator from Alabama [Mr. MORGAN] read the other day, one man from Connecticut, who appeared before the commission as a volunteer. His statement had better be heeded.

I repeat that the most interested, the most powerful lobby is here today. It was organized, no doubt, while the Tariff Commission was preparing the work, and appeared here simultaneously with their report—men of wealth, men of intelligence, men of great ability—honest men personally, no doubt. I do not impugn their personal integrity, but a man may be an honest man and yet not fit for a juror and not competent to be a witness, certainly not fit to be a judge when the result of the trial is to put money in his own pocket. Men in these conditions are incompetent under all the rules of law and equity. Therefore I regard these men, whatever may be their personal standing, as wholly unfit to be here as advisers and lobbyists of a bill like this. They pretend all the time, it is true, that they are working solely in the interest of American labor. Their new-born zeal for their workmen will not deceive anybody. I suppose every man and every woman they have in their employ will be coerced, so far as coercion can be brought to bear upon them, to denounce every one who votes against this bill, being assured that we are all their enemies.

Mr. President, I desire this bill to be considered carefully and discussed fully by Senators, item by item on each schedule; and if it fails it had better fail a thousand times than to allow a false pretense to be imposed permanently upon the tax-payers of the country, who have to look to us, and to us alone, to protect them against the rapacity and greed of the organized lobby of bounty-seekers.

The Senator from Vermont was not always so anxious to hasten a final decision of this great question of taxation as he is now. What did he propose when he introduced the bill for the Tariff Commission? I hold his bill in my hand. After authorizing the President to appoint these men, as representatives could not be trusted, section 4 of his bill reads:

That the commission shall make to Congress final report of the results of its investigation, and the testimony taken in the course of the same, not later than the first Monday in January, 1883.

Did the Senator then intend to have a report that should be forced through his committee at once, after coming from the Tariff Commission, and hurried to a conference of friendly Representatives and Senators? No, Mr. President. There is only one chance for the men who want a reasonable reduction of the present tariff, and that is to obtain from the people a demand for it such as the House and Senate will heed. I repeat, when these schedules are gone through, after you strike out the reduction on sugar, which is reduced heavily, my word for it, all the reductions of the other schedules put together will not amount to $5,000,000 unless the Senate disregards the bill of the commission. We have a surplus of $150,000,000 more than we need to pay the ordinary expenses of the Government. The reduction will not amount to $10,000,000 certainly. I do not think it will amount to $5,000,000 outside of sugar, and the reductions which are made are largely upon things which, if they were taxed, would not put any money into the pockets

of anybody. Turn to the free-list, where they make a reduction of about a million and a half; $900,000, as I recollect, of that is taken off pepper, spices, unground, and things of that sort, because there is nobody here raising pepper or spices or other things which are made free, except to charge all they can for grinding it; but wherever an item was sought to be reduced that somebody could make money out of, protection was demanded for it and it stands on the tax-list to-day, while these purely revenue articles, being made free, swell the boasted reduction of taxes, as they make up about a million of the reduction which, I repeat, will not exceed $5,000,000 in all outside of sugar in the bill of the Tariff Commission.

I believe I shall vote for the resolution to meet at night, but I shall vote for it with the assurance to Senators that the freest debate will be allowed, and I call upon every Senator who opposes this protective measure to debate every item and call the yeas and nays upon it, so that all of us can lay the facts before the people of the country and show what a miserable abortion in the way of reduction of taxes it is, and what a cunningly-contrived scheme it is to tax still more heavily in many regards fifty millions of people to enrich a few protected monopolists.

Mr. HAWLEY. Mr. President, I wish to say a few words, but nothing in the way of arousing any further bitterness on this question.

I am happy to say that I have a very slight acquaintance with the class of people portrayed by the Senators from Kentucky and Alabama. I have no disposition, however much I may differ with anybody, to indulge in expressions like the frequently repeated phrase concerning the monopolists, or the canting hypocrisy of the advocates of this bill, or the packed jury, or the corrupt lobby. I speak for a great mass of men, capitalists and laborers, who are deeply and seriously involved in these matters of legislation. I belong to a different class of people from those portrayed; a people who believe in the theory of protection; who believe in its moderate and reasonable application; who desire a reduction of the tariff on many things, and who will gladly assent to many reductions upon other matters; who will be very glad to reduce the duties on their manufactured goods if you will cheapen their raw material; who are ready to add very largely to the free-list, but above all we reasonably ask the Congress of the United States for some sort of action. Their purposes are not concealed; their motives are not corrupt. A reduction of the tariff has been inevitable for the last four, five, six, or seven years. The people of Connecticut desire the question to be settled. They were willing to abide by the determination to appoint a tariff commission. That commission was not a packed jury, but it was unquestionably a commission in favor of a reasonable doctrine of protection, and it was quite right that the President should make such a commission, for such is the sentiment of the great majority of the country.

The effect of the elections has indeed been considerable upon public sentiment in this country; but if there be no action on the tariff at this session it is quite improbable that the next Congress will be able to agree upon a reasonable tariff; and the possibility, indeed the probability, is that the question will be then thrown into the next Presidential election, and that we shall have no revision of the tariff within the next three or four years.

The prosperity of all my people, largely of all New England and of many other sections of the country, depends upon a speedy and reasonable settlement of this question, and I desire merely that the Senate shall go on for as many hours of the day as Senators are willing to stay here; but I do not believe in the wisdom of an evening session, because I think if we begin at 11 o'clock and work until 6 or half past 6 or 7, till we shall have made some actual step of progress each day, we shall do better than to take a recess of an hour and a half and come back in the evening; but I will support any measure that looks to speedy action.

Mr. VANCE. Mr. President, supplementing the remarks of the Senator from Kentucky [Mr. BECK] as to how the schedules have been arranged, I ask that a letter be read from Duncan F. Kenner, one of the commissioners; I find it in this morning's New York Herald.

The Acting Secretary read as follows:

WASHINGTON, *January* 21, 1883.

The following letters, written by members of the Tariff Commission during its deliberations, have a peculiar interest at this time when both Houses are engaged in discussing tariff bills:

MR. KENNER'S INTEREST IN SUGAR.

Several letters of Mr. Kenner have already been printed showing his great anxiety to protect the sugar interests of the South. He was, it would seem, in favor of getting up combinations in case his original plan could not succeed. While the commission was at Long Branch he wrote the following letter to a manufacturer at Buffalo, New York, whose interest he takes pains to show are identical with the sugar interests of Louisiana:—

Mr. LAPHAM. I inquire from what paper the Secretary is reading?

The PRESIDENT *pro tempore*. The New York Herald of the 22d of January, to-day.

The Acting Secretary continued the reading, as follows:

Referring to our short and pleasant conversation at Kaaterskill Mountain, I beg to address you and amplify somewhat my views, which I think you will respond to in full. The identity of interests between the business in which you are engaged and the sugar interest of Louisiana may not at first sight be apparent to any one without some thought and reflection as to the character of the two industries. I think I can show you clearly that there is a perfect identification; that your interest is our interest and that our interest is yours. It is certainly to your interest that the prejudice which exists in the minds of a great many persons as to the character of your manufactured article should be removed. Many think that the article is itself impure and made unhealthy by the use of chemicals. Many think and assert that it is only called sugar in name. Any recognition on the part of the sugar interest of the country as to the value and healthy ingredients used by you must remove in great measure this prejudice. The mere fact of our mentioning your interest in public as identical with ours creates a prestige in its favor. You are thus placed on the sugar plane, which is a matter of great interest to you.

If I understood you aright in our conversation, you said that seven-eighths of the liquid made by you was used in improving molasses. Of course in that case you are making a cheaper article than we can do. Any mixture of the kind must increase the value of what you make. If the basis of the mixture is high in price the ingredients added by you must also be high in price. Any legislation, therefore, which improves the value of our product must necessarily redound to your benefit. If our article is worth 5 cents a pound, or 60 cents a gallon, and your article is added thereto, it brings all that you put in it to the same point of value. If, on the contrary, our article should be worth only 2½ cents a pound, or 30 cents a gallon, your article added to the same would only be worth one-half what it would be if added to a 60-cent gallon basis. This you can readily understand. Therefore it is clearly your interest that our article should bring a remunerative price.

I would also call your attention to a very important fact, that Louisiana molasses is essentially suited to your purpose—much more so than either sugar-house molasses or Cuban molasses; in fact, I doubt whether you can use the latter at all, owing to its acrid, disagreeable taste, flavor, and smell. It is, so to speak, impossible to use it advantageously. The flavor of Louisiana molasses is such as is never attained by any other sugar. The more of it that is made and the greater price it would bring the greater advantage to you.

DUNCAN F. KENNER.

Mr. VANCE. I ask the Secretary to read another letter just below that, dated August 10, from the same party.

The Acting Secretary read as follows:

LONG BRANCH, N. J., *August* 10, 1882.

DEAR SIR: Our friend has arrived and is busily engaged under my direction in seeing certain parties in New York and preparing certain combinations in case of necessity. He will be of the greatest possible service in all these matters. I regret very much that you have succeeded so slightly in providing the sinews of war. I beg you will see all the parties and say to them that if his stay here terminates before the object is accomplished it will be a cause of regret to us all.

There are certain things which I can't look after. Circumstances forbid me ostensibly appearing in the matter at all. Consequently without some such assistance I lose half my efficiency and chance of success. I beg you will see all of them again and urgently insist on the amount appropriated so far being increased. Use this letter with discretion, but do not hesitate to show it to any one who is equally interested in our success.

Yours, truly,

DUNCAN F. KENNER.

Mr. MORGAN. I should like to inquire of the Senator from North Carolina if he knows whether the members of the Tariff Commission were sworn when they undertook the discharge of their duties? They were public officers, but I never inquired whether they were under oath or not.

Mr. VANCE. I am not able to answer the Senator's question. I presume that they were not.

Mr. MORGAN. I take it for granted they were not, from the character of the letter.

Mr. HARRIS. The act prescribed no official oath.

Mr. INGALLS. The writer of that letter, I believe, is a Democrat from Louisiana.

Mr. VANCE. Connection with the Tariff Commission would affect any man, however well he had been raised.

Mr. MORGAN. The Democratic Senator from North Carolina brings these letters to view and has asked that they be read. We have no cover to turn over any man in consequence of his being a Democrat. Whether the other side has or not remains to be seen.

Mr. MORRILL. I hope we can have a vote on the resolution.

Mr. COCKRELL. All I desire in this matter is simply to facilitate business. I insist that the past experience of the Senate shows clearly that we shall not expedite business by having night sessions. I am perfectly willing to take up this bill at any time that may be agreed upon, and I am willing to sit here till 6 as the regular hour of adjournment.

Mr. MORRILL. Let the Senator move that as an amendment.

Mr. COCKRELL. That will give us from six to seven hours, and I think we shall do a great deal more by pursuing that course than we shall by taking a recess at 5½ o'clock and then meeting at 7 or half-past 7. Our experience at night sessions has not been fruitful of the rapid transaction of business. They have been unpleasant. I can be here and I will be here if there is a night session, but there will be no business done unless there is a quorum of the Senate present. That is one rule I always adhere to in night sessions; I have enforced it and always shall. If we have night sessions, if the Senate votes them, the Senators must be here or there shall be nothing done. If the Senator from Vermont will move to take this bill up each morning I am perfectly willing to do so just after the morning business, and I will vote each evening to sit until 6 o'clock, and then I shall vote to adjourn. I hope that will be accepted. I move to amend the resolution in that way. Let it be read and I will see how to amend it.

The Acting Secretary read the resolution.

Mr. COCKRELL. Let it read: "That the Senate will take up the tariff bill——

Mr. HARRIS. I would suggest to the Senator from Missouri that he say "proceed to the consideration of the tariff bill immediately after the routine morning business, and continue until 6 o'clock."

Mr. HOAR. I rise to a question of order. Does not that proposition require unanimous consent, being a change of the rules?

Mr. HARRIS. It is an amendment to the resolution pending.

Mr. COCKRELL. The resolution was offered on Friday.

Mr. HOAR. The amendment abolishes the morning hour. I object to it.

The PRESIDENT *pro tempore*. The Chair is of the opinion that the point of order of the Senator from Massachusetts is well taken.

Mr. COCKRELL. Well taken against the resolution?

Mr. HOAR. No; against the amendment.

Mr. PLATT. The Anthony rule is, "unless, upon motion, the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar," &c.

Mr. HOAR. The morning-hour rule remains.

The PRESIDENT *pro tempore*. A day's notice must be given of a change of rule.

Mr. ANTHONY. Let it lie over until to-morrow, and then the amendment of the Senator from Missouri can come up.

Mr. COCKRELL. Let us first see whether it is in order or not. If the amendment is ruled out, the resolution ought to be. Let the resolution be read.

The Acting Secretary read the resolution.

Mr. SHERMAN. With due deference to the Chair, I am of the opinion that the Senator from Vermont, having given notice by introducing his formal resolution on Friday, has a right now to ask a vote on the resolution with a view to change the existing rules, whatever they may be, the Anthony rule or any other rule.

Mr. LAPHAM. The resolution of the Senator from Vermont is not the trouble. It is the amendment that is objectionable on the ground that it changes the rules.

Mr. HOAR. What I object to is the proposition to tie the hands of the Senate so that no other business can be transacted but this one bill. My constituents have as deep an interest in the revision of the tariff, as strong a desire that it shall be accomplished, as any community in the United States; I believe it ought to be done; I believe it can be done, and I still hope it will be done; but I do not think it is necessary to close the door against every other public measure, as the Senator from Missouri proposes, to accomplish this bill. We can do this without leaving the other things undone.

I am in favor of the proposition of the Senator from Vermont which is wise, well matured, which is that we shall take this bill up at 1 o'clock, and then that we shall sit evenings; and we must be very incapable of labor if we can not for a week or two perform this extra work in the public interest. I make no point of order against the original resolution.

The PRESIDENT *pro tempore*. The Chair will call the attention of the Senator from Rhode Island to Rule 8:

8. The first hour of daily sessions shall be designated as the morning hour, during which the order of business shall be as follows.

Then is given the order of business, after which the rule continues:

Until the business of the morning hour shall have been concluded and so announced from the Chair, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Chair, unless by unanimous consent.

And this is the rule in relation to a suspension of the rules:

61. No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. Any rule, except the eighteenth, may be suspended without notice by the unanimous consent of the Senate; and the rule proposed to be suspended shall precisely and distinctly be stated.

The notice to suspend the rules must be in writing and must specify the part to be suspended, modified, or amended. The amendment now suggested really abolishes the morning hour.

Mr. HARRIS. I rose, remembering the rule in respect to the morning hour, for the purpose of suggesting to my friend from Missouri that he modify the amendment as suggested at first, so that it provide that the Senate proceed to the consideration of this bill at the expiration of the morning hour proper; that is, at 1 o'clock——

Mr. COCKRELL. Twelve o'clock.

Mr. HARRIS. At the expiration of the morning hour proper.

Mr. HOAR. That we can do now. The Senate can do that every day by a vote.

Mr. HARRIS. I understand this bill has come up at the expiration of the Anthony rule. That is a different rule from the morning-hour rule proper.

The PRESIDENT *pro tempore*. Unless the Senate take different action on the subject, the morning hour is for two hours, until 1 o'clock, under the Anthony rule. Of course, if there is no objection, by common understanding it can cease at 12 o'clock.

Mr. HOAR. I shall object.

Mr. ANTHONY. Let the Senator from Missouri give written notice of his intention to offer this amendment to-morrow.

Mr. COCKRELL. I move that the resolution be amended so as to read:

That on and after the date named the Senate will at the hour of 12 o'clock proceed to the consideration of this bill and continue it up to 6 o'clock.

Mr. EDMUNDS. That makes a special order, which requires a two-thirds vote.

Mr. HOAR. And the previous special orders take precedence.

Mr. COCKRELL. The morning hour is one hour after the assembling of the Senate. Now we assemble at 11 o'clock. The morning hour proper expires at 12. The Anthony rule, which is a rule that we adopted that we can modify at any time without any notice, extends it for another hour. Now I propose to amend this so that at the expiration of the morning hour proper we shall proceed to the consideration of the bill and consider it up to 6 o'clock. No point of order will lie against that.

Mr. MORRILL. I say to the Senator from Missouri that I am perfectly willing the sense of the Senate shall be tested on both these propositions. I therefore suggest to the Senator from Missouri that he now give notice that to-morrow morning he will offer that as an amendment, and that notice must be given in writing.

Mr. COCKRELL. I do not understand the Chair to decide that my modified motion requires that.

The PRESIDENT *pro tempore*. There must be one hour for morning business.

Mr. COCKRELL. Then it does not require a written notice.

Mr. HOAR. If that is to operate as a rule it must be established as a change of the rule. If it is to operate simply as a special order running from day to day, then the two educational bills and the bankrupt bill take precedence of it and it stands as any other special order. It does not advance the purpose of my friend from Missouri in the least, because the Senate can, any day, by a majority vote, lay it aside or proceed with it.

Mr. BECK. I rise to a point of order. The hour of 1 o'clock has arrived and I call for the regular order.

Mr. MORRILL. I was about to call for the regular order.

The PRESIDENT *pro tempore*. The regular order must now be laid before the Senate.

Mr. COCKRELL. I give notice now that I will file the resolution that I shall offer as an amendment to carry out what I suggested.

Mr. HALE. I gave notice of an amendment to the rules in this language:

That at the expiration of the regular morning business of each day of this session the Senate will proceed to the consideration of the tariff bill and continue its consideration until 6 o'clock, when the Senate will adjourn.

Mr. PLATT. I give notice that to-morrow I shall offer the resolution which I send to the desk, and I ask that it be read.

The resolution was read, as follows:

Resolved, That the provisions of the Anthony rule are hereby suspended until after the final action of the Senate upon the unfinished business, namely, the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDENT *pro tempore*. If there be no objection the Senator can introduce it now.

Mr. PLATT. I introduce it and will let it lie over.

The PRESIDENT *pro tempore*. The Chair will by unanimous consent receive it, and it can be taken up to-morrow.

Mr. PLATT. I will call it up to-morrow morning.

Mr. COCKRELL reduced his proposition to writing in the following form:

That at the expiration of the regular morning hour the Senate will proceed to the consideration of the tariff bill and continue such consideration each day as late as 6 o'clock p. m. until disposed of.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 422) for the relief of George W. Maher; and it was thereupon signed by the President *pro tempore*.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had concurred in the amendments of the Senate to the bill (H. R. 1294) more effectually to suppress gaming in the District of Columbia, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 5461) to repeal the license tax upon commercial agents in the District of Columbia;

A bill (H. R. 7289) to confer upon the senior associate justice of the supreme court of the District of Columbia in the absence or inability of the chief-justice of said court the powers and duties now conferred upon said chief-justice relative to the extradition of fugitives from justice; and

A joint resolution (H. Res. 323) making appropriations for continuing the work on the Tenth Census.

The message further announced that the House had concurred in the amendments of the Senate to the bill (H. R. 3575) to increase the police force of the District of Columbia, and for other purposes.

SUPPRESSION OF GAMING.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives agreeing to the amendments of the Senate to the bill (H. R. 1294) more effectually to suppress gaming in the District

of Columbia, with an amendment, which was, in line 21, to strike out "nor" and insert in lieu thereof "not."

Mr. INGALLS. The amendment offered by the House is rendered necessary by a motion inadvertently made by a Senator when the bill was acted on. I move that the Senate agree to the amendment of the House.

The amendment was concurred in.

AMENDMENT TO THE ARMY APPROPRIATION BILL.

Mr. LOGAN. I submit an amendment to the Army appropriation bill which has been agreed to by the Committee on Military Affairs. I move that it be referred to the Committee on Appropriations.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (H. R. 5461) to repeal the license tax upon commercial agents in the District of Columbia; and

A bill (H. R. 7289) to confer upon the senior associate justice of the supreme court of the District of Columbia, in the absence or inability of the chief-justice of said court, the powers and duties now conferred upon said chief-justice relative to the extradition of fugitives from justice.

The joint resolution (H. Res. 323) making appropriations for continuing the work on the Tenth Census was read twice by its title, and referred to the Committee on Appropriations.

INTERNAL REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Nebraska [Mr. VAN WYCK] to strike out Schedule D, "Wood and wooden wares." Upon that question the Senator from Michigan [Mr. CONGER] is entitled to the floor.

Mr. KELLGGG. I desire to offer an amendment to the pending bill, which I submit and ask to have read and printed.

The PRESIDENT *pro tempore*. The proposed amendment will be read.

The ACTING SECRETARY. It is proposed to amend Schedule E, "Sugar," by striking out the schedule and inserting the following:

All sugars shall pay a duty of 2.25 cents per pound.

Molasses testing not above 56° by the polariscope shall pay a duty of 5 cents per gallon.

Molasses testing above 56° shall pay a duty of 10 cents per gallon.

Mr. KELLOGG. I simply wish to move that this amendment be printed for the information of the Senate and of the committee. I also desire to warn the Senate and the committee against the influence and arguments of refiners. This amendment is in the interest of free agricultural labor in this country as well as of cheap sugar, of which we hear so much, and not in the interest of refiners. It will of course excite the earnest opposition and enmity of the large and active lobby here in the interest of the refiners.

Mr. MCDILL. I wish to offer an amendment to the bill to be printed.

The PRESIDENT *pro tempore*. The proposed amendment will be printed. The Senator from Michigan [Mr. CONGER] is entitled to the floor.

Mr. VAN WYCK. Before the Senator from Michigan proceeds I ask leave to change somewhat the amendment I offered on Saturday by substituting what I send to the Chair.

Mr. INGALLS. Let the amendment be read as modified.

The PRESIDENT *pro tempore*. The amendment as originally offered was to strike out the whole of Schedule D. The amendment as modified will be read.

The ACTING SECRETARY. It is proposed to strike out all of Schedule D except the portion commencing at line 876 down to and including line 879, as follows.

House or cabinet furniture, in piece or rough, and not finished, 30 per cent. ad valorem.

Cabinet-ware and house furniture, finished, 35 per cent. ad valorem.

And that all other articles except those above excepted be placed on the free-list.

The PRESIDENT *pro tempore*. "All other articles in the schedule," the Chair suggests it should read.

Mr. VAN WYCK. Very well.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Nebraska as modified.

Mr. CONGER. Mr. President, in my remarks last Saturday I endeavored to meet the proposition made by the Senator from Nebraska [Mr. VAN WYCK] that lumber could be manufactured and was manufactured in Canada at a greater expense than in the United States, and that the value of timber was greater there and cost more in Canada than in the United States. I understand, though I am not positive in regard to it, that the tariff on lumber imported into Canada from the United States is 20 per cent ad valorem.

Mr. CAMERON, of Wisconsin. I have the Canadian tariff here, and with the Senator's consent I will call attention to the duties imposed upon this class of articles.

Mr. CONGER. Very well; if the Senator will just note what the general tariff is, so that I may incorporate it in my remarks, I should like him to do so.

Mr. CAMERON, of Wisconsin. The present Canadian tariff was passed by the Dominion Parliament in 1879. The duty on shingles is 20 per cent. ad valorem.

Wood, and manufactures of wood, and wooden-ware, namely, pails, tubs, churns, brooms, brushes, and other manufactures of wood not elsewhere specified, 25 per cent. ad valorem.

Hubs, spokes, felloes, and parts of wheels, rough, hewn, or sawn only, 20 per cent. ad valorem.

Lumber and timber, not elsewhere specified, 20 per cent. ad valorem.

Mr. MORRILL. I will say, in addition to what the Senator from Wisconsin has said, that during the existence of our former reciprocity treaty and immediately after the passage of that, Canada imposed an export duty upon all their timber of a dollar a thousand. I do not know whether it exists now or not.

Mr. CONGER. Then the general tariff upon such articles as we are considering now is 20 per cent. ad valorem imposed by Canada upon the manufactures of the United States.

I want briefly to refer to another proposition which has been made by Senators here in regard to the diminution of lumber or of timber for lumber in the United States. It is asserted by some that there is almost an exhaustion of the pine timber in the United States east of the Rocky Mountains, and that it will last, some say, for five, ten, and at the most, fifteen years at the present rate of manufacture. In the United States east of the Rocky Mountains, in those States where the pine is found for our markets here, there has been manufactured in the last fifteen years, or about the first half of that, 3,000,000,000 feet of lumber per annum; in the Northern States in the last seven or eight years the average of manufacture has been about 4,000,000,000 feet per annum. That includes shingles and laths, and such articles reduced to board measure, but does not include the square timber that has been manufactured during that time.

Mr. MORGAN. I ask the Senator from Michigan if that includes the manufactures of timber in the South?

Mr. CONGER. I was going to say about that, there had not been until within a few years what might be called extensive manufactures of lumber in the South, as I have understood not since the war, until within the last eight, ten, or twelve years. Since that time, in the Carolinas, in Florida, Alabama, Georgia, and Mississippi, I have learned incidentally that the manufacture of lumber has gradually and continually increased. The nearest estimate that I can get of the amount would be somewhere near a thousand million feet—less than that unless the increase has been made largely in the last year. So I have concluded that, taking all the lumber manufactured in all the pine-growing States of the Union for the last three or four years, the average, we may safely say there has not been to exceed 5,000,000,000 feet manufactured. By the reports of the Forestry Commission, by what we find in the census, by what I can learn from the reports in the several States and the Lumberman's Gazette, and papers that represent from year to year the amount of pine manufactured, and as near as can be estimated the amount on hand, at that rate of manufacture there is pine enough in the United States to supply all the demands of manufacture for the next fifty years at least. Not in particular parts, because I know already that there are whole counties in my own State where the pine was the best, that have been entirely stripped of pine, and the whole region of many counties where pine formerly existed has become a fine agricultural region.

There is among those who are not familiar with this subject, and one seems to find perhaps in other portions of the country, an opinion that pine grows mostly on sandy, barren land, either entirely useless or comparatively useless for other agricultural purposes. I have to say in regard to the pine lands of Michigan, that cover nearly the whole upper half of the Lower Peninsula and the valleys of the Upper Peninsula, that in the Lower Peninsula of Michigan nine-tenths of the land covered by pine is as good agricultural land as the average land of Michigan, which all understand to be as good agricultural lands as there are in any of the Northern States. The exceptions to the good land are strips of sand, coarse, loose, sandy land, that run in strips through different portions of our State, from half a mile to five or six miles wide, and in some cases along the borders of the rivers or of the lake, fifteen, twenty, or thirty miles long. Almost the entire land is clayey, gravelly loam. Almost all the entire pine lands of Michigan, until you reach the northern part of the Lower Peninsula, are covered with the finest, densest forest of hard wood that is found in the world. Beech and maple, whitewood, and all classes of trees, oak and hickory, grow amidst these pines. As a general rule there are the remains of the old pine forests, the mammoth pine it is called, with a few trees upon an acre, running from 3 to 5½ and sometimes 6 feet in diameter of the best, the finest pine in the world, the white pine.

Now, leaving our own side, the eastern side, of the Rocky Mountains, I learn that of the redwood alone west of the Rocky Mountains there is enough timber standing to supply the demand, at double the rate of the cutting at the present time, of one hundred and fifty years, so that the

exhaustion would come more from the east of the mountains than from the west, and sooner. But I venture to say that for a hundred years the pine of the Southern States, from the difficulty of getting it to the mill or to the water for floating, would not by the ordinary process of its manufacture be consumed in a hundred years at its present rate of manufacture there. It is now, and will be from year to year, one of the most important and most valuable of the products of the South or of many of the Southern States. Hereafter that kind of pine will be used as it has not been before. It will be worth much in the market if it can be protected at all by a reasonable tariff. There is no danger, then, of the exhaustion of the pine; but that argument is of little value when we consider that in all these Northern States the settlers are pushing in wherever the land is not held for its pine and cultivating the land, clearing the land, setting their fires, burning their logs and the refuse from the land, and making farms all over.

The liability for fire to spread through the pine lands is very great. By two great fires, one in 1871 and the other the recent one in Michigan, we have had destroyed in Michigan more pine in value than would be cut off in ten years at the present rate of its manufacture. Fires spreading through a whole region 50 miles wide, 75 miles long, destroy at one sweep millions of dollars of value of the best pine in the world; and that makes a necessity for its manufacture even greater than the market might demand, because where pine is destroyed the next year after the pine is killed, whether it falls or whether it stands, the worm gets in the tree and renders it comparatively valueless as lumber, throwing the whole product of worm-eaten pine into the class of culls, or the very commonest kind of lumber in the market. If there were power to stop the manufacture of pine in the North to-day entirely the destruction of pine by inevitable fires from the fact that the settlers have gone into the neighborhood of it and are clearing lands all through the pine region would waste away the pines, or might do so, as rapidly as the manufacture itself, and that valuable product be rendered worthless.

I want to say to the Senate a word or two more on the subject of the profits of the lumbering and the manufacture of pine. The Senator from Nebraska has said that the lumberman or pine dealer has obtained his land from the United States at the rate of $1.25 per acre; that he sells it to the farmers upon the prairies wherever it is needed at exorbitant prices; and that he makes immense profits. That is the substance of the proposition. It is not true that any pine lands can come into market in the first place at $1.25 per acre. They must first be offered in the market at public auction and all the pine men in the world have the opportunity of going and contesting for the valuable tracts in any new region offered in the market with their competition. It may be 10 shillings, it may be 20 shillings; it may be $5, or more or less; but the pine lands of all the Northwestern States were bought, as far as the Government's interest in them is concerned, years ago. Almost all the valauble pine lands that were in market or could be bought were bought years ago. From that time to this the owners of them, whether original purchasers or others, have been compelled to pay their taxes upon these lands. When they are situated in the midst of settlements they have had to pay and contribute their share to the building of roads, the support of schools, and with the interest on their money for ten, fifteen, or twenty years one can very well see that it would be a misleading statement to assume that the lumbermen, the owners of the pine, have really paid but 10 shillings an acre for the lands which they are using now.

But the fact is that almost the entire pine region of Michigan, Wisconsin, and Minnesota is being lumbered by men who have recently purchased from others. They are not kept in one hand from the time of purchase. They are changing in this locality and that. The man who has a few sections of pine land in one region, in order to warrant him to make the improvements necessary, either by building mills or by building roads to get out the pine, is compelled to increase the amount so as to divide the expense among a greater number of feet of pine.

I have made a very careful and elaborate statement, from year to year, corrected by the lumbermen and by the manufacturers of lumber, and I have here to state that from that examination for the last ten years there have been more than half the years when the profit to the manufacturer of lumber, between the purchase of the logs or the lumbering of the lands and receiving the price for it in the market, has been less than 75 cents a thousand feet. There was one year when all the profit of the most careful manufacturer in the Saginaw Valley would not be over 37½ cents a thousand feet, with the interest on the plant, on the mill, the payment for labor, the taxes, and all that went into the expense.

There is no great profit to the lumber manufacturer. It is an uncertain business. In years of prosperity lumber is in demand. When the farmer is prosperous, and the villager is prosperous, and the merchant is prosperous, they can build; there is a demand for lumber. When there is a depression the great body of the lumber ceases to move, and it has to be sold at a diminished value or to be carried until a better time. I can remember since the panic when the lumbermen of Michigan after reducing the lumber to the lowest possible price to cover the expense of manufacture, those who were able had to combine together and prevent it is said one-half of the lumbermen from going into bankruptcy by carrying through these close times and lack of market. It is a mistaken idea to suppose that in the South or anywhere in any lumbering region the manufacturers of lumber make great profits or become immensely rich.

As an explanation for the common remarks that are made about the great wealth to be acquired by lumbering it is undoubtedly true that when any person could get, in a favorable situation along streams where logs could be floated and drawn with ease without much cost, a large tract of valuable pine he can, either by selling the trees for their stumpage or even by the manufacture of them, make all the difference between the land at ten shillings or twenty shillings or five dollars an acre and the value of the timber. The man fortunate enough to have that without touching the ax or going into the forest, if his land has not been taxed long, if he got it cheap, can sit in his office and sell his timber by stumpage; and, deducting the cost and the interest and the taxes, he can on a large tract of land make very great profits, as any one can on the rise of any article which he has purchased cheap, about which there is no great expense and for which now there is a great demand.

I do not desire to detain the Senate with further comments upon this subject. I thought it was due to the lumber interests of the North and of the South; of the North because the main supply of the soft pine, the white pine, lumber comes from the North, and of the South I know something of it of my own knowledge and more from information from others. All through the Atlantic Coast States and the Gulf States where there is pine the people of those States are trying to utilize their pine; it is coming into demand for purposes which were almost unknown in the market years ago. The yellow pine of the South is found to be for a great many purposes even superior to our Northern pine; it is exciting the industry and the enterprise of our Southern friends, and they have commenced the manufacture of pine lumber, crudely at first as we did in our forests, with insufficient mills or insufficient machinery; but as I understand now there are mills in these Southern States that have all the fine machinery of our Northern mills; that they are learning to manufacture lumber economically, and are preparing to send it to market. I am informed that there is already a market for that class of lumber not only through all the southern regions of the United States to here and far north of here, but that there is a demand for this in the West India Islands, and that large quantities have been and are now being exported.

For the sake of my own State and the interests of my own people I am bound to attempt to preserve this protective duty upon lumber. I submit that the interests of the Southern States, where the pine forests grow, demand a like protection for the new growing industries of all that region, that they be protected, that that new industry shall not be smothered by placing upon the free-list pine from any adjoining country. The amount of pine brought from Canada into the United States is comparatively so small that if not increased it can not materially increase the value of pine and its expense to the farmers. I have not the tables here to show the amount of lumber from other countries introduced into the United States; but in looking at it I saw it was so comparatively small in amount that it could not fix the price of lumber in the United States, much less could it fix the price of lumber in the remote prairie States.

Mr. CAMERON, of Wisconsin. If the Senator will permit me, the amount of lumber imported is stated in the table attached to the tariff bill. The different items of different kinds of lumber are there given.

Mr. CONGER. The Senator from Vermont [Mr. MORRILL] will read the items for me.

Mr. MORRILL. The amount imported during the year ended June 30, 1882, is as follows:

Timber, hewn and sawed, and timber used for spars and in building wharves, cubic feet	72,898.00
Timber, squared or sided, not specially enumerated or provided for in this act, cubic feet	185,479.00
Boards, planks, deals, and other sawed lumber of hemlock, whitewood, sycamore, and basswood—	
Not planed or finished, M feet	46,844.88
Planed or finished on one side, M feet	16.44
Planed or finished on two sides, M feet	3,254.02
Boards, plank, deals, and other lumber, sawed from other varieties of wood, not elsewhere specified—	
Not planed or finished, M feet	496,003.69

Mr. CONGER. Those embrace the principal amounts introduced, and one will see by the reading of them that compared with the 4,000,000,000 feet manufactured in the Southern and Northern States of the East, it is not sufficient to materially affect the price. The trouble about it is that in Canada the lumber has to be shipped to a market. It mostly goes down the Saint Lawrence. It is shipped from Montreal and Quebec out of the country to foreign ports, to Europe; but if it were not for a protective duty it could be placed in Chicago, Milwaukee, Toledo, Cleveland, Buffalo, Oswego, Ogdensburgh, at any of the ports along our great frontier, it could be brought into the United States far cheaper than it could be sent abroad; and it could fill a large part of our market unless our people had some protection against its introduction for their lumber.

Mr. VAN WYCK. Will the Senator allow me to interrupt him?

Mr. CONGER. Yes, sir.

Mr. VAN WYCK. Will he please explain, if that be so, why Canada finds it necessary to impose a tariff on our lumber?

Mr. CONGER. I have been talking about that all the while. The Senator spends his time probably in reading a newspaper until an idea strikes him and then he would have me go over the same ground again.

Mr. VAN WYCK. The statement came so forcibly from the Senator from Michigan that I wished him to explain.

Mr. CONGER. I have been trying to show that without a tariff lumber manufactured and ready for market cheaper adjoining our country, its borders, its waters, where the transportation is just as cheap to our market as it is from our own ports without some protection, Canada could turn into the United States millions and millions of feet of lumber every year; that they could lower the price below any profit to the manufacturer and they could destroy the small profits which are now received. If I have failed to make that somewhat apparent I have failed entirely in my object. There is a duty of $2 a thousand feet upon pine and some other kinds of lumber in this tariff bill. There is $1 a thousand feet upon other kinds. That has been shown to be just about the rate that would prevent the large importation of pine from Canada, and it is a convincing proof that during all these years the price of lumber to the consumer has not been exorbitant, has been reasonable, else there would have been millions and millions of feet of pine introduced from Canada.

That, Mr. President, is all that I desire to say upon this question of lumber. I wish the Senators who have not given much attention to this matter should at least know something of the value of stumpage; of the profits of manufacturing; of the difference between the cost of standing timber in the United States and in Canada, and the necessity for the protection of that interest in which in the Northwestern States, there are fifty or sixty thousand people whose daily bread depends upon the continuance and the profitable continuance of the lumbering business.

Mr. VAN WYCK. Mr. President, I would not feel it my duty to say anything further on this subject except for some statements which the Senator from Michigan [Mr. CONGER] has seen fit to make in regard to this question. The effect of the duty, my friend says, would be to keep out Canadian lumber, and that is all that is sought to be accomplished by the bill in this connection, to prevent Canadian lumbermen from competing successfully with the American manufacturers in this country. When I said I could see no reason why those desiring the use of this lumber should pay $3 per thousand feet as a tax my friend immediately interposed and declared that such was not the case, that the tax did not exceed $2 per thousand feet. My friend was very anxious that that fact should go down correctly to history. I supposed at the time that the gentlemen who framed the bill, in their benignity and in their consideration of other laborers besides those who cut and saw pine logs in Michigan, and Minnesota, and Wisconsin, had probably made some reduction of the rate fixed in the previous tariff; but I find such is not the case, and therefore it is that there is a class of lumber taxed at $3 a thousand.

Mr. CONGER. Manufactured?

Mr. VAN WYCK. Manufactured.

Mr. CONGER. Planed and dressed?

Mr. VAN WYCK. Certainly, planed and dressed.

Mr. CONGER. I was speaking of the article of lumber.

Mr. VAN WYCK. I am speaking of the article of lumber, and I say there is no good reason why it should pay $3 per thousand.

Mr. CONGER. I spoke of lumber. The Senator is discussing another thing.

Mr. McMILLAN. Lumber, not manufactured lumber.

Mr. VAN WYCK. I was speaking of those kinds of lumber the duty on which ranges from $1 to $3.50. It is true. My friend from Michigan now admits it to be true.

Mr. CONGER. No, I do not.

Mr. VAN WYCK. Does not the Senator admit the fact that the duty on lumber ranges from $1 to $3.50.

Mr. CONGER. No; the tax is $1 on a certain kind and $2 on another.

Mr. VAN WYCK. And $3 and $3.50 on other kinds.

Mr. CONGER. When you come to describe another article, whether made into blinds or sawed into flooring, or made ornamental in some way, there is a rate for that; but lumber is lumber, and can not be changed by any such process into some manufacture of planed lumber, door, or sash, or anything else.

Mr. VAN WYCK. I say the duty here fixed is $3 and $3.50 on manufactured lumber. Lumber planed is one description of lumber; lumber unplaned is another description of lumber; lumber planed and tongued and grooved is another description of lumber. I said on Saturday that the tax to be paid was from $1 to $3, but upon examination I find it ranges from $1 to $3.50. Lumber in different stages is taxed differently—lumber planed and unplaned, lumber planed on one side or planed on both sides, lumber planed on one side and tongued or grooved, or lumber planed on both sides and tongued and grooved; it is the description of lumber to which I refer.

Mr. McMILLAN. If the Senator from Nebraska will look at the bill he will find the correct use of terms to express his idea. At the head of this schedule he will find the words, "Wood and wooden-wares." That would embrace the items that the Senator refers to. When we speak of lumber it is a well understood article; it is the product of the tree standing.

Mr. VAN WYCK. Now, let us see who is right. I do not confess to a great deal of knowledge. My friend from Michigan does, and I concede it. My friend said he knew all about lumber. I concede it. He said he knew all about the tariff on lumber. I concede it; but if he knows all about the tariff, he is more fortunate than a good many other men.

Mr. CONGER. I did not say I knew all about the tariff.

Mr. VAN WYCK. My friend convinced me that he knew all about it.

Mr. CONGER. I did not say I knew all about it. Still the Senator asserts it.

Mr. VAN WYCK. I assert it because the Senator said so, I think. I concede that he does know all about the tariff. I will read the language here, beginning in line 852:

> Sawed boards, plank, deals, and other lumber of hemlock, white wood, sycamore, and bass wood, $1 per 1,000 feet, board measure; all other articles of sawed lumber, $2 per 1,000 feet, board measure. But when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished, 50 cents per 1,000 feet, board measure.
> And if planed on one side and tongued and groved, $1 per 1,000 feet, board measure.

That makes it $3 per 1,000 feet.

> And if planed on two sides, and tongued and grooved, $1.50 per 1,000 feet, board measure.

Making $3.50 per thousand feet for lumber, characterized and called lumber in this very schedule. Therefore, if there is any force in the statement I made, the fact is established that the tax to be paid is from $1 to $3.50 per thousand feet upon lumber in the different conditions in which it is thrown upon the market, but it is still lumber and we do not call it anything else; it can not be called anything else. The fact is established, I take it.

I undertook to show that lumber could be furnished about as cheaply in the United States as in Canada. I said first that stumpage is no more in the United States than it is in Canada. I said the probable cost of the manufacture is no more in the United States than it is in Canada. I said that the cost of transportation is probably greater in Canada than it is in the United States. My friend takes issue with me upon these questions. What I said was that the Government of Canada was not so liberal to those who purchased its pine forests as the Government of the United States, and I think that the facts establish it. In the United States this timber land was purchased, as my friend admits, for $1.25 per acre, some of it for $2.50 an acre. That is all the Government received, no more. Therefore, when I undertake to estimate the amount of stumpage paid to the Government by the purchasers, I take the price which they paid for the land, which is $1.25 or $2.50, as the case may be. That is one proposition.

The question is not what the gentlemen who have bought all the pine forests in the United States choose to fix as their price upon the land. That was not the question under discussion at that moment. I say again that the stumpage of the Government is greater in Canada than it is in the United States. Taking the price as $2.50 per acre, if you please, it can readily be computed, the product being 5,000 feet, which is small, for it is generally double that quantity; but at 5,000 feet per acre, the Senator can readily estimate the amount of the stumpage. It is not the $4.50 that the owners of pine forests exact when they sell to other persons who may choose to go and plant their saw-mills and convert the trees into lumber. When we talk of stumpage, I take it we talk of what the governments do in both cases, and in the United States the Government has sold to these men at $1.25 and $2.50 an acre. In Canada the stumpage is more than that, because here is my friend's admission that the gentlemen here who buy at $1.25 and $2.50 per acre buy the title to the soil, and after the land is denuded of its trees they can sell it and do, I presume, as agricultural land, for a price equal to that which they paid the Government. So the stumpage on that basis must be substantially nothing.

But in Canada, as my friend says, in the first place the privilege to enter upon the public domain and cut is auctioned off. The title is not sold, but the privilege to enter is given, and that is auctioned off. That brings 35 cents a thousand. In addition to that there are certain other conditions imposed by the Canadian Government, amounting to about 75 cents a thousand. Then there is no title to the land. So I claim that the fact is established that when you speak of stumpage in connection with the cost from the Government of each nation the American purchaser of pine land has an advantage over the Canadian purchaser from the Canadian Government.

I further said that it cost in Canada nearly as much, or probably fully as much, to convert into lumber as it did in the United States, and my friend took issue with that and said that possibly could not be so. He said that they had the same facilities for manufacturing that we had here. My friend said that wages were a little more here, and he pictured a beautiful scene in midwinter of 5,000 Canadians coming through

the snow, with their axes strapped upon their backs, to obtain the better wages which they could get upon American soil, and they spend their winters in American forests, returning in the spring-time to their own country. That being so, the object, then, is to benefit Canadian labor, to allow it to come over here and absorb the benefit of our high wages. If that be so—and I presume it is—then necessarily the Canadian manufacturer of lumber, living so near to us as he is, if the best of the laborers can be induced to come from Canada into American pineries, must pay the same or nearly the same wages which can be obtained by crossing the line.

Now, as to the fact of their using machinery, I presume my friend will not question anything in the report of the Tariff Commission, and they have given us some very good suggestions upon this matter, which if repeated by some one in opposition to my friend I suppose he would stigmatize as a free-trade notion; and yet my position to-day is just the position declared in the sentiments of the report. Had they carried into effect the sentiments of the report, or had the Finance Committee done so, there would be less objection to this bill. But I will say to my friend that I take the position I do because it is good, sound Republican doctrine, and has been for twenty years. My doctrine is a tariff for revenue, with incidental protection. That position as a Republican party we have occupied for years. We have substantially declared it in every Republican platform from 1872 to the present time. I occupied that position with one other on this side of the Chamber when we voted against the appointment of a Tariff Commission.

We felt then that the Tariff Commission was, as expressed by a gentleman on this side of the House, a makeshift, that it was intended to do just what it is doing, to mystify still more this question of the tariff, and to make no substantial reduction of the tariff which the people see or feel or understand. When these gentlemen proclaim the doctrine as to revenue reform that I stand on, I am not to be arraigned; nor am I to be arraigned because I stood where the Republican party has planted us for the last twelve years. When I felt it my duty to raise my voice at the last session and object to the constitution of the commission, it was perfectly evident then, as it appears more evident now, that gentlemen would be placed on that commission to protect the interests which they represented, rather than to consider the prosperity of the country which it was supposed they were intended to serve. The result has shown it; the report has shown it; the bill they have presented has shown it. The bill clearly establishes that fact. They say they propose to reduce duties; they argue the necessity of it in this report; yet on the small matter of lumber, where there is as much necessity and more reason than on any other article for a reduction, these gentlemen pass it by and never propose the simplest reduction.

My friend says they have reduced the duties on iron and steel and some other things which he enumerated; and yet I ask him if it is not the fact that that quality of steel from which agricultural implements are made, which enters into machinery, has not been increased instead of being reduced by this bill which my friend from Vermont proposes here? I ask him if the duty on the wire from which the barbed fence is made, which the farmer must use on millions of the acres of the West, is not really increased by this bill? I ask him if on other articles this very same bill does not increase the duty, though they are matters of prime necessity. Lumber is a matter of prime necessity; barbed wire is a matter of prime necessity; steel which enters into the manufacture of machinery is a matter of prime necessity; and yet lumber has not been touched or reduced a farthing, and the duties on these other articles of prime necessity have really been increased in this bill.

Mr. HOAR. So far as wire is concerned, if my friend will allow me, unless I am much misinformed, the bill reduces the duty on wire and increases, slightly, that on the rods from which the wire is made. Perhaps that is what the Senator had in mind. The wire manufacturer is very considerably less protected than under the old law.

Mr. VAN WYCK. My friend will see, when we come to get a little more into the merits of this matter, he may be as fortunate as our friend from Michigan to know all about it already, but if he does not he will find, when we get further, that the duty has been increased on all these articles by shrewd and ingenious provisos, provisos which have been in no other bill, and were placed there for a purpose.

Mr. HOAR. I do not want to take the Senator's time, but in the particular article to which he refers I think he is mistaken. Our old professor of chemistry, when he made an experiment which was unsuccessful, used to tell the class that the experiment failed but the principle remained the same. My friend's experiment fails, and I will not undertake to combat his principle.

Mr. VAN WYCK. I have no experiment about this matter. I will say to my friend that they have reduced the different grades of value in this bill over the old rates; that is to say, wire of one description is at so much a pound, wire of a certain other description is at so many cents a pound. My friend will find that the change made is a reduction on wire that is used the least, and the increase is on the wire that is used the most. My friend will find that, I think.

Mr. HOAR. I think not.

Mr. VAN WYCK. We shall see presently. I did not intend to divert the discussion from the matter of woods to wire by any means. I merely proposed to show that this bill did not do what it alleged; that in matters of prime necessity which I mentioned it has not made reductions.

I was saying that it cost probably as much to manufacture lumber in Canada as in the United States, because I thought that they had not advantages of machinery equal to ours in America. I find in that I am corroborated by the commission's report. The report presents good, sound doctrine not particularly of the Republican party. We are not speaking of this in a partisan sense. This is a question which reaches beyond all party and all party considerations, and I only alluded to such matters incidentally.

These gentlemen in this report argue just as I am arguing to-day, that there is a necessity for a reduction of the tariff rates upon articles of prime necessity; and if I stand there with them, certainly I ought not to be questioned, nor ought I to be questioned from a political standpoint, because I am acting in full accord with the Republican platforms of 1876 and 1880; and the platform of 1872 not only says I am correct in what I am now saying, but that the main purpose of the tariff was revenue.

I would understand from the position of the Senator from Michigan now that he is for protection. The Republican party has nowhere subscribed to the doctrine of laying tariff duties for the sake of protection. Revenue is the first primary consideration, and gentlemen must not find fault with me if I choose to stick as long as possible to the old tenets and the old doctrines of the Republican party. In 1872, more than ten years ago, the Republican national platform declared:

7. The annual revenue, after paying current expenditures, pensions, and the interest on the public debt, should furnish a moderate balance for the reduction of the principal—

We are not suffering on that account now; we are getting on very well in reducing the principal of the debt—

and that revenue, except so much as may be derived from a tax upon tobac and liquors, should be raised by duties upon importations, the details of whic should be so adjusted as to aid in securing remunerative wages to labor, and to promote the industries, prosperity, and growth of the whole country.

That is the position I occupy to-day: revenue primarily, incidental protection. The Republican party pledged itself then to collect internal revenues from tobacco and whisky, and after that all that was needed by customs duties so laid and distributed as to aid in securing to labor remunerative wages and to promote the prosperity of the whole country. That was agreed to in 1872. In 1876 the Republican platform resolved that—

The revenue necessary—

Nowhere protection; "the revenue," that was the primary object then—

The revenue necessary for current expenditures and the obligations of the public debt must be largely derived from duties upon importations, which, so far as possible, should be adjusted to promote the interests of American labor and advance the prosperity of the whole country.

There I stand to-day. A tariff for revenue was the Republican doctrine in 1872; a tariff for revenue was the Republican doctrine in 1876. Now we come down to 1880:

We reaffirm the belief avowed in 1876 that the duties levied for the purpose of revenue—

Not protection.

should so discriminate as to favor American labor.

For myself there I stand to-day; there I stood when this matter was discussed at the last session; and am I to be charged with being a free-trader or obstructing tariff legislation because I believe that when the Republican party pledged itself to a tariff for revenue, with incidental protection, it meant it? Not only do I believe that it meant it, but I believe that the American people have reaffirmed and indorsed it time and time again and have spoken the same doctrine repeatedly.

I take it for granted all of the gentlemen who voted for the commission have read its report; at least I hope so. We were to be relieved, we were to be aided by this commission. We were told that the tariff was a very difficult, mysterious subject; it must be touched carefully; experts must be furnished who would frame a bill to simplify it so that we could fully understand it. Now what do they say in their report? Let me read from it a moment:

Early in its deliberations the commission became convinced that a substantial reduction of tariff duties is demanded.

I say that to-day, and because I say that to-day my very aimable friend from Michigan takes exception. Your Tariff Commission have said it; these gentlemen who were to enlighten Congress and the nation have said it.

Early in its deliberations the commission became convinced that a substantial reduction of tariff duties is demanded—

"Not by a mere indiscriminate popular clamor," oh, no—

not by a mere indiscriminate popular clamor, but by the best conservative opinion of the country, including that which has in former times been most strenuous for the preservation of our national industrial defenses.

Your commission say it, and I am asking to-day that there should be some reduction in the duties on matters of prime necessity.

Such a reduction of the existing tariff the commission regards not only as a due recognition of public sentiment and a measure of justice to consumers, but one conducive to the general industrial prosperity.

My friend says, "No; hold the tariff duties where they are; keep them

where they are, already great; make no concession, no reduction;" and yet the Tariff Commission say:

Such a reduction of the existing tariff the commission regards not only as a due recognition of public sentiment and a measure of justice to consumers, but one conducive to the general industrial prosperity, and which, though it may be temporarily inconvenient, will be ultimately beneficial to the special interests affected by such reduction.

That is good reform doctrine. Further on they say:

Entertaining these views, the commission has sought to present a scheme of tariff duties in which substantial reduction should be the distinguishing feature.

That is what they made the effort to do. They say:

The average reduction in rates, including that from the enlargement of the free-list and the abolition of the duties on charges and commissions, at which the commission has aimed, is not less on the average than 20 per cent., and it is the opinion of the commission that the reduction will reach 25 per cent.

Now, they say that it will reach 20 per cent. and may reach 25; and yet on this matter of lumber, an article of prime necessity, where there was no sort of reason or necessity for the continuation of any tariff duty, the existing rate has been untouched by this commission and has been untouched by the Finance Committee of this body.

I digressed a moment ago from the point on which I was endeavoring to make a suggestion, and that was that Canadian lumber possibly cost as much as the American manufacture. To corroborate my opinion as to that, I find this in the report:

It would seem that the rates of duties under the existing tariff—fixed, for the most part, during the war—

This is the very same argument that has been used time and time again by the people who are asking for a reduction of duties—

under the evident necessity at that time of stimulating to its utmost extent all domestic production—might be adapted, through reduction, to the present condition of peace requiring no such extraordinary stimulus—

Here is all that has been said by those who oppose this tariff and desire a reduction. These gentlemen first admit it; secondly they claim that they have done it to the extent of 20 or 25 per cent.; third, they boldly step forward and say that the present tariff, made during war times, should not be expected to exist at this day—

and in the mechanical and manufacturing industries—

I have supposed from what we oftentimes hear here that the United States in intelligence, ingenuity, in skill, and in industry, surpassed any nation in the earth. My friend from Michigan says "No; Canadians have facilities which they can use just as well." This is what the Tariff Commission say:

And in the mechanical and manufacturing industries, especially those which have been long established—

As lumber for instance—

it would seem that the improvements in machinery and processes made within the last twenty years, and the high scale of productiveness which has become a characteristic of their establishments, would permit our manufacturers to compete with their foreign rivals under a substantial reduction of existing duties.

Therefore I say that the proposition I make is sustained by the language of the argument of the Tariff Commission itself. Therefore it was that I claimed there was no necessity for the continuance of the lumber duty.

Mr. CONGER. Will the gentleman say, after reading the opinion of the commission on that subject, what judgment did they come to in regard to the propriety of the reduction of the duty on lumber? What conclusion did they come to after that elaborate investigation?

Mr. VAN WYCK. Precisely.

Mr. CONGER. Will the gentleman answer me?

Mr. VAN WYCK. I will answer with a great deal of pleasure. I wish the gentleman to understand that I consider it no interruption that he should correct any mistake I make.

Mr. CONGER. After all their examination I understand that the commission reported that it was best to leave lumber with the same protection that it had before.

Mr. VAN WYCK. Precisely. I thank the gentleman for the interruption. I meant to say to him at the outset that I would not consider it an interruption to have my attention called to any mistake or erroneous statement, because I am satisfied it would improve my own remarks to have them joined now and then by the brilliant wit and keen sarcasm and the genial humor of my friend from Michigan.

Mr. CONGER. Now answer the question.

Mr. VAN WYCK. Precisely. The Tariff Commission start out with the proposition on which I stand, and if I may speak of it in a party sense, on which the Republican party has stood for the last twelve years. The Tariff Commission start out with the necessity for a reduction of the tariff. They say they want a reduction on articles of prime necessity; they go so far as to say that they have reduced the tariff from 20 to 25 per cent.; but the Senator wants to know why, when they have made that elaborate expression of opinion, they stand and say the duty ought not to be reduced upon lumber. The very point I was making a few moments ago in regard to the bill proposed by the Tariff Commission is that they

Keep the word of promise to our ear,
And break it to our hope.

After the Tariff Commission planted themselves on the doctrine which the American people believe in, then they present a bill and the Finance Committee present a bill which in fact increases many of the duties upon articles of prime necessity. I was undertaking to illustrate that, and I may do it more hereafter. With this declaration on their lips they bring in the bill before us; and in their report they content themselves with speaking of the subject of lumber in four lines, which I read on Saturday. All they say is that the duty should be untouched, and standing upon their own argument in their report, we fail to understand how, in the matter of lumber, they could consistently say that the duties on that should not be touched. That is the very point I am making to show the inconsistency of this commission.

Mr. CONGER. After all their consideration they said that in their judgment the duty on lumber should remain as it was.

Mr. VAN WYCK. Precisely. There I arraign the commission for inconsistency and incongruity. While they argue the necessity of reduction they fail when it is to be put into execution. They have so framed this bill as to increase the duties of the former tariff on articles which are actually absolutely necessary.

Mr. CAMERON, of Wisconsin. The Senator will observe that he is at the same time arraigning the Committee on Finance, which considered the bill, considered this whole matter, and reported the bill to the Senate. That committee agree with the Tariff Commission.

Mr. VAN WYCK. I do not go quite so far, I will say to my friend from Wisconsin, as to arraign the Committee on Finance, for I do not understand the Committee on Finance to subscribe to the doctrines laid down in the report of the Tariff Commission.

Mr. CAMERON, of Wisconsin. No matter what doctrines are laid down in that report, the Finance Committee reported the bill to the Senate, retaining the present duty on lumber.

Mr. VAN WYCK. Certainly, that is so. I was talking of the Tariff Commission. I was justifying my own course not only by the platform of the Republican party but by the report of the Tariff Commission itself, and I wanted to show that I was trying to carry out what I believe, and that the Tariff Commission were not; and if the Finance Committee of this body subscribe to the doctrines laid down in the report of the Tariff Commission then they are as inconsistent and as guilty of incongruity as the Tariff Commission itself. Faith without works is dead. That was the point I was trying to make; that this was intended as a blind, merely a sort of subterfuge intended to show "how not to do it," pretending to reduce the tariff and not doing it.

Now, I say to my friends unless we make a substantial reduction of the tariff duties we had better close this bill. Taking this bill, the people at home can not see that there is any reduction of the tariff when they supposed we were pledged to it and the Tariff Commission was pledged to it, and they can not put their finger on a reduction to benefit them. I ask my friends what answer shall we make when the people undertake to arraign us again as they have arraigned us in the past, and call us to account for what we may have done? Sir, let us have a tariff bill that will substantially reduce duties whereby the people shall be benefited; but this is so glaring that it illustrates the very point I was trying to make, that in the very matter of lumber more than any other single article, more than in barbed wire, more than in any species of iron wire, more than in any other article in this bill from the beginning to the end, the people imperatively demand a reduction of the duty upon lumber. Therefore when this commission have said what they have, and presented such a bill as they have, and when the Committee on Finance have presented the bill and stricken off not a farthing from this hard, unjust tax, I have a right to arraign the commission and I have a right to give the reasons why I insist that there shall be a reduction here.

My friend from Michigan says, "Oh, no; there is no danger of any destruction of lumber; it will last fifty years." The Census Bureau, which costs us enough at least to know what it tells us, says our supply will last but eight years.

Mr. CONGER. They say twenty-five years more.

Mr. VAN WYCK. They said that at first; but they have been growing wiser as they grow older, and they say now only eight years. Now you arraign the judgment of the census experts; you do not pay any attention to them when they do not say what you want. I present that to the consideration of my friend. They say it will last eight years only and then your supply is gone.

Another point. I am sustained in my Republican position by a Republican President of the United States, and I am sorry my friends put themselves in antagonism to the Republican President and Administration on this question. The Republican President of the United States sustains the same doctrine on this point, because he says in his message:

The condition of the forests of the country and the wasteful manner in which their destruction is taking place give cause for serious apprehension—

My friend says there is no apprehension; they will last fifty years; the Census Bureau says eight, but my friend says fifty; there is no cause for apprehension, yet the President of the United States says there is cause for serious apprehension—

and their total extinction can not long be delayed unless better methods than now prevail shall be adopted for their protection and cultivation.

I am fortunate to stand on the platform of the Republican party three times enunciated; I am fortunate to stand on the report of the

Tariff Commission; and I am still more fortunate to stand on the declaration made in regard to this matter by the President of the United States. Let these gentlemen, if they will, tear themselves away from the Administration which they helped to create and which they profess to love. I say, then, there is danger, there is serious apprehension; and we are spending thousands of dollars a year to preserve the forests of this country. We are doing more, we are giving away our public domain; we are giving away land valued at $1.25 or $2.50 per acre to men who will go and agree to plant a few rows of trees upon it—$200 or $400 in value. We give $400 in land to an individual if he will undertake to go and actually will go and plant a few trees upon it. And yet gentlemen say there is no cause for apprehension; but the President of the United States says there is a cause for apprehension.

I desire any gentleman to give one reason why this tax on lumber should be retained. The price of lumber has been increasing from year to year.

Mr. CONGER. No, sir.

Mr. VAN WYCK. In what year did it not increase?

Mr. CONGER. It has been decreasing.

Mr. VAN WYCK. When did it commence to decrease? Take the last crop of lumber.

Mr. CONGER. The last crop was between now and last spring.

Mr. VAN WYCK. I do not think any persons who bought lumber were aware of the fact that the price had decreased. I can say without fear of successful contradiction that the price of lumber has increased year after year until now it is almost enough to prevent persons who have gone out on the prairies and made the Northwestern States what they are, who have made Iowa and Wisconsin, too, notwithstanding its pineries, what they are, and made Kansas and Nebraska what they are from purchasing to the extent of absolute necessity. The men who have gone out lately have been under the necessity of putting themselves in dug-outs or mud cabins, until they can save enough possibly to buy a thousand or two thousand feet of boards to put up a building to protect themselves and families from the storm. It is one of the absolute necessities of life, and when men in Kansas, Nebraska, or Iowa are compelled to pay from one dollar to three and a half dollars duty on lumber they use in building their houses and out-houses it is a hardship that should not be tolerated. We are asked to adopt tariff laws to protect infant industries; and yet this has almost passed away and soon will be obliterated as an industry of the American people, and yet with it all no reason can be found by the Tariff Commission or Finance Committee why its protection should be reduced even a farthing so that the people may have the benefit of this article at a less price.

My friend says they have a tariff in Canada. There are a great many strange things about all this matter. In the first place we must have a tariff, they say, to keep Canadian lumber out because it can be manufactured cheaper than ours; and then the Canadians must have a tariff to keep American lumber out. Why? If the Senator is correct, why does Canada want a tariff on lumber? Why does Canada want a tariff on lumber if it is true that lumber can be manufactured more cheaply in Canada than in the United States? Will the gentleman tell me why Canada wishes a tariff on lumber to keep out American lumber, if it be true that lumber can be furnished cheaper in Canada than in the United States? I pause for a reply if the gentleman will be so kind as to give it.

Mr. CONGER. I suppose the Senator must know—if not I am very much surprised—that a very large portion of the Canadian lumber except what is needed for consumption within the provinces is shipped to Europe. The effort heretofore has been for lumber contiguous to the Saint Lawrence or the lakes to be purchased by Canadian purchasers to be shipped to Europe as a Canadian product. Canada saw fit to impose tariff duties upon many such products as came in. There has always been some tariff upon lumber and there has always been an export duty upon Canadian lumber. They have transferred now the export duty on lumber shipped from Canada and made it an import duty upon American lumber.

But this is the main reason why lumber from the States should go into Canada: In Manitoba, where there are great settlements and a large number of buildings going up there is no pine accessible except what comes from the United States by any means of transportation available there. The lumbermen of Minnesota have to pay 20 per cent. upon their lumber taken into Manitoba to supply the market where there is no home production. It must come from the States, if at all. In the southern portion of Canada West there is no pine; it can be obtained from the States, from the Saint Clair River, cheaper than it can from Georgian Bay. They put on a duty to get a revenue and protect their interest. We put it on to protect our interest and for the revenue.

Mr. VAN WYCK. Can the Senator tell us how much revenue Canada receives from the tariff imposed upon American lumber?

Mr. CONGER. The receipts from all kinds of lumber last year were something like three-quarters of a million dollars, I think.

Mr. VAN WYCK. From American lumber?

Mr. CONGER. No; this Government received that from Canadian lumber. I do not know what Canada received from American lumber.

Mr. VAN WYCK. I understood the gentleman to say that a tariff was imposed by Canada for the purposes of revenue.

Mr. CONGER. I said also that I did not know the amount of revenue derived by the Canadian Government.

Mr. VAN WYCK. Can you inform us really whether they derive any revenue from that tax?

Mr. CONGER. I know that a great deal of lumber was exported to Manitoba last year. There must be a revenue of 20 per cent. paid on its value.

Mr. VAN WYCK. Not necessarily. The Senator says Canada imposed this duty for the purpose of revenue, when, if his other position be true, it is utterly impossible they can ever get a dollar of revenue, because he says they can turn it out more cheaply than in the United States. I said my opinion was it would cost probably as much, and the facts justify me in the assertion. The fact that Canada imposes a duty to keep out American lumber from Canada except on the payment of a duty establishes that fact clearly, so that I am sustained in what I say, that the manufacture of lumber in America costs about the same as in Canada.

Mr. CONGER. The Senator will remember that the line between Canada and the United States is over 3,000 miles long. At some places opposite the United States in Canada there is no lumber and they must get it where they can. In some places opposite Canada where there is lumber there is none in the United States. On a long frontier of that kind there may be a necessity for lumber at one point that does not exist at another. In one place it might be beneficial to export it and in another to import it, along that border of 3,000 miles.

Mr. DAWES. I am an inquirer in this matter, and I should like to get some information from my friend from Nebraska. If there is a manufacture of lumber in Canada and in the United States, what is it wanted to put it on the free-list for?

Mr. VAN WYCK. I want it on the free-list that we may have a market adjoining us for the sake of making purchase.

Mr. DAWES. And you say it will cost just as much.

Mr. VAN WYCK. If it does cost as much we shall have another field and we may take our choice; there is more competition. There may be lumber nearer water that will come over from Canada at a less price than if it has to go three hundred miles off. If a man adjoins Canada and can have the advantage of purchasing lumber more cheaply there than of his neighbor far off, why not allow him to have the benefit of it and get his lumber more cheaply? The truth is you put this tariff on, as my friend says, to keep Canadian lumber out of the United States.

Mr. CONGER. I did not say it was to keep it out, because it does come in, and we expect it to come in; but I have said and argued that the protection of our own labor, the keeping of 50,000 men and their families in possession of the means of livelihood demand that those who pay taxes to support our own Government, national, State, county, and town, and the school system shall at least have the right to their own market to protect that labor. That is what I say. Some Canadian lumber will come in with this tariff or with any other.

Mr. VAN WYCK. This protection necessarily will increase the price of lumber.

Mr. CONGER. Not at all. By competition in this country lumber is reduced and has been for fifteen years to the lowest possible limit, and to-day the Senator's constituents in Nebraska get their lumber cheaper than they ever did before in this world. I know it. The records of the sales will show it.

Mr. VAN WYCK. The Senator will allow me to speak for Nebraska, and I say there is nothing of that kind; there is no pretense of anything of that kind. Lumber has continually increased in Nebraska for the last five years, until to-day it is higher in that market than it has been at any time during the last five years. I say that without fear of contradiction; and I say to my friend that there is not the least foundation for the assertion he makes. The markets in this country will show that lumber has been steadily increasing in value, and if you do not put a tariff on Canadian lumber to increase and keep up the price of American lumber, the price will go down. Why not? I pause for a reply.

Mr. CONGER. I have already stated what we put the duty on for. We put it on under the very principle annunciated by the Republican party in all its platforms that there shall be incidental protection to American industry. We have put it on because Canada has a tariff equally great with our own upon lumber that we export there. We put it on to preserve a market for an interest which changes up and down from year to year, and which through more than two-thirds of the last fifteen years has been a struggling interest, reducing labor in many places in order to keep the mills going, and I say that to-day in the little lumber-yards of Nebraska lumber can be bought cheaper than it could ever before in that State. The price of lumber has increased but slightly since the panic, and the means of transportation have so much increased that it is transported from the lumber-yards and mills into Nebraska cheaper than it ever was before.

Mr. VAN WYCK. The Senator has stated that the compensation for labor in the pine forests of Michigan is only about enough to keep the wolf from the door. Now will he tell about the owners of pineries in Michigan and in the other States, what is their condition? The Senator does not reply to that proposition. I can very easily understand how it is.

Mr. CONGER. I shall not reply again, but I reply now that the

whole tenor of all that I said, if it had any force—it could not have had any effect whatever—was to answer the questions thrown out incidentally from time to time. By this repetition perhaps I have already detained the Senate too long in attempting to explain. If I have not been more fortunate with the other gentlemen than with the Senator from Nebraska, I have wasted the time of the Senate and my own.

Mr. VAN WYCK. I am afraid the Senator has. I understood one proposition the Senator made, which was that the laborers, the men who came from Canada, in his pathetic picture of the winter midnight scene, with their axes strapped on their backs, and his neighbors in Michigan barely got enough to keep the wolf from the door; but when I ask him as to the condition of the owners of pineries in Michigan and the other States, my friend has not discovered that extreme degree of poverty, or I know he would have expressed it. There is where all the trouble is. There is where it is in your heavy iron establishments. Men use the pretense of giving the laborer a few pence more a day for his labor. I notice on all these questions that these gentlemen are very patriotic, very philanthropic, and very generous on that branch of the case; all their interest is centered in the benefit of the laboring man; and they look on him as Lazarus. They think the way to save Lazarus's life is to see that the rich man's table is full, because then the crumbs that fall therefrom go to Lazarus. That is about the way it is; keep the rich man's table well filled, my friend says; oh yes, and then the Lazaruses big and little in the pineries of Michigan can get the crumbs from the rich man's table.

I was trying to show that there was no necessity to continue this duty where it stands. The Senator does not seem to know what the tariff is intended for in Canada. Do you know what it is intended for in the United States? For the life of them they can not tell what it is intended for in Canada; but there it is. It seems to be a game of open and shut in the case of the owners of pineries in Canada and the United States. The owners of pineries in Canada hold the Canadian Government by the throat, and the owners of pineries in the United States hold the United States Government by the throat.

My friend from Maine [Mr. HALE] very triumphantly said on Saturday that the log comes in free. When I was telling him of the hardship of some poor man on the plains of the West who had not money enough to buy a thousand feet of lumber, my friend from Maine said "Oh, the log comes in free." I asked him what sort of comfort or consolation that was; how the lone citizen on the prairie could appreciate the great care and consideration of his Government for him in helping him to go into the markets of the world and buy what he could the cheapest, when it told him if he did not like to pay the duty on a thousand feet of lumber he could go to Canada and bring the log in free. I find on looking at the Canadian laws that the thing has been fixed; that matter is settled; Canada has fixed it that the log can not come out free. Now, will my friend from Maine say the log can come into the United States free? My friend from Maine said it came in free, but he is not here. Will my friend from Michigan tell me whether the log can come in free?

Mr. CONGER. It is in the bill right before the Senator that the log shall come in free.

Mr. VAN WYCK. Yes, the log shall come in free, and that is another mysticism of the tariff system. When I ask my friend if the log can come in free, he can answer yes or no; but he says the tariff allows it to come in free. I say to him the log can not come in free. You say that the man who is building a little shanty can go and get his logs free; but I say he can not get his logs free. The lumbermen of the United States and Canada have fixed that. The Canadian Government steps in and says, at the instance of her pine-owners, that logs taken out of Canada shall pay a duty of $1 a thousand feet. Now I ask again the question of my friend, can the log come in free? By this tariff manipulation you have it so that a man can not even go and get his log free. Therefore the theory of my friend from Maine is gone, and the argument of my friend from Michigan is gone. The log does not come in free. As I have said, there is no sort of pretense of any necessity to continue this enormous duty.

Mr. President, I think I have said all that is necessary on this point. I know I have not delayed the Senate Finance Committee. I ask pardon of the Senate for having spoken so long, but I have been doing a favor to the Finance Committee, because I understand that the gentleman who is the chief instrument of the commission on the iron interest has not got through yet, and therefore I have not interfered with the committee or delayed them while I presented these few considerations to the Senate.

Gentlemen talk about protecting labor. It is well to protect labor, but when you are considering the few thousands engaged in the lumber districts of the North I ask you to think of the hundreds of thousands of laboring men in all the prairie States. Do you protect labor? The hundreds of thousands in the prairie States are not considered in the making up of this bill, men to whom the nation is more indebted than to all your railroads and other corporations, men who have taken the flag of the country and gone into its wilderness in advance and planted it on every prairie and by every water-course. These men have gone from the old States; they have gone by thousands, having many of them but shattered constitutions after service in the Army; and I ask you in the name of American industry whether we shall consider their case, whether we shall protect the industry which has made Iowa what it is, which has made Kansas what it is, which has made Nebraska what it is, which has made Wisconsin what it is? I ask you if we shall protect the pine interests, or enable the people now when the pine interests are nearly gone to have the advantage of the markets of the world where they can buy the cheapest?

Mr. MORRILL. I hope now that we may be able to reach a vote upon this schedule. The Senator from Nebraska moved to strike out the whole schedule on Saturday, and then again changed his mind and offered some amendments to it, for the purpose, as I suppose, of hanging a speech upon his motion, in order to vindicate the symmetry of his record. He has addressed us at length, and I hope that he will be contented with having vindicated that symmetry on Saturday and again to-day in his usual eloquent and emphatic manner.

Now, a single word as to the merits of his proposition. Our country is fringed on its borders with timber throughout, from Maine to North Carolina, South Carolina, Georgia, and Texas. We admit all timber in the rough face, and the only thing we propose to protect in the least is when it shall be in part manufactured; that is to say, if it is sawed in boards it has an additional duty of $1 a thousand, and even if tongued and grooved it is only $1 per thousand feet of boards. This is solely to protect the labor. Any man who is acquainted with building knows that he can not get boards tongued and grooved for less than about $3 a thousand, in some places a little more, and in some perhaps a little less, but $3 is the ordinary price. Therefore, the addition to the timber when it is brought here is merely this very small amount to protect the labor that is bestowed upon it. Take shingles: good pine shingles are worth four or five dollars a thousand, and yet there is only 35 cents a thousand duty put upon them, about 8 per cent.; and so on through the list. When you come to manufactures of rose-wood, satin-wood, &c., the duty is 35 per cent., and on cabinet-ware 35 per cent. The duties have always remained low on wood and timber for the very purpose of not having our own forests used up too rapidly. I trust that we may have a vote upon the proposition.

The PRESIDING OFFICER (Mr. HALE in the chair). The question is on the amendment of the Senator from Nebraska [Mr. VAN WYCK].

Mr. MCDILL. I should be inclined to favor the motion made by the Senator from Nebraska, but that it seems to me to be a little too sweeping, a little too radical. The proposition is to place all the articles named in the schedule, D, included under the general term "wood and woodenwares," on the free-list; in other words, to take off all taxation imposed by the present law upon articles included in that list. It seems to me that is an extreme proposition. It seems to me it is hardly right to select that class of manufactures and place them upon the free-list. I am equally at a loss to understand either the recommendations of the Tariff Commission or of the Finance Committee of the Senate when they propose in no way to reduce the taxation upon these articles.

The bill that we are considering is a bill to reduce taxation. We have a right to expect and believe that it contemplates a general reduction of taxation. We have been told that there will result from it a reduction of taxation, which I think has been stated at from 20 to 25 per cent. Now we come to the articles made from wood and to woodenware, which are used in some degree by almost every person in the United States. Those of us who live in the Northwestern States know that the article of lumber is very largely used all through States like Iowa and Nebraska and Kansas. I should like to have a good reason to give my people when I go home why, in reducing taxation, there has been no reduction whatever upon timber. When I look at the report of the Tariff Commission for a reason I find none at all. In remarking on Schedule D the commission simply say:

> The duties in this schedule have not been changed.

Why they have not been changed, the reason why there has been no change, is not given unless it is found in this:

> The following table includes the annual product of lumber, as well as the several branches of wood manufactures, and illustrates the importance and progress of this industry in the United States.

Mr. MORRILL. I will state the reason: because the duties were already fixed at so low a rate that there was no room for a reduction. Take for instance fencing-boards: they cost ten to twelve dollars a thousand, and $1 addition for being sawed is all the protection that exists now. Take boards that are used for finishing, that are worth forty, fifty, or sixty dollars a thousand, the duty is no more; it is merely $1 a thousand. It would not be 3 per cent. on finishing-boards.

Mr. MCDILL. A reason is given now by the chairman of the committee, but no reason is given by the commission, unless it be in the statement that this is a growing industry—in the statement that in 1850 it employed 107,119 hands; in 1880, 354,764; that the capital increased from 1850 to 1880 from $58,749,647 to $326,969,214, and that the products increased from $111,700,307 in 1850 to $509,485,611 in 1880. I do think that those articles which the people generally use are the ones in which they would like to see a slight reduction of taxes.

I am not in favor of putting them upon the free-list, and I have proposed an amendment which is upon the Secretary's table reducing the

whole schedule 10 per cent., excepting, however, the manufactured articles commencing at line 876:

House or cabinet furniture, in piece or rough, and not finished, 30 per cent. ad valorem.

Cabinet-ware and house furniture, finished, 35 per cent. ad valorem.

Casks and barrels, empty, sugar-box shooks, and packing boxes, and packing-box shooks, of wood, not specially enumerated or provided for in this act, 30 per cent. ad valorem.

Manufactures of cedar-wood, granadilla, ebony, mahogany, rose-wood, and satin-wood, 35 per cent. ad valorem.

Manufactures of wood, or of which wood is the chief component part, not specially enumerated or provided for in this act, 35 per cent. ad valorem.

These items I propose to leave as they are. It does seem to me that in view of the fact that almost all our people, and particularly those who are laboring upon the frontier, who are building houses, use the sawed boards and the boards that are planed, and are compelled to use them and bring them from a far distance over the railroads, the rates of transportation being very high in many cases, those who represent the lumber interest ought to be willing to submit to a small 10 per cent. reduction in this day of reduction. It seems to me the proposition is a moderate one.

Mr. MORRILL. I ask the Senator from Iowa if he does not think one dollar a thousand on boards which vary all the way from ten to twenty and from twenty to forty and from forty to sixty dollars a thousand is a very small and insignificant amount of duty? It is no more than sufficient to justify the difference in labor between this side of the line and the other. The Senator knows very well that the Canadians can be hired at a less price per day than people can be on this side.

Mr. McDILL. If I were satisfied that it was necessary to continue all of these taxes in order to place American labor upon a perfect equality with cheaper Canadian labor, I should certainly not want to go for a reduction; but I am not satisfied of that. And I want while I am on the floor to give my testimony in regard to another matter which corroborates in that particular the views of the Senator from Nebraska. I have been in a small way a buyer of the rough article of lumber known as fencing and building material on farms, and if there has been a time within the last five years when there was a reduction in the price of that article, it must have been at some time when I did not become a purchaser, when I was asleep, as a friend suggests, because those of us who have had to buy and pay for these articles have found that there was an increase in the price until it has become a very serious question with the people of the West what they shall do for material with which to build. I believe but for the manufacture and introduction of barbed wire in the matter of fencing the prices now would be so high that lumber would be beyond the reach of the poor. I think I saw a statement in the testimony before the Tariff Commission that barbed wire took the place annually of about 960,000,000 feet of lumber.

I do not know how I could go home to the people whom I represent and tell them that I had voted to reduce taxation on almost every article but lumber, that they use more than any other, and possibly when we come to barbed wire, the barbed wire which they use more than any others, was going to be taxed a good deal higher than Bessemer steel, I do not know how I could face them.

I appeal to my friends on both sides of the House to give us a little reduction in this as well as in all other articles, and certainly 10 per cent. can not be a dangerous reduction—10 per cent. on the rougher articles; I am not asking it on manufactured articles, like casks, but simply on the rougher articles. Let us try it.

I find that the cash value of the productions of 1880 have reached the sum of $509,000,000. I do not suppose that the whole 10 per cent. reduction if we can make it would result to the benefit of the consumer, but I can assure gentlemen that if 1 per cent. or 2 per cent. of it will result to the benefit of the consumer and user, it would be a great boon to the people of the West and to those who use lumber of the rougher kinds.

I shall vote against the proposition of the Senator from Nebraska, but I shall ask a vote on the amendment I have proposed. I am told that my amendment is first in order, Mr. President, being an amendment to the text.

Mr. PLATT. I should like to ask the Senator from Iowa a question. I have been running over this list of duties on lumber, making a rough estimate as to the average ad valorem duty on lumber, and if I am correct I make it about 19 per cent. on lumber. Does the Senator think a 10 per cent. reduction of that, which would be less than 2 per cent. ad valorem, would make any perceptible difference in the price of lumber to the consumer?

Mr. McDILL. If it would make a difference of 1 per cent. or one-half of 1 per cent. it would be a great boon to our people.

Mr. WILLIAMS. I do not pretend to any accurate information upon the comparative value of stumpage in Canada and the stumpage in Michigan, but I do know that the extraordinary development of our Northwestern country has created such a demand for timber, for railroads, and for building houses, fences, and barns, as to threaten the utter destruction of all our pineries in the Northwest. They are fast fading away, and the alarm of the country has been excited with the apprehension that we shall very soon no longer have any forests to fall back upon. The Government is actually to-day paying bounties to men to induce them to plant trees in the forests of the Northwest, and it does seem to me, while I would not be in favor of putting on the free-list all articles in these schedules, that all articles of lumber necessary for building houses or fences should be upon the free-list. This does not affect my section of the country, but it affects the Northwest, the prairie country, and every dollar of tax put upon the importation of lumber from Canada across the line into the United States is a direct tax upon the farmers of the Northwest.

It will not do for gentlemen to tell me that lumber has not advanced in price. Some years ago I bought first-class white-pine lumber to make fences, in the State of Illinois, at $11 a thousand. Last fall I was out there and they cost $24. It costs now a farmer in the Northwest $2,000 to fence in a section of land. If there is a class of people on earth who need cheap labor it is the farmer of the Northwest. It costs the farmer more than the machinery with which he cultivates his farm; it costs him more than the education of his children, more than all his farm expenses together. We do not care about it down South, for there is the great lumber reserve of this continent. It is merely wasted in the Northwest. Why tax the farmer on lumber for his fencing materials and for his boards to shelter his family and cover his stock in the winter and secure his grain? Why tax his wire to build his fences? Why not let him buy it as cheaply as possible? It is all nonsense to talk about bringing in logs free. How can logs be brought in from Canada? The lines of the saw exhaust one-third of the log. Then a square foot of green pine lumber weighs four pounds, and a square foot of pine lumber dry weighs two pounds; hence you see the necessity of sawing the lumber in the pineries and letting it dry and reducing its weight one-half, and not bringing in the green log. That is never done; it was not intended to be done, and the men who framed the tariff knew it would not be done. Why haul in the slabs and the sawdust? Why attempt to ship a thousand feet of green pine lumber that weighs 4,000 pounds? Why not keep it until it is reduced in weight to 2,000? for it is the transportation of lumber that is the chief element of cost at last. You can not transport green lumber.

Our forests down South will never suffer by competition with the forests of Canada. It is only the people who live along that line who desire cheap lumber; and why shall they not have it? Why should the people in the Northwest be taxed to keep up a few saw-mills in Michigan and Minnesota and those few Northwestern States that yet have pineries? We in the South have an inexhaustible supply, not only of pine, but of poplar, of hickory, of ash, of oak, of all the hard woods and stave timber, too. But, sir, if you look at this bill you will find on the free-list "cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all cabinet woods, unmanufactured." They are admitted free. They greatly exceed in value all the lumber that would come from Canada to our farmers in the Northwest. Why admit these rosewoods, and these satinwoods, these ebonies, these lancewoods free?

Mr. CAMERON, of Wisconsin. Because they do not come in competition with anything grown in this country. That is it.

Mr. WILLIAMS. I say the true policy of this country should be to preserve its forests. We have to carry lumber in our Northwest too far now. Much of it is hauled by railroads a thousand miles. Let us make it as cheap as possible to the farmers.

Gentlemen seem to think that nobody needs protection but the manufacturer; that there is no labor in the country but manufacturing labor. Why, sir, the manufacturing people of this country are but a handful compared with the millions engaged in other business; and yet all others must be taxed to support a few saw-mills in Michigan, in Maine, and in Minnesota; the whole Northwest must be taxed for building materials for their houses and barns and fences, both of wood and wire, to support a few wire-factories and a few saw-mills.

Mr. President, the farmers of the country will not stand it; they submit to it now, because they are not informed, but when they once fully understand their interests they will rise as one man and tear this whole fabric to pieces. I am not hostile to your manufacturing industries, but I am friendly to other industries besides manufacturing. I do not want to build up your people by robbing mine. I do not want to give your manufacturing laborers $2 a day out of the 75 cents a day's work of my agricultural constituents. They do not earn more than that. The average farm wages is not more than 75 cents a day, and yet these men want to take the farmer's 75 cents in order to give $2 a day to their manufacturing hands.

I am not unfriendly to manufacturers. I should like to see my country not only the greatest agricultural country in the world, but a great manufacturing and a great commercial country. I am not for striking your tariff all down; I am not for abolishing it; but I am for reducing it; I am for fixing it on a basis that will give to the Government an ample revenue for its support, and give you whatever protection that revenue will give your manufactured articles; but I am not willing to give you a monopoly, to give you the power to tax our people in order to make money out of their sweat. Just think of such a thing!

We do not care anything about this matter down South. No Canada lumber will ever interfere with us, but I know that it does interfere with the people of the new States. I see men going from Minnesota and Wisconsin down to Kentucky, Georgia, North Carolina, and Florida to establish saw-mills. They see that the pineries of the Northwest are

giving out; that the whole country must at no very distant day rely upon the forests of the South for all of its soft wood as well as its hard wood. I am not for putting all the schedule on the free-list; I think the manufactured article had better be taxed to some extent, but all rough lumber, all that is necessary for building houses, barns, or fences, I think ought to be put on the free-list as an act of justice to the farmer. My constituents, farmers in Kentucky, have no earthly interest in this thing, but all the farmers in Iowa, in Nebraska, in Kansas, and all that country which is prairie country and want timber are interested in it. And, Senators, let me tell you in arranging this scheme of taxation and revenue you must consider the interests of the farmers as well as of the manufacturers. If you do not, there will be an uprising that will shake your whole system.

The PRESIDING OFFICER. The Chair will state the question to the Senate. The Senator from Nebraska [Mr. VAN WYCK] moved to strike out Schedule D with certain exceptions. The Senator from Iowa [Mr. MCDILL] moved to perfect the amendment of the Committee on Finance by an amendment which the Secretary will read.

The ACTING SECRETARY. The amendment of the Senator from Iowa is to strike out, in line 849, the word "twenty" and insert "eighteen;" so as to make the clause read:

Timber, hewn and sawed, and timber used for spars and in building wharves, 18 per cent. ad valorem.

In line 851, before the word "one," to insert "nine-tenths of;" so as to read:

Timber, squared or sided, not specially enumerated or provided for in this act, nine-tenths of 1 cent per cubic foot.

In line 853, after "wood," to strike out "one dollar" and insert "ninety cents;" in line 855, after "lumber," to strike out "two dollars" and insert "one dollar and eighty cents;" and in line 858, after "finished," to strike out "fifty" and insert "forty-five;" so as to make the clause read:

Sawed boards, plank, deals, and other lumber of hemlock, whitewood, sycamore, and basswood, 90 cents per 1,000 feet, board measure; all other articles of sawed lumber, $1.80 per 1,000 feet, board measure. But when lumber of any sort is planed or finished, in addition to the rates herein provided there shall be levied and paid for each side so planed or finished 45 cents per 1,000 feet, board measure.

In lines 860 and 861 strike out, after "grooved," the words "one dollar" and insert "ninety cents;" so as to read:

And if planed on one side and tongued and grooved, 90 cents per 1,000 feet, board measure.

In line 863, after "and," strike out "fifty" and insert "thirty-five;" so as to make the clause read:

And if planed on two sides and tongued and grooved, $1.35 per 1,000 feet, board measure.

In line 867, after "only," to strike out "twenty" and insert "eighteen;" so as to read:

Hubs for wheels, posts, last-blocks, wagon-blocks, ore-blocks, gun-blocks, heading-blocks, and all like blocks or sticks, rough hewn or sawed only, 18 per cent. ad valorem.

In line 869 strike out "ten" and insert "nine;" so as to read:

Staves of wood of all kinds, 9 per cent. ad valorem.

In line 870 strike out "twenty" and insert "eighteen;" so as to read:

Pickets and palings, 18 per cent. ad valorem.

In line 871 strike out "fifteen" and insert "thirteen;" so as to read:

Laths, 13 cents per 1,000 pieces.

In line 872 strike out "thirty-five" and insert "thirty-one;" so as to read:

Shingles, 31 cents per 1,000.

In line 873 strike out "two dollars" and insert "one dollar and eighty cents;" so as to read:

Pine clap-boards, $1.80 per 1,000.

In line 874 strike out "fifty" and insert "thirty-five;" so as to read:

Spruce clap-boards, $1.35 per 1,000.

And in line 891 strike out "twenty" and insert "eighteen;" so as to read:

Wood, unmanufactured, not specially enumerated or provided for in this act, 18 per cent. ad valorem.

Mr. BAYARD. Mr. President, I understand the amendment pending before the Senate is that of the honorable Senator from Nebraska [Mr. VAN WYCK] to strike out the entire schedule and place it upon the free-list, omitting lines 876 and 879.

The PRESIDING OFFICER. The Senator from Iowa has offered an amendment perfecting the text of the amendment of the Committee on Finance. The Chair thinks that is in order first.

Mr. BAYARD. I understand that these minute reductions of these rates are on the motion of the Senator from Iowa. Does that question precede the motion of the Senator from Nebraska?

The PRESIDING OFFICER. In the opinion of the present occupant of the chair it does.

Mr. BAYARD. I have no objection to the question being taken on that, but I may as well say what I have to say on the other question now. I shall not be long about it.

In 1873 the alarming destruction of our native supply of timber had progressed so far that Congress very wisely proposed to create a new supply for the posterity whose interests we were so neglecting. That expression of legislative policy is found in section 2464 of the Revised Statutes. I will read it:

Every person who plants, protects, and keeps in a healthy growing condition for ten years forty acres of timber, the trees thereon not being more than twelve feet apart each way, on any quarter-section of any of the public lands, shall be entitled to a patent for the whole of such quarter-section at the expiration of the ten years, on making proof of such fact by not less than two credible witnesses.

Since that time the area to be so planted has been diminished, and by the present laws of the United States any citizen can go upon the public lands where no timber is found and can take up a quarter-section by planting ten acres of land and become the owner for nothing of one hundred and sixty acres at the end of ten years; or he may go into possession at once and enjoy one hundred and fifty acres, provided he has made a plantation of ten acres, and at the end of ten years he has a fee-simple title for the entire hundred and sixty acres.

This was a generous and a most energetic stimulant to the planting of new timber. Why was it? It was in response to a sense of alarm through the country that the timber supply was being shortened; and what a commentary is the coexistence upon the statute-book of a law thus giving a benefit for the planting of timber, and another law in the shape of a tariff prohibition preventing the entry of free timber that shall spare the use and the consumption of the very timber which we are endeavoring to provide? I say that in common sense and in reason these two laws are absolutely inconsistent. You put a tax to prohibit the entrance of foreign timber into the uses of this country, and at the same time you give a bounty to create the production of timber in the country.

In the last fall my attention was drawn to what I believe to be an immediate necessity, and that is the inauguration of some system of public-land law that shall reserve from private entry those vast tracts now covered by timber adjacent to the headwaters of the chief affluents and confluents of the Mississippi and Missouri Rivers. A gentleman of intelligence who had traveled a great deal through that region—I think I may advert to his name without impropriety; I refer to Mr. Bierstadt—expressed to me his strong apprehension that unless the Government should take in hand the care of the timbered headwaters of those various streams which are the affluents of the Missouri and Mississippi Rivers and prevent those regions from being denuded of their timber supply the navigation of those rivers would be very seriously impeded and the loss to the people throughout that section of country almost incalculable. In those regions of those vast States and Territories the navigable highway which those streams supply at almost all periods of the year is immensely valuable to those who are there to make their homes, and the effect of destroying the timber supply in the regions adjacent to the headwaters of those streams will be felt hundreds and hundreds of miles from the regions which we have so protected.

Mr. President, I believe there can be no doubt that the entire character of this great country described on the map which lies before me, the Territories of Dakota, of Wyoming, and of Montana, and the State of Nebraska, would be materially and most injuriously affected if the water supply now nourished and protected by the presence of timber around the headwaters of these streams should be denuded of the timber which now is the source of fertility and causes and protects and continues the presence of the water supply for the country below. I submit to gentlemen in my hearing who may be connected with those committees of the Senate having charge of the public lands of this country that a system of reservation from private entry ought to be inaugurated withholding from private entry the wooded districts adjacent to the headwaters of the rivers to which I have referred. The Yellowstone is perhaps the largest; the Little Missouri, the Platte, the Big Horn, and in fact the catalogue of those streams, large and small, it would be almost endless to repeat; and unless there shall be something now done in the way of provision and thoughtful care by preventing the ax of the woodman and the conflagration of the tourist or of the farmer from destroying this natural cover and protection to those headwaters, depend upon it serious consequences will ensue to those who live upon the banks of these streams far below their sources. For that reason large bodies of land now timbered ought to be reserved, not simply to preserve the timber, but to protect the rivers and to protect the navigability of those streams which are essential for the purposes of population. If you are to reserve these tracts, which I hope to see done, surely you should at the same time cast down those barriers which stand in the way of obtaining a timber supply from the Canadian borders and from regions beyond the Territories of the United States which will tend so much to assist the advancement of the arts of civilization from the simplest cabin to the most luxurious dwelling-house.

Mr. MCMILLAN. So far as the Canadian territory lying north of Dakota and Minnesota is concerned, certainly the result could not be affected by a tariff upon lumber, because there is no importation of lumber or timber from the Canadian provinces west of Lake Superior. We supply them with timber from our territory rather than they us from theirs. So far as that portion of the country is concerned, this question of the tariff is entirely immaterial as to the preservation of timber.

The question applies directly, however, to all the portion of the country east of Lake Superior rather than west of it.

Mr. BAYARD. If I understand the effect of the argument of the Senator from Minnesota, it is that no protection, if it may be so called, is necessary at all in his region of country.

Mr. McMILLAN. No, the effect of my argument was to show that the protection of timber in Dakota and Minnesota would not be affected at all by the question of the tariff; that that would not tend to protect it there, because there is no supply of timber from the Canadian provinces, none would come into that territory.

Mr. BAYARD. As I understand the Senator, then, the supply for Canada rather moves from the United States than from the south to the south.

Mr. McMILLAN. In that part of the country.

Mr. BAYARD. I do not think a much stronger illustration of the absence of any necessity for a tariff could be given than that.

Mr. McMILLAN. The Senator was arguing that there was a necessity to protect timber within the territory of the United States, and that therefore the tariff should be removed.

Mr. BAYARD. My friend from Minnesota knows so much better than I the actual condition of that region that I shall not enter into a controversy with him; but I would not pretend to give this view of the necessity of reserving from private entry the woodlands adjacent to the water-sources of the Mississippi and Missouri Rivers of my own knowledge. I was impressed very greatly by the statement made to me during the past summer and fall by gentlemen of intelligence and wholly disinterested on this subject who had traveled extensively through that country and who did apprehend the greatest danger to the navigability of those small streams now so useful, confluents of the Mississippi and Missouri, from taking from their headwaters the natural cover of timer that enabled the moisture there to be gathered and retained.

But, Mr. President, the amendment of the honorable Senator from Nebraska reserves under a very full average the protection of manufactures of furniture from wood; it gives to the industries connected with the manufacture of furniture ample protection to the amount of more than one-third their value. But one feature of this tariff that I should like to see ended is the constant friction that it imposes upon human intercourse and upon the necessities of commerce. It is just as much trouble and it is just as much annoyance to collect a penny tax as it is a large one. Here is a tax ad valorem that is to be reduced to nine-tenths of a cent, to 90 cents instead of a dollar, to be reduced in the most minute fractions, making an arithmetical proposition upon every entry, visiting all the penalties of undervaluation every time that a cargo or a boat-load or a wagon-load is brought by a farmer across the line for use. As to revenue, the result on revenue is not respectable; it is not worthy of consideration. The friction and the annoyance of the tax, the trouble of the entry, the fees for making it, the penalties for evading it, all stand infinitely over and above any value; they are utterly disproportionate to any gain to the Treasury of the Government from such a source.

I would like to see this tariff system simplified, to lay no tax that is not fairly, justly required, and to lessen, to lubricate, so to speak, the wheels and the machinery by which the intercourse and business of our people is to be conducted. It is clear to me that the policy of giving this heavy land-bounty of one hundred and sixty acres of land for every ten that are planted is a strange commentary upon the feature of the tariff that taxes the introduction of the very thing that you are fostering. With my present knowledge, I believe no interest will be jeopardied; I believe, on the contrary, that as lumber is an article of prime necessity, prime necessity to the humblest man, and no man certainly needs it more than he who is carving a home out of the wilderness, anything that can give him shelter, shelter for his farm-stock, shelter for his family, fencing to protect him, certainly ought to be afforded to him at the lowest rate possible. These men are the producers. When their crops are made they go abroad; they have no protection in the markets where their sales are made. Every grain of wheat raised in this country, every bushel of corn raised in this country is priced by the Mark Lane prices of London. The product of every American farmer is open to competition as free as the air itself with all other labor upon which God's sun shines; and therefore when you are sending his product abroad in competition with the entire world, why not let him have the prime necessities, the materials for the habitation of himself and his family and for the stock that he must use, free from the friction of these small embarrassments, from a class of taxes which have been so long imposed upon him?

Mr. INGALLS. Mr. President, the amendment proposed by the Senator from Iowa [Mr. McDILL] does not appear to me to offer any substantial relief. The statistics of timber and wood consumption in this country are very interesting. More than 32,000,000 of the inhabitants of the United States use wood for fuel, and the amount that was consumed last year was in excess of 145,000,000 cords, valued at more than $300,000,000. It is estimated that the amount that is used in this country for fuel and in the manufactures and arts requires the product of 5,000 square miles of land heavily timbered, and at this rate of consumption it is very evident that the most liberal estimates which have been made as to our supply will not lead us to believe that there is an amount upon which we can draw at this rate for more than ten or fifteen years at the outside.

It is further estimated that the amount that is available in Canada, from which our next nearest supply can be drawn, is not much greater than that now available in the United States.

The amount, as I find by bulletin 301, of lumber sawed in the United States during the census year, was nearly $235,000,000; the total number of hands employed was nearly 150,000, to be accurate, 147,956; and the amount of wages paid, $31,845,974. And here upon this question of wages, the declaration made that the retention of this tariff is necessary to protect American industry appears somewhat attenuated when it is seen that the annual wage that was paid to each person employed in the lumber business was $215, something less, I believe, than 75 cents per day.

Mr. MORRILL. The Senator will remember that they are only employed a very short part of the season.

Mr. INGALLS. That may be true, but I suppose that it is only partially true; a number of those who are employed in logging, as it is called, who live in the camps in the forests, are occupied a few months in the year only, but those who are operatives in the mills where the lumber is sawed and planed and manufactured into logs and shingles and clapboards, are employed during the greater portion of the year.

Mr. CAMERON, of Wisconsin. That labor is employed from some time in April until some time in November.

Mr. INGALLS. And the remainder of the year, from November to April, the labor is employed in the camps in the forest.

Mr. CAMERON, of Wisconsin. Some are and some are not.

Mr. INGALLS. The entire amount of revenue that we derived from the importation of lumber last year was a little in excess of $1,600,000. Therefore, when we consider the effect of placing lumber upon the free-list in connection with the revenues of the country, it is unimportant and insignificant. I represent a population that lives in a treeless country, practically. They require lumber for their houses to protect them against the vicissitudes of the climate; they require lumber for the construction of sheds in which to shelter their cattle, and for their fences with which to include their fields. There are, of course, some scanty supplies of lumber along the shores of the Missouri. The elm, the cottonwood, and the sycamore still stand in many places in the primeval forest, and the bluffs are shaded by groves of oak and maple and beech; but the amount that is furnished by these forests is totally inadequate to the domestic wants of the people.

I should be disposed, however, if this were merely a question affecting the local interests of the people whom I represent, to hesitate before voting to place lumber upon the free-list, because the reduction that is proposed is so insignificant that I believe the relief would be comparatively unimportant to any individual purchaser. But there is one other aspect of this case which is of the profoundest national importance, to which the Senator from Delaware [Mr. BAYARD] briefly adverted, and that is the effect of the constantly increasing destruction of our forests upon the rainfall and the consequent agricultural productiveness of the country. While I do not agree with those who claim that there is that direct connection between the forests of the country and the annual precipitation of moisture, yet there can be no doubt that the denudation that is going on has already effected and is destined hereafter to effect the most important economic changes. Syria and Spain and Palestine and Italy are illustrations of the dangers that follow from the destruction of forests. If the rainfall is not diminished, about which there may be some doubt, its distribution is entirely changed; the moisture that comes after the denudation, instead of being distributed through a large portion of the months of the year, retained in the soil and restored to the atmosphere again by solar evaporation to be once more precipitated, falls in destructive torrents, which create destructive inundations that run off rapidly into the sea, so that agriculture becomes precarious, and, to a certain extent, finally perhaps impossible. It is apparent in the valley of the Ohio River that that country is now subject to inundations and floods that were practically unknown in the earlier portion of the history of that region. In the rainy season it is swollen into such vast proportions that it is practically uncontrollable; it overspreads all the vast alluvial lands upon either side, and then when the heats of summer ensue, after the water has run off into the sea, instead of being fed by continuous rains the stream shrinks and dwindles until it is almost unworthy the name of a navigable river.

Mr. President, we are already considering the economic relations of this subject. We have offered great bounties for the cultivation of timber. We have created commissions for the purpose of inquiring whether or not these great results are likely to follow, and I can conceive of no one thing that would do so much to the preservation of the forests of this country as the introduction of free lumber. If we think it worth our while as a nation to give away the public domain for the purpose of securing the cultivation of the cotton-wood, the box elder, the elm, and all those insignificant and inferior varieties of timber correcting these great economic evils that threaten us, is there any reason why we should refuse to admit free lumber from other countries as the most obvious method of protecting our own forests? I believe that Germany

has already adopted a system of forestry by which the wooded regions of that country are under special governmental control, and no more is allowed to be cut in any single year than is replanted in that year, so that the acreage, the area of timber country is maintained the same from generation to generation.

We must ourselves, if we would protect this country against the dangers which threaten us from the near approach of the exhaustion of our timber, resort to some such method; and when we are told by reliable statistics that at the present rate of consumption for fuel, for building, for railroads, for telegraph poles, for ships, and for all the various occupations of civil life, our timber supply can last but eight years at the outside, and when the manufacturers have built up their industries so that they can protect themselves against competition, why should we still continue to retain this petty and contemptible impost upon foreign lumber when such great results would follow from the introduction of it without tax?

I do not at all desire to interfere with the established industries that have been built up for the manufacture of lumber. I do not wish to place the entire Schedule D upon the free-list; nor do I believe that the amendment offered by the Senator from Iowa affords any substantial relief. I should like myself to have this schedule separated, so that whatever may be fairly considered as raw material, or lumber undressed and in the rough, shall be admitted free of duty. The lines that I would like to have stricken out in order to permit the schedule to be symmetrical upon the ideas that I have suggested are: 850, which imposes a duty of 1 cent per cubic foot upon timber squared or sided; 852 to 859, which impose certain specified duties upon certain descriptions or classification of sawed boards, plank, deals, and other lumber of hemlock, whitewood, sycamore, and basswood; 871, which puts laths at 15 cents per one thousand pieces; 872, which places shingles at 35 cents per one thousand; 873, which puts pine clapboards at $2 per one thousand, and lines 874 and 875, which place spruce clapboards at $1.50 per thousand.

Mr. WILLIAMS. Let me ask the Senator from Kansas if the word "posts" in line 865 does not relate to fencing-posts?

Mr. INGALLS. No, it refers to an entirely different subject. The item beginning in line 865 reads:

Hubs for wheels, posts, last-blocks, wagon-blocks, ore-blocks, gun-blocks, heading-blocks, and all like blocks or sticks, rough hewn, or sawed only, 20 per cent. ad valorem.

That does not, as I understand it, refer to posts used for fencing.

Mr. WILLIAMS. Oh, yes.

Mr. INGALLS. I do not so understand it.

Mr. WILLIAMS. To what does it refer?

Mr. INGALLS. It refers to posts that will come under the specification named in that portion of the schedule on whatever is used in the rough, undressed, as unplaned boards or fencing or weather-boarding or shingles or laths, where there is no application whatever of skilled labor, nothing whatever that requires protection. I believe the duty should be removed.

Mr. WILLIAMS. I think the Senator is mistaken; I think the word "posts" refers to fencing-posts. A fence can not be made without posts. I hope the Senator will modify his amendment so as to exclude fencing-posts from the dutiable articles.

Mr. INGALLS. I am not at liberty now to make any motion to amend, because there are two amendments pending; but if the suggestions I have made should be acceded to, then, the amendments of the Senator from Nebraska and the Senator from Iowa being rejected, I should move to amend the schedule as I have indicated.

Mr. COCKRELL. Will the Senator please state again where he commences excepting?

Mr. INGALLS. In line 850.

Mr. McDILL. If the Senator from Kansas desires to move that amendment I will withdraw my amendment.

Mr. WILLIAMS. I wish to say to the Senator from Kansas that I concur with him in all his remarks, but I think the posts should be excepted as well as the planks which are nailed to the posts.

Mr. INGALLS. If the Senator from Iowa withdraws his amendment, or when that is acted upon, if it is rejected, I shall then propose to amend the schedule as I have indicated.

Mr. McDILL. I withdraw my amendment for the time in order that the Senator from Kansas may offer his.

The PRESIDENT *pro tempore*. The amendment of the Senator from Iowa is withdrawn.

Mr. INGALLS. I do not exactly understand the parliamentary attitude of the schedule. My understanding was that the amendment of the committee was to be treated as the text of the bill.

The PRESIDENT *pro tempore*. That is true.

Mr. INGALLS. The parliamentary effect of that, I understand, is to make amendments in the third degree practically admissible, and that is all the effect. Then, if the Senator from Iowa withdraws his amendment I will substitute the one which I have indicated as an amendment to that offered by the Senator from Nebraska.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Kansas [Mr. INGALLS] to the amendment of the Senator from Nebraska [Mr. VAN WYCK] will be read.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed to strike out from line 850 to line 859, as follows:

Timber, squared or sided, not specially enumerated or provided for in this act, 1 cent per cubic foot.

Sawed boards, plank, deals, and other lumber of hemlock, whitewood, sycamore, and basswood, $1 per 1,000 feet, board measure; all other articles of sawed lumber, $2 per 1,000 feet, board measure. But when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished 50 cents per 1,000 feet, board measure.

It is further proposed to strike out from line 871 to line 875, as follows:

Laths, 15 cents per 1,000 pieces.
Shingles, 35 cents per 1,000.
Pine clapboards, $2 per 1,000.
Spruce clapboards, $1.50 per 1,000.

Mr. INGALLS. If those items are stricken out I shall move to place them on the free-list.

Mr. MORGAN. Mr. President——

Mr. VAN WYCK. I should like to offer an amendment to the amendment of the Senator from Kansas. His amendment stops at line 859. If he will turn to the following page he will see that lines 860, 861, 862, 863, and 864 are of the same character as those which he moves to strike out.

Mr. INGALLS. I am willing that planed or dressed lumber, where to a certain extent what may be called skilled labor is employed, shall receive the very small protection that is provided for in that portion of the schedule.

The PRESIDENT *pro tempore*. The Senator from Alabama [Mr. MORGAN] has the floor.

Mr. VAN WYCK. I beg the Senator's pardon. I desire, if the Senator will allow me a moment, to offer that as an amendment.

The PRESIDENT *pro tempore*. It can not be offered as an amendment now.

Mr. VAN WYCK. Probably the Senator from Kansas will accept it.

Mr. INGALLS. The Senator from Nebraska has the benefit of his amendment in his own motion. He has moved to strike out the entire schedule. Why, therefore, should he desire to amend my amendment, which only proposes to strike out a part of the schedule?

Mr. VAN WYCK. I say to the Senator that we desire to get all we can in this matter. If we can not get the whole we will take a part; and I should like to offer the amendment I suggest so as to make his own amendment complete, by including all articles of the same class, only a portion of which he moves to strike out.

The PRESIDENT *pro tempore*. That would be an amendment in the third degree, and is not in order.

Mr. MORGAN. Mr. President, I would prefer to strike a middle ground between the bill and the proposition of the Senator from Kansas, and reduce the tax on all of the unmanufactured material upon which the duty is laid in this schedule, 50 per cent., taking off one-half of it. The people whom I represent here in part are interested in this question, for we are largely in competition with the lumbermen of Michigan and of the North in the supply of pine lumber to the central part of the United States, along on the Ohio River and the Mississippi River. We send lumber largely to the cities of Chicago, Saint Louis, Cincinnati, and so on. There is quite a large trade in the northern part of Alabama, Georgia, and Mississippi. Our people derive considerable benefit from it. It has been remarked, and truly, here that our section of the country is attracting large capital from the lumbermen of the North, who are transferring their interests to the South for the purpose of availing themselves of the advantages of our immense pine forests.

Mr. INGALLS. The Senator from Alabama does not regard that in any sense as competing in lumber with the product of the Northwestern States or of Canada?

Mr. MORGAN. I do not know to what extent it is actually competing. Ours is a building timber, and the lumber from the North is more properly a finishing timber.

Mr. INGALLS. It is a yellow pitch pine.

Mr. MORGAN. It is a yellow pitch pine.

Mr. CAMERON, of Wisconsin. There are great quantities of yellow pitch pine in the forests of the North, so that it is really competing lumber.

Mr. MORGAN. I had the idea that it was competing to a very considerable extent.

Mr. MORRILL. We buy Southern pine lumber for flooring in New England.

Mr. MORGAN. I think when we have a Union that extends from the Atlantic to the Pacific and includes large tracts of country which are practically treeless, it is not a just or wise policy that the native productions of one portion of the country should bear a high duty at the expense of those which have none at all. I am therefore willing to make a division of these advantages with the people who are practically without the means of building their houses or fencing in their farms.

Any man who will travel through the western portions of Kansas or Nebraska, indeed throughout almost the entire length and breadth of those States, will see the great disadvantage at which the people who

reside there are put for the want of timber to build their houses, to build the structures of every kind that belong to a farming community, and that is essentially a farming community. You go there to a rich farm, nicely cultivated, producing enormously heavy crops, with agricultural machinery about, good horses and cattle, and every comfort of life you can think of, except that the man who owns the farm lives in what is called a dug-out. He burrows in the ground five or six or eight feet, digs a cellar; covers it over with rafters of the cotton-wood or such timber as he can get; he throws earth upon that, and then digs the sod-grass from the prairies and puts a tiling of prairie sod-grass upon the top of that. The walls of the house are made inside with bricks that are cut by the spade out of the surface of the prairie. The door to get into it and the chimney at the far end are mere apertures dug through the soil. That is the best he can do. He can find the means to do everything upon the farm to make himself prosperous except to put his family and his cattle and his grain under proper shelter.

A country which is so fertile, that furnishes such a comfortable home for the human family, ought to be allowed to have the other necessary requisites for its building up as cheaply as the Government of the United States can afford to let its people have them. That is justice and that is right.

A reverse policy to this has been discussed by the Senator from Delaware [Mr. BAYARD] in a very broad way and in a very just way. The Senator from Kansas [Mr. INGALLS] follows it up with other very suggestive and instructive remarks upon the same topic. If we put a high duty upon the importation of lumber from Canada (for that practically is the only country from which we are to obtain it) we of course raise the price in the market, and we increase the interest of raiders and trespassers upon the public domain out in the mountain regions of the West for the purpose of getting timber in competition with the timber from Canada. The result is, as I am informed, that the timber-bearing regions, the more elevated regions of the mountain country to the west of Kansas and Nebraska, are being rapidly taken away, the mountains are being denuded, the public lands are being destroyed of all the value that they possess, unless they have minerals beneath them, from the necessities of the case.

The people can not do without timber; they must have it for fire-wood, they must have it for building purposes. If you go out into Western Kansas among the Swedish population who have settled there, or the Russian population and others, you will find them putting in practical use little lessons that they have learned in the way of economy in gathering fuel with sickles, cutting the grass while it is green, letting it cure into hay, doing it up into tight packages, binds like a tobacco band. They cut the sunflower stalks and pack those to their residences for the purpose of supplying fuel in the winter. They build a large Russian stove in the middle of one of those dug-outs and upon that the members of the family frequently make their beds and sleep in order to economize heat. They have not the means of warming themselves and cooking their provisions in such a way as ought to be found among all civilized communities.

Sir, this inequality ought not to be increased, but it ought to be diminished by the action of the Government. We put somewhere between $600,000 and $800,000 a year upon the importation of lumber into the United States. I mean now logs, hewed logs and sawed logs, and lumber sawed into boards. That is a very small pittance for the Government of the United States when we know that the levying of that tax causes trespasses upon the public lands annually which destroy perhaps four or five times that amount of timber in value. While we may gain something in the form of money in revenue in one hand we lose enormously by the public property which is swept from the bosom of tree-bearing regions. So it is bad economy, and I am not willing to encourage it.

I would be entirely willing, if we had the power, to levy an export duty upon all timber from this country. That vast pinery which reaches from the eastern portion of Texas around by the Gulf to the South Atlantic States, as far north as Virginia, depends for its market very largely upon exportation. We send some portions of it along up the coast to the great cities of the East and North, but the great portion of our traffic in lumber is with foreign countries. There is practically no competition, so far as I have been able to learn, in the world with the yellow-pine forests of the South for the purposes to which they are adapted, and those purposes are very numerous and very important. I understand now that the sheeting of ships, the skin of the ship, particularly of certain descriptions of ships, is being made largely of this yellow-pine lumber, because of its softness and its strength.

At all events the forests in the South are disappearing very much more rapidly than gentlemen are inclined to suppose. There has been an immense exportation of lumber from Florida and also from Southern Alabama, and it is increasing every year. The exportation of lumber from the port of Mobile alone has increased 300 per cent. in the last two years. Capital is being invested there and mills erected for the purpose of sending the timber out of the country to foreign parts for sale. I would prevent that if I knew how to do it. Of course the question of the tariff has no influence upon that, for we import no pine timber from any other country; but while I would not damage the manufacturing interests of the North and the Northwest, the lumbering regions, by a sudden reduction of the tariff duties which would make the property engaged in the manufacture unavailing, I think they can stand a reasonable reduction of the present duties, and that 50 per cent. average reduction upon what we may call the raw material would be a fair reduction.

The people of the West are exposed to another trouble, and I dare say that is one of the reasons why the Tariff Commission were so negligent of the revision of the tariff on wood. They are compelled to fence their farms, and they have but two resources that we know of now; one is the barbed-wire fence, and the other timber exported from Canada or from Michigan to their farms. Perhaps these gentlemen saw a wide field for a market for the highly protected interest of wire-fence making, and for the patented inventions which exist on that description of fence, and for that reason they thought that it would be better not to disturb anybody at all, but to pass this matter over in silence and let the men who own the patents and who manufacture the iron wire have a full sweep at the western markets. I sympathize with those people, because their interests are identical with the interests of the people whom I represent in a large degree, they being an agricultural people, and having no friends except the few who rise occasionally in the Senate for the purpose of representing their interests here.

I notice another remarkable feature of this tariff on woods. I do not find anywhere an exemption from duty of ordinary firewood, cord-wood, steamboat wood, railroad wood, or any other description of wood of that sort, unmanufactured, rough raw wood, which perhaps has only been quartered from the tree, and has gone under no other process of manufacture but that. I find no reservation of that in the free-list, and it is not to be found so far as I have observed in this tariff at all except under the classification of "wood, unmanufactured, not specially enumerated or provided for in this act" upon which a 20 per cent. ad valorem duty is laid. It is a little too bad that we tax wood 20 per cent. ad valorem when the women of Kansas and Nebraska have to go into the fields with their sickles and mow grass and cut sunflower stalks to make something to cook their food with and to warm their children in their houses. That is at least negligent legislation.

Mr. MILLER, of New York. Will the Senator allow me to ask him a question?

Mr. MORGAN. Yes, sir.

Mr. MILLER, of New York. Does the Senator think as a commercial transaction that it is possible to transport fire-wood from any country outside of the United States into the United States, and that it can be done except upon the immediate borders of Canada?

Mr. MORGAN. I do not know how far that might be a practical question.

Mr. MILLER, of New York. As a question of freight it can not be done. When you get one hundred and fifty miles distant from the Canada line it is impossible to transport it.

Mr. MORGAN. I know that wood has been transported.

Mr. FRYE. Take it in my city, where wood is worth $6 or $7 a cord, you can not then afford to haul it ten miles to market if it is given to you on the stump.

Mr. MORGAN. Then what is the use of disfiguring this tariff list by providing—

Wood, unmanufactured, not specially enumerated or provided for in this act, 20 per cent. ad valorem?

Mr. FRYE. That is for a special purpose where they bring it in for a manufacture of a certain kind.

Mr. MORGAN. Then why not say so?

Mr. FRYE. Because nobody ever dreamed of bringing in firewood.

Mr. MORGAN. I do not know that.

Mr. FRYE. It never was dreamed of.

Mr. MORGAN. I see a little tariff was collected on firewood in the city of Boston. That was imported I suppose from Canada. There is a little to-day collected in Boston, and some of those northeast cities, on wood, I think from Canada.

Mr. FRYE. I never heard of such a thing.

Mr. MORGAN. Yes, there is something of that sort. But there is another feature of this measure. By line 2205, "woods, poplar or other woods, for the manufacture of paper," come in free. Why was it necessary to specify that poplar wood should come in free when you fail to specify that the description of wood used for fuel shall come in free? It was made a particular duty and purpose of the commission and of the committee to select a certain description of timber which grows very abundantly in my country and allow that to come in free. The wood-pulp manufacturers want that; they say it is useful and necessary for the purpose of making paper. If you transfer these factories down to my part of the country, and particularly to the State of the Senator from Kentucky, you can find all the poplar that you want to manufacture for a million years to come right at hand. But poplar must come in free, because these manufactories up in the northeast happen to be located there, and the ownership of the patents probably that cover these things is in that section of the country, and the wood must come in free, because they find it necessary to import it to carry on their business. Why make that discrimination in favor of poplar wood, leaving all the rest of the wood that the people are to consume to come in under a 20 per cent. ad valorem tax?

Again, line 2,206, "woods, namely, cedar, lignum-vitæ, lance-wood, ebony, box, granadilla, mahogany, rose-wood, satin-wood, and all cabinet woods, unmanufactured," come in free. These are luxuries. Whenever we see these woods wrought into furniture, into the linings of houses, or the cabins of steamers, or into libraries, we always find the evidences of wealth surrounding the place where such things are used. Why should it be that these valuable woods, which are used only for purposes of ornamentation, should have been put into this tariff upon the free-list, while the logs which men may saw come under a duty of a dollar a stock from Canada, and while the rough-hewn wood timber, or the squared timber, comes in under a high protective tariff, and the plank and the boards and the posts and everything else that you can mention which has gone through any process of manufacture at all come in under a still higher rate of tariff?

I say it seems to me that there was not only negligence in the revision of this tariff so as to reduce something of its burdens upon the people, but there was absolute and willful discrimination in favor of those who consume the luxuries and enjoy the elegancies of life and against those who have to use wood as a matter of necessity for fencing their farms and kindling their fires. I object to it. That is not just to any section of the country.

As a Southern man, residing in the great pinery where my people are interested in the maintenance of this tariff, in order to show my good faith that the tariff should be generally reduced upon all descriptions of taxable articles, I am willing, for my part, to concede one-half of the taxes that are charged upon the unmanufactured goods or those which have gone through a simple process of being sawed and not planed or otherwise dressed.

Mr. PLUMB. Mr. President, I have been necessarily absent from the Senate during nearly all of the session to-day, and so have not had the benefit of the discussion which has ensued upon the amendment of the Senator from Nebraska [Mr. VAN WYCK] and upon the general question of the tariff upon timber. So far as the votes I shall give upon this bill are concerned, they will be from the standpoint of protection; but unless I am entirely mistaken in regard to the facts, the theory of protection fails when it comes to be applied to this schedule, or to the major portion of it.

The Senator from Michigan [Mr. CONGER] in so much of his speech as I heard on Saturday said that the price of stumpage in the United States was from $5 to $10 per thousand feet of lumber. I think he overstated that rather than understated it, but I am willing to accept it as the maximum at $5.

Mr. FRYE. The pine?

Mr. PLUMB. Yes; I mean pine lumber, such as is used in Kansas and elsewhere for fencing and the ordinary building purposes. I understand also from as good authority as I think he is that the value at the mill of the ordinary kinds of pine lumber is about $10 per thousand feet. According to the estimate of the Tariff Commission it would be worth $12 at some duty-paying point.

It being the fact, then, that $5 is the value of what is called the stumpage and $10 the average value of the lumber at the mill, one-half of the value of the lumber goes to the owner of the land and represents, not active capital and not labor, but fixed capital. In other words, only one-half, only $5 a thousand feet, goes to the men who cut down the trees, who cut them into logs and transport them to the mill, who saw them into lumber, and who furnish the capital with which all this labor is employed and with which the mills are erected and with which their property is paid.

It seems to me, therefore, that we are not discussing in regard to this particular part of the bill, from the protection standpoint, anything which is of value to labor, or which is of value to active capital, but we are rather discussing whether or not we shall keep upon the bill a rate of duty which adds to what I think are already the enormous profits of fixed capital.

There are some acres of pine land, and a good many of them, which will yield 40,000 feet to the acre; there are many more which will yield 20,000 feet to the acre; and I have pretty fair authority for saying that the bulk of pine lands in Minnesota at least will yield 20,000 feet of lumber per acre. When I say the bulk of the lands I mean of what are called pine lands. No doubt there is a large number of acres of land thinly timbered which would yield much less.

Mr. MCMILLAN. I think the Senator has stated the amount about 100 per cent. too high as an average.

Mr. PLUMB. I am willing to accept the statement of the Senator from Minnesota and state it as he states it; it will not impair the effect of what I am about to say. I have some little experience of my own, at least the result of some little observation, which confirms the statement that many acres will yield as high as 40,000 feet per acre, and many more, as I said, will yield 20,000 feet per acre. I have no doubt that the average will be above 10,000 feet—of what are called the pine lands, I mean.

Mr. SAWYER. It may not make any difference in the Senator's argument, but I think he is very much mistaken in his statement, because the average of what is called good pine land does not exceed 8,000 feet per acre.

Mr. PLUMB. I am willing to take even the minimum stated by the Senator from Wisconsin [Mr. SAWYER]; I am glad to have it put upon that conservative basis. Fifteen years ago those lands were worth a dollar and a quarter an acre. Ten years ago they were considered high at $2.50 an acre. The greatest fortunes which have been made in the Northwest, except in very exceptional cases, have been made by holding pine lands for the rise which has come, and it is to-day not a question as to how much we shall give to labor and how much we shall give to capital, but the question is whether we shall add more largely to those fortunes which have been made by holding on to cheap lands until by reason of the comparative exhaustion of them they have become of enormous value.

Take the average as stated by the Senator from Wisconsin, at 8,000 feet, and the stumpage value of these lands alone is $40 an acre; and the land itself is left, the wood is left, and everything else except the logs that are taken to the mill is left to the owner of the land. There has been no such valuable investment in any other kind of land in this entire country. There never has been such sudden and great enhancement of the agricultural land of this country since the settlement of the country began.

The question to-day, so far as I believe the facts to be, resolves itself into this: whether we shall give more value to the fixed capital invested in the lands, or whether we shall prevent at least a fall in the price of lumber, so as to add new burdens to the agricultural population of this country? If the labor which is used in the manufacture of lumber, if that active capital which has penetrated these comparatively remote sections of the country, brought this lumber into market, carried it upon the prairies of Nebraska and Kansas, needed something new or additional to what it already has, I would be willing to give it to it. It is a form of labor and a form of enterprise which I feel very much inclined to favor; but by adding to the tariff, or by retaining this tariff, we shall not give a single dollar to any man who labors, or any percentage whatever to the active capital engaged in the manufacture of lumber, but we shall instead of that give added value to the land, to the stumpage as it is spoken of, and a value which will increase from time to time by reason of the using up of the forests until that sum which is now represented by the $5 the Senator from Michigan spoke of as the price for the mere privilege of cutting down and using the timber will have been doubled or quadrupled.

I have heretofore regarded as of a character possessing authority the statement that within eight years we shall have exhausted the entire supply of white-pine timber in this country. That belief was somewhat shaken by the suggestion of the usually correct Senator from Wisconsin in front of me [Mr. CAMERON] to the effect that he had heard that statement for the last twenty-five years. I presume it may be true that the statement is more alarming than the facts would warrant, and that we may not exhaust our stock of pine timber within eight years; but manifestly we have encroached materially upon the supply, and we can calculate with some degree of certainty that within some period which can be accepted as within the life of persons now living the supply of pine timber, if we shall go on exhausting it at the rate we have for the last few years, will have entirely disappeared.

Of course meanwhile, as by the invention of barbed wire a certain demand will have become more limited and its use for fencing and other purposes perhaps will be entirely supplanted, but still it can be readily seen that considering the necessities of 50,000,000 people, increasing perhaps at the rate of 3 per cent. per annum, the supply of pine timber, except for something now not foreseen, must every year grow more and more scant, and as it grows scant the price of it must necessarily increase.

Pine lumber which is worth $10 at the mill is worth, when it comes to be landed by rail in Kansas, $25 on an average and more. Twenty-five dollars is rather under than over the average. It is a large sum to be paid for what is practically a necessary. Everything which diminishes it is of account. It is a staple like grain, a staple like food, something the use of which, so far as we can now see, can not be foregone, something which has got to continue, and with practically an increasing ratio. Everything, therefore, which reduces the price or which will prevent an increase of the price is of great advantage to a very large number of people

The Senator from Michigan, in his argument on Saturday, appealed to the people whom I in part represent here, for that he said the lumber-producing regions of the country use four or five million dollars' worth of agricultural products, and he said those products were protected to the agriculturists of Iowa, Kansas, and Nebraska by a duty of 20 per cent., and he said in effect that if we were to have this 20 per cent. protection we ought not to begrudge the equivalent protection which was accorded to the lumber interest.

Mr. President, I am willing, so far as I am concerned, as representing an agricultural people, to say that if there shall be a general reduction of 20 per cent. all around, or an equivalent reduction upon manufactured articles, the agriculturists of Kansas at least will be perfectly willing to forego the 20 per cent. protection upon their wheat. In fact their protection amounts to nothing. The wheat of Kansas goes abroad in competition with the wheat of Russia and with the wheat of India, competing in the great wheat market of the world, Liverpool, and finding there no protection and no advantage growing out of the assumed

protection which is given to it by the tariff laws of the United States. It may be true that some of the butter and some of the wheat and some of the cabbage and the potatoes of Canada might, if it were not for protection, find a market among the lumbering men of Michigan and Minnesota and Wisconsin, but that is by comparison a matter of no account; it counts nothing in the general question of supply and in the general question of prices.

Practically speaking, the tariff is put upon wheat, upon corn, and upon various other agricultural products simply as a disguise, simply to make the agricultural people of the United States believe that the tariff by its terms protects them while protecting the manufacturing interests of the country. Such is not the case. I do not mean to say by that that it was designed for that, but that at all events is the only purpose which it subserves. The people who have farms which need fencing, and who have land upon which houses are to be built, want of course cheap lumber. We are at the threshold, at all events, of the exhaustion of the pine lands, whether you call it eight years or twenty years; and it makes no difference in the life of a nation and in the consideration of matters of public policy and in the formulation and enactment of laws which are to govern the country not only to-day but for years to come, whether we speak of that period of the exhaustion of the pine lands of this country as eight years or twenty years. Why should we protect for eight years or ten years or twenty years the forests of the United States in such a way that they may constantly by reason of that protection be diminished?

Mr. President, I hope never to see the time when this country will be absolutely dependent upon Canada or any other country for lumber. I am very much in that respect like the man who argued with me in 1857, during the panic of that year, in favor of the issuance of a large amount of bank notes about the redemption of which there might have been and was considerable doubt. In reply to the statement I made to him that if we got the immediate relief we should be worse off after a time when we came to understand and know that the notes could not be paid, he said to me with great effect that he always preferred to die at ninety days than to die at sight. I think on the whole so far as the lumber supply of this country is concerned, I should rather it would die at ninety days than to die at sight. I would rather by the operation of some wise law, which would permit us if necessary to draw supplies from abroad, continue the supply of lumber in this country not only for eight years but for a generation and for generations yet to come. When we talk about protection as applied to raw products, it ought to be to those, if any of them, which we have such a supply of that we can not count with any degree of certainty or even of speculation as to their exhaustion.

So, whether the lumber supply of this country is to last for eight years, or ten years, or fifty years, we can see readily that it is disappearing. It is a question of acreage which we can see the extent of, and in connection with that the question of the use of it and the increasing use of it by the increasing population of the United States. It is, as I said, not a question in the way of protection of any enlargement either of the capacity of labor or of its wages, but simply a question whether by protection we shall enlarge the value of those lands which are constantly enhanced by reason of the disappearance of lumber, and if the lumber shall be placed upon the free-list, no laborer of Michigan or of Wisconsin or of Minnesota will receive one single farthing less as his day's wages, nor will any dollar of capital invested in saw-mills in those States or in any way in the handling of the lumber receive any less return for it, but we shall have put to some extent an inhibition upon an increase in the value of the land which has already been added to enormously and far beyond the average increase of the value of land in the United States during the last fifteen years by reason of the diminishing supply coupled with the increasing demand for lumber.

We have got to consider all the people of the United States when we consider this question of the tariff; we ought to consider the men who raise the grain. We do not do it except in an indirect way. The tariff upon wheat and upon various agricultural products is not protection. No farmer ever asked for it; no farmer ever received one single dime on account of it. If the Senator from Michigan is willing to forego the tariff upon lumber in consideration of the fact that he shall buy the untaxed products of Canadian soil, so far as I am concerned I am willing to yield that to him, and I am willing to say that in consideration of free lumber he shall have the right to buy free horses, free cows, free wheat, and free corn, cabbage, and potatoes of Canada, which the barren soil of Michigan does not yield.

We have been engaged, as it seems to me, in the consideration of this question from the basis of the direct interest of a minority of the people of the United States. Seven-tenths of the people of the United States are engaged in agriculture. A large number of the people who are not engaged in agriculture are engaged in supplying the necessities of that class of people. Probably not more than one-tenth of the people of the United States are directly engaged in manufacturing. It does not seem to me proper, it certainly is not, looking at this matter from a permanent standpoint, when we disregard wholly everything except the question as to whether the people who are engaged in manufacturing can get out of it the profit they want for their capital.

We are at the threshold of a new condition of things in this country. We have had profitable employment for capital and for enterprises such as will not come to this country again. We have had great spaces to fill up with railroads. We have had laws in regard to the building of railroads which have enabled the men who built them to get two, three, and four times not only profit but addition to their original capital. By the multiplication of railroads the agricultural products of the country have been obliged to pay a rate which would yield an interest according to this multiplication. That is among the things that are past. While this was going on, while these incentives to enterprise and energy accompanied by the comparatively small amounts of capital in this country existed, it was not to be expected that men would engage in manufacturing unless they could get profits corresponding to the profits that could be made in other fields. Men who wanted to make money went west.

No man in Massachusetts or Connecticut or New York, no young man, calculated upon making money at home, but he went west to make it where the profits for investment and energy and enterprise were so much greater. The market of the West is substantially filled as by comparison. The men who are to labor in this country and the men who are to make investments in this country, the men who are to get the profits of enterprise and of energy, are to get them nearer home than heretofore. We are at the threshold of the day of small economy, of the comparatively small return of capital, and of the decent and fair adjustment of the interests of this country in such a way that coming and meeting upon a common level they can each of them so far as practicable have an equal profit for labor and for investment.

It is not, therefore, practicable for us, whether we will or not, to so far discount the public sentiment of the immediate future as here by our action to give unwonted and unnecessary profit to capital invested in manufacturing. It is not proper nor fair for us to take account of the things that have been, but we must take account of the things that are to be. We have come to a point where we can not build great lines of railroad. There has been in all railroad building in the last few years only one great independent line of railroad built; all other railroad building has been the extension of existing lines. It is to be a new order of things in that particular—not the invitation to the large investment of capital we have had heretofore, but everything is to be done upon a smaller scale by comparison; and along with that is coming, as I said, the economy, the lack of waste, which heretofore has characterized that enterprise and energy, which has taken men thousands of miles away from their homes to make an investment.

It is to be the neighborhood work hereafter, the attending to detail, the investment within a small radius, which may bring smaller profits and is attended with lesser risk, and it will be futile to make a tariff duty upon the condition of things of yesterday. An institution like the institution which the Senator from Ohio [Mr. SHERMAN] so ably represents here, and for which he is willing, of course, to sacrifice everything else, like the potteries of East Liverpool, which for forty years have labored and prospered in the making of wares which the people of this country have been obliged to buy, can live and prosper for the future upon a less imposition rather than a greater.

In regard to this matter, as I said, under the guise not only of an enactment for the protection of wheat, but under an appeal made in the very eloquent tones and terms of the Senator from Michigan, the people of Kansas are adjured to be willing to pay $2 a thousand more for lumber in order that their sight may be tickled by the spectacle of a protection of 20 per cent. ad valorem upon the wheat which they send to Chicago and from Chicago to Liverpool, competing in the Liverpool market against the slave labor as well as all the other labor of the world. It will not do, Mr. President. I have no doubt that I fairly represent the people of Kansas when I say that they are willing to look and do look at this question from the basis of protection; that they do not want free trade as it is ordinarily termed, but they do want that every single thing upon which a duty is put shall be subject to scrutiny, a scrutiny to determine whether it is necessary that the protection should be accorded to that particular interest in order that it may live and have a profit. They do not want that anything should be cut down in a destructive way; they do not want a factory closed; they want labor and capital employed to have a fair return; but they reject utterly and entirely, as I believe, all this talk that the higher the duty the lower the price, and reject the idea that there is any rule or any plan which runs through the whole tariff business and which can be applied to everything and which assumes that protection is necessary upon everything irrespective of climate, of condition, and which, as they believe, has resulted to some extent heretofore in giving to special industries profits to which they are not entitled, while it has not yielded a proportional profit to the product of the soil.

Mr. JONES, of Florida. Will the Senator allow me to ask him a question? I understand the force of his argument to be that a duty has the effect of giving the entire advantage of the price of the article to the home producer.

Mr. PLUMB. No, no.

Mr. JONES, of Florida. I am as much opposed to anything in the shape of a prohibition duty as the Senator. I find that the schedule as to the importation of lumber into the United States is quite large, and that the revenue resulting from it is very respectable. I should like to

know if there is anything in the nature of this commodity or these establishments which would prevent it from paying into the Treasury a reasonable revenue the same as other articles entering into the wants and necessities of life—coal, iron, or anything else?

Mr. PLUMB. If a duty is to be put upon this article solely with reference to what may come into the Treasury, then I say that is to be governed also with reference to the people who are to pay it, and the question how it bears upon the purchasers of the country. I did not say that this profit inured to the producer. I said otherwise. I said the profit inured to the man who owned the land, and not the man who employed the labor and whose capital took the risk of such employment. There is where my objection is. If I believed to-day that cutting down this duty would impair the value of the labor, would cut one farthing off from its wages, I would not vote for it; but I do not so see it. I see in all this tariff business simply the enhancement of the value of the land, that is so far as the lumber is concerned, adding nothing whatever to the value of the lumber.

If it is simply a question of revenue, why shall we not add revenue upon the luxuries of life? Why not put it upon the silks, the wines, the jewelry, and the high-priced articles generally and take it off from the necessaries of life if it is only revenue we want? But we are led by gentlemen like the Senator from Maine [Mr. FRYE], who says that he is in favor of protection irrespective of revenue. This tariff, it seems to me, is fashioned too much upon a cast-iron adherence to the doctrine that protection itself is a good thing found wherever it may be, no matter what it is, the moment anything comes in sight that anybody may bring into the country put a tariff upon it for the want of a better place to put it. I think we ought, instead of that, to consult and see whether we can not impose it upon articles of luxury, diminish the price of things that are articles of necessity so far as possible, and then adjust the revenues of the country upon the shoulders that are best able to bear it, and not put it upon those things which people are obliged to have, and by reason of the very obligation to have them make the burdens of their purchase and of the duties upon those articles that much greater.

Mr. MORRILL. Mr. President, I wish to say that I have been very much surprised that after the debate on Saturday we should have spent three hours and a half to-day upon the least objectionable schedule in the whole list of the tariff. The lowest duties that are placed upon anything are placed upon the articles in this schedule.

Let me say one word in relation to protection. There is no intention of protecting the timber of this country by this bill. There will not be one stick of it less cut whether the bill shall place the articles on the free-list or place them at this small amount of protection.

Let me say that when we reduced the duty upon coffee, Brazil reaped all the advantage. We propose to take off the duty upon raisins. Spain, we being the chief consumer of raisins, will reap all the immediate advantage, as Brazil did in regard to coffee. Every single farthing we take off this schedule of wood will be to the advantage of the Canadians, and will not result to the profit of any person here using a particle of the timber in the manufactured article.

I say this as my own State is as much of a consumer almost as the State of Kansas or Nebraska. We are dependent upon foreigners for our pine. Let me say that the Saint Lawrence is denuded of its pine timber from Quebec to Montreal, and whatever they have above that comes to our market, and whatever the price may be here regulates the price there. We shall not be benefited one single dollar by any reduction of the duty upon manufactures of wood.

Mr. FRYE. Mr. President, I am glad to say that my pond on the lumber business is a small one and will soon run out. How any man can talk for an hour about the duty on lumber is beyond my comprehension. The Senators from Kansas and the Senator from Nebraska seem to be running amuck with each other on this question of lumber, and I do not understand it. I am sorry that the other Senator from Nebraska is not here to join in.

This duty on lumber does not affect the price of lumber in Kansas and Nebraska one single mill. A railroad only three hundred miles long can control the lumber through all Kansas and Nebraska a hundred times where this duty of 20 per cent. or 15 per cent. ad valorem will affect the price at all.

Mr. PLUMB. We do not want our misfortunes added to by having a railroad to control it.

Mr. FRYE. That is just what I want the Senator to look at. He is looking at Kansas and Nebraska alone. He does not look anywhere else. Kansas and Nebraska have wheat-fields, they can raise immense crops of wheat; Maine has not wheat-fields; Maine can not raise corn; but the lumber business of Maine is its great overshadowing interest to-day, and it is hugged right into the embrace of Canada.

Why should not the Senator from Nebraska feel some interest in the State of Maine? It belongs to the United States. The Senator from Alabama says that not a dollar's worth of lumber will be imported into Alabama, and that that State has not a shadow of interest in it; but has not Alabama a little interest in the prosperity of the State of Maine or of Michigan or of Northern New York?

Mr. MORGAN. We have, and also in Kansas and Nebraska and all the country out West.

Mr. FRYE. Do not the Senators from Maine vote for a duty on rice, and yet Maine raises no rice, but eats a good deal? Do not the Senators from Maine vote for a duty on iron, and their constituents do not delve from the earth a ton of iron in a year? Does not the State of Maine vote to protect other States in their industries and to preserve to other States their prosperity? We have voted over and over again a high duty upon sugar to protect the industries of the State of Louisiana, and for no other reason, and yet the Senator from Louisiana [Mr. JONAS] every time that his vote is called has voted to strike down these duties that are for the protection of industries in other States.

Mr. MORGAN. We do not think this is a swap we are making with anybody. We are legislating for the whole country and not making a trade.

Mr. FRYE. Certainly, and every part of the country is a part of the whole country; and the prosperity of one part of the country is the prosperity of the rest of the country.

The United States of America stole from Maine, in order to prevent war with great Britain, that tremendous, that wonderful river, Saint John's, which has floated more lumber than any river east at any rate of the Mississippi River. It was given away and taken from us to prevent war with Great Britain, and to-day the lumber floating down that river, if permitted to come in free, would destroy absolutely the lumber interests of the State of Maine. The Penobscot River at every fall has its saw-mill, with its gangs of saws; the Kennebec River the same; the Androscoggin River the same. Right beyond is the Saint John's. You can hear the click of the ax on the tree on the Canadian side which a sturdy arm is striking at 75 cents a day, and the axman on the Yankee side gets his dollar and his dollar and a quarter a day.

Mr. PLUMB. Why do they not come over here?

Mr. FRYE. They do come over here, thousands and tens of thousands and work at our wages, and their teams by the hundreds cross the border, and you have a law expressly made that they may come over and work their teams in our forests. The mills have been erected, they employ thousands and thousands of men; they load thousands of ships to carry the forests of Maine to the markets of the world. Put down this duty and let Canadian lumber in free, and Maine will suffer more a hundred times than Michigan, Maine will suffer more than any other State in this Union, because Maine is more dependent upon this industry than either of the other great States can possibly be; and not only the Maine lumbermen will suffer but the Maine coasters will suffer in their carrying trade, and it will be but a short time before the whole carrying trade of lumber will be diverted from your Maine ships, from your Maine coasters, into British bottoms, following suit with your foreign commerce.

Sir, a little duty not over 15 or 16 per cent. ad valorem, the lowest duty in the whole schedule of duties on any manufacturing industry—that little duty protects us. It is our interest to have it preserved. It does not make the lumber in Alabama cost a cent more, nor in Missouri, nor in Nebraska, nor in Kansas, nor in Texas, nor in any of the central and middle States of this Union. The smallest rise of a tariff in railroad rates of one hundred miles will more than wipe out every dollar of that duty. But between Maine and Canada is a river half a mile wide, and across that the lumber can be brought, and from the mouth of the Saint John's River the ship loaded with lumber can clear for New York and Boston and the seaport great cities of the Atlantic coast, and there possibly it may to a slight degree affect the price of lumber.

I will venture to say now that in Minnesota, in the southern part of it, this tariff does not affect the price of lumber a single dollar.

When you made the Hawaiian treaty and admitted sugar free it came into San Francisco free where we were paying 65 cents on a dollar, 65 per cent. ad valorem, and Spreckels, the refiner, having control and monopoly of the business, makes men on the Pacific coast pay 2½ cents and 3 cents more a pound for sugar than we do in Boston and New York to-day. Why? Because he is able to make a treaty with the railroad companies by which Eastern sugar shall not be transported to the western coast as low as it can be transported in any other direction. Those railroads can control the lumber business for the distant States without the slightest difficulty, and I say it is selfish and unkind and ungenerous in the Senators from States not affected by the tariff to come here and try to break down a 15 or 16 per cent. duty, the lowest one in the whole range of duties, simply for, as the Chinaman would say, "talkee, talkee, talkee." That is all there is about it.

Mr. MCMILLAN. Mr. President, I shall detain the Senate but a very short time in referring to some of the arguments that have been made upon this question which I think altogether fallacious.

The Senator from Delaware [Mr. BAYARD] referred to the existence of a statute upon our statute-book rewarding the planting of timber upon the prairie lands of this country, and remarked that it was wholly inconsistent with the principle of imposing a tariff upon labor expended in the manufacture of lumber. The law to which the Senator refers was extended to encourage the settlement of the treeless portions of this country. It is well known that there are large portions of the interior of our continent wholly treeless, and for the purpose of inviting settlement upon that portion of the country, where all the advantages exist for agricultural purposes except the timber and in some instances water, that law was passed, and it has resulted advantageously.

It has resulted in the planting of forests all through that portion of the country.

The prairie lands of Dakota, the prairie lands of Kansas, have been beautified and rendered valuable by the planting of trees where no forest or timber grew before. It seems to me it must be apparent that can not interfere with or affect the portions of the country which are already the timbered portions of it, or the forests. How can the fact that we encourage the cultivation of forests on the prairie lands affect the portions of the country which are already the timbered regions? That will not decrease the forests; that will not interfere with them in any degree.

The senior Senator from Kansas [Mr. INGALLS] alluded to the fact that he did not consent to the theory that the precipitation of moisture depended wholly upon the existence of forests. The Senator from Kansas, I have no doubt, understands that matter thoroughly and appreciates it properly. The portions of our country which are treeless are so because of the want of precipitation of moisture. That is the reason why they have no forests growing upon them. If you can introduce to those portions of the country moisture in any way there the forests will spring up just as they are on the portions of the continent already favored by large and extensive forests. Therefore that question is not affected in any way by the question of protecting the labor performed here upon logs or raw material prepared for the market.

The only protection in this schedule is to labor, it is not to raw material. The raw material is free, and only when human labor comes to be expended upon it does it receive any protection.

The Senator from Iowa [Mr. MCDILL] who addressed the Senate upon this question can look only to the manufacturers in his own State as being affected by this protection. Large quantities of logs are transferred from the Upper Mississippi to the limits of the State of the Senator from Iowa, and there they are manufactured into lumber, which goes out upon the prairies of his own State for the construction of fences and buildings where they have no timber growing. It is only when that labor comes to be performed upon the logs which they receive there that this duty attaches or affects it in any degree.

The Senator from Kansas [Mr. PLUMB] who last addressed the Senate argued that this tariff would result merely to the benefit of owners of pine lands who had purchased the lands at Government prices and had received large benefits from the enhanced value of those lands. In my own State, where the pine forests extend throughout the northern and the northeastern portion of the State, the lands have been long since in the hands of private owners wherever they have been in market. It is true there has been an enhancement in the value of pine lands in that State, but the enhancement in value will not compare with the enhanced value of the agricultural lands in the same State and in the neighboring Territory of Dakota. The rich prairie lands of Minnesota and Dakota have increased much more in value than the timber lands of that State or of any portion of the West. The owners of those lands have received much more benefit from the increased value of land than those who entered upon lands years ago, because the body of the land in our State has been withdrawn from the market and in the hands of private owners for twenty years.

The great protection which is to be afforded by the Government to the forests of this country is in protecting them against fires which ravage through them, destroying more pine timber every year than is manufactured. More timber and more of our forests are consumed by fires every year than are manufactured or destroyed for any other purpose. There is the direction in which these forests can be protected, and the attention of the Government should be directed to that particular.

As I said, the only protection here is to the labor performed upon wood. Whatever variety of timber is specified here, embracing pine, poplar, hemlock, all the varieties of timber, the labor is all that is protected; and the portion sought to be stricken out by the Senator from Kansas [Mr. INGALLS] who submits the amendment embraces lumber of that class.

So far as my own State is concerned I think I can speak without prejudice, because the importations of lumber manufactured in any way do not extend to our region. Any importation of manufactured lumber is made east of Lake Superior, but the manufacture of lumber of every variety of course in our State must be encouraged. We have large mills, extensive manufactories of lumber in every shape, of woodenware, of planing-machines, saw-mills, and every variety of labor. Therefore we are interested in protecting the labor that is expended upon this production of the State, and it is only in that interest that I support or feel called upon to support this part of the bill; and I trust that no distinction will be made here between the protection of this class of labor and any other class of labor.

Mr. BLAIR. Mr. President, this subject has been pretty thoroughly discussed already, and I can not expect to throw any light upon it of consequence to the Senate, and yet as this is a schedule of considerable interest to my own State, I feel under the necessity of saying a few words with reference to it.

The population of this country, in round numbers, was in 1840, 17,000,000; in 1850, 23,000,000; in 1860, 31,000,000; in 1870, 38,000,000; in 1880 it was a trifle over 50,000,000, having almost trebled in the course of forty years, and it is now verging upon 55,000,000. In ten years from this time the population of the United States will vary, judging the future by the past, but very few from 70,000,000, and before the close of the century there is every reason to believe that our country will be inhabited by at least 100,000,000 people.

The consumption of lumber in this country has increased in greater ratio than the population, and it is likely to continue to do so in future, and we have every reason to suppose that in another century following this our population will double at least twice, certainly once and a half, and the year 2000 is almost sure to find our territory, assuming that it shall not be enlarged geographically, inhabited by at least 250,000,000 people, while the ratio of consumption of everything that appertains to civilization will be likely to increase very much more largely. It takes at least a century for pine or any of the important forest trees of the country to reproduce themselves.

In this connection I make a preliminary statement of fact as bearing very plainly in a very important way upon the main question which is at issue here, as to how we are best to conserve our existing timber supply and make preparation for that of the future. We have in this country, as it has been stated, scarce enough to rely upon for the next eight or ten years. The object of those who oppose this schedule is that we may extend or increase our supply from the forests which lie beyond and north of the Canadian line; but we should bear in mind that even in Canada the forest is rapidly disappearing. The population of Canada is rapidly increasing; the consumption there has increased correspondingly, and in a much greater ratio there than the population. A Pacific railroad is passing directly through from one side to the other of the continent and denuding it even in Canada of its forest supplies on which their own as well as our population already largely depends.

It must be obvious from this statement in regard to the present and the prospective wants of the population of North America in this line that we must look to something else than the existing forests either north or south of our own northern border for our supply, and there is no remedy but in the adoption of that policy which has been adopted in Europe largely and to some extent in our own country, and that is the planting of forests. That and that alone will give to the American people, whether in our own or any other countries to the north or south of us, a permanent supply for the future wants of our population.

If this is a correct view of the subject it will not better the matter to remove the tariff upon lumber and to let the fifty, sixty, seventy-five, or one hundred million Americans draw their supply from what is growing now north of us, for that very soon will be exhausted. It comes home, then, to just this: Shall the forests which we now have be denuded and destroyed, and shall the Canadian forests be invaded, denuded, and destroyed; or shall we, on the other hand, introduce a policy, or rather pursue one already introduced, requiring a more general planting of forest and of timber trees? That alone will give us the proper supply for the present and for the future.

So far as the supply of lumber is concerned to the American people with reference to a long time to come, it is of very little consequence whether this schedule is kept on or whether it is entirely removed; whether lumber remains subject to a tariff or whether it is placed upon the free-list. The only really vital and important question is whether by this existing and temporary legislation we shall strike down an American industry now adjusted in all its relations to the other industries which have been developed and which are dependent upon this tariff schedule? If the removal of this tariff, of this 15 or 20 per cent. premium which is now placed upon our own production, will interfere substantially with the lumber manufacture as it exists in America——

Mr. MORRILL. It is not 10 per cent.

Mr. BLAIR. Does it not average more than 10 per cent.?

Mr. MORRILL. No; not so much as 10 per cent.

Mr. BLAIR. I supposed it averaged about 10 per cent., but I will say averaging less than 10 per cent. If striking that down will be a substantial injury to those engaged in this manufacture in the United States, I believe it is our duty to keep that protection still upon the list. Those who represent this industry upon the floor have come to you with their testimony directly from their constituents, and have said it can not result otherwise than disastrously to them. I know that for years in my own State the average profit of our lumbermen has been less than 50 cents per thousand feet upon their manufacture. I know that they lie directly upon the Canadian line; that the avenues of communication connecting with the Canadian lumber country run directly through our State; that they interfere essentially and substantially with the market for lumber as it is manufactured in our State, sold as it is in the more thickly settled portions of New England; and to remove this tariff of 10 per cent. or less, which in some instances amounts to $2 and in some others to $3 a thousand feet, would be a reduction of four times the average profit which is now made by the manufacturers in my State. It would be impossible for them to live. Not only would the laborer there suffer, but the fixed capital itself would be destroyed. If this duty should be removed, there is in my State not one single saw-mill, not one single place for the manufacture of lumber that could live. There is not a capitalist there who can continue in business two years under the operation of the tariff if this should be placed upon the free-list.

Gentlemen rise here and say they would not inflict this upon us if they supposed it would do any injury to labor; but can there be labor without capital? Where are the wages to come from unless there is

profit to capital from which it is to be paid? If this change will strike down capital, does it not reach labor with the same blow?

Senators talk with what seems to me an assurance that verges upon elaborate nonsense in regard to this thing. Do we not all know that capital in this country draws a higher rate per cent. of interest than it does in any foreign country? Movable capital is higher here than it is anywhere else. No man who is undertaking to manufacture in any department, no manufacturer can obtain his capital as cheaply in America as he can in any foreign country, Canada, Mexico, or Europe. If he is to manufacture the first thing he requires is capital. The manufacturer is not often the capitalist. He has to go to the man who has accumulated capital and hire it and pay 6, 8, or 10 per cent. for its use, so that the first ingredient of production costs far more in this country than it does anywhere else.

That is the capital fixed in the plant and which is used in the ordinary transaction of business. When you come to the next thing, the raw material, how is it as to that? Do we not know that the raw material costs in this country more than anywhere else? Do we not know that everything which appertains to the support of the laborer, everything which enters into the production or support of labor is higher in this country than it is in any other part of the world? So the man who engages in production as a manufacturer, before he can produce at all, for these millions which I have mentioned, has to pay as much or more than in any other country under the sun.

What other ingredient is necessary in order that we may have what we call production and secure the substantial, material things of life? Nothing but wages; and wages are labor. Labor and wages are convertible terms, and labor to day costs more here than it does anywhere else, does it not? Labor here costs twice as much as it does in Europe; twice as much as it does in Canada; three times as much as it does in Mexico, and from two to three times as much as it does anywhere else on the face of the earth. You know the capitalist can keep his money; he is not obliged to lend it to the manufacturer. If he can not get his interest he may keep his capital and he can survive; but the man who depends upon his wages, upon his daily labor for his daily food, can not wait; he must have something to eat three times a day; he must have one or two suits of clothes every year; he must have shelter from the elements; his necessities are absolute, pressing, and they must be supplied. He must work; he can not wait. In other words, there must be production; otherwise there can be no wages, and the laboring man is the very first man who feels the pressure of a reduction in price the world over. It is so in this country, and if this tariff is so tinkered as to bring foreign production in upon the American consumer, if there is any reduction in any direction whatever (unless it is taken off from some few articles of raw material which come from abroad), that reduction must come first and primarily from labor itself or from the wages of labor; it can not be otherwise.

I have enumerated everything that enters into production, all its component parts, and I have shown, because it is indisputable—I show it by making the assertion, for it is a matter of common knowledge and common fame, that everything save wages costs more in this country than in any other country, and wages are higher, and wages must feel the pressure of the want of protection prior to any other element of production whatever. Is not that so, Mr. President? Very well. I have been stating a few general principles which it might be well for the Senator from Kansas who last spoke to consider, I think. But to get around to this matter of fact which I have been stating, I know that in my State, if this duty is stricken off, if this protection is removed, there is not a single manufactory of lumber that can continue to exist, and it is a very important interest, the important interest in the north half of New Hampshire.

Now, sir, in regard to the matter of stumpage, which has been spoken of, gentlemen have talked of the land costing $1.25 an acre originally and said that now the owners get $40 worth of stumpage from an acre. That may be so; but it should be borne in mind that these lands were acquired years and years ago, and what is true in regard to some of the Northwestern States is not true at all in regard to my own State or any of the older States. The timber lands in my State have cost to such an extent that the stumpage is a comparatively unimportant element. There is no room to force a reduction on the price of the stumpage. In my own State it can not be done; and even if it could be done under the pressure of many years of free trade in lumber, it will not be done until the working interest is gone, until the manufacturing establishments are destroyed; because upon wages and the immovable capital and the capital in the manufacturing establishments falls, as I have endeavored to show, the first burden of this reduction.

The prices which have been stated here in regard to lumber astonish me; it may be because I live in a remote section of the country; but in my part of the country I know pine lumber is cheap at $20 a thousand instead of $10, as stated here. The best quality of pine lumber we have to get at $60 a thousand, and the removal of this trifling protection, at the most $2 per thousand, with which we are favored, might not result in any very substantial reduction of the cost. I think myself, however, that it probably would do so, and that that amount would come directly out, in a very short period of time, of the price to the consumer, and that would ruin the manufacturing interest so far as my own State is concerned.

The PRESIDING OFFICER (Mr. CAMERON, of Wisconsin, in the chair). The question is on the amendment offered by the Senator from Kansas [Mr. INGALLS].

Mr. BLAIR. A Senator asks what species of lumber we have. We have the pine; we have the spruce; we have the hemlock; we have hard wood; we have the best qualities there that are known.

Mr. VAN WYCK. While the amendment of the Senator from Kansas does not probably cover all that I might desire in the matter, still, under present circumstances, I am disposed to accept his amendment and not have a vote on the whole proposition.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kansas [Mr. INGALLS].

Mr. VAN WYCK and Mr. COCKRELL called for the yeas and nays; and they were ordered.

Mr. WILLIAMS. I understood the Senator from Nebraska to accept the amendment.

Mr. VAN WYCK. It is not all I desire, but I am willing to accept it.

Mr. WILLIAMS. We are voting, then, on the amendment of the Senator from Kansas, which is accepted by the Senator from Nebraska.

The Principal Legislative Clerk proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. CAMDEN. Let the amendment be reported. ["Too late!"]

Mr. INGALLS. It is striking out of the schedule certain classes of rough, undressed lumber and placing them on the free-list.

Mr FRYE. Rough, undressed lumber like shingles and clapboards and all that sort of thing!

The Principal Legislative Clerk continued the roll-call.

Mr. BROWN (when his name was called). On this question I am paired with the Senator from Nebraska [Mr. SAUNDERS].

Mr. GARLAND (when his name was called). I am paired on this question with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. HARRIS (when his name was called). Upon this question I am paired with the Senator from Illinois [Mr. DAVIS]. If he were present, I should vote "yea" and he would vote "nay."

Mr. HARRIS (when Mr. SAULSBURY's name was called). I desire to state that the Senator from Delaware [Mr. SAULSBURY] is paired with the Senator from Michigan [Mr. FERRY], both of whom are absent.

Mr. VAN WYCK (when Mr. SAUNDERS's name was called). My colleague [Mr. SAUNDERS] is in favor of free lumber. He is paired with the Senator from Georgia [Mr. BROWN]. If he were here, my colleague would vote "yea."

Mr. VANCE (when his name was called). I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were present, I should vote "yea."

Mr. GARLAND (when Mr. VOORHEES's name was called). The Senator from Indiana [Mr. VOORHEES] is paired with his colleague [Mr. HARRISON]. The Senator from Indiana [Mr. VOORHEES], if here, would vote "yea" and his colleague "nay."

The roll-call was concluded.

Mr. DAVIS, of West Virginia (after having voted in the affirmative). I am paired with the Senator from Minnesota [Mr. WINDOM]. I withdraw my vote. I make the announcement of the pair now.

Mr. JONES, of Florida (after having voted in the affirmative). I voted under a misapprehension. I am paired with the Senator from Massachusetts [Mr. HOAR]. I withdraw my vote.

Mr. FYRE. My colleague [Mr. HALE] has been called away from the Senate. If present, he would vote "nay." He is paired with the Senator from Kentucky [Mr. BECK].

Mr. MCMILLAN. My colleague [Mr. WINDOM] is paired with the Senator from West Virginia [Mr. DAVIS]. If he were present, my colleague would vote "nay."

Mr. HAWLEY. The Senator from Nevada [Mr. JONES] desired me to announce that he is paired with his colleague [Mr. FAIR].

The result was announced—yeas 25, nays 23; as follows:

YEAS—25.

Barrow,	Farley,	Mahone,	Van Wyck,
Bayard,	Gorman,	Maxey,	Vest,
Butler,	Groome,	Morgan,	Walker.
Call,	Hampton,	Pendleton,	Williams.
Camden,	Ingalls,	Plumb,	
Cockrell,	Jackson,	Pugh,	
Coke,	McDill,	Slater,	

NAYS—23.

Aldrich,	Chilcott,	Hill,	Morrill,
Allison,	Conger,	Lapham,	Platt,
Anthony,	Dawes,	Logan,	Rollins,
Blair,	Frye,	McMillan,	Sawyer,
Cameron of Pa.,	George,	Miller of Cal.,	Sherman.
Cameron of Wis.,	Hawley.	Miller of N. Y.,	

ABSENT—28.

Beck,	Garland,	Jonas,	Ransom,
Brown,	Grover,	Jones of Florida,	Saulsbury,
Davis of Ill.,	Hale,	Jones of Nevada,	Saunders,
Davis of W. Va.,	Harris,	Kellogg.	Sewell,
Edmunds,	Harrison,	Lamar,	Vance,
Fair,	Hoar,	McPherson,	Voorhees,
Ferry,	Johnston,	Mitchell,	Windom.

So the amendment was agreed to.

The PRESIDING OFFICER. The Secretary informs the Chair that the Senator from Nebraska [Mr. VAN WYCK] accepted the amendment just adopted. So that it was the amendment of the Senator from Nebraska instead of the amendment of the Senator from Kansas [Mr. INGALLS].

Mr. MORGAN. I move to amend by adding at the end of line 889:

Woods, namely: cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rose-wood, satin-wood, and all cabinet woods, unmanufactured, 20 per cent. ad valorem.

The object of the amendment is to transfer from the free-list what is contained between lines 2206 and 2208 to that part of the Schedule D contained in lines 819 to 821, and its bringing the woods which are named in the lines I have quoted in the free-list under a tariff of 20 per cent. ad valorem.

The honorable Senator from Missouri [Mr. COCKRELL] says he does not understand it. I will explain it further. The following woods are on the free-list in the bill reported by the committee:

Woods, namely: cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rose-wood, satin-wood, and all cabinet woods, unmanufactured.

I propose to transfer them to the schedule of dutiable woods by putting these words in at the end of line 889 just preceding the other words there, so as to make the text read consecutively, putting them under a tax of 20 per cent. ad valorem.

Mr. FRYE. In other words, if I understand the Senator, he proposes to take manufactured lumber and put it on the free-list, and take unmanufactured wood and put it at 20 per cent. ad valorem.

Mr. MORGAN. Certain woods that are used for purposes merely of decoration, where we have woods that ought to be in competition with them, ought to bear a tariff. They ought not to come in free, because they are simply articles of luxury. We have in the South quite a large number of woods very valuable, needed for purposes of decoration. The bay-wood and magnolia are chief among them. We have also vast forests of cedar, and we should like to have a little interest in the benefits of this tariff as well as all its disadvantages.

Mr. FRYE. The Senator was in favor of putting manufactured lumber on the free-list in favor of the forests of this great country; but now he is in favor of putting a duty on foreign woods to destroy the forests of this great country.

Mr. MORGAN. One magnolia tree, if sawed, would decorate this entire Chamber. The salvation of forests is not concerned in this question, but it is concerned where a very large consumption of logs and posts and matters of that kind is necessary for the farming operations and other operations of the people. There is the distinction. I am quite willing to put a tariff on any article that ought to bear a duty, but I believe that we ought to consult the question whether the dutiable article is one of luxury or whether it is one of common use, and to give the preference to those articles that are in common use. I can see no reason, I confess, why woods of the description I have named here, and that are named in this free-list should be exempt from duty.

When a tariff duty is paid upon them, it is paid by persons who have the wealth to indulge themselves in elegant luxury. It is not paid by the poor. Some one has suggested that the railroad companies will have to pay it. Yes, the palace cars of railroad companies are decorated by these woods, and so the great steamers of the country and a great deal of the beautiful furniture is decorated by these imported woods, articles that the common working classes of this country never lay their eyes upon unless they happen to be admitted by favor into some rich man's palace.

The PRESIDING OFFICER. The amendment will be read.

The ACTING SECRETARY. After line 889 it is proposed to insert:

Woods, namely: cedar, lignum-vitæ, lance-wood, ebony, box, granadilla, mahogany, rose-wood, satin-wood, and all other cabinet woods, unmanufactured, 20 per cent. ad valorem.

Mr. HAWLEY. This amendment is certainly not in the direction of any theory with which I am acquainted. It is in direct violation of all free-trade theories and of all wise protective theories. These are woods not produced in this country at all. They are very largely used in manufactures here. To impose a duty protects no native wood. There is not a shadow of protection to be discovered, in my opinion, with the microscope in the gentleman's amendment. If he desires to put these things in the list at 20 per cent., it is necessary that there should be a further change in this schedule of woods, because we read here:

Manufactures of cedar-wood, granadilla, ebony, mahogany, rose-wood, and satin-wood, 35 per cent. ad valorem.

Manufactures of these identical woods are to be brought into the country at 35 per cent. ad valorem, and he puts the American manufacturer at a disadvantage, he having to pay 20 per cent. on his raw material. The Senator ought, if he desires to do justice to these people, to add 20 per cent.; he should make the duty on the manufactures of this wood 55 per cent. instead of 35.

Mr. MORGAN. I have no objection to that.

Mr. HAWLEY. I shall be through in a moment. That is one of the embarrassments under which a tariff labors, and the Senator desires to increase them. Now, there is much complaint made of heavy duties on woolen goods. They are made absolutely indispensable by the pertinacity with which we have run up the duty on all grades of wools, no matter whether they are wools that can be produced here or not. If our manufacturers are to pay 20, 30, 40, or as on some wools as much as 50 or 60 per cent. duty, and also duties of the same range from 20 to 60 per cent. upon a great variety of other materials that enter into their woolen manufactures, of course as a proper compensation therefor they must have a duty of 75 or 100 per cent. upon the fine woolen goods. If the Senator desires to legislate fairly and does not simply wish to embarrass the tariff, he has got to increase largely the duty on all the manufactured woods made of these woods. As a moderate protectionist I protest against this and say that in some things I agree with the free-traders, and that it is common sense to admit free, so far as we can possibly, materials that are not had or produced in this country.

Mr. MORGAN. What I have to complain about the Senator's position only is that he is very immoderate in his moderation. He is moderate upon those things which relate to the luxuries and elegancies and ease of life, while he is immoderately severe on those things that are of necessary consumption. One of the doctrines upon which I would require a tariff laid—I am not responsible of course for what is in this bill—would be first of all to lay a heavy duty upon articles that are purely of luxury, so that the taste of those who are rich and able to bear the expense may contribute something to the support of this Government. Thousands of men who live in splendor in this land pay no taxes at all, or very little taxes. They have their bonds and they clip the coupons, and pay no taxes on the bonds at all. It is very well, I think, as the Senator suggested, that we should put up the tax to 55 per cent. ad valorem on manufactures of cedar wood, rose-wood, satin-wood, and matters of this kind.

No common laborer will be affected by that, and if they can be imported under a tax of that kind, that is the only question, let us have it. I want the highest revenue tariff on things of that kind. I contend for a revenue tariff on this description of woods that come from abroad, and I have that in my mind all the time—to try to derive revenue on those matters which will least affect the great substratum of this country, the laboring, industrious population. That is always uppermost in my mind. Hence I want revenue on these articles instead of having them on the free-list; I think it is right it should be so. More than that, it will have an effect to encourage the use of a great many beautiful woods of this country, such as our maples, our magnolia, our sugar trees, our hickory, and a great many other things that are very beautiful for ornamentation.

As the Senator from Kentucky [Mr. WILLIAMS] suggests, hickory would supply the place of lance-wood altogether. I am not particularly informed on that subject, but I venture to say that he is correct about it; he is not usually incorrect about anything that he says.

Now, sir, I claim that this is a proper method and a proper subject of taxation. There can be no real objection found to it; and if the Senator from Connecticut wants to raise the duty upon the manufactured article so as to protect alike the importer and the manufacturer in the United States, let him do so. He will not hurt anybody that can not bear it; he will not hurt the industrial classes of this country if he does not hurt the Treasury by keeping revenue out of it. That is the only consideration we have to guard; that is the only danger before us. I do not know whether it would have that effect or not. If he thinks the revenue would not be diminished by reason of a duty of 55 per cent. on that classification, I will vote with him for that.

Mr. HAWLEY. It certainly would not be diminished.

Mr. MAXEY. The woods mentioned in lines 2206, 2207, and 2208, now on the free-list, are not altogether foreign woods; some are raised in the United States and some are not; but these woods are unmanufactured. The original price of these woods, mahogany, ebony, lignum-vitæ, &c., unmanufactured, is comparatively small; the value attached to these woods is by the labor which is placed upon them after they reach here. It is the mechanical labor placed by cabinet workmen upon these woods which gives to them their value, not the original cost price of the mere naked, unmanufactured wood. So that, in my judgment, going upon the same principle precisely that I did in voting for free wood before, I shall vote for free wood this time.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Alabama [Mr. MORGAN].

Mr. MORGAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. BECK (when his name was called). I am paired with the Senator from Maine [Mr. HALE] upon all questions pertaining to this schedule without inquiring how he would vote, and therefore I decline to vote.

Mr. BROWN (when his name was called). I am paired with the Senator from Nebraska [Mr. SAUNDERS] upon all questions under this schedule.

Mr. HARRIS (when his name was called). I am paired with the Senator from Illinois [Mr. DAVIS]. If he were present, I should vote "yea."

Mr. JONES, of Florida (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. MCDILL (when his name was called). I am paired with the Senator from Oregon [Mr. GROVER].

Mr. McMILLAN (when Mr. WINDOM's name was called). My colleague [Mr. WINDOM] is paired with the Senator from West Virginia [Mr. DAVIS].

The roll-call was concluded.

Mr. HAMPTON (after having voted in the negative). I was paired with the Senator from New Jersey [Mr. SEWELL]. I thought he was present when I voted to-day, and I beg leave now to withdraw both my votes to-day.

Mr. EDMUNDS. You can only withdraw the one which is pending.

Mr. HAMPTON. I was not aware that he was not present.

The PRESIDING OFFICER. The Senator can withdraw his vote on the pending amendment.

Mr. HAMPTON. I am told the Senator from New Jersey would have voted the same way as I have done on this question; but I was not aware until this moment that he was not in the Senate Chamber.

The result was announced—yeas 10, nays 34; as follows:

YEAS—10.

Camden,	Gorman,	Lamar,	Williams.
Cameron of Pa.,	Ingalls,	Morgan,	
George,	Jackson,	Pugh,	

NAYS—34.

Aldrich,	Chilcott,	Jonas,	Platt,
Allison,	Coke,	Lapham,	Plumb,
Anthony,	Conger,	Logan,	Rollins,
Barrow,	Dawes,	McMillan,	Sherman,
Bayard,	Edmunds,	Maxey,	Slater,
Blair,	Frye,	Miller of Cal.,	Vest,
Butler,	Garland,	Miller of N. Y.,	Walker.
Call,	Hawley,	Morrill,	
Cameron of Wis.,	Hill,	Pendleton,	

ABSENT—32.

Beck,	Groome,	Jones of Florida,	Saulsbury,
Brown,	Grover,	Jones of Nevada,	Saunders,
Cockrell,	Hale,	Kellogg,	Sawyer,
Davis of Ill.,	Hampton,	McDill,	Sewell,
Davis of W. Va.,	Harris,	McPherson,	Vance,
Fair,	Harrison,	Mahone,	Van Wyck,
Farley,	Hoar,	Mitchell,	Voorhees,
Ferry,	Johnston,	Ransom,	Windom.

So the amendment was rejected.

Mr. CONGER. It has been intimated here that one vote was given under a misapprehension on the question preceding this, and if there is any mistake in the record the proper time to call attention to this is now. If I remember the vote aright, the correction that would be made by changing the name of the Senator from South Carolina would change the result.

Mr. COCKRELL. No, it does not change the result.

Mr. CONGER. What was the vote, Mr. President?

The PRESIDING OFFICER. The yeas were 25 and the nays were 23. The question is on Schedule D as amended.

The schedule as amended was agreed to.

Mr. MORRILL. I now move that the Senate adjourn.

Mr. ALLISON. I desire to ask the Senator from Vermont before adjournment whether it is his purpose to call up the metal schedule to-morrow, or whether we are to go on with the schedule immediately following wood?

Mr. MORRILL. I should be glad if we should omit the metal schedule one day more; but if there is objection to that of course we must take that up next.

Mr. ALLISON. I want it understood to-night that it is to be taken up to-morrow, or that we shall go on with the other schedules.

Mr. MORRILL. I think we shall take up the metal schedule to-morrow.

Mr. COCKRELL. We can not hear a word on this side.

Mr. MORRILL. I said that if there was no consent given we should return and take the bill up in its regular order. We shall reach the metal schedule to-morrow.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 54 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, *January* 22, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of Saturday last was read and approved.

ORDER OF BUSINESS.

Mr. HISCOCK. I call for the regular order.

Mr. DAVIS, of Illinois. I desire to introduce a bill for reference.

Mr. HISCOCK. I insist upon the regular order.

The SPEAKER. The regular order is demanded, and is the call of States and Territories for the introduction of bills and joint resolutions, also resolutions calling for executive information, for reference to their appropriate committees. Under this call resolutions and memorials of State and Territorial Legislatures are in order for reference.

Mr. MOREY. I do not think the gentleman will insist upon his call for the regular order.

Mr. ROBESON. I move to dispense with the call of States.

The SPEAKER. The Chair thinks that motion is not one which has been entertained heretofore.

MANLEY B. EDMONSON.

Mr. CRAVENS introduced a bill (H. R. 7338) for the relief of Manley B. Edmonson; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RICHARD GRISHAM.

Mr. CRAVENS also introduced a bill (H. R. 7339) for relief of Richard Grisham; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

WEIL & MOORE.

Mr. HERBERT introduced a bill (H. R. 7340) for the relief of Weil & Moore; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

COPYRIGHT OF JOURNALISTIC ARTICLES.

Mr. ROSECRANS introduced a bill (H. R. 7341) giving copy-rights under certain conditions to journalistic articles; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

HENRY R. BENJAMIN.

Mr. DAVIDSON introduced a bill (H. R. 7342) for the relief of Henry R. Benjamin; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PERRY G. WALL.

Mr. DAVIDSON also introduced a bill (H. R. 7343) for the relief of Perry G. Wall and the executors of O. B. Hart, deceased; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

A. H. GERMER.

Mr. DAVIS, of Illinois, introduced a bill (H. R. 7344) granting a pension to A. H. Germer; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DANIEL CONNOR.

Mr. MOULTON (by request) introduced a bill (H. R. 7345) for the relief of Daniel Connor; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

RAILROAD LAND GRANTS.

Mr. HOLMAN submitted the following resolution; which was referred to the Committee on Public Lands:

Whereas at its December term in the year 1875, in a decision rendered in the case of the Leavenworth, Lawrence and Galveston Railroad Company *vs.* The United States, the Supreme Court of the United States construed the indemnity clause found in the grant made by Congress in aid of said road and held that under such a grant indemnity lands are allowed in lieu only of lands originally included in the grant, but which are afterward sold or disposed of by the United States between the date of the grant and the date when the granted lands become identified by the definite location of the line of the road; and

Whereas on the 5th day of June, 1880, Attorney-General Devens, to whom the question had been referred by Hon. Carl Schurz, then Secretary of the Interior, rendered an opinion in which, referring to the language of Supreme Court in the above-named case, in regard to the indemnity authorized by the grant under consideration, he stated that in the circuit court for the district of Wisconsin, in 1879, Justice Harlan had expressed different views from those announced by the Supreme Court of the United States, and held that under a grant similar to that involved in the case of the Leavenworth, Lawrence and Galveston Railroad Company *vs.* The United States indemnity lands are allowed in lieu of lands disposed of by the United States either before or after the date of the grant, and therefore advised the Secretary of the Interior to return to the practice which had prevailed in his Department prior to the above-mentioned decision of the Supreme Court, and award indemnity lands to railroad companies in lieu of lands otherwise disposed of by the United States either before or after the dates of their respective grants; and

Whereas Secretary Schurz on the 16th of October, 1880, accepted the opinion of Attorney-General Devens and directed the Commissioner of the General Land Office to be governed thereby in the certification of indemnity lands to railroad companies instead of being governed by the ruling of the Supreme Court of the United States: Therefore,

Resolved, That the Secretary of the Interior be requested to inform this House how much land has been certified or patented for the benefit of railroad companies since the date of the above-named decision of the Supreme Court of the United States as indemnity for lands sold or otherwise disposed of by the United States prior to the dates of the respective grants; and in aid of what roads such patents or certified lists have been issued, or are intended to be issued; and that he further inform this House whether the order of his predecessor directing the Commissioner of the General Land Office to be governed by the opinion of the Attorney-General and the alleged decision of the United States circuit court for the district of Wisconsin rather than by the decision of the Supreme Court of the United States is still in force in his Department.

DONATION OF CONDEMNED CANNON.

Mr. HOLMAN also introduced a bill (H. R. 7346) donating condemned cannon and cannon-balls to Alois O. Bachman Post, No. 26, of the Grand Army of the Republic, district of Indiana; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

W. O. MADISON.

Mr. KASSON introduced a bill (H. R. 7347) to authorize an increase of the pension of W. O. Madison; which was read a first and second

time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN J. TRAHN.

Mr. CARPENTER introduced a bill (H. R. 7348) for the relief of John J. Trahn; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES H. DUNCAN.

Mr. PHISTER (by request) introduced a bill (H. R. 7349) for the relief of James H. Duncan; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES KENNEY.

Mr. WEBBER introduced a bill (H. R. 7350) for the relief of James Kenney; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PETER LENNON.

Mr. SPAULDING introduced a bill (H. R. 7351) to increase the pension of Peter Lennon; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MORRILL BRYANT.

Mr. WASHBURN introduced a bill (H. R. 7352) for the relief of Morrill Bryant; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PROTECTION OF LIFE IN HOTELS.

Mr. BLAND introduced a bill (H. R. 7353) to provide for the better protection of life against fire in hotels and lodging-houses in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

WILLIAM MARTIN.

Mr. HASELTINE introduced a bill (H. R. 7354) for the relief of William Martin; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

WILLIAM MALLORY.

Mr. BREWER submitted the following resolution; which was referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be directed to pay William Mallory for services as a laborer in the document-room during recess of Congress, and that he be paid out of the contingent fund of the House.

REDUCTION OF TAXATION.

Mr. HARDY introduced a bill (H. R. 7355) to impose duties upon foreign imports, to reduce taxation, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ELIZABETH AURAND.

Mr. PRESCOTT introduced a bill (H. R. 7356) for the relief of Elizabeth Aurand; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EQUALIZATION OF BOUNTIES.

Mr. RICHARDSON, of New York, introduced a bill (H. R. 7357) to equalize bounties; which was read a first and second time, referred to the Select Committee on the Payment of Pensions, Bounty, and Back Pay, and ordered to be printed.

WIDOWS AND DEPENDENT MOTHERS.

Mr. RICHARDSON, of New York, also introduced a bill (H. R. 7358) to increase the pensions of widows and dependent mothers; which was read a first and second time, referred to the Select Committee on the Payment of Pensions, Bounty, and Back Pay, and ordered to be printed.

KATE L. CUSHING.

Mr. COX, of New York, introduced a bill (H. R. 7359) for the relief of Mrs. Kate L. Cushing; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF RULES.

Mr. COX, of New York, also submitted the following resolution; which was referred to the Committee on Rules, and ordered to be printed:

Resolved, That the seventh clause of Rule XI be amended by adding at the end of the paragraph the following:

"*Provided*, That in reporting bills making appropriations for rivers and harbors said Committee on Commerce shall make said report in two separate bills, the first to include all appropriations for improvements upon the sea, lake, and Gulf coasts and of rivers navigable through two or more States or parts of States, and the second to include rivers of local or State commerce only."

HOSEA A. SHADLE.

Mr. RITCHIE introduced a bill (H. R. 7360) granting a pension to Hosea A. Shadle; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FORD POST, GRAND ARMY OF THE REPUBLIC.

Mr. RITCHIE also introduced a bill (H. R. 7361) granting condemned cannon and cannon-balls to Ford Post, No. 14, Grand Army of the Republic, at East Toledo, Ohio, for monumental purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MARY COLE.

Mr. MOREY introduced a bill (H. R. 7362) granting a pension to Mary Cole; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM H. HULS.

Mr. NEAL (by request) introduced a bill (H. R. 7363) for the relief of William H. Huls; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELENOR STOUGH.

Mr. GEDDES introduced a bill (H. R. 7364) to restore to the pension-roll the name of Elenor Stough; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JULIET MILLER.

Mr. SHALLENBERGER introduced a bill (H. R. 7365) granting a pension to Juliet Miller; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JUDAY ADAMS.

Mr. SHALLENBERGER also introduced a bill (H. R. 7366) granting a pension to Juday Adams; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DU BOIS SYSTEM OF NAVIGATION.

Mr. BAYNE. I submit the following resolution for reference:

Resolved, &c., That the Chief Engineer of the United States Army be, and he hereby is, requested to examine or cause to be examined the Du Bois system for improvement of the navigation of the Alleghany River in Pennsylvania, together with such recommendations as may relate thereto.

The SPEAKER. The Chair thinks that is not in order under this call.

Mr. BAYNE. Then I ask unanimous consent to introduce it under this call for reference.

The SPEAKER. It is not usual to ask for unanimous consent on this call.

AMENDMENT OF PATENT LAWS.

Mr. BAYNE (by request) introduced a bill (H. R. 7367) to amend section 4887 of the Revised Statutes, relating to patents; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

W. H. H. COLEMAN.

Mr. MOSGROVE introduced a bill (H. R. 7368) granting a pension to W. H. H. Coleman; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ABRAHAM MYERS.

Mr. WISE, of Pennsylvania, introduced a bill (H. R. 7369) granting a pension to Abraham Myers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BONDS OF PAYMASTERS, UNITED STATES ARMY.

Mr. WALKER (by request) introduced a bill (H. R. 7370) relating to the bonds of the Pay Department of the Army, and for the settlement of their accounts; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SAMUEL YOUNG.

Mr. WISE, of Pennsylvania (by request), introduced a bill (H. R. 7371) for the relief of Samuel Young; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

STEAM MACHINERY AND ELEVATORS, EXECUTIVE DEPARTMENTS.

Mr. GARRISON (by request) introduced a bill (H. R. 7372) to provide against accidents from steam machinery and elevators in the Executive Departments; which was read a first and second time.

Mr. GARRISON. I ask the reference of this to the Committee on Appropriations.

The SPEAKER. The Chair thinks the bill should go to the Committee on Public Buildings and Grounds.

Mr. GARRISON. I introduced it simply by request. The parties desire it to go to the Committee on Appropriations.

The SPEAKER. It should properly go to the Committee on Public Buildings and Grounds, they having jurisdiction of the matter. If the reference is erroneous correction may hereafter be made.

The bill was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

GEORGE W. LOOMIS.

Mr. PEIRCE introduced a bill (H. R. 7373) for the relief of George W. Loomis; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ROBERT MONAHAN.

Mr. HAZELTON introduced a bill (H. R. 7374) granting a pension to Robert Monahan; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES SHEEHAN.

Mr. DUESTER introduced a bill (H. R. 7375) for the relief of James Sheehan; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANNUAL ASSEMBLING OF CONGRESS.

Mr. BLANCHARD introduced a bill (H. R. 7376) establishing the time when the term of Congress shall be held to begin and end, and when Congress shall meet; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CHILDREN AND HEIRS OF THE LATE CHRISTOPHER CARSON.

Mr. LUNA introduced a bill (H. R. 7377) for the relief of the children and heirs of the late Christopher Carson; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

LIEUTENANT F. M. H. KENDRICK.

Mr. POST introduced a bill (H. R. 7378) for the relief of Lieutenant F. M. H. Kendrick; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

BIGAMY, POLYGAMY, ETC.

Mr. WILLITS introduced a bill (H. R. 7379) to provide for the further suppression of the crimes of bigamy, polygamy, and unlawful cohabitation in the Territories of the United States, and to provide for the better government of the Territory of Utah, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ALLOTMENT OF LANDS IN SEVERALTY.

Mr. HASKELL (by request) introduced a bill (H. R. 7380) to provide for the allotment of lands in severalty to the Ottawas of the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

TEST AND OTHER OATHS.

Mr. COVINGTON introduced a bill (H. R. 7381) to amend sections 1756 and 1758 and to repeal section 1757 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

APPOINTMENT OF LETTER-CARRIERS.

Mr. BUCK introduced a bill (H. R. 7382) in relation to the appointment of letter-carriers; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

JOSIAH HOOVER.

Mr. VALENTINE introduced a bill (H. R. 7383) for the relief of Josiah Hoover; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HENRY FOWLER.

Mr. CALDWELL introduced a bill (H. R. 7384) for the relief of Henry Fowler; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The call of committees for the introduction of bills and joint resolutions and resolutions of inquiry for reference is now concluded.

NAVIGATION OF ALLEGHENY RIVER, PENNSYLVANIA.

Mr. BAYNE, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Commerce:

Resolved, That the Secretary of War be, and hereby is, requested to cause to be examined the Du Bois system for improving the Allegheny River, Pennsylvania, and to report the result thereof to the House, together with such recommendation as may properly relate thereto.

TENTH CENSUS.

Mr. CASWELL. I rise to make a privileged report. I am instructed by the Committee on Appropriations to report for immediate consideration the joint resolution which I send to the desk.

The Clerk read as follows:

Resolved, &c., That the sum of $200,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to continue the work in the Census Bureau, $100,000 to be immediately available, and $100,000 to be available on and after July 1, 1883.

The SPEAKER. What action is asked on this resolution?

Mr. HISCOCK. Its immediate consideration.

Mr. HOLMAN. I trust the gentleman from Wisconsin [Mr. CASWELL] will make some explanation of this measure.

Mr. CASWELL. The fund for the present year is entirely exhausted, and the Secretary of the Interior has been obliged to furlough over one hundred clerks, and will be obliged to furlough nearly all of the others at the close of this month unless this appropriation is made. If this appropriation is made we are promised fourteen out of the fifteen quarto volumes by the 1st day of June. If the force is to be furloughed and scattered, the bureau will necessarily become very much demoralized and the work will be greatly retarded. The appropriation seems to be necessary.

Mr. ATKINS. I ask the gentleman who offers this resolution if he thinks this will be the end of the business?

Mr. CASWELL. Judging by the past, it will be very unsafe to make a prediction as to that.

Mr. ATKINS. I think so. It is about the third or fourth time we have appropriated to complete the Tenth Census. I hope this will be the last.

Mr. CASWELL. I will say the estimate of the Census Bureau was that $175,000 would be required; but to make it entirely safe we put in $200,000.

The joint resolution (H. Res. 323) making appropriations for continuing the work of the Tenth Census was read a first and second time, and was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CASWELL moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. NEAL. I demand the regular order.

Mr. ROBESON. I move to dispense with the morning hour.

Mr. NEAL. There is no morning hour to-day.

Mr. ROBESON. Then I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the purpose of resuming the consideration of the naval appropriation bill.

The SPEAKER. The regular order would be the call of committees for reports.

Mr. JOYCE. If we can not be allowed to put in a report occasionally, I am in favor of having the regular order and having the committees called.

Mr. NEAL. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NEAL. I want to know if the resolution setting apart to-day for the consideration of business to be reported from the Committee on the District of Columbia does not of itself dispense with the morning hour until after the disposition of that business.

The SPEAKER. The Chair will look at the resolution.

Mr. NEAL. Business reported from the Committee on the District is in order after the call of States for bills and joint resolutions.

The SPEAKER. The Chair finds that the gentleman from Ohio is right in his recollection about that.

Mr. NEAL. Now I will yield to the gentleman from Vermont [Mr. JOYCE] to make a report.

HEIRS OF COLORED SOLDIERS.

Mr. JOYCE, by unanimous consent, from the Select Committee on the Payment of Pensions, Bounty, and Back Pay, reported, as a substitute for H. R. 7002, a bill (H. R. 7385) providing for the payment of bounties and pensions to the heirs of colored troops serving in the late war; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

MUSKOGEE INDIANS.

Mr. SPAULDING, by unanimous consent, from the Committee on Indian Affairs, reported back a memorial of the Muskogee Indians, asking an appropriation for certain lands under treaty of June 14, 1866, and moved that the committee be discharged from the further consideration of the same, and that it be referred to the Committee on Appropriations.

The motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Ohio [Mr. NEAL] is recognized.

Mr. ROBESON. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROBESON. I desire to know what is the regular order.

The SPEAKER. This being the fourth Monday of the month, in pursuance of an order made by unanimous consent of the House the regular order after the call of States and Territories for bills and joint resolutions is the consideration of such business as may be presented by the Committee on the District of Columbia. This order takes effect immediately after the call of States, and without first dispensing with the morning hour for the call of committees.

Mr. ROBESON. I desire to ask if that takes precedence of appropriation bills now under consideration?

The SPEAKER. The Chair thinks it does.

Mr. NEAL. I will state to the gentleman from New Jersey [Mr. ROBESON] and to the House that there are two or three measures on the Speaker's table which have come over from the Senate which we desire to have considered.

The SPEAKER. What business does the gentleman from Ohio [Mr. NEAL] propose to call up under the special order?

DISTRICT POLICE FORCE.

Mr. NEAL. I now call up from the Speaker's table House bill No. 3575, to increase the police force of the District of Columbia, and for other purposes, which has been returned from the Senate with amendments, and to move to concur in the Senate amendments.

The SPEAKER. The amendments will be read.

The amendments were read, as follows:

In line 8, section 1, strike out "300" and insert "250;" so that it will read:

"That section 340 of the Revised Statutes of the United States, relating to the District of Columbia, be, and the same hereby is, amended so as to read as follows:

"The police force shall consist of the following officers, namely: One major, one captain, ten lieutenants, twenty sergeants, such number of privates, not exceeding two hundred and fifty, for the regular service."

In line 9, strike out "board" and insert "commissioners;" so as to read:

"For the regular service as the commissioners may deem necessary."

In line 9, strike out "and eight detectives."

Strike out the following:

"SEC. 2. That the commissioners of the District of Columbia are hereby authorized to appoint one additional clerk for service at police headquarters."

Amend the bill by adding the following:

"SEC. 2. That the detective force established by the aforesaid section of the Revised Statutes of the United States, relating to the District of Columbia, be, and the same is hereby, abolished.

"SEC. 3. That the commissioners of the District of Columbia are hereby authorized to detail, from time to time, from the privates of the police, such number of privates, not exceeding six, as may in their judgment be necessary, for special service in the detection and prevention of crime; and such privates so specially detailed shall be entitled to receive and shall be paid the compensation now allowed by law to the detective force abolished by this act, during such time as they shall continue so detailed by the order of the commissioners.

"SEC. 4. That the commissioners may, and they are hereby authorized to, appoint not more than six privates to be members of the police force, from among citizens of the United States who have or have not served in the Army and Navy of the United States, but who shall possess all the other qualifications prescribed by section 354 of the Revised Statutes of the United States, relating to the District of Columbia."

Mr. BUTTERWORTH. I desire to ask a question in regard to this bill.

Mr. NEAL. I desire to state that the Senate amendments reduce the number of privates from three hundred, as proposed by the bill that passed the House, to two hundred and fifty. They further abolish the detective force, and in view of the revelations made within the last few days in regard to the detective force of the District of Columbia it must strike every member of this House that the Senate amendment in that respect is an eminently wise provision.

The amendments of the Senate further provide that from the privates on the police force the commissioners may detail six men to act as detectives, and it authorizes them to appoint these six men either from honorably discharged soldiers or those who have not been soldiers, according to their judgment of the capacity and qualifications of the men. Those are the only changes made by the bill as it passed the House. All the other policemen upon the force are required under the law to have been honorably discharged soldiers or sailors in the American Army or Navy.

Mr. BUTTERWORTH. That is just what I desired to ask my friend; whether there was any change in the law that gives preference to honorably discharged soldiers and sailors?

Mr. NEAL. Only as to the six men who are to be employed as detectives, and the wisdom of that everybody will recognize.

The amendments of the Senate were concurred in.

Mr. NEAL moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

GAMING IN THE DISTRICT OF COLUMBIA.

Mr. URNER. I am instructed by the Committee on the District of Columbia to call up from the Speaker's table House bill No. 1294, more effectually to suppress gaming in the District of Columbia, returned from the Senate with amendments, and to move that the amendments of the Senate be concurred in with an amendment.

The SPEAKER. The amendments of the Senate will be read.

The amendments were read, as follows:

Page 1, lines 12 and 13, strike out the words "less than two nor."

Page 1, lines 14 and 15, after the word "Columbia," insert the word "knowingly."

Page 1, line 21, strike out the words "and not less than three months," and insert the word "not."

Page 2, line 9, strike out the words "less than one nor."

Page 2, lines 17 and 18, strike out the words "this act shall take effect from the date of its passage and."

Page 2, line 18, strike out the word "herewith" and insert the words "with this act."

Mr. URNER. The Committee on the District of Columbia have instructed me to move to amend the amendment of the Senate by striking out the word "nor" in line 21. The purport of the Senate amendment in that line is to strike out the minimum punishment and leave it to the discretion of the court.

The SPEAKER. Is it proposed to amend the Senate amendment or the body of the bill?

Mr. URNER. It is proposed to amend the Senate amendment by striking out one word more than the Senate amendment strikes out.

Mr. NEAL. It is simply a verbal mistake on the part of the Senate in not striking out the word "nor." The amendment inserts the word "not," but does not strike out the word "nor," which should have been done.

Mr. ROBINSON, of Massachusetts. As I heard the amendments read, one of them inserts the word "knowingly" somewhere. I would like to have that portion of the bill read as it would be amended by inserting the word "knowingly," for that may make an important change in the bill.

The section, as proposed to be amended, was read, as follows:

SEC. 2. That every person who shall, in the District of Columbia, knowingly permit any gaming table, bank, or device to be set up or used, for the purpose of gaming, in any house, building, vessel, shed, booth, shelter, lot, or other premises to him belonging, or by him occupied, or of which he hath at the time the possession or control, shall, on conviction, be adjudged guilty of a misdemeanor, and punished by imprisonment for not more than one year, and by fine not exceeding $500.

The amendment to the amendment of the Senate was agreed to, and the amendments of the Senate as amended were concurred in.

Mr. URNER moved to reconsider the votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EXTRADITION FROM DISTRICT OF COLUMBIA.

Mr. HOGE, from the Committee on the District of Columbia reported back with a favorable recommendation the bill (H. R. 7289) to confer upon the senior associate justice of the supreme court of the District of Columbia, in the absence or inability of the chief-justice of said court, the powers and duties now conferred upon said chief-justice relative to the extradition of fugitives from justice.

The bill was read, as follows:

Be it enacted, &c., That the powers conferred upon, and the duties prescribed for, the chief-justice of the supreme court of the District of Columbia, in relation to fugitives from justice, by section 843 of an act entitled "An act to revise and consolidate the statutes of the United States, general and permanent in their nature, relative to the District of Columbia, in force on the 1st day of December, in the year of our Lord 1873," approved June 22, 1874, shall, in case of his absence or disability, devolve upon, and be discharged by, the senior associate justice of said court who may be present in said District and able to act.

SEC. 2. That this act shall take effect from and after its passage.

The bill was ordered to be engrossed for a third reading; and was accordingly read the third time, and passed.

Mr. HOGE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PASSENGERS ON STREET RAILWAYS.

Mr. KLOTZ, from the Committee on the District of Columbia, reported back the bill (H. R. 7110) to regulate the carrying of passengers on the city railroad cars of the District of Columbia.

The bill was read, as follows:

Be it enacted, &c., That from and after the passage of this act it shall be unlaw- for any driver of any street-railway car within the District of Columbia, or any officer or employé of any street-railway car company within said District, or any person or persons owning or interested in any street-railway car company, to receive fare or compensation from any person or persons for riding in any street-railway car in said District after the seats in said cars are full and occupied, or after there is a sufficient number of persons within said car to fill and occupy said seats.

SEC. 2. That any persons offending against the provisions of the foregoing section shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding the sum of $20.

SEC. 3. That one-half of the fine imposed upon any person or persons shall be paid, in all cases of conviction, to the person who shall make complaint for the violation of the provisions of this act.

SEC. 4. It shall be lawful for the conductor or driver of any street-railway car to prevent any person from entering any street-railway car after the same is filled and the seats occupied, as provided in section 1 of this act.

SEC. 5. That this act shall take effect and be in force from and after its passage.

SEC. 6. That all acts and parts of acts and all laws contravening or conflicting with the provisions of this act are hereby repealed.

Mr. KASSON. I hope this bill will be laid on the table.

Mr. ROBINSON, of Massachusetts. Is this a unanimous report from the Committee on the District of Columbia?

Mr. GARRISON. It is not.

Mr. NEAL. The committee reported this bill without recommendation. I ask that the report be printed in the RECORD.

There was no objection. The report is as follows:

Mr. KLOTZ, from the Committee on the District of Columbia, submitted the following report:

That said bill was by the Committee on the District of Columbia ordered to be reported without recommendation.

Mr. ROBESON. I raise the question of consideration on this bill.

The question being taken, Will the House now consider the bill? it was decided in the negative.

The SPEAKER. The bill will be referred to the House Calendar.

COMMERCIAL AGENTS IN THE DISTRICT OF COLUMBIA.

Mr. KLOTZ, from the Committee on the District of Columbia, reported back the bill (H. R. 5461) to repeal the license tax on commercial agents in the District of Columbia.

The bill was read, as follows:

Be it enacted, &c., That the license tax upon commercial agents levied by existing law in the District of Columbia be, and the same is hereby, repealed; and that every person whose business it is to sell, or offer for sale, or solicit orders for sale of goods, wares, and merchandise by sample, catalogue, or otherwise, whether owner or agent, or whether acting for others or for himself, shall be held to be a commercial agent within the meaning of this act, and shall be exempted from such license tax.

Mr. NEAL. This bill is reported back without recommendation. I ask that the report be printed in the RECORD.

There was no objection. The report is as follows:

Mr. KLOTZ, from the Committee on the District of Columbia, submitted the following report:

That it was by the Committee on the District of Columbia ordered that said bill be reported to the House without recommendation.

Mr. TOWNSHEND, of Illinois. I hope the gentleman from New York [Mr. COX], who introduced this bill, will give us some explanation of it. I wish to know, in the first place, whether other persons doing business in the District of Columbia are not required to take out a license, and if so why is it proper to exempt these parties from a license tax?

Mr. COX, of New York. In reply to my friend from Illinois, I will say that this question was pretty thoroughly discussed at the last session, and it was generally agreed in the House that these commercial agents ought to be exempted. The licenses granted upon payment of this tax have been farmed out by a class of commercial brokers to other persons, who came here and did business upon the payment of a small sum, so that the District received very little revenue. This tax adds to the price of articles sold, and there is no reason why merchandise should be subjected to a tax of this kind when other commodities are not. A similar exemption already exists in nearly all the cities of the country.

Mr. BUTTERWORTH. Do I understand that this tax is now $250?

Mr. COX, of New York. Two hundred dollars.

Mr. BUTTERWORTH. This bill removes it altogether?

Mr. COX, of New York. Yes, sir.

The bill was ordered to be engrossed for a third reading; and was accordingly read the third time.

The question being taken on the passage of the bill, there were—ayes 80, noes 34.

So the bill was passed.

Mr. COX, of New York, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. NEAL. My colleague on the committee, the gentleman from Indiana [Mr. PEIRCE], has a conference report which we wish to have presented at this time.

Mr. ROBESON. That can come in at any time; it is privileged.

CAPITOL, NORTH O STREET AND SOUTH WASHINGTON RAILWAY.

Mr. PEIRCE. I rise to a question of privilege, and submit the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to House bill 2871 report as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

That the Senate recede from its amendment numbered 3.

R. B. F. PEIRCE,
ROBERT KLOTZ,
S. F BARR,
Committee on the part of the House.

E. H. ROLLINS,
J. W. McDILL,
Z. B. VANCE,
Committee on the part of the Senate.

Mr. HOLMAN. I have not been able to hear what the title of the bill is.

The SPEAKER. The report just read is the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 2871) to provide for the extension of the Capitol, North O Street and South Washington Railway.

Mr. SPEER. How does that conference report leave the amendments? In order that we may know, I ask that the amendments be read.

The SPEAKER. The question is on the adoption of the conference report.

Mr. SPEER. I want the amendments read, so we may know what we are voting on.

The SPEAKER. If there be no objection, the amendments will be read.

Mr. RANDALL. Where is the statement which should accompany this conference report?

The SPEAKER. The Chair understands there is no statement.

Mr. RANDALL. I object until we have a statement accompanying it.

The SPEAKER. The Chair would like to have the attention of the gentleman from New York. Is there a statement, in accordance with the rule, to accompany this conference report?

Mr. PEIRCE. There is no statement, but the conference report shows exactly the action of the committee on the amendments of the Senate.

Mr. SPEER. I object.

The SPEAKER. There is objection, and the conference report will be withdrawn for the present.

Mr. PEIRCE. There is a statement of the action of the committee of conference.

The SPEAKER. Where is it?

Mr. PEIRCE. It is in the conference report.

The SPEAKER. But there is no statement accompanying the report, as provided by the rules of the House. The report will be withdrawn until a statement can be prepared.

REBECCA DOUGHERTY.

Mr. DEZENDORF, from the Committee on the District of Columbia, reported a bill (H. R. 7386) for the relief of Rebecca Dougherty; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PROPOSED EVENING SESSION.

Mr. KELLEY. Mr. Speaker, I move, by unanimous consent, the House take a recess this afternoon, in order that we may have an evening session to be devoted to the naval appropriation bill. [Cries of "No!"] Merely for the purpose of considering the naval appropriation bill. I move, then, that at half past 4 o'clock the House take a recess until 7 o'clock this evening, for the purpose of continuing the consideration of the naval appropriation bill.

Mr. BLOUNT. There must be a quorum present for the consideration of the naval appropriation bill. Does this require unanimous consent?

The SPEAKER. At this time it does.

Mr. BLOUNT. I object.

CONSULAR FEES.

The SPEAKER, by unanimous consent, laid before the House a letter of the Secretary of State, transmitting a statement of fees collected by diplomatic and consular officers of the United States during the last fiscal year, together with a tariff of fees and a list of consular officers in office January 13, 1883; which was referred to the Committee on Foreign Affairs, and ordered to be printed.

LEAVE OF ABSENCE.

Mr. KING, by unanimous consent, was granted leave of absence for to-day on account of sickness.

NAVAL APPROPRIATION BILL.

Mr. ROBESON. I move to dispense with the morning hour for the call of committees for reports.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. ROBESON. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAGE in the chair, and resumed the consideration of the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of further considering the naval appropriation bill. The gentleman from Georgia [Mr. BLOUNT] is entitled to the floor. By order of the House general debate on the pending bill has been limited to one hour.

Mr. BLOUNT. Mr. Chairman, the gentleman from New Jersey in presenting this bill to the House undertook during the course of his remarks to contrast it with bills of a similar character of previous years as an appropriation bill. I shall undertake before I conclude my remarks to show on the contrary that it is one of general legislation, not only as to the *personnel* of the Navy, but as to the increase in the number of vessels and other material facts connected with it. I shall attempt to show that the amounts indicated do not by any means disclose the expenditures which are authorized by the bill, and which necessarily follow from its adoption.

We hear annually, as this naval bill comes before us for consideration, a criticism as to the weakness or disabled condition of the American Navy. The present has been no exception to the general course. We have found the Committee on Naval Affairs deploring this condition; reciting the various suggestions they have seen fit to make with reference to increasing that Navy, and to diminish the difference alleged to exist between it and that of the other powers of the world. We have heard them complain on this floor that they have had no hearing for their committee, and that the American Navy has been suffering because of the rules of the House.

Mr. Chairman, gentlemen are mistaken when they attribute the failure of this House to consider propositions to increase the Navy of the United States to our rules. It is competent for the House to consider such measures when in the judgment of the House they see fit to do so. The rules offer in such cases no obstruction to legislation. The difficulty arises from another cause. It arises from the want of any necessity for a great navy in this country. Great Britain has her navy of 58,000 men. British pride is ever ready to vote what immense sums of money for its *personnel* and material may be required to keep

that navy up to its maximum strength. Why is this? Because by the experience of centuries her very national existence may hang on her ability to guard and command the English Channel. It is because of her immense commerce and because of her colonial possessions. Her very national life is at stake and rests upon her navy; and Englishmen with pride have ever pointed to their navy. So it is also to some extent with the other continental powers of Europe. Their location, their proximity to each other, engenders many irritating questions which are likely at any time to provoke to war; and for that reason they consider the necessities of maintaining powerful navies and vast standing armies.

I have before me a statement of the number of men in the French navy, showing 48,000; Great Britain and Ireland, 58,000; and so on I might give in detail the tables compiled from official resources of all the navies of the world. But it is not necessary in this connection. The same complaint is sometimes made in reference to the Army bill. Let us make a comparison for a moment. We have 25,000 men in our Army; Austro-Hungary have 289,000 men; France has 502,000; Germany, 445,000 men; Italy, 736,000; even Turkey has an army of 350,000 men. What, Mr. Chairman, is the meaning of this? It is the outgrowth of necessity. It is the national wants of those countries, their location and surroundings requiring for their national preservation immense armies and navies. We, on the other hand, are far removed from all such complications. An immense sea divides us from the dangers that threaten these countries. The irritating questions which demand their vast expenditures in this direction do not belong to us, and there is no apprehension that would justify in the minds of the American people a large standing army or a powerful navy.

There is no apprehension of danger in the minds of our people which would tolerate anything like the expenditures for a navy which we find in some of the maritime countries of the world. Gentlemen on the Committee on Naval Affairs of this House do not, in my judgment, rightly understand this House, therefore, when they claim that the reason for our not undertaking to build up a navy lies in the prohibition imposed by the rules of the House. There is no want of an ample navy for this country situated as we are here. Our great strength lies not in our Army nor in our Navy, but it lies in our situation; it lies in our great prosperity, in our vast territory, in the increase of our population, natural and by immigration, and in the vast resources which afford business channels for all of our people. In all of these consists our defense, and no nation on this earth dares, in view of the resources at our command, wantonly to offer us an insult.

But we are constantly, as I have said, having reflections of this sort made. They come generally from our ship-yards. They come often in the form of circulars and communications of all sorts finding their way into the press, and even having some currency upon the floor of the House. For myself I am opposed to the idea in this free country of magnifying the Army or the Navy. The people of the country have an intuitive conception of their wants. Whenever our situation shall change, whenever danger shall come by reason of inefficient organization, either of the Army or the Navy, the great heart and head of the American people will respond, as they have done in the past, to the exigencies of the occasion and supply all necessities.

I find, Mr. Chairman, following the division that the gentleman in charge of this bill has seen fit to adopt in discussing it and the order in which he has arranged the subjects, that he takes here first the *personnel* of the Navy. And here I may be permitted to say that I desire to give credit to the gentleman in charge of this bill [Mr. ROBESON] for what we, especially on this side of the House, have complained of for many years, and that is the reduction in the number of officers in the last appropriation bill. Rightly the rules of the House permit on appropriation bills a retrenchment of expenditures by reducing the number of officers. We have discussed the policy of reducing the number of officers time and again, but from various disagreements the solution of the question has not been reached. It was the good opportunity of the gentleman in charge of this bill to have suggested and to have found both sides of the House co-operating with him in the reduction of the number of officers in the Navy.

But this reduction has not gone far enough. The reductions are small compared with the great excess that we now have. But about one-third of the officers of the Navy can be employed at sea. We have for years permitted a statute to remain on our books which has sent candidates from the Congressional districts to the Naval Academy the cadets graduating and coming in to increase the already great surplus of officers; and while we arraign the organization of the Navy, with its excess of officers of the staff and line, it is but just to say that the real fault is also largely in the unwillingness on the part of Representatives themselves to give up the privilege they enjoy of appointing cadets from their several districts. I should be gratified, Mr. Chairman, if the present bill not only abolished the office of commodore but of rear-admiral also. The offices of Admiral and Vice-Admiral expire I believe under our statutes with the life of the present incumbents; and I repeat that I should have been glad to see rear-admirals as well as commodores go out.

Prior to the war we had no such office. The highest grade was that of captain. Now we have eleven rear-admirals and twenty-five commodores. The number of officers is not so largely increased over what it was before the war as are the rank and the emoluments of the position. We ought to reduce the higher grades—they are but what has been left of the war—limiting the position to the life of the present incumbents. I think we ought to go back to *ante bellum* periods in the matter of officers of the Navy. The system answered our purposes well then and will do so again.

The gentleman in charge of the bill [Mr. ROBESON] in the discussion of it declared that there was no such place as the office of commodore in the British navy. I have taken occasion to examine several books. I have one here entitled "British Navy List, 1882," in which I find the following extract from the Admiralty Regulations of 1879:

The officers of Her Majesty's navy shall be divided into two branches, namely: A military branch and a civil branch. The military branch shall consist of the undermentioned officers, and they shall, with the exceptions hereinafter mentioned, rank and take precedence in the following order: 1. Admiral of the fleet. 2. Admirals. 3. Vice-Admirals. 4. Rear-Admirals. 5. Commodores. 6. Captains, &c.

I find, likewise, the same arrangement in the "Admiralty Regulations" for 1882. The gentleman, therefore, is mistaken in the allegation that there is no such grade as that of commodore in the British navy.

Mr. ROBESON. Will my friend pardon me?

The CHAIRMAN. Does the gentleman yield?

Mr. BLOUNT. Certainly.

Mr. ROBESON. I think the gentleman from Georgia is mistaken, if he says there is such a grade known in the English navy. They have by their regulations and provisions just what we had before the war. They have captains that are assigned special duties, and while on those duties they are called commodores.

Mr. BLOUNT. I have just read, Mr. Chairman, a regulation of the admiralty declaring what officers should exist: First, admiral of the fleet; second, admirals; third, vice-admirals; fourth, rear-admirals; fifth, commodores; sixth, captains, &c.

Mr. ROBESON. I will send for the regulations, which will show how that is.

Mr. BLOUNT. I do not know anything of any higher authority that we could have than what I have here before me. I read from the Navy List and the Regulations of the British Admiralty Board, 1882.

Now, Mr. Chairman, I do not wish in citing this to be understood as being opposed to the provision of the bill striking out the grade of commodore. I may be pardoned by the gentleman from New Jersey if I say—it is a suggestion only—that perhaps in the multitude of his duties on the Appropriations Committee he has not been absolutely accurate in the facts upon which he has based his conclusions in this bill.

Mr. ROBESON. If the gentleman from Georgia will permit me, I will read from the Admiralty Regulations and Instructions.

Mr. BLOUNT. Of what date?

Mr. ROBESON. The present regulations. I will quote from page 39.

Mr. BLOUNT. Of what date?

Mr. ROBESON. This is the latest.

Mr. BLOUNT. I was reading from the last regulations.

Mr. ROBESON. The gentleman was reading from the Navy List. I read from the Regulations, paragraph 167.

A captain, when authorized to bear a broad penant, shall have the temporary title and rank of commodore, of which there shall be two classes.

Then it goes on to say what they shall be. And those are the only commodores that are known in the English service.

Mr. BLOUNT. Now, I am sure what the gentleman from New Jersey has read does not in any way affect what I have said. I hold in my hand the Admiralty Regulations of 1882, in which there is an express declaration of the various grades in the English navy.

Mr. ROBESON. Let me have those regulations when you are through with them.

Mr. BLOUNT. I will let the gentleman have them directly. There is no conflict between the gentleman from New Jersey and myself, or between the authorities which he and I have read from.

Now, I find that the gentleman from New Jersey, in providing for sea-service in his bill, directs that no lieutenant, unless he shall have seen six years' service at sea as a lieutenant, shall be deemed fit to be promoted.

In the British service only two years are required. No commander, says this bill, shall be promoted unless he shall have seen three years' service at sea in command of a United States vessel or vessels. The English regulations provide simply for one year of service. The effect, Mr. Chairman, of this is to postpone beyond an age at which these gentlemen are most efficient the time of their promotion. They take all the disadvantage which comes from the error of overloading the *personnel* of the Navy.

You have now, as I have already stated, two-thirds of your Navy unprovided with sea-service by reason of the number of your vessels and by reason of our continuing to fill up the list of the officers of the Navy. Now, I submit, sir, that at this time, after these gentlemen have thus advanced far in life, we should not suddenly put upon them these requirements as to sea-service. The gentleman from New Jersey says that they must suffer for the public service. Mr. Chairman, if we were to reorganize this system and perfect it as to all the officers of the Navy, I would be content to follow him to the extreme limit upon this bill

But I find the gentleman, when it comes to the matter of promoting the captain, abolishes the office of commodore and directs promotions to rear-admiral to be made from the present grades of commodore and captain, and as to captain there is no qualification as to sea-service. Why is this? Why do you take a captain and make him a flag officer and provide that he may be promoted without any reference to sea-service? All the lower grades you carefully guard; but when you come to the most important appointment you fail to require qualification as to sea-service.

Now the gentleman has seen fit to quote from the British policy. I hold in my hand the Queen's Regulations and Admiralty Instructions. On page 52, after providing one, two and three years' sea-service for the lower grades, there is this regulation as to captains:

To qualify a captain whose seniority brings him in turn for advancement to the active list of flag officers, he must have commanded one or more of Her Majesty's ships as captain four complete years during war, or six complete years during peace, or five complete years during war and peace combined.

Why is it that in the matter of the promotion of a captain in our Navy the gentleman from New York has not seen fit to follow the very wise policy of the British Government in the matter of requiring higher sea-service for persons to be promoted to flag officers than in other branches of the service?

The gentleman has said that the reason for that lies in the fact that we do not have any vessels suitable for captains. Now the Navy list shows that we have had some captains at sea, and if we have had a portion we might have had more. If we have no vessels for captains, if they can not obtain the qualification by sea-service necessary to make admirals of them, why this favoritism to them and this harshness to others? Why not rather abolish the office of captain, if you have no place for them in the sea-service?

The gentleman is content to adopt the seniority rule in the lower grade, but when he comes to the promotion of captains he provides for the appointment of three officers by the Secretary of the Navy, who shall name three officers, select five names to be presented to the President of the United States, and the President from that number shall select one for flag officer. In connection with that proposition I desire to call attention to the system which we now have, to the provisions regarding the selection of rear-admirals both during war and during peace. Section 1365 reads as follows:

During war rear-admirals shall be selected from those officers on the active-list, not below the grade of commanders, who shall have eminently distinguished themselves by courage, skill, and genius in their profession; but no officer shall be so promoted under this provision unless, upon recommendation of the President by name, he has received the thanks of Congress for distinguished service.

See how very careful Congress was when it was studying war, when it was comparing systems, when it was endeavoring to secure the best mode of organization, by providing that for this high grade there should be no variation from the seniority rule except with the qualifications I have read. Section 1366 provides:

SEC. 1366. During peace vacancies in the grade of rear-admiral shall be filled by regular promotion from the list of commodores, subject to examination according to law.

What was the law in regard to these examinations? Sections 1496 to 1503, both inclusive, are as follows:

SEC. 1496. No line officer below the grade of commodore, and no officer not of the line, shall be promoted to a higher grade on the active-list of the Navy until his mental, moral, and professional fitness to perform all his duties at sea have been established to the satisfaction of a board of examining officers appointed by the President.

SEC. 1497. In time of peace no person shall be promoted from the list of commodores to the grade of rear-admiral, on the active-list, until his mental, moral, and professional fitness to perform all his duties at sea has been established as provided in the preceding section.

SEC. 1498. Such examining board shall consist of not less than three officers, senior in rank to the officer to be examined.

SEC. 1499. Said board shall have power to take testimony and to examine all matter on the files and records of the Navy Department relating to any officer whose case may be considered by them. The witnesses, when present, shall be sworn by the president of the board.

SEC. 1500. Any officer whose case is to be acted upon by such examining board shall have the right to be present, if he so desires, and to submit a statement of his case on oath.

SEC. 1501. The statement of such officer, if made, and the testimony of the witnesses and his examination shall be recorded.

SEC. 1502. Any matter on the files and records of the Navy Department, touching each case, which may, in the opinion of the board, be necessary to assist them in making up their judgment, shall, together with the whole record and finding, be presented to the President for his approval or disapproval of the finding.

SEC. 1503. No officer shall be rejected until after such public examination of himself and of the records of the Navy Department in his case, unless he fails, after having been duly notified, to appear before said board.

Under these provisions of the statutes the promotion of a person to the office of rear-admiral is no child's play. His qualifications, mental, moral, and professional for sea-service are to be examined into. There is no regulation in regard to the term of years of service, but his qualifications in these respects are to be examined into by a board of officers senior to him in rank, the records of the Department are to be examined, the officer is to have the right to be heard, and when the board shall have made their selection then the President of the United States stands by with the power of declaring that the appointment shall not be made. He may approve or disapprove the selection.

Where, then, is the argument of my friend from New Jersey that the seniority rule means the advancement of stupidity, that only incapable men are likely to be promoted to the grade of rear-admiral? And what does my friend propose? How is he going to enforce his rule of the survival of the fittest? We have had these regulations which attest the judgment of the country in war and in peace. They have stood until the gentleman alone himself has seen fit now twice to urge a change upon the country.

Mr. ROBESON. The gentleman will pardon me. In the time of war the rule is selection from any rank; a midshipman may be made an admiral in time of war.

Mr. BLOUNT. I am afraid my friend is wrong again. I will not take the time to read the statute, but I do not understand it as he does. I think the gentleman will find a positive prohibition against making a rear-admiral of a midshipman; I know that.

Now, let us see what are the splendid provisions which are presented to us for improving the *personnel* of the Navy. I will read, commencing in line 77 of the bill:

Provided, That hereafter all promotions to the grade of rear-admiral on the active-list shall be made by selection from the grades of commodore and captain, and no more promotions to the grade of commodore shall be made, that grade being hereby abolished: *Provided, however*, That no commodore now in the service shall be reduced in rank or be deprived of his commission by reason of this act: *And provided further*, That when a vacancy in the grade of rear-admiral shall occur it shall be the duty of the Secretary of the Navy to convene a board of three officers, not below the grade of rear-admiral, who shall select the names of five officers not below the grade of captain, one of whom shall be nominated by the President to fill the said vacancy.

I wish now to call the attention of the committee to the English regulations on this subject. The gentleman said that no navy in the world except our own recognized the seniority rule in the promotion of flag-officers. On page 52 of the British admiralty regulations I find the following:

As vacancies occur on the active-list the captain first in seniority who has served for his flag as heretofore mentioned will be promoted, reserving, however, Her Majesty's undoubted right of selection—

Which is never used. This right of selection on the part of the Queen is merely a term of courtesy, because under the theory of the English Government she has absolute power to make all appointments in the navy, without regard to regulations. Thus we find that in the British service the captain first in seniority who is qualified according to sea service will be promoted unless the Queen shall see fit to exercise her right to prevent it. The board of admiralty are bound to see that he is promoted in that way. I read further from the admiralty regulations:

SEC. 2. To qualify a captain whose seniority brings him in turn for advancement for the active list of flag officers, he must have commanded one or more of Her Majesty's ships as captain four complete years during war, or six complete years during peace, or five complete years during war and peace combined.

Now, Mr. Chairman, it is clear that the British nation, with the proudest navy in the world, familiar with naval matters, the very country of all others that we would turn to for an example, has said to the officers of her navy, "the highest grade shall be open to you under the seniority rule."

Mr. ROBESON. Will the gentleman allow me a moment, as I shall not have an opportunity to reply to him?

Mr. BLOUNT. The gentleman will have a chance in the five-minute debate.

Mr. ROBESON. I merely want to suggest to my friend, if he will permit me——

Mr. BLOUNT. Certainly.

Mr. ROBESON. In the English service the selection is made in all the grades. A lieutenant is promoted to be a commander by selection; a commander to be a captain by selection; and then this picked lot of captains are allowed to go into the rear-admiral's grade by seniority. We, out of deference to our older officers, provide only that there shall be these selections when we get up to the higher grades.

Mr. BLOUNT. Mr. Chairman, in some of the lower grades there is a competitive examination. The selection that the gentleman refers to is made by the admiralty board; but the action of that board is governed by regulations as to the qualifications of the officers. The gentleman is proposing to advance a captain to a flag-officer without requiring any qualification.

How will it better the service to let the Secretary of the Navy or a board appointed by him name five persons from whom the President of the United States shall select? There is no examination provided; no qualification of the officers is required. These three rear-admirals are first to be selected by the Secretary of the Navy; and they make their nomination. Then comes the selection by the President of one of the five named. The gentleman concedes that there may be abuses under this system, but says that in the nature of things we must "trust to human action." Not so, Mr. Chairman. Whenever we can regulate human action for the benefit of the public we should not hesitate to do it. I have not the highest opinion of "human action" in political affairs.

Too recently have I seen the electoral commission divided by party lines—eight to seven—and the respective strength of each side cast one way or the other for the Presidential candidate. Too lately have I seen, under the official sanction of law, a man injected in this way into

the office of President of the United States and hold it four years with the acquiescence of the American people who was not elected. We find that under "human action" to-day your First Assistant Postmaster-General, instead of requiring qualifications for office, is going to every nook and corner of the land hunting out, not the best men, but at all events Republicans, to fill the places at his disposal.

Under "human action" we have seen the President and the heads of the Departments, availing themselves of technicalities in favor of human rights, permit the extortion from thousands of poor people in the public service of contributions from their hard earnings to be used in elections and for the purpose of corrupting the ballot. I am not charging this especially upon the Republican party. I fear that under any political organization there would be shortcomings.

How are we to expect perfect action in this matter? The Secretary of the Navy takes the initiative in the exercise of this power. Is he a partisan? Would he be influenced in the promotion of an official by political considerations? Would he in the selection of his three rear-admirals be able to have it understood who was his favorite in the list of commodores? Would it be possible that the board should select in their nominations some favorite of the Secretary of the Navy? Would it be possible that this man thus presented in the list might be disqualified upon any idea of his having sea-service? Would it be possible that such a man might be selected by the President of the United States and placed upon this service?

Mr. Chairman, is it not true that when men are intrusted with power there is danger of their abusing it? Is there not danger that under this machinery you would have your rear-admirals promoted by political influence? I know, sir, with the unsuspecting and inexperienced it is possible to believe that there would be nothing of this sort resorted to. I believe that it would be abused, that it would drag down the *personnel* of the Navy into the mire of our politics. We have recently passed the civil-service bill because the country felt that power was exercised without regulation and was abused, and that the country was in danger from it. So, sir, I apprehend that same feeling would exist within the sphere of the Navy of the United States.

Again, sir, the class of men in the American Navy is of a high order. These men have gone from the several Congressional districts by competitive examination into your academy. When they have passed that test they have gone into the regular service. They feel under the guarantees of the present regulations that political power can not touch them.

The manly sentiments of their nature are ever supporting and sustaining them. It is an arm of the public defense, and I would do nothing which by any possibility would make that body of men feel their promotions are in any wise to be affected by political power.

In the matter of qualification of sea-service, which I have passed over and to which I desire to return, I wish to say that the qualification of sea-service, without any additional legislation, is liable to this further objection.

The gentleman from New Jersey [Mr. ROBESON] says his object is to drive by interest the officers of the Navy into the sea-service. Mr. Chairman, who is there among the members on this floor who has had much length of service and come in contact with the officers of the Navy who has not found them complaining they could not get sea-service? I have met with accomplished gentlemen, some now on the list of captains, who have complained bitterly their life was one of idleness, and they did not have a fair share in the matter of sea-service. And when you hang their qualification for preferment on the will of a political Secretary of the Navy, not on any board of admiralty constructed after the English system, with the public eye of pride looking on it and watching its administration, when you submit, I say, the sea-service as a qualification to a political Secretary of the Navy, does not every officer in the Navy, with his ambition and his desire for advancement, feel at once that political power may damn him in spite of any effort of his own?

It has been said we ought to have this rule in the Army. I wish, Mr. Chairman, that in time of peace it were there, and the complaints which have run over this country about promotions in the Army would not now be felt. I would if I had the power, sir, keep this Army small, but I would place the officers of the Army and Navy both beyond the reach of any political influence.

Mr. Chairman, on page 14 of the bill I find this provision in connection with the appropriation for the Bureau of Construction and Repair:

Provided, That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs shall exceed 30 per cent. of the estimated cost of a new ship of the same size and like material: *Provided further*, That nothing herein contained shall deprive the Secretary of the Navy of the authority to order repairs of ships damaged in foreign waters on the high seas, so far as may be necessary to bring them home.

In the matter of the repair of wooden ships the Secretary of the Navy, with experienced officers around him, in my judgment should be left to determine this question for himself. I apprehend if this were actually put in force we would soon have scarcely any Navy, and we should hear more of John Roach and iron ships and the deterioration of the effective power of our vessels.

In connection with the appropriation for the Bureau of Steam-Engineering I find the same provision, and I object to it for the same reason. I believe that the Secretary of the Navy, with the advisers about him, is a far better judge of what the country wants than the Appropriation Committee of this or any other House. And I say this with the most perfect respect for the ability and integrity of that body.

Mr. ATKINS. I will state to the gentleman from Georgia the clause he read a moment ago is the present law.

Mr. BLOUNT. I understand there is a paragragh in the law of 1882—for this fiscal year—which provides as to the appropriation of that year that the discretion of the Secretary of the Navy shall be so regulated. But that is not a general provision, as my friend will find on examination.

Mr. ATKINS. No, sir.

Mr. BLOUNT. I trust it will not be inserted as to this particular appropriation.

I find on page 15, under the head of "increase in the Navy," the following:

For completing in accordance with the recommendations of the naval advisory board the engines and machinery of the double-turreted iron-clad which said board may advise to be first completed, by new contract or otherwise, as the Secretary may think best for the interests of the Government, $450,000; but the execution of no contract shall be entered upon for the completion of either of these vessels until the terms thereof shall be approved by a board consisting of one line officer, one naval constructor, one engineer, who shall approve only such contracts as may be to the best advantages of the Government, and fair and reasonable, according to the lowest market price for similar work, from responsible and competent bidders, and at a total cost not to exceed the amounts estimated by the advisory board in its full report, required by the act of August 5, 1882.

Certainly the Committee on Appropriations, when they used that language, "such vessel as the advisory board may recommend," had not before them the letter of the Secretary of the Navy, with the opinion of the advisory board, of December 10, 1882, containing the following paragraph:

The board has the honor to report that it will be prepared before the end of January to submit complete and detailed plans, together with the estimates of cost, for the completion of the Puritan. With regard to the other vessels, their inferior dimensions will require more time and more careful examination to prepare detailed designs that shall give them the highest possible efficiency.

Why was it that the committee, in view of this fact, carried to the House the idea that hereafter there was a selection to be had between these vessels?

Again, sir, there is a provision for their completion by new contracts or otherwise. It will be observed that while the sum appropriated by this bill is fixed at $400,000, the Secretary is authorized to contract for their completion; not for work or repairs or alterations up to the extent of the amount appropriated by this bill, but for their completion by new contracts. The completion of this vessel alone involves an expenditure of $1,668,326. So that instead of our making here an appropriation of $400,000, we are authorizing a contract which involves an appropriation or an obligation on the part of the Government to pay $1,268,726 more than we appropriate in this bill. There is no limitation as to the terms of the contract, none whatever. I may be referred, Mr. Chairman, to this provision of the law which expressly provides—

No Department of the Government shall spend in any one fiscal year any sum in excess of the appropriations made by Congress for that fiscal year, or involve the Government in any contract for a further payment of money in excess of such appropriation.

Such is the law, but as to this particular case it is utterly worthless, null, and void. It has no possible effect, and can have none, because you expressly give to the Secretary of the Navy not the power to use alone the $400,000 you appropriated in this bill but power to contract on such terms as he may see fit for the completion of this work without limit as to its cost. And when he shall have done that, when he shall have made the contract under the terms of this bill, and we come here next winter, will it lie in our mouths to say that we only appropriated $400,000 when we have through our own agent gone and made a contract without qualification or limitation? We are bound by law, we are bound by morality, we are bound by every consideration of decency and justice to complete the contract and pay what it costs. That is the effect of this item in the bill.

The CHAIRMAN. The time allowed by the House for general debate upon this bill has expired.

Mr. BLOUNT. I hope the gentleman in charge of the bill will allow me to have ten minutes longer. Most of the time of this discussion has been occupied by the other side.

Mr. ROBESON. I shall have no personal objection to extending the time of the gentleman.

The CHAIRMAN. The committee can not extend the time.

Mr. BLOUNT. It can be done by unanimous consent.

Mr. ROBESON. I hope consent will be given. Let me suggest, however, to the gentleman from Georgia that I am sure he does not wish to make any misinterpretation about this matter, and if he will look at page 15 of the bill he will find that the contract to which he has been referring is expressly limited to the engines and machinery.

Mr. BLOUNT. I can not answer the gentleman unless I have the time.

Mr. HUMPHREY. I move that we give him ten minutes by unanimous consent.

The CHAIRMAN. The House having fixed the time allowed for general debate, the Chair holds that the committee can not now extend it.

Mr. BLOUNT. Very well, then; I will take an opportunity under the five-minute discussion to answer the gentleman from New Jersey.

MESSAGE FROM THE SENATE.

The committee informally rose, and Mr. CANNON took the chair as Speaker *pro tempore*.

A message from the Senate, by Mr. SYMPSON, one of its clerks, was received, announcing that the Senate had passed without amendment the bill (H. R. 7330) to remove the disabilities of Francis H. Smith, sr.

The message also announced that the Senate had passed a resolution to print the annual report of the Superintendent of the Coast and Geodetic Survey for the years 1881 and 1882; in which the concurrence of the House of Representatives was requested.

NAVAL APPROPRIATION BILL.

The Committee of the Whole resumed its session.

The CHAIRMAN. The Clerk will now read the bill by paragraphs for debate and amendment under the five-minute rule.

The Clerk read as follows:

For the pay of the Navy, for the active-list, namely: For one Admiral, one Vice-Admiral, eleven rear-admirals, eight chiefs of bureau, twenty-four commodores, forty-eight captains, ninety commanders, eighty lieutenant-commanders, two hundred and eighty lieutenants, one hundred masters, one hundred ensigns, ninety-one midshipmen, fourteen medical directors, fifteen medical inspectors, fifty surgeons, eighty passed assistant surgeons, twelve assistant surgeons, two assistant surgeons not in the line of promotion (who shall, after fifteen years' service, be entitled to receive, as annual pay, when at sea, $2,100, when on shore-duty, $1,800, and when on leave or waiting orders, $1,600), thirteen pay directors, twelve pay inspectors, fifty paymasters, thirty passed assistant paymasters, nineteen assistant paymasters, sixty-nine chief engineers, ninety-nine passed assistant engineers, sixty-two assistant engineers, sixty-two cadet-engineers (graduates), twenty-three chaplains, eleven professors of mathematics, ten naval constructors, six assistant naval constructors, ten civil engineers, one hundred and ninety-five warrant officers, forty mates, three hundred and thirty-five naval cadets; in all, $3,939,400.

Mr. ROBESON. I desire to offer an amendment from the committee to this section.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

On page 2, line 23, strike out the word "nineteen" and insert in lieu thereof the word "twenty;" and change the total of the figures so as to read "$3,940,800."

Mr. ROBESON. This is merely to comply with existing law.

The amendment was agreed to.

Mr. KNOTT. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend by inserting, after the word "midshipmen," in line 13, page 2 of the bill, the following:

"The title of which grade is hereby changed to that of ensign, and the midshipmen now on the list shall constitute a junior grade of ensigns, having the same rank and pay as now provided by law for midshipmen; but promotions to and from said grade shall be under the same regulations and requirements as now provided by law for promotions to and from the grade of midshipmen; and nothing herein contained shall be so construed as to increase the pay now allowed by law to any officer of said grade or any officer of relative rank."

Mr. ROBESON. I have no objection to that.

Mr. KNOTT. There is also another amendment of the same character, which I have sent to the desk, with reference to masters.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

After the word "master," in line 12, page 2 of the bill, insert:

"The title of which grade is hereby changed to that of lieutenant; and the masters now on the list shall constitute a junior grade of lieutenants, having the same rank and pay as now provided by law for masters; but promotions to and from said grade shall be by examination as provided by law for promotions to and from the grade of master; and nothing herein contained shall be so construed as to increase the pay now allowed by law to any officer in the line or staff."

Mr. KNOTT. I simply desire to say these amendments accord, as I understand, with the views of the Department and also meet the approbation of the committee. They do not increase the expenses of the Navy a solitary cent, but make the service more homogeneous so far as rank is concerned.

The amendment was agreed to.

Mr. THOMAS. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "bureau," in line 10, insert the following:

"*Provided*, That said chiefs of bureaus shall receive no additional rank or pay over and above their regular rank or relative rank in the line or staff of the Navy by reason of being chiefs of bureaus."

Mr. THOMAS. This is an amendment offered in the interest of economy. There are eight chiefs of bureaus. There is the Bureau of Medicine and Surgery; there is the Pay Bureau; there is the Bureau of Steam-Engineering; and there are others, making in all eight in number.

Under the law these chiefs of bureaus have the rank and pay of a commodore, and that, too, without regard to whether they are commodores in the line or staff or not. In looking over the Naval Register you will find that the Chief of the Bureau of Medicine and Surgery is a medical director with the relative rank of a captain of the line; and yet under the law he is given the rank of a commodore—in other words is made a brigadier-general, receiving the pay and emoluments of that rank by reason of being the chief of that bureau.

Chief officers of the different bureaus are necessary so long as the present bureau system obtains. That the system might be wiped out I wish from the bottom of my heart. I am sure there never has been any scheme or device invented by man that has brought upon this country so much wastefulness of money and such a chaotic system of affairs as the present bureau system. The ingenuity of man seems to have been tortured to its last point to invent some means of securing additional pay and additional rank without performing any increased or additional duty. I think it is time for us to call a halt. It is time for us to take a step in the direction of economy. It is time for us to do something toward cutting out this dead wood and unloading this top-heavy official *personnel* of the Navy. We are in need of a navy, an active, energetic, effective navy. We are not in need of such a top-heavy concern as we have at present, loaded down as it is with unnecessary and extravagant rank and pay.

I should like to see these chiefs of bureaus, if officers desire to occupy these positions, taken from the legitimate ranks to which they belong. If a commodore is selected, of course he is entitled to the pay and rank of commodore. But if they see fit to select a captain of the line to be the chief of a bureau let him have the rank and pay that belongs to his line rank.

This is regarded as a soft place; and if a junior officer is willing to take it, let him take it with the pay he receives in his legitimate rank. I think if these officers shall have the rank and pay of commodore a commodore should be detailed for the service.

I shall refer to the Naval Register further on to show that of all the commodores we have in the Navy now there is not one who is performing a solitary particle of duty at sea. Now, if we are bound to have this rank of commodore in the Navy, let the officers of that rank fill these bureau positions, so that we shall not have to pay officers of the rank of commodore for doing nothing, on the one hand, and officers of a lower grade for performing the duties of a commodore, on the other hand.

I hope the amendment will be adopted.

Mr. ROBESON. I am in favor, Mr. Chairman, of every reduction in the number and pay of the service which will lead to its efficiency. But while I am in favor of that I am not in favor of merely for the sake of reduction interfering with the necessary organization of the service.

The chiefs of bureaus of the Navy Department are selected by the President because they are, in his opinion, especially adapted for carrying on the particular work which comes under the supervision of those bureaus. From them emanates all the work which goes out to the various navy-yards to be done, and they are selected on account of their supposed efficiency.

It is necessary when they come there that they should have a certain rank in order to prevent clashing. They send out their orders as chiefs of bureaus to men in command of navy-yards and to officers in command of ships, and unless they are of sufficient rank while discharging those duties to give to their orders the authority which belongs to superiority in rank there would often be indisposition on the part of their superiors in actual rank to obey their orders, and often clashing in the system.

My friend from Illinois [Mr. THOMAS] has said if it is necessary to have an officer of the rank of commodore in those places, then let a commodore be selected. That would do very well provided there is no better officer for the discharge of that duty; but if there is a better officer for the discharge of that duty along the list, of higher attainments, of more faculty and facility, of more adaptation to those duties, then the law allows his selection. And I think it would be the poorest economy to say to these chiefs of bureaus, who to the number of eight regulate all the business of the service as lieutenants of the Secretary and of the President, that they shall report, come here to Washington, live in an expensive place, and have no pay except the pay which belongs to their rank on shore-duty.

These reasons (and I have not time in five minutes to elaborate them) are reasons which must appeal to the good sense of every member. If there is to be a reorganization of the bureau system upon some settled and definite plan, I should be willing to enter upon its consideration. But so long as that system remains, with its requirements under the law as it now stands, I should think it was very bad legislation to strike recklessly at the means of support and maintenance which are necessary for those officers.

Mr. THOMAS. I would like to ask the gentleman a question, if he will permit me.

Mr. ROBESON. Certainly.

Mr. THOMAS. What pay do the chiefs of these bureaus receive? Is it shore-duty pay or sea-duty pay or waiting-orders pay?

Mr. ROBESON. I believe it is shore-duty pay.

Mr. THOMAS. The gentleman ought to know, having been at the head of that Department

Mr. ROBESON. I have forgotten a great many things in my life.

Mr. THOMAS. Of course he gets the highest pay, which is sea-duty pay.

Mr. ROBESON. That is not a matter of course.

The question was taken upon the amendment of Mr. THOMAS; and upon a division there were—ayes 49, noes 42.

Mr. ROBESON. I call for tellers.

Mr. ROBINSON, of Massachusetts. No quorum has voted.

Mr. ROBESON. I will withdraw the demand for tellers.

Mr. O'NEILL. I renew it.

Tellers were ordered; and Mr. THOMAS and Mr. ROBESON were appointed.

The committee again divided; and the tellers reported that there were—ayes 70, noes 43.

Mr. DEZENDORF. No quorum has voted.

The CHAIRMAN. The tellers will continue the count. There is evidently a quorum in the Hall.

The tellers resumed and concluded the count, and reported—ayes 86, noes 62.

So the amendment was agreed to.

Mr. TALBOTT. I offer the amendment which I send to the Clerk's desk, to come in after line 31, on page 2 of the printed bill.

The Clerk read as follows:

There shall hereafter be allowed at the Naval Academy five cadets at large and one from the District of Columbia, to be appointed by the President of the United States, and a number of cadets equal to one-half of the representatives in Congress from the States and Territories, or as near thereto as may be. That two adjoining Congressional districts, rating numerically, shall constitute a cadet district; and the Congressional district having the first vacancy shall be entitled to the first appointment, the appointments to alternate thereafter. That the odd districts, and States having but one Congressional district, the Territories, and the District of Columbia shall be entitled to an appointment once in every twelve years, instead of six years as now provided by law. In case of adjoining Congressional districts comprising a cadet district having vacancies at the same time, the district being the first numerically shall have the first appointment, the appointments to alternate thereafter. That in case of a vacancy the said vacancy shall be filled from the Congressional district or Territory from which the original appointment was made. That all laws inconsistent herewith are hereby repealed.

Mr. ROBESON. I make a point of order on that amendment, in order that the gentleman from Maryland [Mr. TALBOTT] may explain how it will retrench expenditures.

Mr. TALBOTT. This bill provides now for the pay and support of three hundred and thirty-five cadets at Annapolis. Under the last apportionment bill representation on the floor of this House was increased from two hundred and ninety-three to three hundred and twenty-five. Under the present law each Congressional district is entitled to a cadet at Annapolis.

In consequence of the increased representation on this floor by the last apportionment, we would have, in addition to the three hundred and thirty-five now authorized by law, and for which we appropriate every year money to maintain, thirty-two cadets, which would increase the number to three hundred and sixty-seven.

The amendment I have proposed will reduce expenditures because it would reduce the number of cadets to one-half of the total number under the last apportionment bill, would reduce the expenditures resulting from the promotion of these cadets from time to time after their graduation, and will save all the legislation which the gentleman from New Jersey [Mr. ROBESON], on behalf of the Committee on Appropriations, has ingrafted in this bill in the way of retiring meritorious officers in the prime of life.

This amendment upon its face and in terms will reduce the expenditures of the academy at least $100,000 the next fiscal year; and from time to time thereafter the reduction would be double and treble that sum.

Mr. ROBESON. Will the gentleman permit me to ask him a question for information?

The CHAIRMAN. Will the gentleman from New Jersey state his point of order?

Mr. ROBESON. My point of order was that the proposed amendment did not retrench expenditures, and I wanted the gentleman to explain how it would reduce expenditures.

It is impossible to understand a long amendment offered in this way and read from the desk, and I therefore desire to ask the gentleman to state in substance what his amendment will do; whether it reduces the number of appointments from that now authorized by law.

Mr. TALBOTT. It reduces the number of cadets to be appointed at Annapolis just one-half of the number now authorized by law.

The CHAIRMAN. Does the gentleman from New Jersey [Mr. ROBESON] insist upon his point of order?

Mr. ROBESON. I do not.

The CHAIRMAN. The point of order being withdrawn, the question is upon the amendment offered by the gentleman from Maryland.

Mr. HARRIS, of Massachusetts. While I believe that the number of appointments to the Naval Academy should in some way be limited and the number of graduates from that institution be reduced, I am not in favor of putting upon this appropriation bill all the legislation that may be necessary to accomplish that result.

I do not exactly oppose the amendment of the gentleman from Maryland [Mr. TALBOTT], because if an amendment to reduce the number of cadets at the Naval Academy is to be adopted, and no other amendment can prevail but the one he has offered, I shall vote for it. But I should prefer to vote to close the Naval Academy entirely for five years, after the present cadets shall have graduated, and not continue turning out cadets who are to remain for five or six years after graduation without any rank whatever.

Gentlemen talk about the Navy being crowded and top-heavy, and all that sort of thing. The academy at Annapolis is adding constantly to the number of men in the line of promotion in the Navy, and the time will come when we must either provide a navy in which to put our officers when they are qualified for service or else reduce the number of officers. I shall vote for the amendment of the gentleman from Maryland rather than for any reduction of officers.

Mr. ROBESON. I move to strike out the last word for the purpose of calling the attention of the gentleman from Maryland [Mr. TALBOTT] and of the gentleman from Massachusetts [Mr. HARRIS] to what may be the effect of this proposition should it be carried. I have not had time to look at it and examine it thoroughly. By the bill of last year we provided that only a certain number of graduates of the Naval Academy should enter the service, and that the others should be discharged with their certificates of graduation and a certain amount of pay. The number was fixed so that it should not be less than ten. Now, while I am in general accord with the purpose of the gentleman, I wish to know whether his amendment is intended to affect or does affect that provision; whether by the repeal of all laws inconsistent with this amendment we do not allow all these people to come in in spite of the restriction in the bill of last year.

Mr. TALBOTT. No, sir; this amendment does not interfere with any legislation which was put upon the naval appropriation act of August 5, 1882. The amendment is intended for nothing in the world except to reduce these appointments one half.

Mr. ROBESON. The gentleman may not intend it; but does not the amendment repeal all acts or parts of acts inconsistent with it?

Mr. TALBOTT. This amendment is not inconsistent with the provisions of the act of August 5, 1882; on the contrary, it looks in the same direction.

Mr. MCMILLIN. Mr. Chairman, I examined the amendment of the gentleman from Maryland [Mr. TALBOTT] before its presentation, and in my judgment it will not have the effect feared by the gentleman from New Jersey. It will not affect in any degree the act provided last session. That act, which I consider very important, as it tends to prevent a superfluous increase of naval officers, provided for the resignation of cadets when there was a superfluous number graduated.

Mr. CALKINS. How many are retired under the law of last year?

Mr. MCMILLIN. All of the regular cadets except the ten who stand highest in the class every year, if I remember the provision correctly.

This amendment does not propose to change that regulation at all. It simply provides that we shall not hereafter graduate so many cadets in excess of the needs of the service, as we should do if we keep on under the law as it now stands. I most cordially indorse this amendment. No more important measure could be passed. What is the need of graduating every year forty or fifty young men for whom we have no use in the service, to whom we can give no employment? Even under the amendment of the gentleman from Maryland there will be double the number graduated that can be employed under the legislation of last session. We now have a top-heavy Navy threatening to topple over with excess of officers, as is the case also in the Army. Sir, so great is the pressure for places that in this bill we provide for retiring lieutenants and subaltern officers at as low an age as 45 years. Men are to be put on the retired-list in the prime of life; why? Because they are worn out? No; because the Government has no need for their services and there are younger men whom it is desired to put in their places.

I can hardly conceive of an amendment more important than that of the gentleman from Maryland. It is no charity to these young men to educate them for a profession in which their acquirements can never be utilized. We had better not delude them into seeking places in the Navy. We had better let them obtain their education elsewhere; let them start in life as other young men do and not waste the precious years of their youth in preparing themselves for a profession in which they can never find employment. Sir, it is the duty of this Congress to adopt some such measure as that proposed by the gentleman from Maryland [Mr. TALBOTT]. Let us apply the knife to this academy and relieve the country of the immense number of naval officers annually turned out there for whom there are no ships—rear-admirals, admirals, commodores, commanders, captains and lieutenants, and subalterns innumerable, who are and must ever be officers without a command.

Mr. SHALLENBERGER obtained the floor.

The CHAIRMAN. Debate is exhausted.

Mr. ROBESON. I withdraw the *pro forma* amendment.

Mr. SHALLENBERGER. I offer as a substitute for the amendment of the gentleman from Maryland [Mr. TALBOTT] the provision which I send to the desk.

Mr. HARRIS, of Massachusetts. Before the substitute is read, the gentleman from Pennsylvania [Mr. SHALLENBERGER] yields to me that I may call the attention of the gentleman from Maryland to an additional provision which I think his amendment should contain. At the last session of Congress we adopted legislation affecting the cadets at the Naval Academy. We provided that only a certain number of the cadets now there should receive commissions, and that the rest, after their graduation, should go into civil life. Now, as the amendment of the gentleman from Maryland so radically reduces the number of cadets, it seems to me proper it should be modified so as to provide that the cadets now in the academy shall not be affected by its provisions.

Mr. TALBOTT. I am willing to accept an amendment providing

that the status of no cadet now at Annapolis shall be affected by the provisions of my amendment.

The CHAIRMAN. The Clerk will now read the substitute submitted by the gentleman from Pennsylvania [Mr. SHALLENBERGER] for the amendment of the gentleman from Maryland.

The Clerk read as follows:

Hereafter, for the purpose of appointing candidates for admission to the Naval Academy as naval cadets, the Secretary of the Navy shall divide and arrange the entire country, considered as Congressional districts, Territories, and the District of Columbia, into forty territorial districts, composed of not less than eight and not more than nine of the above-named subdivisions, and as nearly as possible of contiguous territory, to be numbered and designated as naval cadet districts, from each of which forty districts one appointment for admission to the Naval Academy shall be made every year, under the following conditions, namely: The Secretary of the Navy shall name a competent board of examiners and arrange for a competitive examination every year in each of the forty districts. Representatives, Delegates, and the president of the board of commissioners of the District of Columbia may each name one candidate every year to appear for examination in their respective cadet districts, the candidate standing highest on the list of those examined to receive the appointment; the candidate next highest may be appointed alternate and proceed to Annapolis at his own expense, to be immediately examined for admission in the event of the failure of his principal, provided that this legislation shall not affect admission to the academy during the year 1883.

Mr. McMILLIN. I am inclined to think this amendment is subject to a point of order. I reserve the right to make such a point.

Mr. SHALLENBERGER. I prefer that the point of order should be decided before I discuss the amendment.

The CHAIRMAN. The gentleman from Tennessee will state his point of order.

Mr. McMILLIN. I am inclined to think the amendment is subject to a point of order, because it is certainly contrary to existing law and I believe it does not retrench expenditures.

Mr. HARRIS, of Massachusetts. It does retrench expenditures.

Mr. McMILLIN. In the haste with which the amendment was read we were not able to understand it fully.

Mr. SHALLENBERGER. I would like to have the point of order settled. I am quite sure that no point of order can lie against the amendment. My friend from Tennessee will take note of the fact that the amendment reduces the number of admissions to the academy in any one year from fifty-five to forty.

Mr. McMILLIN. I withdraw the point of order. I see the amendment would not be subject to it.

Mr. SHALLENBERGER. Mr. Chairman, I think that a change so radical as this in the existing law should be approached with some caution. I have, therefore, prepared this amendment with considerable care. I have submitted it to Rear-Admiral Rodgers, for many years the superintendent of the Naval Academy; I have shown it to the Secretary of the Navy and several prominent officers connected with the naval service. It is regarded by all of them as entirely feasible and practical in its operations and a decided improvement on the present system. It proposes to reduce the number of admissions to the Academy affected by it each year from about fifty-five to forty. The amendment of the gentleman from Maryland proposes a reduction of one-half—from about fifty-five to twenty-eight.

Now, I beg gentlemen to remember that by the act of last year we have provided that the various corps of the Navy, including the engineer corps, must be supplied hereafter from graduates of the Naval Academy who have been admitted on the nomination of Representatives and Delegates. Heretofore we have had over fifty admitted as midshipmen, exclusive of the appointments at large, and twenty-five cadet-engineers in addition. Instead of admitting over seventy-five each year as formerly this amendment of mine reduces the number to forty in all, which I think will be found a sufficient reduction.

It is well also to remember that no class ever goes through the Academy entirely full. If we admit forty there will be less than forty graduated. We will have perhaps thirty to graduate, and we will have to distribute those thirty between the line and the engineer corps and other staff corps of the Navy. So I think we shall have perhaps few enough graduated under this plan.

The gentleman from Maryland [Mr. TALBOTT] proposes by his plan to give to each Congressional district one appointment every twelve years. Many young men reach and pass the limit of age within those twelve years, and thus the brightest and best young men who may have a special taste and fitness for the service and be disposed to present themselves can not have a chance at all. The chances to compete for these appointments are much too restricted now. The proposition of the gentleman from Maryland would greatly aggravate the exclusiveness and favoritism of selections. My amendment proposes to enable every Congressional district, through its Representative, by competitive examination or otherwise, to name one man every year, and eight or nine of these gentlemen nominated by members of Congress every year to come together, at a central point within a naval-cadet district, there to undergo a competitive examination by a competent board selected by the Secretary of the Navy. In this way we should likely get the cream of every Congressional district, as no member of this House would risk any but his very best applicant in a contest with seven or eight others. In the next place we should get the cream of eight or nine districts, compact and contiguous to each other, every year. The standard of admission must inevitably be raised in this way, while every section of the country would be as fully secured, as under the present law, in its just representation. Young men in New England would compete among themselves with educational facilities common to all. Young men of Texas, California, or Pennsylvania compete with each other in the same way. No State or section should be denied a representative at the Academy, and no section could be denied its representative under this method of selection; but every section should be required to present its best man every year for the Government to educate at considerable expense.

[Here the hammer fell.]

Mr. CALKINS. Mr. Chairman, on several occasions heretofore I have taken the opportunity to express the opinion that we can not graduate too many young men from this Naval Academy at Annapolis or from the West Point Military Academy. But some steps ought to be taken by which all should be mustered out and go into private life except a certain number. That step was taken on the last appropriation bill, and it was a step in the right direction. I do not believe that money is uselessly thrown away by the education of these young men at these two institutions. I have, therefore, also been an advocate of graduating as many young men as is possible from these institutions, and then providing some means by which they may be retired after graduation. It brings into intimate and familiar relations different parts of this country with the naval and military establishments. When they go back home among their people, as they will do, it gives to them a knowledge which they can not acquire at any other institution. It prepares and fits them for the various avocations of life.

That has been my idea in reference to the graduation from these academies. But if any amendment is adopted on this bill in respect to these schools, the amendment of my friend from Pennsylvania [Mr. SHALLENBERGER] should be, because, in my judgment, it provides a reduction of the number of young men appointed to that institution, so that not more than twenty or twenty-five will graduate in one year, and with the present provision of law it gives them an opportunity to be mustered out after graduation to go into private life.

[Here the hammer fell.]

Mr. ROBESON. I move to strike out the last word. I rise to favor the amendment offered by the gentleman from Pennsylvania [Mr. SHALLENBERGER] and to give some reasons why it seems to me to be better adapted to the subject. It is a well-considered and well-matured amendment.

It has this advantage, which will appeal to every member here: it divides the country into various sections. It provides, in the first place, that every Congressional district in that particular section shall each year have a nomination to the academy, and that one of those nominees shall be selected by competitive examination, so that no more go in than a certain specified number.

The advantage of that is, first, you carefully select the men who go in; and the next advantage of it is this, that it authorizes every member of Congress every year to nominate a boy from his district, and if that boy is the superior of all the other boys nominated in that district he gets in. Now, if you wait six or, as proposed, eight years, under the present system, the boys grow up, show their great ability, but get too old before you can nominate them. The eight years roll away and the boy becomes too old to go into the academy. But if this system, as suggested by the gentleman from Pennsylvania, is adopted, it allows each member of Congress each year to select the best boy in his district, and gives him a chance for competition for that academy, and he gets in provided he is the superior of all others selected from that section of which that district composes a part. And it gives a chance to nominate him before he grows too old. If the boy is the best boy he gets in, and if he is not he does not get in. The service is not increased, while you give a chance to nominate your best boy before he gets too old

Mr. BLOUNT. Mr. Chairman, I must confess that I am somewhat surprised at the amount of merit the gentleman from New Jersey is able to find in the proposition that a member of Congress may nominate one of these cadets. The proposed amendment here is preceded by a provision that the Secretary of the Navy shall nominate a board of examiners in each one of these Congressional divisions, in order that a competitive examination of the applicant for cadetship to this academy may have an opportunity of appearing before it. At present this system is open to everybody; there is no limitation to it. There are, however, only forty divisions in the whole country, and when you have adopted this proposed amendment and provide that everybody can come in and appear before that board, then you follow it with a proposition that a member of Congress may nominate one man to go there, when he has had the right all along to do the same thing. You also provide that the applicant who gets the highest mark shall be appointed, which would certainly be the result, or should be the result, under any competitive examination.

It is simply absurd, Mr. Chairman, to put any such amendment into this bill. There is absolutely nothing in it. I believe in reducing the number according to the proposition of my friend from Maryland. Our present system overloads the service with a superfluity of officers, and I would rather take the chance of a competitive board named by honorable representatives on this floor from every Congressional district entitled to it than to take one organized by the Secretary of the Navy, who

could not know whom to appoint in all of these districts and must take in the end the opinion of some unknown person. I trust the proposition of the gentleman from Pennsylvania will not be acceded to. The proposition of the gentleman from Maryland, on the other hand, is calculated, in my judgment, to remedy what has become a growing evil, the unnecessary and unwise increase of these officers. I think there is no harm in it. It may be productive of much good. Some remedy should be applied.

Again, Mr. Chairman, I have great regard for these academies. I believe that the course of education at Annapolis and at West Point is in completeness far beyond the conception of any gentleman who has not had the pleasure or the opportunity perhaps of attending there in the capacity of a member of the visiting board. The interest and the attention of members ought to be kept to those institutions. I have heard time and again on the floor of this House denunciations of the mode of education of the officers of the Army at West Point. It is alleged that they know nothing of our Constitution and the laws of our country. I desire to say, sir, that this is entirely a mistake.

I happened to be present at an examination on one occasion recently there, and was surprised that it went to such a wide extent. It embraced pleading and all kinds of proceedings in criminal and civil law; and the rules for the examination embodied questions of various sorts on constitutional subjects as well as other questions which had been passed upon by the Supreme Court of the United States, the examination in fact involving thoroughly the principles of constitutional law. There was an examination which in its scope and finish I venture to say was not surpassed by any institution of learning in any part of this country.

For one I believe in doing whatever we may consistently with public service to hold public interest to these institutions. I would not permit them to be overthrown or to be damaged; and I trust that the representatives of the people on this floor will give their attention to this matter to see that no harm is done to them.

[Here the hammer fell.]

Mr. ROBESON. I withdraw the *pro forma* amendment.

Mr. SPEER. I renew the amendment. On this general subject I have, Mr. Chairman, a very manly and straightforward letter from a cadet in the Naval Academy at Annapolis, which I will ask the Clerk to read as a part of my remarks.

The Clerk read as follows:

UNITED STATES NAVAL ACADEMY,
Annapolis, Md., December 16, 1882.

* * * * * * *

Previous to the passage of this act the law under which we were appointed provided for two corps of cadets in the Naval Academy, namely, cadet-midshipmen and cadet-engineers. The average age of the cadet-midshipmen entering is 16 years, while that of the cadet-engineers is 19 years.

They entered under the following regulations: The cadet-midshipmen were appointed by the Representatives in Congress from the State Congressional districts, and thus represent the whole country. Every section of the country is represented in corps of cadet-midshipmen. The cadet-engineers were chosen by competitive examination on mental qualifications alone. They had no appointment of any kind; any one could come and try this competitive examination. Fully three-fourths of the cadet-engineers are from the neighboring States of Pennsylvania, Virginia, and Maryland, a fact due to the closeness of the examination and the great number of competitors, which renders it almost useless for candidates to come from far away. And, another thing, people in distant States being almost totally unacquainted with provisions governing the admittance of cadet-engineers, know nothing of the character of the examinations, and are virtually excluded from the benefits of the corps. So that cadet-engineers have always been a sectional corps. And the cadet-midshipmen were compelled to pass an entrance examination in grammar, geography, spelling, arithmetic. The cadet-engineers are compelled to pass an entrance examination in grammar, geography, spelling, arithmetic, algebra, geometry, physics, and steam, or on branches that a cadet-midshipmen was not supposed to know until he had completed his first year's course. The law provided separate courses of instruction and training for each corps, the cadet-engineers' course fitting them only for the duties of a staff officer in the Navy, while the cadet-midshipmen's course fitted them to perform the duties of a line officer, and neither course is of any value except to those employed in that service.

It required us, at a time when young men must, if ever, acquire the education necessary for their future occupations, to pursue this long course of training which fits them for service in the Navy, but at the same time the law promised that upon the successful completion of the required course of instruction we should have permanent employment in the Navy and be in the line of its promotion of regular line officers. Believing that these provisions of the law on the part of the Government would be carried out, we have been and still are performing our part of the contract. In view of these facts the bill passed by the last Congress provides that from each of the classes now pursuing their six years' course to graduation only ten are to be retained in the service. There are now five classes, aggregating four hundred cadets, all of whom entered the Naval Academy prior to the passage of this act, and who have hitherto been pursuing widely different courses of instruction and training, and of these four hundred cadets but fifty are to be retained in the service in the next five years, the remainder to be dismissed from the service at an average age of 24 years, and with an education which to a great degree fits them only for service in the Navy, and for no other employment. We can not believe that this is just, and do not think the Government has a proper regard for its obligations.

A strange feature of this act is that the distinction between cadet-midshipmen and cadet-engineers has been abolished, and the respective classes of cadet-midshipmen and cadet-engineers have been merged into one class, under the name of naval cadets, while a far more extensive course of instruction has been opened up for us. The evil and unfair results of this coalition can easily be shown. The cadet-engineers have the advantage in age. Their courses in mathematics gave them a decided advantage over us. They were required to know more mathematics on admission than the cadet-midshipmen studied the first year. The severity of the discipline, a thing perfectly correct in itself, requires of each cadet the greatest amount of mental and physical labor of which he is capable; therefore no cadet-midshipman can by extra exertions overcome the advantage of cadet-engineers. And thus the cadet-midshipmen will be obliged to rank far below the cadet-engineers in studies, so much so that they can never hope to successfully compete with the engineers.

In our present combined class in mathematics for the first month of this academic year all the engineers were satisfactory, while of the forty cadet-midshipmen in the class twenty-six failed to reach the requisite standing and were unsatisfactory; and we should state that in determining the relative class ranks for the year mathematics counts as much as all the other studies combined. From these considerations it is plain that it is impossible for the cadet-midshipmen to compete with the cadet-engineers in the present combined classes, and that the possibility of their attaining any equal standing with the cadet-engineers at graduation is hopeless. Hence the provisions of the act placing the cadet-midshipmen upon this unequal and disadvantageous footing in the present combined classes, and the further requirements of the act that the ten cadets from each class to be retained in the service shall be chosen for their superior attainments, makes it apparent that the present cadets in those classes who entered the academy as cadet-midshipmen must be excluded from the service. These discriminating operations of the act will not apply to cadets entering the academy since its passage, as the requirements respecting them as to age, mental qualifications, and course of instruction are the same for all. But with respect to cadets who entered the academy before the passage of the act, we believe the measure to be unjust. It is unjust because it requires the dismissal after graduation of all except fifty of the four hundred cadets, who entered the academy under the assurance of permanent employment in the Navy, because by its operations above shown it must practically exclude all those who entered the Navy as cadet-midshipmen. As to the first of the above reasons, we would say that we considered a contract made with the Government when we entered the academy; that we would never have entered the academy under any other consideration. Now, we ask if it is just that we should be dismissed after fully complying with our part of the contract? As to second of the above reasons, we say that in the first place the engineers have no right to become line officers, having no appointment; that we alone were appointed to become line officers. Again, this bill destroys the force of the law appointing naval officers from all sections of the country, as the engineers are all from this immediate section. Again, as we before said, the engineers have great advantages in age and in studies. In view of these facts we believe that it would have been but just to us to have excepted from the operations of the bill all cadets in the academy prior to its passage.

The following is proposed as an amendment to the bill:

"*Provided*, That nothing herein contained shall affect those cadets who entered the academy prior to January 1, 1882."

Hon. EMORY SPEER,
House of Representatives, Washington, D. C.

[During the reading of the above letter the hammer fell.

Mr. JONES, of Texas, took the floor and yielded to Mr. SPEER to have completed the reading of the letter.]

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Maryland.

Mr. HERBERT. I rise to offer an amendment to the amendment of the gentleman from Maryland.

The CHAIRMAN. That is in order.

Mr. HERBERT. The purpose of my amendment is to cure the very wrong and injustice complained of in the memorial or letter which has just been read.

Mr. SHALLENBERGER. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SHALLENBERGER. I think if the gentleman from Alabama will listen a moment he will see that his amendment is not in order as an amendment to the amendment of the gentleman from Maryland. There is one amendment to that amendment already pending, the amendment which I have offered.

Mr. HERBERT. I understand that the gentleman from Pennsylvania has offered a substitute for the amendment. We have a right to perfect the amendment before the substitute is voted upon.

The CHAIRMAN. The Chair desires to state in response to the point of order of the gentleman from Pennsylvania that the gentleman from Maryland offered an amendment. An amendment to that amendment is now in order and has been offered by the gentleman from Alabama. The gentleman from Pennsylvania has offered a substitute for the amendment, which is also pending. The question is upon the amendment to the amendment.

Mr. SHALLENBERGER. Before that is done I hope my friend from Alabama will allow me to modify the substitute which I proposed. I ask that he yield to me for the purpose of having the modification read.

The CHAIRMAN. Does the gentleman from Alabama yield for that purpose?

Mr. HERBERT. I do not yield.

Mr. TALBOTT. I make the point of order on the gentleman from Alabama. I desire to state that I am not opposed to his amendment at all, but the amendment is not germane to mine.

Mr. HOOKER. How can the gentleman know that until is is read? I ask to have the amendment read.

The CHAIRMAN. The amendment of the gentleman from Alabama will be reported.

The Clerk read as follows:

And provided further, That the cadets now in the Naval Academy shall not in any manner be affected by the law approved August 5, 1882, but shall be retained in service in all respects as if the said act had never been passed.

Mr. CANNON. I make the point of order upon that.

Mr. TALBOTT. That amendment is not germane to the amendment offered by me. I desire to state at the same time that I do not oppose the amendment.

Mr. McLANE, of Maryland. Then let us have a vote upon it.

Mr. CANNON. I make the further point of order that it changes existing law and does not retrench expenditures.

Mr. HERBERT. Upon that point I desire to be heard.

It is true that the amendment which I have introduced in itself

changes existing law, because it does in terms provide that the act of August 5, 1882, shall not apply to these cadets now in the Naval Academy. But the point of order could only apply if this were an amendment to an appropriation bill. This is an amendment to an amendment and not an amendment to an appropriation bill. If the House shall agree to add this amendment to the amendment of the gentleman from Maryland then the question will recur: Is the amendment of the gentleman from Maryland as amended by this proposed amendment subject to a point of order? I say it would not be even then. Because in the first place the point of order as is suggested to me is made too late, the amendment of the gentleman from Maryland being already ruled in order and being before the Committee of the Whole for discussion. In the second place, even if it were not too late, the point of order would not lie to that amendment as amended, for the reason that taken altogether on its face it would still clearly retrench expenditure. Therefore I say the point of order of the gentleman from Illinois [Mr. CANNON] is not well taken.

Mr. CANNON. It is not necessary for me to read Rule XXI with its different clauses; it is perfectly familiar to the Chair.

If I understand the gentleman from Alabama [Mr. HERBERT] correctly, he says that Rule XXI can be rendered nugatory by offering an amendment that is in order and then offering an amendment to that amendment that would not be in order under the rule if a separate amendment, but which is in order as an amendment to the amendment. That would be an absolute doing away with the rule. It would make it mean nothing.

In further answer to the gentleman from Alabama I will say that under the ruling of the gentleman from Massachusetts [Mr. ROBINSON] when he was in the chair in the last session of Congress, and under the ruling I think of the gentleman from Kentucky [Mr. CARLISLE] when he was in the chair prior to that time—at any rate under various rulings it is well settled if an amendment is offered you can make the point of order to different provisions of that amendment, and if either provision changes existing law and does not retrench expenditures the point of order would be sustained as to that provision while it might be overruled as to others.

The CHAIRMAN. The gentleman from Maryland [Mr. TALBOTT] made a point of order also. Does he insist on it?

Mr. TALBOTT. Has the gentleman from Illinois [Mr. CANNON] withdrawn his point of order?

Mr. CANNON. Not at all.

Mr. HERBERT. I desire to reply briefly to the gentleman from Illinois, and also to the suggestion of the Chair that the objection of the gentleman from Maryland [Mr. TALBOTT] is still pending. The purpose of the amendment offered by the gentleman from Maryland is to reduce the number of officers supplied the United States Navy by the Naval Academy at Annapolis. In other words, the subject-matter of his amendment is the number of officers to be furnished by the Naval Academy for the Navy. The proposed amendment to the amendment relates to the same subject-matter. It simply provides that the act of August 5, 1882, shall not be construed to apply to the cadets—and I ask to correct it in that way—then in the Naval Academy at Annapolis. Both the amendment and the amendment to the amendment relate to the same subject. The amendment to the amendment simply provides that the law shall not be retroactive in its effect, that it shall not apply to cadets then at the academy.

Mr. RANDALL rose.

The CHAIRMAN. The Chair is ready to decide.

Mr. RANDALL. Has the Chair made up its mind?

The CHAIRMAN. The Chair is ready to hear the gentleman from Pennsylvania.

Mr. RANDALL. The original amendment of the gentleman from Maryland [Mr. TALBOTT] proposes to change the law in reference to the appointment of cadets. Now, the amendment of the gentleman from Alabama [Mr. HERBERT] is exactly like the amendment in that respect; only it provides for changing a different law. So it occurs to my mind if one is in order as a distinct proposition the other is in order as well; as they both change existing law in reference to the appointment and continuance of cadets in the Navy.

Mr. TALBOTT. I withdraw my point of order as against the amendment of the gentleman from Alabama.

The CHAIRMAN. The Chair desires to say that, although there was no point of order made against the amendment of the gentleman from Maryland [Mr. TALBOTT], and while the Chair thinks no point of order would have laid against it because it evidently reduces expenditures to a large extent, the amendment of the gentleman from Alabama [Mr. HERBERT] does change existing law, and does not do it in the interest of retrenchment. Therefore the Chair rules the amendment offered by the gentleman from Alabama is subject to the point of order.

Mr. TALBOTT. That is the point of order made by the gentleman from Illinois [Mr. CANNON]. I withdraw my point.

Mr. RANDALL. The point of the gentleman from Maryland being that the amendment to the amendment was not germane.

The CHAIRMAN. The Chair understood the gentleman from Maryland withdrew his point of order that this amendment was not germane to the original amendment.

Mr. HAMMOND, of Georgia. I desire to amend the amendment of the gentleman from Maryland. As I understand it, although I have been out during part of the debate, if that amendment became a law during the present session it would interfere with the cadets already appointed this year. It may be others are in my situation. I have already had a competitive examination, and agreed to make an appointment immediately after the 4th of March. I desire that right shall not be cut off by this regulation *ad interim*. And I propose, therefore, what I send to the desk to follow the words of the gentleman from Maryland.

The Clerk read as follows:

Provided, however, That this provision shall not take effect until the 1st of January, 1884.

Mr. TALBOTT. I accept the amendment of the gentleman from Georgia [Mr. HAMMOND], and adopt it as part of my amendment.

Mr. SHALLENBERGER. That is the same provision as is in my amendment.

Mr. HAMMOND, of Georgia. We have not got to yours yet.

The CHAIRMAN. The question is on the amendment of the gentleman from Maryland [Mr. TALBOTT], as modified.

Mr. TALBOTT's amendment as modified was read.

Mr. TALBOTT. I understood there was an amendment offered by the gentleman from Massachusetts [Mr. HARRIS] that this should not affect the status of any cadet at the academy. I did not hear that read.

Mr. ROBINSON, of Massachusetts. I would like to ask the gentleman from Maryland a question. It seems to me we will have a practical difficulty unless we more clearly define as to the grouping of Congressional districts.

Mr. TALBOTT. They are to be rated numerically.

Mr. ROBINSON, of Massachusetts. True; but in some States—it will be so in the State of Massachusetts—three or four of the Congressional districts will be adjoining districts and they stand in numerical order.

Mr. TALBOTT. Then they will come under the provisions of my amendment.

Mr. ROBINSON, of Massachusetts. But the amendment does not provide who shall make this apportionment or arrangement.

Mr. TALBOTT. According to my amendment the adjoining districts in numerical order, for instance the first and second districts in the State of Massachusetts, will constitute a cadet district, the third and fourth districts another cadet district, and the fifth and sixth Congressional districts another cadet district.

Mr. CALKINS. How about the seventh district?

Mr. TALBOTT. That is an odd district, and will have an appointment once in twelve years, instead of once in six years as now provided by law.

Mr. SPARKS. Who is to make the appointment?

Mr. TALBOTT. The member of Congress representing the district.

Mr. ROBINSON, of Massachusetts. Then when the next apportionment of Representatives shall be made, which will be at the end of ten years, the twelve years will not have expired and the odd district will have no appointment at all.

Mr. TALBOTT. It is time enough to provide for that then.

Mr. VALENTINE. What will become of the odd district in the next apportionment?

Mr. ROBINSON, of Massachusetts. It will probably disappear.

Mr. SHALLENBERGER. I make the point of order that the vote must be first taken on the substitute I have offered; and I ask that the substitute be read.

The CHAIRMAN. The Clerk will read Rule XIX.

The Clerk read as follows:

When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

Mr. CALKINS. That means that where the substitute is offered for a full section or full paragraph, the substitute shall not be voted on until the section or paragraph has been first perfected. But where the substitute is offered for an amendment, then all amendments to the amendment shall be voted on before the substitute is voted on. That has been done in this case, and now the question comes on the substitute for the amendment as perfected.

The CHAIRMAN. The Chair thinks the gentleman from Indiana [Mr. CALKINS] is right. The substitute of the gentleman from Pennsylvania [Mr. SHALLENBERGER] was offered for the amendment of the gentleman from Maryland [Mr. TALBOTT], and the vote must be first taken on that substitute.

Mr. HARRIS, of Massachusetts. I desire to offer an amendment to the amendment.

Mr. SPARKS. We have the right, I understand, to perfect the amendment, and when this is done the vote must be first taken on the substitute for the amendment.

The CHAIRMAN. The Chair thinks that is correct.

Mr. HARRIS, of Massachusetts. I move to add to the amendment of the gentleman from Maryland [Mr. TALBOTT] that which I send to the Clerk's desk.

The Clerk read as follows:

But nothing in the act approved August 5, 1882, shall be construed to prevent the retention in the Navy of such naval cadets as had before its passage already completed their four years' course at the Naval Academy.

Mr. CANNON. I make the same point of order on that amendment that I made a little while ago upon the amendment of the gentleman from Alabama [Mr. HERBERT].

The CHAIRMAN. The gentleman will state his point of order.

Mr. CANNON. My point of order is that it changes existing law and does not retrench expenditures.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts [Mr. HARRIS] on the point of order, if he desires to say anything.

Mr. HARRIS, of Massachusetts. I do not care to be heard upon the point of order if the Chair has made up his mind. I desire to correct a manifest injustice in the law of the last session.

The CHAIRMAN. The Chair has already decided the same principle, which was involved in the amendment of the gentleman from Alabama, and rules the amendment not in order. The question is upon the substitute offered by the gentleman from Pennsylvania [Mr. SHALLENBERGER].

Mr. SHALLENBERGER. I ask that my substitute may now be read.

The subtititute was read, as follows:

Hereafter, for the purpose of appointing candidates for admission to the Naval Academy as naval cadets, the Secretary of the Navy shall divide and arrange the entire country, considered as Congressional districts, Territories, and the District of Columbia, into forty territorial districts, composed of not less than eight and not more than nine of the above-named subdivisions, and as nearly as possible of contiguous territory, to be numbered and designated as naval-cadet districts, from each of which forty districts one appointment for admission to the Naval Academy shall be made every year under the following conditions, namely: The Secretary of the Navy shall name a competent board of examiners and arrange for a competitive examination every year in each of the forty districts. Representatives, Delegates, and the president of the board of commissioners, District of Columbia, may each name one candidate every year to appear for examination in their respective cadet districts, the candidate standing highest on the list of those examined to receive the appointment. The candidate next highest may be appointed alternate and proceed to Annapolis at his own expense, to be immediately examined for admission in the event of the failure of his principal, provided that this legislation shall not affect admissions to the academy during the year 1883.

Mr. SPARKS. Is that substitute debatable?

The CHAIRMAN. It has already been debated.

The question was taken upon the substitute; and upon a division there were—ayes 56, noes 53.

Mr. TALBOTT, Mr. SPARKS, and others called for tellers.

Tellers were ordered; and Mr. SHALLENBERGER and Mr. SPARKS were appointed.

The committee again divided; and the tellers reported that there were—ayes 65, noes 83.

So the substitute was not agreed to.

The question recurred upon the amendment of Mr. TALBOTT as modified.

The substitute as modified was read, as follows:

There shall hereafter be allowed at the Naval Academy five cadets at large and one from the District of Columbia, to be appointed by the President of the United States, and a number of cadets equal to one-half of the representatives in Congress from the States and Territories, or as near thereto as may be. That two adjoining Congressional districts, rating numerically, shall constitute a cadet district; and the Congressional district having the first vacancy shall be entitled to the first appointment, the appointments to alternate thereafter. That the odd districts, and States having but one Congressional district, the Territories, and the District of Columbia, shall be entitled to an appointment once in every twelve years, instead of six years as now provided by law. In case of adjoining Congressional districts comprising a cadet district having vacancies at the same time, the district being the first numerically shall have the first appointment, the appointments to alternate thereafter. That in case of a vacancy the said vacancy shall be filled from the Congressional district or Territory from which the original appointment was made. That all laws inconsistent herewith are hereby repealed: *Provided, however*, That this provision shall not take effect until the 1st of January, 1884.

The question was taken; and upon a division there were—ayes 58, noes 60.

Mr. TALBOTT. No quorum has voted.

Tellers were ordered; and Mr. TALBOTT and Mr. SHALLENBERGER were appointed.

The committee again divided; and the tellers reported that there were—ayes 83, noes 84.

So the amendment was not agreed to.

Mr. KNOTT. I move to amend by inserting at the end of line 31 the provision which I send to the desk.

The Clerk read as follows:

Provided, That from and after the passage of this act officers of the Medical, Pay, and Engineer Corps shall receive same pay as is now allowed by law under similar circumstances to officers of the line with whom such officers respectively hold relative rank, and no more; and all laws and parts of laws inconsistent herewith are hereby repealed.

Mr. HISCOCK. I reserve a point of order on that amendment.

Mr. KNOTT. Mr. Chairman, I invoke the careful attention of gentlemen of the House to this amendment; for if they are honestly in favor of an economical administration, as I have no doubt they all are, it seems to me it must commend itself to their approval at once. This amendment not only offers an opportunity to practice the virtue of economy, but its adoption will correct what in my judgment is a most flagrant injustice.

On Saturday last I called the attention of the Committee of the Whole to the fact that there is a most glaring disparity between the pay of line officers and the compensation of staff officers of the same rank; that commanders in the staff corps are receiving the same pay allowed to commodores in the line. I called attention to the further fact that this disparity entails upon the Government an unnecessary expense of over $110,000 a year, which we ought to save. As a matter of economy, therefore, the amendment commends itself, it seems to me, to the best judgment of every gentleman on this floor.

But as a matter of mere justice, the amendment ought to be adopted. Wherefore should a staff officer of a given rank receive more pay than a line officer of the same rank? Nothing suits officers of course until they get rank. Now if they will have rank—if nothing but rank will suffice them—let them take rank *cum onere*. If they will be captains let them be satisfid with the pay of captains. If they will be commanders, let them put up with the compensation of a commander. Let them not come in and clamor for rank, and then clamor for additional pay.

This is simply a business proposition. If we desire to save this amount of money, the enactment of this proposition into a law will effect that saving. If we want to put a stop to the eternal bickering which I am told is going on between officers of the respective staff corps and officers of the line, this will have a tendency to put a stop to that unpleasant state of things.

I undertake to say it can not be successfully asserted that any staff-officer of one of the higher grades should receive more pay than is allowed to a line-officer of the same rank. The singular fact is, Mr. Chairman (and every gentleman on this floor must appreciate it), that the higher the officer gets in rank the less he has to do. While an engineer, a paymaster, or other officer of inferior rank has to go to sea, taking all the perils of the ocean and of the climate, the pay director, the pay inspector, the chief engineer, the medical director, and the medical inspector stay at home. Those officers who are obliged to go to sea not only incur all the additional perils but actually perform more labor, and they get less pay. As a matter of sheer justice, as well as economy, it seems to me every gentleman should give his assent to this amendment.

The CHAIRMAN. Does the gentleman from New York [Mr. HISCOCK] withdraw his point of order?

Mr. HISCOCK. No, sir.

The CHAIRMAN. The gentleman will state it.

Mr. HISCOCK. There is nothing in the proposition as submitted by which it can be determined whether it increases or decreases expenditures. The point of order I make is that a provision to be admissible under the rule must, if it changes existing law, show upon its face that it decreases expenditures.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. KNOTT] desire to be heard on the point of order?

Mr. KNOTT. I have not run down the various allowances in this section, but I infer from the pay table this amendment taken in connection with the text shows itself there must be a reduction.

And more than that, sir, I suppose that the members of this House are presumed at least to know what the law is, and they are presumed to know what pay these various officers get. Unless they show it does not retrench expenditure, it certainly is germane and ought to be entertained as in order.

Mr. CALKINS. Let me ask the gentleman from Kentucky a question?

Mr. KNOTT. Certainly.

Mr. CALKINS. Does the amendment provide that the pay of the staff shall be the same as line officers of the same rank now get?

Mr. KNOTT. Yes, sir.

Mr. ROBESON. I suggest to the gentleman from Kentucky this fact, that some staff officers in some grades ranking with line officers get more pay now and some get less. Does he propose to put the line officers up and the staff officers down, as some already get more and some get less?

Mr. KNOTT. I am glad the gentleman has called my attention to that point. There is but one salary in the Navy where a line officer gets more than a staff officer. Let us commence with the cadet-midshipman and cadet-engineers. The midshipman, after graduation, gets average pay, on sea-service, of all in grade, $950; the cadet-engineer, $1,000; ensign, $1,244; assistant surgeons, $1,700; assistant paymasters, $1,700; and assistant engineers, $1,725; masters, $1,886; passed-assistant surgeons, $2,184; passed-assistant paymasters, $2,000; and past-assistant engineers, $2,000. Now come to the grade of lieutenant. The lieutenant, $2,556; passed-assistant surgeons get $2,200; passed-assistant paymasters, $2,105; and passed-assistant engineer, $2,185. In every other grade in the Navy the staff officer gets more than the line officer with whom he holds relative rank.

Mr. BUTTERWORTH. I wish to ask my friend from Kentucky whether he does not know that it is the fact in every branch of the service officers who are required to make disbursements of money and who are required to give large bonds are uniformly paid more than

those not charged with such responsibility? And I ask him whether he deems it just to reduce the pay of such in view of that fact?

Mr. KNOTT. I certainly think it is just. It is a considerable burden to require a man to give a bond, but it is hardly as onerous as to require a man to stand up and stop a minie-ball or bombshell. It is a great hardship on the paymaster to have to give a bond, but the master of the navy, with whom he holds relative rank, must brave the perils of the storm. He must stand upon the quarter-deck when the tempest is howling. He must stand by his gun on the perilous edge of battle. And then where is your paymaster? Down below safe between decks.

[Here the hammer fell.]

The CHAIRMAN. The Chair desires that gentlemen shall confine their arguments to the point of order.

Mr. BUTTERWORTH. I wish to discuss the point of order, and I will keep as near to it as the gentleman from Kentucky [Mr. KNOTT], if the Chair will indulge me. I will just say in reply to him that as a piece of rhetorical exercise his argument is a good one. But I think it ought not to commend itself to the favor of this House. Now, on the theory of my friend from Kentucky, the man who goes before the mast should receive a higher salary than the man who walks the quarter-deck and commands the vessel, and the man who marches and carries a musket should receive a greater compensation than the man who commands the company, and the captain than the brigadier-general who commands the brigade, the brigadier-general being exposed to less danger than the captain and the captain to less danger than the man who goes before the mast. It is a question of responsibility. You hold a man who disburses the funds to a strict responsibility. His responsibility is greater, and in every avocation of life it is the custom, not only of the Government but of private individuals, to pay men in direct proportion to the responsibility and care that devolves on them.

I wish to say further touching the pay of paymasters that they not only act as paymasters in paying the men, but also in the role of quartermasters and commissaries. I for one will not agree that this increased responsibility shall not have increased compensation.

Mr. HISCOCK. I insist, Mr. Chairman, that the debate shall be confined to the point of order.

Mr. ROBESON. I desire to discuss the point of order. It is admitted, Mr. Chairman, this proposition puts up the pay of some officers and puts down the pay of others.

Mr. BLOUNT. Let me ask the gentleman a question. The gentleman from Kentucky says that it puts up the pay of staff officers in only a single instance. I should like to know whether that statement is confirmed by the information of the gentleman from New Jersey?

Mr. ROBESON. I say that this proposition puts up the pay of some officers and puts down the pay of others. But it is impossible to approach that subject understandingly from the point exactly of similar rank, because the two corps of the service take their rank under different conditions. It is impossible for us to do that, because the staff officers have a certain limit of rank beyond which they never go. They enter the service at a later period of life, and the man who comes in at twenty-five, possibly with the burdens of a family on him, should be entitled under the circumstances to more pay than a boy who comes in at sixteen, although his rank may be the same.

So when these various ranks have been determined they have been determined without entering into the question of pay. They have been determined without entering into the question of length of service at all; so that the position taken by the gentleman from New York in making this point of order is this, that the amendment of the gentleman from Kentucky is so uncertain on the admitted facts of the case that you can not tell from it whether it reduces expenditures upon the whole or not. That is all.

The CHAIRMAN. The Chair desires to say that the gentleman from New York makes the point of order that this proposed amendment changes existing law and does not retrench expenditures. That it changes existing law there is no question of doubt. The gentleman from Kentucky states himself, as to the effect of the amendment, that it increases some salaries and decreases some others. That being a question of fact, and one which the Chair is unable to determine whether upon the whole it increases or reduces expenditures, the Chair feels it his duty to submit the question to the committee. Shall the point of order made by the gentleman from New York be sustained?

The committee divided; and there were—ayes 61, noes 52.

Mr. KNOTT. I demand tellers on this vote.

Mr. KNOTT and Mr. HISCOCK were appointed tellers.

The committee again divided; and the tellers reported—ayes 68, noes 58.

So (no further count being demanded) the point of order was sustained.

Mr. KNOTT. I desire now, Mr. Chairman, to modify my amendment by making an exception of the grade of lieutenant, which takes it entirely out of the point of order.

The CHAIRMAN. The gentleman can modify the amendment by unanimous consent. Is there objection to the proposed modification?

There was no objection.

Mr. KNOTT. I now submit the amendment as modified.

The CHAIRMAN. The Clerk will read the amendment as modfied.

The Clerk read as follows:

Provided, That from and after the passage of this act officers of the Medical, Pay, and Engineer Corps, except those holding the grade of lieutenant, shall receive the same pay as is now allowed by law under similar circumstances to officers of the line with whom such officers respectively hold relative rank and no more; and all laws and parts of laws inconsistent herewith are hereby repealed.

Mr. HISCOCK. I make the same point of order upon that in its present shape that I made before. I do not see why it does not apply to it just as well now as it did before this modification was made. There is nothing, in other words, in the modification that takes it from under the operation of the point of order by showing that it is a decrease of expenditures.

Mr. KNOTT. The gentleman from New York must know that the pay of all of these officers, irrespective of grade, is fixed by law; and certainly the gentlemen when they prepared this bill had before them the pay-tables made up under that law which show the amount each of these officers is entitled to receive. Here is the pay-table before me for all of the officers in the service; and I undertake to say that these tables made up under the law of which we are bound to take cognizance, show a state of facts of which we are bound to take cognizance, that in every grade, except lieutenant, there will be a diminution of expenditures, and if we exclude that grade the total amount of the diminution will be over $110,000 a year by equalizing this pay.

I am supposed to do justice to all of the grades and let staff officers of all ranks all along the line receive the same pay as is received by officers of the line, and no more. In other words, I would put all that grade of officers upon the same footing as to pay. But the gentleman from New York objected to that. In order, therefore, to effect the saving to which I have called attention I have made an exception of the grade of lieutenant, and until gentlemen can get up and show that the amendment will increase expenditures the point of order can not lie against it.

Mr. CANNON. Will the gentleman allow me to ask him a question? He makes, as I understand him, the point that this amendment decreases the pay of the staff by bringing it down to the same grade of pay as is now allowed to the line officers?

Mr. KNOTT. I do. That is my proposition. If the gentleman will attend for a moment I will say that as the law now stands captains on the staff get the pay of commodores in the line when they do not even have to go to sea, and junior officers of the staff receive more pay in some cases than officers of a higher grade who are performing service at sea.

Mr. HISCOCK. Mr. Chairman, it is possibly true, as has been stated, that working out through these tables of pay the total amount of the pay that all of these men receive, owing to the length of service and all of the other conditions which enter into the calculations, it may be possible to show that the gentleman from Kentucky is right in his calculations. I say that I do not know but that it may so appear.

The CHAIRMAN. Is the gentleman discussing the point of order?

Mr. HISCOCK. I am making my argument to sustain the point of order. What I say is that there is nothing in the law itself, there is no statute in connection with it by which you can construe this amendment which shows that the amendment in itself reduces expenditures. But taking into account certain facts which may or may not exist, but which I may concede to exist, if you please, or the amendment may have that effect, for the sake of argument, but still that is not enough. This amendment, read in connection with the statute which governs the pay of these officers, must show upon its face that it reduces expenditures.

Mr. THOMAS. A word upon the point of order. The pay of all officers of the Navy, staff and line, is fixed by law, and the chairman of the committee must take official notice of the law. The law shows that the staff officers and all the grades except the one which the gentleman from Kentucky has excluded from his amendment receive larger salaries than officers of the line holding the same rank.

Now there is no escape from the proposition that if the law fixes their pay at a higher rate, and this is a proposition to equalize their pay with officers of the line receiving less pay, it necessarily must reduce expenditures and consequently is not subject to the point of order.

Mr. HISCOCK. I want to say a word further in reference to this subject. I am told, and I have no doubt correctly, that there are at least a dozen facts which enter into this computation of pay: length of service, of time of entering the service, and I do not know how many more. The gentleman in front of me [Mr. ROBESON], who has had experience in reference to the matter, says that there are perhaps twenty facts existing outside of the law which must be taken into consideration, of which the Department must take notice, which fixes this question of pay.

In reference to this class of officers, the staff officers, as I understand it, and I am not very conversant with the subject, are not entitled to promotion as rapidly as officers of the line. They can not go as high as they can in the line; they remain stationary longer. And therefore their pay as of that rank is increased. There are all of these considerations which enter into determining the amount which shall be paid to them, none of which appear on the statute and of none of which can you take notice in deciding this question.

Mr. ROBESON. I will call the attention of the committee to this fact, to which I alluded before, that is, that the question of the rank of staff officers is determined upon different principles, under different conditions, and by different tests from those which apply to the line. For instance, you will find that there are for the pay of surgeons, paymasters, and engineers five different periods of pay—all in the same rank: first five years after date of commission, second five years after date of commission, third five years after date of commission, fourth five years after date of commission, and fifth after twenty years from date of commission; and all with different grades of pay, all in the same rank, and all affected by this amendment. And so the thing goes down the whole line of the service. For instance, no staff officer in the ordinary line of service can rise above the rank of captain. As chief of a bureau he may hold a temporary appointment for four years, semi-civil appointment, and has the temporary rank of commodore. No other staff officer can rise above the rank of captain.

That is provided for this reason. These gentlemen go into a service in which they have not command. They go to discharge important duties in that service. But the conditions of the service are not consistent with giving them high rank or the command which goes with it. So that, though a man may have been thirty years in service as a surgeon or engineer, you can not have him above the rank of captain; for otherwise he would command the ship he is in. They are kept down by the necessities of their condition. They do not run through all the grades. They do not advance as rapidly as officers in the line.

All these things enter into the conditions which determine these ranks; and if you make the ranks determine the pay you launch yourselves on an uncertain sea.

Mr. BRAGG. I would like to make an inquiry of the gentleman from New Jersey. When the gentleman prepared his bill last year, by which he prevented a midshipman from getting to be a captain unless he lived to be a hundred years old, did he take that fact into consideration when providing for the prolongation of the time for promotion to be followed by increase of pay? If the argument be good which the gentleman has just made ought he not to help the line by increasing their pay so as to repair the injury he did by taking away their right of promotion?

Mr. ROBESON. The facts upon which the gentleman founds his argument or suggestion do not exist.

Mr. KNOTT. My distinguished friend from New Jersey [Mr. ROBESON] makes a plea for these staff officers on account of the tardiness of their promotion and the great length of time they have to stay in the service before they get to be anything.

Mr. ROBESON. Will the gentleman pardon me for interrupting him that I may make a correction and then he can answer me? I did not say on account of their tardiness of promotion, but on account of the fact that the conditions of the service do not permit them to go higher than a certain grade.

Mr. KNOTT. I took the Navy Register and went through the various navy-yards as a matter of curiosity to see how these officers stood. In the Portsmouth navy-yard the commandant receives $4,000 a year, and he entered the service in 1840. D. B. Macomb, chief engineer with the rank of commodore, gets $4,000, the same pay as the commandant, and he went into the service in 1849. At the Boston navy-yard the commodore commanding went into the service in 1839, and now gets $4,000 a year. The chief engineer, with the rank of commander and with the same pay, went in in 1852. In New York the commodore commanding went in in 1841, and the chief engineer, getting the same pay with the rank of commander, went in in 1851.

So there we find, so far from the promotion in the staff being less rapid than in the line, it is a great deal more rapid, so far as the pay is concerned. You find men who are gray in the service and higher in rank getting no more pay than their subordinates who entered, ten, fifteen, or twenty years later. Therefore there can be no argument at all deduced from the length of service.

The point was made by my distinguished friend from Ohio [Mr. BUTTERWORTH] that there ought to be some discrimination in consequence of the responsibilities that these officers assume. The paymaster, for instance, is responsible for the amount of money which he distributes. But the lieutenant or the master, with whom he holds rank, is responsible for the safety of the ship and of every soul upon her, including that of the paymaster, if he has any. Why, there is no comparison in the responsibility resting upon the officers.

[Here the hammer fell.]

The CHAIRMAN. The rules of the House prevent legislation upon an appropriation bill unless it retrenches expenditures. It has always, or generally, been held by the occupant of the chair that an amendment changing existing law to be in order must reduce expenditures and such reduction must appear upon its face. The Chair is unable to determine whether this amendment reduces expenditures or not. But he regards it in the same line as the other amendment which has just been decided by the committee not to be in order. Therefore, under the conflicting statements which have been made by the gentleman from New York [Mr. HISCOCK] and the gentleman from Kentucky [Mr. KNOTT], one claiming that the amendment retrenches expenditures and the other that it does not——

Mr. KNOTT. I do not understand that there was any discrepancy between our statements; that the gentleman from New York [Mr. HISCOCK] disputed one word that I said.

The CHAIRMAN. The Chair did not so state.

Mr. KNOTT. The gentleman never disputed a syllable of my statement.

The CHAIRMAN. The Chair understood the gentleman from New York [Mr. HISCOCK] and the gentleman from New Jersey [Mr. ROBESON] both to state to the Committee of the Whole that the amendment offered by the gentleman from Kentucky [Mr. KNOTT] might or might not reduce expenditures; while the statement of the gentleman from Kentucky was to the effect that his amendment would probably reduce expenditures something like $100,000.

Mr. KNOTT. It was simply a statement on the part of those gentlemen that they did not know whether it would reduce expenditures or not.

The CHAIRMAN. There being a question of fact involved, and the Chair being unwilling to rule out the amendment without the committee having an opportunity to pass upon it, the Chair will submit to the committee the question whether or not the point of order made by the gentleman from New York [Mr. HISCOCK] against the amendment of the gentleman from Kentucky [Mr. KNOTT] shall be sustained.

The question was taken; and upon a division there were—ayes 47, noes 56.

Mr. BUTTERWORTH. No quorum has voted.

Tellers were ordered; and Mr. HISCOCK and Mr. KNOTT were appointed.

The committee again divided; and the tellers reported that there were—ayes 59, noes 70.

So (no further count being called for) the point of order was not sustained.

The CHAIRMAN. The question is upon the amendment of the gentleman from Kentucky.

Mr. HARRIS, of Massachusetts. I rise to oppose the amendment. I am sorry that this amendment introduces into this House that fight between the line and the staff of the Navy which has been, and which I suppose will ever continue to be, one of the great disturbing elements in that branch of the service.

The gentleman from Kentucky will pardon me for saying that this amendment does not originate in any disposition to cut down the pay of the staff, but in the hope ultimately of raising the pay of the line. It is not, as I understand it, for the purpose of equalizing the pay of the line and the pay of the staff, but it is striking a blow at the staff only.

The staff officers of the Navy enter the service after having educated themselves; I speak of those of the pay corps, the medical corps, etc. A pay officer enters the service after having been educated at his own expense, while a line officer goes through the Naval Academy, is educated there at the expense of the Government, and not only receives his education but is paid $600 a year during the time he is in the academy.

Again, a staff officer, a pay director or a paymaster, has to give a bond of $20,000 for the faithful discharge of the duties of his office. Now I do not see any reason why a man performing the responsible duty of paymaster under bonds should not have more pay than a line officer who is simply waiting for an opportunity to take some command, and is doing absolutely nothing.

Take those line officers, for instance, who were in the Navy at the commencement of our war, and who have advanced in rank to captains, commodores, and rear-admirals, and are now enjoying the rank and receiving the pay of those higher grades; while the paymaster who went through that service, and for aught I know many of them met the same dangers and incurred the same perils as the line officers, have stopped at the rank of captain and can go no higher.

While I might be willing to revise this whole subject of pay and equalize the pay of the officers of the Navy, yet it seems to me that before I entered upon that work I would refer the subject to some committee of this House in order that it might be brought before the House in some bill which had been carefully considered and prepared. This proposition introduced here is entirely new legislation; it never has had the consideration of any committee of this House. I hope, therefore, the amendment will not be adopted.

Mr. ROBESON. I trust members of the committee will understand the full force and effect of this amendment before they vote it on this bill. When we look at the length of service of the older engineers in the Navy, for instance, we must remember that it is within the memory of the present generation that steam was introduced into our Navy as an important element in the movement of ships; that the engineers who came into the service at that time came in at advanced ages. Of course a man who at twenty-eight or thirty years of age came into the engineer corps suffers in length of service by fourteen years, if you please, with the man who entered as a midshipman at the age of fifteen. Therefore the relations of the two can not be considered in that way.

You must remember that the man who entered as engineer before we had provided that engineers should be entered at the Naval Academy—and that was but a few years ago, not more than ten—came into the service as a man with his education already acquired, with his profes-

sion attained, with his proficiency assured, a full-fledged engineer. I speak of the engineers now merely as a matter of comparison. They came into the service at a ripe age.

Now, you must remember that while they came in late in life, no matter how long they remain in the service they can not advance beyond a certain grade.

Mr. KNOTT. What is that grade?

Mr. ROBESON. It is the grade of captain. But one of a staff corps, and he only for a temporary period, and by reason of the fact that he is chief of a bureau, can advance beyond the grade of captain.

I have already shown this committee that the rank of these staff officers is determined on principles different from those which determine the rank of line officers; and therefore there is manifest injustice, absolute wrong, in determining their pay by a criterion which does not equally apply to them. That seems to me to be too plain for argument when addressed to the judgment of fair men.

These men, as I have said, enter the service at a later age; are confined to a lower grade; never have the prospects of the higher rank and the higher pay; their condition in the service and the necessities of the organization keep them down. We can not afford to make them higher than captains; and we can hardly ever afford to send the captains to sea, because if they went they might as captains rank their commanding officers. Thus the policy of the regulations of the service and the laws governing it keep them down in the lower ranks. While they receive higher pay than their mere rank on account of increased service in it, they do not receive any higher pay than they would have had if the lapse of time had taken them to the higher rank which under other conditions they would have attained.

The CHAIRMAN. Debate on the amendment is exhausted.

Mr. KNOTT. Mr. Chairman, I move *pro forma* to amend the amendment by striking out the last word. I admit that rank in the staff and in the line is regulated, and must be regulated on altogether different principles; but I can not see how an officer who goes into the service ten, fifteen, or twenty years after another can by virtue of that fact be justly entitled to the same amount of pay that the older officer gets. It seems to me this is an injustice to the officer who has spent years in the service. According to the position of the gentleman from New Jersey, he who comes in at the eleventh hour is entitled to just as much as those who have borne the heat and burden of the day. As a matter of grace that may be true, but as a matter of justice it is impossible.

I desire to say to my friend from Massachusetts [Mr. HARRIS], who seems to deprecate bringing upon this floor a fight between the line and the staff, that no line officer has asked me to take any step that I am proposing to take in this matter. I have not been importuned by a solitary line officer in regard to any position which I assume. Probably it is not any violation of confidence to say that I have been appealed to by gentlemen of the staff, "For God's sake, don't cut down our pay at the rate of $500 a year." I wish to say, in my own justification, that I propose this amendment in good faith, as being demanded by the best interests of the country—as being called for by the all-prevalent cry of retrenchment and economy.

Mr. HARRIS, of Massachusetts. I hope the gentleman did not understand me as implying that he was actuated by any but the best motives. I simply said that this is recognized as the old fight between the line and the staff.

Mr. KNOTT. I am not responsible for that. I am fighting here for the people and for the people's money. I do not stand here asking that Congress shall resolve itself into a great eleemosynary institution to distribute charity to staff officers or anybody else. Pay every officer a fair remuneration for his services, but give him nothing by way of gratuity.

MESSAGE FROM THE SENATE.

The committee rose informally; and the Speaker having resumed the chair, a message from the Senate by Mr. SYMPSON, one of its clerks, announced that the Senate had agreed to the amendment of the House to the amendments of the Senate to the bill (H. R. 1294) more effectually to suppress gaming in the District of Columbia.

NAVAL APPROPRIATION BILL.

The Committee of the Whole House on the state of the Union resumed its session.

Mr. THOMAS. Mr. Chairman, I desire to support the amendment proposed by the gentleman from Kentucky. It has been urged here that great consideration should be given to members of the staff corps by reason of their having educated themselves, while the line officers have been educated at the expense of the Government. Let me call attention to the fact that a line officer in the Navy is educated to perform all the duties pertaining to the care and command of a ship. A line officer must command a ship, and this, too, without regard to his rank. He may be a commodore, he may be a captain, he may be a midshipman. No matter how high the relative rank of any staff officer on board the ship may be, that staff officer never can take command. But it is urged here by the gentleman from New Jersey that these staff officers have greater pay because they can not rise higher than the grades fixed for officers who command stations and fleets. Upon entering the service a staff officer has seven years added to his time of service to start with, in order to recompense him for not having been educated by the Government.

Talk about a staff officer receiving more pay than his commander! Why do you not give members of your Cabinet more pay than you do the President of the United States? Why do you not give the boatswains, carpenters, and sailmakers aboard a ship more than you do a commander?

Let us look for a moment at the pay table as set forth on the first page of the Naval Register. We find that medical and pay directors, medical and pay inspectors, and chief engineers, having the same rank at sea, receive $4,400 each, while a commodore in only one sort of service receives more pay; that is when he is at sea. On shore he receives $400 less pay, and on leave $300 less. A captain who may command a station or a fleet receives $1,400 less pay than a medical inspector or a medical director; when on waiting orders he receives $1,800 less. Is it right to give an advantage in respect of pay to these specialists, these men who are appointed for the purpose simply of assisting the commander of a ship in the discharge of his duties? They are no part of the military branch of the naval establishment; they require no special naval education to qualify them to perform their duties, for they can never command. They require no special training at the Naval Academy, because their calling is purely civil. A paymaster may be educated anywhere in civil life. When he comes into the Navy, he is simply required to discharge a civilian's duty. An engineer when he goes into the Navy requires no more education than the engineer who goes into the merchant marine upon a vessel running between New York and Liverpool. A doctor going into the Navy requires no greater qualification than one who practices his profession in civil life. Why talk about their not being advanced to a certain rank as an argument in favor of giving them more pay than the captain of a vessel? I say that the different rate of pay for the same rank is an outrage. There is no justification for it in the world. This is a step in the right direction, and whether it be a fight between the line or staff or whatever it may be, it is a thing that ought to have been done long ago, and it is a burning shame that the American Congress has not changed the law governing this matter of the pay of the staff so as to equalize it with that of the line.

[Here the hammer fell.]

Mr. KNOTT. I withdraw my *pro forma* amendment.

Mr. HISCOCK. I move to strike out the last word. Now, Mr. Chairman, if I understand the amendment of the gentleman from Kentucky, its particular feature is that it strikes down increase of pay for length of service. I do not know whether this point has been made distinctly before the committee, but I ask the committee to consider whether it is now willing to make that radical change in our present law.

First, I call attention to the fact alluded to before, that the highest rank which can be received by the staff is that of captain. They can not get promotion beyond that. So far as the line is concerned the law is modeled on a plan which looks to promotion after five years' service, but it does not look to promotion beyond the rank of captain so far as the staff is concerned. Surgeons, paymasters, and chief-engineers receive for the first five years after date of commission $2,800 as sea-pay; after the second five years after date of commission $3,200; after the third five years after date of commission $3,500, an increase of $300 a year, and after the fourth five years after date of commission $3,700. After twenty years from date of commission they receive $4,200 a year. They have expended the best periods of their lives in the service, and on account of length of service, after expending twenty years in the service, they get that increase of pay.

Now, a commodore only gets $4,500 a year for sea-service, and for shore duty $4,000 a year; but he gets his $4,000 from the date of his commission. Whenever he has come to that position he takes it and he takes its emoluments. Now, simply because there are a few men, by reason of length of service, with families accumulated on their hands, who have grown old in the service, a few of them, who receive these salaries in excess of those in command of vessels, perhaps, a howl is raised against the whole staff to strike it all down, and these appeals are made by these guardians of the people's money.

Two or three instances probably exist, and only two or three, in which that state of fact exists, and those instances are invoked for the purpose of prejudicing the staff of the Navy. I for one believe that, having wasted the best period of their lives in the service, they should receive this compensation. I am willing to join hands with any gentleman in reducing, if you please, the staff of the Navy. If we have too many, strike it down; but what we have I think should be adequately paid.

[Here the hammer fell.]

Mr. SHALLENBERGER. Mr. Chairman, I rise to oppose the amendment. I think if the members of the committee will carefully observe the amendment to the amendment of the gentleman from Kentucky [Mr. KNOTT] they will see at once how unfair, how unjust the proposition is. Now the original amendment had something of fairness on its face. It proposed to equalize the pay of line and staff, but this second amendment proposes not to equalize the pay but to strike down or leave out one grade of the staff.

I would like to ask the gentleman from Kentucky why if he proposes

to equalize the pay at all he does not fully and fairly equalize it? Why does he strike at the grade of lieutenant? As I happen to know, there is a passed assistant engineer in the Navy to-day who thirteen years ago, I am informed, instructed a present lieutenant in the line, which lieutenant of the line now receives $400 more salary than this passed assistant engineer. If length of service be worth anything, and I think it is, if ability to instruct an officer of the line thirteen years ago is worth anything, and education counts for anything with the gentleman from Kentucky, I ask him why he does not allow his amendment to be equalizing in fact as it pretends to be on its face, and not exceptionally injurious to one grade of the staff, which, as I say, contains a gentleman of education and culture who thirteen years ago was able to instruct these same gentlemen of the line at the Naval Academy but who to-day draws $400 a year less pay?

I venture to say, Mr. Chairman, that the responsibility resting on an engineer officer of the Navy at sea on one of our improved modern steam sloops of war, so completely filled as they are with all manner of intricate and expensive machinery, is equal to that of an officer of the line of the same relative rank and pay. Under the improved system of naval architecture the duties of a naval officer are not by any means wholly on deck. They are largely to be performed under cover, and have to do with steam and electrical machinery rather than wind and sail. Late inventions and improvements in machinery, steam and electrical, are calling for men to officer the future American Navy of the very best talent and the very best technical education. It is an unfortunate time to strike at, by an exceptional amendment, all these men in the Engineer Corps of the Navy in the way the gentleman from Kentucky is disposed to do.

I think the amendment as originally proposed had a semblance of fairness about it, when we have lieutenants of the line, two hundred and eighty of them in commission, drawing $700,000 every year out of the Treasury of the United States—more money than the entire Engineer Corps draws, including the captains, to whom the gentleman so facetiously and sarcastically alludes—when we pay more for lieutenants of the line in the Navy than we pay for the engineers all together. I think it comes with an ill grace from any member of this House to move to strike at that one staff corps of the Navy, composed of so many men of honor and culture, a larger proportionate number of whom are to-day on sea service than any other corps in the Navy can show.

The CHAIRMAN. Debate upon the pending amendment is exhausted.

Mr. HISCOCK. I withdraw the *pro forma* amendment.

Mr. KNOTT. I renew it.

The gentleman from Pennsylvania seems, Mr. Chairman, to be laboring under a very singular misapprehension in accusing me of intending any injustice to the engineers or other staff officers of the rank of lieutenant in the Navy. Let me recur to the facts and call the gentleman's attention to them briefly. I offered an amendment in the first instance equalizing the pay of all these officers, commencing with the highest and going down to the very lowest grade, including the grade of lieutenants, which I admitted at the time showed a disparity in favor of the line officers, and I was willing that the staff officers of that grade should come up and be equalized in reference to their pay with others. But the point of order was made upon the amendment. I thought the point of order was not well taken. It was submitted, however, to the committee, and if I am not mistaken the gentleman from Pennsylvania himself voted that it was well taken. That forced me to the necessity of striking out that grade entirely so as to make the amendment unobjectionable to the point of order; and, as I have said, if I am not mistaken the gentleman from Pennsylvania voted so as to place himself in the very difficulty of which he now complains with reference to this amendment.

I have no objection at all, let me say, to these engineers of the rank of lieutenant, and no desire to do injustice to them. I will admit, if it please the gentleman from Pennsylvania, that I have no doubt they are the best educated men on the face of the earth; at least I am not going to dispute that assertion here. I am not going to dispute the fact at all that when the staff officers of that grade shall die out all the wisdom and enlightenment of the world will go into the grave with them. But I was precluded on the point of order from doing them justice. I still insist that there is, however, a question which should have some weight with the minds of Represenatives upon this floor, and that is that there is something of justice due to the people and to the Treasury of the United States as to these officers themselves. But, as I say, I was overruled. So I will ask the gentleman "not to shake his gory locks at me." If anybody has prevented justice being done to these exalted and superlatively wise officers in our Navy "thou shalt not say it was I that did it." The responsibility must rest with the gentleman himself and his friends.

A great deal of stress has been laid upon the fact that these poor, down-trodden officers can not go higher than the grade of captain in the service. Now, carry into effect the provisions of this bill and make your promotions to the grade of rear-admiral by selection, and let me ask how many lieutenants will ever get to the grade of captain? Strike down your commodores and have your rear-admirals appointed by selection, how many of the fifty captains now in the line will ever see the promised land of rear-admiral? There is probably not a lieutenant living now who will reach that grade, and certainly not a master who will get beyond that grade.

[Here the hammer fell.]

Mr. ROBESON. I rise to oppose the amendment. I desire to call attention to one other thing before we vote upon this question. I have already said here in this discussion that the officers who came in before we provided that the staff officers, the engineers particularly, should go through the course at the Naval Academy came in at a maturer age. It must also be remembered that each one came in after having acquired his own education, at his own expense, and entered the service as a fully equipped man ready to do his duty; and that he is not to be compared, when it comes to the mere rank he holds, with those young men who have gone into the service for the sake of acquiring an education at the public expense.

Now, it is very easy to see, as I have said before, how men will advance to great ages, and through a long period of service, retaining the same grade; and if you attempt to fix their pay by the mere test of rank you ignore the whole question of advanced age and length of service. You ignore the question of advancing age, with its superior faculties and superior education and efficiency going with it, and length of service, with its superior deserts and superior claims upon the committee and the attention of the country. I would like also to say right now, as I had not time to look it up beforehand, that this amendment of the gentleman from Kentucky will increase the pay of certain staff officers largely, some of them as much as 50 per cent.

Mr. KNOTT. Let me ask the gentleman from New Jersey which ones it will increase?

Mr. ROBESON. It will increase the pay of all naval constructors, of chaplains, and of civil engineers.

Mr. KNOTT. No; I beg the gentleman's pardon, he is mistaken in the amendment. If he looks to the amendment he will see that it says officers of the medical, pay, and engineer corps; and does not say anything about preachers, constructors, or civil engineers.

Mr. ROBESON. Then I am mistaken. I withdraw that objection. I thought it applied to the whole staff.

Mr. KNOTT. No, sir; only to those I have named.

The CHAIRMAN. The question is upon the amendment of the gentleman from Kentucky. The Chair assumes the *pro forma* amendment to have been withdrawa.

Mr. KNOTT. Yes, sir; I withdraw the *pro forma* amendment.

The question was taken; and the Chair decided that by the sound the amendment was rejected.

Mr. KNOTT. I demand a division.

The committee divided; and there were—ayes 53. noes 73.

Mr. KNOTT. No quorum has voted. I demand tellers.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. KNOTT and Mr. ROBESON were appointed tellers.

The committee again divided; and the tellers reported—ayes 68, noes 82.

So the amendment was not agreed to.

Mr. ANDERSON. I desire to offer an amendment at line 30.

The Clerk read as follows:

In line 30 strike out all of the paragraph after the word "hundred" and insert: "*Provided*, That nothing in the act approved August 5, 1882, making appropriations for the naval service shall be construed to apply to any cadet-midshipman or cadet-engineer who had completed his four years' course at the Naval Academy at the time of the passage of said act.

Mr. CANNON. I make the point of order on that amendment.

Mr. ANDERSON. What point of order?

Mr. CANNON. That it changes existing law and does not retrench expenditure.

Mr. ANDERSON. I would like to be heard upon that. I take it the amendment is to be construed as it appears on its face. On its face it reduces the amount of appropriation to $3,900,000.

Mr. CANNON. I did not hear that part of the amendment read. If necessary, I will make the point of order to the provision alone which changes existing law.

Mr. ANDERSON. What particular point does the gentleman make?

Mr. CANNON. I will state it again. If the amendment reduces the amount to be appropriated, I failed to hear that part of it read. If it does, then I make the point of order to the provision which changes that law of August last.

Mr. ANDERSON. What point of order?

Mr. CANNON. I have just stated it.

Mr. HISCOCK. If the amendment does not change the law, why does the gentleman offer the amendment?

Mr. ANDERSON. It does change the law; but it does reduce the expenditure; and there is just occasionally an opportunity for a sensible thing being got in under these infernal rules. My argument is that while the amendment changes the existing law it also reduces expenditures and is not obnoxious to either one or both the points of order which have been made. But if the Chair is in doubt about it I hope he will do as he did with the two previous amendments, and submit the question as to the point of order to the Committee of the Whole.

The CHAIRMAN. The Chair has no doubt this amendment is out

of order. The point of order is good. While the amendment strikes out $39,000 it repeals the law of a year ago, a clause of the last appropriation act, and by so doing may increase the expenditures far more than that; and the amendment of the gentleman from Kansas upon its face does not show that it retrenches expenditures.

Mr. ANDERSON. Then I offer the amendment modified so as to meet the objection.

The Clerk read as follows:

Strike out "$3,939,400" and insert "$3,900,000: *Provided*, That nothing in the act approved August 5, 1882, shall be construed to apply to any cadet-midshipman, or cadet-engineer who had completed his four years' course at the Naval Academy at the time of the passage of said act."

Mr. CANNON. I rise to make the point of order on the proviso.

Mr. ANDERSON. What point of order does the gentleman from Illinois make?

Mr. CANNON. I make the point of order to the proviso in the gentleman's amendment. And I will call the attention of the Chair to what was the uniform ruling in the last session upon amendments of this kind, that where a provision in an amendment retrenches expenditures that may be in order, but where there is another provision in the amendment that changes existing law and which does not retrench expenditures you can make the point of order to that provision so that the amendment would stand in part and fall in part. There are two clauses in this amendment.

Mr. ANDERSON. I desire to say in reply to the gentleman from Illinois that this amendment is presented as a whole. It is a motion to strike out and insert, and just as you can not divide that motion in ordinary legislation, so here you can not divide this amendment. It certainly reduces the expenditures proposed in this bill, and at the same time changes existing law. But the rule expressly provides that an amendment which does change existing law to be in order shall reduce expenditures, and this does that clearly and distinctly.

Mr. BLOUNT. I desire to make an additional point of order to that made by the gentleman from Illinois, applying to that portion of the amendment which changes existing law and not to that which changes the amount. The language of the rule is:

Nor shall any provision in such bill or amendment thereto changing existing law be in order, &c.

There are several provisions in the gentleman's amendment. One is to change the law in relation to certain cadets at Annapolis. That increases expenditures. The gentleman has another clause in his amendment which just arbitrarily reduces the amount in the bill. With that I have nothing to do. But I do make the point of order as to the provision changing existing law.

Mr. CALKINS. While I am in full sympathy with the amendment offered by the gentleman from Kansas, and shall beg of the committee to allow an amendment of that kind to be submitted, I am satisfied the point of order is well taken against the amendment. It has been the uniform ruling of the different chairmen of the Committee of the Whole, at least during the last two sessions, that where an amendment contains two substantive propositions the point of order will lie against either substantive proposition. This amendment has two substantive propositions. The one is to reduce the amount appropriated. To that the point of order does not apply. The other is a substantive proposition changing existing law, and to that the point of order applies.

The CHAIRMAN. The Chair desires to rule on the point of order. The Chair rules out from the gentleman's amendment that part of it which changes existing law, but will recognize the amendment and rule it in order so far as it changes the amount carried by the bill.

Mr. ANDERSON. If the Chair will permit——

The CHAIRMAN. Does the gentleman want to be heard on the merits of his proposition?

Mr. ANDERSON. I desire to take an appeal from the decision of the Chair. If the Chair had ruled the whole thing out he would perhaps have been right, but he is not right in ruling out a part of the amendment.

The CHAIRMAN. Does the gentleman appeal from the decision of the Chair?

Mr. ANDERSON. Yes; on the ground that where a motion is made to strike out and insert, that is not a divisible motion. Therefore when the Chair undertakes to divide it, in my humble judgment the Chair has gone too far.

The CHAIRMAN. The gentleman from Kansas [Mr. ANDERSON] appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. MILLS. Is that debatable?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MILLS. I desire to say that two years ago, I believe it was, I offered an amendment to an appropriation bill in precisely the form in which the gentleman from Kansas [Mr. ANDERSON] has offered his amendment, and to meet precisely the objection which he intends to meet by the form he has adopted.

The rule requires that if a proposition amends existing law it must go still further and reduce expenditures. Any proposition in an appropriation bill that changes existing law, if it reduces expenditures, is authorized by the rule. I may say that the rule was made for that purpose. Who is there here who does not know that this portion of the rules was prepared by the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Pennsylvania [Mr. RANDALL] for the express purpose of permitting in appropriation bills propositions to reduce salaries under existing laws?

Mr. CALKINS. Will the gentleman allow me a moment?

Mr. MILLS. Certainly.

Mr. CALKINS. That was the ruling originally when these rules were first codified. The point of order was made against the whole amendment, not against any substantive provision of the amendment. Subsequently, when the difference was pointed out, and very nicely, too, by the gentleman from Pennsylvania [Mr. RANDALL], at a time when I had the honor to preside, it was ruled that a point of order could be made against any provision of the amendment or any provision of the bill where they were clearly divisible; that the point of order would lie against any substantive proposition. It was in that way that the ruling was established.

Mr. MILLS. If that is the rule, then the sooner we undo it the better. If that be true, then you have no use for the rule.

If a member can make a point of order to any provision of the amendment and thus strike out the very part intended by the member offering it to give it force so as to bring it within the rule and submit the proposition to the House, then the whole purpose of the rule is gone.

As a matter of course, you can move to reduce expenditures; nobody doubts that at all. But if you are denied the right to move a proposition to change existing law, then the very object of the rule is gone.

The CHAIRMAN. The question is upon the appeal from the decision of the Chair. Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and the decision of the Chair was sustained.

Mr. CALKINS. I offer as a proviso to the pending paragraph that which I send to the Clerk's desk.

The Clerk read as follows:

Provided, That no further appointments of paymasters in any grade of the Navy shall be made, and when vacancies occur officers of the line shall be detailed to perform the duties now required of paymasters under such regulations as the Secretary of the Navy may require.

Mr. TALBOTT. I suggest to the gentleman from Indiana [Mr. CALKINS] to modify his amendment so that it will read "under the rules and regulations now provided by law" rather than to leave those regulations to be determined by the Secretary of the Navy.

Mr. CALKINS. I accept the suggestion and modify my amendment accordingly.

I desire to say that when the Army appropriation bill was under consideration in Committee of the Whole a few days ago, on motion of my colleague [Mr. BROWNE] a provision very similar to this was adopted with reference to the Army. It was provided in the bill that hereafter all appointments of paymasters should cease and the duties of paymasters should be performed by line officers of the Army. That was put into the bill almost unanimously.

Now, I can see no reason why such a provision should not apply equally as well to the Navy, and by that means we will get rid entirely of that part of the staff of the Navy.

Mr. HISCOCK. I would inquire of the gentleman from Indiana [Mr. CALKINS] if it would not be well to modify his amendment in this way? I merely suggest it to him: "Provided that no further appointment of paymasters in the lowest grade of the Navy shall be made," &c.

Mr. CALKINS. I wish to say in reply to the gentleman from New York [Mr. HISCOCK] that I have considered that question, and I think the amendment I have now offered will meet exactly what we all want. It provides that appointments shall be made in no grade; that does not affect the question of promotion at all.

Mr. BLOUNT. I would like to ask the gentleman how he is going to provide for the bonds to be given by the officer acting as paymaster?

Mr. CALKINS. He is to act "under the rules and regulations now provided by law."

Mr. BLOUNT. You may assign an officer to that duty and he may not want to take it.

Mr. TALBOTT. Then assign some one else in his place.

Mr. CALKINS. My amendment provides that the duty shall be performed under such rules and regulations as are now provided by law.

Mr. KNOTT. I have an amendment here which I have no doubt will be accepted by the gentleman from Indiana [Mr. CALKINS]; it is more explicit and covers the entire case.

Mr. CALKINS. Let it be read.

The Clerk read as follows:

Add the following to the pending paragraph:

"*And provided*, That hereafter no promotion shall be made to the grade of pay director, pay inspector, paymaster, or passed assistant paymaster, nor shall any appointment be hereafter made to the grade of assistant paymaster; and whenever a vacancy shall occur in any of said grades a suitable officer shall be detailed from the line to discharge the duties thereof, if necessary, under such regulations as the Secretary of the Navy shall prescribe; but nothing herein contained shall be so construed as to deprive any officer of the Navy in either of said grades of his commission."

Mr. TALBOTT. I have offered an amendment, which, as I understand, the gentleman from Indiana has accepted, to add the words:

Under the rules and regulations provided by law.

Mr. CALKINS. I am not prepared at this moment to accept that amendment, but I will examine it.

Mr. HEPBURN. As a substitute for the amendment of the gentleman from Indiana I offer the provision which I send to the desk.

The Clerk read as follows:

Strike out all after the word "dollars," in line 21, to and including the word "paymaster," in line 23; and after the word "dollars," in line 31, add the following:

"*Provided*, That each officer in charge of a vessel or navy-yard belonging to the United States shall be detailed by the Secretary of the Navy to pay the officers and men under his command, under such regulations as shall be prescribed by such Secretary; and on the 30th day of June, 1883, all pay directors, pay inspectors, paymasters, passed assistant paymasters, and assistant paymasters shall be mustered out of the naval service of the United States, with full pay for one year."

Mr. HEPBURN. Mr. Chairman, I have made some calculations, which I am satisfied are approximately correct, to show the enormous expense to which the United States Government is now subjected in order to disburse the pay of the Navy. There are one hundred and twenty-four officers in the Pay Department. Twenty-five of these officers receive an average of $4,400 a year, or a total of $110,000; fifty officers receive a total of $175,000; thirty receive $66,000; and nineteen receive $36,000, making a total of $387,000 paid to the Pay Department of the Navy. These men, Mr. Chairman, are required to pay less than eleven thousand persons, or an average of eighty-eight persons each. If all of these pay officers were actively engaged their disbursements would amount to an average of $53,400 a year for each officer.

The cost of paying the Navy is equal to 5 per cent. of the entire amount disbursed. I am satisfied, Mr. Chairman, that the greater portion of this enormous expense can be saved; that these officers might well be dispensed with; that each officer in command of a ship or in charge of a navy-yard or naval station might, under proper instructions from the Secretary of the Navy, be detailed to make these payments.

Why, Mr. Chairman, think for a moment of the manner in which a private individual or a corporation makes disbursements to employés. There are two corporations doing business in the State where I reside that have a larger number of employés than the total *personnel* of the Navy of the United States. On the 15th day of each month two men start from the city of Chicago and by the end of the month they have paid a larger number of men than are paid by these one hundred and twenty-four officers in the Navy; they have their completed vouchers in their possession; and this work is done at a cost of less than $5,000 a year. Now contrast this manner of doing business with the enormous expenditure which we annually make in order to disburse the pay of our Navy. If gentlemen are sincere when they say that the naval establishment of the United States is top-heavy—if they are sincere when they say they desire to curtail these enormous expenses, I can see no better way in which this may be done than by voting for this amendment.

There is no great hardship in this proposition. It makes provision for these gentlemen to at least a reasonable extent. It may be said that after many years' service they are turned out to seek new employment; but under this amendment they are turned out with something at least in their hands. The amendment allows to each of them a full year's compensation; and with this fund to support them, they can easily, it seems to me, make new arrangements suitable to their new condition.

I believe that no proposition submitted in the nature of an amendment on this bill would more effectually subserve the idea of economy suggested by so many gentlemen than the amendment now under consideration.

[Here the hammer fell.]

Mr. CALKINS. I wish to say that the amendment of my friend from Kentucky——

The CHAIRMAN. Debate is exhausted.

Mr. CALKINS. I move to strike out the last word. I wish to say that while the amendment of the gentleman from Kentucky proposes to stop all promotions in the corps of pay officers my amendment allows promotion to go on until all the officers now in the pay corps are exhausted; and then we shall have a pay corps composed simply of line officers. If the Committee of the Whole are willing to stop promotions of course I have no objections, but I think that justice to these men requires that we should put in this bill a provision similar to that which was inserted in the Army bill.

Mr. HISCOCK. Is the gentleman from Indiana entirely right in his statement as to the effect of his amendment? As I understood, it provides that whenever vacancies occur in any grade——

Mr. CALKINS. It provides that no original appointment shall hereafter be made in any grade. That does not stop promotions. Let my amendment be again read.

The amendment of Mr. CALKINS was again read.

Mr. CALKINS. My amendment is intended to be in effect the same that was adopted upon the Army bill—not to stop promotions, but when vacancies occur to have line officers detailed to perform the duties until the pay corps as now constituted is exhausted. The object is the gradual substitution of line officers.

Mr. TALBOTT. I would like the attention of the gentleman from Indiana [Mr. CALKINS] for one moment. Suppose that a paymaster should die or resign—a very improbable event I admit—does the amendment of the gentleman from Indiana provide that an appointment shall be made from the line to fill that vacancy?

Mr. BUTTERWORTH. I think that is the effect.

Mr. TALBOTT. I suggest to the gentleman his amendment should be so worded that the promotion shall first take place and then an appointment be made to fill the vacancy in the lower grade.

Mr. CALKINS. To make it perfectly certain I will put in "original"—"no original appointments," and then it will be beyond all question or dispute.

Mr. KNOTT. Is not the substitute I have offered pending before the committee?

The CHAIRMAN. The gentleman from Kentucky asks the gentleman from Indiana to accept it, which the latter declined to do.

Mr. KNOTT. I move it, then, as a substitute for the pending proposition.

Mr. ATKINS. Let it be again reported.

Mr. KNOTT's amendment was again read.

The CHAIRMAN. The Chair will ask the gentleman from Iowa to withdraw his amendment until a vote is taken on the substitute of the gentleman from Kentucky for the proposition of the gentleman from Indiana.

Mr. SPARKS. What becomes of the amendment of the gentleman from Iowa?

The CHAIRMAN. It is withdrawn temporarily.

Mr. CALKINS's amendment was again read.

Mr. ROBESON. What is the question before the committee at this time?

The CHAIRMAN. The first question in order is on the substitute moved by the gentleman from Kentucky for the amendment of the gentleman from Indiana.

Mr. ROBESON. The question, then, we are now discussing is the substitute of the gentleman from Kentucky.

The CHAIRMAN. That is the point.

Mr. ROBESON. As I understand the substitute, it is when any vacancy occurs in any of the grades of the pay corps of the Navy, from pay inspector to assistant paymaster, a line officer shall be put in his place and discharge his duties. That is the effect of it. This committee should understand just this before they do anything of that kind, that all paymasters in the Navy unite in that one corps quartermasters, commissaries, and paymasters of the Army; that every paymaster is commissary, quartermaster, and paymaster, and discharges all those duties.

Another point this committee should understand, that there must be on board of every ship a paymaster to keep its accounts, to take care of its stores, to pay its men, to keep its books, to disburse its expenditures, and to look after its moneys. In every naval station of the country there must be a corps of paymasters; first, to pay everybody there, to pay all the workmen, to pay for all materials, to pay for every purchase, to pay for work that is done, to keep all the books of accounts, to account with the Treasury Department through the Second Comptroller, to keep a series of books which under the present system of detailed appropriations requires an expert accountant of the very first class and of many years' experience.

Besides that, Mr. Chairman, you must remember these men handle millions of money. Some of them have hundreds of thousands of dollars in their hands at once. They give large bonds. They are selected not only for that, but for their accuracy and adaptability for keeping accounts.

Now you are going to take a sailor-man, a man who has been brought up to walk the deck only, who has been educated as a seaman, who looks to that for his prominence and success in life, and put these duties upon him. How soon would the naval accounts be settled in the Treasury if that happened? What becomes of accounts aboard ship of clothing, of provisions, of purchases, when she comes home? Who are to control them? Who could understand them? These gentlemen of the line are experts in their profession. They are specialists in that. I know they have an idea nobody knows anything they do not know. I know they think that if a man can not reef a topsail he does not know anything at all.

Mr. MILLS. Let me ask the gentleman a question, whether or not bookkeeping is taught in the course at the Naval Academy?

Mr. ROBESON. No, it is not taught there.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. HISCOCK. I will take the floor and yield to the gentleman from New Jersey, if he desires to proceed.

Mr. KNOTT. There has been but one five-minute speech made upon this amendment, and that was made by the gentleman from New Jersey.

Mr. HISCOCK. The gentleman from Indiana spoke upon it.

Mr. KNOTT. No, he was debating his own amendment.

The CHAIRMAN. The gentleman from New York was recognized and yielded his time to the gentleman from New Jersey. The Chair will recognize the gentleman from Kentucky afterward.

Mr. ROBESON. Now, Mr. Chairman, I want the committee to understand just what this thing is. I want them to understand the various, conflicting, delicate, and peculiar duties that are imposed upon these gentlemen; the conditions under which they enter the service, and the strict accountability that they are held to by the law. I would

like to know what lieutenant or lieutenant-commander of the line, and you may take the most intelligent of them, and I say it from my own personal knowledge that the most intelligent of the whole list is not competent to-day to discharge the duties of assistant paymaster of a small ship; and if he attempted it, if he undertook to discharge those duties without further and special instruction, he would be before he knew it in the clutches of the law, and his bondsmen would suffer. The accounts of that ship under such circumstances, at every stage, would be in turmoil and confusion, and the reports to the Treasury and the accounts made up from it would simply be confusion worse confounded.

Mr. KNOTT addressed the Chair.

Mr. SPARKS. Will the gentleman from Kentucky yield for a motion that the committee do now rise?

Mr. KNOTT. I will yield for that motion, retaining the floor.

Mr. SPARKS. Then I move that the committee do now rise.

Mr. ROBESON. I hope not.

The committee divided; and there were—ayes 51, noes 69.

So the committee refused to rise.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. KNOTT. Mr. Chairman, I have no doubt that the committee is under very great obligations to the gentleman from New Jersey for the instructions he has given them as to the mysterious and important duties which pertain to the office of paymaster in the Navy. I venture to predict, however, that the line of the Navy will not feel under very great obligations for the distinguished compliment he has paid to their intelligence and capacity.

Now we know very well, the most of us at least, what the duties of a paymaster are. Those of us who do not know precisely what they are may form a very good idea, and I undertake to say that they are no more than any ordinary corner grocer man is fully competent to perform. Any thousand-dollar clerk in the Government employment who is not competent to perform the duties of paymaster ought to be drummed out of the service for incompetency. What is the fact? When a ship goes into commission, the officers in command of the various departments determine what stores are necessary for each of their departments. Each of these officers makes his requisition for the needed articles. That requisition is approved by the commander of the vessel. Those stores are then furnished out of the stores on hand if the ship is here in port.

If the ship is in a foreign port and needs stores or supplies of any kind, the requisition is made by the officer in command of the department that needs the stores, which is approved by the captain or officer in command, and the paymaster is ordered to go out and buy them in the open market or where he can get them cheapest. He is required, in addition to this important duty, to pay the officers, the men, and the employés of the ship, and to keep an account of the moneys on hand and the disbursements made by him. Now I undertake to say that there is not an officer, from the youngest midshipman on the list to the Admiral of the Navy, who is not abundantly competent to discharge any of these duties. Any man who has mathematical knowledge enough to make the simplest calculation, to tell how much twelve pounds of beans would come to at 12½ cents a pound, can discharge the duties devolving upon an assistant paymaster.

Now, as to his "great labors." That, Mr. Chairman, is the most preposterous nonsense, if I may be allowed to use the expression, the most preposterous that I have ever heard. Nineteen-twentieths of the time he is at sea he is doing nothing whatever, and while he is in actual service almost everything he does is performed by the clerk who is employed and paid by the Government. More than that, when the paymaster dies at sea, I ask who discharges his duties? The captain in that case details an officer of the line to perform them, and if he is not competent, as we are to believe from the statements made here, we ought to make some provision by which one of these extremely wise men is sent along as a sort of supernumerary with every ship, so as to be on hand in case of such a contingency.

But, Mr. Chairman, I feel that these remarks are perfectly futile. I feel that with all of the present disposition to save money for the people it is utterly idle to make such a presentation, although the proposition I submit will immediately and directly effect a saving of $375,000 a year to our people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS took the floor and yielded his time to Mr. KNOTT.

Mr. KNOTT. I say, Mr. Chairman, the proposition that I have submitted leads to a speedy and direct saving of at least $375,000 a year to the country, and I reiterate the statement I have already made, that this corps of officers is as absolutely useless in the Navy of the United States as the fifteenth wheel would be to a wagon. I maintain that there is nothing which they are called upon to perform that could not be fully and just as well performed by any man of ordinary common sense. And if it is true that the line officers of the Navy, educated at vast expense to the Government at this grand institution down here at Annapolis, have not got sense enough to go into the market and buy what a ship needs; have not got sense enough to count the money to pay for it, or to count the money put into their hands to pay the officers and the sailors; have not sense enough to make a report to the Department of what they have received and what they have disbursed for these different items, then I say they are unworthy of the service and the whole of them ought to be mustered out.

Why, such a set of unmitigated idiots and imbeciles were never seen on the Lord's green earth as the line officers of the Navy are represented to be when we are told they can not go on shore and buy a few cabbages, a little beef, and a few barrels of flour; that they can not keep an account of what they buy; that they can not keep an account of a few hundred dollars which they disburse for such purposes. In my judgment it is the most preposterous nonsense to make any such assertion.

Now, sir, the reason why I think my substitute for the amendment of the gentleman from Indiana [Mr. CALKINS] ought to be adopted is this: If I apprehend the meaning of that amendment correctly it only reaches one grade in the corps, and that is the grade of paymaster. My substitute reaches the entire corps and does not do injustice to any of them.

Mr. BUTTERWORTH. If the gentleman will permit me, I will say I think he is in error about that. Both amendments muster out the entire corps ultimately——

The CHAIRMAN. Does the gentleman from Kentucky yield?

Mr. KNOTT. No, sir. It does not touch a solitary one of these officers. It allows each one of them to hold his commission.

But it does seem to me if there is anything superlatively sanctified in the eye of the American Congress it is one of these staff officers. We are told by Holy Writ that to touch the tottering ark while being conveyed from one place to another was certain death; to lay hands upon the show-bread was sacrilege, and it was allowed only to the high priest once a year to look upon the shekinah in the holy of holies. But there is a degree of sanctity around a staff officer, especially a paymaster in the United States Navy, before which all these things fade into utter insignificance. [Laughter.]

Mr. BUTTERWORTH. Now, will the gentleman from Kentucky answer a question?

Mr. KNOTT. I will answer my friend's question if it be a pertinent one.

Mr. BUTTERWORTH. The gentleman a few moments ago did not hear me through. I said both amendments muster the entire corps out ultimately. The amendment of the gentleman from Kentucky, however, prevents any promotion in the staff corps during the process of mustering out. For instance, if a captain dies in the staff corps you would appoint to succeed him possibly a lieutenant from the line instead of promoting the man next below him in his own corps, which is a palpable injustice, because, although an officer in that corps might have served twenty years and be entitled to his promotion, you deny it to him, giving it, however, to a junior officer of the line. I submit that is a gross injustice.

Mr. KNOTT. My amendment does not inflict any injustice.

Mr. HISCOCK. I move to strike out the last word.

I desire to make a suggestion or two against both the amendment of the gentleman from Indiana [Mr. CALKINS] and the amendment of the gentleman from Kentucky [Mr. KNOTT], and it is this: This appropriation bill carries nearly $15,000,000. There is a provision in this bill for the purchase of new material for the building of three ships.

Since I have been a member of the House of Representatives I believe that the amount annually carried by the appropriation bills for the support of the Navy has been about $15,000,000. The gentleman from Kentucky [Mr. KNOTT] seems to think that the only business of one of these paymasters or of a person in this service is to buy a few cabbages, and he has based his argument upon that supposition. I desire to call the attention of the two gentlemen who are offering these amendments and propose to strike down the staff corps to the fact that the discretion to spend nearly all of this $15,000,000 is vested in this corps. The accountability for all of it is vested in this corps—the purchase of material for the repairs of the Navy; the purchase of material for the construction of the Navy when new vessels are to be constructed—and you propose to turn this over to the junior officers in the line. Of course the superior officers will not take this employment, they have other employments, and it goes to the lieutenants, those who are untried, to purchase this vast amount of material which is used for the repair and construction of the Navy, men who have not been educated for the business. And I go further than that. I ask what sensible business man would strike down this system which has existed for over fifty years and turn it over to a new and untried corps?

Mr. CALKINS. Why did you do it in the Army?

Mr. HISCOCK. It was not done in the Army. There this was simply turned over from the Paymaster's Department to the Quartermaster's Department, they having all the experience of age and of education. You merely turned it from one department to another department equally competent for both these reasons to discharge the service. But here you are not turning it over to a service already educated in this way and trained in those methods.

Mr. CALKINS. I desire to say in answer to the gentleman from New York [Mr. HISCOCK] that if I have any interest in this matter it is to preserve and make better the Navy of the United States. I know and every gentleman here knows that the discrepancy between the staff and the line has grown so great that it has become a standing—I was

going to say a standing shame to the people of this country. And I say besides that, Mr. Chairman, that if the Navy is to be preserved it is to be preserved by judicious legislation; and the best way to do it is to get rid of those officers that we can spare from the service and put in their place other officers without increasing expenditures.

My friend from New York urges that these men who have been educated at Annapolis have not sufficient education to enable them to expend properly the money we appropriate for the support of the Navy.

Mr. HISCOCK. I have scarcely urged that.

Mr. CALKINS. In answer to that, I desire to say that the line officers of the Navy to-day, many of them, without having given a dollar in bonds, are expending more money than any one paymaster in the whole corps; I refer to the naval officers of the line in charge of the light-houses, some of whom are expending $40,000 a month. I am asked if it is an intricate business to make up these pay-rolls.

Mr. HISCOCK. It is not a question of making out pay-rolls merely.

Mr. CALKINS. That is not a question of sufficient importance to require much time to answer. Myself and others are friends of that branch of the service in which we all feel a pride, the Navy of the United States. Since we have been launched into this matter of reforming the Navy on an appropriation bill I say let us reform it, and when we attempt to do so, let us strike at that which ought to be reformed.

Mr. ROBESON. I move that the committee now rise.

Mr. HENDERSON. I would like, if my friend from New Jersey——

Many MEMBERS. Regular order.

The CHAIRMAN. The regular order is called for, which is the motion of the gentleman from New Jersy [Mr. ROBESON], that the Committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAGE reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes, and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. KELLEY. I desire to submit a resolution——

Mr. MILLS. I move that the House now adjourn.

Mr. ROBESON. I desire to submit a motion.

Mr. KELLEY. I have been recognized to offer a resolution for the printing of the tariff schedules, showing the three rates of duty, those now existing, those proposed by the Committee on Ways and Means, and those proposed by the Tariff Commission.

Mr. MILLS. I have no objection to that.

Mr. KELLEY. I desire to state that if the resolution is now adopted these schedules will be ready for members to-morrow.

The SPEAKER. The resolution will be read.

TARIFF SCHEDULES.

Mr. KELLEY. I submit the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That there be printed for the use of the House 1,000 copies of the schedules contained in House bill No. 7313 which have been prepared by the Committee on Ways and Means, in parallel columns, showing the present rates of duties on foreign imports, those recommended by the Tariff Commission, and those reported in the House bill.

Mr. MILLS. Will that contain the value of the articles upon which duties are levied?

Mr. KELLEY. It gives the three rates of duty alone.

Mr. MILLS. Does it give the value of the articles?

Mr. KELLEY. There is another paper being prepared by the Treasury Department, I believe, which will give that information.

The resolution was adopted.

LIMITING DEBATE ON NAVAL APPROPRIATION BILL.

Mr. ROBESON. I move that when this House shall again resolve itself into Committee of the Whole for the further consideration of the naval appropriation bill, all debate on the pending paragraph and pending amendments be confined to fifteen minutes.

Mr. SPRINGER. Pending that, I move the House now adjourn.

Mr. ROBESON. I trust the gentleman will withdraw that motion until this order can be made.

Mr. SPARKS. We can settle that matter in the morning.

Many MEMBERS. Regular order.

The SPEAKER The regular order is the motion to adjourn.

The question was taken; and upon a division there were—ayes 34, noes 46.

Mr. SPARKS. I call for tellers on the motion to adjourn.

Tellers were not ordered, there being 16 in the affirmative—not one-fifth of a quorum.

So the motion to adjourn was not agreed to.

The SPEAKER. The question now recurs on the motion of the gentleman from New Jersey [Mr. ROBESON], to limit debate in Committee of the Whole on the pending paragraph and amendments pending thereto of the naval appropriation bill to fifteen minutes.

The question was taken; and upon a division there were—ayes 65, noes 11.

Mr. SPARKS. No quorum has voted.

Mr. ROBESON. I call for the yeas and nays.

Mr. SPARKS. All right; you can have them.

The question was taken upon ordering the yeas and nays; and there were 42 in the affirmative.

So (the affirmative being more than one-fifth of the last vote) the yeas and nays were ordered.

The question was taken; and there were—yeas 74, nays 36, not voting 181; as follows:

YEAS—74.

Anderson,	Doxey,	Page,	Scales,
Atkins,	Dwight,	Parker,	Shallenberger,
Beach,	Evins,	Paul,	Shelley,
Bisbee,	Farwell, Sewell S.	Peelle,	Skinner,
Bragg,	Guenther,	Peirce,	Smalls,
Briggs,	Hardenbergh,	Pettibone,	Smith, A. Herr
Brumm,	Harris, Benj. W.	Pound,	Spooner,
Buck,	Haseltine,	Prescott,	Steele,
Burrows, Julius C.	Henderson,	Randall,	Talbott,
Butterworth,	Hitt,	Ranney,	Thomas,
Calkins,	Holman,	Ray,	Townsend, Amos
Cannon,	Horr,	Rice, John B.	Updegraff,
Carpenter,	Houk,	Rice, Wm. W.	Van Horn,
Caswell,	Jacobs,	Rich,	Ward,
Cravens,	Lacey,	Richardson, J. S.	Watson,
Dawes,	McLean, Jas. H.	Ritchie,	White,
Deuster,	Miller,	Robeson,	Willits.
Dezendorf,	Mutchler,	Robinson, Geo. D.	
Dowd,	Norcross,	Rosecrans,	

NAYS—36.

Aiken,	Cox, William R.	Hutchins,	Sparks,
Berry,	Dibrell,	Klotz,	Springer,
Buchanan,	Ellis,	Knott,	Thompson, P. B.
Cabell,	Ermentrout,	Leedom,	Turner, Oscar
Chapman,	Forney,	Le Fevre,	Vance,
Clark,	Fulkerson,	Manning,	Warner,
Clements,	Hardy,	McKenzie,	Wellborn
Converse,	Hatch,	McMillin,	Wheeler,
Covington,	Herbert,	Mills,	Wise, George D.

NOT VOTING—181.

Aldrich,	Dingley,	Kenna,	Russell,
Armfield,	Dugro,	Ketcham,	Ryan,
Atherton,	Dunn,	King,	Scoville,
Barbour,	Dunnell,	Ladd,	Scranton,
Barr,	Erret,	Latham,	Sherwin,
Bayne,	Farwell, Chas. B.	Lewis,	Shultz,
Belford,	Fisher,	Lindsey,	Simonton,
Belmont,	Flower,	Lord,	Singleton, Jas. W.
Beltzhoover,	Ford,	Lynch,	Singleton, Otho R.
Bingham,	Frost,	Mackey,	Smith, Dietrich C.
Black,	Garrison,	Marsh,	Smith, J. Hyatt
Blackburn,	Geddes,	Martin,	Spaulding,
Blanchard,	George,	Mason,	Speer,
Bland,	Gibson,	Matson,	Stockslager,
Bliss,	Godshalk,	McClure,	Stone,
Blount,	Grout,	McCoid,	Strait,
Bowman,	Gunter,	McCook,	Taylor, Ezra B.
Brewer,	Hall,	McKinley,	Taylor, Joseph D.
Browne,	Hammond, John	McLane, Robt. M.	Thompson, W. G.
Buckner,	Hammond, N. J.	Miles,	Townshend, R. W.
Burrows, Jos. H.	Harmer,	Money,	Tucker,
Caldwell,	Harris, Henry S.	Moore,	Turner, Henry G.
Camp,	Haskell,	Morey,	Tyler,
Campbell,	Hazelton,	Morrison,	Upson,
Candler,	Heilman,	Morse,	Urner,
Carlisle,	Hepburn,	Mosgrove,	Valentine,
Cassidy,	Herndon,	Moulton,	Van Aernam,
Chace,	Hewitt, Abram S.	Muldrow,	Van Voorhis,
Clardy,	Hewitt, G. W.	Murch,	Wadsworth,
Cobb,	Hill,	Neal,	Wait,
Colerick,	Hiscock,	Nolan,	Walker,
Cook,	Hoblitzell,	Oates,	Washburn,
Cornell,	Hoge,	O'Neill,	Webber,
Cox, Samuel S.	Hooker,	Pacheco,	West,
Crapo,	House,	Payson,	Whitthorne,
Crowley,	Hubbell,	Phelps,	Williams, Chas. G.
Culberson,	Hubbs,	Phister,	Williams, Thomas
Cullen,	Humphrey,	Reagan,	Willis,
Curtin,	Jadwin,	Reed,	Wilson
Cutts,	Jones, Geo. W.	Reese,	Wise, Morgan R.
Darrall,	Jones, James K.	Rice, Theron M.	Wood, Benjamin
Davidson,	Jones, Phineas	Richardson, D. P.	Wood, Walter A.
Davis, George R.	Jorgensen,	Robertson,	Young.
Davis, Lowndes H.	Joyce,	Robinson, Jas. S.	
Deering,	Kasson,	Robinson, Wm. E.	
De Motte,	Kelley,	Ross,	

The following pairs were announced from the Clerk's desk:

Mr. CORNELL with Mr. BLACK.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. HAMMOND, of New York, with Mr. HEWITT, of New York.

Mr. STRAIT with Mr. ROBINSON of New York.

Mr. SPAULDING with Mr. JONES of Arkansas.

Mr. MASON with Mr. DUGRO.

Mr. GODSHALK with Mr. ROSS.

Mr. BARR with Mr. GARRISON.

Mr. URNER with Mr. MCLANE of Maryland.

Mr. BELFORD with Mr. PHISTER.

Mr. DARRALL with Mr. KING.

Mr. CUTTS with Mr. KENNA.

Mr. MILES with Mr. MULDROW.

Mr. RUSSELL with Mr. TUCKER.

Mr. FARWELL, of Illinois, with Mr. SCOVILLE.

Mr. CHACE with Mr. WILSON.
Mr. DAVIS, of Illinois, with Mr. CALDWELL.
Mr. HUBBS with Mr. LATHAM.
Mr. BLAND with Mr. HUMPHREY.
Mr. O'NEILL with Mr. MARTIN.
Mr. WAIT with Mr. CLARDY.
Mr. TOWNSHEND, of Illinois, with Mr. JADWIN.
Mr. WILLIS with Mr. PAYSON.
Mr. HOLMAN. My colleague, Mr. STOCKSLAGER, is detained at home by sickness.

SMITHSONIAN INSTITUTION.

Pending the announcement of the vote upon the motion of Mr. ROBESON,

The SPEAKER, by unanimous consent, laid before the House a letter from the secretary of the Smithsonian Institution, transmitting in behalf of the Board of Regents the annual report of the operations, expenditures, and condition of the Smithsonian Institution for 1882; which was referred to the Committee on the Library, and, in pursuance of law, ordered to be printed.

ENROLLED BILLS SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 3575) to increase the police force of the District of Columbia, and for other purposes; and

A bill (H. R. 7330) to remove the disabilities of Francis H. Smith, sr., of Virginia.

ORDER OF BUSINESS.

The SPEAKER. On the vote just taken the yeas are 74, the nays 36.

Mr. SPARKS. No quorum.

Mr. ROBESON. Do I understand the gentleman to make the point that no quorum has voted?

Mr. SPARKS. I do.

Mr. ROBESON. Mr. Speaker, as it seems evident that gentlemen on the other side desire to filibuster for the purpose of delaying the business of this session, I move that the House do now adjourn.

Mr. SPARKS. The gentleman has no foundation for that statement.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WILSON, until Monday next, on account of important business.

To Mr. ERUMM, indefinitely, on account of sickness in his family.

To Mr. PAUL, for four days from the 22d instant, on account of important business.

WITHDRAWAL OF PAPERS.

Mr. HOUK, by unanimous consent, obtained leave to withdraw from the files of the House all papers in the case of C. Austin, filed in support of a bill now pending before the Committee on War Claims.

The motion of Mr. ROBESON, that the House adjourn, was then agreed to; and accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAYNE: The petition of Henry C. Fish and 232 others, employés of Lindsay & McCutchin's Star Iron Works, in Allegheny, Pennsylvania, praying that no lower rate of duty be adopted than that recommended by the Tariff Commission—to the Committee on Ways and Means.

By Mr. CURTIN: The petition of workingmen of Milesburgh and of iron-workers of Bellefonte, Pennsylvania, praying Congress to adopt no lower rates of tariff duties than those recommended by the Tariff Commission—severally to the same committee.

By Mr. G. R. DAVIS: The petition of Charles W. Oleson, C. G. Willard, and 34 others, citizens of Du Page County, Illinois, asking that measures be taken to exterminate pleuro-pneumonia in United States—to the Committee on Agriculture.

By Mr. DWIGHT: The petition of Clark & Baker and others, of New York, relative to the duty on tin-plate—to the Committee on Ways and Means.

By Mr. ERMENTROUT: Three petitions of the eighth Congressional district of Pennsylvania, for passage of the tariff bill as reported—severally to the same committee.

By Mr. ERRETT: The resolutions adopted by the Pittsburgh (Pennsylvania) Grain and Flour Exchange, protesting against the passage of the Lowell bankrupt law—to the Committee on the Judiciary.

Also, the petition of 105 workingmen in the mill of William Clark & Co., of 52 workingmen employed by H. Lloyd's Sons & Co., and of 65 employés of Hussey, Burns & Co., of Pittsburgh, Pennsylvania, against any reduction of rates of duties proposed by the Tariff Commission—severally to the Committee on Ways and Means.

By Mr. FORNEY: The petition of citizens of Mobile, Alabama, protesting against the transfer of the revenue-marine service from the Treasury to the Navy Department—to the Committee on Commerce.

By Mr. HARDENBERGH: The petition of the president and faculty of Rutgers College, New Jersey, relative to the National Observatory—to the Committee on Appropriations.

By Mr. HENDERSON: The petition of W. S. Bryan, M. D., and 38 others, citizens of Cambridge, Henry County, Illinois, for a necessary appropriation to continue the immigrant-inspection service—to the same committee.

By Mr. HOGE: The petition of J. M. Lazzell and others, citizens of Marion County, West Virginia, asking an appropriation for continuance of immigrant-inspection service under National Board of Health—to the Committee on the Public Health.

By Mr. HOUSE: Memorial of chancellor and professors of Vanderbilt University, in relation to the United States Naval Observatory—to the Committee on Naval Affairs.

By Mr. JACOBS: The petition of citizens of New York, relative to internal-revenue taxation—to the Committee on Ways and Means.

By Mr. O'NEILL: The remonstrance of the Franklin Institute of the State of Pennsylvania against the transfer of the Coast and Geodetic Survey from the Treasury Department to the Navy Department—to the Committee on Appropriations.

Also, the petition of officers of the United States Army, for the passage of a bill regulating the pay of officers below the rank of major who have served fifteen years or more in one grade—to the Committee on Military Affairs.

Also, the petition of cloak manufacturers of Philadelphia, Pennsylvania, protesting against the proposed reduction of duty on foreign-made cloaks—to the Committee on Ways and Means.

By Mr. PEELLE: Papers relating to the pension claim of Catharine Bullard—to the Committee on Invalid Pensions.

By Mr. PRESCOTT: Papers relating to claim of Bedent Beard—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. RANNEY: The petition of Henry R. Boag, asking to be relieved of the charge of desertion—to the Committee on Military Affairs.

Also, the petition of the survivors of the crew of the United States sloop of war Jamestown—to the Committee on Foreign Affairs.

By Mr. SHALLENBERGER: Papers relating to the pension claim of Juday Adams and of Juliet Miller—severally to the Committee on Invalid Pensions.

Also, the petition of Dr. Joseph Laronner and others, physicians of Beaver County, Pennsylvania, for the erection of a fire-proof building for the use of the medical library and museum of the Surgeon-General's Office—to the Committee on Public Buildings and Grounds.

By Mr. A. H. SMITH: The petition of D. K. Rettew and 23 others, of Columbia, Pennsylvania, for passage of tariff bill as reported—to the Committee on Ways and Means.

By Mr. SPAULDING: Papers relating to the claim of Peter Lennon—to the Committee on Invalid Pensions.

By Mr. A. TOWNSEND: The petition of G. R. Vincent and others, to amend section 4887 of the Revised Statutes in relation to patents—to the Committee on Patents.

By Mr. VALENTINE: The petition of the Cigar-makers' Union of Omaha, Nebraska, protesting against the proposed reduction of the duty on cigars—to the Committee on Ways and Means.

Also, the petition of Th. Huetle and 11 others, of Fremont, and of Milton Rodgers & Sons, of Omaha, Nebraska, protesting against increase of duty on tin-plates—severally to the same committee.

By Mr. WATSON: The petition of Elizabeth Hood, for a pension—to the Committee on Pensions.

By Mr. WEBBER: The petition of August Rasch and others, of Charles Hebard and others, of Horace Smith and others, of John McDonald and others, and of Edward Breiting and others, for passage of House bill 6235, to grant relief to certain settlers within the limits of the Ontonagon land grant, in the State of Michigan—severally to the Committee on the Judiciary.

By Mr. C. G. WILLIAMS: The letter of the Secretary of State conveying the request of Rear-Admiral J. W. A. Nicholson for permission to accept a gold medal from the King of Sweden and Norway—to the Committee on Foreign Affairs.

The following petitions for reduction of duty on sugar were presented and referred to the Committee on Ways and Means:

By the SPEAKER: Of Almon Bradford and others, citizens of South Charleston, Ohio.

By Mr. COLERICK: Of Hon. L. S. Null and 170 others, of New Haven, and of Thomas J. Mawhanter and others, of Wawaka, Indiana.

By Mr. COVINGTON: Of George S. Payne & Brother and 24 others, of Snow Hill, Maryland, and of William M. Holcomb and 38 others, of Wiota, Iowa.

By Mr. DWIGHT: Of P. H. Kenney and 30 others, of Waverly, New York.

By Mr. GUENTHER: Of citizens of Oshkosh, Wisconsin.

By Mr. HASKELL: Of citizens of Baldwin, of citizens of Galena, and of citizens of Xenia, Kansas.

By Mr. HAZELTON: Of Pizarro Cook and 23 others, of Mount Sterling; of George Watson and 47 others, of New Diggings; of Glasscott & Bragg and 83 others, of Monroe; of James A. Jones and 42 others, of F. H. Poehler and 79 others, of Prairie Du Chien; and of Lyon Brothers and 74 others, of Elk Horn, Wisconsin.

By Mr. HITT: Of Joseph Parker and 22 others, of Rochelle, Illinois.

By Mr. HOLMAN: Of William Laird and 48 others, of Mount Carmel; of J. B. Wolff and 30 others, of Lawrenceburgh; and of Theodore S. Cross and 80 others, of Moore's Hill, Indiana.

By Mr. LE FEVRE: Of Newton Miller and 38 others, of Pemberton, Shelby County, and of W. H. Dye & Brothers, of Columbus Grove, Ohio.

By Mr. McCOID: Of G. R. Keller and 78 others, citizens of Wapello, and of A. Charles and 25 others, of Pleasant Plains, Iowa.

By Mr. SPARKS: Of 61 citizens of Nokomis, Illinois.

By Mr. VALENTINE: Petitions of John Thompson and 77 others, of Fremont; of George K. Engalls and 44 others, of Rising Sun; of R. F. Stevenson and 78 others, of West Point; of J. F. Kelly and 79 others, of Osceola; of C. V. Bauts and 40 others, of York; of S. L. Sturtevant and 78 others, of Fullerton; of James Beach and 52 others, of Juniata; of H. G. Garrett and 72 others, of North Bend; of William C. Thompson and 15 others, of Riverton; of Thomas C. Allen and 68 others, of Utica; of John E. Miller and 78 others, of Shelton; of L. L. Stevens and 48 others, of Waterloo; of Theodore Flasch and 56 others, of Wilber; of R. J. Finch and 79 others, of Arapahoe; of L. H. Ryder and 78 others, of Greenwood; of J. D. Stewart and 79 others, of Hastings; of James W. Ridgway and 61 others, of North Platte; of P. W. White and 46 others, of Palmyra; and of G. B. Knong and 22 others, of Fort Calhoun, Nebraska.

By Mr. WILLITS: Of W. F. Rodgers and 79 others, of Blissfield, Michigan.

SENATE.

TUESDAY, *January* 23, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The PRESIDENT *pro tempore*. The few Senators present will come to order, and the Journal of yesterday's proceedings will be read.

Mr. BUTLER. I move that there be a call of the Senate before the reading of the Journal.

The PRESIDENT *pro tempore*. The roll will be called.

The Principal Legislative Clerk called the roll.

Mr. LOGAN. The pages should notify Senators. I was not absent from the building, but in attendance upon a committee.

Mr. SHERMAN. The Senators are in committee much more profitably employed than they are usually here for the first half-hour of the session.

After some little delay,

The PRESIDENT *pro tempore*. A quorum is now present.

Mr. BUTLER. I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The Journal of the proceedings of yesterday was read and approved.

PETITIONS AND MEMORIALS.

Mr. CAMERON, of Pennsylvania, presented the petition of James McCue and 321 other workingmen, employés of the Pottsville Iron and Steel Company, of Pottsville, Pennsylvania; the petition of Robert Reid and other workingmen, employés of the Crane Iron Works, of Catasauqua, Pennsylvania; the petition of John O'Brien and other workingmen, employés of the Fairmount Steel Works, of Philadelphia, Pennsylvania, and the petition of George Francis and other workingmen, employés of the Temple Iron Company, of Temple Furnace, Berks County, Pennsylvania, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which were ordered to lie on the table.

He also presented the memorial of D. S. Stetson and others, shipowners, ship-brokers, and shipping merchants, of Philadelphia, remonstrating against the passage of section 13 of the bill commonly known as the shipping bill; which was referred to the Committee on Commerce.

Mr. GORMAN presented the petition of R. B. Warfield and other workingmen, employés of H. William Ellicott & Son, at Maryland Furnaces, Baltimore, Maryland, praying that Congress will not adopt a lower rate of duty on manufactured articles than that recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. MILLER, of New York. I present a petition of workingmen, employés of the Rome Iron Works, at Rome, Oneida County, New York, in which they set forth substantially as follows:

> They have, however, viewed with alarm the effects upon general business of the mere proposition of the commission to reduce duties, and of the widespread apprehension that Congress may go even further in the work of reduction than the commission has recommended, and they point to the recent stoppage of mills and factories and workshops, to the enforced idleness of many workingmen, to the shrinkage in values and the decline in prices, to the largely increased number of financial failures, to the tendency toward lower wages for labor, to the hesitation of capital to engage in new enterprises, and to the withholding of orders for supplies by railroad companies and other great corporations, as conclusive proofs of the depressed condition of many of our leading industries and of the great shock which our whole industrial system has experienced.
>
> They believe that this serious and threatening condition of our industrial interests can only be changed and confidence and prosperity be restored to the country by the firm refusal of Congres at its present session to do anything that will tend to increase the importation of foreign goods, or that will make competition between the manufacturers of this country and of other countries for the supply of our markets so severe that the wages of American workingmen must be still further and permanently reduced.

I desire to say that the sentiments set forth here by the workmen of the Rome Iron Works meet my most hearty approval. I had occasion the other day to say that by no act of mine, by no vote of mine, could I consent that the rate of duty upon manufactured goods in this country should be reduced to such a point as would necessitate the reduction of the wages of workingmen. I present this as their petition and also as conveying my own sentiments on this subject. I move that the petition lie upon the table.

The motion was agreed to.

Mr. CALL. I present a petition of the Medical Association of the State of Florida, in which they state that the National Board of Health has been productive of great good to the people of that State, that its existence imparts a sense of safety to the entire country, and that they regard it as an actual necessity and approve of all necessary expenditures for the purpose of maintaining its existence. I move that the petition be referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

The motion was agreed to.

Mr. SEWELL presented a petition of physicians and surgeons of Paterson and Passaic, New Jersey, praying for an appropriation to provide a commodious fire-proof building for the Army and medical museum and library of the Surgeon-General's Office in Washington; which was referred to the Committee on Military Affairs.

Mr. CAMDEN presented the petition of James McLean and Thomas H. Norton, citizens of Ohio County, West Virginia, praying for the repayment of a certain sum of money required of and paid by them on account of entry of coal lands of the United States; which was referred to the Committee on Private Land Claims.

Mr. SHERMAN. I present a petition of workingmen, employés of the Otis Iron and Steel Company of Cleveland, Ohio, similar in purport to that which was presented by the Senator from New York [Mr. MILLER], praying that Congress will adopt no lower rates of duty on any foreign manufactured products than is recommended by the Tariff Commission. I move that the petition lie on the table.

The motion was agreed to.

Mr. SHERMAN presented the petition of James M. Dalzell, of Caldwell, Ohio, late of Company H, One hundred and sixteenth Ohio Infantry Volunteers, praying for the passage of a bill granting him a pension from the date of his discharge; which was referred to the Committee on Pensions.

Mr. PENDLETON presented a petition of the Cincinnati Drug Association, praying for the repeal of all special-license tax upon the drug trade, and of all stamp tax on medicines, perfumery, cosmetics, &c.; which was ordered to lie on the table.

Mr. HAMPTON presented the petition of the dean of the law school of Allen University and other citizens of Columbia, South Carolina, and the petition of J. T. Brown and 23 other citizens of Bluffton, South Carolina, praying for national aid to common schools; which were ordered to lie on the table.

The PRESIDENT *pro tempore* presented the memorial of the Crane Brothers Manufacturing Company of Chicago, Illinois, protesting against the passage of a national act of bankruptcy; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (H. R. 4657) granting relief to Archibald Hunley, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CAMERON, of Pennsylvania. I am instructed by a majority of the Committee on Military Affairs, to whom was referred the bill (H. R. 1612) for the relief of William P. Chambliss, to ask to be discharged from its further consideration.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed.

Mr. CAMERON, of Pennsylvania. I am also instructed by a majority of the Committee on Military Affairs, to whom was referred the memorial of Cavalry Post, No. 35, Grand Army of the Republic, of Philadelphia, Pennsylvania, resquesting that fifty sets of horse equipments complete and twenty carbines and slings be donated to the post, to ask to be discharged from its further consideration.

The report was agreed to.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 1790) for the relief of Oscar Eastmond and James W. Atwell, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. VAN WYCK. From a portion of the Committee on Pensions I ask leave to submit a report.

The PRESIDENT *pro tempore*. From a majority of the committee, the Senator means?

Mr. VAN WYCK. From a minority of the Committee on Pensions I submit a report favorable to the passage of the bill (H. R. 1410) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service. It is proper that I should state in this connection that there will be two other reports presented from the same committee.

The PRESIDENT *pro tempore*. Has the majority report been presented to the Senate?

Mr. VAN WYCK. Not yet. It is very doubtful which is the majority report; and it will require probably the skill of the Presiding Officer to decide which is the majority report.

The PRESIDENT *pro tempore*. The report had better be withheld for the present.

Mr. VAN WYCK. I should prefer to have the bill placed on the Calendar. It has been held back a great many months, and my object in presenting the report now is to ask that the bill be placed on the Calendar.

Mr. COCKRELL. A minority of the committee can not do that.

The PRESIDENT *pro tempore*. A minority can not report a bill.

Mr. VAN WYCK. Very well; we shall have to wade along with this matter as well as we can. I trust there will be no objection to receiving this favorable report, and that it may be printed. It was understood in the committee this morning that each branch of the committee should present its report as soon as it was ready for presentation. I was about to say that a substitute had been offered in place of the House bill, which had some support in the committee, and then the proposition not to report either bill is probably the strongest report that will be presented to the Senate; I mean that that will have more names of the committee upon it. I trust that there will be no objection at all events, and that this report may be presented and printed, because the matter has been delayed so long——

The PRESIDENT *pro tempore*. It can not be received except by unanimous consent.

Mr. VAN WYCK. Then I ask unanimous consent. I suppose there will be no objection.

Mr. JACKSON. I suggest to the Senator from Nebraska that he wait until to-morrow or next day. The majority report will be in in the course of a couple of days.

Mr. VAN WYCK. If that report will be made to-morrow, I am willing to accept the suggestion of the Senator from Tennessee.

The PRESIDENT *pro tempore*. Unanimous consent will not be given, because other members of the committee will object.

Mr. VAN WYCK. I do not ask unanimous consent if it can be done to-morrow.

Mr. BLAIR. I wish simply to say that I shall object to the presentation of any report until the committee is ready to report.

The PRESIDENT *pro tempore*. So the Chair supposed, of course.

Mr. VAN WYCK. So far as the committee is concerned it was distinctly understood that each branch of the committee should submit its report when it was prepared.

Mr. BLAIR. But it was not understood that the reports might be scattering piecemeal and dribbling along for the remainder of the session.

The PRESIDENT *pro tempore*. The subject is not before the Senate and can not be until the majority report is presented.

Mr. HAMPTON. The Committee on Military Affairs, to whom was referred the bill (H. R. 3668) to authorize a change of record in the case of Lewis Rodrick, find that it involves a question of pension, and they ask to be discharged from the further consideration of the bill, with a view to have it referred to the Committee on Pensions.

The PRESIDENT *pro tempore*. The Committee on Military Affairs will be discharged from the further consideration of the bill, if there be no objection, and it will be referred to the Committee on Pensions.

BILLS INTRODUCED.

Mr. LAPHAM (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2410) for the relief of the State of New York and to pay off certain certificates issued by that State to the soldiers of 1812; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2411) to regulate travel on steam-railroads within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GARLAND asked and, by unanimous consent, obtained leave to introduce a bill (S. 2412) to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884; which was read twice by its title.

Mr. GARLAND. Mr. President, the Cotton-planters' Association, in convention at Little Rock, Arkansas, last November, conceived the idea that this bill seeks to enforce. It is a matter of great interest and importance to our entire country, but especially so to the cotton-producing portion. The bill asks no financial aid of the Government, no expenditure by it at all, but merely a recognition, as has heretofore been given in similar projects put on foot by other industries or enterprises. I do not know that we have any committee in the Senate that would especially take charge of it, but I suppose the Committee on Agriculture would be the proper custodian of it, and in asking its reference to that committee I appeal to the committee to give it early consideration and return it to the Senate as soon as can well be done. I move the reference of the bill to the Committee on Agriculture.

The motion was agreed to.

Mr. PLATT asked and, by unanimous consent, obtained leave to introduce a bill (S. 2413) in relation to the delivery of mail matter from post-offices; which was read twice by its title.

Mr. PLATT. I move the reference of the bill to the Committee on Post-Offices and Post Roads, and in connection with it I present a memorial from Henry L. Goodwin, of East Hartford, Connecticut.

Mr. HAWLEY. I suggest to my colleague that the memorial has already been duly referred.

Mr. PLATT. I desire the committee to have it in connection with the bill.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Post-Offices and Post Roads.

Mr. BUTLER asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. 128) to pay the Capitol police who were on duty January 1, 1882, and were discharged that month, one month's extra pay; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. MILLER, of New York, asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. 129) to provide for the printing of the third annual report on forestry by the Commissioner of Agriculture; which was read twice by its title, and referred to the Committee on Printing.

Mr. CALL asked and, by unanimous consent, obtained leave to introduce a bill (S. 2414) for the relief of settlers on public lands reserved from entry under the grant in aid of the Florida Railroad Company; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CONGER (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2415) authorizing the Real Estate Title Insurance Company of the District of Columbia to act as a trust company; which was read twice by its title, and referred to the Committee on the District of Columbia.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a joint resolution (H. Res. 324) to provide for the deficiencies in the appropriations for salaries of officers, clerks, messengers, and others in the service of the House of Representatives for the fiscal year ending June 30, 1883; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 3575) to increase the police force of the District of Columbia, and for other purposes; and

A bill (7330) to remove the disabilities of Francis H. Smith, sr., of Virginia.

AMENDMENT TO A BILL.

Mr. COCKRELL submitted an amendment intended to be proposed by him to the bill (H. R. 7327) to establish post-routes; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

INTERNAL REVENUE AND TARIFF DUTIES.

Mr. MORRILL. I move to proceed to the regular order, that is, to take up the tariff and tax bill; and I will take it to be the judgment of the Senate if the Senate shall agree to take up the bill at this hour that they will do it in preference to having an evening session. I do not desire to consume another morning in the discussion of the resolution on that subject.

The PRESIDENT *pro tempore*. The unfinished business will be laid before the Senate, if there be no objection.

Mr. INGALLS. I object to the assumption that the tariff bill is at this hour the regular order.

Mr. MORRILL. I do not intend to be so understood. I move to postpone the regular order.

Mr. INGALLS. That was the language of the Senator.

Mr. MORRILL. I know it was.

Mr. INGALLS. And from that I wish to express my dissent.

Mr. MORRILL. I move to postpone the present and all prior orders for the purpose of taking up the revenue bill.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont, to postpone the regular order, which is the Calendar.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to take up the revenue bill.

The motion was agreed to; and the Senate, as in Committee of the

Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDENT *pro tempore*. Does the Senator from Vermont desire to go to the metal schedule?

Mr. MORRILL. I supposed that was the understanding yesterday evening.

The PRESIDENT *pro tempore*. The first item in Schedule C, the metal schedule, will be read.

The Principal Legislative Clerk read the item from line 504 to line 509, as follows:

Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites: 50 cents per ton; as pyrites or sulphuret of iron in its natural state, containing less than 15 per cent. of silica, 50 cents per ton, and in addition thereto 2½ cents per pound for the copper contained therein.

Mr. MILLER, of New York. I move to amend by striking out in line 505, after the word "pyrites," the words "fifty cents," and inserting "one dollar;" so as to read:

One dollar per ton.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New York.

Mr. MILLER, of New York. Mr. President, when the present tariff law was enacted no direct provision was made for a duty upon iron ore. It was supposed, I have no doubt, that iron ore could not and never would be imported into this country in any considerable quantities. For that reason, doubtless, it was not at all mentioned. What has come in has come in under the clause of the tariff putting a duty on unmentioned articles. But in the past few years there has been an advance in the price of wages—an advance which began in 1878 and continued through 1879 and 1880, amounting in the aggregate to at least from 25 to 40 per cent. upon all wages in manufacturing establishments and in all mining operations. I doubt even if I have stated that high enough, and I have no doubt that some of the Senators before me who know much more in regard to the industry of mining will be able to show that it has been much more than I have stated during the past three years. This advance in wages, of course, necessitated an advance in the price of the product, and in the case of the mining industries it necessitated an advance in the price of the ore.

Our statistics show us that the importation of ores from Spain and Africa has been rapidly increasing during the past three years. In 1879 we imported in round numbers, 284,000 tons; in 1880 we doubled that nearly, importing 493,000 tons; in 1881 we imported 782,000 in round numbers, amounting in value in that year to about two and a quarter million dollars. What the importation has been for the year 1882 I am not now informed, though I believe it is——

Mr. MORRILL. Five hundred and seventy-seven thousand one hundred and eighteen tons.

Mr. MILLER, of New York. Thank you. It will be seen that during the year 1881 we imported from Spain and Africa, countries with which we have but little reciprocal trade, countries to which we send little if anything, except petroleum, of any great value (and also, as the Senator from Massachusetts [Mr. HOAR] informs me, agricultural implements and boots and shoes, but a very small quantity of those articles), about two and a quarter million dollars in value of iron, and a larger amount in 1882.

Mr. President, I shall expect every Senator who is a protectionist from principle, and every free-trader who believes in developing the resources of his own country, to vote with me upon this proposition. As I understand the theory of protection as it is held out, it is to develop the resources of our country, to bring into use the vast resources which nature has given us. We have valuable iron ores, ores of all kinds, and it only requires for their development that capital shall be turned in that direction.

I know it will be said here that iron ore is nothing but an earth which can be had for the digging, but the facts in regard to the mining of iron ore are that it is one of the most expensive industries in which we can engage. It requires the largest amount of capital to do it successfully, to so open a mine and so conduct it that the ore can be brought out cheaply. It requires a much larger capital to successfully operate a great iron mine than it does to operate a blast-furnace or a rolling-mill. The amount of machinery, the engines and bunkers, the amount of tramways and cart and dumping machinery employed about our great mines which are required for taking out say half a million, or one, two, or three million tons of ore per year, is simply enormous. I have the figures here to show that on many of our great mines there was spent more than a million dollars in opening up the mines before the owners received back one farthing in the way of profit.

The mines with which we are compelled to compete in Spain have been in operation for a long time; they have been thoroughly developed; they are so located that the ores taken from them are easily transported to the seacoast and put on board sailing vessels or steam-vessels. In fact, as I understand, nearly all these ores can be brought to the coast on what might be termed gravitation railroads, where the trains run down by the force of gravity and require no steam-power to operate them.

For the past three or four years (prior to which no ores at all were imported) the importation has increased till at the present time we import nearly a million tons annually, or about one-eighth of the entire product of this country. The question is whether this theory of protection shall be extended to all our industries and all our undeveloped resources so as to bring them into play and to make them a source of profit to our people, or whether we shall go abroad for our ores and whether we shall go abroad for our coals. For one I am frank to say that if the iron and steel men of this country demand free ore and free coal, then we had better go at once to England and let her make our iron and steel for us and bring them here, for that will be much cheaper and it will be much more reasonable. But if we are to develop our ore mines and our coal mines, then we must give to them a protection which shall bear a just proportion to the protection which we grant to the manufacturers of iron and steel.

Mr. VANCE. Mr. President——

Mr. MILLER, of New York. I will yield for a question.

Mr. VANCE. In relation to the assertion that we had better go to England to have our iron manufactured there, &c.——

Mr. MILLER, of New York. Under certain conditions.

Mr. VANCE. I wish to ask the Senator whether under the operation of this revenue duty upon pyrites or sulphuret of iron many thousands and hundreds of thousands of tons of phosphates were not taken from this country to England to be treated with sulphuric acid?

Mr. MILLER, of New York. I am not particular in regard to that; but if it can be shown that we have not the pyrites, and that it would be better for us to bring it from abroad, I shall personally have no objection to taking that out of this schedule and putting it upon the free-list; but the bill has been presented to us in such form that I could only arrive at what I desired to arrive by making my amendment in line 505. If the Senator from North Carolina will show to the Senate that we have not pyrites in any considerable quantity in this country, and that there can be no prospect of our ever producing it cheaply here, then I should favor putting it on the free-list for the benefit of the industry of which he speaks; but certainly neither the Senator from North Carolina nor any other Senator can claim that we have not in this country in unlimited quantities all the iron ores that we can ever need, and the ores essential for the manufacture of steel as well as iron.

Now, Mr. President, I know it is claimed by the steel manufacturers that ore from Spain and Africa is brought in here because it is necessary to mix with our ores in order to make Bessemer steel; that we have not ores of such a nature as to enable us to successfully make Bessemer in this country. I am prepared to refute that proposition entirely. I know it is made and it has been made largely by men interested in the manufacture of iron and steel in New Jersey and in Pennsylvania; but there are many undeveloped iron-ore beds in this country which when developed will produce all the ore that shall be necessary for the manufacture of Bessemer steel or of any other grade of steel. We have those mines in New York, in New Jersey, and I am also informed that they are to be found in some of the Southern States, particularly in the State of Virginia, where they have not yet been developed; but they are only waiting for the magic touch of capital to open up and develop wealth in that State which far surpasses all the wealth that the old State of Virginia has ever possessed. I believe that within the past five years about $5,000,000 of capital has been taken from the Northern States and invested in the State of Virginia in the development of its iron industries, and I believe that it has been well invested and that profits will be properly returned to it if these industries shall be protected. If we are to make our own iron and steel in this country we certainly must mine our own ores. We have them here and there is no reason why we should go abroad for them.

Why have we gone abroad for them in the last three or four years to so large an extent? Simply because of the difference of wages prevailing in America and the wages prevailing in Spain and in Africa. Whatever may be said of the difference between the rate of wages in England and America I presume no one here will deny that the rate of wages in Spain and in Africa is much lower than here. The facts are that the cost of labor in mining iron ore in the United States is about $1.50 to $2 per ton for the mere labor of mining it. In Spain the cost of mining, the wages paid per day, vary from 35 to 60 cents. Thus we have on the one hand a cost of $1.50 to $2 as against a cost in Spain of from 35 to 60 cents.

It may be said that the freight would be a sufficient protection. At times the ocean freights are a sufficient protection, but these ores are brought here almost entirely by the grain-ships; ships coming from Liverpool to take grain back, taking grain from here to Liverpool, taking freights from there to the Mediterranean, and then returning by the way of Spain, bringing the ores from Spain to New York and other of our ports, such as Philadelphia and Baltimore. Thus it happens that whenever we have a good grain crop, and there is an abundance of grain sent abroad, the Spanish ores are brought here. Sometimes, I am informed, and I believe it is credible, that some cargoes have been brought here in ballast without any charge whatever, except for the cost of handling. At all events the rate of freights for these ores has been much lower than we can transport ores here on railroad a distance of five hundred miles inland.

Now, sir, I come to a statement which has been made and put broadcast before the Tariff Commission, and I understand this morning that

the same statement has been made before the Finance Committee by a member of that commission, Mr. Oliver, who particularly has represented the iron interest. Here I want to say that it does seem to me that in all the hearings before the commission, and in the hearings which have been had before the Finance Committee of the Senate, the men who particularly represent the manufacture of steel and the manufacture of iron as distinguished from the iron-ore industry have substantially had their own way all the while. They came before the commission and before the committee demanding what may seem to others large rates of duty; but when it came to the iron ore which we are to take out of our mountains, and which is to add so much to our wealth if it is to be developed, then they cry out that it is a raw material and that they must have it free.

Why, Mr. President, the amount of labor required to take out a ton of iron ore is almost equal to the amount of labor which is put upon the manufacture of a ton of pig-iron after the ore and the stone and the coal have been delivered to the smelting furnace. Still the rate of protection granted to it by this bill and by the commission, and the rate that the steel men and the iron men in Pennsylvania and New Jersey are willing to give to the iron-ore industry, is not 10 per cent., is not one-tenth of the rate which they ask for the manufactured goods.

Mr. President, on the question as to whether we have in this country in unlimited quantities the ores necessary for the making of Bessemer steel, I will send to the Secretary's desk and ask to have read a letter signed by Mr. James A. Burden, of the great Bessemer steel and iron works at Troy. I ask the attention of the Senators who will within five minutes perhaps rise on this floor and state most positively that all these Spanish and African ores are brought in here for the purpose of mixing with our ores, that we have none of these ores in this country, to this letter.

The Acting Secretary read as follows:

TROY, N. Y., *October* 9, 1882.

DEAR SIR: I am in receipt of your letter asking for my views about an increase upon the present rate of duty on iron ore. You refer to statements made by certain parties that there is an insufficient supply of iron ore in the United States east of the Alleghany Mountains suitable for the manufacture of Bessemer steel to meet the requirements of the Bessemer steel works located in this section of the country. I venture to say that the authors of this statement have arrived at this conclusion without sufficient investigation. I regret I have not the time to enter into a full review of all the Bessemer-ore deposits of the East. I think, however, it will be sufficient if I show to you, as I shall endeavor herein to do, that one Eastern ore company alone is able to supply far more than all the ore required, excepting for spiegeleisen, by all the Bessemer-steel works east of the Alleghany Mountains. I refer to the Chateaugay Ore and Iron Company. The mines of this company were first discovered about the year 1864, and mining operations were commenced on a small scale in the year 1869. The quality of the Chateaugay ore for Bessemer purposes and high-grade steel is unsurpassed by any imported or native ores used in the production of Bessemer steel in the United States. It is very low in phosphorus.

Frequent determinations of phosphorus made in the chemical laboratory of our works show an average of this element in the Chateaugay ore used by us during the past twelve months to be twenty-nine one-thousandths of 1 per cent., and the average of phosphorus in the whole production of the Chateaugay mines, as shown by the determinations of the Chateaugay Company's chemist during the same time, is twenty-one thousandths of 1 per cent. As good a quality of Bessemer steel can be made from the Chateaugay ore alone as from the best ores of England, Spain, or Africa. With the exception of the great deposit of iron ore in the north of England, known as the Cleveland deposit, the Chateaugay deposits are probably the most extensive continuous veins yet discovered, and the production of the Chateaugay mines is practically limited only by the men and machinery employed in its mining operations. It is well known that the great Cleveland deposit is high in phosphorus and not suitable for the manufacture of Bessemer steel (as is the Chateaugay ore) by the acid process, which is the one used by all the Bessemer-steel works in the United States.

The Chateaugay Company have already opened two parallel veins of this Bessemer-steel ore upon their property; one of these veins averages 18 feet thick, and the other 36 feet thick. One of these veins has been opened continuously, and is now being worked on its outcrop (which has only a few inches of cover) for a distance of about one and a half miles, and this vein has been traced continuously on the company's property for a distance of about five miles. The distance between two important workings at the present time on this vein is about three and a quarter miles; and the company have other veins which have not been traced or examined.

This property alone—from the veins already explored—is capable (in the opinion of a competent authority who has had the experience and the opportunity to judge of its resources) of producing 6,000,000 tons of Bessemer-steel ore per annum. While this is the maximum output of the mine, yet, for the purpose of my argument, I will assume the possible output to be only one-half of this quantity, which is certainly making a liberal allowance for "faults" and other irregularities in the deposits. I therefore call the possible annual output of the Chateaugay mines 3,000,000 tons, two tons of which will make a ton of the highest quality of Bessemer pig-iron; and should an iron ore higher in metallic iron than this be in demand, the Chateaugay Company could supply a 52 per cent. or a 60 per cent. concentrated ore of the quality above referred to. Judging from the production from the 1st of January to the 1st of September, 1882, I estimate that the production of the Bessemer-steel works east of the Alleghany Mountains for the entire year of 1882 will be about 600,000 tons of finished Bessemer steel of all kinds, including rails, which would require about 820,000 tons of pig-iron in its manufacture; and to produce this amount of pig-iron about 1,640,000 tons of Chateaugay ore would be required.

Assuming the annual output of the Chateaugay mines to be 3,000,000 tons, as already stated, it will be seen that the Chateaugay Ore and Iron Company alone can supply 1,300,000 tons in excess of the total quantity required for Bessemer-steel purposes east of the Alleghany Mountains. I estimate that the product of all the Bessemer-steel works in the United States for the year 1882 will be about 1,800,000 tons of finished Bessemer steel of all kinds, including rails, which would require in its manufacture 2,050,000 tons of pig-iron; to produce this amount of pig-iron 4,100,000 tons of Chateaugay ore would be required, or only 1,100,000 tons in excess of a possible output of the Chateaugay district.

It may be asked, whether this ore can be mined and sent to market at a price which will bring it within reach of the ore consumers. It is a sufficient reply to this that the Chateaugay Ore and Iron Company is now delivering its ore to its customers at $3.50 per ton of 2,240 pounds, at Plattsburgh, on Lake Champlain, and guarantees that two tons of the ore will make one ton of pig-iron. The freight from Plattsburgh to tide-water on the Hudson is $1 per ton of 2,240 pounds, and from the Hudson low rates of freight by water can be had to Pennsylvania, New Jersey, and other iron-making districts.

I can not within the scope of this letter review the advantages to the ore consumer of a home supply of ore, but as an illustration of the risk of depending upon a foreign supply, I would refer to the case of the "Carlist war" in 1874 and 1875, when operations were interrupted at the Bilbao mines, which exported to all countries, in 1881, 2,500,000 tons of ore. Fancy the condition of this country with its ore mines undeveloped, its steel works dependent on foreign countries for their supply of ore, and we at war with a foreign naval power.

During the coming year the Burden Iron Company will use nearly three times as much pig-iron as it will make, and my interest in manufacturing pig-iron into finished products of iron is more than ten times as great as my interests in iron-ore mines. Therefore I do not speak as an ore producer. A manufacturer who intended to be in the iron busines but a short time might be in favor of a merely nominal duty on ore, as at present, and protection on his finished products of iron and steel; but as I expect to continue in the manufacture of iron, and hope that my children may succeed me in the same business, I am in favor of increasing the present rate of duty on iron ore to a rate somewhat in proportion to the present rates of duty upon finished steel and iron, in order to encourage the development of the ore deposits of this country and to build up home competition in iron ore.

Yours, truly,

JAS. A. BURDEN.

Hon. SMITH M. WEED, *Plattsburgh, N. Y.*

Mr. MILLER, of New York. This is from Mr. Burden, of Troy, where the first Bessemer steel was made in the United States. Am I not correct?

Mr. BROWN. Will the Senator please state what is the location of those mines? I did not gather it from the letter.

Mr. MILLER, of New York. The location of the mine of which Mr. Burden speaks is upon Lake Champlain, called the Chateaugay mine.

Mr. EDMUNDS. About twenty miles west of Lake Champlain.

Mr. MILLER, of New York. It has direct water communication through the Champlain Canal with the Hudson River and tide water.

It may be said here that this Bessemer steel was first made in this country at Troy; it was made out of American ores entirely, as Mr. Burden states; made out of these ores before any foreign ores were imported at all into this country. The quality of these ores for this purpose is undoubted. The proof is positive. Any statement by any steel or iron manufacturer that it is necessary to go to Spain or Africa in order to get magnetic iron ore which can be used in the manufacture of steel is simply without any foundation whatever.

The fact is simply this, that by the cheap rate of the wages of which I have spoken that prevails in the mines in Spain and Africa and the cheap rate of ocean freights which comes from vessels which carry grain from this country and petroleum to Europe and bring the ore back as ballast, our mines located even as favorably as those upon Lake Champlain are not able to compete with it, and it is simply and solely on account of the rate of duty paid, because the transportation here is quite low enough.

The geological surveys and investigations of the ore made show that in the county of Putnam, only forty or fifty miles north of the city of New York, there are immense fields of this same ore entirely undeveloped and untouched, and all it requires is that some of the capital which has been made and accumulated out of the industry of the manufactures of steel and iron shall be turned to the development of these great mines. I think every one will admit that if we have these ores here, they are really so much money belonging to the people, and if they are developed and the ores brought out here, instead of our sending abroad two, three, four, or five million dollars annually to buy ores abroad, we add so much to the wealth of the whole country by having them developed in our own borders.

In addition to this the ores which are found on Lake Champlain and which are being mined in immense quantities, and in addition to the mines which might be developed in the county of Putnam lying directly on the Hudson River, we have a great iron-ore industry in the Lake Superior region known as the districts of Marquette and Menomonee, which turn out immense quantities of these ores every year. In the Marquette district the amount of capital invested in this business is $33,000,000, and in the Menomonee district $18,000,000. The Marquette district employs 9,000 men and the Menomonee district 5,000 men. By the labor of these men there are directly supported in those two districts over 50,000 people.

It may be said, perhaps some of our Western friends who find that their ores are protected by a thousand or eighteen hundred miles of inland transportation may be disposed to say, that the ores of Spain and Africa can never reach Chicago or Saint Louis, and therefore they are in favor of a low rate of duty, or no duty at all. If they may be disposed to act upon any such selfish motive let me say to them that the day is not far distant when the Welland Canal will be completed, and when the foreign ores which come to our Atlantic seaboard, and which are destroying our iron-ore industries upon the Atlantic seaboard, will be able to be put down at the great smelting furnaces in Chicago without breaking bulk, and then our friends in the West, who seem disposed to take a one-sided view of the tariff question and to be for high protection upon everything which they produce and for free trade or low duties upon things which they do not produce, may find that foreign iron ore, which is destroying the iron-ore industries of the Atlantic seacoast, will come home to themselves.

I claim, then, in brief, Mr. President, that the duty upon iron ore should bear a just proportion to the duty upon pig-iron and upon the

manufactures which come from it. The duty recommended by the committee and by the commission on pig-iron is $6.72 a ton, if I remember correctly. I have shown that the amount of labor put on the production of a ton of iron ore is just about equal to the amount of labor which is necessary to produce a ton of pig-iron after the ore and coal and limestone have been brought together at the smelting furnaces. I insist, then, that if we had asked for about $2 a ton upon iron ore it would have been about the proper proportion of that which is proposed to be given to the industry of pig-iron; but the producers of ore ask for only $1 a ton. With that they do not hesitate to say that these great deposits of ore upon our Atlantic coast, in New York and New Jersey, and in Virginia, will be developed, and it will not be ten years before some of the most valuable mines in this country will have been opened, and undoubtedly the same results will follow them which have followed in the manufacture of iron, so that the price will be greatly reduced.

Mr. President, we have a duty of 75 cents per ton upon bituminous coal, an article which any one and every one at all acquainted with mining knows can be mined for about one-half or less than one-half what it costs to mine iron ore. It is proposed, I see, by the Tariff Commission and by the Committee on Finance to cut down the duty upon coal from 75 cents a ton to 50 cents a ton and to make the duty upon coal precisely the same that they propose upon iron ore. It seems to me that it is out of all proportion. I am not arguing against the proposed duty or against the present duty upon coal. I believe it to be just and proper to put a duty on it. I believe it to be necessary to enable us to develop the vast fields of coal which we have in our country; but what I ask and insist upon is that there shall be no discrimination, that we shall have such a rate of duty on iron ore that we may attract to this production the vast capital that is needed, that we may see millions of dollars turned into this industry; and by the improvements in the machinery and the methods of mining we shall, I believe, in a few years be able to reduce the cost of producing iron ore very largely. When we have done that we shall of course reduce the cost of manufacturing pig-iron, and bar-iron, and Bessemer steel.

Mr. EDMUNDS. What is the cost of the foreign ore when it reaches New York?

Mr. MILLER, of New York. The Spanish ore is selling at something like $3 a ton on our seacoast, if I am rightly informed.

Mr. SHERMAN. Two dollars and eighty cents is the average.

Mr. MILLER, of New York. The Senator from Ohio says $2.80. The iron ore mined on Lake Champlain has been sold at $3.50 a ton, delivered at Plattsburgh on board, and then there is to be added the cost of freight to New York city.

It seems to me, Mr. President, that the iron and steel men have made a great mistake; that for the sake of a temporary profit, a temporary advantage only, they are willing to ask, and have asked through the Tariff Commission, that the duty upon iron ore shall be only 50 cents per ton. I am sure it would have been greatly to their advantage to have asked and have recommended such a duty upon iron ore as would have led to its greater production at home, because we know that it is by home competition and by large production here that the price will eventually be reduced. But if we are to maintain such a rate of duty upon this ore that it can not be mined on the shores of Lake Champlain, or on the shores of the Hudson, or in the States of New Jersey and Virginia, those mines will be closed; their great machinery, all the implements of mining which they have about them will go to waste, and what is to be the result? Inevitably, when we come to rely upon Spain and Africa not for 1,000,000 tons per annum, but for three, four, or five million tons, the price will advance greatly; and in case of war, in case of internal trouble in Spain, what will be our condition? What would be the condition of our iron manufacturers in this country if we were to suddenly find ourselves cut off from that supply and all our own mines closed? We know that there have been many political troubles in Spain during the past few years, and that its government is none too solid, none too well settled, and it is not safe for the industries of this country to rely upon any such uncertain sources of supply.

I believe that this proposition can be allowed to rest upon this one statement, that we have all the ores in this country necessary for the production of every variety of iron and steel; all it reqnires is that capital shall be turned to the development of that industry, and we shall have the ore produced in unlimited quantities.

If protection means anything, if it has any sure foundation to rest upon, it is this: that it is to develop the resources of a new country, one in which capital and labor are much more expensive than they are in the old countries. We have all this material here, and it only requires that a fair rate, not an exorbitant rate of protection shall be given to it; and the rate asked for by the iron-ore producers is certainly reasonable, it is certainly moderate in comparison with the rate of duties which are asked for by the manufacturers of pig-iron, bar-iron, and Bessemer steel.

I shall be glad if the Senator from North Carolina will forcibly elucidate the question of pyrites, and shall be able to convince the Senate as to what ought to be done with that particular item. My amendment I desire to have apply only to ordinary iron ores which are used for the manufacture of pig-iron.

Mr. MORRILL. Mr. President, I shall occupy but a moment, for I much prefer to have a vote than to have the time consumed by further discussion.

Unquestionably this article admits of a great variety and contrariety of opinions as to what the proper rate of duty upon it should be. Manufacturers as large as any we have on the Atlantic coast insist that it ought to come in free, that there is no propriety in putting any duty whatever upon it. Manufacturers in other portions of the country say that the imported article is so free from phosphorus that it ought to be allowed to come in free, because it makes a market for an additional ton of iron for every ton of ore that is brought in.

Under these circumstances iron ore, having been an unenumerated article, paid last year and the year previous 20 per cent., which, translated into a specific duty, amounted to 56 cents per ton. Upon a careful consideration the Committee on Finance, as a matter of compromise, I believe, nearly unanimously held that the report of the commission of 50 cents a ton was a fair and proper rate to be placed upon the article. At all events that was the decision of a majority of the Committee on Finance, and I shall be content if it shall remain there.

Mr. BECK. Mr. President, the vote upon this question will tend to settle the principle on which we are likely to proceed in regard to the iron schedule. If we are going to impose a heavy tax upon all the raw materials that enter into the manufactures of iron and steel, of course the iron and steel manufacturers will demand, because of the imposition of that tax, higher rates of duty upon their finished products. I think the question of our being dependent on Spain in case of war, and all suggestions about our being starved out in case ore is put on the free-list, as argued so earnestly by the Senator from New York, will hardly be considered by the Senate. The iron-ore products of Lake Superior are as independent of Spain as if Spain did not exist, the amount that can be brought from those mines, together with the amount that can be readily produced all over the country and the profit made out of it, is of such a character that Spanish interference does not touch this question at all. Iron ore is found in nearly every State, certainly in the majority of the States of the Union, in immense quantities. There was an argument or statement made before the Tariff Commission which I caused to be read again before the Committee on Finance the other day, in the form of a question to Mr. Oliver, who was making a statement before the committee, which satisfies me that these ores ought to be on the free-list. I desire the Secretary to read that portion of the statement of Hon. ABRAM S. HEWITT, made before the commission, which I have marked, together with some questions that were asked him by the commissioners.

The Acting Secretary read as follows:

Iron ore is an earth. There is no labor involved except in digging it out. Our competitors are 3,000 miles away. The freight on iron ore is greater than the whole cost of digging it out in this country and putting it upon cars or boats. I state this deliberately, for I have heard it said that iron ore came here in ballast. I want to say that one hundred tons or five hundred tons possibly may have come in ballast at some time or other, but it is not true absolutely that it comes here in ballast. It comes as a cargo, and generally as an exclusive cargo, ships being chartered for the exclusive purpose of bringing it. And in my experience I have never known a charter-party under 15 shillings per ton from Africa or Spain; that is, about $3.50. If there is competition anywhere it must be on the coast; in other words, those on the coast are the ones who ought to complain. Those in the interior are protected by the additional freight. I am a miner of iron ore in New Jersey, Pennsylvania, New York, Michigan, Tennessee, and Alabama. I believe that statement covers the States in which I am interested in mining iron ore. I am told that the Lake Superior men ask for a duty upon iron ore.

The freight upon iron ore from the coast to Chicago and Cleveland (which are the great markets for Lake Superior ore, though some of it is carried to Pittsburgh)—the freight alone is greater than the cost of mining ore at Lake Superior, and the freight thence to Chicago. Of course I can not understand that protection is needed in any such case; and in New Jersey, where I am a miner of magnetic ores on a large scale, and in Pennsylvania, there is not a pound of ore—and I mine at least 100,000 tons a year—that is not put on the cars for less money than the freight from Africa and Spain to New York. The duty that is put upon these ores is necessarily added to the price to the consumer. These foreign ores come into this country because they are necessary for the purpose of mixing with our ores. Their cost, therefore, goes into the cost of the article and is paid by the consumer. The Government gets a revenue which it does not need. You would not be here to-day except for the surplus revenue which we do not want.

A tax is put upon iron ore, which can not compete with the American ore for the reason I have given to you, and you put a burden upon the consumer which is purely and absolutely unnecessary. The reason why this foreign ore comes in is because it is low in phosphorus, while most of the American ores, I am sorry to say, have a little too much phosphorus in them to make a good steel. Every ton of foreign iron ore that comes here makes a market for a ton of American ore that otherwise would not be used, and does not reduce the price, because our ore is already sold for half the money that foreign iron ore costs laid down here. You reduce prices when you have competition, but here the thing is sold at higher rates, and therefore it does not reduce the price of American ore, but by enlarging the market for it gives us a better price.

There are no conceivable circumstances under which I think a duty should be placed upon American ores, nor is it of any conceivable benefit to any earthly interest. On the contrary, it is a positive damage to retain it. I do not import any foreign iron ore; I do not use any. I use my own ore, but I simply deal with the question as a matter of public concern, in which the consumer can be benefited without injury to the producer.

Commissioner AMBLER. As I understand your argument it amounts to this: that the present or any proposed tariff upon foreign iron ore is a mere revenue tariff, and that, in your judgment, it is not a proper subject for the imposition of a tariff.

Mr. HEWITT. For the reason that it impairs our ability to produce a manufactured article at a low cost. I have no hesitation in putting a revenue on any article, if the Government needs the revenue, but the revenue should be got, as far as possible, from such articles as would not obstruct the growth of American manufactures. I believe this country is to be the greatest manufacturing country,

and I want to make the growth of manufactures as easy and rapid as possible. I would therefore take off the duty on iron ore because it is simply an obstruction to the growth of some kinds of business. To take it off is protective in the sense that it removes an obstruction. As to the doctrine of protection for the sake of protection I may entertain different views. I am against obstruction where it is not necessary, whether I am in favor of protection or not.

Commissioner OLIVER. You will acknowledge, I think, that the 400,000 or 500,000 tons of iron ore that comes into this country—you may say all of it—has been used in making Bessemer-steel rails.

Mr. HEWITT. The great bulk of it.

Mr. OLIVER. And the concerns that have been using this iron ore on which there is a duty are the large Bessemer-steel concerns of the seaboard; is not that so?

Mr. HEWITT. Yes, I suppose so. I believe it has gone mainly to Bethlehem, Cambria, and some to Pittsburgh. I do not know whether any has gone to Cleveland or Chicago; I think not.

Commissioner OLIVER. Steel rails have been exceptional, and the profits enormous beyond that of any other manufactured article in this country?

Mr. HEWITT. I have never known of any such profits in connection with any business with which I have had anything to do.

Commissioner OLIVER. So that upon this ore the duty has been paid by these large Bessemer-steel concerns called monopolies.

Mr. HEWITT. The Bessemer-steel concerns and all other concerns are mere intermediaries between the producer and the consumer; the more cheaply they get their articles the more cheaply will the consumer get his.

Commissioner OLIVER. I think you will acknowledge that they rarely pay any attention to that.

Mr. BECK. That presents all the argument I think it necessary to make in favor of a motion that I will submit before this paragraph is passed, to place iron ore and pyrites on the free-list. I put this question to Mr. Oliver before the committee, after reading that statement of Mr. Hewitt's, leaving out the examination by the commissioners:

That is his statement. Is that true or not?

He replied:

There is a great deal of truth in it.

He then proceeded to show that the Bessemer steel manufacturers really took the greatest portion of it. Mr. Oliver, speaking of the Bessemer-steel interest, when the question was put to him by the chairman whether or not there would be an increase of revenue hereafter on the proposed steel tariff over the present one, said he did not think there would be, and this is one of the reasons he gave:

One of the greatest items of revenue in iron and steel last year, for instance, next to pig-iron, was steel rails. At the present rate of $28 a ton this year there will not be a steel rail come into the United States.

Senator BECK. Why not?

Mr. OLIVER. The duty is prohibitory. They are only worth $38 to $40 per ton, and how can you import them? It would only leave $12 as cost in England. At $17.92 duty—

That is the duty proposed in the present bill—

the rails used in Oregon, California, and the Gulf States will come from abroad because freights are lower at times from Liverpool to San Francisco than they are from New York to San Francisco; sometimes they are not more than half as high.

Then Mr. ALDRICH asked:

If Mr. Nimmo has made up that statement as he says, he has made a large reduction on account of the difference in duty on steel rails.

Mr. OLIVER. It is impossible to tell by statistics what the effect would be.

He proceeded to state that it was a mistake to suppose that more revenue would be received under the proposed tariff than under the present, because the tariff proposed by the commission is more prohibitory than the present. It is conceded that the large quantity of iron ore that came in last year—indeed that fact is admitted by the Senator from New York—was brought here because of the demand for Bessemer-steel rails. By the comparative tables of the Treasury Department which I hold in my hand it is shown that that importation amounted to 433,562,753 pounds, of the value of $6,588,183.42, which paid a duty of $5,419,534.44. That revenue we shall lose hereafter, because the tariff on steel rails is now prohibitory. They were largely imported, as we all know, because the railroads have been extending their lines with great rapidity for the last few years, building to secure their charters, as many of them were threatened by Congress, building to secure their land grants, building to obtain privileges far above and beyond the mere cost of the rails. Therefore large amounts of Bessemer-steel rails were brought in at any price. They cost here as high as seventy or eighty dollars, though now the price is thirty-eight or forty dollars. That condition of things has passed away, and this source of revenue is gone. Still the prohibitory tax remains, and the proposed tax will be almost as prohibitory as the present; quite so in a large portion of the country.

Mr. MAXEY. Will the Senator from Kentucky permit me to give the information I have on the point he is now upon?

Mr. BECK. I shall be very glad to have it.

Mr. MAXEY. The record will show that we imported last year at the port of Galveston over $3,000,000 of rails, mainly of Bessemer steel. Why? Because at that time we were giving railroads built in the State of Texas 10,240 acres per mile for building the road, and the amount of land was being rapidly exhausted. There were a great many railroads on foot, and "first come first served." The mills of the United States were overcrowded; they could not fill the orders, and therefore the railroads were compelled, notwithstanding the duty of $28 a ton, to import their rails from Liverpool.

Not only was it because they wanted to get the land from Texas that they made that large importation, but those roads passing through Texas into Mexico received a subvention from Mexico provided they got the roads there within the specified time; and hence the absolute necessity of paying this tax to get the rails, whatever the tax might be, because they lost more by not laying the rails than by paying the high duties.

Mr. BECK. I am much obliged to the Senator from Texas.

Mr. BROWN. Will the Senator allow me a moment?

Mr. BECK. Certainly.

Mr. BROWN. If the Bessemer steel mills were all so crowded that they could not fill all the orders, and it was necessary to import rapidly from England to Texas, how did it happen that Bessemer steel, which was formerly $130 a ton—I remember that I gave that for it—has been reduced at the Bessemer mills to $38.50 a ton?

Mr. BAYARD. The progress of discovery.

Mr. BECK. That shall have a very simple answer. The people of Germany and the people of England—for these patents were foreign patents—discovered new processes by which a product could be made even better than Bessemer steel; they put down the price; they cheapened the product, and to-day and all last year the English and German manufacturers of steel were delivering to Mexico, across the bridge at Laredo, the same Bessemer-steel rails from $26 to $28 less than our people were paying for them to lay down on the road in Texas that the Senator from Texas has spoken about.

Will the Senator from Georgia assume that any operations in this country had any effect upon making the Englishman take $26 a ton less for his Bessemer-steel rails from a Mexican than he would from an American, or that he would take $26 a ton less on the great Canadian railroad from Winnipeg to the Pacific than he would from the Northern Pacific, running parallel to it on this side? It was foreign competition between nations having free trade that brought the price down; and our people hung on to the foreign price with the tax added as closely as they could, and when they could not sell for any more than the foreign price and the tax, then they had to come down, and they are selling now at less because they overstocked themselves, because with the enormous price they were getting, with the $28 a ton duty added, they are now found with a surplus stock on hand.

Mr. BROWN. Allow me a moment. The Senator from Texas states that the large importations in Texas grew out of the fact that the northern mills were so crowded that they could not fill the orders. The Senator from Kentucky now states that they dropped down on account of the low price all around them, because they had such a reserve that they could not dispose of it.

Mr. BECK. I desire to say to the Senator from Georgia that they dropped down because the railroads through Texas were finished and the demand for building railroads had ceased. We completed 10,000 miles of new railroad last year, besides the improvements of the old ones, substituting Bessemer steel for old iron rails; and like every other overdone monopoly, protection does not protect it after the consumption ceases or goes down so low that the people inside of this country do not want it, for they can not sell to anybody outside of it without having to sell at the same price that the German, the Englishman, and the Frenchman will do in the open markets of the world. But they will not sell at that price, they will close their factories and allow their laborers to starve before they will sell at the price which other people sell at. There is where the trouble is now, and always will be so long as you by legislation seek to make men rich and fasten high prices upon your own people, while all your competitors in Mexico, in Canada, and elsewhere are laying down their roads to compete with you at one-half what the American is compelled to pay for his rails and his locomotive under your false system of protection.

Mr. BROWN. All I have asked is to reconcile the two statements. I have not heard it done.

Mr. BECK. The Senator from Georgia can not be satisfied, I suppose; whatever the tariff put on is, he will vote for it, if it is 100 or 150 per cent. I do not expect to convert him, nor do I expect to convert any of these gentlemen who believe in protection for protection's sake.

Mr. BROWN. The Senator from Kentucky has no right to make any such statements. The Senator from Georgia has avowed on this floor again and again that he was opposed to all protection for protection's sake.

Mr. BECK. I am glad to hear it, and by the time we are through with the iron schedule I hope he will make his word good.

Mr. BROWN. The Senator from Georgia has not said that he would vote for any 100 per cent. He has not said that he would vote for one dollar for protection alone. Therefore the Senator from Kentucky is going beyond the ground that he should go when he assigns a position to the Senator from Georgia that he does not occupy.

Mr. BECK. I am not assigning any such position.

Mr. MAXEY. That great line, the International, is completed entirely through the State of Texas to Laredo, and not only to Laredo, but it is beyond that and has reached Monterey. The great line from Houston around to San Antonio and El Paso is completed. The Texas Pacific is completed; the Houston and Texas Central is completed. There is not a trunk line in the State that is not completed; and therefore the great need has passed by.

Mr. BECK. And the great inducement to obtain the land grant has ceased.

Mr. MAXEY. The land is exhausted.

Mr. BROWN. That does not answer the question as to reconciling the two statements made by the two Senators. One said that the home mills could not supply the demand because they were so crowded with orders, and the other said that surrounding competition had compelled the home mills to disgorge or put on the market a very large surplus they had been holding for some time.

Mr. BECK. There is no contradiction between the statements of the Senator from Texas and myself. As long as the artificial conditions existed which were named by myself and the Senator from Texas, all that they could buy here at any price, all that they could get from Europe at any price, was obtained as rapidly as possible so as to secure those land grants and the great benefits outside. But the very moment that artificial condition of things disappeared, the moment the lands of Texas were exhausted, the moment the roads were finished, the moment the great lines ceased to be pressing forward as they were then, and the railroads were under no such imperative outside necessity, they ceased to demand the amount of Bessemer steel that they did before.

That is what Mr. Oliver means when he says that the tariff now on Bessemer steel at $28 a ton is prohibitory, and at the present rate he says there will not a steel rail come into the United States; and yet last year while this pressure continued, as I read a little while ago, 433,562,753 pounds did come in, of the value of $6,588,183.42, paying a revenue of $5,419,534.44. Why did Mr. Oliver say that none would now come in? Because he verifies what I say and what the Senator from Texas has said, that the conditions which existed last year as they were stated by the Senator from Texas have ceased, the land grants have been exhausted, the roads have been completed, and the demand has ceased; and now the same rate of duty which existed last year when these millions of tons came in, Mr. Oliver, the man at the head of the iron schedule of the tariff, says it is absolutely prohibitory, and that even at $17.92, the rate proposed by the new bill, it will be prohibitory except along the southern coast and in California, where ships will take freights from Liverpool cheaper at times than they will bring them to New York.

I rely on the argument of Mr. HEWITT in the statement made so clearly before the commission and on the well-known fact that we have to allow cheap raw material—and this is raw material—if we expect manufactures to be sold at a reasonable rate. If you expect to reduce the cost of the manufactured products of iron and steel, of tin-plate, of cotton-ties, and hundreds of other things that people use all over this country, we must allow the manufacturers to have cheap material out of which to make their goods, we must allow them to bring from abroad what we can not produce as well here. Let them combine with our iron ore the ores of Spain and other countries which are lower in phosphorus in order to give them a chance to make cheaper and better iron out of which they can have cheaper manufactures.

The second clause of this schedule is a miserable attempt at protection:

> Pyrites or sulphuret of iron in its natural state, containing less than 15 per cent. of silica, 50 cents per ton, and in addition thereto 2¼ cents per pound for the copper contained therein.

That provision increases the present tariff from about $1.50 to $2 or $2.25, by some calculations more than that. It is an absolute increase upon articles that are used largely for fertilizers, there being only about 55 per cent. of iron in the pyrites after the sulphur is taken out of it, and yet that is placed at 50 cents a ton with only 55 per cent. of iron ore in it, being the same tax that is placed on the iron ore which is all iron ore, nearly doubling the tax because, I repeat, there is only about 55 per cent. of iron ore in it after the sulphur is taken out; then to see if there is not something else that can be squeezed out by taxation to enrich somebody, the little copper that is in it has to be taxed 2½ cents a pound. It is estimated that these pyrites contain from 2 to 2½ per cent. of copper.

They are brought here for the purpose of being used as fertilizers. The iron is separated by an expensive process, and the copper by another expensive process; but none of these pyrites are ever brought here for the purpose of getting the iron and copper out of them, but they are brought to be prepared for manure; brought to enable men to enrich their land, and thus raise crops; and yet because there is 2 per cent., some say 2½ per cent. of copper, certainly not over 2½, that is to be squeezed out and taxed in addition in order to protect some starving industry.

I have a statement, which I am informed is not controverted by the copper men themselves, which was furnished to a committee engaged in the investigation of this question, showing how the copper interest is starving. I may as well say now that we made a pretense of reducing the tariff on copper 1 cent a pound, or from 5 cents to 4 cents. The duty was prohibitory at 5 cents; it is prohibitory at 4 cents, and it would be prohibitory at 3 cents, because we are, I believe, the greatest copper producers in the world.

It is just like pretending that to save a man from drowning in fifty feet of water we will lower the depth down to forty or thirty, when we could drown him in ten feet just as well as in fifty. All that class of reductions are mere false pretenses, like tariffs on cotton, wheat, corn, and other products of that sort. The statements that I allude to are as follows; I expect they are substantially true: The Calumet and Hecla stock on Lake Superior, which cost $8 a share, is now worth $250, and this company produces three-fourths of all the copper produced in the Lake Superior region. That poor starving industry has to be protected by imposing a duty on the 2½ per cent. of copper that may be found in the iron pyrites. The Copper Queen Mining Company of Arizona, with a capital invested of less than $50,000, has declared dividends in two years amounting to $500,000.

Of course they need protection. The Clifton mines in Arizona, owned by English and Scotch stockholders, pay about the same dividend.

The Montana mines are shipping their product to England.

These three mines produce nine-tenths of all in copper outside of the Lake Superior region.

Mr. ALDRICH. I suppose the Senator is aware that I have an amendment to this section, which has the assent of the Committee on Finance, to take out the duty on copper?

Mr. BECK. The Senator from Rhode Island said to me that he thought it ought to come off. That is all I know about the assent of the committee.

Mr. ALDRICH. I have the assent of a majority of the committee.

Mr. BECK. I am very glad to hear that. He has certainly my assent. It may be all I can get, but I desire pyrites and iron ore to be placed on the free-list, and shall so move whenever an opportunity arises.

Mr. SHERMAN. Mr. President, to save the time of the Senate I propose, as briefly as I can, to give my view of several questions that are included in the metal schedule.

The metal schedule is by far the most important one in this bill; indeed, without it the bill itself would be almost insignificant. The time that has been consumed during this short session on the part of the bill that has preceded the metal schedule seems to me to have been time wasted without reason and without cause. The changes in the preceding schedules have been so slight that they should have been disposed of by an intelligent committee or a body of statesmen in one day. But this metal schedule, I admit, does present grave difficulties that should fairly be debated; not merely item by item, but by broad general principles of public policy—a policy fit to be adopted by the Senate of the United States in passing upon taxes which affect the whole range of the productions of the United States

In the outset here is a proposition made to increase the duty on iron ore; there is also a proposition made by the Senator from Kentucky [Mr. BECK] to repeal all duties on iron ore; and here we have the extreme views of this question. On the other hand the Tariff Commission recommends a duty of fifty cents a ton on iron ore from wherever imported.

Mr. President, which of these propositions is correct? The Senator from Kentucky caused to be read the evidence of a member of the other House, a gentleman of high character, who himself is interested in the subject-matter, who manufactures iron on the seashore, and he is in favor naturally of free iron ore, but favors duties on iron manufactures. Why should iron ore come in free and not iron? Why should Mr. HEWITT (because his name was mentioned) be in favor of free iron ore, and yet want a tax of 2 cents a pound on the iron that he makes? On what principle can this stand? Upon what basis can the Senator from Kentucky propose to make iron ore free and yet subject other iron to a duty of twenty, forty, or sixty dollars a ton? I impute no wrong to him but I can not find in his opinion a reason or policy upon which the Senate can justly act.

What is iron ore? It is said that it is a clay in the soil. Well, sir, we are clay of the earth, and very earthy oftentimes, and clay is of little or no value in the earth; it is not counted as money in any man's pocket. And so with iron ore; it is so abundant in this broad country of ours that an iron mine, wherever located, unless developed by labor, is worth but little more than clay. As the basis for production clay itself is a priceless treasure, worth more than all the gold and silver of the world, if you measure it for its use and for the metal that is in it and that some day will be developed from it; but as it is it is worth nothing except the cost of digging it; but to dig a ton of pig-iron at the mines in Lake Superior or at the iron mines on Lake Champlain, or out of the Iron Mountain near St. Louis (and these are among the best mines I know of in this country) costs so much labor, so many days' labor, sometimes more and sometimes less, according to the facilities they have at hand, according to the capital that has been employed to develop the mines; and this labor of mining is the cost of the iron ore and substantially its market value.

Should that labor be protected? If labor is not to be protected in the development of mines, why should it be when expended in the process of manufactures? What is it we wish to protect? Sir, I would not vote one penny of tax to induce capital in this country to go into any manufacturing industry. Capital in this country is strong enough and broad enough and rich enough and sufficiently developed to go into any business that offers a fair and reasonable profit, and therefore I vote for no tax or tariff on any article for the protection of capital in this country.

The time was when it was important to induce capital to go into manufacturing pursuits. That time has passed, and the United States are now among the wealthy nations of the world as well as among the powerful nations; and therefore we do not levy taxes to induce capital

to enter into profitable industry. The capital will go where it has an expectation of profit. My idea of protection is to diversify our industries; to secure to laborers fair wages; to prevent that kind of competition that tends to degrade labor. This protection of labor should extend to agriculture, to commerce, to shipping, to mines, to manufactures, to all kinds of industry. We levy these duties not only to raise revenues to support the Government, but for the highest political motives affecting the happiness, the comfort, the health, the education, the intelligence and manhood of our people. Nearly all the materials necessary for all sorts of production exist in the United States. They are available at reasonable cost. Any labor applied to their development should secure such pay as is sufficient to feed, clothe, and care for an American laborer. It should be applied at the best localities. The measure of protection should extend only so far as to create competition and not to create home monopoly. With these limitations I believe that protection is a wise public policy that will tend to reduce prices by home competition and will benefit all classes of laborers, whether engaged as farmers or artisans, and all parts of our country.

What is the principle upon which protection is based? Why should the Government tax all the people to protect the laborer? It is that in this country it is not wise as a matter of public policy that the wages of our workingmen should be reduced to the standard of wages in Europe. That is the only firm foundation on which the doctrine of protection stands; and if that is abandoned there is the end of the doctrine of protection. Free trade is the natural and normal condition of mankind; but as we have established in this country a republic of men, all of whom are equal, a majority of whom are the masters who make and unmake laws, we say that as a principle of public policy their labor shall not be degraded, shall not be reduced by competition with foreign labor or pauper labor, or any kind of labor so that they will not have the advantages and benefits and educational facilities due to American citizenship. That is the broad foundation upon which this whole tariff system rests.

If that be so why should not the labor employed in taking ore out of the mines be protected? Why should the iron ore from Spain, mined at a cost of 35 cents per day's labor, planted by nature on the Mediterranean shores, or of the Bay of Biscay, or the African coast, where it can be gotten very cheaply, be allowed to come here without duty to compete with the same industry here? Sir, I have a statement here from Mr. John F. Quarles, who was for a long time the American consul at Malaga, Spain. He says of these iron ores which are brought here and with which our laboring men have to compete:

> A careful investigation into this subject showed that in the Bilbao mines the wages of the miner ranged from 35 to 50 cents per day. An estimate obtained from a superintendent of one of these mines showed that the cost of extracting a ton of ore did not exceed 40 cents. It was also estimated that where reasonably good facilities existed the cost of transportation to the seaboard ranges from 35 to 40 cents per ton. Adding 20 cents for putting the ore on board of vessels, the total cost of a ton of this ore, free on board, would be $1.05.

Do we want our laboring men in this country to work at 35 cents a day and to compete in digging out iron ore at a cost of $1.05? If we do, then the whole theory and principle of this bill is an utter delusion. If the higher forms of manufactures must only be protected and not that labor which lies at the foundation of them all, then, as a matter of course, this is a manufacturers' bill and not a laborers' bill; it is a bill to protect capital and not a bill to protect labor. The people who are engaged in developing these iron ores of ours are just as much entitled to protection as if they were feeding the rolling-mills of our country or making any form of manufactures.

Sir, it so happened that during the last year and the year before freights from the Mediterranean to this country were very cheap. Vessels from all lands and climes were laden with our wheat and corn carried over to feed Europe in 1880 and 1881, and came back either empty or with such ballast as they could pick up on the way. In this manner, according to the statement of Mr. Quarles, the freight per ton of iron ore brought from Spain and Africa was reduced at one time to the low rate of $1.46 per ton. He says:

> In 1880-'81 grain freights were good, and all freights touched as low as $1.46 per ton.

These vessels came back with ballast of iron ore in order to carry back to their countries the wheat and corn of America.

Now, sir, is it right that the delvers for iron ore in our developed mines should be compelled to compete with this kind of labor and this kind of transportation? I am told by a gentleman from New Jersey that it costs more to carry the iron ore and the pig-iron from some of the furnaces in New Jersey to the city of New York than it costs to carry iron ore from Spain to New York. It costs more to carry iron ore from Lake Superior to the market at Youngstown in Ohio than it does to carry iron ore in favorable seasons across the Atlantic Ocean. It costs more to carry the sulphates that are taken in South Carolina up to Atlanta than it does to cross the ocean with those same sulphates. I believe I am correct in that. Senators here will know about it. Local transportation is always higher.

Therefore, that there should be a just and fair and reasonable duty on iron ore is manifest, and the proposition of the Senator from Kentucky to place iron ore on the free-list would be a manifest injustice. What the rate shall be is a question of doubt. I have been disposed to regard the report of the Tariff Commission as about right. I know that many persons interested in this business have assured me that 85 cents is the lowest; some ask $1; some want 60 cents; others 70 cents. The duty under the present law at 20 per cent. ad valorem is 56 cents a ton.

If there could be a reduction on all forms of metallic industry equivalent to about 10 or 12 per cent., then I could see that it was fair and right to reduce the duty on iron ore to about 50 cents; but I say to the gentlemen who are engaged in other industries that if they apply one rule to iron ore they must apply the same rule to all other branches of manufacturing under this bill. They can not reduce iron ore and then refuse to reduce other things.

So with pig-iron. Pig-iron is the foundation of all the iron industries of the United States. We employ in this country over $600,000,000 of capital in the iron and steel industry. We manufacture in this country 3,700,000 tons of pig-iron. The Senator from Kentucky was a little confused in his figures a while ago when he was talking about millions and hundreds of millions of tons of Bessemer-steel rails brought to this country. It was so many million pounds, four hundred and thirty-odd million pounds, making about 220,000 tons, but we manufacture in this country 3,700,000 tons of pig-iron.

This is the industry which lies at the foundation of all other industries of iron. That industry can be prosecuted in twenty-five of the States of the Union and in every Territory of the Union. The natural facilities for it are scattered everywhere broadcast. At Lake Champlain, all along the Alleghany Mountains, all along the Rocky Mountain range, the Nevada range, and in all the spurs of those mountains, in deposits and hills, in the plains, on the borders of the Mississippi, in Indiana, in Illinois, more in Missouri, everywhere iron ore abounds. There are over five hundred blast furnaces burning day and night, lighting the skies to reduce iron ore into pig-iron. If you do not apply the same rule of protection to pig-iron that you do to other manufactures of iron you do a gross injustice.

What is pig-iron? It is nothing but clay, the Senator from Kentucky says, nothing but dirt dug out of the bowels of the earth. That is all that it was until the hand of labor converted it into metal worth $20 a ton. It is all labor. Every element which enters into the cost of the manufacture of pig-iron is labor and labor only. The capital employed is but a small portion of the cost. The amount of capital employed in building and maintaining a furnace is comparatively small compared with the product of that industry. If pig-iron can not be protected by a reasonable duty then no other iron ought to be.

It seems to me that the great mistake which is made by the Committee on Finance in this schedule is that it proposes to reduce the duty on pig-iron more than the Tariff Commission has done. The commission reduced the duty on pig iron from $7 a ton to three-tenths of a cent per pound, or $6.72 per ton, and in that way proposed a reduction which if carried through the whole list would have been reasonable and just and right and proper. The Committee on Finance, I believe, without sufficient consideration, without careful analysis, proposed to reduce the duty on pig-iron down to $6 a ton, or 72 cents a ton less than was proposed by the Tariff Commission. If pig-iron is not to be protected, what other kind of iron ought to be protected? Pig-iron can be made everywhere in Europe as well as in this country. Five hundred thousand tons of pig-iron were imported last year even against a duty of $7 a ton. The competition is close and severe. The probable effect of this reduction is stated by two of my constituents, gentlemen of the highest character. One of them says:

> I beg you to consider well the fact that the reduction of the tariff on pig-iron to $6 per ton, as proposed by the bill now before the Senate, will be very disastrous to that manufacture in Ohio and generally through the country. Pig-iron manufacturers in Ohio have not made 6 per cent. interest on the capital invested for the last three years, nor for the six years preceding. This is a pretty sweeping statement, and yet I am confident of its exact truth. If foreign iron is to have a better relative position than for these last three years then it must of necessity supply a much larger portion of requirements and domestic production correspondingly decline.
>
> The Tariff Commission schedule made pretty large reductions in rates, but it made them where they could be borne, and the iron trade was prepared to accept them, but the Senate bill is, in its present form, exceedingly objectionable in very many particulars, and we must utterly protest against it with all the energy we have.

Another writes me that—

> At the time the Tariff Commission made their report it was thought best by ourselves and other pig-iron manufacturers here not to kick up any rumpus relative to the proposed reduction of 28 cents per ton in the tariff on pig-iron, although we thought and still think the duty should be advanced instead of reduced.
>
> I notice by the report of the Senate Finance Committee they propose recommending a reduction to $6 per ton.
>
> If this recommendation is adopted it will blow out half the furnaces in the country. We therefore enter our protest against any reduction, and hope the matter will receive careful attention at your hands.
>
> The importations in 1882 foot up over half a million tons, every ton of which should have been and could have been made in this country had pig-iron received its proper share of protection.

I believe the opinions expressed in these letters are supported by the evidence taken before the Tariff Commission and justify me in insisting that the relation between the various branches of the iron industry must be preserved. I have seen, I regret to say, that in framing this bill it seemed to be too much in the interest of the advanced processes

of manufacture, too much in conformity with the ideas of Mr. HEWITT, that labor employed in delving the mine was not to be protected, while labor employed in rolling iron and converting it into bars, hoops, wire, and machinery were to be protected. The rates of some of the higher grades of iron have been advanced instead of reduced, as will appear as you proceed in the investigation of this schedule, while the rates upon the very basis of this industry have been unduly reduced.

I would be entirely willing to make one uniform reduction on the iron industry, but not based upon the present tariff rates, because they are unequal and unjust on account of the great changes in the relative value of articles that have been developed during the lapse of twenty years. These changes make a revision of the tariff on metals imperative. The present tariff is grossly unequal as to many forms of iron, and therefore a uniform reduction of 10 or 20 per cent. upon the present rate would not be fair and just.

The duties on several kinds of iron have been unduly reduced by the decisions of the courts and the faulty and imperfect provisions of the old tariff law. New articles have been devised and new processes of manufactures invented that did not exist before. No such words as "blooms of steel" are to be found in the tariff law, and yet blooms of steel are the basis of nearly all the Bessemer steel imported into this country. This article is now used more than all others in the manufacture of steel rails. Many articles are not named on the tariff-list because they did not exist when that tariff was framed and are now admitted as "unenumerated articles" under ad valorem rates, out of all proportion to the specific duties levied on old forms of iron and steel. In this way articles of advanced manufacture of much higher intrinsic and market value pay a far less rate of duty than the articles of iron and steel from which they are manufactured.

By new devices, by new processes, new articles have been manufactured of which there was no conception when the tariff law was framed, thus reducing the duties on some articles of steel and iron far below their relative rate to others, rendering the metal schedule a bundle of absurdities and incongruities. This should be our first business to correct. If a great earthquake would sink a continent, thus displacing a portion of the earth's surface, another would appear no doubt in other portions of this round world of ours. Such a derangement has been produced in the matallic schedule. New discoveries in the production of steel have entirely deranged, overthrown as by an earthquake, all harmony in the duties on steel and iron.

Thus steel, which was once an advanced product of iron, is now cheaper than iron itself. The time will come when under the basic process and the Bessemer process steel will be sold readily in this country at $20 a ton. Houses will be built of it, all forms of useful implements will be made of it. A general reduction under the present tariff would be grossly unequal and unjust; but if these inequalities are corrected and harmonized future reductions of duties can readily be made by an ad valorem rate.

Some of the inequalities of the present tariff on metals have grown out of the decisions of the courts. Take sheet-iron, for instance. Sheet-iron has paid not a high rate of duty, about 35 or 40 per cent., from 1¾ to 2 cents a pound, and yet under a decision of the courts, founded upon a technical construction of the law, tin-plates, which are nothing in the world but sheet-iron covered with a thin coating of tin, eleven parts iron and one part tin, are admitted at a duty of 1.1 cents a pound. Thus the iron which is the base of the sheeted tin is charged a duty of 1¾ cents a pound, while the completed article in a higher state of advance is charged only 1.1 cents a pound. That is a palpable and gross inequality and ought to be corrected.

So with steel rods. The old tariff had no provision for a specific duty on steel rods, for steel was not manufactured in that form; and yet by the discovery of the use that could be made of steel wire in making barbed wire fences in the West over 60,000 tons of steel wire have been imported at a nominal duty of 30 per cent. as a "non-enumerated article," and is now probably, next to Bessemer-steel blooms, the largest item of imported steel. As a matter of course these derangements of existing rates make it more difficult for us now to revise the tariff.

When we approached this subject I was determined for one to make a fair and just reduction of duties on all the articles mentioned in the metallic schedule, but I wished first to equalize the duties on all articles according to their relative value, and then to apply a fair rate of reduction to the revised list. I would have voted for the reduction of iron ore to 50 cents a ton. I was willing to vote for the reduction of pig-iron to three-tenths of 1 cent a pound, as proposed by the Tariff Commission. When we approached the higher grades of manufacture it became proper and right to advance the rate of duty, now too low, on certain articles, but we found an indisposition to yield to this reasonable and fair rule of equality and harmony. When we came for instance to tin-plate there was a cry all over the country that we were going to raise the duty on tin-plate, which was used in every household for canning fruits, preserving meats, and the like. It was said that it was wrong to thus interfere with a new industry which enabled us to export our surplus products. When these tin cans are exported there is always a drawback allowed for the duties paid on the tin used. No mention was made of that, however, though the exporters of the tin cans are very careful to get their drawback. The duty was in effect only paid on the tin used in home consumption. It is manifestly right that this article should pay a duty at least equal to the iron of which it was made, but when the Tariff Commission proposed to advance the duty on tin-plate to about the just proportion to tagger-iron or sheet-iron, of which it was composed, then there was an outcry that the commission were raising the duty on an article of prime necessity. That was the unjust complaint to which the Finance Committee yielded in reporting this bill.

So again with these steel rods. When we undertook to make the duty on steel rods conform to other rates of the tariff it was said we were raising the duty on the wire that made the fences all over the plains of the West, and there was an outcry against that. So whenever we endeavored to equalize the tariff rates so as to conform to existing values we found this outcry, and the Finance Committee yielded to it.

Yet, on the other hand, when we came to deal with crucible steel and other forms of steel of higher value than Bessemer steel, the manufacturers of crucible steel demanded even higher rates of duty than are provided by existing law. They said it cost $5 to do the work here that was done in England with $1.83. If we yielded to their representations we would have reduced the duties on iron ore and pig-iron, and raised the duty on crucible steel and all the innumerable articles of machinery made from steel. It was urged upon us that this would increase the cost of every mower and reaper, of every thrasher and saw, and the multitude of agricultural implements manufactured in this country, and which constitute the most striking evidence of the skill and invention of the American mechanic. An increase of the duty on the higher grades of iron and steel would be a marked departure from the purpose and intent of this bill, the reduction of the taxes imposed by our Tariff Commission. In respect to these articles the Finance Committee have made some marked changes in the report of the Tariff Commission.

Mr. President, I have said enough to show the difficulty which we have had to encounter in framing this schedule. I say now that the bill as framed by the Tariff Commission is better in some respects than the bill reported by the Finance Committee. I believe the reductions made by the Finance Committee are in two or more items injudicious, and especially in that of pig-iron. I know all the members of that committee did the best they could in the limited time allowed them. I think they have reduced the rates on some forms of iron below what they ought to be. For instance, sheet-tin ought to be rated according to its intrinsic value. It ought to be taxed higher than the iron of which it is composed. It is said it can not be manufactured in this country. That is true while it is taxed at only one-half of the rate on similar articles. But if placed at the proper rate it can as readily be made here as any article on the iron schedule. The block-tin is admitted duty free and the sheet-iron is made largely in the United States. The sheet-tin could readily be produced here, and domestic competition would rapidly reduce its cost, as it has done other articles of the same kind.

The rates of duty on Bessemer steel could be reduced even more than has been proposed. The market value and cost of this article is being reduced greatly. Bessemer steel rails are now sold in the domestic market for $38 and $40 a ton. They are sold in the foreign market at $22 a ton. This form of steel ought to be as cheap as any form of iron. The duty is maintained at $17 a ton, while the domestic price is largely enhanced by a monopoly in patents which are held, not for use in manufactures, but to deter competition.

It seems to me that the metal schedule proposed by the Tariff Commission is in the main correct, and that the changes which have been made in this schedule have not improved it. The Committee on Finance has consented, and probably the Senate will do the same, to the continued existence of unequal and unfair rates, thus yielding to a popular demand, rather than adopt and apply a fair and just rule to kindred and similar articles. The popular demand for cheap wire fences and tin cans may cause the Senate to yield to an unjust and unequal rule of taxation.

Sir, there is but one true rule in framing a tariff bill, and that is to give to all classes of labor an equal degree of favor and protection, whether employed in agriculture, manufactures, or commerce; whether to gather wealth from the earth or from the air; whether from the waters or by fire; whether by the arts of chemistry or the ruder forms of mechanical labor. All taxes should be impartially assessed, and all duties should be based upon value, but for ease and certainty of collection they should as far as possible be reduced to a specific form. When you come to apply these rules it may be difficult, but I believe this difficulty has been substantially met by the Tariff Commission, and that the Committee on Finance have not been able to greatly improve the work of the commission.

The more I study their work, the more I study the provisions of their schedules, although I shall vote to change some of the rates proposed by them, yet I believe they have given to our tariff laws an intelligent and careful scrutiny, with a view to make a fair and just reduction of taxes. I know that in this I differ very much from my friend from Kentucky. He has gone off upon the idea that this is a trick, a plan to cheat the people, to delude them with the hope of a reduction with-

out the purpose of reducing taxes. I can see in the bill, on the other hand, a careful and judicious scrutiny, made by intelligent men who knew what they were doing, to reduce taxes and at the same time to be just and fair to all industries. As the commission has been severely arraigned, I desire to read what was said by Mr. Oliver in the interview before the committee, and I believe that his statement will be verified by an examination of their work. Here is what Mr. Oliver says in regard to the mode in which this important schedule was framed——

Mr. BAYARD. On what page?

Mr. SHERMAN. On page 19.

If you will allow me I will explain in regard to this wording on this particular point. This bill is shorter in the number of words contained in it than the present bill. It is only one-quarter of the size it would be if we had followed the recommendations these people have given to us. Some of them were foolish, as we thought, and we threw them out, and some of them were good, and we adopted them. I sat with the other members of our commission night after night in conference with the best men we could get in the country, in addition to the knowledge we had ourselves, and went over this matter item by item. We took the manufacturers and heard what they had to say, and then we took the best men in the customs department, and one of our own commissioners had had a great deal of experience in custom-house matters. We had before us one of the custom-house appraisers who had been in that position for thirty-two years in the New York custom-house, a very intelligent and reliable man, and we went over all these things, that is, in regard to the wording of the bill, though we never let them see the rates that we proposed, and after we got through with the bill we submitted it again to them, and asked them to correct it and strike out anything in it that was wrong. We wanted to know practically in the administration of the law how it would work. So that this was not a haphazard matter with us at all. We also sought advice from the importers and asked them to indicate anything they saw that was wrong. As far as the construction of the language is concerned I maintain that it will be difficult to frame anything better.

I believe the Senator from Kentucky will agree with me that in the framework of the bill, in the changes in the manner of collecting, of appraising, of the formation, and machinery of this bill, it is the best tariff proposition that has ever been submitted to the Senate or the House. The careful details were no doubt largely the work of Mr. McMahon, since dead, who had probably more experience on this subject than any one else, and so of all the rates of duty levied. I hope Senators will bear this in mind when they come to consider the iron schedule. You commence first with a duty of 50 cents a ton on the rawest element of iron industry. You next have a duty of three-tenths of 1 cent a pound on pig-iron and the various forms of pig and scrap-iron. That includes a multitude of controversies, because on the one hand there was a demand that scrap-iron ought to come in duty free, and on the other that it ought to be greatly advanced beyond $6.72 a ton. Then they considered the next rate, that on Bessemer steel and on all forms of steel made, whether Bessemer or basic or Martin-Siemens or other new processes. They recommend that the duty shall be six-tenths of 1 cent, which is double the rate on pig-iron. If I had been fixing that I would have made it lower, because Bessemer steel when completed, ready to be laid down on the ground, is not worth double as much as the pig-iron of which it is composed. The additional labor put upon pig-iron to convert it into steel is not equal to the labor required to make pig-iron. I should rather have reduced that rate to five-tenths of 1 cent, but they have adopted six-tenths as a just rule, with a certainty that domestic competition will reduce the price of this form of steel more and more, as it has done in the past. As to steel rails, there is a reduction from the present duty of $28 a ton down to $17.92 a ton, or eight-tenths of a cent a pound. This might, in my judgment, have been still further reduced, but domestic competition will do that.

The commission then go a step further, to bar-iron, and propose a duty of nine-tenths of a cent a pound. There are different classes of bar-iron taxed from nine-tenths of 1 cent to 1.2 cents a pound. This is a reduction of the old rates of 1 and 1½ cents per pound. Then they take up wire in coils and rods, reducing rates in about the same proportion. Every form of iron and steel known to the trade is carefully classified, every one having a fair relation to the other. They then take up manufactures, made up out of the different forms of iron, and give what I conceive to be a certain proportion of advance as the article advances further and further from the raw material.

So far as I can judge they have placed too high rates on certain classes of steel which form the basis of manufacturing agricultural implements, and the committee on those articles have reduced some of the rates. On the wisdom of this reduction there is an honest difference of opinion.

All these articles of iron and steel are unchangeably bound one to another. You can not knock one out of its row of protected articles without tumbling the whole down. They are connected to each other not by a common interest, not by a combination of the lobby which the Senator from Kentucky talks about, but by reason and logic, because after you give a reasonable degree of protection to the ruder forms of manufacture you must advance step by step, and as more and more labor contributes to perfect the article you must give higher and higher rates of duty.

The commission, I say it to their credit, did apply a uniform and just rule to all those articles against which they knew that the popular clamor could be raised. They put on sheet-tin 2.1 cents a pound, about the fair and just proportion it bears to taggers iron, of which it is made. They did advance the rate on steel rods to a rate that would be proportionate to other forms of steel used for other purposes. They applied a just and uniform rule; they did it carefully, and, so far as I know, without any shade or even appearance of favoritism to any form of industry embraced in this metal schedule.

Now, if you undertake to knock that to pieces with the rude hand of power, if you undertake to say that the laboring man who digs out the ore shall not have any protection against the Spanish laborer who gets 35 cents, if you say the man who works at the furnace and who melts the ore into the pig, the rudest form of iron, shall not be protected in his industry because forsooth they can get pig-iron from some other country only a little cheaper than they can get our domestic iron, if the large manufacturers only yield to that doctrine and once yield to exceptions against any branch of the iron industry, they then will topple the whole house about their ears, and will be left to make their struggle as best they can against the cheaper capital and labor of Europe.

Justice, fairness, and equity, a firm hand, a uniform rule, such a measure as is unchangeable, applied by intelligence to this subject will solve the problem and give us a sound protective tariff that will develop our industry, set our men to mining, set the furnaces ablast and the rolling-mills in motion, will increase our industries, fortify them, strengthen them, and do what we have all sought to do by the aid of a protective tariff, diversify our labor, enable the men who employ the labor to give them fair wages, so that they may be intelligent, virtuous, honest, able to administer the affairs of our Government. They are the foundation rock upon which our Government is built, and I am in favor of protecting them in their labor so that they shall not be unduly placed in competition with the cheaper labor of Europe in countries where laboring men do not govern.

I have gone at more length than I ought to have done, because, having given my views generally on this metal schedule, I will probably be enabled to keep my seat hereafter when others are speaking, as they have a right to speak; but I say now that if the alternative was presented to me of voting for the Tariff Commission bill just as it stood when it came to us and the bill as it now stands, I should vote for the Tariff Commission report, because I am satisfied that every measure, every rate, every duty, every proviso recommended by them has been made with proper relation to everything that preceded it or that is contained in the schedule. To err is human; but to correct their errors we must devote as much patient study to our work as they have to theirs, and with the pressure upon our time by other duties we can not do so.

Mr. BECK. Mr. President, the Senator from Ohio always apologizes for the consumption of time when he feels it his duty to say anything in regard to this bill, but I think before he gets through he will find it incumbent upon him, in order to defend the positions he now takes, to say quite as much as any of us. It was fortunate for the country perhaps, fortunate for the Senate at least, that the bill was reported from the Committee on Finance at as early a day as it was. We did succeed in presenting substantial reductions on the propositions of the Tariff Commission bill at that time in many regards, much to the present regret, it appears, of the Senator from Ohio, who now desires to go back to the Tariff Commission bill as a well-considered, carefully-prepared measure, much better, he asserts, than anything that the Committee on Finance has been able to do. He now claims that it was a carefully-prepared bill. Nobody has ever denied that. Mr. Oliver was doubtless correct when he said:

I sat with the other members of our commission night after night in conference with the best men we could get in the country, in addition to the knowledge we had ourselves, and went over this matter item by item.

But the best men they could get in the country were the men who were most largely interested in adding to the present taxation of the country to put money in their own pockets by the increase of taxation and by the additional protection that they sought to receive. Some of them have come before members of the committee and told us what they did, and seemed to think it was very hard that their work should be now upset.

In this very carefully prepared schedule that Mr. Oliver sat up at night with the best men in the country over you will find an accuracy of knowledge, a careful division of the classifications in detail, reducing immaterial things, making professions to giving relief, but with additions in every change of classification wherever large quantities of articles were coming into the country that were interfering with their products.

I am glad I know the Senator from Ohio is going to vote to sustain the Tariff Commission bill. His position will no longer be misunderstood. He has avowed all through his speech that he repudiates the work of his committee, and denounces the reductions that we have made. He complains of want of uniformity in the tariff bill as reported by the committee.

Now, let us see what the real ground of complaint is. No article of iron or steel, or the products of either, can reach this country or be landed without paying 30, 35, or 45 per cent. The average tariff taxation now upon dutiable articles is 42 and a fraction per cent. The Tariff Commission said they had submitted a bill to reduce taxes on an average of 20 per cent. of the present rates of duty; yet because tin-plates, barbed wire for fences, cotton-ties, and other things come to this country paying a tribute of 30, 35, or 45 per cent. he says the

want of uniformity in these matters requires such a revision of the tariff as will make it harmonious, and that the commission had done it. How did they make it harmonious? By bringing down other things to 30, 35, and 45 per cent.? No; but by taking all the tariff taxes upon the non-enumerated articles, such as on cotton-ties, on tin-plates, on barbed wire, on everything that people were getting at what was a comparatively reasonable rate of 30, 35, and 45 per cent., and doubling up the tax to 70, 80, and 100 per cent.

That is the relief, the boasted uniformity, and the careful revision that this commission which he lauds so much has presented to the country. Take one item that the Senator says he will vote to sustain the Tariff Commission in and oppose the Finance Committee, and call it a relief from taxation. I can not go over all the reductions we made, but take this one; it will illustrate exactly how the Senator is going to increase taxation for the sake of uniformity: Tin-plates, according to the schedule furnished by the Treasury, page 15, were imported in 1882 to the value of $16,550,834.64, and paid, at the rate of 1.1 cents per pound, $4,837,215.85. That is the present rate and the amount of duty collected for the year 1882. What do the Tariff Commission propose? What is the great wrong the Senator from Ohio says has been done in changing the rate? By the bill reported by the Finance Committee we have kept the tax at the present rate, and I hope the Senate will make it lower.

What does the Senator from Ohio now propose? What did the commission's bill propose and what does he now say he is going to vote for? An increase of duty doubling present rates, making the same quantity of tin-plate that is now brought into this country and paying a duty of $4,837,215.85 pay $9,674,431.70, doubling the tax from the present rate upon an essential article that is used extensively all over the country by all classes of people. When the commission say they are in favor of an average reduction of 20 per cent., he seeks to add 100 per cent. to the present duty, making a tax of over $9,000,000 instead of $4,000,000. The Senator says we made a mistake in reducing this below the bill of the commission; that it is not uniform with the other rates. So with barbed wire; so with cotton-ties. The Senator and his commission propose to increase the duties over 100 per cent. above present rates on them.

It seems never to have entered the mind of the Senator from Ohio, nor of the men who prepared the bill of the committee so carefully, that there was anybody in this country interested in obtaining cheap goods. Their whole struggle was, how much can we squeeze out of 50,000,000 tax-payers to put into the pockets of the men who so carefully prepared this bill, the Tariff Commission, which the Senator from Ohio lauds so much and is so charmed with their work that wherever we have made reductions from their bill, as we have done in many instances, he now desires to go back and put the duties up to the rates that they propose, because he says that is more uniform. If he would look for uniformity downward instead of upward, so as to give relief to the people of this country, especially the laborers, and have regard for others outside of the few manufacturers, he would do his country greater service than he is now doing.

All the talk about the labor of the country and all the pretenses, if I may use that word, made by the manufacturers, which they have made the Senator from Ohio believe, that they are increasing taxes in the interest of their laborers, is known to be the most absolute absurdity. According to their own schedules furnished by the Tariff Commission the laborers in the iron and steel industries of the country get but a little over 20 per cent. of the product, and yet upon the lowest taxed articles, those that the people manage to get as unenumerated, which the Senator complains of, pay on an average 40 per cent. We not only pay the manufacturers the amount of wages that they pay their laborers, but 20 per cent more, and every man who uses these articles has to pay it. Every man who is allowed to buy in open market can get it for less than we pay by the amount of the tax.

It never entered into the consideration of the Senator from Ohio, or if it did he did not care to consider it, that the people of this country are producing annually 510,000,000 bushels of wheat, nearly 2,000,000,000 bushels of corn, and other things in proportion, products that they can not consume, and which the fifty millions of people can not by possibility consume; and that the wheat, provisions, petroleum, cotton, tobacco, and a dozen other things whose prices are regulated in the open markets of the world have to be exported largely by the producers, and they have to sell all their products in competition with the so-called paupers from Russia, from the Mediterranean, from anywhere. Although agricultural products constitute 85 per cent. of all that goes abroad, no man is allowed to buy what he needs abroad; they must come to Pittsburgh or somewhere else, and pay 60, 75, or 100 per cent. more than the article is offered to them for in exchange for the products they are obliged to sell abroad. There are five laborers whose product must be sold in the open markets of the world to one whose product has to be sold here, and, as is the case with Bessemer steel to-day, the manufacturers are turning their laborers out of employment or threatening them with reduced wages. Why? Because for two or three years under the fictitious condition of things which existed they were making 50 or 75 per cent. profit, and with a surplus of products now on hand they are discharging their operatives and letting them lie idle because they will not sell what they have on hand at the price that anybody else has to sell for to people outside the limits of the United States.

I am rather glad the Senator from Ohio has become the champion of the tariff bill of the commission and that he has abandoned the work of his committee. I will show item by item as it is called up where the commission bill has made changes in classification and changes in rates not only not reducing the duty but absolutely making it more and more protective even to prohibition. Indeed, if you will look at the statement of Mr. Oliver himself, though he states it more mildly in the printed statement than he did when I questioned him in regard to it, you will find that he had to tell us that while we would get less revenue under the bill proposed than we would under the present law, it was because they had made it more highly protective by their bill, and had therefore cut off importations more than under existing law, and that therefore the revenue would be diminished, but not because of their reduction. He had substantially to admit that the placing of steel at 3 cents a pound when not enumerated would have the effect of prohibition. It is placed at 3 cents a pound if non-enumerated in the bill of the commission. When the Senator from Ohio tells us that the bill of the commission is a carefully prepared bill I admit it. There was nothing that they left out that they could catch as far as I am able to discover, and they even hunted for things that were unknown before. There is one item we will hear the Senator on when it comes to be argued.

Cogged ingots, blooms, &c., weighing over five hundred pounds are put at six-tenths of a cent, and if they weigh under five hundred pounds they are charged 2 cents a pound, because it is said the custom-house officers could not be trusted; but anybody who is able can bring those ingots, &c., in at six-tenths of a cent a pound and cut them into small parts and sell them all over the country as if they paid duty of 2 cents a pound, or $44.08 a ton. A custom-house officer could not be trusted to see that there was no cheating in regard to them, but the importer can be trusted, and he can bring in the five-hundred-pound sizes and cut them into small parcels and retail them in competition with steel taxed at 2 cents a pound under the careful provisions of the much-lauded bill of the Tariff Commission.

The large importer would get them in at $13.44 duty and retail them as if they paid $44.80, making a profit of about $30 by cutting them up into smaller parts than are allowed to be entered in the custom-house at the six-tenths rate, knowing that ninety-nine one-hundredths of the men who use articles of steel can not import and do not import in the large quantities or bulks required by this law, and have no machinery for cutting them up in the sizes they require if they do import at that rate. Again:

Armor or other plate, iron or steel or combination of iron and steel, finished or unfinished, not less than one and a half inches thick, 2½ cents per pound.

Or $56 a ton. Here is an item, never in any tariff before, placed in the commission bill to catch the United States if ever she ventures to build an armored ship, so as to make the United States pay $56 tax a ton for all the iron made in this country as a drawback to the man who furnished it. Mr. Oliver had to tell us that it was put in as a precautionary measure in case we ever did that sort of work. Here is a duty proposed of $56 a ton on iron and steel that they can make at $30, and which, costing them $30, they expect to charge the United States $56 for as a duty besides and above its value. Yet the Senator from Ohio is so in love with the bill of the commission that he is sorry that we struck anything out of it; he is sorry we altered it; it was so carefully considered, so intelligently prepared that he thinks it is only injured by any tinkering with it by the Finance Committee.

If the Senate is true to itself and true to the people the bill will be injured a good deal more before it passes out of the Senate, no matter how the Senator from Ohio may vote. Every idea that he has expressed in regard to it is in the interest of protected monopoly against the people, against labor, against the best interests of this country, against the revenues and the commerce of the country, against our carrying trade, against everything that I think Senators ought to desire. I want the people of this country to understand just what the bill he advocates is. The high protective tariff monopolists, who seek to pocket all and take all at the expense of the people, ought to look to him as their leader, but the great mass of the people, the men who I hope have some rights outside of the protectionists, will find that he is the champion of their worst enemies if he adheres to the bill of the commission. The speech that he has made to-day commits him to an absolute indorsement of the bill of the Tariff Commission over the bill that the Finance Committee have reported, and to largely increased protection over the existing condition of things, bad as they are.

Mr. MAXEY. Mr. President, we are now beginning upon a schedule which in my judgment is more important than any other in the entire tariff bill, that of metals, and before we proceed further I desire to place upon record some views which I have in regard to the power of Congress over the question of taxation and the nature and character of the bill now presented.

The power of taxation and the purposes to which the money when raised is to be applied are found in section 8, clause 1, article 1, of the Constitution:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

I beg to say that, in my judgment, while this bill does profess that the amount of tariff raised, or in other words the amount of money which will flow into the Treasury by reason of the tariff, will be reduced 20 per cent., yet there will be no reduction whatever in the price of one single article of the leading industries, cotton, woolen, and iron goods consumed and used by the people; and I propose to prove that the Tariff Commission project was not designed or intended to reduce the price on the leading articles used and consumed by the people, but that it is from beginning to end all the way through a bill in the interest of protected industries and nothing else.

A critical examination of the several schedules will I think establish that fact. While there may not under that project flow into the Treasury so much as now flows in under a tariff confessedly too high, yet the diminution of revenues is not in reduction of cost to the consumer, but in the levy of a tariff on many articles so high that it will be prohibitory; and thus the revenue arising from those sources will be entirely cut off, thereby reducing revenue without benefiting the consumer.

What does the Senator from Ohio [Mr. SHERMAN] say? He says that the normal condition of trade is free trade, and that the ground alone upon which the system or theory of protection can be maintained is to protect labor. That is his ground, and it is nothing more than a confession by the ablest representative of the protective theory that this protective bill is abnormal, which is the truth. They say it protects. It protects against what and whom? They tell you against the pauper labor of Europe. Certainly, against the pauper labor of Europe, say they, which is by no means proven. How does it protect and who pays that protection? If the man who manufactures is protected, by whom is he protected? Is it by the Government? The Government does not pay him. It is paid by the man who consumes the articles produced by him. There are about 55,000,000 people in the United States. Of this not exceeding 10,000,000 men, women, and children are dependent on manufactures, and the other 45,000,000 derive support from agriculture, mechanic arts, mining, and the numerous other industries. They are laborers, and are as much entitled to the protection of the Government as the man who manufactures; and yet the very theory of this bill is to take for protection out of the hard earnings of the farmer, of the merchant, of the mechanic, of the schoolmaster, of the workman in every condition of life, a portion of that which he has a right to because he earned it.

If the Government be such a Government as we intended, it will protect each citizen in his life, in his liberty, and in his property. If you take against their will, without their consent, not for the purpose of Government, but for the purpose of protecting the favored manufacturer, you take out of the pockets of all the others a portion of their hard earnings to put it into his to swell his coffers. Is there any justice in that? Is there any fair dealing in that?

"In the sweat of thy face shall thou eat bread, till thou return unto the ground."

That is the command of the Almighty. I was never commanded to sweat that another man should eat the bread which I had earned by my labor for myself and those dependent on me. I am commanded to provide for my own household, not another man's household. I was commanded to render unto Cæsar the things which are Cæsar's, but the Cæsar to whom I am to pay tribute is my Government, not a manufacturer, who owes tribute to the same Government and is no more rightfully exempt than I.

I stated that while the purpose of the bill was to reduce the amount of money that would flow into the Treasury, the price of articles would not be reduced. Is that true? Take the article of Bessemer-steel rails. Who has to pay for the enormous protection of $28 per ton? Is it the railroad men? Not at all. The Senator from Maryland [Mr. GORMAN], who at this time presides, understands that question as well as any gentleman in this body from personal experience in railroad management. The railroad man does not pay it, he simply advances it, but he gets it back out of the man who travels over his road; he gets it out of the man who freights over his road; and at last the consumer, the man who travels, the man who raises cotton, who raises wheat, who raises pork and tobacco and cattle and wool and the various articles which go over the railroad, is the man who pays that, and from the pockets of all these men, the colored man of the South, the white man of the South, the laboring man of the West, and all other laboring men everywhere who produce articles sent by rail to market, you take out of their earnings a part of their earnings for the purpose of protecting the seven or eight Bessemer-steel factories which are now in the United States. Is that fair? Is it just? There is no particle of fairness or justice in it. In my State we have now about 6,000 miles of railroad and are daily making more. The tax on every rail is advanced by the owners of the roads, but paid back to the uttermost farthing in freight and travel charges. It is therefore the people, not the railroad companies, who are interested in reducing this enormous tariff, which Mr. Oliver, of the Tariff Commission, admits in his testimony before the Senate Finance Committee is prohibitory, and that any tariff above $17.92 per ton is prohibitory, and he is a man of evident ability and great intelligence.

Again, how will the revenue which flows into the Treasury be reduced and the people not be benefited? Let us see. The honorable Senator from Ohio [Mr. SHERMAN], a member of the Committee on Finance, asked the question I shall read, of Mr. Oliver, a member of the Tariff Commission, placed there by the iron industry for the purpose of protecting, as they call it, that industry; that is to say, for the purpose of making everybody who uses iron pay, not into the Treasury of the United States, but into the pocket of the protected industry, a portion of their hard earnings. And what does Mr. Oliver say about it? After speaking on the subject of the Bessemer-steel rails, in which he says the duty upon them is prohibitory, he states:

> The duty is prohibitory. They are only worth $38 to $40 per ton, and how can you import them?

Yea, verily, how can you import them?

Then he says:

> It would only leave $12 as cost in England. At $17.92 duty the rails used in Oregon, California, and the Gulf States will come from abroad, because freights are lower at times from Liverpool to San Francisco than they are from New York to San Francisco; sometimes they are not more than half as high.

So that if we get the poor privilege of buying these rails abroad and thus save a little, it is due to cheaper freights and not to the tariff, which happily can not control sea-going vessels.

The Senator from Ohio [Mr. SHERMAN] says on page 27 of the statement of Mr. Oliver, and I quote only so much as is pertinent:

> What was your design; was it a reduction or an enlargement of the rate of duty, and what do you think would be the result; would it produce more or less revenue than the old tariff?

That is a pertinent question. How does Mr. Oliver answer it? Mr. Oliver said:

> I think it would produce less revenue.

Why? I ask. Because the price of the articles was reduced? Not a bit of it. Hear him:

> I think it would produce less revenue, because some of these items where we have recommended an increase could not be brought in unless there was an advance in price in this country.

I have as to steel rails shown why, and it is equally true of many other things.

That is it. You have laid a tariff for the purpose of prohibiting the introduction of articles from foreign countries which come into contact with articles of like character produced in this country, and by that prohibition you raise no revenue; but what do you do? You increase the price of those articles which are thus protected by the prohibition, and consequently the price to the man who uses that article and consumes that article is not decreased although the revenues flowing into the Treasury are decreased. That is the theory. Protection with a vengeance! The Senator from Ohio further asked Mr. Oliver:

> You think a reduction of duty in some cases would increase the revenue and an enlargement of the duty in other cases would reduce it, and that it is a matter we can not tell about in advance?
>
> Mr. OLIVER. Yes, sir.
>
> Senator SHERMAN. Upon the whole what would you say would be the reduction of revenue if this tariff bill should pass?
>
> Mr. OLIVER. I should surely think that it would decrease the income from that source at least 20 per cent.

Here you have the beauties of this project unveiled. Your revenues are reduced; your interest, your sinking fund, your pension-list, your current expenditures all to be met; your revenues reduced, and the people not at all relieved; articles now coming in and paying their way into the Treasury excluded and a monopoly given to the home manufacturer against the home consumer, and all in the name of protecting labor (which is not protected) against the pauper labor of Europe. Mr. President, ingenious theories and plausible fallacies may be advanced in favor of the protective system, but they will not stand the test of justice, fair dealing between man and man, and right reason.

Mr. Oliver's reason for saying the commission system would produce less revenue turns upon his previous answer, which was, "I think it would produce less revenue because some of these items where we have recommended an increase could not be brought in unless there was an advance in price in this country."

As I said the other day, this bill is as illogical in political economy as it is false in constitutional theory. We have the great power of taxing the people. For what purpose was that power granted to Congress? You remember that under the old Articles of Confederation the power to tax the people did not reside in the Congress of the Confederation. The result of that was that you had a weak and a helpless and an inefficient government. One of the great causes which brought about the assemblage of the convention which framed our Constitution was to establish a government which should be efficient in its operation, and to make it so it was necessary to confer upon the law-making power the power of taxation.

You may look all through the proceedings in the several States and the utterances of acknowledged leaders of public opinion which preceded that convention and brought it about, and you will find nowhere a word or syllable from a human being in respect to granting the power to Congress to raise taxes, except it should be to raise a revenue for the purposes of the Government; but nothing else.

Nowhere will you find it advanced that the tax power should or could be used for the protection of any special industries, or for any purpose whatever save to raise a revenue for the conduct of the Government.

And the protection talked about in the early Congresses was simply that protection which inevitably flows from any tariff laid upon such articles imported from abroad as are also raised or manufactured in our country. And such home industries are thus protected to the extent of the tariff laid and collected. Search the debates which took place in the convention which framed the Constitution, and nowhere will you find from the utterance of one man in all that magnificent debate the idea that Congress had the power to lay a tariff for protective purposes, but always the argument was for the purposes of a revenue, and a revenue only was talked about in that connection.

When the ablest man of the Pennsylvania delegation in the Federal convention, Mr. Wilson, from that great State now clamoring here for protection, went back to the convention of his own State assembled to act upon the ratification of the Constitution, and gave an account of his stewardship as a member of the Federal convention, he said that this tax power was granted for the purpose of raising revenue to carry out the objects and designs set forth in the Constitution. What else? All the writers of any distinction of that day and time who have written upon that subject, Mr. Madison, Mr. Monroe, Mr. Jefferson, and others, say that the meaning of the clause that "the Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States" is that it is to raise taxes, duties, imposts and excises for the purpose of paying the debts, providing for the common defense and the general welfare. What else? When you come to the expression "general welfare," I refer to the letter of Mr. Madison to Edmund Pendleton, written January 21, 1792, in which he says:

I have reserved for you a copy of the report of the Secretary of the Treasury on manufactures, for which I hoped to have found before this a private conveyance, it being rather bulky for the mail. Having not yet succeeded in hitting on an opportunity, I send you a part of it in a newspaper, which broaches a new constitutional doctrine of vast consequence, and demanding the serious attention of the public. I consider it myself as subverting the fundamental and characteristic principle of the Government; as contrary to the true and fair, as well as the received construction, and as bidding defiance to the sense in which the Constitution is known to have been proposed, advocated, and adopted. If Congress can do whatever in their discretion can be done by money, and will promote the general welfare, the Government is no longer a limited one, possessing enumerated powers, but an indefinite one, subject to particular exceptions. It is to be remarked that the phrase out of which this doctrine is elaborated is copied from the old Articles of Confederation, where it was always understood as nothing more than a general caption to the specified powers, and it is a fact that it was preferred in the new instrument for that very reason, as less liable than any other to misconstruction.

It will be remembered that in the draft of Constitution reported by Mr. Rutledge, from the Committee of Detail, August 6, 1787, chapter 1, section 1, article 7, reads:

The Legislature of the United States shall have the power to lay and collect taxes, duties, imports, and excises.

At a later period the convention added:

To pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

On this point President Monroe, in his message December 4, 1822, says:

The addition (to pay the debts, &c.) was designed to enumerate the purposes for which the money thus raised was to be appropriated.

Jefferson, after showing that the words "to pay the debts, &c.," were a qualification of the tax power, says:

It was intended to lace them up strictly within the enumerated powers, and those without which as means those powers could not be carried into effect. (February 15, 1791; fourth volume Jefferson's correspondence, 522, 525.)

And Judge Story says:

A power to lay taxes for the common defense and general welfare of the United States is not in common sense a general power. It is limited to those objects. It can not constitutionally transcend them. (Story's Commentaries on Constitution, section 919; and directly to the point is section 923.)

The stretch of the words "general welfare" beyond their clear purpose Mr. Madison says would subvert "the fundamental and characteristic principles of the Government." Mr. Monroe said that clause 1, section 8, article 1, meant that Congress has the power to lay and collect taxes, &c., for the purpose of paying the debt, providing for the common defense, and for the purposes enumerated in the Constitution. And Chief-Justice Marshal (Loughborough vs. Blake, 5 W., 318) says:

The eighth section of the first article gives to Congress the power "to lay and collect taxes, duties, imposts, and excises," for the purposes thereinafter mentioned.

Bearing in mind that this great power of taxation was granted to supply a fatal defect in the Articles of Confederation, the want of power to raise a revenue for the support of the Government, the well-known rule of construction of Blackstone is directly in point:

The reason and spirit of the law, *or the causes which led to its enactment*, are often the best exponents of the words and limit their application.

Approvingly quoted by Story, Com. on Cons., sec. 400.

Mr. Jefferson said substantially that the power was granted for the purposes enumerated in the Constitution and those powers inherent in the Constitution, and which are necessary to carry into execution the power of Congress. So that Congress has no power whatever to raise one dollar of money for any purpose other than the purposes set forth on the face of the Constitution, or from those inherent in the enumerated powers and necessary to their execution. The enumerated powers in the Constitution, or those inherent in and flowing out from the enumerated powers, and which are necessary in order to carry into execution the enumerated powers, and to those alone, we must look, and there is no power in Congress not thus enumerated or which is not inseparably coupled and linked with the enumerated powers. Then, I ask, where is there one single enumerated power in the Constitution which could by possibility be construed as a grant of power to protect an industry under the pretext of a bill for raising revenue? The power to lay taxes, &c., in order to protect any special industry is not in any of the enumerated powers, nor does it flow from any of those necessary to carry into execution the enumerated powers. Therefore it does not exist.

Why, Mr. President, the theory of our Constitution is that the Constitution grants equal and exact justice to all and exclusive privileges to none; but here take this bill, take for example the metal schedule, take the subject of iron, which is protected even as the Tariff Commission had made it to the point of prohibition, who pays that protection? Go to the farmer. His plow, his hoe, his spade, his ax, his trace-chain, his knives and forks, his kitchen furniture, everything that he uses about his place is taxed under the plea of protection, and his labor, every drop of sweat that rolls from his brow by his hard labor, is coined, in order that under this bill a portion of his earnings may be taken to pay over under the plea of protecting somebody else's labor. There is no justice in it; there is no fair dealing in it; it is abnormal and nothing but abnormal, and beyond the powers of Congress under the Constitution.

So you may take the woolen industry, the cotton industry, and all others, and you will find that just what Mr. Oliver says here about iron is true about them, that the revenues flowing into the Treasury will be lessened perhaps, but you will find that as to the prices the people pay on that which they use the prices will not be lessened. Why? Because so far as all these great industries are concerned, many of them are protected even, as he says about Bessemer steel, to the point of prohibition; the price as to them will not be reduced; but here and there you will find some trifling article which none of us care anything about particularly which is reduced in price, the tax on matches, bank checks, &c., for example, but that which the farmer uses, that which the miner uses, that which the mechanic uses, that which all the great industries of this country, outside of the manufacturing, use will not be reduced in price, and this whole bill, in my judgment, will prove, when it is put into practical operation, an ingenious device, a delusion and a snare. If any man expects when this bill as it is drawn goes into operation that the people of this country are going to have their burdens lessened he is mistaken.

This Tariff Commission never was designed or intended, in my judgment, in the interest of the people, and the record of my vote and remarks on the bill which raised it prove that I was not mistaken.

Mr. BECK. Will the Senator allow me, in furtherance of his argument, to call his attention just to one fact? I hope it will not interrupt him.

Mr. MAXEY. Not at all. I am speaking off-hand entirely.

Mr. BECK. While the Tariff Commission increase the burden on tin-plates from $4,837,215.85 to $9,674,431.70, they make an offset which looks very plausible on "round iron in coils three-sixteenths of an inch or less in diameter, and bars or shapes of rolled iron not specially enumerated or provided for in this act." They reduce that from 2 cents per pound and 15 per cent. ad valorem to 1½ cents per pound which is nearly one-half off. The imports under that were $61.47 in value and the revenue derived was $26.14. They now magnanimously propose to reduce it one-half and only collect $12.61 of revenue, whereas they have doubled up on the matters which produce $4,837,215.85, and now seek to have it raised $9,674,431.70, and the one is supposed to offset the other! I assume they have reduced it from $26.14 to $12.69, and that is an offset for five and a half millions of increase!

Mr. MAXEY. That crops out everywhere. In the statament which the Senator from Ohio made in his response to the Senator from Kentucky in regard to Bessemer steel he said that there were over 3,000,000 tons of Bessemer steel manufactured here and only about 220,000 tons imported; in other words, it was a practical prohibition except in such special instances as the one to which I referred when the Senator from Kentucky [Mr. BECK] had the floor, and which I did for the purpose of showing that it was an exceptional case.

Mr. ALDRICH. I desire to call the attention of the Senator from Texas to the fact that both he and the Senator from Kentucky are discussing the Tariff Commission bill, and pointing out what they choose to call the enormities of that bill. These do not exist in the committee bill which is now before the Senate.

Mr. BECK. Allow me to say a word.

Mr. MAXEY. Let me answer that, all of which, I say to the Senator from Rhode Island, I perfectly understand, and I do hope and trust that this family of protectionists will fall out among each other and split into atoms. I do not want them to do so physically, but in the advocacy of a heresy. The ablest man by far [Mr. SHERMAN] of the protectionists as a debater comes forward and repudiates the committee's bill, and upholds as his banner, and the banner under which he intends to march, as the oriflamme of his faith, the Tariff Commission

bill, and not the bill of the committee. And the Senator from Rhode Island [Mr. ALDRICH] repudiates the Tariff Commission bill and sticks to the committee bill. Let these knights of protection fight it out.

Mr. BECK. That answer covers all I desire to say and better than I could say it. The Senator from Ohio, who is the power that will be on the conference and settle this bill and make it, is for the Tariff Commission bill without dotting an "i" or crossing a "t," as he announced to-day.

Mr. MAXEY. Mr. President, I think I understand this thing. I am referring now and replying to so much of the argument as I think pertinent of the Jupiter Tonans of the protectionists. How much sincerity I ask is there in all this? Why, I remember perfectly well when we had that little—I suppose by courtesy I ought to call it bill—that little concern they sent up here from the House at the last session to reduce the tax on bank capital, on checks, smelling bottles, matches, and a few little things of that kind; and following that came a proposition on the subject of knit woolen goods, an effort made to raise the tax on them to 85 per cent. ad valorem; and such pleading as I have never heard in this Senate was made by the Senator from Connecticut [Mr. HAWLEY] in favor of that 85 per cent. ad valorem. One would have thought that almost every person engaged in that business was ready to take his way over the hills to the poor house.

Among other reasons urged was that they had to pay so much tariff on wool, and they said they had to pay such a high tariff upon wool—from 40 to 60 per cent.—that they were bound to have 85 per cent.—could not do without it My colleague and myself represent the heaviest wool interest of any State in the Union but one. The Senator from Delaware [Mr. BAYARD] introduced a proposition (and that tested their sincerity, tested their faith) to reduce the tariff upon the manufacture of all woolen goods to 50 per cent. and upon the raw wool to 25 per cent. How did I vote on that and how did my colleague vote upon it? I say to-day the test was then; the manufacturer was protected and our wool-growers were protected. Some may think we do not represent properly the interests of our people. It is now 2 o'clock on Tuesday, the day of the Senatorial election in Texas, and I venture to say that in less than two hours from this time the news will reach this Chamber that my colleague on this day and before this hour of the day has been re-elected to the Senate by an overwhelming majority. The people through the Legislature sustained my course by a decisive vote, and to-day they will sustain his.

What was my vote on that and what was his vote? We said put them both down together. We want no protection more than is just and fair and equitable. I want no abnormal condition in respect to the interest of my people above that of anybody else. I want a living chance, a free-for-all race, nothing more. We voted for the proposition of the Senator from Delaware to reduce wool, which now bears from 40 to 60 per cent., down to 25 per cent., along with the reduction upon woolen goods down to 50 per cent. I thought it fair all round to grower, manufacturer, and consumer, and think so yet. Then the simple, naked proposition was made to reduce the tax on wool to 25 per cent. We voted against that. Why? Because a reduction to 25 per cent. on the wool after the proposition of the Senator from Delaware had been voted down would have been to take out of the pocket of the wool-grower the difference between 25 and 40 and 25 and 60 per cent. and put it in the pocket of the manufacturers, protected by 85 per cent., without benefiting the consumer one cent. I believed I was right then and think so yet.

But, sir, I say here and now that, representing as I do in part one of the greatest of all the wool States of this Union, I am willing to see wool go along ratably and fairly and equitably with every other article which ought to pay an import duty when introduced into this country. Sir, we had the same thing up the other day on kaolin or the goods manufactured out of kaolin. We have in my State as fine kaolin as the sun shines upon and in inexhaustible quantities. I have seen the ware manufactured from it. The time will come when it shall be a grand industry in Texas, but I want no more than a fair and a just amount of tariff laid upon the importation of goods of that kind. In my State we ask none of these special protections, because a special protection is the taking out of one honest man's pocket a portion of his hard earnings to put it into another man's who never did earn it. That is not fair; it is unjust; it does not strike my sense of justice. I have said what I have to show that the theory of protection is in my opinion as false in political economy, as false in logic, and as untrue to the principle of our Constitution as any theory can possibly be.

Now, I want to show a little more. They profess that this is a tariff for reduction. Take one industry—and I mentioned that to the Senate once before and I will not go through the figures, for I have already placed them on record—they profess, some of these men who speak the loudest in favor of protection, to be the truest and the best friends of the poor colored man that ever lived, moved, or had being. I believe as much of all that as I see proper. I believe the best friends the colored man has on this green earth are the very men among whom he was born and reared and with whom he will pass his life. We are protecting him to-day and educating his children and expect to continue to do so. On that very article of cotton-ties, to which I am referring, you will find that every Senator from a State where there is a large number of colored men voted to continue getting our cotton-ties at 35 per cent. ad valorem, which is fair to all manufacturers and cotton planters, white and black. As I stated the other day, that was proposed to be increased to about 135 per cent. by this bill. That was so startling that the Western Union reporter here came to me to see if I was right about it, intimating that the figures were so absolutely startling that he could hardly think I was right. I explained it easily. How is it? Take the general average of a ton of cotton-ties in Liverpool, freight paid, for New York, $40. Thirty-five per cent. on that is $14, which we now pay. You put 1½ cents a pound on 2,240 pounds to the ton, and you have $33.60 tax to the ton. Thus you have an increase of about 135 per cent.

You take out of these men down in the South, the white people, and from these colored people, who have recently been enfranchised, who are now working for themselves, working in the fields to make an honest living, to support their families, to help educate their children, working in the cotton-fields and in the corn-fields—you take a part of their hard earnings and you more than double the tax under this bill over what they now pay, which is said to be a bill in the interest of labor.

Sir, it is not a bill in the interest of labor, and it was never, in my judgment, designed or intended to be so. It is a bill in the interest of protected monopolies. It is a bill of capital against the people, and nothing else. Time will prove, when this is developed, the truth of every word I have said in regard to it. Why talk about the pauper labor of Europe? There is not a factory to-day in the United States, if it can get labor cheaper in Europe than in the United States, but will ship over the pauper labor of Europe and put it into the factory in competition with home labor. Just exactly like them, the great monopolies which built railroads out in my State and in California and all through that country employed two, three, and five thousand hands, as the Senator from Oregon knows, of Chinamen, to build their roads. Why? Because Chinese labor is the cheapest, and these people will get the cheapest labor that they can. Deducting the interest on the plant invested in the manufactories, the cost of the raw material, the insurance, and other expenses, the result will show that the profit which goes to the labor, instead of being a fair division between capital and labor, is far less proportionally than that which goes to the lordly capitalist who controls all these hands.

The lion's share is his, and will be so under any bill of protection that you will pass under this delusive theory. The Senator from Ohio is right about that; no theory could possibly support this except that of the protection of labor, and that theory is utterly fallacious. Under any theory of the protection of labor that has ever been devised or ever will be devised it is the protection of one man's labor at the expense of other men's labor, by requiring all not protected to pay tribute to all who are protected. It is the protection of one man because he happens to be engaged in one industry at the expense and out of the hard earnings of all other men engaged in other industries. It is class legislation of the most proscriptive character.

Sir, tax laws must be construed strictly. You can not draw from the Constitution, nor has it ever been done, although beautiful and enticing but fallacious theories have time and again been advanced, the power to raise a revenue for any purpose on this earth than for the purpose of supporting the Government in its legitimate purposes enumerated in the Constitution. These are my views in regard to this subject.

Now, take another interest in which my State and the gentlemen representing the Western States are so deeply interested, that of barbed wire. We have in Texas ranches inclosed by eighty miles of fence. That is a good deal longer than the whole State of Rhode Island, so ably represented by my friend [Mr. ALDRICH] who was questioning me a while ago. One stretch of wire that incloses a ranch in Texas would reach across the State of Rhode Island and back again.

We have a great interest in that question. The cattle industry in the United States is looming up to be one of the grandest industries. Texas is not only first in cotton, for we will export this cotton year of the crop of 1882 from one single port (Galveston) 1,000,000 bales; we have raised in the whole State between 1,300,000 and 1,400,000 bales. We are first in cotton, we are first in cattle, we are second in wool, soon to be first. Wire is necessary for the inclosing of cotton and grain plantations as well as of these great cattle and sheep ranches; yet this bill largely increases the tax upon every stockman and farmer in Texas, in Iowa, in Kansas, and all that country using barbed-wire fences. It reaches every cattle man and every sheep man in Texas, and farmers all over that country; and yet this is said to be in the interest of labor.

In the name of reason, sir, what do you call labor? Is the man only a laborer who works in a forge or foundery or in great factories. Are they the only laborers? Why, sir, this bill might be well called a bill of tribute to the lords of the loom and the forge from the toiling, overtaxed millions of this country. That would be a proper name for it. It is one of those remarkable things that all through this bill—you may take the evidence, you may take the speeches that are made here, the only industries that appear to be looked at at all are these protected industries. The unprotected people who have to pay these taxes are not consulted; they are looked down upon by your lordly manufacturers. What do they care for the poor man who has to earn his bread by the sweat of his face, who has to toil in the field or in the shop or elsewhere to make a living? What do they care how much the clothes

he wears cost him? What do they care what the clothes of the poor colored man in the South cost him?

I have seen some disposition occasionally on the part of gentlemen to push this thing through, but is it expected that we are to do it without debate? How was the bill got up? Each one of these great protected industries was represented on this Tariff Commission by a representative man, and the special schedule for that industry was assigned to the special man who was interested in it and who was expected to uphold that industry. When a bill of that kind comes here, and there is involved in the bill $250,000,000 taxes, is it expected that those of us who represent the people who have in large part these taxes to pay are going to let it pass without debate, and folding our hands make no effort?

I say that every one of these schedules from beginning to end ought to be shown up, that the people may understand it perfectly well. I say that where the people have this money to pay they should know why they have to pay it. And when an industry is protected as you call it to the extent of prohibition, they ought to know why this protection should extend to prohibition. They have a right to ask these questions, and through all the length and breadth of this land these questions are being asked. They are being asked intelligently, and the ball is started, it is rolling, and the longer it rolls the more study of the question there is, the more every one will see the importance of asking, "Why should money be taken out of my pocket to help anybody else?" "Why should I not have the privilege of going upon a free and open market and buying my money's worth?" Why should not the people of foreign countries have the right to bring their goods here, paying only a fair and just duty upon the importation for the purpose of supporting the Government, and then putting their articles on the market and selling them? Oh, but these infant industries! It was but a day or so ago that I heard you, Mr. President [Mr. GORMAN in the chair], in a speech of ability and of intelligence, pleading for an infant industry, and some inquiring gentleman asked the question how old that industry was, and I believe you were bound to say it was one hundred years old. It was a very old infant!

But as I said the other day, these infants are like young ducks, no sooner is the shell broken than the infant duck starts right for the water. No sooner is one of these infant industries hatched till it requires protection. Then it instantly gets it, and you have a whole prolific family of daughters of the horse-leech increasing at great rate, all crying, "Give, give!" Who has the giving to do? An unwilling people. Do they give of their own account? No, sir; but because the strong hand of the law, the power of the law, compels them to give. Whatever is proper for the support of the Government we have a right to levy and the people will cheerfully pay; but we have no right to levy or collect one solitary dollar from the people over and above that which is necessary to pay the interest on the public debt, provide for the common defense, provide for the sinking fund of the public debt, and the current expenses of the Government. Outside of the legitimate purposes of the Government our Constitution confers upon us no power whatever, and no mortal man can show it, to raise from the pockets of the people one solitary dollar for the help, aid, or protection of any interest.

Mr. BROWN. Mr. President, I have said nothing on this very important question, and I do not know that I should utter a word now were it not that when I asked a question this morning when the Senator from Texas [Mr. MAXEY] was making some remarks in reference to the importation of steel rails the Senator from Kentucky [Mr. BECK] thought proper, in a manner a little excited, to assign me a position on this question that I do not occupy. I do not believe my friend intended to do injustice. I have usually found him, in fact, I may say I have always found him fair, just, and reasonable. He made the statement that I would vote for 100 or 150 per cent. and for protection for protection's sake. Now, I say most distinctly that I occupy no such position.

Mr. BECK. The Senator will allow me. I think he will not find when the Reporter makes out the RECORD that I made such an assertion.

Mr. BROWN. I so understood it. I do not know how it may appear in the RECORD.

Mr. BECK. I never intended to make such an assertion, if I did.

Mr. BROWN. I did not think the Senator did, but I so understood him, and I think that was the language or very nearly the exact language he used. And I wish now to say with emphasis that I occupy no such position on this question. On a former occasion, at the last session of Congress, when I addressed the Senate on this question, my honorable friend from Kentucky did me the honor to hear me most of the time. In those remarks I was very careful to negative any such idea.

I am utterly opposed to levying one dollar of tax on the people of the United States for protection alone. I am in favor as soon as it can possibly be done of raising all the tax necessary to support the Federal Government upon imported articles, as I have avowed again and again upon this floor. I am utterly opposed to the present internal-revenue system. It was a war measure, adopted as such, never intended at the time to be fastened permanently on the people of this country, and it never ought to be. That system entails upon us, in addition to the expense we heretofore had to bear of collecting the revenues, the cost of another army of collectors—inland collectors—who are increased by a process of indefinite expansion when a political campaign comes on; and many of them are used as very efficient political agents to advance the interests of the party in power. That is not all. Nothing has done so much to annoy the citizens of this country, to vex and harass them—I mean nothing in the shape of legislation for the collection of revenue—as has the working of this internal-revenue system.

Under the law governing the system, or at least under the practice, and they claim that it is justified by law, and I believe it is, by what purports to be law on the statute-book, the collector of internal revenue sends his deputy out upon a raid whenever he thinks proper to do so. He issues his summons to his henchmen, and gathers around him whatever force he desires. He goes into the country in search of illicit stills, as the excuse is. What power does he go armed with? If he finds a still running where there is not a license, he resorts to no judicial proceeding; he seizes it, destroys the still or takes it from its place and carries it away, destroys the beer or any other articles that he may find in the distillery that he thinks proper to destroy, and seizes the property of the distiller and carries it off, and many times he takes property in no way connected with the running of the distillery. This is done by an agent of the Government of the United States, which Government has in its Constitution the distinct provision that private property shall not be taken for public use without just compensation; and provides distinctly that no one shall be deprived of life, liberty, or property without due process of law.

This system is even carried so far that if in these raids the revenue collectors find a man at a distillery, though he had nothing to do with distilling, if he becomes alarmed and runs at their approach, yet if they raise their fire-arms and shoot him down the courts of the State are not permitted to try his murderers as criminals. In such case the demand comes for a transfer of the case to the Federal courts, and it is so ordered, because this raider, with his posse, who goes around through the mountains or the valleys hunting stills, is claimed to have been an agent of the Government, and acting under its authority while he was out destroying the property of the citizen without warrant or authority or the judgment of any court for doing so, and if any one offers resistance, nay more, if any one flees even and does not stop when commanded and is shot down, the State courts are held to have no jurisdiction, and this agent of the Government is put on trial in the United States court and the United States district attorney is ordered to defend him. A mockery of justice!

Thus the Constitution and laws of this country, I mean the Constitution and all laws passed in conformity to it, are trampled under foot recklessly and tyrannically in the execution of this system. And yet some of the Senators in this Chamber, who are very denunciatory of almost any kind of tariff, are sticklers for the continuance of the internal-revenue system. I would abolish it absolutely. I would do away with this army of collectors and these illegal raiders. I would destroy the power and monopoly of the great whisky ring, and I would collect the revenue at the ports of this country, as our fathers collected it, and as it was always done except when the exigencies of war required extreme measures.

On what principle should we collect it? Which is better, the tariff system always practiced as most satisfactory to the people, or the internal-revenue or direct-tax system? It must be done by one system or the other. We must have money to support the Government.

It is very easy to appeal to the prejudices of the populace on this question. No matter what sort of tariff is proposed, what the per cent. is upon any article; no matter what the duty is on clothing or food or trace-chains or looking-glasses or anything else that has been mentioned and discussed here, how easy it is to say were it not for the tariff our people would buy it for 20 per cent., 30 per cent., 40 per cent., or 50 per cent. less than they now pay? That is true, and it applies to every article that is protected by a tariff; and every article produced by us upon which a tariff is laid is protected to that extent. But how are you going to get rid of it? What is your remedy for the protection of the people in that case? They can be protected against all these exactions of tariff and all tariff protection in one way, and that is to collect all the revenue this Government needs by internal taxation and collect none of it at the ports. Then we should have the pure, genuine, unadulterated free-trade principle carried out. Are Senators ready to adopt that plan of collecting the revenue? If they are, those who take that position draw the line sharply and distinctly between them and other Senators who believe that the revenue should be collected by a tariff. We must have a certain amount of revenue each year to support this Government; how much I do not know. Our last appropriation bills, with all the other demands of the Treasury, I believe, were stated on the last night of the last session to amount to about $400,000,000.

Mr. DAVIS, of West Virginia. Four hundred and three million dollars.

Mr. BROWN. The honorable Senator from West Virginia says $403,000,000 last year. I thank him. How much less is it to be this year? The Senator from Kentucky [Mr. BECK] is on the Committee on Appropriations.

Mr. DAVIS, of West Virginia. I will say to my friend from Georgia

that the Secretary of the Treasury estimates $415,000,000 for the next year.

Mr. BROWN. The Senator from West Virginia, a member of the Committee on Appropriations, now says that the Secretary of the Treasury estimates $415,000,000 for this year, and $340,000,000 of that I understand is for necessary expenses. It may be that the Senator from Kentucky and his colleague upon the Committee on Appropriations will find some way of cutting down the appropriations immensely. If they do so, and it is practicable and just, I will vote with them most cordially, for I desire to say here that the affairs of this Government should be administered economically. All extravagance should be cut off and not a dollar should be raised that is not necessary for the economical administration of the Government. If, however, it takes $415,000,000 a year to run it, or suppose we drop the $15,000,000 on account of the economy that the Committee on Appropriations is going to exercise in recommending appropriations, then it is $400,000,000 a year that we have to raise.

How is it proposed to do it? We must meet the question like sensible men and like statesmen. We must support this Government, and we must raise all the funds absolutely necessary for that purpose. Assuming that it will not be less than $400,000,000 next year, how do you propose to raise it? By a tax on customs, that is upon imported goods, or by an internal tax upon the people of this country levied directly? How is it to be raised? I repeat. If by tariff, we need not be so very exact about just how much we put on each article. We shall get some too high and some too low, perhaps, for it is very hard to adjust it right, but we need not stickle about small percents in it, because it will take a large tariff to raise that amount. Even with your internal-revenue system, which is clung to with so much tenacity by some Senators, you will be obliged to raise about $250,000,000 by tariff taxation, if I may use that expression.

Mr. BECK. Before the Senator proceeds further, will he allow me to suggest one thing that has occurred to me several times?

Mr. BROWN. I do not wish to give way for a speech.

Mr. BECK. I do not wish to make a speech; I desire only to suggest to the Senator from Georgia that all the revenue raised from whisky and tobacco goes into the Treasury of the United States, and therefore prevents the necessity of raising anything more than the revenue actually paid, whereas Mr. Oliver says $28 a ton on Bessemer steel, out of which millions have heretofore been raised, is now prohibitory, and that tax so kept up will make the people of the country pay $28 a ton more than the steel rail is worth, and yet not pay a dollar into the Treasury and not enable us to decrease taxation anywhere else.

Mr. BROWN. At a later period in my speech I will come to that Bessemer-steel question. I have heard my friend from Kentucky, I think, something less than three hundred times on that question in the Senate.

Mr. BECK. And you have been greatly annoyed, no doubt, every time.

Mr. BROWN. I have always been ready to vote for a reduction of the tariff on steel rail. There is another side to that picture. It is true the difficulty the Senator mentions has been one in the way, but I even prefer that to the system which he advocates, the practical working of which is for a raiding band of its agents to go out and shoot down citizens with impunity.

Mr. BECK. One word more, and I will not trouble the Senator again. He even prefers that Bessemer steel shall be taxed $28 a ton, absolutely prohibitory and yielding no revenue, rather than to have a revenue raised by means whereby all that is paid goes into the Treasury.

Mr. BROWN. No, that is not what I said. The Senator shall not misrepresent me in that way. I mean now, as between the two systems, that I prefer the tariff system, even with some evils connected with it, rather than his system, or the one he advocates, under the practical workings of which the property of the citizen is destroyed without warrant or authority, and the citizen is shot down with impunity.

Mr. BECK. That same thing is done under the customs laws quite as bad.

Mr. BROWN. I have not known instances of it. I do not think the Senator can point to them. If he will go to the mountains of North Carolina, Georgia, Alabama, and Tennessee he can find plenty of instances such as I have mentioned under the internal-revenue system. I have not heard of them under the customs laws, and I do not believe they exist there. I have heard of no case where a citizen was shot down there for running when he was told to stand by an agent of the United States, and then the criminal carried into a United States court for a mock trial and there acquitted, the United States district attorney defending him. I know no such case. I venture to say the Senator from Kentucky can not furnish the instance. Will he name the case? It does not exist.

But now a word——

Mr. HARRIS. The Senator from Georgia certainly does not mean——

Mr. BROWN. I can not be interrupted by all the Senators, because I want to go on and make my argument. They will have ample time to reply to me after I have done. I certainly do not intend to be discourteous to any Senator.

Mr. HARRIS. I simply desired to inquire of the Senator if he meant to say that there was anything in the internal-revenue law authorizing the acts to which he refers; if he does not refer to acts of crime in violation of that and all other laws?

Mr. BROWN. I meant to say that under the law and practice of that system men are shot down under the circumstances I have mentioned and the murderers tried under the circumstances mentioned, and acquitted. Not long since there was an instance in the State represented by the Senator from Tennessee of that very character. Davis, I believe, was the man who did the shooting. He was a rather noted revenue agent. That is the practice under that system. It occurred in Tennessee, it occurred in Georgia, it occurred in Alabama, it occurred in North Carolina and South Carolina, and I do not know but also in Kentucky. I do not know whether citizens have been shot down by the revenue officers there or not.

But a word more in reference to the Tennessee case. Davis, the revenue collector, was a favorite with the authorities and a noted raider upon the people. And I here make a short extract from the very able speech of Colonel A. S. Colyar, who was counsel for the State in the prosecution of Davis for killing Haynes. Davis was on a raid in Grundy County. He approached a distillery and Haynes was at the distillery, but in no way connected with the business of distilling. Seeing the revenue officers and not knowing but he might be arrested, he started to run. They hailed him, but he did not stop and Davis shot him down. Davis was indicted in Grundy County for murder, and the case took the usual course. An order was sent down from the United States court to the State court to transfer the case to the former court. The transfer was made and the usual result, I believe, followed. Davis was not punished. But to the extract. Colonel Colyar says:

Here is an extract from a report made of the result of one raid in which the defendant took part, as follows:

"They seized sixteen distilleries, five of which were in Tennessee, nine in Kentucky, and two in Virginia. They also captured 15,200 gallons of mash and beer, 165½ gallons of singlings, 87 of whisky, 45 bushels of meal, 16 bushels of malt, 10 copper stills and caps, 11 worms and 264 mash-tubs. Value of property destroyed, $3,300."

A few days before the above was published, the same paper had reported the horses, cattle, and hogs brought into the city on a steamboat as the result of a single raid by Davis and his squad, this property being seized as property belonging to illicit distillers.

This, then, is the manner in which the business of collecting internal revenue is carried on in the State of Tennessee. And it is carried on in like manner, as already stated, in a number of other States. The property of the citizen is seized or destroyed at the caprice of the Government agent. He sits in the case as judge, jury, and executioner. He determines whether the party is guilty of illegal distillation. He destroys the still and seizes the property of the party; and if the distiller or any one present attempts to get away he shoots him down; and when indicted in the State court he claims a transfer to the United States court, where he goes through the form of a mock trial, defended by the United States district attorney, and is acquitted. And this is the system that is to be settled upon us and under which our people are to suffer oppression until they have arisen in their might and required of their representatives its unconditional abrogation.

What would be said in Great Britain of any such conduct as this? Reference is made by Colonel Colyar, in the able argument to which I have referred, to the celebrated Knox cases in England. When it was the custom of the chief of cabinet to issue warrants for the seizure of property, without describing the property, and in some instances for the seizure of persons, without the names or description of such persons, suits were brought by those thus illegally arrested and by those whose property was thus illegally seized; and after a long litigation, in which the government defending the suits expended nearly £100,000, the Court of King's Bench held that the warrants were illegal, that the defendant in every such case was entitled to recover damage of the agent of the government. The English law and constitution protect the person and property of the subjects of that government from illegal seizure.

Lord Chatham is reported to have said:

The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter, but the King of England may not enter. All his forces dare not cross the threshold of the ruined tenement.

This is the regard which the laws of England pay to the rights of person and property. The Constitution of the United States says that no citizen shall be deprived of "life, liberty, or *property*" without due process of law; and yet in the teeth of the English common law and of the Constitution of the United States an internal-revenue system is maintained which practically sets aside all these safeguards and leaves life, liberty, and property subject to the whims and assaults of irresponsible revenue agents.

Now, a word on the Bessemer-steel question as it has been put to us so often. I have never seen the day when I would not have voted to reduce the tariff on steel rails. The Southern Railway and Steamship Association a few years ago, at my instance, passed resolutions memorializing Congress for a reduction of that tariff, because we thought it was unreasonable and unjust. I say now it is, and I am ready to vote with the Senator from Kentucky to reduce it, and I have never seen the day when I would not have done it; therefore I am not to be misrepresented on that question.

But let us look now a moment at the working of it. While I utterly repudiate the doctrine of a high tariff making low goods, as that claptrap phrase is usually pronounced in the country, still it is a fact which we can not get away from that where an article is protected unjustly, it may be as it was in this case even to the point of prohibition, it builds up the industries of this country until they reach the point where competition between themselves puts down the price immensely below what it was when those interests were first protected by a high tariff.

Take this very article of Bessemer steel. I have some knowledge of the working of that business. It was my duty some years since to make a purchase of that article for a railroad interest which I represent. For the first I ever purchased I paid $130 per ton in cash. A few days since my agent purchased in Pennsylvania 2,000 tons of as good steel as that was for $38.50 per ton. The first was $130 per ton; the last purchased was $38.50 per ton. The tariff was the same in both cases. It was $28 per ton when I purchased the first, and it is $28 per ton now.

What reduced it? Why is it not $130 a ton now; or if not that much, why is it lower than it was? How did it get down to $38.50? It was in this way: A tariff was put on that was almost prohibitory; the article was in demand; large amounts of capital were invested; able capitalists here purchased the patent-right for this country and then put millions of money into mills to manufacture it; and they have built up a competition among themselves; and that has reduced it from $130 to $38.50, while there has been no change in the rate of the tariff.

Therefore there is a great deal of fallacy in all these statements about the exorbitant tariff on Bessemer steel ruining this country. The railroads had to pay (and people have to pay for it, of course, in the end) unreasonable rates for the article at the start. Why was it that we had to pay at that day $130 a ton? If we had not put up mills to make it in this country, it is doubtful whether we should not be paying $130 a ton or some other very high rate to-day for it, for the foreign manufacturer having the monopoly would have put his own price upon it, and therefore we should probably have to pay double or three times to-day what we do pay to our own mills. By this system those mills are now located here; the capital is in them; the plant is there; and they can not be removed; and we have this competition for all time to come. I am willing to vote to reduce the tariff on steel to a reasonable rate, as I have always been, and give the benefit of it to the people.

Take another illustration——

Mr. BECK. The Senator is aware, I suppose, that he can buy Bessemer-steel rails for $24 or $25 a ton, free on board, in Liverpool.

Mr. BROWN. But I suppose Bessemer steel, as well as everything else, ought to pay some of the $250,000,000 we need to carry on the Government. I think it ought not to pay as high a rate as it now pays. But if we adopt the system of collecting all the revenue by internal taxation, then the Senator from Kentucky is right, and we can get it at $25 in Liverpool. And then we will have to pay a direct tax about seven times as much as our present State tax on our lands, our horses, mules, cattle, hogs, and sheep. The people prefer that the railroads pay it on Bessemer steel rather than have direct tax.

The very fact that we have had this competition here has compelled them to come down with the price abroad, and if we had not the competition here we could not get it at any such price. If we had built no Bessemer mills in this country we should have had no steel delivered here at $24 a ton. The difference is now between $24, if the Senator's figures are right, and I suppose they are, and $38.50. Well, I would take off part of the duty on that article, and I would still make the railroads that use Bessemer steel pay part of the tariff, pay part of the $250,000,000 that somebody has to pay.

But when the Senator asked me the last question or made the last statement I was going to refer to another article in which my own State is interested. Prior to the war Georgia and the Carolinas had almost a monopoly of the rice market. Rice at that day did not sell for more than $2 per hundred pounds. There was 20 per cent. ad valorem duty upon it. We had slave labor, and we made it almost as cheaply as the Chinaman and the people in the East do, and we had a monopoly of the market. Not a pound came in at 20 per cent. Foreign rice at that time could not compete.

But war clouds overshadowed the country, and the contending armies met, and the blockade closed our ports, and Southern rice was not permitted to go to Northern markets. What did rice go up to in the United States? While there was plenty of it in the East, in China and other countries, with the ports thrown open to it at $2 a hundred, it could not come because the rice raised by slave labor was lower than that. But as soon as the Southern rice was cut off, and no longer went into the market of the United States, that part of it occupied by the Union Government and armies, it rose to from $12 to $14 per hundred. Why did not the foreigners bring it in and kindly sell it to us at $4 a hundred? Because war had crushed the production in this country, and they at once took advantage of our necessity to run the price up three or four times as high as it had been before.

Since the war nothing could have been done re-establishing the old rice plantations had it not been for the tariff, because now under the present system of culture the foreign rice-maker gets labor at a cost of less than half what we can get it for. Drop protection and that industry drops, and one hundred and fifty to one hundred and sixty thousand people supported by the rice culture are thrown out of employment and valuable plantations are thrown back into the forest. What has been the result? It was said that the tariff on rice was too high. The result has not been at the present price to prevent it from coming in. But nearly half of all the rice the people of the United States now use is imported, and it came down in 1880 and 1881 to $4.25 a hundred.

When you put a tariff on home rice and protected it so that the business could go forward, the foreigner dropped the price of his rice from $14 a hundred, which he could no longer get, and he now makes it and brings it here and sells it to us at $4.50 in competition with the home rice.

Therefore it is idle to say, if we want to talk like candid men on these questions, that a tariff protecting largely any industry does not cause capital to be invested in that industry and build it up so that it can after a while do with less protection. That is the working of it in every instance almost where you trace the course of it all along through our tariff history. Bessemer steel is one instance and rice is another notable instance.

When our home factories did not make the Bessemer steel to anything like the supply, the foreign manufacturers brought it here and sold it at a price laid down in the interior of Georgia at $130 a ton. We protected unreasonably, as it seemed at the time, the home manufacturer of this article, and the result has been that now the price is down by competition among ourselves to $38.50 a ton.

Mr. President, I hold in my hand the statistics of the imported merchandise for the year ending June 30, 1882, and I see that the whole amount of goods imported for consumption was $716,000,000 worth. Of that amount $210,000,000 came in on the free-list—I give only the round numbers; $505,000,000 on the dutiable list paid taxes, $505,000,000 is the whole amount of dutiable goods imported at the ports of the United States for the fiscal year ending June 30, 1882. With a duty of 40 per cent. ad valorem that would produce only $202,000,000 revenue. That will not do. You are obliged, therefore—and there is no escape from the statistics—if next year is as this year, to put an average tax of more than 40 per cent. ad valorem on every dollar's worth of goods imported on the dutiable list to raise $202,000,000. You must have at least $250,000,000 from customs, and your internal revenue in the bargain.

You must raise, say, $250,000,000 by customs, and then you must have on all dutiable goods imported during the year, if there be the same quantity this year, a tax of about 50 per cent. ad valorem. That is terrible upon trace-chains and looking-glasses and shovels and picks and hoes and clothes and hats and shoes and boots and other articles. The people could absolutely get them for 50 per cent. less than they do if there was no tax. If we did not have to support this Government we should be relieved of an immense amount of taxation. One Senator spoke of the very high taxation; that it is 50 per cent. or 40 per cent., and no doubt preferred 20 per cent. ad valorem. Some people forget that we have to support the Government, and put about 50 per cent. upon every dollar's worth that is imported, that is dutiable, to raise the amount necessary, which we are obliged to have.

How are you going to raise it? Lower all these duties to 20 per cent. and see whether you can do it. I know that the advocates of extreme free trade will not raise all the revenue by internal taxation, but they say if you lower the duties the effect will be to increase the quantity imported. Well, I suppose we shall not import much more or much less than we need. I presume that all the goods needed this year came in; all we were in a condition to pay for came in.

It is true that by lowering the tariff to a point where you can not get the necessary revenue out of it, you can destroy home industry. If you reduce the tariff enough to greatly stimulate the importation so as to destroy our home industries, I do not know that you will get enough from it to make $250,000,000 a year, or to make, as I think it ought to be, with the internal-revenue system abolished, the entire amount of $400,000,000 that is needed to support this Government.

I sympathize very cordially with the Senators on this floor or gentlemen anywhere else who desire to see to it that full, equal, and exact justice is done to the people and that no unnecessary burdens are saddled upon them. But if I were to tell the country that all the taxes upon the goods bought by the poor man and the rich man and everybody who consumes are an unnecessary burden, I should feel as if I was demagoging a little, for I should be keeping back from them another important statement that must in honesty and fair play accompany that, that if you did not pay it in that way you would have to pay it upon your property, and it would be as long as it is broad usually and as broad as it is long in the end. There would be a difference in the class who pay it, and that difference under the system of collecting it internally would be against the farmer, in favor of the gambler, in favor of the rich who pay most of the tariff. The present system saddles more of it on the rich man and the gambler.

Take an illustration. I know a farmer in Georgia who is worth $20,000 clear of indebtedness. He is a man of sense; he economizes closely; he has good land and a good deal of it; he has horses and mules and cows and sheep and hogs and all property which a man in that condition usually draws around him. He and his family dress very plainly; he makes almost everything upon the plantation that he needs; buys a

little iron, a little salt, a little sugar and coffee—what we call strictly the necessaries of life; and he pays a very small proportion of the taxes to support this Government compared with the amount of property he owns. I know a gambler in Atlanta who is not worth $500 of any visible property but is one of the finest dressed men in town every time you see him. He wears gold rings upon his fingers and diamonds upon his breast, fine boots, hats—and everything he wears is fine. That man under the tariff pays a great deal more of the taxes that now support this Government than the old farmer I have spoken of who is worth $20,000 in property. If you change it and collect it by the internal-revenue system or direct taxation you lift the burden off the shoulder of the gambler and put it upon the shoulder of the old planter. That will be the working of it. There is no getting away from facts, and those are the facts in just such instances as I mention.

I would vote here, as a rule, to exempt from the tariff almost everything raised abroad that we do not produce or manufacture in this country. Take as an illustration tea and coffee. Neither is raised in this country, and we compete with nobody on these articles, and a tariff upon them protects nobody. I would keep them perpetually on the free-list. I would tax sugar, although it is used as generally as tea and coffee, because it is produced in this country, and I would give the laborers who produce sugar a part of the benefit of the protection that the $250,000,000 or $300,000,000 which we have to raise is obliged to give somebody.

The great problem to my mind is how to properly adjust this burden and how properly to divide this protection. I would make some exceptions to the rule I have just laid down. There are certain articles of luxury, used by the rich alone, made abroad that we do not compete with that I would make pay a high tariff and bear that much of the burdens of the Government; but unless there was something of that character while you relieve the common people and the poor people entirely, I would in every instance put the tariff on that which would protect some American industry or American resource. In other words, I would give the preference to the labor of my own country rather than the labor of a foreign country. I would relieve as far as possible all the laboring masses of this country by placing the tariff on the goods they produce by their labor in preference to that which is not produced by American labor. And in taking that position I do not depart from the traditions of the fathers; I stand squarely on the old Democratic platform prior to the war, and I will not be driven from it no matter how many new lights there may be who have concluded that they may do better than that by protecting foreign labor against home labor.

The position of the Democratic party then was a tariff for revenue with incidental protection to American labor, raising no more money than was absolutely necessary to an economical administration of this Government. There is precisely where I stood then. The first vote I ever cast for a Presidential candidate was for Mr. Polk on that very platform. There I have stood ever since, and there I intend to stand with my feet firmly fixed upon that platform. We triumphed on that platform before the war, and I tell my Democratic friends here that when we again triumph it will have to be upon that platform. It is the old Democratic platform, and I invite my Democratic friends who have wandered from it to return to it again. You can not succeed in a Presidential campaign if the people of this country are satisfied that you are antagonistic in your feelings and your action to American production and American labor, and that you are willing to put foreign productions and foreign labor in a condition of preference to home productions and home labor. There are too many laborers interested in this question for any party to succeed upon such a platform.

I have noticed the capital made by our Republican friends on the other side of this Chamber out of this question; and while they go as I think to the extreme, and I do not agree with them, especially with that portion of them who say that they are for protection for protection's sake, yet I saw enough in the last Presidential campaign, when we went before the people of these United States upon the platform of a tariff for revenue only, saying nothing about incidental protection, throwing aside the whole doctrine of the fathers of the Democracy of former days—I say I saw enough of the effect then in Connecticut and New Jersey and Indiana and probably in other States to convince me that you will never carry them again on any such platform, and you will never succeed without them or part of them.

We may say what we will about it, we may appeal to the prejudices of the people as much as we will and say, You are paying 20, 30, 40, 50, 60, or 70 per cent. upon goods, and you would get them a great deal cheaper if we had no tariff, but you can not mislead the people of this country on this question. They understand it, the capital of the country understands it, the manufacturers understand it, the bankers and capitalists of every class understand it, the laborers understand it. They know there has to be a fund raised by taxation to support this Government, and they are intelligent enough to understand that it has to be done either by tariff on imports or by internal taxation, where it comes right home to everybody.

Under the tariff system it is an indirect tax, the larger portion of it paid by the wealthier class, and those who consume most of the fine goods. And being indirect, no one seems to feel it as they would a direct levy of the amount upon their property at home. Unless the appropriations can be greatly reduced, we are obliged to raise about $400,000,000 this year; $250,000,000 of that by tariff as heretofore, and the rest by the internal-revenue system unless we repeal it. If we repudiate this principle, and levy the whole by a direct tax, then we have to raise $400,000,000 by internal taxation alone. As matters now stand Georgia's share of this would be about $10,000,000 annually which the tax-gatherers would collect from our people. Senators here have talked about taxes upon the plow, and the hoe, and the trace-chain, and other articles purchased by the farmer. If we adopt the internal-revenue system for raising the whole amount which each State will have to pay, each citizen will have to pay seven or eight times as much tax in gold each year to support the Federal Government as he now pays to support the State government. Then a heavy tax would be assessed upon the land, the horses, the mules, the cows, the hogs, the sheep and the goats, and the plows and the hoes, and the spades and the trace-chains, and the picks and the shovels, and even the skillets of our people. The Senator or Representative who by his vote adopts this principle, if it should ever become a law, will meet among his constituents a storm of indignation such as he has never before witnessed.

Instead of raising this immense amount by direct taxation upon all the property of the people, let it be raised as our fathers raised it, by a tariff. And in laying the tariff let it be so adjusted as to raise the necessary revenue upon imports and at the same time afford incidental protection to American industry. You can not raise $250,000,000 on imported articles consumed in the United States without giving $250,000,000 of protection to somebody. I would so distribute the protection as to give part of it to manufactured articles of cotton and wool and silk, of iron and steel and the ores that support them, and part among other manufactures. And I would distribute part of it among the wool-growers, the hemp-growers, the flax-growers, the tobacco-growers, the fruit-growers, the sugar-growers, the rice-growers, the shepherds, and the herdsmen. In a word, I would so distribute it as to protect as far as possible against foreign productions and foreign labor all the productions and all the labor of all the producing and laboring classes of the United States. I would put upon the free-list generally, as already stated, such foreign productions as we do not raise and such foreign manufactures as we can not compete with, and raise the amount of money we need upon such articles as we do raise and such manufactures as we make.

We have to raise the amount of money necessary to support the Government, and what we raise upon one class of articles we do not have to put upon another. Therefore I prefer the first plan, that is to raise the revenue by tariff. And I will go further and say that I entertain no doubt that nine-tenths of the voters of this country prefer that plan, and no party can succeed at a general election that does not support the first plan.

Mr. President, I want to discuss this question fairly. I shall resort to no anecdote, nothing to amuse you. If my premises are unsound or my argument is unsound, of course the Senate will see it at once and it will be met with a successful reply. If my position is impregnable there will be no reply. But I desire to discuss the question on principle. We have to meet it on principle at the bar of public opinion, and we had better take a proper position upon it.

Now, as to the details of this bill there are many of them that I do not like. Some I will vote for; some I will not vote for. I do not know yet whether I shall vote for the bill or whether I shall vote against it. I have no idea it will be anything like a perfect bill. We have all seen enough to know that we have stricken down the tariff on certain articles very low. For instance, on the motion of my friend the Senator from Texas [Mr. COKE], the other day, when he proposed to reduce glue, I believe it was, to 10 per cent. ad valorem, I voted for it because his State produces more horns and hoofs out of which it is made than any other State in the Union, and if he and his colleague were satisfied with that I would vote for it, though now glue is 40 per cent. below the average ad valorem that it takes to support this Government.

While glue is at 10 per cent. ad valorem other articles must pay 40, 50, 80, or 100 per cent., or they can not survive. It is an exceedingly delicate affair to take up this bill, or any other bill, and so adjust all the details as to give just such a tariff as ought to be given in the case of each particular article. No committee can do it, and I presume no legislative assembly can do it. Something will be wrong. There will be some inequality. Therefore, the very best we can do is an approximation to what is best and what is right. We may make some mistakes in these details in voting on particular articles. I may have voted for too high a tariff on certain articles and for too low on others in the opinion of other Senators. Doubtless I have. All of it does not suit me; but I intend to do the best I can, voting on each question as it comes up after it has been discussed, to perfect the bill as nearly as possible.

When it is done we shall have much to find fault with; but it is one step in the right direction. The present tariff is unequal, unjust, and in some respects iniquitous; it wants modification and change; the revenues of the Government are such that they will bear reduction, and reduction ought to be made; and if it will not meet the expenses, then we must reduce the expenditures until it will meet them. But still

the question comes back on the details, how low are you going to arrange it? If you put 50 per cent. ad valorem on everything, which is about the amount it would take on all the goods imported for consumption which were dutiable last year, you do not do justice.

Some of the New England spinners, who have had protection for forty or fifty years, do not need any 50 per cent. now. They have been rocked in this cradle long enough. They are no longer little children. They have gone through the period of youth; they are approximating the period of vigorous manhood; they have machinery now, many of them, that is equal probably to the best anywhere; they have skilled labor that is almost as good as you can find in Europe, and probably much of it is as good; but it costs a little higher, and that is the greatest difficulty. But some of them neither ask nor expect 50 per cent., nor are they entitled to it.

On the other hand, take a struggling interest in the South—any of those we are trying to build up; if you put 50 per cent. on that and 50 per cent. on New England, the one in its infancy and the other in its manhood, you do not do justice between them. We have reached the point now where the South sees some prospect. New England has had protection for half a century. She has risen to that point where she will soon be able to take care of herself. I would take off part of that tariff and I would put it on where it is more needed.

These are my views generally on this question. There are many details that I should like to go into that neither the time of the Senate nor my strength will permit me to do. This is the general outline of my position on the tariff. Acting on the principles I have laid down, I shall vote in the case of each particular item here as I think most just under all the circumstances; so distribute the protection as to build up the weak that need fostering, and withdraw protection as much as may be from the strong that do not need it. Taking this view, I desire to say but little on the iron question. It is a question in which I have some interest myself, and therefore it is not proper that I should say much, but I can say this much, as no one else can sit here and take my place as one of the Senators from Georgia.

While I occupy the seat I must speak for my people on that subject, or one-half of her strength in the Senate can not speak at all. Therefore, unpleasant or perhaps improper as it may be for me to discuss that question as I am interested in it, I desire to say that Georgia and Alabama and Tennessee and South Carolina and North Carolina and Virginia are immensely interested in that question. Some of the greatest deposits of iron on the face of the earth are found in those States. All we need is development, and some of the fruits that protection has given in the case of Bessemer steel in reducing prices down two-thirds will be felt probably in a similar degree there. I do not mean that there will be two-thirds reduction upon present prices, however, because that would be clear below the point of production.

But what I do mean is that we can build up by a judicious system an immense interest there with immense power for the future and immense wealth to that section. What made England wealthy and powerful as she is to-day? Many causes you may say, but what was probably the leading one? What probably did more to develop her power and her immense strength than any other thing? Her iron interest and her coal interest fully developed; immense amounts of capital have been put into it; the development has been carried to the highest point, and it has given her a power and a prestige that is beyond comparison, and while she was formerly one of the strongest protection powers in the world—she even required her dead to be buried in woolens, to protect the woolen interest—she has built up her great interests by protection till, like the Bessemer-steel men, now she can go before the world, throw her ports open, and undersell everybody. The South can not for a long time reach the position England has reached, but we have a great deal more coal, a great deal more iron in the three States of Tennessee, Georgia, and Alabama than there is all told in the islands of Great Britain.

I recollect three or four years ago when Mr. Bell, president of the Iron and Steel Association of Great Britain, visited that section and inspected our iron and coal resources. While riding with him on the railroad train I said to him, "Mr. Bell, I have never had the pleasure to visit your country; I know the great power that you derive from the great coal and iron interests and deposits of Great Britain; how do yours compare in quantity with what you have seen in Georgia, Alabama, and Tennessee?" His reply, in a quick, nervous manner, was, "Ours is a speck, sir, a mere speck, compared with yours." We have six times, probably ten times as much mineral wealth in the section that I now refer to as Great Britain had before a pick was ever used on her deposit

I do not think it is wise to adopt a policy in our tariff laws or any other legislation that crushes out that interest and invites the products of this immense English capital and English labor to come in here and occupy this field and take charge of it. If you will put a rate of tariff on iron low enough to stop the furnaces of the United States, how long do you suppose it will be before iron brought from England to this country, like rice brought from Asia here in 1862, will go up one, two, or three fold? It is the fact that you produce it here in immense quantities and stimulate direct competition among yourselves and meet them with competition that keeps down the price to the consumer. Blot out the furnaces and rolling-mills of this country, and then look out for your trace-chains and all your other iron articles that have been mentioned, and you will soon feel the weight of the English power upon your prosperity. You had better not do it, in my opinion.

Now, a word in reference to the pending question, and I have done. This is a proposition to put a tariff on iron ore, as I understand it. The present rate on iron ore is 20 per cent. ad valorem, which amounts to 56 cents and a fraction per ton. This bill proposes to lower that rate, as it is reported by the committee, 6 and a fraction cents per ton. I think it would be unwise to do it. As I see by a statement made by the chairman of the national executive committee of the iron-ore producers, there are in three or four mines on Lake Superior 16,000 persons engaged in this business, supporting about 50,000 people. I speak of that particular locality; I have not the statistics at hand about any other. They have invested in the Marquette district, as the statistics here state, $33,000,000, and in the Menomonee district $18,000,000; making $51,000,000 invested there in mining alone. Then they have built, as is stated, three railroads there simply for the purpose of hauling this ore to the iron furnaces at different places, mostly toward Pennsylvania and in the West. Those railroads, that are used for scarcely anything else except the transportation of iron ore, have cost, one $19,000,000 in round numbers, one $6,000,000, and one $5,000,000, making a total investment for working the ore in those two districts alone $81,000,000. There are other portions of the country where there are very large operations of this character going on. I suppose I might say on a sort of guess, for I have not the data before me, that there are $200,000,000 now invested in the United States in the iron-ore business, and it maintains, as this $81,000,000 maintains about 50,000 people, over 100,000 people. I do not want to strike down that interest. While it may be true that it is not in the interior, but on the lakes, I want to take in the whole country in a broad view of this subject. Therefore I vote for the amount that was fixed by the pig-iron convention at——

Mr. SHERMAN. I happen to know, as the Senator is looking for the recommendation of the convention of all the iron manufacturers, that they agreed after a full conference, all the parties interested——

Mr. BROWN. On 85 cents a ton

Mr. SHERMAN. They agreed finally on 85 cents unanimously.

Mr. BROWN. I was looking for the place where that convention was held.

Mr. SHERMAN. Eighty-five cents a ton for the ore.

Mr. BROWN. There were but two concerns in the United States that objected to that, as it is stated here, and one of them——

Mr. SHERMAN. It was the Bessemer Steel Works that objected to it, and some other company. They will be found in the testimony taken before the Tariff Commission, if it is desired.

Mr. BROWN. It was two of the Pennsylvania steel works, as I remember—I do not recollect the names and I can not turn to them at this minute—but of all the pig-iron manufacturers of the United States in convention, after fully discussing this question, there were none who objected to 85 cents; there were but the two concerns of any character, and those were two large steel mills, that objected to it. It seems to me that the manufacturers of pig-iron ought to be pretty fair judges, when they meet in convention and when they have to buy the ore, of what the laborer ought to have for the ore delivered at the furnaces. And as they have all settled upon 85 cents per ton tariff and no manufacturer of pig-iron objects to it, I am willing to vote to give to these laborers the 85 cents per ton, which is a rise on the present rate of from 56 and a fraction to 85 cents. It seems to me that it is reasonable and little enough, and therefore I shall vote, when we reach that proposition, for the amount of tariff that was agreed upon by that convention as proper for the protection of those engaged in furnishing iron ore.

Mr. MAHONE. Mr. President, the question before the Senate is as to the duty on iron ores, and the proposition is at what figure shall the rate be fixed. Shall it be arbitrary, or shall it be in equitable proportion to that fixed on the manufactured product? Shall the rate give the same protection to the miner as is given to the forgeman, or shall it violate an honest and generous application of the principle of protection, and be laid in the single interest of two certain steel and iron manufacturers?

Mr. President, heretofore iron ores have not been specifically enumerated in the tariff. They have been admitted under a general clause covering "crude minerals not otherwise provided for," at a rate of 20 per cent. ad valorem, equal 56 cents per ton specific.

It was not anticipated that iron ores would become an item of import to any material extent, and yet we have seen that within the past few years the quantity imported has increased from 284,000 tons, in 1879, to 783,000 tons in 1881.

These foreign ores come mainly from the mines in Spain and in Africa, and are taken quite exclusively by the steel and iron works on the Atlantic side of the Alleghanies, while the like manufacturing works west of the Alleghanies are supplied from our own American mines, whose capabilities are equal to every demand of the steel and iron works of the country in quantity and kind.

Some of these works have gone to Spain and to Africa for a large measure of their ores, not because equally desirable ores were not to

be had here, but for the reason that they could be had there at a cost below that which precluded the production at our own mines.

Some of the mines of New Jersey and New York were last year not worked for the want of a market, while our Eastern iron and steel works were importing foreign ores.

These important industries have had all the while a generous measure of protection, and the theory which justifies the fostering care that has wisely been extended to that interest can not fairly be denied the iron-ore interest of our country. It directly represents American labor, which we would aim to place here at home upon fair terms of competition with that of the world.

In Spain, where the wages do not range higher than 45 cents per day, it costs about 80 cents to mine a ton of ore, and here, where the wages range at about $2.10 per day, it costs, say in New York and in New Jersey, $2.50 per ton.

On this basis, and the proposed duty of 50 cents per ton, you give to the foreign labor a protection of 62 per cent., and if you would extend that ratio to the American miner the duty should be $1.89 per ton.

To the manufactured article everywhere you give ample protection. On pig-iron you impose a duty of $6 per ton—at the average value of ores they compose full one-third the cost at pig—and if you would equalize the duty that on ores should be put at $2 per ton, specific, certainly, when the ores imported are of the class necessary in the manufacture of steel, and when you remember that the duty fixed on steel ingots and blooms is $13.44, while that on steel railway bars is put at $17.92. Surely, the iron and steel manufacturers who insist upon ample protection for their product will not urge a high rate of duty upon what they sell and a nominal duty upon what they buy.

Taking the prices of October, steel rails are protected at the rate of 62 per cent., bar iron 40, and iron ores 10 per cent.; while labor bears a larger proportion to the value of the product in the matter of ores than in pig-iron or steel rails.

The labor employed in the manufacture of a ton of steel rails is given by the census reports of 1880 at $5.04. That required to convert ore into a ton of pig-iron, including charcoal (pig) by the same authority is put at $2.62.

The labor required to mine a ton of iron ore, as given in the Mining Journal, was in New Jersey $2.46.

Here we find that in railway bars one-eighth of the cost is labor, and in pig-iron about the same, while in ores five-sixths the mine value is labor. That is where labor forms one-eighth the cost you give 44 per cent. protection, and where labor forms five-sixths the cost you give about 16 per cent.—44 per cent. to the forgeman and 16 per cent. to the miner.

That is, while the labor employed in the manufacture of Bessemer steel and bar-iron is thus justly enabled to compete with the best paid labor in England, you leave that employed in our iron-ore mines to contend with the cheap labor of Spain and Africa.

You protect all earths and clays unwrought $1.50 per ton; coal at the rate of 62 per cent. upon cost at the mine, and iron ores at 16 cents.

Let us have some reciprocity in our efforts to foster American labor and promote her industries. Let the theory be evenly applied to all and everywhere. Give to this vast resource of valuable mineral wealth these exceptional ores, necessary in the manufacture of steel, to be found in so many of the States, the vitalizing care you extend to the manufactured product.

I need not tell the Senate that such exceptional ores are found in unlimited quantity, of varied degrees of excellence, in the States of Michigan, New York, New Jersey, Pennsylvania, Virginia, North Carolina, Tennessee, Alabama, Georgia, and Missouri, and then we should not forget we have American labor quite as worthy of the beneficent policy of protection as that to be found in our manufacturing establishments.

It is not our policy to create a dependency upon foreign supply of the raw material for the maintenance of our manufacturing interests, which must come of discrimination like that proposed in this case and relation.

I do not, therefore, Mr. President, concur in the amendment proposed by the Senator from New York. It does not fill the measure of equitable protection to this vast resource of our country. It does not give to American labor, the miner, the security which the American theory of protection promises. To do this the rate should not be less than $2 per ton, and I therefore propose to amend the proposition of the Senator from New York to strike out one and substitute two dollars per ton.

The PRESIDING OFFICER (Mr. GORMAN in the chair). The Senator from Virginia [Mr. MAHONE] moves to amend the amendment of the Senator from New York [Mr. MILLER] by striking out "one dollar" and inserting "two dollars."

Mr. MILLER, of New York. I desire to make a change in the amendment which I proposed as to the place where it shall come in. The question of pyrites is an important question, and I prefer to have that considered entirely on its own merits. Therefore, with the consent of the Senator from Virginia who has offered his amendment to mine, I propose to bring in my amendment in line 504, after the second word "ore" there; so as to read:

Iron ore, including manganiferous iron ore, $1 per ton.

That will relieve us from the trouble which might arise in regard to the duty on pyrites contained in the next line.

The PRESIDING OFFICER. If there be no objection the Senator will be allowed to so modify his amendment.

Mr. LAPHAM. Mr. President, in the very brief time I propose to occupy the attention of the Senate I shall endeavor to confine myself to the proposition now under consideration. These general discussions which have been so freely indulged in this morning do not, in my judgment, advance us a single step in the disposition of this bill; for, notwithstanding all that has been said, when we have disposed of the amendment proposed by my colleague as amended by the Senator from Virginia, and another amendment is proposed upon any of the various topics which have been so elaborately discussed, we shall renew the discussion and repeat nearly all that has been said. The only way to dispose of this bill is to take up a subject proposed by an amendment, discuss it, decide it, and then pass to the consideration of another.

Now, the proposition contained in this amendment is involved in the inquiry, What is the proper measure of protection to be given to that branch of American industry which is devoted to the development of our iron mines? and it is confined to that alone. Since the present tariff was enacted this industry in the main has grown up in this country. It is, therefore, in every legitimate sense an infant industry. The existing tariff was not made with a view to preventing competition between the pauper labor of the old countries and the labor of this country. There was no such competition anticipated, because it was not known then that such an industry as this to any extent would be developed in the United States, or that the foreign ores would reach us in increasing quantities and at diminishing prices. The iron mines of Northern New York it is true had to some extent been developed, but the iron mines which are found in other portions of New York were undeveloped.

There are all through the northern portion of the State of New York localities where this ore is found. It is, as my colleague has suggested, in Putnam County; it is found upon the shores of Lake Ontario. A mine has already been opened in the town of Marion, in the county of Wayne, but a short distance from the shore of that lake. The whole of Northern New York abounds in material of this description. The iron mines of New Jersey have been opened since that time. The iron mines referred to by the honorable Senator from Virginia have nearly all of them been discovered as practical fields for enterprise since the enactment of the present tariff, and in consequence of the demand for ores of this description there has been a vast and unexpected increase of the importation of foreign ores. The question now is, What shall we do, as practical men, in the bill before us with a view of protecting American labor against foreign competition from pauper labor? And that is the only question.

Now, Mr. President, I have from Hon. Andrew Williams, the president of the Plattsburgh Company, who was a member of the Forty-fourth Congress and is a man of the highest honor, a statement which is instructive upon this subject. I have also from General HAMMOND, the present member representing that district in the other House, an equally instructive statement; and I have from others, one of whom is a partner of Mr. Williams and interested in this subject, a statement in regard to it. The substance of the statements is this: It costs to take out of the mines at Plattsburgh, the Clinton County mines, from $2 to $2.50 per ton, of labor; and that is all that gives the ore its value.

The Committee on Finance propose in this bill to give to that labor a protection at the rate of only 50 cents per ton. After the ore is taken from the mines, and this $2 or $2.50 has been expended to do it, it costs $3 or $3.50 to convert it into pig-iron, and the bill proposes to give by way of protection to pig-iron $6 per ton instead of 50 cents. Here is $2.50 for the labor of taking the ore out of the mine and $3.50 for manufacturing it into pig-iron, and we protect the $3.50 of labor at the rate of $6 a ton and propose to protect the $2.50 of labor at only 50 cents a ton; or if it takes two tons of ore to make a ton of pig-iron, as has been suggested, $2.50 of labor has $1 of protection on the ore and $3.50 of labor has $6 of protection on the pig-iron.

Is there any justice in this? Is there any sense in it? I submit there is none. The bare statement of the proposition carries with it its argument, and no amplification is necessary to illustrate it.

What is this ore lying in the mountains? It is but clay in the hands of the potter, is as worthless as that which is made into our earthenware or into our bricks, valueless until value is added to it by labor. It has not intrinsic value like the ores containing gold or silver or lead or copper, and it is that question of protecting American labor in its production which we are now considering.

I have here a telegram from the proprietors of the Putnam County mines, stating that by reason of the ruinous competition now existing they have been compelled to shut down their mines and discharge their laborers. According to the statements which have been furnished to me, the fact is shown that if there were proper protection given to the industry of this country 20,000 additional laborers could be employed in the State of New York alone within another year; and the question for us is, what shall we do by way of giving that employment and encouraging that labor?

Mr. President, legislation which protects labor in its employment is the kind of legislation which will give peace and quiet to the country.

What are these labor-unions and labor-strikes, about which we hear so much? They are the inevitable result of so providing in bills of this description as that foreign competition will put it out of the power of the proprietors of these establishments to pay American labor that to which it is justly entitled. If the proprietors of the Putnam mines could continue to pay laborers their wages they would not shut down; but when they find that they can not pay American laborers that to which they are entitled and make anything, they are compelled to discontinue their operations. In the mines laborers are left without employment and suffer from enforced idleness.

Therefore it seems to me, Mr. President, that a proportionate duty upon this class of ores is dictated by every sense of propriety in legislation.

For whom are we legislating to-day? Not primarily for the capitalist; not for the manufacturer; but for the laborers of America, for the people of the United States; not for the serfs of Spain or of Africa, who work for a mere nominal sum, but for the sovereigns of the United States, to whom we owe our highest obligations. When we protect American labor we give capital its opportunity to operate profitably; we give manufacturers their opportunity to operate profitably; but so soon as we strike at the value and just compensation of labor we cripple every industry dependent upon that labor.

Mr. BAYARD. Mr. President, I regret that the Senator from New York [Mr. MILLER] did not allow his first amendment to be acted upon, directed to pyrites as I understand it was, but as he has drafted his present amendment it relates entirely to the duty on iron ores, leaving the rest of the sentence to stand. I wish that I were able to offer an amendment placing iron ore upon the free-list.

The PRESIDENT *pro tempore*. The amendment of the Senator from Virginia exhausted the power of amendment on this portion of the schedule.

Mr. ALDRICH. I have an amendment prepared which has been submitted to the members of the committee, which perhaps we might have read now for information.

The PRESIDENT *pro tempore*. It can be read and the Senator can state that he will offer it at the proper time when it is in order.

Mr. ALDRICH. Very well, sir; I sent it up to be read.

The ACTING SECRETARY. In line 505 it is proposed to strike out after the word "ton" the remainder of the clause and insert:

Sulphur ore as pyrites or sulphuret of iron in its natural state containing not more than 3½ per cent. of copper, 50 cents per ton: *Provided*, That ore containing more than 3½ per cent. of copper, dry assay, shall pay in addition thereto 2½ cents per ton for the copper contained therein.

Mr. BAYARD. That is the proposed amendment?

Mr. ALDRICH. Yes, sir.

The PRESIDENT *pro tempore*. It is not in order now. It has been read for information.

Mr. BAYARD. It can not be offered now, I understand; it is merely proposed.

The PRESIDENT *pro tempore*. It is simply read for information.

Mr. BAYARD. I do not know whether it will be voted upon or not; but perhaps I may as well say at this time what I have to say on the subject of the taxes on the natural sulphurets of iron or pyrites.

It really appears to me that every time human ingenuity shall invent something obviously beneficial to the people of this country some step is taken to prevent its enjoyment, something in the way of a tax is created that is to prevent those things so obviously beneficial from having their proper results. Now, if there be a class of human inventions that has been beneficent, it has been those made in the progress of agricultural chemistry, what they term "applied chemistry" to agriculture, that which has taught the farmers of this country that they must return to the soil all the components which were taken out of it by their successive crops. It has taught them that waste is ignorance and crime when applied to the tillage of the earth. The whole of the Atlantic seaboard, the early settled portion, was the subject of the most wasteful system of agriculture. Finally, as the land grew poor and the population grew dense, something was demanded that was to restore to those soils those components which had been drawn from them which would enable similar crops again to be produced. We owe to the student and not to the farmer, we owe to the patient chemist in his laboratory, that knowledge which would make worn-out lands capable of restoration to their original fertility, and, sometimes almost superior to it, because when they discovered what was the natural and peculiar food of each plant chemistry could supply it. It would be very hard to overstate the value that agricultural chemistry in this way has conferred on the American people.

In order to produce these chemical fertilizers, sulphuric acid is the basis. It must be had. It was had, of course, at a larger cost by importing sulphur cheaply from Sicily, which was the original chief source of supply; but presently they found that in those pseudo metals, as they may be called, in the pyrites of copper and of iron and of all the metals the semblance of metal and not the reality, the basis of this acid which could be extracted for the use of mankind. Now it is proposed to "protect" the American farmer, the American agriculturist, the American laborer, and every man in America who must eat bread, by making the fertilization of the earth still more difficult by a tariff tax.

No one is more familiar with the multifarious tariff under which we have lived for the last twenty years than my honorable friend from Vermont [Mr. MORRILL], and yet pyrites was never the subject of a tax until it was discovered that it was going to be of some use in the manufactures of this country, and of course some person who owned some beds, some deposits where this quasi-mineral could be obtained, goes before the Tariff Commission and says, "If this is a good thing for my countrymen, let us tax it."

That seems to me to have been the spirit running along, and I do hope it will soon be arrested. Why should the sulphuret of iron, which is not a metal, which is merely a waste, which is the basis as I said from which sulphuric acid is extracted and which is essential in the production of chemical fertilizers, be the subject of a tax? I hope that will be made free. It has been free heretofore. It ought not to be taxed now at all.

Suppose after the distillation and extraction of sulphuric acid from the pyrites of iron, or of any other ore, some few grains of copper shall be left, for Heaven's sake let the manufacturer gain something at least by his labor and his ingenuity, and do not tax that also.

The condition of our copper trade and copper production has been referred to by the Senator from Kentucky [Mr. BECK] this morning, who read some remarkable statements, almost astounding, on the subject of the enormous and exorbitant profits that have awaited the investments of moneys in those copper mines.

There is one fact that he did not mention and which I will draw to his attention and also of any other gentleman of the Senate better informed than I. Is it not true that the American copper can be bought cheaper in Liverpool than the parties who control the business are willing to sell it in New York or anywhere in the United States? Is that or not a fact? Gentlemen in the Senate who may know more of this business than I may answer it. I have heard it averred, and I believe it to be true. Senators, if such a fact as that is true, how quickly ought we to arrest it. How can there be justice or right in an American product withheld from an American use and sold to the foreigner cheaper than the producers are willing to sell it to their own countrymen?

I do not say this is so of my own knowledge, but I ask those who are within the hearing of my voice, I ask the Senator from Vermont, who is especially acquainted with these subjects and who assisted in putting this enormous and monstrous tax of 5 cents a pound upon crude copper, whether that is not the truth, for I have heard it was the truth, and if it is so we undoubtedly ought not to continue such a tax longer upon our own people?

Mr. MORRILL. If the Senator desires a reply, I will state that I suppose at times, when there is a large amount of surplus products, they are shipped abroad and sold for whatever they may bring. I wish to say to the Senator from Delaware that that is true not only of American products but it is true of all foreign products. At the close of the year, when they want to get rid of their surplus and have no market for it at home, it comes here in various shapes at a much less price than it can be sold for at the place of production.

Mr. PLATT. Will the Senator from Delaware permit me to ask a question of the chairman of the committee?

Mr. BAYARD. Certainly.

Mr. PLATT. Is it not true that American copper is from 2 to 4 cents a pound, on an average, cheaper in London than it is in America?

Mr. MORRILL. I understand that to be the case.

Mr. BAYARD. I understand the honorable Senator from Vermont to admit the fact that there were occasions when, owing to the oversupply from some cause of the American market, you could buy the American copper cheaper in Europe than you can buy it in the United States. That is a condition of things which I do not think American legislation ought to continue or to permit.

As to the same thing being true of European products, my answer is, we are not legislating for Europe. We are legislating for the United States. I might pass further upon that hint to speak of the fact that there may be an outlet for the products of other countries to this, but there are very few manufactured products of the United States for which there is an outlet in other countries, and the cause of that is not difficult to find.

If it be the case that the condition of our laws have permitted a monopoly to exist which discriminates in favor of the foreign purchaser and user of copper, what is to be thought of the additional statute which shall even tax the poor little residuum of copper that may be found even in the pyrites after the extraction of the sulphuric acid for the purpose of American fertilization. That, even that, can not escape. I submit an additional unwise feature of the proposed amendment is this: How can you ascertain the amount of copper, the percentage of crude copper, without an assay which shall be both troublesome, expensive, and uncertain in its results?

You are repeating another instance of useless difficulties, complications, and friction in your commercial exchanges which go far to deter commerce and to prevent our foreign intercourse and facilities for it.

I wish to say this because I hope the Senate, when the time shall come, which will come, I mean after the vote upon the iron-ore question has been taken, will agree to place pyrites upon the free-list, that the American farmer, and every man who eats that which the farmer

produces—and that means every man, woman, and child not only in the United States but all who get the surplus of our agricultural product—shall have at least his bread a little cheaper. I ask that the poor farmer along the Atlantic coast, or anywhere in this country, may have the benefit of the beneficent discoveries of the agricultural chemist, and that whenever some little new avenue to prosperity and advantage of our people is discovered it may not be closed by something in the shape of tariff taxation.

And now as to iron ore, it is difficult to touch any question of taxation without discussing to some extent the great principle that I think should underlie it. It seems to me, with due respect to the honorable Senator from Ohio [Mr. SHERMAN] who spoke this morning and to others who hold like views with his and form a majority on that side of the Chamber, that they are reasoning in a vicious circle upon this subject of the advantages and beneficence of taxation.

If you are to consider the production of pig-iron, an article of prime necessity, you must begin with iron ore, for that underlies all iron industries and iron industries underlie all other industries, and it may be justly termed a corner-stone and an indispensable element in any human society pretending to civilization. It is essential for the requirements of any and all civilized peoples. How are you to encourage it? How are you substantially and really to assist and protect it? If you begin by taxing the crude metallic earth which you extract from the soil, if you tax every component of a man's manufacture before you have reached the final product in his manufacture, he certainly will be injured and not benefited unless you compensate him in turn by a tax that shall protect him from the other taxes that have been previously laid upon every component that entered into the manufacture; and so, having put a kind of *capit mortuum* over every component of his manufacture, and then finally crowned him in gathering all together with a tax that shall compensate him for being so taxed himself, where have you reached, what have you done?

You have simply described the circle of taxation; and can you tell me that any one of these parties, the man who dug the ore, has had a tax laid for his benefit, that the man who smelted the ore has had another tax for his benefit, and every process in all its progress and varying shapes has each had its separate and several assistance from the Treasury in the shape of a tax, and finally you come to the man who availing himself of all the antecedent processes that contributed to the finished product, a tax is laid for his benefit equivalent to or in excess of all those which preceded and which only made the ingredients or components cost him more in order to make his product. Where is the advantage of these precedent taxes to him? It seems to me but a repetition of the old illusion of men raising themselves by their own waistband or boot-straps.

Of course the result of this equalizing circle of taxation upon every element of the product falls eventually upon the American consumer, and what is the result to him? He must be in turn compensated and some other tax in turn be laid upon his production in order to enable him to bear that which he has been obliged to pay to others upon their productions. So from a single process or the manufacture of any composite article your vicious principle of reasoning upon this subject expands itself indefinitely until it affects the entire community and touches every trade, every branch of human occupation and production, and all are taxed because each has in his turn been taxed, and none are benefited because each has his share to carry in common burden of accumulated taxes. And this is the most favorable view which can be taken of the situation, and presupposes what is not the truth, that the rule of equality and equity has been respected in the laying these taxes.

It seems to me, therefore, if we mean to reform the principle of laying taxes we should at least arrange our tariff laws so as to benefit American producers and American manufacturers, and discriminate in their favor, as I would desire to do; and feeling, moreover, grave doubt and reluctance to rudely disturb any condition of business long adjusted to special laws, even though those laws were unwise, I do not propose to make a raid upon existing systems; I do not propose to topple down suddenly with rude hand all these arrangements of society in which men have so long been accustomed to invest capital and train labor. I only do propose in a moderate way, and I hope it may be done by this bill, to begin a system which shall contain a sound principle; and what shall that be?

It is that our manufacturers shall obtain wherever they can obtain their crude materials as cheaply as possible. I would relieve them so far as I can in every respect from these constant and annoying taxes upon the original components of their manufacture, and then they, being free from those primary taxes upon the original constituents of their manufacture, can well afford to supply their countrymen with their product more cheaply, and in competition with foreign lands, and go abroad to sell the surplus of their products when our home markets shall have been overstocked.

There can be no doubt at this time that in the history of American manufacture for the last twenty years, and especially since the abnormal conditions engendered by a great military convulsion have passed away, we have witnessed a succession of overstimulated productions, followed by a paralysis in production, in commerce, in purchase, and in sale. There has been no other means of relieving such overproduction than by ceasing to employ labor and by arresting all productive industries.

The great distress that has followed such periods of enforced idleness has brought about combinations and alliances, laborers against employers and angry menace upon the part of the labor unions, fraught with danger to our form of government, and threatening to raise issues which no man who values the peace and welfare of the country can contemplate without apprehension and distress. I attribute very largely, chiefly, the condition of these periodical seasons of non-production, preceded by strikes of this widespread, secret, unhappily secret, combination of labor, to the ill-advised, unwise system of obscure, multifarious, indiscriminate taxation which has been imposed in the forms of our tariff laws.

What is the truth in regard to the importation and use of foreign iron ore? The scheme proposed by the Tariff Commission and presented to the Senate by the Committee on Finance is 50 cents per ton specifically upon iron ores. I have before me a table giving the invoice values of foreign ores since 1872, covering a period of ten years, and the specific duty per ton, calculated upon the basis of 20 per cent., which is the rate imposed by the present law. In 1872 the ad valorem was equivalent to a duty of 41.8 cents, 8.2 cents less than the duty now proposed; in 1873 it was 45 cents; in 1874 it rose to 57.4 cents; in 1875 it fell to 51.6 cents; in 1876 it was 64.4 cents a ton; in 1877 it was 54.3 cents per ton; in 1878 it fell to 42.8 cents per ton; in 1879 it rose again to 48.6; in 1880, to 56.4 cents; in 1881, to 55.4 cents; and in 1882, to 57.2 cents per ton.

This is read to show that the average tax for the last ten years has been rather under than over the tax now proposed by the Tariff Commission. It has been nearly the same, if anything rather lower. If I were asked why I wished the manufacturers of American pig-iron or of American Bessemer steel, which is now made as easily as the pig-iron, at very little or if any more cost than pig-iron, a most marvelous invention, one of the most far-reaching in importance of the century in which we live—if I were asked why I should place foreign ores upon the free-list, I would say distinctly for the advantage primarily of the manufacturer of American pig-iron, and ultimately to lessen the cost of this essential article to the American people.

I can not see how it can be doubted that it is for the benefit of every man in this country to have cheap iron—the agriculturist, for his plow and spade; every man who travels, for his locomotive, his car-wheel, the rails upon which the trains are run. Anywhere and everywhere it is the same need, varying according to the necessity and condition, but the need is ever the same.

How shall they be relieved? Certainly this is the point to begin. I do not think a more authoritative expression can be found than in the statement of Hon. ABRAM S. HEWITT, of New York, made last fall at Saint Paul, in Minnesota, before the Tariff Commission. In reply to Commissioner Ambler, when he was asked why this proposed tariff upon foreign iron ore should be abolished, Mr. HEWITT said:

> For the reason that it impairs our ability to produce a manufactured article at a low cost. I have no hesitation in putting a revenue on any article, if the Government needs the revenue, but the revenue should be got, as far as possible, from such articles as would not obstruct the growth of American manufactures. I believe this country is to be the greatest manufacturing country, and I want to make the growth of manufactures as easy and rapid as possible. I would therefore take off the duty on iron ore, because it is simply an obstruction to the growth of some kinds of business. To take it off is protective in the sense that it removes an obstruction.

There, Senators, I believe is the statement of a man thoroughly well qualified to speak, who owns and works ore beds himself in four or five States in different parts of this Union, who says he never imported one ton of iron ore in his life, for his own ores answer his own purposes. But he, a practical, highly intelligent man, as well informed upon this subject as any in the country, tells you that in the sense and the true sense of protection, he, desiring, as I am sure we all desire, the expansion and prosperity of American manufacture, seeks to remove an obstruction to its welfare. Why should it not be done?

I have here a pamphlet upon American iron ores, by an association of gentlemen who are producers of American iron ore. One thing is obvious. The present condition of invention in regard to the manufacture of iron has changed materially all those relations of facts which might have existed prior to those inventions, and a feature which enters with great force into all these economic calculations is the existence of the patent-rights secured under our laws. The manufacturers of Bessemer steel in the United States have secured, as it seems, sundry patents, and among them those for what is called the basic process, the Gilchrist-Thomas process, and the Siemens-Martin process, and others, and they, it seems, are thus enabled exclusively to make steel from highly phosphorized ores. They therefore are perfectly willing and able to import ores high in phosphorus and use them, because it is in their power to extract the phosphorus, which they say is a foe to what they call good iron.

This pamphlet is an exceedingly vigorous, and in much of its tone a very excited and denunciatory argument in favor of a high duty upon ores, and the reason that they give for wishing this is that the companies who are making the Bessemer steel, to use the language I now read—

> Hold the entire ownership or control of the Thomas-Gilchrist or basic process, which successfully uses the most highly phosphoric irons in the manufacture of a steel at least as pure as the product of the acid method.

He says:

Until the basic process, now locked up—

That is to say, now monopolized by means of patents—

is made available for use in this country, lowness in phosphorus is an element of value which renders certain foreign ores cheap on the eastern seaboard, even at an apparently high price.

I find also in the testimony of Mr. Oliver, one of the late tariff commissioners, at page 5 of the paper published by the Finance Committee, that it is simply a question of exclusion by the patent, whether the Southern ores which are so abundant shall or shall not be extensively used in the production of Bessemer steel by an original process. That is all that obstructs their use. Human invention has pointed out the way; human skill has given the knowledge, or rather it has been given to human skill to have the knowledge. See now; he is asked the price of making pig-iron in Alabama, and he answers that it is about $13 per ton. What is the cost in Pittsburgh? He says that the same class of iron would be worth about $19 a ton.

What, then, is the use of talking of tariff restrictions, because in the United States and among the States and people of this Union of States there is free trade, and there ever must be free trade? If under the provisions of nature supplies of iron ore and facilities for smelting it are found in the Southern States superior to the North, then to the South must be transferred the scene of that industry and of that product. Iron at $13 per ton in Alabama will take the place of iron at $19 per ton anywhere or everywhere, and all the artificial arrangements to control such natural results will be quite unavailing.

After speaking of the fact that Pennsylvania ores are lower in phosphorus, which is the foe of good iron, it was suggested to Mr. Oliver that—

They have just as good ore in Alabama as you have?

Mr. OLIVER. For our good-quality ores we have to go to the West and Northwest. Nine-tenths of all the ore consumed in Eastern Ohio and Western Pennsylvania comes from Michigan, Wisconsin, or Missouri.

Does this new process—

Asked the Senator from Iowa [Mr. ALLISON]—

you speak of get rid of the phosphorus?

Mr. OLIVER. Yes; it draws it out of the iron in making steel.

Senator ALLISON. What do you call it?

Mr. OLIVER. The Thomas-Gilchrist, or basic process. Phosphorus has an affinity for lime. The vessel or converter containing the molten metal is lined with magnesium or lime-brick, and that attracts the phosphorus and draws it from the iron. I am told that they are working that process in Germany all right, but in this country it has not yet been developed. When that is done here, all the Southern pig-iron will be available for Bessemer steel.

Why is it not developed here? Because, as these men say, it is "locked up." It is locked up by the patents. Those patents are necessarily restrictions upon use by all others except those who shall use them upon the terms agreed to by the patentees. I am only speaking of this, Senators, to show you the condition of this great and important branch of industry and of the impossibility of preventing the natural results of the deposits of iron and coal in juxtaposition, the facility for their manufacture greater in one part of this country than it is in the other, and to account in a large degree for the present depressed condition and anxiety which I see pervades the minds of a great many of the manufacturers of pig-iron in the eastern part of the Union.

While I say that we all must reconcile ourselves to these transfers of great industries from one part of this great country in obedience to discoveries and developments of artificial and natural facilities, do not let us suppose that we can legislate or by artificial restraints prevent the natural effects of such truths. The question now is, How shall we deal with the manufacturers of pig-iron? That is the first advance from the mine that approaches use. Do you help or do you hurt them by preventing their obtaining at a cheaper cost foreign ores fit and useful for intermixture with American ores? It seems to me plain that for every ton of ore we shall assist an American pig-iron manufacturer to obtain from abroad that he shall combine with a far larger portion of American ores, you certainly will increase and facilitate and cheapen the cost of the production of American pig-iron.

Therefore most sincerely I am of opinion, and I desire to vote in accordance with that opinion, as a sincere friend to the prosperity of my countrymen engaged in whatever pursuits they may be, and feeling the great importance of dealing justly and carefully with the interests of the great industry involved in the manufacture of pig-iron, I am perfectly satisfied that there is not a man, woman, or child in the United States who has directly or indirectly use for iron in some of its many thousand shapes who is not benefited when we assist the manufacturer of that crude metal by removing an obstruction that prevents its cheaper and easier production.

The ingenious, strong-brained, acute, able men who have been engaged so long in the iron business of this country know their own interests. They comprehend them; they know perfectly well that the introduction of foreign ores as an admixture with American ores hurts no American producer but assists him; it helps to make more American iron. The more that is made the more American ore is consumed. More than nineteen-twentieths of all the ore used in the United States is dug from the bowels of American earth, and the other twentieth should be brought in and its entrance should be facilitated because it makes the other nineteen-twentieths more available and assists its transmutation into use.

But the Senator from Ohio says this circle of industries touch one upon the other like the arch that is only to be sustained by the superincumbent pressure of one member upon the other. I believe there is much truth in that. That is to say, I think the combination of influence if it is once broken may disintegrate and lose a great deal of its force; but that does not touch the economic truth that by the severance and in the end you reach the welfare of the entire people. It is too obvious to be denied that the less a man is taxed the better he is off; and that no community can grow richer by taxing themselves, and that if you tax all alike indiscriminately you have benefited none, for you have traveled in a circle and you wind up exactly where you started and have in reality made no progress at all.

I propose so far as in me lies to assist in inaugurating, for it will be an inauguration, a system of American taxation upon the principle that the taxing powers of this Government are vested in Congress for the use of the American people as a people and not for the use of any individual or classes of men among them growing out of the peculiar avocations in which they are concerned.

We have abolished by our constitution of government all orders of nobility; we have abolished all privileged classes; but if you shall admit the principle that A can claim a right to tax B and all others for his own benefit, how can you withhold the same privilege from B when he demands it? The principle once admitted is utterly fatal, it is utterly unjust; it is impossible for it to be followed.

I see before me gentlemen representing large iron-producing constituencies. I am perfectly clear that the manufacturer of American pig-iron in this country will be greatly advantaged and assisted by being allowed to bring foreign ores in free of duty in order to make his product assimilate to that which modern invention has required.

We talk of protection. Think of the freight alone. Three thousand miles away from the eastern coast of this country lie the iron-beds of Europe. Suppose nothing is cheaper than the iron ore of this country, worth five cents a ton in some places, twenty-five cents, fifty cents, a dollar, a dollar and a half, perhaps, as it lies in the earth, requiring the labor only to extract it, and its price dependent upon its locality and its propinquity to railroad transportation or the point where it is to be used, and suppose there is cheaper labor for any reason abroad (it can not be that the ore is cheaper, for certainly it is not half so abundant), you then have to carry a clumsy, bulky, difficult article of transportation.

The papers I have before me state that the freight per ton has not been less than fifteen shillings sterling. Fifteen shillings sterling are $3.50 in gold; is more than 300 per cent. on the cost of the crude article before it can come into the country. So that if you should buy the ore for 25 cents a ton, if you should dig it and haul it and place it on shipboard for $1.25 more, you have a dollar and a half a ton; you add to that $3.50 for your freight, and you have $5 by the time it lands, and then you have it subject to transportation inland to the point where it is to be smelted. Why has it not cost enough? Is there reason and sense in adding another dollar or another half-dollar per ton upon its cost? I submit it is not reasonable. The very bulk and weight and unhandiness of such an article protects it.

Therefore, so far from voting for any advance beyond the 50 cents a ton proposed by the committee, which I have shown is fully up to the average of the last ten years under the present tariff, perhaps rather more than the average upon iron ore for the last ten years, I should rather vote to place it on the free-list, for I believe it would assist the manufacturer of pig-iron and it would be the beginning of the abolition of these attendant taxes upon every component of manufactures that renders the protection, as it is called, which you give in the end entirely valueless. Taking from the American manufacturer a dollar in ten-cent pieces, and when you have returned him the dollar he is no better off, because he has already paid the 10 cents ten times over in the shape of contributory taxes upon the components of his manufacture.

By no vote of mine shall there be a rude and sudden disturbance in the great interests of this country under our present system. I propose to move gradually in this matter, and in order to produce that which we must provide in this country, cheaper living to our laboring people, if your wages must come down let them be reduced and let the dollar that the man earns bring him more of those things he needs than it brings him to-day because of the high cost of everything that he must purchase. Give your money a greater purchasing power and wages may be lowered with safety. It is not the nominal amount of wages that has value; it is the purchasing power of the amount of wages which is paid to a man that constitutes its value.

When I have heard so much about the cheaper labor of Canada I have asked myself this question: With the river Saint Lawrence flowing between the two countries, with a harsher climate and more sterile soil on the northern than there is on the southern bank, with freer institutions of government to the south than there are to the north, why is it that a man can live better for the same money there than he can here? Why is labor cheaper in Canada than just across the border in the United States? It is because the laborer can live there upon less. Why can he live there upon less wages? Because he is less heavily taxed.

Therefore it is that I hope that this iron-ore tax will not be increased, but that the ore will be placed upon the free-list as a relief and an assistance to the production of pig-iron in the United States.

Mr. ALDRICH. Mr. President, I asked to have the amendment which I propose to offer in relation to pyrites read, an amendment which I think has almost unanimously the approval of the Committee on Finance, of which the Senator from Delaware is a member, as there seemed to be an inclination on the part of Senators to discuss that subject before it was reached at all.

I do not care to join in the discussion except to call the attention of the Senator from Delaware to one of the errors which he has fallen into. In discussing this question he stated that pyrites were now free. The present rate of duty on pyrites is 20 per cent. ad valorem, or about $1.40 a ton on the average importations of the last three or four years. We reduce it to 50 cents by the amendment which I have offered.

Mr. BAYARD. I was speaking of the duty upon iron ore.

Mr. ALDRICH. The first part of the Senator's speech was upon pyrites.

Mr. BAYARD. I do not fully understand the Senator.

Mr. ALDRICH. The Senator stated that pyrites were free.

Mr. BAYARD. Yes.

Mr. ALDRICH. They are now dutiable at 20 per cent. ad valorem or $1.40 a ton.

Mr. BAYARD. I looked into the schedule. I see that the schedule of the bill we have been working upon in committee is printed part in Roman letters and part in Italics, and looking in the Italics for the present law I could find no classification of pyrites and I was misled by that fact. I think it pardonable, however, for a man not to know all that is in the present tariff law.

I only want to say further that the schedule as arranged by the Tariff Commission has confused every one who has attempted to understand the tariff schedule. They have recast it completely. The article of pyrites does not appear in the first part of the schedule, although it may be found somewhere in the latter part.

Mr. ALDRICH. The word "pyrites" does not appear at all in the present law.

Mr. BAYARD. I am obliged to the Senator for correcting my mistake in regard to the present tax on pyrites.

Mr. ALDRICH. The article is dutiable under "mineral and bituminous substances in a crude state, not otherwise provided for."

Mr. BAYARD. I am glad the Senator called my attention to the fact that the artile of pyrites is dutiable when I thought it not so. I will only say that I hope it will no longer be dutiable.

Mr. FRYE. I ask leave to offer an amendment to Schedule E, the sugar schedule, providing for an ad valorem tariff on sugar, so that it may be printed.

The PRESIDENT *pro tempore*. The amendment will be received and printed.

Mr. MILLER, of New York. Mr. President, the amendment which I offered to this bill has led to a very wide discussion of the general principles of protection and free trade. I do not propose to go into any discussion of that subject at this time, but to confine myself as nearly as possible to the question in hand, the duty upon iron ore and the amendment which I have proposed.

I have heard but few objections which bear any weight or force in this matter brought against the proposed increase of duty. The first is that iron ore is substantially a raw material and should therefore be put upon the free-list. If it were a raw material which we did not possess, then I should agree with that proposition, but if it be a raw material it is one of which the United States possesses within its borders more than any other nation, and perhaps more than all other nations combined. The stores of iron ore in the United States are without limit, and will last the human race for untold ages to come if it shall go on and consume iron as largely as it has within the past century; and by what kind of reasoning gentlemen can bring themselves to the theory of protecting pig-iron, to the theory of protecting bar-iron and plates and steel ingots, and refuse it to the first process, to the first step in its manufacture, I can not see.

Pig-iron is simply the raw material to be used by the manufacturer of wrought-iron, bars, and plates. Bars and plates are simply the raw material to be used by the manufacturer of machinery, of engines, of looms, of spinning-jennies, of railroad cars, of steamboats and steamships, and all the various forms in which iron is worked. So you may take up any of our great industries and until you come to the finished product, which at last enters into the direct consumption of the people, you find everywhere that the product of one manufacturer is the raw material of another. If we are to have protection at all, and as the Senator from Georgia [Mr. BROWN] has shown we must needs raise an immense revenue, and it has been our policy to do it largely by a tariff, then I take it we are to go on raising that revenue largely through our tariff system; and if we are to do all that, then I insist that each and every one of these subjects of production, from the ore to the pig-iron, from the pig-iron to the bar-iron, from the bar-iron to the engine and the machine, shall have its just ratio of protection and no more.

To say that because labor is cheaper in Spain and in Africa than it is here we shall leave untouched the unmeasured wealth which Providence has put into our country in the form of iron ore, and shall go there and pay our money to bring the ore from there here, requires the argument to be carried a little further and makes us go to England for our finished product, allowing the English to dig the coal from their mines and the iron from their mines, and we go to England to have her furnish us with the finished iron and also the finished machinery which we are to use. I do not believe that any such proposition can stand for a moment. I do not understand how it is that the great iron industry of this country, the steel manufacturers or the iron manufacturers as represented before the Tariff Commission, could have consented by their recommendation that there should not be a full and fair rate of protection upon iron ore.

So much in a few words for the argument that iron ore ought to be free because it is a raw material. I have shown to the Senate in the few remarks which I submitted when I first presented my amendment that the rate of wages paid in our mining establishments is more than three times that paid in the iron mines of Spain and of Egypt. If any class of laborers more than another deserves a high rate of wages, in my judgment it is those men who go down into the bowels of the earth and bring out this rich treasure which has been put there for us.

We all know the dangers which beset the miner. Scarcely a week passes but what there are explosions in mines and many miners lose their lives. It is a dangerous business, and in this country it maintains and it receives a high rate of wages, a rate of wages which is quite as high and even higher than the rate of wages paid to skilled mechanics in our machine-shops and in our large manufactories. The rate of danger carries with it a proper compensation, and it should carry it. For that reason I have no desire to see the rate of wages paid to our miners cut down; but it has come to this, that on account of the cheap rate of wages in Spain and Egypt they are able to send ore across the ocean and pay the ocean freight and lay it down upon our Atlantic seaboard cheaper than we can take the ore out of our mines, to say nothing of transportation.

The Senator from Delaware said, or I understood him to say, that the rate of transportation had never been less than 15 shillings sterling per ton. The present selling price of this ore in New York confutes that statement at once, for the ore has been sold, I understand, within the past few weeks as low as $2.80 per ton, delivered in New York or in Philadelphia or Baltimore. The selling price would not pay the freight upon it if the Senator from Delaware is correct in his figures; but, as I stated this morning, large quantities have been brought here in ballast, and we have figures to show that in 1880 and 1881 there was a freight put upon it of from 7 to 9 shillings per ton instead of 15 shillings; but the present rate at which ore sells in New York makes it absolutely impossible that any $3 or any $2 should be paid as freight for bringing it from the mines of Spain here.

Much stress has been placed upon the statement made by Hon. ABRAM S. HEWITT before the Tariff Commission. I have great respect for Mr. HEWITT as a private citizen, I have great respect for any statement that he may make; but the statement which has been made here, and he is relied upon chiefly to carry it out, that every ton of foreign ore brought into this country leads directly to the consumption of another ton of American ore, is without foundation in fact. If that statement is true, then I would vote to put this kind of ore upon the free-list. If it were true that we did not have ore here in abundance to mix with our other ores, then I would say put it upon the free-list at once.

But what are the facts, Mr. President? I presented the facts this morning in a letter from the president of the Troy Steel and Iron Works, where the first Bessemer steel was made in this country, which shows that the American ores are equal in every respect to the Spanish ores, and instead of it being a fact that every ton of foreign ore which has come into this country has led to the consumption of another ton of American ore, I am able to show that every ton of foreign ore which has been brought into the country within the past three years has displaced a ton of American ore which would have been used in our furnaces if it had not come. It has closed a number of mines, it has compelled a partial suspension in many others, and for every ton of ore that has been brought here from Spain a ton of American ore has been left to sleep in the mine untouched because it could not be sold.

Here is a statement from a few of the miners of this Bessemer ore upon Lake Champlain.

Witherbees, Sherman & Co., of Port Henry, New York, producers of over 200,000 tons of iron ore per annum, write as follows:

> We have in Northern New York more Bessemer ores than is required to supply the demand, but have not been able to run our New Bed Bessemer mine for the last eighteen months on account of the importation of foreign ores.

The mine referred to has a capacity of 60,000 to 80,000 tons per annum, and produces an excellent quality of Bessemer ores.

A. Tower, esq., treasurer of the Port Henry Iron Ore Company, producers of over 200,000 tons of ore per annum, writes as follows:

> In my opinion there is no necessity for such importation of ores. If encouragement is given, all that is wanted can be furnished from mines in this country.

The Port Henry Iron Ore Company is operating the Fisher Hill Bessemer ore mine, having a capacity of 75,000 to 100,000 tons per annum. The production at present is 15,000 tons.

Mr. Henri M. Braem, secretary of the Forest of Dean Iron Ore Company, producing at present about 30,000 tons of ore per annum, writes as follows:

> There would be no lack of American Bessemer ores if the development of the mines had not been checked by foreign importations.

Mr. A. W. Humphreys, president of the Sterling Iron and Railway Company, producers of about 80,000 tons of ore per annum, writes:

I believe that there is no necessity for any importation of ores.

George Williams, esq., president and treasurer of the Weed Iron Mining Company, writes as follows:

Hon. SMITH M. WEED:

MY DEAR SIR: I this day wired to your secretary an estimate of the actual capacity of the hematite mines of the Harlem Valley, and remit an estimate of their actual output in 1882, showing that the demand through foreign competition was so lessened as to reduce the volume of business from 177,000 tons to 76,000 tons.

There is one mine which in one year reduced its output more than 100,000 tons, and so all through these mines, these letters show that for the past two or three years they have reduced their output. They were able to produce it and had produced it before the foreign ore came in. Since the foreign ore has come in in such large quantities since 1879, they have ceased to produce it because they could not produce it in competition. Then I say the statement that every ton of foreign ore brought in here has led to the consumption of an equal amount of American ore which could not otherwise have been used is disproved. The facts are simply that every ton of that iron ore which has been brought in here has displaced a ton of American ore which otherwise would have been consumed.

Mr. MILLER, of California. Will the Senator allow me to ask him a question?

Mr. MILLER, of New York. Certainly.

Mr. MILLER, of California. Do I understand that the ore the Senator speaks of as Bessemer ore is of such a quality that steel can be made from it without the admixture of other ore?

Mr. MILLER, of New York. Steel can be made from it by itself, or even by the admixture of a lower grade of ore; but there is no necessity of mixing with it any higher grade of ore. It is an ore of equally high grade and with as little phosphorus as the Spanish ore, and from it the first Bessemer steel was made in this country that was ever produced in America.

Mr. MILLER, of California. As I understand, the trouble in making steel in this country with American ores is the presence of too large a quantity of phosphorus. The question is whether the ore the Senator speaks of is as free from phosphorus as the Spanish ore.

Mr. MILLER, of New York. My answer to that is to read what perhaps the Senator did not hear earlier in the day, the statement of James A. Burden, of the great Troy steel and iron works, in which he says—I will read just a sentence—

As good a quality of Bessemer steel can be made from the Chateaugay ore—

That is the Champlain ore—

alone as from the best ores of England, Spain, or Africa.

Then he goes on to say that it is very light in the amount of phosphorus which it contains, and it is on that account called Bessemer-steel ore, and the best of Bessemer steel can be made from it. This ore, as is also shown by the report of the gentlemen who appeared before the Tariff Commission, is not only found in Northern New York and also found upon the Hudson River only a short distance above the city of New York, where it has not yet been successfully mined, but it is found also in many other States. They say here:

The only reason that has been given for the removal of the duty on iron ore is that "foreign ore is imported here chiefly because it is so low in phosphorus, and a large amount of native ore is now used as a mixture in the furnace that without it would not be available for Bessemer purposes at all. It is not because foreign ore is cheap that it is used, but because it is low in phosphorus. * * * The East has almost no Bessemer ore to depend upon, and it is here that foreign ore finds its chief market."

This is the argument which is used. These gentlemen say in reply to that—

This is an error. Bessemer ores in localities convenient for transportation to the iron manufacturing districts of Pennsylvania are found in large quantities in the Valley of Virginia, in Southwest Virginia, and in North Carolina and Tennessee, near the western borders of Virginia.

We all know that Bessemer steel ore is found in unlimited quantities in the Lake Superior region. That of course has not yet been affected by the importation of Spanish ore because of the immense cost of transportation from the seaboard to Chicago. Undoubtedly the foreign ore which has been imported has been used to mix with American ores of a lower grade, and has been used in the manufacture of Bessemer steel, but the impression given forth by the gentlemen who have spoken upon this question and that was conveyed by the argument of Mr. HEWITT is that we have not this ore and that therefore we must import it.

I have shown by testimony which can not be questioned, testimony from the highest sources of the iron industry, that this is not true, that we have this ore in immense quantities, and it only needs that the mines shall be developed. If the iron manufacturers are willing that the iron-ore men shall have their fair share of protection, it will be only a few years before an immense capital will be drawn into iron-ore mining. It will go into Virginia, into West Virginia, into Tennessee, into North Carolina, and it will there open and bring out treasures of the earth which will make those States what many of the Northern States are, prosperous in every department of life and industry.

Shall we, then, continue to send abroad for these ores, to send our money there to pay for them, for as I have shown, we have really no reciprocal trade with Spain and Egypt, and so we must pay for these ores in coin, thus creating a balance of trade against us?

As the Senator from Virginia [Mr. MAHONE] has well shown, if the pro rata of protection given to iron ore which it is proposed to give to pig-iron was followed, it would be at least $2 per ton. There is no doubt about that argument, but it becomes a practical question as to what can be obtained. The iron-ore men in looking over their industry and their opportunities have, a majority of them I believe, consented to ask for a duty of $1. It does seem to me that it is quite small enough. The present duty upon pig-iron, as fixed by the bill, is at least 33½ per cent., whereas the duty upon this grade of ore, taking the American price as it stands to-day, is a little more than 10 per cent.

I submit, Mr. President, that if iron and all its manufactures are to be protected substantially as set down in the bill, the producers of iron ore shall at least have such a rate of protection as will enable them to continue to pay the present high rate of wages and at the same time enable them to take out this ore and furnish it to our iron manufacturers.

Mr. MORRILL. Now I hope that we can have a vote. Having spent the entire day upon this item I hope we may at least have one or two votes before we adjourn.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Virginia [Mr. MAHONE] to the amendment of the Senator from New York [Mr. MILLER] so as to increase the rate to $2 a ton.

Mr. COCKRELL. Let the amendment to the amendment be reported.

The ACTING SECRETARY. In line 504, Schedule C, after the word "ore" where it occurs in the second place, it is proposed to amend by inserting "$2 per ton;" so as to read:

Iron ore, including manganiferous iron ore, $2 per ton.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to the amendment. Those in favor will say "ay;" those opposed "no." [Putting the question.] The ayes seem to have it.

Mr. HARRIS. I ask for the yeas and nays upon that amendment.

Mr. HOAR. May I inform my friend that the Chair has called for the ayes and one "ay" only responded? Is it worth while to have the yeas and nays?

Mr. HARRIS. I withdraw the call on the suggestion of the Senator from Massachusetts.

The amendment to the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the Senator from New York [Mr. MILLER].

Mr. MILLER, of New York. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BROWN. I move to amend the amendment by striking out "$1" and inserting "85 cents," the amount agreed upon by the convention of pig-iron men in September last as the proper amount of duty to be levied in this case.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia [Mr. BROWN] to the amendment of the Senator from New York [Mr. MILLER].

Mr. GEORGE. I should like to have the amemdment stated so that we can understand what we are voting upon.

The PRESIDENT *pro tempore*. In line 504, after the word "ore," where it last occurs, the Senator from New York moves to insert "$1 per ton;" so as to read:

Iron ore, including manganiferous iron ore, $1 per ton.

That is the amendment of the Senator from New York. The Senator from Georgia moves to amend that amendment by inserting "85 cents" instead of "$1," and the vote is to be taken upon the amendment of the Senator from Georgia to the amendment of the Senator from New York.

Mr. DAVIS, of West Virginia. I ask my friend from Georgia whether he will not accept 75 cents instead of 85 cents? I suggest it to him and if he will it will be agreeable to some of us on this side.

Mr. BROWN. I do not feel that I ought to do so, because 85 cents is the amount compromised on by the convention of all the men who are making pig-iron, I believe, in the United States, except one or two concerns. They first fixed it at $1, then at 85 cents, and as they are the parties who purchase it from the ore men and they have agreed that it is just and reasonable to put it as high as 85 cents, they being the consumers of the ore in the furnace, I prefer to take the vote on fixing the rate at 85 cents.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia to the amendment of the Senator from New York, placing the rate at 85 cents a ton.

Mr. HARRIS. Have the yeas and nays been ordered?

The PRESIDENT *pro tempore*. The yeas and nays were ordered on the amendment of the Senator from New York.

Mr. HARRIS. Let us have the yeas and nays on this amendment of the Senator from Georgia.

The PRESIDENT *pro tempore*. Is the call sustained?

Mr. MILLER, of New York. I asked for the yeas and nays upon my amendment before the Senator from Georgia moved his amendment. I of course agree with the Senator from Georgia very largely; but it becomes a practical question, and not one of absolute right. In a case like this we may have to take what we can get, not what we want nor

what is right. I should like to have the vote taken first on the proposition fixing the rate at $1. If the Senator from Georgia will withdraw his amendment and let the vote be taken upon mine, then if mine fails he can renew his amendment.

Mr. BROWN. I am willing to withdraw my amendment for the present on the suggestion of the Senator from New York.

The PRESIDENT *pro tempore*. The amendment to the amendment being withdrawn, the vote is now to be taken upon the amendment of the Senator from New York fixing the rate at $1 per ton.

Mr. MORRILL. I do not understand that a withdrawal can be allowed without unanimous consent, the yeas and nays having been ordered upon the amendment of the Senator from Georgia.

Mr. MILLER, of New York. The yeas and nays were ordered upon my amendment. I asked for the yeas and nays before the Senator from Georgia offered his amendment.

The PRESIDENT *pro tempore*. The yeas and nays were demanded on the amendment of the Senator from Georgia, but there was no second by the Senate of the call.

Mr. MILLER, of New York. After the yeas and nays were ordered on my amendment, was it then proper for another amendment to come in?

The PRESIDENT *pro tempore*. Of course. The Chair does not understand that the yeas and nays were ordered on the amendment of the Senator from Georgia, so that he can withdraw it if he sees proper to do so.

Mr. BROWN. Then I withdraw it with a view of permitting my friend from New York to have the vote taken on his proposition fixing the rate at one dollar.

The PRESIDENT *pro tempore*. The roll will be called on agreeing to the amendment of the Senator from New York.

The Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. DAWES (when his name was called). I am paired on this question with the Senator from Oregon [Mr. SLATER]. If he were here, I should vote "yea."

Mr. FRYE (when his name was called). I am paired with the Senator from Mississippi [Mr. LAMAR].

Mr. HILL (when his name was called). I am paired with the Senator from Arkansas [Mr. WALKER] for the remainder of the day.

Mr. SAWYER (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

Mr. VANCE (when Mr. WALKER'S name was called). The Senator from Arkansas [Mr. WALKER] is paired with the Senator from Colorado [Mr. HILL].

The roll-call was concluded.

Mr. CONGER. My colleague [Mr. FERRY] is paired with the Senator from Delaware [Mr. SAULSBURY]. If my colleague were present, he would vote "yea."

The result was announced—yeas 11, nays 37; as follows:

YEAS—11.

Blair,	Chilcott,	Logan,	Miller of N. Y.,
Cameron of Pa.,	Conger,	McMillan,	Sewell.
Cameron of Wis.,	Lapham,	Mahone,	

NAYS—37.

Allison,	Davis of Ill.,	Hawley,	Morrill,
Barrow,	Edmunds,	Hoar,	Pendleton,
Bayard,	Farley,	Ingalls,	Platt,
Beck,	Garland,	Jackson,	Plumb,
Brown,	George,	Jonas,	Pugh,
Butler,	Gorman,	Jones of Florida,	Rollins,
Call,	Hale,	McDill,	Vance.
Camden,	Hampton,	Maxey,	
Cockrell,	Harris,	Miller of Cal.,	
Coke,	Harrison,	Morgan,	

ABSENT—28.

Aldrich,	Groome,	McPherson,	Slater,
Anthony,	Grover,	Mitchell,	Van Wyck,
Davis of W. Va.,	Hill,	Ransom,	Vest,
Dawes,	Johnston,	Saulsbury,	Voorhees,
Fair,	Jones of Nevada,	Saunders,	Walker,
Ferry,	Kellogg,	Sawyer,	Williams,
Frye,	Lamar,	Sherman,	Windom.

So the amendment was rejected.

Mr. BROWN. Now, Mr. President, I move to make the rate 85 cents per ton.

Mr. MAXEY. I move to amend the amendment offered by the Senator from Georgia by striking out all the lines from 504 to 509 inclusive.

The PRESIDENT *pro tempore*. The other amendment takes precedence, being to perfect the text.

Mr. MAXEY. Then I give notice that I shall make that motion at the proper time.

Mr. CAMDEN. I move to make the duty 75 cents instead of 85 cents.

The PRESIDENT *pro tempore*. The Senator from West Virginia [Mr. CAMDEN] moves to amend the amendment of the Senator from Georgia [Mr. BROWN] by making the rate of duty 75 cents.

Mr. HOAR. Is not that an amendment in the third degree?

The PRESIDENT *pro tempore*. It is, but that is proper. The text is "50 cents." The Senator from Georgia moves to amend it by making it "85 cents," and the Senator from West Virginia moves to make it "75 cents." The Senate is treating the amendments of the Committee on Finance as the text of the bill. That was the agreement at the start.

Mr. HOAR. I was not present when that was done.

The PRESIDENT *pro tempore*. It has been so acted on throughout.

Mr. HOAR. I will not interpose an objection now, but I shall the next time, if I see fit.

The PRESIDENT *pro tempore*. It was decided in the consideration of this bill, both sides agreeing, that the committee amendments should be treated as the text of the bill.

Mr. BAYARD. There was an amendment suggested by the honorable Senator from Rhode Island [Mr. ALDRICH], but he did not offer it.

The PRESIDENT *pro tempore*. No; the question now is on fixing the rate of duty at 75 cents a ton.

Mr. MILLER, of New York. I ask the Senator from West Virginia if he will not withdraw that amendment, and allow us to have a vote on the amendment of the Senator from Georgia? I think it certainly places some of us in a very embarrassing position to be compelled to vote for or against 75 cents when there is an amendment pending for 85 cents.

Mr. CAMDEN. If it is desired, I will withdraw my amendment.

The PRESIDENT *pro tempore*. The question then is on the amendment of the Senator from Georgia to fix the rate of duty at 85 cents a ton.

Mr. BECK. I ask for the yeas and nays on that.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called) I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. HOAR (when the name of Mr. DAWES was called). My colleague [Mr. DAWES] is paired with the Senator from Oregon [Mr. SLATER].

Mr. FRYE (when his name was called). I am paired with the Senator from Mississippi [Mr. LAMAR].

Mr. SAWYER (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

The roll-call having been concluded, the result was announced—yeas 15, nays 34; as follows:

YEAS—15.

Blair,	Chilcott,	Harrison,	Mahone,
Brown,	Conger,	Lapham,	Miller of N. Y.,
Cameron of Pa.,	Edmunds,	Logan,	Sewell.
Cameron of Wis.,	Hale,	McMillan,	

NAYS—34.

Allison,	Davis of Ill.,	Ingalls,	Pendleton,
Barrow,	Farley,	Jackson,	Platt,
Bayard,	Garland,	Jonas,	Plumb,
Beck,	George,	Jones of Florida,	Pugh,
Butler,	Gorman,	McDill,	Rollins,
Call,	Hampton,	Maxey,	Vance,
Camden,	Harris,	Miller of Cal.,	Williams.
Cockrell,	Hawley,	Morgan,	
Coke,	Hoar,	Morrill,	

ABSENT—27.

Aldrich,	Groome,	McPherson,	Slater,
Anthony,	Grover,	Mitchell,	Van Wyck,
Davis of W. Va.,	Hill,	Ransom,	Vest,
Dawes,	Johnston,	Saulsbury,	Voorhees,
Fair,	Jones of Nevada,	Saunders,	Walker,
Ferry,	Kellogg,	Sawyer,	Windom.
Frye,	Lamar,	Sherman,	

So the amendment to the amendment was rejected.

Mr. MAXEY. My motion is to strike out from line 504 to line 509, inclusive, and to transfer the articles there named to the free-list.

The PRESIDENT *pro tempore*. The Chair understands the Senator as having made that motion before the last vote was taken; but the text is first to be perfected.

Mr. MAXEY. I did not give notice of the transfer to the free-list.

The PRESIDENT *pro tempore*. Does the Senator from West Virginia move his amendment now?

Mr. CAMDEN. I make the motion now to amend by inserting "60 cents" per ton as the duty on iron ore. The tariff is now 20 per cent. ad valorem, which is about the rate I propose, or only a few cents less.

Mr. CONGER. I move to amend that by making it 75 cents.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Michigan [Mr. CONGER] to the amendment of the Senator from West Virginia [Mr. CAMDEN] to make the rate 75 cents.

Mr. CONGER. I want the yeas and nays on it.

The yeas and nays were ordered.

Mr. INGALLS. I understand this foreign ore is used exclusively in the manufacture of American steel. I am also advised further that no American ore can be used for this purpose in consequence of the percentage of phosphorus which it contains. The foreign ore, therefore, is not a competitive product, and believing that it is not brought into competition with any American product, I shall vote against the proposition offered by the Senator from Michigan, and if I have the opportunity shall vote to put it on the free-list.

Mr. MILLER, of New York. If the Senator had been in his seat he would have learned from incontestable testimony that the ideas which

he now propounds here are without a particle of foundation in fact. I have shown, by reading letters from American mines which produce precisely the same grade of ore as that imported from Spain and Africa, that we have an untold and an unlimited supply of these ores in this country; and I have shown from figures which can not be contradicted that by just about the amount which was imported last year has the output of our mines been diminished; to just about that amount the mines themselves have fallen off in production.

The Senator must know that the magnetic ores of the Lake Superior region are unequaled by any others in the world, and that they make the best Bessemer steel that can be made anywhere, and that we made Bessemer steel in this country before a ton of foreign ore was imported, and that we have this ore in abundance in New York, in Virginia, in Tennessee, and in North Carolina. I am surprised, after a debate of five or six hours upon this question, when this view has been presented here, and presented by figures and facts which can not be controverted, that the Senator should suddenly come into the Chamber and again bring here this exploded idea and this exploded argument.

Mr. INGALLS. Mr. President, I have not been absent from the Chamber as the Senator from New York intimates; I have heard the entire debate, and I still assert as my conviction, from what I have read upon this subject and from what I have heard in the debate upon this subject, that there is no American iron ore sufficiently free from phosphorus to be used in the production of American steel. I am entirely willing to listen to what the Senator from New York said, but I repeat that the statistics fail to show that American ore has been successfully used in the production of American steel.

Mr. ALLISON. Mr. President, I do not wish to prolong this debate and will not; but if we are to have the yeas and nays upon every shade of the numerals from fifty cents up to a dollar, then I think I shall some time be obliged to give a reason for the vote I am giving upon this question. I shall not occupy time to do it now; but if we have three or four yeas and nays I shall undertake to do it.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Michigan [Mr. CONGER] to the amendment of the Senator from West Virginia [Mr. CAMDEN] fixing the rate of duty at 75 cents.

The Principal Legislative Clerk proceeded to call the roll.

Mr. HILL (when his name was called). I am paired with the Senator from Arkansas [Mr. WALKER].

Mr. JONAS (when his name was called). On this amendment I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. BARROW (after having voted in the negative). I voted inadvertently. I am paired with the Senator from New Hampshire [Mr. BLAIR]. I therefore withdraw my vote.

Mr. SAWYER. I am paired with the Senator from North Carolina [Mr. RANSOM].

The result was announced—yeas 13, nays 35; as follows:

YEAS—13.

Brown,	Conger,	Logan,	Sewell.
Cameron of Pa.,	Edmunds,	McMillan,	
Cameron of Wis.,	Harrison,	Mahone,	
Chilcott,	Lapham,	Miller of N. Y.,	

NAYS—35.

Allison,	Davis of Ill.,	Ingalls,	Platt,
Anthony,	Farley,	Jackson,	Plumb,
Bayard,	Garland,	Jones of Florida,	Pugh,
Beck,	George,	McDill,	Rollins,
Butler,	Gorman,	Maxey,	Vance,
Call,	Hampton,	Miller of Cal.,	Vest,
Camden,	Harris,	Morgan,	Voorhees,
Cockrell,	Hawley,	Morrill,	Williams.
Coke,	Hoar,	Pendleton,	

ABSENT—28.

Aldrich,	Frye,	Jones of Nevada,	Saunders,
Barrow,	Groome,	Kellogg,	Sawyer,
Blair,	Grover,	Lamar,	Sherman,
Davis of W. Va.,	Hale,	McPherson,	Slater,
Dawes,	Hill,	Mitchell,	Van Wyck,
Fair,	Johnston,	Ransom,	Walker,
Ferry,	Jonas,	Saulsbury,	Windom.

So the amendment to the amendment was rejected.

Mr. BUTLER. I move that the Senate do now adjourn.

Mr. MORRILL. I hope we shall get through with this one article at least before we adjourn, and as soon as that is finished I shall move an executive session, as I understand there is a necessity for one.

Mr. BUTLER. I have a long document that I propose to have read on this subject, and it will take half an hour.

Mr. MORRILL. We have not reached pyrites. I want to have the subject of iron ore settled at the present time.

Mr. BROWN. If the Senator from South Carolina will indulge me a minute, I desire to give notice of an amendment, which I shall propose whenever I can do so, to strike out "50 cents a ton" and insert "20 per cent. ad valorem," the present rate of tariff on iron ore.

The PRESIDENT *pro tempore*. The pending question is on the amendment of the Senator from West Virginia [Mr. CAMDEN]. Pending that the Senator from South Carolina [Mr. BUTLER] moves an adjournment.

Mr. BUTLER. I withdraw the motion temporarily for the Senator from Georgia.

Mr. MORRILL. I think we can take a vote on the amendment of the Senator from West Virginia without the yeas and nays. I merely want to settle this one question.

Mr. BUTLER. We shall not settle it in two hours and a half. I have not the slightest idea that we can.

Mr. MORRILL. Oh, yes, we can.

Mr. VOORHEES. The Senator from Vermont has all the assistance of the Senate in his desire to expedite the bill; but when we have been here from 11 o'clock until 6 a motion to adjourn is the most agreeable motion there can be.

Mr. BUTLER. I will state that if we begin at 11 to-morrow we shall get through a great deal more business than by going on now.

Mr. EDMUNDS. Is the motion to adjourn debatable?

The PRESIDENT *pro tempore*. It is not.

Mr. MORRILL. I ask the Senator from South Carolina to yield to me to move an executive session.

Mr. BUTLER. I withdraw my motion for that purpose.

Mr. MORRILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to.

BILLS BECOME LAWS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 13th instant approved and signed the act (S. 2150) to provide for extra work in the Government Printing Office in cases of emergency.

The message also announced that the President had on the 15th instant approved and signed the following acts:

An act (S. 1860) to attach the county of Hardeman, in the State of Tennessee, to the eastern division of the western district of Tennessee; and

An act (S. 2290) to increase the fees of witnesses in the United States courts in certain cases.

The message further announced that the President had on the 16th instant approved and signed the act (S. 133) to regulate and improve the civil service of the United States.

The message also announced that the bill (S. 561) for the relief of Robert Stoddart Wyld having been presented to the President on the 5th instant, and not having been returned by him to the House of Congress in which it originated within the ten days prescribed by the Constitution, had become a law without his approval.

The message further announced that the President had on the 20th instant approved and signed the act (S. 1340) for the relief of the heirs at law of William R. Downing, deceased.

The message also announced that the bill (S. 173) for the relief of Herman Biggs having been presented to the President on the 6th instant, and not having been returned by him to the House of Congress in which it originated within the ten days prescribed by the Constitution, had become a law without his approval.

HOUSE BILL REFERRED.

The joint resolution (H. Res. 324) to provide for the deficiencies in the appropriations for salaries of officers, clerks, messengers, and others in the service of the House of Representatives for the fiscal year ending June 30, 1883, was read twice by its title, and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

The Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January* 23, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Clerk was proceeding to read the Journal of yesterday, when,

Mr. REED asked unanimous consent that the reading of the part of the Journal relating to the introduction of bills and joint resolutions be dispensed with.

There being no objection, it was ordered accordingly.

The Clerk resumed and concluded the reading of the Journal, which was then approved.

RAILROAD TRANSPORTATION.

Mr. BUTTERWORTH, by unanimous consent, introduced a bill (H. R. 7387) to provide for a commission to investigate the subject of railroad transportation; which was read a first and second time, referred to the Committee on Pacific Railroads, and ordered to be printed.

JOSEPH WESCOTT & SON.

Mr. REED. Mr. Speaker, a bill (H. R. 3850) for the relief of Joseph Wescott & Son was passed last Friday through the Committee of the Whole without opposition and after full discussion. It was not passed

through the House. I ask unanimous consent that the bill be now taken up for passage.

The bill was read.

Mr. HOLMAN. Is it proposed to take up all bills reported to the House from the Committee of the Whole, and now undisposed of?

The SPEAKER. It is not.

Mr. HOLMAN. I think they ought all to be taken up together.

Mr. REED. I hope the gentleman from Indiana will not object to the present consideration of this bill. I have been trying during several sessions of Congress to get it through. The gentleman himself knows it to be right.

Mr. HOLMAN. I have no objection to this bill——

Mr. REED. If the bill fails in this Congress on account of the pressure of business toward the end of the session, we shall have to struggle with it again in another Congress. With a view to economy of time, as well as economy of money, I appeal to the gentleman from Indiana, for even while we have been talking the bill might have gone through.

Mr. HOLMAN. I am not in favor of any system of partiality in legislation. Instead of personal appeals let these bills all come up together and be treated alike.

Mr. REED. I have not appealed to the House for partiality toward me on such matters. I think I should have one time. Mr. Speaker, the gentleman does not object.

Mr. HOBLITZELL. I call for the regular order of business.

The SPEAKER. The regular order of business is called for.

LENGTH OF DAILY SESSIONS.

Mr. HISCOCK. I submit the following resolution for consideration at this time:

Resolved, That, commencing with to-day, the daily sessions of the House shall expire at 6 o'clock p. m., for the remainder of the session: *Provided, however*, The Speaker may, in his discretion, entertain one motion to adjourn only each day before that hour.

Mr. MILLS. That goes to the Committee on Rules.

Mr. McMILLIN. I object.

Mr. HISCOCK. Let it come in and be referred to the Committee on Rules.

There was no objection, and it was ordered accordingly.

TARIFFS OF OTHER COUNTRIES.

Mr. MILLS. I ask by unanimous consent to submit the following resolution for reference to the Committee on Ways and Means:

Resolved, That the Secretary of State be directed to inform the House of Representatives if the records of his office contain the information what duties are levied upon exports by the different countries having commercial relations with the United States.

Mr. RANDALL. Let it go to the Committee on Ways and Means, with leave to report at any time.

Mr. MILLS. Very well.

The SPEAKER. The Chair hears no objection, and the resolution is so referred.

RETIREMENT OF GENERAL INGALLS.

Mr. YOUNG, by unanimous consent, introduced a bill (H. R. 7388) for the retirement of Brevet Major-General Rufus Ingalls, Quartermaster-General United States Army, with the rank of major-general; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

OIL-WELL PATENT.

Mr. YOUNG also, by unanimous consent, introduced a bill (H. R. 7389) authorizing the Commissioner of Patents to extend patent granted for method and means for increasing the capacity of oil wells; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

PAY OF HOUSE EMPLOYÉS.

Mr. HISCOCK. I am directed by the Committee on Appropriations to report a joint resolution (H. Res. 324) to provide for the deficiencies in the appropriations for salaries of officers, clerks, messengers, and others in the service of the House of Representatives for the fiscal year ending June 30, 1883.

The SPEAKER. The joint resolution will be read, subject to objection.

The Clerk read as follows:

Be it resolved, That the sum of $12,175.26 be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated to pay the salaries of the officers, clerks, messengers, and others, for the fiscal year ending June 30, 1883.

Mr. RANDALL. What is that?

Mr. HISCOCK. It is a joint resolution to provide for the payment of the employés of the House for the reason that the last session ran over into this current year. There is a deficiency of a little over $12,000.

Mr. RANDALL. How does that arise—from an increase of employés?

Mr. HISCOCK. From the fact that the last session ran over into the present fiscal year.

Mr. ATKINS. Is it in the per diem and not in the annual salaries?

Mr. HISCOCK. I do not know but annual salaries may be included in it.

Mr. ATKINS. I do not see how annual salaries can be included.

Mr. RANDALL. If the last session ran into this current year and this is necessary, then there should be an extra appropriation for the next fiscal year.

Mr. HISCOCK. Very likely. We will take care of that. I ask for the present consideration of the joint resolution.

There was no objection, and the joint resolution was received, read a first and second time, ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HISCOCK moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

APPOINTMENT OF GENERAL AND LIEUTENANT-GENERAL.

Mr. STEELE, by unanimous consent, introduced a joint resolution (H. Res. 325) amending the proviso of section 1094 of the Revised Statutes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

IVINS HUSE.

Mr. VANCE, by unanimous consent, introduced a bill (H. R. 7390) for relief of Ivins Huse; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CORNELIUS H. LATHAM.

Mr. VAN AERNAM (by request) by unanimous consent, introduced a bill (H. R. 7391) for the relief of Cornelius H. Latham; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ALABAMA CONTESTED-ELECTION CASE—JONES VS. SHELLEY.

Mr. RANNEY. I am directed by the Committee on Elections in the matter of the memorial of John W. Jones in the election case of Jones vs. Shelley to submit a report concluding with the following preamble and resolution:

Whereas John W. Jones claims to have been elected as Representative from the fourth Congressional district of Alabama, to fill a vacancy, and has instituted proceedings for a contest under the provisions of the acts of Congress relating to contested elections; and whereas there is not sufficient time to prosecute and conclude said contest under the provisions of said acts and in course before the expiration of the present term of Congress, and the contest must be abandoned unless some other more speedy mode of procedure be prescribed: Therefore,

Resolved, That a special committee, composed of three members of the Committee on Elections, be appointed, with authority and whose duty it shall be to proceed, without unnecessary delay, to the fourth Congressional district of Alabama and there take the evidence which may be adduced by either party in the matter of the pending contest, and report the same to the House as soon as may be. That the committee appointed is empowered to send for persons and papers and administer oaths, and also to employ stenographers, messengers, and a sufficient clerical force, at the usual compensation, the expenses to be paid out of the contingent funds of the House, upon the approval of the chairman of said committee.

I wish to give notice that I will call it up for action at the earliest practicable moment.

The SPEAKER. The report will be printed and go over as unfinished business.

Mr. WHEELER. In the absence of any of the members of the Committee on Elections, as I do not see either of them present, I wish to ask the privilege of having the minority report printed with the report of the committee.

Mr. MOULTON. What has been done?

Mr. WHEELER. I beg the gentleman's pardon. I did not see that he was present.

Mr. CALKINS. In response to my colleague on the committee I will say that a resolution has been offered on the part of the Committee on Elections which has been ordered to be printed and goes over as unfinished business, as a question of privilege.

Mr. RANDALL. It goes over, but not as unfinished business. If it is a privileged matter it may be called up at any time.

Mr. CALKINS. The point as to whether it presents a question of privilege will come up of course when the resolution is called up for consideration.

The SPEAKER. Does the gentleman from Illinois desire to submit the views of the minority?

Mr. MOULTON. No; I have not prepared any.

Mr. ATHERTON. I think leave had better be taken to present the views of the minority.

The SPEAKER. Have they been prepared?

Mr. ATHERTON. They are prepared and are already in print.

The SPEAKER. The Chair thinks they had better be presented to go with the report of the committee. They can be presented, however, within a reasonable time.

Mr. ATHERTON. I will submit the views of the minority hereafter.

ROBERT SMALLS.

Mr. DEZENDORF, by unanimous consent, from the Committee on Naval Affairs, reported back with a favorable recommendation the bill (H. R. 7059) authorizing the President to place Robert Smalls on the re-

tired-list of the Navy; which, with the accompanying report, was ordered to be printed, and recommitted to the Committee on Naval Affairs.

DANIEL R. SHRIVER.

Mr. LEEDOM, by unanimous consent, introduced a bill (H. R. 7392) granting an increase of pension to Daniel R. Shriver; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HENRY T. SCHUTT.

Mr. MILLER, by unanimous consent, introduced a bill (H. R. 7393) granting a pension to Henry T. Schutt; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REPORT OF COAST AND GEODETIC SURVEY.

The SPEAKER laid before the House the following concurrent resolution of the Senate; which was read, and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That the report of the Superintendent of the Coast and Geodetic Survey for 1881 and 1882 be printed; and that 3,000 additional copies be printed for the use of the Superintendent of the Coast Survey. The engraving to be given out by contract under existing laws, the execution and printing to be satisfactory to the Public Printer and to the Superintendent of the Coast and Geodetic Survey.

COAST LIGHTS, CAPE ELIZABETH, MAINE.

Mr. REED, by unanimous consent, presented the memorial and resolutions of the Legislature of the State of Maine, remonstrating against the change of lights at Cape Elizabeth and Matinicus Rock, on the coast of Maine; which was referred to the Committee on Commerce.

TRANSPORTATION OF AGRICULTURAL PRODUCTS.

Mr. VALENTINE, by unanimous consent, from the Committee on Agriculture, reported back with amendments the bill (H. R. 6920) to create a commission to investigate and report upon agricultural products, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. HORR. I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

Mr. ROBESON. I move to dispense with the morning hour for the call of committees for reports.

The motion was agreed to (two-thirds voting in favor thereof).

The SPEAKER. At the adjournment last evening there was a pending motion upon which the yeas and nays had been ordered, on which a vote had been taken, and the point was made that no quorum had voted.

Mr. ROBESON. In order to save time calling the yeas and nays again I ask unanimous consent to withdraw that motion.

There was no objection, and the motion was withdrawn.

Mr. ROBESON. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the naval appropriation bill; and pending that motion I move that all debate upon the pending paragraph and all amendments thereto be confined to fifteen minutes.

Mr. ANDERSON. I rise to a parliamentary inquiry.

Mr. RANDALL. On amendments pending?

Mr. ROBESON. On all amendments.

The SPEAKER. The effect of the motion if adopted will be not to cut off amendments but all debate upon amendments pending, or which may hereafter be offered. The gentleman from Kansas rose to a parliamentary inquiry.

Mr. ANDERSON. I understand that an appropriation bill will always pass, but sometimes the tariff bills will not get through. My parliamentary inquiry is whether it is in order to antagonize the motion of the gentleman from New Jersey to go into the Committee of the Whole for the purpose of proceeding with the naval appropriation bill by a motion to go into Committee of the Whole for the purpose of taking up and considering the tariff bill? I understand that several gentlemen thought that would be the order of business to-day.

The SPEAKER. The motion to go into Committee of the Whole for the purpose indicated by the gentleman from New Jersey can be voted down.

Mr. HISCOCK. Let me say to the gentleman from Kansas that there is no conflict whatever between gentlemen in charge of this bill and those having charge of the tariff bill; and I hope he will not consume time by raising a question of conflict over this matter.

Mr. ANDERSON. I would like to say we have been about three years upon this tariff question without accomplishing anything, and it appears to me the country ought to have some recognition in that respect.

Mr. ROBESON. Is my motion in order?

The SPEAKER. It is.

Mr. THOMAS. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. I want to know whether if debate is limited upon the pending paragraph and all amendments thereto that will have the effect of cutting off further amendments?

The SPEAKER. There is no proposition of that kind pending.

Mr. THOMAS. It cuts off all further debate on subsequent amendments?

The SPEAKER. It does.

Mr. THOMAS. Then I hope it will be voted down.

The SPEAKER. The gentleman from New Jersey moves that all debate on the pending paragraph and all amendments thereto be limited to fifteen minutes.

Mr. TALBOTT. I move to amend by making the limit of debate one half hour.

The motion to amend was not agreed to.

Mr. ROBESON's motion was agreed to.

Mr. ROBESON. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAGE in the chair, and resumed the consideration of the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

NAVAL APPROPRIATION BILL.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering the naval appropriation bill. By order of the House all debate on the pending paragraph and amendments thereto has been limited to fifteen minutes.

Mr. CALKINS. I desire to modify the amendment I offered yesterday relating to the paymasters' corps. If necessary, I ask leave to withdraw the amendment and offer in place of it what I send to the desk.

There was no objection.

The Clerk read the proposed amendment, as follows:

Provided, That when vacancies occur hereafter in the paymasters' corps there shall be no original appointments to fill such vacancies; but promotions may be made according to existing regulations from those remaining in said corps. Officers in the line shall be detailed to perform the duties of paymasters, under the same rules and regulations as are now required of paymasters; but such officers shall not be entitled to increased compensation in consequence of performing such duties.

Mr. BUTTERWORTH. I want to say a single word against both these amendments, and then, as between the two, to state why I favor that of my friend from Indiana [Mr. CALKINS] as against that of my friend from Kentucky [Mr. KNOTT]. In the first place, I want to call the attention of my friend from Indiana to the fact that in his amendment he does not do for the Navy what is doubtless supposed and that which was very properly done in the Army bill in the matter reducing the number of officers in the Pay Department of the staff and devolving their duties on other members of the staff corps, *i. e.*, the quartermasters. In the Army all disbursements are made by commissaries, quartermasters, and paymasters. Under the provision of the Army bill to which the gentleman from Indiana referred, the paymaster's corps is to cease, and the duty now performed by that corps is devolved upon the quartermasters, who are all under the law disbursing officers. There is a fitness and propriety in that, because in the Army there are three corps to perform the duties which might be performed by two if not by one corps. But in the case of the Navy, as has already been stated on the floor of the House, the paymaster is the commissary; he is the quartermaster as well as the paymaster, combining the three in one. The paymasters disburse every cent that is appropriated for the Navy. They make the purchases and in fact perform substantially for the Navy all the duties performed in the Army by the commissary, the quartermaster, and the paymaster, and I can see no reason why you should abolish this office. It does not even tend to promote economy—but the reverse.

Now, one word as between the amendment suggested by my friend from Kentucky [Mr. KNOTT] and that of my friend from Indiana [Mr. CALKINS]. So far as the amendment presented by the gentleman from Kentucky [Mr. KNOTT] is concerned, it works a palpable injustice to members of the staff corps. It does not, indeed, muster any one of them out; but it denies to every man in that staff promotion, and it would promote a lieutenant in the line over a captain in the staff in case of a vacancy. Instead of promoting men in the corps when vacancies occur, it absolutely prohibits it, so that a passed paymaster or a captain in the staff, although he remain in the service forty years, and has earned promotion by reason of length of service and thorough fitness, may have a lieutenant of the line who is twenty years his junior and without experience or fitness promoted over him. That is the result of the proposition of my friend from Kentucky, and it is palpably unjust.

As between the amendments, I submit that if it be conceded that the paymasters' corps in the Navy should cease to exist, then the amendment of my friend from Indiana does justice to the members of the staff corps, in that while it musters them out ultimately, it authorizes and permits promotion until that corps shall cease to exist. That is certainly just. As between these two amendments, it seems to me that of the gentleman from Kentucky works a palpable wrong, not to say outrage, on members of the staff corps, whose rights ought to be respected; while if there is any wrong in the amendment of the gentleman from Indiana, it simply is in doing the service an injury in muster-

ing the corps out altogether. I oppose both amendments as unwise and unnecessary.

Mr. HENDERSON. Mr. Chairman, I have listened with much interest to these various propositions made by gentlemen of the committee, and which seem to me like an attempt to reconstruct, to some extent, the Navy upon an appropriation bill.

And while I do not know but there is great merit in some of these propositions, yet I want to enter my protest against this system of legislation on appropriation bills. Yesterday it was proposed to abolish the Pay Department of the Navy; and I will venture to say that some of those who advocated that radical change in the naval service were not aware of the fact that the pay officers of the Navy were absolutely the quartermasters and commissaries of that service, and disbursed all the money appropriated for the support of the Navy.

If there was needed anything to illustrate the folly of this sort of legislation in incorporating new legislation in appropriation bills, I think we can see it in some of these radical propositions proposing changes which may work great injury to the naval service, without any consideration of the Committee on Naval Affairs, expressly constituted for that purpose. I wish we could confine ourselves to the legitimate business of the committee, and when we have an appropriation bill under consideration which is intended simply or should be to provide for the expenses of some Department of the Government according to existing law, we should confine ourselves to making the necessary appropriations for that purpose, and leave the legitimate and proper committees of the House to consider new legislation so important as some which it is now proposed shall be ingrafted on this appropriation bill.

In my opinion we are in danger of doing a great mischief by taking matters out of the hands and from the control of the proper committees of the House. We were all at sea yesterday, and spent all the afternoon in discussing propositions which really looked to radical changes in the Navy, without any consideration of the Committee on Naval Affairs, instead of going to work and making the necessary and proper appropriations under the law as it now stands for the support of the Navy.

If that branch of the service needs to be reconstructed let the proper committee of this House investigate and make an intelligent report to the House, so that we can understand what we are doing. But I desire simply to enter my protest against this system of legislation on appropriation bills, in which I think there is a great deal of mischief to be feared. And for these reasons I am opposed, Mr. Chairman, to all these proposed radical changes, believing this not to be the time nor place for their consideration.

Mr. CALKINS. One word with reference to the amendment I have offered. I design by it simply to stop appointments in the pay corps until that corps shall exhaust itself, and to provide that officers of the line shall be detailed to perform that service. That is all I design by my amendment.

Mr. THOMAS. While legislation on appropriation bills is generally to be deprecated, and can scarcely be justified on any ground, yet when the House of Representatives has presented to it by the Committee on Appropriations a bill which contains provisions looking to a partial reorganization of the Navy, provisions which change the law in some material respects, then I say the House owes it to itself to take hold of the matter and make such other changes also as may be proper and necessary.

We are driven to this point in self-defense. If the Committee on Appropriations had come in here and proposed simply to make appropriations for the naval establishment, and had not attempted to change existing law in any respect, then the House would not be justified in attempting to make other and further changes. But members will find by examining the bill now under consideration that various changes in existing law have been proposed by the Committee on Appropriations.

Now, it may be all well enough for that committee to come in here and crack the lash over this side of the House and say, You must stand by the committee; you must allow us to do what we please and the House must not do anything unless it is recommended by the Committee on Appropriations.

I think this whole matter of reorganizing the Navy of the United States, if it ought to be done, should be done on the recommendation of the Committee on Naval Affairs and not on the recommendation of the Committee on Appropriations, the members of which committee have not been able to give the subject the investigation which it deserves. The propositions which have been offered from the Committee on Naval Affairs have been submitted in self-defense.

If the House would wipe out all the proposed new legislation contained in the bill now under consideration, I am sure there is not a member of the Committee on Naval Affairs who will come forward with a solitary proposition to change existing law in regard to the naval service. But we are compelled to look after the interest of the naval establishment, to see that it is put on an equal and just footing, when measures are attempted here which will work the greatest possible hardship on some branches of the service while it advances the interests of other branches.

Mr. ROBESON. It is admitted on all hands, Mr. Chairman, that the naval service needs some reorganization and reform. It is also admitted on all hands that under the rules of the House the Committee on Naval Affairs cannot bring forward those measures. It is therefore admitted that if anything is to be done at all it must be done by the Committee on Appropriations on appropriation bills.

Everything that the Committee on Appropriations has proposed in this bill of a new character, so far as the *matériel* of the Navy is concerned, has been done on the direct recommendation of the Committee on Naval Affairs. If the Committee on Naval Affairs had thought proper at any time to give their attention to the subject and formulate a plan for the reorganization of the Navy, I have no doubt the Committee on Appropriations would have adopted it. But they have not been able to do so. Other business has been pressing upon them and they have not been able to do that. This bill does not make any attack upon any corps in the naval service.

Mr. HARRIS, of Massachusetts. Will the gentleman allow me a moment?

Mr. ROBESON. Certainly.

Mr. HARRIS, of Massachusetts. Do I understand the gentleman to say that all the new legislation in this bill was recommended by the Committee on Naval Affairs, or brought to the attention even of the Committee on Naval Affairs?

Mr. ROBESON. I said that all the new legislation in this bill, with regard to the *matériel* of the Navy, was in direct response to the views and resolutions of the Committee on Naval Affairs sent to the Committee on Appropriations.

Mr. HARRIS, of Massachusetts. Not the *personnel*.

Mr. ROBESON. I said the *matériel* of the Navy. As regards the *personnel* of the Navy, I will say that the Committee on Naval Affairs has made no recommendation.

Mr. HARRIS, of Massachusetts. That is true.

Mr. ROBESON. Therefore, if the evil is a crying one, we had to take it up in this way. We have attacked no corps of the Navy; we have sought to lessen the pay of no officer, no corps, no class in the Navy. We have only proposed the abolition of a single rank, and we also propose in this bill certain conditions which I think everybody will admit ought to be imposed upon promotions in the Navy.

Mr. THOMAS. Will the gentleman allow me to interrupt him right there?

Mr. ROBESON. Certainly.

Mr. THOMAS. The gentleman says that there is in this bill no discrimination between the different branches of the service. This bill proposes to retire certain officers of the line in certain cases, whereby every volunteer officer who came into the service after the close of the war must be retired in two or three years, while no provision is made for retiring the other officers of the line.

Mr. ROBESON. Simply because the times which are fixed here would not apply to the staff, which embraces men who went in at a later period of life and with more mature years, their duties not being such as to require youth and activity on deck and among the sails.

The CHAIRMAN. The fifteen minutes allowed for debate on this paragraph have expired. The Clerk will now report the amendment offered by the gentleman from Kentucky [Mr. KNOTT] as a substitute for the amendment of the gentleman from Indiana [Mr. CALKINS].

The Clerk read as follows:

Add the following to the pending paragraph:

"*And provided*, That hereafter no promotion shall be made to the grade of pay director, pay inspector, paymaster, or passed assistant paymaster, nor shall any appointment be hereafter made to the grade of assistant paymaster; but whenever a vacancy shall occur in any of said grades a suitable officer shall be detailed from the line to discharge the duties thereof, if necessary, under such regulations as the Secretary of the Navy shall prescribe; but nothing herein contained shall be so construed as to deprive any officer now in either of said grades of his commission."

The question being taken on agreeing to the amendment of Mr. KNOTT, it was not agreed to; there being—ayes 55, noes 83.

The CHAIRMAN. The Clerk will now report the amendment offered by the gentleman from Iowa [Mr. HEPBURN] as a substitute for the amendment of the gentleman from Indiana [Mr. CALKINS].

The Clerk read as follows:

Strike out all after the word "dollars," in line 21, to and including the word "paymaster," in line 23; and after the word "dollars," in line 31, add the following:

"*Provided*, That each officer in charge of a vessel or navy-yard belonging to the United States shall be detailed by the Secretary of the Navy to pay the officers and men under his command, under such regulations as shall be prescribed by such Secretary; and on the 30th day of June, 1883, all pay directors, pay inspectors, paymasters, passed assistant paymasters, and assistant paymasters shall be mustered out of the naval service of the United States, with full pay for one year."

Mr. CALKINS. I make the point that this amendment is not a substitute for the one which I offered, but comes in at another place in the paragraph.

The CHAIRMAN. The Chair is informed that this amendment is not a substitute for that of the gentleman from Indiana, but can properly be offered as a separate proposition when the amendment of the gentleman from Indiana has been disposed of. As the Chair understands the gentleman from Iowa withdraws it for the present. The Clerk will now report the amendment of the gentleman from Indiana.

The Clerk read as follows:

At the end of line 31 insert:

"*Provided*, That when vacancies occur hereafter in the paymaster's corps there

shall be no original appointments to fill such vacancies, but promotions may be made according to the existing regulations from those remaining in said corps. Officers in the line shall be detailed to perform the duties of paymasters under the same rules and regulations as are now required of paymasters, but such officers shall not be entitled to increased compensation in consequence of performing such duties."

Mr. HENDERSON. I rise to a question of order. I would like to know why the provision of the gentleman from Iowa [Mr. HEPBURN] is not properly a substitute for the amendment just read.

The CHAIRMAN. The amendment of the gentleman from Indiana is to add certain words at the end of the paragraph, while the proposition of the gentleman from Iowa is to amend the original text.

Mr. RANDALL. I am requested to announce, in connection with this bill, that the gentleman from New York [Mr. HEWITT] is detained from his seat by severe illness.

The question being taken on the amendment of Mr. CALKINS, it was agreed to; there being—ayes 94, noes not counted.

Mr. HEPBURN. I now reoffer the amendment which has been heretofore read.

The Clerk again read the amendment.

The question being taken on agreeing to the amendment of Mr. HEPBURN, there were—ayes 47, noes 65.

Mr. HOLMAN. I make the point that no quorum has voted.

Tellers were ordered; and Mr. HEPBURN and Mr. ROBESON were appointed.

The committee again divided; and the tellers reported—ayes 64, noes 82.

So the amendment was not agreed to.

Mr. KNOTT. I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of line 31 add the following:

"*Provided further*, That the active-list of the Engineer Corps of the Navy shall hereafter consist of five chief engineers with the relative rank of captain, ten chief engineers with the relative rank of commander, thirty chief engineers with the relative rank of lieutenant-commander or lieutenant, sixty passed assistant engineers and forty assistant engineers with the relative rank for each as now fixed by law; and after the number of officers in the said grades shall be reduced as above provided, the number in each grade shall not exceed the reduced number which is fixed by the provisions of this act for the several grades."

Mr. ROBESON. I reserve a point of order on this amendment.

The CHAIRMAN. The amendment is not debatable.

Mr. ROBESON. Then I make my point of order at once. I know that the amendment changes existing law. I wish to see how it reduces expenditures.

The CHAIRMAN. The Chair will hear the gentleman from Kentucky on the point of order.

Mr. KNOTT. Gentlemen will remember the language of the amendment——

Mr. ROBESON. I withdraw my point of order.

The question being taken on agreeing to the amendment of Mr. KNOTT, there were—ayes 50, noes 83.

Mr. MCMILLIN. I make the point of order that a quorum has not voted.

Tellers were ordered; and Mr. ROBESON and Mr. KNOTT were appointed.

The committee again divided; and the tellers reported—ayes 36, noes 90.

The CHAIRMAN. Does the gentleman from Tennessee withdraw the point as to a quorum?

Mr. MCMILLIN. Yes, sir.

So the amendment was not agreed to.

Mr. PARKER. I offer the following amendment:

Insert at end of line 31, page 2:

"And officers serving on board of receiving and naval training ships shall be allowed the same pay and rations as on sea-service."

Mr. HISCOCK. I make a point of order on this amendment. As I understand it, is an increase of compensation.

The CHAIRMAN. Does the gentleman from New York [Mr. PARKER] wish to be heard on the point of order?

Mr. PARKER. I can only say upon the point of order that this amendment is more in the interest of justice than economy.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CALKINS. I move the following amendment to come in at the end of line 31 as an additional proviso:

And provided further, That there shall be no further promotions to the grade of medical directors until that grade is reduced to one, and no further promotions shall be made to the grade of medical inspectors till that grade is reduced to six.

That makes one medical director in the Navy and then one medical inspector for each fleet.

The amendment was disagreed to.

The Clerk read as follows:

That the various boards constituted and provided by law for the examinations (other than physical) of officers of the Navy for promotion to a higher grade in the service, shall conduct such examinations as far as may be in writing, and make a record thereof, and shall certify the same, and their conclusions thereon, under their hands and upon their honors. They shall prosecute and carry on such examinations strictly in all the branches and requirements necessary to the discharge of the duties of the higher grade, and particularly as to the professional fitness of the officer examined, to perform all the duties of the higher grade at sea. And no officer shall, in time of peace, be deemed or reported fit to be promoted to the grade of lieutenant unless he shall have seen four years' service at sea; no lieutenant unless he shall have seen six years' service at sea as a lieutenant; no lieutenant-commander unless he shall have seen four years' service at sea as a lieutenant-commander; and no commander unless he shall have seen three years' service at sea in command of a United States vessel or vessels: *Provided also*, That when any commodore shall reach the age of 60 years, any captain the age of 55 years, any commander the age of 51 years, any lieutenant-commander the age of 47 years, or any lieutenant the age of 45 years, he shall be retired by the President from active service, and shall go upon the retired-list of the Navy as of the grade held by him at the date of his retirement.

Mr. MCMILLIN. I raise a point of order on that paragraph.

Mr. CALKINS. I also rise to a point of order.

Mr. BLOUNT. I also rise to a point of order.

The CHAIRMAN. The Chair will recognize the gentleman from New Jersey, as he first addressed the Chair.

Mr. BLOUNT. But we do not wish to waive our rights on the point of order.

Mr. MCMILLIN. I reserve the point of order on the section just read.

Mr. BLOUNT. I make an additional point of order.

The CHAIRMAN. The gentleman from Tennessee makes a point of order against the paragraph just read.

Mr. BLOUNT. I desire to make an additional point of order at this time. I make the point against it beginning at line 43 and ending with the word "vessels," on line 50.

The CHAIRMAN. The gentleman from Indiana also makes a point of order.

Mr. CALKINS. I make the point of order against all that part of the paragraph beginning with line 43 down to and including the last of the paragraph as a whole. And I make the point of order against each of the appropriations separately, that they change existing law and increase expenditure.

Mr. RANDALL. The gentleman from Georgia has made the point of order I desired to make.

The CHAIRMAN. The Chair will hear first the gentleman from Tennessee on his point of order.

Mr. ROBESON. I ask the gentleman from Tennessee to yield to me to perfect the text.

Mr. MCMILLIN. I have no objection to that being done, provided I do not waive any right under my point of order.

Mr. ROBESON. I do not ask the gentleman to waive any right on his point of order.

Mr. MCMILLIN. If that be the sense of the House, I do not object.

Mr. ROBESON. I move in line 50 to insert the following, in order to perfect the text——

Mr. ROBINSON, of Massachusetts. All points of order being saved.

Mr. BLOUNT. Is it not in order to proceed with the points of order already made against the paragraph?

The CHAIRMAN. Yes, unless waived for the purpose of perfecting the text.

Mr. BLOUNT. I do not desire to waive it, because I think we can get along with greater simplicity and ease by first disposing of the point of order.

Mr. HISCOCK. It is possible that the motion of the gentleman from New Jersey [Mr. ROBESON] will obviate the point of order.

Mr. TALBOTT. Points of order should be first decided; that is the parliamentary way.

Mr. MCMILLIN. I will proceed, then, with the statement concerning my point of order.

Mr. ROBINSON, of Massachusetts. I rise to a parliamentary inquiry. Is there more than one point of order pending?

The CHAIRMAN. There are three or four of them.

Mr. ROBINSON, of Massachusetts. But not under consideration at the same time.

The CHAIRMAN. The point of order was made by the gentleman from Tennessee, and that point of order will be first disposed of.

Mr. ROBINSON, of Massachusetts. Discussion is to be confined to that point of order.

The CHAIRMAN. The Chair will first hear the gentleman from Tennessee on his point of order, and that point of order will first be disposed of.

Mr. MCMILLIN. My point of order, Mr. Chairman, applies to that part of the paragraph beginning with the proviso in line 50, which is as follows:

Provided also, That when any commodore shall reach the age of 60 years, any captain the age of 55 years, any commander the age of 51 years, any lieutenant-commander the age of 47 years, or any lieutenant the age of 45 years, he shall be retired by the President from active service, and shall go upon the retired-list of the Navy as of the grade held by him at the date of his retirement.

Sir, this part of the bill is obnoxious to that portion of section 3, Rule XXI, which provides—

Nor shall any provision in any such bill [appropriation bill] or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

Now, Mr. Chairman, I suppose that there is not a member of this committee who will doubt that that provision changes existing law. That being admitted, as I take it for granted it will be, because the fact is too plain to warrant dispute, the next question is, does it on its

face retrench expenditures and thereby bring it within the provisions of the rule? I hold that it does not; and in support of that position I beg leave to read a section from the Revised Statutes of the United States, section 1458, which is in these words:

> The next officer in rank shall be promoted to the place of a retired officer, according to the seven rules of the service, and the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer.

Now, Mr. Chairman, it will be observed that when an officer is retired under the provisions of this act the next officer below him in rank takes his place by the operation of law and under the rules prescribed by the Navy Department. It is true that the particular officer who is retired has his salary reduced by operation of law, and there is an apparent diminution of expense in that respect, which would bring the section within the rule were it not for the section which requires the retiring officer to be succeeded by the next in rank below him, who will by law receive the same pay. But when we take into consideration the fact that his place is immediately filled by this provision of the law, and that there is practically no vacancy, or if there is it is immediately filled, it is impossible for us to conceive that a reduction of expenditure will result from this section. We will have the same number of officers at the same salary on the active-list, while we will have this increased number of the retired-list, drawing from one-half to three-fourths of the full pay. It is therefore an inevitable consequence that there is no retrenchment of expenditures; and the proposition, changing as it does existing law, without this prerequsite, is under the rules of the House obnoxious to the point of order, and I imagine that position must be sustained by the Chair. It increases instead of decreases expenditures.

Does it require argument to prove that it will take more money to pay a full corps of naval officers and a retired-list of 100 or 1,000 officers than it will to pay the full naval corps without a retired-list? Remember, Mr. Chairman, that the bill does not propose to reduce the active-list, but to add to it a retired-list. It does not propose to abolish offices, but to make them. I hope due consideration will be given this question. It is exceedingly important. By this section the Committee on Appropriations ask us to rush upon our Navy and retire men on salaries when in the prime of life. What excuse is there for it? Why construct by legislation a class of vigorous retired officers and fasten them as barnacles on the Treasury while they are able to serve their country and repay it for the education it has given them? I hope it will not be done while points of order or votes can defeat it.

Mr. ROBESON. Mr. Chairman, it is admitted that this provision of the bill changes existing law. The existing law upon the subject of retirements in the Navy is that all officers of the Navy, except under extraordinary circumstances, shall remain on the active-list until they reach 62 years of age. It is also provided that they retire for age only whenever they reach that point.

But this provision of the pending bill does reduce expenditures, because it retires them at an earlier age, giving them a less pay—I am speaking now right down to the facts of the case—giving them less pay than if they remained on the list of active officers until they reach the age of 62 years. If a man, therefore, goes out of the service at 52, the Treasury pays him only the retired-pay provided by law for the ten years earlier that he has dropped out of the service, during which ten years if allowed to remain he would be entitled to draw his full pay. By this provision for that ten years he receives only the retired-pay; it is a reduction of expenditures to that extent unquestionably.

This would seem to be open to a suggestion made by the gentleman from Tennessee that other officers would take their places as soon as they go upon the retired-list; and that might be open to argument, although I think not, for I might demonstrate the fact that in the ordinary progress of the service there would be a decrease of expenditures. But, Mr. Chairman, we have limited the number of these gentlemen. We limited the number of the officers of the Navy by the law of last year two hundred in number below what the active-list now is. Now, suppose when we had limited that number to two hundred less than the active-list we had then said all the supernumeraries shall be mustered out of the service; that would be in the interest of economy, would it not? It must be admitted that it would be. But we did not say muster out all of these gentlemen; but we do provide that they shall go under retired-pay. It is therefore very plain that when we limit the number and say that there shall be no promotion to their places until these gentlemen go out, it seems to be decreasing expenditures in place of increasing them. Now, if we leave them out or place them on the retired-list we certainly decrease expenditures, because we save the full pay for the period of ten years, during which time they are only on the retired-pay. It seems to me too plain to talk about.

Mr. CALKINS. I desire to be heard for a moment upon these points of order.

Mr. ROBESON. No; upon this point of order. There can not be two pending at once.

Mr. CALKINS. Mr. Chairman, we are working under the rules which the House adopted for its guidance and the guidance of its presiding officer, and which when applied to any provision in any legislation (when following the precedents) readily determine the question as to whether a proposition is or is not in order.

The point of order which I have made against the two provisions of this bill, and which I make jointly and separately against them, may as well, therefore, be discussed together. The rule provides—the third clause of Rule XXI, which has been so often read in the presence of the House and which is well known to the Chair and to the members of this committee, provides—

> Nor shall any provision in any such bill or amendment thereto changing existing law be in order except such as being germane to the subject-matter of the bill shall retrench expenditures.

So that if a provision in a bill simply changes existing law, although it may be germane to the bill, it is still not in order unless it retrenches expenditures. But it must be germane to the subject of the bill and also retrench expenditures, and then it is taken from under the operation of the point of order. It must possess these two qualifications, so to speak, or else it is not in order.

Now, the point of order which I make against the first provision is that beginning with line 43 of the bill, as follows:

> And no officer shall in time of peace be deemed or reported fit to be promoted to the grade of lieutenant unless he shall have seen four years' service at sea, no lieutenant unless he shall have seen six years' service at sea as a lieutenant, no lieutentant-commander unless he shall have seen four years' service at sea as a lieutenant-commander, and no commander unless he shall have seen three years' service at sea in command of a United States vessel or vessels.

That changes existing law but does not retrench expenditures.

Mr. HISCOCK. I rise to a parliamentary point.

The CHAIRMAN. The gentleman will state it.

Mr. HISCOCK. There can be but one point of order pending at the same time. One point of order has been made by the gentleman from Tennessee [Mr. MCMILLIN]. That is now before the committee, and I insist that the discussion must be on that point of order. That must be decided and disposed of before another point of order can be made and discussed in reference to another provision of the bill.

Mr. CALKINS. I think my friend from New York must admit that several points of order may be made against the same provision.

Mr. HISCOCK. The gentleman from Indiana is directing his point of order against an entirely different provision from that to which the point of order already made applies.

Mr. CALKINS. If the gentleman from New York will possess his soul in peace he will see I am coming to the pending point of order, which is included in mine.

The CHAIRMAN. The Chair has no control over the manner of the argument on a point of order. The gentleman from Indiana will proceed.

Mr. CALKINS. I have said that the point of order, if well taken, must be that the proposition changes existing law and does not retrench expenditure. Then I include in the same point of order the next provision, which is:

> *Provided*, That when any commodore shall reach the age of 60 years, &c.—

providing for the retirement of naval officers at certain ages. That is a provision which does not on its face retrench expenditure, but increases it. If so, then both provisions may go out under the single point of order. I can add nothing to what my friend from Tennessee [Mr. MCMILLIN] has said, that the provision on its face increases expenditure. When the Chair is called upon to decide the point of order he must decide it with reference to existing law and with reference to the expenditures made necessary under existing law. Seizing upon that as the basis and applying the proposed legislation to existing law, it is easy to determine from the face of the provision whether it increases expenditures.

The second provision increases expenditures, as my friend from Tennessee has suggested, because it swells the retired-list and provides for filling the grades, at the same time keeping the grades full and increasing the expenditures by swelling the retired-list in so far as this provision adds to it.

Now under existing law no captain at the age of 55 can be retired; under existing law no commander at the age of 51 can be retired simply because of age; no lieutenant-commander at the age of 47 can be retired simply on account of age. But if this bill is enacted into law you swell the retired-list by adding these men to it and fill their places by promotion, which increases the expenditures of the Government in so far as it swells the retired-list. And that appears upon the face of the provision. There is no escape from it. Hence I lodge the point of order against both of these propositions jointly, and if it shall be overruled I shall lodge the point of order against each separately for the same reason.

Mr. ATKINS. I desire to say a word upon the point of order.

I have favored this part of the legislation in the present naval bill because I believe it is in the interest of economy; and I do not believe, with all due deference to my friend and colleague [Mr. MCMILLIN] that the point of order he has made is well taken. It is a matter of calculation whether this provision reduces expenditures or not; and the Chair can only arrive at anything like a correct arithmetical result as to whether it reduces expenditures or not by running through the pay-table. I have not had time since the point of order was made to go through the pay-table. But I will call the attention of the Chair to the salaries of one or two officers and if they are a sample of the others then I shall contend that the point of order is not well taken.

If I understand the proposition the point is simply this, that the retired-pay of the officers who shall be retired under this provision is greater than the salary of the officer occupying the position from which he is advanced to the position of the one who is retired. That being the principle, take the case of commodore and the case of captain. The salary of the commodore is $5,000. The salary of the captain is $4,500. Now the retired pay of the commodore would be $4,000, a less sum than the salary of the captain, which is $4,500. There is a clear saving, an actual economy, by the enactment of this provision into law.

Mr. TALBOTT. Will the gentleman from Tennessee allow me——

Mr. ATKINS. Not now. If that be true also in regard to other officers, then it would be in the interest of economy, paradoxical as it may seem to be, that we should work an economy by increasing the retired-list. But you have got the officers, and this House has shown a determination not to cut down these officers.

Mr. McMILLIN. I desire to ask my colleague one question.

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. ATKINS. Certainly, on the point of order.

Mr. McMILLIN. I will go to nothing else. I wish to ask my colleague if we will not have the same number of officers in the Navy filling the various grades under section 1458 of the Revised Statutes, which I read to the House, after this retiring of officers that we have now? and if not, I want him to point me to those that will not be there. Then, what I wish to ask my colleague is, if we have the same corps of officers drawing the same pay, and in addition to them have a retired-list that did not exist before, I want to know how he is going to work out this paradox which he admits to exist.

Mr. ATKINS. I could answer that question by asking my friend another. Have we not a surplus of officers?

Mr. McMILLIN. But the question is not as to the surplus of officers, but as to the point of order. The question is whether this proposed change of existing law increases or diminishes expenditures.

Mr. ATKINS. That is the very point to which I call the attention of the committee.

Mr. McMILLIN. We have not a surplus of officers on the retired-list, where you propose to place these officers.

Mr. ATKINS. No; but the very point I make is that by placing these officers on the retired-list they receive a less salary than they would receive if we allowed them to remain on the active-list.

Mr. McMILLIN. Section 1458 of the Revised Statutes, which I read a few moments ago, provides that the places on the active-list held by these officers shall, when they are placed on the retired-list, be taken by other officers, so that we will have the same number of officers on the active-list drawing full pay, while we will have an additional number on the retired-list drawing one-half or three-fourths pay.

Mr. ROBESON. If the gentleman from Tennessee [Mr. ATKINS] will permit me I will say that while the section of the Revised Statutes referred to may provide as the gentleman states, the law of last year provides that their places shall not be filled until the number has been reduced to a certain extent.

Mr. BLOUNT. While the gentleman from New Jersey [Mr. ROBESON] is on the floor I would like to ask him if he does not understand that the number of reductions under the law of last year will soon exhaust itself, while this retiring clause will operate *ad infinitum?*

Mr. ROBESON. The number of reductions will not be exhausted for many years.

Mr. BLOUNT. Whether it requires many years or few to exhaust the number of reductions, still it will be exhausted in time, while this retirement operates indefinitely. And if the final result is an increase of expenditures, then this provision is not in order on this bill.

Mr. TALBOTT. On this point of order I desire to call the attention of the gentleman from New Jersey [Mr. ROBESON] and of the Committee of the Whole to the act of August 5, 1882, which provides that "no greater number of appointments into these grades"—referring to the grades named in the preceding portion of the act—"shall hereafter be made each year than shall equal the number of vacancies which has occurred in the same grades during the preceding year."

That provides that from the bottom up, beginning at the foundation, at the Naval Academy, the cadets who have graduated shall be advanced according to the number of vacancies above them. The gentleman from New Jersey [Mr. ROBESON] and the gentleman from Tennessee [Mr. ATKINS] seem to forget that when an officer is placed on the retired-list he fills no vacancy; he is there without rendering service to the Government, and if he is retired on sea-pay he receives three-fourths of the pay on the active-list.

This portion of the pending bill does necessarily increase expenditures to the amount of the difference between the compensation received by the officer in the lower grades when advanced and the amount of reduction in pay of the officer when placed on the retired-list; a commodore, for instance, if retired on sea-pay receiving $3,250.

It is therefore an increase of expenditure for each retirement and promotion all the way through the grades. I therefore hold that the point of order made by the gentleman from Tennessee [Mr. McMILLIN] is well taken, because this provision changes existing law and does increase expenditures.

Mr. CANNON. A word on the point of order. A point of order must stand or fall on the face of the provision upon which it is made.

The provision now under consideration on its face will retrench expenditures in this way: there are certain commodores, certain captains and other officers who now receive full pay. This paragraph provides that at a certain age those officers shall be placed on the retired-list and receive only from one-half to three-fourths of their full pay; that they shall be placed on the retired-list at an earlier date than they would be under the law as it now exists. From that standpoint, upon the face of the amendment, parliamentarily speaking, and in fact as well as parliamentarily, the amendment will retrench expenditures.

Gentlemen come forward and say that they can prove by argument that it will increase expenditures, and they go on and say that there are certain officers who under the law would be promoted to fill the places of those who by this provision would be placed on the retired-list, and therefore expenditures would be increased instead of diminished. That is a matter of argument merely.

I have the right, for the purpose of this point of order, to say that no man would pass an examination for promotion. And I have the right to say further that when any of these officers shall go upon the retired-list there will be no man in the line of promotion. There is an issue of fact. If you want to inquire about that issue of fact, I can demonstrate, as I believe, from information I have received after some investigation of the subject, that upon the whole this provision will reduce expenditures.

But for the purpose of the point of order I do not care to inquire about that, because the point of order must be sustained or overruled on the face of the provision. And the provision will operate to place these officers at a certain age on three-quarter pay, whereas as the law now stands they would for many years continue to receive full pay. Therefore I hold that the point of order is not well taken.

Mr. BRAGG. I desire to say but a single word on this point of order, and I will address my remarks directly to the suggestion of the gentleman from Tennessee [Mr. ATKINS], a member of the Committee on Appropriations.

In determining this point of order the Chair can not ignore existing law. The proposed amendment must be construed with reference to the provisions of existing law, which the chairman must necessarily understand. It becomes the duty of those who say when they change existing law that the change will reduce expenditures, to show that such will be the result.

Now, let us see what are the facts. A commodore upon his retirement has his pay reduced 25 per cent. But the law provides that upon the retirement of a commodore a post-captain shall be advanced to the rank of commodore. There is at once an increase of the pay of the captain.

Mr. ROBESON. Begging the gentleman's pardon, the law does not so provide.

Mr. BRAGG. And when the captain is advanced, then comes a lieutenant or lieutenant-commander to be advanced. That will produce a vacancy for the next officer following him to fill up, a master; and when a vacancy is created in the grade of master, then the officer below him is advanced to the grade of master. When he is advanced, then an ensign is advanced to the grade of master and his pay is increased; and when the ensign is advanced, then comes a midshipman to be advanced to the grade of ensign, and his pay is then increased.

It is only by an addition and computation of the increase of the pay of the officers advanced, consequent upon the retirement of one officer at the head of the list, and a comparison of the reduction of his pay with the advance in the pay of the others, that you can determine whether this provision will work an increase of expenditures or not.

Mr. BUTTERWORTH. Is this by operation of law or by appointment?

Mr. BRAGG. By operation of law. Now, I submit that the advanced grade of four or five officers, resulting from the retirement of the officer at the head of the grade, would involve in the aggregate a greater expense than the reduction made by the retirement of a single officer. Therefore gentlemen fail to show what they must demonstrate in order to make their proposition in order—that there will be a reduction of expenses. It is not for those who oppose the provision to show that it does not reduce expenditures; it is for those who support the provision to show that it does reduce expenses by operation of law. But the gentleman from New Jersey says we have no law which provides that certain vacancies shall not be filled until the lists above are reduced to a certain number. It is necessary on the part of those who support this amendment to show the existing condition of the grades, to show that there are no vacancies to be filled, and to follow this by a process of reasoning comparing the existing law with the proposed law, to show that the great aggregate will be a reduction of expenses. This is a question far too intricate for the chairman of the Committee of the Whole to attempt to solve, and to solve in favor of a change of existing law upon a bare declaration that if the problem be worked out it will show a reduction of expenditures.

Mr. WHITTHORNE. Mr. Chairman, it seems to me that this point of order lies within a very narrow compass. In the first place, does the proposition in the bill change existing law? This is admitted. Secondly, does the provision reduce expenditures? Upon this point I desire to look at the facts. Every gentleman must admit that the operation of this provision will increase the pay of the retired-list; there

can be no doubt about that. Why? Because under existing law retirements are from one of three causes—the attainment of the age of 62 years, the completion of forty years of service, or disability. This provision proposes a change in the age for retirement, making it, according to rank, at different and lesser ages. Now, I submit to the Chair that under this provision a number of commanders, lieutenant-commanders, and lieutenants would go on the retired-list. Every gentleman must agree that in this way the pay of the retired-list will be increased.

Now the question arises, while increasing the pay of the retired-list, does this proposition diminish the pay of the active-list in any respect? This is a question of fact. I submit that under this provision there is to be no diminution of the pay of the active-list; it is a mere pretense by which the attention of the Chair and of the Committee of the Whole is diverted to raise an issue as to the number on the active-list under the law prior to the amendment made at the last session. Take the active-list as fixed under the act of 1882, and this proposition will change that; but it will not diminish the number on the active-list; there is no proposition here to reduce that. The act of 1882, it will be remembered, provides that graduates of the Naval Academy, if their number exceeds the demands of the Navy, shall not be admitted into the service beyond a certain extent; but in this provision you open the sluice as it were, and provide for the accumulation in the service of the graduates of the Academy.

I now come to the point made by my distinguished friend and colleague from Tennesee [Mr. ATKINS]. He says that for the increase of the retired-list we are to be compensated by the early retirment of officers who thereby are retired at a less pay. In other words his argument is that if you retain a man in the Navy until he becomes a commodore or an admiral he is retired upon $3,500 or $4,500 a year, while if you retire him as a lieutenant or a lieutenant-commander he will receive from $2,300 to $3,000. Now, it is a matter of fact, not of argument, that more men live to be 45 than live to be 62. My friend in his arithmetic ought to have noted that while one admiral may be retired in the course of ten years, or one commodore in the course of eight years, you will, under the operation of this bill, retire probably half a dozen lieutenants within the same time. In doing this you multiply the salaries upon the retired-list, and thereby increase the expenses of that list. I submit therefore that looking at this as a question of fact there can be no doubt that the provision involves an increase, not a reduction of expenditure.

Mr. BLOUNT. Mr. Chairman——

Mr. ROBESON. My friend from Georgia will permit me to say that if I had been allowed to perfect this amendment I could have made the proposition so clear that there could have been no dispute about it. I had proposed to perfect the amendment by inserting the words "until the limit of the reduction in the line provided by the act of August 5, 1882, is reached."

Mr. TALBOTT. No amendment is in order until the point of order is decided.

Mr. BLOUNT. I do not know that the modification now suggested by the gentleman from New Jersey would alter the question; it seems to me the point of order would lie against the proposition as amended just as it does against the provision in its present form.

The CHAIRMAN. The gentleman from Georgia [Mr. BLOUNT], as the Chair understood, made a point of order upon that part of the bill commencing in line 43 and terminating in line 50.

Mr. BLOUNT. I do not propose to discuss that at all. The Chair, I presume, will take up these points in the order in which they were made. I proposed to discuss the pending point of order. I desire in the first place to call attention to the provision of Rule XXI.

> Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

There is an additional proviso, which is as follows:

> *Provided*, That it shall be in order further to amend such bill upon the report of the committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.

Now, it must appear that there is a reduction of the number and salary of the officer, or the amount paid by the bill, or this is not in order. If it is simply an amendment which in its general results shall retrench expenditure then by this proviso it is necessary that general legislation shall come from the Committee on Naval Affairs, and there is no allegation that the proposition does so come.

It is alleged by the gentleman from Illinois [Mr. CANNON] that the Chair is confined to the face of the amendment to determine whether or not there is any reduction of expenditure; that he can not go out of it. Why, the very rule carries him out to inquire what is the present legislation—not to take the argument of the mover on the face of it, but to ascertain it, and for that purpose to go out and inquire what is the present legislation and whether or not the terms of the amendment do change existing law.

Mr. CANNON. The gentleman from Georgia must be just to me as well as to himself. My point is that you have to ascertain the fact whether any one stands in line of promotion. I say, for the purpose of this point of order, it is not shown that any one does, and therefore on the face of the amendment under the law it does retrench. It is no part of the duty of the Chair to go out to inquire as to a matter of fact *aliunde* the law, but to take the amendment on its face.

Mr. BLOUNT. Section 1458 of the Revised Statutes provides:

> The next officer in rank shall be promoted to the place of a retired officer, according to the established rules of the service; and the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer.

So that the law declares to the contrary of what the gentleman from Illinois has stated.

There is no question but under the present law there is promotion in the grade made vacant by the retired officer. It runs of necessity from all the lower grades up to that point. There is promotion all along the line.

Mr. Chairman, the law as it now stands provides that officers shall not be retired until they are 62 years of age. That is the general provision. It expressly declares there shall not go on the retired-list any lieutenant-commander, lieutenant, master, &c. This provides that any lieutenant-commander of the age of 47 years, or any lieutenant of the age of 45 may go on it, and that makes quite a large proportion of the number of officers.

But, says the gentleman from New Jersey [Mr. ROBESON], in the appropriation bill of 1883 we reduced the number of officers; that is, in the bill making appropriation for the fiscal year 1883. I have that bill now before me. It provides for a reduction in number of over three hundred officers. I do not care to be accurate about it. There is a reduction in the number of officers in the Navy. For a time the immediate effect of retirement would not be an increase of expenditures, for it does not provide for increase in numbers. It stops advancement to the extent of the operation of that act; and after a time you will have reduced by death and retirement the number of officers to its regular condition. Up to that point there would be retrenchment. There is no doubt about it; but after that, after you have reached your certain number, to continue forever, unless there shall be other legislation, then comes in and then continues the operation of the retirement clause retiring officers down to the grade of lieutenant, at various ages, which is now prohibited by law, and continues that operation *ad infinitum* until the law is changed.

Will the gentleman from Illinois say it is possible, or will the gentleman from New Jersey say it is possible to make a calculation that the effect of this legislation is to retrench expenditures? It can not be claimed that there is reduction in the full operation of the law in the number and salaries of officers; and for that reason, under the general thought of retrenchment of expenditure, this committee is not permitted to do it because it comes here without the sanction of the Committee on Naval Affairs.

Mr. RANDALL. I rise to make a suggestion as to the point of order made by the gentleman from Tennessee, and the point of order made by the gentleman from Indiana, that by common consent the Chair be allowed to decide the point of order, first, as to the paragraph indicated by the gentleman from Georgia. Whether that first paragraph be germane or not it changes existing law, and it has not been pretended that it retrenches expenditures.

Mr. CALKINS. At the suggestion of the gentleman from Pennsylvania, I will withdraw the point of order I made against the paragraph, and will make the point of order against each part separately.

Mr. BLOUNT. I understand the present point of order is the one made by the gentleman from Tennessee [Mr. MCMILLIN].

The CHAIRMAN. The Chair understands that.

Mr. BLOUNT. I understand the gentleman from Tennessee makes it against the entire section.

Mr. MCMILLIN. I have no objection to agreeing to the suggestion of the gentleman from Pennsylvania.

Mr. BLOUNT. I desire to discuss the point of order made by myself whenever the Chair comes to consider it.

The CHAIRMAN. If the Chair desires further discussion on that point he will recognize the gentleman from Georgia.

The Chair thinks he is ready now, as he ever will be, to decide this point of order.

The Chair thinks that the two provisions on which points of order have been made are two substantive propositions and must be decided each upon its own merits. The point of order made against the proviso commencing with line 50 and continuing down to and including line 57, the Chair will first consider. This is an item making provision for the retirement of certain officers at a time not fixed now by law, but at an earlier period, and which will have the tendency to reduce their pay one-half or one-fourth from that which is now provided by law. That being the effect of this provision the Chair thinks that it does upon its face retrench expenditures, although that is a matter of fact which the Chair is unable for himself to determine, and it may turn out upon examination, or in the working of the law, that it does practically eventually increase the expenditures. But the Chair, however, in determining this point thinks that he is only to decide it upon the face

of the proviso itself; and upon its face it does retrench expenditures, in that it reduces the pay of officers and provides for their retirement at an earlier date than that now fixed by law.

In reference to the other point——

Mr. TALBOTT. I do not wish to interrupt the Chair, but if it is now in order I want to enter an appeal from that decision. I do not want to be deprived of the opportunity of doing so.

The CHAIRMAN. The Chair will entertain the appeal of the gentleman from Maryland, but is now ready to decide the other point of order, and perhaps the gentleman may prefer to take an appeal from both.

Mr. McMILLIN. I think it will be better that each one should be decided upon its own merits. An appeal from both could not be taken.

The CHAIRMAN. The Chair will entertain the appeal from this decision.

Mr. SPRINGER. Will the Chair allow a word upon this proposition which has just been decided by the Chair?

The CHAIRMAN. The Chair has no objection to hearing the gentleman.

Mr. ROBESON. I may feel it necessary to reply to the gentleman.

Mr. SPRINGER. There is no objection to that, I presume. I understood the Chair to decide the point of order upon the ground that on the face of this proposition itself the pay of certain officers of the Navy was diminished, and therefore there was a retrenchment of expenditures which prevented this proposition from being obnoxious to the rule. The Chair held, as I understand, that it does retrench expenditures.

The CHAIRMAN. Upon its face.

Mr. SPRINGER. It is true that the retiring of a particular person——

The CHAIRMAN. Does the gentleman from Illinois rise to debate the appeal?

Mr. SPRINGER. Yes, sir. I say it is true that the retirement of a particular person may produce a lapse of his salary and the consequent retrenchment of expenditures to that extent. But the Chair has confused in his decision the office with the man. In order to be a reduction of expenditures there must have been an abolition of an office. But the transfer of one man from one office to another one, by which his salary is reduced to two-thirds or three-fourths pay does not reduce expenditures or abolish the office, because the office which he left is immediately filled by promotion under the law. If it was the removing of an office—the abolition of the grade—altogether and a reduction from the grade of pay of the active-list to the grade of pay allowed on the retired-list, the Chair would be right; but, as I have said, the Chair has simply confused the office with the particular person who may be holding it at the time.

Now, this will be followed immediately under the law by another person holding the same office and receiving full pay after this retirement is made. The person in the grade below simply steps forward one grade and occupies the position from which his predecessor was retired. The person retired will of course get less pay, but the office will be filled by process of law by a person who will get the full pay of that grade. There is therefore an increase of expenditure, for you have the pay of the office and the pay of the retired-list also.

Under this rule the Chair must observe that there can be no proposition changing existing law admitted to be in order on any appropriation bill unless one of three things pertain to it, and these are specifically laid down in the rule. The first thing that must appear in a proposition changing existing law, in order that it may be in order upon an appropriation bill, is that it must retrench expenditures first—

By the reduction of the number and salary of the officers of the United States.

Now, does this proposition reduce the number or the salaries of officers of the United States? It does not. But it must, before it can be in order under this clause of the rule, reduce the number and salary of officers of the United States.

Mr. ROBINSON, of Massachusetts. They have less pay.

Mr. SPRINGER. But it does not reduce the number of officers; it increases them and increases in the aggregate the pay. It is therefore clearly not in order under this first clause of the rule. Is it in order under the second clause—

By the reduction of the compensation of any person paid out of the Treasury of the United States?

Does it reduce the compensation of any such person? It reduces the compensation of the person that may be retired, but another person takes his place and receives the same compensation, and there is consequently no reduction of expenditures. Does it come in under the third clause, namely—

By the reduction of the amount of money covered by the bill?

There is no pretense that it does, and every gentleman upon this floor knows and the Chair must know that this bill does increase expenditures. It enlarges the retired-list, and to the extent that list is enlarged it increases expenditures. I do not believe, therefore, that there is a gentleman on this floor, not even the chairman of the sub-committee reporting the bill, who will dispute the proposition that so far as the bill increases or changes existing law it increases the number of persons upon the retired-list and creates a new class of persons to be paid out of the Treasury in addition to those now paid therefrom, and therefore increases expenditures and is obnoxious to the point of order.

The CHAIRMAN. The question is upon the appeal taken by the gentleman from Maryland from the decision of the Chair. Shall the decision of the Chair stand as the judgment of the committee?

The committee divided; and there were—ayes 70, noes 50.

Mr. TALBOTT. No quorum; I demand tellers.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. TALBOTT and Mr. ROBESON were appointed tellers.

The committee again divided; and the tellers reported—ayes, 85; noes, 64.

So the decision of the Chair was sustained.

Mr. RANDALL. Let us now have the decision of the Chair on the point of order made to the other clause.

Mr. BLOUNT. If the Chair is ready to give his decision, I do not desire to take up time in arguing that point of order.

The CHAIRMAN. The point of order has been made by the gentleman from Georgia [Mr. BLOUNT] to the proviso commencing with line 43 and ending with the word "vessels," in line 50, as follows:

And no officer shall, in time of peace, be deemed or reported fit to be promoted to the grade of lieutenant unless he shall have seen four years' service at sea; no lieutenant unless he shall have seen six years' service at sea as a lieutenant; no lieutenant-commander unless he shall have seen four years' service at sea as a lieutenant-commander; and no commander unless he shall have seen three years' service at sea in command of a United States vessel or vessels.

The Chair thinks that changes existing law and does not show upon its face that it reduces expenditure. The Chair therefore rules it out of order.

Mr. CALKINS. Now I move to strike out the proviso.

The CHAIRMAN. The gentleman from New Jersey [Mr. ROBESON] is recognized to offer an amendment to perfect the paragraph.

Mr. ROBESON. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "vessels," on page 3, line 50, insert the following:

"*Provided*, That until the limit of the reduction in the line which was fixed by act of August 5, 1882, is reached, when any commodore shall reach the age of 60 years, any captain the age of 55 years, any commander the age of 51 years, any lieutenant-commander the age of 47 years, or any lieutenant the age of 45 years he shall be retired by the President from active service and shall go upon the retired-list of the Navy as of the grade held by him at the date of his retirement, under the same conditions as if he had been retired for physical disability incurred in the line of duty."

Mr. CALKINS. I make the point of order that my motion to strike out is in order first, because what has just been read is in the nature of a substitute, and if voted into the bill it would not be in order to strike it out.

Mr. BLACKBURN. Who offered that?

Mr. ROBESON. I have offered it. I only offered it in that way to save time. But withdrawing what has just been read, I offer the amendment which I now send to the desk, to perfect the proviso by inserting after the word "that" the following words——

Mr. RANDALL. I think it will save a good deal of time to test the sense of the House on the motion to strike out.

Mr. ROBESON. I want to test the sense of the House on a perfected proviso, not an imperfect one.

Mr. RANDALL. I did not suppose the Committee on Appropriations would report anything imperfect. [Laughter.]

Mr. CALKINS. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALKINS. I desire to know whether the substitute offered by the gentleman from New Jersey is now pending?

Mr. ROBESON. I did not offer a substitute.

The CHAIRMAN. The gentleman withdrew what was first read from the desk, and now offers the amendment which the Clerk will read.

The Clerk read as follows:

After the word "that," in line 50, insert the following:

"Until the limit of reduction in the line which was fixed by the act of Congress of August 5, 1882, is reached."

So that it will read:

"*Provided also*, That until the limit of the reduction in the line which was fixed by the act of Congress of August 5, 1882, is reached, when any commodore shall reach the age of 60 years, any captain the age of 55 years, any commander the age of 51 years, any lieutenant-commander the age of 47 years, or any lieutenant the age of 45 years he shall be retired by the President from active service, and shall go upon the retired-list of the Navy as of the grade held by him at the date of his retirement."

Mr. ROBESON. The words contained in my amendment head the proviso. The effect of it is to confine that provision in time. We have already provided by the law of last year that there shall be no promotions to these grades until they are reduced to a certain point. Now, objections were made on the other side to this clause on the ground that, as they said, for every man you put on the retired-list you promote a man in his place. The law provides a man shall not be promoted to his place until the grade is reduced to a certain number.

Now, no one will contend this increases expenditures so long as no promotions can be had to the places of those retired. I confine it to the time when no promotions can be had to those places.

Mr. CALKINS. I make the point of order that the motion to strike out the entire paragraph which I made first must be first put, because the amendment which the gentleman from New Jersey offers is not in the nature of an amendment perfecting the clause.

The CHAIRMAN. The Chair thinks the amendment offered by the gentleman from New Jersey is to perfect the clause, and the motion to strike out does not take precedence of the amendment of the gentleman from New Jersey to perfect.

Mr. ANDERSON. I make the point of order on the amendment of the gentleman from New Jersey.

The CHAIRMAN. It is too late now to make the point of order.

Mr. BLACKBURN. I have but one word to say in reply to the gentleman from Indiana. There can be no proposition plainer than this, that the friends of a bill have the right to perfect its text in every paragraph before the opponents of a bill have the right to vote it down.

Mr. BLOUNT. The amendment of the gentleman from New Jersey mitigates the error of the bill, but does not stop it, because when it has reached the point indicated the corps of officers stands at the fixed number, and promotions come under it and then commences the retired-list.

Mr. HISCOCK. If the gentleman from Georgia will permit me——

Mr. BLOUNT. Wait a moment. Then comes the increase of expenditures by reducing the age for retirement and multiplying the number of officers after that time.

Mr. HISCOCK. The amendment limits the operation of the proviso to the period up till that time.

Mr. BLOUNT. I did not so understand it.

Mr. ROBESON. This amendment limits the operation of the rest of the paragraph to that time, and when that time arrives the operation of the whole clause ceases.

Mr. BLOUNT. Then this is only a temporary expedient.

Mr. McMILLIN. I have examined the amendment of the gentleman from New Jersey [Mr. ROBESON], and while I do not believe in the doctrine of retiring men in the prime of life and think the whole thing ought to be stopped, ought never to have been begun, still if we are to have something of that kind we ought to have it in the best possible and most acceptable form. The amendment of the gentleman from New Jersey makes a great improvement on the text of the bill, and those who look for economy in this bill ought not to oppose it, for it is right and should be adopted.

Mr. ANDERSON. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. ANDERSON. And I have been trying to do so for some time. The gentleman from Indiana [Mr. CALKINS], when the gentleman from New Jersey [Mr. ROBESON] offered his amendment, raised the point of order that the motion to strike out had preference. So soon as the Chair decided that the point of order was not well taken, I rose to make a point of order against the amendment of the gentleman from New Jersey. That was the first time when that point of order could be made, as another point of order was previously pending.

I understood the Chair then to say that my point of order was too late. Now, my point is that that was the only time which it could come in, and therefore it was not too late. I availed myself of the first opportunity of making a point of order.

The CHAIRMAN. The Chair thinks that debate had intervened before the gentleman from Kansas rose.

Mr. ANDERSON. It could not regularly have been made before that time, because the point made by the gentleman from Indiana was pending.

The CHAIRMAN. The Chair will entertain the point of order at this time of the gentleman from Kansas, if he states that he rose in time to make it.

Mr. ANDERSON. I do so state most emphatically.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ANDERSON. I understood the gentleman from New Jersey [Mr. ROBESON] to say that his amendment did not increase expenditures.

The CHAIRMAN. The gentleman can not make the point of order on what the gentleman from New Jersey said; he must make his point of order on the amendment.

Mr. ANDERSON. If the Chair in the amplitude of his mercy will allow "the gentleman from Kansas" to do so, he will state his point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ANDERSON. It is that the amendment proposed by the gentleman from New Jersey changes existing law and does not retrench expenditures.

The CHAIRMAN. The Chair overrules the point of order.

Mr. ANDERSON. I supposed he would. [Laughter.]

Mr. BRAGG. I rise to inquire of the gentleman from New Jersey [Mr. ROBESON] the purpose of his proposed amendment. I understand that this House decided, under the lead of the gentleman from New Jersey, that the ruling of the Chair was correct, to the effect that the proviso did reduce expenditures, even if it changed existing law at the same time. The House by its vote decided that the point of order against the proviso was not well taken, and, as I have said, did so under the lead of the gentleman from New Jersey.

Having so decided, the decision of the Chair and of the House being that the proviso in effect was what the gentleman from New Jersey now proposes to make it, a reduction of expenditures, I wish to inquire of the gentleman if the amendment he has now proposed is not in effect and in purpose a proposition to cure the ruling which he himself now admits was wrong, which was sustained by this House under his lead, and seeing the ruling was wrong he now proposes to substitute words which will correct the ruling which he has had go upon the record as a correct ruling.

Mr. ROBESON. The gentleman misunderstands my purpose. The ruling of the Chair was obviously correct, to any reasoning mind.

Mr. BRAGG. Reasonable.

Mr. ROBESON. But there are some minds so constituted that they never can see anything correct in the judgment of others. And therefore when I undertook to offer this amendment I made it with the single purpose of increasing the reduction of expenditures to be wrought by this proviso.

I contended on the floor before, I contend now, and it has been decided by a vote of this House, that the provision as it stood in the bill reduced expenditures. I have now, for the purpose of perfecting that provision, as I offered to do before the gentleman opposed it, offered an amendment which makes it so clear that it does reduce expenditures that the very gentleman who made the point of order against it now admits it. I appeal to this House and to the record that I endeavored to do so before the debate sprung up in order to save time and to enlighten the comprehension of gentlemen who are not too dull but who do not desire to understand.

Mr. RANDALL. Now let us have a vote.

Many MEMBERS. Vote! Vote!

Mr. BRAGG. Mr. Chairman——

The CHAIRMAN. Time for debate upon the pending amendment has been exhausted.

Mr. BRAGG. I move to strike out the last word. I have no doubt that I am addressing myself to minds upon which reason will produce but little effect. Still, in justice to myself and those whom I represent, I deem it my duty to say that I am opposed to this entire provision, before it is amended and after it is amended.

We ordinarily see men who have led a long life as they approach their death-beds show some signs of repentance for the sins which they have committed. Before the Republican party came into power in this House, on its last tenure, its members day by day and night by night read us lessons upon the gross impropriety and the revolutionary tendency of legislation on appropriation bills. I had hoped, as they were now approaching their exit from power, that they would be willing to practice what they preached when they were before out of power.

I had hoped that the Committee on Appropriations would cease to attempt to absorb the powers of all the committees of this House, and that the committee having in charge the naval establishment and the committee having in charge the army establishment would be permitted to prepare such legislation as to their minds seemed proper, after a careful digest of all the laws relating to the subject, and recommend it to the House for passage. And if such legislation were not able to be reached in the ordinary course of legislation through the House, I had hoped that those committees would be permitted to recommend the necessary legislation to be adopted on an appropriation bill, as the rules of the House prescribe it might be, so that we would have wisely considered legislation affecting these two establishments whose well organization and proper administration bring so much honor to the nation, and so much disgrace to it if they are improperly conducted.

I had hoped that this tinkering—tinkering, I say, for it is nothing else—upon general appropriation bills would cease. Why? Because it does seem as if when gentlemen get upon the Appropriations Committee, if they have a feeling against any particular portion of either of these establishments, they absorb the duties of the committee having the establishment in charge and seek to satisfy some private grievance by the adoption of some single proviso upon a general appropriation bill which may hit some person or office desired to be hit and at the same time disorganize the whole establishment because the whole law is not amended at the same time to make it consistent with the amendments proposed upon such a bill. It is for this reason I am opposed to legislation on this subject at this time upon this bill or any other appropriation bill.

The Naval Committee have made no such recommendation. To them this House has given the consideration of the organization of the Navy and the provision for its maintenance. The members of that committee were selected by the Speaker of the House, presumably, because they were competent, because they had experience and knowledge, because they would have time to consider the whole subject of the organization of the Navy. They have made no recommendation whatever upon this subject. They have not asked the Appropriations Committee to interfere; and interfering as they do on the face of this bill the Appropriations Committee absorb what does not belong to them, what the rules of this House do not give them in charge, and what the vote of this House ought signally to condemn.

[Here the hammer fell.]

Mr. HISCOCK. To that part of the gentleman's speech which is in

the way of a lecture, I shall make no reply. The ups and downs of politics are always very likely in the end to make all things even; and I shall trust to the future to make proper response to the gentleman's criticisms.

Now I desire to call attention very briefly to the precise effect of this provision as amended by the gentleman from New Jersey. In the naval appropriation act of last year it was provided that the line of the Navy should be reduced in the aggregate one hundred and fifteen; that there should be a reduction of four rear-admirals, fifteen commodores, five captains, five commanders, six lieutenant-commanders, thirty lieutenants, twenty-five masters, and twenty-five ensigns. This reduction could only be made by a failure to promote from the lower grades to vacancies occurring in the superior grades. The present provision means simply that, in aid of the reduction provided in the act of last year, officers of these different grades shall be retired at certain ages. The only effect is to reduce the line more speedily to the limits fixed by the act of last year.

Mr. BRAGG. Will the gentleman point to the rule that gives the organization of the Navy in charge of the Committee on Appropriations?

Mr. HISCOCK. I will point to the rule which came to us from a Democratic Congress providing that upon an appropriation bill all legislation shall be competent which is in the interest of economy, which reduces the number of officers and the amounts to be paid to them.

I am not quarreling with that rule; nor am I defending it. We took the rule as it came to us from the preceding Congress; we have not changed it in any respect to improve it or to mar it.

There is but a single question to be passed upon by the Committee of the Whole in connection with the pending proposition: Is the Navy, so far as regards the line, top-heavy? You have struck down the staff. Under this very rule legislation has come in here which has had that effect. The staff has been reduced; and provision has been made for filling vacancies in it from the line. I repeat, that members of the committee may take notice of it, the only effect of the provision now pending is more speedily to reduce the line to the limits which you last session said were proper limits. After the fullest and most ample discussion you fixed those limits; we have simply provided another method in connection with the mode then adopted for reaching those limits.

Mr. HUMPHREY. Let me ask the gentleman one question. Did not the Forty-fifth Congress, upon the recommendation of the Appropriations Committee, cut down the appropriation for salaries of certain Territorial officers from $3,000 to $2,600, the law having fixed the salaries at $3,000; and has not the Supreme Court decided that this appropriation of $2,600 constituted a reduction of the salary?

Mr. HISCOCK. There has never been any time, so far as I know, when it has not been held competent to reduce the number of officers in any service, and at the same time to reduce the compensation to be paid to those officers respectively.

Mr. HUMPHREY. There is a statute fixing the salaries.

Mr. HISCOCK. Certainly.

Mr. HUMPHREY. And it is vicious to change it in this way.

Mr. RANDALL. Mr. Chairman, the language of the gentleman from New York [Mr. HISCOCK] who has just taken his seat would seem to imply that he takes warrant for this amendment from the action of former Democratic Congresses in connection with this subject. I commend the rule to which he has referred; but I wish to say that if my memory is correct those who controlled the Forty-fourth, Forty-fifth, and Forty-sixth Congresses never made any assault upon the *personnel* of either the Army or the Navy. Those Congresses maintained the right to say that the Army should not be employed where civil officers of the Government were required to perform certain service by authority of law.

Mr. CALKINS. The gentleman will allow me to say that there were successive amendments proposing to cut down the Army even to 9,000.

Mr. RANDALL. That was to be done by expiration of the terms of enlistment.

Mr. CALKINS. Nevertheless, the assault was made in that way upon the *personnel* of the Army.

Mr. RANDALL. No, sir. Here is an indiscriminate assault made upon commissioned officers who have rendered service to the Government; and so far as naval officers are concerned, this assault comes from one whose duty was formerly to protect them in their commissions.

Now, we never did it so far as I remember. But, Mr. Chairman, as the committee has entered upon that of course we must judge each for himself and discriminate in reference to each amendment which seeks to reduce these officers of the Navy. As to the propositions which are proposed to retire them absolutely and send them adrift, we must, I say, judge whether it is proper or not to do so as each point is presented, and as individual members we must vote on the subject as our judgments shall dictate. But I simply rose to correct the gentleman from New York when he implied we had made an assault upon the Army and the Navy.

Mr. HISCOCK. I did not intend to insinuate or charge that the gentleman from Pennsylvania or his party had done so.

Mr. RANDALL. I am glad to hear you say so.

Mr. HISCOCK. But, Mr. Chairman, since I am on my feet I will say, so far as the Navy is concerned, if it should be reduced it is no more sacred in my eyes than the clerks in any of the Departments, no more privileged than the officers of any other branch of the Government. And so far as the Army is concerned, if it should be reduced, that branch of the service is no more sacred than any other branch of this Government. I care not what branch of the Government it is. If a reduction can properly be made I will join hands with the gentleman, as I always have joined hands with the gentleman from Pennsylvania, in making such reduction. It is a matter of entire indifference with me, I repeat, whether it be the Army or the Navy, or the civil staff, if you find it is top-heavy, that too much money is being paid, we should make the reduction, and make the proper reduction on the appropriation bills.

Mr. CANNON. I only want opportunity, Mr. Chairman, to add a word to what has been stated already. Now, during the general debate on this naval appropriation bill, I sat for an hour and listened to my eloquent friend from Indiana [Mr. CALKINS] talk about the top-heaviness of the Navy, and then for an hour to my colleague from Illinois [Mr. THOMAS], and after him I heard the gentleman from Kentucky [Mr. KNOTT], to whom I always listen with pleasure, all urging the necessity of some measure of relief to cure the top-heaviness of the Navy. It is admitted that the Navy is top-heavy. Everybody seems to agree to that. But, sir, the very moment we come in, under the rules of this House, with a proposition to correct the evil, or to walk in that direction if you choose, not to put them out at once but merely to provide for the gradual thinning of them out; not to put them out without pay but to gradually thin them out by retiring them at an earlier age than under the law as it now stands, then we find some of these very gentlemen who roared so loudly in the index, when it comes to the real work, opposing the very measure which we have brought forward.

Mr. STEELE. Will the gentleman yield to me for a question?

Mr. CANNON. Yes; for a question.

Mr. STEELE. Does the gentleman consider it is a proposition looking in that direction to retire men in the prime of life to be supported by the Government as retired naval officers?

Mr. CANNON. In reply to that question, Mr. Chairman, I would say, if I could without absolute injustice I would absolutely thin out the Navy just the same as I would thin out any Department in this city, and just the same as I would thin out any other service. But we are more lenient to the Navy than to other Departments of the Government when they are top-heavy, for it is proposed these officers shall be retired at 47, 45, 60, and 62 years; not to retire them without pay, but after they have had years of full pay we then propose to retire them upon half-pay. Now, for one I have no apology to make.

Mr. MCMILLIN rose.

Mr. O'NEILL. Let me interrupt the gentleman for just one moment.

The CHAIRMAN. To which gentleman does the gentleman from Illinois yield?

Mr. CANNON. I have but five minutes and the time is almost gone. But, sir, I have time to finish my sentence. I have as much pride in the fame of the Navy and in the credit of any service of the Government as any other American citizen, but I can not stand here as a member of this House and see barnacles fasten on this service without making an effort at least to remove those barnacles. I want to protect the Navy and every other public service, and I want to do it because I am proud of it. I want, in protecting it, to see that it is adapted to the wants of the country, and that in time of peace it is not built up and fostered unduly on the strength of what it accomplished in time of war, so that by and by an indignant and long-suffering people will rise in their might and go further perhaps than they ought in curtailing it.

Mr. HOLMAN rose.

The CHAIRMAN. Debate is exhausted.

Mr. HOLMAN. I move to strike out the last word. Now, Mr. Chairman, debate has been indulged in this morning as to the policy or impolicy of legislation on appropriation bills. It seems to have been assumed that that is not a wise policy, that appropriation bills should appropriate money simply to carry out the provisions of existing laws. This side of the House can not take any such ground. The amendment of the rules in this regard occurred early in the Forty-fourth Congress. What is now incorporated in the rules as the third clause of Rule XXI is specially a Democratic measure. It had been for years before. It was placed in the rules for the express purpose of enabling Congress on appropriation bills to reform abuses, to carry out reforms in the administration of the Government, and especially where such propositions involved curtailment of expenditures of the Government.

Now, sir, the history of that rule is very well known to a number of gentlemen present in this House. It was designed to facilitate legislation upon appropriation bills. Its very terms express that idea, and its provisions were well recognized as working harmoniously and advantageously throughout all the Forty-fourth Congress. I doubt, sir, whether there was an appropriation bill passed by that Congress, and but few in subsequent Congresses from that to the present, in which important measures involving reforms in the administration of this Government were not secured. It must be manifest to any gentleman who has watched the course of legislative reforms here that these reforms are more to be expected and more certainly secured through provisions in-

grafted on appropriation bills than by any other channel. Not because of the reason that appropriation bills must in the very nature of things pass anyhow; but because every member of the House must see at once when we come to the appropriation of the money-making provision for public expenditures exactly how the proposed reform will operate upon the subject in the appropriations then being made. Nothing can more effectually, more successfully, or more clearly bring the subject of reform to the attention of the House than the bringing of it forward in connection with an appropriation of the public moneys for any specific purpose. For my own part I am glad to see any reforms come from either side of the House in the matter of the expenditures of this Government. All men agree that our Navy embraces too large a number of officers, and the Army likewise. There is no difference of opinion upon that point; and the pride with which the American people contemplate their Army and Navy does not result from a desire to carry out the policy by which either shall be enlarged unnecessarily and unwisely, and the Treasury thereby depleted without rendering any service to the public. There is no gentleman, I trust, in the Army or Navy who holds his place without considering it as an honor to belong to the service, without regard to pecuniary considerations.

Mr. CALKINS. Will my colleague yield to me for a question?

Mr. HOLMAN. Not now; in a moment. The honor of this Government rises above the mere monetary considerations; and I am glad to note the attempts that have been made in the last and the present session of Congress on these appropriation bills to reduce the appropriations in some respects within reasonable limits and at the same time with due regard to men long in the public service and to the burdens arising therefrom, which now unnecessarily rest upon the public Treasury. And I feel confident, Mr. Chairman, from the tone of sentiment universally pervading the Democratic party in its past history and at the present time that it will cheerfully take up the line of retrenchment and reform which it began when it was in power in this Government, and which in some degree is shown here, and carry it out to its proper results. I yield now to the question of my colleague.

Mr. CALKINS. I only desire to know whether my colleague was not chairman of the Committee on Appropriations when this rule was amended as it is now?

Mr. HOLMAN. That rule, let me say to my colleague, was adopted among the very first acts of the Forty-fourth Congress.

Mr. CALKINS. And my colleague, as I understand it, was chairman of the Committee on Appropriations.

Mr. HOLMAN. Not at that time; but I had the honor to submit that rule to the House long before that Congress was organized. It had been before Congress time and again before that.

Mr. CALKINS. Then let me ask one question further, whether or not my colleague does not know that this rule does allow the Appropriations Committee to absorb nine-tenths of all the legislation done by Congress?

Mr. HOLMAN. Not necessarily. The rule is most valuable in facilitating amendments and open to every member.

Mr. CALKINS. And also whether under it he does not think that this House consists merely of the Speaker and the Appropriations Committee, all the rest of it being practically the fifth wheel of the wagon?

Mr. HOLMAN. No, sir; I do not think any such thing. And happily this House is so open to measures and in opportunities for discussion that any and every member, especially on appropriation bills, can have a hearing in due form, and no committee can monopolize its business or control its actions.

No man has studied carefully the subject of appropriations of the public money as carried on by this Government who does not know that whenever you separate, largely or materially, the instrumentalities through which measures providing for the appropriations of money are brought before the Houses you defeat the idea of reforms so far as economy is concerned, and extravagance will run riot. It must be so in the very nature of things, for to secure economy the expenditures must be considered together.

Mr. ROBESON. I move that the committee do now rise, with a view when we shall go into the House of offering a motion to limit debate upon this clause and amendments.

Mr. BLOUNT. Let us have a vote upon the proposition of the gentleman from Indiana [Mr. CALKINS], and I think we can agree to limit debate without going into the House.

Mr. CURTIN. I desire to offer an amendment.

Mr. ROBESON. I insist upon the motion.

Mr. CURTIN. I have an amendment prepared which I wish to offer.

The CHAIRMAN. The gentleman from New Jersey has been recognized by the Chair to move that the committee do now rise.

Mr. ROBESON. The gentleman from Pennsylvania can offer his amendment when we go back into committee.

Mr. CURTIN. I desire to be heard upon it.

The CHAIRMAN. The gentleman from Pennsylvania will send up his amendment. The Chair will cause it to be read, and it will be considered as pending.

Mr. HISCOCK. I demand the regular order.

The CHAIRMAN. This is the regular order. The Clerk will read.

The Clerk read as follows:

After the word "retirement," in line 57, insert:

"*Provided also*, That officers of the Navy who served in the late civil war shall be exempt from the provisions of this section."

Mr. ROBESON. I accept that. I think it is a good amendment.

I now move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAGE reported that the Committee of the Whole House on the state of the Union, having had under consideration the naval appropriation bill, had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 1294) more effectually to suppress gaming in the District of Columbia.

NAVAL APPROPRIATION BILL.

Mr. ROBESON. I move that when the House resolves itself again into Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill the debate on the pending paragraph and all amendments thereto be limited to fifteen minutes.

Mr. BLACKBURN. Say twenty minutes, in order that the time may be fairly divided.

Mr. ROBESON. Very well; I will modify my motion so as to make the time twenty minutes.

Mr. HISCOCK. I think it would be better to make the time ten minutes, which can be easily divided. I move to amend the motion so as to limit the time to ten minutes.

The question being taken on Mr. HISCOCK'S amendment, it was agreed to.

The motion of Mr. ROBESON as amended was agreed to.

Mr. ROBESON. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAGE in the chair, and resumed the consideration of the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of further considering the naval appropriation bill. By order of the House all debate on the pending paragraph and amendments thereto has been limited to ten minutes.

Mr. ROBESON. In order that a fair division of the time may be had, as I desire to make a few remarks on my own part, I hope some proper recognition will be made on the other side.

Mr. HISCOCK. I suggest that five minutes of the time be reserved to defend the bill.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. CURTIN] desire to be heard in support of his amendment?

Mr. CURTIN. I understand my amendment is accepted.

Mr. BLACKBURN. The gentleman in charge of the bill has the right under all precedents to divide the time as he pleases.

The CHAIRMAN. The Chair will recognize any gentleman who rises and addresses the Chair to debate this bill.

Mr. CURTIN. My amendment is accepted?

Mr. ROBESON. I beg the gentleman's pardon. When I said I accepted his amendment I thought it said "wounded."

Mr. CURTIN. It says "served."

Mr. ROBESON. That includes all the Navy officers.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. CURTIN] desire to be heard in support of his amendment?

Mr. CURTIN. Yes, sir.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. CURTIN. I shall vote against the whole section. But inasmuch as the section appears to be oppressive on officers of the Navy, I thought it might be well to exempt those who served gallantly in the late war from its oppressive operation.

Mr. Chairman, the Navy is said to be top-heavy, and that remark so often reiterated is applied to the officers. It is not their fault that it is top-heavy. It is the fault of the representatives of the people that they have not provided an effective navy, as it is a duty with which they are charged.

This bill seems to provide first for the care and preservation and improvement of two miserable old monitors that whatever money might be expended upon would be of no use in a war and that are not an ornament in time of peace. It provides for the construction of one rapid cruiser, no doubt for our eastern coast, the description of which is not fully given in the bill. But I presume it is to be constructed on some new plan as yet undeveloped; that it is to be a hive, if it is yet to be named; so that if we get into a war, navies of the world may be hived by your rapid cruiser and then your two great monitors will destroy them when they are hived and brought to our shores. [Laughter.]

She will be built no doubt of polished steel. She will have a cloud of sails in the air. She will have engines of steam and lightning, and away down in her hold the Keeley motor, no longer a myth and mystery. [Laughter.] So that human ingenuity will be exhausted in making this hiver of ships to be destroyed by these monitors, around which the affection of so many members of this House seems to linger as it would about the coming spring opening in morn the smiles of earth in flowers.

If your Navy is top-heavy do not fall on your officers, who are innocent of the statesmanship and foresight which humiliate our Government by the absence of ships to employ them and who served you gallantly in all your wars; for remember, when your Capitol was burned, when your army surrendered in Canada, when your coasts were ravaged by the enemy in the war of 1812, a few gallant, great, and glorious sailors improvised a navy, went on the high seas, brought our country into consequence by their wonderful success, illustrated their valor on the decks of their ships, and lowered the flag of the proudest nation in the world. We are not exempt from the destiny of nations. A war may come again; and in the uncertainty of human affairs who can tell when? Our coast is exposed. An enemy can enter from the Caribbean Sea, where we have no possessions, by the Antilles, into the great Gulf bordering the southern line of our richest States; and remember that foreign countries have possession of the Azores, the Bermudas, the Bahamas; that our whole coast is bordered by islands owned by foreign countries. And who knows when a war will come, and we may need ships and officers? Who knows what effect the death of the old Emperor of Germany might have upon the peace of Europe?

Tell me that we might not be involved in war! Why, there is a bill now pending to settle claims of French spoliations of 1801, in the time of the First Napoleon; and if from the throes of the French Revolution we became engaged in the war of 1812, we cannot tell what the settlement of momentous questions now pending in Europe, constantly imminent and impending, may not bring upon us, considering our large and growing foreign intercourse. It is time this people of fifty millions and over should assert their power and consequence in the affairs of the nations of the world, and let it be known that we are prepared for war or peace, while we desire peace. And we know that war, if it does come, will come upon the water; and he who fails to realize that has failed to learn the history of the past, the condition of the present, and our duty. Besides that, no man can study the history of commerce and trade in the past and justly realize the present, without feeling that in the near future there must be a connection between the Atlantic and the Pacific Oceans over or through the isthmus separating North and South America. If that connection is ever made, I trust it will be understood that the flag of this country will float over it, its beginning and its end, assisted by the guns of our Navy, which we should build, and that it will be controlled and dominated, as shall be known by all the world, by the Government of the United States, which all other powers shall acknowledge. [Applause.]

[Here the hammer fell.]

Mr. ROBESON. I now yield for a moment to the gentleman from Ohio [Mr. ROBINSON].

Mr. ROBINSON, of Ohio. I desire to say a single word in support of the motion of the gentleman from Indiana [Mr. CALKINS] to strike out this proviso.

I consider it very unjust to any naval officer who has been promoted to the rank of captain, lieutenant-commander, or commander, to muster him out at an age when he has just reached the full measure of his usefulness and maturity. It is unjust to these men, after having been educated by the Government for this special service, to discharge them at that period of life.

I therefore trust that the members of this House, in consideration of the meritorious services which these gallant men have rendered the country in times past, will vote to strike out this provision of the bill.

Mr. ROBESON. The question before the House is a very simple one. It is admitted that this naval service should be reformed; that there are too many officers in it; that the service has too much dead wood in it. The Navy itself admits that and asks to be clear of it; that is, the Navy as a service. But as individuals each man is afraid he will be found to be dead wood, and therefore as individuals they oppose it. The other side of the House admit it, and say they are in favor of reducing the number of officers; but they seem disposed to fight every proposition that is submitted to do it practically.

Now, gentlemen, the whole question is this, and you may as well decide it; it is of no interest to me: Do you want a navy of old gentlemen or do you want a navy of young, active men? That is all there is in it.

Do you want to keep this list of officers as it is, so that like a flock of sheep every midshipman who enters the service does so with the expectation that he will go out of the door finally a rear-admiral; do you want the service to be like a flock of sheep, a thousand of which will come up to a gate that will only let through one at a time, and they will all stand crowding there until they go through one by one? Do you want the Navy to be like that, so that each officer as he gets through the gate of rear-admiral has only a month or two of active service before he is placed on the retired-list? Or will you take such lenient, such just, such wise measures as can be devised, so as to let these gentlemen out of service as their time of usefulness goes by?

It is proposed by this bill to retire a lieutenant at 45 years of age. What gentleman in this House at the age of 45 would like to perform a lieutenant's duty? What gentleman here would like to stand upon the deck of a ship in storm and tempest, with four or five watches in the twenty-four hours, take his tour around the deck, go on boat service in a storm and tempest, board ships at sea, go aloft if necessary to show the sailors an example of activity—what man of 45 years here within the sound of my voice is fit to discharge these duties at sea?

Now, gentlemen, be practical about this matter; understand it. Do you want a navy of respectable old dead-heads, or do you want a navy of active, energetic men? Do you want men who have ambition, do you want men who see before them a chance of arriving at a rear-admiral's place before they are ready to die?

Do you want men who will enter the service and pursue it with the idea that attention to their duties, efficiency, aptitude in their profession will conduce to their promotion, with the idea that courage and perseverance will give them advancement? Or do you want men to go into the Navy knowing that it makes no difference what they do, the old moss-backs before them will be promoted and they will go up whether they do anything or not?

Mr. KASSON. Allow me to say that the gentleman from New Jersey himself shows an energy that would do honor to any lieutenant. [Laughter.]

Mr. ROBESON. I have renewed my youth. [Continued laughter.]

The CHAIRMAN. The time for debate upon the pending amendment has been exhausted.

Mr. REED. I desire to suggest to the gentleman from Pennsylvania [Mr. CURTIN] whether he will not accept the amendment I have in my hand in lieu of his own?

Mr. CURTIN. Let me hear it.

The CHAIRMAN. The proposed amendment will be read.

The Clerk read as follows:

Provided also, That the time during which any officer was in the volunteer navy shall be added to the age named in the preceding proviso, and in no case shall the age for retiring exceed 62 years.

Mr. CURTIN. I would prefer a vote on my amendment; if it is voted down, then the gentleman can offer his.

The CHAIRMAN. The question is upon the amendment of the gentleman from Pennsylvania [Mr. CURTIN] to the amendment.

Mr. ROBESON. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROBESON. Has my amendment perfecting the original text of the bill been yet voted on?

The CHAIRMAN. It has not been.

Mr. ROBESON. I would like to have it first voted on.

The CHAIRMAN. But there is pending an amendment to the amendment of the gentleman.

Mr. ROBESON. The chairman of the Committee on Naval Affairs [Mr. HARRIS, of Massachusetts] has another amendment to perfect the text.

The CHAIRMAN. No other amendment can be offered until the pending amendments have been disposed of. There is now pending an amendment to the original text of the bill and an amendment to that amendment, and no other amendment is now in order. The Clerk will report the amendment of the gentleman from Pennsylvania [Mr. CURTIN].

The Clerk read as follows:

After the word "retirement," in line 57, insert:

"*Provided also*, That officers of the Navy who served in the late civil war shall be exempt from the provisions of this section."

Mr. ROBESON. Inasmuch as I said I would accept that amendment, I desire in withdrawing my acceptance to say that I misunderstood it. I thought it related to those who were wounded in the late war; it applies to all who served in the late war.

The CHAIRMAN. Further debate is not in order.

The question was then taken upon the amendment of Mr. CURTIN; and upon a division there were—ayes 59, noes 52.

Mr. HISCOCK. I call for tellers.

The CHAIRMAN. No quorum having voted, tellers will be ordered.

Tellers were ordered; and Mr. ROBESON and Mr. CURTIN were appointed.

The committee again divided; and the tellers reported that there were—ayes 76, noes 66.

Mr. ROBESON. I do not ask for any further count.

So (no further count being called for) the amendment to the amendment was agreed to.

The question recurring on the amendment of Mr. ROBESON as amended, it was agreed to; there being—ayes 53, noes not counted.

Mr. HARRIS, of Massachusetts. I wish to offer an amendment which I suggested some time ago and which I understand is acceptable to the Committee on Appropriations. I move to insert after the word "retirement," in line 57, and before the proviso which has been adopted, the words "under the same conditions as if he had been retired for physical disability incurred in the line of duty."

The amendment was agreed to.

Mr. KNOTT. I move the amendment which I send to the desk.

The Clerk read as follows:

Strike out the word "five" in line 52 and insert "eight;" so as it will read "any captain the age of 58 years."

The amendment was not agreed to.

Mr. BLACKBURN. I move to amend by inserting after the amendment last adopted the provision which I send to the desk.

The Clerk read as follows:

Any officer of the Navy who shall have been on the active-list longer than ten years may, upon his own application, be placed upon the retired-list with half the sea-pay of his grade, and shall be subject to be employed only in time of war, but this provision shall remain in force only until the whole number of officers in the Navy is reduced to the number now provided by law.

The amendment was not agreed to.

Mr. STEELE. I move to amend by inserting after the amendment last adopted the following:

Provided also, That all officers of the Army upon arriving at the age of 62 years shall be placed upon the retired-list of the Army.

Mr. HISCOCK. I make the point of order that this amendment is not germane.

Mr. STEELE. It reduces expenses.

Mr. HISCOCK. The point is that it is not germane.

The CHAIRMAN. The Chair decides the point of order well taken, on the ground that the amendment is not germane.

MESSAGE FROM THE PRESIDENT.

The Committee of the Whole rose informally; and Mr. PAYSON having taken the chair as Speaker *pro tempore*, a message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and a joint resolution of the following titles:

An act (H. R. 5014) relating to exportation of tobacco, snuff, and cigars, in bond, free of tax, to adjacent foreign territory;

An act (H. R. 833) for the relief of John R. Taggert;

An act (H. R. 4704) for the relief of P. F. Lonergan;

An act (H. R. 804) for the relief of Robert Gorthy and Calvin Green;

An act (H. R. 6627) to authorize the establishment of a free public highway in the District of Columbia;

An act (H. R. 1698) for the relief of the heirs of Peter Gallagher;

An act (H. R. 7052) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1884, and for other purposes;

An act (H. R. 3506) amending sections 1926 and 1927 of the Revised Statutes so as to extend the limits of the jurisdiction of justices of the peace in the Territories of Washington, Idaho, and Montana; and

Joint resolution (H. Res. 308) providing for a change in the name of the National Bank of Winterset, in Iowa.

NAVAL APPROPRIATION BILL.

The Committee of the Whole House on the state of the Union resumed its session.

Mr. WHEELER. I move the amendment which I ask the Clerk to read.

The Clerk proceeded to read the amendment; which is as follows:

Insert after the word "sea," line 42, the following:

"And no officer shall, in time of peace, be deemed or reported fit to be promoted to the grade of lieutenant unless he shall have seen four years' service at sea: no lieutenant unless he shall have seen six years' service at sea as a lieutenant; no lieutenant-commander unless he shall have seen four years' service at sea as a lieutenant-commander; and no commander unless he shall have seen three years 'service at sea in command of a United States vessel or vessels: *Provided*, That so much of this act as specifies (in time of peace) four years' service at sea as a prerequisite for promotion to the grade of lieutenant, and six years' service at sea as a prerequisite for promotion above the grade of lieutenant, and four years' service at sea as lieutenant-commander as a prerequisite for promotion to a grade above that of lieutenant-commander shall not apply to any officer of the Navy who during the term of his service has held himself ready and willing to do service at sea, but shall only apply to officers whose failure to do service at sea results from applications from themselves for service other than service on the sea; and so much of this act as specifies three years' service at sea in command of a United States vessel or vessels as a prerequisite for promotion to a grade above that of commander shall not apply to any commander of the Navy who during the term of his service has held himself ready and willing to do service at sea in command of a United States vessel or vessels, but shall only apply to those commanders whose failure to do service at sea in command of a vessel or vessels results from applications from themselves for service other than service on the sea in command of a United States vessel or vessels: *And provided further*, That any officer of the Navy over whom four junior officers have been promoted pursuant to the provisions of this act shall be placed upon the retired-list and shall receive the pay of a retired officer of the grade held by him at the date of his retirement: *Provided further*, That this provision shall not apply to any officer who has been wounded in action: *And provided further*, That no promotion in the active service shall be made to fill vacancies caused by retirements under the preceding provisions of this bill.

Mr. RANDALL and Mr. CALKINS reserved the point of order until after the amendment was read.

Mr. HISCOCK. Mr. Chairman, has not enough of the amendment already been read to show that it is subject to the point of order already ruled upon by the Chair; that being a part of a bill now pending before the House it can not be received as an amendment to this bill?

Mr. WHEELER. If I be permitted to explain the amendment it will be seen that it is not subject to the point of order.

The CHAIRMAN. By order of the House all debate has been limited to ten minutes, and that time having passed further debate is not in order on amendments to the present paragraph.

Mr. WHEELER. Let my amendment be read.

The CHAIRMAN. The amendment will be read.

Mr. WHEELER. It will be seen when read that it is taken out from under the point of order by its terms.

The reading of the amendment was concluded.

The CHAIRMAN. The Chair thinks the amendment evidently changes existing law and does not on its face retrench expenditure, and furthermore it contains portions already ruled out as subject to the point of order.

Mr. WHEELER. I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Alabama appeals from the decision of the Chair; and the question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. WHEELER. Can not I have an opportunity to explain the amendment? [Cries of "Order!"]

The CHAIRMAN. Debate is exhausted.

Mr. WHEELER. But is it not in order for me, under the rules, to be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Alabama on the point of order. The time fixed by the House for closing debate applies only to amendments then pending or to be offered, but on the point of order the Chair thinks the gentleman from Alabama has a right to be heard.

Mr. WHEELER. The amendment which I proposed, and which has been read by the Clerk, does, I admit, change existing laws upon the question of promotion in the Navy; but it is germane to the subject-matter of the pending bill. It does retrench expenditures by the reduction of the salary of officers of the United States and by the reduction of the compensation of a person paid out of the Treasury of the United States, and it therefore reduces the amount of the appropriation covered by the bill.

The amendment of necessity reduces and retrenches expenses of the Government, because it can not operate without placing officers on the retired-list, when their pay will be less than the pay received by them at the date of their retirement, and the amendment proposed by me specially provides that the vacancies caused by the provisions of the proposed amendment shall not be filled by promoting officers of lower grades.

The Chair in its ruling must have overlooked this feature. I placed it in the amendment to bring it squarely within paragraph 3 of Rule XXI, which reads as follows:

Nor shall any provision in any such bill or amendment thereto, changing existing law, be in order, except such as being germane to the subject-matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

If I understood the ruling of the Chair upon the point of order made against that portion of the paragraph below line 50, it ruled that the points of order were not well taken, because upon the face of the bill it appeared that its effect was to retire officers, and that the Chair took judicial notice of the fact that a retired officer's pay was less than that of an officer upon the active-list. In that clause and in the amendment proposed there was no provision, if I understand them correctly, to prevent the filling of vacancies caused by the retirement of officers as provided by that clause, and if I am correct upon that point most certainly the point of order just overruled by the Chair contained much more force than the point of order lodged against the amendment now under consideration.

I fully concur with the distinguished gentleman from New Jersey, [Mr. ROBESON], in the importance of the infusion of youthful blood into the higher grades, and I concur with the Committee on Naval Affairs in the desire to make long service at sea an element to be considered in determining promotion by merit. I am a full convert to the view that every incentive to emulation in striving for promotion should be held out to the officers of our Navy; but my objection to the original words of the bill were based upon the fact that power was placed in the hands of one man to determine who should do sea-service, and that the bill practically makes a few months' extra service at sea the controlling test of excellence, and the wording of the bill makes the failure to do a few months' extra service a bar of itself to promotion, although the officer may have specially desired and preferred service on the sea; and therefore I feel that before an officer can be prejudiced by a failure of sea-service it should appear that this failure was the result of his own choice.

The original wording of the bill placed too much power in the hands of the Secretary of the Navy. An officer, no matter how deserving, could be kept during an entire life of arduous and efficient service in the lower grades, while an officer of less merit could be rapidly promoted to the highest rank in the naval service.

A favorite of the Department, holding the grade of commander, though below the average of his fellow-officers in general merit, could be kept in command of a vessel at sea for thirty-seven months, while twenty or more commanders of superior merit could be placed on such duty that their term of sea-service in command of vessels might not have been more than thirty or thirty-five months, and thus these twenty meritorious officers would be ineligible for promotion to the higher grades.

They would be practically and effectually swept out of the race and out of the line of promotion. They could not even go before the board to have their merits and qualifications considered. So with all the other prerequisites.

An officer whose record shows service at sea, all of which may have been in the balmy breezes of the Mediterranean, and most of it within the sound of the gay music of the dance, at Genoa, Rome, Naples, or classic Venice—this officer would be eligible for promotion, while an officer of greater merit of one month's less service, even though it be on the bleak coast of Patagonia or perchance in the frozen waters of the Arctic Ocean, would be denied any consideration whatsoever.

The clause as presented by the Committee on Naval Affairs, with the addition of the limitations which I propose, serves a double purpose. It gives an incentive to do service, and at the same time protects our gallant officers from even the apprehension of injustice. This will strengthen the *morale* of the Navy; and the maintenance of a high *morale*, together with an incentive to excellence, is necessary to the attainment of that elevated efficiency which should be exacted in the Navy of this the most powerful of civilized nations.

I want to see it brought back to the grand prestige attained by it during the Jeffersonian period of our country's history, from 1800 to 1860. It was the spirit of those times and the inculcation of the ideas to which I allude that gave us such naval commanders as Hull, Decatur, Jones, and the gallant Perrys. It was this that gave to the country a Farragut and an Admiral Porter, and gave to the confederate government the distinguished Admiral Semmes.

I want to see the Navy improved in every respect; I want to behold the glorious flag of our country float with majestic and exultant grandeur over every sea; I want its mission to be the protection of our commerce, so recuperated that our merchant marine will dot every part of every ocean; I want to see that same ratio of increase of our commerce by which we were prospered during the Jeffersonian period to which I have alluded.

When Washington became President our shipping was but 201,562 tons. When Jefferson became President it had increased to 947,576 tons, and sixty years later, in 1861, when the Jeffersonian period terminated, our commerce had increased so that we boasted of shipping amounting to 5,539,813 tons. But under a government administered by the party now in power it has gradually dwindled until to-day scarcely 4,000,000 tons of shipping sail under the flag of our Union. The reasons for this decrease in our merchant marine in this great era of progress I have no time now to discuss; but while we take measures to restore this great element of prosperity for our people, let us at the same time see to it that our Navy is prepared to protect and defend American rights and American commerce against the encroachments or assaults from any foe.

The CHAIRMAN. The gentleman from Alabama has appealed from the decision of the Chair; and the question now is, Shall the decision of the Chair stand as the judgment of the committee?

The decision of the Chair was sustained; and the amendment was ruled out.

Mr. THOMAS. I offer the following amendment to come in after the last amendment which was adopted.

The Clerk read as follows:

That mates who have been in the United States naval service for twenty years or more, or who may attain the age of 45 years, shall be placed on the retired-list of the Navy under the same conditions or provisions of law governing other retired officers.

Mr. HISCOCK. I make the point of order that the effect of this amendment is to create a new retired-list. It certainly changes the law and does increase expenditures.

Mr. THOMAS. It does extend the retired-list.

The CHAIRMAN. The Chair sustains the point of order, and the amendment is ruled out.

Mr. RICHARDSON, of South Carolina. I wish to offer an amendment, and I ask the House to hear it before the point of order is made against it. It comes in at the close of line 62.

The CHAIRMAN. We have not yet reached that part of the bill.

Mr. CALKINS. I move to strike out after "vessel" down to line 57, with all the amendments that have been added thereto.

The CHAIRMAN. That includes more than was reported by the Committee on Appropriations.

Mr. CALKINS. I move to strike it all out.

The CHAIRMAN. That is in order.

Mr. BLOUNT. Would not the gentleman from Indiana apply it to the whole paragraph?

Mr. CALKINS. I prefer to let it apply to the proviso with all the amendments added thereto.

Mr. ROBESON. That includes all the amendments that have been put upon it.

Mr. CALKINS's amendment was agreed to.

Mr. ROBESON. No further count. [Laughter.]

The Clerk read as follows:

That hereafter none of the vacancies that may occur in the various grades in the line of the Navy shall be filled by promotion until such grades shall be reduced below the numbers fixed by the provisions of the act of August 5, 1882.

Mr. CALKINS. I offer the following amendment:

That hereafter all the vacancies which shall occur in the various grades of the line or staff of the Navy shall be filled by promotion as follows: For each two vacancies there shall be one promotion in each of the lower grades until such grade shall be reduced below the numbers fixed by the provisions of the act of August 5, 1882.

Only a word about this amendment.

Mr. BLOUNT. I wish to understand whether the consideration of this amendment will preclude points of order to the paragraph.

The CHAIRMAN. It is too late.

Mr. BLOUNT. I was on the floor for that purpose.

The CHAIRMAN. After the paragraph has been read, the gentleman from Indiana recognized and his amendment read, and the gentleman on the floor proceeding to debate it, it is too late to make the point of order.

Mr. BLOUNT. I made the point as soon as I could, and no action was taken on it. It was certainly my intention to make the point of order, and I stepped to the desk, to the Clerk, to get the line of the bill which he had just read.

The CHAIRMAN. Upon the statement of the gentleman from Georgia that he endeavored to make the point of order before the amendment of the gentleman from Indiana was offered, the Chair will recognize him to make it now. The gentleman will state the point of order.

Mr. BLOUNT. I make the point of order to that portion of this paragraph from line 77——

The CHAIRMAN. The Chair will interrupt the gentleman to state that we are now considering that portion of the bill beginning with line 58 and continuing to line 62.

Mr. BLOUNT. Then I was misinformed, I thought the next paragraph was under consideration. Of course I make no point of order against this paragraph.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard upon his amendment?

Mr. CALKINS. For a moment only. The only amendment that is made to this paragraph by the proposition I have sent to the desk is a provision that whenever there are two vacancies which have occurred in either the line or the staff one promotion may be made. That is all there is in this amendment.

Mr. ANDERSON. What is the present law?

Mr. CALKINS. The present law is that when there are two vacancies in the line one promotion may be made. This adds the staff also.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Indiana.

The amendment was agreed to.

Mr. RICHARDSON, of South Carolina. I now offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of line 62 add:

"That the appointment of naval cadets provided for by the act of August 5, 1882, shall be made by the academic board of the Naval Academy in the order of merit upon such tests as shall be determined on by said board, and to be by it applied at the conclusion of their six years' course."

Mr. HISCOCK. I make the point of order upon that.

Mr. RICHARDSON, of South Carolina. I hope the gentleman will hear me upon the merits of the question before he makes the point of order.

The CHAIRMAN. The Chair will hear the gentleman from New York upon the point of order.

Mr. HISCOCK. It changes existing law and does not retrench expenditures.

The CHAIRMAN. The Chair thinks the amendment is clearly amenable to the point of order and must rule it out.

Mr. RICHARDSON, of South Carolina. I desire to be heard upon the point of order.

Mr. HISCOCK. After the Chair has decided the point of order let me ask if it is proper to discuss it?

The CHAIRMAN. The Chair thinks it is not in order after the decision has been rendered unless the gentleman appeals. The Clerk will read.

The Clerk read as follows:

For pay of the retired-list, namely: For forty-six rear-admirals, twenty-one commodores, eleven captains, ten commanders, sixteen lieutenant-commanders, nine lieutenants, eleven masters, six ensigns, one midshipman, nineteen medical directors, three surgeons-general, two medical inspectors, two surgeons, four passed assistant surgeons, seven assistant surgeons, seven pay directors, two pay inspectors, four paymasters, two passed assistant paymasters, one assistant paymaster, ten chief engineers, twenty-one passed assistant engineers, twenty-five assistant engineers, eight chaplains, six professors of mathematics, one chief constructor, three civil engineers, eleven boatswains, nine gunners, eleven carpenters, and nine sailmakers; in all, $703,180: *Provided*, That hereafter all promotions to the grade of rear-admiral on the active-list shall be made by selection from the grades of commodore and captain, and no more promotions to the grade of commodore shall be made, that grade being hereby abolished: *Provided, however*, That no commodore now in the service shall be reduced in rank or be deprived of his commission by reason of this act: *And provided further*, That when a vacancy in the grade of rear-admiral shall occur it shall be the duty of the Secretary of the Navy to convene a board of three officers, not below the grade of rear-admiral, who shall select the names of five officers not below the grade of captain, one of whom shall be nominated by the President to fill the said vacancy: *And provided further*, That the senior commodore over whom a junior in rank is thus promoted may, upon his own application, be placed upon the retired-list with the rank of rear-admiral.

Mr. CALKINS. Upon that I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CALKINS. I make the point of order against that provision beginning in line 84 and ending with line 90, in the following words:

And provided further, That when a vacancy in the grade of rear-admiral shall occur it shall be the duty of the Secretary of the Navy to convene a board of three officers, not below the grade of rear-admiral, who shall select the names of five officers not below the grade of captain, one of whom shall be nominated by the President to fill the said vacancy.

I call the attention of the Chair to section 2, article 2 of the Constitution, which provides:

He [the President] shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

I make the point of order that this is directly in conflict with that provision of the Constitution.

I make the further point of order that it changes existing law and does not retrench expenditures.

Again, I make the further point of order that it is not germane to the subject-matter of the paragraph under consideration.

Now, I do not care to discuss the point of order. It will be admitted by all that the Constitution of the United States lodges in the President the absolute power to make all appointments to offices that shall be provided for by law except such as are vested in the courts and in the heads of Departments. Whenever you create an office the President, under the Constitution, has the right to fill that office by his own selection without being limited or hampered or having his power trenched upon by reducing the number from which he shall make his selection.

The second point is that this does not retrench expenditures upon its face, while it does change existing law. The present law does not hamper the President in his selection of any person in the Navy from whom he may make the choice. This changes that law and makes him appoint one of five officers to be selected for him in the manner provided by this paragraph.

All I desire to say about the third point is this: That it is not germane to this paragraph. This is a paragraph making appropriations to pay certain officers of the Navy, and I would like to know how the selection of a rear-admiral for the Navy is germane to a provision which is simply contemplated to make provision for their payment.

Mr. ROBINSON, of Massachusetts. I hope my friend from Indiana will not rely upon his first point, as to the constitutionality of this provision, because I should regret the day when the Chair shall be called upon to decide a constitutional question in order to pass upon a point of order in connection with an appropriation or any other bill before this House.

I make no reflection, of course, upon the present Chair. I should regret under any circumstances to see such a thing done. I hope the gentleman, therefore, will rely upon his other points, which may be entirely good, and the Chair can decide upon them.

The CHAIRMAN. Does the gentleman from New Jersey desire to be heard upon the point of order?

Mr. BLOUNT. I have risen to make a point of order, but will withhold it until the Chair has decided upon that raised by the gentleman from Indiana.

The CHAIRMAN. The Chair will decide the point of order.

Mr. ROBESON. Before that, Mr. Chairman, I desire to say that I do not know whether my friend from Indiana relies upon the point of order that this provision is unconstitutional or not. If he does rely upon that, the whole system of laws which apply to promotions in the Navy are unconstitutional, because as the law now stands the President has no selection at all. He is obliged to take the man, if the law has any effect, who is next in order on the list. As the law now stands whenever a vacancy occurs the next man on the list is appointed as a matter of course.

Now, then, this only provides a restriction to that, and it comes under the general and admitted system of legislation and law-making that whenever we provide a body of officers affirmatively depending upon law we may regulate within certain defined limits the power of the Executive in their advancement from one point to another.

I do not care to discuss that constitutional question. It is a very nice one. It is one upon which perhaps I might, if it were fairly before this House, agree with the gentleman from Indiana. But it has been foreclosed by the legislation of more than sixty years and we can not open it here now.

Upon the other point I suggest that the Chair must look at the paragraph as a whole. Here we provide in a continuous paragraph that the office of commodore shall be abolished; we provide that that office shall be wiped off from the Navy Register and that the paymant of that grade shall disappear from the pay-list. Now, then, as the law stands we are obliged to provide something else when we do that. We can not make that provision and adapt it to the present law without at the same time making another provision, because the present law says that the rear-admirals shall be promoted from the list of commodores. Therefore we have got to make another provision giving the President the authority to promote from these commodores while they last and from the captains when they are gone, or either if he chooses. In doing that we provide how it shall be done, and the whole subject-matter is one provision, one measure. And it is ridiculous to take out a line of it and say that does not reduce expenditures, and therefore it is obnoxious to the point of order.

The whole subject-matter, the whole provision upon that subject, the one part depending upon the other, is before the committee. This whole subject was discussed last session upon this very point and upon this very idea it was ruled in and sustained by the House.

Mr. CALKINS. I only want to say one word. I intend at the proper time to follow this up if the Chair shall rule on this point of order, as I presume he will, by a motion to strike out the other provision the gentleman has referred to.

The CHAIRMAN. The present occupant of the chair presided when the last naval bill was under consideration in Committee of the Whole, and may have decided as the gentleman from New Jersey suggests. But the Chair is now of the opinion that this is an independent provision standing by itself, that it does change existing law and does not retrench expenditure, and therefore concludes that the point of order is well taken.

Mr. ROBESON. To what portion does the decision of the Chair apply?

The CHAIRMAN. To the clause beginning "and provided further," in line 84, to the words "said vacancy," in line 90.

Mr. CALKINS. I desire to make the same point of order to the next proviso.

Mr. BLOUNT. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLOUNT. I understood from the Chair I would be recognized to make another point of order on this paragraph.

The CHAIRMAN. The gentleman from Georgia [Mr. BLOUNT] is entitled to the floor.

Mr. BLOUNT. I make the point of order to the clause beginning in line 77 and extending to the word "captain," in line 79, as follows:

Provided, That hereafter all promotions to the grade of rear-admiral on the active-list shall be made by selection from the grades of commodore and captain.

That provision changes existing law and does not retrench expenditures. It is a complete proposition by itself. True, the gentleman from New Jersey connects another proposition with it—

And no promotion to the grade of commodore shall be made, that grade being hereby abolished.

That might stand by itself. It is nowise connected with the other. There is here a distinct proposition in reference to promotion to the grade of rear-admiral by selection from the grades of commodore and captain; and that is the provision in this bill changing existing law to which I make the point of order that it does not retrench expenditures.

The CHAIRMAN. Does the gentleman from New Jersey [Mr. ROBESON] desire to be heard on the point of order?

Mr. ROBESON. I do. That exactly illustrates what I said before. There is a proviso that says, in effect, "we hereby abolish the grade of commodore, and hereafter all promotions that are now made from the grade of commodore shall be made from the grades of commodore and captain." Now, that is the direct striking out of twenty-five officers who receive from $3,000 to $5,000 a year. Is that reducing expenditures, or is it not?

But the gentleman from Georgia divides the sentence in the middle of a line without taking the whole of the language together, and says: "So far the sentence does not reduce expenditures, and therefore that portion is liable to the point of order."

Mr. BLOUNT. The gentleman from New Jersey can not, by grammatical construction, put two distinct and separate propositions in a single sentence and insist they are one and the same provision. Now, sir, take those words—

And provided, No more promotions to the grade of commodore shall be made, that grade being hereby abolished.

That is a perfect and complete proposition, and the grade of commodore is abolished without the aid of the preceding provision at all. Therefore I do not ask the Chair's attention to that provision. My point of order does not relate to it. It relates to a distinct provision, to wit:

That hereafter all promotions to the grade of rear-admiral on the active-list shall be made by selection from the grades of commodore and captain.

That is a distinct proposition of law, working a different purpose from what the abolition of the grade of commodore does. And it is in line with the ruling the Chair has been making, and rightly making, that it will separate propositions where they are distinct, and rule upon them separately, notwithstanding the grammatical construction to which the gentleman from New Jersey may resort for the purpose of avoiding such a ruling.

The CHAIRMAN. The Chair is ready to rule on the point of order. The Chair thinks the point of order made by the gentleman from Georgia against a portion of the proviso is not well taken. The Chair thinks the whole provision commencing in line 77—

Provided, That hereafter all promotions to the grade of rear admiral on the active-list shall be made by selection from the grades of commodore and cap-

tain, and no more promotions to the grade of commodore shall be made, that grade being hereby abolished—

Must be construed as one provision of the bill, and therefore rules that it does clearly retrench expenditures and is not subject to the point of order.

Mr. CALKINS. I now make a point of order against the proviso of the bill, beginning in line 90 and concluding in line 93, as follows:

And provided further, That the senior commodore, over whom a junior in rank is thus promoted, may, upon his own application, be placed upon the retired-list with the rank of rear-admiral.

I make the point of order against that proviso that it does not upon its face retrench expenditures while it changes existing law. It is the same point of order which was sustained by the Chair against the preceding proviso, and this must follow that.

Mr. ROBESON. I do not think there is any question about it, taking it as it stands alone.

Mr. CALKINS. My friend from New Jersey concedes there is no question about it, as it stands alone.

The CHAIRMAN. The Chair thinks that the proviso is subject to a point of order, and sustains the point of order.

Mr. CALKINS. I now move to strike out the proviso beginning in line 77 and ending in line 81; which is as follows:

Provided, That hereafter all promotions to the grade of rear-admiral on the active-list shall be made by selection from the grades of commodore and captain, and no more promotions to the grade of commodore shall be made, that grade being hereby abolished.

I desire to say but a word or two with reference to my motion to strike out. I have said repeatedly to the committee and to the House, what is only a repetition of what I now say, that to strike down and abolish the grade of commodore, which in the Navy stands in exact juxtaposition to the grade of brigadier-general in the Army, the two grades in the two lines of service corresponding to each other, will be working a positive injustice to a class of men who were invited into the navy seventeen years ago.

At that time we told them that if they would enter the naval service this grade of commodore should be open to them. And now, just as they are arriving at a point when they can receive this promotion which we promised to them years ago, we propose to abolish the grade and leave them in the rank which they have attained after this long service. I say it is a positive and direct injustice to these men, and I do not believe that a Congress friendly to the men we invited into the service at that time, who have won their place by gallant and meritorious services, will inflict an injustice of that kind now.

Mr. CANNON. I desire to say but a word or two upon the merits of the motion of the gentleman from Indiana [Mr. CALKINS]. I have been somewhat surprised, during the general debate upon this bill and also its consideration under the five-minute rule, at the position taken by the gentleman from Indiana [Mr. CALKINS]. He now claims that there is a contract in effect between the Government and the officers of the Navy that all these different grades should be left open to them to which they can be promoted.

Mr. CALKINS. I did not say that.

Mr. CANNON. That is in effect the gentleman's position. I do not understand that such a contract in fact or in equity exists. You may just as well say that there is a contract, because you have a Navy, that you should be in a constant state of war, in order that those officers who desire to do so and have the ability may reap glory from it.

The truth is that this grade of commodore never existed until a very late period. As to most of these officers, when they entered the service, the grade of commodore did not exist at all. So that if there is anything in the argument of the gentleman as to equity it is equitable to strike out this grade, unless the good of the service requires it to be continued.

If the good of the service and the good of the whole people requires this grade to be continued, requires that the grade of commodore shall remain, then let the grade stand; but if it is not required, then let it go out. I have come to think that possibly the people who contribute the revenues which pay these officers after all have some rights.

The gentleman from Indiana [Mr. CALKINS] the other day, when he made his speech during the general debate on this bill, as I recollect it, proposed to muster out at once and arbitrarily, if he had the power, a whole corps of officers with whom there is just as much a contract in fact and in equity as there is with those of the grade of commodore.

I sometimes grow tired of some gentlemen on this side of the House and of nearly all the gentlemen on the other side of the House who by word of mouth hunger and thirst constantly for reform in the public service, for reform in the Navy; yet whenever even a faint response is made toward their demand for reform, with words of reform in their mouths they are swift to vote against any reform whatever.

Now, they have the right to do that sort of thing. But I most admire men in this House or anywhere else who, if they want the Navy or anything else to remain as it is, have the courage to march up and say so; and not profess to be in favor of reform, and then smite it under the fifth rib when we propose to adopt it.

Mr. BLOUNT. I desire to move an amendment to the proposition of the gentleman from Indiana. I move to except from his motion to strike out the words "and no more promotions to the grade of commodore shall be made, that grade being hereby abolished."

Mr. HISCOCK. Is a motion to strike out the entire clause amendable?

Mr. BLOUNT. I move an amendment to the motion.

Mr. CALKINS. I make the point of order against the gentleman's amendment that the whole includes the parts, and his motion can not be made unless my amendment is voted down.

Mr. BLOUNT. My proposition is to exclude from the operation of the motion of the gentleman from Indiana the words "and no more promotions to the grade of commodore shall be made, the grade being hereby abolished." I think, however, that the point of the gentleman is well taken, and I will not take up the time of the committee now.

The CHAIRMAN. The Chair thinks the motion of the gentleman from Georgia [Mr. BLOUNT] would not be in order.

Mr. BLOUNT. I move to strike out the last word. I am heartily in accord with the Committee on Appropriations in respect to that portion of the proviso which the gentleman from Indiana moves to strike out which relates to the abolition of the grade of commodore. I therefore can not vote for the proposition of the gentleman to strike out that part of the proviso.

I do believe that a portion of this proviso ought to be agreed to. If the proposition of my friend from Indiana shall be voted down, I will offer an amendment to strike out that part which provides for promotion to the grade of rear-admiral by selection. This will leave in the bill the portion relating to abolishing the office of commodore.

Mr. ROBESON. Mr. Chairman, this House at the last session adopted by a very large vote this proposition. It was stricken out in the Senate, because, perhaps, by that time the friends of individuals had had an opportunity to rally and had brought their power to bear upon the Senate. Now, here is a grade in the service which is not needed. If you look at the navy-list you will find that there is not one of these commodores at sea to-day, and there is no command for one of them.

Mr. BROWNE. Let me ask the gentleman a question. As we have no ships in the Navy, ought we not to have commodores in order that we may maintain a navy? [Laughter.]

Mr. ROBESON. That seems to be the argument. Now, Mr. Chairman, we do not seek to injure these men at all. We propose that this office shall cease by lapse of time. We do not take anybody's commission away. We do not take from any one anything that belongs to him. As my friend from Illinois has said, there never was any promise that any man should enjoy the right of promotion to this grade. There is not a man in the service to-day above the grade of lieutenant-commander who entered the service when there was a commodore in the line. When these men entered the service there was no idea they could ever be commodores. The title of commodore was a mere honorary title which a post-captain held when he commanded a squadron, post-captains being then the oldest officers in our service. There is neither duty for these commodores nor necessity for them. There is nothing for them except this, that when a captain reaches the age of 52 or 53, instead of being promoted to be an admiral and doing duty as such for five or six years, he has to stay in this purgatory of a commodoreship, there being no duty for him during these five or six years, until he goes upon the admirals' list, with only a year to serve, and finally retires, not having had time enough to be of any use as admiral.

If we can get rid of this grade without injury to anybody, a captain who has reached a fair age can go upon the admirals' list and will have time enough to serve at least one cruise as an admiral. The navy-list will show that the last five admirals made from commodores have not had as admirals an average service of a year and a half; and the next five will not have an average of more than that, because they have been on this dead-wood list of commodores for the last five or six years, where they are of no use to anybody and do nothing but draw pay from the Treasury.

I admit that there are some gentlemen in that grade who deserve high consideration, and I would not deprive them of it. This provision leaves it open to them to be selected as admirals if they are good for anything. It does not interfere with them in any shape. If gentlemen on the other side want reform here is a grade in the service which is admitted to be of no use to anybody, which stands in the way of the efficiency of the service, and if gentlemen want reform they will come up now and sustain this provision. If they do not want it, they can not expect me to stand here and be the sole advocate of it.

Mr. BLOUNT. I desire to know whether it would be in order, before the proposition of the gentleman from Indiana is voted upon, to move to perfect the text by striking out the following language:

Provided, That hereafter all promotions to the grade of rear-admiral on the active-list shall be made by selection from the grades of commodore and captain.

Mr. CALKINS. The gentleman will permit me to say that his proposition is not to perfect the text, but merely to strike out some words which are already included in my motion to strike out. If my motion should fail, of course the gentleman's would be in order.

The CHAIRMAN. The Chair thinks that a motion to perfect the text would be in order before taking the question on the motion to strike out; but the amendment suggested by the gentleman from Georgia would not be an amendment to perfect the text. It is a proposition similar to

the amendment of the gentleman from Indiana, although the latter is to strike out the whole proviso.

Mr. BLOUNT. I move to amend the amendment by striking out the last word. The gentleman from New Jersey [Mr. ROBESON] has turned to this side of the House and declared that in the provision for the abolition of the office of commodore we have a proposition to reform the service. He has placed that isolated idea before the House and challenged members on this side to its support. During the last session, by the aid of the great body of gentlemen on this side, the gentleman from New Jersey was enabled, as he would not otherwise have been, to make the reductions which have been made. For myself, if he will permit this side of the House to vote separately upon this great measure of reform abolishing the office of commodore I am willing to come to his rescue. But he has coupled with it a proposition for promotion to the high office of rear-admiral from the grade of commodore, without any examination at all, without any proof of qualification. The Secretary of the Navy is to select three rear-admirals, who are to name to the President of the United States (nothing being said about qualifications) five officers, from whom the selection of rear-admiral is to be made.

That is the proposition. The gentleman invited you in the outset of this discussion to an admiration of the English system. Avoiding the course the gentleman has seen fit to select and to commend to the House, when they come to the office of rear-admiral, to make flag officers from a lower grade, they declare it shall not be done by selection, but by the seniority rule. They declare qualification of sea-service far exceeding that of any other officer on the list. This is what the gentleman invites this House to do. That is what he invites this side of the House to do. Now, I believe the very moment that is done, I care not what party may be in power—the very moment your flag officers are selected without qualification that very moment every officer in the Navy will feel he is under the control and vengeance of the political power.

I, sir, will never consent to any such proposition. It is without sanction in any other system. It is without it in our own. We have the rule of seniority to-day under laws enacted during the war, and carefully enacted, section after section, guarding against abuses in examination, and finally, unless there shall be some error in it, there is left a declaration that the President himself may refuse to approve it. And that is the end of it as to that rule.

Away with all these restrictions, says the gentleman from New Jersey. Away with all the qualifications of captain as to sea-service or any other thing. This is what we are invited to; and rather than subject the Navy to this principle I would vote to leave the commodores in. I would do that rather than destroy the morale and high character of the officers of the Navy.

[Here the hammer fell.]

Mr. ROBESON. The gentleman from Georgia says we now propose to destroy all the grades of examination. No; we propose nothing of the kind. We propose they shall not only pass all their examinations, but shall be selected from the best who pass them.

The gentleman says this qualification of sea-service and all these safeguards are swept out. Who swept them out? They are what I proposed and what the gentleman, by his vote and by his advocacy here, has succeeded in sweeping out. First he does the thing and then he complains it has been done.

Mr. BLOUNT. The law of examination exists to-day if yours be never heard of any more.

Mr. ROBESON. The truth of the matter is there is no military service in the world to-day, except the American naval service, which puts officers into the highest position of command, of responsibility, and of power merely because they have grown old. There is no military service in the world, civilized or half-civilized, which submits to that folly except the American naval service.

And there is no civil service anywhere which does it. How ridiculous it would be if when we come to choose the persons who are to be the chairmen of our committees in this House, or the member who shall preside in that chair as Speaker, we should choose the oldest only? How ridiculous in business? Who comes to the head of a railroad company because he is the oldest officer connected with it? Who comes to the head of a banking house? Who comes to the management of any great business in that way? Shall we apply the rule of common sense to this service, or shall we not?

Now, Mr. Chairman, the gentleman has said the English system is not a system of selection. I say it is a system of selection. All the way up from lieutenant to rear-admiral they select them all. After they come to promote captains to rear-admirals they have a selected list, and from that they promote by seniority. We have sought only to put them here in this one grade so we need not affect any of the other grades. We have sought to leave the other grades by putting a system of sea-service there as qualification.

But gentlemen on the other side, perhaps for the purpose of preventing the Republican party from enacting any reform, calling to their assistance gentlemen who perhaps have not investigated the matter thoroughly, or who may have some personal prejudice about it, have massed themselves, it seems, against any reform of this kind.

Mr. HISCOCK. I rise to a parliamentary inquiry. I have listened to the discussion of the gentleman from Georgia and to the reply made by the gentleman from New Jersey, and I think they have not discussed the propositions before the committee; for, as I understand it, the only proposition is the one to abolish the grade of commodore. The other provision of which the gentleman from Georgia complained about selection has been stricken from the bill; that is after line 81.

Mr. CALKINS. After line 84.

Mr. HISCOCK. So the only thing here is in reference to the commodore, as the other provision after line 84 has been stricken from the bill. That, therefore, is the only proposition which can properly be discussed, whether the grade of commodore shall be abolished or not. I desire to know of the Chair whether I am right or not.

Mr. BLOUNT. Do I understand the gentleman from New York to say the proviso about selection has been stricken out?

Mr. CALKINS. Yes; that is out.

Mr. BLOUNT. The gentleman from New York says that this particular part of the clause has gone out. The gentleman from New Jersey does not concede it and I do not so understand it.

Mr. CALKINS. That part from line 81 to the end of the paragraph the gentleman referred to has all gone out.

Mr. BLOUNT. Then the gentleman from New York is not correct, for this clause still contains these words.

Mr. HISCOCK. I am entirely correct, as the gentleman will find by examining what has taken place. I referred to this board of selection. I am, perhaps, incorrect in this, that the provision that all promotions to the grade of rear-admiral in the Navy was to be made from the two grades below it by selection still remains; but that particular part of the paragraph to which the gentleman from Georgia was referring has been removed on the point of order.

The CHAIRMAN. The gentleman from Georgia will see that that part of the paragraph beginning with line 84 down to and including 93 has been ruled out on the point of order.

Mr. BLOUNT. That is what I understood. I was referring to the words in the preceding part in response to the challenge made by the gentleman from New Jersey as to the policy of the Democratic side of the House with reference to the bill.

The CHAIRMAN. The only question now before the committee is the motion of the gentleman from Indiana, which the gentleman will please state.

Mr. CALKINS. I move to strike out all after the word "dollars," in line 77, down to and including the word "act," in line 84.

Mr. BLOUNT. I desire to inquire of the gentleman from New Jersey whether if the proposition of the gentleman from Indiana is voted down, he will then favor the motion to strike out the words "to be made by selection?"

Mr. ROBESON. Of course. It will be necessary to strike them out, because all of the machinery provided in the subsequent part of the paragraph for this selection has been already stricken out by the action of the committee. We do not, of course, want to leave the words "by selection" in when no provision for selection is subsequently made. I want to provide simply that they shall be taken from the commodores, which grade we propose to strike down, and the captains; and when the commodores are gone they are to be taken from some other grade.

Mr. CALKINS. I desire to say now, after this bargain has been made upon the floor between the gentleman from Georgia and the gentleman from New Jersey with reference to my amendment, that if certain parties will vote against this amendment of mine to strike out the whole clause that he and his friends will turn around and help to strike out the words "by selection,"——

Mr. ROBESON. No, the gentleman is mistaken; when we put into the bill the words "by selection" we provided how they were to be selected. Now, the gentleman by a point of order has stricken out the entire machinery for making the selection; and therefore there is no use in leaving the words "by selection" in the paragraph. They will have no force. They can have no effect, and of course they will have to be stricken out so as to make the paragraph perfect. There is no bargain about it. The gentleman brought about the condition which makes it necessary to strike them out himself.

Mr. CALKINS. I hope the members of the committee will consider the amendment which I propose without reference to any such agreement. I propose to strike the whole thing out.

The CHAIRMAN. The question is on the motion to strike out.

The question was taken; the committee divided, and there were—ayes 39, noes 41.

Mr. BRAGG. No quorum.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. BLOUNT and Mr. CALKINS were appointed tellers.

The committee again divided; and the tellers reported—ayes 27, noes 67.

So (no further count being demanded) the motion to strike out was not agreed to.

Mr. BLOUNT. I now move, Mr. Chairman, to strike out, in lines 77 and 78, the words "made by selection."

The amendment was agreed to.

Mr. KNOTT. I offer an amendment to go in line 79.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Insert after the word "captain," in line 79, the words "according to seniority, under the regulations as now provided by law."

Mr. ROBESON. Mr. Chairman, there can be no objection to that provided it is not unconstitutional. If it is unconstitutional I shall object to it. [Laughter.]

The amendment was agreed to.

Mr. ANDERSON. I move to strike out in lines 79, 80, and 81 the words:

And no more promotion to the grade of commodore shall be made, that grade being hereby abolished.

I wish to say simply that I do not suppose after the action which the committee has taken that this amendment will be adopted. Let me say also I have great hesitancy in presuming to express any opinion upon a subject so maritime as the Navy of the United States. But yet I am inclined to think that some gentlemen have talked very eloquently about some things that they do not know very much more about perhaps than I do. I venture to express the opinion that there are some gentlemen learnedly discussing this bill who do not know the difference between a sheet and a halyard. [Laughter.] I want to counsel a little bit of moderation. It seems to me that they are indulging too much in strong language. Such words as "barnacles" and "deadheads," and I do not know but that they have said "dead-beats" and "top-heavy," for instance, and all that class of language ought to be out of place here. It seems to me that there has been gotten up in the committee an undue and improper view of the equities of this case, because a matter of equity is not a question all covered over with tar, copper-bottomed, and riveted.

Here is a grade of officers, men who have earned the reward—the positions they now occupy—from this country, whom you reform out of the service entirely. You claim to seek to reform the Navy, and you proceed to do it by casting that grade out altogether. And yet if any one presumes to say or think you may be going too far, we are then informed that we are all of us opposed to any reform. Well, I think that there is something wrong about this whole matter, and it seems to me to be sufficiently demonstrated by the proposition of my friend from Georgia to the gentleman from New Jersey that they should act together in reference to this particular provision.

Now, if the Democratic party is doing this thing I know why I am opposed to it. It seems to me there might be a little bit more of equity in this matter than this provision will give. I do not see why in the light of the glory of the American Navy you seek, not to hurt these men; oh, no, just simply to kill them; that is all. That is what this amounts to, and I do not think it is fair, and that is why I offer this amendment.

Mr. THOMAS. The gentleman from Kansas [Mr. ANDERSON] seems to be laboring under the impression that this bill by abolishing the grade of commodore affects some of the commodores now in the service, some of the gentlemen who are entitled to the equities he has been speaking of. If he will look to the language of the bill he will see that not one of the commodores now on the list is affected in the slightest degree by this provision. They are neither affected *in præsenti* nor *in futuro*. For they may be promoted from the grade of commodore to that of rear-admiral; or their promotion may be made from a grade lower. But if they are entitled to equities, if they have the necessary qualifications, they may be promoted to rear-admiral from that grade.

The effect of this bill is simply to stop promotion to the grade of commodore, it being believed by many who have investigated the subject that that is an ornamental grade not needed in our service to-day, and that we can well spare it; and when we can cut that grade out without doing injury to any one, I think it is the part of wisdom and statesmanship to do it.

Mr. ATKINS. I move to strike out the last word.

I hope the amendment of the gentleman from Kansas [Mr. ANDERSON] will not prevail. The gentleman from Kansas, Mr. Chairman, is entirely mistaken if he supposes that the object of this legislation is to degrade the commodores now in the service. It is simply to dispense with that grade after the present commodores shall have resigned or died or been promoted. The salary of a commodore I believe is $5,000. There are about twenty-five of them now and you effect a considerable economy if the grade should be dispensed with.

I do not profess to be a naval man, and it may be that my opinion is not worth a cent as to whether this grade is necessary or not. But, sir, there are a great many people in this country whose opinions are entitled to respect who do believe that this grade is entirely unnecessary to the service. It is a grade that sprung up during the war. It was not recognized in the law, as I understand the facts, before the war. It has sprung up since and is really unnecessary. A captain can do all the work that a commodore is required to do. A captain, if he is fit for his position, can command a fleet as well as a commodore can; and it is simply a little extravagance that grew up by way of comity to certain officers during the war and has been practiced since the war.

This provision strikes at no officer now wearing that honor. It is not intended to degrade any officer. Upon the contrary, it is a compliment to every officer who bears that rank to-day that this legislation expressly excepts him from its operation. But when the officer shall have resigned, or died, or been promoted, then the office is to cease. I hope the House on both sides will not agree to the motion to strike out the provision, but will let it stand as it is in the bill.

Mr. ANDERSON. I desire to modify my amendment by including in the motion to strike out the following clause also:

Provided, however, That no commodore now in the service shall be reduced in rank or be deprived of his commission by reason of this act.

The question being taken on Mr. ANDERSON'S amendment as modified, it was not agreed to.

Mr. ROSECRANS. I offer the amendment which I send to the desk.

The Clerk read as follows:

From line 78, after the word "be," strike out all to the word "abolish," in line 81, namely, these words:

"From the grades of commodore and captain, and no more promotions to the grade of commodore shall be made, that grade being hereby abolished."

And insert the following:

"From the commodores and captains on the active-list who, by previous examination according to law made for that purpose, shall have been found in all respects qualified therefor in the order of seniority of rank and date of commission, and the rank and pay of commodores shall hereafter apply only to captains and acting captains commanding naval stations or divisions of a fleet consisting of three or more vessels of war."

Mr. HISCOCK. I reserve the point of order on the amendment and desire to have it reported again.

The amendment was again read.

Mr. HISCOCK. Certainly it changes existing law, and I do not know in what respect it decreases expenditures.

Mr. ROSECRANS. On the point of order I have to observe that the Chair has already ruled that all that portion of the paragraph of the bill under consideration extending from the word "act," in line 84, goes out under the rule; and has ruled that the portion above, beginning in line 77 with the word "provided" and followed by another proviso terminating with the word "act," is in order. Now, the object of the amendment I have sent up is to perfect that portion of the paragraph which begins on line 77 with the word "provided." All that I wish is that these promotions to rear-admiral shall be from the active-list of commodores and captains, and shall be made after the examination has been had of those commodores and captains that are eligible according to law and who shall be found fully and in all respects qualified; and from the list of those who are found fully and in all respects qualified, the promotions shall take place from the highest in rank first. That is the first intention of my amendment.

The second object of my amendment is this, to define what hereafter the law will recognize as the rank of commodore. That leads me to say that I have heard no one allude directly to the true military use of this rank of commodore.

A commodore commanding a navy-yard, for instance, ought first to rank every officer employed under his command, whether he be a captain or not; and second, he ought to be the superior in rank of any captain of a ship that comes to that yard.

The second use of a commodore seems to be pointed out by the fact that when we began to have more vessels abroad than one or two, so that we had a fleet in which there were divisions, it was found convenient to have a ranking officer to command three or more of those ships, and that ranking officer was called a commodore. By law there are now twenty-five of these commodores. The Chair has ruled that the portion of the bill providing that no commodore now in service shall be reduced in rank or deprived of his commission by reason of this act is in order.

Now, all I want to provide by my amendment is that hereafter there shall be no more commodores, and whenever the time comes that a captain is called upon to command a navy-yard, he shall *pro tanto* and *pro tempore* have the rank and pay of a commodore in order that he may command the yard and all officers who may come there; and that whenever a captain shall command a division of ships, consisting of three or more men-of-war, he shall for the time being, so long as he commands that division, have the rank and pay of a commodore. That is the meaning of my amendment.

The CHAIRMAN. The Chair ruled in order the paragraph commencing in line 77 and ending in line 81 on the ground that while it changed existing law it retrenched expenditures in that it provided that no more promotions to the grade of commodore shall be made, that grade being abolished. Now it seems to the Chair that the amendment of the gentleman from California [Mr. ROSECRANS] would continue that grade which this bill proposes to abolish, and consequently would deprive this proviso of that particular feature which made it in order, that is, the reduction of expenditures. The Chair therefore rules the amendment out of order.

The Clerk read the following:

For two secretaries, one to the Admiral and one to the Vice-Admiral, clerks to paymasters, clerks at inspections, navy-yards, and stations, and extra pay to men enlisted under honorable discharge; commission and interest, transportation of funds, exchange, mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders; and for the payment of any such officers as may be in service, either upon the active or retired list, during the year ending June 30, 1884, in excess of the numbers of each class provided for in this act, and for any increase of pay arising from different duty, as the needs of the service may require,

$300,000. And all officers of the Navy shall be credited with the actual time they may have served as officers or enlisted men in the regular or volunteer army or navy, or both, and shall receive all the benefits of such actual service in all respects in the same manner as if all said service had been continuous and in the regular Navy, in the lowest grade having graduated pay held by such officer since last entering the service. And should the sums appropriated for the pay of the officers on the active and retired lists of the Navy be insufficient, then and in that case the Secretary of the Navy is hereby authorized to use any and all balances which may be due or become due to "Pay of the Navy," from the other bureaus of the Department, for that purpose.

Mr. ROBESON. I move to amend the paragraph last read by inserting after the word "service," in line 119, the following:

Provided, That nothing in this clause shall be so construed as to authorize any change in the dates of commission or in the relative rank of such officers.

The amendment was agreed to.

Mr. MORSE. I move to amend by striking out the last clause of the paragraph just read, as follows:

And should the sums appropriated for the pay of the officers on the active and retired lists of the Navy be insufficient, then and in that case the Secretary of the Navy is hereby authorized to use any and all balances which may be due or become due to "Pay of the Navy" from the other bureaus of the Department, for that purpose.

And to insert in lieu thereof the following:

That all balances remaining over at the end of the fiscal year shall be turned back into the Treasury.

Mr. ROBESON. The provision which the gentleman from Massachusetts [Mr. MORSE] moves to strike out is a provision which was put in these appropriation bills by the Committee on Appropriations at the time when my friend from Tennessee [Mr. ATKINS] was chairman of that committee, for the purpose of providing flexibility in this appropriation, in order that if certain officers were promoted, or died, or went out of service, the appropriation might be applied to other purposes.

Mr. ATKINS. It is as broad as it is long.

Mr. ROBESON. The amendment of the gentleman from Massachusetts [Mr. MORSE] would turn back into the Treasury all balances of appropriations at the end of the fiscal year, no matter whether the officers of the Navy have been paid or not, whether they were away from home or not.

Mr. RANDALL. That would leave it under the two-year clause.

Mr. TALBOTT. I make a point of order on the amendment that it changes existing law.

Mr. MOORE. Everybody who knows anything about the Navy Department and its various bureaus knows very well that only two years ago a great scandal was caused because one bureau of the Navy saw fit under one pretense or another to turn over some of the money appropriated for it to another bureau which had not been provided for by law. I think this amendment I have proposed will settle that matter entirely. If the amount appropriated for any of these bureaus is not sufficient, then let a deficiency be appropriated at the next session of Congress.

I think it is perfectly right and just and fair in law and in equity that the sum appropriated for any one Department or bureau of the service shall be devoted to the service of that Department or bureau and no other.

The CHAIRMAN. Does the gentleman from Maryland [Mr. TALBOTT] insist upon his point of order?

Mr. TALBOTT. I do.

The CHAIRMAN. The Chair thinks the amendment is subject to the point of order and rules it out.

The Clerk began the reading of the next paragraph; but before concluding,

Mr. BLOUNT said: I desire to move a point of order on the portion of the paragraph last read, which is in these words:

And should the sums appropriated for the pay of the officers on the active and retired lists of the Navy be insufficient, then and in that case the Secretary of the Navy is hereby authorized to use any and all balances which may be due or become due to "Pay of the Navy," from the other bureaus of the Department, for that purpose.

Mr. ROBESON. The Clerk has read the next paragraph.

Mr. BLOUNT. The gentleman need not be in such a hurry.

The CHAIRMAN. The Chair desires to inform the gentleman from Georgia [Mr. BLOUNT] that the committee had passed from the paragraph to which he refers, and the Clerk had proceeded to read the next paragraph.

Mr. BLOUNT. Had just commenced reading it while I was on the floor.

Mr. ROBESON. The provision to which the gentleman refers has been in all the naval appropriation bills for the last five years.

Mr. BLOUNT. The gentleman is entirely mistaken about that, entirely so. But even if it had been it would not make any difference; it does not avoid the question I raise that it is a change of existing law.

Mr. ROBESON. So is the appropriation of any money a change of existing law.

Mr. BLOUNT. I hope the gentleman will allow me to get through and then he can answer what I say. The appropriations for the pay of the Navy for any given year are oftentimes, as a matter of convenience abroad, used for other purposes; but finally in the adjustment of the accounts for that fiscal year the fund comes back to its proper heading under the operation of the law. This proposition goes still further and would authorize the use of balances of appropriations made ten years ago.

Mr. ROBESON. If the gentleman will permit me to interrupt him, I will say that I will let the provision be stricken out; it is the law anyhow.

Mr. BLOUNT. While I do not agree with the gentleman in charge of the bill in reference to its being the law, it will content me to have this provision stricken out. I will not, however, be deterred by the gentleman's greater information.

Mr. SPARKS. The gentleman proposes to let the paragraph be stricken out.

Mr. BLOUNT. I am content with that, and will move to strike out that portion of the paragraph.

Mr. ATKINS. One word.

Mr. BLOUNT. I do not, however, withdraw my point of order against that portion of the paragraph.

Mr. ATKINS. I have no objection to the striking out of this provision; but I wish to say that a proposition of this kind was put in at the instance of Mr. Thompson, when he was Secretary of the Navy, upon the ground that sometimes there is a balance upon pay of the Navy and a deficiency in the pay of the active-list or the retired-list, and that it is desirable at times to allow the balance in the one fund to be applied to payments on the other. It does not make a particle of difference, however, in my judgment, whether the provision goes out or stays in. I am perfectly willing it shall go out.

Mr. BLOUNT. I understand the effect of this proposition differently from my friend from Tennessee. It does not merely allow for convenience a transfer of the pay of the active-list to the retired-list, or *vice versa;* but its operation is wider, and under it appropriations for pay of the Navy made twenty years ago may be utilized.

The motion of Mr. BLOUNT to strike out was agreed to.

Mr. BERRY. I move to amend the paragraph just read by inserting after the word "both," in line 715, the words "or as civil engineers under appointment of the Secretary of the Navy."

Mr. HISCOCK. I make the point of order that this amendment changes existing law, and does not retrench expenditures.

The CHAIRMAN. Does the gentleman from California [Mr. BERRY] wish to be heard upon the point of order?

Mr. BERRY. Yes, sir. I do not know whether the amendment is subject to a point of order, but I wish to state the object sought to be accomplished by it. It is designed to correct an erroneous ruling of the Department. Prior to 1867 civil engineers were appointed by the Secretary of the Navy. In that year the mode of appointment was changed, and it was provided that these officers should be nominated by the President and confirmed by the Senate. They are now commissioned officers. By the law of 1870 giving what is known as "longevity pay" the salaries of these officers are increased every five years. In the last naval appropriation act we sought to provide that, in making up the longevity pay of these engineers, the time they served under appointment before the date of their commissions should be taken into account. In that act it was provided:

All officers of the Navy shall be credited with the actual time they may have served as officers or enlisted men in the regular Army or Navy, or both—

That is similar to the language of this bill—

and shall receive all the benefits of such actual service in all respects in the same manner as if all of said service had been continuous.

Now, as this act uses the language "officers or enlisted men," the Department has ruled that engineers who served by appointment prior to the date of their commission were not at that time either officers or enlisted men, but were only employés of the Government. At the same time, very singularly, it is held that if the service was continuous and without interruption the whole time of service is to be counted in making up the longevity pay; but if for a time the engineer was out of the service and came back to it again, the time that he served under appointment is not to be counted.

Thus there are some officers who have been given credit by the Secretary of the Navy for the whole time they served as appointees as well as for the time of their service as commissioned officers. But wherever there has been an intermission in the service, wherever the officer was for a time out of the service, the Department refuses to allow credit for the time that he served as an appointee of the Secretary of the Navy. In this way manifest injustice is done. I can not understand why officers of this class should not be credited for the whole of their service; and in my view this was the intention of the law.

The CHAIRMAN. Does the gentleman from California [Mr. BERRY] say that this proposition changes existing law?

Mr. BERRY. I do not claim that it reduces expenditures. It is rather an interpretation of the law than a change of the law. It is intended to define the original intention of the law. I think a point of order will not lie against it.

The CHAIRMAN. The Chair is obliged to sustain the point of order, because the amendment certainly changes existing law and is not in the interest of economy.

The Clerk read as follows:

For contingent expenses of the Navy, namely: For rent and furniture of buildings and offices not in navy-yards, expenses of courts-martial and courts of in-

quiry, boards of investigation, examining boards with clerks' and witnesses' fees and traveling expenses and costs, stationery and recording, expenses of purchasing-paymasters' offices at the various cities, including clerks, furniture, fuel, stationery, and incidental expenses; newspapers and advertising, foreign postage, telegraphing, foreign and domestic; telephones, copying, care of library, mail and express wagons and livery and express fees, costs of suits, commissions, warrants, diplomas, and discharges; relief of vessels in distress and pilotage, recovery of valuables from shipwrecks, quarantine expenses, care and transportation of the dead, reports, professional investigation, cost of special instruction and information abroad, and all other emergencies and extraordinary expenses arising at home or abroad, but impossible to be anticipated or classified, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, $100,000.

Mr. ROBESON. I move to amend by inserting after the word "abroad," in line 141, the words "and the collection and classification thereof."

The amendment was adopted.

The Clerk read as follows:

For necessary repairs to ordnance buildings, magazines, gun-parks, boats, lighters, wharves, machinery, and other objects of the like character, including breakwaters at the magazine, Ellis Island, New York, and the erection of a shell-filling house at the Bellevue magazine, Washington, $15,000.

Mr. TALBOTT. By direction of the Committee on Naval Affairs I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 200 insert the following:

"The President of the United States is hereby authorized and required to select from the Army and Navy five officers who shall constitute a board for the purpose of examining and reporting to Congress which of the navy-yards or arsenals owned by the Government has the best location and is best adapted for the establishment of a Government foundery for the manufacture of ordnance adapted to modern warfare for the use of the Army and Navy of the United States, the cost of all buildings, tools, and implements necessary to be used in the manufacture thereof, including the cost of a steam-hammer of sufficient size for the manufacture of the heaviest guns; and the President is further requested to report to Congress the finding of said board at as early a date as possible: *Provided*, That no extra compensation shall be paid the officers serving on the board hereby created."

Mr. ROBESON. As this comes from the Committee on Naval Affairs, I make no objection to it.

The amendment was adopted.

The Clerk read as follows:

For purchase, after full investigation and experiment, of automobile torpedoes of the latest and best construction, with appliances for their use, $100,000.

Mr. ROBESON. I move to insert, after the word "purchase," in line 213, the words "or manufacture."

The amendment was agreed to.

Mr. HARRIS, of Massachusetts. I wish to move a further amendment, in line 214, by inserting, after the word "best," the words "of American invention, manufacture, and;" so it will read:

For purchase, after full investigation and experiment, of automobile torpedoes of the latest and best American invention, manufacture, and construction, with appliances for their use, $100,000.

Mr. CANNON. I wish to ask the gentleman from Massachusetts a single question about that amendment.

Mr. HARRIS, of Massachusetts. What is it?

Mr. CANNON. Does the gentleman mean the expenditure of this money shall be confined to the purchase of torpedoes of American invention, although there may be torpedoes of foreign invention and manufacture of a superior character?

Mr. HARRIS, of Massachusetts. It means that it shall be confined to torpedoes of American invention and manufacture. I have sought to perfect the section as it came from the Committee on Appropriations rather than insert the section as the Committee on Naval Affairs directed me to report it. Now, the whole purpose of this section as originally drawn is to take $100,000 here appropriated and give it to Mr. Whitehead, the inventor of the Whitehead torpedo, a European invention and manufacture. I believe that the Whitehead torpedo is entirely worthless as a torpedo, and I do not propose to stand here and see any money voted for it if I can help it.

Mr. ATKINS. I believe this appropriation is under the control of the Secretary of the Navy. Now, does the gentleman from Massachusetts intend to charge the Secretary of the Navy would be guilty of maladministration of this money by purchasing these worthless torpedoes?

Mr. HARRIS, of Massachusetts. For the last six or eight years, Mr. Chairman, I have known something of this Whitehead torpedo and the efforts made to induce this Government to buy it. I do not propose to allow any officer of the Government to be deceived into buying what I conceive to be a totally worthless thing.

Mr. ATKINS. I care nothing about it; but does the gentleman say that the Secretary of the Navy would spend this money wastefully upon a worthless invention?

Mr. SPARKS. We wish to get the best torpedo, and that seems to be the design of the appropriation, that the Secretary of the Navy shall purchase the latest and best construction of torpedo. Now if you confine it to torpedoes of home manufacture you may not get the best.

The CHAIRMAN. The gentleman from Massachusetts has the floor and has not yielded it.

Mr. HARRIS, of Massachusetts. I will detain the House but for a single moment. The Whitehead torpedo is known and has been known in the Navy Department for some years; and although it is better now than it was ten years ago, it is not being purchased by European governments, as other torpedoes have superseded it.

We have now in our own hands the invention of an American citizen. Two or three weeks ago it was shown by experiments that it will not cost one-tenth part as much as the invention of Mr. Whitehead. It can be fired from any ship or boat, while the torpedo of Mr. Whitehead must have a particular apparatus for it put aboard ship before it can be fired. The invention of our citizen costs nothing except the mere labor of carrying it out in the navy-yard. It travels at the rate of seventy-five feet a second and produces more certain and greater effect. It carries one hundred pounds of dynamite or gunpowder, as you please. Experiment with it shows that it is absolutely accurate in its aim. If you pass this appropriation of $100,000 as it is, that torpedo of our invention will lie rejected and untested, while we shall spend $100,000 for Mr. Whitehead's invention. Mr. Whitehead will not come here to compete. He has refused to come here to compete, and yet he asks us to buy his torpedo merely on its European reputation.

Mr. CANNON. I wish to say I have failed to see the propriety of the amendment of the gentleman from Massachusetts. This proposed appropriation of $100,000 is for the purchase, after full investigation and experiment, of torpedoes of the latest invention. Now, if I understand the amendment of the gentleman from Massachusetts, it is for the purchase of torpedoes invented by an American or Americans.

Mr. SPARKS. Allow me one word.

Mr. CANNON. Let me state my case and I will. I do not know anything about the Whitehead torpedo and I do not care anything about it. I do not know anything about the torpedo of an American inventor or the inventions of a dozen of them, and I do not care about them unless they are the best. If they are, well and good. I suppose the Secretary of the Navy will test them as well as the others. What we want is torpedoes of some account, whether invented by Americans or some one else. If this thing is to be a job in the interest of Mr. Whitehead or in the interest of Mr. Blackhead, American, Englishman, or anybody else, then I am against it.

Mr. HARRIS, of Massachusetts, rose.

The CHAIRMAN. Debate is exhausted.

Mr. HARRIS, of Massachusetts. Then I move to strike out the last word.

Mr. MORSE. The Committee on Naval Affairs have examined this for the last six years, and the members of that committee instructed their chairman to report this proposition. It is here on the responsibility of that committee, and I hope it will be adopted.

Mr. HARRIS, of Massachusetts. Mr. Chairman, this is the only portion of this bill which we have thus far reached providing new legislation which has ever had a moment's consideration in the Committee on Naval Affairs, and I think I am justified in asking this committee for one minute at least to give the Committee on Naval Affairs the courtesy of a hearing as to their views upon the subject. This Whitehead torpedo has been jammed in the face of the Naval Committee of this House for at least six years past. The last session of Congress the agent of the Whitehead torpedo came before us and undertook to tell us all about his torpedo. He was told finally that the Committee on Naval Affairs would never vote to appropriate a single dollar for that torpedo. He retired from the scene, and there immediately appeared a naval officer of the Government advocating its adoption, and I am sorry to say, Mr. Chairman, that very soon after that officers of the Ordnance Bureau of the Navy Department also became converted to the Whitehead torpedo.

Here now as the result we find an appropriation of $100,000 in this bill for automobile torpedoes. What does that mean? It means the Whitehead torpedo. That is the only torpedo in the world that is known by that particular name; and when we pass this appropriation under that name you mean the Whitehead torpedo every time.

What, Mr. Chairman, is that Whitehead torpedo? It is a secret; and the secret has not been divulged. The man has not even had the manliness to come forward into this country and take a patent on it. He comes here with a secret; asks us to buy a secret; promising for the consideration of a certain sum to give to the United States his secret, and to furnish a few of the torpedoes with it. But when you get the torpedo what have you got? You have nothing that we can use unless you make further provision for it. You have got to furnish the guns from which to eject it. You have to appropriate money to prepare methods to compress the atmosphere by which it is ejected to something like two thousand pounds pressure to the square inch. You have got to do this in order to get the torpedo out of the ship. It costs hundreds of thousands of dollars to fire it after you get it. What is the necessity for it? We have torpedoes which have been tested and it is the belief of those who have participated in those tests, and know what they talk about, that we have torpedoes of our own invention and of American manufacture which are vastly superior in all respects, which will do more execution, are less costly, and which may be tested sufficiently for all the practical purposes of our Navy at an expense of not exceeding four or five hundred dollars. But if after tests are properly applied and that torpedo or those torpedoes of American manufacture shall prove to be a failure, then I shall not object to anything in the shape of torpedoes which the Government may choose to purchase if they are found to be serviceable. I am in favor of torpedoes.

The torpedo in itself is an original American invention; and if our Ordnance Bureau will open its doors to American inventors and manufacturers, axd if you will instruct them to open their doors to make an investigation and ask American inventors to produce the best torpedo, I believe that we will have the very best that the world has ever seen, and one that will blow this Whitehead torpedo entirely out of existence. We will get it at an expense far less than that proposed to be incurred here. We will get something that is far cheaper in the long run, and in the end far superior to anything in use by foreign governments.

Mr. ATKINS. Mr. Chairman, I was induced to believe, in considering this bill, that the expenditure of $100,000 for torpedoes would be in the interest of national defense. The bill follows the language of the estimates:

Purchase of automobile torpedoes of latest construction and a set of launching apparatus with working drawings therefor.

That is the language of the Book of Estimates. The bill proposes:

For purchase, after full investigation and experiment, of automobile torpedoes of the latest and best construction, with appliances for their use, $100,000.

Now, sir, when so distinguished a gentleman as the gentleman from Massachusetts, the chairman of the Committee on Naval Affairs, who has just addressed the committee, rises in his place and charges that this Whitehead torpedo is a fraud, that it is the only torpedo that goes by the name of "automobile," he thereby lays at the door of the distinguished Secretary of the Navy a grave charge, either a charge of ignorance or a disposition to impose upon the Government.

Therefore I move to strike out the whole clause from the bill.

Mr. ROBESON. Mr. Chairman, an estimate came to the Committee on Appropriations of $100,000 or $150,000, I do not now remember which, for the purchase of automobile torpedoes of the latest and best construction. It was thoroughly understood by the Committee on Appropriations, for they called the Chief of the Bureau of Ordnance before them who said that that bureau as the result of its investigations thought that the Whitehead torpedo was the best in the world. They professed to know all about it. They think they do know it.

There came to our committee, in opposition to that, a resolution from the Naval Committee which asked an appropriation of $150,000 for torpedoes of American manufacture, $50,000 of which should be appropriated for a particular torpedo of a particular inventor. Now, the Appropriations Committee did not desire to put into this bill an appropriation for any particular person. We all thought that we needed torpedoes as a cheap and efficient weapon of defense, both sides of the committee agreeing. It seemed that the Naval Committee and the Navy Department both wanted the appropriation for torpedoes.

What did we do? We appropriated $100,000, and we inserted coupled with it a provision for the purchase or manufacture of torpedoes "after full investigation and experiment," experiments requiring new boards of investigation and new experiments and new reports on automobile torpedoes. That does not mean any particular torpedo. It means any torpedo that carries with it its own power of propulsion; and the torpedo that the gentleman from Massachusetts favors, and which I am inclined to favor myself, is itself automobile.

Mr. HARRIS, of Massachusetts. But the term "automobile torpedo" has never been used except with reference to the Whitehead torpedo.

Mr. ROBESON. That may be so. We do not apply it to any one particular torpedo. We use the term with reference to this particular class of torpedoes.

We say that we shall have this $100,000 for the best automobile torpedo which after full investigation and experiment shall prove to be of the latest and best construction. Now, we have tried to meet the whole thing, to meet the ideas of the gentleman from Massachusetts and meet the requirements of the service for torpedoes without naming any particular person.

Mr. BLOUNT. May I ask the gentleman from New Jersey a question for information?

Mr. ROBESON. Certainly.

Mr. BLOUNT. I desire to know whether the Whitehead torpedo is extensively used in Europe, or not.

Mr. ROBESON. It is an instrument of warfare, as I am informed by the Bureau of Ordnance, which has been accepted in Europe and with which all the maritime European nations arm their vessels. I do not know to what extent that is true. That is what we were told.

Mr. HARRIS, of Massachusetts. I desire to say several of the governments of Europe have bought the secret with the right to make the torpedo; but as I am informed, only the English Government has made them, and to-day other governments are refusing to buy them.

The gentleman from Tennessee [Mr. ATKINS] asks if I mean to charge the Secretary of the Navy with wrong. I do not. I am willing to trust him. But let me tell the story of my own efforts.

My friend from Pennsylvania [Mr. KELLEY] will remember that in 1867, after the close of the war, an effort was made to perfect a system of American torpedo warfare, and the inventor to whom I have referred came to Congress, came before the committee, and explained his plan. The committee asked him to wait because there was no appropriation, and to go on and perfect his invention. He went home and came back after awhile with his improvement, and at last Congress asked him to let the Government use his invention. He did so, and spent eight years at his own expense showing the Government how to adapt his torpedoes to two ships in the service, and at that time Congress made him a payment for his time merely.

When torpedoes adapted to use on ships went out and exploded in water he was asked to do—what? To invent a torpedo such as would go with great rapidity on the surface and explode itself under water, a problem which to many gentlemen would look a hard one. For eight years he has worked in the Navy Department at the torpedo station, paying every dollar of his expenses out of his own pocket and considerable money on the work itself, until now he has a torpedo of a large size capable of traveling seventy-five feet on the surface of water per second, carrying a charge of dynamite of one hundred pounds which explodes upon contact, and all it needs now is to be tested.

And they require him to test it. Where? This Ordnance Bureau, for which gentlemen will find before I get through that I have no great love or respect, ask him now to test it in the rough waters of the ocean. I suppose they would like next to have it tested in a storm at sea. You can not fire off a Whitehead torpedo till you stop your ship or till it comes substantially to a stop, while this torpedo of which I speak can be fired from the deck of any ship in full motion; and if properly made, as I believe, and as gentlemen believe who have lately seen it, it must strike its object with almost unerring certainty, its speed being so great that it is not much affected by waves or by current. And yet, while that is pending, this Ordnance Bureau come and ask us to give $100,000 to purchase the automobile torpedo of Europe.

Mr. SPARKS. Why does not your amendment go to the effect that that torpedo shall be purchased?

Mr. HARRIS, of Massachusetts. Because I would not buy any till it has been tested to the last degree.

Mr. SPARKS. Precisely. And this says "torpedoes of the latest and best construction." Now, if the torpedo of which the gentleman from Massachusetts speaks be of the latest and best construction, will it not be purchased under this paragraph?

Mr. HARRIS, of Massachusetts. Why, this Whitehead has been invited to come with his torpedo here and compete with American inventors, and has declined.

Mr. SPARKS. And why?

Mr. HARRIS, of Massachusetts. Simply, I suppose, because he is not willing to put his invention in competition with those of American inventors. [Here the hammer fell.] I desire, if I may be permitted, to have read from the Clerk's desk an amendment which the Committee on Naval Affairs prepared and which they sent to the Committee on Appropriations. The Naval Committee passed that amendment unanimously, including, I believe, the vote of my friend from New Jersey [Mr. ROBESON]. That went to the Appropriations Committee, and it comes back with the provision for Whitehead.

The CHAIRMAN. The gentleman from Massachusetts has already one amendment pending.

Mr. HARRIS, of Massachusetts. After the amendment now pending shall have been disposed of I shall move this.

The CHAIRMAN. The gentleman from Massachusetts asks that a proposed amendment which he sends to the desk shall be read for information. Is there objection?

There was no objection.

The Clerk read as follows:

For the purchase and manufacture of torpedoes adapted to naval warfare, and for the fixtures and machinery necessary for operating the same, $100,000: *Provided*, Said money shall only be expended for the purchase or manufacture of torpedoes the inventions of citizens of the United States: *And provided further*, That no part of said money shall be expended for the purchase or manufacture of any torpedo until the same shall have been recommended by the Secretary of the Navy, based upon a report to be made to him by a board of naval officers to be created by him to examine and test said torpedoes and inventions: *And provided further*, That a sum not exceeding $50,000 out of said appropriation shall be paid to Asa Weeks when he shall execute and deliver to the United States a release in writing of all claim for present or future use of the United States of all his inventions in torpedoes and in the machinery for operating, controlling, and exploding torpedoes, or relating in any way to the subject of torpedo warfare, whether patented or otherwise: *Provided, however*, That said payment shall only be made on the recommendation of the Secretary of the Navy, based upon a report of the board of officers above provided for.

Mr. SPRINGER. As we have now entered upon the consideration of a very important subject, I would suggest to the gentleman from New Jersey [Mr. ROBESON] that this would be a very good time for the committee to rise, as it is now after 5 o'clock.

Mr. ROBESON. We had better first finish this important subject.

Mr. SPRINGER. We can not do that to-night. I would like a few hours to consider the various amendments which have been suggested, especially that of the gentleman from Massachusetts [Mr. HARRIS]. We are called upon to determine the kind of torpedo which we shall adopt, whether of Whitehead or some other man. I think, therefore, this is a good time for the committee to rise, and I make that motion.

Mr. ROBESON. I hope the committee will not rise until we have progressed a little further in this bill. We have been two days in going over less than ten pages of the bill.

The CHAIRMAN. The motion that the committee rise is not debatable.

The question was taken upon the motion that the committee rise; and it was not agreed to upon a division—ayes 45, noes 81.

The CHAIRMAN. The question recurs upon the amendment of the gentleman from Massachusetts [Mr. HARRIS].

Mr. ROBESON. Upon this subject of torpedoes I desire to say but a single word. The gentleman from Massachusetts has said that we in the Naval Committee voted for one state of things, and that there now comes a proposition from the Committee on Appropriations for the Whitehead torpedo. Yet in the same breath he says that Mr. Whitehead will not come here and submit his torpedo to examination.

Mr. HARRIS, of Massachusetts. I said that in the past he has declined to do so.

Mr. ROBESON. This provision says that there shall be purchased, after full investigation and experiment, the best torpedo of the latest invention. If Mr. Whitehead does not come here and submit his torpedo against the American inventions he can not have a dollar of this money. If he does come here and shows, after a full investigation and experiment, that his torpedo is better than any American torpedo, he ought to have the money.

Mr. HARRIS, of Massachusetts. To be tested where?

Mr. ROBESON. To be tested here.

Mr. HARRIS, of Massachusetts. You do not say so.

Mr. ROBESON. I am willing you shall insert the word "here."

The CHAIRMAN. The question is upon the amendment of the gentleman from Massachusetts, which will be read.

The Clerk read as follows:

Insert after the word "best" the words "American invention, manufacture, and;" so that the paragraph will read:

"For purchase, after full investigation and experiment, of automobile torpedoes of the latest and best American invention, manufacture, and construction, with appliances for their use, $100,000."

The amendment was adopted.

Mr. ATKINS. I now move to strike out the entire paragraph.

Mr. HARRIS, of Massachusetts. I move to strike out the paragraph as amended and to insert in lieu thereof that which was read by the Clerk a few moments ago.

The CHAIRMAN. The Chair thinks the motion to strike out and insert takes precedence.

Mr. ATKINS. Is it too late to make a point of order against the amendment of the gentleman from Massachusetts?

The CHAIRMAN. What is the point of order?

Mr. ATKINS. That it changes existing law and does not retrench expenditures.

The CHAIRMAN. Does the gentleman refer to the amendment which is now moved?

Mr. ATKINS. I refer to the one moved by the gentleman from Massachusetts a few moments since.

The CHAIRMAN. That amendment has been adopted.

Mr. ATKINS. I did not so understand it.

The CHAIRMAN. That amendment has been adopted. The gentleman from Massachusetts now moves to strike out the paragraph as amended and to insert in lieu thereof what the Clerk will read.

The Clerk read as follows:

For the purchase and manufacture of torpedoes adapted to naval warfare, and for the fixtures and machinery necessary for operating the same, $100,000: *Provided*, That said money shall only be expended for the purchase or manufacture of torpedoes the invention of citizens of the United States: *And provided further*, That no part of said money shall be expended for the purchase or manufacture of any torpedo until the same shall have been recommended by the Secretary of the Navy based upon a report to be made to him by a board of naval officers to be created by him to examine and test said torpedoes and inventions: *And provided further*, That a sum not exceeding $50,000 out of said appropriation shall be paid to Asa Weeks, when he shall execute and deliver to the United States a release in writing of all claims for the present or future use by the United States of his invention in torpedoes and in the machinery for operating, controlling, and exploding torpedoes, or relating in any way to the subject of torpedo warfare, whether patented or otherwise: *Provided, however*, That said payment shall only be made on the recommendation of the Secretary of the Navy, based upon a report of the board of officers above provided for.

Mr. HARRIS, of Massachusetts. I desire a few minutes in support of my amendment. I may be, and probably shall be in the estimate of some of my associates, placed in the position of advocating the appropriation of a sum of money to reward distinguished individuals in whom I have some personal interest.

Now, I desire to say that some years ago, as a member of the Committee on Naval Affairs of a Democratic House, when my friend from Tennessee [Mr. WHITTHORNE] was the chairman, this subject of torpedoes was committed to my charge. I investigated the invention of the gentleman named in my amendment, Asa Weeks, and with the unanimous approbation of my committee I reported a bill in his favor, believing that he should be rewarded in some way for his many years of service in this regard.

Subsequent to that time, with the advice, assistance and encouragement of Admiral Porter; and finally at last with the encouragement and assistance of the Chief of the Bureau of Ordnance, Mr. Weeks produced his locomotive torpedoes of which I have spoken. For eight years at least he devoted his whole time to the subject and paid his own expenses, receiving nothing whatever from the Government.

I am willing to accept the responsibility of my advocacy here of his rights, because I ask nothing except that; if he has the best torpedo in the world he should be paid for it, and it shall not be stolen from him; and if he has not the best torpedo in the world, then I am willing that we should purchase one of any other country. But I propose if I can to stop all attempts to spend money on various torpedoes of which we know nothing, when we have almost within our realization a torpedo which will supersede all others in the world.

Is there anything like personal interest in this? I simply demand that justice, shall be done to a man who came forward and offered his invention to the Government for its sole use sixteen years ago, and who has constantly worked in the interest of the Government until to-day; who never took out a patent for any invention he made until he found his inventions were being stolen from him piecemeal by certain men whom I will not undertake to point out.

What is the proposition of the Naval Committee? It is that $100,000 be appropriated to purchase the best invention in torpedoes, with the machinery and apparatus for operating them, and that if this man who has worked sixteen years for the Government has at last produced the best invention of this kind, he shall be paid for its future use. Is there anything unjust in this? Can any man here say that it is not at once just to the Government and to a worthy citizen of the United States? If so let him rise and say so. I ask the gentleman from Tennessee [Mr. WHITTHORNE] whether he is not ready to vouch for all that I have now said, and for the action of the Naval Committee of this House on this subject.

Mr. WHITTHORNE. Mr. Chairman, as I am appealed to by my friend from Massachusetts [Mr. HARRIS], I take very great pleasure in bearing witness to the fidelity, zeal, and intelligence with which he has prosecuted his study of the system of torpedo defense of this country, and I believe of every intelligent naval power of the world. He has made this subject a study for years. When I was chairman of the Committee on Naval Affairs I was struck with the gentleman's earnestness, zeal, and research in connection with inventions of this kind. The man whose invention the gentleman from Massachusetts now brings to our attention is a citizen, I believe, of the State of Iowa, a man who impresses every one with whom he comes in contact. So far as I can judge his invention is one of the most wonderful that the human mind ever produced. I believe it ought to be adopted by the Government and fully developed. If it should succeed, as it promises (and I have faith that it will), I believe it will prove the most powerful instrument of defense that could be acquired by this Government.

The amendment of Mr. HARRIS was agreed to.

Mr. ATKINS. I now ask a vote on my motion to strike out the whole paragraph.

The CHAIRMAN. The Chair thinks it is not in order to strike out what has been inserted by a vote of the committee.

Mr. ATKINS. That was only offered as an amendment; the clause has now been perfected, and it is in order to move to strike it all out.

The CHAIRMAN. The Chair will put the motion.

The motion of Mr. ATKINS was not agreed to, there being—ayes 20, noes 102.

Mr. SPRINGER. I move to strike out the whole paragraph and insert——

The CHAIRMAN. The Chair thinks the motion is not in order.

Mr. TALBOTT. I make the point that the gentleman's motion is not in order; that the adoption of the motion to strike out and insert precludes any other motion to strike out.

Mr. SPRINGER. The motion was to strike out, I believe——

The CHAIRMAN. There was a motion to strike out and insert, and also a motion to strike out what was inserted. What is the gentleman's motion?

Mr. SPRINGER. Let the Clerk read it.

The Clerk read as follows:

Strike out lines 213 to 216, inclusive, and all amendments thereto, and insert: "For investigation and experiment of torpedoes, $1,000; and the result of all experiments shall be reported to the next session."

Mr. ROBESON. That is hardly enough to explode a pack of fire-crackers. [Laughter.]

Mr. SPRINGER. I am obliged to the gentleman from New Jersey. I have taken the opinion of the gentleman from Massachusetts [Mr. HARRIS], the chairman of the Committee on Naval Affairs, as to the amount required to make these experiments. He said that $500 would be sufficient. I have doubled that amount and made it $1,000, as I wish to be liberal with the Department. The gentleman from New Jersey, who is a tar himself, who has sailed the seas over and knows all about torpedoes and other things for explosion, thinks this appropriation would not explode a fire-cracker. I do not profess to be versed in naval affairs, but I take it the gentleman from Massachusetts, the chairman of the Naval Committee——

The CHAIRMAN. What the gentleman from Illinois [Mr. SPRINGER] moves to strike out has already been struck out by a vote of the Committee of the Whole.

Mr. SPRINGER. Not all of it.

The CHAIRMAN. The Chair so understands.

Mr. SPRINGER. I move to strike out all the paragraph as it now stands——

The CHAIRMAN. That motion has just been voted down.

Mr. SPRINGER. That was to strike out merely; I move to strike out and insert what has been read.

The CHAIRMAN. To strike out the whole paragraph?

Mr. SPRINGER. Yes, sir. The lines put in have taken the place, I presume, of those which were struck out.

The CHAIRMAN. The Committee of the Whole has adopted the motion of the gentleman from Massachusetts [Mr. HARRIS] to strike out the whole paragraph and insert the provision which he offered.

Mr. SPRINGER. Then, as the gentleman from Massachusetts moved to strike out all of the text——

Mr. ROBESON. There must be an end to this some time, and I rise to a point of order.

Mr. SPRINGER. Why, I am rising to a point of order.

Mr. ROBESON. No, you are not.

Mr. SPRINGER. I so understand it.

The CHAIRMAN. What is the gentleman's point of order?

Mr. SPRINGER. I wish to ask whether the gentleman from Massachusetts had moved to strike out the text?

Mr. HARRIS, of Massachusetts. I did.

Mr. SPRINGER. The Chair is right, then, and I am out of order in my motion, because the committee agreed to it in that form.

The Clerk read as follows:

BUREAU OF EQUIPMENT AND RECRUITING.

For equipment of vessels: For coal for steamers' and ships' use, including expenses of transportation, storage, and handling; hemp, wire, hides, and other materials for the manufacture of rope and cordage; iron for manufacture of cables, anchors, galleys, and chains; canvas for the manufacture of sails, awnings, bags, and hammocks; heating apparatus for receiving-ships; and for the purchase of all other articles of equipment at home and abroad, and for the payment of labor in equipping vessels and manufacture of equipment articles in the several navy-yards, $825,000.

Mr. ELLIS. I offer the following amendment:

And the Secretary of the Navy is authorized and empowered at his discretion to constitute and introduce as a portion of the equipment of the Navy the life-saving dress adopted and approved by the Life-Saving Service of the United States.

Mr. ROBESON. If there is no increase of expenditure I do not care anything about it.

Mr. ELLIS. There is none.

The amendment was agreed to.

Mr. CONVERSE. I move that the committee rise.

Mr. ROBESON. I trust not. We can get behind us a good deal of work on this bill if we sit here a little longer.

Mr. ATKINS. I think not.

Mr. ROBESON. Half an hour now will save us several hours in the morning.

Mr. ATKINS. I will state to the gentleman from New Jersey that he can not carry his point. I do not think we ought to continue this session any longer.

The committee divided; and there were—ayes 39, noes 80.

So the committee refused to rise.

The Clerk read as follows:

For expenses of recruiting: For expenses of recruiting, rent of rendezvous, and expenses of maintaining the same, advertising for men and boys, and all other expenses attending the recruiting for the naval service, and for the transportation of enlisted men and boys at home and abroad, $25,000.

Mr. BUCHANAN. I move to strike out the paragraph. I do not see the necessity, Mr. Chairman, of recruiting seamen for the Navy when it is admitted we have no ships and no navy to put them aboard. We have now more men than we can use. We have officers enough to man all the ships necessary to send out as cruisers. You can take the midshipmen and other subordinate officers and put them under the command of four or five rear-admirals and then you would not need any men at all, if what the members of the Naval Committee say is true about our Navy. The chairman of the Committee on Naval Affairs tells us we have hardly any ships. They amount, I am told, to only thirty-eight, and those are of a diminutive character and but few of them steamers.

Mr. HARRIS, of Massachusetts. All steamers.

Mr. BUCHANAN. Thirty-eight steamers. Well, with that number and the large number of seamen we have already enlisted I see no use of this appropriation for recruiting a larger number. If we have more sailors and more officers than are already sufficient to man our ships, as a matter of course common sense as well as economy forbids the enlistment of any more men, for the service. If it is unnecessary to enlist any more men, it is certainly unnecessary to make any more appropriations for that purpose. And if it is not necessary to have any more men for the Navy, then it is not necessary to employ officers to recruit them, and of course there is no need of making an appropriation of money to pay for the expense of doing so.

The amendment was rejected.

The Clerk read as follows:

For contingent expenses equipment and recruiting: For extra expenses of training-ships, freight and transportation of equipment stores, printing, advertising, telegraphing, books and models, postage, car-tickets, ferriage, ice, apprehension of deserters and stragglers, assistance to vessels in distress, continuous-service certificates and good-conduct badges for enlisted men, school-books for training-ships, extra medals for boys, and emergencies arising under cognizance of Bureau of Equipment and Recruiting unforeseen and impossible to classify, $10,000.

For the civil establishment at navy-yards and stations, $9,000.

Mr. McMILLIN. I move to strike out the words "for the civil establishment at navy-yards and stations, $9,000," and I do so for the purpose of making an inquiry of the gentleman from New Jersey in charge of this bill.

I see on page 8 "for the civil establishment at navy-yards and stations, $5,000."

I see also on page 9 "for the civil establishment at navy-yards and stations, $5,000."

Mr. ROBESON. I can explain this to the gentleman. Each bureau has a civil establishment in every navy-yard and station, and this bill cuts down the appropriation one-half all the way through.

Mr. McMILLIN. But why the same appropriation?

Mr. ROBESON. They are not the same appropriation. One is for the Bureau of Ordnance, another for the Bureau of Yards and Docks, another for the Bureau of Equipment and Recruiting, and another for the Bureau of Navigation, and so on.

Mr. McMILLIN. I withdraw my amendment.

Mr. ATKINS. I move the committee rise.

Mr. ROBESON. Let the Clerk read two pages further on.

Mr. ATKINS. I courteously ask the gentleman to make the motion for the committee to rise. It is now half-past 5 o'clock, and I do not care to sit here any longer.

The committee divided; and there were—ayes 40, noes 80.

Mr. ATKINS. I make the point of order that we are appropriating money here without a quorum.

Mr. ROBESON. That is not a point of order.

The CHAIRMAN. It does not require a quorum on a motion to rise.

Mr. ATKINS demanded tellers.

The CHAIRMAN. The call comes too late.

Mr. ATKINS. I asked in time.

The CHAIRMAN. The Chair thinks the gentleman made the call too late, as the Clerk had proceeded to read.

Mr. ATKINS. No, sir, he had not.

The CHAIRMAN. If the gentleman from Tennessee says he rose in time, the Chair will submit the question to the committee.

Mr. ATKINS. I did.

The committee divided; and there were ayes 24.

So the House refused to order tellers.

Mr. SPARKS. Count the other side.

The CHAIRMAN. Not one-fifth of a quorum voting, tellers are refused.

Mr. SPRINGER. But we have a right to have the other side counted.

The CHAIRMAN. The Clerk will read the rule.

The Clerk read as follows:

If he still doubts or a count is required by at least one-fifth of a quorum, he shall name one from each side of the question to tell the members in the affirmative and negative.

The CHAIRMAN. One-fifth of a quorum not having risen, tellers were refused. The Clerk will read.

The Clerk read as follows:

Bureau of Construction and Repair.

Mr. ATKINS. I move that the committee do now rise.

Mr. ROBESON. Let the Clerk read the first line of the paragraph, and I will make the motion myself that the committee rise.

The Clerk read as follows:

For preservation and completion of vessels on the stocks and in ordinary.

Mr. ROBESON. I move that this committee do now rise.

r. ATKINS. I hope it will be recorded that the gentleman from New Jersey himself made the motion that the committee rise. [Laughter.]

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAGE reported that the Committee of the Whole House on the state of the Union having had under consideration the naval appropriation bill had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. ATKINS. I move that the House do now adjourn.

Mr. KELLEY. You wanted a paper printed and I submit a resolution providing for the printing of a paper which the gentleman from Texas called for last evening with reference to the tariff bill.

Mr. ATKINS. There is no objection to that.

TABULATED STATEMENT OF TARIFF CHANGES.

Mr. KELLEY. I submit a resolution for the printing of the paper to which I have referred.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That there be printed for the use of the House 2,000 copies of the tabular statement prepared by the Committee on Ways and Means showing articles, amounts, and rates of duty under existing law compared with the rates reported in House bill 7313, together with the estimated amount of revenue that would be received under the operations of said bill.

Mr. SPRINGER. That is all right.

Mr. WHITE. To be equally distributed?

Mr. RANDALL. It will be distributed by the officers of the House.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave to withdraw papers from the files of the House was granted in the following cases:

To Mr. MCKENZIE, papers relating to the claim of John G. Holloway, deceased, late of Henderson County, Kentucky, for reference to the Quartermaster-General for settlement, there being no adverse report.

To Mr. THOMPSON, of Kentucky, with reference to the claims of certain soldiers for horses lost in the military service, for reference to the Third Auditor of the Treasury for settlement.

W. R. NEWSOM.

On motion of Mr. WHEELER, by unanimous consent, it was ordered that the Clerk of the House be directed to furnish certified copies of all papers and testimony on file in his office in connection with the claim of W. R. Newsom, of Alabama, disallowed by the Southern Claims Commission.

The motion of Mr. ATKINS was then agreed to; and accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ALDRICH: The petition of E. Schneider & Co., of Chicago, and others, manufacturers, opposing reduction of the duty on crude glycerine—to the Committee on Ways and Means.

By Mr. BARR: The petition of workingmen of Harrisburgh and of workingmen of Steelton, Pennsylvania, asking Congress to pass the pending tariff bill—severally to the same committee.

By Mr. BAYNE: The petition of Peter Stackhouse and 126 others, employés of Smith, Sutton & Co., La Belle Steel Works, of Allegheny, and of Joseph Williams and 169 others, employés of Sprung Steel and Iron Works of Pittsburgh, Pennsylvania, praying that no lower rates of duty be adopted than those recommended by the Tariff Commission—severally to the same committee.

Also, the resolutions adopted by the Pittsburgh (Pennsylvania) Grain and Flour Exchange, protesting against the passage of the Lowell bankrupt bill—to the Committee on the Judiciary.

By Mr. CALKINS: The petition of George C. Moon and 82 others, of Warsaw, Indiana, praying that discrimination between the various schools of medicine be prohibited in Government service—to the Committee on Education and Labor.

Also, the petition of Major J. A. Smith, in charge of works at Michigan City, Indiana, relative to an appropriation for the improvement of the harbor at that place—to the Committee on Commerce.

By Mr. CAMPBELL: The petition of workingmen employed at the Springfield Furnace, Blair County, Pennsylvania, asking that Congress will not adopt any lower rate of duties on any foreign manufactured products than as recommended by the Tariff Commission—to the Committee on Ways and Means.

By Mr. DINGLEY: The petition of the Reformed Church of Nyack, New York, signed by the officers, asking for a commission of inquiry concerning the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. ERMENTROUT: The petition of citizens of the eighth Congressional district of Pennsylvania, for adoption of the schedules of duties on foreign products recommended by the Tariff Commission—to the Committee on Ways and Means.

By Mr. ERRETT: The petition of 520 employés of Jones & Laughlin and of 136 workingmen employed by Carnegie Bros. & Co., of Pittsburgh, Pennsylvania, for the passage of the tariff bill as reported—severally to the same committee.

By Mr. S. S. FARWELL: The petition of the produce exchange, board of trade, medical association, and citizens of Davenport, Iowa, for an appropriation for the continuance of the immigrant inspection service—to the Select Committee on the Public Health.

By Mr. HEILMAN: The petition of citizens of Hazelton, Indiana, praying for a reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. HOBLITZELL: The petition of the workingmen of the Locust Point Rolling Mills, of Baltimore, Maryland, for passage of tariff schedules as reported by the Tariff Commission—to the same committee.

By Mr. HOGE: The petition of citizens of Grafton, West Virginia, for an appropriation for continuance of immigrant inspection service—to the Select Committee on the Public Health.

Also, the resolutions adopted by the West Virginia State board of health, relative to the National Board of Health—to the same committee.

By Mr. HILL: The petition of citizens of Paterson, New Jersey, for the erection of a building for the use of the medical museum—to the Committee on Public Buildings and Grounds.

By Mr. KELLEY: The petition of 21 employés of the Fairmount Steel Works, and of Robert Fogg and 70 others, workingmen of Philadelphia, Pennsylvania, against any reduction of the tariff—severally to the Committee on Ways and Means.

By Mr. KETCHAM: The petition of Francis A. Utter, executor, asking that the estate of Ira W. Utter be paid for losses sustained by Indian depredations—to the Committee on Indian Affairs.

By Mr. LEEDOM: Papers relating to the pension claim of Daniel R. Shriver—to the Committee on Invalid Pensions.

By Mr. R. M. MCLANE: The petition of Rufus B. Warfield and others, employés of H. W. Ellicott & Son, Maryland Iron Furnaces, against any decrease in rates of duties as proposed by the Tariff Commission, and favoring increase in some of the rates, &c.—to the Committee on Ways and Means.

By Mr. MILLER: The petition of Samuel McClure and 101 others, employés of the Stewart Iron Works, of Sharon, Pennsylvania, for the passage of the House tariff bill—to the same committee.

Also, the petition of A. W. Cunningham and 24 others, citizens of Zelinople, Pennsylvania, asking that a pension be granted to Henry T. Schutt—to the Committee on Pensions.

By Mr. MOSGROVE: The petition of workingmen of Laufman & Co., Apollo Iron Works, of Apollo, Armstrong County, Pennsylvania, in favor of the report of the Tariff Commission and against any further reduction in the duty on iron—to the Committee on Ways and Means.

By Mr. MURCH: The petition of L. A. Daten and 25 others, of Baring, Maine, for an appropriation for the construction of a bridge across the Saint Croix River—to the Committee on Commerce.

By Mr. MUTCHLER: The petition of 140 workingmen of Catasauqua, Pennsylvania, praying Congress to adopt no lower rates of duties on any manufactured articles than is proposed by the Tariff Commission—to the Committee on Ways and Means.

By Mr. A. H. SMITH: The petition of C. P. Hepple and 26 others, citizens of Chiques, Lancaster County, Pennsylvania, protesting against any reduction of tariff duties—to the same committee.

By Mr. VAN AERNAM: The resolution of the Buffalo (New York) Board of Trade, protesting against the transfer of the revenue-cutter service to the Navy Department—to the Committee on Commerce.

By Mr. WALKER: The petition of employés of the Williamsport Iron Company of Pennsylvania, praying that Congress will adopt no lower rates of duties than are recommended in the report of the Tariff Commission—to the Committee on Ways and Means.

By Mr. WARD: The petition of the Thorndale Iron Works, of Thorndale, Pennsylvania, against a reduction of the duty on steel and iron—to the same committee.

By Mr. G. D. WISE: The petition of Ethelbert D. Fitch, employé in the House folding-room, for equalization of salary—to the Committee on Accounts.

SENATE.

WEDNESDAY, *January* 24, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

SEAMEN'S WAGES.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate of the United States:

In response to the resolution of the Senate of the United States dated January 5, 1883, requesting "that the Secretary of State be directed to transmit to the Senate copies of any letters on file in his Department from the consular service upon the subject of the shipment and discharge of seamen, or payment of extra wages to seamen," I have to transmit a report of the Secretary of State on the subject.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *Washington, January* 23, 1883.

The PRESIDENT *pro tempore*. This is in response to a resolution of the Senator from Louisiana [Mr. KELLOGG]. It will be referred to the Committee on Commerce, and printed.

CREDENTIALS.

Mr. DAWES. I present the certificate of the governor of the Commonwealth of Massachusetts that my colleague, Hon. GEORGE F. HOAR, has been elected a Senator from that State for six years from the 4th of March next.

The credentials were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. LAPHAM. I present a memorial of sundry citizens of the city of New York, which embraces a copy of the remonstrance which I presented to the Senate in December last, with an explanatory note of the circumstances under which that remonstrance was prepared. It was drawn up for subscriptions by J. P. Gould in the month of July, 1881, but owing to the absence from the city at that period of the year of many of the financial members of the firms the signatures were not all

obtained until the month of November last, November, 1882, and they still insist that it was a proper remonstrance to be considered in opposition to the passage of the Lowell or any other bankruptcy bill. This memorial is quite extensively signed, and I move that it lie on the table, as the subject to which it relates is before the Senate.

The motion was agreed to.

Mr. LAPHAM. I present also a petition of a large number of resident physicians, both those who are termed "regulars" and those who are denominated otherwise in the practice of medicine and surgery, of the city of Utica, in the State of New York, praying that Senate joint resolution No. 96 and House joint resolution No. 259, providing for abolishing any discrimination in the selection of surgeons in the service of the Government, shall be adopted. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. MILLER, of California, presented resolutions of the Merchants' Exchange of San Francisco, California, in favor of an appropriation for the erection of a new post-office building in that city; which were ordered to lie on the table.

Mr. CAMERON, of Pennsylvania, presented the petition of Edward B. Clark and other workingmen, employés of William Neal & Sons' Bloom Furnace, of Bloomsburgh, Columbia County, Pennsylvania; the petition of workingmen, employés of the Greenwood Rolling-Mill Company, at Tamaqua, Schuylkill County, Pennsylvania; the petition of workingmen, employés of the Monocacy Furnace Company, at Monocacy, Berks County, Pennsylvania; the petition of workingmen, employés of Jawood Lukens Rolling-Mill, at Conshohocken, Montgomery County, Pennsylvania; the petition of J. Van Buskirk and other workingmen, employés of the Catasauqua Manufacturing Company, at Catasauqua, Lehigh County, Pennsylvania; the petition of Thomas Clarck and other workingmen, employés of the United States Iron and Tin-Plate Company, limited, at McKeesport, Allegheny County, Pennsylvania; the petition of John Tipping and other workingmen, employés of the Dunbar Furnace Company, at Dunbar, Pennsylvania; the petition of Reuben Mountz and other workingmen, employés at Cove Forge, Blair County, Pennsylvania; the petition of A. McAllister and other workingmen, employés of John Royer, at Springfield Furnace, Blair County, Pennsylvania; the petition of Edward L. Wood and other workingmen, employés of Jones & Laughlins, at Pittsburgh, Pennsylvania; the petition of workingmen, employés of Carnegie Brothers & Co., Lead Union Iron Mills, at Pittsburgh, Pennsylvania; the petition of workingmen, employés of Lanpauw & Co., Apollo Iron Works, at Apollo, Pennsylvania; the petition of workingmen, employés of Smith, Sutton & Co., La Belle Steel Works, Pittsburgh, Pennsylvania; the petition of workingmen, employés of Chickies Rolling Mills, at Chickies, Pennsylvania; the petition of workingmen, employés of the Duncannon Iron Company, at Duncannon, Pennsylvania, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which were ordered to lie on the table.

He also presented a memorial of the Philadelphia Maritime Exchange, of Philadelphia, Pennsylvania, remonstrating against the transfer from the Treasury Department to the Navy Department of the revenue-marine service, the Life-Saving Service, the Maritime-Hospital Service, and the steamboat-inspection service; which was referred to the Committee on Commerce.

He also presented a memorial of the Philadelphia Maritime Exchange, of Philadelphia, Pennsylvania, remonstrating against the abolition of the office of shipping commissioner; which was referred to the Committee on Commerce.

Mr. MILLER, of New York. I present a petition of workingmen, employés of the J. J. Rogers Iron Company, at Black Brook, Clinton County, New York, praying that Congress will adopt no lower rates of duty on any foreign manufactured products than are recommended by the Tariff Commission. As the petition is of similar import to the one I presented yesterday from the employés of the Rome Iron Works, I will not read its provisions, but simply move that it lie on the table.

The motion was agreed to.

Mr. HOAR presented a petition of the Boston Ballot-Box Company, of Boston, Massachusetts, praying that they may have an opportunity to exhibit their patent ballot-box before any decision or selection shall be made by Congress in relation to that subject; which was referred to the Committee on Privileges and Elections.

Mr. VOORHEES. I present the petition of Herman Sturm, a citizen of Indiana. It is proper to explain that a copy of this petition is now on file in the State Department, and the proofs relating to the eminent services of this petitioner in assisting Mexico to expel the forces of France and re-establish the Mexican Republic, and its importance is such that I ask that it be read.

The PRESIDENT *pro tempore*. It will be read, if there be no objection.

The Acting Secretary proceeded to read the petition. Having proceeded for some minutes,

Mr. ALLISON. What is the paper which is being read?

The PRESIDENT *pro tempore*. It is a petition presented by the Senator from Indiana [Mr. VOORHEES].

Mr. VOORHEES. It is a petition of a very prominent citizen of Indiana who has been deeply wronged by the Government of Mexico, and he desires to lay his grievances before the Senate of the United States. It will occupy perhaps ten minutes to read the petition.

Mr. ALLISON. It is unusual to read at length the petition of a private citizen. I trust the Senator from Indiana will make a brief statement of its contents and have it referred to the proper committee.

Mr. VOORHEES. I will not undertake to make a statement in regard to it. It is the presentation of a case wherein a man of ability, of military services, spent his own money and his own energies, obtained credit for the Government of Mexico, and put arms and troops in there to expel Maximilian and the French forces. His claim was laid before the commission created by the treaty of 1868. That commission divided as to the allowance of his claim. It went to the umpire, who decided not that his claim was unjust, not that he had not rendered the services spoken of and amply proven, but that the treaty did not contemplate the redress of wrongs arising out of contract, but rather those arising out of trespass upon persons and property.

Thereupon his claim was dismissed for the want of jurisdiction as decided by the umpire, and from that day to this this prominent and worthy citizen of the United States has appealed in vain to every branch of his Government except this for redress against the faithless authorities of Mexico.

If the Senator from Iowa desires to object to allowing his words to be read here, I shall ask the sense of the Senate upon the subject. I know of no more honorable way to spend time than in the redress of grievances suffered by American citizens. I know of no task in which the Senate of the United States or the Congress or any other department of this Government can be better employed than in listening to and correcting the abuses which have been inflicted upon our own people. I should be glad if the power of our flag and of our foreign policy could be asserted with far more spirit than it has been.

I ask for the continued reading of the petition.

The PRESIDENT *pro tempore*. Does the Senator from Iowa object?

Mr. ALLISON. I object to nothing. I can spend the time in listening to the reading as well as anybody else.

Mr. VOORHEES. Does a single objection deprive a citizen of being heard upon a question of this kind? I believe there have been some great struggles over the right of petition in this Government.

The PRESIDENT *pro tempore*. Rule 15 provides that—

When the reading of a paper is called for, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

Mr. VOORHEES. That is what I ask. I ask a vote of the Senate.

Mr. HOAR. I do not want to interfere with the desire of my friend from Indiana, because undoubtedly he has a right to read the petition as a part of his remarks; but I understand as a general rule there is a special provision in regard to petitions that the contents shall be stated.

The PRESIDENT *pro tempore*. The rule is that "a brief statement of its contents shall be made by the Senator or Presiding Officer presenting it."

Mr. HOAR. I did not wish to interfere with the Senator at all; I merely desired to call the attention of the Chair to the rule.

Mr. VOORHEES. I know my friend from Massachusetts did not desire to interfere with me, and I know my kind friend from Iowa did not. I know the desire to get along with the business of the Senate, and I am not going to trespass upon its rule or tax the patience of liberal-minded gentlemen here. I will content myself with saying further, if the Senate will allow me, that in connection with the petition which has been partly read I ask to present the statement which was made of the claim of the petitioner before the commission, on which the decision was rendered, together with the printed proofs. I ask that the petition now in the hands of the Secretary, together with the documents which I now present, may be printed as a Senate document for the use of the Senate, and that they be referred to the Committee on Foreign Relations, and I shall not tax the Senate further.

Mr. SHERMAN. I object to that. There is an octavo volume presented.

The PRESIDENT *pro tempore*. The Senator from Indiana does not ask for its further reading.

Mr. SHERMAN. He asks that the petition and accompanying papers be printed.

Mr. VOORHEES. Yes, sir.

Mr. SHERMAN. Printed at the expense of the Government? I think that would be a violation of the law. The motion to print would have to be referred to the Committee on Printing. The rule requires that.

Mr. VOORHEES. Then each Senator here will be compelled to notice the size of the papers accompanying a petition to know whether the Government can stand the expense of the printing or not. The accompanying papers would not form an octavo volume, though the matter is of considerable bulk.

Mr. SHERMAN. The law requires such a motion to print to go to the Committee on Printing.

Mr. VOORHEES. Will the Senator state the law?

Mr. SHERMAN. I can not refer to it now, but the law requires it.

Mr. VOORHEES. I will be instructed by the Senator from Rhode Island [Mr. ANTHONY] on that question.

Mr. SHERMAN. The Senator from Rhode Island has it at hand, no doubt.

Mr. ANTHONY. The law requires that a resolution to print extra copies of a document shall be referred to the Committee on Printing; but it does not require the reference of a resolution to print the usual number of any document.

Mr. VOORHEES. I ask for the printing of no extra copies. I ask for the usual order to print for the use of the Senate and Senators. I think the rule is with me instead of with the Senator from Ohio.

Mr. MORGAN. Does this document accompany any resolution or bill?

Mr. VOORHEES. It accompanies a petition.

Mr. MORGAN. If a resolution or bill was presented and action required by a committee and by the Senate, then the usual practice would be to refer the papers to the committee and allow the committee to say whether in their opinion they ought to be printed, whether the expense ought to be incurred. That is the usual practice.

The PRESIDENT *pro tempore*. This is the rule of the Senate upon the subject of printing:

53. Every motion to print documents, reports, or other matter transmitted by either of the Executive Departments, or to print memorials, petitions, accompanying documents, or any other paper, except bills of the Senate or House of Representatives, resolutions submitted by a Senator, communications from the Legislatures or conventions, lawfully called, of the respective States, and motions to print by order of the standing or select committees of the Senate, shall, unless the Senate otherwise order, be referred to the Committee on Printing.

Mr. SHERMAN. That is the rule I referred to.

Mr. VOORHEES. I understood the Senator from Rhode Island to state that that rule applies when extra copies are asked for.

The PRESIDENT *pro tempore*. The motion to print must be referred to the Committee on Printing.

Mr. SHERMAN. The law applies to extra copies.

Mr. VOORHEES. Then I will ask an order to print the petition, referring the question of printing the documents which I have sent to the desk for the use of the Senate to the Committee on Printing.

The PRESIDENT *pro tempore*. Every motion to print memorials must be referred to the Committee on Printing. The whole subject must be referred to them to decide, where there is objection made to the printing.

Mr. VOORHEES. Does the Senator from Ohio insist on that rule?

Mr. SHERMAN. I think the rule had better be observed.

Mr. VOORHEES. Does he insist on the rule that the question of printing the petition itself shall be referred to the Committee on Printing?

Mr. SHERMAN. I have no doubt the Committee on Printing would recommend the printing of the petition probably as the basis of action, but as to printing accompanying documents I will say to the Senator if that policy should be adopted and an example set of this kind the amount of printing done by this Government instead of being now greater than probably anywhere else in the world would be duplicated and quadrupled to any extent. Therefore I simply insist upon the enforcement of the rule as a matter of justice to all parties. If the petition ought to be printed I have no doubt the Committee on Printing, which is pretty liberal about such matters, will recommend that it be done.

Mr. VOORHEES. In case the matter be referred to the Committee on Printing to determine whether the petition shall be printed at this stage, would it be proper to have the petition referred to the Committee on Foreign Relations?

Mr. HOAR. Is not the course proposed by the Senator from Indiana last within the rule? I understand he desires to have the petition printed, and then the petition and documents referred to the Committee on Foreign Relations, not having the documents printed.

Mr. VOORHEES. That is what I ask.

Mr. HOAR. I understand the rule requires such a question to go to the Committee on Printing, unless the Senate otherwise orders, and the motion of the Senator from Indiana is that the Senate do now otherwise order. So it seems to me the simple mode is to adopt his motion to print the petition, which is very brief.

Mr. SHERMAN. It is very long.

Mr. HOAR. The petition itself consists of only two or three pages.

The PRESIDENT *pro tempore*. The rule is that a motion to print goes to the Committee on Printing, unless the Senate otherwise orders. The Senator from Ohio objects, and therefore the sense of the Senate must be taken on the subject.

Mr. VOORHEES. I ask, notwithstanding the objection of the Senator from Ohio, that the order be given; not that the accompanying documents be printed, but that the petition be printed and referred, together with the accompanying documents, to the Committee on Foreign Relations.

Mr. EDMUNDS. That motion is certainly in order.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Indiana that the petition be printed, and, with the accompanying documents, referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. SAWYER presented the memorial of John Plankinton and 80 others, members of the chamber of commerce of the city of Milwaukee, Wisconsin, urging more liberal appropriations to the National Board of Health for preventing the spread of small-pox; which was referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

Mr. SHERMAN presented the petition of workingmen, employés of Franklin Iron Works, of Columbus, Ohio, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. GORMAN presented a memoral of ship-owners, shipping merchants, and ship-brokers of the port of Baltimore, Maryland, protesting against section 13 of the House bill commonly known as the shipping bill, whereby it is provided that the duties performed by the shipping commissioners at home ports shall be performed by the collectors of the several ports of the United States; which was referred to the Committee on Commerce.

Mr. GROOME presented a petition of 84 workingmen of the manufacturing establishment of Coates & Brother, Locust Point rolling-mills, at Baltimore, Maryland, praying that Congress will adopt no lower rates of duty upon any foreign manufactured products than are recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. BAYARD presented the memorial of Mordecai Barnes, W. H. Seidel, and 82 others, employés of the firm of Seidel, Hastings & Co., of Wilmington, Delaware, in favor of an increase of duty on tin-plates, steel-wire rods, steel blooms, pig-iron, cotton-ties, and all "non-enumerated" articles; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BARROW, from the Committee on Claims, to whom was referred the petition of G. M. Woodruff, of North Carolina, praying compensation for a horse taken from him by the United States Government, submitted an adverse report thereon, which was agreed to, and ordered to be printed.

Mr. COCKRELL. I am instructed by the Committee on Military Affairs, to whom was referred the bill (S. 2321) granting condemned cannon, and so forth, to the Dubuque Veteran Corps, Dubuque, Iowa, to report it back adversely with a printed report.

I will state the facts. We have had a report from the Secretary of War in pursuance of a resolution of the Senate that all the condemned cast-iron cannon which were available have been disposed of under previous action of the Senate and House, and it is useless to pass any more such bills. The only remaining condemned cannon are the heavy guns in the forts which are inaccessible to ordinary lines of transportation and are not suitable for ornamentation of graveyards or monuments.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed and the report will be printed if there is no objection.

Mr. CONGER. I do not understand quite as the Senator does that there are no more. I understand there are three hundred more cannon of a class that might be used for the purpose indicated.

Mr. COCKRELL. The Senator may have some information that the Secretary of War has not. We have the information from the Secretary of War and his report accompanies this.

Mr. CONGER. The report is printed and I speak by that. I ask that the bill be put on the Calendar and not indefinitely postponed.

Mr. COCKRELL. I have no objection to that.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. COCKRELL. The Committee on Military Affairs, to whom was referred the bill (H. R. 6826) to authorize the Secretary of War to turn over to Williams Post, Grand Army of the Republic, of Mystic, Connecticut, four condemned cannon and four cannon-balls, have instructed me to report it adversely, and with a recommendation that it be indefinitely postponed, and with a written report. Let it go on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the Committee.

BILLS INTRODUCED.

Mr. CHILCOTT asked and, by unanimous consent, obtained leave to introduce a bill (S. 2416) for the relief of A. W. Hicks; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PLUMB (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2417) to reduce the limits of the Fort Lowell military reservation in the Territory of Arizona; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HALE asked and, by unanimous consent, obtained leave to introduce a bill (S. 2418) for the relief of Emery S. Wardwell; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. INGALLS. I have been requested by a citizen of the Territory of New Mexico to introduce a bill to amend the organic act of that Territory.

By unanimous consent, leave was granted to introduce a bill (S. 2419) to amend section 10 of the organic act of the Territory of New Mexico; which was read twice by its title, and referred to the Committee on Territories.

AMENDMENTS TO A BILL.

Mr. HARRIS and Mr. COCKRELL submitted amendments intended

to be proposed by them respectively to the bill (H. R. 7327) to establish post-routes; which, with the accompanying papers, were referred to the Committee on Post-Offices and Post-Roads.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. HARRISON. I offer two resolutions, one a concurrent resolution and the other a Senate resolution, and I ask their reference to the Committee on Rules, intended to present both sides of the difficulty we have had. I propose that we shall have either a joint rule on the subject of amendments to appropriation bills or that we shall abrogate our own rule, one or the other.

The PRESIDENT *pro tempore*. The concurrent resolution will be first read.

The concurrent resolution was read and referred to the Committee on Rules, as follows:

Resolved by the Senate (the House of Representatives concurring), That the following be a joint standing order of the Senate and House of Representatives:

No amendment, whether proposed by a member or by any committee, which proposes general legislation shall be received in either House to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received, whether proposed by a member or by any committee; nor shall any amendment to any item or clause in such bill which does not directly relate thereto be received, whether proposed by a member or by any committee.

Mr. HARRISON. I ask that the other resolution be read.

The resolution was read, as follows:

Resolved, That the rule of the Senate numbered 29 be, and hereby is, abolished, and the following substituted in its stead:

"Any amendment to a general appropriation bill may be laid on the table without prejudice to the bill."

Mr. ALLISON. That is the rule now.

Mr. HARRISON. The resolution proposes to retain only so much of Rule 29 and abolish all the rest.

Mr. ALLISON. I beg pardon.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Rules.

GATLING MACHINE-GUNS.

Mr. HAWLEY submitted the following resolutions; which were considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy is hereby directed to communicate to the Senate the reports of the trials of the Gatling machine guns lately made at the Washington navy-yard, with the indorsements of the chiefs of ordnance thereon.

Resolved, That the Secretary of War is directed to communicate to the Senate the reports of certain trials of Gatling machine guns lately made at Sandy Hook, New York, with the indorsements of the chiefs of ordnance thereon.

DANGER-SIGNALS.

Mr. HOAR submitted the following resolution; which was read:

Resolved, That the Committee on Commerce be discharged from the further consideration of the bill (H. R. 707) to amend section 4233 of the Revised Statutes of the United States in relation to danger-signals.

Mr. HOAR. I desire to have the resolution go over under the rule; but I wish to say that at the earliest opportunity when the condition of the public business shall justify it I propose to submit to the Senate some remarks upon the resolution.

I wish to say now that all the great maritime nations of the world, including Great Britain, France, Spain, Italy, and Germany, and lesser states, numbering thirty-five in all, have agreed on a code of danger-signals to be observed by vessels, both steamers and sailing vessels, when steering by compass. The United States alone of maritime nations has not come into that convention. The result is, as everybody knows and as we have had painful evidence during the last week, that collisions at sea are frequently occurring. I have a list of several hundred such which have occurred within the last few years. The United States vessels act upon a different system of signals; and it has been held by the court of admiralty of Great Britain that in a collision at sea an American ship is to be held to be in fault by reason of the refusal of our Government to come into the rules adopted by all mankind beside.

The House of Representatives passed a bill early in the last session, and if it is not a violation of the rule I think I may say with great unanimity, providing for the appointment by the President of a competent board of officers to revise our own code of danger-signals, the result of which undoubtedly would be an agreement with the code adopted by foreign countries. The jurisdiction over that matter in Great Britain is with the board of trade. The President called the attention of Congress to it by a very urgent paragraph in his general message at this session and by a very urgent special message sent in during the session of last summer. Yet this bill slumbers, for some reason which I can not conceive, in the Committee on Commerce of this body; and the lives of American citizens, the lives of emigrants, the lives of all travelers by sea in American and foreign vessels are put to grievous and inexcusable peril by reason of the failure of our Government to come into this code.

I do not propose to pursue the subject this morning, but I propose to call to the attention of the Senate the evidence of what I now say at the earliest moment when the business of the Senate will permit.

Mr. VEST. I am very glad the Senator from Massachusetts has mentioned this subject. I had the honor at the last session of Congress to introduce a bill which proposes to enact that the danger-signals of the United States shall be conformed with those of the maritime nations of the world. That bill was not acted upon by the Committee on Commerce. The bill which came from the House of Representatives and which was referred to the Committee on Commerce was not favorably considered for the reason that a majority of the committee came to the conclusion that the bill was in the interest of a certain patent.

Mr. HOAR. If the Senator will permit me, I am authorized by the association of underwriters, who have specially called this matter to my attention, to say that they not only are willing but hope, while they do not understand it as the Senator from Missouri does, that everything in the bill which came from the House which can possibly give rise to such a construction shall be stricken out. All they want is to accomplish what the Senator's bill accomplishes. They will be very well content with his bill.

Mr. VEST. The Senator from Massachusetts is mistaken in assuming that I made that objection. I am not at liberty to say what passed in the committee. I favored the bill as it came from the House with very little modification; but finding that that bill could not be enacted, I introduced a bill myself in accordance with the recommendations of the Treasury Department, which was referred to the Committee on Commerce at the last session. That bill simply proposed to enact that the danger-signals of the United States should conform with those of the other maritime nations of the world. The matter is now pending before the Committee on Commerce. I did not exactly hear the wording of the resolution of the Senator from Massachusetts, whether he proposes to discharge the committee.

Mr. HOAR. My resolution proposes to discharge the committee, so that the subject may be brought before the Senate. Then the measure of the Senator from Missouri can be substituted if he should propose that and the Senate should agree to it.

Mr. VEST. I am very glad the Senator has mentioned it. It is a most important subject and ought to be acted upon, as it ought to have been acted upon some time ago, by the committee and by the Senate.

Mr. CONGER. I ask that the resolution may be read. I did not hear it.

The Acting Secretary again read the resolution.

Mr. CONGER. I feel it due to the Committee on Commerce, as the Senator from Missouri has said, to make a remark in regard to this matter. The Committee on Commerce have had several propositions before them relating to this subject; and in all the propositions which have been presented to the committee there have been two or three leading features which did not commend the subject-matter of the bills to the favorable consideration of the committee. In different forms the question has been before Congress for some years. In one form it came before Congress in a bill requiring every merchant vessel of the United States to purchase and use a kind of patent which had been invented by some person to regulate the mode and give the signals in steering during fogs or at other times. It was a requisition which would have required a royalty to be paid by every vessel in the United States, for the benefit of that patentee, a proposition which seems to me, as one of the committee of this body, and seemed when it was presented in another House, as a bold, bare-faced attempt to put in the pocket of a patentee a very large amount of money at the expense of the shipping interest, without any considerable equivalent. The same principle remains now in all these bills; the same theory is in all. Then when there are objections made to legislating solely for a patentee, the bill is changed so that there shall be some particular mode prescribed, but as the patent is the only one there is in that direction it means the same thing in whatever form it comes.

The Senator from Massachusetts knows, for we have conversed upon it, that the sole moving impulse for years in either House of Congress has been to arrive at some legislation which should compel or would permit, according to the terms employed, the use of this patent. Failing in that before the committees of the two Houses, the bill now proposed places the entire power to make rules for navigation, for signals, and for lights, in the hands of three subordinate persons, heads of bureaus in the Treasury Department. Three persons are selected who are to have the whole power and control of making rules and changing rules on this subject, and who are to make them to conform to those of foreign nations, irrespective of the wishes of our own people.

This is the bill which is urged here, and it is urged that that be taken away from the Committee on Commerce. Congress has never given, even to its own board of twelve supervising inspectors of vessels, with a supervising inspector-general, it has always refused to give them the power to change the sailing directions or rules in regard to sailing and signals and lights. Congress never has given it to such a body as that appointed by the President, confirmed by the Senate, established by the law, because it would not put into the hands of anybody but Congress the control of this most important of all subjects connected with our navigation.

I think that this subject is in the hands of a committee that understand it. I think it is in the hands of a committee that can guard this Government against the encroachments of patentees. I think it is in the hands of a committee that know better whether to leave the regu-

lations and the laws and rules in regard to signals and lights and sailing directions in Congress or in the hands of any body of men.

What is proposed in this bill would throw that whole subject into the hands of two or three men selected with power to make a revolution entirely in the law which has been the law for years in this country in regard to signals, lights, and sailing directions, under which law all the decisions of our courts have been made; so that the whole matter is settled not only in the law of Congress, but by judicial decisions which make it well understood by all the people of the country. It is proposed to throw that into the hands of three heads of bureaus, changeable as they may be from month to month.

Mr. HOAR. Will my friend permit me to call his attention to a fact? This is a matter which must be agreed to by all mankind, and the proposition is to put it into the hands of the President of the United States, having appointed such board of subordinate officers to advise him as he thinks fit. He and the Treasury Department and the State Department have urgently requested it.

Mr. CONGER. I did not suppose the Senator rose to make a speech in the midst of mine.

Mr. HOAR. I ask whether the Senator is serious in saying this ought to be done by act of Congress?

Mr. CONGER. I am serious in saying it, and I am serious in saying that the British Government alone in the first instance changed and modified its sailing laws as to lights, signals, and sailing directions, and then secured of the naval powers and of the powers of the world not naval their acquiescence in it one way and another for the last three years; but the United States were never a party to that agreement, and were never, in any proper sense, invited to be until the whole thing had been done. If you look at the list of thirty-five nations that have subscribed to the English rules, you will see that some of them never had control of a vessel; they had no place where a vessel of theirs could reach the water; little insignificant countries, the very name of which would be novel almost if repeated here; and thus it is called international. It is true Germany and France and other leading nations have finally acceded to some of these regulations. Their waters are contiguous; they occupy the same channels, the same waters; they are like sailing rivers almost. But there is no reason in the world why there should be coupled with a desire to change the matter conformable to some international rule this kind of legislation which is thrust away from the power of Congress and given to two or three heads of bureaus. That is the object of this motion, to take that bill from the Committee on Commerce without examination and bring it into the Senate and have it decided here.

Mr. MCMILLAN. Mr. President——

Mr. MORRILL. I call for the regular order.

Mr. CAMERON, of Wisconsin. The regular order is the Calendar.

The PRESIDENT *pro tempore*. In five minutes the morning hour will have expired.

Mr. VOORHEES. I desire to present some morning business.

Mr. MCMILLAN. Do I understand that any action is proposed to be taken upon this resolution?

Mr. HOAR. I gave notice that when this could come up with justice to the other business of the Senate, I should address the Senate on the subject. The resolution goes over under the rule. That is all.

Mr. MCMILLAN. Then I have nothing to say.

Mr. CONGER. Would it be in order to move to send the resolution to the Committee on Commerce?

Mr. MORRILL. Not now.

The PRESIDENT *pro tempore*. The motion would not now be in order. The Senator from Massachusetts introduced the resolution with a view to submitting some observations. It lies over.

Mr. MCMILLAN. I have no remarks to make on it at this time, but when the resolution comes up I shall state the history of this proceeding before the Committee on Commerce.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 1294) more effectually to suppress gaming in the District of Columbia; and it was thereupon signed by the President *pro tempore*.

CONSIDERATION OF RECIPROCITY TREATIES.

Mr. VOORHEES. I offer a resolution and ask that it be read.

The Acting Secretary read as follows:

Whereas the Constitution declares that Congress shall have power "to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States," and also "to regulate commerce with foreign nations:" Therefore,

Resolved, That it is the sense of the Senate that in all legislative proceedings regulating the commerce of the United States with foreign nations, or between the States of the Union, or which affect the revenues and the industries of the citizens of the Union, the debates and votes thereon should be had with open doors, to the end that the people may be promptly and thoroughly informed of the measures in contemplation or progress bearing upon their safety and welfare, and may be thereby enabled to make known their wants and wishes to their public servants, to remonstrate in season against measures which they may deem injurious to their interests, and to expose any improper agencies and methods employed to promote merely individual or corporate interests to the detriment of the public weal.

Second. That in a government resting upon public opinion, deriving its just powers from the consent of the governed, and drawing its best inspiration and wisdom in large measure from the intelligent patriotism of its citizens, it is not proper that measures of general legislation affecting the great questions of taxation and revenue or commercial intercourse with foreign nations should be settled in secret sessions of the Senate by treaty stipulations, while the more immediate representatives of the people, on whom the Constitution expressly devolves the origination of measures for raising revenue, are left ignorant of what is being done until the faith of the Government is pledged, and their own freedom of action on legislative questions modified and constrained by the engagements of the treaty-making power.

Third. That it is hereby ordered that all treaties or conventions usually known as reciprocity treaties, where alterations are made in the rate of duty imposed on any article subject to customs taxation, shall hereafter be considered in the open sessions of the Senate, and the debates and votes had thereon shall be printed immediately thereafter in the CONGRESSIONAL RECORD.

Mr. VOORHEES. I ask that the resolution be printed and lie on the table; and I give notice that I will at as early a time as possible call for a vote upon it.

The resolution was ordered to lie on the table and be printed.

THE INTERNAL REVENUE AND TARIFF DUTIES.

The PRESIDENT *pro tempore*. The morning hour has expired.

Mr. MORRILL. I now move to postpone the present and all prior orders, for the purpose of taking up the tariff bill.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to postpone the Calendar till to-morrow.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont now moves to take up the unfinished business, which is the revenue bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from West Virginia [Mr. CAMDEN] making the duty on iron ore 60 cents per ton, instead of 50 cents.

Mr. MILLER, of New York. Mr. President, I feel that I should apologize to the Senate for again saying anything upon the question of iron ore, and had it not been for the statement made by the Senator from Kansas [Mr. INGALLS] yesterday just before the adjournment, a statement startling if true, I would not venture this morning to say a single word more upon this question.

I look upon the action of the Senate yesterday as most unwise and prejudicial to the best interests of this country. I consider the value of the iron ore of the United States to-day to be far greater than the combined value of all the gold, silver, copper, and lead that are contained within our borders. The article of iron is such a necessity of life in our present condition that we might better lose all the precious metals than to lose it. I believe that the action taken yesterday by the Senate so far as it went will have a direct tendency to close up for a long period of years a number of our iron mines which have been opened, and that it will prevent for an indefinite time the opening and the development of mines in many of our Southern States. This must be my apology for again troubling the Senate on this question.

The statement made by the Senator from Kansas [Mr. INGALLS] is as follows; I read from the RECORD of to-day:

I understand this foreign ore is used exclusively in the manufacture of American steel. I am also advised further that no American ore can be used for this purpose in consequence of the percentage of phosphorus which it contains. The foreign ore, therefore, is not a competitive product, and believing that it is not brought into competition with any American product, I shall vote against the proposition offered by the Senator from Michigan, and if I have the opportunity shall vote to put it on the free-list.

Mr. President, if I believed as the Senator from Kansas undoubtedly does believe, what is there stated, I should vote with him to put iron ore upon the free-list; but it is because I know that that statement is not correct, that it no way approaches correctness, and that if that policy shall be carried out in the Senate and in Congress it will be at the cost of all our interests, that I am so earnest in this matter.

I have received this morning by mail a letter from one of the most noted iron and steel manufacturers of this country, Mr. James A. Burden, of Troy, New York, where, as I said yesterday, the first Bessemer steel was made in this country. This letter so ably advocates the position which I took yesterday that I shall trouble the Senate to listen to it.

TROY, N. Y., *January* 22, 1883.

DEAR SIR: I have just sent you the following telegram: "I learn that the question of tariff on iron ore is to come before the Senate in a day or two. I deem it of great importance to this State that there should be a sufficient tariff on iron ore. Our State contains numerous and extensive deposits of iron ore, and their development should be encouraged. Such a course will benefit not only the ore producers but the iron manufacturers also, for the latter will then be able to obtain abundant supplies of ore at their very doors at less cost than if transported from other States or foreign countries at considerable expense for freight and handling. Besides the policy of protection should be based upon a principle applicable as well to the crude material produced in this country as to the finished product. I respectfully commend the subject to your careful consideration, and if your decision should be in favor of a higher tariff on iron ore I feel sure it will accord with the interests of our State. I write you to-night.

"JAMES A. BURDEN,
"*President of the Burden Iron Co.*"

This was the dispatch I received yesterday. Now follows his letter with a more careful statement of the case:

Under the present tariff iron ore comes under the heading of articles not enumerated, and is subject to an ad valorem duty, which amounts to a mere trifle per ton. This classification was undoubtedly owing to the fact that at the time the tariff was framed it was not expected that this country, with all its vast mineral wealth, would ever become importers of iron ore.

Since the development of the Bessemer-steel industry, which requires ore of a superior quality, the English manufacturers have been compelled to look to Spain and Africa for suitable ore for this process, and the extensive mines in the latter countries have been developed by English capital; and in this way the iron ores of Spain and Africa have of late years found their way to this country, the quantity imported being large and increasing. The importation of these ores into this country at the beginning might have been necessary, but there is no necessity for it now, because lavish supplies of ores suitable for the Bessemer process—

I beg the Senator from Kansas to listen to this language—

lavish supplies of ores suitable for the Bessemer process and for the finer qualities of steel are now to be had in this country. And at this point I wish to impress upon you the great importance of this question to the State of New York. Pennsylvania is considered as pre-eminently the iron State, but she is not entitled to this distinction. It belongs to our own State. Pennsylvania is the coal State and New York the iron State. New York State is rich in iron ore. I will not occupy your time by speaking of all the iron-ore deposits of our State. I will simply refer to three of its deposits, namely: Chateaugay, in Clinton County; Port Henry, in Essex County; and the lately discovered deposits of Columbia County. Either one of these three deposits alone contains more ore than all the known deposits of the whole State of Pennsylvania, with the single exception of that at Lebanon. And the State of New York has already developed larger deposits of iron ore suitable for Bessemer steel than any other State in the Union, with the exception of Michigan. From this you will perceive how vital a question is the tariff on ore to the State of New York. In this State the mines are easily worked, and accessible to market at low rates of freight, and are being rapidly developed. With a proper tariff our State should become the greatest iron-ore producing State in the country; she would before long supply Pennsylvania with the greater portion of its iron ore, and would render it unnecessary for American manufacturers to go to foreign countries for ores for Bessemer purposes, the ores of our State being peculiarly adapted to this purpose.

I think that the tariff on iron ore should bear some proper proportion to the tariff on manufactured articles.

This, Mr. President, is a letter coming from a man who has for many years been largely engaged in the manufacture of iron and steel. In fact the name of Burden is a household word among all consumers or users of iron in this country, and his interests in manufacturing are many fold greater than his interests in mining:

Although a manufacturer myself, I do not think it is quite in accord with the principle of protection to ask for protection upon the iron I sell and object to protecting the miners of ore from whom I purchase.

Under the present tariff steel rails are protected about 62 per cent., and bar-iron about 40 per cent. upon the market value of each, while iron ore is protected to the extent of only about 10 per cent. upon its actual market value. The cost of labor on a ton of iron ore bears a greater proportion to value of product than is the case with pig-iron or steel rails. According to the census reports of 1880, the labor required to manufacture a ton of steel from the pig by the Bessemer and open-hearth processes is $5.04, and the labor required to convert iron ore into pig-iron, including charcoal pig-iron, is $2.62. The census does not give the cost of labor required to mine a ton of iron ore, but I find in the Engineering and Mining Journal, of August 12, 1882, a statement showing the cost of labor in mining a ton of ore in New Jersey to be $2.46. New York State contains many miners, and they are nearly all miners of iron ore. The question is an important subject for them, as they come in competition with the cheap labor of Spain and Africa, which, as you know, is probably the cheapest in the world, excepting Chinese. The question of a tariff on iron ore is of greater importance to the people of New York State than to those of any other State of the Union. In view of the interests which they have at stake in this matter, I confess I have been surprised at the lack of information on the part of intelligent people regarding the iron resources of the State and the policy required for their development. Is it right to advocate protection to labor engaged in manufacturing pig-iron, bar-iron, and steel rails, and deny similar protection to labor engaged in mining ore? The Representatives in Congress of the State of Pennsylvania have done in the past noble service for the cause of protection. They have also looked well after the interests of their State. This is shown by the high tariff on coal. It may be that, in the matter of iron ore, their desire to benefit temporarily the manufacturers of their own State exclusively may outrun their zeal for the right principle of protection.

And I am bound to say, Mr. President, in regard to that sentence, so far as action has been had in the Senate it does not hold true of the State of Pennsylvania, but it does hold true of some other States, as I shall show before I have finished.

It may be that you will find them advocating high rates of duty on iron and steel manufactures and indifferent to the duty on iron ore or anxious for a low duty. Perhaps this influence led the Tariff Commission—

I call the attention of the Finance Committee to this—

perhaps this influence led the Tariff Commission to report in favor of establishing a duty of only 50 cents per ton on iron ore in place of the higher duty recommended by the iron and steel interest of the whole country at the convention at Crescent. In my opinion the duty on iron ore should be $1.50 per ton, but I suppose it would not be possible at this late hour to establish it at this figure. Under the circumstances I would recommend that the duty on iron ore be made $1 per ton.

I inclose copy of letter addressed by me to Mr. Smith M. Weed, and which he afterward asked my permission to read in his argument before the Tariff Commission, which required it to be printed in its present shape.

I have but just returned home after an absence of ten days, and find, suddenly, that this question is to come before the Senate at once. I have endeavored in the limited time before the closing of the mail to set down the points which occurred to me and which it seemed to me should be laid before our Senators and Congressmen at Washington.

Very respectfully, yours,

JAS. A. BURDEN.

Senator WARNER MILLER, *Washington, D. C.*

Here is a letter, as I said, from one of the most noted iron and steel manufacturers in this country, in which it is stated most unequivocally that we have in the United States all the ores which are necessary for the production of Bessemer steel and even of the higher grades of steel. I put that statement of this iron-master against the information which the Senator from Kansas may have upon the subject.

In whose interest, Mr. President, are we putting a low rate of duty on iron ore? Who is to be benefited? The iron ore which has been imported into this country during the past two years has been taken, nearly every ton of it, by two or three manufacturers of Bessemer-steel. Our friends on the other side have never yet made a free-trade argument in which they have not pointed and adorned their tale by referring to the overgrown and enormous monopoly of the Bessemer-steel manufacturers in this country. I say here, and it can not be denied or disproved, that a low rate of duty upon iron ore is simply and solely in the interest of the Bessemer-steel manufacturers of this country. It will not reduce the price of iron to the consumer the one-millionth part of 1 cent per ton. It is all taken by the Bessemer-steel men, who have a monopoly of the trade, who, holding the patents, of course can control it. I would ask our friends on the other side when they cast their votes against a fair rate of duty upon iron ore, to state fairly and frankly that they are voting for the interests solely of the Bessemer-steel manufacturers of this country, and against the interests of the miners of the United States.

Mr. President, in looking over the RECORD, and in listening to the answers which were given to the call of the roll on the various votes yesterday upon $1 per ton, and upon 85 cents per ton, and upon 75 cents per ton, I confess my surprise at finding that only two Senators from all New England voted for either one of these rates, and I was led to ask myself the question, Why is this so? We shall soon arrive at a portion of the tariff where we shall be asked to maintain and put high rates of duty upon fine machinery which uses steel and iron and copper a rate of duty which is perhaps fully 45 per cent. We shall be called upon——

Mr. MORRILL. Will the Senator allow me to say, as he refers to the votes of Senators from New England, that I come from New England, and that this matter was very fully considered in the committee, and it was a struggle between retaining any duty upon ore and having it at 50 cents.

Mr. MILLER, of New York. I understand that.

Mr. MORRILL. And having accomplished in the committee a retention of the duty at 50 cents per ton, I felt bound myself to vote for it in the Senate. The Senator has made another mistake in relation to what the manufacturers ask. He has stated it at $1 a ton. They ask but 85 cents.

Mr. MILLER, of New York. I simply read the letter of Mr. Burden. I understand they first asked for a dollar a ton, and then modified their views to 85 cents a ton.

Mr. MORRILL. I have their report.

Mr. FRYE. Will the Senator allow me right there? The Senator alludes to machinery. There never has been and is not to-day so high a rate of duty on machinery as there is upon the raw material that goes into machinery, to say nothing at all about the labor.

Mr. HOAR. Will my friend from New York allow me a word?

Mr. MILLER, of New York. Certainly.

Mr. HOAR. It is certainly impossible to frame any tariff bill with due regard to the interests of the country without placing very great reliance upon the judgment of the committee who have investigated the subject. For myself, in this matter I have followed the committee.

Mr. MILLER, of New York. I had expected somewhat to stir up my New England friends; and I am not through with them yet. They say it is not possible to make a tariff bill which shall do exact justice to all the industries of this country; but I think it is. For one I propose to stand here for what I believe to be exact justice to all portions of the country.

Mr. HOAR. The Senator will pardon me. He is quoting what I did not say.

Mr. MILLER, of New York. I understood the Senator.

Mr. HOAR. I said it was not possible to frame a bill which should do justice without imposing very great reliance upon the judgment of the committee. This is not a question of protecting or not protecting iron ore; it is a question as to what particular amount of duty is a reasonable and adequate protection. Now, the Committee on Finance, selected for their knowledge of this special subject by the Senate, on hearing all the parties, conclude that an adequate protection is 50 cents a ton, and the Senator from New York proposes 85, though he thinks it ought to be a dollar or a dollar and a half.

Mr. MILLER, of New York. I propose to make it $1.

Mr. HOAR. The Senator said if he had his way he would make it a dollar and a half, I believe. It seems to me very singular for any Senator to undertake to make such an argument as that which we have heard. Any Senator who thinks that on the whole he can rely more safely on the judgment of this committee than on that of interested parties may well vote against such an amendment.

Mr. MORGAN. I do not desire to have any exposure of the internecine quarrels of gentlemen on the other side, still if they say anything in the Senate we should like to hear it, at least we should like the Reporter to hear it so that the country may know what they are saying.

The PRESIDENT *pro tempore*. The Senator from New York has the floor.

Mr. MILLER, of New York. I said that I was greatly surprised at the action of the majority of the Senators from New England, and I repeat that. I am not making any sectional argument in regard to this matter, and I shall not be found taking any sectional ground myself; but it is well known that the great industries which flourish in New

England (and I am glad that they do flourish there) have been built up and have been made possible by the system of protection which the chairman of the Finance Committee [Mr. MORRILL] had the great honor of giving to this country more than twenty years ago, and I shall regret if he shall in any way depart from the position which he took in that great contest. I shall regret if he shall find himself compelled to compromise as the first great leader of protection in this country, Henry Clay, did, when he submitted to a compromise tariff, which resulted in bringing great distress and bankruptcy upon this country and which put back the development of it more than fifty years. I pray and hope that the men who have led in this great contest during the past quarter of a century will not be found wanting now. There are still greater resources and still greater opportunities to go on and to develop the untold wealth which nature has given us.

I say, sir, that the industries in all New England have been made possible by the tariff. Many of them have been brought to a position where they need to-day little or no protection; but there are other States and other interests which do need protection in order that their resources may be developed. No portion of our country to-day needs it so much as that portion which lies south of the Potomac River. It has iron mines of untold value which are only waiting for the magic touch of capital in order to bring them out and to bless all the States in which they are found.

If New England shall think it necessary and if her ideas are that iron ore should have little or no duty upon it in order that she may thereby reduce the market price of pig-iron or of bar-iron or of steel, which she so largely uses in her machine shops, I want to say that she is greatly mistaken. If gentlemen want cheap iron and cheap steel in this country they will only have them by holding on to the system of protection; and if it is found, as I believe it is, to be necessary that there should be more protection to the development of iron ore it should be given; and by that means ten years more will not elapse before, instead of our sending abroad, as we have been doing during the past year, not only for iron ore but for iron itself in all its various forms, we shall make it all here and sell it to the consumer for less money than it is being sold for to-day.

I have here a statement of the amount of iron of all kinds which was imported into this country last year. It amounts in round numbers to 1,900,000 tons, including pig-iron and steel and all the various forms in which it has come in. Taking the total amount as 1,900,000 tons of pig-iron, it was manufactured from 3,500,000 tons of iron ore, and it required 3,500,000 tons of coal to make the iron which was imported into this country last year. Still we have ores in almost every State from Maine to the Gulf, ores sufficient to make all the iron that is made in the world, and all the coal that is necessary to make it.

I find, in looking at this matter still further, that if we take the 1,900,000 tons of iron imported into this country last year, and consider the coal which was used to make it, and put it into figures, the fact is that if it had been produced in this country there would have been paid out in wages alone for the production of the iron which we imported about $60,000,000. It would have given employment to about 100,000 able-bodied men for 300 days in the year at $2 per day, and those 100,000 men, if employed, would have supported by their labor families amounting to more than half a million of our people.

We have sent abroad during the past year money and grain to pay for all this. If we had produced it here the balance of trade would have been very largely in our favor. And the question now before the Senate is whether we shall go on doing that sort of thing, or whether we shall have such a rate of protection for the mining of iron ore and smelting it and producing ore of all kinds as shall make us absolutely independent of any foreign country for this the greatest necessity of civilized life.

Mr. ROLLINS. Will the Senator allow me to ask him a question before he sits down?

Mr. MILLER, of New York. Certainly, sir.

Mr. ROLLINS. I desire to ask the Senator from New York, in view of the lecture he has been reading New England Senators for their votes upon the tariff on iron ore, what rate of duty was recommended by the Tariff Commission?

Mr. MILLER, of New York. That question has been answered many a time yesterday in this debate.

Mr. ROLLINS. I am very well aware of that fact, but I should like to have the Senator from New York answer it now.

Mr. MILLER, of New York. Fifty cents per ton.

Mr. ROLLINS. Fifty cents per ton by the Tariff Commission and by the Finance Committee of this body as well?

Mr. MILLER, of New York. By the Finance Committee of this body as well, as explained by the chairman.

Mr. ROLLINS. I should like further to ask the Senator from New York, who represented the iron interest upon the Tariff Commission, if it was not Mr. Oliver of the State of Pennsylvania?

Mr. DAWES. He represented Bessemer steel.

Mr. MILLER, of New York. That is just what I have been saying. I had read a letter here showing that this duty on iron ore was made simply and solely in the interest of the Bessemer-steel manufacturers of this country who have a monopoly of the industry because they hold the patents. They consumed last year every ton of foreign ore that came into this country. Not a ton went anywhere else.

Mr. ROLLINS. I for one had supposed that the iron interest of this country was pretty well cared for by the Tariff Commission, the iron interest being represented by an iron manufacturer of Pennsylvania.

Mr. MILLER, of New York. No doubt the iron interest, so called, has been well cared for; but the iron interest of which the Senator from New Hampshire speaks is the iron industry beginning with pig-iron, and not with the ore dug out of the earth. There is where it began. It did not go any further down than that; and this proposes to allow the Bessemer-steel men to go anywhere in the world where they can obtain their ore the cheapest, and bring it here and make it into Bessemer steel, when we have an unlimited and unbounded supply of it here ourselves.

But, sir, I regret to see that New England has seen fit in this one thing to vary from what I believe to be the sound doctrine of protection—that is, that it shall be given to labor in all its forms where it is employed in this country. But I want to say to the Snators from New England that they need not fear any reprisals from me. I voted with the Senator from Connecticut [Mr. PLATT] the other day when he made an argument here which I believed was conclusive in regard to the duty upon saltpeter. I shall be prepared to stand by them in all their industries, whether of machinery, or of cotton, or of wool, or of silk. Wherever they shall show that they need a certain rate of duty my vote will always be with them, no matter whether it corresponds with the recommendation of the committee or whether it corresponds with the recommendation of the commission or not. I am inclined to think that there are some New England Senators on this floor who can tell us more about the industries in their individual States than the Tariff Commission learned when it traveled over this country upon a junketing tour and did it all up in a grand round in two or three months.

I shall be prepared to follow the New England Senators upon every proposition where they will be able to convince my judgment; there will be no reprisals in my votes; and if I were disposed to indulge in reprisals here I could not do it without wounding the State which I represent. New York to-day is the greatest manufacturing State in this country. I find by Census Bulletin 302 that during the year 1880 New York had employed in manufacturing industries $514,246,575 in capital, that she employed of laborers 531,533; and if we take the average number of people who are supported by each individual who works in a manufacturing establishment, we find that one-half of the population of that great State to-day get their living by working in manufacturing establishments.

In addition to that, the farming industry of New York is entirely dependent upon the manufacturing establishments within its own borders. If they were not working we should be in competition with the great West, in competition with Kansas and Nebraska, which turn their back upon us here on almost every vote; we should be compelled to send from one to two millions of our people out into that western country to take up new farms, and to vastly increase the amount of agricultural products which would be produced in this country. Less than one hundred years ago the Genesee Valley was the center of the wheat culture of this country. It has passed away from us; it has gone from Ohio to other Western States, and on and on until it is in the great Northwest, and soon it will reach the Pacific coast.

We are in New York the greatest consumers of all the cereals produced in the West. Even in our dairy districts, in which I immediately live, we do not grow the grain for our own cattle, but we bring it from Indiana and from Kansas and from Nebraska by the tens of thousands of bushels to feed to our cattle. Agriculture is possible in New England and New York only because we have the market at our doors; and we can supply not the great cereals—we can not supply corn or wheat, neither can we supply beef. The Senator from Texas [Mr. MAXEY] yesterday was complaining about a little duty upon barbed wire for the fences to keep his cattle upon the bounteous plains of Texas. I want to ask him, ask the Senators who represent those great States where the cattle roam by the hundreds of thousands, what their beef would be worth upon the hoof if it were not for the eastern consumers? The amount that is exported to England is a mere bagatelle, a mere trifle.

New York, I say, then, has everything at stake in the tariff; not only its industries, but every foot and every acre of its land would be almost valueless for agricultural purposes if a great panic should come upon our country. If one-half or one-quarter of our manufacturing establishments should be closed, no State would suffer more than the State which I represent; and therefore, Mr. President, if I had anything offensive in my heart, if I was at all disposed to reprisals, I could not do it without injuring my own constituents as much as any others. I say to the Senators from New England, do with this question of iron ore as you please; your votes have decided it and will decide whether it shall go on the free-list or not. Act without any regard or consideration to what my vote shall be, for you will never lose it upon any important industry of yours which you may be able to bring before the Senate.

Mr. President, I have not always been able to approve of the sentiments of my friend from North Carolina [Mr. VANCE], who so often addresses us upon the tariff. I am glad whenever I can find anything he

says upon the tariff to approve of, and I want to put it down in my own memory and down in the RECORD, so that it may stand forever. Last year he made an elaborate argument upon the tariff question here, and I want to read just one clause from it in regard to this subject of iron ore. The Senator from North Carolina said:

I want all American labor to have a fair and even chance. I want my own poor workingmen at home protected, not only against foreign paupers but also against domestic brigandage. Almost every item of foreign raw material used by our factories is the product of foreign "pauper labor," and is admitted duty free. By the report of the Chief of the Bureau of Statistics for the three months ending September 30, 1880, there is seen a statement of the imports of iron ore, which shows a total of 425,000 tons, worth $1,192,000, brought from every quarter of the world, all dug by pauper labor, and much of it even by convict labor as I am informed, notably 113,000 tons from the French possessions in Africa. This in preference to the ore dug by free American labor in Alabama, Georgia, Tennessee, North Carolina, and other States. It comes in as ballast in foreign bottoms, to the detriment of American ship-owners.

Mr. President, I adopt those as my sentiments. It is seldom that I have an opportunity to approve of the remarks of the Senator from North Carolina. I believe that we are making a great mistake in this question. I believe that if all the Senators representing the various States, not only where iron ore is to be found but where it is not to be found and where it must be used, should see that it was for the interest of the whole people to put at least $1 a ton duty upon the importation of iron ore, it would not be ten years before we should be absolutely independent of all the world either for ore or for iron or steel in any of its shapes.

Just one word more as to the proposition of the Senator from Kansas, that we have no ores which will make American steel. I desire to refer him to the little State of Colorado, which has already invested some three or four million dollars in putting up great iron and steel works, and I understand from her Representative that she is making there the best quality of steel rails made anywhere in this country or in this world, and she does it without going outside of the borders of her own State.

Mr. President, we have an abundance of these ores everywhere. If the great iron and steel manufacturers of this country who have had so much to do with this schedule upon metals would only consent that we should have a fair rate of protection upon that industry, they would find it not only to their own interest but to the interest of the whole people.

Mr. MORRILL. Mr. President, so far as legislation is concerned it is a subject of compromise from beginning to end. No measure passes which exactly suits every man in the Senate. It must be a matter of compromise. I am delighted to find that we have got a more stalwart representative of protection than ever Henry Clay was, to say nothing of myself; but the Senator from New York should remember that the Tariff Commission had not the benefit of his three-quarters of an hour's speech yesterday morning and his three-quarters of an hour's speech this morning, nor had the Committee on Finance of the Senate the benefit of his views upon the subject, nor had another committee of a larger number in a different House from this the benefit of the Senator's remarks upon this subject.

Now, Mr. President, since this bill has been taken up I have not, except in the opening speech, occupied five minutes at any time in explanation of it. As I said before in relation to this matter, I have not much doubt that the tariff upon iron ores might have been raised a little, but we absolutely reported as much as the average has been for a series of years, and as I stated it was a subject of compromise, 50 cents having been agreed upon by the Committee on Finance, I must of course adhere to it.

Mr. MILLER, of New York. Just one word in answer to the Senator from Vermont. I understand full well that this whole matter must to a certain extent be a matter of compromise, and I am perfectly willing to submit to that general rule. For anything that I am myself interested in, or anything that I know anything about, I am in favor of the lowest rate of duty under which the industry can possibly live. So in this matter all that I ask for the iron-ore industry is that in making a compromise it shall not be reduced to a point which will destroy it; because if it can not exist, if the mining of the ores of which we have been speaking can not exist under a rate of 50 cents made by the Tariff Commission and the Finance Committee, then of course compromise means death. If it can exist at 75 cents or 85 cents or a dollar, I want to go to the very lowest point possible under which the industry can continue to prosper and be able to pay fair wages to American labor.

Mr. MORRILL. But the Senator very invidiously referred to the votes of the Senators from New England.

Mr. MILLER, of New York. If there was anything invidious in my insinuation I desire to withdraw it.

Mr. MORRILL. He afterward admitted that he would not make any reprisal simply because it was impossible for him to do so in consequence of the interests of the State of New York being involved. Now, I say to the Senator that if he does not mean anything, he had better not say it.

Mr. MILLER, of New York. I submit that the RECORD will show that the Senator does me great injustice in that remark. I first said, without referring to the interests of New York, that I should stand with New England, and with every State in this Union upon all their industries, so far as they should present them to my judgment in the Senate; but I did say, further, that if I was at all disposed to reprisal, if there was anything of that kind in my heart, I could not possibly give scope to it here without injuring my own people. I did not mean to utter any threat, but I said before even I spoke of it that I should be found during the remainder of the discussion of this bill just where I have been during the days which have preceded, for I have voted with every Senator who gave good reasons for what he asked in the bill.

Mr. BECK. I see by the RECORD this morning that I made a remark yesterday which perhaps does injustice, unintentionally I claim, to the Senator from Georgia [Mr. BROWN], or it may be so construed. After he had asked me several questions relative to Bessemer steel and other things, which I had explained as well as I could, he seemed to think I had made no explanation that was satisfactory, and in perhaps rather a petulant way I observed that I was not sure I could satisfy him; that I supposed he would vote for it if it was 100 or 150 per cent., and then I said:

I do not expect to convert him—

That is as far as my remarks applied to him, and perhaps I had no right to say that, but I then added:

nor do I expect to convert any of these gentlemen who believe in protection for protection's sake.

I was answering the Senator from New York [Mr. MILLER], whom I had shown on the floor of the Senate before when this discussion was up was not only a protectionist, as I thought, but after the convention that met in Chicago had resolved that the American people intended hereafter to keep this market for themselves, and that the tariff must be protective, had presided over a meeting in New York where he declared in language as forcible as he has been using now that he was a protectionist, and, as I understand from his speech, a protectionist *per se*. It was to him and that class of men that I was referring, and not to the Senator from Georgia, when I spoke of those who were in favor of protection for protection's sake.

I wanted to say that much in justice to myself, although in the somewhat awkward way in which I expressed it I can see by reading the RECORD this morning that the Senator from Georgia might well understand I was referring to him, though I was not.

Mr. BROWN. I thank the Senator from Kentucky for the explanatio he has made. I did understand him as I stated yesterday. I have entertained for him for a long time the warmest possible friendship and the greatest possible regard, and I did not believe he had any motive to misrepresent me. I felt that he had misrepresented me, and hence I responded to the charge as I did. I now understand what his motives were, and I thank him for the explanation.

Mr. DAWES. I have not risen with any intention to occupy the attention of the Senate for any length of time, but to express my discouragement at the debate which has been had this morning. I think that any one who has heard it and who has believed that the financial policy of this Government rested upon principle has found great discouragement in what he has heard. I have not got up to repel any remarks of the Senator from New York upon New England or to protest against what the chairman of the Committee on Finance has said. I do not ask any Senator to stand by New England. I should consider myself derelict in duty if I proclaimed myself here a Senator, while this bill is under consideration, standing by New England. If New England has any interest whatever that can not stand except tribute be paid to it by other sections of this country, she must find some other representative than me here to advocate or defend such a sort of policy as that. If New England has any sound, wise economic policy, it rests upon a broad foundation embracing the whole country and all its interests. I repel the idea that we are here making compromises in settling the great financial policy of this Government. It does not rest on compromises; it can not be made up on compromises. Unless we are willing to adopt some sort of principle in this matter and stand by it, whatever may be its application to particular interests, we had better give it up. There are too many of us, there are too many interests, there are too many policies, there are too many climatic differences, there are too many local interests concerned for us seventy-six men here to think we can build up a financial policy for this Government that shall rest upon compromise and not upon principle.

Mr. MILLER, of New York. I have preached no doctrine of compromises. I have said undoubtedly that I stood here for what I believed to be the proper protection to all the industries of all the States.

Mr. DAWES. The Senator from New York is entitled to great respect and attention when he speaks, but he must not flatter himself that whatever is said here has allusion to him alone.

Sir, what is the principle that we claim this tariff policy shall rest upon? It seems to me, and I always supposed it was sound, that we should so regulate and graduate these duties as to best develop all there is of strength, all there is of resource, all there is of wealth in this country, whether it be in the bone and sinew of the laborer, in the fruition of capital, or in the wealth in our own bosom. That seems to me to be the principle; but if we are to stand guard here over any particular interest in our own locality and fight for that against all comers,

we had better give up any attempt to reduce the tariff. Unless we can agree to some principle upon which we shall adjust this tariff we had better give over, and we had better open our ports to the free competition of the world, and gather our revenue by taxation upon ourselves than to undertake the work in this way.

Sir, take this particular interest. I do not agree with this committee or with the Tariff Commission with regard to iron ore; not because it affects New England, but because I feel that it violates what I supposed was the principle upon which I was to act here. It determines this, that all the iron ore, or substantially all the iron ore, in this country east of the Alleghany Mountains shall remain unquarried, unbrought-out; that all that shall remain there, and all the capital necessary to bring it to the surface and all the labor necessary to be employed in bringing it out shall be unemployed here; and that so far as iron furnaces east of the Alleghany Mountains are concerned, they shall largely be dependent upon iron ore quarried and brought out by capital carried to Spain and carried to Africa, and by the employment of men in Spain and men in Africa to bring it out and then brought here; and whatever expense of freight there is upon it is so much thrown away into the sea, doing nobody any good, but adding to the cost of the material itself when it is put down at the furnace. That is the policy my friend from Vermont says that we must compromise on, and because the manufacturers of iron in the higher stages over on the other side of the Alleghany Mountains have prepared a metal schedule, the result of which is to put higher protection upon all the higher grades of manufacture of iron that exist now, and to bring down the duties upon raw material that enters into it, he says that we must take that because it is a compromise.

Mr. MORRILL. No, Mr. President; I merely referred to the word "compromise" because that word was used by the Senator from New York, and I said that there was no measure pending in a legislative body like this that was not a subject of compromise. By that I merely intended, for instance, that the civil-service bill might not be exactly what every one would want. And take the bankrupt bill; it might not be what everybody would want; some provision would be in it that would be different from the private opinion of Senators voting for it. Now, in relation to the tariff there may be a 5 or 10 per cent. difference upon every article almost in the whole range of articles that are found in the tariff bill upon which there would be a difference of opinion, some thinking a particular duty ought to be 5 per cent. less, others thinking it ought to be 5 per cent. more. Therefore, I said that this, like all other articles, was a subject of compromise, meaning by that that we had got to get the average minds of Senators, or a majority, in favor of one rate in preference to another. I did not mean any compromise beyond that.

Mr. DAWES. Is there any reason in the world why a different rule, any other rule, should be applied to iron ore than just such a duty as will induce our people to quarry it at home, to mine it at home? If it is here what is it put here for? What is the iron ore here for except for us to develop it into the manufactured article? And how can we better promote the welfare of the country in every part, strengthen the arm of the laborer, clothe him, give him comfort and competence—how can we better employ the capital of the country than by furnishing it an opportunity here? What argument is there in the world that applies to any other industry in the nation that does not apply to this?

Why is it that if we are engaged in the manufacture of the article in its higher stages we must insist upon it that we will go abroad and get the raw material when the raw material is here any more than we shall go abroad for our hemp when hemp is grown here in abundance? Why is it that we should not go to Canada for our asbestos when there is a great abundance of it in our Southern States? Why did we put back the duty upon asbestos except because we had it here at our own command and we would not go to Canada for it? We would bring it out of the bowels of the earth and use the riches that are there for our own benefit. Why should we not do the same as to the iron ore on the east side of the Alleghany Mountains? It is not a question that will affect at all those on the other side of the Alleghanies, because the question of freights comes in there and puts an end to importations. It can not be brought from Spain to this country and across the country into competition with the ores on the other side of the Alleghany Mountains, but it can on the seacoast, from Maine clear down to Georgia and to Alabama. Do our friends in Alabama want their beds of inexhaustible ores to remain where they have for the last century, while we are sending over to Africa for ore as they used to send there for negroes to supply the slave market? Do they want to go to Africa for their iron ores and bring them to Alabama? No, I know they want to develop their own mines. So in New Jersey, so in New York.

I do not see how this can affect New England except as everything that trenches upon the principle on which this tariff ought to be enacted affects New England and affects the whole country. New England is dependent upon the whole country, upon the prosperity of every State in it for her prosperity. All she asks is her opportunity, and she will avail herself of any opportunity which brings common prosperity to the country.

Mr. MORGAN. Allow me to ask the Senator from Massachusetts in that connection is he not willing that iron ore should make some contribution to the revenues of the country?

Mr. DAWES. Most certainly. I am quite willing that iron ore should make some contribution to the revenue of the country. Does not my friend say he is willing to be taxed upon the income of his furnace and upon the material prosperity and property of his State to supply the revenues of the country? Sir, I would say adjust the duty upon iron ore and upon every other import where it will bring in revenue enough to supply the necessities of the Government and at the same time will build up all our industries. I believe that a tariff can be framed not upon compromise but upon principle, principle as broad as the nation, and if adopted and adhered to as permanent as its prosperity, that will furnish this Government, through the revenues of the custom-house, all its necessary receipts and at the same time hold up and build up all our industries, furnish employment for all who are here and will come here and share our fortunes, and will keep capital here employed, develop all our wealth, and make us great and strong and powerful.

I ask no compromise. I ask no favors for New England, least of all. If I am asked to vote upon a question I will not stop to consider, so far as I am able, any other question than as to how it will affect the whole country and how it will conform to the principle which has come to be a conviction, that it is the duty of this Government to so legislate as to build itself up, and not to so legislate as to contribute to the prosperity of other nations at our own expense.

Mr. VANCE. Mr. President, as the Senator from New York did me the honor to read from a speech which I delivered in this place last February, I have hunted up that vigorous document and find, as I had a suspicion when the Senator was reading, that I was not seeking to prove that I wanted a high tariff levied on iron ores for the benefit of the iron-workers in my country but that I was arguing to show the shallowness and hypocrisy of the claim that the manufacturers were making for a high protective tariff in the name of labor, and was going on to show that they took advantage of the laws of political economy and got cheap material wherever they could find it though American labor suffered by it. I presume, of course, that the Senator did not read the whole of my speech, or he would have seen that that was the object that I was trying to prove. Of course, if he had read the whole of the speech and read it carefully and prayerfully, being a reasonable man and in the peace of our sovereign lord, the king, whom it would have been murder to slay in cold blood, he could not remain any longer a high protectionist.

Now, sir, the remainder of the paragraph that he quoted from, if added to the portion that he did quote, would show the key-note of the whole argument I was making, and that supplement is in these words:

> In fact Joe Smith's Book of Mormon imports absolute verity by the side of this cry of the protected capitalists of the North for the protection of American against pauper labor.

That is what I was trying to show, but the Senator quotes it, I suppose, for the purpose of showing that I am committed to a high duty on iron ore, which I disclaim.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from West Virginia [Mr. CAMDEN].

Mr. VEST. I understood the question to be on the amendment of the Senator from New York [Mr. MILLER].

The PRESIDENT *pro tempore*. The present question is on the amendment of the Senator from West Virginia.

Mr. VEST. I ask that the amendment be read.

The ACTING SECRETARY. The proposed amendment is in line 504, after the word "ore" where it occurs the second time, to insert "60 cents per ton;" so as to read:

> Iron ore, including manganiferous iron ore, 60 cents per ton.

Mr. CAMDEN. I will state, if the Senator from Missouri will allow me, my reason for offering that amendment. It is substituting 60 cents for 50 cents and leaves the tariff on iron ore about where it is at this time. Under the 20 per cent. ad valorem duty as it now exists, the amount of revenue raised from 577,118.79 tons was $331,138.60. Under the proposed tariff the same amount of importation would produce $288,559.89. A tariff of 60 cents instead of 50 will leave the duty about where it is at this time. My object is to leave it where it is now.

Mr. VEST. I simply want to say that I should like very much to give a vote that would be in harmony with the interests of the iron industry of the State of Missouri and of the West. It is all very well for Senators to say that their action is entirely for the general welfare and that they do not look to any local interest or any interest in their respective sections. I have never been a master of that philosophy which enabled me to look to the entire Union without being affected at all by the interests of my own State. In fact I believe that the wisest and best features of the Constitution of the United States are in the fact that every local interest has its own peculiar representative in the Senate and House of Representatives, and that out of the attrition of discussion and of interests comes at last the welfare of the entire country. I do not pretend to say that I would sacrifice the general welfare for the protection of a local interest, but I am compelled to look at the condition of the industries and interests of my own State.

The last book I would feel inclined to refer to is the report of the Tariff Commission, but there are some facts brought to light there which are worthy of attention. I find on looking at the testimony on the subject of iron given by Mr. Earnshaw, of Philadelphia, who states

that he has been a worker of iron ore for years, facts which go very far to sustain the position taken yesterday by the Senator from Kansas [Mr. INGALLS]. I do not propose to vote for an increase of duty upon iron ore, because I do not believe that that increase would benefit the producers of iron or the iron-ore interest of the State of Missouri or of the West. This gentleman says, and it is very evident he understands the question:

> The importation of foreign ore is merely an adjunct of the steel business, and must be so considered. It has nothing whatever to do with the general iron business of the country. It is the outcome of the enormous increase of the manufacture of steel in this country during the last five years, and it is coincident with, and has kept steady pace with, the increased importation of foreign pig-iron for Bessemer purposes.
>
> America requires to-day, for yearly consumption in her steel mills, roughly speaking, 2,000,000 tons of pig-iron, of which not less than one-fifth (400,000 tons) is and must be imported, unless you can increase the manufacture of Bessemer pig-iron in this country.
>
> These 400,000 tons are imported chiefly from England, and are a part of her surplus manufacture, and these foreign 400,000 tons to-day absolutely control the price of the 1,600,000 tons of native steel pig-iron. When I ask, therefore, that you place iron ore on the free-list I only ask that you give the iron makers in this country the chance of driving out of our market the surplus production of England.

And again this gentleman says:

> Foreign ore is imported here chiefly because it is so low in phosphorus, and a large amount of native ore is now used as a mixture in the furnace, that without it it would not be available for Bessemer purposes at all. It is not because foreign ore is cheap that it is used, but because it is low in phosphorous. This is a point I can not too strongly impress upon you.

Mr. President, if that be the case—and I have seen nothing except the statements of certain gentlemen in another portion of this volume, who give no reason and no argument in support of their statements—if these facts exist, I am justified in voting against this increase of duty on iron ore, and I do not think I am giving a vote which is against the interests of Missouri or the West. That is all I desire to say.

Mr. MORGAN. Mr. President, an intrusion into this debate appears to be a sort of hazardous thing, and I should not appear this morning but for the fact that a very material industry in my State also is involved in the question of taxation on iron ore.

The Senator from Missouri believes that he has the largest iron-producing State in the Union. I venture to assure the Senator that in that proposition he is mistaken. Alabama, I think, has the largest interest, not yet fully developed of course, only partially developed, but her resources, I think, are superior to those of any other State of this Union for the production of iron. Alabama has 51,000 square miles; New York has 47,000. Alabama, I have no doubt, contains three or four times the amount of iron ore that the State of New York does; and it might be supposed that therefore we were three or four times more directly interested in a tariff upon ores which will raise their value in the market than the State of New York is; but we must not take everything according to appearances. The truth is that Alabama has no interest whatever in raising the duty upon iron ore that may be imported into this country. Her interest, if she has any decided interest in the question at all, is in favor of free trade upon that proposition; that is to say, of putting it on the free-list.

The iron ores in Alabama are said by Mr. Oliver to contain a considerable proportion of phosphorus, and hence they have not taken hold of the market. Mr. Oliver certainly has not been to the State to examine those ores, and he certainly has not informed himself of the fact that the largest markets that we have for ores and pig-metal from Alabama are in Missouri, Ohio, and Pennsylvania. We manufacture the pig-metal from the ores in Alabama, and we ship to those States for consumption. We also send the ores directly from the places where they are deposited in large quantities to the different furnaces of these Middle States for the purpose of being worked up and mixed with their own ores to make them work more freely.

The Senator from New York claims that the tax upon this iron ore shall be $1 a ton; the Senator from West Virginia claims that it shall be 60 cents; the present law makes the tax a little over 50 cents on the ton, and the proposed law reduces it to 50 cents on the ton.

These are the three propositions now that we are called upon to consider one after the other. One has been voted upon and voted down, the motion of the Senator from New York. The next one of the highest range of duty is that of the Senator from West Virginia. The Senator from New York informs us correctly—for we are so informed by the Tariff Commission and by every one who has ever spoken on the subject—that the ores from Spain, from Italy, and from Africa that are imported into the United States are brought here entirely on account of the low degree of phosphorus in them. They are brought here because they are the most available ores for the making of Bessemer steel, and until the Bessemer-steel process got into full headway in the United States very little of this ore was brought here at all. If we had no Bessemer-steel manufactories in the United States we should still have no occasion to import these ores, unless it might be in very exceptional cases for the purpose of mixing with other ores to facilitate either their ductility or some other quality that we like to produce. The Senator from New York informs us that in Michigan and New York, east of the Alleghanies, they have large deposits of ores that are comparatively or almost free from phosphorus. They therefore have ores of which Bessemer steel can be made of excellent quality, and they are the only ores in the United States that are in competition with the ores from Spain, from Italy, and from Africa.

Mr. MILLER, of New York. I stated there were other ores in some of the Southern States that had not been developed, that have not come into market, but they are of the same quality as our development.

Mr. MORGAN. I have no doubt that in the future we shall develop in the South magnetic ores which will be quite as available for the production of Bessemer steel as those in New York or those in Michigan. We have already developed the spiegeleisen there. We have an excellent quality of it developed by the talent, genius, and capital of a gentleman from Connecticut, General Tyler, who has unfortunately recently departed hence.

But, sir, I reassert the proposition that at the present time, and so far as we know in the future, New York with her high-grade ores which have a low amount, merely a trace of phosphorus, and Michigan, whose ores are in the same fortunate condition, are the only competitors for the market for the purpose of making Bessemer steel. I think that proposition can not at all be assailed after what has been admitted about it on all hands.

Now, sir, I understand this to be a proposition that is almost universally admitted, if not entirely so: where you tax an article of foreign importation you fix the price of that article by the law over and above the cost of its production until competition in this country shall reduce the price below the amount of the duty. Therefore, in this case, when we shall put a dollar a ton or 60 cents a ton upon the particular class of ores that are low in phosphorus, we provide that these ores shall cost just as much per ton in this country in addition to the value of other ores in this country. In other words, we give these ores, through the medium and agency of this tariff, an exclusive privilege over those ores which have a higher degree of phosphorus in them.

What will be the result of this tax proposed by the Senator from New York? Two million tons of pig-metal are used in the United States by the manufacturers of Bessemer steel annually. To make the 2,000,000 tons of Bessemer steel you want four millions of ore, for it is very rare to find that they grade above 50 per cent. yield of actual metal. The tariff that the Senator from New York proposes, therefore, would be a tariff of $4,000,000, every dollar of which would go to the advantage of the miners of ores, the owners of ore beds in the States of New York and Michigan, where these excellent descriptions of magnetic ore are found, equivalent to a bonus to that description of iron ore over and above all the other descriptions of iron ore of $1 per ton upon the whole amount to be consumed in the United States by the manufacturers of Bessemer steel, and that is 4,000,000 tons annually. It is equivalent to a gift from the other iron interests and from the agricultural interest and from all the other interests in this country of $4,000,000 per annum to the high grades of ores, which are already protected by the command that they have of the Bessemer-steel market in consequence of the fact that they have so much less of phosphorus in them, and are therefore so much more valuable for these purposes and indeed for all the purposes of iron making.

Now, here is a class of iron ore in the United States which the Senator himself boasts is the best, a class of iron ore that must necessarily command the highest price in the market, a class of iron ore from which alone Bessemer steel can be made; and the Senator demands that the rest of the country shall merely add to the price of that ore $1 a ton in order to encourage its being dug from the earth. The rest of us who own ores of lower grade than these must go without that protection because the protection does not touch us; we do not compete with the ores of the State of the Senator from New York by bringing into the market ores that have perhaps from a half to three-fourths of 1 per cent. of phosphorus. We have no chance of competition with him in the market, and yet he desires that we should pay a tariff of $1 a ton upon his ores to encourage his people to dig them out of the earth. What encouragement have we got for digging ours out of the earth? Why, sir, none at all so far as the manufacture of Bessemer steel is concerned. The low-grade ores in phosphorus, the high-grade ores in value, the Bessemer-steel ores, the Bessemer-steel plants, and the protection that these plants have and the owners of them have in virtue of other patents which have been recently issued and which have been described in the debate here, create a monopoly of the Bessemer-steel production in this country; and it is a distinct proposition that the motion both of the Senator from New York and the Senator from West Virginia to increase the tariff above 50 cents a ton on these descriptions of ores or on ores at all is a proposition merely for the encouragement of an existing and highly protected monopoly. It is not fair to the balance of the country.

The tariff which is proposed by the Senator from West Virginia would cause these ores to cost $2,400,000 in addition to the value that they possess in the market now. The tariff proposed by the committee would advance the price of these ores $2,000,000 above the other ores in this country, for they will receive practically every dollar of the advantage of this tariff.

There is something else connected with this that has been disclosed in the debate here, and I feel bound to call attention to it again, not that it shall have escaped the attention of any enlightened legislator, but the people in the country shall be informed on this matter, and the people of my own State will expect me to have something to say about it.

We are informed of a process called the Thomas-Gilchrist or basic proc-

ess for the extraction of phosphorus from iron while it is in a state of fusion and while it is passing through the converters, as they are called, under the Bessemer conversion system. We are told that this basic process has been put into operation in Germany successfully; it has not been quite so successful in England; but we are told that it does extract the phosphorus from all ore, absorbs it out of the metal when it is in a state of fusion, and in the very instant of time that it is being converted from iron into steel under the Bessemer process of treatment. As has been observed in the debate, no more valuable or interesting discovery has been made in this century, in respect of iron or of anything else, than that which will enable the people of this country to enjoy the advantages of steel consumption, steel manufacture, at a lower rate even than we now hope for iron. This patented system called the Thomas-Gilchrist or basic process is of more value to the people of the United States—if it be true, as it is stated here, that it extracts phosphorus from iron—than any other invention that has been brought to the attention of the world in the earlier part of this century and during all the past period of this century. The owners of Bessemer-steel manufactories have bought this process. They are the owners of it. They will not allow it to be used by any person, it is stated here, but themselves. They will not allow the country to have the benefit and advantage of it.

If that process could be introduced into Alabama and the ores there could be dephosphorized, why would it be that we should not have Bessemer-steel factories in a country where you find in alternate layers coal and iron and limestone, and where three miles of a railroad line would unite each of these important elements of iron manufacture? Mr. Oliver tells us that no people can have in one place all the blessings of Providence. He spoke about the juxtaposition of iron and coal and limestone in Pennsylvania, but he said that the ores of Pennsylvania were not equal to those of Michigan, for the reason that they contained more phosphorus, and the coal perhaps was not so good as in some other countries, because it contained more sulphur. Michigan he thought must export her valuable ores to Pennsylvania and there have them manufactured; and that is the fact; that is the process. Pennsylvania, I am informed, pays for the ores delivered at the top of her furnaces, including the production of the fuel necessary for their smelting, the price that we get for the pig-iron after it has been run through the furnace in Pennsylvania and has been stacked up in the yard for market. That is the difference in the cost of production produced by the difference in quantity of material that is in reach and the less transportation that is necessary to bring the material together.

Now, suppose in the country that I speak of, where these advantages are so great, that we should have the use of this basic process for the purpose of dephosphorizing our ore; we could then furnish steel to the people of the United States and of the world upon the same comparative base of value and cost of production that we now furnish pig-iron. What is that? It is stated by Mr. Oliver in his report to be $13 a ton. Our people can make money producing iron at $13 a ton. They have been known to produce it, so I have been informed by some of the largest iron operators in the vicinity of Birmingham, when prices of labor and provisions were normal, as low as $10 a ton at a profit, and that good marketable iron. But $13 a ton under ordinary circumstances, I am informed, is about the average cost of the production of pig-iron in Alabama. It costs, it is stated by Mr. Oliver, about $17 a ton in Pennsylvania. If we can dephosphorize our ores down there we can get steel upon the market as cheaply as we can get iron, or nearly so, making an allowance only for the cost of the process of conversion under the Bessemer system. We should then be able to furnish steel at very low rates. Here are the Bessemer companies that own this patent that intend to keep the control of the steel market in the United States by withholding that patent from general use in this country until it shall have expired. That gives them the monopoly in the United States of the production of Bessemer steel. To that we add what I call a very high protective tariff upon Bessemer steel. That gives them an additional advantage.

Now, is it any disadvantage, as is suggested by the Senator from New York, that a dollar a ton, or 60 cents a ton, should be put upon the ores in this country which they are to add? None whatever. They can carry that load as easily as a buffalo can carry a gnat upon its horns. They can give two millions or four millions annually of contribution to those men who bring out of the earth these high-grade ores, these magnetic ores, and the price of their own production is simply increased thereby because they have got the monopoly of the market. There is hardly any competition here in the production of Bessemer steel. There has been none since that production was first inaugurated in this country to amount to anything. When production started in competition with other establishments in the West we find that they would smother out the mills there by buying up, or leasing them and closing their doors, so that they could produce nothing. The Bessemer-steel manufacturers have had all the time since their establishment in this country, under the protection of the tariff and under the protection of their patents, the virtual monopoly of the entire steel market of the United States. And now they desire to assist those gentlemen who own magnetic ore beds to increase the strength of their monopoly by combination or arrangement with them so that they and the Bessemer steel men shall have the entire monopoly.

Mr. DAWES. The Senator is entirely mistaken. It is the Bessemer-steel men who want to get this ore as cheap as possible from abroad and let the ores remain here unproductive. The Senator says it is the steel men who want the duty on ore increased. Had he rather give it to the capitalists abroad than to give it to the laborers here? It is not the Bessemer-steel men, it is not the men who own these patents, it is not the men who framed this schedule, who are putting a protective duty on the ore that they use so that they can not get it so cheap abroad.

Mr. MORGAN. It has been stated here in debate several times that the iron manufacturers of the United States in convention agreed upon a tariff equal, as I understood it, to 86 cents a ton upon these ores, and that argument was produced as a reason why we should vote that the men not engaged in the raising of ores or the ownership of ore beds, but the manufacturers themselves, were willing that a tariff equivalent to 86 cents a ton should be imposed upon this ore.

Mr. DAWES. The Senator really does not open his eyes and his ears as much as I supposed he would, having such great interests at stake in his own State, such inexhaustible wealth there. Does he not see that the men engaged in the manufacture of Bessemer steel and the use of Bessemer steel are the men who are opposing this thing? The opposition to it comes from that source—those who manufacture Bessemer steel under the patents and those who use the Bessemer steel.

Mr. MORGAN. I concede that one branch of the opposition comes from those who consume the Bessemer steel, and that is much the largest part of the constituency that I have. The men who must consume it are the men who are opposed to having extravagant prices put upon it, who wish to be benefited by the progress of science, invention, and discovery, and by the application of new methods of manufacture which will reduce the price and increase the practical value of the article; and it is for the purpose of keeping a burden off that class of people by the creation of a mere accessory advantage to an existing monopoly that I prefer that all the channels shall be open to bringing ores into this country, which will result in producing Bessemer steel as cheaply as possible.

Now, sir, if we give the protection to the Northern ore beds which is withheld from the Southern ore beds because we have not got that description of ore, and we put $2,000,000 or $4,000,000 upon the cost of the ores out of which Bessemer steel is made by this tariff, can Senators inform me that I do not keep my eyes or my ears open to the interests of the people that I represent and of the country at large when I tell them that I desire that all the mines of the earth shall be opened to produce these low grades of phosphoritic ores but high grades in value? So that neither the Bessemer-steel manufacturers in the United States—for their patents have expired—nor the owners of ore beds in whose behalf the honorable Senator from New York has been speaking shall have the opportunity of increasing the price of that commodity which has now become a commodity of universal use almost, and will soon become an article of universal use.

I can not understand how it is that my constituents are to be injured when I desire to have every facility afforded in this country for the encouragement of the production within the United States at cheap rates of large amounts of Bessemer steel. The protection given to the steel manufactures in this tariff is certainly quite enough, in my opinion it is too much, but I do not wish to add to the price of the article by imposing a duty of a dollar a ton or 60 cents a ton, which must necessarily increase the price by so much.

Let us have an open market for the obtaining of the raw material, the ores of this high grade, so that one part of the iron interests of the United States may not receive the entire advantage at the expense of the others. More than that, I desire by every process that we can avail ourselves of to cheapen the production of Bessemer steel in this country, in order that the company which owns this basic process patent may not be able to keep it back, but will be compelled to seek the cheapest fields of production, and will go to my part of the country and establish their founderies and their mills there, where they can find a cheaper place for production than they can possibly find in the regions spoken of by the Senator from New York.

The Senator from Massachusetts [Mr. DAWES] asked me if I did not see where the opposition to this tariff came from, if I did not recognize the fact that it came from the producers of Bessemer steel. Sir, I can not understand anything in reference to the conflicts which obtain upon this floor unless I am introduced into the secrets of all the different manufacturers so as to know exactly what are the motives of their representatives here. I find that there are representatives on this floor of manufacturing industries rather than of the people of the United States of America. What did we witness this morning? When the honorable Senator from New York ventured to express the opinion that the special interest which he was representing was not sufficiently cared for by the New Englanders, and that the time might arrive when they would want to have some discussion upon the tariff upon the importation of cotton goods, silks, and the like, look what a disturbance it created all through the Northeast. Listen to the lecture which the honorable chairman of the committee read to the Senator from New York because he dared to differ with his brethren east of him in New England in respect of the particular policy then under discussion, and desired to remind them that perhaps they would need his strength in

some future vote and some future encounter to keep their industries propped up to a high grade of protection. Thereupon the honorable Senator from Massachusetts came forward and disclaimed any such narrow view as that for Massachusetts, and astonished the world by intimating that Massachusetts had never made a demand for tariff legislation for the purpose of protecting a mere local industry. She has lain under that accusation very patiently and quietly for a number of years, and it was only when the honorable Senator from New York made an indistinct allusion to the fact that perhaps his vote might be necessary to sustain some of the protected industries of Massachusetts——

Mr. MILLER, of New York. Will the Senator from Alabama allow me to interrupt him?

The PRESIDING OFFICER (Mr. EDMUNDS in the chair). Does the Senator from Alabama yield?

Mr. MORGAN. Yes, sir.

Mr. MILLER, of New York. I think the RECORD, when the Senator comes to read it, will not warrant him in making that assertion. I said to the Senators from New England and all other States that I should be found with them voting for protection where it could be shown to be necessary; but I neither made any direct nor implied threat, but said it was discriminating against an interest of New York and of several other States.

Mr. MORGAN. I compliment the Senator from New York upon the strength of his allegiance to that conviction; it seems to be stronger than his own will or his own judgment; for if he should find out that it was not proper perhaps for the interests and welfare of the entire country that these special productions in Massachusetts and Connecticut, or throughout New England, should be protected, still the honorable Senator would stand here and vote for that protection because he has made up his mind that he will vote for it wherever protection will do the most good.

Mr. DAWES. If the Senator from Alabama will permit me——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. MORGAN. I yield for a question.

Mr. DAWES. The Senator from Alabama says he does not understand anything that he sees and hears about protection; he does not understand why it is that men can advocate upon principle any of these measures; and the Senator devotes himself for a time to a very strong and unanswerable exposition of the enormous monopoly and profits of the Bessemer-steel manufacture in this country under existing patents and under new patents that they have lately absorbed and got the control of. Then he goes on in another exposition equally clear, and which the Senator says is clear, to show that they can not make this steel without a particular kind of iron ore. Then he goes on further to show that that iron ore exists in New York and in Michigan in great abundance, and exists in Africa and Spain in equal abundance; and in order that the profits may be greater, in order that the monopoly may gather up more, he wants that they shall get that particular iron ore as cheap as possible: "Let us have a free market; let us have it brought here as cheap as we can; let the iron ores that are in this country remain; let them sleep; let any labor that could be performed on them in this country go by; let any capital that can be employed in them go by; let us have it cheaper; let those who have this monopoly and must use it get it cheaper than anybody else; let us so frame this feature of the tariff that if it will help anybody it will help the greatest monopolists of the time." And yet the Senator says he can not understand anything that is going on here.

Mr. MORGAN. I expected——

Mr. DAWES. One word more.

The PRESIDING OFFICER. Does the Senator from Alabama yield further?

Mr. MORGAN. I expected that the Senator's speech would probably wind up with an interrogation point, but he winds up with an exclamation point.

Mr. DAWES. It does; I admit that it does.

Mr. MORGAN. I thought the Senator was going to ask me a question.

Mr. DAWES. The wonders of this debate are increasing on every side. An exclamation point, as the spelling-book says, is illustrated by the example, "Oh! The folly of sinners!" The Senator says he can not understand what the Senator from Massachusetts means when that Senator says he has not spent his life here legislating for Massachusetts interests. The Senator from Massachusetts has had a little experience in tariffs for a good many years.

Mr. MORGAN. I rather think the Senator has quite an experience also in consuming the time of another Senator on the floor. If he has not had it he soon will have it.

Mr. DAWES. If the Senator from Alabama thinks I am trespassing upon his time——

Mr. MORGAN. I rather think so.

Mr. DAWES. I ask his pardon.

Mr. MORGAN. I supposed the Senator rose to ask a question.

The PRESIDING OFFICER. Does the Senator from Alabama yield further?

Mr. MORGAN. I do not think I shall.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. DAWES. I beg pardon. The Senator has control over the floor, but I should like to allude to this point——

The PRESIDING OFFICER. Does the Senator from Alabama yield?

Mr. MORGAN. Later, sir, we shall see.

The exclamation point to which the honorable Senator refers has more application to him than it has to me, for there is more joy, it is said, in Heaven over one sinner that returns and repents than over a thousand just men. I find that he himself, when he gets in conflict this morning with the Senator from New York, turns his thoughts toward repentance for some of the things he has said and some of the things that he has done also in the fostering of high protective tariff in this country. The dry and exhausted paps of dear old New England no longer give suck and sustenance to the young and buxom State of New York, comparatively speaking, which has just recently, it appears, outstripped all New England in her manufactures, and is now nursing and whining and puling on the breast of New England, and demanding from her mother higher sustenance than the old lady is willing to give. I regret to find the udders of New England drying up to the extent that they appeared to have been this morning, and that through the mouths of her representatives here to-day she says she is no longer in favor of imposing taxes for the benefit of any local interest whatever. She wants to nurse the whole nation now, but she wants to do it not at her own expense.

It has occurred to me that there is no constitutional objection after all, either in the State of Alabama or the State of Massachusetts, voting bounties for the development of manufactures within their borders if they choose to do so. I remember a statute enacted by my own State by which we exempted newly-established manufactures from State taxation for a period of ten years, for their encouragement. I do not know that I could challenge the constitutionality of a law by which the people of Alabama or of Massachusetts would vote money out of their treasury for the encouragement of their own local industries; but I have never heard any person in any State yet, except in the case that I have just mentioned of the exemption from taxation, come forward and propose to give a bounty to local manufactures and local industries within the State.

If the industry which the honorable Senator from New York says exists only in New York and Michigan, and largely in New York and in Michigan, is one of such vast importance as to deserve the consideration of the Government of the United States, why should not New York herself, out of the vast treasure which she possesses, vote a million dollars a year as an encouragement to enable these gentlemen to mine from the bosom of that State this very valuable quality and this large quantity of ore? Why is it that the State of New York desires that that money shall be appropriated out of the pockets of people who do not live in New York, or at least some of whom do not?

Mr. President, that proposition proves the inequality and injustice of the development of a mere local interest and the enactment of a tariff having no other object in view but that. My complaint of this tax is that it is a tariff for the development of a mere local interest which would be largely expensive to the people of other parts of the country and will unjustly discriminate against them.

Has it never occurred to the honorable Senator from Massachusetts that if ores from Spain, from France, and from Italy, of this value and magnetic description, should be imported free into the Bay of Mobile and from thence to the vicinity of Talladega and Birmingham, in Alabama, we should be able there to make Bessemer steel by an admixture of those ores with our ores, at perhaps a lower cost than that steel can be made in New York or in Pennsylvania for? That is my conviction; I have not any doubt about it. The Senator may ask, "Then why have you not been engaged in this industry, and why do you not establish your furnaces there?" The answer to that in my mind is that these industries have been covered by the protection of a patent which we had no right to invade and no power to control; but now that patent has expired, and with its expiration I am in favor of bringing even into my country, which is overburdened with ore, the ores that have a low degree of phosphorus in them, so that our people shall have some encouragement toward entering upon the manufacture of Bessemer steel.

If in addition to that we could get the advantage of this other process which is called the Thomas-Gilchrist or basic process of dephosphorizing our ores, then you would find that the State of Alabama and the States of Georgia and Tennessee would outstrip all the rest of the United States in the manufacture of this description of metal, and would be able to supply it to the farming and consuming communities of the United States at rates which would greatly increase their prosperity. This is a class of people that I look at, if I am bound to look at classes, and when I am antagonized by class legislation I most naturally turn my mind to the other classes that need to be saved from injustice and wrong.

Sir, I would prefer that these ores should go upon the free-list, in order that the people of Alabama might have them for the purpose of intermixing with their own ores and engaging in the manufacture of Bessemer steel; but there is another and the leading feature of the whole subject of tariff taxation, in my mind, to which I give a faithful and honest allegiance and adherence, and that is that everything in this country which is of general consumption should bear its proper proportion of the burdens of the revenue necessary to be raised to support the Government. Hence it is that while I shall not vote to put these things upon the free-list for the considerations I have just adverted to,

I will also not vote to raise this tariff one stiver above that which has been suggested by the Committee on Finance. I would prefer to have the ore free; but inasmuch as there is an increasing importation from year to year of this description of ores, I would prefer to stand upon the ground where the committee have placed us until such time as experience shall demonstrate that we can put this tariff aside entirely and let this article go upon the free-list.

I will call the attention of the Senate for a moment to the question of the importation of these ores. In 1879 we imported from abroad, from all the different countries of the earth, $343,634 worth of ores; that included chrome; in 1880, $1,192,961 worth of ores; in 1881, $1,720,885 in value of ores; in 1882, $1,687,677, and for the first quarter of the present fiscal year we have imported $925,513 worth, showing an increasing import of these ores continually from year to year under the existing rate of taxation, which amounts, I believe, to 20 per cent., one-fifth of the value. The committee have reduced that rate a little, and by a reduction of the rate it will increase the amount of revenue; and now I yield what I believe to be a very important interest for the people of Alabama in getting these ores in free, in order to support the committee in its action for the purpose of bringing revenue into the United States obtained from this article, that ought to be taxed to the extent probably of $2,000,000 per annum. I have not any doubt that the very first year after this tariff bill shall go into operation, if it ever does, we shall get $2,000,000 revenue from ores.

I have detained the Senate on this question, Mr. President, merely for the reason that I did not desire to give a vote upon this proposition without some explanation of the reasons upon which I voted. I thought it was due to myself and to the people whom I represent here that I should do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from West Virginia [Mr. CAMDEN].

Mr. MILLER, of New York. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BROWN. Let the Secretary report the amendment.

The PRESIDING OFFICER. The amendment will be reported.

The PRINCIPAL LEGISLATIVE CLERK. After the word "ore," where it occurs the second time in line 504, it is proposed to insert "60 cents per ton;" so as to read:

Iron ore, including manganiferous iron ore, 60 cents per ton.

The PRESIDING OFFICER. The roll will be called on agreeing to the amendment.

The Principal Legislative Clerk proceeded to call the roll.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND]. I would vote "yea."

Mr. JOHNSTON (when his name was called). I am paired with the Senator from Pennsylvania [Mr. MITCHELL].

Mr. ROLLINS (when the name of Mr. JONES, of Florida, was called). The Senator from Florida [Mr. JONES] is paired with the Senator from Virginia [Mr. MAHONE] upon this question.

Mr. SAWYER (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM] on this question. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. CAMERON, of Wisconsin. I wish to announce that the Senator from Michigan [Mr. FERRY] is paired with the Senator from Delaware [Mr. SAULSBURY].

The result was announced—yeas 23, nays 31; as follows:

YEAS—23.

Anthony,	Chilcott,	Hale,	McMillan,
Blair,	Conger,	Harrison,	Miller of N. Y.,
Brown,	Davis of W. Va.,	Jones of Nevada,	Rollins,
Camden,	Dawes,	Kellogg,	Sewell,
Cameron of Pa.,	Frye,	Lapham,	Sherman.
Cameron of Wis.,	Gorman,	Logan,	

NAYS—31.

Allison,	Farley,	Jackson,	Platt,
Barrow,	George,	Lamar,	Plumb,
Bayard,	Grover,	McDill,	Pugh,
Beck,	Hampton,	Maxey,	Slater,
Butler,	Harris,	Miller of Cal.,	Vance,
Call,	Hawley,	Morgan,	Vest,
Cockrell,	Hoar,	Morrill,	Williams.
Coke,	Ingalls,	Pendleton,	

ABSENT—22.

Aldrich,	Groome,	Mahone,	Van Wyck,
Davis of Ill.,	Hill,	Mitchell,	Voorhees,
Edmunds,	Johnston,	Ransom,	Walker,
Fair,	Jonas,	Saulsbury,	Windom.
Ferry,	Jones of Florida,	Saunders,	
Garland,	McPherson,	Sawyer,	

So the amendment was rejected.

Mr. MAXEY. I now move to strike out lines 504 to 509 inclusive, and to transfer the ores and sulphurets therein named to the free-list.

The PRESIDING OFFICER. The Chair is of opinion that a motion to strike out here and insert elsewhere is not a motion that would be strictly in order, but the Senator can accomplish his object if the paragraph should be stricken out by moving when the free-list is reached to insert it there.

Mr. MAXEY. Then I move to strike out the paragraph, and give notice of my purpose to move at the proper time to put the articles named in it on the free-list.

Mr. DAVIS, of West Virginia. Let the amendment of the Senator from Texas be reported.

The PRESIDING OFFICER. The Senator from Texas moves to amend the bill, and the amendment will be read.

The ACTING SECRETARY. It is proposed to strike out all from lines 504 to 509, inclusive, as follows:

Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, 50 cents per ton; as pyrites or sulphuret of iron in its natural state, containing less than 15 per cent. of silica, 50 cents per ton, and in addition thereto 2½ cents per pound for the copper contained therein.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. MAXEY].

Mr. GORMAN. I ask for a division of the question at the word "ton," in line 505, so as to take the question first on iron ore.

The PRESIDING OFFICER. The Senator from Maryland asks for a division of the amendment so as to take the question first on striking out lines 504 and 505 to the word "ton." The question will be so divided.

Mr. ALDRICH. I gave notice yesterday of an amendment to the last clause of the paragraph which I suppose will be in order first.

The PRESIDING OFFICER. The Chair thinks that an amendment to the last clause, the question being divided, would not be in order until the question was taken on striking out, in lines 504 and 505, the words—

Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, 50 cents per ton.

Mr. MORRILL. I have to say that I hope this will not be done. It would look like a raid upon a very worthy industry. The report of the Committee on Finance is certainly very low—6 cents a ton less than the actual value of the ad valorem rate as it exists now under the present tariff. I hope that no raid will be made upon this interest.

Mr. MAXEY. I offered the amendment I did because I believe it to be the real interest of the American people and for reasons which have been quite fully stated already, to which I will only add that it is to my mind clear that some of the iron ores of Europe and other countries are necessary as an admixture with ores of our country to make the best quality of steel. That being the case, it is to the interest of the manufacturers of steel and to the spread of that great industry to have this ore here as cheap as practicable. It is equally to the interest of the people, because it thereby lessens this article which goes into such common use. The amount is so trifling that in my judgment it is entitled to be placed on the free-list as much as any article that goes on the free-list. Outside of that class of ore which would be admixed with the ores in our country, I do not believe that there would be other ores brought into the United States, because the price of ores in this country is so low that practically without any law on the subject it would operate as a prohibition of the introduction of any foreign ores.

The PRESIDING OFFICER. The question is on the first branch of the amendment proposed by the Senator from Texas.

Mr. HARRIS. Let us have the yeas and nays on that.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND]. I would vote "nay."

Mr. HARRIS (when his name was called). Upon this question I am paired with the Senator from Illinois [Mr. DAVIS]. If he were present, I should vote "yea" and he would vote "nay."

Mr. JOHNSTON (when his name was called). I am paired with the Senator from Pennsylvania [Mr. MITCHELL].

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. ROLLINS (when the name of Mr. JONES, of Florida, was called). The Senator from Florida [Mr. JONES] is paired with the Senator from Virginia [Mr. MAHONE].

The roll-call was concluded.

Mr. DAVIS, of West Virginia. I will state that I am paired with the Senator from Minnesota [Mr. WINDOM] on general questions, but believing that he would vote as I have voted on the two last votes, I have voted.

Mr. LAMAR (after having voted in the affirmative). I am paired with the Senator from Maine [Mr. HALE]. I withdraw my vote.

The result was announced—yeas 16, nays 37; as follows:

YEAS—16.

Bayard,	Coke,	Hampton,	Slater,
Beck,	Farley,	Ingalls,	Vance,
Butler,	Garland,	Maxey,	Vest,
Cockrell,	Grover,	Pugh,	Williams.

NAYS—37.

Aldrich,	Chilcott,	Hawley,	Morrill,
Allison,	Conger,	Hoar,	Pendleton,
Anthony,	Davis of W. Va.,	Jackson,	Platt,
Barrow,	Dawes,	Lapham,	Plumb,
Blair,	Edmunds,	Logan,	Rollins,
Brown,	Frye,	McDill,	Sewell,
Call,	George,	McMillan,	Sherman.
Camden,	Gorman,	Miller of Cal.,	
Cameron of Pa.,	Groome,	Miller of N. Y.,	
Cameron of Wis.,	Harrison,	Morgan,	

ABSENT—23.

Davis of Ill.,	Johnston,	McPherson,	Sawyer,
Fair,	Jonas,	Mahone,	Van Wyck,
Ferry,	Jones of Florida,	Mitchell,	Voorhees,
Hale,	Jones of Nevada,	Ransom,	Walker,
Harris,	Kellogg,	Saulsbury,	Windom.
Hill,	Lamar,	Saunders,	

So the first part of Mr. MAXEY's amendment was rejected.

The PRESIDING OFFICER. The question recurs on striking out the rest of the paragraph, after the word "ton," in line 505, in the following words:

As pyrites or sulphuret of iron in its natural state, containing less than 15 per cent. of silica, 50 cents per ton, and in addition thereto 2½ cents per pound for the copper contained therein.

Mr. MAXEY. I wish only to say in support of the pending proposition that sulphuret of iron is probably the cheapest of all mineral products of which I have knowledge from which by chemical process to procure the sulphuric acid used in the preparation of chemical fertilizers. I do not know and I have not heard up to the present time of any one thing in the entire bill in the interest of the farming community. This will be to that extent a relief to the farming interest, and while in my own State we do not need any artificial fertilizers, because God Almighty has given us the richest country on earth, yet a large portion of the South does need these fertilizers, and I trust our friends who have favored the great manufacturing industries will help us get cheap agricultural fertilizers.

Mr. ALDRICH. I ask that the vote may be first had on the amendment which I sent to the Clerk's desk yesterday.

The PRESIDING OFFICER. The Senator from Rhode Island moves to amend the part of the paragraph now proposed to be stricken out. The amendment of the Senator from Rhode Island will be read.

The ACTING SECRETARY. It is proposed to strike out all after the word "ton," in line 505, down to and including the word "therein," in line 509, in the following words:

As pyrites or sulphuret of iron in its natural state, containing less than 15 per cent. of silica, 50 cents per ton, and in addition thereto 2½ cents per pound for the copper contained therein.

And in lieu thereof to insert:

Sulphur ore as pyrites or sulphuret of iron in its natural state containing not more than 3½ per cent. of copper, 50 cents per ton: *Provided*, That ore containing more than 3½ per cent. of copper, dry assay, shall pay in addition thereto 2½ cents per ton for the copper contained therein.

Mr. MAXEY. I hope that will not be agreed to.

Mr. ALDRICH. The motion to strike out the clause in the bill, as proposed by the Senator from Texas, should not be adopted. Spanish sulphur ore contains about 43 per cent. of iron and from 2½ to 3 per cent. of copper, and it certainly should not be admitted free; that is, if we are to levy any duty upon copper. Sulphuret of iron containing more that 3½ per cent. of copper should not be allowed to come in free if other copper is to pay a duty of 2½ cents a pound.

The amendment which I have offered allows all Spanish pyrites and all other pyrites containing not more than 3½ per cent. of copper to come in at 50 cents a ton, which is the price now fixed upon iron ore and dross from pyrites.

I agree with all the Senator from Texas has said in regard to the importance of securing cheap sulphuric acid for use in fertilizers and for other purposes in the arts. It is a very important article, a universal solvent, and it should not bear a heavy duty; but I do not think that copper contained in these ores, that is, where there is enough of it to pay for taking it out, should be admitted free when it is made in other forms to pay a duty of 2½ cents a pound.

The PRESIDING OFFICER. The Chair has some doubt whether the amendment proposed by the Senator from Rhode Island is even now in order, as it is really a motion to strike out and insert, and would supersede a motion simply to strike out; but the Chair, waving that, will put the question, if there be no objection, on the amendment proposed by the Senator from Rhode Island. The question is on agreeing to the amendment of the Senator from Rhode Island to strike out the words of the paragraph which have been read and to insert what has also been read.

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BECK. I desire to ask whether if the amendment of the Senator from Rhode Island is adopted it will interfere at all with the amendment moved by the Senator from Texas?

The PRESIDING OFFICER. The Chair is of opinion that it will not on the theory that the Chair has proceeded upon. The Chair doubts very much whether the amendment is in order at this time, but treating it as in order, after it is disposed of the question will recur on striking out the whole paragraph, although the Chair thinks that strictly the amendment is not in order.

Mr. BECK. That being the ruling of the Chair, I am inclined to vote "yea," because the amendment offered by the Senator from Rhode Island is better than the text of the bill in this, that whenever the ore does not contain over 3½ per cent. of copper it only pays 50 cents a ton without any additional charge for the copper contained in it, whereas by the text of the bill 2½ cents a pound is to be charged upon all the copper that is contained in it, whether it is little or much. The information I have and the impression conveyed through the testimony is that 2½ cents a pound upon copper is about the maximum. A reduction of 2½ cents per pound on all copper contained in pyrites, at 2,240 pounds to the ton, would be a reduction of about 60 cents a ton, and as it is a reduction of about 60 cents a ton I prefer it to the text of the bill. I desire to ask the Senator from Rhode Island, if he will allow me, whether his amendment, in all that class of pyrites which contains less than 3½ per cent. of copper, is not a proposed reduction over the present text of the bill of somewhere about 50 cents a ton?

Mr. ALDRICH. It is a reduction of about 90 cents a ton.

Mr. BECK. More than I thought it was.

Mr. ALDRICH. It fixes the rate at about one-third of what it is at present.

Mr. BECK. Therefore I prefer it to the text of the bill.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island to the amendment of the Senator from Texas, on which the yeas and nays have been ordered.

The Principal Legislative Clerk called the roll.

Mr. JONAS. I am paired with the Senator from New Jersey [Mr. MCPHERSON], but as I presume he would vote in the affirmative, I vote "yea."

The result was announced—yeas 54, nays 0; as follows:

YEAS—54.

Aldrich,	Conger,	Hill,	Pendleton,
Anthony,	Davis of Ill.,	Hoar,	Platt,
Barrow,	Davis of W. Va.,	Jackson,	Pugh,
Bayard,	Frye,	Johnston,	Rollins,
Beck,	Garland,	Jonas,	Sewell,
Blair,	George,	Kellogg,	Sherman,
Brown,	Gorman,	Lamar,	Slater,
Butler,	Groome,	Logan,	Vance,
Call,	Grover,	McDill,	Van Wyck,
Camden,	Hale,	McMillan,	Vest,
Cameron of Pa.,	Hampton,	Maxey,	Voorhees,
Cameron of Wis.,	Harris,	Miller of Cal.,	Williams.
Chilcott,	Harrison,	Morgan,	
Coke,	Hawley,	Morrill,	

NAYS—0.

ABSENT—22.

Allison,	Ferry,	Mahone,	Saunders,
Cockrell,	Ingalls,	Miller of N. Y.,	Sawyer,
Dawes,	Jones of Florida,	Mitchell,	Walker,
Edmunds,	Jones of Nevada,	Plumb,	Windom.
Fair,	Lapham,	Ransom,	
Farley,	McPherson,	Saulsbury,	

So the amendment of Mr. ALDRICH was agreed to.

The PRESIDING OFFICER. The question recurs on striking out the paragraph as amended.

Mr. MAXEY. On that I simply desire to state that this copper, whatever amount there may be of it, less than 2½ per cent. of the cost, as it is in this sulphuret of iron, has to be separated from that sulphuret of iron before it can bear this tax, and yet it is conceded all round that in the interest of the agricultural or farming community the sulphuret of iron ought to come in free, for the reason that the sulphuric acid, which is so essential not only to the agricultural interests but to a great many others, can be obtained from that at a far less cost than from anything else that we know of in commerce; but you can not get that benefit from the sulphuret of iron, unless we agree that it shall go on the free-list, unless this little amount of copper should go along with it.

The question then is what is the relative value to the various interests of this country of sulphuric acid, obtained by chemical processes from sulphuret of iron with this little tax, a mere trifle of 2½ per cent. on the copper? I do think if there ever was a case in the world where the doctrine *de minimis* would apply it would be in this very case. We lose the greater advantage in seeking for the less. For that reason I hope that the Senate will strike out the lines as I have moved.

Mr. BUTLER. In support of what the Senator from Texas has just said, I ask to have read from the Clerk's desk an argument which I believe is so much better than anything I could say, that I adopt what is there said. It is prepared by gentlemen who are thoroughly familiar with the subject.

The PRESIDING OFFICER. If there be no objection it will be read.

The Acting Secretary read as follows:

THE TARIFF ON PYRITES AND ITS BEARING UPON THE AGRICULTURAL INTEREST OF THE UNITED STATES.

Six hundred thousand tons of commercial fertilizers are annually manufactured and sold in the United States. Eighty thousand tons of the same goods are imported from England.

To produce one ton of fertilizer requires about half a ton of sulphuric acid. This acid is now made from brimstone, imported duty free from Sicily, and this is practically the only source of supply for this article, and there being no competition, the price is only affected by demand and is on an average about $28 per ton. Brimstone contains from 94 to 98 per cent. of pure sulphur. Certain ores known as pyrites or sulphur ore, containing from 45 to 50 per cent. of sulphur (some of which are self-burning), can be used instead of brimstone for the manufacture of sulphuric acid.

As this acid is an indispensable requisite in the prosecution of most of the arts and manufacturing industries, it is manufactured in increased quantities from year to year, notably since its application to the treatment of coal oils and of commercial fertilizers; the production and consumption of this acid being some 1,400,000 tons in England and 350,000 tons in the United States. Of the 350,000 tons produced in the United States some 250,000 tons are used in the manufact-

ure of fertilizers. In years past England used pyrites found in that country and in near neighboring countries, as a cheaper article than brimstone, from which to make sulphuric acid. More recently immense deposits of these ores have been developed in Spain. These deposits are in such vast bodies that they can be quarried instead of mined, and thereby produced at such a low cost that England has abandoned the use of her native and all other foreign ores and uses only the Spanish, so that to-day England obtains the main portion of her supply of acid from the use of Spanish ores.

Pyrites have been found at many points in the United States and Canada, and various attempts have been made during the past fifteen years to utilize them in the manufacture of sulphuric acid, but these attempts have heretofore chiefly resulted in failure, in some instances entailing very heavy losses. The competition among American manufacturers of fertilizers had induced these efforts to lower the cost of acid; but recently, when it was found that the English manufacturer could produce fertilizers and furnish them to the English farmer at a lower price than they could be furnished by the American manufacturer to the farmer in this country, the subject of cheapening cost of production received renewed attention; and it was found that the lower cost to the English manufacturer was owing in great measure to the lower cost at which they were able to produce acid by the use of Spanish ore.

This ore, if relieved of all duty, can be laid down in this country as cheaply as it can be laid down in England, and the cost of fertilizers can thus be reduced $1.60 per ton.

The present duty on this ore is 20 per cent. ad valorem or $1.40 per ton; the duty proposed by the Senate bill is 50 cents per ton of ore, and 2½ cents per pound upon the content of copper. These ores contain about 2½ per cent. of copper, or fifty pounds per ton; 2½ cents per pound upon this and 50 cents per ton of ore would make the duty $1.75 per ton. It is urged that the copper interest requires this protection, but these ores have never been imported for their copper, neither will they pay to import for that purpose. It is now proposed to import them for their content of sulphur, which yields a value of $30 of sulphuric acid per ton of pyrites. The copper content, as imported in the ore, is, with the iron therein, simply a by-product, which can only be made available by the erection of an expensive plant, and a very large amount of labor and skill expended upon it in this country. There is virtually no market for such a low grade of copper ore.

Between 5,000 and 6,000 tons of Spanish pyrites were imported last year for the purpose of making sulphuric acid, and up to the present time no use has been found for the cinder. This we believe to be the only lot of this ore ever imported into this country.

The saving to the farmer by manufacturing fertilizers from acid made from pyrites instead of sulphur, would be equal to $9 for each ton of pyrites used.

It will be asked, why, if so great a saving can be made by using pyrites so small a duty as $1.75 per ton should interfere with its use—to which it is replied: In order to burn pyrites instead of brimstone a radical and expensive change is necessary in the plant; for instance, it would cost $60,000 to change plant-producing acid for 30,000 tons of fertilizer per annum from brimstone to pyrites. Many manufacturers hesitate to go to so great an outlay, and every encouragement should be given them to induce them to so arrange their plant that the cost to the farmer for his fertilizer may be lessened.

Again, to make acid from pyrites requires three times the amount of manual labor employed in making acid from brimstone.

It may, and probably will be, that after becoming familiar with the treatment of Spanish ores, through the facility of obtaining labor from England, expert in the business, the American ores may be substituted, but at this time there is no known permanent supply of these ores to be obtained in this country. Attempts are being made to mine and test various ores at certain points, in a small way, but most of the ores are too far distant from the points of consumption to become available. Freight from points west of the Atlantic coast range are too high to admit of the ores being brought to the coast for use, as the cost would be so increased that it would be cheaper to continue the use of brimstone. Small deposits of these ores are seeking purchasers at fancy prices, but they are yet to be tested and developed, requiring outlays of hundreds of thousands of dollars for the production of ores that may not after all be what is wanted, while the thoroughly tested Spanish ore can be brought, laid down at the American works, to be paid for as consumed, and contracts can be made for any quantity with thoroughly reliable people.

The present tariff places the production of fertilizers under heavy disadvantages as compared with the English manufacturer. England has a large and growing trade for these goods in this country. English goods are sent out in burlap bags, and goods and bags are admitted duty free—but upon the same bags, which are the only ones available for use in transporting these goods in this country, the American pays 40 per cent. duty, which is a discrimination against him and in favor of the foreign manufacturer, of 40 cents per ton! Five to six millions of these bags are used yearly by the fertilizer trade, paying some $200,000 in duty, which further increases the cost of fertilizer to the farmer by just that amount.

The lead chambers used in making acid, say for 30,000 tons per annum of fertilizer require 800,000 to 900,000 pounds of sheet-lead for their construction; the duty on this lead, namely, 2½ cents per pound, (which is prohibitory)= $25,000. These chambers are very perishable; ten years is their average life. The increase of cost in consequence of this duty is over 10 cents per ton of fertilizer. Thus by using free Spanish pyrites for acid—free bags and free lead, America can produce fertilizer for $2.50 per ton less than present cost, which would be a saving of $1,500,000 to the farmer in the cost of the 600,000 tons fertilizer that he uses.

Mr. ALDRICH. If I can have attention I think I can convince Senators that this amendment should not be adopted. Sulphuric acid is made from pyrites by combustion, and the residuum or dross consists of about 45 per cent. of iron and a varying percentage of copper. In this bill we have already fixed a duty on dross or residuum from burnt pyrites of 50 cents a ton in the line preceding the part which the Senator from Texas moves to strike out. The manufacturers of sulphuric acid in this country would, I believe, prefer the amendment as it now stands to having the whole clause stricken out. I will say to the Senator from South Carolina that the parties who prepared the paper which has just been read are satisfied with the amendment as offered by me.

Mr. BUTLER. I should like to ask the Senator from Rhode Island if the parties would not be better satisfied with the adoption of the amendment of the Senator from Texas?

Mr. ALDRICH. I do not understand that they would, for this reason: As the amendment stands now they would get the benefit of 3½ per cent. of copper, equivalent to about 75 pounds per ton, which pays a duty of 2½ cents a pound. That is equal to about $1.87 less the cost of smelting, whatever that may be. If the amendment of the Senator from Texas is adopted they would lose the benefit of this duty, as we not only admit pyrites containing 3½ per cent. of copper free, but we admit free all other sulphuret ores, thus practically putting copper on the free-list. Many sulphurets of iron contain from 15 to 20 per cent. of copper.

We should defer action of this kind until we reach the clause fixing a rate upon copper in the bill; then Senators can, if they desire, make copper free, but it certainly ought not to be done in this indirect manner. I am sure that there is no demand from the makers of sulphuric acid to destroy the duty on copper. It is for their interest if they are allowed to receive their copper free to retain a duty on other ores that are rich in copper.

Mr. GORMAN. Mr. President, a single word upon this amendment. I shall vote to place this article on the free-list because it is a well-known fact that the quantity produced in this country is insignificant. Our principal supply must be imported from Spain. In addition to that the amount of copper which is found in these ores is so small that no use has been made of it. The average amount imported is 6,000 tons, containing about fifty pounds of copper to the ton—too small an amount to interfere with any other industry.

Mr. MAXEY. If the Senator from Maryland will permit me I will say that except for the sulphuric acid which is gotten out of the sulphuret of pyrites for manufacturing purposes the copper would never be got out at all; yet in order to prevent the pyrites from coming in free it is made practically impossible to let it come in free by taxing this copper. That is the purpose and design of the whole thing.

Mr. GORMAN. While voting for the amendment of the Senator from Texas, I would confine it to pyrites that contained only a small percentage of copper, say 3 or 4 per cent.

Mr. MAXEY. Two and a half per cent. is the amount fixed in the bill.

Mr. GORMAN. That would confine it alone to that class of mineral which is used for the purpose of making sulphuric acid. One-half ton of this acid is used in producing a ton of commercial fertilizers. The manufacture of commercial fertilizers is one of the largest industries to-day in the country. The amount that is paid by the agricultural communities in the Atlantic States is simply enormous, and anything that tends to reduce the cost of these fertilizers, which are absolutely necessary in the production of cotton, corn, and all the cereals that are raised in the Atlantic States, we ought not hesitate to do. And it does not interfere with the general theory, with which I fully concur, that in fixing the rate of duty on raw material and the manufactured articles our home products should have the benefit of the incidental protection so as not to destroy our home industries. I believe in that doctrine and have so voted, but I think this is one of the clear cases where there is no interest in this country, no owner of raw material or any other interest, that could be affected injuriously by this act. As I suggested a moment since, the amount of revenue is so insignificant, and copper requires so little protection in this country, being cheaper here than anywhere else on the face of the earth, even the copper interest will not be injuriously affected by giving this small bone to the agricultural interest. I therefore hope the amendment will be adopted.

Mr. MORRILL. There are not any copper or iron ores that do not contain sulphur, and it is necessary that that sulphur should be expelled before either can be put into the furnace and used. It has to be burnt out before the ores can be melted up. The proposition of the Senator from Texas is to make all these sulphurets of iron free, notwithstanding we have put brimstone and sulphur on the free-list. If we assent to the proposition made by the Senator from Texas we virtually open the door for any amount of these ores, either copper or iron, to come in here entirely free. I therefore hope that we shall not consent to strike out the provision in the bill as proposed by the Senator from Texas.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. MAXEY].

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORRILL. I ought to have said (but I have such a cold this morning that it is difficult for me to speak) that a new process has been recently found out by which the sulphur from these ores may be obtained without any injury to the iron or the copper, and whatever residuum there is left after getting the sulphur is a matter of profit to those who import the sulphurets of iron or copper.

The PRESIDING OFFICER. The roll will be called on agreeing to the amendment of the Senator from Texas [Mr. MAXEY].

The Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of Illinois (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND].

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM]. If he were present, I should vote "yea."

Mr. ROLLINS (when Mr. JOHNSTON's name was called). The Senator from Virginia [Mr. JOHNSTON] is paired with the Senator from Pennsylvania [Mr. MITCHELL].

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. ROLLINS (after having voted in the negative). I am paired with the Senator from Florida [Mr. JONES], and I withdraw my vote.

The result was announced—yeas 27, nays 28; asfollows:

YEAS—27.

Barrow,	Coke,	Jackson,	Slater,
Bayard,	Farley,	Kellogg,	Vance,
Beck,	George,	Lamar,	Vest,
Butler,	Gorman,	Maxey,	Voorhees,
Call,	Grover,	Morgan,	Walker,
Camden,	Hampton,	Pendleton,	Williams.
Cockrell,	Harris,	Pugh,	

NAYS—28.

Aldrich,	Chilcott,	Hawley,	Miller of Cal.,
Allison,	Conger,	Hill,	Miller of N. Y.,
Anthony,	Dawes,	Hoar,	Morrill,
Blair,	Edmunds,	Lapham,	Platt,
Brown,	Frye,	Logan,	Plumb,
Cameron of Pa.,	Hale,	McMillan,	Sewell,
Cameron of Wis.,	Harrison,	Mahone,	Sherman.

ABSENT—21.

Davis of Ill.,	Ingalls,	McPherson,	Sawyer,
Davis of W. Va.,	Johnston,	Mitchell,	Van Wyck,
Fair,	Jonas,	Ransom,	Windom.
Ferry,	Jones of Florida,	Rollins,	
Garland,	Jones of Nevada,	Saulsbury,	
Groome,	McDill,	Saunders,	

So the second part of Mr. MAXEY's amendment was rejected.

The item from line 503 to line 509 was agreed to.

The PRESIDING OFFICER. The Secretary will read the next paragraph in Schedule C.

The next paragraph, from line 510 to line 520, inclusive, was read, as follows:

Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap-iron, and scrap-steel of every description, including old iron and old steel railway bars, steel filings, borings, turnings, steel railway bar crop ends, none of which shall exceed twenty-four inches in length, steel ingot, cogged ingot, bloom, slab, and billet crop-ends, none of which shall exceed five inches in length, $6 per ton: *Provided*, That nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured by remelting or rerolling.

Mr. SHERMAN. In line 516, after the word "length," I move to strike out "six dollars per ton," and insert "three-tenths of 1 cent per pound."

Mr. BECK. I should like to ask the Senator from Ohio if, before a proposition to change the rate is voted upon, he would object to considering a proposition to amend by striking out one or two words, for instance the word "including," in line 511, and inserting "also;" and in line 518, by striking out the words "has been in actual use and;" so that the paragraph would read as I send it to the Senator from Ohio?

Mr. SHERMAN. Let it be read at the Clerk's desk.

The PRESIDING OFFICER. The suggestion of the Senator from Kentucky will be read at the desk if there be no objection.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed in line 511 to strike out "including" and to insert "also;" and in line 518 to strike out "has been in actual use and;" so as to read:

Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap-iron, and scrap-steel of every description, also old iron and old steel railway bars, steel filings, borings, turnings, steel railway bar crop ends, none of which shall exceed twenty-four inches in length, steel ingot, cogged ingot, bloom, slab, and billet crop ends, none of which shall exceed five inches in length, $6 per ton: *Provided*, That nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that is fit only to be remanufactured by remelting or rerolling.

Mr. BECK. I dare not perhaps say that it has been very well considered elsewhere, but that is the language which has been agreed upon elsewhere. The word "including" might be regarded as confining it to the previous description, whereas the word "also" makes a distinct classification of what follows, and by striking out the words "has been in actual use and;" which makes it read, "except waste or refuse iron or steel that is fit only to be remanufactured," any embarrassment is removed.

Mr. SHERMAN. I do not see any objection to either of the amendments proposed by the Senator from Kentucky.

Mr. BECK. I think they are right, and I know that after careful consideration the gentlemen who had to consider the matter regarded it as better language to employ than is used in the bill before us.

Mr. SHERMAN. The Senator from Vermont who has charge of the bill is not in his seat at this moment, and the Senator from Kentucky can move to strike out those words just as well after the amendment I move has been acted upon.

Mr. BECK. I do not care to have it acted upon in the absence of the Senator from Vermont. I will call it up after the amendment of the Senator from Ohio is voted upon.

Mr. SHERMAN. I see no objection to it, but I should not like to agree to the proposed change in the absence of the Senator from Vermont.

Mr. BECK. I do not ask that, but I will offer it at the proper time.

Mr. SHERMAN. Mr. President, I will simply say that the motion I now make restores the duty on pig-iron to the rate proposed by the Tariff Commission, which is a reduction of 24 cents a ton on the present rate of duty.

Early in the investigation of this subject the Finance Committee on the first reading proposed to insert $6 per ton, which is a reduction of 72 cents per ton. My motion is to make it three-tenths of 1 cent a pound, which is equivalent to $6.72 per ton.

I stated yesterday all the argument I wish to make upon this subject. The most intelligent gentlemen engaged in this business from different States in the Union—for pig-iron is made in twenty-five States—have stated that this reduction from $6.72 down to $6 would put out of blast fully one-half the furnaces in the great centers of production of pig-iron. Six dollars and seventy-two cents was agreed upon on all hands as about the fair rate to be imposed upon pig-iron and is a reduction of the present rate.

I do not wish to prolong the argument, but I have no doubt this amendment, if adopted, will be in harmony with the general features of the bill, will be in accordance with the carefully considered report of the Tariff Commission made after the examination of a great number of witnesses. The industry affected amounts to 3,700,000 tons produced in this country. Notwithstanding we have so many advantages in producing pig-iron, there were last year imported into this country over 600,000 tons.

With this brief statement I will submit the question to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. SHERMAN].

Mr. BECK called for the yeas and nays, and they were ordered.

Mr. MORRILL. I merely desire to say that if the amendment had been proposed at $6.50 a ton I should be willing to vote for it. I can not vote for the amendment proposed by the Senator from Ohio.

Mr. SHERMAN. My friend from Vermont seems in this matter, to use an expression I have just heard, to be splitting hairs. Three-tenths of 1 cent a pound is a decimal rate which can be easily computed and easily produced. I would not much care whether it was $6.50 or $6.72 per ton; but the more convenient rate, the rate which is in accordance with the Tariff Commission's report and which corresponds with all the rates running through this bill, is three-tenths of a cent a pound. Then when you take the next grade, Bessemer steel, the duty is six-tenths of 1 cent a pound, and upon the next grade eight-tenths of 1 cent a pound, and the next grade is nine-tenths of 1 cent a pound. The same rule ought to be applied to all these classes of manufactured iron. I hope, therefore, my friend from Vermont will not stand upon the difference between $6.50 and $6.72 a ton.

Mr. MORRILL. All I desire to say in reply is that we have made a general reduction upon almost everything in this bill, and the reduction upon this article from $7 to $6.72 is but 28 cents a ton. I merely desire to make it half a dollar, that is $6.50. I thought that would be sufficient and would be favorably considered.

Mr. HAWLEY. But the Finance Committee reported $6 a ton.

Mr. SHERMAN. But we re-examined it.

Mr. HAWLEY. Do I understand the Senator from Vermont to abandon the report of the committee?

Mr. MORRILL. I said I would be willing to vote for $6.50 a ton if it was proposed.

The Principal Legislative Clerk proceeded to call the roll.

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON], or I should vote "nay."

Mr. ROLLINS (when Mr. MITCHELL's name was called). The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. ROLLINS (when his name was called). I am paired with the Senator from Florida [Mr. JONES].

The roll-call was concluded.

Mr. MILLER, of California. I am paired with my colleague [Mr. FARLEY].

Mr. MILLER, of New York (after having voted in the affirmative). I am paired on this question with the Senator from Maryland [Mr. GORMAN.] I see that he is out of the room, and therefore I withdraw my vote. If he were present, I should vote "yea."

The result was announced—yeas 16, nays 37; as follows:

YEAS—16.

Anthony,	Cameron of Wis.,	Hill,	Mahone,
Blair,	Chilcott,	Lapham,	Pendleton,
Brown,	Conger,	Logan,	Sewell,
Cameron of Pa.,	Harrison,	McMillan,	Sherman.

NAYS—37.

Allison,	Dawes,	Hoar,	Pugh,
Barrow,	Edmunds,	Ingalls,	Slater,
Bayard,	Frye,	Jackson,	Vance,
Beck,	George,	Kellogg,	Vest,
Butler,	Groome,	Lamar,	Voorhees,
Call,	Grover,	McDill,	Walker,
Camden,	Hale,	Maxey,	Williams.
Cockrell,	Hampton,	Morgan,	
Coke,	Harris,	Morrill,	
Davis of Ill.,	Hawley,	Platt,	

ABSENT—23.

Aldrich,	Gorman,	Miller of Cal.,	Saulsbury,
Davis of W. Va.,	Johnston,	Miller of N. Y.,	Saunders,
Fair,	Jonas,	Mitchell,	Sawyer,
Farley,	Jones of Florida,	Plumb,	Van Wyck,
Ferry,	Jones of Nevada,	Ransom,	Windom.
Garland,	McPherson,	Rollins,	

So the amendment was rejected.

Mr. BECK. The Senator from Vermont being now in his seat, I renew the amendment I proposed a moment ago, to strike out the word

"including," in line 511, and inserting the word "and" after the semicolon; and in line 518 to strike out the words "has been in actual use and."

Mr. MORRILL. I call the attention of the Senator from Kentucky to a very obvious fact, that any bars of Swede iron or steel can be cut up into these scraps, short bits, two or three or four or six inches long, and merely sprinkled with salt water, and they will appear old and rusty. Therefore the amendment proposed by him would just open the door to the importation of Swede iron in any quantities, if it was only got down in appearance so that it would look old and rusty.

Mr. BECK. The language used here by the Senator from Vermont in the bill is altogether new, and has never been in any other bill, so far as I have heard of. With the words in the proviso stricken out it will be:

That nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that is fit only to be remanufactured by remelting or rerolling.

That being the fact, there can be no possibility of fraud, and it never has occurred, so far as I know. One gentleman who made a statement before us spoke of the possibility of it, but I do not think it ever was considered as being a serious objection. Besides, all these little scraps are made just as a tailor in cutting cloth for a pair of pants cuts out his pattern, leaving remnants which are thrown away. All such things are included by this arrangement. If this scrap-iron is fit only to be remelted or rerolled, I do not see what plausible reason there can be for keeping it from coming in. They punch out iron to make holes in it, and to say that has not been in actual use is a nice distinction, made merely because somebody has inserted it in this bill for the purpose of keeping out something that he does not want to have come in here. I have no right to say what occurs elsewhere, but this language has met with approval wherever it has been understood, as contained in the amendment I have now offered.

Mr. ALLISON. I want to call the attention of the Senator from Kentucky to the fact that the words "in actual use" is the language of the present tariff, as I understand.

Mr. BECK. I think not. I never heard of them.

Mr. ALLISON. My understanding is that they are.

Mr. BECK. They have not given us the language of the present tariff accurately. We have the language before us here in the table, and there is no such thing in it. There it is: "Wrought and cast scrap-iron and scrap-steel of every description," following "iron in pigs." That is the language of the present law as given us by the Treasury Department, and I assume it is given correctly. I know another important committee who have looked into this matter and have adopted the language which I suggest.

Mr. ALDRICH. The present law reads as the Senator will find it in line 501 of the bill, stating the comparison between the old law and the law which was printed for the use of the Finance Committee.

That nothing shall be deemed scrap-iron except waste or refuse iron that has been in actual use.

Mr. BECK. What bill is that?

Mr. ALDRICH. The bill giving comparative rates between the Tariff Commission bill and the present law prepared for the use of the Finance Committee on line 501.

Mr. BECK. I beg pardon. I should like to know whether that is the fact.

Mr. ALDRICH. The Senator will remember that this is the regular bill prepared for the use of the committee.

Mr. BECK. I hold in my hand the "table showing articles, rates, and amounts of duty under the present and the proposed tariffs."

Mr. MORRILL. If the Senator will look at the twelfth page of that he will find it.

Mr. BECK. I look on the twelfth page and find——

Mr. MORRILL. Read beginning with "provided."

Mr. BECK. That "provided" is in the bill proposed by the Tariff Commission. The Senator from Vermont will excuse me for suggesting that on the parallel column, giving the present law, there is no reference at all to iron or steel that has been in actual use. I am looking precisely where the Senator from Vermont is looking. If I am deceived, it is because of the comparative table sent to us from the Treasury Department, and the provision I made I took from a carefully considered report.

Mr. BROWN. I desire to inquire of the committee if the matter was brought to their attention of the difference between pig-iron and cast scrap and wrought scrap iron? There is a very great difference in value between the two.

Mr. SHERMAN. I can answer the Senator. There is under the present law a difference made between scrap-iron and cast scrap-iron and iron in pigs, but as they come in unassorted cargoes mixed, it is absolutely impossible to separate them in the practical administration of the custom-house.

Mr. BROWN. Then I ask if you ought not to put a higher rate on it, as it is mixed with the wrought-iron, which is much more valuable?

Mr. SHERMAN. I think so, but the Senate by a very decided vote has placed on pig-iron and scrap-iron a rate of duty less than three-tenths of 1 cent a pound. I do not see with what face anybody can propose to put a duty on Bessemer steel at anything like the rate proposed by this bill. It seems to me that we have started on a basis now that will practically prostrate the whole iron industry of the country. These three items are classified, and I think properly classed, under one head, that is, pig-iron, cast scrap-iron, which is less valuable even than iron in pigs, and wrought scrap-iron. Under the present tariff they are classified—pig-iron at $7 per ton, cast scrap at $6 a ton, and wrought scrap at $8 a ton, but it is manifest that they can not be assorted, and in the practical administration of the law as it now stands it is almost impossible, except by a guess, to say how much of a cargo is pig-iron, how much is wrought scrap-iron, and how much is cast scrap-iron. Comparatively a small amount of cast scrap-iron comes in, but the aggregate of wrought scrap-iron is 231,000 tons, and it will be hardly worth while to make three classifications, which are so difficult to assort.

Mr. BROWN. Mr. President——

Mr. BECK. The Senator from Georgia will allow me to correct myself. I find on page 466 of the Revised Statutes that there is a provision relative to scrap-iron thus:

But nothing shall be deemed scrap-iron except waste or refuse iron that has been in actual use, and is fit only to be remanufactured.

These words not being in the comparative table, which I supposed contained the present law, I was mistaken in saying that the clause was not in the tariff. I correct myself.

Mr. BROWN. As I understand it from the statements just made by the Senator from Ohio, there are nearly 300,000 tons a year of wrought scrap-iron imported.

Mr. SHERMAN. Two hundred and thirty-one thousand tons.

Mr. BROWN. Two hundred and thirty-one thousand tons of wrought scrap are imported. That wrought scrap is worth nearly double as much in any market as the cast scrap is; and every Senator knows that for the purpose of making iron you first smelt the iron out of the ore in the furnace, and that is called pig-iron. It is really cast scrap that has gone through no process of purification beyond the simple fact of drawing out the ore. Every time you put it under the hammer after that or every time you run it through the rolling-mill you take from it a great deal of its impurity, and you make the iron more pure every time it passes through the mill or under the hammer. If it goes through the roller two or three times it comes out a very fine grade of iron. When it goes through one time, simply to the pig stage, and we make a railroad bar of it, that railroad bar or the scrap railroad bar is now worth $28 a ton in the market, and common new pig-iron from the furnace is worth $17.50 or $18 in the market. I think it is unfair to let in an article of double the value at the same rate that you let in the pig-iron. It depends entirely on the purity of it. When you take the wrought scrap and run it through any roller or put it under any hammer and put it in any shape you have the highest grade of iron, while if you take the pig and run it through once you have only the railroad bar. I think, therefore, if there is a mixture to that extent of the wrought scrap, we ought to raise the duty; if it is so mixed that we can not separate it so as to make that pay at least one or two dollars a ton more than the cast scrap, the tariff is very unjust and very unfair.

Mr. LOGAN. How is it in the present bill?

Mr. BROWN. It is all put together.

Mr. LOGAN. In the last law it was $8 per ton.

Mr. BROWN. In the last it was $8, as I understand. It ought to be $2 a ton higher than it is here; there is no question of it.

Mr. SHERMAN. By the foreign valuation of iron imported into this country pig-iron is about $17 a ton; cast scrap about $11 a ton; wrought scrap something over $20 a ton. Wrought scrap is worth nearly as much as steel blooms, and it is proposed to levy a duty of only three-tenths of a cent per pound on these forms of iron, and then to double the duty to six-tenths of a cent per pound on steel blooms, while scrap-iron is worth nearly as much as steel blooms in the markets of the world. It is so gross, so palpable, so marked an injustice in favor of steel and the steel manufacturers that if the Senate make up their mind to adopt it I can not conscientiously vote for any such rates of duty as are imposed upon Bessemer steel. They will be so totally unjust, so marked a wrong, that the common sense of common people will revolt at it and look upon it as a discrimination made in favor of an industry that is now protected by patents and protected by large duties.

I desire to see this industry maintained and protected, but if we allow scrap-iron (which is iron in bar form once used and only needing to be remelted in order to produce the highest character of iron) to come in at the insignificant duty of $6 a ton, I do not see how in fairness or in justice we can levy a duty of $15, $16, or $17 a ton on the next stage of the manufacture, when all that is required is to melt this pig and scrap iron and reroll it into any form of bar-iron or the higher forms of iron, upon which we levy a duty of $20 per ton.

Mr. BECK. Will the Senator allow me to say that finding myself mistaken as to what the present law is, I do not care to press the amendment? I withdraw it.

Mr. SHERMAN. I was not talking about the Senator's amendment. I was only talking about the rate.

Mr. LOGAN. Why did the commission reduce the rate from $8 to $6?

Mr. SHERMAN. I can not see.

Mr. ALLISON. It is easy to see. The commission recommended that all these articles of iron should come in under one schedule, and we adopted that schedule.

Mr. SHERMAN. We adopted the schedule but we lowered the rate.

Mr. ALLISON. Undoubtedly we did, after great discussion and long debate upon the subject.

Mr. PLATT. Mr. President, I think there should be a change in the language of this clause, not changing the principle or the rate. I see that Mr. Oliver in his statement before the committee says that it is ungrammatical and that the style of it ought to be changed. I do not propose just the change that he suggested, but there are some articles which ought to come in as scrap as well as steel-filings, borings, turnings, &c. I want to include "boiler-punchings and clippings of iron or steel beams and bars." And then I desire to make a slight amendment in line 517, so that there shall be no misunderstanding as to what the previous language means. I send up my amendment. I think the committee will make no objection to it when they understand it.

The PRESIDING OFFICER. The question now is on agreeing to the amendment proposed by the Senator from Kentucky [Mr. BECK].

Mr. PLATT. He has withdrawn his amendment.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from Kentucky has withdrawn his amendment?

Mr. BECK. Yes, sir.

The PRESIDING OFFICER. The amendment of the Senator from Kentucky is withdrawn. The Senator from Connecticut [Mr. PLATT] proposes an amendment, which will be read.

The ACTING SECRETARY. In line 512, after the word "bars," it is proposed to insert "boiler-punchings and clippings of iron or steel beams and bars."

Mr. BROWN. If I am in order I move to amend that by saying that all wrought scrap and scrap-steel shall be taxed $8 per ton.

Mr. PLATT. Will not the Senator allow me to perfect this clause, and then he can present his amendment as it is reached afterward?

Mr. BROWN. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Connecticut [Mr. PLATT].

The amendment was agreed to.

Mr. PLATT. Now, on line 517, after the word "nothing," I move to insert "not herein specified;" so as to make the clause read:

Provided, That nothing not herein specified shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use, and is fit only to be remanufactured by remelting or rerolling.

The amendment was agreed to.

Mr. PLATT. Now, without proposing any further amendment, I should like to ask a question, and that is, why steel railway-bar crop-ends, which are to come in as scrap-steel, are limited to just twenty-four inches in length, and the ingot, bloom, slab, and billet crop-ends are limited to five inches in length. I desire to inquire whether some of the crop-ends which are really scrap do not exceed that by a few inches and whether thirty inches would not answer in that place without any possibility of anything coming in which was not really crop-ends.

Mr. MORRILL. I am not prepared to answer the question. I do not know but that some of these crop-ends are longer or shorter, but I think the provision here is as wide as it ought to be. I should be opposed to opening the door any further than we have done.

Mr. PLATT. If the committee object, I will not propose an amendment.

Mr. MORRILL. So far as the proposition of the Senator from Georgia [Mr. BROWN] is concerned, I incline to think that it would be a just one; that is to say, that wrought scrap, either iron or steel, is really more valuable than pig-iron, and it ought to be subject to a little higher duty than that on cast-iron. The difficulty about it is that at the custom-house it comes in all mixed together.

Mr. BROWN. The Senator from Ohio states that there were 231,000 tons of wrought scrap imported last year. That was separated because it was shown to be wrought scrap, and paid duty as wrought scrap. If they can separate it to that extent, it is not a hard job to do.

Mr. MORRILL. I think those who import this in the steel or iron form of scrap, with all the latitude we give here for the importation, ought to be burdened with whatever there is of cast-iron, if we let it in at so low a rate of duty as $6 a ton.

Mr. BROWN. In reply to that I simply want to state that the difference is this: A piece of pig or cast scrap is a piece of an old bar that is made of pig-iron just run in a mold. If you break it, it has been in use, it is a piece of pig scrap. A piece of wrought scrap is a piece of steel bar, as a horseshoe bar. That is the difference. One is worth two or three times as much as the other—I speak of the finer class of wrought scrap—because it is made very pure sometimes, and generally in the market it would be worth twice as much. A piece of railroad bar that has gone through but one process of rolling after it came out of the furnace as pig-metal is worth nearly twice as much as the pig-metal itself was, and when it is run through until it is ready for the purposes of the blacksmith for a horseshoe or ax, or anything of that character, it is worth two or three times as much as pig.

All you have to do is to take the 231,000 pounds of that kind of scrap that came in last year and melt it at once to make the finest kind of bar out of it, and there is no wastage. There is no sort of equity or justice in putting it all at the same duty, and it seems to me that there ought to be at least $2 a ton difference. It takes labor to get it into the condition of wrought scrap. It has already gone through the purifying process, and when it comes here all the labor required is to melt it and run it through the roller and you have first-rate bar, out of which you can make an ax or a horseshoe or anything of that kind. You can not do that by running the pig-iron once through the roller; you have to run it through three or four times to get it to that state. It took that much labor, and there is loss in the weight all the time. It seems to me it is very unjust to levy the duty at the same rate. I move, to make it entirely reasonable, and I hope there will be no dispute about that, to put it at $7 a ton if $6 is settled on pig-metal. I did not notice whether we had voted on that or not.

Mr. SHERMAN. Yes, we fixed it at $6.

Mr. BROWN. Then I move to make the duty on wrought scrap and steel scrap $7 a ton instead of $6. On a piece of steel, no matter what sort of a piece of steel, if it is not more than two feet long, all the work is done, all the purifying is done, so that axes may be made out of it. It comes in at the same tariff that old cast scrap would come in at. I do not think any Senator can say that is right.

The PRESIDING OFFICER. Will the Senator from Georgia indicate the amendment he proposes and where it is to come in?

Mr. BECK. While the Senator is preparing his amendment I can say all I desire to say. We have to do something in the way of simplification. I believe it is the opinion of all of us that old scrap, if only fit to be rerolled or remanufactured, should come in at a moderate rate, and if a few horseshoe nails should be put in, it is better to have them all together than it would be to let the officers at the custom-house throw out an old pot here and a horseshoe there to see which was the most valuable class of metal and how rusty it was. They could not tell what the things all were unless there were men with sledge-hammers to break them up. It would take an army of men and days of time to assort these things. We may as well have simplification in this form. There are a great many inequalities, the Senator from Georgia will observe. A cigar worth a penny pays now the same rate of duty that a cigar worth 10 cents pays, just because it is a cigar.

As I said the other day, fine sherry and Madeira worth $4 a gallon pay only 40 cents, the same rate that the still wines of the Rhine, worth 40 cents a gallon, pay. In going through the custom-house there must be some simplification, something that can be thrown in and sent to the rolling-mill at once without assorting. I think we had better do that, even if a little does come in that is of a tolerably fine grade. We are not pinched now for revenue, and whatever we lose in that respect will be made up in the simplification of the customs administration and the ease with which the law can be executed. That was the idea we had about it in committee.

Mr. MORRILL. In addition to what the Senator from Kentucky says about the convenience of the custom-house in not being compelled to assort and weigh all these things separately, I want to suggest that it is but just to those who buy this steel and iron scrap that they should be made to take a certain quantity that may be mixed with it of cast-iron, worth much less. Therefore I hope we shall adhere to the provision as it is in the bill.

Mr. BROWN. It is a little difficult to shape my amendment just as I would have it, on account of the phraseology of this section:

Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap-iron, and scrap-steel.

That I should propose to have stand at $6, as has been determined by the Senate, as I understand, and then to amend by striking out the word "and" and putting in "all;" so as to read:

All scrap-steel of every description, including old iron and old steel railway bars, steel filings, borings, turnings, steel railway bar crop-ends, none of which shall exceed twenty-four inches in length, steel ingot, cogged ingot, bloom, slab, and billet crop-ends, none of which shall exceed five inches in length, $6 per ton.

There I would strike out "six" and insert "seven." So my amendment is to strike out the word "and," in line 511, and insert "all;" and then in line 516 to strike out "six" and insert "seven." That is my proposition.

A word of reply to the Senator from Kentucky. There does not seem to have been in fact any great difficulty last year in assorting the 231,000 tons of wrought scrap-steel and iron. I have not heard that there was any trouble at all about it. It is all put down and the tariff paid upon it. As every Senator knows it is worth twice as much and some of it three times as much as the cast scrap is.

The Senator from Kentucky says the revenue is not an object. The rate I propose certainly will bring us more revenue. I do not see why we should not make wrought scrap pay a little more if it is worth twice as much as the other article. Here men are permitted to bring in pieces of steel that are twenty-four inches long of the purest steel, and other pieces of the horseshoe or the ax bar-iron, and an equal number of pounds of the old cast scrap, and you tax them alike. Surely that is not right. There is no equity and no justice in it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia [Mr. BROWN].

Mr. MORRILL. I call the attention of the Senate to the fact that the amendment will increase the rate of duty not only on this scrap, but on pig-iron to $7 as the Senator has proposed it.

Mr. BROWN. I do not propose to increase the other a dollar. The Senator has not understood my amendment.

Mr. FRYE. You will have to insert "$6" after the first clause.

Mr. BROWN. If there is any trouble on that subject, before the word "all" that I proposed I would insert "$6," so as to make it on iron in pigs and so forth down to the word "all," and after "all" to insert "$6 per ton." That would obviate that difficulty.

Mr. MORRILL. The Senator has got in wrought and scrap iron at $6 and then again at $7.

Mr. HOAR. Before that amendment is put, which is a matter of substance, I should like to have what I think there will be no considerable objection to, a substitute of 36 for 24, in line 514. I hope the Senator from Georgia will permit that to be done.

Mr. SHERMAN. That is a very important amendment.

Mr. HOAR. I understand that the chairman of the committee in answer to a question did not think there was any particular reason for limiting it to twenty-four inches; and I am informed that by the description of the thing it is absolutely secured; that there is nothing but scraps to come in under this clause, and there are a great many things where they run down to a point, or where there is a splinter on the end of a bar which will protract it ten or twelve inches, and it makes a great inconvenience to have this limit. I understand it will be a very great practical inconvenience without any earthly advantage or any earthly difference in principle. I move to strike out "twenty-four" and insert "thirty-six."

The PRESIDING OFFICER. That motion will not be in order until the motion of the Senator from Georgia is disposed of.

Mr. BROWN. The chairman of the committee calls my attention to the fact that it would be better for my amendment to come in in line 510 before the word "wrought" and after the word "spiegeleisen;" so as to read:

Iron in pigs, iron kentledge, spiegeleisen, $6 per ton; all wrought and cast scrap-iron, &c.

Then apply $7 to scrap. I modify the amendment to that extent.

The PRESIDING OFFICER. The amendment of the Senator from Georgia as modified will be read.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed to amend so as make the clause read:

Iron in pigs, iron kentledge, $6 per ton; all wrought and cast scrap-iron, and scrap-steel of every description, $7 per ton.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia.

Mr. PLATT. That raises the duty on scrap-iron a dollar a ton, does it not?

Mr. LOGAN. No; the duty on scrap-iron now is $8.

Mr. PLATT. Six dollars.

Mr. LOGAN. Eight dollars by the statute.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia.

Mr. BROWN. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BROWN. As I understand it, the steel scrap and wrought scrap is now $8, and I am only proposing to make it $7, being in the same proportions that we have reduced the duty on pig-iron.

Mr. HARRIS. It is $6 under the bill.

Mr. BROWN. The bill makes pig-iron $6. I propose to make this $7, keeping up the same proportion.

The Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. HARRISON (when the name of Mr. MILLER, of California, was called). The Senator from California [Mr. MILLER] desired me to announce his pair with his colleague [Mr. FARLEY].

Mr. ROLLINS (when Mr. MITCHELL's name was called). The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

The roll-call was concluded.

Mr. ROLLINS. The Senator from Florida [Mr. JONES] is paired with the Senator from Nebraska [Mr. SAUNDERS] on this question

Mr. FARLEY. I am paired with my colleague [Mr. MILLER, of California].

Mr. GARLAND. I am paired with the Senator from Vermont [Mr. EDMUNDS].

The result was announced—yeas 10, nays 45; as follows:

YEAS—10.

Brown,	Conger,	McMillan,	Sherman.
Cameron of Pa.,	Hill,	Miller of N. Y.,	
Chilcott,	Logan,	Sewell,	

NAYS—45.

Aldrich,	Beck,	Cameron of Wis.,	Frye,
Allison,	Blair,	Cockrell,	George,
Anthony,	Butler,	Coke,	Gorman,
Barrow,	Call,	Davis of Ill.,	Groome,
Bayard,	Camden,	Dawes,	Grover,
Hale,	Jackson,	Pendleton,	Vest,
Hampton,	Kellogg,	Platt,	Voorhees,
Harris,	Lamar,	Plumb,	Walker,
Harrison,	McDill,	Pugh,	Williams.
Hawley,	Maxey,	Rollins,	
Hoar,	Morgan,	Slater,	
Ingalls,	Morrill,	Vance,	

ABSENT—21.

Davis of W. Va.,	Johnston,	Mahone,	Sawyer,
Edmunds,	Jonas,	Miller of Cal.,	Van Wyck,
Fair,	Jones of Florida,	Mitchell,	Windom.
Farley,	Jones of Nevada,	Ransom,	
Ferry,	Lapham,	Saulsbury,	
Garland,	McPherson,	Saunders,	

So the amendment was rejected.

Mr. HOAR. I now move to substitute thirty-six inches for twenty-four inches in the description of the length in line 514.

Mr. SHERMAN. That is still in the same line of this whole clause. It will enable the owners of rails in England or elsewhere in Europe to cut them up in lengths of three feet and bring them in as old iron at a low rate of duty, at about 30 per cent. ad valorem. They will be rerolled at an expense of about $3 or $5 a ton into iron that pays a duty under the tariff laws of from $13 to $20 a ton.

Mr. President, this thing has gone far enough. This whole clause is a mere means of getting in along the eastern coast a class of iron which at slight expense can be rolled into the highest forms and most valuable forms of iron or converted into steel. It is introduced at an inordinately low rate, and even the rate proposed by the Tariff Commission has been still further reduced; and the amendment of the Senator from Massachusetts is in the same line to make it still more convenient. Hitherto the importers have been required, in order to show that the scrap was iron unfit for use, to bring it in in lengths two feet long, and thousands of tons of railroad iron cut into lengths twenty-four inches long are brought in.

Mr. HOAR. Does the Senator say under the present law?

Mr. SHERMAN. Under the existing law that has been done—cut into two-foot lengths.

Mr. HOAR. But my friend says that at present it is required to be not more than two feet long. They do now import in lengths of thirty-six inches, I understand.

Mr. SHERMAN. If you want to admit all railroad iron, what is the use of requiring it to be cut into pieces three feet in length? Why not allow it to come in full length so that a simple rolling will make it good for iron rails?

Mr. SEWELL. Will the Senator from Ohio allow me to make a further suggestion?

Mr. SHERMAN. Certainly.

Mr. SEWELL. This will take in steel also. Under this provision almost all the steel rails used in the country could be brought in.

Mr. SHERMAN. Certainly. Any form of steel or iron rails might be laid down on a side track in England and then the next day taken up after they had been once used and cut into billets three feet long and imported at 30 per cent. ad valorem, and converted by a simple process of rerolling into steel rails, which, under this bill, would pay a duty of more than twice as much, or they may be converted into bar-iron by a simple process and be made equal to iron which would pay a duty of $20 a ton.

Why, sir, this will not bear investigation. I am willing to give to all these iron industries a fair, discriminating duty, but I want it to be fair. I do not want the manufacturers of 3,700,000 tons of pig-iron to point me to a tariff in which their article is only protected by a duty of 30 per cent. ad valorem, less than three-tenths of a cent per pound, while the very next stage of the iron manufacture, which is worth in the foreign market only four or five dollars a ton more than the pig-iron, is advanced in the tariff rates to three times as much in some cases, to twice as much in all cases. It is not proposed to allow Bessemer steel to come in at less than six-tenths of a cent per pound, and yet the Bessemer-steel bloom in the market in London is only worth $22 a ton, while the scrap-iron, which is put here at less than three-tenths of a cent a pound, at $6 a ton, is worth in the London market $20 a ton.

Mr. WILLIAMS. Will the Senator allow me to ask him a question right there?

Mr. SHERMAN. Yes, sir.

Mr. WILLIAMS. I understand the process of getting scrap-iron into bars again is a pretty complicated one, that it has to be smelted before it can be rolled.

Mr. SHERMAN. It is a very easy process to smelt iron and reroll it to any form. That is not a very costly process. It does not cost anything like the manufacture of pig-iron.

Mr. PLATT. I desire to ask a question. This is limited to crop-ends?

Mr. HOAR. That is all.

Mr. PLATT. That is to say, when a bar of iron is rolled it leaves an irregularly shaped end, not a perfect end. It has to be cut off every time a bar is rolled. Now, this word "crop-end" has just as much commercial significance as a T railway bar has. It is the clipping, when the bar is rolled, of the useless part. I did not ask for this amendment, though I made the suggestion a little while ago, but it being limited to crop-end, it seems to me there is no possible chance to get any railroad iron under it.

Mr. SHERMAN. The whole thing is false. It is the admission of the best forms of steel and iron if only the foreign shipper will go to the trouble of putting it under a clip-hammer, which in a moment cuts it into the ingots of two feet or even three feet; and then to allow steel in its highest form of production, steel rails in this form to be introduced at this extravagantly low rate of duty, to be converted by the simple process of rerolling into iron of a much higher value, paying more than twice as much duty, is an evasion of the spirit of the law, and instead of being amended by reducing the length of these billets this clause ought to be stricken out.

Sir, I can remember the time when we were first appealed to to allow scrap-iron to come into the country. It was said that cargoes might be made up of scrap-iron gathered from all parts of the world, that had been once used, that was waste iron. It seemed to be just and fair to allow that article to be brought into our markets to be remanufactured for use. There seemed to be sound philosophy in a simple expedient by which we could make out of an article of no value abroad an article of great value at home by the process of domestic manufacture, but that privilege thus conferred by law a few years ago has been greatly abused, and under it 230,000 tons, a vast mass of iron, came in last year. We must remember it is not in little driblets, but 230,000 tons.

Mr. CAMERON, of Pennsylvania. Five hundred-and-odd thousand.

Mr. SHERMAN. Two hundred and thirty thousand last year. Year before it was more.

Mr. CAMERON, of Pennsylvania. The year before it was over 500,000 tons.

Mr. SHERMAN. Last year 230,000 tons were brought in in this form merely to get the lower rate of duty. To put upon that kind of iron thus brought into direct competition with the product of pig-iron and other forms of iron from the furnace here a low rate of duty, $6 a ton, and then by a simple process to convert it into steel rails on which you put a duty of $13.44 a ton, or convert it into bar-iron, which may be done just as well, on which you put a rate of duty of from $18.50 to $21 a ton, is an evasion of this law, and it ought not to be tolerated.

This duty ought to bear some relation to the value of the article. The scrap-iron of commerce now brought in here is shown by the statistics before me to be worth $20 a ton; yet the rails made out of this scrap-iron in England can be bought to-day at $22 or $23 per ton. The invoice value of the 230,000 tons of wrought scrap-iron was $4,785,923.70, which was over $20 a ton. The duty is reduced now to $6 a ton, and yet the duty on the steel bloom, which comes in competition with the iron, is raised by this bill.

Sir, we can not endure inequalities. The people of the United States want fair treatment in the administration of this tariff law. If an article is of a higher grade of manufacture it will bear a higher rate of duty, but there must be a just proportion between these rates. The present law is unequal, because certain classes of iron are introduced into this country at less rates than other iron of kindred character. That is the great complaint of our iron schedule. It is the great complaint of the people, the men engaged in the trade, that they have been driven entirely out of the market in making cotton-ties, in making steel blooms, and in making steel bars for wire, by unequal and unfair duties, and yet there is nothing in the present law so unequal and unjust as this proposed reduction of the rate of duties on the cheaper forms of iron and its advance on the higher forms of iron. I beg the Senate, therefore, those who are interested in this bill, not to make the bill subject to this kind of criticism, but give a fair, just, and uniform rate of duty upon iron according to its market values, those values being reduced by classification into specific rates of duty.

Mr. HOAR. Mr. President, the Senator from Ohio says nothing against the amendment, as I understand his argument; his attack is upon the substance of the clause in the bill, a clause which, as he confesses, has been the law heretofore, which has come recommended by the committee of which he is a member with his own concurrence.

Mr. SHERMAN. Not as to the rate.

Mr. HOAR. The committee reported the bill, and the Senator joined in the report. I do not mean that he assented to every clause of it, but it is a part of the bill which he reported; it is a part of the Tariff Commission's proposition, and it is a part of the proposition in the House bill which is now laid on our tables. I am speaking of this general policy of letting in this scrap-iron.

This form of scrap-iron or scrap-steel is described. In the first place it must be waste or refuse iron or steel that has been in actual use, and is fit only to be remanufactured by remelting or rerolling. That is the first thing that it must be. In the next place, to have my amendment applicable to it, it must be a railway bar crop-end; it can not be a rail cut up, as the Senator described, simply needing to be rolled a little. It must be determinable by inspection if it is not a crop-end. It must be that kind of waste iron called a railway bar crop-end. A rail at both ends cut off square, thirty-six or thirty or twenty-four inches long, does not come within that description. But there are a great many cases where these things are supplied. For instance, where they go out to a point, where there is a splinter on them, where they will exceed the brief length of two feet.

If this scrap-iron is to be permitted to be brought here and worked over at all, why in the name of common sense should you exclude any portion of it which happens to be a little longer than two feet? I understand that the present limit is not two feet but is three, unless I have been misinformed; but that is immaterial. My proposition simply is that the limit of the length of these irregular pieces of iron, coming under the name of crop-ends, a kind of scrap or waste-iron, shall not be arbitrarily limited to two feet. When the question was put by the Senator from Connecticut to the chairman of the Committee on Finance, who certainly is not disposed to open any doors to abuse or open any doors to free trade in disguise, the chairman replied that he did not know any reason. He said that just now in the hearing of the Senate.

The long and earnest and vigorous argument of my honorable friend from Ohio is an argument against the whole clause which I am amending; that is, he says you should not let in scrap-iron at this low rate of duty; you should not let in the various forms of waste or refuse iron described in this clause; but with the very high protective theories which have prevailed in Congress when the old tariffs were made it has been thought proper and reasonable to let them in. It has been determined to let in a form of iron for use which does not hurt any iron here, and which is useful in a variety of ways, to be rolled or melted or worked up into various forms of use; and that has settled a policy, a policy fixed not by free-traders, not by revenue reformers, not by persons in the interest of fraud, but by the makers of the old high tariffs that we are now reducing; and it is a policy adhered to by the Senate committee and the House committee and the Tariff Commission, the Senator from Ohio alone dissenting. If that policy is to be rejected, strike out the section. You have just refused to do that. If that policy is not to be rejected, why in the world should an old crop-end that has a splinter which sticks out three or four inches above the two feet be cast out?

Mr. DAWES. I will read the existing law upon this subject:

Cast scrap-iron of every description $6 per ton; wrought scrap-iron of every description $8 per ton; but nothing shall be deemed scrap-iron except waste or refuse iron that has been in actual use and is fit only to be remanufactured.

There is nothing which the Senator from Ohio has said which will not apply to a piece of scrap-iron 18 inches or 24 inches long as well as to one 36 inches long. It runs, in point of fact, so I am informed by the manufacturers, from 18 to 36 inches. If it is worth while to let it come in at all there is no reason in the world why there should be a limit of 24 inches rather than 36 inches, if it is refuse iron, if it is that which has got to be worked over, if it is the otherwise useless end of a railroad bar, whether it be 18 inches or 24 inches or 36 inches. If it can not be used at all otherwise than being worked over there is no reason why it should be limited to 24 inches.

Mr. SHERMAN. I am very much obliged to the Senator for reading to me the old law. I now call attention to the marked change in the language of the proposition before us. It will be perceived that this language extends these terms "iron and steel billets" greatly, broadly beyond the present law. I will read the old law that the Senator has read:

Provided, That nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured by remelting or rerolling.

It must all be waste and refuse iron or steel. The language of this section of the bill, and my attention had not been called particularly to it before, goes far beyond that:

Old iron and old steel railway bars, steel filings—

Not "old steel filings"—

boxings, turnings, steel railway-bar crop-ends, &c.

New railway steel-bar crops may come in under this definition. The word "old" does not apply to these crop-ends at all.

Mr. HOAR. Will the Senator inform me what is the difference between a new crop-end and an old crop-end?

Mr. SHERMAN. The Senator admits my argument then——

Mr. HOAR. No; I ask a question.

Mr. SHERMAN. In the manufacture of a steel rail of twenty feet in length there may be a crop-end of four or five feet that is not used in the rail, because it is cropped off. Men can bring in, under this clause, under the name of crop-end new steel rails directly from the mill; they can bring these crop-ends under this bill at the lowest possible rate of duty.

Mr. HOAR. If it be a crop-end and not an actual steel rail. Will the Senator inform the Senate was there ever a crop-end used for anything in this world?

Mr. SHERMAN. Undoubtedly.

Mr. HOAR. What is the difference between a new crop-end and an old crop-end.

Mr. SHERMAN. In England they can put these crop-ends of new steel directly back into the crucible, reheat them, and then they would not be crop-ends any longer; they would be steel. But under the peculiar language of this section, to which my attention was not called, however, until I compared it with the existing law, all the crop-ends of every bar of iron or steel rails made in England may be introduced under our tariff at $6 per ton. These crop-ends are just as valuable as any other portion of the bar. Now, instead of reheating them and rolling them out into forms of bar-iron, which must be of a uniform length, the crop-ends will be brought and rerolled and made to fit closely to each other. They will bring those crop-ends in here at $6 per ton. The

language goes far beyond that; they may bring in old iron and old steel railway bars. Hitherto there has been a constant struggle at the custom-house as to whether that was scrap or refuse iron, and the Treasury Department made regulations to prevent the evasion of the tariff laws, in order to prevent railroad iron from being cut up into suitable lengths to be called refuse or waste iron and brought into this country. Parties interested gave to these billets of iron an old form by rusting them and various processes, tumbling them about so as to get a little rusty so that they would be old and refuse in the language of the law. But under the language of this section as now framed they need not go to that trouble; they may take any railroad iron or steel bar that has been used and clip it under the hammer into these lengths and bring it in, and here in this country all that is necessary is to reroll it.

This provision of law put upon this bill will be of enormous advantage to the rolling-mills along the coast, who can avail themselves of the privileges here given; they can make railroad iron or steel cheap enough with the benefit of this provision, importing their raw articles in the form of refuse iron, bars of iron cut up. In this way they can bring it in and thus evade the protection which the law designed to give to the makers of pig-iron and other forms of common iron produced by the furnace.

It seems to me, on reflection, that this clause is even more dangerous than I at first supposed; and now still further to reduce the duty on this form of scrap-iron from $8, the present rate, to $6 a ton, and to reduce the duty on pig-iron from $7 to $6, is piling on the agony a little too high. I speak for only a small portion of the manufacturers of pig-iron, because they are scattered all through twenty-five States, while iron-rolling mills are only established here and there. These furnaces to the number of over five hundred are sending their light to the sky day and night. It is in their interest and for the development of the very basis and foundation of this iron trade that I now seek to have these duties so applied that they shall not be discriminated against by the introduction of the old rails or the new rails cut up into billets in England and France and the old countries of the world at a low rate of duty.

What I wish is justice and equality; and, sir, if this rule of reduction is to be applied to pig-iron and the duty on pig-iron and scrap is then reduced to $6 a ton, how can we justify ourselves to our constituents in voting for duties of $20 or $30 a ton on iron a little further advanced in grade? It will not do. There must be equality and justice in the framing of these laws; and if any classes are to be protected let all be protected according to the value of their production. Therefore whenever the Senate wishes to enlarge this old omnibus clause, I must object, and I intend to give to this clause a more severe scrutiny yet and see to what extent it may go. Instead of 230,000 tons of this kind of iron, there may be a million tons imported, displacing a million of tons of the production of our furnaces. That will not do.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. HOAR].

Mr. HOAR. I merely wish to repeat, as the Senator has repeated his argument, that his earnest argument is an attack on the section. He fails, as it seems to me, to state any good reason why if the policy of this section stands all scrap-iron that happens to have a splinter thirty inches long should not come in on the same terms as if the splinter were only twenty-three inches. That is the only point here. The Senator says that it is a distinction. It is nothing but a crop-end that comes in at all.

Mr. SHERMAN. It may be new iron.

Mr. BROWN. I move to strike out "thirty-six" and insert "seventy-two;" so as to make the length seventy-two inches.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia to the amendment of the Senator from Massachusetts, to strike out "thirty-six" and insert "seventy-two."

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Massachusetts [Mr. HOAR].

Mr. HOAR called for the yeas and nays, and they were ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. ROLLINS (when Mr. MITCHELL's name was called). The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. ROLLINS (when Mr. SAUNDERS's name was called). The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

The roll-call having been concluded, the result was announced—yeas 16, nays 39; as follows:

YEAS—16.

Bayard,	George,	Hoar,	Pugh,
Butler,	Groome,	Jackson,	Slater,
Dawes,	Grover,	Kellogg,	Vance,
Farley,	Hampton,	Lamar,	Williams.

NAYS—39.

Aldrich,	Cockrell,	Harrison,	Morrill,
Allison,	Coke,	Hawley,	Pendleton,
Barrow,	Conger,	Hill,	Platt,
Beck,	Davis of Ill.,	Ingalls,	Rollins,
Blair,	Edmunds,	McDill,	Sewell,
Brown,	Frye,	McMillan,	Sherman,
Camden,	Garland,	Maxey,	Vest,
Cameron of Pa.,	Gorman,	Miller of Cal.,	Voorhees,
Cameron of Wis.,	Hale,	Miller of N. Y.,	Walker.
Chilcott,	Harris,	Morgan,	

ABSENT—21.

Anthony,	Jonas,	Mahone,	Sawyer,
Call,	Jones of Florida,	Mitchell,	Van Wyck,
Davis of W. Va.,	Jones of Nevada,	Plumb,	Windom.
Fair,	Lapham,	Ransom,	
Ferry,	Logan,	Saulsbury,	
Johnston,	McPherson,	Saunders,	

So the amendment was rejected.

Mr. SHERMAN. I call for the reading of the proviso as it stands.

The PRESIDING OFFICER. The proviso will be read.

The Principal Legislative Clerk read as follows:

Provided, That nothing not herein specified shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured by remelting or rerolling.

Mr. SHERMAN. I would ask when the words "not herein specified" were inserted?

The PRESIDING OFFICER. During the day, on the motion of the Senator from Connecticut [Mr. PLATT].

Mr. SHERMAN. I respectfully, if I can do so—I was not present and I did not notice it—move to reconsider that vote.

The PRESIDING OFFICER. The Senator from Ohio moves to reconsider the vote by which the Senate inserted the words "not herein specified" after the word "nothing," in line 517. The clause now reads:

Provided, That nothing not herein specified shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured by remelting or rerolling.

Mr. SHERMAN. Those words "not herein specified" change the whole meaning of this clause. They except from the obligation of being waste or refuse iron all iron and steel railway bars, steel filings, borings, turnings, and steel railway-bar crop-ends. All the articles named here are thus excepted from the operation of this proviso. I do not believe the Senate understood it. I was here all the time and did not hear this, but I understand it was adopted on the suggestion of the Senator from Connecticut. I take it that it is the purpose of the Senate simply to allow to come in under this low rate of duty old refuse iron if only fit to be remanufactured; but under the wording of the proviso as it now stands almost anything can come in.

Mr. ALLISON. May I call the attention of the Senator from Ohio to the beginning of line 512?

Steel filings, borings, turnings, steel railway-bar crop-ends.

Then in line 514:

Steel ingot, cogged ingot, bloom, slab, and billet crop-ends.

Evidently these are intended to be—it seems to me, at least—all new. The Senator from Connecticut has also added "boiler-punching," and boiler-punching never could have been in use, nor could a steel filing ever have been in use or a boring ever have been in use. I noted the amendment of the Senator from Connecticut.

Mr. SHERMAN. Does the Senator propose to allow under this law to come in at the rate of $6 a ton steel ingots, cogged ingots, blooms, slabs, and billet crop-ends, except those which are waste or refuse?

Mr. ALLISON. I am not saying what I allow. I only say that I heard the amendment of the Senator from Connecticut and it struck me that it made clear what was already the meaning of this provision, because I do not see how it is possible to have an old steel filing, that is, one which has been in actual use, or an old steel boring, one that has been in actual use, or an old billet crop-end. A billet crop-end certainly could never have been in use, because it is the cutting, it is the refuse of a billet.

Mr. PLATT. Or a railway-bar crop-end that has never been in use.

Mr. ALLISON. A railway-bar crop-end is a little end cut off. It may be an inch in length or two and a half inches, or twenty-four; and it is right off a new rail that has never been in use.

Mr. SHERMAN. If it is intended——

Mr. PLATT. Will the Senator from Ohio allow me to explain?

Mr. SHERMAN. Certainly.

Mr. PLATT. The difficulty about the language of this section as it was reported from the committee was that the committee apparently proposed to include certain things as scrap and then put on a clause by which they could not be brought in as scrap, because the last clause provided that nothing which had not been in actual use should be brought in. The committee plainly intended that the articles specified here should be brought in, although they had not been in actual use. The whole difficulty arises from the language of the committee, and the committee's attention was called to it by Mr. Oliver, in his statement on page 7, he proposing a change which, if the committee had adopted it, would have made my amendment, so far as those words "not herein specified" were concerned, entirely unnecessary; but as the committee did not propose the amendment recommended by Mr. Oliver, I thought my words "not herein specified" would accomplish the same result.

Mr. HOAR. The Senator will permit me to state that the House bill also is substantially, though in other words, what he proposed, by striking out the words "which has not been in actual use." The House bill is "nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that is fit only to be remanufactured by remelting or rerolling." That is the House bill.

Mr. PLATT. Manifestly all these little clippings of bars, pieces of iron, clippings off the end of railway bars, clippings off the end of in-

gots and billets are scrap, and they were intended to be so undoubtedly in the provision. I moved that amendment so that the proviso should not render the provision nugatory.

Mr. SHERMAN. The proviso in the old law has been carefully retained. It has amplified the articles that may be called scrap, &c., by giving a greater list of them and by extending and avoiding the Treasury ruling, which was designed to prevent articles really new iron from being brought in under this low rate, the language of the existing law being:

Provided, That nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured by remelting or rerolling.

The same language is used and transferred from the old law to the new:

That nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured by remelting or rerolling.

But the language of the Senator from Connecticut now exempts from the operation of this proviso all the body of the section, all the articles named in the section, and therefore it is not a provision that amounts to anything. In others words, it nullifies, renders nugatory, the provision which was intended to protect the Treasury. The only purpose of this proviso was to allow waste and refuse iron to be brought in, and the language of the old law was kept by the commission, and that has been acted on and has been construed. Now, to extend it to all the various articles named here, steel ingots, cogged ingots, blooms, slabs, and billet crop-ends, both old and new, because you will see here, "including old iron and old steel railway bars, steel filings," the word "old" does not apply to "filings, borings, turnings, steel railway-bar crop-ends," which may be new steel railway-bar crop-ends.

Mr. PLATT. They must be.

Mr. SHERMAN. It extends to a multitude of things by the ingenious language now adopted, which would not be embraced in the language if it was left as it was. It seems to me that so important an amendment, which has a manifest bearing in extending the operation of this clause, should not be adopted without some consideration, and I therefore move to reconsider it.

Mr. PLATT. Will the Senator allow me to ask him a question?

Mr. SHERMAN. Certainly.

Mr. PLATT. Can there be an old crop-end, either of a railway bar or a billet? Can there be an old one as distinguished from a new one? All crop-ends are new.

Mr. SHERMAN. That may be, but they may be old.

Mr. PLATT. They could not have been used.

Mr. SHERMAN. They could not have been used, but they may be old; but now it is proposed to extend this. Under the old law they could only be brought in in case they were refuse and waste and had been once used. For instance, when they take an old rail up, they may cut it off; they may cut off the waste end and use the part that may be good, as we all know that the end of the rail is the first to wear out. They often in this country take up an old rail and cut off both ends; those would be old crop-ends that had been once in actual use, and that is the kind of waste-iron that was intended to be covered in this provision. As it is now worded, the crop-ends of a new steel bar may be brought in at the low duty.

Mr. PLATT. I do not understand that if a rail has been used and taken up and a piece cut off from the end it is a railway-bar crop-end.

Mr. SHERMAN. I do, because it is a crop-end off a railway bar.

Mr. PLATT. In commerce what is meant is the piece which is clipped off when the rail has been rolled, and that is what this bill means.

Mr. SHERMAN. That is a new thing, but I know very well that many of the railroads take up the rail and whenever it is worn out at the end they clip it off and use it again; nothing is more common than that, perhaps not in New England, where they have more money, but in the western country, where they have to look out for money, that is the constant practice of railways, to send their rails to be remanufactured in this way. I supposed this applied to old crop-ends once used, and they are the kind that were embraced in the language of the old law; they must have been once in actual use. As a matter of course a new steel crop-end would be embraced by the language of the Senator's amendment very clearly, but it would not be embraced in the language of the old law, that it must have been in actual use.

Mr. PLATT. How would the Senator have the clipping off a new railway bar come in?

Mr. SHERMAN. I would have it come in as bar-iron ingots. It is new iron, worth just as much per pound as any other kind of railway bar, because these new cuttings may be put at once in the heating process and rerolled into good iron. They are none the worse for being crop-ends; they are just as much good iron or steel as if they were in the middle of the bar.

Mr. PLATT. Of course the Senator knows more about the manufacture of iron than I do, but I understand that the end is not so good as the middle; that what is cropped off is not as good iron as the middle of the bar; that the process of rolling leaves the iron hard and unfit for use at the end.

Mr. SHERMAN. That may be; I do not know about that.

The PRESIDING OFFICER. The question is on the motion of the Senator from Ohio to reconsider the vote.

Mr. ALLISON. Before the question is put I should like to understand this. I notice in Mr. Oliver's statement that he distinctly says it was the intent and purpose to include new steel clippings. On page 8 of his statement it will be found, in answer to a suggestion which I made:

Senator ALLISON. It ought to mean what we understand it to mean in this country—waste.

Mr. OLIVER. Yes, sir.

Senator BECK. But it may be waste from a new as well as an old article. Are not the clippings of cloth left in making a pair of pantaloons as much waste as if they were scraps of old pantaloons?

Mr. OLIVER. Well, there is very little of it. I have never known new stuff to be imported in that way. It is generally used at the point nearest where it is produced, as they know the quality of it. Under the present law new cuttings or clippings pay the same duty as bars, namely, 1 cent per pound.

Mr. SHERMAN. Does not the Senator see what strong interest there would be to use this for exportation in order to get the benefit of the enormous reduction of duty?

Mr. ALLISON. I understand it, I think.

Senator BECK. But it is "scrap" all the same?

Mr. OLIVER. Yes; but I do not know new iron scrap as an article of commerce. But we do know and enumerate in the bill new steel scrap, because we know that it is cut off rails and blooms and thrown out as waste in such large quantities as to be an article of commerce. This is why I suggest the transposition of those words; the very idea you have in view.

I mention this to show that Mr. Oliver, so far as these new crop-ends of steel were concerned, had no objection to letting them come in under this clause. I can see very readily that there is great force in the suggestions made by the Senator from Ohio, that these steel crop-ends, billets, blooms, and ingots and steel rails of every description, coming in in this way might make quite an article of commerce; but still it is also true that these crop-ends must be rolled and remanufactured just as much as though they were old.

Mr. SHERMAN. Why not let them come in as blooms, then?

Mr. ALLISON. I only wanted to understand thoroughly why this provision was here, because I do not regard the amendment of the Senator from Connecticut as materially changing the purpose of the phraseology now in the bill. If the Senator from Ohio is to have his view prevail, then it seems to me we ought to strike out all about steel crop-ends and borings and filings and turnings and boiler-punching that the Senator from Connecticut also put in, because, in the very nature of things, those are new articles, that could not be waste material, that could not be rerolled, that had never been in use before. So it seems to me that if we undertake to strike out the words now inserted by the Senator from Connecticut we must remodel this whole provision and strike out all relating to these new articles, the refuse of steel. It seems to me so.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio [Mr. SHERMAN] to reconsider the vote by which the words named were inserted in the clause.

Mr. CAMERON, of Pennsylvania. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

The roll-call was concluded.

Mr. ROLLINS. The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON]. The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

The result was announced—yeas 22, nays 33; as follows:

YEAS—22.

Aldrich,	Cameron of Wis.,	Harrison,	Miller of N. Y.,
Allison,	Chilcott,	Hill,	Morrill,
Anthony,	Conger,	Lapham,	Sewell,
Brown,	Davis of Ill.,	Logan,	Sherman.
Call,	Edmunds,	McMillan,	
Cameron of Pa.,	Gorman,	Miller of Cal.,	

NAYS—33.

Barrow,	Frye,	Ingalls,	Rollins,
Bayard,	Garland,	Jackson,	Slater,
Beck,	George,	Lamar,	Vance,
Blair,	Groome,	McDill,	Vest,
Butler,	Grover,	Maxey,	Walker,
Cockrell,	Hampton,	Morgan,	Williams.
Coke,	Harris,	Pendleton,	
Dawes,	Hawley,	Platt,	
Farley,	Hoar,	Pugh,	

ABSENT—21.

Camden,	Jonas,	Mitchell,	Van Wyck,
Davis of W. Va.,	Jones of Florida,	Plumb,	Voorhees,
Fair,	Jones of Nevada,	Ransom,	Windom.
Ferry,	Kellogg,	Saulsbury,	
Hale,	McPherson,	Saunders,	
Johnston,	Mahone,	Sawyer,	

So the motion to reconsider was not agreed to.

Mr. MORRILL. I now ask that this proviso shall be passed over until to-morrow that the Committee on Finance may come to some recommendation which they will present to the Senate. I think there is

a difference of opinion as to the effect of the language that has already been put in, and it is right and proper that it should be fairly and properly considered. I ask therefore that the proviso may go over until to-morrow.

The PRESIDING OFFICER. The Senator from Vermont asks unanimous consent that the proviso under discussion be passed over until to-morrow.

Mr. PLATT. I have no objection to that. I think that when the committee come to consider it there will be no difference of opinion between what I intend to do by my amendment and what the committee are disposed to do.

Mr. MORRILL. I think not.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Vermont, and it is so ordered. The clause preceding the proviso will be considered as agreed to.

Mr. BECK. I desire to say to the chairman of the committee that while on the next paragraph in regard to steel ingots and other things the committee differed very widely from the Tariff Commission, an amendment has been prepared which I have examined in part that I think is an improvement both on the action of the Tariff Commission and on the action of the committee, and yet I am not perfectly clear that it is exactly right. I do not want to pass over the paragraph and I do not want to consume any great length of time in discussing it. If there was any executive business that we could do so that I could look into it by to-morrow morning, perhaps we should not lose any time by that course.

Mr. ALDRICH. I will offer the amendment.

Mr. BECK. Let it be offered so that it may be printed.

Mr. ALDRICH. It can be printed, and we can go on to the next clause and leave this until to-morrow morning by unanimous consent if the Senator from Kentucky desires.

Mr. BECK. I do not care about passing it over.

Mr. BAYARD. Let the amendment be offered now.

Mr. ALDRICH. I will offer the amendment.

The PRESIDING OFFICER. The Secretary will read the paragraph.

The next item in Schedule C, from line 521 to line 524, was read, as follows:

Steel ingots, cogged ingots, blooms and slabs, made by the Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, open-hearth, or by any other process except the crucible process, six-tenths of 1 cent per pound.

Mr. ALDRICH. I offer as an amendment the words which I send to the Secretary's desk in lieu of the clause which has just been read. It is an amendment which has been agreed to by a conference with members of the committee, and I think a majority of the members are in favor of it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Rhode Island will be reported.

The ACTING SECRETARY. It is proposed to strike out lines 521 to 524 and in lieu thereof to insert:

Steel ingots, cogged ingots, blooms, billets, and slabs, made by the Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, open-hearth, or by any other process except the crucible process, and not exceeding in value 2 cents per pound six-tenths of 1 cent per pound; exceeding 2 cents and not exceeding 5 cents per pound in value, 1.2 cents per pound; and all such steel exceeding in value 5 cents per pound shall pay the rates of duty prescribed in this act for crucible cast-steel.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

Mr. BECK. I should be glad if the Senator would explain the amendment, because this is a clause upon which there has been a good deal of difference of opinion.

Mr. ALDRICH. The bill as it stands, as reported by the Committee on Finance, provides for a uniform rate on all steel except crucible cast-steel of six-tenths of 1 cent a pound. This would include all forms and shapes of steel. It would include a low-priced Bessemer bloom worth say $20 or $22 a ton and a high-priced Siemens-Martin steel made from charcoal iron worth say from $120 to $130 a ton. The committee upon consideration believe that this would do an injustice to the manufacturers of the highest grade of steel.

The bill as reported from the commission put a limitation upon the steel other than crucible cast-steel that it should be at least 500 pounds in weight, at least 5 inches in diameter in cross sections, or at least 5 inches thick in a slab, and 10 inches wide, fixing the rate upon steel of this description at six-tenths of 1 cent per pound. The next higher rate was on steel less than 500 pounds and less than 5 inches, &c., which was 2 cents a pound. The Committee on Finance believed that there was too great a change between Bessemer blooms, or the description to which I have alluded, and blooms, or ingots, or slabs of a smaller size. They therefore struck out the limitation in the commission bill. In doing so I am inclined to think, and I believe the committee upon consideration think, we went too far in the other direction; that we opened the door to the admission of high-priced steel, the better qualities of steel, at a very low rate of duty.

The amendment which I have now offered is for the purpose of meeting this difficulty.

We have left the same rate upon the lower grades of Bessemer blooms and on all the lower grades of steel fix a limit of 2 cents a pound. This would include a large part of the forms of Bessemer steel; I am inclined to think it would include all. Bessemer blooms, as I said before, are now worth from $20 to $22 a ton. I think that Bessemer billets are now worth about $30 a ton.

Mr. BECK. They are selling for $33 free on board.

Mr. ALDRICH. So that the low rate would apply to all forms of Bessemer steel. We then fix on steel not exceeding 2 cents and not exceeding 5 cents a pound in value a rate of 1.2 cents, which is somewhat less than the rate fixed upon crucible steel, the rate upon crucible steel less than 5 cents a pound in value being fixed in this bill at 1½ cents a pound. We have provided in this amendment that steel of all kinds worth exceeding 5 cents a pound shall pay the same rate of duty, because a Siemens-Martin or other fine steel made by any other process except the crucible process is entitled to the same protection that a crucible cast-steel of the same value is.

Mr. BECK. I believe I am prepared to vote for the amendment of the Senator from Rhode Island, because it gets clear of an immense amount of confusion that has grown out of the complicated provisions made by the Tariff Commission report, and it may be that in our desire to get clear of those somewhat complicated provisions the committee went, as the Senator from Rhode Island says, too far in trying to protect against them. I do not care about reading all the long provisions. I have commented on them before.

Mr. COKE. I ask the Senator from Kentucky if the amendment of the Senator from Rhode Island does not increase the duty?

Mr. BECK. I think it is a very large reduction of duty over the bill proposed by the Tariff Commission.

Mr. COKE. But over the bill as reported by the Committee on Finance?

Mr. BECK. I think it has this effect: the bill reported by the committee embraces "steel ingots, cogged ingots, blooms and slabs made by the Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, open-hearth, or by any other process except the crucible process, six-tenths of 1 cent per pound." That is all the provision we make. This amendment reaches all those classes of steel at six-tenths of 1 cent per pound, just as we make them, provided they do not cost over 2 cents a pound or $2 a ton. Two dollars a ton would be $44.80. All that class comes in at the rate proposed by the committee. Cogged ingots, blooms and slabs are now worth, free on board, $20 and $22 per ton. Of course, they come in under the amendment. Billets are worth $30 per ton.

Mr. ALDRICH. If the Senator from Kentucky will allow me to interrupt him, I have included in this amendment, as he understands, billets, and billets were not included in the amendment of the committee.

Mr. BECK. I was about to say that the word "billets," an article which is more valuable than the slabs and blooms, is also added in the amendment of the Senator from Rhode Island, which was not embraced in the low grade provided for in the committee's bill, and as billets are a very important article of the higher rate of value, worth more than either blooms or slabs, in that regard the amendment of the Senator from Rhode Island is much more valuable than the committee's bill. So far as I am advised, on looking at it pretty carefully, I am inclined to think that it is a good amendment, and I shall vote for it.

Mr. BROWN. I move, in place of the amendment which is proposed by the Senator from Rhode Island, in line 524, to strike out "six," before "tenth," and to insert "five," making the rate "five-tenths of 1 cent per pound."

I think there ought to be some regard to justice and propriety in fixing the standards of tariff on the different classes of metal. We have voted with a good deal of unanimity to-day to place on all steel scrap and all iron scrap that is not more than 2 feet long a duty of $6 per ton; and I suppose if it is 18 inches thick it would not make any difference so that it does not exceed 2 feet in length. It does not matter how fine it is or what the value of it is; we put it at $6 per ton. If that be a correct principle, then there is no reason why we should put the ingots that are mentioned here which are worth only about three or four dollars a ton more, or even not $2 a ton more than some of this scrap is, at a little over double the rate. Six-tenths of 1 cent, I believe, makes $13.44 per ton. We fix pig-iron at $6 per ton, and steel scrap and wrought scrap at $6 per ton. Then I think about $10 or $12 a ton is surely high enough for these ingots and for the class of steel that is mentioned in this particular paragraph.

I therefore move as a substitute for the amendment offered by the Senator from Rhode Island to strike out "six" and insert "five," making the duty five-tenths of 1 cent per pound.

The PRESIDING OFFICER. The Senator from Georgia moves to amend the paragraph proposed to be stricken out.

The amendment will be read.

The PRINCIPAL LEGISLATIVE CLERK. In line 524, after the word "process;" it is proposed to strike out "six-tenths" and insert "five-tenths;" so as to read:

Five-tenths of 1 cent per pound.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Georgia.

Mr. ALLISON. I understood the Senator from Georgia to move to amend the amendment of the Senator from Rhode Island by striking out "six-tenths" and inserting "five-tenths" in his proposition.

Mr. BROWN. No; I move to amend by striking out "six-tenths" in the text. I move it rather as a substitute for the proposition of the Senator from Rhode Island. I care not in what shape we get at it so as to reach the point. I am willing to wait until the amendment of the Senator from Rhode Island is voted on, and will give notice of my amendment.

Mr. ALLISON. I am rather inclined to join the Senator from Georgia. I think perhaps we have made too great a distinction between pig-iron and the lower forms of Bessemer steel.

Mr. CAMERON, of Pennsylvania. You can remedy that by raising the duty on pig-iron.

Mr. ALLISON. We can remedy it in some way, and the Senator from Georgia suggests a very good way. I suggest that he move his amendment to the amendment of the Senator from Rhode Island.

Mr. SHERMAN. I think that would be better.

Mr. ALDRICH. I suggest that my amendment be voted on, and if it is adopted the Senator can move his amendment to that.

Mr. SHERMAN. Would that be in order?

The PRESIDING OFFICER. The Chair thinks not.

Mr. SHERMAN. It will have to be moved now before the amendment of the Senator from Rhode Island is voted on. It would not be in order afterward.

Mr. BROWN. I desire to offer the amendment now.

The PRESIDING OFFICER. Does the Chair understand the Senator from Georgia to move to amend the text or to move to amend the amendment of the Senator from Rhode Island?

Mr. BROWN. My proposition was to amend the text.

The PRESIDING OFFICER. The Chair so understood the Senator from Georgia.

Mr. BROWN. I did not notice carefully the proposition of the Senator from Rhode Island.

Mr. MORRILL. I think the Senator from Georgia will accomplish his purpose if he moves to amend the amendment of the Senator from Rhode Island.

Mr. BROWN. Let the amendment of the Senator from Rhode Island be reported again.

Mr. MORRILL. It includes the lower class articles.

The PRESIDING OFFICER. The amendment of the Senator from Rhode Island will be again read.

The Principal Legislative Clerk read Mr. ALDRICH'S amendment.

Mr. BROWN. I move to strike out "six-tenths" and to insert "five-tenths."

The PRESIDING OFFICER. The Senator from Georgia now moves to amend the amendment of the Senator from Rhode Island by striking out the word "six-tenths" where it first occurs and inserting "five-tenths."

Mr. BROWN. And where the rate is 1.2 cents per pound I move to strike out "two-tenths" and to leave it 1 cent.

Mr. MORRILL. I ask for a division of the question.

The PRESIDING OFFICER. A division is asked for. The question will be taken first on the proposal of the amendment to strike out where it first occurs "six-tenths" and insert "five-tenths."

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the second amendment of the Senator from Georgia, to strike out "one and two-tenths" and to insert "one."

Mr. MORRILL. That I hope will not be adopted.

Mr. ALDRICH. We fixed that rate very low. I think it is a little lower in proportion than the other, and I do not think the change ought to be made in that clause.

Mr. BROWN. It is not as low in proportion as either pig-iron or scrap-iron of the character that I have so often described. Therefore I must insist on the amendment.

Mr. ALDRICH. On steel worth 5 cents a pound the rate fixed by the schedule would be only 20 per cent., and I do not think the Senator desires or intends to fix as low a rate as that upon all forms of steel including billets. I think he will see the injustice of that himself.

Mr. BROWN. I see the injustice now as compared with pig-iron and wrought and steel scrap.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Georgia, to strike out of the amendment of the Senator from Rhode Island "two-tenths," after the word "one," in the second clause; so as to read if the amendment be agreed to:

And not exceeding 5 cents per pound in value, 1 cent—

Changing the word "cents" to "cent," if the amendment be agreed to—

per pound.

Mr. ALLISON. Before the vote is taken, I should like to have the Senator from Georgia explain what the duty would be on a ton of steel worth 5 cents a pound.

Mr. BROWN. I doubt that many tons come in worth that. Five cents a pound is an enormous rate for steel. That certainly would not come in in any railroad form.

Mr. ALLISON. At 3 cents a pound the rate would be only 33⅓ per cent. I am not inclined to oppose the amendment of the Senator from Georgia, but I think it is too low compared with the remaining portions of the bill.

Mr. BROWN. I do not think it is too low as compared with the portions I have already referred to that we have passed.

Mr. ALDRICH. On the first clause, amended by the Senator from Georgia, the rate on the highest price fixed at 2 cents a pound of one-half cent is 25 per cent. Of course that ad valorem rate would increase as the price of steel went down. Now the Senator proposes on this grade to fix the very highest rate, 20 per cent., and to go down from that. Of course I have no part in the contest which appears to be going on between the pig-iron men and the Bessemer-steel men, but I think that those of us who are not interested in either industry ought to try and see that no injustice is done to either by unduly reducing rates.

Mr. BROWN. Awhile ago, when I was on the subject of pig-scrap and wrought and steel scrap, the Senate was not able to see any difference, and thought it was proper to put them all at the same rate, at $6 per ton. I do not see now but what 30 per cent. on the higher classes of steel would be very fair and right.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia [Mr. BROWN] to the amendment of the Senator from Rhode Island [Mr. ALDRICH].

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered; and the Principal Legislative Clerk called the name of Mr. ALDRICH, who answered.

Mr. GEORGE (while the name of Mr. ALDRICH was being called). I should like to have the amendment reported.

The PRESIDING OFFICER. The Senator from Mississippi addressed the Chair before the roll-call began, and the Chair will direct the amendment of the Senator from Georgia to be reported.

The ACTING SECRETARY. After the word "value," in the last clause of Mr. ALDRICH'S amendment, it is proposed to strike out "1.2 cents," and to insert "1 cent;" so as to make the substitute proposed for the paragraph, from line 521 to line 524, inclusive, read as follows:

Steel ingots, cogged ingots, blooms, billets, and slabs, made by the Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, open-hearth, or by any other process except the crucible process, and not exceeding in value 2 cents per pound, five-tenths of 1 cent per pound; exceeding 2 cents and not exceeding 5 cents per pound in value, 1 cent per pound; and all such steel exceeding in value 5 cents per pound shall pay the rates of duty prescribed in this act for crucible cast-steel.

The PRESIDING OFFICER. The pending question is on the amendment to the amendment, to reduce the proposition of the Senator from Rhode Island by striking out "two-tenths" on a particular class.

Mr. BECK. I ask the Senator from Rhode Island, as I am not prepared to answer it, what the committee fixed crucible steel at per ton?

Mr. ALLISON. Crucible steel is 1½ cents per pound upon all less than 5 cents a pound in value.

Mr. ALDRICH. Crucible steel now, as the Senator from Iowa says, pays 1½ cents on all below 5 cents in value.

Mr. BECK. What is that in the bill of the committee?

Mr. ALDRICH. I have alluded to the bill of the committee.

Mr. BECK. I was not able to answer the question when it was asked me.

Mr. FRYE. On the call one Senator answered to his name.

The PRESIDING OFFICER. But the Chair will state that before that Senator answered the Senator from Mississippi [Mr GEORGE] addressed the Chair, and the Chair, of course, was bound to recognize him, and that opened the debate.

Mr. BROWN. I desire to say in this connection that the committee made none of these distinctions. They reported putting it as they put scrap-iron, without regard to the quality, at six-tenths of 1 cent per pound upon all of it. We have just stricken out six-tenths and inserted five-tenths on the lower classes. My proposition now is to increase on the other classes the report of the committee four-tenths of 1 cent per pound. I think it is a very liberal increase.

Mr. BECK. I voted to fix a rate of five-tenths of 1 cent upon all the steel ingots, cogged ingots, blooms, billets, and slabs, no matter how made, not exceeding in value 2 cents per pound, because at present rates that varies from 35 to 40 per cent., and it struck me that was enough, but when you come to steel valued at over 2 cents a pound or $2 per ton and up to $5 per ton the rate now proposed of 1 cent a pound comes down to 20 per cent. for the highest class of it. While I want to endeavor to have a reasonably low tariff I do not see my way quite clear to vote 35 and 40 per cent. on the lower grades and then on steel worth 5 cents a pound to bring it down to 20 per cent. That is one of the reasons why I asked a little time until morning to compare this amendment and look at it and to see just how it would operate.

Mr. SHERMAN. Would it be in order to reduce the classification and say above 2 and under 4? That would make the average rate about the rate proposed on other forms of iron.

Mr. BECK. It is now a quarter past 5 o'clock, and perhaps there is some executive business; I do not know. I should like to have until to-morrow morning to look at the pending amendment, so as to make no mistake about it. I do not care about making a bungle here. Unless the Senator from Vermont objects, I will make a motion that the Sen-

ate proceed to the consideration of executive business. I think we should save time by it.

Mr. MORRILL. Oh, no.

Mr. SHERMAN. If the Senator from Georgia——

The PRESIDING OFFICER. Does the Senator from Kentucky move that the Senate proceed to the consideration of executive business?

Mr. BECK. I withdraw the motion for a moment.

Mr. SHERMAN. If the amendment of the Senator from Georgia is adopted, I would move to reduce the scale down to 4 cents, which would make an average duty of 40 per cent.

Mr. ALDRICH. That would destroy the whole amendment. That would make steel worth between 4 and 5 cents pay a duty of 1½ cents a pound.

Mr. SHERMAN. That would be about the fair average, all above 4 at the grade of 1½ cents. I think that would be right.

Mr. ALDRICH. And steel not worth 5 cents would pay 2 cents.

Mr. BECK. If the Senator from Vermont does not seriously object, I will move to proceed to the consideration of executive business. I think we would save time by doing so.

Mr. MORRILL. I will not object to the Senator making a proposition to retain this item until to-morrow morning, with the proviso that we have already retained; but I want to proceed with the bill a little further than this to-night.

Mr. BROWN. I object, then, to passing it over.

Mr. BECK. Then I do not know how to vote.

Mr. MORRILL. If there is no objection, let the clause be passed over.

The PRESIDING OFFICER. The Senator from Vermont asks unanimous consent to pass over the paragraph with the amendment under consideration until to-morrow. Is there objection?

Mr. BROWN. I object.

The PRESIDING OFFICER. The question then is on agreeing to the amendment proposed by the Senator from Georgia to the amendment of the Senator from Rhode Island.

Mr. BROWN. The Senator from Kentucky says he does not quite see his way clear to vote for 20 per cent. upon these finer grades of steel. There is a good and substantial reason why the rates of tariff ought to be higher on the lower grades. All steel is made at last out of iron, and the labor and expense of making pig-iron is greatly in excess of the labor and expense of adding to the value of it every time it rolls through the mill.

You take the pig-iron and it is full of cinders and of various impurities. You put it under the hammer or you put it (as it now is usually the case, for there is little hammering done) into a rolling-mill, which puddles it, which is a thing very easily done; you simply hit until it is a molten mass. It is taken out and rolled through certain rollers that are prepared for that purpose. Every time you roll it through it makes it that much better. The cinders and impurities are taken out by that process, and you may carry it on, rolling it through one time after another, until you increase it up to the highest point of value to which it can be carried, if it is a good grade of iron from the ore; and there is nothing like the outlay of capital, there is nothing like the expense attending these later processes of refining it that there is in getting the ore and the charcoal and the lime and everything together that is necesssary to make the flux in the first instance and melt it out of the ore.

It is great injustice to those who produce in these primitive stages to put the per cent. of tariff as low there as you put it on the higher grades, where the price is increased so much more rapidly by the simple process of rolling it through the rollers. Therefore, I take it if you put pig-iron at 33 per cent., which is about where you put it now, you should put these finer grades of steel at more than 20 per cent. I think that is intrinsically about right, when you consider the labor, the outlay, and all the expenses attending the increase of quality.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Georgia to the amendment of the Senator from Rhode Island, on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BARROW (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. COCKRELL (when his name was called). I am paired with the Senator from Indiana [Mr. HARRISON], who is necessarily compelled to be absent for a short time; and not knowing how he would vote on this question, I will not vote.

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. ROLLINS (when Mr. MITCHELL'S name was called). The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM].

Mr. ROLLINS (when Mr. SAUNDERS'S name was called). The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

The roll-call was concluded.

Mr. DAVIS, of West Virginia. I wish to announce for the evening that I am paired with the Senator from Minnesota [Mr. WINDOM].

The result was announced—yeas 25, nays 22; as follows:

YEAS—25.

Bayard,	Garland,	Jackson,	Vance,
Beck,	George,	Lamar,	Vest,
Brown,	Gorman,	Mahone,	Walker,
Butler,	Grover,	Maxey,	Williams.
Call,	Hampton,	Pendleton,	
Coke,	Harris,	Pugh,	
Farley,	Ingalls,	Slater,	

NAYS—22.

Aldrich,	Davis of Ill.,	Hoar,	Morrill,
Allison,	Dawes,	Logan,	Platt,
Anthony,	Edmunds,	McDill,	Rollins,
Cameron of Wis.,	Frye,	McMillan,	Sewell.
Chilcott,	Hawley,	Miller of Cal.,	
Conger,	Hill,	Miller of N. Y.,	

ABSENT—29.

Barrow,	Groome,	Lapham,	Sawyer,
Blair,	Hale,	McPherson,	Sherman,
Camden,	Harrison,	Mitchell,	Van Wyck,
Cameron of Pa.,	Johnston,	Morgan,	Voorhees,
Cockrell,	Jonas,	Plumb,	Windom.
Davis of W. Va.,	Jones of Florida,	Ransom,	
Fair,	Jones of Nevada,	Saulsbury,	
Ferry,	Kellogg,	Saunders,	

So the amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Rhode Island [Mr. ALDRICH] as amended.

The amendment as amended was agreed to.

The item as amended was agreed to.

The next item, lines 525 and 526, was read, as follows:

Iron railway-bars weighing more than twenty-five pounds to the yard, seven-tenths of 1 cent per pound.

Mr. BECK. That is the same, I believe, as in the present law.

Mr. VANCE. In the present law it is seven-tenths of a cent a pound.

Mr. BECK. I believe I have nothing to say about it.

Mr. VANCE. As this is supposed to be a proceeding for the reduction of the tariff, for a revision of it, I move, in line 526, to strike out "seven-tenths" and insert "five-tenths," or one-half of 1 cent per pound for railway bars.

The PRESIDING OFFICER. The amendment of the Senator from North Carolina will be reported.

The PRINCIPAL LEGISLATIVE CLERK. After the word "yard," in line 526, it is proposed to strike out "seven-tenths" and to insert "five-tenths;" so as to read:

Five-tenths of 1 cent per pound.

Mr. VANCE. Mr. President, there is no more important matter to the people of this country than the reduction of the duties on iron and steel rails. It is a step in the direction of cheap freights for the people, a subject that is assuming vast importance. In fact I might say that the extortion of railroad companies, the enormous freights exacted from the people by them, is quite equal to anything to which the people are subjected to sustain lame manufactories in this country. I ask the Secretary to read a calculation which I have taken from the American Protectionist, showing the amount of money that has been expended in the past fifteen years in the purchase of railway bars.

The PRESIDING OFFICER. The Senator from North Carolina asks the favor of the Senate that an article on this subject shall be read. If there is no objection it will be read.

The Acting Secretary read as follows:

The quantity of rails required per mile of track varies within very wide limits, it being, according to the Railroad Gazette, sixty-one and one-half short tons for narrow gauge to ninety-nine tons for standard roads; ninety-five tons may be accepted as a fair average, and we therefore find the consumption for new roads by adding 20 per cent. to the annual increase of mileage reported and multiplying it by ninety-five. The figures thus obtained, deducted from the total apparent consumption, will yield the quantities absorbed by renewals and repairs.

Year.	Increase of mileage.	Total consumption.	New roads.	Renewals.
		Tons.	*Tons.*	*Tons.*
1867	2,449	627,157	279,200	347,957
1868	2,679	756,795	349,600	417,095
1869	4,615	906,749	526,100	380,246
1870	6,070	1,019,153	692,000	327,253
1871	7,379	1,341,434	841,200	500,234
1872	5,878	1,530,850	670,100	860,750
1873	4,107	1,148,849	468,200	680,640
1874	2,105	837,724	240,000	597,724
1875	1,712	810,770	197,900	512,870
1876	2,712	879,916	309,100	570,816
1877	2,281	764,744	260,000	504,744
1878	2,687	882,695	306,300	576,395
1879	4,721	1,157,420	538,200	619,220
1880	7,174	1,752,526	1,017,900	934,626
1881	9,558	2,230,422	1,067,000	1,163,422
1882	12,000	2,275,000	1,375,000	900,000

Mr. VANCE. By exact calculation there have been used since 1867 to the year 1882 inclusive 18,922,204 tons of iron and steel rails. Estimating one-half of them at least to be steel the duty on that one-half at $28 a ton, which the American people have paid, is $264,910,856. The duty on the other half of that gross amount, on the iron, estimating

it at $14 per ton, which is under the true duty, is $132,455,428. The total that the people have paid for these iron and steel rails in fifteen years is $397,366,284. That is the duty or tax which has been paid on this article alone—twice the value of all the property of many of the States of the South subject to taxation.

During the last year there were imported 193,588 tons of steel rails, and the domestic consumption was 2,081,412, on all of which the duty imposed was paid, as well on the domestic as on the foreign.

Now, sir, there can be nothing more important, and if we are going to make a reduction in the tariff at all let us make it on this class of articles used so greatly in the interest of the people and in the direction of decrease of freight charges for the people.

On looking closer at the preceding and at the succeeding paragraphs I propose to modify my amendment by saying six-tenths instead of five-tenths on iron railway bars—six-tenths of 1 cent per pound; and in the next paragraph there might be some propriety in making a reduction to seven-tenths of 1 cent a pound.

Mr. MAXEY. I ask the Senator from North Carolina if he is prepared to say what is the percentage of iron rails as compared with steel rails at this time?

Mr. VANCE. About four to one, I understand.

Mr. MAXEY. You will find, in my judgment, a very small percentage of new roads in the United States laid down with iron; and what will most benefit the people will be the reduction of duty on steel rails. In my own State, where they are laying down as much railroad as perhaps in any State in the Union, they are laying down steel rails.

Mr. VANCE. I suppose the proportion is about four or five to one, now.

Mr. MAXEY. At least that, I think.

Mr. VANCE. But at the same time there is a considerable amount of iron rails used. All the poorer railroads that are trying to get started are compelled to resort to the cheapest material, hoping to be able to lay steel rails in the course of time as they shall increase in prosperity. There are railroads in my country, especially those running into the mountains for the ores, those running into the swamps for timber, and so on, that use iron rails.

The paragraph relating to the duty on steel ingots I propose to put at five-tenths of 1 cent per pound, and the paragraph concerning iron railway bars at six-tenths of 1 cent per pound, and the paragraph relating to the duty on steel railway bars at seven-tenths of 1 cent per pound.

It seems to me that would be proper; and I suppose as we progress in the character of the manufactured article the amount of labor is greater and therefore the amount of duties should be greater. If my recollection serves me right this would be a corresponding proportion to the reduction which has been made on pig-iron.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina as modified, to make line 526 read "six-tenths."

Mr. VANCE. That is the amendment. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. COCKRELL (when his name was called). I am paired for the evening with the Senator from Indiana [Mr. HARRISON].

Mr. ROLLINS (when Mr. MITCHELL's name was called). The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM].

Mr. ROLLINS (when Mr. SAUNDERS's name was called). The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

Mr. SAWYER (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM]. If he were here, I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 22, nays 26; as follows:

YEAS—22.

Bayard,	Garland,	Lamar,	Vance,
Beck,	George,	McDill,	Vest,
Butler,	Groome,	Maxey,	Walker,
Call,	Hampton,	Pendleton,	Williams.
Coke,	Harris,	Pugh,	
Farley,	Jackson,	Slater.	

NAYS—26.

Aldrich,	Conger,	Hill,	Morrill,
Allison,	Davis of Ill.,	Hoar,	Platt,
Anthony,	Dawes,	Kellogg,	Rollins,
Brown,	Edmunds,	Logan,	Sewell,
Cameron of Pa.,	Frye,	McMillan,	Sherman.
Cameron of Wis.,	Hale,	Miller of Cal.,	
Chilcott,	Hawley,	Miller of N. Y.,	

ABSENT—28.

Barrow,	Gorman,	Jones of Nevada,	Ransom,
Blair,	Grover,	Lapham,	Saulsbury,
Camden,	Harrison,	McPherson,	Saunders,
Cockrell,	Ingalls,	Mahone,	Sawyer,
Davis of W. Va.,	Johnston,	Mitchell,	Van Wyck,
Fair,	Jonas,	Morgan,	Voorhees,
Ferry,	Jones of Florida,	Plumb,	Windom.

So the amendment was rejected.

The item was agreed to.

The Acting Secretary read lines 527 to 529, as follows:

Steel railway bars and railway bars made in part of steel, weighing more than twenty-five pounds to the yard, eight-tenths of 1 cent per pound.

Mr. VANCE. I move to strike out at the end of line 528 and the beginning of line 529 "eight-tenths" and insert "seven-tenths."

The Bessemer Steel Company—which name I mention with much fear and trembling, because it generally excites a little trouble—has made enough money out of the people of these United States. It is admitted on all hands that they have made more money than any manufacturing monopoly that has ever been in the United States. Its stock is worth many hundred per cent. It has been protected, in addition to the duty, by a patent also, and the duty that is now recommended by the committee, $17.96 per ton, is almost 100 per cent. and is still prohibitory.

It is in evidence here in this discussion that the price of steel rails laid down in New York is about $38 per ton. What is the use of keeping the duty up to the present rate? None of it comes in scarcely. There were only 193,000 tons brought in last year, and therefore it yields no revenue scarcely; and surely it can not be said that it is necessary to protect this infant industry—an institution that is more prosperous than any other, I suppose, engaged in manufacturing that has ever existed in the United States.

Mr. MORRILL. The Senator from North Carolina surely wishes to be accurate in his statements, but so far from being so he has very much understated the amount of steel railway bars that were imported last year.

Mr. VANCE. I shall be corrected by the Senator from Vermont.

Mr. MORRILL. The amount imported to the end of the year June 30, 1882, was 433,562,753 pounds.

Mr. VANCE. How many tons was that?

Mr. MORRILL. Amounting to $6,588,183.42 in value.

Mr. VANCE. Reduce that to tons now and let us see how accurate I am. I stated it at 193,000 and odd tons.

Mr. MORRILL. I did not understand the Senator.

Mr. VANCE. Then there is an apology due to somebody. [Laughter.] As I was proceeding to say, we get no revenue from it, and surely we do not need to protect this institution any more. I want to offer the testimony of Mr. Oliver, one of the tariff commissioners, on this subject, which will be found on page 1085. In answer to a question put to the witness Hewitt, he said:

Mr. OLIVER. And the concerns that have been using this iron ore on which there is a duty are the large Bessemer-steel concerns of the seaboard; is not that so?

Mr. HEWITT. Yes, I suppose so. I believe it has gone mainly to Bethlehem, Cambria, and some to Pittsburgh; I do not know whether any has gone to Cleveland or Chicago; I think not.

Commissioner OLIVER. Steel rails have been exceptional, and the profits enormous beyond that of any other manufactured article in this country?

Mr. HEWITT. I have never known of any such profits in connection with any business with which I have had anything to do.

Now, sir, in view of the fact that the railroads of this country are imposing enormous rates upon the people, charges that are not limited by any responsibility to the people according to our theory of government, independent of Congresses and of Legislatures and of courts and everybody else, and the excuse in part made for these enormous charges is the great price they have to pay for steel-rails—in consideration of all these facts, and the wondrous profits made by the manufacturers of these steel rails under the power which constitutes them a monopoly, I want to see American Senators stand square up and say that they want to continue this monopoly in favor of the manufacturers, and that they want to aid in continuing the extraordinary charges of the railroad companies upon the people in the shape of freights; and then I want to see what will become of the cry of "American labor," "protection to the American laborer," and all the rest of it!

This company has been protected 100 per cent. This company has made the most enormous profits ever made by any manufacturing institution in this country. I want to see if they have paid the most enormous wages that have been paid by any manufacturing establishment in this country. I want to see if the railroad companies who use our iron and charge these freights pay the most enormous wages to their employés that have ever been paid in this country.

I want to see, in other words, if the American Congress will continue this monopoly and this extortion and exaction upon the people of these United States without any excuse upon earth of necessity or of protection or of fostering infant industries or of protecting labor. I want to see if that can be done.

Mr. MORRILL. The great profit that has been made by these companies has been in consequence of patents on the Bessemer process. These patents, I understand, have mainly expired. The price of steel rails has gone down, as the Senator from North Carolina states, to $38.50 per ton. Several of these establishments are already stopped, and can not go on in their manufacture on account of the home competition as well as the foreign; but last year we did obtain $5,419,534.44 of revenue from this source. Unquestionably if the railroad building should be as prosperous for the coming year as it has been in some years there would be a considerable amount of this railroad steel imported. The present rate of duty is 1¼ cents a pound. It is proposed to reduce it down to eight-tenths of 1 cent. I think that that reduction is sufficient.

Mr. BROWN. I did not understand whether my friend from North Carolina made a proposition to amend or not.

Mr. VANCE. Yes, sir; to insert seven-tenths of 1 cent per pound instead of eight-tenths.

Mr. BROWN. That would be $16.68 per ton. I move to amend by making it $16 a ton.

Mr. MAXEY. Fifteen dollars and sixty-eight cents.

Mr. BROWN. Yes, $15.68. There is so little difference between that and my proposition that I do not care to press it.

Mr. BECK. I shall vote for the amendment of the Senator from North Carolina, for the reasons stated by him and one or two others that I wish to point out. The commission in their report say:

No line of demarkation between iron or steel is now fixed by law.

They go on to show that they are almost substantially the same in every regard. The commission recommend:

That the rates on iron and steel be in the main concurrent—that is to say, so that the rates on manufactures of common Bessemer steel shall be the same as those on similar articles when made of iron.

Further on they announce:

Steel railway bars are fast taking the place of iron railway bars, and the manufacture of the latter will probably cease in the near future. Makers of iron bars in this country are struggling against the inevitable, with the superior quality and longer life of the better article fast crowding them out of the market. The importations of new iron rails for the years 1880 and 1881 were in excess of the amount of new iron rails (not taking into account the rerolling of old rails) produced in the United States. The commission, therefore, does not deem it wise to hasten the end of a dying industry by recommending a reduction of the present duty on iron rails.

The proposition of the Senator from North Carolina is to place the Bessemer-steel railway bars precisely at the same rate at which Congress has now placed the iron railway bars. The commission agree that there is no difference in the value and no difference in the classification, and that the one costs about as much to make as the other.

Mr. MAXEY. I ask the Senator from Kentucky if he can state the present cost of reducing a ton of iron to a ton of Bessemer steel?

Mr. BECK. I can not, but I have heard it stated time and again.

Mr. MAXEY. The Senator will see at six-tenths of 1 cent a pound the duty on the iron amounts to $13.44, and put at the highest for the steel it is $16.58. Two dollars and fourteen cents is the difference. Therefore six-tenths of a cent on the iron and seven-tenths on the steel is about in the exact ratio of what it ought to be.

Mr. BECK. Fifteen dollars and sixty-eight cents a ton, or seven-tenths of a cent per pound on the whole is a fair rate, is it not?

Mr. MAXEY. I suggest that $15.68 is perfectly fair for the steel. I think $17.92 is just on the verge, as Mr. Oliver said, of prohibition, which I am opposed to. Fifteen dollars and sixty-eight cents I think is fair for the steel, and $13.44 for the iron is certainly fair if the other is fair for the steel.

Mr. BECK. If the Senator from Texas will allow me, corroborating what he said just now, let me refer to what Mr. Oliver said when he appeared before the committee. He used this language in answer to a question:

One of the greatest items of revenue in iron and steel last year, for instance, next to pig-iron, was steel rails. At the present rate of $28 a ton this year there will not be a steel rail come into the United States.

Senator BECK. Why not?

Mr. OLIVER. The duty is prohibitory. They are only worth $38 to $40 per ton, and how can you import them? It would only leave $12 as cost in England. At $17.92 duty the rails used in Oregon, California, and the Gulf States will come from abroad, because freights are lower at times from Liverpool to San Francisco than they are from New York to San Francisco; sometimes they are not more than half as high.

The meaning of that, as I understand, is that with the exception of those points in the United States where rails can be obtained from England, because at times freights are exceptionally low, at $17.92 the duty would be virtually prohibitory.

Mr. MAXEY. I so understand that. I think that is the meaning of it.

Mr. BECK. At $15.68 per ton or seven-tenths of a cent per pound, placing it at the same rate as iron railway-bars which have not been reduced, and which the commission say cost as much as Bessemer-steel railway-bars, it seems to me that we are doing fair justice by that class of men.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. MORRILL. I call for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM], but my colleague [Mr. CAMDEN] has gone home and I have transferred the pair to him. I vote "yea."

Mr. FARLEY (when his name was called). I am paired with my colleague [Mr. MILLER, of California]. If he were here, I should vote "yea."

Mr. ROLLINS (when Mr. MITCHELL's name was called). The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. ROLLINS (when Mr. SAUNDERS's name was called). The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Florida [Mr. JONES].

The roll-call was concluded.

Mr. ROLLINS. The Senator from Michigan [Mr. FERRY] is paired with the Senator from Delaware [Mr. SAULSBURY]. The Senator from Wisconsin [Mr. SAWYER] is paired with the Senator from North Carolina [Mr. RANSOM].

Mr. BLAIR. I am paired with the Senator from Georgia [Mr. BARROW].

Mr. McDILL (after having voted in the negative). I had a pair with the Senator from Oregon [Mr. GROVER]. I understand he holds it to continue during this day. I therefore withdraw my vote.

The result was announced—yeas 25, nays 21; as follows:

YEAS—25.

Bayard,	Edmunds,	Ingalls,	Vance,
Beck,	Garland,	Jackson,	Vest,
Brown,	George,	Lamar,	Walker,
Butler,	Gorman,	Maxey,	Williams.
Call,	Groome,	Pendleton,	
Coke,	Hampton,	Pugh,	
Davis of W. Va.,	Harris,	Slater,	

NAYS—21.

Aldrich,	Conger,	Hoar,	Rollins,
Allison,	Dawes,	Logan,	Sewell,
Anthony,	Frye,	McMillan,	Sherman.
Cameron of Pa.,	Hale,	Miller of N. Y.,	
Cameron of Wis.,	Hawley,	Morrill,	
Chilcott,	Hill,	Platt,	

ABSENT—30.

Barrow,	Grover,	McDill,	Saulsbury,
Blair,	Harrison,	McPherson,	Saunders,
Camden,	Johnston,	Mahone,	Sawyer,
Cockrell,	Jonas,	Miller of Cal.,	Van Wyck,
Davis of Ill.,	Jones of Florida,	Mitchell,	Voorhees,
Fair,	Jones of Nevada,	Morgan,	Windom.
Farley,	Kellogg,	Plumb,	
Ferry,	Lapham,	Ransom,	

So the amendment was agreed to.

Mr. MORRILL. I move that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock and 1 minute p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 24, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

REPORT OF SMITHSONIAN INSTITUTION.

Mr. DEERING, by unanimous consent, submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That 15,560 copies of the report of the Smithsonian Institution for the year 1882 be printed, 2,500 copies of which shall be for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 7,000 copies for the use of the Smithsonian Institution.

THE LATE HON. WILLIAM M. LOWE.

Mr. OATES submitted the following resolution; which was read, considered, and adopted:

Resolved, That Saturday, February 3, at 3 o'clock p. m., be fixed as the time for delivering appropriate tributes to the memory of the late Hon. William M. Lowe, a Representative from the State of Alabama.

ORDER OF BUSINESS.

Mr. HISCOCK. I call for the regular order.

Mr. HARRIS, of Massachusetts. I ask the gentleman from New York to allow me to have a bill referred.

Mr. HISCOCK. I must insist on the regular order.

Mr. ROBESON. I move to dispense with the morning hour for the call of committees for reports.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. ROBESON. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAGE in the chair, and resumed the consideration of the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

NAVAL APPROPRIATION BILL.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of further considering the naval appropriation bill.

The Clerk read the following paragraph:

BUREAU OF CONSTRUCTION AND REPAIR.

For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; labor in navy-yards and on foreign stations; preservation of materials; purchase of tools; wear, tear, and repair of

vessels afloat, and for general care, increase, and protection of the Navy in the line of construction and repair, and incidental expenses, namely, advertising and foreign postage, $1,000,000: *Provided*, That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs shall exceed 30 per cent. of the estimated cost of a new ship of the same size and like material: *Provided further*, That nothing herein contained shall deprive the Secretary of the Navy of the authority to order repairs of ships damaged in foreign waters or on the high seas, so far as may be necessary to bring them home.

Mr. BLOUNT. I desire to raise a question of order on the proviso beginning on line 324 and ending with line 328, as follows:

Provided, That no part of this sum shall be applied to the repair of any wooden ship when the estimated cost of such repairs shall exceed 30 per cent. of the estimated cost of a new ship of the same size and like material.

That provision, Mr. Chairman, changes existing law by taking from the Secretary of the Navy, or rather from the President of the United States, the control he has now under the law of the appropriations for the Navy Department. I have one of the sections of the Revised Statutes to which I refer before me. It provides as follows:

The Secretary of the Navy shall execute such orders as he shall receive from the President relative to the procurement of naval stores and materials and the construction, armament, equipment, and employment of vessels of war, as well as all other matters connected with the naval establishment.

The CHAIRMAN. What section is the gentleman reading from?

Mr. BLOUNT. Section 417 of the Revised Statutes. I refer also to the general provision giving to the Secretary of the Navy discretion as to the use of the funds appropriated for the Bureau of Construction and Repair. Without this proviso it would be subject to his discretion. This proviso is a repeal of that law as to this appropriation. I raise the question of order in this form, Mr. Chairman, because I am opposed to the proposition on its merits, and I trust that this will be the shortest way of disposing of it.

Mr. WHITTHORNE. I differ with my friend from Georgia [Mr. BLOUNT] in that I regard this provision as economic in its tendency and effect. If I remember correctly it is precisely the same provision that was made in the last act.

Mr. BLOUNT. That is true.

Mr. WHITTHORNE. And the reasons then operating upon the mind of the House, as I take it, were that under the general law there was a liability to expend too much in the attempt to repair a large number of wooden vessels, the character and efficiency of which, not only in the Navy of the United States but in the navies of the world, were going under par, so to speak, unless some restraint was put upon this discretion of the Secretary of the Navy, or, if you choose, of the President of the United States, who in that regard of course for his information and his action would rely upon the reports first of the Secretary of the Navy, and the Secretary of the Navy upon the reports of his subordinate chiefs of bureau. In practice it has been seen that under this unlimited discretion and upon the demands of parties interested a tendency to improve the character of vessels, without regard to cost or expense, has grown up in the Navy, and this check was applied by the Appropriations Committee at the last session of Congress with a view to economy and reform in that direction. I believe myself it is a very wholesome check, and a check which the legislative power ought to put upon the discretion of the executive department of the Government.

Mr. HISCOCK. Do I understand that there is a point of order pending?

The CHAIRMAN. The gentleman from Georgia [Mr. BLOUNT] makes the point of order against the proviso, commencing with line 324 and ending with line 328.

Mr. HISCOCK. All the suggestion I desire to make in answer to the point of order is this: That it has always been the practice in an appropriation bill to indicate the ships the work upon which the money shall be expended. We would have a right, I believe, under existing law to appropriate this sum of money to any one vessel, calling it by name—to any one work, calling it by name. Instead of calling the work by name we have indicated it by a class.

Mr. BLOUNT. My friend from Tennessee [Mr. WHITTHORNE], in reply to my point of order, says that he thinks the effect of this provision will be to restrain the Secretary of the Navy, who might possibly abuse the discretion in the repairing of vessels by repairing those which ought not to be repaired. That opens a very wide field of discussion, not at all presented by Rule XXI or by this proviso. I do not propose, therefore, to go into that matter.

The gentleman from New York [Mr. HISCOCK] says that the Committee on Appropriations has the right to direct where this fund shall go, how it shall be utilized; to make an appropriation and direct the manner of its use. Now, that is a mere assertion, a mere statement; I know of no authority for it. On the contrary, the general law prescribes the control and direction of this fund for the repairs of ships to be made by a special bureau. It is not in the province of this House to undertake to direct the manner of using this fund. It may appropriate, as it has done, from time to time, money for the use of these several bureaus; but it has never yet been questioned that the power lay in the heads of the Departments to direct the use of the funds. Section 417 of the Revised Statutes contains a special provision recognizing the power of the President to direct the use of this fund. If so, then I ask if a special direction given in this appropriation bill does not to that extent abate the power of the President under section 417 of the Revised Statutes?

Mr. ROBESON. Mr. Chairman——

The CHAIRMAN. The Chair will say to the gentleman from New Jersey [Mr. ROBESON] that he is ready to decide the point of order, and has no wish to hear further argument upon it.

Mr. ROBESON. Very well.

The CHAIRMAN. The Chair is familiar with the section of the Revised Statutes referred to by the gentleman from Georgia [Mr. BLOUNT]. Under that section this Congress may or may not appropriate money for the building of ships, as it may please. But it has been the uniform practice, so far as the Chair knows, with the Committee on Appropriations, when reporting appropriations for the building or repairs of ships, to direct the manner in which the money shall be expended. In the appropriation bill passed last year there is the same provision which is contained in this bill, as follows:

Provided, That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs shall exceed 30 per cent. of the estimated cost of a new ship of the same size and like material.

Mr. BLOUNT. Certainly, if the Chair will allow me a moment; and that is the only appropriation bill in which such a provision can be found that I know of, and I do not remember that any point of order was made upon it.

The CHAIRMAN. The Chair desires to say that the uniform practice, so far as he is aware, has always been for the committee reporting an appropriation for the construction of a building or a ship or anything else to determine what kind of ship, building, &c., shall be constructed, whether of iron, wood, &c. The Chair overrules the point of order.

Mr. ROBINSON, of Massachusetts. I move to strike out the last word, for the purpose of making an inquiry of the gentleman from New Jersey [Mr. ROBESON] in regard to the provision just under consideration. I perceive that the limit affixed to the expenditure of this $1,000,000 is 30 per cent. of the estimated cost of a new ship.

Now, by referring to the opposite page of the bill gentlemen will find a provision in regard to machinery and boilers, containing a limitation also of 30 per cent. Now, what I want to know is whether the 30 per cent. of the cost of machinery and boilers constitutes a part of the 30 per cent. of the whole cost of the shipping in the clause under consideration?

Mr. ROBESON. No, because the one is an appropriation for the Bureau of Construction and Repair, and the other an appropriation for the Bureau of Steam Engineering; the hull of the ship being built by one bureau and the machinery by the other. It has been understood, in practice under the bill of last year, which contained the same provision as this bill does, that each stood on its own footing.

Mr. ROBINSON, of Massachusetts. I think that may be so as regards the practice of construing this provision; but the language might lead to some doubt. It is:

That no part of this sum shall be applied to the repairs of any wooden ship when the estimated cost of such repairs shall exceed 30 per cent. of the estimated cost of a new ship of the same size and material.

Such repairs would include the repair of machinery and boilers as well.

Mr. ROBESON. The general phraseology might seem to indicate that, but the practice is different.

Mr. ROBINSON, of Massachusetts. I do not offer any objection; I simply inquired for information. I withdraw the *pro forma* amendment.

Mr. ATKINS. I move to strike out the last word. It will be observed by the Committee of the Whole that only a million of dollars is proposed to be appropriated by this bill for the Bureau of Construction and Repair. This paragraph contains a proviso in relation to the repair of ships, that such repair shall not exceed 30 per cent. of the estimated cost of a new ship, etc.

There was appropriated for this purpose for the present fiscal year the sum of $1,750,000. The expenditures for the year 1882 were $1,341,349. Now, I will ask the gentleman having charge of this bill if he thinks that the appropriation of $1,000,000 will be sufficient to repair any of these ships, outside of the current expenditures and the current work generally performed by the Bureau of Construction and Repair?

The appropriation of last year was almost 100 per cent., 75 per cent. greater than the proposed appropriation for the next fiscal year. I am not complaining of it at all; but I ask the gentleman if he thinks there is really any necessity for this proviso; if there is really any necessity to insert in this bill the language to which the gentleman from Georgia [Mr. BLOUNT] objected and upon which he made his point of order? Does the gentleman believe that out of this million of dollars there will be any of these ships repaired at all? Will it not be all taken up, as it ordinarily is——

Mr. ROBESON. In turning around.

Mr. ATKINS. Yes, in "turning around," as the gentleman says.

Mr. ROBESON. I understand what the gentleman means.

Mr. ATKINS. It is very evident that my friend is on a different line now from what he was a year ago. A year ago he was for swelling these appropriations; he was for a large appropriation for this bureau. And even now my honorable friend incorporates in this bill a proposition to complete the machinery and engines of one of these renowned monitors.

Of course the work upon it has to be done in the Bureau of Construction and Repair, yet the appropriation is cut down 75 per cent. below what it was a year ago, although this additional work is proposed to be done, and this 30 per cent. proviso is also retained. It seems to me there is a strange incongruity in these matters taken in connection with the appropriation of last year and the expenditure of the year before, which I have already referred to.

Mr. ROBESON. The bill as reported last year provided for expending under the Bureau of Construction and Repair, I believe, $2,250,000. Everything was included which could come under the direction of that bureau. In the preparation of this bill we have adopted a different plan. We appropriate first to the Bureau of Construction and Repair a million dollars for the purpose of carrying on the ordinary work of repairing and keeping up the Navy as it is. Then we have put in a separate paragraph, so that members of the House might understand exactly what they are doing, a provision appropriating other moneys under the head of the "increase of the Navy," to be expended by the Secretary of the Navy through the appropriate bureaus.

Now, this appropriation of $1,000,000, as I have said, is for the purpose of carrying on the ordinary service of the Bureau of Construction and Repair at the various navy-yards—keeping up of the fleet as it now stands. In the paragraph following, under the head of "Increase of the Navy," the appropriation for the Bureau of Construction and Repair is confined directly to the substantial and permanent increase of the Navy. In this bill we propose to avoid a result which sometimes happens when we make a large appropriation for the expenditures of a certain bureau including a specific object which we desire to have appropriated, and when the year is gone find that the money appropriated without restriction has been expended in other things, while the particular object we had in view has not been attained. Therefore we propose to appropriate this sum of $1,000,000 to the Bureau of Construction and Repair for the general purposes of keeping up the fleet as it now is, without attempting in that appropriation any increase in the strength of the Navy and without encouraging the building of any new ships. Then in another paragraph, under the recommendation of the Naval Committee, we appropriate what we think right or what this bill will stand for the permanent increase of the Navy, appropriating for the iron ships already authorized, for two steel ships already authorized, for two new steel ships of smaller tonnage, and for a dispatch boat.

I say, therefore, to my friend from Tennessee that I believe this appropriation of $1,000,000 will be sufficient for the ordinary purposes of keeping up such of the navy-yards as ought to be kept going and maintaining the ordinary repairs of the service.

The CHAIRMAN. The question is on the *pro forma* amendment of the gentleman from Tennessee [Mr. ATKINS].

Mr. ATKINS. I withdraw it.

Mr. BLOUNT. I renew it. Mr. Chairman, it seems to me there is a good deal in the suggestion of my friend from Tennessee. I have here a letter from the Secretary of the Navy addressed to the gentleman from Tennessee, and dated January 20, 1883, in which the Secretary declares that the sum appropriated for the Bureau of Construction and Repair for the present fiscal year has been entirely exhausted in the ordinary repair of vessels, and this has occurred under the 30 per cent. restriction, which it is claimed has answered a most excellent purpose. I find also by this letter (which I incorporate as a part of my remarks) that the fund appropriated for the Bureau of Steam-Engineering has been expended in this ordinary work under this limitation:

NAVY DEPARTMENT, *Washington, January* 20, 1883.

SIR: I have the honor to acknowledge the receipt of your telegram of the 18th instant, asking what balances of the appropriations for the Bureaus of Construction and Repair and Steam-Engineering for the current fiscal year will be available, to be applied as provided in lines 395 to 400 of the naval appropriation bill reported on the 16th instant.

Having called on the chiefs of these bureaus for an estimate of the balances that will be on hand available for the purpose proposed, their respective replies are as follows:

"The Bureau of Construction and Repair will have no money left from its appropriations for this fiscal year.

"T. D. WILSON, *Chief of Bureau.*"

"In view of the contingencies that may arise from foreign expenditures, breakage of machinery, &c., it is impossible to say what, if any, balance of this current appropriation for steam-machinery would be available for new vessels; but with the present force employed at navy-yards, and the work in hand, it is not expected that any considerable balance will remain unexpended at the close of this fiscal year.

"W. A. SHOOK, *Chief of Bureau.*"

Very respectfully, &c.,

WM. E. CHANDLER,
Secretary of the Navy.

Hon. J. D. C. ATKINS,
Committee on Appropriations, House of Representatives.

In addition to the appropriation of last year in the regular appropriation bill, the Committee on Appropriations reported a bill, which became a law on the 2d of August, appropriating an additional sum of $75,000 for these ordinary repairs in the Bureau of Construction and Repair. It is quite evident that what the gentleman from New Jersey sought to have done last winter, and which appears to have proved useful, he does not regard as at all useful now. It is no answer to say that he proposes to build other cruisers, because that brings up an entirely different question—the question whether those cruisers should be built at all; if they should be, the vessels already constructed and now in the various squadrons are left without the ordinary fund for their repairs. I have no desire to appropriate a single dollar unnecessarily; but I am apprehensive that the gentleman has gone too low in this appropriation.

Mr. HARRIS, of Massachusetts. Formerly the appropriations for construction and repair were made in one lump. If the amounts appropriated for these purposes in this bill were, as usual, put in one mass, the appropriation would be, I believe, $2,750,000.

Mr. BLOUNT. I ask the gentleman, in reference to this proposition to increase the Navy under the Bureau of Construction and Repair, whether it is not unusual and exceptional to build up a navy in this way, and whether it has not been practicable for the Naval Committee to come forward with their separate bill for this purpose?

Mr. HARRIS, of Massachusetts. What is sought to be accomplished here, Mr. Chairman, is, I apprehend, that the appropriation made for the new navy shall not be expended on the old navy—no portion of it. That provision not to expend over 30 per cent. on an old wooden vessel comes from the Committee on Naval Affairs in a former Congress. The practice we sought to avoid was that of rebuilding old ships under the name of repairs. The Bureau of Construction and Repair was consulted before that provision was adopted, and at that time the Bureau of Construction and Repair of the Navy Department thought 40 per cent. was low enough. Now, when we see such ships as the Lancaster, Brooklyn, Hartford, and lately the Shenandoah, old wooden ships which had better have been carried out in mid-ocean and sunk—when we see these old wooden ships repaired at a cost almost equal to the cost of new vessels, the Committee on Naval Affairs have believed it was proper to limit the appropriation for repairs to such ships as could be kept afloat at a cost of less than 30 per cent. I am glad this sum is here, and I am also glad that the appropriation is divided so that that portion which is intended for repairs is in one place and that for construction of new ships in another. I think the bill is right in this particular.

Mr. BLOUNT, by unanimous consent, withdrew his *pro forma* amendment.

The Clerk read as follows:

INCREASE OF THE NAVY.

For completing in accordance with the recommendations of the naval advisory board the engines and machinery of the double-turreted iron-clad which said board may advise to be first completed, by new contract or otherwise, as the Secretary may think best for the interests of the Government, $450,000, to be applied by the Secretary of the Navy under the appropriate bureaus; but the execution of no contract shall be entered upon for the completion of either of these vessels until the terms thereof shall be approved by a board consisting of one line officer, one naval constructor, and one engineer, who shall approve only such contracts as may be to the best advantages of the Government, and fair and reasonable, according to the lowest market price for similar work, from responsible and competent bidders, and at a total cost not to exceed the amounts estimated by the advisory board in its full report required by the act of August 5, 1882. And the Secretary of the Navy shall take possession of the double-turreted iron-clads, and if he thinks best remove the same to the Government navy-yards; and he shall determine the amounts which ought to be paid to the contractors severally for the use and occupation of their yards with said ships, and for the care thereof, and report the same to Congress.

Mr. BLOUNT. I desire to reserve all points of order on the paragraph.

Mr. HARRIS, of Massachusetts. I move to strike out all after "by," in line 364, down to and including "engineer," in line 365, and in lieu thereof to insert——

Mr. ROBESON. I will say, if the gentleman from Massachusetts will pardon me, that this is in accord with the resolution of the Naval Committee.

Mr. HARRIS, of Massachusetts. I am instructed to make that amendment because as we have an advisory board which has given the subject considerable attention, we thought it should be left there.

Mr. BLOUNT. Should we not first dispose of the questions of order against the pending paragraph?

The CHAIRMAN. If the gentleman insists upon his point of order at this time, he will state it.

Mr. BLOUNT. I believe the points of order against the paragraph should first be disposed of.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLOUNT. I make the point of order in the first place on the following language:

For completing in accordance with the recommendations of the naval advisory board the engines and machinery of the double-turreted ironclad which said board may advise to be first completed by new contract or otherwise, as the Secretary may think best for the interests of the Government, $450,000.

I make the point of order that that is not authorized by law.

The CHAIRMAN. Neither the Chair nor the Clerk can hear the gentleman from Georgia, he speaks in such a low tone of voice. He will please repeat his point of order.

Mr. BLOUNT. I make the point of order against the words:

For completing in accordance with the recommendations of the naval advisory board the engines and machinery of the double-turreted ironclad which said board may advise to be first completed by new contract or otherwise, as the Secretary may think best for the interests of the Government, $450,000.

I raise the question of order on that language in the bill; that it changes existing law and does not retrench expenditures.

I make the further point of order on this proposition:

But the execution of no contract shall be entered upon for the completion of either of these vessels until the terms thereof shall be approved by a board consisting of one line officer, one naval constructer, and one engineer, who shall

approve only such contracts as may be to the best advantages of the Government, and fair and reasonable.

I raise the question of order that therein is contained authority not only for completing the engines and boilers, &c., but for completing the vessels. There is no authority of law for that work, and therefore no appropriation can be made under it.

Then I raise the question of order to that part of the paragraph commencing in line 375:

And he shall determine the amounts which ought to be paid to the contractors severally for the use and occupation of their yards with said ships, and for the care thereof, and report the same to Congress.

I raise the question of order that there is no authority of law for these contracts to be made or for these vessels to be placed in those yards; that there is no law now which would authorize any officer of the Navy to determine the value of the use and occupation of those yards.

Mr. HOLMAN. If the gentleman will permit me I will state in addition, if the gentleman's point of order should be overruled——

Mr. BLOUNT. In a moment. There is no law authorizing the determination of the value of the use of those yards.

Mr. HISCOCK. If the gentleman will allow me to interrupt him for one moment.

Mr. BLOUNT. I will in a little while. This proposition does not simply require consideration and report, but authorizes the determination of the value of the use and occupation of the yards, and having determined that with the parties, then to report to Congress what was done, and I say that proposition is not authorized by law, and does not retrench expenditures.

Mr. HISCOCK. What I was about to say is this, that so far as the point of order is made by the gentleman against the words "but the execution of no contract shall be entered upon for the completion of either of these vessels, until the terms thereof shall be approved by a board," &c., there is no objection to that being changed to provide for the completion of the engines and machinery.

Mr. BLOUNT. Then I understand my friend to say——

Mr. ROBESON. Permit me just a moment. I desire to say simply, Mr. Chairman, that this illustrates the difficulty about entertaining points of order with reference to a paragraph until the committee have had the opportunity of perfecting it. Now, we agreed to perfect the other day that section by confining that word "contract" to contracts for engines and machinery; and we seek only, and the Naval Committee also, to perfect the section by substituting the advisory board created by the last Congress for the board here mentioned. When these paragraphs are so perfected they may or may not be subject to the point of order, and the Committee on Appropriations or the Committee of the Whole ought to have the right to perfect the paragraph as the committee have directed it to be perfected before entering upon a sea of discussion which may result eventually in being entirely unnecessary as far as the points of order are concerned.

Mr. HOLMAN addressed the Chair.

The CHAIRMAN. The Chair will suggest to the gentleman from Georgia and the gentleman from Indiana that they withhold the points of order for the present until the section is perfected.

Mr. HOLMAN. I have no objection to that.

Mr. HISCOCK. I appeal to the gentleman from Georgia to let us state exactly how we want the section to be before he insists upon his point of order.

Mr. BLOUNT. Then I will reserve the point of order upon everything until after the section is perfected, as the gentleman desires.

Mr. ROBESON. That is right.

Mr. HARRIS, of Massachusetts. Then I desire to offer the amendment which I have suggested. After the word "a," in line 364, strike out down to and including the word "engineer," in line 365, the words "board consisting of one line officer, one naval constructor, and one engineer" and insert "the naval advisory board."

Mr. HISCOCK. That is consented to on the part of the committee.

Mr. ATKINS. Which committee? I object to it; I want to know the reason for that change.

Mr. HARRIS, of Massachusetts. Will you let me give the reason?

Mr. ATKINS. Yes, I want to know the reason.

Mr. HARRIS, of Massachusetts. The naval advisory board was organized under the act of Congress approved August 5, 1882, and in the discharge of its duties it has considered the propriety of finishing these ironclads and has reported to Congress its opinions and conclusions. The very opening paragraph of this section provides that the ironclad which the naval advisory board recommends to be finished shall be completed. Now, then, we say simply that when the work of finishing them is entered upon, the terms and the nature of the contracts for finishing the vessels shall be under the direction of the same naval advisory board, instead of proceeding to organize a new board of officers to pass upon the question. And we did it for the purpose of holding the thing exactly where it is at present, and not make it possible for a new board, of officers who may be favorable or otherwise to the finishing of the ironclads, to take cognizance of the subject. Instead of organizing a new board, and thereby creating what might possibly be a conflict of opinion with reference to the subject, we propose to leave it where it is.

Mr. ATKINS. I desire to say simply, Mr. Chairman, that the gentleman's reasons have to my mind shed no light whatever why I should withdraw the objection I have made. I think the responsibility ought to be divided. The naval advisory board may be a very proper board and may be a very competent and skillful one with reference to such matters. I do not pretend to know anything about that. But there can certainly be no harm in requiring a new board to be organized of one line officer, one naval constructor, and one engineer to consider the subject. By dividing the responsibility we will obtain the advantage of the counsels and opinions of another board, and if there is merit in a division of counsels we can secure it.

Mr. DEZENDORF. Mr. Chairman, let me say simply that the naval advisory board, constituted by the act of Congress referred to, consists not only of naval officers but of gentlemen selected from civil life, and therefore there can be no possible objection to leaving the matter to the judgment of such a board.

Mr. WHITTHORNE. I oppose, Mr. Chairman, that amendment of my friend from Massachusetts, and I do so for what I think is a valid and substantial reason. I hold in my hand the report of the present advisory board for the completion of the monitors, and I understand from my friend from Massachusetts that that is the object of his amendment, to secure their completion; in other words, he desires to continue this board for the reason that they have advised the completion of the monitors.

Mr. HARRIS, of Massachusetts. No; but because they have had the subject referred to them and have made a report to Congress upon it.

Mr. WHITTHORNE. Now I desire to call the attention of the committee to these facts, that the advisory board of which Commodore Shufeldt is president recommends among other things the completion of the monitors and gives the items of the cost of completing these different vessels. I hold it in my hand, and I desire the Appropriations Committee and desire the chairman of the Committee on Naval Affairs, and all officials connected with the Navy Department, to explain what I now call attention to.

Mr. HARRIS, of Massachusetts. What document does the gentleman refer to?

Mr. WHITTHORNE. Executive Document No. 28, part 2, second session, Forty-seventh Congress. In this petition I find for the Monadnock the cost of construction is estimated at $785,000. That is what the naval advisory board report. Now I hold also in my hand a report upon the same subject emanating from the Navy Department, sent to this very Congress at its last session, which contains an estimate of what it will take to complete these vessels, and I find that by Executive Document, part 4, No 30, the item for the construction and repair of the Monadnock is put down at the sum of $220,000.

Mr. BERRY. Two hundred and eighty-five thousand dollars.

Mr. WHITTHORNE. No, $220,000 for construction and repair. Now we have the same Secretary of the Navy, we have emanating from the same Department an estimate for the cost of completing, under contract, the repairs of the Monadnock at $220,000, and we have the naval advisory board for the same vessel under the same items, for the same cause and under the same circumstances, making a report in which the estimate is placed at more than a half million dollars greater.

How can these things be; and how can Congress rely upon the estimates of the Department or of the advisory board? Not only, sir, is there a discrepancy reaching to this item, but follow the estimates step by step as to these vessels, and you find all through the same discrepancies. My friend from Tennessee on the Appropriations Committee [Mr. ATKINS] is right when he refuses to consent to this change.

No, sir; let us have another board, if you please, and let us try to reconcile these estimates of the Department. The representatives of the people are called upon to vote this appropriation upon these reports when there is a discrepancy of over half a million dollars between them.

Mr. HARRIS, of Massachusetts. I have not here the papers which the gentleman from Tennessee has quoted.

Mr. WHITTHORNE. I will hand them to the gentleman.

Mr. HISCOCK. I said we were willing to accept the amendment of the gentleman from Massachusetts [Mr. HARRIS]. So far as I am myself concerned, I have no choice and no recommendation to make either way. The gentleman from Georgia [Mr. BLOUNT] made a point of order on that clause and we were entirely willing to accept the suggestion of leaving it to the advisory board. The Naval Committee want it to go to the old board. So far as the Committee on Appropriations are concerned there has been no formal action on the part of that committee as between the two propositions.

Mr. ATKINS. Has there not been formal action by the Committee on Appropriations in the adoption of the text of this bill?

Mr. HISCOCK. I know the gentleman from Tennessee does not want to misunderstand me——

Mr. ATKINS. I do not want to misunderstand the gentleman, but I do not want him to mislead the House.

Mr. HISCOCK. I am not misleading the House.

Mr. ATKINS. I think you are misleading the House.

Mr. HISCOCK. Not at all.

Mr. ATKINS. Then the gentleman does not understand himself. I say the language in this bill has been considered and acted on by the

Committee on Appropriations; and therefore the gentleman from New York has no right to say——

The CHAIRMAN. The gentleman from New York has the floor.

Mr. HISCOCK. What I said was this, that as between the two propositions the Committee on Appropriations has never voted upon them. The gentleman from Tennessee, I think, will hardly contradict me in that assertion.

Mr. WHITTHORNE. I resume the floor.

Mr. ATKINS. If the gentleman will allow me——

The CHAIRMAN. Does the gentleman from Tennessee [Mr. WHITTHORNE] yield?

Mr. WHITTHORNE. No, sir.

The CHAIRMAN. The gentleman from Tennessee [Mr. WHITTHORNE] in front of the Chair took the floor, and the Chair understood he yielded temporarily to the gentleman from New York [Mr. HISCOCK]. His time has nearly expired. He has but one minute of his time left.

Mr. HISCOCK. Now, I ask the gentleman from Tennessee [Mr. ATKINS] if I am not right in that: that with the two propositions before the Committee on Appropriations it never has decided between the two?

Mr. ATKINS. I have not the floor to say a word in reply to the gentleman from New York.

The CHAIRMAN. The gentleman from Tennessee on the right [Mr. ATKINS] has not the floor to answer any question. He will be recognized hereafter, if he desires it, to take the floor in his own right.

Mr. WHITTHORNE. In view of the differences between these two reports or executive documents, both emanating from the same Department, I think it is wise, if you are going to enter upon this work of completing monitors, that you shall refer it to some other umpire than the one that is committed to extravagant expenditures, as I look at it.

Mr. HARRIS, of Massachusetts. Did I understand the gentleman to read from two reports made by the advisory board?

Mr. WHITTHORNE. No, sir.

Mr. HARRIS, of Massachusetts. I understood the gentleman to say this board reported two different sums, which I deny.

Mr. WHITTHORNE. That is the dodge of a lawyer. It may do for country practice, but not in this House. I said I held a report coming from the Secretary of the Navy, Executive Document No. 30, part 4, and that I held, emanating from the Secretary of the Navy, Executive Document, of the second session, No. 28, part 2, and in both of these the Secretary of the Navy had submitted estimates of the sums required to complete these different monitors, and among others the Monadnock, in one of which, under the head of construction and repair, it was said to be $220,000, and in the other of which, emanating from the advisory board, it was said to be $785,000; and I asked how it was possible that this immense amount of difference under the same head should exist, and it was for that reason and for other reasons which, Mr. Chairman, it may be that during the progress of this discussion I will mention, that I have not confidence in the present advisory board.

Mr. HARRIS, of Massachusetts. I understand that my friend from Tennessee has been talking about the Monadnock, which is on the Pacific side, and I understand that the cost of construction of the Monadnock on the Pacific side thus far has been much greater than if she were on the Atlantic side, and that, I judge, explains the difference.

The Monadnock is not as far advanced as the Amphitrite and the Terror. The Government of the United States failed to furnish plating for that ship, the plating which has been furnished on the others. That ship can not be finished to-day for the same sum of money on the Pacific side that it could be finished for on this side of the continent. And I do not believe there is any false estimate in the report of the Secretary of the Navy or the report of the advisory board.

Mr. WHITTHORNE. Just in that connection, if my friend from Massachusetts will indulge me, let me say if he will procure these two documents he will see on each vessel there is a difference of estimate amounting to hundreds of thousands of dollars.

Mr. HARRIS, of Massachusetts. Why find fault with the advisory board, when it has given only one estimate? Why say you will not trust that board when, so far as it is concerned, it has given but one estimate on the subject?

The gentleman from Tennessee [Mr. WHITTHORNE] says he will not trust the advisory board because it has not agreed with some other authority. I propose to trust that board because it has investigated this subject and estimated the cost of finishing these vessels as now proposed. I do not see that there is any reason for any attack on that board.

Mr. BAYNE. I move to strike out the last word. There seems to be two conflicting tendencies operating in this country at the present time. I know that in the State of Pennsylvania, where we have had considerable corruption in our large cities, where there have been many boards in the city government, there is an effort to lodge power in the executive of the city and make him a sort of autocrat to control the affairs and wield the destinies of the city.

We had here the other day a criticism by the gentleman from Indiana [Mr. CALKINS] and other gentlemen upon the management of the Navy Department, and it was directed to this state of facts: that there existed in that Department six or seven or eight bureaus, no one of which was responsible to the chief of the Department, each one of which was responsible in a minor degree, thus dividing the responsibility for the management of the Navy Department among six or seven or eight or nine bureaus, making a divided responsibility where there ought to be a single responsibility.

I find in this bill a recommendation by the Committee on Appropriations for an advisory board, in order, I must think, to take away from the Secretary of the Navy all responsibility and vest it in this advisory board. If there should happen to be default, if any measure should miscarry, if there should be misjudged contracts, and all that sort of thing, the responsibility of the Secretary of the Navy will be almost utterly extinguished and the advisory board will be held accountable.

We hear criticisms made upon the advisory board which we now have, and the suggestions made by this board strike me as proper subject of criticism. Then we find the Committee on Appropriations recommending still another board to examine the recommendations of this board, and so still further to divide the responsibility.

From what I have heard of the advisory board which we now have (and I do not know much about it), I am inclined to think that we ought to have another board to watch this board; and it is not improbable, from the way we are managing things, that in the next Congress we will have to call in still another board to watch these two boards.

I think that the amendment of the gentleman from Massachusetts [Mr. HARRIS] should not be adopted, because I have heard enough about the present advisory board to lead me to believe that another board is now almost a necessity for the purpose of watching the board which we have. I therefore will vote against the amendment of the gentleman from Massachusetts.

Mr. HARRIS, of Massachusetts. A single moment.

The CHAIRMAN. The time for debate on the pending amendment has been exhausted.

The question was then taken upon the amendment of Mr. HARRIS, of Massachusetts; and upon a division there were—ayes 78, noes 33.

Mr. ATKINS. No quorum has voted.

Tellers were ordered; and Mr. HARRIS, of Massachusetts, and Mr. ATKINS were appointed.

The committee again divided; and the tellers reported that there were—ayes 69, noes 63.

Mr. ATKINS. I will not call now for any further count, but will give notice that I shall ask for a separate vote on this amendment in the House.

So (no further count being called for) the amendment was agreed to.

Mr. O'NEILL. I desire to offer an amendment.

Mr. ROBESON. I rise to offer an amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. ROBESON], in charge of the bill.

Mr. ROBESON. I move to amend the paragraph now under consideration by inserting in line 362, after the word "completion," the words "of such engines and machinery;" so that the clause will read:

But the execution of no contract shall be entered upon for the completion of such engines and machinery for either of these vessels until the terms thereof shall be approved by a board, &c.

The amendment was agreed to.

Mr. MORSE. I move the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

Strike out all from and including the word "by," in line 359, down to and including the word "bidders," in line 369, as follows:

"By new contract or otherwise, as the Secretary may think best for the interests of the Government, $450,000; but the execution of no contract shall be entered upon for the completion of such engines and machinery for either of these vessels until the terms thereof shall be approved by a board consisting of one line officer, one naval constructor, and one engineer, who shall approve only such contracts as may be to the best advantages of the Government, and fair and reasonable, according to the lowest market price for similar work, from responsible and competent bidders."

And insert in lieu thereof the following:

"In the Government navy-yards under the direction of the Secretary of the Navy, by the officers and employés of the Government, and not by contractors."

Mr. HISCOCK. I make a point of order on that amendment.

Mr. MORSE. I fail to see where a point of order can lie against that amendment. I would like to have the gentleman state his point of order, and I will try to answer it if I can. As this entire paragraph is new legislation, it can not be held that my amendment changes existing law, because there is no law on the subject.

The CHAIRMAN. The gentleman from New York [Mr. HISCOCK] will state his point of order.

Mr. HISCOCK. My point of order is that this amendment must be a change of existing law, or else it would not be offered. It makes it incumbent that this work shall be done in the Government navy-yards, and there is nothing to show that it will reduce the amount of expenditures.

Mr. MORSE. Allow me to ask the gentleman a question. Is there any law existing now providing how these vessels shall be finished?

Mr. HISCOCK. If not, then this is new legislation, and as it does not reduce expenditures in any of the methods pointed out by Rule XXI it is not in order.

Mr. MORSE. I do not care much how the point of order may be raised, or what may be said in regard to this matter. I propose for

one, having been on the Committee on Naval Affairs for six years, to put myself on record as I feel it my duty to do. I am opposed to expending one dollar on any of these ships. I have so voted in the committee and I now propose to so vote in the House.

The original construction of these ships and the difficulties arising out of it are well known to the public and to the House. I think if my amendment should be adopted the country would be quite relieved from the stigma which now rests upon it because of the fact that these ships were constructed originally by contractors. If we will put them back into the hands of the same contractors to complete them, we will be just as badly off as we were before.

A single word more only. I desire to state that I am authorized to offer this amendment by the unanimous vote of the Committee on Naval Affairs.

Mr. HISCOCK. All I desire to say in addition to what I have said is that in this provision of the bill we have not attempted any change of law at all by providing that the work shall be done in the navy-yards or by contract. Whatever discretion is now vested in the Secretary of the Navy we have left there.

This amendment is, of course, a positive enactment, providing the work shall be done in a certain way. There is nothing in this provision indicating that it will decrease expenditures; and it is certainly new legislation.

Mr. MORSE. It might be well for the gentleman who makes the point of order to inform the Chair where the law is for the coustruction of these ships. He claims that my amendment is not in order because it changes existing law in reference to the building of these ships; and I deny that there is such a law.

Mr. TALBOTT. I ask the gentleman from New York where authority was ever given for the construction of these vessels and in what respect this amendment changes existing laws?

Mr. HISCOCK. I will read section 417 of the Revised Statutes:

The Secretary of the Navy shall execute such orders as he shall receive from the President relative to the procurement of naval stores and materials, and the construction, armament, equipment, and employment of vessels of war, as well as other matters connected with the naval establishment.

Mr. MORSE. It is clear from the provision just read by the gentleman that there is no law authorizing the construction of these ships.

Mr. ANDERSON. The position of the gentleman from New York [Mr. HISCOCK] seems to rest upon the assumption that the making of a new law is necessarily the change of an existing law. It seems to me there is a distinction in this matter. There is no law covering this particular case; and the fact that an amendment proposes to define something which has not heretofore been defined does not render the amendment obnoxious to the rule. More than that, it does not appear that if the Government builds these ships in its own navy-yards there would be an increase of expenditures. On the contrary, taking into consideration the quality of the work, there would probably be a decrease of expenditures. You may have a vessel constructed by contract for a less sum than would be required to build a vessel properly in a Government yard; but while you pay less you get poorer work. It is an exceedingly refreshing idea that the Government of the United States can not perform work of a given quality as cheaply as a contractor can do it. I hope the Chair will not assume that this provision, even if it changed existing law (which it does not), fails to reduce expenditures; for there is involved here the question whether the Government shall provide the plant and hereafter use it, or whether, on the other hand, by the appropriation in this bill it shall provide a plant for the contractor.

Mr. TALBOTT. One of the great troubles about the construction of these ironclads is that the work was entered upon in the first place without warrant of law, although the contracts have been in a measure ratified by Congress in appropriations to pay the contractors for work done up to a certain point. But outside of such appropriations there is no existing law authorizing the construction of these vessels, either by contract or in Government yards. The amendment of the gentleman from Massachusetts is clearly in order, because it does not change existing law, and it does not show on its face that it will increase expenditures. On the contrary, it may turn out, and I believe it will turn out, that the Government of the United States can finish these vessels in its own navy-yards as cheaply as the work can be done by contract.

There is no law on this subject. There is a law providing that the Secretary of the Navy may order work to be done at navy-yards——

The CHAIRMAN. Or by contract.

Mr. TALBOTT. Or by contract. Therefore we can provide in this bill that these vessels shall be built at our navy-yards, and this does not change existing law.

Mr. O'NEILL. Allow me to make one suggestion to the gentleman from New York [Mr. HISCOCK]. The very phraseology of this bill implies that in the discretion of the Secretary of the Navy this work may be done (although that is not intended by the bill) in the navy-yards of the country. The intention of this bill is that the work shall not be done in our navy-yards. Yet the phraseology of the bill is—

Which said board may advise to be first completed by new contract or otherwise.

In these two words, "or otherwise," are included the authority to have the work done in the navy-yards established by Congress for the building of the naval ships of the country. Yet the gentleman's assumption is that we are to destroy the navy-yards; to have no work done in them; to give the work out, not to contractors, but to a contractor. That is the meaning of this legislation. I speak it plainly, and I speak whereof I know.

Mr. Chairman, there is no difficulty in ruling upon this point of order; for the presumption in the first place is that the work of finishing these ships is to be done in the navy-yards of the United States.

Mr. MORSE. As it always has been.

Mr. O'NEILL. That is the presumption; that is the guide by which the Chair can readily decide whether this point of order is well taken.

Mr. TALBOTT. Mr. Chairman, there is at present no contract, so far as I understand, on the part of the Government with any of the gentlemen who own the yards where these vessels now are as to their completion.

The CHAIRMAN. Section 417 of the Revised Statutes provides:

The Secretary of the Navy shall execute such orders as he shall receive from the President relative to the procurement of naval stores and materials, and the construction, armament, equipment, and employment of vessels of war, as well as other matters connected with the naval establishment.

The Chair is of the opinion that the bill as reported by the committee provides for the construction and repair of certain vessels; that the amendment of the gentleman from Massachusetts is in the same direction, although it seeks to go further than the original proposition of the bill.

The Chair believes that the amendment offered by the gentleman from Massachusetts is in order, and therefore overrules the point of order.

Mr. ROBESON. I move to amend the amendment by adding "provided he can do the work in the navy-yards as cheaply and with as much advantage to the Government."

Mr. ANDERSON. I move an amendment to that.

The CHAIRMAN. The gentleman has no right to move an amendment without addressing the Chair, and beside there is an amendment to the amendment now pending and no further amendment is now in order.

Mr. TALBOTT. I reserve all points of order until I hear the discussion of the amendment.

Mr. ROBESON. Does the gentleman raise the point of order on my amendment?

Mr. TALBOTT. Yes, sir; until I hear the gentleman's explanation of it.

Mr. ROBESON. The amendment of the gentleman from Massachusetts is that the work of building these engines and machinery shall be done in the navy-yards. Now, my amendment simply adds to it: provided that the work can be done as cheaply and to as great advantage to the Government. I ask the gentleman first to accept my amendment to his amendment.

Mr. MORSE. I can not accept it.

Mr. ROBESON. Do I understand the gentleman to say that he will not accept my amendment to the amendment?

Mr. MORSE. If the gentleman will allow me, I will answer him why I do not accept his amendment to my amendment.

Mr. ROBESON. I yield for that purpose.

Mr. MORSE. It is perfectly clear that the contractors who originally undertook to build these ships have all the material to finish them, whereas our navy-yards, if they shall be put in charge of completing them, may require some machinery which they do not now have, and will have to pay for it, which would be for the time an additional expense, although it might be of future use to the Government and of the greatest possible future utility. It would increase the cost for the time being. Now I am afraid my friend's construction of it leaves it in doubt as to that. If his intentions are as honorable as mine, and I doubt not they are, I can not see why the Government should not consent that its own workshops and its own men shall complete these ships.

Mr. ROBESON. If the Chairman will take notice, this amendment to the amendment is subject to the point of order, because he says it will increase expenditure. If I had known that I would have made the point of order against his amendment in time. The gentleman says himself that his amendment increases expenditure.

Mr. MORSE. No, I do not.

Mr. ROBESON. It changes existing law by restricting the power of the Secretary of the Navy. That is what I understand it to be.

Mr. MORSE. It might be done, then, even for less money.

Mr. ROBESON. No.

Mr. MORSE. The machinery has been paid for.

Mr. ROBESON. All I propose is this: at the last session of Congress, when we considered this matter, official statements were submitted, and they are now contained in the report of the Secretary of the Navy, that it costs to the country one dollar to expend a dollar in the navy-yards. Therefore it takes two dollars to get the value of one.

Mr. MORSE. But still we may be better off.

Mr. ROBESON. That proposition has been repeated by the Secretary of the Navy, who has made recent investigation of the subject. It appears in his report to-day. If the proposition here is that we shall go

into the navy-yards and construct these engines and machinery, whether they are more expensive than outside or not, then I want to understand it. I want to know whether the proposition of the gentleman from Massachusetts is that we shall go into the navy-yards and construct them whether they turn out to be twice as dear there as elsewhere.

I also wish to remind the committee that the engines and machinery of these ironclads make the test of their speed and efficiency—that the efficiency of these vessels depends on their speed and power to maneuver, and that when you go into the navy-yards you depart from the specifications and plans of machinery which have been long adopted by the Navy Department, and which, according to the law of last year, were submitted to this advisory board, composed of five naval officers and two civilians, to examine those plans, and that board has reported the plans for the engines and machinery are correct, efficient, and cheap and will give us the best results. Then you have the guarantee under that recommendation, whereas if you go into the navy-yards there is no guarantee for anything. Who is to be held responsible when the ship comes out without motive power and without speed, as the plans of the single turreted monitors?

Mr. O'NEILL. I offer an amendment.

The CHAIRMAN. An amendment to the amendment is pending.

Mr. O'NEILL. I move, then, to strike out the last word.

The CHAIRMAN. That is not in order.

Mr. O'NEILL. Can I not move to strike out the last word, and be heard on it?

The CHAIRMAN. No. There is an amendment to the amendment pending. You can do so further on.

Mr. O'NEILL. I do not wish to wait. I ask the gentleman from New Jersey to withdraw his amendment to the amendment.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MORSE] has offered an amendment, and the gentleman from New Jersey has offered an amendment to that. No further amendment is in order until the amendment to the amendment has been disposed of.

Mr. O'NEILL. I understand just where the amendment stands. I want to make a proposition to the gentleman from New Jersey that he withdraw his amendment to the amendment.

Mr. ROBESON. I have no objection to the proposition, and if my amendment is adopted I will accept it.

Mr. O'NEILL. I would rather have his voted down and mine voted in.

Mr. TALBOTT. I move to strike out the last word for the purpose of making a suggestion to the gentleman from Pennsylvania.

The CHAIRMAN. That is an amendment, and there are two amendments now pending. Another would not be in order.

Mr. O'NEILL. I want to ask, then, if I can offer this as a substitute for the pending amendments?

The CHAIRMAN. The gentleman can offer it as a substitute if he so desires.

Mr. O'NEILL. Then I offer it as a substitute for the pending amendments.

The CHAIRMAN. The proposed substitute will be read.

The Clerk read as follows:

And provided, That if he should not decide to do this work in the navy-yards of the United States he shall then invite proposals from all ship-builders whose ship-yards are fully equipped for repairing or building iron or steel ships.

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that this is hardly a substitute for the amendment offered by the gentleman from Massachusetts. It is more in the nature of a proviso.

Mr. O'NEILL. It is a substitute for the proviso offered by the gentleman from New Jersey.

The CHAIRMAN. It would not be in order as a substitute for the entire amendment, and it would not be in order to offer it as an amendment at this time.

The question is upon the amendment offered by the gentleman from New Jersey, which the Clerk will again report.

The Clerk read as follows:

Provided he can do the work in the navy-yards as cheaply and with as much advantage to the Government.

The committee divided; and there were—ayes 59, noes 27.

Mr. MORSE. I make the point that no quorum has voted.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. MORSE and Mr. ROBESON were appointed tellers.

The committee again divided; and the tellers reported—ayes 70, noes 29.

So (no further count being demanded) the amendment to the amendment was agreed to.

Mr. O'NEILL. I now offer my amendment as an amendment to the amendment of the gentleman from Massachusetts as amended.

Mr. ANDERSON. Is it offered as a substitute?

The CHAIRMAN. The proposed amendment will be read.

The Clerk read as follows:

And provided, That if he should not decide to do this work in the navy-yards of the United States he shall then invite proposals from all ship-builders whose ship-yards are fully equipped for repairing or building iron or steel ships.

Mr. TALBOTT. Let me suggest to the gentleman that he add to his amendment "and from constructors of engines, boilers, and machinery." I offer that as an amendment.

The CHAIRMAN. The amendment would not now be in order; two amendments are pending.

Mr. O'NEILL. Mr. Chairman——

Mr. ANDERSON. I rise to a parliamentary inquiry.

I understood the gentleman from Pennsylvania a moment since to say that his amendment would be offered in the nature of a substitute. He now offers it, as I understand, in the nature of a substitute. I have an amendment perfecting the amendment offered by the gentleman from Massachusetts. My parliamentary inquiry is whether the amendment I propose would not now be in order rather than that proposed by the gentleman from Pennsylvania, which is a substitute?

The CHAIRMAN. The amendment of the gentleman from Pennsylvania is now offered as an amendment to the amendment offered by the gentleman from Massachusetts, and is now in order, and is not offered in the form of a substitute, but is to perfect the amendment of the gentleman from Massachusetts as amended.

Mr. TALBOTT. And I propose to offer an amendment that I know the gentleman from Pennsylvania will accede to, and adopt as a part of his amendment by adding the words that I have suggested.

The CHAIRMAN. Unless the gentleman from Pennsylvania chooses to accept the suggestion of the gentleman from Indiana his amendment can not now be entertained.

Mr. TALBOTT. I ask the gentleman from Pennsylvania to yield for that purpose.

Mr. O'NEILL. I have used the words "fully equipped for repairing or building steel or iron ships." I think that covers the whole question of machinery.

Mr. TALBOTT. It ought to provide also for proposals from constructors of boilers, engines, and machinery.

Mr. ROBESON. If the gentleman from Pennsylvania will permit me, the amendment the gentleman from Maryland proposes is, I think, entirely proper and should be adopted. This is to complete the engines and machinery, and we have no desire in the Committee on Appropriations to do otherwise than to secure the very best conditions that we can for the construction of these vessels, whether it shall be done by new contracts or otherwise, nor have we any special favoritism for any contractor or anybody else; we are only seeking to get the work done as well and cheaply as it can possibly be done for the interests of the Government.

Mr. TALBOTT. I hope the gentleman will accept the modification I have suggested.

The CHAIRMAN. The gentleman from Pennsylvania has the floor.

Mr. O'NEILL. Mr. Chairman, I do not want to disguise the fact that I am first in favor of the building and repairing of the ships belonging to this Government in our own navy-yards. The whole scope and language of this bill where it relates to this subject would lead to the inference that this building shall not be done in the navy-yards of the United States, and the argument of the gentleman from New Jersey that the work can be done cheaper outside of the navy-yards of the country by contract requires in my judgment a great deal of qualification. For my part, I say that a ship built in the navy-yards of the United States and built by our own labor is built to stay, and is far superior as a rule to the work done by contracts. These ships built by contracts may or may not be all that could be desired in that direction, but when a ship is launched from the navy-yards of the United States, whether of iron or wood, it is the perfection of workmanship, embodying in its construction the perfect skill, mechanical genius, and skilled labor which the Government is able to command.

Mr. TALBOTT. Does the gentleman from Pennsylvania accept the amendment I have proposed?

Mr. O'NEILL. I have no objection to it.

Now, Mr. Chairman, this bill looks, as I say, to getting out the vessels, these monitors, and their completion by contracts, and in that respect the language of the bill is plain. If that is not the design of the bill why are gentlemen unwilling to accept my amendment which makes it clearer and plainer that that is not the intent of the bill, and that all ship-yards which are fully equipped for repairs and building of iron or steel ships shall be invited to make proposals before giving out these contracts? Does the gentleman from New Jersey want to have the ships built at the cheapest rate and in the best manner? I take it that that is his object and that is the object of the committee. That being so, the amendment which I have proposed is certainly in the line that they themselves have suggested, and must produce the best results.

Yes, let the Secretary of the Navy be obliged—I repeat it—let him be obliged by the phraseology of this bill to invite proposals from the iron-ship builders of the country who are well-known to the Navy Department.

One word further, Mr. Chairman. I want to say this, and I think I can appeal to the gentleman from New Jersey [Mr. ROBESON] to sustain me in it: The more you keep naval officers out of ships which are being constructed or being repaired in the navy-yards, and the more you keep in them the naval constructors and the engineers and the

men who have been trained to the different branches of ship-building, the better ships you will get. Let the naval officer confine himself to sailing the ships and fighting them as an American officer can always do to the satisfaction of his countrymen, but keep them from interfering with those who understand ship-building and machinery, excepting where they may want in the construction of a ship to which they may be detailed some arrangement for their personal comfort. Those men who are adapted to the work of construction and repair you will find in the navy-yards of the United States, and although I will not attempt to depreciate, for I could not, the great skill of the American ship-builders all over the country who are not connected with navy-yards, yet, sir, I believe it is for the best interests of the Government that all such work should be done in our own navy-yards.

Mr. BELFORD. I do not know on which side of this amendment I stand. I desire to make the clear and unequivocal statement that I know nothing whatever about this bill. I never saw the ocean until last summer. I represent a State where we pay 40 cents a barrel for water. [Laughter.] And yet I believe it to be my duty to discuss as an enlightened statesman this great question. [Continued laughter.]

I have been here for four days waiting the passage of this bill. I have been edified and electrified by the learned discourses of Rear-Admiral CALKINS, from Indiana [laughter], and of Commodore ANDERSON, from Kansas, the western part of whose State does not contain water enough to freshen a salt mackerel. [Laughter.] Then I have been absolutely delighted by the learned dissertation by the gentleman from Georgia [Mr. BLOUNT], whose vision evidently rests upon a sand-hill where there is not water enough to mellow a sweet-potato. [Laughter.]

This whole debate reminds me of a sermon I heard delivered once by a distinguished African preacher. Said he: "Brethren, we have assembled here on the sacred Sabbath day to discuss great and sacred questions. In the first place I will proceed to discuss some matters about which I know a little and you know nothing. In the second place I will proceed to discuss matters concerning which you know a little and I know nothing. We will then conclude with elaborate dissertations on questions about which none of us know anything." [Laughter.] And that has been the conduct and character of this discussion during these four days.

But I rose for the purpose of calling the attention of the House to this one fact: that the days of this session are shortening; that there are great and important national questions in which the people are deeply and vitally interested and to the consideration of which we ought to give earnest attention. I refer especially to a consideration of the tariff bill. [Applause.] In the name of God, let the statesmen from the prairie States that have no water and expect to get none allow us to expedite the passage of this bill? [Great laughter and applause.]

Mr. DEZENDORF. Mr. Chairman, I believe that I am as good a protectionist and tariff man as is the gentleman from Colorado [Mr. BELFORD]; but at the same time while he has no water in his district I have plenty in mine. And, sir, while other industries in our country need protection I believe that we need to put our Navy in a condition where we can protect the country. So much, sir, for that proposition.

The paragraph of the bill under discussion provides $450,000 for the completion of machinery for an ironclad. In looking over the report of the naval advisory board I find every one of the ironclads still requires about $1,000,000 to be expended upon it for construction before it shall be in a position when you can put any machinery into it.

Now, sir, we have the Miantonomoh already completed with her machinery in her; and I would like for my part to see an appropriation made to complete the armor, the turrets of the Miantonomoh.

Something has been said about the cost of work in the navy-yards. It has been said it costs $1 for every dollar expended to expend it. What is the reason of that? We have appropriated about $2,000,000 each year in the navy-yards. There are eight navy-yards, and that money has been divided among the eight. So that it has cost, as has been said, $1 for every dollar that has been expended. I believe the plan of the present Secretary of the Navy is to reduce the number of navy-yards to four, so that that condition of affairs shall no longer exist.

As I said the other day, if you want to do this work by contract I am in favor of making the appropriation in a lump. Unless you do you will have the same state of affairs as exists to-day. For the last ten years these ironclads have been upon the stocks; and you will have to pay these gentlemen who own these ship-yards as much for the occupancy of the yards as it will cost to put in the machinery. I undertake to say that the bill of expenses upon each one of those yards will be an amount which will equal the cost of the machinery in those vessels, because they are occupying the very best space in those yards. I happened to know, Mr. Chairman, as to the cost of boilers built by the navy-yard some years ago, that it was much less than the cost of those built outside—one-third less at least—and I believe they can be so built to-day. I am in favor of the amendment offered by the gentleman from Massachusetts [Mr. MORSE].

The CHAIRMAN. The question is now upon the amendment of the gentleman from Pennsylvania [Mr. O'NEILL] to the amendment of the gentleman from Massachusetts [Mr. MORSE].

Mr. ANDERSON. I desire to offer an amendment to the amendment of the gentleman from New Jersey.

The CHAIRMAN. There is no amendment pending offered by the gentleman from New Jersey. The amendment which he offered has been included in the amendment offered by the gentleman from Massachusetts [Mr. MORSE], which has been further amended by the addition of the amendment offered by the gentleman from Pennsylvania [Mr. O'NEILL].

Mr. ANDERSON. I will then move to amend the amendment as will be shown by what I send to the Clerk's desk.

The CHAIRMAN. The amendment will be read.

The Clerk read the amendment, as follows:

After the word "work" insert the words "of the same quality;" and after the word "cheaply" insert the words "and thoroughly;" so that it will read: "Provided he can do the work of the same quality in the navy-yards as cheaply and thoroughly and with as much advantage to the Government," &c.

Mr. ROBESON. That is all right.

Mr. ANDERSON. I would like to say just one word.

Mr. ROBESON. We do not object to the amendment.

Mr. ANDERSON. I know that, but I desire to say that I was happy to hear the silver tones of my golden-headed friend from Colorado [Mr. BELFORD], and am glad to learn that he has returned to this city. I did not know that he had made his appearance here this session. I concur entirely with him in his proposition to expedite this bill so that we may take up the tariff bill, and I tried yesterday to have this bill laid aside for that purpose.

My amendment simply provides that the work shall be done of the same quality and as thoroughly in the navy-yards, and it will make an essential difference in the proposition.

The amendment of Mr. ANDERSON was agreed to.

Mr. HISCOCK. I desire to move one other amendment, as I agreed with the Committee on Naval Affairs to do. It is to change the word "determine," in line 375, to "ascertain;" and in line 378, after the word "same," insert "and all facts in connection therewith:" so that it will read:

And he shall ascertain the amounts which ought to be paid to the contractors severally for the use and occupation of their yards with said ships and for the care thereof, and report the same and all facts in connection therewith to Congress.

The amendment was agreed to.

Mr. BERRY. I desire to offer an amendment.

The CHAIRMAN. The Chair will first put the question upon the amendment of the gentleman from Massachusetts [Mr. MORSE] as amended.

Mr. BLOUNT. I ask that the amendment be again read, as it has been materially modified since it was first offered.

The amendment was read, as follows:

Strike out all from and including the word "by," in line 359, down to and including the word "builders," in line 369, and insert the following:

"In the Government yards and under the direction of the Secretary of the Navy, by the officers and employés of the Government and not by contractors: *Provided*, He can do the work of the same quality in the navy-yards as cheaply and thoroughly and with as much advantage to the Government: *And provided*, That if he shall not decide to do this work in the navy-yards of the United States he shall then invite proposals from all ship-builders whose ship-yards are fully equipped for repairing or building iron or steel ships, and from constructors of engines, boilers, and machinery."

The amendment as amended was agreed to.

Mr. BERRY. I move the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In line 357 change the word "ironclad" to "ironclads;" strike out all of line 358; also, in lines 360 and 361, strike out the words "four hundred and fifty thousand dollars" and insert in lieu thereof the words "fifteen hundred thousand dollars, or so much thereof as may be needed."

Mr. BERRY. I offer this amendment in order that these vessels which have been lying on private docks in private ship-yards for some ten years past may be completed, so far as their machinery is concerned, and put afloat.

I have been a member of Congress now for four years, and I have found this question of the ironclads consuming a large portion of the time of each session. It has been claimed that they are of no account. Some time ago I made a proposition to dispose of them for old iron. [Laughter.]

But a competent board has decided that with certain improvements they can be made first-class vessels, and such as every member of Congress will admit our Navy needs. That being the case, why should we continue to dole out a few hundreds of thousands of dollars each session of Congress, which is consumed in taking care of the vessels and making no progress toward their completion?

Therefore I think it is the part of wisdom, I think it is the part of common sense, for us to make a sufficient appropriation to put the machinery in these vessels, remove them from these private docks, and ascertain whether they are of value or not.

It is recognized by all that we need vessels to protect our commerce. I believe there is not a dissenting opinion upon this floor but what it is the duty of Congress to make some provision in regard to our Navy.

Upon looking over our Naval Register I find that we have a few old wooden ships. In the Pacific squadron I believe there are seven, not

one first class; and there are but fourteen vessels on our Atlantic coast. Our country and our commerce is exposed.

Now, here we have vessels which, if this Congress will rise to the occasion and appropriate sufficient money, can be completed, and they will then be just such vessels as the country needs.

I hope that Congress will lay aside its bickering and its penny-wise-and-pound-foolish policy heretofore indulged in, and make an appropriation of $1,500,000, which, according to the report of the advisory board, will complete the machinery and engines of these vessels and place them afloat.

I am perfectly willing that this work shall be completed in the navy-yards. In reference to the statement made by some gentleman that it costs more to construct a ship and its engines upon the Pacific coast than upon the Atlantic, I wish to say that if I am not misinformed there have been constructed at Mare Island, California, boilers for the Pensacola, and the work was as cheaply and as well done as any that has ever been done upon the Atlantic coast. The cost of transporting completed boilers is so much greater than transporting the raw material from which they are to be constructed, that it is a great saving of expense to send the material to the Pacific coast and have the boilers constructed there, rather than transport to that coast the boilers after they are constructed. I think the gentleman from Massachusetts in asserting that it costs more to construct a ship upon the Pacific coast than upon the Atlantic, was misinformed at least so far as the machinery is concerned.

[Here the hammer fell.]

The CHAIRMAN. The Chair requests the attention of the gentleman from California [Mr. BERRY] for a moment. A part of the language which his amendment proposes to strike out has already been struck out by the amendment of the gentleman from Massachusetts [Mr. MORSE]. Will the gentleman from California modify his amendment so as to conform to that already adopted?

Mr. BERRY. That is my object; I could not tell exactly how the text stood as amended. The purpose of my amendment is to change the appropriation from $450,000 to $1,500,000 and to substitute "ironclads" for "ironclad."

Mr. ATKINS. The gentleman from California, if I understand him, desires that this bill shall carry a sufficient appropriation to complete the work to be done in the Bureau of Construction and Repair and the Bureau of Steam-Engineering for all the ironclads, four in number. The estimate for that is $2,000,000.

Mr. BERRY. I think the gentleman is mistaken.

Mr. ATKINS. I have made a rough calculation, and the amount is about $2,000,000.

Mr. BERRY. If $450,000 will be sufficient to complete engines and machinery for the Puritan or any single one of these vessels, $1,500,000 ought to suffice for completing the engines and machinery of the whole four.

Mr. HISCOCK. Mr. Chairman, for four years at least I have heard it urged to some extent on this floor and elsewhere that large sums of money should be expended in the building of a navy. I will say in all frankness that I sympathize to a considerable extent with the remarks made the other day on this point by the gentleman from Georgia [Mr. BLOUNT]. I believe that if there were any deep-seated and well-founded sentiment among the people that we ought to increase and build up our Navy, the present Congress as well as past Congresses would have received demonstrations upon this subject which would have demanded an affirmative answer. I believe that a reasonable sum of money should be devoted to this purpose. We have been accustomed in times past to expend upon our Navy some $15,000,000 a year. In my judgment this is all the money, in round numbers, that should be expended annually upon the naval establishment of the United States. At the last session and in the present we have adopted the policy of preventing expenditures upon old and worthless ships that we already have and which we propose to allow to go out of use, if you please, while we believe that the money heretofore expended in repairs should be devoted to the construction of new vessels. It has not been our policy, however, to increase the aggregate amount of annual expenditure, believing that within the amount heretofore authorized and now proposed by this bill we can, if the policy I have indicated be adhered to, have a navy soon enough for all practical purposes.

Therefore, Mr. Chairman, we propose in this bill an appropriation for the completion of the engines and machinery of one of these monitors—I care not which. To some extent these monitors are regarded as experimental; and I would not expend upon them more than now proposed until they shall have passed beyond the region of experiment, in which they are now by some people deemed to be, although I do not sympathize altogether with that idea, for I believe they have passed beyond that point. But for one I protest against increasing for this purpose the amount appropriated by the present bill. Let us proceed slowly, not extravagantly; and in doing this we shall, I believe, meet all the demands which the country is making upon us in this behalf.

Mr. ROBESON. In the confusion of these various amendments more has been struck out of the bill by the amendment of the gentleman from Massachusetts [Mr. MORSE] than I think he intended. We have struck out all about the advisory board, all about new contracts; and we have struck out the appropriation of $450,000. I send to the desk an amendment designed to restore these portions of the bill.

The Clerk read as follows:

At the end of the amendment as amended insert:

"And shall build the same by new contract or otherwise, as the Secretary may think best for the interests of the Government, $450,000; but the execution of no contract shall be entered upon for the completion of either of these vessels until the terms thereof shall be approved by the advisory board, who shall approve only such contracts as may be to the best advantages of the Government, and fair and reasonable, according to the lowest market price for similar work, from responsible and competent bidders."

Mr. ROBESON. I trust that the paragraph as proposed to be amended will be read, so as to be understood.

The CHAIRMAN. The Chair will state that the amendment of the gentleman from Massachusetts [Mr. MORSE] has struck out the appropriation of $450,000, which probably he did not intend——

Mr. MORSE. I did not.

The CHAIRMAN. And also other provisions. This amendment is designed to perfect the text. If desired, the Clerk will read the provision of the paragraph, including the amendments adopted and also the amendment now proposed by the gentleman from New Jersey.

Mr. ATKINS. I wish to say just one word about this. I have not occupied the attention of the committee to any extent on this bill. It seems that $450,000 for engines and machinery has been stricken out. Now, there is not any one of these vessels which will not cost nearly one million and a half dollars to complete it, in addition to what has already been done. The Amphitrite will cost $1,294,220 to complete it. The Terror will cost $1,194,220; the Monadnock, $1,134,439; and the Puritan will yet cost $1,668,726 to complete it. So that when you make this appropriation to complete the machinery and the engines of one of these ironclads, then there must be appropriated, in round numbers, $1,000,000 to finish the vessel. Would it not be well for the gentleman from New Jersey to put that proposition fairly before the House? If we propose now to finish one of these monitors, it will cost, whichever one we take, the figures which I have indicated. In voting on it the House should understand what it is doing. If you vote $450,000, then you will have to vote a million hereafter.

Mr. ROBESON. I wish to say in regard to my amendment that unless that is adopted, limiting the expenditure to $450,000, the whole amount estimated by the advisory board, as the text now stands, will be appropriated. I have no desire, either through mistake or inadvertence, the House shall do that. All the Committee on Appropriations ask the House to do this time is to appropriate the money to build the engines and machinery of such one of these double-turreted monitors as the advisory board says ought to be completed, because the engines and machinery take a year to build, and more than a year under the best auspices, and because they can be built for a comparatively small amount of money, and because the engines and machinery when built, if not applicable to the monitors, or if anything shall have happened, can be put into other ships and be very valuable to the Government for any ship of that tonnage or capacity.

Then to complete these ironclads, with their armor, will cost a great deal more money, and that can be done in case of an emergency in forty days. In forty days, I repeat, the mere armor can be completed.

Now, we want to advance slowly, with the full accord of the country, and take what is necessary to do the thing which ought to be commenced now, postponing the other thing to a further time. The sum of $450,000 will put the machinery into the Monadnock, which is estimated at $426,000. I suppose it would put it in the Puritan, which is estimated at $455,000.

Mr. WHITTHORNE. Mr. Chairman, if I have correctly apprehended the policy of the Appropriations Committee as the proposition is now amended, while I am unwilling to vote for that proposition, yet from their standpoint I believe it to be a correct policy. It is a policy, I believe, from what the gentleman from New York has dropped in his remarks, which is experimental, and that the Appropriations Committee is unwilling to launch out on what are the complete figures for the completion of these monitors until certain experiments of the character they have indicated in this bill have been made. That is, as I understand it, in reference to deflective armor. A part of the machinery of these monitors are the turrets. Now, to make a perfect turret, and to give in my judgment value to these monitors, it is possible it may be done by deflective steel armor. In that view, then, for one I shall be of the opinion that no appropriation ought now to be made of any character for any of these monitors until we know the result of those experiments. But if an appropriation is to be made now, it can only be of the amount stated a moment ago by the member then occupying the floor; that is to say, it will not be a waste of money if you complete the engines and machinery for one of these vessels, because if anything shall happen they may be used on another vessel in the Navy. Therefore, sir, it is I would stand on the policy indicated by the Committee on Appropriations as I understand it.

Mr. BERRY rose.

Mr. ROBESON. I ask the gentleman before he offers his amendment to have a vote on mine.

The CHAIRMAN. If there be no objection, a vote will be taken on

the amendment offered by the gentleman from New Jersey. The Clerk will read the amendment, with the amendment already adopted.

The amendment was read.

Mr. ROBESON's amendment was agreed to.

Mr. BERRY. I move to strike out the letter "s," so as to make the word "ironclad" instead of "ironclads."

Mr. BERRY's amendment was disagreed to.

Mr. BERRY. I now move to strike out "$450,000" and to insert "$1,500,000."

Mr. Chairman, I wish to say a word in regard to that proposition. But first in reply to the gentleman from Tennessee [Mr. ATKINS], who stated that it would cost $2,000,000 to do this work proposed by the amendment. If I understand him correctly, I wish to say now that in the calculation he has made he has included the ordnance for these vessels. My proposition is simply for completing the machinery and the engines for the four vessels. In my judgment that should be done.

I assert, sir, that if there is any wisdom or experience to be derived from the experiments of our naval officers that we ought to adopt it, for in my judgment the day of experiments in this direction is passed. Our most competent officers, after having investigated the subject thoroughly, are unanimous in their judgment that with certain specified improvements and alterations of these vessels all the wants of the Government will be filled by their completion; and that being the case I favor the appropriation of a million and a half dollars to fit them with the machinery and engines and place them afloat so that they can be taken to our navy-yards and completed if it be found cheapest to do so. It will also relieve us of the expense which we are now incurring and to which the Government has been subjected for the last ten years of paying private parties for the space occupied by these vessels in private yards. It has been truly said by some gentlemen during the course of this discussion, that if there is any economy which enters as a factor into our considerations and legislation it would be in a short time a great saving of expense to the Government to go forward and pay at once for the completion of these ships instead of leaving them in private docks and in private yards at a constant annual expense. I believe myself that the Government would in time save money if it would place the engines in them and take the vessels away from these private yards. And I repeat, Mr. Chairman, what I have already said that if there is any wisdom to be gained from our naval officers who have investigated the subject, who are supposed to know what can be done after having examined the subject as thoroughly as they have, we have information from them that these vessels when completed according to the recommendations will be the vessels that the country is demanding. They will be the vessels that every gentleman who has spoken in favor of building up a navy for this country has over and over again asserted that the Government wants. Now, we have a large amount of money in the Treasury and our exposed condition upon the various coasts and especially upon the Pacific coast, where as has been asserted by one gentleman the little ironclads of the Government of Chili could come and levy tribute upon the metropolis of our great western country, seems to me to be an incentive for proceeding at once in the right direction to complete this work. I hope, Mr. Chairman, there will be a spirit manifested here to go forward and complete these vessels in order to provide for our national defenses and to protect our citizens and our commerce.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from California to strike out "$450,000" and insert "$1,500,000."

The committee divided; and there were—ayes 21, noes 41.

So (no further count being demanded) the amendment was rejected.

Mr. BLOUNT. I desire to know if there are any other amendments to this section, if not I shall make a motion to strike out the paragraph.

The CHAIRMAN. All the amendments which have thus far been proposed have been acted upon by the committee.

Mr. BAYNE. I wish to offer an amendment to perfect this section.

The CHAIRMAN. The gentleman will send it to the desk.

Mr. BAYNE. I propose in line 357 to strike out the word "ironclad" and insert "ironclads."

Mr. HISCOCK. The same amendment has already been voted upon and rejected.

Mr. BAYNE. I think not. It was voted upon in connection with the motion of the gentleman from California to increase the appropriation to $1,500,000.

The CHAIRMAN. It was submitted as a separate motion in the first instance by the gentleman from California and was rejected.

Mr. BAYNE. Then of course I withdraw the amendment.

Mr. DEZENDORF. I offer the amendment which I send to the desk.

The Clerk read as follows:

Provided further, That one of the unfinished monitors of the same size as the Miantonomoh, the machinery of which was built by contract, be taken to some navy-yard and the machinery constructed there in order to compare the cost between contract and Government work; and the sum of $450,000 is hereby appropriated for that purpose.

Mr. HISCOCK. I have to make the point of order upon that amendment.

The CHAIRMAN. The gentleman will state it.

Mr. HISCOCK. It is changing the existing law.

The CHAIRMAN. In what way?

Mr. HISCOCK. It increases the expenditures. It increases the total amount appropriated by this bill and changes the law.

The CHAIRMAN. The Chair asks the gentleman in what manner it changes the law?

Mr. HISCOCK. By making a positive direction as to how the work shall be done, which, under the statute, is not now positively defined. There is a law, which has been read here and commented upon during this discussion, in reference to how the work shall be done. Here is a direction that a vessel shall be built in a given way not specified by the law.

Mr. DEZENDORF. It comes under the same ruling which was made in regard to the amendment of the gentleman from Massachusetts. If that was permissible under the rule, this must also be.

The CHAIRMAN. The Chair thinks it is not subject to the point of order and that it is in accordance with the legislation now progressing.

The question is on agreeing to the amendment of the gentleman from Virginia.

The amendment was not agreed to.

Mr. BERRY. I wish to offer a further amendment to this clause.

The Clerk read as follows:

At the end of line 357 add the word "Monadnock;" and strike out line 358, so that it will read:

"The ironclad Monadnock," &c.

Mr. BERRY. Now, Mr. Chairman, the object of that amendment is that this sum of $450,000, which the committee has determined shall be the amount carried by this bill for this pupose, shall be expended upon this particular ironclad, the Monadnock. That is the purpose of the amendment. And I wish to say, or rather to repeat what I have already said, that if there is any place that the vessel will be of any service after it is completed it will be upon the Pacific coast. It is known to everybody that that coast is exposed, that our commerce there is at the mercy of any foreign foe, and that we have no defense whatever there by which we can resist the encroachments of any foreign power. We have but few guns there of any caliber and they are slow of operation, and when you take into consideration the mass of the commerce of that coast, it is certainly wise to make some provision that will give us protection.

I believe, sir, it is the intention if the vessel upon this side, the Puritan, should be completed to send that vessel around the Horn in order that it may guard our coast. If that is the intention, why not complete a vessel on the Pacific coast that must ultimately be completed and that will be of as powerful proportions as the Puritan?

I say, sir, if there is to be one completed in view of the fact of our exposed condition, that should be the vessel completed. It should be remembered that San Francisco is the fourth city of the United States as regards exports and the third city of the United States as regards imports; and that is no small consideration. I insist, therefore, if there is to be any money expended, that the interests of that coast shall not be neglected. Heretofore, sir, we have been looked upon as of such small consequence that we have had but little consideration. I believe if you look over the annals of Congress you will find that until the Forty-seventh Congress the Pacific coast received scarcely any consideration.

I insist that, as a matter of justice, a matter of necessity, a matter of wisdom, this appropriation should be directed to the completion of the Monadnock; and I hope this House will at least remove that discretionary power of the Secretary of the Navy, and direct the money shall be expended upon that vessel.

Mr. ROSECRANS. In the temper of the House during the last session of Congress a difference of opinion as to the utility of these ironclads prevailed so largely that the question of their value was referred to a commission. The commission, I understand, has reported in favor of their utility.

Mr. BERRY. And in favor of their completion.

Mr. ROSECRANS. And in favor of their completion and armament.

Now, Mr. Chairman, whatever differences of opinion there may be as to the capacity of these vessels for speed and standing rough weather, there is a disposition at least to finish one of them and have it tried. Taking these things for granted, the amendment of my colleague from California [Mr. BERRY] seems to me to be deserving of the approbation of this House.

That we need an ironclad of the first class on the Pacific coast to exercise surveillance over our interests and protect them, not merely at the harbor of San Francisco but all along the coast, there is no doubt; and the earlier we have such a vessel over there the better for our interests, if we can take a hint from the things which have happened recently on that coast.

If you are going to finish one of these vessels it seems to me it would be proper enough for that purpose to finish the Monadnock, which is already on that coast. Those gentlemen who entertain doubts about the capacity of these vessels to stand rough weather and to bear the heavy guns that will be required for the most modern armaments, and those who entertain doubts whether any of them have speed enough, ought to be convinced the Monadnock is the one which should be finished, because at all events the Pacific is a smoother ocean than the

Atlantic, and for harbor defense, at least, such a vessel could serve if for nothing more.

Mr. BLOUNT. Will the gentleman allow me to state the board have already recommended the completion of the Puritan first?

Mr. ROBESON. No, sir; it has not.

Mr. BLOUNT. I have the report here.

Mr. ROBESON. Its recommendation embraces the whole of them.

Mr. ROSECRANS. I thank my friend from Georgia for mentioning the fact he has just stated.

I simply wish to say that, whatever that board may have recommended, I am here seeking now to commend to the attention of the House the propriety of voting for the completion of the Monadnock for that purpose; and I am assigning reasons why we need a vessel on that coast. There is no doubt that we need a vessel for harbor defense there. Although the fortifications of that harbor and the guns they have mounted are sufficient upon the principle on which we made our fortifications to protect San Francisco as a port from the entrance of vessels of the old style, yet the improvements of modern vessels of war have become so great—the steam speed, the iron covering, and the heavy guns combined—as to render it impossible to defend the entrance of San Francisco against these modern vessels by the armament we have on our forts. There are but two guns of first class, and those guns could not fire more than two shots apiece while a steam-vessel was steaming by them to go into port. Now, if we had a floating battery, that is to say, if we had the Monadnock finished, and it served no purpose but that of a floating battery, it would answer, at least, for what we need as a harbor defense for San Francisco.

Therefore I hope the members of this House will take those things into consideration, and if we are going to expend $450,000 on any one of these vessels let us do it on that one which will do the most good.

The question being taken on Mr. BERRY's amendment by a *viva voce* vote, the Chair stated that the "noes" seemed to have it.

Mr. BERRY. I call for a division.

The committee divided; and there were—ayes 24, noes 38.

Mr. BERRY. I request the gentleman in charge of the bill to agree that we shall have a vote on this in the House.

Mr. HISCOCK. That is utterly impossible. There is no way in which we can have a vote in the House on an amendment rejected in the committee.

The CHAIRMAN. Does the gentleman from California desire further count?

Mr. BERRY. No, sir.

So the amendment was not agreed to.

Mr. BLOUNT. I move to strike out the whole paragraph which provides for the completion of one of these monitors; and I desire to be heard on that motion.

Mr. Chairman, the proposition in this bill is to complete the engines and machinery on one of several ironclads about which a great deal has been said in the country. It involves the completion not only of this one, but of all of them. We are simply entering upon the question as to whether or not the several ironclads contracted for by the Secretary of the Navy in 1877, in violation of what I deem to be law, shall be completed, and completed in the way this proposes it shall be done. I want to say to my friend from California and my friend from Tennessee that there is something more than an experiment in this. The Secretary of the Navy is asking for the completion of all these ironclads by different plans; and the advisory board recommend the completion of the Puritan and the completion of the others.

We may, therefore, understand, whatever may be the arguments submitted by the gentleman from New Jersey in charge of this bill, that the Secretary of the Navy and the advisory board in their policy propose not only to complete the Puritan but to complete all of these vessels. They are the officials having charge of this fund, and they will propose legislation to us hereafter upon this subject.

The present naval advisory board do recommend the completion of these monitors, with modifications. There have been other recommendations. The Stevens board recommended essential modifications; another board recommended essential modifications. Constructor Lenthall and Chief Isherwood condemned the vessels as of plans and designs of ten years since. So that we have not only the opinion of the present advisory board but various other opinions in reference to the construction and completion of these vessels.

The gentleman in charge of this bill endeavored in 1877, by a contract which I deem was illegal, the day before he went out of office, to provide for the construction of these vessels. And the gentleman now at this time, on an appropriation bill which was taken up in two hours after it came from the Printing Office, deems it proper to force this subject upon the consideration of the House. Who had any notice that we were to discuss this matter of the monitors? We all know how much difference of opinion there is in this country on the subject; how the officers of the various boards have differed in reference to it; how the public mind and the minds of members of this House differ in regard to it. Yet, without previous notice, we are asked to debate a policy which involves the completion ultimately of these monitors and the expenditure of in the neighborhood of $3,000,000.

Mr. WHITTHORNE. Of $6,000,000.

Mr. BLOUNT. Of $6,000,000 altogether; there has been a considerable sum already expended. There will be yet required to complete these vessels from three to four and a half millions of dollars.

As I stated, the gentleman who has charge of this bill, some years ago, on the 3d of March, 1877, the day before his term of office as Secretary of the Navy expired, entered into contracts with several contractors in this country for the purpose of constructing these vessels. Now, are those contracts binding? Possibly they may be; the gentleman no doubt thought so then. But the successor of that gentleman, when he came into office and found this state of things, declared that he felt it his duty to suspend the contracts, inasmuch as he regarded them as not authorized by law. From that time until the present Congress has refused to take up the matter of the completion of these monitors and carry them on.

I am unwilling, with the little opportunity we have for discussion and investigation, to adopt a policy which looks to the completion of these vessels.

The CHAIRMAN (Mr. TOWNSEND, of Ohio). The time of the gentleman has expired.

Mr. BUCHANAN. I will take the floor and yield my time to my colleague.

Mr. HISCOCK. How many minutes are there for debate on this proposition?

The CHAIRMAN. Ten minutes.

Mr. HISCOCK. On which side?

The CHAIRMAN. Altogether.

Mr. HISCOCK. Very well; I understand that that will give five minutes in opposition to the motion to strike out. Now, I do not understand how the gentleman from Georgia [Mr. BUCHANAN] can yield five minutes to his colleague, as that will leave no time for those in opposition.

The CHAIRMAN. He can do so by courtesy—by unanimous consent.

Mr. HISCOCK. I do not see how it can be done.

Mr. BLOUNT. I do not understand the status of this thing. [Laughter.]

The CHAIRMAN. The status of it is this: There is ten minutes' time allowed in discussion of this question, five in favor and five against. The gentleman from Georgia [Mr. BLOUNT] has occupied five minutes in favor, and the gentleman from Georgia [Mr. BUCHANAN], his colleague, takes the floor and yields his time, if there is no objection.

Mr. SPEER. How is it that debate is limited to ten minutes?

Mr. BERRY. That is what I want to know.

The CHAIRMAN. By the rule there is allowed five minutes for and five minutes against the proposition.

Mr. BERRY. Then why not let the gentleman from Georgia [Mr. BLOUNT] move a *pro forma* amendment?

Mr. HISCOCK. There can be no *pro forma* amendment to a motion to strike out.

Mr. BLOUNT. I do not want any advantage that is not consented to. I have spoken five minutes on my motion to strike out, and if gentlemen object to my proceeding further I will not ask to do so.

Mr. ROBESON. Does the gentleman want to preclude all debate in opposition to his motion?

Mr. BLOUNT. I do not.

Mr. ROBESON. There will be no time left in opposition.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent for five minutes' additional time. If there is no objection, he will proceed. [After a pause.] The Chair hears no objection.

Mr. BLOUNT. I maintain that it is not in the power of any Secretary of the Navy to contract for the construction of vessels without express authority of law. He may repair vessels, but he has no authority to construct them; the statute expressly so declares. Therefore, when the contracts for the construction of these vessels were made, in my judgment there was no authority of law for such contracts.

I know there was an opinion of the Attorney-General at that time that the then Secretary of the Navy might make the contract that was made, that he might contract for the construction of these vessels on condition that an appropriation for the purpose was thereafter made. But I can not conceive of any power he has to make such contracts except where authority is first delegated to him by appropriate legislation.

But, even if he had the authority to contract, as the Attorney-General declared at that time, the contracts would have been without effect unless the necessary appropriations were made. I hold that the law was violated by laying the foundation for the construction of these vessels, by contracting to pay the contractors for the use and occupation of their yards.

It is not within my power, in the limited time which I have for debate on this question, to argue thoroughly the question of the power of the Secretary of the Navy under the circumstances. We have not the time properly to investigate and consider the question whether these several vessels shall be completed or not; the question ought not to come up in this way.

If gentlemen will refer to the course of the Government before the war, they will find that in our appropriation bills appropriations were

made for current expenses; and when a vessel was sought to be constructed the Naval Committee came in with a proposition to that effect, and it received due consideration. Such ought to be the course now. Such a course would be in conformity to law. Any other proceeding, I say, is without authority of law, and ought not to be entertained.

In view of these facts, in view of the fact that there has been so much criticism, so much diversity of opinion in reference to these vessels, I for one am unwilling to give any authority of law for their completion until debate, ample, elaborate, and complete shall have satisfied the country that the complaints in this regard are unfounded.

Mr. ROBESON. Mr. Chairman, it is hardly necessary for me at this time to argue the question of the legality of the contracts which I made while Secretary of the Navy. I have long passed that point; and, resting on the opinion of the Attorney-General and my own judgment, I am willing to leave the strict question of legality to the differing opinions of other gentlemen, if they choose to oppose themselves to what I believe to be the law. All that I can say is, that the contracts were, by a special provision to that effect, made without committing the Government to the extent of a dollar. All that I cared about in reference to those contracts was that they should be found on investigation to be honest, fair, and for the interest of the Government. Six different boards, I believe—certainly five—have reported on them, and all have found them fair, reasonable, and cheap for the Government.

The gentleman from Georgia says this subject-matter is pressed upon him at short notice and without an opportunity for consideration. At the last session of Congress, after long and elaborate debate in which the gentleman, re-enforced by all who sided with him in opinion, opposed the proposition, this House adopted a provision appropriating for this purpose not $450,000 but $600,000. It went to the Senate. For the purpose perhaps of postponing the question till after the election, or for some other purpose—I do not know what—a clause was inserted withholding for the time any appropriation, but providing that an advisory board, then established by law, consisting of five officers of the Navy and two men from civil life—a civil engineer and a ship-builder—should make an examination in regard to these monitors, should investigate whether they ought to be completed, whether the contracts not only for the monitors themselves but for the engines and machinery were right. When the bill with that amendment came back to this House gentlemen expected me, perhaps, to oppose that provision. I did not. I stood in my place and said I was so sure these things were right, the reports of five or six different boards had so certainly settled them that as only four months were to elapse before Congress would again convene I was willing to submit the whole question to this board without a word and stand upon their decision.

That report has come in. The board has reported that those contracts are not only right but will produce the effect guaranteed; that the monitors so far as constructed under these contracts are not only cheap but when finished will give to the United States Government a power which for defensive use and for service in those waters over which we ought to dominate will be sufficient for our purposes, will give us control of the Spanish Main, if need be, and in the waters of the Orinoco, where to-day England is attempting to establish her South American empire; will give us control in the West Indies where to-day England, under the report of her military engineer commission, is about to establish on the island of Antigua what she calls the Malta of the West, invading with her naval power the fragments of our own continent that lie across the pathway and entrance to our inland sea, and right in the route of our commerce from New York to New Orleans and the Gulf States.

[Here the hammer fell.]

Mr. HISCOCK obtained the floor and said: I yield my time to the gentleman from New Jersey.

Mr. ROBESON. The finishing of these monitors under such proper restrictions as we have provided will give us power on the Isthmus, if necessary, to assert the dignity and honor of our country and to maintain its policy. If we now had ready for service the Puritan or some other equally powerful ship (and if you will read this report you will find that she will be more powerful than any ironclad that can cross the ocean and enter the harbors that she does, will have more speed and more strength) we could send her to the harbors of South America and enforce whatever affirmative policy the Congress and the President of the United States might undertake to pursue. As it is, by reason of the clouds which have been thrown around this question and the natural hesitation to appropriate money for matters which do not press upon us, we are powerless to-day till we complete some vessel of this character.

We only propose in this bill to complete the engines and machinery for one of these vessels, which will take about a year. We have reduced the appropriation which passed this House last year from $600,000 to $450,000. We leave the advisory board, to whom by law the question was left last year, to decide which one of these ironclads shall be completed; and these engines and machinery when finished, if for any reason these monitors should be found not available, can be placed in one of our new ships of proper size.

The question, as it seems to me, is whether we mean to do anything for the American Navy—whether we mean to do anything for the protection of our coast. It is ridiculous to build an offensive navy to go out and strike at the commerce of foreign nations if you have nothing to defend your own harbors and seaports, if you leave the accumulated capital and property of your country in the maritime cities at the mercy of any ironclad that may come in.

Twelve months from now, if an English ironclad or a French ironclad should enter for hostile purposes one of our great harbors (and the French under the impetus of their shipping laws and the bounties given to their trade are reaching out for the commerce of the world, are attempting to establish themselves in Madagascar and are opposing themselves to England wherever there is opportunity all over the world), what gentleman from New York would justify himself before the country by saying, "It is true we have had these propositions before Congress; we have had the opportunity to provide effectual defense for our harbors; but for some personal or political reason we have omitted to do so." With $150,000,000 in the Treasury we refuse to appropriate $450,000 for the national defense.

[Here the hammer fell.]

Mr. SPEER. Mr. Chairman, if any respect whatever is to be given to the constituted authorities of the Government it seems to me there is no reason why this appropriation should be stricken out.

The law, presuming perhaps that the representatives of the people here did not possess such technical knowledge on these naval questions as naval men possessed, has provided what is called an advisory board. That advisory board declares:

> It is our opinion it would be wise and expedient to finish these vessels at once, and for the following reasons.

And then it proceeds to give substantial reasons.

The law of our country also provides for a Secretary of the Navy to take charge of all naval questions. He has, in a letter written no later than December 30, last:

> The new hulls of these four monitors are in perfect condition. It is possible to build them for a reasonable amount of money economically expended, and any responsibility for further delay I am unwilling to share.

But my colleague says the Secretary of the Navy had no right in the outset to make this contract. Suppose we admit it for the sake of the argument. It is a profitless statement now so far as the Government is concerned. The contract is made; the four hulls have been completed and very recently and by recent appropriations; the Miantonomoh has been completed, loaded with iron cables representing the weight of her turrets, pilot-house, and armament, has sailed from League Island to Washington, and is now here to be inspected by members of Congress.

Now, if we desire a navy it seems to me it is cheap and practical and in accordance with the dictates of common sense we should take that nearly completed and costly material we have and bring it to a proper degree of perfection. It does seem to me, sir, in view of recent history and the immense power developed by the British Government as demonstrated at Alexandria, where the guns of the Sultan, Superb, and Temeraire blew into atoms the defense of the Egyptians and destroyed its defenders, and which enables that government now to control the rich resources of the country of the Ptolemies and Pharaohs, a country which the genius of Napoleon and the intrepidity of the French soldiers did not enable them to hold, ought to satisfy thinking men of America we need some addition to our naval force. For my part I am for the Government, and I am willing to take the opinion of the constituted authorities of the Government.

[Here the hammer fell.]

Mr. BLOUNT. I move to strike out the last word.

Mr. ROBESON. I move that the committee rise for the purpose of closing debate.

Mr. BLOUNT. Have I not the right to the floor when I have moved to strike out the last word?

The CHAIRMAN. There is an amendment now pending to strike out the whole paragraph, and the gentleman's amendment is not in order.

Mr. BLOUNT. I only want about three minutes.

Mr. ROBESON. I move the committee rise, for the purpose of limiting debate on the pending paragraph and the amendments thereto.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAGE reported that the Committee of the Whole House on the state of the Union, having had under consideration the naval appropriation bill, had come to no resolution thereon.

Mr. ROBESON. I now move that when the House again resolves itself into the Committee of the Whole House on the state of the Union the debate on the pending paragraph and the amendments thereto shall be limited to three minutes.

The SPEAKER. The gentleman from New Jersey moves that all debate on the pending paragraph and all amendments thereto be limited to three minutes.

Mr. RANDALL. I move to amend by making the limit of debate twenty minutes.

Mr. ROBESON. The gentleman from Georgia said that three minutes was enough.

Mr. RANDALL. The gentleman from Georgia spoke for himself,

but the gentleman from Tennessee [Mr. WHITTHORNE] and others wish to be heard.

Mr. ROBESON. If they want time to debate on the other side rather than take up time in division of the House, I will agree to make it ten minutes and give it all to them.

Mr. HISCOCK. The gentleman from New Jersey modifies his motion to make it ten minutes, the other side to have all the time.

The SPEAKER. Does the gentleman from Pennsylvania withdraw his amendment?

Mr. RANDALL. I do, as I made the motion in behalf of the gentleman from Tennessee [Mr. WHITTHORNE], and having accomplished that purpose I withdraw my amendment.

The SPEAKER. The Chair will then submit the question that all debate on the pending paragraph and pending amendments shall be closed in ten minutes.

Mr. ROBESON'S motion was agreed to.

Mr. ROBESON. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of proceeding with the consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. PAGE in the chair, and resumed the consideration of the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering the naval appropriation bill. By order of the House all debate on the pending paragraph and amendments thereto has been limited to ten minutes.

Mr. BLOUNT. Mr. Chairman, the gentleman from New Jersey in his remarks in replying to me said that this matter has been before Congress heretofore, and that an opportunity had been given to debate it. With reference to that statement let me say, sir, that it came before Congress in the same way that it comes here to-day; and I desire to call the attention of the committee to what Congress did at that time. Instead of allowing anything to be done toward the completion of these monitors, Congress enacted and placed this provision in the law:

> And that no further steps shall be taken or contracts entered into or approved for the repairs or completion of any of the four ironclads aforesaid until the further order of Congress.

That was the way in which the matter was left at that time. The Secretary of the Navy was expressly inhibited from doing anything or any other officer of the Government from taking any steps toward the completion or repairs of those vessels until the further order of Congress. And there was also a provision of this sort:

> The naval advisory board created by this act is directed to report to the Secretary of the Navy in detail by the 1st day of December, 1882, as to the wisdom or expediency of undertaking and completing the engines, armor, and armaments of said ironclads.

Now, Mr. Chairman, that board have examined the matter under that act and have made a recommendation. They have made estimates of the cost of the completion of these vessels and a detailed statement is submitted as to one of them, the Puritan, and with reference to the others it requests further time.

Mr. HARRIS, of Massachusetts. That report is already in.

Mr. BLOUNT. I am reading from the report.

Mr. HARRIS, of Massachusetts. But I desire to call the attention of the gentleman from Georgia to the fact that the other report to which he refers has also been submitted.

Mr. BLOUNT. The gentleman from Massachusetts informs us that the report is already in. Now, here is a proposition involving these monitors, the work on which has been postponed for years. It comes back here under the report of the naval advisory board, with their views, for the purpose of informing Congress in its deliberations upon the question.

The CHAIRMAN. The three minutes allowed to the gentleman from Georgia have expired.

Mr. BLOUNT. I understood that I was to have five minutes.

The CHAIRMAN. The Chair was informed that the gentleman from Georgia, under the arrangement made in the House, was to have three minutes and the gentleman from Tennessee seven minutes of the ten minutes allowed for general debate.

Mr. BLOUNT. The understanding was that the time was to be equally divided between us. I have no objection whatever to allowing my friend from Tennessee to have the entire time.

The CHAIRMAN. That can not be done after it has been fixed by the order of the House. The gentleman from Georgia will be recognized for the remainder of the five minutes if he desires to occupy that time.

Mr. BLOUNT. I will proceed if my friend from Tennessee can not have the time.

I was saying, Mr. Chairman, that here is a report of this board which has been made to Congress in pursuance of the law, giving their opinions in detail as to the cost of this work.

Now, has there been any examination of that report or any legislation proposed in reference to this matter? Has there been any opportunity for us to consider it in the way in which it should be considered? I say that it is but due to the country, in view of the past history of these monitors, that that report should be considered in a different form and with ample opportunity for discussion, and debate should have been had upon that report before attempting to legislate upon it.

My friend from New Jersey says he is content with his conviction of the fact as to whether or not the contracts for the monitors were authorized by law, and rests himself upon the opinion of the Attorney-General. Because of that fact I think it proper that I should fortify myself upon that question with the opinion of the Secretary of the Navy:

> I deem it my duty also to suspend these contracts inasmuch as I regarded them as not authorized by law, submitting to Congress whether or not they shall be recognized or canceled, and if the vessels are to be completed in what manner it shall be done.

That is the position taken by the Secretary of the Navy himself in reference to the contracts, and shows his opinion of them.

The CHAIRMAN. The time allowed the gentleman from Georgia has expired.

Mr. WHITTHORNE. Mr. Chairman, I propose in the brief time allowed me now simply to direct the attention of the committee for a moment to what I regard as the real question before it, and I do so without any prejudice either of past convictions or opinions as to the vessels themselves or as to the parties connected with their construction.

It will be admitted, Mr. Chairman, by every gentleman at all familiar with the present style of the armored vessels of the world and the history of naval architecture, that the proposed monitors in their armor are not equal to the first or second rate armored vessels of other nations; that in thickness of armor, in their proposed armament, and in their speed they are alike deficient.

Now, it has been said—and again just before I go to that let me say that these vessels were designed some eight or ten years ago, the contracts for their building having been made in 1874—the first contracts. Since that time there has been, as all must admit who have examined the subject at all, wonderful progress in armament and armor. Since that time there have been boards of examination directed by law to examine the condition of these vessels, three or four in number. It has been claimed that these various boards have indorsed the vessels in their present form. I beg leave to enter a denial to that statement. No board that has ever yet examined them but has stated in direct terms that they needed before their completion, to make them effective and valuable for the purposes intended, essential modifications. They have proceeded upon the idea that having expended so much money upon them it is to the best interests of the Government to go forward and complete them with the modifications proposed.

Right there, Mr. Chairman, I beg to take issue, and it is not upon a question of skill but upon the point that if we find any great improvements proposed that it is the part of wisdom and economy to abandon the idea of their old form of construction altogether and adopt such modifications and improvements as have been suggested. Now, sir, it is said that when this controversy was before the last Congress we agreed by legislation to refer it to a new board, and that board has to-day reported or is now reporting in favor of them.

Mr. Chairman, I do not desire to say anything in malice or in injustice to anybody. But in addition to what I said at a previous hour of this day in calling the attention of the committee to a remarkable discrepancy between the reports of this advisory board and the reports emanating from the Navy Department during the last session, allow me to say to this committee and to the House that when the Secretary of the Navy selected this advisory board it was unfortunate for the country that he should have selected as the president of that board the only living man, I believe, who, during the whole investigation of the Navy, was willing to be put on the record as asserting that we had a navy; and that was Commodore Shufeldt; and that among all the body of engineers he had selected the man who time after time was appointed upon boards that condemned materials for the benefit of the contractors on these ironclads—Alexander Henderson, chief engineer. And I further say, it is remarkably unfortunate that in making this advisory board the Secretary of the Navy should have selected that constructor who was the inspector of construction work on these monitors when they were in the hands of the constructors—I mean F. L. Fernald.

Mr. HARRIS, of Massachusetts. Does the gentleman claim those hulls as they now stand are not as perfect pieces of workmanship as can be found?

Mr. WHITTHORNE. I am simply now stating a fact, that as regards the interests of the people the Secretary of the Navy has not given them a fair and impartial board in this controversy. That is what I mean to state. I say, and I repeat it, it is unfortunate for the country that these three men, who from their position would do more to control the verdict of the jury than any others of the members who constitute it, should have been put upon that board. That is what I said; and in making this statement I appeal to the records of my country to sustain my assertion of facts.

Now, sir, with one word more I conclude. We are brought in face of the fact to confront it. Here are old types of vessels which in their armor and their speed are behind the age; vessels that could not stand

one hour in front of one of the gunboats of which the Chinese navy is now composed; vessels that could not now for one hour defend the city of New York or the city of San Francisco. If we are to launch out upon an expenditure of $6,000,000 I say it would be the part of true wisdom and true economy to take those $6,000,000 and build vessels in accordance with the requirements and progress of the age.

The question being taken on Mr. BLOUNT's motion to strike out the paragraph, there were—ayes 51, noes 85.

Mr. BLOUNT. No quorum has voted.

The CHAIRMAN. The point being made that a quorum has not voted, the Chair appoints as tellers the gentleman from New Jersey, Mr. ROBESON, and the gentleman from Georgia, Mr. BLOUNT.

The committee again divided; and the tellers reported—ayes 58, noes 91.

So the motion to strike out the paragraph was not agreed to.

The Clerk read the following paragraph:

For the construction of the steel cruiser of not less than 4,000 tons displacement now specially authorized by law, two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each, and one dispatch-boat, as recommended by the naval advisory board in its report of December 20, 1882, $1,300,000; and the Secretary of the Navy is authorized to construct said vessels at a total cost for each not exceeding the amounts estimated by the naval advisory board in said report, the same to be built or contracted for only with the advice and assistance of the naval advisory board, and in all respects in accordance with the provisions of the act of August 5, 1882, except as they are hereby modified; and the authority to construct the same shall take effect at once; and the Secretary of the Navy may, in addition to the appropriation hereby made, apply to the constructing and finishing of the vessels in this clause referred to any balance of the appropriation made to the Bureaus of Construction and Repair and Steam-Engineering for the current fiscal year or in the present act which may remain available for that purpose: *Provided*, That he shall utilize the national navy-yards with the machinery, tools, and appliances belonging to the Government there in use in the building of said ships, or any parts thereof, as fully and to as great an extent as the same can be done with advantage to the Government.

Mr. BLOUNT. I raise the question of order on that paragraph.

Mr. ROBESON. I desire to perfect the text of the paragraph by offering an amendment.

The CHAIRMAN. The gentleman from Georgia will state his point of order.

Mr. BLOUNT. The paragraph provides for the construction of several vessels not authorized by law.

Mr. ROBESON. Will the gentleman not allow us before the point of order is made to perfect the paragraph by changing a single word?

Mr. BLOUNT. Subject to my point of order?

Mr. ROBESON. Of course.

Mr. BLOUNT. I consent to the amendment being offered, reserving the question of order.

Mr. HOLMAN. I think it would be better to dispose of the question of order in the first place.

Mr. ROBESON. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 380, after the word "thousand," insert the words "three hundred;" so that it will read:

"Steel cruiser of not less than 4,300 tons displacement," &c.

Mr. HARRIS, of Massachusetts, rose.

The CHAIRMAN. The gentleman from Georgia [Mr. BLOUNT] has been recognized on the point of order.

Mr. HARRIS, of Massachusetts. I understood the gentleman from Georgia was willing to withhold his point of order until amendments to perfect the paragraph shall have been introduced and disposed of.

Mr. BLOUNT. I wish to present the question of order in a practical way.

The CHAIRMAN. The gentleman can present his point of order now or withhold it.

Mr. HARRIS, of Massachusetts. I desire to say the amendment of the gentleman from New Jersey [Mr. ROBESON] would be entirely useless if the amendments which I hold in my hand, and which I am instructed by the Committee on Naval Affairs to offer, should not be offered.

Mr. HISCOCK. If I may make a suggestion to the gentleman from Georgia [Mr. BLOUNT] and the gentleman from Indiana [Mr. HOLMAN], I would ask why not pursue the same course on this paragraph as on the previous one? Let the paragraph be perfected, reserving the right to make such points of order to the paragraph when presented as gentlemen please.

Mr. BLOUNT. I think we will save time by having the questions of order passed upon at the outset. I raise the question of order on the following language:

Two steel cruisers of not more than 3,000, nor less than 2,500 tons displacement each, and one dispatch-boat, as recommended by the naval advisory board in its report of December 20, 1882, $1,300,000.

I make the point of order that there is no authority of law for the construction of these vessels; that this is a new item, and therefore is out of order in this bill.

Then further it is provided:

And the Secretary of the Navy is authorized to construct said vessels at a total cost for each not exceeding the amounts estimated by the naval advisory board in said report.

Under the law as it now stands the Secretary can not make any contract binding the Government beyond the appropriations made by law, and yet here is a proposition providing a portion of the sum and giving him authority to make a contract for more. The language is explicit:

And the authority—

Not only to contract but—

to construct the same shall take effect at once; and the Secretary of the Navy may, in addition to the appropriation hereby made, apply to the constructing and finishing of the vessels in this clause referred to any balance of the appropriation made to the Bureaus of Construction and Repair and Steam Engineering for the current fiscal year.

This is a change in existing law. These appropriations under the law can not now be used except as they were specifically voted.

The CHAIRMAN. The Chair is of opinion that the point of order is not well taken. The Chair thinks that under section 417 of the Revised Statutes this House may make appropriations or not as it chooses for the construction of new vessels of war. That is what this paragraph does; and it only limits the appropriation, as has always been the rule. It has always been held by former chairmen that a bill making appropriations for a specific purpose might limit the purpose.

Mr. BLOUNT. I desire to take an appeal from the decision of the Chair and to say a word upon the appeal. I wish to say that generally I have concurred in the rulings of the present occupant of the chair, and I am not taking this appeal from any caprice or out of any want of respect for the Chair. But with all due deference to the Chair I think he has erred, and I do not believe we ought quietly, at least on this side of the House, to let the decision pass.

There is a provision in this bill authorizing the Secretary of the Navy to make contracts beyond the appropriations contained in the bill. Section 3679 of the Revised Statutes declares:

No Department of the Government shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract for the future payment of money in excess of such appropriations.

Here in this bill is a specific proposition authorizing the Secretary of the Navy to make contracts in violation of that section of the Revised Statutes, which was adopted by the Republican party in the interest of a right administration of the service, and which expressly inhibits such a thing being done.

Now, the only answer to that which has been made is this, that the Revised Statutes provides that the Secretary of the Navy shall execute such orders as he shall receive from the President relative to the procurement of naval stores and materials. That is simply a declaration that he shall be subordinate to the President of the United States so far as giving orders is concerned. But the President of the United States is himself bound by law, by the law which declares that no Department of the Government shall make any contract without authority of law and beyond the amount appropriated. Every head of a Department recognizes that law, and there is not a member of Congress on this floor, I take it, who will support any other theory.

Now, if the position of the Chair is correct, what need of this provision in this bill? Why should we discuss the question of giving the Secretary of the Navy authority to build new ships? Why should not the President, under the section to which the Chair has appealed, exercise an absolute and uncontrolled authority and direct vessels to be built whenever he pleases and according to such plans as he pleases, simply directing the Secretary of the Navy to have it done?

Is that our attitude, and is this House prepared to consent that that ruling of the Chair is correct? I trust that it will not be permitted to stand.

The CHAIRMAN. The question is on the appeal of the gentleman from Georgia [Mr. BLOUNT], and is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and upon a division there were—ayes 85, noes 62.

Mr. SPRINGER. Is that a quorum?

The CHAIRMAN. It is.

Mr. SPRINGER. I call for tellers.

Tellers were ordered, there being 35 in the affirmative—one-fifth of a quorum; and Mr. BLOUNT and Mr. ROBESON were appointed.

The committee again divided; and the tellers reported that there were—ayes 91, noes 58.

So the decision of the Chair was sustained.

Mr. HARRIS, of Massachusetts. I send to the Clerk's desk an amendment which I am instructed by the Committee on Naval Affairs to offer.

The CHAIRMAN. The amendment will be read.

The amendment was read as follows:

Strike out all of the paragraph from line 379 down to and including the words "take effect at once," in line 394, as follows:

"For the construction of the steel cruiser of not less than 4,000 tons displacement now specially authorized by law, two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each, and one dispatch boat, as recommended by the naval advisory board in its report of December 20, 1882, $1,300,000; and the Secretary of the Navy is authorized to construct said vessels at a total cost for each not exceeding the amounts estimated by the naval advisory board in said report, the same to be built or contracted for only with the advice and assistance of the naval advisory board, and in all respects in accordance with the provisions of the act of August 5, 1882, except as they are hereby modified; and the authority to construct the same shall take effect at once."

And insert in lieu thereof the following:

"For the construction of one steam cruising vessel of war, having a displacement of not less than 5,000 nor more than 6,000 tons, as authorized by the act of August 5, 1882, making appropriations for the naval service for the fiscal year

ending June 30, 1883, and for other purposes, at an expense not to exceed the sum hereby appropriated, the same to be adapted to be armed in all respects according to the terms of said act, $2,300,000.

"For the construction of one steam cruising vessel of war, of not less than 4,000 tons displacement, having the highest attainable speed, and having full steam-power and not less than two-thirds of full sail-power, to be adapted to be armed with four breech-loading rifled cannon of high power, of not less than 8-inch caliber, and with not more than ten breech-loading rifled cannon of high power, of not less than 6-inch caliber, at a cost not exceeding the amount hereby appropriated, $1,352,000; this vessel to be in lieu of the second vessel named and provided for in said act of August 5, 1882.

"For the construction of three steam cruising vessels of war, of not less than 2,500 tons displacement each, having full steam-power, and not less than two-thirds of full sail-power, adapted to be armed each with two breech-loading rifled cannon of high power, of not less than 8-inch caliber, at a cost not to exceed the amount hereby appropriated, $2,587,500.

"For the construction of one dispatch vessel or 'clipper,' to have an average sea-speed of not less than fifteen knots per hour, adapted to be armed with one breech-loading rifled cannon of high power, of not less than 6-inch caliber, and with four revolving-machine guns, $430,000.

"For the construction of one cruising torpedo-boat, one hundred feet long, $38,000.

"All of said vessels to be constructed out of material and under the supervision provided for in said act of August 5, 1882. Either of said cruising vessels may be provided with interior curved deflective steel armor and steel deflective gun-shields or turrets, substantially upon the design of Passed Assistant Engineer N. B. Clark, if, in the opinion of the Secretary of the Navy and the naval advisory board, the same are deemed practicable; and the authority to construct said vessels shall take effect at once.

"For the purchase or manufacture of cannon and their carriages, and for machine-guns for the armament of said cruising vessels and said dispatch vessel, in the manner above provided for, $1,161,000.

"And the Secretary of the Navy is hereby authorized to contract for the purchase or manufacture of said cannon, their carriages, and machine-guns with reputable and responsible American manufacturer or manufacturers, at the lowest bid after advertisement and competition. Said cannon shall be constructed upon such designs and of such material as shall be approved by the advisory board; and said contracts shall contain such terms and conditions as the Secretary of the Navy and said advisory board shall deem best calculated to secure prompt execution and perfect workmanship, and shall best protect the interests of the United States.'

Mr. ROBESON. I desire to move that the committee now rise, in order that some limit of time for debate on this paragraph may be fixed by the House.

Mr. HOLMAN. I wish to reserve all points of order on the amendment which has just been read.

Mr. ROBESON. All right.

The motion that the committee rise was then agreed to.

The committee accordingly rose; and Mr. ROBINSON, of Massachusetts, having taken the chair as Speaker *pro tempore*, Mr. PAGE reported that the Committee of the Whole on the state of the Union had had under consideration the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes, and had come to no resolution thereon.

Mr. ROBESON. I move that when the House shall again resolve itself into Committee of the Whole for the consideration of the naval appropriation bill all debate upon the pending paragraph and amendments thereto be limited to——

Mr. TALBOTT. Say 5 o'clock.

A MEMBER. Five minutes.

Mr. ROBESON. Would thirty minutes be sufficient?

Mr. BLOUNT. I suggest an hour.

Mr. ATKINS. The gentleman had better say one hour.

Mr. ROBESON. I move, then, one hour as the limit.

The SPEAKER *pro tempore*. The gentleman from New Jersey [Mr. ROBESON] moves that when the House shall next resolve itself into Committee of the Whole for the consideration of the naval appropriation bill, all debate upon the pending paragraph and all amendments thereto be limited to one hour.

Mr. TALBOTT. I move to amend by striking out "one hour" and inserting "two hours."

The amendment of Mr. TALBOTT was not agreed to.

The motion of Mr. ROBESON was agreed to.

Mr. ROBESON. Of course now it is understood that the time allowed for debate shall be divided fairly between the two sides. I would like to know who is to control the time of the other side. If my colleague on the Committee on Appropriations, the gentleman from Tennessee [Mr. ATKINS], will take charge of half the time, I shall be content.

Mr. ATKINS. I do not want to occupy any time myself; but I have no objection to distributing the time.

Mr. ROBESON. I move that the House again resolve itself into Committee of the Whole for the consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. PAGE in the chair, and resumed the consideration of the naval appropriation bill.

The CHAIRMAN. By order of the House all debate upon the pending paragraph and all amendments thereto has been limited to one hour. The gentleman from Indiana [Mr. HOLMAN] has raised a point of order upon the amendment of the gentleman from Massachusetts [Mr. HARRIS].

Mr. HARRIS, of Massachusetts. I ask the gentleman from Indiana before pressing his point of order to listen to the explanation I have to make concerning this amendment, so that he and other members may understand what it is.

Mr. HOLMAN. I am willing to reserve my point of order until the gentleman has explained his amendment.

Mr. HARRIS, of Massachusetts. In the brief time alotted to me the Naval Committee of this House is, I presume, to utter its last word in favor of improving the American Navy. Possibly some colleague of mine may be able to obtain a few minutes in this discussion, but, sir, this is probably the last time I shall have occasion to address the House upon this subject. At the close of this session I shall have no further occasion to consider questions connected with naval affairs. I hope that in the fifteen minutes now allowed me I may be able at least to place upon the records of my country opinions concerning the Navy which, if not useful to-day, may be useful to others hereafter.

At the last session of Congress we authorized the construction of two steel cruisers of war. The Committee on Naval Affairs, after examining the subject with great industry, recommended the construction of two cruisers of war of the first class, of 5,000 to 6,000 tons burden, to be armed in a certain way, and the construction of four others of a displacement of about 4,000 tons, to be armed in the way specified in their bill. That bill lies buried upon the Calendar. The Committee on Appropriations at the last session took from that bill and put into the naval appropriation bill a provision authorizing the construction of two of the vessels I have named, taking especial pains to provide that they should be adapted to be armed with a certain kind of guns. That bill passed, with a meager appropriation, not large enough to lay the keel of either vessel. Neither has been begun.

The Secretary of the Navy at this session has, upon the recommendation of the advisory board, asked that the ship of the first-class provided for at the last session should not be built; that there should be constructed a ship of 4,000 tons instead of 4,300, three steel cruisers of war of 3,500 tons each, a clipper or dispatch vessel of about 1,500 tons, bearing a single gun, and one torpedo-boat. The Committee on Naval Affairs could not quite agree to the proposition of the Secretary of the Navy. They therefore adopted in the form of a resolution the exact provisions of the amendment which I have now had the honor to offer, and sent it to the Committee on Appropriations. The Committee on Appropriations, however, saw fit to provide for the construction of one ship of 4,000 tons, three of 2,500 tons, one dispatch-boat, and a torpedo-boat.

The amendment I have submitted looks the issue squarely in the face without dodging. The reasons which led us to recommend at the last session the construction of a large ship are reasons which we stand by to-day. We want one ship of the best possible construction, capable of the greatest speed. This can not be obtained in any ship of less than 5,000 tons burden. Therefore we are not willing to abandon that ship.

But, sir, we say we are ready to appropriate the $2,300,000 for the beginning and to complete the construction of that vessel with her guns; and we say that is the way to meet the question. Instead of that this bill authorizes the construction of four new ships and puts the meager sum of $1,700,000 into the hands of the Secretary of the Navy for the purpose of carrying out that work. Does the House mean to put the Secretary of the Navy in the same position in which he now is in regard to ironclads, where he can not make a contract which will finish a single ship that is authorized? I believe it is wisdom on the part of this Congress to go ahead and recognize the fact we have no navy and that we should vote the appropriations necessary to build one.

My friend from New York [Mr. HISCOCK], the chairman of the Committee on Appropriations, has said to-day, and I beg to take issue with him, that the American people have not signified their desire to have a navy.

The CHAIRMAN. The gentleman's time has expired.

Mr. HARRIS, of Massachusetts. I hope I may be permitted to proceed for some time longer.

The CHAIRMAN. It was the understanding that the gentleman from Massachusetts should have fifteen minutes of the time allowed to his side for the debate; and if there be no objection the Chair will permit the gentleman to proceed.

There was no objection.

Mr. HARRIS, of Massachusetts. I beg to say, if we could eliminate unpleasant controversies about personal affairs, if we could throw out of this question all controversy about ironclads and take up the question of a navy competent to take the sea as an aggressive power, the people of this country have expressed their desire to have a navy, and from every quarter of the country it comes up, it is a disgrace and a dishonor to this country we have not a competent and efficient navy on the sea. The Committee on Naval Affairs prefer to come squarely out and say what its policy is, what in its opinion and judgment ought to be done. We recommend the construction of a 4,000-ton ship, and we put the whole cost of that ship into our amendment. We recommend the building of three 2,500-ton ships, and put their whole cost into the bill. We also recommend the building of a dispatch-boat and torpedo-boats. That is the policy which the Committee on Naval Affairs have felt it to be their duty to adopt, and although the sum here is large, yet we place the sum right in connection with the authority to build the ships, so that the work may be prosecuted with speed and be early brought to conclusion.

Lest I may be cut off by the falling of the hammer, I will now call the attention of the committee to the proposition we put in there for the making of guns. We have taken the advisory board's estimate for ships' guns, and we say to arm these vessels authorized by that amendment will require for guns, carriages, and machine-guns, $1,161,000.

Now, sir, what has the Appropriations Committee done for guns? There is an appropriation of $100,000 in this bill for guns, to be expended under the Ordnance Bureau, together with the unappropriated balance of last year. To do what?

Mr. Chairman, I very much dislike to assail anybody or any bureau. It is not my habit, but in the face of the fact this country is armless and defenseless on sea and land, I think we should come up to this question of the construction of cannon at least, and satisfy ourselves whether this is the cheapest and the best way to get the guns we need. Is it the best way and the cheapest way to appropriate the paltry sum of $100,000 merely for the purpose of allowing the Bureau of Ordnance in the Navy Department to learn the art of gun-making at the Washington navy-yard, where they have not a steam-hammer of more than sixteen or seventeen tons weight, and, I believe, much less than that? We protest against allowing a line officer not educated in the art of gun-making to find out how to make a cannon. Yet we are here giving him $100,000 in order that he may teach himself and associates how to construct guns. I believe they have begun five little 6-inch breech-loading guns as an experiment.

We had the head of that bureau before us last year, and we supposed, as the Committee on Naval Affairs, we could get some information how our ships should be armed, but we were humiliated by being told that in a couple of years, with an appropriation of $100,000 a year, they might be able to advise us. Now, sir, I am not disposed to trifle with the country, nor am I disposed to be trifled with by any head of any bureau. Europe is armed with guns both by sea and land. The Armstrong, the Whitworth, and the Krupp guns bristle all over that continent and upon every sea, and yet the American Navy can not tell what gun it is necessary to construct or purchase.

I propose to meet the issue here to-day, and I propose this Congress shall say to that Department, "There is $1,160,000, the sum you have estimated to complete certain ships. We put into your hands this fund, not to learn the art of gun-making, but to provide us with guns. You shall do it by offering to American manufacturers of guns the opportunity to compete, and you may bind them to any conditions or contracts which will insure good workmanship." This is the policy of the Committee on Naval Affairs, and it is the policy which I believe the people of this country will ratify from one end to the other when they understand it. I do not wish longer to grope in the dark in this line of providing a navy. Not only the committee of this year but the Committee on Naval Affairs of last year, when my friend from Tennessee [Mr. WHITTHORNE] was chairman, joined in this recommendation. Not only this committee but that committee felt the time had arrived when fleet cruising vessels should be put on the sea for the defense of our flag and the maintenance of our honor.

To-day, sir, as my friend from California said a moment since, we have not a cruiser upon the west coast of our continent. We have not an ironclad to defend our western coast; and if a war should spring up with some of the little powers of South America on the west side of our continent we have no cruising vessel or ironclad to cope with them, and in the first few weeks of war our humiliation would be simply terrible. Why, sir, San Francisco might be placed under such a contribution in a single day as would equal five times the amount of the appropriation we are asking. Even the city of New York, in the first two weeks of such a war, might be made to contribute a thousand times more than we ask for this the beginning of our Navy. And I am sorry to say—I did not expect it—that we are dividing on this question a little on party lines.

Now, upon this question in our committee, I have to say with satisfaction that there has been no such thing as politics. Gentlemen representing each of the political parties have bent themselves to the consideration of the stern demands of our country. Our recommendations are the recommendations of all of the members of that committee without regard to politics, and in this amendment which I have offered I have the hearty—I believe—the hearty approval of every member of that committee.

Mr. Chairman, we recommend the construction of a large ship. It stands authorized in the law. We believe we ought to construct that. We, as a committee, are not willing to abandon it, and we had behind us when we recommended it that old advisory board of officers, many of whose names are never spoken without a glow of patriotic enthusiasm, a board with old Admiral John Rogers at its head. We followed the advice of that sort of men. Congress ratified what we did. They authorized the construction of the ship, and we propose to stand by our action at that time.

While I would not antagonize the Secretary of the Navy, while I believe he means to do for the Navy the very best thing in his power, I propose to stand by my own convictions and the opinion of men whose suggestions upon this subject commend themselves to my judgment; and I can not consent, and my committee have not yielded, to a request that we build something else other than what was then authorized. If, Mr. Chairman, we have not in our Navy Department and upon our Register men who feel themselves competent to lay down the lines of such a ship as we recommend, let us know it.

Gentlemen here upon the floor undertake sometimes to attack the bureau system. We say the best mode of attacking that system would be to put it to the utmost strain of which it is capable, to find out whether it is competent to perform the duties they are assigned to do; and if it is not competent I would pile a weight of duty upon it that would crush it out of existence forever. We can not wait, Mr. Chairman, to begin the instruction of our naval officers with a view to teaching them the art of construction and engineering, arts that they should long ago, under the system of training to which they have been subjected, have thoroughly mastered. This is not the time to begin their instruction. We demand of them by this bill the execution of the law of Congress, and if they are not competent to execute that law we will soon find it out. My method of treating the subject is, perhaps, rather a business method. I entered upon this thing of building up the Navy in a business way, and I desire now to put upon record my emphatic declaration that I will vote for no bill and support no law which is sought to be enacted here which does not appropriate the money to execute the will of Congress with regard to these new vessels of war.

[Here the hammer fell.]

Mr. ATKINS. I do not know, Mr. Chairman, but that I may be subject to the criticism of the gentleman from Colorado this morning. I am not sure that I shall enlighten the House; but as the gentleman from New Jersey has seen fit voluntarily to assign to me the honor of dividing out the time allowed for discussion on this side of the House, I propose to at least show respect to the gentleman, and say a word or two upon the subject.

I think, Mr. Chairman, that the remarks made by the gentleman who has just resumed his seat are rather a criticism upon the authorities of our Government. You have spent since the war, in round numbers, $300,000,000 upon the American Navy and the naval establishment. The gentleman shakes his head. I say we have spent near about it. I am not exactly correct, but I tell him and this committee that this Government has spent nearly $300,000,000 upon the American Navy since the war and its establishment, and yet, sir, you have heard the piteous appeals which he has made to-day to the committee in behalf of his amendment and in behalf of the suggestions made by the Committee on Naval Affairs in the last Congress and the Congress preceding it as well as during the present Congress. I say it is a commentary upon the administration of this arm of the public service.

Mr. HARRIS, of Massachusetts. I suppose of course the gentleman would not like to have it understood that he means to state that such a sum of money has been expended upon the ships or the armament of our Navy?

Mr. ATKINS. I am speaking of the aggregate sum of the naval appropriation bills during that time.

Mr. HARRIS, of Massachusetts. That, of course, includes pay and other expenses.

Mr. ATKINS. I speak of the appropriation bills which have passed Congress since the war, amounting, as I believe, to $300,000,000 or thereabout in round numbers, of course including the pay of the Navy. Something besides the mere pay of the Navy and a few old worthless hulks ought to have come out of such a stupendous appropriation as that.

Now, sir, the gentleman has also spoken in a sneering manner of the $100,000 appropriated for guns in this bill; he has spoken of that in such a way as to convince this House that we have no officers, no artisans in our Navy competent to make guns.

Mr. HARRIS, of Massachusetts. We never had guns in our Navy made by officers of the Navy.

Mr. ATKINS. We have no artisans competent to make guns! If that is true, we have no artisans competent to make ships. And just for that reason I have opposed his proposition in this bill. I have become persuaded and satisfied that the naval authorities are incompetent for the task which the gentleman from Massachusetts would now thrust upon them. I say I have become satisfied of their incompetency, and I am not surprised at it. I do not wonder at it. The naval authorities of the world have shown themselves incompetent. There are constant changes in gunnery and constant changes in armor. Why, it was but the other day the gentleman from Tennessee, my colleague [Mr. WHITTHORNE], alluded to the test which had been made at Spezzia, in Italy, with regard to armor, and it was there shown that armor had been found that was superior to projectile force. A while back, perhaps a year ago, it was understood that projectile force had the advantage of resistance; now resistance has the advantage of projectile force.

It seems the vast amount of money we have appropriated has been sunk. For whether you paid it to the Navy, it is gone; or whether you put it in useless ships and they have rotted, it is gone. For I have the authority of the gentleman to say we have no navy. But it seems at last we have not suffered; we have really lost nothing, so far as not inaugurating a great navy is concerned. For had we appropriated $50,000,000 or $100,000,000 five years ago, as the gentleman would probably have had us do, the money would have been expended on worthless guns, and worthless ships would have been the unprofitable result.

Sir, I feel that the gentleman has brought us to this conclusion that we had better pause, we had better wait till the trials at Spezzia have been proved, and that we had better wait till some other trials shall have shown that the best gun has not yet been made; and when you have got approved patterns and models of ships and guns, then I would be prepared to meet the gentlemen with liberal appropriations to increase the American Navy. I will not have the honor to be on the floor of the next House, but were that distinction vouchsafed me I would be prepared to vote the money to start a navy worthy of this great Republic upon the latest and best-known models. But until so distinguished a gentleman as the chairman of the Committee on Naval Affairs shall cease to intimate, ay, to charge, upon the floor of the American Congress that we have not got the artisans to build guns and therefore we have not really got them to build ships——

Mr. HARRIS, of Massachusetts. I beg the gentleman's pardon. I say we have never had any officers of the Navy——

Mr. ATKINS. I did not interrupt the gentleman. The gentleman may take a portion of the thirty minutes to reply to me.

Mr. HARRIS, of Massachusetts. The gentleman from Tennessee, I think, does not desire to misrepresent my statement.

Mr. ATKINS. I did not misrepresent the gentleman; I may have misapprehended him.

Mr. HARRIS, of Massachusetts. What I said was that we have never yet educated a line officer of the Navy to become a blacksmith for work of this kind.

Mr. ATKINS. The gentleman from Massachusetts sneered at the idea of the $100,000 and said it was to teach men how to make guns. If they are to be taught they have not learned. If they are to be taught they are yet apprentices; they are not preceptors, but mere apprentices in the work.

Now, sir, one word more. I say, Mr. Chairman, that the gentleman has offered an amendment. I could hear it but indistinctly, but if I understood it it was to enlarge the authorization of the Navy in the construction of vessels over and above the recommendations contained in the bill—was it not?

Mr. HARRIS, of Massachusetts. It does not enlarge it over the authorization of last year and this year.

Mr. ATKINS. Last year we provided that two steel cruisers, one of not less than 5,000 or greater than 6,000 tons displacement, and another of not less than 4,500 or greater than 4,700 tons displacement, should be constructed. And we are told to-day, I believe, by the gentleman from New York or the gentleman from New Jersey, I do not remember which—or perhaps it was the gentleman from Massachusetts—that not a blow has been struck for the construction of these two vessels which were authorized by Congress. Why has not a blow been struck? Is it because they did not have the money? No, sir. Is it because there was not a demand that these vessels should be constructed? You can not say that, for you said there was. Why is it? Is it because they are incompetent? Is it because, as I charge the gentleman intimated, there is no one competent to do this work? Or is it because no models of ships have yet been made that satisfy the judgment of the Secretary of the Navy and his advisory board? Is that the reason? Whatever the reason may be, it has not been done.

Now we are called upon to proceed with another proposition. Other vessels are proposed to be constructed. How does the gentleman know that the Secretary of the Navy will not fold his arms and come back to you a year hence and say, "Nothing has been done?" I think it would have been candid and that it would have been in the interest of the Government if the Secretary of the Navy had notified the country why these vessels were not begun.

Mr. HARRIS, of Massachusetts. He has done so.

Mr. ATKINS. This bill proposes in its text that we build one vessel of 4,000 tons displacement, two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement, and one dispatch-boat. They aggregate, according to the estimates, the sum of $4,099,304. The sum of $1,300,000 is appropriated in this bill. That subtracted from the aggregate sum estimated leaves $2,799,304 to be appropriated hereafter for the finishing of these vessels, for which they admit in effect that they have no approved model; and if they have, we have no approved model of guns with which to arm them.

Now, let me say, just wait! There is luck in leisure. I do not believe that this Government will lose anything by waiting another year. Let us see what these tests will prove. Let us see whether inventions will be made, as we have a right to believe there will be; for, sir, there is nothing in which there have been greater changes in the last five years than there has been in these two matters of projectile force and resistance as applied to guns and ships.

Mr. HARRIS, of Massachusetts. I hope the gentleman will allow me a minute or two.

Mr. ATKINS. How long have I been speaking?

The CHAIRMAN (Mr. REED). About fifteen minutes.

Mr. ATKINS. I beg pardon of the committee for trespassing on its time, for I did not intend to say anything on the subject. I have agreed to yield five minutes to my colleague [Mr. WHITTHORNE].

Mr. HARRIS, of Massachusetts. Will the gentleman yield to me for a moment?

Mr. ATKINS. I will yield for a question.

Mr. HARRIS, of Massachusetts. The gentleman promised me two or three minutes.

Mr. ATKINS. At the close of the debate.

Mr. HARRIS, of Massachusetts. At the close of the debate?

Mr. ATKINS. Perhaps I had better allow the gentleman to say what he wants now.

Mr. HARRIS, of Massachusetts. I should prefer it now.

Mr. ATKINS. Very well; go ahead.

Mr. HARRIS, of Massachusetts. The gentleman has represented me as saying that we have no artisans in our Navy who can build ships and engines.

Mr. ATKINS. I argued that from your speech.

Mr. HARRIS, of Massachusetts. I desire to say that I said no such thing; I meant no such thing, and it is not true. What I did say, and what I meant is, that no officer of our Navy——

Mr. ATKINS. Will the gentleman allow me?

Mr. HARRIS, of Massachusetts. Certainly.

Mr. ATKINS. I thought I was plain enough in stating to the House that I drew that inference from the gentleman's remarks by putting his speech together. That he used those very words I do not pretend to say. I simply meant to say that I inferred that from his speech. And I do not think if the gentleman's speech could be read as made just now to this committee that my criticism would be regarded as an unfair one.

Mr. HARRIS, of Massachusetts. If I made a speech which produced that impression on the mind of the gentleman I ought certainly to be allowed to say a few words to correct that misconstruction.

I do claim that we have men who can lay down ships, who can make engines. That our artisans in our navy-yards can do all that is required of them I believe. But I did complain that the gunmakers of this country are not allowed to make any guns for us, and that we are spending money to educate a line officer of the Navy to make guns. That is what I object to. I say that if you will allow the American gunmaker a fair opportunity——

Mr. ATKINS. Whose fault is that?

Mr. HARRIS, of Massachusetts. The fault of Congress.

Mr. ATKINS. Did Congress assign a line officer to this duty?

Mr. HARRIS, of Massachusetts. I did not say that.

Mr. ATKINS. Does the gentleman say that a line officer is assigned to make guns who is incompetent?

Mr. HARRIS, of Massachusetts. I do not think any officer is assigned to make guns. I think the officer of the line who is the chief of the bureau——

Mr. ATKINS. Did Congress appoint him chief of the bureau?

Mr. HARRIS, of Massachusetts. No, sir; I am not complaining of Congress in that respect. The officer of the line who is the chief of the bureau should be authorized to find out what kind of gun to buy and to recommend it; that is his duty. I mean to say that for many years we have not offered to the gun-makers of the country an opportunity to construct any guns; and until Congress authorizes and instructs the Secretary of the Navy to purchase or manufacture guns for the armament of the Navy we shall continue to be as helpless as we are to-day. That is all I desire to say.

Mr. WHITTHORNE. Somewhat like my friend from Massachusetts [Mr. HARRIS], I think the time I may now occupy in addressing the committee, that is, five minutes, will be the last opportunity that I shall have to say anything about the Navy of the United States.

I am a friend of the experiment of building steam cruising vessels, but I am not a friend of either of the pending propositions, that contained in the bill or that submitted by my friend from Massachusetts [Mr. HARRIS], the chairman of the Committee on Naval Affairs.

We are not prepared to build steel cruisers in any one of the navy-yards of the United States. We are not prepared in any of our navy-yards or in any of the workshops or manufacturing establishments of the United States to supply the guns that should be used on the steel cruisers when constructed.

Therefore, while advocating the construction of steel cruisers I shall advocate the building of them entirely by contract throughout, from the laying of the keel to the armament. In order to do that I would take away from the Secretary of the Navy the power of making any contract for the purpose, and I would put that power into the hands of intelligent officers of the Navy, and I would let the work of supervision rest with them, and with them alone. In my judgment the undertaking to build any of these vessels at our navy-yards, owing to the want of preparation and completeness for the work, will result in failure.

Now, we want something that the world has not got; we want the fastest clipper or war vessel that can ride the waters. That is what we should have. And in the event of a failure the responsibility should fall on the man who undertakes the contract, and not upon the Government.

With these views, and without occupying further the attention of the committee, for I know it is wearied with this discussion, I have simply to say that I shall propose an amendment in lieu of the pending paragraph, providing for carrying out my ideas upon this subject and

contracting for the building and armament of two steel cruisers. With that statement I am done.

Mr. ATKINS. I now yield five minutes to the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. In all the discussions that have occurred from time to time for many years on the subject of an increase of our Navy, I have listened in vain for a substantial reason why the Navy of the United States ought to be enlarged.

Brilliant generalities have been indulged in, patriotic speeches made, and pride of country appealed to, but the necessity for an increase of our Navy has not been shown.

It has been sometimes said that the object of enlarging our Navy was to protect our commerce. When in time of peace has our Navy been engaged in protecting our commerce? Many gentlemen of the House doubtless, during the month of August last, had occasion to read a very able article published in one of the leading periodicals of the country by an experienced officer of the Navy, and saw at once, however inexperienced he may have been in regard to the relations of our Navy to the commerce of our country and of the world, how absurd the argument. Ships of war no longer convoy the merchant ship. Your consuls-general, consuls, and vice-consuls in the marts of all nations protect and guard your foreign commerce under the protecting shelter of the flag of our country. No government of Europe, especially in time of peace, keeps up a navy for such a purpose. The navies of the world have nothing to do with the commerce of the world. Do the navies of England or France keep vessels of war on your coasts to protect their commerce?

But it is suggested that in the complications which occur in the affairs of nations our Government may not always continue at peace, and that therefore we should imitate the policy of monarchies and maintain a strong navy. Sir, what is the object of powerful navies in European governments? Not the extension or protection of their commerce, for their vessels do not follow in the track of their trade or the highways of their commerce. What is the object of those European navies? To meet those exigencies which arise by reason of the petty ambition of crowned heads, and more than that, to overawe their people by a display of physical power. Gentlemen refer to England and her great navy which lives on the life-blood of her people.

England keeps a strong army and navy, not merely with reference to her domestic and international necessities, but to watch her colonies, subject empires which belt the globe, and awe them into submissive peace. Are we to imitate such a policy?

Monarchies, holding the sword upright, rest for security on overgrown armies and frowning ships of war. Are we to imitate them? Are we, in distrust of our people—the sovereigns of this nation—and to guard against possible danger in future years, to indulge in the costly luxury and vain display of power which impoverishes the toiling multitudes of Europe? I deny the right of the American legislator to appeal to any supposed sentiment of timidity of the American people, any supposed apprehensions of unseen or remote danger, to justify the annual expenditure of those millions of dollars. The pending bill exceeds fifteen millions of dollars. The amendment pending involves over six millions more. New ships must be built that we may display abroad the power and resources of our Government. Feeble governments may find this splendid display of power necessary to maintain their footing among the nations. But is this vain display of national power necessary to secure to the first in the rank of nations the respect of other nations?

Gentlemen underrate their country when they speak as if the strength of this Republic and its standing among the nations depended upon the strength of its Navy and Army. The moral force, the grandeur of fifty million industrious, intelligent, prosperous, and happy people is a power that rises infinitely above the splendid and costly tinsel of armies and navies. The most remote of all probabilities is that this Government, having no plans of conquest, no ambition to gratify except the happiness of its people, should be plunged into the misfortunes of foreign war; but, more than that, whenever during the century of our national experience we have found peaceful diplomacy fail and war the only alternative, although we and our fathers have never felt it necessary to maintain a navy of any considerable magnitude our people have always been found amply prepared for the emergency, and navies have sprung up as if by the power of enchantment sufficient to meet the leading naval power of the globe.

I apprehend, sir—and this suggestion came to me from a very wise statesman of the old school—that, unconsciously it may be, on the part of the statesman and legislators who in the future will guide the destinies of this Republic, the increase of our Army and Navy will be the measure of distrust with which overgrown opulence will contemplate the Government of the people. Yes, sir; in the future the growth of standing army and organized navy, if it shall occur, will be the measure of apprehensions felt of popular supremacy and popular power. For one, I am unalterably opposed to the increase of either the Army or the Navy. I would maintain them only as a nucleus for national power when an emergency should arise. I wish to see the American people conscious, as I think they are, that they are not dependent upon such baubles as these tinsels of power for their security or the greatness of their country, or for the preservation of peace, or to meet the contingencies of war.

[Here the hammer fell.]

Mr. ATKINS. Mr. Chairman, in my former remarks I had intended to allude to the reappropriations made in this bill for the construction of these ships. I thought the other day that these reappropriations amount to $1,200,000 or $1,300,000. But a letter from the Secretary of the Navy addressed to myself, and which the gentleman from Georgia [Mr. BLOUNT] has made a part of his remarks to-day, states that there will be no surplus either in the Bureau of Construction and Repair or the Bureau of Steam-Engineering. I have only to say that I am surprised at this, because the amounts appropriated for those bureaus last year were about double what they usually have been.

I yield the remainder of my time to the gentleman from Illinois [Mr. SPRINGER].

The CHAIRMAN. The gentleman from Illinois has two minutes.

Mr. SPRINGER. Mr. Chairman, in the brief time allowed me I can not state fully what I had desired to say in regard to this bill. But I wish to call attention to the fact that last evening, in the midst of the confusion which prevailed about the time the committee rose, the Committee of the Whole adopted, upon the motion of the gentleman from Massachusetts [Mr. HARRIS], the chairman of the Committee on Naval Affairs, an amendment providing for an appropriation of $50,000 to be paid to Asa Weeks for his invention in reference to torpedoes. This amendment, which seems to me nothing more than a claim, ought not to have been put on this appropriation bill; and in the House I shall ask for a separate vote upon it.

The claim of Mr. Weeks has been pending here ever since I have been a member. It has been reported upon by the Committee on Naval Affairs from session to session, and there is now on the Calendar a bill reported by that committee allowing him a certain amount for his invention. I am opposed to allowing private claims to be ingrafted upon an appropriation bill in any manner. Saying nothing about the merits of this proposition (it may be very meritorious), it has its place in the business of this House and should pass through the ordinary channels. This claim, which, as I have said, has been recommended by the Committee on Naval Affairs in a bill now on the Calendar, was subject to a point of order, which would have been made but for the great confusion prevailing at the time. I hope we shall not set the bad example of legislating for the benefit of private claimants upon an appropriation bill. I can stand this general legislation which the gentleman from New Jersey has so profusely ingrafted upon this bill, but when it comes to taking a claim from the Private Calendar, I for one object unless the whole Calendar is to be ingrafted upon this bill.

[Here the hammer fell.]

Mr. HISCOCK. Mr. Chairman, I rise to oppose the amendment of the gentleman from Massachusetts.

The CHAIRMAN. The Chair will understand that the gentleman from New York, who now occupies the floor, is entitled to the remaining fifteen minutes of time unless objection be made.

Mr. HISCOCK. The gentleman from Massachusetts tells us he and his committee have scarcely had a hearing before the House and the country with reference to the legislation which they propose, and what time they have had has been by the kindness of the Committee on Appropriations. He has also told us, and I believe I hardly exaggerate his statement, that this whole country from the center to the outside circle is all stirred up, aroused to frenzy, because more money has not been voted to build a navy. Now, I say to that gentleman and I say to this committee that if there was one-half of the sentiment he has described prevalent among the people of the United States in behalf of the appropriation of the money he asks it would have found the way to the setting apart of a day in Congress for the consideration of that proposition. If, sir, there had been such a sentiment in favor of legislation they would have been here under the rules asking for a hearing, and they would have been heard.

Mr. HARRIS, of Massachusetts. It required a two-thirds vote.

Mr. HISCOCK. Ah, but if there were one-half the sentiment you have described there would have always been a vote of two-thirds of the House to make your bill a special order. Two-thirds of the House would on all occasions have given you all the time wanted. If there were one-half the sentiment the gentleman has described I am almost warranted in saying the people would have assembled here and trampled over our rules in behalf of the expenditure of the sum of money the gentleman has suggested.

And, Mr. Chairman, do not understand me as being opposed to an American navy. I am not opposed to the building up of an American navy, but I do not now and never have believed there was any propriety in the American people maintaining a navy upon a war footing, or maintaining an army upon a war footing, or maintaining fortifications upon a war footing, as they are maintained in Europe for the preservation of the balance of power. The map of America is not all the while being changed, and for the preservation of the governments which may exist here such strong force is entirely unnecessary.

But, sir, I believe that this great nation should ever have a respect-

able navy, respectable in our own waters and respectable in foreign waters. We should have some good ships. We should have a navy to maintain the character of this nation at home and abroad.

I have had occasion to say, Mr. Chairman, in the progress of this debate that it was not our intention to increase the naval appropriations. I believe for the last ten or fifteen years the annual appropriation has been fifteen or sixteen million dollars. We adopted the policy of building new ships and refraining from the repair of old ones conceded on all sides to be worthless; and without increasing the amount appropriated we find by pursuing that policy in five or ten years' time we can give the American people as good a navy as I apprehend the gentleman from Massachusetts can wish.

Now, a single suggestion in reply to the remark made by the gentleman from Massachusetts that all this money should be now appropriated. What does he mean by that? Does he mean that he proposes to put it out of the power of the next Democratic Congress to prevent the construction of this navy; that he would appropriate all the money now so that the next Congress could not have the power to prevent it? If that is his object, I say with all frankness that I have no sympathy with it. I believe in our Government as it exists, and I believe if the next Congress of the United States in its wisdom is unwilling to appropriate money for the continuance of the construction of these ships, coming from the people as they do, they should have the right to do it. No, sir; I have no sympathy with any person or any bill to take away from a future Congress the revision and control of this question. The next Congress is to have the responsibility of this question, and if it says we should stop the appropriation of money, while I may vote against it, I shall nevertheless acquiesce in it. And no act of mine ever will prevent it taking any such action.

The gentleman from Massachusetts proposes to appropriate this year $7,868,500; $1,161,000 for guns—and yet I have in my hand a communication from the Navy Department saying that during the present fiscal year they have been unable to expend to exceed $35,000 for that purpose. Is it his purpose to put into the hands of the Navy Department $1,161,000 to experiment with and expend relieved of any action of the Congress which may be in session at that time?

Mr. HARRIS, of Massachusetts. I say no, if the gentleman puts that question to me.

Mr. HISCOCK. That can be the only effect of it.

Mr. HARRIS, of Massachusetts. The purpose is to purchase the guns, which we can do if you give us authority. It is not for the purpose of experimenting with guns.

Mr. HISCOCK. There is no demand from the Department for any such sum of money as this. They are not asking the money shall be put into their hands for any such purpose. I can not refrain from pointing out the fact that it does turn over to the Navy Department $1,161,000 to be expended without the supervision of Congress, and I am opposed to it.

But six and three-quarter millions of dollars is to be expended on ships, and yet the Secretary of the Navy tells us he wants only one and a half million of dollars. That I believe is the outside limit. Then, sir, why appropriate it. Why pass it over for the expenditure of a Department as to which expenditure Congress will have no power except the power to investigate? I care not whether it is a Republican or a Democratic Congress, I am in favor of the appropriations for each current year being made specifically for that year and limited to an amount which can be expended within that period.

No, Mr. Chairman, by no act, by no vote of mine will the power and control of gentlemen on the other side of the Chamber over this expenditure be curtailed in the next Congress. Mr. Chairman, what have we sought to do in this bill with reference to the building of ships? The Committee on Naval Affairs have their programme. The Secretary of the Navy has submitted here, made as I suppose under the advice of these different boards, his scheme for building up a navy. Who are we to follow, the Executive that is charged with the responsibility in reference to this matter or somebody else? I see, sir, safety in no other course. We have not given the Department all it asked. I think it wanted to construct these steel cruises of a displacement of 2,500 tons each. We have limited them to two. It has been the policy which was inaugurated at the last session of this Congress not to swell the appropriations for this Department, but to stop this squandering of money upon navy-yards and old ships and to put the money appropriated into the construction of new vessels without swelling the aggregate of the appropriations provided for that Department. We are carrying out that policy and have provided in this bill for the building of four of the vessels which we are in favor of, and which have been recommended. We provided all of the money that the Navy Department asks, and all that it is believed to be necessary for the needs of the next fiscal year for that purpose, and I believe that we only increase the aggregate of the appropriations some $250,000.

I now yield the remainder of my time to the gentleman from New Jersey [Mr. ROBESON].

Mr. ROBESON. Mr. Chairman, I rise simply to advocate the propositions of the Committee on Appropriations as presented in this bill for this reason: I am in favor of building the cruisers the Naval Committee have recommended. But the Secretary of the Navy has sent word to the Appropriations Committee of this House that in going on with the building of these ships which he desires to go on with for this year, he can only expend during the current year about $1,500,000. He says that he desires the power to enter upon the building of these ships, but desires likewise to have under his control this year only the sum mentioned—$1,500,000—as that will cover all the work that can be done upon them during the coming twelve months. Now, we have given him that with such balances as he may have on hand at the close of the present fiscal year for the purpose of going on with this construction, and we have allowed him to build on his own recommendation in this provision two of the smaller ships of 2,500 tons displacement each, to be armed with the 6 and 8 inch rifle guns, and which he says can be made as fast as any other.

Now, Mr. Chairman, it will not be denied that we need these cruisers because our wooden vessels are fading from the ocean. Our guarantee of peace is power in relation to the vulnerable points of the other nations of the earth. The real safety that we are to have from the Navy is that we shall be able to have within our hands the weapons of power which will enable us to strike expensive and dangerous blows at the commerce of the aggressive nations of the world. That is all we are seeking to do here; and we ask only in this appropriation for just as much money as the Secretary of the Navy thinks he can use. He asked for $1,500,000 and we are giving him $1,300,000 with the balance of unexpended appropriations coming over, making perhaps that amount of money in the aggregate.

With regard to the guns, let me say just this: That we appropriated $100,000 last year for the purpose of experimenting or entering upon a course of experiments for casting certain trial guns. We would have appropriated an additional amount this year, but we have a communication from the Bureau of Ordnance which says that they have applied to all of the firms of this country that can produce the steel and that they are at work producing it, but they have not yet finished it, and as a consequence they have not been able to expend more than $3,500 of the appropriation of $100,000 made last year. So the committee have deemed it unnecessary to appropriate more than the amount indicated in the bill and reappropriating the sum which may be left over from this year's experiments.

The CHAIRMAN. The time allowed for debate has expired. The question is upon the amendment of the gentleman from New Jersey to the amendment of the gentleman from Massachusetts, upon which the gentleman from Indiana makes the point of order.

Mr. HOLMAN. My point of order is this: That this amendment proposes new and independent legislation upon this appropriation bill, legislation not tending toward the retrenchment of expenditures but the reverse.

The CHAIRMAN. Does the gentleman desire to be heard upon the point of order?

Mr. HOLMAN. Just a word. I concede that on the original bill, or the paragraph as originally presented by the committee, in view of the provision of the act of the 5th of August, 1882, which authorized the construction of two steam-vessels, the point of order was certainly a doubtful one, at least as against the original text of the bill. But looking over the bill as amended and the pending amendments, I do not believe that any one of the ships authorized to be constructed is in harmony as to tonnage or displacement with the act to which I have referred of August 5, 1882. As I have said, I concede that to the extent that the provisions of this amendment carry out the provisions of that act of August last there might be a doubt as to the point of order; but that act does not extend to the amendments which have been proposed for adoption, and I do not think that provision of the act is carried out as to either of these vessels. It seems therefore to be quite clear, if I am correct as to the full intent and meaning of this third clause of the twenty-first rule, that it must be applicable to it and consequently it is out of order. The clause of the rule is as follows:

> Nor shall any provision in any such bill or amendment thereto changing existing law be in order except such as being germane to the subject-matter of the bill shall retrench expenditures by the reduction of the number of and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

Mr. Chairman, it is clear that this amendment does neither one of those three things. While I concede it is germane it does not decrease the expenditure, but on the contrary increases it; and does not carry out the law of August 5, 1882, on which the text of the bill is founded.

The CHAIRMAN. The Chair is ready to decide the point of order. The amendment offered by the gentleman from Massachusetts [Mr. HARRIS] is a very lengthy one and the Chair has not had an opportunity to look over it very carefully and has merely heard it read from the Clerk's desk. But the Chair is of the opinion the amendment is not subject to the point of order from the fact that if Congress see fit to appropriate for building five new vessels instead of one, without endeavoring to carry out the act of 1882, the Chair holds there is no limitation to the amount of money that can be appropriated in an appropriation bill for completing men-of-war or for other purposes for the national defense. He therefore overrules the point of order.

Mr. WHITTHORNE. I offer what I send to the desk as a substi-

tute for the amendment of the gentleman from Massachusetts [Mr. HARRIS].

The Clerk read as follows:

That the Secretary of the Navy is hereby authorized and directed to cause to be contructed two screw steamships, the hulls of which are to be built entirely of steel, having a tensile strength of about 55,000 pounds per square inch, the variation from which is not to exceed 5 per cent. above and below the said tensile strength. The said vessels are to be provided with full sail-power. Their hulls are to be cased with wood and sheathed with copper. One of these vessels is to be a frigate-built ship of about, but not exceeding, 5,900 tons displacement, and is to have a draught of water from the bottom of the keel of not more than 22 feet 6 inches. The frigate is to be engined for a sustained average speed at sea, in good weather under steam alone, of 15 knots per hour; and to carry in bunkers sufficient coal to maintain this speed during seven consecutive days. The other vessel is to be a corvette built, or single-decked ship without poop-cabin, of about, but not exceeding, 4,500 tons displacement; and is to have a draught of water from the bottom of the keel of not more than 20 feet 3 inches. The corvette is to be engined for a sustained average speed at sea, in good weather under steam alone, of 14 knots per hour, and to carry in bunkers sufficient coal to maintain this speed during seven consecutive days.

That the said two vessels shall be built by contract; the contracts to be awarded to the lowest bidder who shall propose to furnish the vessels for a round sum, and to guarantee the speeds and other requirements in preceding sentences, with the condition that no payments shall be made until after the vessels have been entirely finished, tried, and accepted as hereinafter described. The contracts are to include the armaments. The contractors will make their own plans, do the work in their own manner, and assume the entire responsibility of success. Should there be a failure in speed, in endurance, in proper strength of construction, size of scantling, quality of material, or any guaranteed condition, the vessels are to be peremptorily rejected, no payments of any kind, or under any pretense will be made, and they will remain the exclusive property of the contractors without claim upon the Government for any kind of compensation under any kind of plea. The contracts having once been executed, no changes in them shall afterward be made.

That the Secretary of the Navy shall without unnecessary delay convene a board to be composed of one line officer of the Navy, one chief engineer in the Navy, and one naval constructor, all or any of whom may be taken from the active or retired list of the Navy without regard to rank, regard being had only to their fitness as shown by their experience in designing and constructing the hulls of naval steamships, their steam machinery, and their armament and their equipment. The *personnel* of this board, once appointed, shall not be changed except by visitation of physical or mental incapacity to perform their duties, until the said two steamships are completed, tried, and accepted or rejected, after which their functions shall cease. This board shall have the exclusive right to make, without control, for and in behalf of the Secretary of the Navy, the contracts for the said two steamships.

The board, immediately after its organization, shall advertise for proposals to construct the said two steamships according to the conditions herein stated; the bidders to name the round sum for which they will construct the vessels complete, in all respects ready for sea-service, and the time in which they will complete them, furnishing their own designs, labor, and material, and assuming the entire responsibility for the fulfillment of their guarantees. Four months shall be allowed, or more, if necessary in the opinion of the board, for the bidders to prepare the plans, drawings, and specifications on which they make their offers. The contracts shall be given to the lowest bidder furnishing the proper security for the performance of his agreements, and shall embody the drawings and specifications of the contractor on which the award was received, in complete detail, no variation from which shall afterward be allowed. The board will see that the most approved methods of construction, with the proper forms and thicknesses of material, are employed, and that the internal arrangements, water-tight compartments, distribution of the battery, and masting are proper for naval usage.

The battery will be of the latest and most approved construction and design; and will, for the frigate, be the equivalent of four guns of eight inches bore, weighing about eleven tons each, and of twenty guns of six inches bore, weighing about four and a half tons each. For the corvette the battery will be the equivalent of two guns of eight inches bore, weighing about eleven tons each; and of twelve guns of six inches bore, weighing about four and a half tons each.

The Board shall superintend the construction of the vessels, with the assistance of such inspectors as it may deem necessary, and whom it shall have the right to appoint, and to fix their compensation, if not naval officers. The most rigid inspection shall be maintained, so that the quality of the labor and materials, excellence of the workmanship, and conformity with the contract stipulations may be secured.

The entire responsibility for carrying out the provisions of this act is on the board, and its powers are hereby made sufficient for that purpose. It shall have the authority to peremptorily reject, in any stage of the construction, any material, design, or labor which may, in its opinion, not be in conformity with the contract requirements.

When the vessels shall have been completed satisfactorily as regards design, materials, and workmanship, strictly in agreement with the contract stipulations, they shall be tried or tested for speed by the board in the following manner:

The trial shall continue during not less than twenty-four consecutive hours, and longer if necessary in the opinion of the board. It shall be made with steam-power alone, at sea, in good weather as that term is understood by naval officers, and along the coast of the United States in as nearly as straight line as possible between points of known distance apart by the Coast Survey charts. In addition to the observation of these points, all the other best methods of ascertaining the speed shall be employed. In order to neutralize as much as possible the effect of wind and tide, one-half of the twenty-four or more hours shall be run by the vessels in one direction, and the other half in the opposite direction, returning to the point of departure, and the mean speed of the whole run, out and in, shall be taken for the speed of the vessel. The coal consumed during a trial shall be accurately weighed, and from that weight will be determined whether the contract requirement of seven days' supply of coal in the bunkers has been fulfilled. The power exerted by the engine will also be accurately ascertained. A full deck and steam log will be kept during the trial and embodied *in extenso* in the final report of the board. At the commencement of the trial the vessel will have all her fuel weights on board, and be at her deep-load draught of water. The coal will be anthracite, selected by the contractor for the vessel. No payments will be made on the vessels or for anything in connection with them until after the trial, and on the certificate of the board that the entire contract stipulations have been satisfactorily performed.

That for the purposes of this act the sum of $1,800,000 is hereby appropriated for the frigate, and the sum of $1,400,000 is hereby appropriated for the corvette; and no contract shall be awarded for bids exceeding these sums for the respective vessels. And for the incidental expenses of inspection, &c., the further sum of $12,000 is hereby appropriated.

That all acts or parts of acts conflicting with the provisions of this section are hereby repealed.

Provided, That in making the contracts herein referred to a stipulation may be made that if the rate of speed is secured greater than that herein provided for, increased compensation not exceeding 10 per cent. therefor may be paid, and for which purpose a sum sufficient is hereby appropriated.

The CHAIRMAN. The question is on agreeing to the substitute which has has just been read.

Mr. HISCOCK. I make the point of order on it that it is new legislation and does not decrease expenditure.

The CHAIRMAN. The Chair overrules the point of order. [Mr. HOLMAN rose.] For what purpose does the gentleman from Indiana rise?

Mr. HOLMAN. I desire to move an amendment to the original text.

The CHAIRMAN. Two amendments are already pending.

Mr. HOLMAN. I am not aware that two amendments are pending to perfect the original text.

The CHAIRMAN. There is an amendment pending offered by the gentleman from New Jersey [Mr. ROBESON], and another amendment offered by the gentleman from Massachusetts [Mr. HARRIS]. The first question is on the amendment of the gentleman from New Jersey, which the Clerk will read.

The Clerk read as follows:

In line 380, after the word "thousand," insert the words "three hundred;" so that it will read:

"For the construction of the steel cruiser of not less than 4,300 tons displacement now specially authorized by law," &c.

The amendment was agreed to.

Mr. HOLMAN. I now offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out, in lines 389 and 390, the words "contracted for only" and insert in lieu thereof the following:

"By and under the contract with the lowest and best responsible bidder or bidders, made after at least sixty days' advertisement published in five of the leading newspapers of the United States inviting proposals for constructing said vessels, subject to all such rules and regulations, superintendence, and provisions as to bonds and security for the due completion of the work as the Secretary of the Navy shall prescribe. And no such vessel shall be accepted unless completed in strict conformity with the contract."

Mr. ROBESON. Is that an amendment to the original text?

The CHAIRMAN. It is.

Mr. ROBESON. I accept it.

Mr. HISCOCK. Let us vote on it.

The question being taken on agreeing to Mr. HOLMAN's amendment, on a *viva voce* vote the Chair stated that the "ayes" had it.

Mr. THOMAS. I call for a division.

The committee divided; and there were—ayes 95, noes 28.

Mr. THOMAS. I make the point that a quorum has not voted.

The CHAIRMAN. The Chair appoints as tellers the gentleman from Illinois, Mr. THOMAS, and the gentleman from Indiana, Mr. HOLMAN.

The committee again divided; and the tellers reported—ayes 123, noes 25.

So the amendment was adopted.

Mr. O'NEILL. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 386, after the word "dollars," insert the following:

"And for the construction of all which the Secretary of the Navy shall invite proposals from all American ship-builders whose ship-yards are fully equipped for building and repairing iron and steel ships, and constructors of engines, machinery, and boilers."

Mr. O'NEILL. I think the gentleman from New Jersey [Mr. ROBESON] accepts that.

Mr. ROBESON. Yes, sir.

The question being taken on Mr. O'NEILL's amendment, it was adopted.

Mr. BAYNE. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out beginning at the word "two," in line 381, down to and including the word "dollars," in line 386, namely, these words:

"Two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each, and one dispatch-boat, as recommended by the naval advisory board in its report of December 20, 1882, $1,300,000.

Mr. TALBOTT. Let the amendment be again reported.

The amendment was again read.

Mr. BAYNE. That leaves but one vessel to be built.

The CHAIRMAN. Debate is not in order.

The question being taken on Mr. BAYNE's amendment by a *viva voce* vote, the Chair stated that the "noes" had it.

Mr. BAYNE. I call for a division.

The committee divided; and there were ayes 18.

Mr. BAYNE. I do not call for further count.

So the amendment was not agreed to.

Mr. ELLIS. I move an amendment to the original text.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

In line 395, after the word "Navy," insert the following:

"Shall purchase from American manufacturers of domestic materials the steel beams, angles, ties, rods, channels, plating, and other materials entering into the construction and repair of the vessels hereby provided for, and shall give all manufacturers of such materials in the United States who desire to bid and can furnish the material in accordance with the requirements of the Department an opportunity so to do, and the said materials shall be purchased from the lowest responsible bidder."

The question was taken upon the amendment; and upon a division there were—ayes 12, noes 45.

So (there being no further count called for) the amendment was not agreed to.

The question was then taken upon the substitute of Mr. WHITTHORNE for the amendment of Mr. HARRIS, of Massachusetts; and it was not agreed to.

The amendment of Mr. HARRIS, of Massachusetts, was then not agreed to.

The Clerk resumed the reading of the bill, and read the following:

For investigating and testing the practicability of deflective armor, $20,000.

Mr. HARRIS, of Massachusetts. I move to amend the paragraph just read by striking out the word "armor" and inserting in lieu thereof the words "turrets designed by Passed Assistant Engineer N. B. Clark;" so that it will read:

For investigating and testing the practicability of deflective turrets designed by Passed Assistant Engineer N. B. Clark, $20,000.

A word of explanation. The Secretary of the Navy has lately sent to this House a letter on the subject, in which he asks for an appropriation of $20,000 for investigating and testing the practicability of deflective turrets for monitors, to test the system invented by Passed Assistant Engineer Clark. For some reason the Committee on Appropriations have left out that designation. I have been informed that a request was made that it should be left out in order that other systems of deflective armor might be tested. I call attention to the following communication from the naval advisory board:

NAVAL ADVISORY BOARD, *Washington, January 4*, 1883.

SIR: The board having examined the plans submitted on the 3d instant by N. B. Clark, passed assistant engineer, United States Navy (retired), for deflecting turrets for monitors, desires that before making recommendations for the turret armament and protection of the monitors of the Miantonomoh class that opportunities may be afforded for a full investigation of the practicability of these designs. Mr. Clark's plans embody features that are novel and entitle them to thorough experimental tests, and these tests, while determining the absolute value of the type of turret, would also be of the greatest value in perfecting the manufacture of such material as in any event is absolutely necessary for steel deck-plating.

The lack of experiments upon deflective armor, excepting a few isolated and not entirely favorable tests, makes it of the greatest importance that the board should have the result of such experiments as could be easily made.

Since the turrets submitted are claimed to be applicable to monitors, the experimental tests should be of such a character as should demonstrate the value of armor arranged as proposed by Mr. Clark compared with the ordinary cylindrical disposition, and as thirteen inches of armor can be applied without difficulty to the cylindrical type, Clark's turrets should, therefore, give efficient protection against projectiles actuated by a force sufficient to pierce a 13-inch steel or steel-faced vertical target, or not less than 200 foot-tons of energy per inch of shot's circumference.

An appropriation of $20,000 will enable these experiments to be carried out.

Very respectfully, your obedient servant,

R. W. SHUFELDT,
Commodore, United States Navy, President of the Board.

Hon. W. E. CHANDLER,
Secretary of the Navy.

I think that inasmuch as Passed Assistant Engineer Clark first brought this subject to the attention of the naval authorities, has perfected his plans, and submitted them to the naval advisory board, it would be an act of gross injustice to divert this sum in any way from the purpose for which it was intended. I believe in protecting Mr. Clark, and in-curing to him the investigation of that system of deflective turrets which he has voluntarily offered to the Government. I now yield to the gentleman from Pennsylvania [Mr. CURTIN].

The CHAIRMAN. The gentleman has one minute left.

Mr. SPRINGER. I move to strike out the last word, and will yield my time to the gentleman from Pennsylvania.

Mr. CURTIN. There seems to be a general disposition in this House in some way to provide for the construction of a navy commensurate with the power and consequence of this great nation in the family of nations of the world. For one week we have heard of the defects of our Navy, of its ordnance, of its means of protection and defense as well as its power for aggressive warfare.

We have adopted legislation to provide for repairing the old monitors when the principles upon which they were constructed and their usefulness in time of war have passed away before the improvements of science by other nations. Now, here is a scientific man, an engineer of the Navy, who has been lying upon his back for years on account of injuries received during the war, and who has worked out a system which has been approved by the naval advisory board, by scientific men, and which has received the approbation of every member of Congress who has called to see him.

He has proposed a new system of armor which will be quite novel and will afford a means of defense as well as of offense, and which meets the approbation of practical and scientific men. It is asked on his behalf that the sum of $20,000 only shall be appropriated for the purpose of testing his invention.

Now, while I have full confidence in the Departments of this Government, while I have no word of reproach or want of confidence to utter in regard to any Department or bureau of the Government, I do trust it will be the pleasure of this House to appropriate this money so as to carry out the plan suggested by Lieutenant Clark, and not have it diverted for the benefit of other persons who may have plans of a similar nature.

This man has no means of approaching members of this House. He is upon his back, a wounded and broken man. In that position his active mind, with his scientific knowledge and practical experience, has worked out a plan which may enable this nation to make a great advance in the armament of ships of war.

I trust that this man, whom I am glad to say I got into the Navy during the war, who was born in the great State which I have the honor in part to represent, shall receive from Congress the approbation of his plan, and that the money which is to be appropriated in this paragraph shall be given to the man who devised this plan and not be diverted by any official of the Government to any other purpose.

The amendment of Mr. HARRIS, of Massachusetts, was then adopted.

The Clerk read as follows:

NAVAL ACADEMY.

For pay of professors and others: For two professors, namely, one of mathematics and one of chemistry, at $2,500 each; three professors (assistants), namely, one of physics, one of Spanish, and one of English studies, history, and law, at $2,200 each; six assistant professors, namely, four of French, one of English studies, history, and laws, and one of drawing, at $1,800 each; sword-master, at $1,500, and two assistants, at $1,000 each; boxing-master and gymnast, at $1,200; assistant librarian, at $1,400; secretary of the Naval Academy, $1,800; three clerks to Superintendent, at $1,200, $1,000, and $800, respectively; one clerk to commandant of cadets, $1,200; one clerk to paymaster, $1,000; one dentist, $1,600; one baker, $600; one mechanic in department of physics and chemistry, $730; one messenger, $288; one cook, $325.50; one messenger to Superintendent, $600; one armorer, $329.50; one gunner's mate, $469.50, and one quarter-gunner, $409.50; one cockswain, $469.50; one seaman in the department of seamanship, at $349.50; six attendants at recitation rooms, library, store, chapel, and offices, at $240 each; one band-master, $528; twenty-one first-class musicians, at $348 each; seven second-class musicians, at $300 each; one attendant in the department of astronomy and one in the department of physics and chemistry, at $300 each; in all, $53,847.

Mr. RICHARDSON, of South Carolina. I move to amend the paragraph just read by adding to it that which I send to the Clerk's desk.

The Clerk read as follows:

Provided, That the appointment of naval cadets provided for by the act of August 5, 1882, shall be made by the academic board of the Naval Academy in the order of merit upon such tests as shall be determined by said board, and to be by it applied at the conclusion of their six years' course.

Mr. RICHARDSON, of South Carolina. Mr. Chairman, the amendment which I have submitted does not increase expenditures; does not make any increase in the number of naval cadets who may be appointed. It simply provides that the test for determining who are to receive these appointments shall be applied at the end of six years instead of four years. The amendment will thus correct an injustice which I am satisfied was not intended to be inflicted by the act of August 5, 1882. This injustice affects only two classes that will graduate at that institution—the class that has one year's sea-service to perform after 1882 and the class that has two years' sea-service to perform. The objection to the act of 1882 with reference to these two classes is that it absolutely designates, as much as if the young men were indicated by name—A, B, C, D, &c.—those who are to receive these appointments.

Letters from the young men of these two classes say to us, "It is no use for us to go any further; nothing that we can do, no preparation which we may hereafter make can exempt us from the operation of that law which absolutely determines the favored ten who are to receive these appointments." This amendment simply provides that the test upon which the appointments are to be decided shall be made at the time of appointment, not two years before. No matter how good an examination these young men may pass at the end of four years, who can tell how inefficient they may become in the course of two years more by reason of vicious habits?

I think there can be no objection to this amendment.

Mr. RANDALL. The amendment is right.

Mr. HISCOCK. If any more speeches are made upon it I think I must make a point of order.

Several MEMBERS. Too late!

The amendment was adopted.

The Clerk read as follows:

For necessary repairs of public buildings, pavements, wharves, and walls inclosing the grounds of the Naval Academy, and for improvements, repairs, and furniture and fixtures, $21,000.

Mr. SHALLENBERGER. I move to amend by adding to the paragraph just read the proviso which I ask the Clerk to read.

The Clerk read as follows:

Provided, That no appropriation for improvements or repairs at the Naval Academy shall be construed to authorize, or be applied to, an entirely new building for the use of the superintendent or other officers of the academy.

Mr. HISCOCK. I make a point of order upon that amendment.

Mr. ATKINS. It is not liable to a point of order.

Mr. HISCOCK. I withdraw the point.

The amendment was adopted.

The Clerk read as follows:

For expenses of the Board of Visitors to the Naval Academy, $2,600.

Mr. DINGLEY. I move to amend the clause just read by striking out the words "two thousand six hundred dollars," in line 475, and inserting instead the following:

Sixteen hundred dollars: *Provided*, That in computing such expenses each member of said board shall receive for travel not exceeding 8 cents per mile traveled by the most direct route from his residence to Annapolis, and 8 cents per mile for each mile from said place to his residence on returning, and for all other ex-

penses not exceeding $6 per day while engaged in the discharge of the duties of the board.

Mr. ROBESON. That is all right.

Mr. SHALLENBERGER. I desire to submit a substitute for this amendment, which I think the gentleman from Maine [Mr. DINGLEY] will probably accept as briefer and more to the point.

The Clerk read as follows:

Amend lines 494 and 495 so as to read:
"For expenses of the Board of Visitors to the Naval Academy, $1,500, to pay mileage as now allowed by law and a per diem of $5."

Mr. DINGLEY. I will accept that as a substitute for my amendment.

Mr. ROBESON. I think we ought to allow a per diem of $6.

Mr. SHALLENBERGER. Five dollars a day will support any gentleman at the best hotels in this city or Annapolis. The mileage is now fixed by law at the rates named in the amendment of the gentleman from Maine [Mr. DINGLEY].

Mr. ROBESON. All right.

Mr. DINGLEY. I withdraw my amendment.

The amendment of Mr. SHALLENBERGER was adopted.

The Clerk read as follows, under the heading of "marine corps:"

For provisions, $60,000.

Mr. ROBESON. I move to amend by inserting after the word "provisions" the words "for the Marine Corps, and for difference between cost of rations and commutation thereof for detailed men."

The amendment was adopted.

The Clerk concluded the reading of the bill, as follows:

SEC. 2. That hereafter no officer of the Navy shall be employed on any shore duty unless the Secretary of the Navy shall determine that the employment of an officer on such duty is required by the public interests, and shall so state in the order of employment, and also the duration of such service, beyond which time it shall not continue.

Mr. SHALLENBERGER. I move to amend by inserting after the word "shall," in line 618, the word "himself;" so as to read "shall himself so state in the order of employment," &c.

Mr. ROBESON. There is no objection to that.

The amendment was adopted.

Mr. THOMAS. I move the following, to come in as an additional section:

Any pay-director, pay-inspector, paymaster, passed assistant paymaster, assistant paymaster, paymaster's clerk, or other officer or person who shall purchase or pay for any stores, supplies, or any property whatever for the use of or on account of the Navy of the United States, or any vessel therein, or any bureau of the Navy, and who shall be offered any discount on the price thereof for cash or as an inducement for the purchase thereof, or for any other reason whatever, shall account therefor and charge himself therewith in the settlement of his accounts, and any such officer or person who shall willfully fail so to do, or who shall accept any present or gratuity of any kind or value whatever on account of or by reason of any purchase or payment made by him as aforesaid, shall on conviction thereof be dismissed the service and imprisoned for a term of not less than one nor more than ten years, and fined not less than $100 nor more than $10,000.

Mr. ROBESON. I do not see any objection to that amendment.

The amendment was agreed to.

Mr. ROBESON. I now move that the committee rise and report the bill and amendments to the House.

The motion was agreed to.

The committee accordingly rose; and Mr. ROBINSON, of Massachusetts, having taken the chair as Speaker *pro tempore*, Mr. PAGE reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes, and had directed him to report the same back to the House with sundry amendments.

Mr. ROBESON. I demand the previous question on the bill and pending amendments.

Mr. ATKINS. Let us adjourn and take the vote on the amendments in the morning.

Mr. ROBESON. I will demand the previous question now and the other question we can settle hereafter.

The previous question was ordered.

Mr. ROBESON moved to reconsider the vote by which the previous question was ordered; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. ATKINS. I will state that there will be three or four yeas and nays on different amendments, which will consume more than an hour and a half, and I hope the gentleman from New Jersey will agree to an adjournment at this time.

Mr. REED. I hope the gentleman from Tennessee will not insist on that when we have so much business before the House. We can as well as not stay an hour longer to-night and pass this bill.

Mr. ATKINS. I would rather meet to-morrow morning at 10 o'clock or come back here to-night than stay longer at this time.

Mr. ROBESON. Let us have a vote on the amendments and see whether we can get through or not.

Mr. HUMPHREY. I move that the House take a recess until 10 o'clock to-morrow morning.

Mr. ROBESON. I wish to get on with this bill as fast as possible. If everybody else was as willing and anxious to go on as I am I think we could get through in an hour, but if two or three men are not willing to go on they have the power to delay action. I am willing, if that be the sense of the House, to meet here at 10 o'clock to-morrow and vote on the amendments.

Mr. HISCOCK. I understand the proposition is made to take a recess until 10 o'clock to-morrow morning.

Mr. SPARKS. Let us adjourn until 11 o'clock to-morrow.

Mr. SPRINGER. If we take a recess until 10 o'clock to-morrow there will be a slim House present.

Mr. ROBESON. What do you want the yeas and nays on?

Mr. SPRINGER. I want the yeas and nays on the amendment in regard to Asa Weeks's patent. There will have to be a yea-and-nay vote, under the rules, on the passage of the bill.

Mr. HOUSE. I move the House do now adjourn.

Mr. SPRINGER. I think it would facilitate the passage of the bill to adjourn until to-morrow at the usual hour.

Mr. ROBESON. I understand the previous question has been ordered on the passage of the bill and amendments, and that the motion to reconsider has been laid on the table.

The SPEAKER *pro tempore*. It has.

The House divided; and there were—ayes 71, noes 83.

Mr. HOUSE demanded the yeas and nays.

The House divided; and there were—ayes 30.

The SPEAKER *pro tempore*. Not a sufficient number.

Mr. SPARKS. I ask for tellers on the yeas and nays.

Tellers were ordered; and Mr. SPARKS and Mr. ROBESON were appointed.

The House again divided; and the tellers reported—ayes 32, noes 96.

So (one-fifth having voted in the affirmative) the yeas and nays were ordered.

Mr. HISCOCK. If gentlemen will allow us to proceed with the amendments until 6 o'clock we will then consent to an adjournment.

Mr. ATKINS. I do not know what time the gentleman from New York dines, but I dine at 5 o'clock.

Mr. ROBESON. Let me make a suggestion to the gentleman from Tennessee. I propose that we proceed with the amendments until we come to one where a vote by yeas and nays will be ordered, after which I will move to adjourn.

Several MEMBERS. That is right.

Mr. HUTCHINS. I object.

Mr. SPRINGER. I move to reconsider the vote ordering the yeas and nays.

Mr. TALBOTT. That can be done; let us reconsider that vote.

Mr. BROWNE. Let us stay and vote on this bill.

The SPEAKER *pro tempore*. The Chair requests the House to be in order; no business can be done in such confusion.

Mr. HOOKER. Regular order.

Mr. SPRINGER. I make the motion to reconsider the vote by which the yeas and nays were ordered.

The motion to reconsider was agreed to.

The SPEAKER *pro tempore*. Does the Chair understand the motion to adjourn as withdrawn?

Mr. HOUSE. With the understanding suggested by the gentleman from New Jersey I will withdraw it.

The SPEAKER *pro tempore*. The Clerk will report the first amendment reported from the Committee of the Whole on the state of the Union. Is a separate vote desired upon all of the amendments?

Mr. ATKINS. There is but one amendment on which I desire a separate vote. That is the amendment relating to torpedoes. I do not know of any others.

The SPEAKER *pro tempore*. A separate vote, then, will be taken upon that amendment. Does any other gentleman desire a separate vote?

Mr. REED. I desire a vote on the amendment relating to the pay of the chiefs of bureaus.

Mr. ROBESON. I move to concur in all of the amendments except the two named, unless a separate vote is demanded on some other amendment.

The SPEAKER *pro tempore*. The Chair understands there are but two separate votes asked for, one upon the torpedo amendment, and the other upon the amendment relating to the pay of chiefs of bureaus. Is it desired that the several amendments shall be read?

Mr. ROBESON. No.

The SPEAKER *pro tempore*. The question is upon agreeing to the other amendments in gross as reported from the Committee of the Whole. This embraces all the amendments other than the two which have been specially excepted and on which a separate vote is demanded.

The amendments were agreed to.

Mr. ROBESON moved to reconsider the vote by which the amendments reported from the Committee of the Whole were agreed to; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

Mr. SPARKS. Now let us adjourn.

Mr. ROBESON. No; let us go on and dispose of the other two amendments, unless there is a call for the yeas and nays.

Mr. REED. I do not propose to ask a yea-and-nay vote on the amendment to which I have referred unless it becomes necessary.

Mr. ROBESON. Read the first amendment on which a separate vote is demanded.

The Clerk read as follows:

For the purchase and manufacture of torpedoes——

Mr. HISCOCK. That is not the first amendment.

Mr. REED. The first amendment is the one relating to the heads of bureaus.

Mr. THOMAS. It is the first amendment adopted in the first section of the bill.

The Clerk read as follows:

After the word "bureau," in line 10, insert the following:
"*Provided*, That said chiefs of bureau shall receive no additional rank or pay over and above their regular rank or relative rank in the line or staff of the Navy by reason of being chiefs of bureaus."

The House divided; and there were—ayes 67, noes 68.

Mr. HOLMAN. I demand the yeas and nays.

The yeas and nays were ordered, 42 members voting therefor.

The SPEAKER *pro tempore*. The question is on agreeing to the amendment which has been read.

Mr. ROBESON. Pending that I move that this House do now adjourn.

LEAVE OF ABSENCE.

Pending the motion to adjourn, the following leaves of absence were granted, by unanimous consent:

To Mr. NOLAN, indefinitely, on account of sickness.

To Mr. MURCH, for ten days from Thursday, January 25, on account of important business.

The motion to adjourn was then agreed to; and accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BELMONT: The petition of merchants, owners, masters, and pilots of vessels, of Bay Shore, Long Island, and of keepers and crews of United States life-saving stations Nos. 34, 35, and 36, New York, protesting against the transfer of the revenue-marine service to the Navy Department—severally to the Committee on Commerce.

By Mr. BISBEE: The petition of W. B. Watson and others, engaged in the coasting trade of the United States, asking that a light-ship be placed at Cape Hatteras—to the same committee.

By Mr. S. S. FARWELL: The petition of Samuel Van Sant and others, and of W. F. Coan and others, for an appropriation for the improvement of the navigation of the Mississippi River at Des Moines Rapids—severally to the same committee.

By Mr. HITT: The petition of the mayor and aldermen of Galena, Illinois, for an appropriation for continuance of immigrant inspection service—to the Select Committee on the Public Health.

By Mr. HUTCHINS: The petitions of citizens of New York for a reduction of the duty on sugar—severally to the Committee on Ways and Means.

By Mr. RANDALL: The petition of Delaware River pilots, against the transfer of the revenue-marine service to the Navy Department—to the Committee on Commerce.

By Mr. RANNEY: The petition of the Boston (Massachusetts) Ballot-Box Manufacturing Company, relative to patent ballot-boxes—to the Committee on Elections.

By Mr. RAY: The resolutions adopted by the New Hampshire State Grange, praying for the passage of a bill placing the Department of Agriculture on an equal footing with other Departments of the Government, &c.—to the Committee on Agriculture.

By Mr. REED: The petition of Perry and Flint and others, of Jacob McClellan and others, citizens of Portland, Maine, and of Jas. E. Goldthwait and others, keepers and surfmen of the Life-Saving Service, protesting against the transfer of the revenue marine to the Navy Department—severally to the Committee on Commerce.

By Mr. ROSECRANS: The petition of citizens of San Diégo, California, praying Congress for action to enforce their rights against the Texas Pacific Railroad—to the Committee on Pacific Railroads.

By Mr. SPOONER: The petition of Ralph E. Dodge and others, employed in life-saving stations Nos. 3, 4, and 5, district of Rhode Island, protesting against the transfer of the revenue marine to the Navy Department—to the Committee on Commerce.

By Mr. WASHBURN: The petition of Durant, Wheeler & Co., for an appropriation for improvement of the navigation of the Mississippi River at Des Moines Rapids—to the same committee.

The following petitions, praying that Congress will not adopt any lower rate of duties on any foreign manufactured products than are recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. BAYNE: Of Thomas Clark and 70 others, employés of the United States Iron and Tin-Plate Company of McKeesport, Allegheny County, and of James K. Verner and 89 others, employés of the Pittsburgh Forge and Iron Company, of Pittsburgh, Pennsylvania.

By Mr. BELTZHOOVER: Of L. R. Spong, J. P. Wilbar, and 300 others, employés of the Harrisburgh (Pennsylvania) Nail Works, at West Fairview, Pennsylvania.

By Mr. CAMPBELL: Of workingmen of Cove Forge, Blair County, Pennsylvania.

By Mr. CONVERSE: Of employés of the Union Furnace Company, of Hocking County, Ohio.

By Mr. CURTIN: Of iron-workers, of Centre County, Pennsylvania.

By Mr. ERMENTROUT: Of citizens of the eighth Congressional district of Pennsylvania.

By Mr. ERRETT: Of 283 workingmen at Soho Iron Mills, of 212 employés of the Sligo Iron Mills, and of 78 employés of the Pittsburgh Steel Company, of Pittsburgh, Pennsylvania.

By Mr. FISHER: Of citizens of Duncannon, Perry County, Pennsylvania.

By Mr. KLOTZ: Of employés of Neal & Son's Furnace, Bloomsburgh, Pennsylvania.

By Mr. MOSGROVE: Of employés of Kirkpatrick & Co., Leechburgh, Armstrong County, Pennsylvania.

By Mr. RANDALL: Of steel workers of Chester, Pennsylvania.

SENATE.

THURSDAY, *January* 25, 1883.

The Senate met at 11 o'clock a. m.

Rev. J. J. BULLOCK, D. D., Chaplain to the Senate, offered the following prayer:

O Lord, our God, Thou art full of compassion and gracious long-suffering, and plenteous in mercy and truth. We rejoice that all things are under Thy guidance and control, for Thou only art worthy to govern.

We thank Thee for all Thy rich and manifold blessings to us, for all our personal, social, and political blessings; and we pray that we may show our gratitude by acknowledging Thee in all our ways, and by a cordial obedience to all Thy commandments.

Bless our land and country with the choicest blessings of Thy providence and Thy grace. Bless our rulers, the President of the United States, the President of the Senate, the Senators and Representatives in Congress, and all others in authority. Guide and assist them in the discharge of their responsible duties.

Most merciful God, we pray that Thou wouldst bless the solemn services of the day to the spiritual benefit of our rulers. May they be reminded by these services of their own mortality, of the importance of being ever ready for their departure, for they know neither the day nor the hour when they shall be called hence. We commend them to Thy fatherly care and blessing. Be with them in all the trials and changes of life; sustain and comfort them in the hour of death; and, finally, receive us all into Thy heavenly kingdom. We ask for Christ, our Redeemer's sake. Amen.

THE JOURNAL.

The Journal of yesterday's proceedings was read and approved.

DEATH OF SENATOR B. H. HILL.

The PRESIDENT *pro tempore*. This day having been set apart for services in honor of the memory of our late brother BENJAMIN H. HILL, the usual morning business will be dispensed with.

Mr. BROWN. I submit the resolutions which I send to the chair, and I ask for their immediate consideration.

The PRESIDENT *pro tempore*. The resolutions will be read.

The Acting Secretary read the resolutions, as follows:

Resolved, That earnestly desiring to show every possible mark of respect to the memory of the Hon. BENJAMIN H. HILL, late a Senator of the United States from the State of Georgia, and to manifest the high estimate in which his eminent public services and distinguished patriotism are held, the business of the Senate be now suspended, that the friends and late associates of Senator HILL may pay fitting tribute to his high character, his public services, and private virtues.

Resolved, That in the death of Senator HILL the country has sustained a loss, which has been felt and deplored to the utmost limits of the Union.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives.

Resolved, That, as an addititional mark of respect to the memory of the deceased, the Senate do now adjourn.

Mr. BROWN. Mr. President, BENJAMIN HARVEY HILL, whose life, character, and distinguished services are the subject of our present consideration, was born at Hillsborough, in Jasper County, Georgia, on the 14th day of September, 1823. His father, Mr. John Hill, was a gentleman of limited means, without a liberal education. But he was a man of spotless character, of very strong common sense, and a great deal of will power, who always exerted an extensive influence in his neighborhood and section.

The mother of the distinguished statesman, whose maiden name was Parham, was a lady of very fine traits of character, whose precepts and example exerted a most salutary and powerful influence over her children. Mr. and Mrs. Hill were devoted and consistent members of

the Methodist Church. They lived and died in the faith, and were eminently useful in their day and generation.

When the subject of this sketch was about 10 years old his father moved from Hillsborough to the neighborhood called Long Cane, in Troup County, Georgia, which was his home until the day of his death. Mr. Hill not only trained his children to habits of morality and Christian virtue, but he caused them to labor with their hands and earn their bread by the sweat of their brow. Being a sober, industrious, and persevering man he accumulated prior to his death a considerable property, and was able to give to each of his nine children something quite respectable to start life with. His son Benjamin was obedient and faithful to his parents; he labored hard to aid his father. While he was quite industrious, he was noted as a very bright and promising youth. When he reached the age of 18 years he was very anxious to improve the education which he had been able to obtain in the country by going through a course in the University of Georgia. But as the family was large his father felt that he had not the means to spare and do justice to the other children, which were necessary to complete the collegiate course of his son. After a family consultation it was agreed by the mother and by a good and faithful aunt that they, out of the small means they had accumulated, would furnish one-half the amount, the father furnishing the other half. Under this arrangement the gifted son was enabled to enter the State University. Before he left home he promised his mother, if the means could be raised to enable him to complete his collegiate course, that he would take the first honor in his class.

In the university the young student was industrious, attentive, and energetic. His progress was rapid, and his mental development very gratifying to his numerous friends in the university and elsewhere, who watched his progress and the development of his genius with great pride and gratification. When the commencement came at the end of the senior year, the faculty unanimously awarded the first honor to young HILL. He also took all the honors of the literary society to which he belonged. And in a familiar letter to a friend he said within the last few years that was the proudest day of his life, and that nothing ever afforded him more gratification than it did to write to his mother the news that filled his heart with so much joy.

Soon after the close of his collegiate career Mr. HILL was married to Miss Caroline Holt, of Athens, Georgia, a young lady belonging to one of Georgia's oldest and most honored families; of good fortune, great amiability, beauty, and accomplishments. The happy and brilliant young couple settled in La Grange, in Troup County, where Mr. HILL, who had already studied law and been admitted to the bar, commenced the practice of his profession. From the very commencement, the tact, research, and ability with which he conducted his earliest cases gave bright promise of his future eminence. He grew rapidly at the bar until he was soon employed in every important case in his county, and his professional fame spread into the adjoining counties of the State and he became the center figure at the bar in the courts of his circuit.

In connection with his legal practice Mr. HILL purchased a valuable plantation, and with the slaves that he obtained by his wife and by inheritance from his father, and purchased from time to time out of his incomes, he conducted the business of planting on an extensive and profitable scale.

Mr. HILL started life an ardent Whig; and it could not be expected that a young lawyer of his brilliant talents could long keep out of politics. In 1851 he was elected to the house of representatives of the Legislature of Georgia, where he soon rose to the position of one of the ablest debaters and most influential members of that body. After the Legislature adjourned he resumed the practice of his profession with great skill and energy.

The old Whig party having in the mean time been dissolved in Georgia, Mr. HILL in 1855 became a member of what was known as the American party, and was nominated by that party as their candidate for Congress, in opposition to Hon. Hiram Warner, the Democratic nominee. The race was an exciting one. Judge Warner was one of the ablest and most profound men of the State, though not a distinguished orator. Mr. HILL canvassed the district, and usually had the advantage everywhere in the popular applause. He was defeated, however, Judge Warren securing a small majority.

In 1856 Mr. HILL was a candidate for elector for the State at large on the Fillmore ticket. He canvassed the State with great energy, ability, and eloquence. From the day on which he made his first grand effort in support of his candidate must be dated his recognition as the leader of his party in Georgia. During the campaign he met the leading Democratic speakers at various points. He had an animated discussion with Mr. Stephens at Lexington, and with General Toombs at Washington, Georgia. His most ardent admirers were entirely content with the ability he displayed in these contests with his distinguished opponents.

From that time forward his influence with his party was unbounded. They not only trusted and followed him, but he controlled them absolutely.

In 1857 the author of this sketch was nominated by the Democratic party of Georgia as their candidate for governor, and Mr. HILL was nominated by the American party for the same position. We were both young and ardent. I was 36 years of age, he 34. We had never met till the day of our first joint discussion, when we were leading our respective parties as opposing candidates. The contest was energetic and exciting. Mr. HILL displayed great powers of eloquence in the debates, and was an exceedingly interesting and formidable competitor. The contest ended in the election of the Democratic candidate.

Mr. HILL then stood among the very first men of the country as a political debater, and occupied a very high rank as a lawyer and as an advocate at the bar.

In 1859 he was elected by his party to the senate of Georgia. He exhibited great power in the debates of the session, and was without a rival the leader of his party in the Legislature.

In 1860 he was again a candidate for Presidential elector, and canvassed the State for Bell and Everett for President and Vice-President. His speeches were exceedingly able and brilliant.

The election of Mr. Lincoln to the Presidency, as the South regarded it, upon a strictly sectional platform brought about the overwhelming discontent in that section which resulted in the secession of the Southern States and in the unfortunate civil war. When a convention to consider this question was called in Georgia, Mr. HILL was with great unanimity elected a member of it from the county of Troup. He was an avowed Union man, and in conjunction with Alexander H. Stephens, Herschell V. Johnson, Linton Stephens, and some others, leading men of Georgia, he opposed secession ably and earnestly until the final passage of the resolution that it was the right and duty of Georgia to secede. When the ordinance was passed he signed it, taking position, as did the other distinguished gentlemen whose names I have mentioned, that as a Georgian he owed his allegiance first to the State of his nativity, of his manhood, and of his home; that her people were his people, and her fate should be his fate.

After the State had seceded, Mr. HILL was chosen one of the delegates to the confederate convention at Montgomery, Alabama. In that convention he took an able and distinguished part. Soon after the convention adjourned, when the time came to elect confederate senators, he was chosen for the long term, and took his seat in the confederate senate, which he occupied till the end of the war. He was made chairman of the judiciary committee, and had the confidence of President Davis to the fullest extent, and was regarded the ablest supporter of Mr. Davis's policy in the senate. And when the cause was waning, and our people were deeply depressed, Mr. HILL left the senate and went upon the stump, and was making an able effort to arouse the spirits of the people of Georgia and of the confederacy to renewed resistance when General Lee surrendered.

Soon after the confederacy failed, when many of those who had been considered the leaders were arrested, Mr. HILL was among the number. While President Davis was consigned to a cell in Fortress Monroe, and Vice-President Stephens to one in Fort Warren, and the author of this sketch, with a number of distinguished confederates, was incarcerated in the Carroll Prison in this city, Mr. HILL was consigned to quarters in Fort Lafayette, in New York harbor.

After the release of Mr. HILL from prison, he returned to Georgia and resumed the practice of his profession with great energy and splendid success. He pursued his profession, taking little part in politics, until after the passage of the reconstruction acts in March, 1867, when it was again the misfortune of the author of this sketch to differ with his former opponent.

After our resources were exhausted and our armies had surrendered, I thought I saw that we were in the power and at the mercy of a conquering government, and I advised the people of Georgia to acquiesce promptly in the terms dictated by Congress; to take part in the convention which was called by the military commander in charge of the district embracing the State of Georgia; to send our best men as members; to secure the best constitution possible, and under it try to live a peaceable life and labor to restore prosperity at the earliest day within our power. A majority of the white people of Georgia differed with me on that point—Mr. HILL among them. He believed by an able and bold opposition to the measures prescribed by Congress, and by resistance to them in every manner not forcible, the people of the Northern and Western States would condemn the action of Congress, restore the Democratic party to power, and we would be saved much of the humiliation we had been exposed to by acts of Congress which were regarded by our people as illiberal and unjust.

When Mr. HILL espoused the cause on this line, he did it with all the ability, earnestness, energy, and enthusiasm of his nature. He attended the first Democratic convention held in Georgia, and was the leading spirit and director of it. In the face of the military, with undaunted spirit, he made what was known as his "Davis Hall speech," in the city of Atlanta, which, as a masterpiece of denunciation, philippic and invective, has scarcely ever been equaled, except in what were known as his "Bush-arbor speech" and his "Notes on the Situation." The magic power of his declamation and of his denunciation were overwhelming and terrific. Probably no one of the masters of elocution who has lived on this continent has surpassed it.

As the author of this sketch had affiliated with the reconstruction party, his course shared liberally in the overwhelming and terrific denunciation of the great orator. Reference to the replies which were made to these vigorous assaults is not appropriate to this occasion. The

period was a stormy one. The debates were bitter and even vindictive on both sides. It was a time of madness. Social relations were sundered in many cases, and there was for a time an upheaval of the very foundations of society. During this extraordinary period, when the whole political fabric of the State seemed to rock amid the throes of dissolution, no one figured so grandly as Mr. HILL, and no one was so idolized as he.

But the people of the South were doomed to an unconditional surrender. We were compelled to accept the reconstruction measures. When we rejected the fourteenth constitutional amendment, the fifteenth was proposed, and we were afterward compelled to accept both before we could be readmitted to representation in the Congress of the United States.

After the reconstruction of the States was completed under the plan dictated by Congress, and the constitutional amendments were adopted and incorporated into and became part of that instrument, it was discovered by all that both the Congress and the courts would unquestionably sustain those new provisions of the Constitution as part of the fundamental law of this country, and that the Government would be administered accordingly.

In this state of things, in the fall of 1870 Mr. HILL became fully convinced of the fact that further resistance was useless. And while he believed he had saved much to the State by the course he had pursued in rallying and holding the people together and organizing the Democracy upon a firm basis, he did not hesitate to advise the people of Georgia to cease further resistance to what was then an accomplished fact.

Seeing that further resistance was fruitless, he considered it would be criminal to continue to throw obstacles in the way of the Government. This announcement on his part exposed him for a time to severe criticism by those who did not understand his motives. But he was as firm and lion-like in maintaining the stand he then took as he had been in the terrible resistance which he made to the reconstruction measures as long as he entertained any hope that the resistance might be successful. From this time forward Mr. HILL renewed his allegiance to the Government to the fullest extent, and did all in his power to produce quiet and contentment, which he saw were necessary to a return of peace and prosperity to our people.

During the period that intervened, for the next two or three years, he pursued his law-practice with his usual ability and success, and also again embarked in a large planting business in Southwestern Georgia.

But the people of Georgia were not content that he should remain a private citizen. They desired the benefit of his splendid talents in the national councils. And on the death of Hon. Garnet McMillan, who was a member of the House of Representatives from the ninth district of Georgia, Mr. HILL, by an overwhelming majority, was elected to fill the vacancy, and he took his seat in the House. His course there is familiar to most if not all who hear me. Some splendid exhibitions of his oratorical powers in that body soon gave him an extensive national reputation. His celebrated discussion with the distinguished Representative from Maine, Mr. Blaine, was one of the most memorable that has ever occurred in the House of Representatives. Each of the able antagonists sustained his cause in a manner entirely satisfactory to his friends. Heated, earnest, and almost vituperative as the debate was between them, they learned to know each other's ability and worth. Each was soon called by his State to occupy a seat in this Chamber; and as their acquaintance was prolonged, it grew first into friendship and then into an earnest admiration of each other. The letter of condolence sent by Mr. Blaine on the death of Mr. HILL did honor alike to his head and his heart, and was highly appreciated by the numerous friends of the deceased Senator.

As to the course of Senator HILL in this body and the splendid triumphs of his eloquence and his genius which have been here exhibited I need not speak. They are well known to the Senate, and will long be remembered by his friends, his compeers, and an appreciative public.

As I have been compelled, in order to give correctly an outline of the life and career of the great Senator, to make a passing reference to the early antagonism and at one time bitterness that existed between us, it affords me great pleasure to state that in later life, when we knew each other better and were frequently thrown together, in times less stormy and less revolutionary, when it became our duty to consult together to determine what was most for the public good and what would soonest restore prosperity to our State and our section, our relations were changed

I had retired from public life and had no expectation that I should ever enter it again. But I was unwilling that Mr. HILL'S splendid talents should be confined simply to the practice of his profession, and I desired to see him in the councils of the Union.

When he ran for the House of Representatives, though not in his district, I had a host of friends there who sustained him. When he became a candidate for the Senate my friends held the balance of power; and while I had great regard for the gentleman who then occupied the seat, I felt that Mr. HILL could do more to serve the State in that capacity than the incumbent. Therefore, when Governor Smith retired from the contest on the day of election my friends gave Mr. HILL their cordial support.

At a later period, when I was called unexpectedly back into the service of my State and took my seat in this Chamber, he met me with the cordiality which our relations then justified. During our service together that cordiality ripened into intimate and confidential friendship. He frequently said to me, "I regret that we had not sooner known each other better. I regret that we were thrown, when young and ardent, into the positions of antagonism which we then occupied." One of the last letters I received from him before the sad event which shocked the Union was full of confidence and cordial friendship. Referring to the past, he said, "Who would then have thought that you were during my lifetime to become my most trusted and confidential friend?" No one felt more keenly than I did his loss, and no one shed tears of more sincere regret. A great man has fallen. The whole country feels the shock. As a citizen he was patriotic, trusted, and beloved; as a kind and indulgent husband and father few persons can justly be compared to him.

Mr. HILL'S love for his mother, and the veneration with which he cherished her memory after her death, was beautiful and touching. It was his habit when at home to go every day into his parlor where her portrait hung, and to look tenderly in her face, and to bow to her on retiring. A day or two before his death, when he was too feeble to support himself without assistance, he requested his attendants to carry him into the parlor, that he might take a last look at the likeness of the face that was so dear to him. On approaching the likeness he was visibly affected. He gazed lovingly upon the form, and as his heart heaved with emotion and his eyes filled with tears he said: "I shall soon be with her again." Then, bowing most reverently and affectionately, he was borne from the parlor, never more in this world to look upon the form so tenderly cherished by him.

But, Senators, this sketch would be incomplete without a reference to the religious character of Georgia's great statesman. As I have already premised, his father and mother were earnest, devout, and consistent members of the Methodist Church. At fourteen years of age BENJAMIN H. HILL became a member of that church. He was faithful and zealous, and lived a very exemplary life. During the period of his youth and early manhood he was noted for his religious devotion and his piety. For years after his happy marriage with his lovely wife he and his family surrounded the altar daily together in prayer and devotion.

At a later period of life, when he became more engrossed with the courts, and absorbed in politics and other public duties, he was thrown much away from his home, and his mind was diverted to other objects, which made heavy drafts upon his time and attention. And during this most active period of his public career he was less attentive to his religious duties, which was afterwards to him a source of great regret. But when the disease, which finally terminated in his untimely death, had seized upon him, its inroads were slow, and his sufferings were very great. During this long and trying period his mind reverted back to the family altar, to his church relations, and to his religious privileges and duties. He calmly surveyed the situation and reviewed his life; and his faith became still more firmly anchored within the veil. He met his sufferings with a patience and Christian fortitude that in its lessons and teachings were absolutely sublime.

While his sufferings were intense and his pain often excruciating he never murmured, but said: "Let God's will be done, not mine." Nothing pleased him better than the conversation of ministers of the Gospel on religious subjects. He spoke of the atonement made by our Saviour, of its efficiency, and of the hope that he entertained. He delighted to dwell on these subjects. While he suffered from day to day and from night to night nothing disturbed his equanimity, nothing for a moment brought a murmur to his lips. Brilliant and splendid as had been many of the triumphs of his life, his Christian resignation and fortitude and his triumph in death were much more brilliant, much more sublime.

When his powers of speech had failed and his once eloquent tongue had ceased to articulate and he was gently and peacefully sinking into the embrace of death, that good man, Rev. C. A. Evans, pastor of his church, visited him, and approaching him with great gentleness and kindness, spoke words of consolation. The dying Senator, with a heart full of love and his countenance beaming with heavenly visions, after struggling with the impediment that bound his tongue in silence, uttered audibly his last sentence: "Almost home."

Thus quietly and peacefully passed away one whose memory we all affectionately cherish.

But, Senators, our late companion is not dead. He has passed behind the veil, and his form is no longer seen by us. His body sleeps in the grave, but his immortal spirit rests in the paradise of God.

Mr. President, in the demise of Senator HILL the whole Union has sustained a severe loss. But the affliction of the people of Georgia is greater than any other can be; they knew him; they loved him; they honored and trusted him; they almost idolized him. And when it was announced that BENJAMIN H. HILL was no more they bowed their heads in sorrow, and will long mourn their irreparable loss.

But, Mr. President, Senator HILL possessed intellectual qualities of the highest order. His genius was acknowledged by all. In debate he was surpassingly grand and convincing. As a logician he had few equals; as an impassioned orator he had no superior; as a lawyer he occupied the first rank; as an advocate at the bar he was absolutely overwhelming; as an American Senator he was the peer of any one.

When I reflect upon the great oratorical powers of Senator HILL, the

splendor of his genius, the simplicity of his heart, and the patriotic impulses of his nature, as I had learned in later life to know them, I conclude that the day is not distant when some great American poet, burning with patriotic zeal as well as poetic fire, will weave into verse a tribute to his memory as glowing and as just as the immortal English bard paid the great Irish orator when Byron sang:

> Ever glorious Grattan! the best of the good!
> So simple in heart, so sublime in the rest;
> With all which Demosthenes wanted endued,
> And his rival or victor in all he possessed.

Mr. INGALLS. BEN HILL has gone to the undiscovered country. Whether his journey thither was but one step across an imperceptible frontier, or whether an interminable ocean, black, unfluctuating, and voiceless, stretches between these earthly coasts and those invisible shores—we do not know.

Whether on that August morning after death he saw a more glorious sun rise with unimaginable splendor above a celestial horizon, or whether his apathetic and unconscious ashes still sleep in cold obstruction and insensible oblivion—we do not know.

Whether his strong and subtle energies found instant exercise in another forum, whether his dexterous and disciplined faculties are now contending in a higher senate than ours for supremacy, or whether his powers were dissipated and dispersed with his parting breath—we do not know.

Whether his passions, ambitions, and affections still sway, attract, and impel, whether he yet remembers us as we remember him—we do not know.

These are the unsolved, the insoluble problems of mortal life and human destiny, which prompted the troubled patriarch to ask that momentous question for which the centuries have given no answer,—"If a man die, shall he live again?"

Every man is the center of a circle whose fatal circumference he can not pass. Within its narrow confines he is potential, beyond it he perishes; and if immortality is a splendid but delusive dream, if the incompleteness of every career, even the longest and most fortunate, be not supplemented and perfected after its termination here, then he who dreads to die should fear to live, for life is a tragedy more desolate and inexplicable than death.

Of all the dead whose obsequies we have paused to solemnize in this Chamber I recall no one whose untimely fate seems so lamentable and yet so rich in prophecy as that of Senator HILL. He had reached the meridian of his years. He stood upon the high plateau of middle life, in that serene atmosphere where temptation no longer assails, where the clamorous passions no more distract, and where the conditions are most favorable for noble and enduring achievement. His upward path had been through stormy adversity and contention such as infrequently falls to the lot of men. Though not without the tendency to meditation, reverie, and introspection which accompanies genius, his temperament was palestric. He was competitive and unpeaceful. He was born a polemic and controversialist, intellectually pugnacious and combative, so that he was impelled to defend any position that might be assailed or to attack any position that might be intrenched, not because the defense or the assault were essential, but because the positions were maintained and that those who held them became by that fact alone his adversaries. This tendency of his nature made his orbit erratic. He was meteoric rather than planetary, and flashed with irregular splendor rather than shone with steady and penetrating rays. His advocacy of any cause was fearless to the verge of temerity. He appeared to be indifferent to applause or censure for their own sake. He accepted intrepidly any conclusions that he reached, without inquiring whether they were politic or expedient.

To such a spirit partisanship was unavoidable, but with Senator HILL it did not degenerate into bigotry. He was capable of broad generosity, and extended to his opponents the same unreserved candor which he demanded for himself. His oratory was impetuous and devoid of artifice. He was not a posturer or phrasemonger. He was too intense, too earnest, to employ the cheap and paltry decorations of discourse. He never reconnoitered a hostile position nor approached it by stealthy parallels. He could not lay siege to an enemy, nor beleaguer him, nor open trenches, and sap and mine. His method was the charge and the onset. He was the Murat of senatorial debate. Not many men of this generation have been better equipped for parliamentary warfare than he, with his commanding presence, his sinewy diction, his confidence, and imperturbable self-control.

But in the maturity of his powers and his fame, with unmeasured opportunities for achievement apparently before him, with great designs unaccomplished, surrounded by the proud and affectionate solicitude of a great constituency, the pallid messenger with the inverted torch beckoned him to depart. There are few scenes in history more tragic than that protracted combat with death. No man had greater inducements to live. But in the long struggle against the inexorable advances of an insidious and mortal malady, he did not falter nor repine. He retreated with the aspect of a victor; and though he succumbed, he seemed to conquer. His sun went down at noon, but it sank amid the prophetic splendors of an eternal dawn.

With more than a hero's courage, with more than a martyr's fortitude, he waited the approach of the inevitable hour and went to the undiscovered country.

Mr. VEST. Mr. President, in November, 1861, I first met Mr. HILL in the provisional congress of the Confederate States.

The confederacy was just entering upon its brief and stormy existence. Its capital had recently been removed from Montgomery to Richmond, and Jefferson Davis by a majority of only one vote in the provisional congress had been elected president over Robert Toombs.

Surrounded by unexampled difficulties, moral and physical, isolated and alone, with the prejudices of the entire civilized world against them, and confronted in battle with overwhelming odds, the confederate congress was called upon to meet not only the ordinary questions and emergencies attending the formation of a new government, but to grapple also with the exigencies and demands of a great war, a war not for conquest or policy, but for existence.

Mr. HILL had earnestly opposed secession up to the last moment, but finding that the people of Georgia were determined to separate from the Union, he surrendered his personal opinion, and pledged himself fully and unreservedly to the cause of the confederacy.

Opposed to secession, with habits of thought and education utterly averse to revolution, the strange vicissitudes of this stormy period soon found him the leader of the administration party in the confederate congress.

Within the limits of an address like this it would neither be possible nor proper for me to attempt an analysis of the causes which placed Mr. HILL in this position; but chief among them was the fact that having once pledged himself to the confederacy he could see no hope of success except in supporting the president chosen by the people; and having so declared himself, his great ability naturally made him the exponent and defender of the policy of the administration.

Although surrounded by difficulties and dangers almost without parallel, and confronted by a common peril, it was very soon evident that personal rivalry, the attrition of diverse opinion, and the fierce passions of a revolutionary era had built up most determined opposition to Mr. Davis among the leaders of the South.

That the president of the Confederate States was loyal to the people he led, in every fiber of his nature, can not be doubted save by the blindest prejudice; and this being granted, whether he was mistaken in the conduct of the war or in the policy of his administration should be a sealed book to all those who sympathized and suffered with him. It is enough to say now that never was any public man assailed by opponents so formidable as those who attacked the president of the Confederate States.

Toombs, the Mirabeau of the revolution; Yancey, whose lips were touched with fire, now the honey of persuasion and then the venom of invective; Wigfall, brilliant, aggressive, and relentless—this was the great triumvirate which assailed Mr. Davis's administration. No power of description can do justice to the ability, eloquence, or bitterness of the debates in which Mr. HILL, single-handed but undaunted, met his great opponents. As the war progressed and the fortunes of the confederacy became each year more desperate, the bitterness and violence of this parliamentary conflict increased, until scenes of actual personal collision occurred on the floor of the confederate senate.

The participants have passed beyond this world's judgment, and the issues which stirred those fierce passions are dead with the government they affected, but the few who heard these debates can never forget the matchless eloquence and logic that mingled with the roar of hostile guns around the beleaguered capital of the confederacy.

Reluctant to embrace the confederate cause, Mr. HILL was the last to leave it, and I well remember that on my way from Richmond, after preparations had been made to abandon the capital, and it was well known that the cause was lost, I met him in Columbus, Georgia, engaged in the task of rallying the people of his State in what was then a hopeless struggle. When I told him of recent events, of which he had not heard, he said, "All then is over, and it only remains for me to share the fate of the people of Georgia."

How well he redeemed this pledge the hearts of his people will answer. Thrown into prison, stripped of all except life, his courage never failed, and in the darkest hour, when the wolves were tearing the victims of the war as the coyote the wounded deer, his eloquent voice was never for one instant silent until Georgia, torn and bleeding but yet splendid and beautiful, once more stood erect in the sisterhood of sovereign States. Nor did he ever under any temptation so far forget his manhood and honor as to

> Crook the pregnant hinges of the knee
> Where thrift may follow fawning.

Accepting fully and without reservation all the legitimate consequences of defeat, and resolutely turning to the future with its duties and obligations, he still retained his self-respect, and never did he

> Bend low, and in a bondsman's key,
> With 'bated breath, and whispering humbleness,
> Say this——
> Fair sir, you spit on me on Wednesday last;
> You spurn'd me such a day; another time
> You call'd me—dog; and for these courtesies
> I'll lend you thus much monies.

I knew Mr. HILL well, and under circumstances which enabled me

to judge accurately his attributes and qualities. Like all men of great intellect, he was often accused of inconsistency because he absolutely refused to be governed by the routine thought of others, and had always the courage to change an opinion if he believed it erroneous. His courage, indeed, both of conviction and expression, was not excelled by that of any man, and his fortitude under the greatest misfortunes extorted the admiration of even his enemies.

In an age when calumny and slander are the ordinary weapons of political warfare, and personal scandal the most delicate morsel for the public appetite, Mr. HILL was not exempt from the attacks of the foul and loathsome creatures who crawl about the footsteps of every public man, but he bore himself always with a dignity which commanded the respect of all.

And what can be said of the heroism, the uncomplaining and unfaltering courage with which he met the irony of fate that brought him the torture of a lingering death in the destruction of that tongue and voice which had so often awakened with their eloquence the echoes of this Hall!

In all public and private history there is no sadder page than this, and from it we turn away in silent awe and reverence.

In his political opinions Mr. HILL was governed by the teaching of Madison, and no one who heard his speech in the Senate on May 10, 1879, the greatest speech in my judgment delivered here within the last quarter of a century, will ever forget his tribute to the statesman who can be justly termed the father of the Constitution.

Sir—

Said Mr. HILL—

I want to say here now—and I feel it a privilege that I can say it—I believe all the angry discussion, all the troubles that have come upon this country, have sprung from the failure of the people to comprehend the one great fact that the Government under which we live has no model; it is partly national and partly Federal; an idea which was to the Greeks a stumbling block, and to the Romans foolishness, and to the Republican party an insurmountable paradox, but to the patriots of this country it is the power of liberty unto the salvation of the people. And if the people of this country would realize that fact all these crazy wranglings as to whether we live under a Federal or a National Government would cease; they would understand that we live under both; that it is a composite Government; that it was intended by the framers that the Union shall be faithful in defense of the States; that the States shall be harmonious in support of the Union, and that the Union and the States shall be faithful and harmonious in the support and the maintenance of the rights and the liberty of the people.

Mr. HILL was not only an orator, but a lawyer in the front of his profession. His mind was broad yet analytical; and he was averse to all radical and revolutionary methods. In my conception of his intellect and eloquence I always associate him with Virgniaud, the leader of the French Girondists. While neither will stand in history with the greatest party leaders, yet as orators and parliamentary debaters they are entitled to places in the first rank.

Ended are his conflicts, his triumphs and defeats. The strong, aggressive intellect is at rest. The clarion voice which could "wield at will the fierce democracy" is hushed forever.

Out upon the shoreless ocean his bark has drifted; but it has not carried away all of the life that has ended. Never to mortal hands was given a legacy more precious than that left to the people of Georgia in the memory of her great son who gave his life to her service and his latest prayer to her honor and welfare.

Orator, statesman, patriot, farewell! Let Georgia guard well thy grave; for in her soil rest not the ashes of one whose life has done more to illustrate her manhood, whose genius has added such glory to her name.

Mr. MORGAN. Mr. President, Alabama, the eldest daughter of Georgia, approaches this sad occasion with a proud but stricken spirit. I will utter no word in praise of the late Senator that all the people of that State and of the South will not sanction with heartfelt responses.

This is an occasion when the pure serenity of truth need not be clouded with undeserved eulogy of the dead. It would be an injustice to the sincerity of his character, which his own history and example would condemn, to speak of the deceased Senator in terms that would be misleading.

A strong and rugged character such as belonged to BENJAMIN H. HILL can not be correctly portrayed in the soft light of adulation or by mere smoothness of expression or in speech, tempered with hesitancy and caution. He was a bold, daring, and powerful man in his intellectual and physical organism, and his convictions when they were settled after due consideration were always the guide to his action and the measure of his duty. He thought much, and examined with carefulness every important question that engaged his attention.

When he was in error he was dangerous because of the fertility of his resources in argument, his zeal and firmness, his tact in debate, and the aggressive energy of his mind. When he was right he was almost invincible.

These qualities naturally fitted him for the highest range of achievements as an advocate and leader; but such was his independence of all control by the thoughts of others that he sometimes sacrificed the leadership of men whom he could have controlled had he made concessions that were not of vital consequence to him or to them.

The people often made concessions to him to avoid controversy with one whom they greatly admired and were attached to with affectionate regard. The following of the people under his leadership did not always result from their approval of his views, even on great questions.

He was, in the American sense, a great popular orator, whose powers were best adapted to great questions and important occasions, in which the rights and liberties of the people were concerned or the honor of the country was at stake. In such discussions he sometimes rose to astonishing heights of sublimity of thought and speech, which carried his audience with him until they seemed to lose control of themselves. He had no faculty of imitation, and his style of oratory was all his own. He had no model in rhetoric or logic that he was willing to copy. He seemed to have no thoughts that were his merely by adoption; they were the offspring of his own mind. His eloquence was little more than a fervid statement of the facts or reasoning which had brought his mind to the conclusions which he was supporting; but it was so intense as to become almost irresistible.

When speaking to the people, in the period just preceding the war, when the argument was closed and a resort to other methods of defense had become a necessity, as they viewed the situation, he turned their thoughts to the duties and dangers of the people of the South and of their posterity. He reviewed with pathetic fervor their fidelity to the Constitution and the Union in all former times of danger and trial; in the second war of independence with Great Britain, in the wars with the Indians, who were supported by British and Spanish emissaries, and inspired by the savage eloquence of Tecumseh; and in the war with Mexico; and, feeling that they were threatened with servile insurrection and ultimate degradation and the loss of all protection under the Constitution, he urged them to their duty with such power that—

> Each ravished bosom felt the high alarms,
> And all their burning pulses beat to arms.

Mr. HILL was a lawyer of great ability, but his self-reliant habits of reasoning led him to seek for arguments rather than for precedents to support the cause he was advocating. The special-jury system of Georgia was productive of great alertness and skill in forensic discussion among the lawyers of Georgia, and in these he excelled. Senators will remember how much he relied on this faculty even in the discussion of questions of the most intricate character. He always spoke extemporaneously, and seldom made any use even of notes of reference to authorities.

In the strenuous controversy of high debate he was sometimes severe, but never with willful injustice to those opposed to him.

> The only soil of his fair virtue's gloss
> Was a sharp wit, match'd with too blunt a will;
> Whose edge none spurned that came within his power.

His political career was shaped by the events of the most difficult and momentous period in American history. The success of the rebellion of 1776 by the strength of the Union it established made the success of the rebellion of 1860 impossible. But the questions that were left open after the first rebellion to rankle in the bosoms of the people made the second rebellion and the war that followed it unavoidable.

Mr. HILL, in common with other men of that period, understood that the third generation of American citizens were forced to settle by arms the questions that the first generation could not settle in the beginning without giving up all hope of uniting the States in a federal government under the new constitution. He, like many others, was compelled by a sense of duty to change his attitude on questions of policy to meet the dangers as they arose and drifted with the current of events. His fated duty and purpose forced him into resistance to the inevitable, but the least destructive measure of resistance was what he always sought to adopt. Under such circumstances he was then, and more recently, charged with reckless inconsistency.

That was not a just criticism either of his character or his conduct. He was so far free from that weakness which is dignified with the title of pride of opinion that he did not hesitate to abandon his opinions and to disprove their soundness when subsequent reflection satisfied him of the error. It was this trait that gave color to the idea that he was vacillating in his political convictions.

If he were here and I could render to him in person the justice which he would most appreciate, as I render to his memory what I believe to be most true, I would say of his course in the beginning of the civil war and during the discussion of the events that led to it that no man then living was more sincerely devoted to the American Union than he was; no man gave up the hope of its perpetuity with more intense sorrow than he did; no man more firmly believed than he did that the Southern States had just grounds for their secession; no man deplored more sincerely than he did that secession and war were made inevitable by the very provisions of the Constitution that men were sworn to support, and that could not in fact be supported in its provisions relating to slavery except by the power of the sword as against the will of a great majority of the American people, and when the crisis came, no man was firmer than Mr. HILL in supporting with his vote in the convention of Georgia the ordinance of secession, against which he had entered his protest, but to which he gave his assent when his brethren had resolved that it was the only remedy left open to them.

This is the true history of his motives and feelings in that time of severe trial, which so honorably explain his conduct. In the light of these facts there is a moral heroism in his course which raises his fame even to a higher eminence than that which is so freely accorded to him for his acknowledged abilities. His fidelity to the Confederate States

could not have been greater if he had been the sole responsible author of the secession of each of the States. His devotion to that cause after he had espoused it, and to the people after they were involved in war, appeals to their hearts for a tribute, which they freely render to his memory, far exceeding eulogy and praise, the tribute of gratitude enriched by love. None but the truest of men could have won this high distinction from the people of the South. He has won it worthily, and it will continue to bloom amid the leaves of the chaplet with which they have crowned him for immortality.

The people of the South withdrew from the Union because they believed that the Government of the United States had no longer the will or the power to protect their constitutional rights. They went out by the separate and independent action of each of the eleven seceding States. Their reunion into a confederacy was itself a great task upon the statesmanship of the leading men of the South. Along with this task came the instant and inevitable work of preparing for a great war.

In all these high duties Mr. HILL was an active and leading participant as a representative of the State of Georgia.

The condition of these eleven States was perilous in the extreme, and required the highest order of capacity for government to direct them through these dangerous straits. The individual States had armies in the field engaged in conflicts of arms before the confederacy could be organized under a provisional government.

Then immediately came the great struggle, in which all the people of all races, with only a few individual exceptions, were united for weal or for woe. There was nothing on which the confederacy could rely for success except the devotion of the people to the cause which united them. Nothing was organized, and the material of war consisted only of resolute men. Without a military chest, or arms, munitions, equipments, transportation, or supplies, the military resources of the confederacy consisted of ten millions of people, of whom more than a third were slaves whose release from bondage depended on the success of the arms of the United States.

This population could not furnish and keep in the field more than a half million of men even for a short campaign. Its total arms-bearing strength could not exceed a million of men, within the extreme limits of military levies, during the whole period of a four years' war. Their arms and ordnance stores, munitions, provisions, and transportation were to be dug from the mines and the fields, and hewn from the forests, and constructed from the native material. They had to raise the cotton and wool for clothing their armies, and to build factories to convert them into clothing. There was not a thousand thoroughly educated soldiers in these eleven States. They had little money, and no credit abroad. They were shut in on land and sea by great armies and navies. They had no fleet and no commerce. They had not the genuine sympathy of any nation in the world.

Their adversaries were men of their own blood; powerful, warlike, rich, determined; aroused with enthusiastic zeal for the Union and the supremacy of its laws; supplied with every resource of warfare, and supported by the sympathy and assistance of many other great nations, whose people recruited their armies. They could put in the field as many soldiers as the confederacy could possibly muster, and still have a reserve of population of 20,000,000 from which to draw other armies. This brief view of the situation will sufficiently show the general outline of the labors that Mr. HILL and his colleagues in the confederate congress were called to perform. They courageously took up the task, which seemed too great for human endeavor.

Their debates are not published, but the tradition that has reached us is that they were never excelled in ability and majestic eloquence. It may be better that they have faded from human recollection. There was little of personal rivalry in the confederate congress. The weight of responsibility resting upon all alike kept each individual equal upon the common plane of duty. It was the performance of duty, and not daring enterprise or moving eloquence, that was the test of a man's devotion to the common cause and of his ability to serve it in that congress.

According to this standard Mr. HILL was honorably distinguished among his colleagues, and was applauded by the people. The regard of the people for him far exceeded mere admiration. There was a strong bond of affection between them. All the sympathies of his high nature were aroused by their sufferings, and grew into homage for their virtues as he witnessed their fortitude and patience in the terrible trials of the war. He saw that their wealth was freely given to the confederacy; that they fed and clothed the army without the hope of compensation; that the poor, the widowed, and the orphaned took refuge and found comfort in their cheerful benevolence; that they gave up their houses for hospitals, and gathered from the fields and forests the simple remedies for the wounded and sick which took the place of the ordinary hospital supplies and medicines which were denied to them. He saw that the women raised bread in the sun-beaten fields, with plow and hoe, and divided it between their children at home and their husbands and children in the army. He saw the mothers sending their sons forth to recruit the armies as soon as they were able to bear arms, and oftentimes to take the places of fathers and elder brothers who had fallen in battle. He rejoiced in the heroic spirit of the people, and they felt that he was true to them.

The end came; and with it came the dawn of a new hope, only to spread its wings of light for a moment, and then to fold them again in darkness.

With peace came the promise of restoration to civil liberty as it is proudly impersonated in the character of the American citizen. That promise contained the essential part of all for which the Southern people had fought for four weary and sorrow-burdened years. They gave up the institution which was the provoking cause of the great conflict of arms, and felt assured that there would no longer be occasion or excuse for a denial to them of the equal rights enjoyed by other American citizens. They laid down their arms and gave their paroles upon these express conditions. But they were grievously disappointed, and, having disarmed, they had no longer the privilege of making honorable sacrifices to vindicate their rights. They brooded in the darkness of a hopeless doom over a loss that was seemingly irreparable.

On such occasions men have often come forward who seem to have been fitted and prepared beforehand for the work. They ask the confidence of the people, and if they have the faith to give it and the courage to follow they are led by them into a happy deliverance.

Among this class of leaders in the South Mr. HILL was conspicuous. In the events which followed the surrender of 1865 his courage and eloquence were displayed in their grandest power as a leader of the people. He was maddened with the thought that the surrender of a people who had struggled so gallantly and suffered so much, but were yet able to have protracted the war indefinitely, did not bring to them the rights which were expressly included in the capitulation. With anguish of soul he witnessed the wrongs and humiliation inflicted on them under the policy of the reconstruction of the seceding States, by which they were held subject as vassals under the laws of war when they had been promised restoration under the laws of peace.

When the military power was thus made to supplant the civil power in Georgia, and the disarmed people were incapable of resistance, he did not despair. He felt that there was in the American heart a forum where the plea for justice could still be heard, and he boldly demanded an audience there. Through such assistance he determined that Georgia should be set free from military despotism and foreign rule. He united the people of Georgia in a crusade against tyranny. They broke their chains, and he led them in a triumphant march to victory. With no other weapon but the freeman's ballot they drove out their oppressors.

His strength, when thus called into action, was a sublime expression of the depth of feeling and suffering of a great spirit maddened by a sense of cruel wrong.

> As when Alcides * * * felt the envenom'd robe, and tore
> Through pain up by the roots Thessalian pines;
> And Lichas from the top of Œta threw
> Into the Euboic sea—

so did this maddened patriot tear from the bosom of his native State the deep-rooted grafts of military despotism and cast them out from her borders. Neither Garibaldi nor Gambetta were more patriotic or more intrepid than he was, and the nations of the earth have mourned at their funerals. This homage was given them because they had lifted up the heads of despairing peoples in times of national calamity, and reinspired them with hope, courage, and self-reliance. And for this cause the South mourns at the obsequies of her patriot son, and embalms his memory with her tears.

It is not appropriate to utter all the praises our hearts would fain bestow upon him. We prefer to leave something unsaid and undone for the present time to signify a tenderness of feeling for our dead who were great and good that does not now admit of complete expression.

I witnessed the burial of BENJAMIN H. HILL in the bosom of his native State. The people were there in observant masses looking sadly on at the simple cortege that escorted his remains to the cemetery. They seemed to feel that he had died much too soon to gather the full wealth of his own fame or to confer on them the full riches of his counsels. They seemed to think of him as of a warrior slain by chance when he had put on his armor to win his greatest victories; as an eagle stricken in its boldest flight; as an oak riven with lightning in the fullness of its beauty and strength while spreading its leaves to welcome the summer showers. They were proud that their sorrow was honoring alike to the living and the dead; but they were grieved that the sad occasion had so soon arrived. They believed, and I do, that he had not attained to the fullness of his growth in intellectual power and that he left unfinished many noble plans for the good of the country.

Mr. HILL was not always wise, yet few were wiser than he. It can not be said of him that he was always right, but it can be truly said that he was never wrong from willfulness, for lack of courage, or from inattention to the requirements of duty.

Discarding all blind confidence in fate, and deeply sensible of responsibility to God, his noble and just spirit left this brief existence for one that is eternal, satisfied with the past and confident of the future.

Though his work here was not finished, as we view such matters, he was not reluctant to lay down the great charge intrusted to him by a fond constituency; for he believed that the Master had called him to other duties which, as compared with his duties in the Senate, would confer on him "a far more exceeding and eternal weight of glory," and so assured, he departed hence with rejoicing.

Mr. SHERMAN. Mr. President, we are often called upon in the midst of our public duties to commemorate the death of an associate who has shared with us in the labor and responsibility of official trust. But it rarely happens that the fatal shaft falls upon a Senator of such physical strength and mental vigor as Senator HILL. He had scarcely yet attained the full measure of national reputation to which his admitted abilities would have raised him. The insidious disease which sapped his life not only filled his home, his family, and his State with pain and sorrow, but caused a sigh of sadness and respectful sympathy in every household where his patient suffering and premature death were known.

I am not able to speak of Senator HILL with the fullness of information that his colleagues and personal associates have done. They tell us how he won and held in the highest degree the respect and esteem of his associates, that he has been honored with the confidence of the people of his native State, and by their suffrages for years has filled with credit many positions of public trust. We knew him as he appeared among us, a ready debater, an ardent but courteous antagonist, strong, earnest, and convincing.

He came into the House of Representatives with a high reputation, and both there and in the Senate maintained and advanced it so that when the premonition of death came upon him he stood as high in the respect and confidence of his associates as any member of this body.

He was a native of Georgia, educated in one of her universities and learned in the practice of law in her courts. He was distinctly a type of the Southern mind in its best relations to the affairs of life.

Though his early life was spent under the influences of the institutions of his native State, and though its industries were then confined mainly to the pursuits of agriculture, yet in his early manhood he appreciated the important position which Georgia holds, as containing within her bounds the chief elements for manufacturing industries as well as a fruitful soil for agricultural products.

He was, as I understood him, in early life attached to the Whig party, and mainly on account of the well-known position of that party in favor of the protective policy. He sympathized heartily with the present prospects that in Georgia there will be a rapid development of her natural mineral resources, and that the cotton grown on her genial soil and that of the "Sunny South" will be made ready for her Southern looms and spindles.

He had no regrets for the past in the brightening prospects of the future, but looked to his State, often called the "Empire State of the South," as likely to be improved and advanced by the results of the war to a higher plane of wealth, strength, and population.

His hope was that his State would rise with fresh vigor from the misfortune and devastation of war by the building of railroads, the opening of mines of coal and iron, and by the tide of immigration and labor from other States as well as from foreign lands.

Senator HILL was consistently a Union man before the war. He resisted the secession of his State until after the ordinance of secession was passed. While his views of the construction of the Constitution in later years differed widely from my own, yet I never doubted the sincerity of his opinions. To the questions that grew out of the war I do not feel at liberty even to allude because on these questions we were widely apart in opinion.

Whatever his views on any subject, he always put them forth with the utmost vigor and clearness of expression. Endowed by nature with an ardent temperament, and cultivated by education in the use of all the gifts of speech, he defended his opinions with consummate ability. Whether in attack or in defense, he was an adversary to command respect in any form of debate. He represented in a marked degree that first quality of an orator—earnestness. His training in the practice of the law made him familiar, to a wide extent, with precedents and decisions, upon which he drew copiously in his arguments upon questions involving constitutional law and legislative and judicial power. His speeches were more remarkable for their clear reason than for their rhetorical felicity, and it may be said that the bent of his mind was in the direction of dialectics rather than of literary effort.

As a man of fine natural gifts and high accomplishments, his loss will be felt not only in his own State and neighborhood, but in the councils of the nation; and after more than half a century of a well-spent life his countrymen will recognize, even in its close, the elements of a well-rounded career.

Mr. VOORHEES. Mr. President, we halt to-day for a few moments in the great journey to say the last farewell words over a new-made grave. A comrade in the battle of life has fallen in this high forum. The skeleton foot of death enters with familiar step the loftiest as well as the humblest stations of human life, and again it has invaded the floor of the Senate. But yesterday a commanding presence moved in our midst which we shall see no more; a voice of powerful eloquence was heard which is now hushed forever; a towering intellect shed its light on human affairs which now has joined other councils than those of earth. A great and living force has gone out from this body and from every scene of mortal concern.

Others have more fully spoken of Senator HILL'S life and public career than will be expected from me, but of his intellectual strength, his will, and his courage I have deep and lasting impressions. I first met him during the reconstruction of the Southern States which followed the war. As a member of an investigating committee appointed by Congress I visited Atlanta, and there met Mr. HILL for the first time. His appearance and bearing strongly attracted my attention. The still intensity of his pale, strong face, his firm, determined features, and the clear light of his steady, inquiring, and, as it seemed to me then, somewhat distrustful blue eyes, combined to make on my mind the vivid and striking portrait of a remarkable man. I recall vividly now the self-poise, the reserve, the circumspection with which he spoke of public questions, and sought to shelter from hurtful legislation all the interests of his people. He was not then taking part in national politics, and I doubt if such was his intention, but when he was some time afterward elected to the House of Representatives my opinion of his abilities and force were only confirmed when he immediately took a conspicuous leadership in that body.

Of the merits of the heated controversies in which he engaged of course I do not speak in this presence, but that he was the peer of the ablest whom he met no one will deny. His fame was at once national, and his State only waited for the first opportunity to bestow upon him its highest honor. After Mr. HILL became a member of this body his daily movements and every word he uttered were marked and scrutinized as those of a leading and important actor in public affairs. He had been a representative man under an order of things and an attempted government which had crumbled to the dust, and he could not be less than a representative character here. To me it was always a curious and most interesting study to watch the workings of his brilliant and fertile mind while he grasped the duties and the ideas of the living present, and at the same time with reverent care and devotion protected the motives and the memory of a cause into which he had poured the whole ardor of his earlier manhood. His mind was essentially daring and progressive, and he did not seek to cling to principles and methods which had been tried and failed; he simply guarded well the honor of that vast cemetery in which the dead past lies buried.

Standing, as I once heard him say, in the ashes of desolation, he still looked forward with an unfaltering trust to the dawn of a new day of glory for his section, and of union and progress for the entire country. He was a ready mounted knight, not looking back to past fields of encounter, but prompt to enter the lists whenever and wherever opened. He believed with Edmund Burke that statesmanship was the science of circumstances, and he addressed himself with wisdom and courage to the situation in which he found himself placed. This sometimes caused him to be accused of inconsistency by those who forget that the circumstances which govern the conduct of the statesman are themselves inconsistent from day to day. The law of the world is mutation.

History is a never-ending panorama, in which the pictures are never the same. The same grand purposes and fact of progression are there, but the methods of public policy, the ways and means whereby governments are created and sustained, the measures which from time to time best promote, foster, and encourage the welfare of the people, are as various as the different conditions of mankind which have called them forth. The principles which have governed one generation may have to be discarded for the safety and prosperity of the next. The wisdom of to-day may be the folly of to-morrow in the administrative measures of peace as well as in the tactics and strategy of war.

Senator HILL always appeared as much alive to this great fact as any man I ever met in public life. He was always found on the skirmish line of advanced and advancing ideas, and in the constant encounters which necessarily take place on that line in the field of thought, the lightning as it leaps from the sky is hardly more brilliant or rapid than were the operations of his mind. Indeed, so prolific was his genius when heated by the combat of discussion that it seemed at times to partake of the eccentricity of the lightning as well as of its brilliancy and power. But he was never allured in his most daring flights so far that he could not upon the instant return to meet his adversary at the precise point in issue. It was this quality, in great measure, and the intensity with which he could identify himself with the actual matter in hand, regardless of what the past had demanded of him, which made him the formidable antagonist and the resistless orator at the bar, on the hustings, and in the halls of legislation.

Sir, a character such as I speak of has never in any age failed to encounter determined opposition and deep-seated hostility. The overthrown antagonist, the routed adversary, never forget and are often slow to forgive. The impetuous assault in debate, the fierce invective, the merciless sarcasm, leave wounds which seldom altogether heal. This was doubtless true of the public career of the bold, aggressive Senator whose loss we deplore; and yet to those who knew him well in private life how gentle, considerate, and kind were his words and his ways! A simple circumstance of an accidental character brought about relations between us which revealed him to me in a light I did not expect, although I had been acquainted with him for years.

I saw the self-absorbed, distant manner melt away into the gentlest sunshine. I realized that when he gave his confidence at all he gave it entire; that when he trusted he did so without reservation and with an unlimited faith. While perhaps "he was lofty and sour to those who loved him not," yet he had, in a bountiful degree, those elements of

nature toward friends which make man "sweet as summer" to his fellow-man. As the world saw him during his active career he was a warrior with his armor on, his lance in rest and his visor down; but away from the scenes of conflict and in the midst of those who came close to him he was the unassuming, generous, confiding friend. At such times he always spoke with singular gentleness and charity of those from whom he differed and with whom his debates had been most heated and determined; nor do I think I ever heard him speak with a show of personal resentment of such even as had dealt most harshly and unjustly with his name and fame.

Sir, the combination of rare and high qualities of mind and heart possessed by Senator HILL not only account for the mourning of Georgia over his loss, but also for the fact that his death is regarded in every section as a national calamity. His power for great public usefulness was recognized in every quarter of our vast, expanded country. He had a glorious cause at heart, the construction and development of a grand harmonious future for the whole country, adjusting his own and the kindred States and people of the South to the existing conditions of the present day, and insuring them their full proportion of the honor and the wealth of the nation. What nobler purpose ever animated the human breast? But in the full meridian splendor of his mental vigor and his ripe experience, the unfinished task fell from his hands. That summons, to which every ear shall hearken and all mortality obey, reached him at the zenith of his powers, and with his plans of future work all spread out before him.

When the light of the sun fades away at nightfall we behold the harmonious fulfillment of nature's law; but when darkness comes at noonday we are struck with awe at the mysteries of the universe. When eternity beckons to one whose labors are ended here, and who walks wearily under the burden of years, we see him sink down to his rest with resignation to the decrees as they are written; but when death claims the great and strong, in all their pride of power and place, we break forth in grief, and question the ways of Heaven and earth which are past finding out.

> The hand of the reaper
> Takes the ears that are hoary;
> But the voice of the weeper
> Wails manhood in glory.

How capricious and various are the ways of death! On the first day of the new year there had gathered at the White House a vast assemblage to pay honor to the President of the Republic. Talent, beauty, official distinction, all were there. Heroes of the Army and the Navy, in the brilliant decorations of their rank, made their official obeisance to their Commander-in-Chief; the embassadors of distant courts, blazing in scarlet and gold, paid friendly congratulations to the Chief Magistrate of the foremost commonwealth on the globe; thoughtful legislators and ermined judges, men of letters, and professors of science stood in the same presence; female loveliness lent its enchantment to the scene; soft music charmed all the air; the rich odor of flowers came with every breath, and the lofty old halls and promenades were vocal with exclamations of happy enjoyment. Immediately at my side, in the midst of this radiant throng, stood one who was full of years and of honors. But the spirit of the glass and scythe was hovering even there, and at the touch of its icy hand I saw the venerable man of fourscore sink down like an infant to gentle sleep. Without moan or sigh or pain he passed in an instant from the light, the music, and the perfumes of earth to the world of eternal beauty beyond the sun.

Fortunate man; fortunate in life, and still more fortunate in death! Not a moment in the dark valley or the shadow between the two worlds, he closed his aged eyes upon the joys of time to open them upon the brighter visions of eternity. But how shall the dreadful contrast which flashes on every mind be spoken? To the dead Senator whom we mourn to-day death came in its most appalling form, wearing its most cruel and ghastly mien. No circumstance of torture or of horror was omitted from the awful ordeal through which he slowly passed. He sought the aid of science, for life was sweet to him; but after he turned his face homeward, to abide the will of God, as he said, among his own people, the pages of human history in all their wide range present no more striking instance than he did of unquailing, lofty heroism, and of sublime submission to the decrees of Providence.

The stoic philosopher of antiquity would have taken refuge in self-murder from the frightful aspect worn by the King of Terrors on which the dying American statesman looked from hour to hour, from day to day, and from month to month with unbroken composure. A little more than a year ago the world watched around the death-bed of the slowly dying President of the United States, and wondered at his calmness and courage, but to him there was administered daily hope. Not a whisper of earthly hope sustained Senator HILL as he looked long and steadily at his inevitable doom. And yet no murmur, wail, or lament ever escaped his lips; he uttered no word of grief or disappointment that the end of his pilgrimage was so near; no agony of suffering was ever so terrible as to extort a single cry of pain; he never appeared so great, so calm, and strong, as face to face with the mighty monarch before whom all must bow. And why was this? Able, self-reliant, and intrepid as he was, could he, unaided and alone, sustain with unclouded serenity of mind such a conflict with approaching and painful dissolution? Was there no one with him to soothe and to comfort as he passed through the furnace seven times heated?

Sir, we learn that Mr. HILL's father was a minister of the Christian religion, and that he educated his son in the principles and the practices of his own faith. It is a fact also that when the son grew to manhood, and at every period of his brilliant and at times stormy career, this faith abided with him. The good seed sown in the morning may have seemed scorched by the sun, or choked by the thorns and cares of the day, but it never lost root in his mind; and in his hour of trial it brought forth fruit more than an hundred-fold. It enabled him to realize a home of peace and joy beyond the reach of disease or death; it enabled him to smile amidst his sufferings as martyrs have smiled in flames at the stake. Though of approaching death it might be said,

> Black as night,
> Fierce as ten furies, terrible as hell,
> He shook a dreadful dart,

yet the pale and wasted orator could for himself truthfully exclaim, "Death is swallowed up in victory." His heart could utter, if his tongue could not, that loftiest pæan of human triumph ever chanted on the shores of time:

> O Death! where is thy sting?
> O grave! where is thy victory?

Sir, it is a deep and never-ending pleasure to know that in the midst of physical wreck, decay, and pain there came to our lost comrade in full abundance, and in compensation for all he endured, those rich and precious consolations which this world can neither give nor take away.

He sleeps well in the soil of his native State. His memory will remain fresh and green in the hearts of his people. Distant and rising generations will point out his name in the books which record these times as they would point out one of the brightest stars in the sky. And this is all of earth that remains for him. No more will this great, pulsating world with its high, stern battle-cries of conflict arouse his eager spirit to action. The world moves on without him, as the ocean rolls in unbroken and heedless majesty over the wreck which has gone down in her bosom. Great lives have perished at every step in the eternity of time, but the giant march of events has not faltered nor the progress of the world been defeated.

The duties of the dead Senator are all finished. Even this solemn occasion, with his name on every lip, is nothing to him. His silent dust is alike indifferent to praise or blame, and his immortal presence has passed far beyond the call of human voices. But to us, the living, who stand where he so lately stood, this hour is freighted with interest and admonition. We are walking with unerring steps to the grave, and each setting sun finds us nearer to the realms of rest. The fleetness of time, our brief and feeble grasp upon the affairs of earth, the certainty of death, and the magnitude of eternity all crowd upon the mind at such a moment as this. They warn us to be in readiness, for no one knows in the great lottery of life and death on whose cold, dead, pathetic face we may next look in this narrow circle. They call upon us to think and speak and live in charity with each other, for the last hours that must come to all will be sweetened by recollections of such forbearance and grace in our own lives as we invoke for ourselves from that merciful Father into whose presence we hasten.

Mr. EDMUNDS. Mr. President, others more nearly connected with the late Senator by ties of location, political sympathy, and personal intimacy have spoken of him as only those so situated can well do.

I will speak of him chiefly as he appeared to me in his public career. He was, I think, of the very highest order of intellectual strength, both in his perceptive and reflective faculties. He was able to perceive with clearness the relations of public questions and the remote, but not less certain, effects of occurring events, when to many others the horizon was entirely clouded and indefinite, or clothed with a distorted and illusory promise. A Whig and American down to the time of the attempted secession of the Southern States in 1861, he foresaw something of the future and opposed with earnestness and power in the conventions of his native State the movement for secession. But when it was resolved upon and undertaken, he gave himself up to what he considered his duty to his State and was thenceforth among the foremost in sustaining the Southern cause.

The notion of fidelity to one's own State, whether her course be thought wise and right or not, is almost a natural instinct; and whether it be defensible on broad grounds or not, who does not sympathize with it? Even in this body, whose members are Senators of the United States, and are not in a constitutional sense any more representatives of the particular States that elected them than of all the other States and the people, it is extremely difficult to free ourselves from the feeling that we are the representatives of particular States merely and that we are bound to defend and promote the interests of their inhabitants without responsibility for the effect of what we do upon the people of other States. Is it not clear that the fundamental unity of all the States, as well as the security of the rights of each, will be much more secure and the National Government much better administered, if we remember that our obligations and our solicitudes should be bounded by no arrangements of political geography? So thinking, I look with large interest and sympathy upon the scenes and events in

which the late Senator from Georgia bore so conspicuous a part and upon the affection and confidence that the great mass of the people of that State felt toward him. And, differing widely from him in respect of very many of his acts and opinions, I felt deeply for him, for his family and for his people in the calamity that came upon him. And how much more tender our sympathy and admiration grew when we saw him bearing the greatest of human suffering with the calmness of manly fortitude and the supreme happiness of Christian faith, and when we saw that all the evils of this weary life were powerless to affect his soul, that rose "over pain to victory."

Such events as we now commemorate, interesting and solemn as they are and must be to each one of us, are the most common and the most certain of all. The life of man, did it end with this earthly career, would be the most miserable of phantasms; but to those who see with the eye of faith beyond the narrow border of our mortal life "the yoke is easy and the burden light." On this great stage of government the actors appear and act their parts and disappear to come again no more, but the grand drama goes on without interruption. When the greatest and apparently the most important administrators of government suddenly depart there always comes forward from the body of an intelligent people some one to fill the vacant place and who is equal to the emergency of the time. While, then, we are touched with the suddenness of these separations, let us take comfort in the knowledge that our country's institutions flourish in larger and larger security, and that all our people feel more and more the depth and strength of mutual interest, sympathy and good-will.

Mr. JONES, of Florida. Mr. President, it is not my intention to weary the Senate at this hour by rehearsing the story of Mr. HILL'S fame. Everything interesting in his public life has been graphically set forth by his able colleague and the Senators who followed him, so that there is nothing left for me to do except to put on record my humble testimony of the value of a man like Mr. HILL to this country, and my sense of the loss which this Senate and the nation have sustained in our deceased brother's sad and untimely death. In surveying the great field of life and noting the progress which has been made in every science and almost every department of knowledge, it would seem from the little advance or change that has taken place in the affairs of government that we have reached a point of perfection in the art of ruling States and peoples; that it is beyond the power of human genius to do more than maintain the spirit and integrity of our existing establishments.

The best labors of the great minds of this country have been devoted to the work of settling in the public mind the great principles of our admirable systems of government, so that at all times the great body of the people could comprehend the line of separation which divides authority from popular rights, and thus secure a loyal support of government on the one hand and a steady and intelligent devotion to liberty on the other. In those unhallowed despotisms of the earth where man is crushed and oppressed by excessive public power, it is the mystery which surrounds the ægis and exercise of governmental authority that sustains the unfortunate relations of tyrant and slave. There nothing is defined, limited, or comprehensible, but all is dark, complicated, and forbidding. The popular mind, long enslaved by superstitious devotion to slavish names and maxims, never sees anything of the light of truth, and power and authority united with ignorance and submission keep millions in bondage and chains.

You may ask, what has all this to do with the character or merits of the deceased? I answer that in making up my estimate of the loss of our distinguished brother I can not overlook the quality which above all others made him both eminent and useful. If, as I said a while ago, we have made no progress in government of late, and have added nothing to the discovery of the fathers for the security or happiness of the people, it is of the highest importance that the work which has been accomplished shall be maintained. The gifted man whom we mourn to-day was especially fitted for the great duty of keeping before the people the beacon-light of political truth to teach them their obligations to themselves and their Government; to impress upon their minds true conceptions of political liberty, allegiance and loyalty to the demands of just authority, and the preservation of every power and authority which belong to the people and the States. His capacity for this great duty made him a leader of public opinion. In little matters he was not as great as little men. But where the magnitude of the question rose to the level of his great ability his power of argument was felt here and in the country.

The ordinary routine worker had then to stand aside, and every one admired the workings of his original, incisive mind as it put forth its powerful arguments in terse and pointed speech. This, after all, is the highest position a public man can occupy in a country like this. Men of detail and method and labor can be found anywhere and at all times, but even at a time when everything is in a state of improvement those grand qualities of mind which immortalized Fox, Pitt, Canning, Grattan, Webster, Clay, and Calhoun are as rare and far more important than they ever were. It was Mr. HILL'S great ability as an argumentative speaker and writer which gave him his fame.

He was often called a great orator, but he was more than an orator in the popular sense. He always addressed himself to the minds of his hearers. I never knew a speaker of the same reputation who drew less upon his imagination than Senator HILL. In his over-anxiety to fasten conviction on the mind he would often labor for the accuracy and precision of the mathematician. While his vocabulary was always strong and simple, in my judgment it often fell short of the vigor and depth of his thoughts. Like all truly great men, he attached more consequence to his ideas than to his language. He was in no sense a wordy but always a thoughtful speaker. His views of the Constitution were broad and liberal. In his expositions of our great organic law he did not run into the extreme maxims of unlimited power on the one hand nor seek to abridge by too narrow bounds the authority of the Union on the other. While he always admitted that the Constitution of the Union was created by the people of the United States, he ever contended that this was accomplished through separate State agencies—the people of each State acting for themselves in the matter of ratification, independent of the people of every other State.

But this view did not affect in the least his opinion of the supremacy of the Federal Constitution. He always contended that the powers granted by the people of the several States, acting as organized political factions, to the General Government, were as irrevocable and as binding upon the people and the States as though they emanated from the people of the Union without regard to State organizations. The great argument which he drew from the mode of ratification was that the States and the Government of the Union were parts of one system; that there could be no question of divided allegiance between them; that the Union could not exist without the States although the States did exist before the Union. He always advocated a free and liberal exercise of the powers granted this Government, but his nature was hostile to everything that had the appearance of usurpation. He was one of the few men in public life who combined high abilities as a political leader with pre-eminent legal talents. Lord Chatham at one time deprecated the presence of the mere lawyer in Parliament, and he said that you might shake the constitution of the land to its center and the lawyer would sit tranquil in his cabinet, but just touch a cobweb in the corner of Westminster Hall and the exasperated spider would crawl out in its defense.

But this was not the case with Senator HILL. He did not sacrifice the Constitution to the profession. He brought to the one all the support of an enlightened statesman and patriot full of devotion for the whole country and its institutions, and the other he adorned with legal learning and professional abilities that will long be remembered by the bar. Like all men of strong convictions and great prominence, he was supported by devoted friends, and was not without some enemies. Although he was fondly attached to his high position where his talents had full play, and tenderly bound by the ties of affection to his devoted family, the world does not furnish an example more sublime than that which he has left us in all the qualities of moral and physical courage, true Christian and manly resignation, patient and uncomplaining submission to the will of God during the long, tedious months that he awaited in agony and suffering the period of his mortal dissolution. All the glory of the Senate and the fame of the hustings fade into insignificance before the grand spectacle presented by this Christian man when the time arrived which tested the weakness of human nature. Whether bleeding under operations of the surgeon's knife or silently feeling the gradual but sure inroads of the monster that was preying upon him, he never murmured or complained, but accepted the terrible situation as evidence only of Divine pleasure and with the firm conviction that his sufferings would be rewarded by a happier life beyond the grave.

Who can deny the value and efficiency of strong Christian faith with such an example of its power and influence before him? With all the glory and renown of the world fading away before the shadow of eternity, this strong man, accustomed to all the processes of reason, under the inspiration of Christian hope was able to leave an example of true heroism more valuable and sublime than any left by the unbelieving philosophers of antiquity.

Mr. BARROW. Mr. President, it is perhaps true that I stand alone here upon the point from which I consider the character of the illustrious man in memory of whom the Senate meets to-day. All others who surround me at this moment have recorded impressions received and stamped upon their own mature and well-settled individualities. They have studied him and measured him from the first in the light which a long experience of their own in public affairs cast upon him, and the figure they contemplate is shaded perhaps by some clouds which have never darkened the picture upon which I am looking.

In the buoyant, hero-worshiping, enthusiastic heyday of my early college days I first saw him and heard him. Under the ancient and historic locusts that stand like sentinels around the court-house at Lexington, in the old county of Oglethorpe, in Georgia, in the last days of the summer of 1857, there first burst upon my youthful eyes the exhibition of his wonderful oratory. Engaged in a heated political campaign as a candidate for governor of Georgia, his opponent being my present colleague in the Senate, conscious that there was before him "a foeman worthy of his steel," and that in that old Whig county, thousands of whose best people were congregated to hear the debate,

he had an army of friends whom he must uphold, encourage, and keep together, he put forth all his powers. As he towered and soared in his grand swelling tributes to the historic renown of the old Whig party, and, roused to his highest pitch, appealed to the immense audience before him in the name of its past, its heroes, and its mission, I felt, young Democrat that I was, that I was a witness to an almost apostolic revelation of eloquence; and then when he turned upon his opponent and began to hurl his terrible invectives, scathing, pitiless, unsparing, his every word glittering like steel, his every accent resonant and ringing with the very inspiration of passionate indignation, his blazing figure was in my eyes the impersonation of every element of vengeance and destruction, the very Apollyon of politics. It is doubtful if any speech of his life contained as much of that power which operates particularly upon the passions of men as this unwritten, unpreserved phenomenal effort.

Almost undimmed by time, with the same bright hues and radiant lights that greeted and delighted my boyish senses, this vision of eloquence remains. Long-after association, as much intimacy as disparity in age would allow, frequent opportunity to hear him again in the courts, before the people, and elsewhere, have all passed over those first impressions leaving them almost unchanged.

Although born upon the soil of Georgia, reared in the midst of her home influences, surrounded all the time during which his character was being formed by all the agencies and forces peculiar to her people, taught in her schools, graduated from her university, Mr. HILL was still in some respects not a typical Georgian. There was something in his nature, an impulse, an insubordination, that made him sometimes when he thought he scented injustice or oppression break over all bounds of seeming prudence and caution and rush into the first arena that presented itself to cast down his glove. His nature was not discreet. At such times the circumspect and deliberate moderation and wisdom that are characteristic of the Georgians fretted and chafed him. He would then rebel against the slow, fettering caution of his people and would lash out in his fiery way against what to him seemed apathy and pusillanimity.

It is not strange, then, that they sometimes misjudged him when in the midst of some rebellious outbreak against what to his impetuous nature seemed the snail-like march of his people to the threatened point, he rushed on in advance. Men of this mold in all ages have been leaders, and the masses of mankind have everywhere been saved, when saved at all, by those whom they did not comprehend and whom they at some time would greet with the ever-recurring verdict of the rabble, "Let him be crucified." This repressive power of the million upon their few great men who, *rari nantes in gurgite vasto*, outlive the wave and see the dangers that gather in the future which are invisible to the submerged eyes of the rest of us, has sometimes cost them their liberties. Its influence, deadening, paralyzing, and disheartening, is more powerful than ever in this age. It was exerted upon him of whom I speak more than once, but he defied it. Alone, seeking no ally, looking with disdain upon the clamorous multitude, taking no counsel, trusting to his impulse and obeying it, he would burst out upon his meteoric course athwart the political heavens. Blazing and flashing with the brilliant and almost blinding scintillations of his vivid intelligence, terrifying his friends as to the consequences, overwhelming his thunder-stricken enemies, coming into collision with the lifelong prejudices and cherished opinions of his own people, he would go sweeping on in his grand career. And yet the Georgians always forgave him in the end and admired and honored him.

Whatever of power and attractiveness Mr. HILL may have possessed as a political orator and debater, it was before a jury that his peculiar talents in one direction at least found their fullest play. If in the trial of a case in which his feeling became enlisted a corrupt and lying witness crossed his path or the opposite party persisted in an attempt to palm off fraud and injustice upon the court to the injury of his client, then it was that the terrible lashes of his fiercest invective were laid upon their backs. No "dint of pity," no limit to wrath, no check or curb ever came near him then, and men are living now who shiver at the mention of his name, as the Saracen did at Richard's, in mindfulness of some such merciless castigation. His greatest power was of this sort. There was but little pathos in him. His verdicts, and he won many, were those of the "cloud compelling Jove" rather than the "sweet influences of Pleiades."

Many great orators have had epochs in their lives when their style as such suffered a transformation. This was notably true of Choate, of Lincoln, and of Gambetta. It became less impassioned and more philosophical; but with Mr. HILL there was a marked and powerful exercise in his latest efforts of precisely the same great characteristics that distinguished his earliest; and even the traditions of his college days, that still lovingly cling around the old ivied walls of his *alma mater* at Athens, dim and shadowy though they be, handed down from class to class, still outline the same striking individuality that afterward rivected the attention of a continent.

But with all his triumphs—

> Nothing in his life
> Became him, like the leaving it; he died
> As one that had been studied in his death,
> To throw away the dearest thing he ow'd,
> As 'twere a careless trifle.

Stricken, fatally stricken in that very member which was his strength, his glory, and his pride, turning his steps away from the Senate after those sad and fruitless efforts to grasp a new life had all proved unavailing, calm, composed, resolute, resigned, he sought his own home. Happening in Atlanta on the 18th of July, just one month before his death, I called to see him. I found him, him who was in some respects the greatest talker I had ever known, utterly powerless of speech. On his knee he held a paper upon which he wrote slowly with a pencil these words:

> Wish I could talk. My present doctors have given me to understand that I can not recover, and my time is uncertain—from a few months to several years. Have told me to employ any other doctors and remedies I see proper.

He gave it to me to read and I brought it away with me. It is here, and those who know his handwriting will recognize the familiar characters. His eyes as he gave it had a look of inexpressible sadness, but not of regret or repining. He had sought the refuge of home to die. He knew full well, as he so pathetically wrote, that his "time was uncertain," but he was in the place he had chosen to take his last look of the earth. Surrounded by friends, in his own home, under his own native skies, amid the scenes of his childhood, his youth, and his manhood, with the silver sheen of the maples to greet his weary eyes in the sunlight, and the soft lingual accents of his native South from all the myriad voices of the street, and the subtle sweetness of the honeysuckle, the jasmine, and the roses stealing in the long summer afternoons through his open windows, there where the nights always bring silence and rest and every morning its promise, he sat patiently awaiting his summons. When it came he received it—

> Like one who wraps the drapery of his couch about him
> And lies down to pleasant dreams.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolutions presented by the Senator from Georgia [Mr. BROWN].

The resolutions were agreed to unanimously; and (at 1 o'clock and 30 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January* 25, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

SIX NATIONS OF NEW YORK INDIANS.

Mr. WHITE. I call for the regular order, but will yield for the introduction of bills for reference.

Mr. HASKELL. I ask unanimous consent to present a petition from the Six Nations of New York Indians relating to Kansas lands. It is handed to me by a large delegation of the gentlemen interested. I desire to have it printed in the RECORD.

Mr. ALDRICH. I object to the names being printed with the body of the petition.

Mr. HASKELL. There are only about one hundred names. To print them will not occupy much room. The gentleman from Illinois ought not to insist on eliminating the names. This is a petition from the New York Indians, signed by their representative men only, and is not a popular petition. The names are as essential as any name to any document to authenticate it. I do not want to submit a petition which has no names attached showing from whence it came.

The objection not being insisted on, the petition was ordered to be printed in the RECORD, and was referred to the Committee on Indian Affairs. It is as follows:

To the honorable Congress of the United States of America, duly assembled:

ARTICLE I. We, the undersigned, sachems, chiefs, headmen, and warriors of the Six Nations of New York Indians, duly assembled in the Onondaga council house of the Onondaga reservation, this 12th day of January, 1883, do most humbly and respectfully petition to your honorable body for a relief of our claims in the Kansas lands growing out of the various treaties made in favor of said Six Nations of New York Indians, namely, by the treaty of February 6, 1826; also treaty proclaimed February 23, 1829; also treaty proclaimed July 9, 1832, and appendix proclaimed March 13, 1855; the above mentioned known as Menomonee treaties; finally by a treaty which was proclaimed April 4, 1840, according to Schedule A therein found, with the New York Indians, as amended by the Senate and assented to by the several tribes, concluded at Buffalo Creek, in the State of New York, January 15, 1838.

ART. 2. Your humble petitioners further show and understand their claims to be thus: That in the Menomonee treaty proclaimed February 6, 1826, in article 8, that the Menoiuonee Indians of Green Bay did cede lands to the New York Indians by purchase. The above cessions mentioned were finally settled and secured to New York Indians by the United States in the Menomonee treaty proclaimed July 9, 1832; also in the preamble of the treaty of 1838 between New York Indians and the United States, in the third verse, that the said United States acknowledged that the Green Bay lands was purchased by the New York Indians, so it was theirs by purchase; and in article 1, by the same treaty, the said Green Bay lands were theirs to cede, and did cede it, to the United States. In consideration of the above cession on the part of the tribes of the New York Indians the United States agreed to set apart a tract of country situated west of the State of Missouri, in the Indian Territory, of 1,824,000 acres of land, being three hundred and twenty acres for each soul of said Indians, which the said Indians have never received, or the equivalent of land ceded in Green Bay, Wisconsin, to the United States.

ART. 3. Your humble petitioner would respectfully recommend a relief of their above-mentioned claim be appropriated as a fund to build a high school in favor of each tribe of the said Six-Nation of New York Indians, and to support the

same, for the special benefit of the youths of said Six-Nation of New York Indians.

ART. 4. Your humble petitioner still further show that the foregoing council of said Six-Nation of New York Indians, the following resolution was duly adopted:

Resolved, That one copy of above petition be sent to the Commissioner of Indian Affairs, one copy to Secretary of Interior, one copy to the President of the United States of America.

Adopted.

ART. 5. Your humble petitioner show that by vote of this council duly appoint Andrew John, jr., as the chairman the delegates to Washington, District of Columbia, to the proper department of United States Government, for the purpose of presenting the above-mentioned claim, and support the same, to make an early settlement, the within petition, also the following names appointed delegates with said Andrew John, jr., namely,

MOSES LAY,
PETER SHONGO,
In behalf of Seneca Nation.
ALEXANDER JOHN,
HEMAN CROW,
Cayuga.
ABRAM HILL,
Oneida.
ELIAS JOHNSON,
Tuscarora.
DANIEL LA FORT,
JOSEPH ISAAC,
Onondagas.

To you we will ever pray.
In witness whereof we hereunto set our hands this 12th day of January, 1883:

SYLVESTER LAY,
President of the Seneca Nation.
HIRAM DENNIS,
HARRISON HALFTOUR,
MARSH PIERCE,
WALTER KENNEDY,
Councillors of the Seneca Nation of Indians.
MOSES LAY,
PETER SHONGO,
ANDREW JOHN, JR.,
ALEXANDER JOHN,
Cayuca chiefs.
his
HEMAN × CROW,
mark.
ELIAS JOHNSON,
his
JAMES × PEMPLETON,
mark.
Chiefs of the Tuscaroras Nation.
JOSEPH ISAAC,
his
JACOB × BIGBEAR,
mark.
Chiefs of the Onondagas.
his
ABRAM × HILL,
mark.
his
ABRAM × I. LAND,
mark.
Chiefs of the Oneidas.
his
HENRY × POWELLS,
mark.
his
ELIJAH × LEWIS,
mark.
DANIEL LA FORT,
President of the Council of the Six Nation of New York Indians.
LESTER BISHOP,
Clerk of the Six Nation from Cattaraugus Reservation.

UNITED STATES INDIAN SERVICE, NEW YORK AGENCY,
Randolph, January 19, 1883.

I, Benjamin G. Casler, United States Indian agent for this agency, do hereby certify that the foregoing petition of the council of the Six Nations of New York Indians is duly executed, and the delegation duly appointed by the council of the Six Nations to present the same at Washington, District of Columbia, to the President of the United States, the Congress of the United States, the Secretary of the Interior, and the Commissioner of Indian Affairs consists of the following members:

ANDREW JOHN, JR.,
Chairman.
MOSES LAY,
PETER SHONGO,
LESTER BISHOP,
Senecas.
ALEXANDER JOHN,
HEMAN CROW,
Cayugas.
ABRAM HILL,
Oneida.
ELIAS JOHNSON,
Tuscaroras.

NATIONAL TRADES UNIONS.

Mr. MURCH, by unanimous consent, introduced a bill (H. R. 7394) to authorize the incorporation of national trades unions in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

MARY M. SPRANDELL.

Mr. DAVIS, of Illinois (by request), by unanimous consent, introduced a bill (H. R. 7395) granting a pension to Mary M. Sprandell; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CONTESTED ELECTION—JONES VS. SHELLEY.

Mr. ATHERTON. On yesterday or the day before I presented the views of the minority in the contested-election case of Jones vs. Shelley. I now desire to withdraw the minority report temporarily in order to meet a new phase of the case, submitted in the report of the majority, which was not made known in the committee.

The SPEAKER. The gentleman from Ohio [Mr. ATHERTON] asks unanimous consent to withdraw the views of the minority heretofore submitted in the election case of Jones vs. Shelley.

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. BRAGG. I call for the regular order.

The SPEAKER. The regular order is the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes. At the time of the adjournment last evening the yeas and nays had been ordered on an amendment reported from the Committee of the Whole, which the Clerk will read.

The Clerk read as follows:

After the word "bureau," in line 10, insert the following:

"*Provided*, That said chiefs of bureau shall receive no additional rank or pay over and above their regular rank or relative rank in the line or staff of the Navy by reason of being chiefs of bureaus."

Mr. ROBESON. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROBESON. I suppose when we vote upon that amendment the "ayes" are for the amendment and the "noes" against it.

The SPEAKER. Certainly. The yeas and nays have been ordered.

The question was taken; and it was decided in the negative—yeas 85, nays 117, not voting 89; as follows:

YEAS—85.

Aiken,	Cutts,	Jones, Geo. W.	Shelley,
Atkins,	Davis, Lowndes H.	Jones, James K.	Simonton,
Beltzhoover,	Dawes,	Kenna,	Sparks,
Berry,	Dibrell,	King,	Stockslager,
Blount,	Dowd,	Knott,	Strait,
Bragg,	Dugro,	Ladd,	Thomas,
Buchanan,	Dunn,	Leedom,	Thompson, P. B.
Buckner,	Ermentrout,	Le Fevre,	Thompson, Wm. G.
Cabell,	Farwell, Sewell S.	Lewis,	Townshend, R. W.
Caldwell,	Forney,	Manning,	Turner, Henry G.
Campbell,	Geddes,	Matson,	Turner, Oscar
Carlisle,	Grout,	McMillin,	Updegraff,
Clardy,	Gunter,	Mills,	Vance,
Clark,	Hammond, N. J.	Money,	Warner,
Clements,	Hardenbergh,	Morrison,	Washburn,
Converse,	Haseltine,	Moulton,	Wellborn,
Cook,	Hatch,	Oates,	Wheeler,
Covington,	Herbert,	Payson,	Willis,
Cox, Samuel S.	Hewitt, G. W.	Phister,	Wise, George D.
Cox, William R.	Holman,	Reagan,	
Cravens,	Humphrey,	Reese,	
Cullen,	Hutchins,	Scales,	

NAYS—117.

Aldrich,	Garrison,	McLane, Robt. M.	Sherwin,
Anderson,	Guenther,	McLean, Jas. H.	Shultz,
Atherton,	Hall,	Miles,	Singleton, J. W.
Barr,	Hardy,	Miller,	Skinner,
Beach,	Harmer,	Moore,	Smith, A. Herr,
Bisbee,	Harris, Benj. W.	Morey,	Smith, Dietrich C.
Bliss,	Haskell,	Morse,	Spaulding,
Bowman,	Hazelton,	Mutchler,	Speer,
Brewer,	Heilman,	Neal,	Spooner,
Briggs,	Henderson,	O'Neill,	Steele,
Buck,	Hill,	Page,	Talbott,
Burrows, Julius C.	Hiscock,	Parker,	Taylor, Ezra B.
Burrows, Jos. H.	Hitt,	Peelle,	Taylor, Joseph D.
Butterworth,	Horr,	Peirce,	Townsend, Amos
Carpenter,	Houk,	Randall,	Tyler,
Caswell,	Jacobs,	Ranney,	Upson,
Chapman,	Jones, Phineas	Ray,	Van Horn,
Crapo,	Jorgensen,	Reed,	Wadsworth,
Davidson,	Joyce,	Rice, Theron M.	Wait,
Davis, George R.	Kasson,	Rice, Wm. W.	Ward,
Deering,	Kelley,	Rich,	Watson,
De Motte,	Ketcham,	Richardson, D. P.	Webber,
Dezendorf,	Klotz,	Ritchie,	White,
Dingley,	Lacey,	Robeson,	Whitthorne,
Ellis,	Lindsey,	Robinson, Geo. D.	Willits,
Errett,	Lord,	Robinson, Jas. S.	Wise, Morgan R.
Farwell, Chas. B.	Lynch,	Russell,	Young.
Flower,	Mackey,	Ryan,	
Ford,	Marsh,	Scranton,	
Fulkerson,	McKinley,	Shallenberger,	

NOT VOTING—89.

Armfield,	Curtin,	Jadwin,	Rosecrans,
Barbour,	Darrall,	Latham,	Ross,
Bayne,	Deuster,	Martin,	Scoville,
Belford,	Doxey,	Mason,	Singleton, Otho R.
Belmont,	Dunnell,	McClure,	Smalls,
Bingham,	Dwight,	McCoid,	Smith, J. Hyatt
Black,	Evins,	McCook,	Springer,
Blackburn,	Fisher,	McKenzie,	Stone,
Blanchard,	Frost,	Mosgrove,	Tucker,
Bland,	George,	Muldrow,	Urner,
Browne,	Gibson,	Murch,	Valentine,
Brumm,	Godshalk,	Nolan,	Van Aernam,
Calkins,	Hammond, John	Norcross,	Van Voorhis,
Camp,	Harris, Henry S.	Pacheco,	Walker,
Candler,	Hepburn,	Paul,	West,
Cannon,	Herndon,	Pettibone,	Williams, Chas. G.
Cassidy,	Hewitt, Abram S.	Phelps,	Williams, Thomas
Chace,	Hoblitzell,	Pound,	Wilson,
Cobb,	Hoge,	Prescott,	Wood, Benjamin
Colerick,	Hooker,	Rice, John B.	Wood, Walter A.
Cornell,	House,	Richardson, J. S.	
Crowley,	Hubbell,	Robertson,	
Culberson,	Hubbs,	Robinson, Wm. E.	

So the amendment was not agreed to.

The following pairs were announced:

Mr. CORNELL with Mr. BLACK.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. DUNNELL with Mr. HARRIS of New Jersey.

Mr. MASON with Mr. HEWITT of New York.

Mr. HUBBS with Mr. LATHAM.

Mr. CHACE with Mr. WILSON.

Mr. BRUMM with Mr. CURTIN.

Mr. NORCROSS with Mr. WILLIAMS of Alabama.

Mr. SPAULDING with Mr. KENNA.

Mr. VAN AERMAN with Mr. WALKER.

Mr. CAMP with Mr. ROBINSON of New York.

Mr. WILLIAMS, of Wisconsin, with Mr. DEUSTER.

Mr. VALENTINE with Mr. ARMFIELD.

Mr. BELFORD with Mr. HOBLITZELL.

Mr. BROWNE with Mr. COBB.

Mr. JADWIN with Mr. MARTIN.

Mr. URNER with Mr. McLANE of Maryland.

Mr. FARWELL, of Iowa, with Mr. SCOVILLE.

Mr. WALTER A. WOOD with Mr. CULBERSON.

Mr. BINGHAM with Mr. HOGE.

Mr. DWIGHT with Mr. COLERICK.

Mr. FISHER with Mr. ROSECRANS.

Mr. REED. I move that the reading of the names be dispensed with.

There was no objection.

The result of the vote was then announced as above stated.

The SPEAKER. The Clerk will now report the next amendment from the Committee of the Whole upon which a separate vote was asked.

The Clerk read as follows:

In lieu of lines 213 to 216, both inclusive, insert the following:

"For the purchase and manufacture of torpedoes adapted to naval warfare, and for the fixtures and machinery necessary for operating the same, $100,000: *Provided*, That said money shall only be expended for the purchase or manufacture of torpedoes the invention of citizens of the United States: *And provided further*, That no part of said money shall be expended for the purchase or manufacture of any torpedo until the same shall have been recommended by the Secretary of the Navy, based upon a report to be made to him by a board of naval officers to be created by him to examine and test said torpedoes and inventions: *And provided further*, That a sum not exceeding $50,000 out of said appropriation shall be paid to Asa Weeks, when he shall execute and deliver to the United States a release in writing of all claims for the present or future use by the United States of his invention in torpedoes and in the machinery for operating, controlling, and exploding torpedoes, or relating in any way to the subject of torpedo warfare, whether patented or otherwise: *Provided, however*, That said payment shall only be made on the recommendation of the Secretary of the Navy, based upon a report of the board of officers above provided for."

Mr. SPRINGER. I would like to have five minutes' time for an explanation of that amendment.

The SPEAKER. Debate is not now in order.

Mr. SPRINGER. I ask unanimous consent that the gentleman from Massachusetts [Mr. HARRIS] be allowed five minutes to explain his amendment, and I desire five minutes in opposition to it. It was not understood at the time it was adopted in Committee of the Whole.

The SPEAKER. The proposition of the gentleman from Illinois [Mr. SPRINGER] is that there be allowed debate upon the amendment just read, five minutes for and five minutes against. Is there objection?

Several members objected.

The SPEAKER. Objection is made. The question is upon agreeing to the amendment reported from the Committee of the Whole.

Mr. ATKINS. I call for the yeas and nays on that amendment.

The yeas and nays were ordered.

Mr. HOLMAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOLMAN. As I understand it, the pending proposition is to strike out a portion of the text of the bill and to insert in lieu thereof what has been read by the Clerk.

The SPEAKER. That is the pending proposition.

Mr. HOLMAN. I ask that the original text of the bill be read.

The SPEAKER. The yeas and nays have been ordered.

Mr. SPRINGER. But we ought to know what it is proposed to strike out.

The SPEAKER. The Clerk will read the portion proposed to be struck out.

The Clerk read as follows:

For purchase or manufacture, after full investigation and experiment, of automobile torpedoes of the latest and best American invention, manufacture, and construction, with appliances for their use, $100,000.

Mr. ATKINS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ATKINS. Did the Clerk read the portion of the bill proposed to be struck out as it was amended in Committee of the Whole?

The SPEAKER. The Clerk read the paragraph as proposed to be amended. The question is now upon striking out the paragraph as proposed to be amended by the Committee of the Whole, and inserting in lieu thereof what has been read. Upon this question the yeas and nays have been ordered.

The question was taken; and it was decided in the affirmative—yeas 129, nays 93, not voting 69; as follows:

YEAS—129.

Aldrich,	Flower,	McCoid,	Shultz,
Barr,	George,	McKinley,	Simonton,
Bayne,	Godshalk,	Miles,	Skinner,
Bingham,	Guenther,	Miller,	Smalls,
Bisbee,	Hall,	Mills,	Smith, Dietrich C.
Bland,	Hammond, John	Moore,	Smith, J. Hyatt
Bliss,	Harmer,	Morey,	Spaulding,
Bowman,	Harris, Benj. W.	Morrison,	Speer,
Bragg,	Haskell,	Morse,	Spooner,
Brewer,	Hazelton,	Mutchler,	Steele,
Briggs,	Heilman,	Neal,	Stone,
Browne,	Hill,	O'Neill,	Strait,
Buck,	Hiscock,	Page,	Talbott,
Burrows, Julius C.	Hitt,	Parker,	Taylor, Ezra B.
Burrows, Jos. H.	Horr,	Peelle,	Taylor, Joseph D.
Butterworth,	Houk,	Peirce,	Thomas,
Calkins,	Humphrey,	Pettibone,	Thompson, Wm. G.
Candler,	Jacobs,	Pound,	Townsend, Amos
Carpenter,	Jones, Phineas	Prescott,	Updegraff,
Caswell,	Jorgensen,	Ranney,	Van Horn,
Crapo,	Joyce,	Ray,	Wadsworth,
Cullen,	Kasson,	Reed,	Wait,
Cutts,	Kelley,	Rice, Wm. W.	Ward,
Davidson,	Ketcham,	Rich,	Washburn,
Davis, George R.	Lacey,	Richardson, D. P.	Watson,
Deering,	Ladd,	Ritchie,	Webber,
De Motte,	Leedom,	Robinson, Geo. D.	White,
Dezendorf,	Lewis,	Robinson, Jas. S.	Whitthorne,
Dingley,	Lindsey,	Rosecrans,	Willits,
Dwight,	Lord,	Russell,	Wise, Morgan R.
Ellis,	Lynch,	Ryan,	
Errett,	Mackey,	Shallenberger,	
Farwell, Chas. B.	Marsh,	Sherwin,	

NAYS—93.

Aiken,	Cravens,	Holman,	Rice, Theron M.
Anderson,	Davis, Lowndes H.	Hooker,	Scales,
Atherton,	Dawes,	Hutchins,	Scranton,
Atkins,	Dibrell,	Jones, Geo. W.	Shelley,
Beach,	Dowd,	Jones, James K.	Smith, A. Herr
Belmont,	Dugro,	Kenna,	Sparks,
Beltzhoover,	Dunn,	King,	Springer,
Berry,	Ermentrout,	Klotz,	Stockslager,
Blanchard,	Evins,	Knott,	Thompson, P. B.
Blount,	Forney,	Le Fevre,	Townshend, R. W.
Buchanan,	Fulkerson,	Manning,	Tucker,
Buckner,	Garrison,	Matson,	Turner, Henry G.
Cabell,	Geddes,	McLean, Jas. H.	Turner, Oscar
Caldwell,	Gibson,	McMillin,	Tyler,
Campbell,	Grout,	Money,	Upson,
Carlisle,	Gunter,	Mosgrove,	Vance,
Chapman,	Hammond, N. J.	Moulton,	Warner,
Clardy,	Hardenbergh,	Muldrow,	Wellborn,
Clements,	Hardy,	Murch,	Wheeler,
Cobb,	Haseltine,	Oates,	Willis,
Converse,	Hatch,	Payson,	Wise, George D.
Cook,	Henderson,	Phister,	
Covington,	Herbert,	Reagan,	
Cox, William R.	Hewitt, G. W.	Reese,	

NOT VOTING—69.

Armfield,	Deuster,	Martin,	Scoville,
Barbour,	Doxey,	Mason,	Singleton, J. W.
Belford,	Dunnell,	McClure,	Singleton, Otho R.
Black,	Farwell, Sewell S.	McCook,	Urner,
Blackburn,	Fisher,	McKenzie,	Valentine,
Brumm,	Ford,	McLane, Robt. M.	Van Aernam,
Camp,	Frost,	Nolan,	Van Voorhis,
Cannon,	Harris, Henry S.	Norcross,	Walker,
Cassidy,	Hepburn,	Pacheco,	West,
Chace,	Herndon,	Paul,	Williams, Chas. G.
Clark,	Hewitt, Abram S.	Phelps,	Williams, Thomas
Colerick,	Hoblitzell,	Randall,	Wilson,
Cornell,	Hoge,	Rice, John B.	Wood, Benjamin
Cox, Samuel S.	House,	Richardson, J. S.	Wood, Walter A.
Crowley,	Hubbell,	Robertson,	Young.
Culberson,	Hubbs,	Robeson,	
Curtin,	Jadwin,	Robinson, Wm. E.	
Darrall,	Latham,	Ross,	

So the amendment was agreed to.

The following additional pair was announced:

Mr. ROBESON with Mr. BLACKBURN.

The SPEAKER. The amendments reported from the Committee of the Whole have all been acted upon, and the question now is upon the engrossment and third reading of the bill as amended.

The bill as amended was then ordered to be engrossed for a third reading; and it was accordingly read the third time.

The question was upon the passage of the bill.

Mr. ROBESON. I call the previous question on the passage of the bill.

The previous question was ordered.

The SPEAKER. This being a general appropriation bill, under the standing rule of the House the yeas and nays must be taken on its passage.

The question was taken; and there were—yeas 135, nays 100, not voting 56; as follows:

YEAS—135.

Aiken,	Bisbee,	Burrows, Julius C.	Carpenter,
Aldrich,	Bliss,	Burrows, Jos. H.	Caswell,
Anderson,	Bowman,	Butterworth,	Crapo,
Barbour,	Brewer,	Calkins,	Cullen,
Barr,	Briggs,	Campbell,	Cutts,
Bayne,	Browne,	Candler,	Davis, George R.
Bingham,	Buck,	Cannon,	Dawes,

Deering,	Jones, James K.	Parker,	Smith, A. Herr
De Motte,	Jones, Phineas	Payson,	Smith, Dietrich C.
Dezendorf,	Jorgensen,	Peelle,	Smith, J. Hyatt
Dingley,	Joyce,	Peirce,	Spaulding,
Ellis,	Kasson,	Pettibone,	Spooner,
Errett,	Kelley,	Pound,	Steele,
Evins,	Ketcham,	Prescott,	Stone,
Farwell, Chas. B.	Lacey,	Ranney,	Taylor, Ezra B.
George,	Ladd,	Ray,	Taylor, Joseph D.
Grout,	Lewis,	Reed,	Thompson, Wm. G.
Guenther,	Lindsey,	Rice, John B.	Townsend, Amos.
Hall,	Lord,	Rice, Wm. W.	Tyler,
Hammond, John	Lynch,	Rich,	Updegraff,
Harmer,	Mackey,	Richardson, D. P.	Urner,
Harris, Benj. W.	Marsh,	Ritchie,	Valentine,
Haskell,	McCoid,	Robeson,	Van Horn,
Hazelton,	McKinley,	Robinson, Geo. D.	Wadsworth,
Heilman,	McLean, Jas. H.	Robinson, Jas. S.	Wait,
Hepburn,	Miles,	Russell,	Ward,
Hill,	Money,	Ryan,	Watson,
Hiscock,	Moore,	Scranton,	Webber,
Hitt,	Morey,	Shallenberger,	West,
Horr,	Mosgrove,	Shelley,	White,
Houk,	Murch,	Sherwin,	Willits,
Humphrey,	Neal,	Shultz,	Wise, Morgan R.
Jacobs,	O'Neill,	Skinner,	Young.
Jadwin,	Page,	Smalls,	

NAYS—100.

Armfield,	Cox, Samuel S.	Hooker,	Rosecrans,
Atherton,	Cox, William R.	House,	Scales,
Atkins,	Cravens,	Hutchins,	Simonton,
Beach,	Davidson,	Jones, George W.	Singleton, J. W.
Belmont,	Davis, Lowndes H.	Kenna,	Singleton, Otho R.
Beltzhoover,	Dibrell,	King,	Sparks,
Berry,	Dowd,	Klotz,	Springer,
Blackburn,	Dugro,	Knott,	Stockslager,
Blanchard,	Dunn,	Leedom,	Strait,
Bland,	Ermentrout,	Le Fevre,	Talbott,
Blount,	Flower,	Manning,	Thomas,
Bragg,	Forney,	Matson,	Thompson, P. B.
Buchanan,	Fulkerson,	McKenzie,	Townshend, R. W.
Buckner,	Garrison,	McMillin,	Tucker,
Cabell,	Geddes,	Mills,	Turner, Henry G.
Caldwell,	Gunter,	Morrison,	Turner, Oscar
Carlisle,	Hammond, N. J.	Morse,	Upson,
Chapman,	Hardenbergh,	Moulton,	Vance,
Clardy,	Hardy,	Muldrow,	Warner,
Clark,	Haseltine,	Mutchler,	Washburn,
Clements,	Hatch,	Oates,	Wellborn,
Cobb,	Henderson,	Phister,	Wheeler,
Converse,	Herbert,	Randall,	Whitthorne,
Cook,	Hewitt, G. W.	Reese,	Willis,
Covington,	Holman,	Rice, Theron M.	Wise, George D.

NOT VOTING—56.

Beiford,	Dunnell,	Hubbs,	Richardson, J. S.
Black,	Dwight,	Latham,	Robertson,
Brumm,	Farwell, Sewell S.	Martin,	Robinson, Wm. E.
Camp,	Fisher,	Mason,	Ross,
Cassidy,	Ford,	McClure,	Scoville,
Chace,	Frost,	McCook,	Speer,
Colerick,	Gibson,	McLane, Robt. M.	Van Aernam,
Cornell,	Godshalk,	Miller,	Van Voorhis,
Crowley,	Harris, Henry S.	Nolan,	Walker,
Culberson,	Herndon,	Norcross,	Williams, Chas. G.
Curtin,	Hewitt, Abram S.	Pacheco,	Williams, Thomas
Darrall,	Hoblitzell,	Paul,	Wilson,
Deuster,	Hoge,	Phelps,	Wood, Benjamin
Doxey,	Hubbell,	Reagan,	Wood, Walter A.

So the bill was passed.

The following additional pair was announced:

Mr. FORD with Mr. RICHARDSON of South Carolina.

The result of the vote was announced as above stated.

Mr. ROBESON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. KELLEY. I move that the morning hour for the call of committees be dispensed with.

The motion was agreed to (two-thirds voting in favor thereof).

SALES BY NAVAL BUREAUS.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Navy, transmitting a statement of sales made by bureaus of that Department from December 1, 1881, to November 30, 1882; which was referred to the Committee on Naval Affairs, and ordered to be printed.

INTERSTATE JURISDICTION.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Attorney-General, with accompanying papers, relative to the question of jurisdiction as between the courts of New York and New Jersey over the waters of the Hudson River, New York Bay, the Kill von Kull, the Kill Arthur, and the Lower Bay; which was referred to the Committee on the Judiciary, and ordered to be printed.

ORDER OF BUSINESS.

Mr. KELLEY. I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue.

Mr. HOOKER. I hope the gentleman from Pennsylvania will allow me to submit for adoption a resolution for some printing, which is approved by the Committee on Indian Affairs and the Committee on Printing.

Mr. KELLEY. I will state that the express purpose of my motion is to reach the tariff bill.

The SPEAKER. The gentleman from Pennsylvania moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of bills raising revenue, and states that his purpose is to reach the tariff bill reported by the Committee on Ways and Means.

Mr. BUTTERWORTH. Pending that, I raise the question of consideration, and will state that I do this with the view of calling up House bill No. 5656, that we may take action upon the Senate amendment thereto.

The SPEAKER. The question of consideration can be determined by the vote upon this motion.

Mr. ROBINSON, of Massachusetts. I make the point that the question of consideration can not be raised as to the bill which the gentleman names, because it is not before the House.

The SPEAKER. The gentleman can raise the question of consideration without reference to the matter he proposes to call up.

Mr. ROBINSON, of Massachusetts. By asking his supporters to vote down the proposition of the gentleman from Pennsylvania.

The SPEAKER. That is the only way the point can be made. Raising the question of consideration and defeating the present motion would not necessarily bring up the other bill.

Mr. ROBINSON, of Massachusetts. Because it is not before the House.

The question being taken on the motion of Mr. KELLEY, it was agreed to; there being—ayes 153, noes 30.

The SPEAKER. The House decides to resolve itself into Committee of the Whole on the state of the Union. The gentleman from Michigan [Mr. BURROWS] will take the chair.

Mr. HOOKER. I hope the gentleman from Pennsylvania will yield to me a moment.

Mr. KELLEY. I have no objection to the gentleman having an order made for printing.

Mr. HOOKER. I desire to submit a resolution——

Mr. KELLEY. If it is a resolution I can not yield.

Mr. HOOKER. It is simply a resolution for printing.

The SPEAKER. It is too late now for the gentleman from Pennsylvania to yield. The House has decided to go into Committee of the Whole.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair.

Mr. KELLEY. I move to proceed to the consideration of House bill No. 7313, being the tariff bill reported by the Committee on Ways and Means.

Mr. CARLISLE. I make the point of order that this motion can not be entertained. The rules prescribe the order in which the business on the Calendar must be taken up.

MONUMENT TO GENERAL WASHINGTON.

The CHAIRMAN. The Chair sustains the point, and the Clerk will report the first bill on the Calendar.

The Clerk read as follows:

Joint resolution (H. Res. 109) to admit free of duty a monument to General Washington.

Mr. KELLEY. I move to lay that joint resolution aside.

The CHAIRMAN. If there be no objection, it will be laid aside.

Mr. SPRINGER. I hope not. Let us pass the bill and admit free of duty a monument to General Washington.

Mr. HAZELTON. General Washington does not want a monument.

Mr. SPRINGER. It can be passed in the time it will take to vote on the motion to lay it aside.

Mr. HUMPHREY. General Washington has a monument in the hearts of his countrymen.

Mr. KELLEY. I want to proceed at once to the consideration of the tariff bill.

The CHAIRMAN. If there be no objection, the bill will be laid aside.

Mr. SPRINGER. I object. It can be passed in a moment.

Mr. KELLEY. Let the bill be passed over or laid aside.

The CHAIRMAN. The gentleman from Illinois wishes to have the bill passed at this time.

Mr. KELLEY. I am not ready to legislate on any of these bills if it can be avoided, as I wish to get to the tariff bill. I move the joint resolution be laid aside or passed over.

Mr. REED. Object to it.

Mr. KELLEY. I object to the consideration of the joint resolution at this time.

Mr. REED. The gentleman from Pennsylvania objects to its consideration.

The CHAIRMAN. The gentleman can not move to lay it aside.

Mr. KELLEY. No; but I object to its consideration at this time.

Mr. COX, of New York. We desire to know what the joint resolution is before we vote on the motion of consideration.

The CHAIRMAN. The Clerk will again report the title of the joint resolution.

The title of the joint resolution was again read.

Mr. McMILLIN. Let the joint resolution be read.

Mr. SPRINGER. I move we proceed to the consideration of the joint resolution.

Mr. KELLEY. Objection has been made and nothing else is in order.

The CHAIRMAN. Objection being made, the committee, in accordance with the fourth clause of Rule XXIII, will now rise. It is provided—

That when objection is made to the consideration of any bill or proposition in Committee of the Whole House, the committee shall thereupon rise and report such objection to the House, which shall decide, without debate, whether such bill or proposition shall be considered or laid aside for the present; whereupon the committee shall resume its sitting without further order of the House.

The committee will now rise and report the objection to the House.

Mr. SPRINGER. Is not my motion to report the joint resolution favorably to the House in order?

The CHAIRMAN. It is not.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having called up as the first business in order on its Calendar joint resolution (H. Res. 109) to admit free of duty a monument to General Washington objection was made, and in accordance with the rule the committee rose, and the objection is reported to the House.

The SPEAKER. The Committee of the Whole House on the state of the Union having reached the joint resolution (H. Res. 109) to admit free of duty a monument to General Washington, objection was made, and the question now before the House is, Shall the joint resolution be considered or laid aside for the present?

Mr. COX, of New York. Can we have the joint resolution read?

The SPEAKER. We are not voting on the joint resolution, but under the rules the House is now deciding without debate on the question whether the joint resolution shall be considered or laid aside for the present.

Mr. HOOKER. Still we may have the joint resolution read.

Mr. McMILLIN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. McMILLIN. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McMILLIN. Is it in order to have the joint resolution read with a view of knowing what we are voting on?

The SPEAKER. The House is voting whether the joint resolution shall be considered or laid aside.

Mr. McMILLIN. Is it in order to have it read so we may know what we are voting on?

Mr. ANDERSON and others objected.

The SPEAKER. The question before the House is whether the joint resolution shall be considered in Committee of the Whole House on the state of the Union or be laid aside for the present, and that question is to be decided without debate.

Mr. McMILLIN. I ask to have the joint resolution read.

The SPEAKER. The Chair can not direct it to be read.

Mr. McMILLIN. But is it not in order to have it read?

The SPEAKER. Not now, as the objection made in committee is to be decided without debate.

Mr. McMILLIN. When will it be in order to have the joint resolution read?

The SPEAKER. When it is up for consideration. The question now is, shall it be considered or laid aside; and that question is to be decided without debate.

Mr. SPRINGER. I ask for a division on that question.

The House divided; and there were—ayes 51, noes 117.

So the objection was sustained.

The committee resumed its session.

COLLECTION OF TAX ON WEISS BEER.

The CHAIRMAN. The next business on the Calendar is the bill (H. R. 4453) to regulate the collection of the tax on weiss beer.

Mr. KELLEY. I object to the consideration of that bill.

Mr. KNOTT. I call for the reading of the bill.

The CHAIRMAN. The gentleman from Pennsylvania objects to the consideration of the bill, and the committee will rise and report the objection to the House.

Mr. SPRINGER. Let it be read. I want to know what it is.

Mr. KELLEY. I object to the consideration of the bill.

Mr. SPRINGER. How can we tell whether we want to consider the bill or not unless we have it read?

The CHAIRMAN. The Chair thinks that when objection is made to the consideration of a bill it is not in order to have it read. The rule requires the objection to be reported at once to the House.

Mr. SPRINGER. But how can we tell until we know what the bill is whether we want to object or not?

The CHAIRMAN. The title of the bill has been read. Objection being made, the committee will rise and report it to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union, having reached the bill (H. R. 4453) to regulate the collection of the tax on weiss beer, objection was made, and in accordance with the rule the committee rose, and the objection is reported to the House.

The SPEAKER. Objection having been made to the consideration of this bill in Committee of the Whole, the question now is, Shall the bill be considered or laid aside for the present?

The question was taken; and the objection was sustained.

The Committee of the Whole resumed its session.

AUTOMATIC METER, ETC.

The next business on the Calendar was the joint resolution (H. Res. 146) to authorize the Secretary of the Treasury to cause to be constructed and tested an automatic meter to measure the quantity and test the specific gravity of distilled spirits and malt liquors, and to make an appropriation therefor.

Mr. KELLEY. I object to the consideration of that resolution.

The CHAIRMAN. Objection being made to the consideration of the resolution, the title of which has been just read, the committee will, pursuant to the rule, rise and report the objection to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole having reached joint resolution H. Res. 146, objection was made, and in accordance with the rule the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Shall the joint resolution be considered or laid aside for the present?

Mr. KNOTT. I call for the reading of that joint resolution.

Mr. KELLEY. I object.

Mr. KNOTT. Then I insist that under the rules of the House the question as to whether or not it shall be read must be submitted to a vote of the House.

Mr. CONVERSE. I rise to a parliamentary inquiry.

The SPEAKER. The Chair will dispose of one point of order at a time.

The Chair desires to state that the joint resolution is not before the House for consideration at this time, and the only question that arises is with reference to the condition of the business in the Committee of the Whole, whether or not the House will direct the committee to consider the joint resolution.

Mr. KNOTT. Under Rule XXXI—

When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any member, it shall be determined without debate by a vote of the House.

I demand a vote of the House upon the question whether or not this resolution shall be read.

Mr. HASKELL. The reading of a bill is not a paper connected with the bill, but the bill itself. The reading of a bill is a part of its consideration, and takes it out from under the rule which has been quoted by the gentleman from Kentucky.

Mr. COX, of New York. Then will my friend from Kansas answer me this question: Why it is that a bill can be read on a motion to refer it on Mondays?

Mr. HASKELL. Because it is then up for consideration to that extent—that is, as to the question of its reference.

Mr. COX, of New York. No; bills on that day are reported for reference only, not for consideration.

The SPEAKER. The rules require bills to be read three times. The gentleman from Ohio rose to a parliamentary inquiry.

Mr. CONVERSE. I desired the opinion of the Chair as to whether this bill is a bill for raising revenue, or not.

Mr. SPRINGER. Let the bill be read, and that will show.

Mr. CONVERSE. I understand it is not a bill for raising revenue.

Mr. COX, of New York. How can we find out unless the bill is read?

The SPEAKER. The Chair does not care to decide that question now, as he thinks it is not presented in the present aspect of this case.

Mr. CONVERSE. I ask the question if the House did not resolve itself into Committee of the Whole on the state of the Union for the purpose of considering bills raising revenue? If so, why is this bill brought forward for consideration?

Mr. CARLISLE. I think myself it is not a bill for raising revenue; but that is a question that should have been made in the Committee of the Whole.

The SPEAKER. That was the opinion of the Chair at the time the title of the joint resolution was read.

Mr. KELLEY. If it is not a revenue bill there is still further reason for refusing to consider it now.

Mr. CARLISLE. Still the bill should be read to see what it is.

The SPEAKER. Unless there is objection the bill will be read.

Mr. CALKINS and others objected.

The SPEAKER. Objection being made, the question is, Shall the bill be read?

The House divided; and there were—ayes 25, noes 137.

Mr. KNOTT. I ask the yeas and nays upon the question of reading this bill.

The yeas and nays were not ordered, 22 only voting in favor thereof.

So the House refused to order the reading of the bill.

The SPEAKER. The question now is, Will the House direct the committee to proceed with the consideration of the joint resolution the title of which has just been read?

The question was taken, and the House sustained the objection.

The Committee of the Whole resumed its session.

Mr. KELLEY. I ask unanimous consent now that we proceed to the consideration of the tariff bill.

Several members objected.

TAX ON NATIVE WINES.

The CHAIRMAN. The Clerk will report the next bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 920) to amend section 328 of the Revised Statutes of the United States, in relation to the tax on native wines.

Mr. KELLEY. I object to the consideration of that bill.

The CHAIRMAN. Objection being made, the committee will rise and report the objection to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having reached the bill (H. R. 920) to amend section 328 of the Revised Statutes of the United States, in relation to the tax on native wines, objection was made, and in accordance with the rule the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Shall the bill be considered or laid aside?

The objection was sustained.

The Committee of the Whole resumed its session.

DUTIES ON SUGARS.

The CHAIRMAN. The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 2222) to amend section 2983 of the Revised Statutes so that the duties paid upon sugars shall be assessed upon the quantity delivered from instead of the quantity entered into bonded warehouses.

Mr. KELLEY. I object to the consideration of that bill.

The CHAIRMAN. Objection being made, the committee will rise and report the objection to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having reached the bill H. R. 2222, objection was made, and in accordance with the rule the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Shall the bill be considered or laid aside.

Mr. TOWNSHEND, of Illinois. I wish to inquire who objected to the consideration of the bill?

The SPEAKER. If the gentleman had given attention while the House was in committee he would have learned who objected.

Mr. TOWNSHEND, of Illinois. I have the right to ask the Speaker that question.

The SPEAKER. The Speaker is not required to answer questions of fact.

Mr. KELLEY. The chairman of the Committee on Ways and Means objected to the consideration of the bill.

Mr. TOWNSHEND, of Illinois. I am glad to hear the objection came from that quarter.

The SPEAKER. The question is, Will the House direct the committee to proceed to the consideration of the bill?

The objection was sustained.

The Committee of the Whole resumed its session.

OLEOMARGARINE.

The CHAIRMAN. The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 6685) to tax the manufacture and sale of oleomargarine.

Mr. KELLEY. I object to the consideration of that bill.

Mr. HASKELL. I ask that by unanimous consent we pass over this bill.

Mr. FLOWER and Mr. TOWNSHEND of Illinois objected to the bill being passed over.

Mr. KELLEY. I am opposed to the consideration of any bill till we reach the tariff bill.

The committee rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having reached the bill H. R. 6685, objection was made, and in accordance with the rule the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Shall the bill be considered or laid aside for the present?

The objection was sustained.

The committee resumed its session.

CHIME OF BELLS.

The CHAIRMAN. The Clerk will report the next business on the Calendar.

The Clerk read as follows:

Joint resolution (H. Res. 257) authorizing the remission or refunding of duty on a chime of bells for the Church of the Holy Trinity, Philadelphia, Pennsylvania.

Mr. KELLEY. I object to the consideration of that joint resolution.

The committee rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having reached the joint resolution H. Res. 257, objection was made, and in accordance with the rule the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Shall the joint resolution be considered or laid aside for the present?

The affirmative vote was taken.

Mr. SPARKS. I want to hear the joint resolution read. I want to know whether or not it is the duty of this House to vote in favor of considering that joint resolution.

The negative vote was taken.

The question was decided in the negative.

Mr. FLOWER. If that resolution had been for salt, sugar, and pig-iron, it would have gone through.

The committee resumed its session.

IMPORTED HAY.

The CHAIRMAN. The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 6809) to adjust the duty on imported hay.

Mr. KELLEY. I object to the consideration of that bill.

The committee rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having reached the bill H. R. 6809, objection was made, and, in pursuance of the rule, the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Shall the bill be considered or laid aside for the present?

The objection was sustained.

The committee resumed its session.

TIN.

The CHAIRMAN. The Clerk will read the title of the next bill.

The Clerk read as follows:

A bill (H. R. 2103) in relation to the manufactures of tin, and for other purposes.

Mr. KELLEY. I object to the consideration of that bill.

Mr. CONVERSE. I desire to inquire whether these bills are on the Calendar of the Committee of the Whole House on the state of the Union?

The CHAIRMAN. All of those bills are on that Calendar.

Mr. CONVERSE. The Clerk will please indicate the page from which he has just read.

The CLERK. Page 17.

The committee rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having reached the bill H. R. 2103, objection was made, and, in accordance with the rule, the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Shall the bill be considered or laid aside for the present?

The objection was sustained.

The committee resumed its session.

TOBACCO, ETC.

The CHAIRMAN. The House having directed the Committee of the Whole to lay aside the bill last reached on the Calendar, the Clerk will report the title of the next bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 6563) to abolish the internal-revenue taxes on tobacco, snuff, cigars, cigarettes, and for other purposes.

Mr. KELLEY. I object to the consideration of that bill.

Mr. TUCKER. I hope that bill will be considered now.

The CHAIRMAN. Objection being made to the consideration of the bill, the Committee of the Whole will rise and report the objection to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole having reached the bill (H. R. 6563) to abolish the internal-revenue taxes on tobacco, snuff, cigars, and cigarettes, and for other purposes, objection was made, and, in accordance with the rule, the committee rose, and the objection is reported to the House.

The SPEAKER. The question is, Will the House direct the Committee of the Whole to proceed with the consideration of the bill, or lay it aside for the present?

Mr. KNOTT. I call for the reading of the bill.

Mr. KELLEY and others objected.

The question was taken upon ordering the bill to be read; and upon a division there were—ayes 65, noes 133.

So the House refused to order the bill to be read.

The SPEAKER. The question now is upon directing the Committee of the Whole to proceed with the consideration of the bill.

Mr. TUCKER, Mr. MILLS, and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was determined in the negative—yeas 100, nays 147, not voting 44; as follows:

YEAS—100.

Aiken,	Cravens,	House,	Richardson, J. S.
Armfield,	Curtin,	Jones, George W.	Robertson,
Atkins,	Davidson,	Jorgensen,	Rosecrans,
Barbour,	Davis, Lowndes H.	Kenna,	Scales,
Beach,	Dibrell,	King,	Shelley,
Belmont,	Dowd,	Klotz,	Simonton,
Beltzhoover,	Dugro,	Knott,	Singleton, J. W.
Berry,	Dunn,	Leedom,	Singleton, Otho R.
Blackburn,	Ellis,	Le Fevre,	Sparks,
Blanchard,	Ermentrout,	Manning,	Speer,
Bliss,	Evins,	McKenzie,	Springer,
Buchanan,	Flower,	McMillin,	Talbott,
Buckner,	Ford,	Mills,	Thompson, P. B.
Cabell,	Forney,	Money,	Townshend, R. W.
Caldwell,	Fulkerson,	Morrison,	Tucker,
Carlisle,	Garrison,	Moulton,	Turner, Oscar,
Chapman,	Gibson,	Muldrow,	Upson,
Clardy,	Gunter,	Mutchler,	Vance,
Clark,	Hammond, N. J.	Oates,	Warner,
Clements,	Hardy,	Phelps,	Wellborn,
Converse,	Haseltine,	Phister,	Wheeler,
Cook,	Hatch,	Randall,	White,
Covington,	Herbert,	Reagan,	Whitthorne,
Cox, Samuel S.	Hewitt, G. W.	Reese,	Willis,
Cox, William R.	Hooker,	Rice, Theron M.	Wise, George D.

NAYS—147.

Aldrich,	Errett,	Lynch,	Ryan,
Anderson,	Farwell, Chas. B.	Mackey,	Scranton,
Atherton,	Farwell, Sewell S.	Marsh,	Shallenberger,
Barr,	Geddes,	Matson,	Sherwin,
Bayne,	George,	McClure,	Shultz,
Belford,	Godshalk,	McCold,	Skinner,
Bisbee,	Grout,	McKinley,	Smalls,
Bland,	Guenther,	McLean, Jas. H.	Smith, A. Herr
Blount,	Hall,	Miles,	Smith, Dietrich C.
Bowman,	Hammond, John	Miller,	Smith, J. Hyatt
Bragg,	Hardenbergh,	Moore,	Spaulding,
Brewer,	Harmer,	Morey,	Spooner,
Briggs,	Haskell,	Morse,	Steele,
Browne,	Hazelton,	Murch,	Stockslager,
Buck,	Heilman,	Neal,	Stone,
Burrows, Julius C.	Henderson,	Norcross,	Strait,
Burrows, Jos. H.	Hepburn,	O'Neill,	Taylor, Ezra B.
Butterworth,	Hill,	Page,	Thomas,
Calkins,	Hiscock,	Parker,	Thompson, Wm. G.
Campbell,	Hitt,	Payson,	Townsend, Amos
Candler,	Hohnan,	Peelle,	Turner, Henry G.
Cannon,	Horr,	Peirce,	Updegraff,
Carpenter,	Houk,	Pettibone,	Valentine,
Caswell,	Humphrey,	Pound,	Van Aernam,
Chace,	Jacobs,	Prescott,	Van Horn,
Cobb,	Jadwin,	Ranney,	Wadsworth,
Crapo,	Jones, James K.	Ray,	Wait,
Cullen,	Jones, Phineas	Reed,	Walker,
Cutts,	Joyce,	Rice, John B.	Ward,
Davis, George R.	Kasson,	Rice, Wm. W.	Washburn,
Dawes,	Kelley,	Rich,	Watson,
Deering,	Ketcham,	Richardson, D. P.	Webber,
De Motte,	Lacey,	Ritchie,	West,
Deuster,	Ladd,	Robeson,	Williams, Chas. G.
Dingley,	Lewis,	Robinson, Geo. D.	Willits,
Doxey,	Lindsey,	Robinson, Jas. S.	Wise, Morgan R.
Dwight,	Lord,	Russell,	

NOT VOTING—44.

Bingham,	Dunnell,	Hutchins,	Ross,
Black,	Fisher,	Latham,	Scoville,
Brumm,	Frost,	Martin,	Taylor, Joseph D.
Camp,	Harris, Benj. W.	Mason,	Tyler,
Cassidy,	Harris, Henry S.	McCook,	Urner,
Colerick,	Herndon,	McLane, Robt. M.	Van Voorhis,
Cornell,	Hewitt, Abram S.	Mosgrove,	Williams, Thomas
Crowley,	Hoblitzell,	Nolan,	Wilson,
Culberson,	Hoge,	Pacheco,	Wood, Benjamin
Darrall,	Hubbell,	Paul,	Wood, Walter A.
Dezendorf,	Hubbs,	Robinson, Wm. E.	Young.

So the House refused to direct the Committee of the Whole to consider the bill.

The following additional pair was announced:

Mr. TYLER with Mr. WILLIAMS of Alabama.

Mr. TYLER. I desire to state that if Mr. WILLIAMS, of Alabama, were present, I would vote "no."

Mr. KELLEY. I ask unanimous consent to dispense with the reading of the names of those voting.

Mr. BLANCHARD objected.

The names of those voting were then read.

Mr. JOSEPH D. TAYLOR. I ask consent to have my vote recorded in the negative.

The SPEAKER. Did the gentleman respond when his name was called?

Mr. JOSEPH D. TAYLOR. Some one was talking to me, and I did not hear my name called.

The SPEAKER. The gentleman's vote can not be recorded.

The result of the vote was then announced as above stated.

Mr. RANDALL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANDALL. I desire to inquire of the Chair how many revenue bills there are on the Calendar of the Committee of the Whole before the tariff bill will be reached?

The SPEAKER. The Chair is informed that there is but one more bill.

Mr. RANDALL. The object of making a test vote on this particular bill having been accomplished, I ask that the remaining bill which intervenes before the tariff bill can be reached be laid aside by consent of the House.

Mr. KELLEY. There is but one more.

Mr. TUCKER. I have no objection to that, because my purpose has been answered in securing a test vote on the tobacco bill.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] asks unanimous consent that the revenue bill on the Calendar preceding the tariff bill may be laid aside for the present.

Mr. CARLISLE. How can that be done in the House?

The SPEAKER. It can only be done by unanimous consent.

Mr. CARLISLE. The gentleman from Pennsylvania will allow me to suggest that the only revenue proposition on the Calendar before the tariff bill will be reached is a joint resolution providing for the importation into the United States, duty free, of books printed for the use of the blind. I think that can be laid aside in Committee of the Whole in one minute after it is reached to be reported favorably to the House at some future time.

Mr. KELLEY. I have no objection to that, provided there be no debate.

Mr. CARLISLE. There will be no debate—not a word.

Mr. KELLEY. Then I make no objection.

The SPEAKER. The Chair is informed there are two bills yet to be reached.

Mr. KELLEY. What is the other bill?

The SPEAKER. The bill to amend section 2743 of the Revised Statutes.

Mr. CARLISLE. That is not a revenue bill. It fixes the salary of a customs officer.

The SPEAKER. The Chair, on further examination, understands that this bill is not a revenue bill. The gentleman from Pennsylvania [Mr. RANDALL] asks consent to lay aside all revenue bills intervening between that last disposed of and the tariff bill.

Objection was made.

The SPEAKER. Objection is made. The Committee of the Whole will resume its session.

Mr. CARLISLE. I do not object. I have consented, with the understanding arrived at between the gentleman from Pennsylvania [Mr. KELLEY] and myself, that the joint resolution to which I have referred may be favorably reported from the Committee of the Whole at some future time.

The SPEAKER. The Committee of the Whole can dispose of that if it so desires.

The Committee of the Whole House on the state of the Union resumed its session.

BOOKS FOR THE BLIND.

The CHAIRMAN. The last bill before the Committee of the Whole having been laid aside by order of the House, the Clerk will report the title of the next bill.

The Clerk read as follows:

Joint resolution (H. Res. 298) providing for the importation into the United States, duty free, of books printed for the use of the blind.

Mr. CARLISLE. I ask that this bill be laid aside to be favorably reported at some future time.

Mr. RANDALL. Is it proposed that this bill be considered at some future time in its turn?

Mr. CARLISLE. I desire that the bill be laid aside to be reported favorably, but I do not wish the committee to rise now for the purpose of reporting it.

Mr. RANDALL. If the bill is to be reported favorably, it ought to be read.

Mr. CARLISLE. Then let it be passed over.

Mr. KELLEY. Pass it over. I object to its consideration.

The CHAIRMAN. The gentleman from Kentucky [Mr. CARLISLE] asks that this bill be passed over informally. Is there objection? The Chair hears none. The Clerk will now report the title of the next bill.

TARIFF.

The Committee of the Whole proceeded to the consideration of the next bill, the title of which was read, as follows:

A bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes.

Mr. KELLEY. I ask unanimous consent that the first reading of this bill for information be dispensed with.

There being no objection, it was ordered accordingly.

Mr. KELLEY. Mr. Chairman, there are many reductions in the rates of existing duties proposed by the bill we are about to consider which my individual judgment does not approve. I fear they may be found in practice to be so great as to embarrass or suspend important industries, and by thus restricting the demand for labor and impairing the efficiency of our productive power will put American consumers of articles at the mercy of those who, by reason of the withdrawal of our competition in any particular industry, will have a monopoly of our markets

and may, as they have hitherto done, control prices therein. Nevertheless I shall support the bill in all its features, submitting amendments to its text only in case I shall be instructed to do so by the committee over which I have the honor to preside.

In all legislation upon the tariff of a country with a population exceeding 50,000,000, with continental dimensions and resources unparalleled alike in their abundance and diversity, a spirit of compromise must largely control in the maturing of such bills.

This bill as a whole is, in my judgment, the most perfect tariff bill ever submitted to the American Congress. It proposes a complete substitute for title 33 of the Revised Statutes of the United States, and gentlemen will therefore find on the opening pages of the bill a number of sections in which no change is proposed; there are here simply that they may be part of the bill, and consequently part of the title for which this bill is proposed as a substitute. On page 8 we leave those sections and proceed to the first of the proposed schedules, that on chemicals.

I trust the committee will bear in mind that the bill does not propose a change in the nature of our customs regulations and tariff duties. It proposes no new scheme of customs revenues. What it proposes is a revision of the existing tariff and an adaptation of its provisions, under which many of our industries have been organized, to the changed condition of circumstances.

The progress of science, as exhibited in chemistry, that science which penetrates and permeates every department of industry from the humblest handicraft to most delicate and complex departments of production—the progress, I say, of this science has since our tariff was framed been marvelous. The most scientific men, the boldest projectors in this country or elsewhere would not in 1860 have believed that in little more than twenty years there could be accomplished results such as our industrial classes are now familiar with and the beneficent results of which the consumers of textiles, metals, drugs, and of an infinite variety of articles are to-day enjoying.

So, too, improvements made possible by the progress of chemistry have been made in the metals and all forms of utility or beauty to which they are applicable.

The Tariff Commission speaks of the iron industry as a dying industry. It has consequently in an infinite number of cases classified iron and steel under the same rates of duty. Not only is steel supplanting iron, which crucible or cast steel could not possibly have done, but there are characters of steel then unknown and unsuspected—the Bessemer, the open-hearth, the Thomas-Gilchrist or basic process, and a large number of other processes—which produce at reduced cost low carbon steel and have given us improved material, not only for railroads, but for almost every branch of construction. So rapidly has adequate protection developed these methods that many of us are unconsciously using steel nails and spikes and other articles of hourly need, believing them to be iron. I have a friend whose business has grown to be more than half a million of dollars per year. This business illustrates the fact that under the dominion of science in a country free to develop its resources, the ingenuity and industry of whose people are stimulated by liberal rewards for their labor and enterprise, there is no such thing as waste. Every staple material used by the gentleman to whom I refer was waste fifteen years ago. Not only were they waste, but almost every one of them was an obstruction and annoyance to the people among whom they accumulated. Progress in mechanics can hardly be said to have lagged behind that in chemistry. Not only have combinations of metals and their form and uses changed, but that which twelve, fifteen, or twenty years ago was produced as a rude whole, is now frequently produced in many parts. The result is that under the influence of science and invention large classes of goods disappear from enumerations and classifications of the existing tariff. Thus numerous questions are raised for decision by the Treasury upon the appeal of but one party, the importers, for under existing law he only has the right to appeal from the decision of a collector. Hence it is from want of proper schedules and classifications that the Treasury Department makes much of our revenue law, and the courts upon further appeal make oftentimes still more.

It was one of the complaints, Mr. Chairman, of the first Secretary of the Treasury of the United States, Alexander Hamilton, that in devolving on that office appeals from adjudications by collectors of ports that officer was burdened beyond the endurance of humanity; that he could not give personal attention to these numerous conflicting appeals upon the proper decision of which so much of the Government's revenue depended. In those early days, therefore, these questions began to be referred to clerks, and to-day questions involving the capital, energy, and enterprise embarked in vast fields of labor are disposed of by minor clerks in a by-room of the Treasury, and if appeal be taken from the decision the American producer of the commodity has no voice, can not get before the courts, and cases made up for court are made by these same subordinate clerks whose decisions are to be overruled or sustained. This condition of affairs is a perennial fountain of suspicion and open scandal.

Right here, sir, I renew my assertion that this tariff bill is an improvement on any ever submitted to Congress. The Tariff Commission was unable to perfect its work. The time given it was insufficient for the work confided to it; and the commission deserves neither the censure which has been heaped upon it on the one hand, nor the laudation its work has received on the other. Considering the brief time given it, and the want of experience in such labor of many of its members, that commission performed what I regard as a wonderful work, and so far as its conclusions resulted from thorough consideration, I accept most of them.

But when the Committee on Ways and Means came to examine the schedule presented by the commission we found some of them (relatively few) which appeared to have been deliberately considered, but that most of them seemed to be the reports of sub-committees to whom particular subjects or schedules had been referred, who had made their report oftentimes after very hasty work, and which report had not been revised by the whole commission. Thus it occurred that articles appeared twice, once in one schedule at one rate of duty and again under the same name in another schedule at another rate of duty—in one case in the metal schedule at 20 cents a pound, I think, and under the same name in the chemical schedule at 30 per cent. ad valorem, a very different rate of duty.

The committee found itself very seriously reflected on as having made inroads on the commission's free-list, while in truth and in fact it has made large additions to that list. One of the cases which led to most grievous condemnation of the Ways and Means Committee was the striking off the free-list of cabinets of antiquities, &c. Well, now the committee, had it been disposed to do so, could not deny that it had struck those articles from the free-list, but it could not for the life of it see why it should be twice in that list, and it struck it out once and left it in once.

Again, sir, it was found the commission had omitted a great many articles found in the present law and which ought to be there and which we have embodied in this bill. Yet, notwithstanding these evidences of haste and want of time to consider by the whole commission, I say it performed a work for which I am profoundly grateful and for which I believe if we enact this bill into law the country at large will be grateful.

They have made schedules and classifications more perfect than any I have ever seen; and in these classifications they have sought, and the committee has extended their work in that direction, to embrace all the articles in the chemical world and the world of colors and drugs which discovery and invention have added to the lists of chemicals since the last revision of the tariff. And with reference to metals, to so classify articles and parts of articles that they shall have due relation to each other, imposing a lower duty on that which involves material of little value and of little labor, and raising the rates of duty as the value of the material and the amount and character of the labor required to finish the article increases. This, together with the fact that while the commission and the committee have sought to make the classifications so complete that there shall be no difficulty in learning to what class an import belongs, together with definitions embodied in the bill by the commission, such as the definition of steel, will assist the customs officers in determining what is due to the revenue and what is due to those whose capital and skill are embarked in our productive industries. To complete this it has been the object of the committee, in all "basket" classes as I have heard them called—blanket classes, catch-alls, or classes providing for articles not otherwise provided for, to keep the rate of duty above the schedule rates. The committee have sought to put the rates in those paragraphs higher than the schedule rates so as to make it the interest of the importer and the foreign manufacturer who consigns goods to his agent in this country to put his articles in their proper class, to classify them according to the tariff bill and not as now to classify them under new nomenclature, under changes of name, so as to get them into the not otherwise provided for classes at lower rates of duty than those named for these articles on the schedules. Thus the Treasury Department has decided as to a large class of articles on which the duty should be very advanced, that inasmuch as they appear in no classification of the existing tariff they are manufactures not otherwise provided for, and must consequently be admitted at little more than nominal duty. Thus the whole tariff has been deranged, and the spectacle appears of a low grade or a low-priced article, which happened to be classified, paying double the duty that an article worth triple its value which was not classified is required to pay.

This, Mr. Chairman, is not the only means by which we have sought to prevent the burdening of the Treasury and the courts and to secure an honest administration of the law. The commission recommended a customs court; and the committee has adopted that idea in connection with the Court of Claims, and has in connection therewith embodied a provision which will be acceptable to every American manufacturer and to every honest importer of foreign goods into this country. It contains a provision never hitherto recognized in practice or embodied in our statutes. It is as follows:

And any person having interest in the proper classification and rating of such merchandise, whether as importer of similar merchandise which has paid a higher duty, or as manufacturer in this country of similar and competing merchandise, may in like manner give notice in writing to the collector within ten days of his protest from such decision, stating clearly and concisely his reasons for such protest, and requiring a re-examination of the case; and in the event of the collector maintaining his original decision, the said protestant, whether importer or manufacturer or owner, may in like manner as above provided carry the case by appeal to the court hereby created: *Provided*—

And gentlemen will see how conservative the committee have been in this matter and how perfectly they have guarded all interests—

Provided, That said importer, manufacturer, or owner aforesaid shall give bond to secure all costs arising from such intervention.

I shall not now attempt, Mr. Chairman, to discuss the details of the bill. I shall not consider the rates of duty imposed on any articles or class of articles. I am very anxious that the bill should have full and free consideration, and yet that it should be promptly disposed of. I have no desire to waste time in debate. On the contrary, I hope that in view of the very elaborate discussion of all abstract questions relating to the tariff during the last session the Committee of the Whole will determine to make general debate brief, and to consider the bill by paragraphs and then consider it fully.

There are but few weeks of the session left. The business of the country is almost at a standstill. Men are neither willing to manufacture nor import. Those who need goods for their own use or as stock in their stores are buying only from hand to mouth. The whole country is suffering. The productive employments, beginning with the mines, the coal-pits, the forges, and the furnaces, and thence upward through all the stages of manufacturing industry to those regions in which the most costly goods are produced, are palsied by uncertainty; and while expressing the hope that our friends on that side of the House will agree to a very brief general debate and let us get speedily to the consideration of the bill, I beg my friends on this side of the House to be faithful to their constituents and the country in this emergency and to be in their seats whenever the House may be asked to go into the Committee of the Whole on this bill, with a view to its speedy conclusion. We owe it to the country; we owe it to the toiling millions who labor; we owe it to the men of enterprise and industry whose capital is not commensurate with their undertakings, and who will be embarrassed by long delay and stagnation of business; we owe it to the revenues of the Government; and, Mr. Chairman, we owe it to the fair fame of the Forty-seventh Congress that we shall act with promptness and expedition upon a matter that so vitally affects the interests of all of our countrymen.

Mr. CARLISLE. Will the gentleman from Pennsylvania allow me to ask him a question?

Mr. KELLEY. Certainly.

Mr. CARLISLE. I think the House and the country will be very much disappointed at the gentleman's failure to state his opinion as to the amount of reduction of the rates of duty and the amount of reduction in the revenue to be effected by this bill. I should be glad to hear the gentleman's opinion.

Mr. KELLEY. I cut my remarks short, because I had an intimation that I would be interrupted directly by a message from the Senate.

Mr. Chairman, I do not believe that anybody can make a guess or an estimate, as the phraseology runs, of what the reduction of the revenues will be. The Committee on Ways and Means bring to the attention of the Committee of the Whole and of the House means of testing their bill such as I have never seen submitted under similar circumstances before. Here is a—

Table showing articles, amounts, and rates of duty under existing law, and those reported in House bill 7313, the computations being on the importation for the fiscal year ending June 30, 1882.

This table was made by Treasury experts, at the instance of the Committee on Ways and Means. There is also a statement by the same experts, prepared in compliance with the request of the Committee on Ways and Means, giving the existing rate of duty, the rate proposed by the commission, and the rate proposed by the committee in its bill, where, in view of the changes of classification, that can be done.

These experts report that in their belief, upon their estimates, the net decrease of revenue from the adoption of this bill will be $20,855,799. My own impression is that the reduction will be much greater, the comparison being predicated on an amount of imports equal to those of 1882, on which these calculations were made.

Mr. ANDERSON. How much greater?

Mr. McKINLEY. I trust the chairman of the committee will add that in this estimate account is not taken of the abolition of charges on transportation.

Mr. KELLEY. I should state that the bill abolishes charges and commissions on inland transportation, which is regarded as a reduction equivalent to, I think, 10 per cent. on most of the goods.

Mr. COX, of New York. How could it be as much as 10 per cent.?

Mr. KELLEY. It is. We will show you cases in which, for instance on earthenware, those charges are 50 per cent.

Mr. THOMPSON, of Kentucky. I would like to ask the gentleman from Pennsylvania a question.

Mr. KELLEY. I have not time now, for a power before which I must sit down waits at the door. If gentlemen desire it I will take the floor again for interrogation when we next go into Committee of the Whole.

Mr. TUCKER. Does the gentleman from Pennsylvania yield the floor?

Mr. KELLEY. I hold the floor.

Mr. TUCKER. If the gentleman yielded the floor I would take it.

Mr. KELLEY. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, and had come to no resolution thereon.

EXPORTS FROM FOREIGN COUNTRIES.

Mr. KELLEY. I am directed by the Committee on Ways and Means to report back with a favorable recommendation a resolution of inquiry introduced by the gentleman from Texas [Mr. MILLS], asking information from the State Department as to what countries impose duties on exports.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of State be directed to inform the House of Representatives, if the records of his office contain the information, what duties are levied upon exports by different countries having commercial relations with the United States.

The resolution was adopted.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, communicated to the House resolutions adopted by the Senate on the announcement of the death of Hon. BENJAMIN H. HILL, late a Senator of the United States from the State of Georgia.

THE LATE HON. BENJAMIN H. HILL.

The SPEAKER. The Chair lays before the House the resolutions that have just been received from the Senate.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,
January 25, 1883.

Resolved, That earnestly desiring to show every possible mark of respect to the memory of Hon. BENJAMIN H. HILL, late a Senator of the United States from the State of Georgia, and to manifest the high esteem in which his eminent public services and distinguished patriotism are held, the business of the Senate be now suspended that the friends and late associates of Senator HILL may pay fitting tribute to his high character, his public services, and private virtues.

Resolved, That in the death of Senator HILL the country has sustained a loss which has been felt and deplored to the utmost limits of the Union.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives.

Resolved, That, as an additional mark of respect for the memory of the deceased, the Senate do now adjourn.

Mr. HAMMOND, of Georgia. I submit the resolutions which I send to the desk.

The Clerk read as follows:

Resolved, That the House of Representatives has received with deep sorrow the official announcement of the death of BENJAMIN HARVEY HILL, late United States Senator from the State of Georgia.

Resolved, That the House suspend its business, that fitting mention may be made of his private virtues and his public worth.

Resolved, That at the conclusion of such tribute to his memory the House shall stand adjourned.

Mr. HAMMOND, of Georgia. Mr. Speaker, so many have spoken and written of the dead Senator, so aptly have the prominent incidents of his life and phases of his character been noticed that naught but repetition can follow. But, representing the district in which he lived, having practiced law at the same bar with him for twenty years, and been long his neighbor and friend, I can not allow this occasion to pass without adding my tribute to the many already so worthily bestowed.

Born without wealth, he owed to a relative the opportunity for completing his education in the University of Georgia. There, in 1844, he bore off the first honor in a class noted for men who became prominent in the affairs of our State.

In 1845 he began the practice of law at La Grange, Troup County, Georgia. In February, 1848, he was admitted to the supreme court of the State. Residing in the interior, among an agricultural people, he had but little use for such branches of the law as commercial centers and seaports demand. He used no special pleading except in the United States courts, in which, prior to the war, the jurisdiction was limited and the business meager. He owned few books, and no large law library was within his reach.

He did not become learned in the law by comparing system with system, the polity of our people with those of other nations, measuring their weights and computing their values as affected by times, places, and circumstances. But he had a strong and comprehensive mind, and had cultivated his intellectual forces until he had acquired that high art so well described by Cicero: "Quæ docet rem universam tribuere in partes, latentem explicare definiendo, obscuram explanare interpretando; ambigua primum videre, deinde distinguere; postremo habuere regulam quo vera et falsa judicarenter et quæ, quibus positis, essent, quæque non essent, consequentia."

He cited but few authorities and seldom read from books. But he had mastered our system of blended law and equity, and this power of analysis and combination made him strong before the bench, searching out and applying principles to facts. His diction was clear, precise, forcible, and ornate. His splendid physique, his graceful and manly delivery, his brilliant oratory, now mild and persuasive, now furious as the storm, made him an advocate unsurpassed in our country.

Such ability and accomplishments commanded employment at the

highest compensation, and furnished ample means to supply the wants and gratify the tastes of himself and family. A hundred acres comprised his suburban home and farm. In front were perhaps twenty acres square on which grew nothing but massive oaks. Midway between them a gravel carriage-way and granite walk led to the top of a hill. There he built his house; square, spacious, and on three sides shaded by a colonnade of tall and heavy Corinthian columns. While one was struck with its adaptation to its surroundings, the fruits and fish-ponds in rear, the flowers in front, prepared him for the bountiful but unostentatious hospitality and plain but tasteful adornment within the lawyer's home.

Here in the midst of his family, of which he was at once the stay and idol, we leave him to glance at his career in the broader field of politics. Thus it has been epitomized by himself in the Congressional Directory: He was State representative in Georgia in 1851 and State senator in 1859–1860. He ran as the candidate of the American party against Hiram Warner in 1855, and for governor of Georgia in 1857 against Governor (now Senator) Brown. He was presidential elector on the Fillmore and Donelson ticket in 1856, and on the Bell and Everett ticket in 1860. He was a delegate to the State convention of Georgia in 1861, and advocated the Union until secession had been irrevocably resolved upon; became a delegate to the provisional congress of the Confederate States and a senator in its regular congress. He was elected to the Forty-fourth Congress to fill the vacancy caused by the death of Garnett McMillan, and was elected to the Forty-fifth Congress, but resigned upon his election to the United States Senate. There he remained from the 5th of March, 1877, till his death.

The time thus covered was long. It was burdened by the grand events which led up to the war, by that terrible struggle for supremacy and the strife and convulsions of the people slowly wandering back through untried paths to peace.

One part of it we may dwell upon, because he always mentioned it with such self-satisfaction—that was his love for the Union of the States. He favored the Clay compromise measures of 1850; he supported Howell Cobb for governor as the candidate of the Constitutional Union party upon a platform declaring those compromises "fair, just, and equitable," and aided in piling up for him a then unprecedented majority in a gubernatorial race in our State.

This platform of 1855 spoke of "the maintenance of the Union of these United States as the paramount political good." By that of 1856 "the perpetuation of the Federal Union" was regarded "as the palladium of our civil and religious liberties and the only sure bulwark of American independence." That of 1860—

Resolved, That it is both the part of patriotism and of duty to recognize no political principles other than the Constitution of the country, the Union of the States, and the enforcement of the laws.

He opposed the calling of the Georgia State convention of 1860. He was elected thereto to oppose secession. In that body, composed of the flower of our State, men superior to him in age and political experience, he led the fight for Governor Johnson's resolutions for a convention of States, to defeat those of Judge Nesbit for immediate disunion. Though his motion failed, he voted against the declaratory resolution for secession with a minority of less than a third of the convention. South Carolina had seceded; Mississippi, Florida, and Alabama had gone. Georgia then seemed to him to have no choice between joining her fortunes with theirs and confusion and chaos within her borders. He therefore then sought to make the convention unanimous for secession. And when the war was over, at an expense of nearly $2,000, he placed in front of that broad walk to his house immense iron gates, on each of which were shown our flag and eagle, that in going in and out he and his children might be daily reminded of the imperishable ensigns of their country.

But while he had struggled for the Union, none doubted his devotion to the Southern cause. While Georgia's colonial flag floated over the capitol at Milledgeville he was chosen by the convention of 1860 as a delegate to the provisional congress, charged by a resolution of our State to form a government "modeled as nearly as practicable on the basis and principles of the Government of the United States of America."

The first session of our general assembly elected him senator in the congress of the Confederate States, over Law and Governor Johnson, who had opposed secession, and Iverson, Jackson, and Toombs, who had urged disunion. And in that senate the confidence of his State was supplemented by that of President Davis and all the most earnest friends of the new government.

That government failed, but his career was not ended. The war restored the Union. But how changed was the situation! The South did not concede that its quarrel had been unjust or its action wrong. There, as here, the soldiers gloried in their records. There, as here, he who bore a wound received in battle was regarded as holding a patent to the love and admiration of his fellows.

The Union was restored in law, but without the ante-bellum surroundings. The Constitution was changed in essentials which the North thought would strengthen our system, but which the South thought subversive of the fundamental principles of our Government.

A new element was incorporated into the body-politic. The North thought that necessary to secure what it called "the fruits of the war;" the South thought that thereby her civilization was endangered and the safeguards of constitutional liberty strained to their uttermost. "Reconstruction" came in all its various phases—disfranchisement of former citizens and enfranchisement of former slaves, martial law and bayonet rule.

The South was repeating the mournful Jeremiad:

We are orphans and fatherless, our mothers are as widows. * * *
Our necks are under persecution; we labor and have no rest. * * *
Servants have ruled over us; there is none to deliver us out of their hand.

Mr. HILL heard, and determined to strike for deliverance. Occupying no official position, he could appeal only as a private citizen. He had been well trained for such work. In 1855 he had met Warner, ex-judge of our highest court, strong, logical, and of spotless reputation for integrity, and reduced a large majority to almost naught by commanding eloquence on the stump. In his race for governor and canvassing as presidential elector he had become well known throughout the State. He was ranked among the very best of a host of gifted men.

He never told an anecdote, indulged in no flights of fancy; he quoted neither poet nor classic, yet he charmed and enchained his audiences.

This new field suited his manner and disposition. His defiant speech at Davis Hall, his denunciations at the Bush Arbor, at Atlanta, electrified his sympathetic hearers. A larger mass was enthused by his "Notes on the Situation," written with a pen dipped in the very gall of bitterness. Invective was his forte, and in these efforts he excelled himself. He chafed as a caged lion as he saw statute after statute aimed by Congress against the political equality of his native State and her rightful rule thrice displaced by martial law. He believed all those measures "unconstitutional, null, and void," and that his would be the glory of having them so denounced.

He and his courageous comrades revived the drooping hopes and rekindled the courage of our people, and soon saw Georgia resume her normal position as a State in the Union, and strengthen by her counsel and example her struggling sisters of the South. But in all else there was signal failure. The changes wrought by war were unalterable, and he accepted the inevitable.

These topics are mentioned only because they cover so large a part of Mr. HILL's public life. They are of great weight and full of interest, but may not be considered now. Better that the embers die out than that they should be rekindled by exposure. With restoration came peace and commerce and social intercourse. Passions cooled, old memories revived, common interests urged to common thought and purpose.

Soon he was elected Representative and then Senator. The positions assigned him here on committees and in debates show that his reputation was well established and national. His conduct here, his votes and speeches have passed into history. They are too recent to need comment or justify discussion now. The pride of his State was seconded by the country which cheerfully counted him among the great men of our age.

His name may not be associated with any great reform; his genius may not be crystallized in any statute of our country. This may be because he belonged to that large class of orators who build not themselves, but by encouragement and criticism perfect the building of others. Or it may be that a tree so frequently and so violently transplanted could not yield its natural fruitage until time had cured its shocks. That time was not given. In the zenith of his powers the end came.

That tongue so eloquent was being by a cancer destroyed. The cruel knife, intended to stay, seemed but to hasten the catastrophe. Nor nature nor art could arrest its progress. With mind unimpaired he waited and patiently suffered the tortures which preceded death. As the sun rose upon the earth on the 16th of August last, he was gone.

His long suffering had mellowed admiration into love. Our capital city was draped in mourning, its business stopped, and its organizations, private and public, vied with each other in expressions of sorrow. All parts of our State sent delegations to his funeral. Through a long lane of sympathizing fellow-citizens, Representatives and Senators bore him to his grave.

They had sat in the church to which he belonged and heard the pastor, his life-long friend, tell of his early conversion and his enduring faith. Long after his power of speech was gone, as the cruel cancer was eating his earthly life away, he thought and wrote of life eternal. Once when engaged in such high thought he had read, by his pastor, Paul's grand reasoning about the fact and necessity of the resurrection. Responding, with tremulous, dying hand he wrote:

If a grain of corn will die and then rise again in infinite beauty, why may not I die and then rise again in infinite beauty and life? How is the last a greater mystery than the first? And by so much as I exceed the grain of corn in this life, why may I not exceed it in the new life? How can we limit the power of Him who made the grain of corn (to die), and then made the same grain again in such wonderful newness of life?

His great soul had grasped the sublime "mystery" that "this corruptible must put on incorruption and this mortal must put on immortality," and when, on a later occasion, he wrote for this man of God, "I can not suppress a certain elation at the thought of going," he had evidently caught the triumphant enthusiasm of the Apostle of the Gentiles when he concluded:

So when this corruptible shall have put on incorruption, and this mortal shall have put on immortality, then shall be brought to pass the saying that is written, Death is swallowed up in victory.
O death, where is thy sting? O grave, where is thy victory?

Mr. SPEER. Mr. Speaker, to eulogize the deeds and preserve the memories of those who either in peace or war have conferred benefits or luster on their country has ever among the civilized been regarded a privilege and a duty.

The desire of inspiring an ambition to emulate such examples has doubtless given birth to such usages and sentiments. Nor can it be denied that the means are conducive to a beneficial end. The human mind is so constituted that it is not only interested, it is aroused and stimulated by lofty ideals of excellence. Indeed, a clear conception of what has been done, and therefore what can be done, is an important factor in achieving eminence in any profession or in any enterprise.

Cæsar might never have won his splendid triumphs as soldier and statesman had he not chanced to see in an obscure town in Spain a statue of Alexander the Great. His passion for military glory was then and there fired by the thought that the Macedonian at thirty years of age had conquered the world, while he, though thirty-five, had achieved but little renown. It is certain that an intense interest in the lives and deeds of the great men of their commonwealths formed no small part of the patriotism of the ancient Greeks. Athens was but a vast museum of architecture, sculpture, and painting dedicated to the national glory and the worship of the gods. The city was full of the memorials of actual history. Its youth were perpetually surrounded with incentives to patriotic devotion. Every street and square from the Piræus to the Acropolis were adorned with statues (by the most consummate masters that ever gave life to marble) of the great men of the republic: Solon the law-giver, Conon the admiral, Pericles the mightiest of their statesmen, and Demosthenes the prince of their orators, in imperishable marble, gave inspiration to the Athenian youth.

Twenty-three centuries have not extinguished this sentiment of veneration for the illustrious dead. It still lives to console and elevate humanity. Its memorials are found to-day in every civilized land. On the banks of the Danube, that historic river whose waves have witnessed the march of the hordes of Attila and the paladins of Charlemagne, whose shores have echoed to the tramp of the Roman legions, the hymns of the crusaders, and the artillery of Napoleon, stands a noble structure of marble called the Hall of Heroes, a modern Valhalla, filled with the effigies of the great men of all Germany. "By the soft, blue waters of Lake Lucerne," says the eloquent Meagher, "stands the chapel of William Tell. In the black aisle of the old cathedral of Innspruck the peasant of the Tyrol kneels before the statue of Andrew Hofer. In her new senate hall England bids her sculptors place the images of her noblest sons, her Hampden and her Russel. In the great American Republic, in that capital city which bears his name, rises the monument of the Father of his Country." Yes, even in young America the idealizing power of the painter and the sculptor are employed to kindle the generous ambition of the youthful aspirant to fame. Sir, how apposite in this connection are the melodious verses of Cowper:

> Patriots have toiled, and in their country's cause
> Bled nobly; and their deeds, as they deserve,
> Receive proud recompense. We give in charge
> Their names to the sweet lyre. The historic muse,
> Proud of the treasure, marches with it down
> To latest times; and sculpture in her turn
> Gives bond in stone and ever-during brass
> To guard them and immortalize her trust.

We should not defraud the illustrious dead of their rightful reward, that reward which is the great moral compensation for contemporaneous prejudice and injustice. Nay, more, we should never take away from coming generations the strongest incentive to patriotism to the love and service of their country. Rather let it be proclaimed by memorial service and monumental marble, by noble and beautiful art, that those who consecrate their talents or their lives to the state will not, shall not, be forgotten, that they shall live in memory so long as men shall reverence law, honor patriotism, or love liberty. Thus may we hope for a long and glorious bead-roll of great statesmen and gallant soldiers, and that it will never be said of this Union of States as was said of ancient Rome, "Octavius has a party and Antony has a party, but the Republic has no party."

In conformity, then, with a usage sanctioned by the wisdom of ages of civilization, we have assembled to pay a national tribute of respect to the memory of BENJAMIN H. HILL, the late distinguished Senator of Georgia. He has already been laid to rest beneath the soil of that State which gave him birth, and which he served so long and loved so well. Never were public esteem and private affection more signally manifested than at his obsequies. The Legislature of Georgia has ordered his portrait to be placed on the walls of the capitol. Public munificence has projected a stately monument to mark the place of his burial and as a token of admiration for his talents, recognition of his patriotic services, and respect and affection for his memory.

But it is not extravagant to say that neither funeral pomp nor public eulogy, neither the painter's pencil nor the sculptor's chisel, can do that for his memory which he has done for it himself.

It will not be expected of me to undertake the superfluous task of dwelling in detail on the events of his life, or of attempting an elaborate delineation of his character. This has been done by the ablest writers of the press with an acuteness of analysis and an opulence of illustration that will convey to posterity a vivid conception of the great subject. This has been appropriately done in wise and eloquent words in the other wing of the Capitol by Senators who have listened with admiration to the voice of our now silent but once matchless orator. They may have agreed with him or they may have differed from him, but they could not fail to recognize his lofty and chivalrous bearing, his commanding ability, his eloquent reasoning, his ardent and devoted patriotism. These will be remembered when the asperities of political controversy are forgotten. I can say, however, from an intimate personal acquaintance with him, that he was a man of unimpeachable integrity, ever evincing by precept and example his respect for morality and religion. The moral, the religious, the charitable, the educational institutions of his State have lost in him an influential friend and a generous benefactor.

His name was a tower of strength to every good cause in which it was enlisted. One trait only will I stress in this presence, and that is his patriotism. He loved his country, his whole country, its Constitution, its laws, its liberties. He was a man to whom the whole country was ever more than a part. Originally a member of the old Whig party, an enthusiastic disciple of Clay and Webster, he loved as they did the Union cemented by the blood of our Revolutionary fathers. He regarded that Union as a perpetual bond of national brotherhood, and as associated with the most precious memories of the past and freighted with the brightest hopes of the future. In the darkest period of that fierce sectional controversy between the North and the South, which ripened into one of the most gigantic wars in the blood-stained annals of our race until hope had been swept away by the fiery tide of revolution, he continued to hope and to temper the counsels of the people. He was thereafter throughout the struggle steadfast to his kindred and his people. This is characteristic of the man, and will be appreciated by the generous everywhere. His course was such that it could not be said of him as Dr. Johnson said of Junius:

> Finding sedition in the ascendant he was able to advance it; finding the nation combustible, he was able to inflame it.

He knew that our system of government, like all human institutions, however wise in theory and successful in its general operation, is liable to abuse; that unwise laws were sometimes enacted; that salutary laws were sometimes evaded and even resisted; that party spirit, the bane of all free institutions, which Washington himself pronounced the worst enemy of popular government, was sometimes pushed to the verge of remorseless and maddening convulsion. But he never despaired of the Republic. He had little sympathy with that dangerous folly which pretends that our national prosperity is on the wane; that the meridian of our country's glory has been reached and passed; that nothing is to be expected but venality in legislative bodies and corruption in our courts of justice; that the "American Astrea, like the goddess of old, has fled to the stars."

He held, and wisely held, that the founders of our Government and their descendants had accomplished more and better results within the century of their existence than had ever been accomplished in the same time in the history of any race. He was persuaded that they had secured for themselves a larger amount of the substantial blessings of life than are enjoyed by any people on the globe.

He believed that our country might, and by the blessing of Providence would, reach a height of prosperity of which the world as yet has seen no example.

But I forbear. Six months have passed since he was taken from us. His protracted sufferings and hopeless disease prepared us for the inevitable result. But I can not but feel to-day, as I did when it was first announced that Senator HILL was dead, that Georgia had hardly another, I might say not another, such life to lose. He was unselfish, thoughtful of all, generous and kind to all. His life and his labors were consecrated to the welfare and happiness of others; and, more than all, "for the profit of the people, for the advancement of the nation."

Mr. TUCKER. Mr. Speaker, in the natural grief which Georgia feels for the loss of her great son it is not fitting that Virginia should manifest her sympathy in silence at the tomb of one who often said he felt like standing in her presence ever with uncovered brow. In this public calamity which touches the whole country Virginia begs to lay the tribute of her respect on his grave.

My acquaintance with the late Senator HILL began with our entrance into this Hall as members of the Forty-fourth Congress. It ripened into intimacy from an association as members of the Committee of Ways and Means. That relation has no doubt made it seem appropriate that I should have been invited to say something on this occasion.

Mr. HILL was born in Georgia in September, 1823, of a parentage which was of English origin and had for generations lived in his native State. He loved her with the devotion of a true and faithful son. His father, though not very liberally educated, coveted high culture for his children, and secured a classical education for his distinguished son, which he completed at the University of Georgia, in Athens, in 1844.

Mr. HILL was admitted to the bar in 1845, and reached that eminence in his profession early in his career which great talents, fidelity, and enthusiasm will always secure. He entered the legislative halls of Georgia as early as 1851. He was a candidate for Congress in 1855

and for governor in 1857, but was defeated on both occasions on political grounds; but it speaks strongly for his rapid rise in public estimation that at so early an age he was nominated for the chief executive office of that great Commonwealth.

He was a decided Whig in politics, and was on the electoral ticket of Bell and Everett in the memorable contest of 1860.

The election of Mr. Lincoln to the Presidency in that year caused the call of the convention in Georgia in January, 1861, which passed the ordinance of secession for that State from the Union. To that convention Mr. HILL was elected; and in its debates he took a prominent part in opposition to secession and in favor of awaiting in the Union the results of the triumph of the Republican party.

When the convention decided against his views, he threw himself with all the ardor of his powerful intellect into the cause of the confederacy. He was elected to the provisional congress at Montgomery, and afterward to the senate of the Confederate States, in which he served his State with great zeal and signal ability until the close of the war. He was in 1865 arrested and imprisoned in Fort Lafayette for some time by the Federal authorities; and upon his release returned to the bar, practicing his profession with great success and participating with the Democratic party in the political questions of the period of reconstruction. He was elected to the Forty-fourth Congress and was assigned by Mr. Speaker KERR to a position on the Committee of Ways and Means, of which my honorable friend from Illinois [Mr. MORRISON] was chairman. Of that committee there remains in this House but three members, the then chairman, the present honorable chairman of the committee [Mr. KELLEY], and myself.

In January, 1876, the debate on the amnesty bill was opened with such a display of political excitement and sectional bitterness as I have never seen since that time, and which I am glad to hope will never be seen again in this Hall.

In that debate no one who heard it can ever forget the parliamentary eloquence and ability of Mr. Blaine and of General Garfield, and the no less skillful and powerful speech of Mr. HILL. It was the battle of giants, and Mr. HILL was the equal of any man who took part in it. It placed him at once in the front rank of debaters in the American Congress.

Whether in the labors of the Committee of Ways and Means on the question of tariff and finance, or in the discussions in the House, Mr. HILL continued while a member of this body to rise higher and higher in public estimation until his election to the Senate in the winter of 1877.

It is not too much to say that as a Senator he fully maintained his high reputation, and measured swords in debate on few occasions in which he was not victor, and in none in which he was vanquished.

A mortal disease, insidious in its progress and painful in its nature, ended his life in the summer of last year, and the grave was closed upon a career which, though not prolonged to old age, was one of the most brilliant and memorable in our parliamentary history.

The elements which make up the character of a remarkable man it is interesting to analyze and portray. I feel incompetent to do so satisfactorily in this case, for while our intercourse was always familiar and cordial, our relations were not so close and confidential as to have enabled me to judge and measure him with critical accuracy.

His tall and striking person, his grave and thoughtful face, his clear but dreamy eye, and the gleam of sunshine which lit up his countenance when friendly intercourse detached his thoughts from the subject in which his mind was absorbed, all combined to interest, attract, and impress every person who came in contact with him. His ringing voice; his earnest, sometimes vehement, manner; his bold and aggressive style; his strong, clear, and logical reasoning; his exalted and eloquent declamation, and withal his self-reliant and confident assertion of his views, made him one of the most powerful and impressive speakers of his time.

He worked with intense and concentrated energy. His mind was capable of great abstraction. In the companionship of his own thoughts he became often unconscious of all around him, and his intellectual powers then glowed with the fires of his own enthusiasm.

He was an intellectual athlete. His strength was not mere dead force, but his sinewy frame enabled him to turn an adversary in the decisive wrestle, when he himself seemed to be overthrown. He was not technical in his reasoning, but cut down to the root of the matter of debate. His nature was bold and aggressive. If his foe was in ambush he uncovered him and forced him into the open field. His tactical method was assault. He struck for his enemy's center and rarely attacked his flank. But when assailed and in retreat, he would suddenly turn upon his foe, retrieve his loss, attack on flank or center as best he might, and snatch victory from the jaws of defeat. He was formidable in the opening of battle, chiefly for attack, but he was as dangerous in retreat at its close. When pressed by a too confident opponent, disaster did not dismay him, mishap did not demoralize him. His ample resources were adequate to any emergency, and he would convert what seemed a fatal mistake into the source of a final triumph by his quick and bold repulse of his assailant which he often pushed to a complete rout of his forces.

He argued from the workshop of his own brain. He intensified thought upon the issue, and discarding authority and extrinsic aids, drew from the well-furnished armory of his own mind the weapons and munitions for the conduct of his warfare.

These qualities made him a great advocate at the bar, whether before juries or courts, and a great debater in the halls of legislation; indeed, as formidable in these respects as any man of his day.

I believe he thought best on his feet. The fervor of his intellect made his arguments present convictions which might pass away and give place to others as strong under mental action at another time. To this peculiarity in his mental operations was due what seemed a lack of consistency sometimes in the conclusions he reached. His intellectual activity was so powerful as to make him seem intolerant to his opponents; but I do not believe it touched his heart. He struck the shield of his foe as a knight in the tournament, vigorously but without animosity; and when the strife was ended he could lift up the adversary he had struck down and clasp him in friendly regard with the hand which dealt the blow.

In his social life, while often abstracted by the thoughts which absorbed him, he was genial, kind, and loving. Generous and brave, he grappled to him friends with hooks of steel. Honest in his dealing, sincere and truthful in his intercourse and cordial in his friendships, he died mourned by hosts of warm admirers and followers.

He was not, I think, a great reader of books. For works of fiction he had no taste. He told me once he had never read one of Scott's novels, after I had playfully called him in debate a Dalgetty, of whose name and character he was ignorant. But his reading was such as strengthened his powerful mind, and furnished his style with the materials which gave grace and beauty to the solid and simple Doric of his severe and classic oratory.

It was natural for such a man to have ambition. The eaglet in his home nest on the mountain cliff feels in his unfledged wing the power to soar toward the object on which he ever looks with unblenched eye. So genius, with prophetic instinct, aspires to achieve its conscious destiny. It seeks, or at least may not, without fault, put aside the opportunity which will enable it to do so. When Lord Selborne reached the woolsack some friend congratulated him on attaining the summit of his ambition. In substance he replied, "Not so; I have gained the opportunity to serve my country; the summit of my ambition is to serve her well, and to do good."

Such ambition is a noble virtue. The aspiration to uphold the right, to destroy the wrong, and to do good, is all of human glory which it is fit for human life to aspire to win. That passion for place and office, without consciousness of ability to fill it well and for the public good, is base and mean; it is a vice, the vice of our day, and leads to crime.

Mr. HILL aspired for public positions from the self-consciousness of his fitness to serve his country in and through them. In him it was a noble virtue.

He bore his prolonged and painful illness with patience, fortitude, and resignation. As the hopes of continued life faded away the light of immortality gleamed upon his latter days with the assurance of peace and eternal joy. The tongue which had thrilled the multitude and electrified the forum and the Senate, palsied by his mortal disease, faltered and was almost still. Yet it cheers us to know that in the death valley through which his great soul was called to pass, God gave that tongue the power to whisper in tones of touching tenderness and faith as his eagle eye gazed upon the opening glories of the immortal life, "Almost home!"

The paths of glory lead but to the grave.

No farther? Aye! through the grave where human glory ends, the Christian hope plants our feet upon that path which leads to celestial glory in the bosom of our Father and our God!

Mr. HOUSE. Mr. Speaker, when the hand of death struck the name of BENJAMIN H. HILL, of Georgia, from the roll of Senators, the sad event was deplored not only by the State that had honored him, but by the whole country. All realized the fact that a man of great intellectual power had fallen, and that a vacancy had been made in the national councils which could not be readily supplied.

I well remember the first time I ever met him. It was at a mass-meeting during the Presidential campaign of 1860, at Knoxville, Tennessee. His fame even at that time, when he was comparatively a young man, had traveled beyond the limits of his own State. I recall most vividly the impression he made on me on that occasion as one of the most eloquent and powerful popular orators to whom I had ever listened. The crowd was numbered by the thousand, and the speaking took place in the open air in a beautiful grove near the town. Without much seeming effort on his part he held the undivided attention of the vast assembly during an address of some two or three hours. I can never forget the trepidation and misgivings with which I arose, according to the programme of the day, to address the audience on the same side of the question, through fear that it would be impossible for me to say anything that would interest a crowd that had listened to his magnificent effort.

I saw him no more until I met him at Richmond in the fall of 1861 as a member of the provisional congress of the Confederate States. At the end of the provisional congress our paths diverged. He entered the confederate senate, where he served during the remainder of the war.

The next time I met him was in this Hall as a member of the Forty-fourth Congress. That Congress was the first one after the war to which full delegations of representative men were admitted from the Southern States. They came to Washington fully impressed with the difficulties and complications that surrounded them. They felt that the people whom they represented, greatly impoverished by the war and struggling to repair their ruined fortunes, would be held to a strict accountability for the actions and utterances of their representatives. Thus impressed and thus appreciating the dangerous ground on which they stood and the delicate relations which they sustained to the Government, they determined to tread the path of patriotic duty so plainly and firmly that none could fail to see that they fully and honestly acquiesced in the results of the war, and were prepared to discharge in good faith every demand imposed by the conditions of a restored Union and the common welfare of reunited people. I think I know the animus of the Southern men who took their seats in this Hall as Representatives in the Forty-fourth Congress. Whether I have stated it truly and fairly I confidently leave the records they have made here to determine.

Soon after the assembling of that Congress a general amnesty bill was introduced in the House by Hon. SAMUEL J. RANDALL, of Pennsylvania, being similar in all respects to a bill which had on two previous occasions passed the House of Representatives but failed in the Senate. The question arose of admitting Jefferson Davis to the benefits of the act. A distinguished Representative from Maine in the course of his remarks used this strong and emphatic language:

> And I, here before God, measuring my words, knowing their full extent and import, declare that neither the deeds of the Duke of Alva in the Low Countries, nor the massacre of St. Bartholomew, nor the thumb-screws and engines of torture of the Spanish Inquisition begin to compare in atrocity with the hideous crime of Andersonville. [Applause on the floor and in the gallaries.]

Up to this time no Southern man had taken any part in the proceedings. The discussion had not proceeded far before it became evident that it was destined to provoke more or less of sectional bitterness. The Representatives from the South deprecated and deplored the agitation of questions growing out of the war. They felt that all such agitation was mischievous in its tendency and could be productive of no good to their section of the country, and they were anxious that all such questions should be relegated to the tribunal of history. But as the discussion progressed it assumed a character which in their opinion demanded that a reply should be made from a Southern standpoint. Mr. HILL, from his known intimate relations with Jefferson Davis during the war, as well as from his acknowledged ability, was generally recognized as the most appropriate Southern man to speak for his section in a debate which all felt was destined to become historic. But little time for preparation was allowed him, as the discussion arose rather unexpectedly. I know he felt deeply the responsibility and delicacy of his position. To defend the confederate government against the charges brought against it and maintain the honor of the Southern name without saying anything that would militate against the interests of the Southern people in the prevailing temper of the public mind of the North required the exercise of the coolest judgment and the nicest discrimination. Thus restrained and shackled by the grave considerations which surrounded the situation, he felt that he could not indulge the usual freedom of debate, and was therefore forced to meet his adversaries upon unequal terms. When he arose to address the House he faced a most attentive audience upon the floor and in the crowded galleries. It was an occasion of deep solicitude and dramatic interest. I will not risk the imputation of obtruding improper and unwelcome suggestions upon this occasion by even a reference to the points or details of the discussion. It was watched with the keenest interest by both sides of this Chamber, and in fact by the whole country. It aroused feelings which I am happy to say time has softened and tempered, and which I would be the last to recall from the shades of the unhappy past. But justice to the dead requires that I should not omit to say that difficult as were the requirements of the occasion Southern representatives and the Southern people felt that their good name suffered no detriment from want of ability in its defender.

Mr. Speaker, I recall another prominent figure in that memorable debate. James A. Garfield, of Ohio, replied to Mr. HILL. If any one had been called on at that time to point out two men on this floor whose robust health and vigorous manhood gave the greatest promise of a long life, the selection could not have fallen upon any two members more appropriately than upon James A. Garfield and BENJAMIN H. HILL. How little we know or can know of what the future has in store for us. How soon were these two distinguished men, who encountered each other in that debate, doomed to leave this world under circumstances of lingering and protracted suffering that stirred the sympathies of all.

The former in a short while was transferred by the voice of his State from this House to the Senate, and before he could assume the duties of a Senator the voice of the American people called him to the Presidency. Honors were showered upon him with a profusion that left ambition but little to desire. He was inaugurated amid the well-wishes of the whole country. But while the thickly clustered laurels upon his brow were yet wet with morning dew—at a moment least expected, in the heart of a populous city, in sight of the Capitol—the bullet of a beastly and vulgar assassin laid him low. The national heart stood still with horror when the first shock of the great crime was felt. As the distinguished sufferer lay upon his bed of pain, the hearts of his countrymen of all parties and all sections visited the chamber where he struggled with death, breathing sympathy for his condition and hope for his recovery. This painful solicitude was merged into universal sorrow when the telegraph bore the news to every part of the country that the struggle was over. The Democrat forgot that he was a Republican President, and the Southern man that he belonged to the North. All party, all sectional feeling was lost in the profound gloom that pervaded the whole country. He had met his fate and borne his great sufferings with a patient fortitude and lofty courage which silenced all criticism and melted all hearts, while it intensified the universal horror with which the assassin's crime was regarded. For, Mr. Speaker, whatever may be true of other peoples and other lands, the crime of assassination can never be looked upon by the American people with other feelings than those of execration and abhorrence. It is a noxious plant that can never flourish in our soil. General Garfield reached the highest position to which human ambition can aspire; but the grandest proportions which his character ever assumed were displayed in the heroism of his death-bed.

Mr. HILL was likewise called by the voice of his State to a seat in the Senate. This was a field much better suited for the exercise of his great gifts than the House of Representatives, and he soon gained in that body the front rank as a debater and a statesman of great and varied attainments. His speech in the Senate in the debate on the bill prohibiting the use of troops at the polls was recognized by all who heard it or read it as an effort of transcendent ability. His analysis and exposition of our dual system of government, defining the powers that belonged to the States and those that belonged to the Federal Government under the Constitution, were thorough and profound. That speech alone was sufficient to rank him in the first class of American statesmen, and to that class he undoubtedly belonged. As a debater he had few equals even among the distinguished men whose learning and ability dignify and adorn the American Senate. Whether on the hustings addressing the masses of the people, in the forum before judges and juries, or in the Halls of Congress discussing great questions of national importance, he never failed to impress himself upon those who heard him as a man of great power and ability. No antagonist, whatever his fame or prowess, ever encountered him upon any of those fields of intellectual gladiature without feeling that he stood in the presence of a foeman worthy of his steel. But in the prime and plenitude of his great powers, when he felt the solid ground of a well-earned national reputation beneath his feet and a long and a brilliant career of honor and usefulness opening up before him, the admonition of death came, not, it is true, in the guise of an assassin's bullet, but in a form no less fatal and certain.

Soon after the meeting of the present Congress I visited the court-room where President Garfield's assassin was being tried for his life. On leaving I met Senator HILL and we walked some distance together. On the way I inquired as to the condition of the malady that had excited his fears and the apprehension of his friends. I found him hopeful and cheerful, and even buoyant under the conviction that he had experienced the worst and that he was now in a sure way to permanent and final recovery. But not a great while afterward I heard that he had been compelled to again seek the offices of his surgeon. I felt then that he was a doomed man—doomed to excrutiating suffering and certain death.

With his robust constitution and great strength of will he made a brave fight for his life, and sought all the means within his power to preserve and prolong it. But all efforts proved unavailing, and at last he went home to die. Within its peaceful bosom, surrounded by his family and friends and by the people who admired and loved and honored him, he looked death calmly in the face as he watched its approaches day by day, and knew that nothing could avert the inevitable hour. How less than nothingness must have appeared to him all the glories of this world as he passed through his terrible ordeal of suffering to the grave that he saw opening to receive him. Distinguished as was his life, all the honors that clustered around it fade into insignificance in the presence of the sublime courage and Christian patience and resignation that crowned his death.

Men in the whirl of busy life and the carnival of earthly ambition may treat with a sneer or a jest the power of the Christian religion to sustain the struggling soul amid the agonies of dissolving nature and the gloom of approaching death; but that sneer is robbed of its sting and that jest loses its point beside the beds of protracted suffering and lingering death from which the victorious spirits of James A. Garfield and BENJAMIN H. HILL left their wasted tenements of clay.

Mr. Speaker, sooner or later our struggle with the last enemy must come; for whatever may be our hopes, our ambition, our schemes for the future, or may have been our achievements in the past, we may be assured of one fact—Time will overlook and Death forget none of us. And in that solemn hour which witnesses the exchange of worlds the obscurest Christian that has honestly endeavored during an unobtrusive life to do his duty toward God and man is more to be envied than the tallest son of intellectual pride, though he may have walked the mountain ranges of human thought, without God and without hope in the world.

Mr. WELLBORN. Mr. Speaker, "How peaceful and how powerful is the grave!"

The qualities here ascribed to humanity's final resting place are none the less true because poetically asserted. The grave is an abode of peace and an instrumentality of power. In both essentials it is above the vicissitudes of time, "Bulwarked around and armed with rising towers," earthly forces can not break through nor raze.

Whether the sun shines in brightness, or the clouds droop murkily; whether gentle breezes touch lightly, or the storm king rides upon the whirlwind, the condition of the grave is always that of repose. Enraged elements may beat down the monument, remorseless earthquakes swallow up the vault, but in the ideal grave, of which the monument and vault are but unsubstantial types, peace abideth ever.

Tranquil is the sleep of him upon whose honored grave the representatives of millions of people, arrested for a while in their ordinary labors, are now laying the merited tributes of a nation's esteem; tranquil will it remain until after the latter days, when the promised summons spoke by angel tongue shall awake from the embrace of death and call forth the released captive to those awards of brightness and joy which, on the testimonies of time, have already been entered up in the record-book of eternity.

It is not the peace, however, but the power of the grave which the memorial services of this hour most strongly proclaim. Opportunities neglected and opportunities abused have caused thousands, in dying, to leave behind them but few evidences of their having been; or if many, only sad proofs of misspent and mischievous lives. Hence, "Lived to little purpose," or "Lived to a bad purpose," would be inscribed on many tombstones if they were truly epitaphed.

Not so of the marble column which will point coming generations to the consecrated spot where lie entombed the ashes of Georgia's great Senator. The matchless talents nature gave him were early dedicated to high aims, and the fruitful opportunities the wise improvement of those talents afforded shaped to their best uses. From the peace of his grave, therefore, rises in power an example worthy of all imitation, grandly illustrating how native talents usefully employed and properly directed can achieve wide and lasting renown in different and difficult walks of life, and how, in the supreme solemnity of the last hour, when earth and time are fast fading from view, they can nerve the soul of a feeble, wasted frame to bravely and triumphantly cross over the dark borders of that mysterious land before whose veiled terrors strong manhood is wont to tremble.

The example thus presented for our contemplation is made up from the experiences of Mr. HILL in private, professional, and public life. Of the last two only will I speak, leaving to others more familiar with it the portrayal of the first. It is not my purpose to undertake a narrative of events, but simply a hurried statement of traits of character which distinguished him in the public walks to which fortune or inclination called him. And in this I shall not aim at completeness, but only give a few of the impressions made on my mind by a general observation of him as a lawyer, an orator, a statesman, and a patriot; nor shall I communicate these impressions in words of studied panegyric. Too well do I recognize, as applied to Mr. HILL, the truth of the apostrophe—

> Nature doth mourn for thee. There is no need
> For man to strike his plaintive lyre and fail,
> As fail he must, if he attempt thy praise.

The splendid triumphs of Mr. HILL'S maturer years at the bar show that he must have mastered the law as a science during the period of his professional pupilage. His attainments were not limited to a few, scattering rules and forms picked up from particular decisions used in cases with which he was connected; but were opinions and convictions formed from a searching and comprehensive study of jurisprudence as a grand system of principles resting on immutable foundations of right and justice. For the discovery of these principles he looked to the exercise of his own reason, and in forensic contests relied mainly on a conscious knowledge of the principles thus discovered. Adjudicated cases he regarded as but instances illustrating and applying principles. In other words, his own reason, strengthened and equipped by the pupilage before mentioned, discovered and applied general principles; precedents were invoked largely, if not only, to support and confirm the conclusions of his own mind. This view accounts for the singular readiness and accuracy with which he could meet the various and often unexpected exigencies which complicated suits are liable to develop during the processes of trial.

Mr. HILL combined within himself the jurist and the advocate. He was gifted with perception to discern and judgment to apply appropriate principles to given states of facts. He had also a logical and perspicuous style. The union of these qualities made him clear and forcible in the statement and proof of his premises, and powerful if not resistless in the conclusions he sought to establish. In law, as in politics, he was distinguished for originality of thought rather than scholarship. His was the grander power to originate; not the lesser faculty of appropriating the creations of others. He was a model, not a type. However so great the excellency he may have attained unto in other pursuits, the judicial history of Georgia, as well as the traditions of her people, will always claim his legal attainments and forensic triumphs as among the most brilliant experiences of his brilliant life.

To intellectuality Mr. HILL added the power to feel and to will. These mental endowments, with his fluency of language and at times impassioned delivery, formed him for what he became—one of the great orators of his day.

Eloquence is defined to be "the utterance of strong emotion in a manner adapted to excite correspondent emotion in others. It ordinarily implies elevated and forcible thought, well chosen language, an easy and effective utterance, and an impassioned manner." Those who ever heard Mr. HILL, at the bar, in legislative halls, or on the stump, when the energies of his nature were thoroughly aroused, could not have failed to recognize in his effort marvelous and unmistakable manifestations of all these qualities. I remember to have heard a speech he once made on a noted occasion characterized by a critical auditor as "logic on fire." And it was logic, burning logic; not the formal disputation of a schoolman, but the power of passionately-expressed thought unto the conviction and moving of his hearers:

> And each man would turn
> And gaze on his neighbor's face,
> That with the like dumb wonder answered him.
> * * * * * You could have heard
> The beating of your pulses while he spoke.

The traits and acquirements which made Mr. HILL renowned as a lawyer and an orator fitted him for greatness in the arts of government. In these, after political engagements and official station brought his mind to bear upon them, he soon became deeply versed and took rank with the foremost statesmen of his day. The question "how can men be best governed?" was with him a subject of profound thought and philosophic research. He rightly looked upon it as a problem whose perfect solution the great minds of the world on memorable trials had failed to work out. The records of history, which he widely and usefully explored, instructed him that philosophy, with all its achievements in the realms of political science, had not been able to impart perfection or permanency to any civil fabric yet built, and that even the testimonies to its mightiest triumphs were chiefly chronicled in the dismantled wrecks of the institutions it founded. He had fully learned the great lesson taught by ages of experience, that human infirmities will always impress their images on political as well as other human establishments, and that the Utopia of fiction could never exist in fact.

The Constitution of the American Union, to which his best thought was long and profitably given, he considered the nearest approach to perfection in governmental structure human effort had yet attained. Under the methods, however, which even this instrument provided, he was prepared to see measures consummated which his judgment condemned as errors and told him were fraught with disaster and woe. Emergencies of this kind, the crucial tests of character, did not confound his faculties, but rather stimulated them to the most reliable, if not highest exertions of statesmanship, namely, to see when a thing was inevitable, and, accepting it as such, to make the best of the situation, however bad it might be. He lost no time, therefore, in bewailing accomplished facts, but when proposed measures against which he warred became irreversible policies, his quick, comprehensive perception took in the whole situation, and he at once applied himself not to a continuance of vain resistance but the more sensible work of so controlling these policies as to avert, as far as possible, the ruin they threatened, and bring out of them the best attainable results. This quality of statesmanship, which, on close analysis, will be found to be nothing more nor less than the power of judicious selection between evils, Mr. HILL notably exhibited in his political course prior to and during the late war.

From 1855 up to the passage of the declaratory resolution by the convention of Georgia, January 18, 1861, he combated the disunion sentiment with all the force and earnestness of his nature. The motives which influenced him were his attachment to the Union under the Constitution and his desire to avert the calamities he profoundly believed war would bring upon the South.

For years he did all man could do to stay the swelling tide of popular sentiment drifting his State and section, as he firmly believed, into a night of storm and tempest whose starless gloom would prove intenser than Memphian darkness. His efforts were ineffectual. The declaratory resolution before referred to, against which he voted, fixed and determined Georgia's policy.

The die was cast. Then it was, under a high sense of duty to his State, he accepted as inevitable what he had struggled to prevent, and recorded his vote in favor of the ordinance, believing this to be the initial and an important step to the unification of his people in the course they had determined against his judgment to adopt. Of the conspicuous part he bore during the convulsive throes that ensued I shall not speak further than to say that all investigations and researches thus far made into that period of storm and gloom have but served to confirm and draw out in bolder lines as his shining characteristics an intellect equal to every emergency in which he was placed, a fidelity to conviction nothing could swerve, a resolution difficulties could not unsettle, a courage dangers could not appall, and a fortitude whose endurance no adversities could exhaust. This chapter of manly virtues will ever be held in warm remembrance by his associates in misfortune and defeat, and can but be read with respectful attention even by those who condemn the cause in which these virtues were displayed.

Mr. HILL's abilities as a lawyer, an orator, and statesman were subjected while he was in public life to the guidance of one grand sentiment: "The noblest motive is the public good."

He loved his country with an intensity and ardor only lofty and generous natures can know. Good government he considered the highest boon that could be bestowed on a people. For this he sought and studied long and diligently. The result of this search and study was one of the profoundest and most valued convictions of his life, namely, that there was no other form of government nor had there ever been one comparable to the Union under the Constitution. Hear him as he tells to a listening Senate, in stately phrase, the excellency of this Government:

It is the noblest government, the greatest government that human wisdom ever devised, and it could not have been framed by human wisdom alone. The human intellect never existed in this world that could from its own evolutions have wrought out such a thing as this Constitution of the United States. * * * It is a government such as Roman never dreamed of, such as Grecian never conceived, and such as European never had the power to evolve. When the American people, either for the purpose of dismembering the States or of destroying them, shall destroy this unparalleled government, this government without a model, this government without a prototype, they will have destroyed a government which seems to have been wisely adapted to the peculiar condition of the time and to all their future wants, and they will launch out on a sea of uncertainty the result of which no man can forecast.

Hear him again, as he declares to a vast multitude at his own home, in rapid, beautiful utterance, his admiration for the American system of government:

My countrymen, have you ever studied this wonderful American system of free government? Have you compared it with former systems and noted how our fathers sought to avoid their defects? Let me commend this study to every American citizen to-day. To him who loves liberty it is more enchanting than romance, more bewitching than love, and more elevating than any other science. Our fathers adopted this plan with improvements in the details which can not be found in any other system. With what a noble impulse of patriotism they came together from different States and joined their counsels to perfect this system, thenceforward to be known as the "American system of free constitutional government." The snows that fall on Mount Washington are not purer than the motives which begot it. The fresh dew-laden zephyrs from the orange groves of the South are not sweeter than the hopes its advent inspired. The flight of our own symbolic eagle, though he blow his breath on the sun, can not be higher than its expected destiny.

Mr. Speaker, the voice of patriotism calls to us to-day from the grave of the great Georgian. In silence, more eloquent than stirring language, it points us to the "American system of free constitutional government" as the "noblest government, the greatest government that human wisdom ever devised." It impresses upon us that this system is the one founded by Washington and other patriots of the Revolution; that it is hallowed by sacred memories and freighted with precious hopes; that though the rightful inheritance of one people, humanity everywhere has an interest in its preservation; that, if in an evil hour it should perish, its ruins would entomb forever the institutions of freedom and give a new birth to the establishments of despotism.

By all these high considerations it pleads for the perpetuation of this incomparable system of government, "this government without a model, this government without a prototype," and points out the path of public duty by urging as the measure of public worth "that he shall be the greatest patriot, the truest patriot, the noblest patriot, who shall do most to repair the wrongs of the past and promote the glories of the future."

Mr. Speaker, the touching scenes and incidents of Mr. HILL's last sickness were a fitting close to the illustrious labors of his active life. The intellect, the resolution, the courage, the fortitude, which had sustained him in the latter did not desert him in the former. But, added to these, was a fuller reliance than ever on that unseen arm which alone can guide through the dark valley and shadow of death. So composedly did he contemplate his near dissolution that he was able to say, "But for the good I had hoped to do my family and country, I should regard the announcement 'I must die' as joyful tidings."

Above all, how entrancing the vision it was granted him to see just before death took him away, and which he pictured so aptly in the last two words he ever spoke, "Almost home!" Home! A magic word. The English language has no brighter, the English tongue can speak no sweeter. It names the best spot on earth, the radiant center of pure sentiments and heaven-approved attachments. Thitherward the wanderer in distant lands ever turns his eye in bright expectancy; and when he has been long and far away and at last nears the loved place, and familiar objects begin to gladden his eye, the tired limbs may almost give out, but the hope-buoyed spirit exclaims, "Almost home!"

The end was at hand. The wanderings of time were over. Eternity's glories were breaking around. The dying Senator spoke out in full and even triumphant accent, "Almost home!" The pulse throbbed its last beat, and the spirit flew to its God and immortal destiny.

Mr. KASSON. I deeply regret, Mr. Speaker, that, contrary to well-ordered custom, I am obliged to speak to-day touching the honored departed without the preparation that properly characterizes such an occasion. I learn to-day that those of my colleagues on this side of the House who, from old associations with Mr. HILL, late Senator, were best fitted to speak of his character, and to make just appreciation of those qualities which attracted the attention of the whole country, were by illness and other special cause prevented from taking part in the ceremonies of this occasion.

Unwilling that this side of the House, which had also been a witness of the distinguished ability of Senator HILL while he was a member of this body, should be unheard on this occasion, I venture to trespass on the kindness of my colleagues while I say extemporaneously a few words upon his character and his services.

We from the States of the North had only that opportunity to become acquainted with Mr. HILL which was offered by his comparatively brief public career upon this floor. Some of us, including myself, were on the floor at the time of that great debate to which so frequent reference has been made by my colleagues upon the other side. Few men had a higher appreciation of the intellectual qualities developed by Mr. HILL in that discussion than myself. My sympathy with the views which he combated could not blind me to his power in debate.

I am obliged to speak chiefly of his character from my memory of that session, and especially of that occasion. There were in him certain traits of character which have led me to compare him with Oliver Cromwell, among persons of English history, and with few others known to American history. He combined great self-poise and apparent consciousness of power with a certain solid, adamantine honesty of purpose which rendered the movements of his intellect one of unusual, of extraordinary strength. Earnest in countenance, he expressed in that respect only the earnestness of his nature. He moved with solidity in the development of his intellectual forces. He could not be cast off his balance by any light attack whatever. He kept the main point always in view. His mind, like Cromwell's, was impregnated with a sense of the obligations of religion. No man can be a great power in a Christian country without this inward sense of responsibility to a great Power, a Power greater, higher than the people, and to whom the people themselves owe allegiance and acknowledge responsibility. It is the strong rock in human character to which, above all other qualities, the people themselves attach their confidence.

While I recognized these great elements of control of the human mind in him, I did not fail to see that he, like most of us, was still animated chiefly by his great sense of responsibility to that part of the country which he represented. I recognized that same honesty of character when he determined that the sentiments of those whom he represented should be also fairly manifested on this floor, and should be maintained by all the force of debate.

And while from our point of view we often thought we discovered in him a power of prejudice which was ineradicable, we also were obliged to remember that our friends, bearing the same relations to us as we to him, would find for the same reason, for identically the same cause, ground to believe that our views also were influenced or controlled by prejudice of section and of association.

Sir, I can not speak of Mr. HILL's character prior to his entrance into the Fourty-fourth Congress. We knew him to be a man of power. We in the North rejoiced when we heard that his voice was lifted to save us from the disasters that followed the era of secession. We mourned when we found that naturally, if not logically—for we appreciated that it was natural—he cast in his lot with his own State for disunion and separate government. But we rejoice again when at the close of that great struggle, as shown by the gentleman from Georgia who first spoke to-day [Mr. HAMMOND], he again presented himself in the front of that column which sought to return to the Union with honesty of purpose, with perfect integrity of heart, and with an earnest desire to do their duty to the whole country as faithfully as they had done it to their own section. I prefer to remember Mr. HILL from such utterances in that speech to which reference has been made as this:

We had well hoped that the country had suffered long enough from feuds, from strife, and from inflamed passions; and we came here, sir, with the patriotic purpose to remember nothing but the country, and the whole country; and turning our backs on the horrors of the past to look with all earnestness to find glories for the future.

When a man like Mr. HILL returns to what we may fairly call his first love and his first devotion, it means more than the flippant remark of one who desires to turn a phrase in oratory. He was of that rugged honesty of nature that, whether or not wholly justified by an impartial judgment in the course he took upon any question, he never failed to impress his audience with the certainty and honesty of his conviction and of the opinion he professed to entertain. I mourn when such a man passes from the midst of us. I regret deeply that the Senate is no longer able to hear his voice or to have the benefit of his sound judgment.

Sir, among the many sorrows which death inflicts upon the human breast it carries with it one blessing. It is the disposition which then comes to us all to give to charity and justice their due dominion over intellect and heart, as we stand by the grave of the dead. Would to God that while all are alive we could equally feel and exercise those qualities in regard to our associates, whether opponents or friends.

I take to myself, I think we can all take to ourselves, from the comments made upon such a character as Mr. HILL's, the thought how much more profitably, how much more agreeably, more patriotically our duties on this floor would be discharged if we could carry from his grave to our work on this floor the sentiments with which we all find ourselves inspired as we look into the face of the dead. No higher tribute to the character which we now commemorate could be given than that each of us should attempt to exercise in all our relations those

virtues which we here celebrate as the ennobling qualities of him to whose memory we this day render the final honors.

Mr. HOOKER. Mr. Speaker, having been invited by my friend from Georgia [Mr. HAMMOND], who sits beside me, to say something on this occasion, I have felt it my duty to accept that invitation, because of the relations which have existed between the people of my own State and the great State of Georgia, to whose distinguished Senator we have assembled here to-day to pay the last solemn obsequies; for while the daughter has somewhat outgrown the mother in many respects, she has not ceased to feel filial affection for that great country which supplied so many of her early citizens. As it is not my custom to write speeches on any occasion, I am constrained to speak to-day, so far as affection for the dead is concerned, rather from the heart than from the head.

With reference to the private life of the great statesman whose death we mourn, I can say but little except what I gather from the friends who lived closer to him than it was my fortune to do. But in regard to his public character and the two aspects in which it presents itself to the world at large, I will say a few words.

BENJAMIN H. HILL underwent as a part of his education the severe training of a lawyer. It was in this aspect that he first presented himself to the people of his own State. His mind was formed by that vigorous discipline which belongs to the profession of the law. It made him logical. He is said to have excelled especially in that great power of the lawyer, the statement of his case. This he made so simply, so briefly, so lucidly that the most unintelligent court must seize the salient facts of the case. It was in his capacity as a lawyer that Mr. HILL was first known to the people of his own State for his distinguished ability as a reasoner and an orator. I have heard from a friend of his an incident of his early life, when he was employed to defend a man charged with murder. That defense was assumed by him in the courts; and he failed.

At that time in the State of Georgia it was within the power of the defendant in a case of this kind to appeal to the senate of the State. Mr. HILL made that appeal, not so much in behalf of the defendant himself as of the aged and widowed mother, from whose heart he wished to avert the blow which would fall upon the head of her son. He went into the State senate with his case, with a widowed mother leaning on his arm.

This gentleman describes the scene as he witnessed it—one in which Mr. HILL looked, for the first time in his life, pallid with excitement, because of the great responsibility which rested upon him; for in all his advocacy at the bar he was impressed with the sentiment of the great responsibility resting upon the advocate and the intimate relation between the advocate and his client, a sentiment which has been beautifully, though perhaps somewhat too strongly, expressed by one of the greatest of English lawyers and English premiers, Lord Brougham, when he declared that it is the duty of a lawyer to stand by the interest of his client even to the up-turning of the government. Mr. HILL walked into that senate chamber and made his appeal to the senate on the ground of the insanity of the man who had committed the alleged murder. He spoke for hours, and he obtained from the senate a verdict which relieved the widowed mother and spared the life of the son.

In all his relations as a lawyer Mr. HILL achieved distinction because he was inspired with fidelity to the great duties which devolved upon him. But his great intellect was not destined to be confined in its exercise to the bar, though it was the shaping and the fashioning of that intellect by close attention to his profession that prepared him for a new and different arena. I had the pleasure of first meeting him here as we entered together the Forty-fourth Congress. He leaped into this grand arena of debate like Minerva from the brain of Jove, armed *cap-a-pie* for any contest that might occur. He was prepared to take rank among the first in this hall of debate of the American Commons.

I remember especially an occasion a short time after the convening of the Forty-fourth Congress when he spoke here almost from the position in which I now stand. The magnanimous, generous-hearted Representative from Pennsylvania [Mr. RANDALL], then the leader of this side of the House, had introduced his bill for universal amnesty, thinking that the time had come when there should be a restoration of the Union, not in name and word, but in deed and in truth; that amnesty should be extended to every citizen, from the humblest subaltern animated by a sense of duty to the lofty-plumed chief who led the confederate forces; that all the memories of the war should be blotted from the hearts and the minds of the entire people.

In this spirit the gentleman from Pennsylvania introduced that resolution upon which Mr. HILL'S voice was first heard in this Hall, as has been so beautifully described by my friend from Virginia [Mr. TUCKER]. He encountered on that occasion an orator on the other side of the Chamber who had been for years the leader of his party, who had at one time occupied the seat which you now occupy, who as a debater, as a stater of facts, as a parliamentary tactician, had probably no equal at that time on either side of this Hall.

It was a conflict, as the gentleman from Virginia [Mr. TUCKER] has well remarked, of giants, which took us back to the older days in these halls, when Hayne and Webster and Calhoun and Clay and other orators of the past rendered illustrious the days in which they lived. As has been well said, it was a battle of the giants, and both giants fought with Damascus-like blades.

But, Mr. Speaker, it was a somewhat unequal contest, for he who represented one side of the question was the victor and wore the laurel wreath which crowns the victor's brow, while the other represented what has become known in history as the "lost cause," and wore the melancholy cypress, which is the emblem of defeat and death. Therefore I say it was a somewhat unequal contest; but those of us for whom he spoke, and spoke with so much clearness, so much precision, so much wisdom, so much patriotism, felt that we could appeal to the magnanimity of his great opponent; great he was and still is—we felt that we could appeal to the magnanimity of his great opponent in that contest that Mr. HILL had stated his side of the question as no other man could have stated it in this Hall.

During the time he was here as our colleague we all remember him with the tenderest affection and esteem. We venerate his great ability. We deplore his loss to the State who called him son, and to the country who honored him for his patriotism and fidelity.

It was not long, Mr. Speaker, before the people of his State, in 1877, called on him to occupy a higher position. I remember his being seated in that portion of the Hall from which he had delivered his powerful and eloquent speech a few minutes before, and receiving a telegram conveying to him the intelligence that the State of Georgia had transferred him to the other end of the Capitol.

He went there, Mr. Speaker, as he came here and at once took his rank in that graver, more dignified body, that body of loftier debate, took his seat there when that Chamber was filled with men of the highest intellect in this country, when the gigantic intellectual form of Thurman sat on one side and on the other the equally gigantic intellectual form of Conkling. BENJAMIN H. HILL took his place in the Senate of the United States, as he had done in this Hall, as the peer and equal of any man there. He had achieved great triumph in every position of life, as lawyer, as Representative, as Senator. He had strewed along the pathway of that life memorable acts and wondrous intellectual efforts, as the giant oak of the forest sheds its foliage in a kindly largess to the soil it grows on. He has passed from us to another scene of action. He has passed from us to that "home" to which he looked so fondly.

Whether speaking to his people in the State of Georgia or addressing the Representatives in this Hall on the most delicate questions, or debating in the Senate Chamber of the United States, there never fell from his lips any other words than words of wisdom and patriotism. His were—

> Not such words as flash
> From the fierce demagogue's unthinking rage
> To madden for a moment and expire—
> Nor such as the rapt orator imbues
> With warmth of facile sympathy, and molds
> To mirrors radiant with fair images,
> To grace the noble fervor of an hour;
> But words which bear the spirits of great deeds
> Wing'd for the future; which the dying breath
> Of Freedom's martyr shapes as it exhales,
> And to the most enduring forms of earth
> Commits—to linger in the craggy shade
> Of the huge valley, 'neath the eagle's home,
> Or in the sea-cave where the tempest sleeps,
> Till some heroic leader bid them wake
> To thrill the world with echoes.

Wherever he spoke and whatever he said, all was for his country's good. He rose superior to all partisanship because he was a statesman, looking always to the best interests of his people.

It has been said when every other passion which sways the human heart has been burned to ashes on its altar, ambition still lives, and rules, and controls. But he had lived even until this last passion had died out, and the last hours of his life touched scenes in his mortal illness when he was ministered to by his loving wife and equally loving daughter, which enabled him to throw aside every passion and every emotion which rule the human heart, and look forward with that feeling of hope which belongs to the pure Christian man.

It was at this time that one of his brother members of the bar (Mr. John W. Clampitt) of a distant State, the State of my friend from Illinois [Mr. SPRINGER], sent him that beautiful poem describing the very condition of mind in which Mr. HILL then was. It reached him only a few days before his death. That gentleman is now a member of the bar of this city. I will read a few stanzas from that pathetic poem addressed to Senator B. H. HILL, and beginning with—

> I am weary of my burden
> And fain would rest.
>
> Every leaf upon its shore lines
> Is a gem;
> Not a withered one is drooping,
> While the hand of love is looping
> And into garlands grouping
> All of them.
>
> In that world there is no sorrow,
> Not a tear;
> Never comes the broken-hearted,
> From whose eager life departed
> The hopes that once had started
> Fond and dear.

Not a storm-cloud ever gathers
On the air;
Only summer clouds are drifting,
And summer breezes sifting,
And sweetest perfume lifting
From gardens fair.

Only music soft and melting
Soothes the soul;
And its billows mild and wooing,
With a gentle hand undoing
All the cares that were bestrewing
Each earthly goal.

Lead me to that land of beauty,
So I may abide;
Lead me where the flowers are blooming,
Where the music mild is wooing,
Where the hand of love is moving
On every tide.

Like a little child I'll follow
Swift after thee;
To the land of never weeping,
Where my father's love is keeping
Mortal souls who failed in reaping
Earthly ecstacy.

I will take my burden for a pillow
And lie down to rest;
God's love shall dwell beside me,
And no clouds shall ever hide me
From the loving ones that guide me
To the portals of the blest.

These lines fitly and appropriately describe the closing scenes of that memorable life, which had been so distinguished in the great events of this country. It may be said of him, Mr. Speaker, as was said by the great Marshall of his friend Menafee when he was describing him after death:

His escutcheon is broad, spotless, bright, and beautiful as Bayard's oriflamme adorned with the lilies of France.

Senator HILL died, Mr. Speaker, in the meridian of his life of that singular, fatal, and insidious disease that up to this time has defied the eye of the scientist to determine how it originates or how it may be relieved. He passed away before he had attained that lofty eminence that the future had evidently in store for him. But in that dying hour, looking back over the great events in the history of his country in which he had borne so prominent a part, he might well have been justified if at its conclusion the power of speech had been restored to him, in saying in the language of the great Latin poet as he contemplated his mighty epic—

Jamque opus exegi, quod nec Jovis ira, nec ignis, nec vetustam ferrum poterit delere.

Mr. COX, of New York. Mr. Speaker, when a great French leader of opinion died the other day, it was queried whether French institutions would survive. "The republic is Léon Gambetta" was the sententious phrase. Wherever the signs of sorrow were displayed over the death of the great Frenchman, from San Francisco to Algiers, the powerful tribune of the people, the vehement orator, the energetic patriot was mourned as if France herself were lost. The very floral offerings were shaped into the tricolor of France. Not so in other lands. Disraeli dies, and though his party goes on, sadly lacking his genius, the English Government in form and structure receives no detriment. I saw nobles of ancient lineage and peasants of the country he had so long represented follow his remains to its sepulcher. All that was mortal of the dead Hebrew and brilliant minister received the last rites of the established church, but the English constitution and English society received no shock.

So, too, in these cisatlantic republican commonwealths—statesmen and Presidents come and go like rainbows, but the State survives. It is more permanent because of the monumental service of the departed statesmen it has nourished.

The eloquent Georgian and Senator whom we honor to-day rounded an active life of rarest mould. No glamour of the soldier was his. He was the peerless citizen who led men by voice and thought in perilous times, through troubles and tyrannies, with a foresight and wisdom all too rare in this land of mercenary grasping and unrelaxing excitement. He dies; but his State and the nation grow better by the emphasis of his life and the virtue of its lessons.

It was my privilege to know Senator HILL, even before he became a member here. It is because of delightful, almost intimate friendship, that his friends have assigned to me a part in these sad obsequies.

The dates and events, the links connecting such details, which make the chain of his personal history and serve to illustrate the individual feeling and life, the character of the man—others have touched these with magnetic, loving hand.

This chain was fashioned as all character is by surrounding circumstances. Those who knew him in his early days love to trace the main elements of his character to his parentage. His father was of slender education, but of robust virtue. He was remarkable for his invincible will and force. His mother was of an earnest, gentle nature, full of reflective and religious qualities. These made up the rudiments of that character which enabled him to overcome obstacles by endurance and palliate them by persuasion. The sturdy oak was garlanded with tenderest flowers. Like a Grecian or Doric fane, to which the gentleman from Virginia [Mr. TUCKER] likened it, his character combined beauty with strength.

The old farm-house and the red hills where he passed the scenes of his boyhood modified these inborn elements of his nature, and gave fresh vigor to his healthful life and added grace to his gentleness.

In his college experience the development and discipline of his mind was prodigious. His shyness and awkwardness, born of the country, soon gave way before his energy and ambition. From the rustic boy, in his long jeans coat and scant trousers, he at once became a thoughtful student. His habit of abstraction began thus early. Whether in the Demosthenian Society, or as its anniversarian orator, or delivering the valedictory of his class, he impressed those who listened with his unequaled power of debate and the rare felicity of his eloquence. One index of the gentle side of his character may be noted. His theme at the junior commencement was the "Life, Love, and Madness of Torquato Tasso," into which he threw all his mother's poetic sensibility with his scholarly warmth.

Soon the scholar ripened into the advocate. Here was his field. He had a legal mind. He drove the logic of the law bravely through every obstacle of fancy and fact. His fluency of speech and fertility of expedient, together with his power of application and study, gave him a forensic power which Lord Coke said a good lawyer should have for the "occasion sudden;" a power which partial friends have compared with that of Erskine. As a lawyer few men, even in our largest cities, have had such success. Although diverted again and again from his jealous mistress, the law, to canvass for Congress, legislature, elector, and governor, he was still employed in all the leading cases of the State. It is estimated—if such estimates may be quoted here and now—that he had made a million of dollars, as fees, by the time he was fifty. He was as lavish in the expenditure, and as improvident in the investment, of his earnings as he was indefatigable with head and voice in their accumulation.

There is another phase of his life which gave its impress to the scholar, the citizen, the orator, the advocate, the statesman, and the man. It is the sectional or Southern aspect of his life. Without this phase he would not have made the mark which he so indelibly did upon his State. He had no art of the demagogue, no party tactics at command, no storied lore racy of the soil such as made the "Georgia scenes" so whimsical and humorous, and little or no conversational loquacity; but he had the reserve which carries the battle, and thus armed he was dauntless.

Yet there seems to be an unevenness and inconsistency in his career and character. This unevenness may have been the result of the vicissitudes of the eventful times when the best of men were distracted as to duty. Inconsistency? Gladstone, the young Tory, becomes the venerable Liberal, and Palmerston laughed at the vanity of consistency.

Call it what you will, State pride or local affection, and say it is irreconcilable with a larger love of country, yet is it not the same patriotic impulse which made Tell love the mountains of Switzerland, and Webster the rock-bound shores of New England? Besides, is it necessary to reconcile the love one bears the mother with that one bears the wife? When one is true to his bridal troth is he less true to the mother who bore him?

It was this State pride which led the youth to prefer his own State University at Athens for his education rather than follow the advice of his teacher, who was a graduate of Yale. It was the same sentiment which colored his after-life and gave glow and glory to his oratory. Even while protesting against secession ordinances on the hustings and in convention, he followed with no laggard step his State into revolt against the Federal domination. When the question came home to him whether he would have the unity of his Georgian people or the unity of all the States, he chose, and honestly chose, the unity of his home.

Herein lies that seeming unevenness and inconsistency which some have observed in his character. I shall rather call it the tough fiber of his native robust being, its nature gnarled by soil and tempest, but none the less beautiful because it had the hard intertwisted knot of local devotion.

True, he contended for "the Union, the Constitution, and the enforcement of the laws." He left his lawyer's desk and sought legislative honors, to champion constitutional Federal unity. It was because he thought the mother was the loving friend of his bride.

The first test of the young statesman, thirty years ago, was in the contest for the compromise of 1850. He desired to signalize the end of slavery agitation, which he foresaw would end in civil war and Southern disaster. Hence his entrance upon political life in 1851 as a Union man.

Throughout his subsequent life, up to the signing of the secession ordinance, he was, in its best sense, an ardent Federalist. He was of such moderate views and so opposed to the ultraists of his State that he traversed Georgia proclaiming fealty to the Union. He sounded the tocsin of revolt against the leaders of revolution. Never was a crisis met so courageously. At a time when Yancey's sentences thrilled the South, and when even Howell Cobb was the coadjutor of Senator Iverson, the silver voice of BENJAMIN H. HILL, joining that of Alexander H. Stephens, was a trumpet, not of sedition, but of loyalty to the Union.

In his speeches, full of the fervor of that wild day, and in a minority, he was to Southern Unionism what Gambetta was to distracted France. Both were too late to save, but both lived to rebuild and restore.

It is not for me to inquire why the late Senator gave his voice only for secession and not his arm. It was not from lack of courage, physical, mental, or moral; but he was doubtless continually shadowed by his own prophecy. "Take care," he said, "that in endeavoring to carry slavery where nature's laws prohibit its entrance you do not lose the right to hold slaves at all!"

The Senator had no love for the secrecies and ritual of Knownothingism, and when that semi-religious and anti-American crusade was preached it was condemned by him. But from his conservative habitude he defended the Fillmore administration, and in 1860 he became a Bell and Everett Union elector. Georgia rang from side to side with his elegant and urgent phillipics against radicalism North and South and his fervent patriotism for the Union of our fathers.

It is impossible to analyze a life so full of incident or a mind so well disciplined and an oratory so alert and brilliant without drawing upon the language of high encomium, but all the virtues and genius as well as faults of the man and Senator center around the love he bore to his own State of Georgia.

He was a native of Georgia, and had he lived till now would have been three-score years of age. He was born in the center of that "old red belt which encircles the State from the Savannah to the Chattahoochee." To borrow the language of a friend in the days of my first service here, Judge James Jackson:

> He was all a Georgian. The robust physique of the man sprang from the soil of our beloved State, and the giant intellect which so distinguished him was equally Georgian. If honey was upon his lips, the Georgia bee gathered it from Georgia flowers. If the silver ring of his eloquence touched all hearts, the silver was dug out of the red old hills we love so much.

Georgia, geologically and picturesquely, under and above the genial soil, has natural advantages and beauties which along with her liberal institutions early attracted such adventurous minds as the Hebrew Mendez, the English soldier Oglethorpe, and the Methodist Wesley. Even the mounds are yet pointed out, in the county where our Senator was born, into which De Soto delved for gold. Her mountains dip and curl in crested grandeur toward the west, while her savannahs add their greenery and wealth to her shores.

General James Oglethorpe, who as Burke said had called a province into existence and lived to see it an independent State, was the epitome of Georgia history. Oglethorpe's life was so full of achievement and variety that it is a romance. Pope eulogized, Dr. Johnson admired, and Thompson celebrated him. He was not only ready to defend his honor in the duel, but was the prisoner's friend and the founder of an "empire State." Sir Robert Montgomery called the new colony which the gallant general founded "the most delightful country of the universe." Even the poet of the Seasons, Thompson, in his "Liberty," sang of the swarming colonists who sought the "gay colony of Georgia." He eulogized it as the calm retreat of undeserved distress, the better home of those whom bigots chased from foreign lands. It was not built on rapine, servitude, and woe. The very history and literature of England thus imbound with this colony is almost unknown to the North. Other States, it seems, attract more literary attention.

It was this Georgia, the asylum and hope of man, and founded in honor, religion, and bravery, that our Senator loved. Even John Wesley's mother, when the high church Methodist asked her whether he should proceed to Georgia, said: "Had I twenty sons I should rejoice if they were all so employed." The very religion of Georgia had in it a courage which does not belong to our time, when the voyage across the Atlantic is robbed of most of its terror.

In the center and heart of this historic State, and in a county which bears the name of the bravest soldier that ever bore a banner to victory—Jasper—and with the heroic and religious associations of its founders, young HILL was born. At an early age he followed his family and its fortunes to the Alabama border, near the Chattahoochie River. The town of La Grange, to which they removed, is the county seat of Troup. I was then, and is yet, noted for its love of education and its school facilities. There are many associations in this county, and even connected with its very name, which might well attune a young mind to thoughts of ambition in the forum of law and politics. Giants were arrayed in Georgia in those days, and their efforts, especially about 1833, when force bills and nullification were rife, gave impassioned tone as well as high temper to political discussion.

Doubtless the mind of young HILL took its hue from these surroundings; but in a State the very name of whose counties betoken a lofty division of sentiment, where Washington, Jackson, Jefferson, Franklin, and Madison speak of the Federal Constitution, and Henry, Randolph, Troup, and Crawford speak of State sovereignty and local liberty; but where, above all, the names of Pulaski, De Kalb, Morgan, and Carroll shine like primal virtues, all starry with our Revolutionary radiance, it could not be otherwise than that men of earnest thought should perceive a divided duty, and that great controversial acumen and power should enter the arena and inspire contentious oratory.

Doubtless Senator HILL was greatly influenced in his pursuits and characteristics by such rare men and events as Georgia has produced. These names may not be as familiar to Northern ears now as in the days of Jackson and Calhoun, but they are still potential to start a spirit in Georgia, where State pride has lost but little of its prestige by the result of the civil war. Read the roster of Georgia's forum—the brilliant lights of her bench, bar, literature, and senate: Beall, Crawford, Berrien, McIntosh, Clayton, Colquitt, Cobb, Tripp, Dawson, Forsythe, Lumpkin, Lamar, Jackson, Shorter, Reid, Warner, Johnson, Wilde, and Baldwin, not to speak of men who yet survive, like her present wonderful chief magistrate, and his contrast in stature and mate in intellect, Robert Toombs.

A State like this, so grand in its beginning and so splendid in its hundred and fifty years of prosperous history, must be proud of its heroes, whether fit—

> For arms and warlike amenance,
> Or else for wise and civil governance,
> To learn the interdeal of princes strange;
> To mark the intent of councils, and the change
> Of states.

Her annals are shining with the names of De Soto, Raleigh, and Ogelthorpe; and the names of their successors under conditions of later days detract nothing from the luster of their worth and renown.

To emulate the fame of Hortensius, king of the forum, Cicero never ceased his efforts till he ascended the throne of oratory. So in this unrivaled galaxy of gifted Georgians. Emulation made ambition reach high. From sire to son the names of eminent Georgians appear again and again, showing the elevating incentives which enlivened and exalted this imperial State of the South. The gold in her hills, the silver in the cotton pod, the sun with its balm, the rivers which flow from her mountains, the opulence of her soil, are not more Georgian and imperial than the high standard of those who gave Georgia to the world as a colony, preserved her independence of England, brought her through fire into the federation of States, and after the vicissitudes of a great civil trial rescued her first among the recusant States from the chaos of war.

The Senator we meet to honor was no exception to the emulation and exaltation of his surroundings. His natural ardors and ambitions thus received their stimulus and food. But the massive mind which made the great advocate and the moral heroism which made the defender of individual and civil liberties—these are of no soil; they belong to no time. They illustrate the age of Aristides and give a glory to the fame of Rienzi. They made Samuel Adams and Patrick Henry possible, not as provincial men, but as enlarged and loving patriots.

He who would best portray the salient features of BENJAMIN HARVEY HILL must remember that his devotion to Georgia was but the stepping-stone to a broader and loftier devotion to that Union which he loved to serve in our councils here.

The people of New York city have not yet forgotten the ringing periods of Senator HILL, in one of her halls, as he discoursed of the magna charta and other precious muniments of popular liberty. To his impassioned utterance his fine frame and musical voice gave a charm beyond the reach of art.

His State love was, sir, after all, the golden key which unlocked the secrets of his grand elocution and opened the casket wherein were the jewels of his splendid imagery.

When the war had ended, and his State was in the grasp of unprincipled adventurers and under the heel of an unbridled satrapy, and in the chaos wrought by the war, he gave to the reconstruction acts his defiance, and hurled his anathemas against its spoilers.

In 1868 he went among his people with the stride of a demi-god. He fired their hearts, and though surrounded by bayonets and threatened by bastiles, he uttered such sarcasm, scorn, and dauntless defiance that the satraps who outraged every canon of law and impulse of liberty shrank from their hateful work in the very midst of a conquered people.

Since the war ended we know something of his Federal service and career. The gentleman from Iowa [Mr. KASSON] has truly given us some rare sentences of fidelity to the Union. One sentence he did not quote, which I well remember: "This is our father's house. We have returned to it—to stay!" In hope and despair; in and out of his party, in his place of business, in the forum of his love, the bar, and outside upon the platform, the same heroic altitude he illustrated to the end gave him power to combat the enemies of local and constitutional liberty. No weakness called on him for championship that he did not respond. His State was lifted up out of the reconstruction mire into the life and vigor of a new birth under the impulses of his eloquence. He gave her beauty for ashes. Under his magic wand a new Atlantis—such as Bacon loved to picture—arose above the tide of desolation; and a new Atlanta, with its goblin of steam and its energies, was recreated under the ribs of death. Matchless in his winged words and fearless in his consummate bravery, he stopped at no post of trust until he became the foremost Georgian at this Federal center; and in the flower of his genius he laid down his eventful life with a Christian resignation and devotion only next to that of the martyred Polycarp.

I doubt, Mr. Speaker, if ever man suffered in the flesh as this man. It would not be fitting here to describe the details of that mortal malady and those surgical agonies that racked him so long and so terribly. He perished day by day, hopelessly perishing with a pain which only his Christian fortitude relieved. Out of his torture at length came deliverance; and in the middle of August last his courage yielded, but yielded only to death.

When the great Frenchman was agonized by his disease he cried out,

"It is useless to dissemble. I welcome death as a relief." This was the end of one of Plutarchian mold; but it was not the end of our beloved American statesman. Amid the tender farewells of his wife and family, with a patience sanctified on high and a faith which "endured as seeing Him who is invisible," this more than classic hero, this gentle follower of the meek and lowly One, sought consolation, courage, and hope in his faith. His last words, as given to his pastor, and repeated by my friends from Virginia [Mr. TUCKER] and from Texas [Mr. WELLBORN], were, "Almost home."

It is an illustration of the sympathy and loving kindness which makes the comforts of home so tender and eloquent that two gentlemen have most touchingly referred to these last words. But to me it has a double, almost personal, meaning.

I remember after the war, with a tenderness all too gentle for words, the first greetings I received from this Senator. He was pleased that I had aided to defeat, by a speech based on the constitutional clause as to attainder of treason, the attempt to take more than the life estate, *i. e.*, the fee-simple, which belonged to the innocent children of the South. I had, he said, thought of the future homes of the South. That was our first bond of friendship.

Home! best of all solaces, without whose social benignities and affectionate sweetness all the learning, eloquence, wit, lore, and renown of men fade away. His own sweet home! In the midst of his own beloved circle, the immortal spirit looked to that home beyond in the mansion not made with hands. Yes! oh, yes! he was almost there—his heavenly home—where pain no longer tortures, where the world had no temptation and the grave no terror, where, with the loved ones gone before and the loved ones to follow, he would join in the song of the Lamb forever!

In conclusion: It remains for us that we should so live that we be neither surprised, nor leave our duties imperfect, nor our sins uncanceled, nor our persons unreconciled, nor God unappeased; but that when we descend to our graves we may rest in the bosom of the Lord till the mansions be prepared, where we will sing and feast eternally. Amen! *Te Deum laudamus.*

This would be the language of our departed friend from his home above, as it is the admonition of sweet Jeremy Taylor in his "Holy Living and Dying." It comes from beyond the tomb.

> To the dead He sayeth, Arise!
> To the living, Follow Me!
> And that voice still soundeth on
> From the centuries that are gone,
> To the centuries that shall be.

Mr. HAMMOND, of Georgia. As has been remarked, Mr. Speaker, by the gentleman from Iowa [Mr. KASSON], there were several gentlemen on each side of the House who were to have spoken to-day in memory of the late distinguished Senator, but who were unavoidably compelled to be absent on this occasion. I ask for them, informally, the privilege of printing in the RECORD such remarks as they may see proper to insert in this connection.

The SPEAKER. There is no objection to the request of the gentleman from Georgia.

The question is on agreeing to the resolutions which have been read.

The resolutions were unanimously agreed to; and in pursuance thereof the House (at 4 o'clock and 50 minutes p. m.) adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BINGHAM: The resolutions adopted by wardens for the port of Philadelphia, requesting additional aids to navigation—to the Committee on Commerce.

By Mr. CRAPO: The petition of keepers and surfmen of Cape Cod, Massachusetts, in second life-saving district, protesting against the transfer of the revenue-marine service to the Navy Department—to the same committee.

By Mr. GARRISON: The petition of Commander S. Barron, for the removal of his political disabilities—to the Committee on the Judiciary.

By Mr. HARMER: The petition of the Philadelphia Maritime Exchange, remonstrating against the enactment of section 13 of bill H. R. 7061, abolishing the office of shipping commissioner—to the Joint Committee on American Ship-building.

Also, the resolutions adopted by the Philadelphia Maritime Exchange, the petition of 76 masters and officers of merchant vessels at the port of Philadelphia and of 88 shipping merchants, vessel-owners, ship-masters, and business men interested in shipping, of the city of Philadelphia, Pennsylvania, protesting against the transfer of the revenue-marine service to the Navy Department—severally to the Committee on Commerce.

By Mr. HOUK: Papers relative to the claim of Clisbee Austin, of Washington County, Tennessee—to the Committee on War Claims.

By Mr. HUMPHREY: The petition of McDonald Brothers, G. C. Hixon, and others, of La Crosse, Wisconsin, for construction of pier connecting with the pivot pier of Keokuk and Hamilton bridge, &c.—to the Committee on Commerce.

By Mr. KELLEY: The petition of 54 tobacco-growers of Lancaster, County, Pennsylvania, of 35 manufacturers of cigars of New York, and of operatives in cigar factories of New York city against any reduction of the duty on cigars—severally to the Committee on Ways and Means.

By Mr. LORD: The petition of 50 citizens of Michigan, for amendment of the patent laws—to the Committee on Patents.

By Mr. MASON: The petition of Richard S. Barrett, administrator of the estate of John W. Harris, deceased, for relief—to the Committee on War Claims.

By Mr. MATSON: The petition of Thomas A. Kennedy and 48 others, ex-Federal soldiers, residing at Martinsville, Indiana, asking that the right to draw arrears of pension be extended to all pensioners—to the Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. McCOID: The petition of L. J. Drake, A. M. Riddle, and 100 others, for the construction of a pier connecting the pivot pier of the Des Moines Rapids Canal, of the Mississippi River, with the Keokuk and Hamilton bridge, at Keokuk, Iowa—to the Committee on Commerce.

By Mr. MILES: The petition of citizens of Bethlehem, Connecticut, for an increase of duty on tobacco—to the Committee on Ways and Means.

By Mr. MILLS: The petition of citizens of Texas, for reduction of the tax on tobacco and cigars, and for a rebate—to the same committee.

By Mr. MURCH: Eight petitions, signed by 235 citizens of Maine, protesting against the transfer of the revenue-marine service to the Navy Department—severally to the Committee on Commerce.

By Mr. O'NEILL: The petition of the Philadelphia Board of Trade for the passage of the Lowell bankruptcy bill—to the Committee on the Judiciary.

Also, the petition of the Philadelphia Board of Trade, protesting against the transfer of the Signal Service to the Interior Department—to the Committee on Military Affairs.

Also, the petition of the Philadelphia Board of Trade, protesting against the importation of adulterated teas into the United States—to the Committee on Ways and Means.

By Mr. POUND: The petition of J. W. Devoe, M. D., and 30 others, citizens of Wausau, Wisconsin, for an appropriation for the continuance of the immigrant inspection service—to the Select Committee on the Public Health.

By Mr. PRESCOTT: The petition of A. D. Chase and others, praying that no discrimination be made in the appointment of physicians in the United States Army and Navy—to the Committee on Military Affairs.

By Mr. YOUNG: The petition of the Trades and Labor Assembly of Cincinnati, Ohio, protesting against reduction of the tax on tobacco taking effect July 1, 1883—to the Committee on Ways and Means.

The following petitions, praying that Congress will not adopt any lower rate of duties on foreign manufactured products than recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. ALDRICH: Of 86 employés of the Calumet Iron and Steel Company of South Chicago, Illinois.

By Mr. BAYNE: Of John Harrison and 275 others, employés of W. D. Wood & Co.'s McKeesport Iron Works, Allegheney County, and of employés of the Miller Forge and Iron Company of Pittsburgh, Pennsylvania.

By Mr. CAMPBELL: Of employés of McLanahan, Smith & Co., of Hollidaysburgh, Pennsylvania.

By Mr. GODSHALK: Of 48 employés of Jawood Lukens's mill of Conshohocken, of employés of Warwick Iron Company of Pottstown, of 94 emyloyés of Glasgow Iron Company of Glasgow, and of 74 employés of Nevigold Scheide & Co.'s mill of Bristol, Pennsylvania.

By Mr. HARDENBERGH: Of employés of J. R. Thompson & Co., of Jersey City, New Jersey.

By Mr. KELLEY: Of 181 employés of Midvale Steel Works, and of 370 employés of W. C. Allison, of Philadelphia, Pennsylvania.

By Mr. MILLER: Of 260 employés of the Wheeler Iron Company and others, citizens of Middlesex, Pennsylvania.

By Mr. MUTCHLER: Of 52 workingmen of Emaus, Lehigh County, and of 125 workingmen employed by the Saucon Iron Company, of Hellertown, Pennsylvania.

By Mr. RANDALL: Of employés of Gaulburt, McFadden & Cuskey, of Philadelphia, Pennsylvania.

By Mr. A. H. SMITH: Of J. G. Heinman and 27 others, of Chickies, Lancaster County, Pennsylvania.

By Mr. WARD: Of workingmen of Isabella Furnace, Chester County, Pennsylvania.

By Mr. M. R. WISE: Of Charles S. Springer and 26 others, of Dunbar, Pennsylvania.

The following petitions for reduction of duty on sugar were presented and referred to the Committee on Ways and Means.

By Mr. ATHERTON: Of John Hammond and 98 others, of Canal Dover, Ohio.

By Mr. JACOBS: Of J. D. Hubbard and 13 others, of Jefferson, of William Paddock and 78 others, of Oak Hill, and of 65 citizens of West Fulton, New York.

By Mr. KETCHAM: Of A. B. Van Allen and 7 others, of Niverville, New York.

By Mr. WATSON: Of J. C. Bennington and 23 others, of Brown County, Indiana.

SENATE.

FRIDAY, *January* 26, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

CREDENTIALS.

Mr. BAYARD presented the credentials of ELI SAULSBURY, elected by the Legislature of Delaware a Senator from that State for the term beginning March 4, 1883; which were read and ordered to be filed.

SPANISH PARLIAMENTARY DOCUMENTS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication from the Acting Secretary of the Senate, which will be read.

The Principal Legislative Clerk read as follows:

OFFICE OF SECRETARY UNITED STATES SENATE,
Washington, D. C., January 26, 1883.

SIR: I have the honor to inclose herewith a communication addressed to me by the Acting Secretary of State informing me that he has caused to be transmitted to my care a number of parliamentary documents of the Spanish senate, which that body has presented to the Senate of the United States through the American chargé d'affaires at Madrid; and also that the Spanish senate would be pleased to receive the parliamentary documents of the Senate of the United States. The documents received by me have been placed in the library of the Senate. Those requested by the Spanish senate in exchange not being at my disposal for distribution, I beg through you to call the subject to the attention of the Senate.

I am, sir, your obedient servant,

F. E. SHOBER, *Acting Secretary.*

Hon. DAVID DAVIS,
President pro tempore of the United States Senate.

The PRESIDENT *pro tempore*. The communication will be referred to the Committee on the Library.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a resolution of the Arkwright Club, of Boston, praying Congress to pass a tariff bill at the present session upon certain principles therein set forth; which was ordered to lie on the table.

Mr. PENDLETON. I hold in my hand a memorial of the State Forestry Association of Ohio, which had a convention in Cincinnati on the 20th of this month, and took into consideration the lumber tariff. They remonstrate against the imposition of any duties upon lumber, and state that the result of a tariff on lumber will be "the destruction of the forests within our own boundaries; in other words, we will pay to the lumberman a premium for the devastation of our country. On the contrary, we, as foresters, who have studied the subject in its bearings upon the future of the land, are forced to believe that it were a wiser policy to pay a bounty to every importer of sawed boards and hewed timber rather than to impose a duty upon these articles as has been recommended." The clause which I have read contains the substance of the argument that the memorialists make. I move that the memorial lie on the table.

The motion was agreed to.

Mr. PENDLETON presented the petition of Advance Lodge, No. 26, Ohio Amalgamated Association of Iron and Steel Workers of the United States, praying for the passage of the bill (H. R. 246) granting a pension to Joseph C. Arnold, and the bill (H. R. 330) granting a pension to Archibald A. Carey; which was referred to the Committee on Pensions.

Mr. HARRIS. I present resolutions of instruction to the Senators from Tennessee adopted by the house of representatives of the Tennessee General Assembly, and ask that they be read and laid upon the table.

The resolutions were read and ordered to lie on the table, as follows:

Whereas a bill No. 4429 has passed the House of Representatives of the United States, entitled "An act to enlarge the powers and duties of the Department of Agriculture;" and

Whereas the said bill has passed on its first and second readings in the Senate of the United States,

Be it resolved by the house of representatives of the State of Tennessee, That our United States Senators be instructed to vote for and use their influence for the passage of the said bill.

Be it further resolved, That the secretary of state be directed to furnish each of our Senators with a copy of these resolutions.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

I certify that the foregoing is a true copy of the House resolution aforesaid.

J. A. NUNN, *Secretary of State.*

Mr. LOGAN. I present a resolution in the nature of a petition of the Department of Maryland, Grand Army of the Republic, praying that the Senate of the United States will pass the bill (H. R. 3856) to provide for the muster and pay of certain officers of the volunteer forces. I move that it be referred to the Committee on Military Affairs.

Mr. HARRISON. I will say to the Senator from Illinois that the bill has been reported to the Senate.

Mr. LOGAN. I know it has been, but the petition prays for the passage of the House bill, which is not exactly the bill that we have reported.

Mr. HARRISON. The House bill, I think, has been reported adversely.

Mr. LOGAN. I wished to have the petition referred so that the committee could consider it.

The PRESIDENT *pro tempore*. Does the Senator from Illinois desire the petition to be referred or to lie on the table?

Mr. LOGAN. I have no objection to its lying on the table.

The PRESIDENT *pro tempore*. It will lie on the table.

Mr. SHERMAN. I present a petition signed by a great number of persons—workingmen—some of whom I personally know to be workmen, of Atkins & Clark, proprietors of the Forest City Iron Works, at Cleveland, Ohio. They state that in common with other workingmen they have been prepared to acquiesce in the schedules of duties on foreign products recommended by the Tariff Commission, although not approving of all of the provisions of the schedules—their principal reason for accepting the schedules arising from a strong desire to see the tariff question settled upon a basis that would offer some hope of permanence, and that would also offer some hope of stability to the industries of the country. They give in full their reasons. I move that the petition lie on the table.

The motion was agreed to.

Mr. SHERMAN. I also present six petitions of the same character from different portions of Ohio—from employés of the Portsmouth Iron and Steel Company, at Portsmouth, Scioto County, Ohio; from the employés of the Wellsville Plate and Sheet-Iron Company, at Wellsville, Ohio; from the employés of the Paulding Iron Company, at Cecil, Paulding County, Ohio; from the employés of the Ohio Iron and Steel Company, at Lowellville, Ohio; from the employés of the Union Furnace Company, at Hocking, Ohio, and from the employés of the Youngstown Rolling-Mill Company, at Youngstown, Ohio. I know these petitions to be the genuine expression of opinion of the workingmen of their region. I move that they lie on the table.

The motion was agreed to.

Mr. CAMERON, of Pennsylvania, presented the petition of Luther Bailey and other workingmen, employés of the South Mountain Manufacturing and Iron Company, of Pine Grove Furnace, Pennsylvania; the petition of H. P. Cooper and other workingmen, employés of the Carbon Iron and Pipe Company, of Parryville, Carbon County, Pennsylvania; the petition of Louis Crispin and other workingmen, employés of the Jackson Iron Company, of Laurelton, Union County, Pennsylvania; the petition of John Hancock and 570 other workingmen, employés of the Black Diamond Steel Works, of Pittsburgh, Pennsylvania; the petition of D. H. Williams and the petition of Thomas L. Perry and other workingmen, employés of the Pittsburgh Bessemer Steel Company, of Homestead, Pennsylvania; the petition of S. B. Newmayer and other workingmen, employés of the Allentown Iron Works, of Allentown, Lehigh County, Pennsylvania; the petition of T. M. Shanahan and other workingmen, employés of William M. Kaufman & Co., at the Sheridan Furnaces, Sheridan, Pennsylvania; the petition of E. Lehman Ruhe and other workingmen, employés at the Allentown Rolling-Mills, at Allentown, Lehigh County, Pennsylvania; the petition of David Caldwell and other workingmen, employés of Joseph D. Potts, Isabella Furnace, at Barneston, Chester County, Pennsylvania; the petition of Elmer E. Miller and other workingmen, employés of the Pottstown Iron Company, at Pottstown, Pennsylvania; the petition of George W. Parsons and 1,250 other workingmen, employés of the Pennsylvania Steel Company, at Steelton, Dauphin County, Pennsylvania; the petition of J. W. Davis and other workingmen, employés of W. C. Allison, at Philadelphia, Pennsylvania; the petition of G. M. McCauley and other workingmen, employés of the Central Iron Works, at Harrisburgh, Pennsylvania; the petition of George W. Trump and other workingmen, employés of the Chickies Iron Company, at Chickies, Lancaster County, Pennsylvania; the petition of Edgar S. Cook and other workingmen, employés of the Warwick Iron Company, at Pottstown, Montgomery County, Pennsylvania; the petition of James Gartland and other workingmen, employés of the Saucon Iron Company, at Hellerton, Pennsylvania; the petition of P. E. Phillips and 169 other workingmen, employés of the Cambria Iron Company, at Johnstown, Pennsylvania; the petition of George Ormrod and other workingmen, employés at the Emaus Furnace, Lehigh County, Pennsylvania; the petition of John Harrison and other workingmen, employés of W. D. Wood & Co., at the McKeesport Iron Works, McKeesport, Allegheny County, Pennsylvania; the petition of J. B. Davis and other workingmen, employés of the Schuylkill Company, at Shenandoah, Pennsylvania; the petition of William McElwell and other workingmen, employés of Gaulbert, McFadden & Caskey (rolling-mill), at Philadelphia; the petition of William Hainsworth and other workingmen, employés of the Pittsburgh Steel-Casting Company, at Pittsburgh, Pennsylvania; the petition of D. Borland and other workingmen, employés of Phillips, Nimick & Co., Sligo Rolling-Mills, at Pittsburgh, Pennsylvania; the petition of Daniel Downey and other wokingmen, employés of the Wheeler Iron Com-

pany, at West Middlesex, Pennsylvania; the petition of Lewis Wiseman and other workingmen, employés of McLanahan, Smith & Co., limited (rolling-mill), at Hollidaysburgh, Pennsylvania; the petition of Colin Campbell and other workingmen, employés of Kirkpatrick & Co., at Leechburgh, Armstrong County, Pennsylvania; the petition of John M. Anderson and other workingmen, employés at the Soho Iron Mills, Moorhead & Co., Pittsburgh, Pennsylvania; the petition of F. E. Richardson and other workingmen, employés of the Pittsburgh Forge and Iron Company, at Allegheny City, Pennsylvania; the petition of James E. Butler and other workingmen, employés at the Hollidaysburgh and Gap Iron Works, at McKee Gap, Blair County, Pennsylvania, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which were ordered to lie on the table.

He also presented resolutions adopted at a meeting of the board of wardens for the port of Philadelphia, signed by the president and secretary, in favor of an appropriation for effecting the location of gas-lighted buoys at such points as may be recommended by the United States light-house officials; which were referred to the Committee on Commerce.

He also presented resolutions of the Commercial Exchange of Philadelphia, Pennsylvania, protesting against the transfer of the revenue-marine service, the Life-Saving Service, and the Marine-Hospital Service from the Treasury to the Navy Department; which were referred to the Committee on Commerce.

He also presented resolutions of the Philadelphia Maritime Exchange, protesting against the transfer of the Coast and Geodetic Survey from the Treasury to the Navy Department; which were referred to the Committee on Appropriations.

He also presented the petition of Henry Cordes and others, citizens of Dauphin County, Pennsylvania, praying that a pension of $40 a month be granted to those who lost a leg or an arm in the service of the Government; which was referred to the Committee on Pensions.

Mr. MITCHELL presented the petition of employés of the Bloomsburgh Iron Company, Bloomsburgh, Columbia County, Pennsylvania; the petition of employés of Glamorgan Iron Company, Lewistown, Mifflin County, Pennsylvania; the petition of employés of the Miller Forge and Iron Company, limited, Pittsburgh, Pennsylvania; the petition of 93 workingmen, employés of Curtins & Co., Eagle Iron Works, Centre County, Pennsylvania; the petition of 74 workingmen, employés of Edwin Harrington & Son, Philadelphia, Pennsylvania; the petition of 92 workingmen, employés of the Glasgow Iron Company, Glasgow, Pennsylvania; the petition of 170 workingmen, employés of the Midvale Steel Company, Nicetown, Pennsylvania; and the petition of 165 workingmen, employés of the Spang Steel and Iron Company, limited, of Pittsburgh, Pennsylvania, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which were ordered to lie on the table.

He also presented the petition of the Board of Trade of Philadelphia, praying for the passage of a bill to prevent the importation of adulterated and spurious teas; which was referred to the Committee on Finance.

He also presented the memorial of the Philadelphia Board of Trade, remonstrating against the transfer of the Signal Service to the Department of the Interior; which was referred to the Committee on Military Affairs.

He also presented a petition of the Philadelphia Board of Trade, in favor of the passage of the Lowell bankruptcy bill; which was ordered to lie on the table.

Mr. VEST presented a petition of citizens interested in the commerce of the Mississippi River, praying for the passage of a bill making an appropriation for the purpose of constructing a pier connecting the outer wall of the Des Moines Rapids Canal, in the Mississippi River, with the Keokuk and Hamilton bridge; which was referred to the Committee on Commerce.

Mr. GROOME presented a petition of 77 employés and workmen of the Abbott Iron Company, of Baltimore, Maryland, and a petition of George Whitaker and 21 employés and workmen of the manufacturing firm of G. P. Whitaker & Co., of Principio Furnace, Maryland, asking that no lower rates of tariff duties be adopted by Congress than are recommended by the Tariff Commission; which were ordered to lie on the table.

Mr. KELLOGG presented the petition of the faculty of Straight University of Louisiana, praying for national aid to education; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. HALE. By direction of the Committee on Appropriations, I report back the joint resolution (H. R. 323) making appropriations for continuing the work of the Tenth Census, with certain amendments. I submit a report, covering statistics, letters, and tabulated statements, showing the condition of the work in the Census Office. As this is a deficiency and it is important that the appropriation should be made at once, I give notice that I shall try to call up the joint resolution to-morrow morning and put it upon its passage, hoping that it will take but little time, as all the facts bearing upon the subject are contained in the report.

The PRESIDENT *pro tempore*. The joint resolution will be placed on the Calendar.

Mr. PLATT. Will the document which is submitted with the joint resolution be printed?

Mr. HALE. I want to have that done; I wish Senators may look at it if they have an opportunity.

The PRESIDENT *pro tempore*. Reports are printed without an order.

Mr. SLATER. I am directed by a majority of the Committee on Pensions to report the bill (H. R. 1410) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service, with an adverse report; and I ask that the bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar, with the adverse report of the committee.

Mr. BLAIR. I am directed by a minority of the committee to submit the views of the minority, accompanied by a proposed substitute for the bill, which they advocate in their report and the passage of which they recommend. The substitute covers more ground than the original bill; it is an effort to deal justly and equitably with all classes of pensioners who upon the principles involved in House bill 1410, if those principles should be adopted, would be entitled to some increase of their existing pension. I ask that the views of the minority be printed, and also that the proposed substitute be printed and laid before the Senate.

The PRESIDENT *pro tempore*. That order will be made. Reports and bills are always printed.

Mr. BLAIR. Let the bill be introduced now.

The PRESIDENT *pro tempore*. That can be done by unanimous consent.

By unanimous consent, leave was granted to introduce a bill (S. 2420) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or a leg in the service; which was read twice by its title.

Mr. PLATT. It is my misfortune, perhaps, that I have been unable to concur either with the majority report adverse to House bill No. 1410 or with the views of the minority as submitted by the Senator from New Hampshire; and it is equally my misfortune, perhaps, that I have been unable to find any other member of the committee concurring with my views as to the action proper to be taken by the Senate on House bill 1410. I beg leave, therefore, for myself to submit my views in relation to the matter, and also to introduce in connection therewith a bill the passage of which I recommend. I will state briefly that the bill which I introduce advances the rate of those pensioners now receiving $18 per month to $24 per month, and those receiving $24 per month to $30 per month.

The PRESIDENT *pro tempore*. The views of the minority will be printed.

Mr. PLATT. I ask that the bill be read by its title.

By unanimous consent, leave was granted to introduce a bill (S. 2421) to increase pensions in certain cases; which was read twice by its title.

Mr. BLAIR. I wish to say that the passage of the original bill is recommended by two members of the committee who desire to submit their views and who are not now present. I ought to say further, that the chairman of the committee, the Senator from Pennsylvania [Mr. MITCHELL], concurs in the views which I have presented. He has not been able to be present with us, but he has examined the substitute recommended sufficiently to approve of its main provisions.

Mr. VAN WYCK presented the views of a minority of the Committee on Pensions, consisting of himself and Mr. CHILCOTT, as to House bill No. 1410; which were ordered to be printed.

Mr. COCKRELL. I suggest that all the bills be placed together, the bill reported by the majority of the committee, the bill introduced by the Senator from New Hampshire, and the bill introduced by another minority of the committee, the Senator from Connecticut, and that all the reports be printed in one document, so that we can have them together.

The PRESIDENT *pro tempore*. The reports will be printed together, and the bills placed on the Calendar one after the other.

Mr. HILL. I am instructed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 7327) to establish post-routes, to report it with amendments, and I ask that the bill be printed and recommitted to the committee; and I desire to give notice that I will attempt to report this bill again and call it up next Friday, and any Senators who desire to offer amendments to the bill should do so before that time.

The bill and amendments were ordered to be printed and recommitted to the Committee on Post-Offices and Post-Roads.

Mr. HARRIS, from the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases, to whom was referred the bill (S. 2259) to repeal the tenth section of the act approved June 2, 1879, entitled "An act to prevent the introduction of contagious or infectious diseases into the United States," and for other purposes, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. MAHONE, from the Committee on Agriculture, to whom was referred the bill (S. 2412) to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884, reported it without amendment.

Mr. GARLAND. I should like to give notice to the Senate that to-morrow morning after this bill is printed and Senators have had an opportunity of seeing it, I shall ask for its consideration. I wish to call the attention of the Senator from Vermont [Mr. MORRILL], who has charge of the pending business, to the fact that it will excite no debate and will not delay the consideration of his bill ten minutes. I should like to have it passed to-morrow.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

AGRICULTURAL APPROPRIATION BILLS.

Mr. MAHONE, from the Committee on Agriculture, reported the following resolution; which was referred to the Committee on Rules:

Resolved, That the Committee on Rules be instructed to report an amendment of the rules of the Senate so as to provide that the appropriation bills for the Department of Agriculture shall be referred to the Committee on Agriculture.

STATE DEPARTMENT LIBRARY.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on the Library, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, concerning the character and condition of the library of the Department of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 25, 1883.

BILLS INTRODUCED.

Mr. DAVIS, of West Virginia, asked and, by unanimous consent, obtained leave to introduce a bill (S. 2422) granting arrears of pension to William C. Parker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON, of Pennsylvania (by request), asked and, by unanimous consent, obtained leave to introduce a bill (S. 2423) to incorporate the United States Gas and Fuel Company, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MORGAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2424) to continue the work of improvement in the bay, port, and harbor of Mobile; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SAWYER asked and, by unanimous consent, obtained leave to introduce a bill (S. 2425) granting a pension to Warren Croan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CONGER (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2426) for the relief of Mrs. Jane Baum; which was read twice by its title, and referred to the Committee on Claims.

Mr. MILLER, of New York, asked and, by unanimous consent, obtained leave to introduce a bill (S. 2427) for the relief of Mrs. Kate L. Cushing; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GROOME (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2428) for the relief of Frank Della Terre and Susan F. Della Terre, heirs of Peter Della Terre, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. CALL asked and, by unanimous consent, obtained leave to introduce a bill (S. 2429) to continue work on the entrance to the Saint John's River, Florida, and Cumberland Sound, between Amelia Island, Florida, and Cumberland Island, Georgia; which was read twice by its title, and referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution that the report of the Tariff Commission, the evidence and papers submitted therewith, or any part thereof heretofore printed by order of Congress may be reprinted at the Public Printing Office at the instance of Senators, Representatives, and Delegates in Congress, or others, upon payment in advance to the Public Printer of the cost thereof.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. If there be no "concurrent or other resolutions," the morning hour is closed.

Mr. MORRILL. I move the postponement of the present and all prior orders for the purpose of taking up the revenue bill.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to postpone the Calendar until to-morrow.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to take up the revenue bill.

The motion was agreed to.

The PRESIDENT *pro tempore*. The revenue bill is before the Senate as in Committee of the Whole.

Mr. VEST. I ask unanimous consent to take up House bill No. 5380, which makes some verbal amendments to the act passed in December, 1872, in regard to bridges across the Ohio River. I ask the Senator from Vermont to yield for that purpose.

Mr. MORRILL. I understood that it is a bill where the correction of a single word only is needed.

Mr. VEST. Yes, sir; that is all.

Mr. MORRILL. As that will not require any time, I do not object.

OHIO RIVER BRIDGES.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5380) supplementary to an act approved December 17, 1872, entitled "An act to authorize the construction of bridges across the Ohio River, and to prescribe the dimensions of the same."

The Acting Secretary read the bill.

The PRESIDENT *pro tempore*. The bill was reported from the Committee on Commerce with amendments, which will be stated in their order.

Mr. EDMUNDS. May I interrupt the Secretary to ask what bill that is, and how it is before us now?

The PRESIDENT *pro tempore*. The bill is before the Senate by unanimous consent. The Senator from Vermont [Mr. MORRILL] yielded in order that it might be considered.

Mr. MORRILL. I was told it only required the change or correction of a single word.

The PRESIDENT *pro tempore*. It makes only a verbal alteration, but the bill had to be read.

Mr. EDMUNDS. It comes up now by unanimous consent.

The PRESIDENT *pro tempore*. By unanimous consent. The amendments will be stated.

The first amendment was, in line 25, after the word "clear," to strike out "spannings" and insert "openings;" so as to read:

The act of Congress approved December 17, 1872, entitled "An act to authorize the construction of bridges across the Ohio River, and to prescribe the dimensions of the same," shall be, and the same is hereby, amended by striking out sections 2 and 4 of said act and substituting therefor the following:

"SEC. 2. That every bridge hereafter erected across the Ohio River shall have its axis at right angles to the current at all stages, and all of its spans shall be 'through' spans. Every such bridge shall have at least one channel-span placed over that part of the river usually run by descending coal-fleets, said channel-span to give a clear water-way between the piers of five hundred feet, measured on the low-water line. Said channel-span shall be at least forty feet above local highest water, measured to the lowest part of the span, and shall be at least ninety feet above low water in bridges built above the mouth of the Big Sandy River, and at least one hundred feet above low water in bridges built below the mouth of the Big Sandy River, measured to the lowest part of the span: *Provided, however*, That all bridges over the Ohio River below the Covington and Cincinnati suspension bridge shall have, in addition to the channel-span prescribed above, a pivot-draw, giving two clear openings of one hundred and sixty feet each," &c.

The amendment was agreed to.

The next amendment was, in line 28, after the word "at," to strike out "that stage" and insert "such stages;" so as to read:

Measured at right angles to the current at high stages and located in a part of the bridge that can be safely and conveniently reached at such stages.

The amendment was agreed to.

The next amendment was, in line 48, before the word "span," to insert "channel;" so as to read:

That in lieu of the high draw prescribed above, bridges over the Ohio River below the Covington and Cincinnati suspension bridge may be built as continuous bridges, with a clear height of fifty-three feet above local highest water, measured to the lowest part of the channel-span.

The amendment was agreed to.

The PRESIDENT *pro tempore*. This completes the amendments of the Committee on Commerce.

Mr. EDMUNDS. When I can find the statute that is proposed to be changed I shall be ready to know whether I wish to say anything or not.

Mr. VEST. If the Senator from Vermont will look at the report accompanying the bill he will see the changes. The Senator will see from the report which I send to him exactly what changes are made in the act.

Mr. EDMUNDS. The thing I wish to ascertain is, suppose the Secretary of War, for the safety of navigation, shall be of opinion that some of the bridges authorized by the act need to be changed, or their draws in any way, at whose expense is the change to be made?

Mr. VEST. As a matter of course at the expense of the company.

Mr. EDMUNDS. But one of these bridge corporations stoutly maintained in the Supreme Court of the United States (and the next time it maintains it may succeed; it did not then) that any change which the United States orders from what had previously been allowed by the United States must be made at the expense of the United States. I never thought that was the law, and the Supreme Court held that it was not, but the Supreme Court, like the Senate, sometimes changes its mind. I wish to guard against that, if I can in some way.

Mr. VEST. By lines 80, 81, 82, and 83 the Secretary of War is authorized, "on the recommendation of said board, to order such changes in the bridge or its piers, or such guiding-dikes or other auxiliary works, as may be necessary for the security of navigation."

Mr. EDMUNDS. After the word "works," in line 83, I move to amend by inserting:

At the expense of the proprietors and managers of such bridge or piers.

Mr. VEST. I have no objection to that amendment. That was the intention of the committee.

Mr. EDMUNDS. I have no doubt it was.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. EDMUNDS].

The amendment was agreed to.

Mr. EDMUNDS. I move to add at the end of the bill as follows:

SEC. 5. That the right to alter, amend, or repeal this act as set forth in section 7 of the act hereby amended, at the pleasure of Congress, is hereby reserved.

So as to be sure that the original provision, the seventh section of the act, shall apply to this new law as well.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Vermont.

The amendment was agreed to.

Mr. EDMUNDS. I am satisfied now.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the act (S. 422) for the relief of George W. Maher.

TARIFF-COMMISSION REPORT.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House (the Senate concurring), That the report of the Tariff Commission, the evidence and papers submitted therewith, or any part thereof, heretofore printed by order of Congress, may be reprinted at the Public Printing Office, at the instance of Senators, Representatives, and Delegates in Congress, or others, upon payment in advance to the Public Printer of the cost thereof, the same as if originally printed in the CONGRESSIONAL RECORD.

AMENDMENT TO A BILL.

Mr. BARROW submitted an amendment intended to be proposed by him to the bill (H. R. 7077) making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

NAVAL APPROPRIATION BILL.

The bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

Mr. VANCE subsequently said: I ask consent to make a motion in regard to the reference of the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes, which just now came from the House of Representatives.

The PRESIDENT *pro tempore*. It has been referred to the Committee on Appropriations.

Mr. VANCE. My motion is to refer so much of the bill as makes changes in existing laws in regard to the Navy Department and the *personnel* of the Navy to the Committee on Naval Affairs. We had some difficulty last session in that regard, and we did not think the Naval Committee was fairly treated.

The PRESIDENT *pro tempore*. The bill must be referred to some one committee.

Mr. SHERMAN. I think the rule of the Senate requires it to be referred to the Committee on Appropriations, and without a change of the rule there can be no other reference made.

The PRESIDENT *pro tempore*. It is an appropriation bill and must be referred to the Committee on Appropriations.

Mr. VANCE. So I understood; but at the same time it makes changes in existing laws with regard to the Navy Department, and I hope there will be unanimous consent for the Naval Committee to take charge of that portion of the bill—not that portion which appropriates money, but that portion which changes the law.

Mr. ALLISON. I have no objection to the Naval Committee taking charge of all legislation in the naval bill; but I do not think it necessary to have a formal resolution on that subject. If I understand the sense of the Senate, it is in a general way that we shall not legislate in the appropriation bills. I do not see how it is possible to divide up one bill between two committees. If the Naval Committee will take up this appropriation bill and consider the legislative provisions and make recommendations to the Committee on Appropriations, I am quite sure those recommendations will receive favorable consideration. That is the only mode by which we can secure action on the bill.

Mr. MAXEY. That is the course pursued by the Military Committee. We make recommendations and send them to the Committee on Appropriations in regard to the Army bill.

Mr. ROLLINS. I wish to ask the chairman of the Committee on Appropriations a question. Does he think the Committee on Appropriations will pay as much attention to the recommendations of the Committee on Naval Affairs as they did last year, and treat them with as much consideration?

Mr. ALLISON. That is a very courteous question, and I will endeavor to give a courteous reply. I think they will give them more consideration than they did last year.

Mr. ROLLINS. I am glad to know that there is progress in the Committee on Appropriations. They gave no consideration whatever last year to our recommendations. If they will give them attention at this session they will give some evidence of progress.

Mr. HALE. The Committee on Appropriations at the last session was not able to put on all the legislation that the Naval Committee asked to have.

Mr. ALLISON. That was the trouble.

Mr. ROLLINS. They were very careful to put on legislation that the Naval Committee did not ask.

Mr. HALE. There had to be some discrimination, and it was exercised. I do not think the Committee on Appropriations this year has any yearning desire to precipitate any more conflicts in the Senate by putting legislation on appropriation bills. I know that is my feeling in reference to the naval appropriation bill.

I have not examined it very much since it passed the House, but I see that nearly everything there in the way of legislation was struck out either by a vote or upon points of order; and under the ruling established by the Chair at the last session, the Senator will see as well as I that it is almost impossible to get any new legislation on to that bill here. I do not think there will be any conflict whatever between the Committee on Appropriations and the Naval Committee this session on the naval appropriation bill.

I for one shall be very glad to have the Committee on Naval Affairs consider any legislation that they want upon this bill and report to our committee, and am entirely willing to wait until we hear from that committee. I want to act in accord with that committee, if possible, this year.

Mr. ANTHONY. Would it suit the purpose of my friend from North Carolina to move that the Committee on Appropriations be instructed to report the naval appropriation bill with all legislation eliminated except such as applies directly to the expenditure of the money therein appropriated?

Mr. VANCE. I do not think that would meet the object which I seek to accomplish. It will be remembered that last session the Naval Committee was completely and entirely overslaughed and that after the Appropriations Committee had got in all their amendments by unanimous consent, changing existing laws and otherwise, then any that were proposed by the Naval Committee were summarily ruled out of order and thrown out. I do not think that was fair to the Naval Committee, and I do not wish it to happen again. I think we ought to have an opportunity to give our opinions and our report upon all matters affecting the *personnel* of the Navy, its organization, and changing existing laws in relation thereto.

Mr. HALE. Everything reported in the bill will be subject to a point of order raised by any Senator, so that if the committee should report the House bill as received there is no advantage that can be gained by the action of the Appropriations Committee.

Mr. VANCE. Except this, that when a Senator representing that committee rises and asks unanimous consent to consider its amendments first, and its amendments, some changing existing laws and others not, are considered and adopted by unanimous consent, then it is hardly fair to turn upon the Naval Committee and rule out of order everything they propose.

Mr. HALE. The Senator sees that nothing of that kind can be done except by unanimous consent. Not an inch of progress can be made on the bill except by the consent of every Senator here, and that applies to the amendments, whether offered by a committee or moved on the floor.

Mr. ANTHONY. To any amendment, but not to original legislation from the House. If the bill comes with legislation from the House, then it is in order in the Senate.

Mr. HALE. Undoubtedly, and no action in committee can change that.

Mr. DAVIS, of West Virginia. I will say to my friend from North Carolina, and also to my friend from Maine, that the object, I think, can be reached by the Committee on Naval Affairs considering the bill without a formal reference, and offering their amendments, whatever they may be. If that be done they have the same right as amendments coming from the Appropriations Committee, and they will be in order from the Naval Committee, as much so as if they came from the Appropriations Committee. The members of the Naval Committee can offer any amendment here, if they are instructed so to do by the Naval Committee, and give one day's notice to the Committee on Appropriations. My

friend will accomplish his object in that way just as well as by this motion. The Naval Committee can consider the questions, and they have the same right on giving one day's notice, if they come with their amendments into the Senate, as the Appropriations Committee.

So I will say to my friend from Rhode Island that the Appropriations Committee has no advantage over the Naval Committee in offering amendments.

Mr. ANTHONY. But the Appropriations Committee reports the bill with legislation that comes from the House, and the bill comes to us loaded with legislation.

The PRESIDENT *pro tempore*. There is no question before the Senate. The bill has been referred to the Appropriations Committee. It is an appropriation bill passed by the House of Representatives, and it necessarily goes to the Committee on Appropriations under the rule.

Mr. MORRILL. I call for the regular order.

INTERNAL REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. MORRILL. In view of the shortness of the present term of Congress, only five weeks from next Monday, and of the many important bills which are pending besides the revenue bill, upon which many Senators are earnestly desiring some action at the present session, I am instructed by the Committee on Finance to ask unanimous consent that upon all amendments which shall be proposed or offered in relation to the present bill debate be limited to five minutes, with the exception of the sugar question. I suppose that the general debate on the bill is through with, and, therefore, no one wants to make any long speeches on the subject.

Mr. BECK. I desire to say that I object and shall continue to object to the five-minute rule, and I expect to occupy but little time hereafter in regard to the bill.

Mr. MORRILL. Then I appeal to the Senators on this side of the Chamber, at least, not to occupy more than five minutes in presenting any amendment that they may have.

Mr. BECK. The first item of this bill to be called up this morning embraces a number of items to which amendments will be offered that have to be understood in connection with it. I expect to state the objections I have to the present provision, and it is impossible to do it in five minutes; and there are various other matters connected with the iron schedule far more important than the sugar schedule, and no man can state the reasons why the thing ought to be done or not done in five minutes.

Mr. MORRILL. Will the Senator consent to unanimous consent that debate be limited to ten minutes by each Senator?

Mr. BECK. No, sir; I will not consent to ten hours; and I do not expect to occupy any more time than is absolutely necessary.

Mr. MORRILL. I call for the regular order.

The Acting Secretary proceeded to read the items, beginning in line 530, but was interrupted by,

Mr. BECK. I understand that any part of the paragraph is amendable after the whole paragraph is read through.

Mr. EDMUNDS. There is no doubt of that.

The PRESIDENT *pro tempore*. Certainly, that is the course pursued.

The Acting Secretary resumed and continued the reading of the item from line 530 to line 540, inclusive, as follows:

> Bar-iron, rolled or hammered, comprising flats not less than one inch wide nor less than three-eighths of one inch thick, nine-tenths of 1 cent per pound; comprising round iron not less than three-fourths of one inch in diameter and square iron not less than three-fourths of one inch square, 1 cent per pound; comprising flats less than one inch wide or less than three-eighths of one inch thick, round iron less than three-fourths of one inch and not less than seven-sixteenths of one inch in diameter, and square iron less than three-fourths of an inch square, 1 cent and two-tenths of 1 cent per pound.

Mr. BECK. I desire to amend this provision by placing flats not less than one inch wide nor less than three-eighths of one inch thick and round iron not less than three-fourths of one inch in diameter at the same rate, and the rate I propose is seven-tenths of 1 cent a pound.

The PRESIDENT *pro tempore*. Will the Senator specify the line?

Mr. BECK. I move to strike out, in line 532, the words "nine-tenths of 1 cent per pound; comprising" and insert the word "and;" that is, to strike out all of line 532 except the word "thick," at the beginning of the line, and insert the word "and" in lieu of the word "comprising;" and then on line 535, before the words "one cent," to insert "seven-tenths of;" so as to read:

> Bar-iron, rolled or hammered, comprising flats not less than one inch wide, nor less than three-eighths of one inch thick, and round iron not less than three-fourths of one inch in diameter, and square iron not less than three-fourths of one inch square, seven tenths of 1 cent per pound.

Then at the end of the clause, in lines 539 and 540, I move to strike out "1 cent and two-tenths" and insert "eight-tenths;" so as to put on the classification last described in the clause a duty of eight-tenths of 1 cent per pound.

Mr. President, while I objected to being limited to five minutes or to any other limitation of debate a little while ago, I do not propose to take any longer time than is necessary to give the reasons for the reductions I propose to make; but I do not believe that it could be done in five minutes by anybody. I will be as brief as possible. The present law has to be examined; the proposed law has to be compared with it. It is of course expected that those of us who are on the Finance Committee have by investigation into details obtained information that individual Senators not required to look into the details of this bill could not by any possibility have. As to this item, it will be observed, first, that the bill under consideration imposes two rates, one for rolled or hammered iron, comprising flats not less than one inch wide nor less than three-eighths of an inch thick, at nine-tenths of 1 cent per pound, and another for bar-iron, rolled or hammered, comprising round iron not less than three-fourths of an inch in diameter and square iron not less than three-fourths of an inch per square, 1 cent per pound.

Both of these are in the present law at the same rate. I see no reason why they should not both be at the same rate. If any change ought to be made, looking at it in the light of the information we received, the flats not less than three-eighths of an inch thick ought to pay a higher rate than the round iron not less than three-fourths; yet the committee reverse that rule, first changing and making separate rates and then placing the higher rates on the half-inch iron of one-tenth of a cent per pound more than they do with the three-eighths iron, making three-fourths iron pay more than three-eighths iron.

In all the commercial transactions of the country the smaller the bar or the slab the higher the price. That fact is recognized everywhere else, so far as I recollect, except in this particular item. I do not know why it is unless that as the imports for this year of these classes of iron when they, being both classed together, amounted to 109,221,643 pounds of the value of $2,207,195.33, and produced a revenue of $1,092,216.43, it may have been so divided as to protect that portion of the item by putting it up to the highest rate of which the largest amount comes in, and make a professed reduction on that portion of which, though apparently the highest price, very little is imported and call that a reduction. If there is any other object in it, it is not visible to the naked eye. In the first place there ought to be no distinction as there is none now between the items making up this large import. The change of the classification, if my surmise is right, will enable the men who are interested in the highest protection to round iron to keep it at the highest rate, and let the other and smaller be reduced. I do not know how that is. There was some purpose in dividing them, and it is not likely that it was in the interest of the tax-payers.

I propose to make the rate on both seven-tenths of 1 cent per pound, which I think is a fair proportion to the duties we have imposed on the pig-iron, on the scrap, on the billet, and on the Bessemer-steel rail.

The last clause, which I propose to make eight-tenths of 1 cent per pound instead of 1.2 cents, is put as it is because of a change of classification, and a very important one, done very cunningly, and not likely to be observed except by close examination. Let me explain.

All round iron less than three-quarters of an inch in diameter and not less than seven-sixteenths is to pay 1.2 cents a pound. That is the present rate on that class of iron except in this, and I hope Senators will keep the comparative table before them, and see how important it is. Observe "not less than seven-sixteenths of one inch in diameter." There is where the distinction is made between the present law and the bill before us that it is important to understand. The rate is made 1.2 cents per pound. That is the present rate; but the present law provides that rounds less than three-fourths of an inch in diameter shall be at that rate, and runs down to three-eighths before an increased rate is made. The change proposed confines it between three-fourths of an inch and seven-sixteenths of an inch, while the present law allows it to run down without limitation to three-sixteenths of an inch. In other words, the present law imposes a duty of 1.2 cents per pound on all round iron from three-fourths of an inch in diameter down to three-sixteenths of an inch in diameter.

The proposed law imposes a duty of 1.2 on all round iron of that character from three-fourths down to not less than seven-sixteenths instead of three-sixteenths, leaving the six-sixteenths, five-sixteenths, and four-sixteenths to come in under another and higher classification which they were not willing to put in direct connection with this provision, as anybody who sought to present a fair bill would have done. But they inserted first a long proviso and then a provision for T-rails; and then they insert another provision at line 550:

> Round iron in coils or rods, less than seven-sixteenths of one inch in diameter, and bars or shapes of rolled iron not specially enumerated or provided for in this act, 1 and one-half of 1 cent per pound.

Increasing, you observe, from two-tenths to one-half, or an increase of $6.72 per ton over the present rate of duty on all that class of round iron that is of a size between seven-sixteenths and three-sixteenths in diameter. Under that provision of the present law 8,457,851 pounds were imported last year of the value of $230,942, paying a revenue of $126,867.81.

My information is that the great bulk of it in all probability comes in between seven-sixteenths and three-sixteenths, which they seek to increase $6.72 per ton. I think that is a trick—I do not care to dignify it by any higher name—on the part of the men who made up the schedule to secure a higher rate of duty upon all these important articles than is now paid, first by dividing the flat and the round, which are all one now, into two, and putting a higher rate of $1.24 a ton upon the round than they do upon the flat, and then placing up the round iron from 1.2

cents to 1½ cents a pound, or $6.72 a ton more than the present law, upon all above three-sixteenths and below seven-sixteenths.

Mr. MAXEY. It has the effect of increasing the duty on all that kind of wrought-iron used for plow-making, buggies, carriages, wagons, and things of that kind.

Mr. BECK. That is my information about it. Then when you come to the rods below three-sixteenths of an inch the duty is prohibitory now at 2 cents per pound or 15 per cent., for only $61.47 worth was imported last year paying $26.14 in revenue; they propose to reduce that largely, but none of it is used or else it is so high that it is prohibitory, I do not know which.

Let us see how my proposition would operate. I spent four or five hours last night trying to understand this question. I hold in my hand the "Bulletin of the Iron and Metal Exchange Company, limited, 69 Wall street, New York," dated Friday, January 19, 1883, giving the London market prices of iron, also the Philadelphia, Pittsburgh, and New York prices. It is a paper vouched for, owned, and controlled by a number of gentlemen whose names are on the paper I hold in my hand, as I am advised, embracing many of the great iron and steel interests in this country, so that the responsibility and accuracy of the paper are thoroughly vouched for. In short, it is the paper of the Iron Association. That paper gives the quotations of prices in Liverpool of this bar-iron down to a diameter of half an inch. Recollect the proposition is to make a duty of seven-tenths of a cent per pound for rods not less than three-fourths of an inch diameter. The quotations here given are:

	£ s. d.	£ s. d.
Welsh bars, free on board, Cardiff		5 12 6
Staffordshire bars, best	7 00 0 to	7 10 0
Staffordshire bars, crown	6 10 0 to	7 00 0

Now, the best are £7 10*s.*, then the Cardiff bars are £5 12*s.* 6*d.*, and the Staffordshire bars, crown, are £6 10*s.* But let us take the best, £7 10*s.*, and see what per cent. the duty I propose would be per cent. on this class of goods. With exchange at $4.87 per pound it makes it equal to, say, $35.76 per ton in Liverpool free on board. That is the cost of this best bar-iron down to half an inch in diameter. I propose a tariff of seven-tenths of 1 cent a pound, or $15.58 a ton, which is a fraction over 44 per cent. ad valorem.

I am informed on what I consider good authority that for each one-sixteenth of an inch in diminution of diameter the price increases 10 shillings a ton, or $2.50. So that iron which measures only half an inch and upward is worth $35.76, and it is worth $2.50 more for each sixteenth as it comes down in size, which must be considered when we come to act on the sizes from three-fourths to seven-sixteenths at the close of the paragraph.

You can not rely upon the tables now furnished us as correct data on which to calculate ad valorem rates now; though they are for the last year, they vary in many instances from the true ad valorem now. Let me illustrate. Under the head of iron and steel railway-bars the Bessemer steel is put down at an ad valorem of 82.25 per cent. That was the average during the whole of the last fiscal year, which closed June 30, 1882. Now, the prices current, which I hold in my hand, show that Bessemer-steel rails are worth from $23.75 to $25 per ton. So a duty of $28 per ton, instead of being 83 per cent., would on the present price of these rails be about 116 per cent. Yet the comparative table would induce us to believe that the true ad valorem was between 82 and 83 per cent., it is in fact 116 per cent., as we have to consider it now. So at the present price of bar-iron, the highest being £7 10*s.*, or $35.76, for half-inch, the ad valorem proposed in the bill at the present price is about, say, 62 per cent. at 1 cent a pound up to three-fourths of an inch, yet taking the comparative table of the whole valuation of last year it would be about 35 per cent., as this table would make us believe, simply because the price of bar-iron has fallen.

It is difficult to make a complicated matter of this sort very intelligible. I am trying to do it as well as I can. I hope Senators will bear with me. I repeat that the value increases $2.50 in our money for each one-sixteenth of an inch of diminution in diameter, that would make seven-sixteenths worth $37.85 and six-sixteenths worth $40. So that when I make provision in the last amendment and propose on iron less than three-fourths of an inch and not less than seven-sixteenths of an inch, making the valuation as though it was all seven-sixteenths of an inch, the highest value, and allowing eighth-tenths of a cent per pound, I still allow them 52 per cent., which I think ought to be ample.

The provision limiting this class to seven-sixteenths instead of to three-sixteenths as now makes the highest value of the article that they allow to come in at the proposed rate in the bill of 1 and two-tenths of a cent a pound, $40 a ton; whereas, under the existing law at that same rate, iron of the value of $48.25 a ton is allowed to be imported at 1 and two-tenths cents. The commission has very ingeniously limited it to not less than seven-sixteenths of an inch in diameter, at the present price of iron according to their valuation certainly not worth over $40.75 a ton. Instead of iron at the present price coming down to three-sixteenths, or $48.25 a ton, they have put up all the iron that is between the seven-sixteenths and the three-sixteenths, or under from 1 and two-tenths cents to 1 and five-tenths a pound, or $6.72 a ton more than we are now paying for those things of which the Senator from Texas very well remarked most of the agricultural implements are made, and the Finance Committee, I think, made a mistake in agreeing to their recommendation. My proposition may be a little too low; I think, however, it is nearly right.

Take the five-sixteenths; begin there; by their classification, on all under seven-sixteenths 1½ cents a pound is put, or $33.60 a ton; that is a protection at the rate of 77¾ per cent. upon the value of these goods.

Mr. MAXEY. What is the present rate?

Mr. BECK. The present rate is 1.2 cents, or $6.72 a ton less than this bill now before us proposes. This is an increase, an unreasonable increase, on all that class of iron; unless the amendment I offer or something like it is adopted, of $6.72 a ton. They very graciously reduce, when they reach below three-sixteenths of an inch, the present rate; but the present rate is prohibitory, and the rate proposed may be prohibitory—certainly there are no importations under it. There is where the consumers of this country are imposed upon by pretended reduction, and the Senate is apt to be deceived unless care is exercised and examinations made.

The duties are reduced where nothing comes in. For example, they graciously reduce the duty on copper from 5 to 4 cents, and call it a liberal reduction. The copper duty is just as prohibitory at 4 as at 5 cents. It would be so at 3 or 2, as we can on equal terms control the copper market of the world. As the Senator from Delaware stated on information which he considered correct, we are selling American copper in London for less than the owners of it are selling it in the United States; and the imports show that no copper comes to this country, while the exports last year ran up to over three-quarters of a million.

So with these articles under three-sixteenths of an inch the pretense of reduction to a lower rate is of no real value. I believe that seven-tenths of a cent per pound, classifying the things together, gives on three-fourth bar-iron and three-eighth flat-iron a protection of about 44 per cent., and the eight-tenths of a cent per pound from the three-fourth down to seven-sixteenth, the minimum allowed in this paragraph, gives a protection of about 50 per cent., and that is all the protection that they ought to have. I do not desire to injure the great iron interests, but we are proposing a general reduction; we are proposing to reduce the tax on sugar; we are proposing to bring down the price of blankets; we are proposing to bring down the prices of a great many things, that all the people must have by reducing taxation. Of course the iron interests and their laborers will get the benefit of all these reductions, and they can afford very well to allow a reasonable reduction of their protective duties.

Let me again illustrate for a moment. Take sugar. I do not care about reducing sugar more than other things in proportion, but I desire to reduce sugar in the same proportion. I have in my hand a paper relative to the sugar tax which shows that the people of England consume on an average 65 pounds of sugar a year per capita, while the people of this country only consume 45 pounds of sugar per year per capita. If the people of this country could get their sugar as cheap they would consume as much as the people of England—more I believe, as we consume and waste more than any other people of anything we can get at a reasonable price.

England gets her sugar at 6¼ cents a pound; we pay 9¼; 65 pounds per head at 3 cents a pound is $1.95 to each person. The average family of this country—I see my friend from Mississippi [Mr. GEORGE], who knows all about families and agriculture and sugar-raising, is smiling; he agrees with me I observe—the average family is about five. If we could get sugar as cheap as England and consume the same amount, each family of five would gain $1.95 for each member, or $9.75 for the family.

The average wages of the people, men, women, and youths, who work in the manufacturing establishments, as shown by their own tables, amounts to $220 a year, or 63 cents a day on the average. It will therefore take fifteen days' work at 63 cents a day to make $9.45, being 30 cents less than the saving on the sugar consumed if they got it at the English price. If we give the operatives relief to that extent they will be that much better off. If we can cut down the price of their blankets, their woolen goods, so that they can obtain for 65 cents or 75 cents what they are now paying a dollar for, they will be a good deal better off. So if they can get at less prices their cotton goods and the other things that people have to use, if this bill is carried through on the principles we now propose, with a general average reduction of 20 to 25 per cent., then I assume that none of these iron manufacturers will be crushed, nor will their operatives suffer if they get the benefit of the other reductions, even if we keep their general ad valorems down below 50 per cent.

While I am up I will state that the next proviso, from line 541 to 546, reads thus:

Provided, That all iron in slabs, blooms, loops, or other forms less finished than iron in bars, and more advanced than pig-iron, except castings, shall be rated as iron in bars, and pay a duty accordingly; and none of the above iron shall pay a less rate of duty than 35 per cent. ad valorem.

Recollect, they have fixed specific rates wherever they could upon the ground that specific rates is the true mode of collecting taxes. They have ignored the ad valorem; but if the specific rate comes down below 35 per cent. ad valorem, they seize upon the old so-called fraudulent ad valorem and make the articles pay 35 per cent. ad valorem whether the

specific duty is less than 35 per cent. or not. Senators will be required to vote on that proposition in the next half hour.

I propose to amend it by providing further that no article in the schedule relating to metals shall pay a higher percentage than 50 per cent. ad valorem, no matter what specific provisions may be made as to that article. If the Committee on Finance can present a general provision abandoning their specific rates and re-establishing the duty to 35 per cent. when the people of the country are getting the benefit of a lower specific, it is equally fair that a reasonable maximum shall be agreed to in the same proviso so that the duties shall not be put up to 75 or 100 or 120 per cent. by indirection or misapprehension. We ought to see to it that the specific duties shall not exceed 50 per cent. I propose to give these gentlemen an opportunity to vote on the proposition that nothing in the schedule shall exceed 50 per cent. ad valorem; then we shall see the good faith of the gentlemen who are so carefully guarding everything in this bill, and who assume that it is a reduction of 20 per cent. on present rates, which are said not to exceed 43 on the average of dutiables.

Mr. MORGAN. May I be allowed to ask the Senator a question?

Mr. BECK. Yes, sir.

Mr. MORGAN. Under the present classification of round iron, between lines 550 and 553, what is the ad valorem rate of duty charged by the existing law?

Mr. BECK. On the class of iron named from lines 550 to 553 it is now being charged all at 1 cent per pound, both these classifications being the same.

Mr. MORGAN. What is the ad valorem rate upon that.

Mr. BECK. The ad valorem rate as stated in the comparative table is 49.08 per cent., but as I said a while ago that was when the price of these things ranged from 25 to 50 per cent. higher than now, just as the Bessemer-steel rails were ranging at prices much higher than now. The actual per cent. at this rate upon these goods to-day at their present price would be about 70 per cent. I believe I have not made an accurate calculation.

Mr. MORGAN. As the other side of the Chamber have been instructed not to express any opinion upon this tariff by the chairman of the committee, I should like to ask the Senator from Kentucky for some explanation, he being a member of the committee. I wish to know the reasons assigned for changing the classification so as to separate between round and flat iron. What is the reason assigned by the friends of this high protective duty for that change in classification?

Mr. BECK. I desire to say to the Senator from Alabama and to all other Senators that if any reason was ever given it was not given when I was present in committee, and I do not think I missed a meeting from the 5th of December until the bill was reported. There is no reason for the change of classification that I can see, and when we come, as we shall in a very few minutes, to boiler or other plate iron and to sheet-iron and the different classifications there, I have a number of tables to present, which I prepared last night, showing a worse condition of things than relates even to bar-iron; but, as I said, I intend to confine myself (as there seems to be a general disposition to get along with the bill, in which I concur) to explaining the particular item now up, though in order to make this matter entirely plain I really ought to present and explain now the tables and calculations I have in regard to sheet-iron and the changes of classification and their effect on the tax-payers. I will do so when we reach that paragraph.

I have occupied more time than I intended, but it was impossible for me in my awkward way to have explained what I desired to explain in less time than I have done. There are other things in this schedule that require more explanation than this. No man can in five or ten minutes explain many of the important and, I think, bad changes made in this iron schedule. For that reason, and that reason only, I objected to a limitation being placed upon the freedom of debate. I desire the facts to appear on the record.

Mr. MAXEY. I wish to ask the Senator from Kentucky in regard to another point before he takes his seat. The day before yesterday we reduced the tariff upon iron railway bars, in line 525, and steel railway bars, in line 529, to seven-tenths of a cent per pound. Now, I find in line 547:

> Iron or steel T-rails, weighing not over twenty-five pounds to the yard, and iron or steel flat rails, punched, nine-tenths of 1 cent per pound.

Mr. BECK. It is now eight-tenths of a cent per pound; that is not acted on, I believe.

Mr. MAXEY. No, it has not been; but it is to come. I wanted to have the item from line 547 to line 549 understood.

Mr. BECK. There is no provision as to railway bars weighing less than 25 pounds to the yard that I remember in the present tariff. This is another effort to make all the street railways, all the tramways, all the light iron that is to be used and is generally used by individuals and by poor corporations and by struggling towns, pay 1.2 cents per pound or over $27 a ton tax. The bill of the commission makes it $27.20, as they report it at 1.2 cents a pound. The committee struck it down to nine-tenths of a cent a pound. I hope the Senator—if no one else moves it I will—will seek to make it seven-tenths of a cent, the same as railway bars, which by the vote of the Senate were placed at seven-tenths of a cent day before yesterday.

Mr. MAXEY. I asked the Senator that question because I could not see any reason why these bars should pay nine-tenths of a cent per pound when the Senate had voted seven-tenths of a cent on steel railway bars weighing over twenty-five pounds to the yard.

Mr. BECK. The reason assigned—the only one I know of—is that they are a little lighter; but nobody discovered that they were a fit subject for higher taxation until the Tariff Commission did, and they proposed to tax them much higher than the other, and as an excuse for it placed in the provision "steel flat rails punched." I suppose all railway bars are punched. If they were brought in without punching they would not be at this rate, but if you had them punched ready to lay down, then they pay 1.2 cents a pound. All sizes of rails are taxed at the same under the present law, but this classification was made and the word "punched" inserted so as to induce bringing in imperfect rail to be taken to the rolling-mills here, whereas if a bar came in fit for use it is to be charged 1.2 cents a pound, or three-tenths of a cent more than if it came in imperfect.

Mr. MAXEY. Allow me to suggest that everybody knows that there is a constantly increasing demand for rails which this classification will cover for narrow-gauge railroads and for street railways.

Mr. BECK. The Senator from Texas will find that it is only in that class of goods, where there is a great demand, that the committee has raised the duties so as to increase their subsidy. If there was not a great demand for an article, and it was a little insignificant thing, they took pleasure in lowering the duty and allowing people to get it cheaper, especially things that people do not want. Their scheme, all through this schedule, seems to have been to catch everything that everybody did want and that was in great demand, as I will show you as we go on to steel rods and other things that are changed in the classification. They do not increase the duty where only 1½ per cent. of the importations are touched, but when they find a classification where 19 per cent. comes in there is a change. It is reduced on other things where hardly any are imported, but when they reach the cases where the importations are 50 or 60 per cent., they increase the duty from 59 to 81 per cent. on just what the people do want.

Upon the whole I regard it as the most cunningly devised scheme that mortal man ever saw. Each important change as we go through the bill will develop that fact. I hope the amendments I have suggested will be adopted, or something that does not vary much from them, as I believe they are substantially right.

Mr. MORRILL. Mr. President, the Senator from Kentucky runs forward and back on this bill so rapidly that it is almost impossible to follow him. In discussing the amendment that he proposes here to round and flat iron he has discussed sugar, cotton, and railroad iron. No wonder that the Senator wants not to be limited to five or ten minutes, or even ten hours, as he stated. Under such circumstances of course it is hardly possible for the Senator to get in what he desires in relation to any proposition that may come up here, if we are to discuss the whole bill upon every amendment that he may desire to propose.

Now, Mr. President, what are the simple facts in relation to the description of iron named in this item? The Senator heretofore has denounced the present existing tariff, and I am rather surprised to have him come forward this morning and praise the existing law in preference to the proposed law of the commission and of the Finance Committee. The only thing that has been changed in this description is that it is more strictly confined to the differences in value of articles as they are small or large; it is a more accurate description of the iron whether in smaller or larger dimensions.

I should be unwilling to consent to the amendment proposed by the Senator in the forepart of this schedule; but if he will turn his attention to the connection on the next page, the twenty-ninth page, I should have no objection to his placing that at 1.1 cents a pound, and when it gets down to articles like round iron in coils, instead of 1½ cents I have no objection to his placing that at 1.1. But it will be seen that the proposition as it stands is a large reduction from the present law on all these descriptions of iron. The duty now levied upon them is from 1 to 1½ cents per pound. Therefore the proposition made by the Tariff Commission and by the Finance Committee is a general reduction upon all of these descriptions of iron.

I hope, therefore, that the amendment proposed by the Senator from Kentucky will not prevail. As I say, when we reach the vote on the paragraph if he will propose a reduction of one-tenth of a cent per pound I shall have no objection.

Mr. BECK. I protest that the Senator has not answered the facts I have stated; and I protest that, except in the way of illustration, I have adhered as strictly to my objection to the present provision as gentlemen are in the habit of doing who are no better informed as to technical details than I am. If I was an expert I could state the proposition more clearly and better. I am not an expert; I have to work a thing out the best way I can and explain it as best I know how. That I have done and done no more.

I will only say to the Senator from Vermont that, so far from praising the present tariff law, I have denounced it as a bill of abominations over and over again, as it is; but there are degrees in depravity and degrees in meanness, and it is not so depraved and so vile as the proposition now before us. That is all I have ever said for it.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kentucky [Mr. BECK].

Mr. MORRILL. Let it be reported.

The PRESIDENT *pro tempore*. The amendment will be read.

The ACTING SECRETARY. In line 532, after the word "thick," it is moved to strike out "nine-tenths of 1 cent per pound; comprising," and insert the word "and;" in line 535, after "square," to insert "seven-tenths of," and in line 539, after the word "square," to strike out "and two-tenths" and insert "eight-tenths of" before "cent;" so as to read:

Bar-iron, rolled or hammered, comprising flats not less than 1 inch wide, nor less than three-eighths of 1 inch thick, and round iron not less than three-fourths of 1 inch in diameter, and square iron not less than three-fourths of 1 inch square, seven-tenths of 1 cent per pound; comprising flats less than 1 inch wide, or less than three-eighths of 1 inch thick; round iron less than three-fourths of 1 inch, and not less than seven-sixteenths of 1 inch in diameter, and square iron less than three-fourths of 1 inch square, eight-tenths of 1 cent per pound.

Mr. BECK. The meaning of that simply is to make the square bar-iron one classification and to reduce the rate two-tenths of 1 cent a pound; and in the other case, as we have already reduced upon the seven-sixteenths and three-sixteenths, to make that rate eight-tenths of a cent, so that there shall be a reduction.

Mr. MORRILL. The proposed amendment of the Senator from Kentucky will be utterly destructive of the iron interests in this country. They are now very much depressed. Both here and abroad iron is selling at a very low price. The average ad valorem now on the foreign price would be entirely fallacious.

Mr. BUTLER. I ask for the yeas and nays on the amendment of the Senator from Kentucky.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. JONAS (when his name was called). On this schedule I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were present, I should vote "yea."

Mr. ROLLINS (when Mr. SAUNDERS'S name was called). The Senator from Nebraska [Mr. SAUNDERS] is paired with the Senator from Kentucky [Mr. WILLIAMS].

Mr. VEST (when his name was called). I am paired on this schedule with the Senator from New Jersey [Mr. SEWELL]. If he were present, I should vote "yea." I make the announcement for the day.

The roll-call was concluded.

Mr. ROLLINS. The Senator from Delaware [Mr. SAULSBURY] is paired with the Senator from Michigan [Mr. FERRY].

Mr. BUTLER (after having voted in the affirmative). Since I have given my vote I have been requested to pair with the Senator from Minnesota [Mr. MCMILLAN], who is temporarily out of the Chamber. I therefore withdraw my vote.

Mr. WILLIAMS (when his name was called). On this question I am paired with the Senator from Nebraska [Mr. SAUNDERS]. If he were here, I should vote "yea."

The roll-call having been concluded, the result was announced—yeas 25, nays 33; as follows:

YEAS—25.

Barrow,	Garland,	Jackson,	Ransom,
Bayard,	George,	Johnston,	Slater,
Beck,	Gorman,	Jones of Florida,	Vance,
Call,	Groome,	Lamar,	Walker.
Camden,	Grover,	Maxey,	
Cockrell,	Hampton,	Morgan,	
Coke,	Harris,	Pugh,	

NAYS—33.

Aldrich,	Davis of Ill.,	Kellogg,	Platt,
Allison,	Dawes,	Lapham,	Plumb,
Anthony,	Edmunds,	Logan,	Rollins,
Blair,	Frye,	McDill,	Sawyer,
Brown,	Hale,	Mahone,	Sherman,
Cameron of Pa.,	Harrison,	Miller of Cal.,	Voorhees.
Cameron of Wis.,	Hawley,	Miller of N. Y.,	
Chilcott,	Hill,	Mitchell,	
Conger,	Hoar,	Morrill,	

ABSENT—18.

Butler,	Ingalls,	Pendleton,	Vest,
Davis of W. Va.,	Jonas,	Saulsbury,	Williams,
Fair,	Jones of Nevada,	Saunders,	Windom.
Farley,	McMillan,	Sewell,	
Ferry,	McPherson,	Van Wyck,	

So the amendment was rejected.

Mr. MORRILL. I now move, in line 540, to insert "one-tenth" instead of "two-tenths;" so as to read "one cent and one-tenth." I do this in accordance with the intimation I gave to the Senator from Kentucky of my willingness to have the last item of this clause reduced one-tenth of a cent per pound; and I also give notice that when we reach line 553, instead of a cent and a half I shall move to have that put at a cent and one-tenth of a cent.

Mr. BROWN. I desire to move, in line 529, to strike out "eight-tenths of 1 cent per pound"——

The PRESIDENT *pro tempore*. That was amended night before last; and the Senate is upon the next paragraph, beginning at line 530.

Mr. MORRILL. The Senator will have the chance to move that amendment in the Senate.

Mr. BROWN. My amendment would be $16 a ton instead of the rate per pound there fixed.

The PRESIDENT *pro tempore*. That clause was changed from eight-tenths to seven-tenths of a cent a pound.

Mr. BROWN. Then that paragraph has been passed, and I was not aware of it. My motion now is, in lines 531 and 532, to strike out "nine-tenths of 1 cent per pound" and insert "$18 per ton." Nine-tenths of a cent a pound would be $20.16 a ton. I move to make it $18 a ton.

Mr. BECK. Why not make it eight-tenths of a cent a pound?

Mr. BROWN. I would rather fix the duty by the ton. Then in line 535 I move to strike out "1 cent per pound" and insert "$20 per ton." One cent a pound would be $22.40 per ton. Then in lines 539 and 540 I move to strike out "1.2 cents per pound" and insert "$22 per ton;" and in line 549——

The PRESIDENT *pro tempore*. That is not in order yet, if the Senator pleases. The question now is on the clause from lines 530 to 540.

Mr. BROWN. Then I will stop at line 540.

Mr. VANCE. What is the pending question, Mr. President?

The PRESIDENT *pro tempore*. The pending question is on the amendment of the Senator from Vermont [Mr. MORRILL], which is to perfect the text. He moves to strike out "two-tenths" and insert "one-tenth," in line 540. After that the amendments of the Senator from Georgia will all be taken together.

Mr. BROWN. I move to amend by inserting "$22 per ton" instead of "1 cent and two-tenths of 1 cent per pound," in lines 539 and 540.

The PRESIDENT *pro tempore*. The Chair thinks the first question is on the amendment of the Senator from Georgia [Mr. BROWN], taking the clauses in order, to strike out in line 532 "nine-tenths of 1 cent per pound" and insert "$18 per ton."

Mr. ALDRICH. The amendment of the Senator from Georgia would cause an endless and unnecessary amount of trouble and labor in all the custom-houses of the country. The rates fixed by this bill, as well as the rates fixed by existing law on all iron, are at so much per pound. The clause now under consideration relates to bar-iron of various kinds imported into this country in small quantities, and the rate of duty should be fixed at some rate per pound, for the benefit not only of the customs officers but of everybody else having anything to do with it. A rate of so many dollars a ton, as for instance $20 a ton, would make a fraction of a cent per pound which it would be very difficult to compute. Not only that, this bill has been very carefully prepared as to its classifications and the relative rates which it fixes on various kinds of iron. Whatever we may say about the rates, whether they are too high or too low, every person who has examined this metal schedule will admit that it has been very carefully considered in fixing the relative rates to be paid upon various kinds of iron, and if we change this clause, in order to make this bill consistent it will be necessary to change every line in the metal schedule from so much per pound, as now fixed in the present law and in the proposed bill, to so much a ton according to the plan of the Senator from Georgia.

I hope the amendment will not be adopted.

Mr. BROWN. Mr. President, I desire to say but a very few words on this amendment. I do not see where an infinite amount of trouble could arise in the custom-house in assessing the tariff or tax on imported iron. I believe it is very well known by all persons that 2,240 pounds is a ton; and in weighing out a large quantity of iron it is usually estimated by the ton. Railroad bars are bought by the ton; most bar-iron is bought by the ton.

Mr. ALDRICH. This clause does not apply to railway bars at all.

Mr. BROWN. I know it does not apply to railroad bars, but I say railway bar-iron and other bar-iron is usually bought by the ton. There is certainly nothing easier than to weigh it by the ton and estimate it by the ton.

The Senator from Rhode Island says the schedule has been very carefully classified as it is. I have no doubt about that; but I do not quite agree with it. It has been carefully done, it is true, ably done, and well done it may be; but as compared with other qualities of iron that we have passed over, it has not been justly estimated.

If I recollect correctly, the Senator from Rhode Island voted the other day, in the case of scrap-iron, to put all scrap-iron of every character down to $6 a ton, and to put a piece of polished steel that comes in that is not more than 2 feet long and 18 inches thick, and the best polished iron that you can get not more than 18 inches long, in the same position and at the same tariff that you put pieces of old broken pots—and I want the Reporter to say "pots" this time; he has me saying "bars" before, I believe. I mean that when you run the iron out of the furnace in its first stage it is usually run into a bed of sand that we make pig of. Instead of doing that, if you want to make a pot of it you take the molten iron in its liquid state and pour it into a vessel, and it runs out into a pot. There is no purification of it at all. If you break up old pots and other old vessels made of cast-iron, that is cast scrap. The Senator voted, I believe, to put that on an equality with all steel scrap coming in and all wrought scrap, when the price of one in the market is two or three times as great as that of the other. That no doubt had

been very carefully considered before, but I do not think that the conclusion arrived at was a just one. Therefore I can not support it.

Now, I want to come as near as possible to equalizing the other grades of iron on the basis of all iron pigs at the ore-bed. There was an unreasonable tariff put upon the import of ore. Then you take pig-iron, which is the first stage of it, and you put an unreasonably low rate on that, and it is going to greatly cripple the interest. Then you raise at once on the manufactured grades of finer iron and finer steel. I want to keep the proportions on something like a just ratio.

As I stated the other day, the greatest expense in making iron is to get the ore and the coal and coke and limestone and all that is necessary together. It is a very heavy expense. You have to work at one large furnace in getting all these materials through a hundred hands. Then, in a rolling-mill one-third of that number of hands will continue to roll it through the rollers and increase the value of it at nothing like the cost that is to be used per ton in making the pig metal. In other words, in the most costly stages, where the most labor is employed, you put the lowest tariff, and on the finer stages you put the higher tariff.

Mr. ALLISON. I ask the Senator for information, what is the probable cost of rolling iron from the pig into the form of bar-iron designated in this particular schedule.

Mr. BROWN. I am not prepared to give the exact cost. I could not make an estimate that would probably be correct; but I will say that one-third of the hands will do that that are necessary in making pig-iron. It is done much more rapidly and much more cheaply. Therefore, as it goes up in grade, there ought to be a reduction instead of an increase in the amount of the tariff.

Mr. CAMERON, of Pennsylvania. I can answer the question of the Senator from Iowa.

Mr. BROWN. The Senator from Pennsylvania says he has the figures before him to answer the Senator from Iowa.

Mr. CAMERON, of Pennsylvania. Wrought scrap-iron can be converted into the best bar for $8 a ton, while the cost of converting a ton of pig-iron is $18 a ton, a difference of $10.

Mr. ALLISON. Then, if I understand that statement, it costs $18 a ton to convert pig-iron into this form of iron.

Mr. CAMERON, of Pennsylvania. In this country—the home value.

Mr. ALLISON. It would probably cost abroad half that much?

Mr. SHERMAN. In the proportion of about five to eight, I think.

Mr. BROWN. According to the figures stated by the Senator from Pennsylvania the cost is about $18 a ton in Pennsylvania to make the pig-iron, and then about $8 a ton to roll it through the mill as often as is necessary to make that ton a ton of fine iron or refined iron.

Mr. ALLISON. I am led to make these inquiries of the Senator from Georgia from the fact that I see the ad valorem, as found in our table, on this grade of iron is not nearly as high as it is upon a good many articles of manufacture, and I supposed, of course, he was familiar with the reasons which justified the reduction which he proposes. If there is now an inconsistency between the duty on this class of iron and on pig-iron as we have fixed it, I should think the proposition of the Senator from Georgia ought to be acquiesced in. I am not familiar enough with the process of manufacturing iron to know whether there is a sufficient protection under the general theory of this bill on this class of iron.

Mr. BROWN. I have no doubt the protection is greater on these finer qualities of iron at the rate I propose to put it than the protection given pig-iron; it is greater in proportion.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia [Mr. BROWN].

Mr. MORRILL. I trust the amendment will not be adopted. The difference between this kind of iron and pig-iron is very small; it is only about between 3 and 4 mills a pound. Besides, it would disturb the symmetry of the bill to change the methods of imposing these duties.

In relation to scrap-iron and pig-iron I wish to say to the Senator from Georgia that that description was reserved yesterday for the further consideration of the Committee on Finance, and I trust in due time we may report something that will be satisfactory. I hope, however, that this amendment providing for a still further reduction upon this class of iron will not be made.

Mr. ALDRICH. The report of the Bureau of Statistics shows that the average price of all bar-iron of the nature alluded to by the Senator from Georgia was $79.40 last year, or about $80 a ton. He proposes to fix the rate of duty at $20 a ton, or almost exactly 25 per cent. The same rate on pig-iron, which the Senator talks so much about, would reduce the duty on pig-iron to $4.50 a ton instead of $6, as fixed by the Senate.

Mr. SHERMAN. The actual foreign valuation of this kind of iron is 2 cents a pound, or $44 a ton.

Mr. ALDRICH. It is 2 cents on the first clause in the paragraph.

Mr. SHERMAN. The first clause is the item under consideration.

Mr. ALDRICH. The amendment is to the last clause, which is 3½ cents.

Mr. SHERMAN. The pending amendment is on the first clause.

Mr. MORRILL. The Senator from Georgia has changed it.

The PRESIDENT *pro tempore*. The amendment is, in line 532, to strike out "nine-tenths of 1 cent per pound" and to insert "$18 per ton."

Mr. ALDRICH. That is a different figure, a different rate.

Mr. BROWN. That is the amendment we are now discussing.

Mr. SHERMAN. It is shown here that a very large amount of this kind of iron has been imported into this country—109,000,000 pounds—the valuation of which is $2,207,000, or about 2 cents a pound. The present duty on this article is 1 cent a pound, or 49 per cent., about 50 per cent. The bill as reported is a slight reduction upon the present rate of duty.

I intend to vote for the amendment of the Senator from Georgia, after reflection. The Tariff Commission made a basis—and I think a very just basis—upon all these different degrees of iron. They commenced at three-tenths of a cent a pound on pig-iron. They multiplied that according to the value and price, increasing the rate as the value of the iron increased. It was fair and just and proper. The Senate by a very large vote, comprising a majority on this side of the Chamber and the entire vote on the other side, has reduced the duty on pig-iron down to $6 a ton. If the rate of duty per ton is proper and applicable to pig-iron, which is the great body of iron produced in this country, more than half, three-fourths of the iron produced in this country, why is it not applicable to all the other forms of the cheaper bar-iron; and if scrap-iron can come in at $6 a ton, why should not the same rate of reduction be made upon the other articles which are immediately manufactured out of the pig and the scrap? I can not see any reason why this rule should not be applied to the articles of bar-iron and to the article of steel rails, the next item on the list. Then if the item of pig-iron is corrected hereafter, we may very easily correct without any difficulty the changes which have been made in consequence of the reduction of the duty on pig-iron.

Mr. ALLISON. I do not think we should go through this tariff schedule on the theory that we are going to make changes all the way through it after we have finished one article.

Mr. SHERMAN. We must make them conform.

Mr. ALLISON. That is true. The Senator from Rhode Island states that the average price of this iron is $75 per ton. I think a very large amount of this class of iron must certainly exceed $75 per ton. The kind of bar-iron that we import largely is the Swedish or Norway charcoal irons of foreign countries, and they are very high irons. They are used in the manufacture of crucible steel chiefly.

Mr. SHERMAN. The Senator will see that on these articles the rate is much higher.

Mr. ALLISON. I do not see it.

Mr. ALDRICH. The Senator from Georgia himself proposes to make it $20 a ton, or 25 per cent.

Mr. SHERMAN. He proposes to make the rate advance as the value of the iron increases.

Mr. ALDRICH. Not at all.

Mr. SHERMAN. Yes, he does.

Mr. ALLISON. The advance is simply on a different shape. The very high-priced Swede-iron comes in here, and must come in for the purpose of manufacturing steel. Of course, I am not here to argue against a high rate of duty, if the Senator from Ohio and other Senators think it should be imposed. If the Senator from Georgia, who represents a large iron interest, and other Senators, think we have this iron too high, I shall very cheerfully vote with him for a reduction, but I only want to call attention to the fact, that although some of this class of iron is a common quality of iron, the very large importation of this article of iron is composed of what is known as Norway and Sweden iron, having a very high price abroad and in New York.

Mr. SHERMAN. I am bound to say that the higher priced iron comes in under this classification; but the only thing we have to deal with now is the cheapest form of bar-iron. Swedes iron costs 2 cents a pound, or at most $44 a ton. When we come to Swedes iron, then it is proposed to make the duty $22 a ton.

Mr. ALLISON. Where is Swedes iron provided for in the bill?

Mr. SHERMAN. It is far over on other pages.

Mr. ALLISON. If I am mistaken in my suggestion, I withdraw it entirely. If this does not include Swedes iron, and Norway iron, and the higher qualities of iron, I am mistaken, and shall cheerfully vote with the Senator from Ohio. I withdraw any opposition.

Mr. MORRILL. The Senator from Iowa is not mistaken. Take for instance the horseshoe shapes, the best iron that can be obtained. This description includes that; there is no doubt about it at all. There is no exception, and we have no specification that would provide for Swedes iron under any different description. If it comes at this size it makes no matter where it comes from.

Mr. SHERMAN. I do not want to interrupt my friend, but I turn to the official document we have before us, which shows that 109,000,000 pounds have been imported at a valuation of $2,207,000. The next item, which is advanced still further, shows 8,000,000 pounds imported at a cost of $230,000, or about 2½ or 2¾ cents a pound, and the rate of duty is advanced on that as is proposed here to $22 per ton.

Mr. MORRILL. But the only distinction is in the size.

Mr. SHERMAN. I know; but that makes the distinction in value.

Mr. MORRILL. No.

Mr. SHERMAN. The smaller the size the higher the value.

Mr. ALDRICH. The Senator from Georgia and the Senator from

Ohio insisted the other day that they must have at least $7 a ton on pig-iron; or about 28 per cent. of the average cost abroad. Now they propose to reduce the duty on bar-iron, on Swedish iron, and all other kinds of charcoal iron covered by this schedule to about 25 per cent. ad valorem on the higher grade, and to about 38 per cent. on the lower grade.

Mr. SHERMAN. No.

Mr. ALDRICH. The figures show it. The figures show 38 per cent., and you now propose to fix, according to the price, the rate at 2 cents a pound. The price would be 2 cents a pound, you admit that, and the rate the Senator from Georgia proposes to fix is $18 per ton, or 38 per cent., on that grade, and on the higher grade only 25 per cent. If Senators, because the Senate have differed with them in opinion about what rate should be fixed upon pig-iron——

Mr. SHERMAN. The Senator is mistaken.

Mr. ALDRICH. Pig-iron is 35 per cent. on the value.

Mr. SHERMAN. I have the figures here. We have reduced it below 30 per cent., by a vote of the Senate, at three-tenths of a cent per pound, or $6.72 a ton. Another iron, valued at $74 a ton, is now reduced in duty below 30 per cent. Even by the rate proposed by the Senator from Georgia the duty on this class of iron will be 43 per cent.

Mr. ALDRICH. The Senator from Ohio computes his figures to include all scrap-iron as well as pig-iron. The unit of value on pig-iron as fixed by the Bureau of Statistics was $18.77 per ton, as shown last year. If two Senators, representing as they do very largely the iron interests of this country, propose to reduce the duty on all kinds of manufactured iron below the rate which the Senate have fixed upon the lowest grades, upon the raw material out of which these irons are made, with them rests the responsibility. I say they are doing a great injustice to the manufacturers in this country of iron other than pig-iron.

Mr. BROWN. Mr. President, a word in reply to the Senator from Rhode Island. The statistics read by the Senator from Pennsylvania a while ago show that it costs $8 a ton to manufacture the best refined iron out of wrought scrap, and it costs $18 a ton according to those statistics to manufacture pig into the best quality of wrought-iron. The pig in Pennsylvania costs to make it about $18 a ton as I understand, and then it costs about $18 a ton to convert that pig into the finest quality of bar-iron, according to the statistics read by the Senator from Pennsylvania. That would make it cost $36 a ton, and I am proposing to make the duty on it $18 a ton. There are some fractions there. It would be forty-odd per cent. at least I am proposing to allow upon it for actual cost; and that is certainly more than is allowed on pig-iron.

Mr. ALDRICH. According to the statement just made by the Senator from Georgia, bar-iron costs $8 a ton less in this country than it does in England. If that is a fact, it is a fact which I learn to-day for the first time.

Mr. BROWN. I think the Senator is clearly mistaken.

Mr. ALDRICH. The average cost abroad, as shown by the Senator from Ohio himself, is 2 cents a pound, or $44.80 a ton. Now, the Senator from Georgia says it can be made in this country for $36 a ton. If that is true, we have fixed the duty on iron too high all the way through, and we should reduce the schedule.

Mr. BROWN. That is in accordance with the figures presented by the Senator from Pennsylvania. I have not had an opportunity to look carefully into them, but they are not very far right. We are putting certainly forty-odd per cent. ad valorem on this quality of iron.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia [Mr. BROWN], which is, in line 532, to strike out "nine-tenths of 1 cent per pound" and to insert "$18 per ton."

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. DAWES (when Mr. HOAR's name was called). My colleague [Mr. HOAR] is paired for the moment with the Senator from North Carolina [Mr. RANSOM]. My colleague would vote "nay" if he were here.

Mr. MAXEY (when Mr. GARLAND's name was called). I was requested to announce the pair of the Senator from Arkansas [Mr. GARLAND] with the Senator from Vermont [Mr. EDMUNDS]. The Senator from Arkansas would vote "yea" if present.

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. VEST (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL].

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Nebraska [Mr. SAUNDERS].

The roll-call was concluded.

Mr. SAULSBURY (after having voted in the affirmative). I desire to withdraw my vote. I forgot at the time that I was paired with the Senator from Michigan [Mr. FERRY]. I do not know how he would vote.

Mr. EDMUNDS. I am paired with the Senator from Arkansas [Mr. GARLAND]. If he were present, I should vote "nay."

The result was announced—yeas 30, nays 27; as follows:

YEAS—30.

Barrow,	Coke,	Jackson,	Sherman,
Bayard,	Farley,	Johnston,	Slater,
Beck,	George,	Jones of Florida,	Vance,
Brown,	Gorman,	Lamar,	Van Wyck,
Butler,	Groome,	Maxey,	Voorhees,
Call,	Grover,	Morgan,	Walker.
Camden,	Hampton,	Pendleton,	
Cockrell,	Harris,	Pugh,	

NAYS—27.

Aldrich,	Conger,	Hill,	Mitchell,
Allison,	Davis of Ill.,	Lapham,	Morrill,
Anthony,	Dawes,	Logan,	Platt,
Blair,	Frye,	McDill,	Plumb,
Cameron of Pa.,	Hale,	McMillan,	Rollins,
Cameron of Wis.,	Harrison,	Miller of Cal.,	Sawyer,
Chilcott,	Hawley,	Miller of N. Y.,	

ABSENT—19.

Davis of W. Va.,	Hoar,	McPherson,	Sewell,
Edmunds,	Ingalls,	Mahone,	Vest,
Fair,	Jonas,	Ransom,	Williams,
Ferry,	Jones of Nevada,	Saulsbury,	Windom.
Garland,	Kellogg,	Saunders,	

So the amendment was agreed to.

The PRESIDENT *pro tempore*. The next question is on the further amendment of the Senator from Georgia [Mr. BROWN] in line 535.

Mr. BROWN. In line 535 I move to strike out "1 cent per pound," which would be $22.40 per ton, and insert "$20 per ton." I am keeping it as near the same proportion as I can.

The PRESIDENT *pro tempore*. The amendment will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 535 it is proposed to strike out "1 cent per pound" and to insert "$20 per ton;" so as to read:

Comprising round iron not less than three-fourths of 1 inch in diameter and square iron not less than three-fourths of 1 inch square, $20 per ton.

Mr. ALLISON. I think that ought to be agreed to, having agreed to the other amendment.

Mr. ALDRICH. I notice that the amendment which has just been adopted has been adopted by the votes of Senators who are supposed to be the special representatives of the iron interests upon this floor. I should like to ask the Senator from Ohio and the Senator from Georgia whether they think the rate which has just been fixed upon this class of iron is sufficient protection for the manufacturers of iron? If they think so, the people whom I represent, the people of New England, are certainly in favor of cheap iron, and I propose to vote hereafter, upon that statement made by those Senators, in favor of any reduction which they may see fit to ask for.

Mr. SHERMAN. I will answer the Senator from Rhode Island very frankly. I think that day before yesterday the Senate did a great injustice to 140,000 laboring men in twenty-five different States in cutting wood, digging iron ore, and bringing it to the furnace to be melted into pig, merely for the purpose of getting cheap iron, the cheapest possible iron, from Europe at a little cheaper rate than that at which the people of the West could manufacture pig-iron. Iron which in the markets of the world is worth $20 a ton, most of it clippings from old railroad bars, iron of various forms, they reduced to the small rate of $6 a ton, and that they might get cheap material to drive out of existence the furnaces scattered all along the Alleghany slope.

That having been done by both sides of the Senate after a fair statement of the case, with a statement also made by these very men that to do that would turn out of blast more than half the furnaces in this country, I assumed that the Senate of the United States had made up its mind to reduce the duties on iron. It is against my idea of what is the best policy. The chief production of the people in Ohio who are engaged in this business is pig-iron or the ruder forms of iron, although there are rolling-mills there, and I say now that if $6 a ton is enough for that form of iron, $18 a ton is ample for rolled bar-iron. Rolled bar-iron costs in this country, according to the statement of the Senator from Pennsylvania, only $18 more than pig; in other words, it costs to melt the pig and roll it into bar $18 a ton. Upon the proposition of the Senator from Georgia we are to give a protection of $12 a ton upon the process of converting pig-iron into bar-iron. The pig costs more than $18 a ton and $6 is held to be enough to protect the labor of the people engaged in manufacturing pig, but it seems that $12 is not enough to protect the labor of the people who are converting this pig into bar.

There is the statement of the case. Although I believe that the Tariff Commission was right in all these grades, yet I believe in justice and equality. I do not believe that in seeking to get from Europe the cheapest forms of iron and to bring the best kind of iron here to cut up into nuggets at $6 a ton in order to get the benefit of cheap rails in the East, they should turn their back upon the doctrine of protection, which extends as well to the furnace as to the rolling-mill. I wish to apply the same rule to both.

I say that the proposition of the Senator from Georgia is right, and I will vote for these three or four amendments to apply the rule of a tax by the ton upon bar-iron, and also upon the next two items of rolled iron, upon the same principle. If the Senate will not tax the pig three-tenths of 1 cent per pound, in order to protect the manufacturers of pig,

why should they ask us to protect the bar-iron at eight-tenths of 1 cent a pound? If $6 a ton is a just rate for pig, then $18 a ton is a just rate for bar, and so with the other forms of iron made out of the pig. No reason could be plainer than that.

Mr. BROWN. The Senator from Rhode Island [Mr. ALDRICH] propounded the question to the Senator from Ohio and to myself. The Senator from Ohio has answered it so clearly and so conclusively that I do not care to add anything. As he states, and states it well, if $6 is enough protection for all the furnaces in Pennsylvania and all the furnaces west of the Alleghanies and in the whole South, then $18 a ton is enough protection for the rolling-mills of the Eastern States. It is more than is just. The cost of making pig is at least half the cost of making bar. As I have already stated, a much larger number of persons are employed in making pig, and it is half the cost of ordinary bar. Still it is proposed to put three times as much tariff upon it as we put upon pig-iron, and yet it is said that the rate is too low.

Mr. ALLISON. May I ask the Senator from Georgia a question before he sits down?

Mr. BROWN. Certainly.

Mr. ALLISON. I ask him what is the cost of the manufacture of ordinary pig-iron in Georgia at the furnaces?

Mr. BROWN. The present cost is about $14 to $15. That is the coke iron. I think it is claimed that the charcoal iron costs about $18.

Mr. ALLISON. Iron made from charcoal?

Mr. BROWN. One is made from charcoal, burnt from it, and the other is made of coke burnt from coal. The charcoal iron is worth $2 or $3 a ton more in market than the coke iron is.

Mr. ALLISON. May I ask the Senator what the price of that pig-iron is in the market, at Cincinnati, Louisville, &c.?

Mr. BROWN. I have not the figures before me. I could not give the price exactly now. I am giving about the price of it at the furnace. That is the cost of it there.

Mr. ALLISON. I do not want to go into the question of pig-iron again. We passed upon that question, as I supposed, very thoroughly. In the first place, it was well and carefully considered in the Finance Committee, and that committee reported $6 per ton on pig-iron, and the Senate adopted the report of the committee. So far as the producers in Georgia and Ohio and all the region west of the Alleghanies are concerned, this reduction of 72 cents per ton on pig-iron as compared with the commission's report is a mere feather.

Mr. SHERMAN. It is more than twice the annual net profit of the business in which the producers are engaged.

Mr. ALLISON. Then it only shows that these furnaces are not established at the right places, in Ohio.

The facts are that this Lake Superior iron is almost entirely used up in the State of Ohio and the State of Pennsylvania. The raw ore is sent from the Lake Superior region to Cleveland, it is sent to Wellsville, it is sent to all the interior of Ohio, and it is sent also to Pittsburgh, bearing the railway rate of transportation from Cleveland to Pittsburgh. I will say to the Senator from Ohio that if the reduction of 72 cents per ton is a reduction alone that grows out of the blast-furnaces in Wellsville and other places in the interior of Ohio, the way to do is to reduce the cost of transportation upon the railroads between Cleveland and the points where this iron is smelted.

Mr. BROWN. I ask the honorable Senator from Iowa what he would have it put at per ton, at what cost on the railroad? What would he say is a fair rate per ton?

Mr. ALLISON. I shall not go into the dialectics of railroad transportation.

Mr. BROWN. As the Senator claims there ought to be a reduction, he ought to know what it is now and what would be a fair rate.

Mr. ALLISON. I do not know what it is now and I do not know what it ought to be. I am merely making this statement in response to what the Senator from Ohio says, that we have done a great injustice to the laboring men by lowering the duty 72 cents per ton, when we did it upon deliberation in committee, and I will not say what occurred in committee.

So far as the Senator from Georgia is concerned, he represents a great interior region. The pig-iron of his region does not come into competition with the pig-iron produced in Pennsylvania and elsewhere, unless it is used for the purpose of mixing irons in order to make a good quality of iron. The real trouble about the production of pig-iron is that the ores must go to the cheapest place for reduction, and that place is Pittsburgh, as we all know. Why is it that the iron ore of Lake Superior comes all the way to Pittsburgh?

Mr. MORGAN. I suggest to the Senator from Iowa that pig-iron is made cheaper in Alabama than it is in Pennsylvania.

Mr. ALLISON. That may be if you have coke coal in Alabama. I did not know until the Senator from Georgia stated the fact that coking coal is found there and used in the manufacture of pig-iron.

Mr. MORGAN. If the Senator will allow me, we have got coking coal of the finest quality in Alabama within a range of from three to nine miles from the beds of ore, and limestone between the two.

Mr. BROWN. In that connection I will state further that we have coking coal in Georgia, and that some of the Saint Louis furnaces that have used it say it is equal to the finest Connellsville coal.

Mr. ALLISON. I am glad to hear that. If that be true, then pig-iron can be produced in Georgia as cheaply as it can anywhere else. As I have understood, the reason why the Lake Superior ores go to the interior of Ohio and to Pittsburgh is that they have the best coke there that there is in the United States. These iron ores are taken from Lake Superior to Pittsburgh, why? Because it is cheaper to transport the iron ore to Pittsburgh than it is to transport the coke to where the iron ore is, and the coke of Pittsburgh, as I understand, makes very nearly as good an iron as charcoal does. So it is that the ores from the Iron Mountain, near Saint Louis, go to Pittsburgh to-day. They go by water during the summer and they go by rail during the winter.

These are difficulties in the way of the manufacture of pig-iron. Where these conditions exist, and a superior iron is necessary, as it is necessary in the production of Bessemer steel and other forms of steel, that pig-iron does not come in competition with the lower forms of pig-iron that are imported from abroad and are used almost wholly for these purposes on the seaboard.

I believe that we have reduced the duty on pig-iron as low as we could fairly do it; but I must submit to Senators that if we are ever to get a reduction in the cost of this article we must begin somewhere. The theory of all tariff, as when we put a tariff on wool, is that we must put a compensating duty on woolen materials. We put a tariff upon ore, and then we must raise the duty on pig-iron; and then raise the duty on all forms of iron, the duty on steel and so on. If we want to prevent a multiplication of these high duties we must put low duties upon raw material. That is the reason why I voted against the amendment of the Senator from Georgia when he proposed a duty of a dollar a ton upon iron ore; and I voted for a duty of $6 per ton on pig-iron, not that I expected to turn out all the blast-furnaces in the United States, not that I expected to put out of employment 140,000 people, but because I believed that upon that scale of duty we should fairly and justly protect American labor in the production of pig-iron in this country. But if Senators say that having put the duty on pig-iron at $6 per ton we have the other rates too high, I shall cheerfully vote with them for a reduction.

Mr. BROWN. I will state to the Senator from Iowa that the reason why we make iron cheaper in Georgia and Alabama than it is made in Ohio and some other places is that we have the iron, the coal, the lime, the limestone, and everything that we use in juxtaposition. These are very often found on the same piece of property. In the West you have to haul the ore from Lake Superior, on the lakeshore, and you have to get coke out of the mountains of Pennsylvania, and bring them together, and you have a very heavy cost of transportation. Where we can sit down and have them all together, we can make iron ore one, two, or three dollars a ton lower. But that is no reason why we should not have the advantages that our location gives us in the markets of the world. If you have a place where iron can be made cheaper, there is no reason why you should put down the tariff upon our productions and put it up on somebody else's productions.

The Senator says that this bill was very carefully considered in the committee. So it was; but, as I said before, I do not think it was a fair adjustment of this question. The duty placed upon pig-iron is going to cripple the manufacture very materially, as at present the price is low and the margin very close; but if the pig-iron men can live at that—many will not—then the bar-iron men can live on even less than I am proposing to give them.

Mr. MORRILL. Mr. President, a single word in relation to this matter. I find the Senator from Ohio and the Senator from Georgia very much aggrieved in consequence of the action of the Senate upon pig-iron. The Senator from Georgia states that pig-iron can be made in Georgia for $14 a ton.

Mr. BROWN. Fourteen dollars to $15 was my statement.

Mr. MORRILL. For $14, I understood the Senator to say.

Mr. BROWN. About $14 or $15 from coke, and about $18 from charcoal. I hope the Senator will not misstate me.

Mr. MORRILL. The Senator said $14 a ton, as I recollect.

Mr. BROWN. No; I did not. I was very careful in my statement.

Mr. MORRILL. Six dollars a ton would be 43 per cent. upon the home valuation. Really it seems to me that that ought not to be considered a low duty. At the same time, having no other purpose or feeling than to do justice to all parts of our country, if it shall be shown when the bill comes into the Senate that $6 is too low a rate for the duty on pig-iron, as I thought it was in committee and voted against it in committee, I may say, I shall be ready to rectify it. But the Senator from Georgia and the Senator from Ohio come in here and propose to strike down other interests that employ a larger number of men. It was stated by the Senator from Ohio that it might strike out of employment 140,000 men engaged in the manufacture of pig-iron. Then you might say, if you strike the duty down upon this higher iron, charcoal iron that is made in the country, you are going to strike down another hundred thousand men perhaps.

I am not in favor of any such rates. I am not in favor of any such policy with the expectation that in the end we shall come back and rectify pig-iron, and then go through the whole schedule again and rectify each item by itself in correspondence therewith. If the Senator from Georgia and the Senator from Ohio get these rates down throughout the

bill, I doubt very much whether they will get any of them raised hereafter.

Mr. MORGAN. Mr. President, the Senator from Rhode Island [Mr. ALDRICH] remarked that the iron interests of this country were in charge of the Senator from Ohio and the Senator from Georgia chiefly. I do not know how that happens. My colleague and myself represent a much larger iron interest in this country than either of those Senators.

Mr. ALDRICH. Prospectively.

Mr. MORGAN. No, sir; we represent a larger iron-producing interest now than the Senator from Georgia does, so far as my information goes.

Mr. BROWN. It is true.

Mr. MORGAN. We represent a very much larger prospective interest in iron than Ohio and Georgia put together, according to my conception of it. I do not know that my voice here would be considered as at all potent as a representative of the wishes of any of the iron-owners in my State; and yet they look to me and to my colleague with perfect confidence that we will take care of all their interests justly and, to the extent of our ability, wisely.

I do not know why it is that the Senator from Ohio and the Senator from Georgia are supposed to be more interested in this question than any and every body else. The Senator from Georgia informed us very candidly when the schedule was first taken up that he was interested personally in iron and works of production of iron, but I have no idea that any vote which he will give here will be in the slightest degree affected by that consideration, except that he will be a little more particular and a little more careful in the consideration of those measures which might go to the protection of some industry that he is personally concerned in. I do not know whether the Senator from Ohio has interests of that kind or not.

Mr. SHERMAN. None whatever.

Mr. MORGAN. I supposed not.

Mr. BROWN. If the Senator from Alabama will pardon me, let me ask him if there is a Senator on this floor who is not interested in something affected by the tariff bill?

Mr. MORGAN. Clearly so. I am slightly interested in the duty on sugar. I think that is as far as I am interested.

Mr. COCKRELL. I for one am not interested in any article in the whole tariff.

Mr. BROWN. Not in clothes and hats and boots and shoes, or farming utensils?

Mr. COCKRELL. As a consumer, but not as a producer, I mean.

Mr. MORGAN. I have no doubt that the interests of the tariff protectionists on iron are somewhat clogged by the fact that my friend from Georgia is interested, because it makes him more careful and more particular in his votes. Having this sort of interest and coming from a State that largely produces iron, I listened with attention and with interest to his proposition to make a very slight modification of the tariff rates upon iron of the descriptions we are now considering, because I think that he is influenced by a just and equitable spirit toward all the different industries in the South and elsewhere through the United States. He understands this subject thoroughly well, far better, I have no doubt, than I do, because he has the advantage of practical experience, while mine is only that of an observer, and sometimes a merely casual observer.

I regard the tax of $6 a ton upon pig-iron as a bounty given by the Government of the United States, so far as it relates to the people of Alabama, for putting their capital and their employment in that kind of business in preference to putting it in cotton, sugar, corn, or other descriptions of agricultural production. We call it protection and we call it duty, and all that, but it is simply and truly a bounty paid to the people of my State who engage in this description of industry and enterprise for putting their money and their capital in it.

It is said that they desire also by giving this bounty to the owners of the ore-beds and the manufacturers of iron to diversify labor and to increase the wages of the American laborer. That is a good thing to do, provided somebody else does not have to pay for it at unnecessarily high rates. I would be very glad, indeed, to accommodate the people of Leadville and all through Colorado and Nevada by giving them a bounty on the digging out of the valuable ores of gold and silver and lead and copper and other metals which they have brought into the currency of this country, and with which they have relieved us in times of extreme distress; but they have not called for it. What they dig out of the ground we coin into metals and money, and it passes current for its own value, and they have not asked us for any contribution or bounty to them for supplying us in times of necessity with the enormous amount of money they have been annually pouring into our Treasury. They deserve encouragement, and the American laborers who are concerned are deserving of encouragement also; but they have been getting such fine wages that I suppose they do not claim it. We have not claimed anything in Alabama for the cotton-planter who makes a contribution of about $300,000,000 a year to the active commerce of this country. We claim no allowance of bounty to him. The bounty is claimed only in Alabama for those who produce iron. I am persuaded that $6 a ton is a high enough bounty for the rest of the people of the United States to pay, and I do not want any more.

I do not want them to stimulate the iron interests of Alabama so that they will absorb all the labor of that country. We are obliged to have something to live upon; some grain, and provisions of different kinds. We are obliged to have cotton; we must have a little sugar and sirup, and fruits and the like. If you put up the price of labor in the iron manufacturing districts in my State, so that a man can earn a dollar and a half a day there, when a man can only earn from 50 to 75 cents on a farm, I shall expect the same thing to occur there that has occurred in Massachusetts, as I am informed by some of their intelligent farmers; I shall expect to see the farms go to ruin; the land depreciate in value, and all the interests of the country concentrate in the manufacturing industries, all the labor be drawn to them.

I do not know a worse condition that could befall the people of the State of Alabama in respect to their actual material prosperity than to have a gold mine discovered there which would yield millions of dollars a year, and in consequence of it, to withdraw the labor from agricultural pursuits. I have seen that done in a small way. We have one gold mine in Alabama, at Arbacoochee, in the metamorphic region, in the eastern part of the State, which twenty-five or thirty years ago was opened, and did yield about a million dollars of gold from placer diggings. The result was that the whole surrounding country was destroyed in respect to agriculture; men left their homes and flocked to the gold mines; caught very severe colds, fevers, &c., by exposing themselves to dampness, and wading about through the branches and streams washing gold out with long-toms, and things of that kind, and the whole agricultural interest of that region went down, because the labor was withdrawn from it.

I consider that $6 a ton on pig-iron manufactured in my State is a sufficient stimulus to that industry, and that the people of my part of the country can not afford to have a larger stimulus than that given to that special industry; it would ruin the rest of the business of the country, and have the effect to destroy the real commercial prosperity of that people. Six dollars a ton is enough. That is about one-half the money that it costs to make a ton of iron at Birmingham, Alabama. As I had the honor of saying to the Senate the other day, I have been informed by some of the leading manufacturers there that when the prices of labor and the prices of provisions were normal, they have made good iron out of coke at Birmingham at $9 a ton. Put it at $12, or take it at $13; the prices as they are just at this time are not normal, there is a little disturbance in the provision markets by corners and matters of that kind, and there is a good deal of competition down there also for labor. In consequence of that the prices for labor have gone up a little, and perhaps $13 a ton now is about the price at which the average of the best grades of coke-iron are made at Birmingham.

The reason why they can make it so low has been frequently stated. It can not possibly be stated too strongly, I think. There is an iron mountain that is sixty or seventy miles long, where you can dig the finest ores, as pure as any that they have, from the surface; and lying along in a parallel range are the coal fields, which are only about five or seven or nine miles away, yielding a vast quantity, an illimitable quantity of the very best coking coals in the United States, and then the intermediate ground is occupied by limestone valleys, with plenty of fresh water, and besides that splendid forests of timber. These facilities drawn together enable them to make iron very cheap there, and 50 cents a ton on pig metal is a sufficient stimulus to that industry in that part of the country. It is as much as the industry deserves and it is as much as the rest of the industries in that part of the country can bear. We do not want an industry down there that will draw from our surrounding fields and our magnificent forests all the labor of the land. Our prosperity has been based upon agriculture, and if we consent to let it stand there, making the arts and industries a handmaid to agriculture, we shall have a wonderful and a permanent prosperity; but if we stimulate these outside enterprises, these industrial exploits, to the degree of breaking down our agricultural interests, we shall find ourselves very soon with too much sail and too little ballast ever to make the port of prosperity in safety; we shall not do it.

I think that you have done quite sufficient favor in putting upon our iron ore 50 cents a ton and on pig-iron $6 per ton. The interest does not ask any more, and I will venture to say that I represent in this statement and in this request the intelligent opinion of the iron-masters in that section of the country.

If the people in Ohio and the people in Pennsylvania can not afford to make iron of the same quality that we do, for less than $17 or $18 a ton, instead of asking the rest of the agricultural world and the industrial world to come in and contribute a bonus to enable them to do so, let them pull up their plants in that part of the country and do like Mr. Thomas of Pennsylvania has done and as his sons are doing, come down into Alabama and make iron where Providence will enable you to do it at a very much cheaper rate than you are doing, where you may get control of the markets not of the United States only but of the entire world, and where you can be of service to this generation and time without the necessity of coming here to ask for bounties from other people. Take our example, come to our country, help us to make iron, and we will make it so cheap and so good with your assistance and your capital that you will not hereafter desire any assistance from the Congress of the United States in the development of this industry.

How is it now about the coke in that country? Mr. Collyer, who is largely interested in the iron manufacture at Sewanee, in Tennessee, informed me that formerly he obtained from Connellsville, in Pennsylvania, the coke for making his iron in Tennessee and he hauled it down by rail. As he had large coal-fields immediately adjacent to the iron-fields and the iron-works, I asked him why he did that. He said because his coals did not coke sufficiently well; that after they were coked there was a trace of sulphur in them which made the iron perhaps cold-short or hot-short, I can not quite say which. But after experimenting upon other descriptions of coke obtained from other places, he changed his market, and from buying coke and bringing it from Connellsville in Pennsylvania, he brought it from Birmingham in Alabama. "Why did you do that?" I asked Mr. Collyer. "Because," he said, "I can get a better coke for less money and do not have to pay so much for transportation," showing that the actual experience of the country is developing rapidly the fact that we have the highest degree of facility there for making iron.

If there is a people in the world who ought to be in favor of protection according to the modern ideas of a protective tariff, it ought to be these people in Alabama. They ought to say, "We own the lands, we own the coal-fields, we own the limestone quarries, we own the railroads which connect this coke we have got with the iron-beds; now we will avail ourselves of the highest tariff that can possibly be put upon this product, because we will add that to our local and material advantages in the manufacture of iron, and we will take the markets out of the hands of the rest of the people of this country." That is what we should say.

Mr. BROWN. If the Senator will excuse me one minute, I think he has got the thing a little tangled about Colonel Collyer. He is not the president of the very large works continued at Sewanee. The largest manufacturers of coke in the Southern States are the Sewanee people. They have three large furnaces in blast and they make their own coke, and probably a little to spare. I think they make a great deal more coke than is made at Birmingham, and I think they get very little from Birmingham.

Mr. MORGAN. I did not say that Colonel Collyer was president of those works. I said he was largely interested in them, and that being so, he informed me during the last autumn of these facts, and that they were bringing their coke from Birmingham. But the Senator informs me that the Sewanee company are making coke out of their own coal. So much the better; I am glad that they have got an opportunity now of getting rid of the burden imposed upon them of shipping their coke from Birmingham to Sewanee.

Mr. BROWN. They had a great many kilns in blast before they ever built a furnace at all and sold coke too wherever they found a market.

Mr. MORGAN. Then there is only another plant like that of Birmingham, and it shows the capability of that country for the enormous production of iron. I will say further, that there is some great mistake, particularly on the part of Mr. Oliver in his supposition that the irons of that part of the country are cold-short. It is a great mistake.

Take the irons from that country and carry them to Chicago, to Cleveland, to Cincinnati, to Saint Louis, and to Pittsburgh, and there you mix them with other iron and manufacture them into car-wheels. It is not likely they are very cold-short; it is not very likely they are highly phosphoretic when that occurs. Railroad men do not use car-wheels made out of iron saturated in any considerable degree with phosphorus.

We have practically no home market for our iron. There is scarcely a pot or kettle made in Alabama, I am sorry to say, though the resources are so great that iron furnaces are going up day by day. In traveling over my own State I am utterly astonished, when I have an opportunity to revisit it between the sessions of Congress, to find the enormous amount of capital and enterprise that is in active operation in those beautiful fields of industry in the South. They are doing it now under the existing tariff. They are not here with a single petition asking you to raise the rate on iron. They do not join in this clamor from Rhode Island and from Ohio for a high protective duty upon iron.

Mr. ALDRICH. Will the Senator allow me to interrupt him?

Mr. MORGAN. Yes, sir.

Mr. ALDRICH. In order that we may not understate or underrate the importance of Alabama as an iron-producing country, I ask him to allow me to read from the census reports.

Mr. MORGAN. Certainly.

Mr. ALDRICH. Of the 3,781,021 tons of iron ore produced in the United States in 1880, Alabama produced 62,336 tons, or about 1½ per cent. of the whole amount produced in the country. Of the product of the rolling-mills of this country, being 2,353,248 tons, Alabama produced 650 tons, or about a quarter of 1 per cent. of the whole amount produced in this country.

Mr. MORGAN. If the reputation of that census throughout the world depended upon that statement it would be condemned as a false witness bearing false testimony against its neighbors; the Ten Commandments would wipe that out. The man who wrote that statement did not know what he was talking about and did not care whether he did or not. There are boys in Alabama who could give better information to the Government about the situation of the actual producing interests of that State than that statement.

Mr. ALDRICH. This is copied from the official report of the census.

Mr. MORGAN. I know it is. I have seen that before, and I have looked with amazement and astonishment upon it as the most reckless misrepresentation of facts that has ever been made in a census report.

Mr. MILLER, of New York. The census report is for the year 1879. If I understand the situation in Alabama she has made greater progress in the past three years than perhaps for twenty-five years before, so that the statement might have been correct then when it is not at all correct now.

Mr. MORGAN. It is not one-third of what existed in 1879. I know the furnaces there. I have been to them; I do not say that I have been to all of them, for the reason that furnaces are built in Alabama after I leave there and before I get back, and I find large establishments that were not in operation when I get back to the State after being here for a month or two or three or four months sitting in Congress.

Mr. President, I object to having it said that my colleague and myself have got no authority to represent an iron interest in the South. I assure the Senators on both sides of this Chamber, and this entire country, that we, in common with the Senators from Missouri and the Senators from Askansas, have large iron interests to take care of, but we are not here pleading for bounties upon them. We feel that Providence has been bounteous to us; and while we are willing to let live in all parts of this country, we take our own industries and we say in respect of them, let them bear their just share of the burden of revenue and after that has been done to take the protection that you may give here and we are content with it.

We get no protection upon our cotton, yet there is a little cotton imported from India and manufactured here. We get protection upon a little patch down there of sugar-cane, about comparing in size with the rest of the United States to one of the quilt pieces on an old lady's bed-cover. I do not consider that we ought to put ourselves in any condition of extraordinary excitement on that account, either to keep it or get rid of it, but we are fairly willing that the burden of the revenue of this country shall come upon the shoulders of our people with justice and equality. We consider, as I said before to the Senate, first the question of revenue. I believe that the reduction the Senator from Georgia proposes upon this description of iron will increase the revenue and lower the price, and I know it will not injure the large industries of the South, which I have the honor in part to represent.

The PRESIDING OFFICER (Mr. VOORHEES in the chair). The question is on the amendment of the Senator from Georgia [Mr. BROWN], in line 535, to strike out "1 cent per pound" and insert "$20 per ton."

Mr. MORRILL. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered; and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. ROLLINS (when Mr. PENDLETON'S name was called). The Senator from Ohio [Mr. PENDLETON] is paired with the Senator from New Jersey [Mr. SEWELL] on this question.

Mr. ROLLINS (when Mr. PLUMB'S name was called). The Senator from Kansas [Mr. PLUMB] is paired with the Senator from Missouri [Mr. VEST].

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY.] If he were present, I should vote "yea."

The roll-call having been concluded, the result was announced—yeas 30, nays 24; as follows:

YEAS—30.

Barrow,	Farley,	Johnston,	Slater,
Bayard,	George,	Kellogg,	Vance,
Beck,	Gorman,	Lamar,	Van Wyck,
Butler,	Groome,	Maxey,	Voorhees,
Call,	Grover,	Morgan,	Walker,
Camden,	Hampton,	Pugh,	Williams.
Cockrell,	Harris,	Ransom,	
Coke,	Jackson,	Sherman,	

NAYS—24.

Aldrich,	Chilcott,	Hawley,	Miller of N. Y.,
Allison,	Conger,	Hill,	Mitchell,
Anthony,	Dawes,	Hoar,	Morrill,
Blair,	Frye,	Logan,	Platt,
Cameron of Pa.,	Hale,	McDill,	Rollins.
Cameron of Wis.,	Harrison,	McMillan,	Sawyer.

ABSENT—22.

Brown,	Garland,	McPherson,	Saunders.
Davis of Ill.,	Ingalls,	Mahone,	Sewell,
Davis of W. Va.,	Jonas,	Miller of Cal.,	Vest,
Edmunds,	Jones of Florida,	Pendleton,	Windom.
Fair,	Jones of Nevada,	Plumb,	
Ferry,	Lapham,	Saulsbury,	

So the amendment was agreed to.

Mr. KELLOGG. I desire to offer an amendment——

Mr. BECK. There is an amendment of the Senator from Georgia still pending.

Mr. KELLOGG. I desire to offer an amendment to the pending bill and ask that it be printed.

The PRESIDING OFFICER. The proposed amendment will be received and ordered to be printed. The question now is on the motion of the Senator from Vermont [Mr. MORRILL], to strike out, in line 540, "two-tenths" and insert "one-tenth;" so as to read "1 cent and one-tenth of 1 cent per pound." The Senator from Georgia [Mr. BROWN] proposes an amendment to make the rate $22 per ton. The question is first on the amendment of the Senator from Vermont.

Mr. MORRILL. I shall not contest the amendment of the Senator from Georgia. The Senate having decided to reduce these others and to change the form and method of imposing the duties, I shall no longer contest the point.

The PRESIDING OFFICER. The amendment of the Senator from Vermont is withdrawn. The question is on the amendment of the Senator from Georgia [Mr. BROWN].

The amendment was agreed to.

The Acting Secretary read the proviso from line 541 to line 546, inclusive, as follows:

Provided, That all iron in slabs, blooms, loops, or other forms less finished than iron in bars, and more advanced than pig-iron, except castings, shall be rated as iron in bars, and pay a duty accordingly; and none of the above iron shall pay a less rate of duty than 35 per cent. ad valorem.

Mr. BECK. I move to amend that paragraph by adding:

And provided further, That no rate of duty higher than 50 per cent. ad valorem shall be levied or collected on any of the articles provided for in any of the paragraphs of this schedule, any provision or rate of duty, whether specific or otherwise, to the contrary notwithstanding.

Mr. BAYARD. I ask the Senator from Kentucky to withhold that amendment or withdraw it for a moment. The schedule from line 547 to line 549 provides:

Iron or steel T-rails, weighing not over twenty-five pounds to the yard, and iron or steel flat rails, punched, nine-tenths of 1 cent per pound.

It seems to me these rails should bear a proportionate duty to that which has been fixed at lines 525 and 526 on "iron railway bars weighing not more than twenty-five pounds to the yard, seven-tenths of 1 cent per pound," equivalent to a tax of $15.68 per ton; and therefore I move, on line 548, that the word "nine-tenths" be stricken out and "seven-tenths" be substituted, so that they shall have precisely the same proportion.

The PRESIDING OFFICER. The Chair would inform the Senator from Delaware that the Secretary has not read beyond line 546, and at the end of that line the Senator from Kentucky offers his amendment.

Mr. BAYARD. My suggestion is simply this: The amendment of the Senator from Kentucky is, I believe, in some degree inconsistent with parts of the schedule as fixed. For instance, the tax as fixed by the Senate upon pig-iron is $6 a ton. I believe that to-day, according to commercial values, that is about 60 per cent. ad valorem as a tax. The Senator from Kentucky proposes to make a maximum duty of 50 per cent. It is unshipping, so to speak, the provisions of the bill heretofore agreed upon.

The very basis of all iron is the first stage of the pig. If you fix the rate on that at 60 per cent. ad valorem, according to any theory or principle that protection should proceed upon the greater the amount of labor expended upon the crude material, so proportionately the duty should advance with it. That is the theory of protection as I understand it. Now, if you fix the duty upon the crude material, the first process, at 60 per cent., how can you consistently affix a duty of 50 per cent. upon the more advanced stage of manufacture? I therefore suggest to my friend from Kentucky whether there should not be some exceptional words to qualify the amendment which he proposes, and the words should be, I submit, "except as herein otherwise provided." I would agree on already enumerated matters that the average of the tariff duties might be applied to unknown or overlooked articles; but where you have deliberately taken what may be called the basis of rates of the taxation for an article in its first form from raw material you certainly should not lower your successive taxes beyond that amount. If there is to be anything like a principle in laying duties under this tariff law, I understand it to be this: Wherever the competition is direct between the labor of American workingmen and the labor of those who are not Americans, we propose to discriminate in favor of our own people. That is a tariff for revenue with incidental protection.

If, therefore, you gauge the basis of a manufacture, which in this present schedule is pig-iron, and put upon it an ad valorem duty or a duty which is equivalent to an ad valorem of 60 per cent., it strikes me that as you advance in labor so there should be a further advance in the rate. Having put upon the crudest form of this metallic production that duty of 60 per cent., I submit it is not consistent with that principle or theory to go back from 60 to 50 per cent. from that which may be more advanced in the stage of manufacture.

Mr. BECK. Allow me to make a suggestion to the Senator from Delaware. We have not under any rates put the tariff taxation on pig-iron above 38 per cent.

Mr. BAYARD. That is a question of fact, and we might as well meet it right away.

Mr. BECK. If it costs $18, $6 is 33 per cent.

Mr. BAYARD. But it does not cost $18.

Mr. BECK. If it costs $14, which is the lowest, $6 is less than 40 per cent.

Mr. BAYARD. The cost is much less than that, upon which you lay your tax.

Mr. BECK. I beg pardon.

Mr. BAYARD. Let us see, for that is a question of fact. I find that pig-iron can be produced in Alabama, and is to-day, at $13 a ton, and that the Pennsylvania statement is about $19 to $20. That is Mr. Oliver's statement, about $19 to $20 a ton. But the taxes you lay are not laid with relation to the American cost of production; the taxes are not calculated upon the American article; we are taxing foreign products, and the question is, what does a ton of pig-iron cost in Liverpool on shipboard? Will any man tell me that you can not place a ton of pig-iron on board at Liverpool for less than $12?

Mr. BECK. You can not.

Mr. BAYARD. I know you can; and if you can place it on board at less than $12 and impose a duty of $6 on that, what is the relation of 6 to 12 or 6 to less than 12? It will be found, I apprehend, to be nearer 60 than 50 per cent.

I only make this remark, not for the purpose of preventing any fair and reasonable adjustment of this, but that we should proceed upon the same principle that we have acted on. The principle that I wish to see recognized is this, that where you shall put the American workman in competition with the foreign competitor he shall have the advantage that our revenue laws can give him.

Mr. BECK. I moved the amendment, believing that 50 per cent. is the highest rate that ought to be allowed as a matter of protection, and certainly far above the revenue point; and as the commission and the committee, although they had provided largely for specific duties and specifics based on ad valorems and changes of classification and many other things, had made a proviso that "none of the above iron shall pay a less rate of duty than 35 per cent. ad valorem," thereby abandoning all their own provisions as to specific rates and as to compound rates if the specifics or the compounds based on ad valorems fell below 35 per cent., I thought this would be a proper addendum. They abandon their specific duties and compound duties, notwithstanding the provisions of their own bill, and provide that the article shall pay 35 per cent. anyhow. If they are going to put in a minimum, then I say that there ought to be a maximum, that they shall not by any contrivance put up their specific rates to a maximum that is prohibitory, because there must be a limit to protection somewhere.

This country does not propose, merely to make somebody rich, to prohibit all the world from sending their goods here and prohibit the men who are to sell their goods in the open markets of the world from buying at any price what they may need. Prohibition is not protection to workmen. Fifty per cent. may be too low, but I do not think it is. If these gentlemen will strike out their provision of 35 per cent. ad valorem, strike out this paragraph, then I am willing to withdraw my amendment too; but if they are going to upset all their own theories of specific duties and say that whenever those they have fixed are less than 35 per cent. ad valorem they shall all be set aside and 35 per cent. be paid anyhow, then there ought to be a maximum, so that when the duties exceed 50 per cent. they shall then be set aside; or if 50 per cent. is not enough, let somebody say what protection is needed. I think 50 per cent. is as high as any man will rise on the floor of the Senate and say that anybody will venture to ask protection. From 1846 to 1860 the average was first 20 per cent. and then 18; and during that period the manufacturing establishments of this country increased more largely in proportion than they have in the last decade. Now, since it is made a part of this bill to say that there shall be a minimum, there ought to be a maximum. I believe this proviso should be stricken out altogether; but I seek to perfect it first, and failing in that, I shall move to strike it out altogether. It is merely one of those things put in to catch something and set aside their own specifics.

Mr. BAYARD. It is perfectly well understood that the iron schedule has been most carefully and most dexterously arranged by those who understand the whole question of iron duties and iron manufacture; and in many cases where apparently a diminution of duty has taken place it in reality turns out that there has been an advance. Aware of that fact, the Committee on Finance have not adopted the schedule of the Tariff Commission. I do not wish to speak unkindly or disrespectfully of anybody, but I think it may be moderately stated that the proposition of the Tariff Commission in regard to the proposed alleged reduction of duties on this schedule was something of a delusion and a snare, and the Senate Finance Committee have not followed that. Therefore if the proposition of the Senator from Kentucky should prevent any of these arrangements for really advancing duties under the color of reducing them I think there would be great merit in what he has proposed; but there is between us an evident misapprehension of fact which I think can be relieved by a reference to the prices current.

I have said that the duty proposed now by the Senate upon pig-iron is equivalent to about 60 per cent. ad valorem; that is to say, $6 per ton specific is about equivalent to 60 per cent. ad valorem. Am I right or not in that? Let us look. I hold in my hand the Economist of

Saturday, January 6, 1883, the Weekly Commercial Times of London. I find here the quotation of Scotch pig-iron for cash 48 shillings and 10 pence. I think my friend from Vermont will state the fact that Scotch pig-iron is worth about $2 more than the common English pig-iron.

Mr. MORRILL. The quoted price in New York is about $5 more than of the other iron.

Mr. BAYARD. Five dollars more. Let us take that.

Mr. BECK. Bessemer-steel pig is 55 shillings.

Mr. BAYARD. But Bessemer pig is more expensive. It is a question of mutual information. The price quoted in Liverpool as well as in New York is about $5 a ton less for the English pig than for the Scotch pig. I have made the calculation at 48 shillings a ton, being about $11.62 per ton. Take from that $5, and you have about $6.62 per ton. This is on the basis of the price in Liverpool; but call it $10 a ton on board for common English pig-iron, what is the ratio between $6 and $10 but 60 per cent. These are the figures, and I do not think there can be a mistake in them.

Mr. BROWN. Will the Senator allow me a moment?

Mr. BAYARD. Certainly.

Mr. BROWN. If you get the pig in Great Britain, you run up the cost of bar here to the point you are stating.

Mr. BAYARD. No; I am not talking of the duty on bar-iron.

Mr. BECK. I took the basis of 55 shillings a ton.

Mr. BAYARD. Scotch pig, which is much more expensive than the ordinary English pig, is worth 48 shillings and 10 pence.

Mr. BECK. I supposed Bessemer pig was the same, and that is put at 55 shillings.

Mr. BROWN. What is Bessemer pig? Only pig made out of ore that has less phosphorus.

Mr. BAYARD. I think that comes in competition with blooms rather than with pig. It is a second stage of progress, and that is put at six-tenths of a cent a pound, which is $13.44 a ton. I think I am right in saying that the duty upon what may be called the crude material is on pig-iron; it is the first process advanced from the ore itself, and the tax fixed upon that is, I think my friend from Kentucky is now satisfied, 60 per cent. ad valorem. Now, starting upon that basis, on the principle which is that the more labor you add you are to have a proportionate increase of duty, I say there is an inconsistency in a proposition which shall limit the rate of duty 50 per cent. when already you have fixed one at 60. The duty on steel rails as now fixed is nearer 80 per cent. than 60. As I understand it, I can buy in Canada to-day Bessemer-steel rails for from $25 to $26 a ton, and the duty which is proposed to be put upon them is $17.16 a ton. That is about from 65 to 70 per cent. ad valorem.

Mr. BECK. Let me ask the Senator from Delaware, when we have provided for specifics so carefully for those articles which fall under 35 per cent., why should they all be set aside and men be made to pay 35 per cent. any how?

Mr. BAYARD. I am not in favor of that provision.

Mr. BECK. If you make a minimum and say it shall not be less than 35 per cent., why is it not fair to say there shall be a maximum not exceeding 50 per cent? Why not do that, or strike the provision out altogether? That is what I want to get at. I want it to work both ways if it is to operate at all.

Mr. BAYARD. If my friend will offer an amendment to strike out the proviso, I shall vote with him.

Mr. BECK. Very well; I will withdraw this for the time being and offer it at the close of the schedule, unless it works satisfactorily. I withdraw the amendment for the time being. It will come in more properly perhaps at the close of the schedule.

Mr. PUGH. Since I have been a member of the body I have consumed very little time of the Senate in speech making. I have never addressed the Senate upon the great economic question of tariff reform, and I proposed to do so upon the present occasion. The amendment of my friend, the Senator from Kentucky, has more general operation than any that is likely to be offered to the bill, and I regret that he has withdrawn it, because it presented the best opportunity that I could have of addressing the Senate upon the bill, and upon the general subject of taxation.

Mr. BECK. I hope the Senator from Alabama will submit his views now, because as this proviso has a limited operation I propose to offer the proposition again at the close of this schedule. I hope he will proceed to give his views.

Mr. PUGH. Mr. President, during the discussion of the bill reported by the Committee on Finance I have heard no importance whatever attached to the constitutional power the Senate is exercising in framing the proposed tariff laws except by the Senator from Texas [Mr. MAXEY]. And if I were left to what has been said by Senators in this debate to inform myself what were the objects of the bill before the Senate, I could arrive at no other conclusion than that they amounted primarily and mainly to the protection of American manufactures. The questions discussed as they arise on each article, so far as they have been reached in the bill, relate solely to the degree of protection each Senator is able to secure to the industries in his State affected by the bill. It is a scramble for the spoils of taxation without reference to the constitutional objects of the taxing power. The only power Congress has to pass the bill now before the Senate is granted in the eighth section of the Constitution, in these words:

> The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

All the power to tax is expressly delegated to pay the debts of the United States. The power to contract debts and bind the Government to pay them is granted to Congress to provide for the common defense and general welfare, as these results can not be accomplished without means. All the powers delegated in the Constitution to each department of the Government and every officer thereof are granted by the States for the common defense and general welfare of the United States. The preamble to the Constitution declares that it is ordained and established "in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These recitals in the Constitution which define the objects of its adoption by the States are constantly referred to as delegations and sources of Congressional power to pass any law that a majority of the two Houses, in their discretion, may decide to be necessary to provide for the common defense and general welfare. Congress is the law-making power within the scope of the Constitution. The judiciary decides whether the acts of Congress are within the grants of power, and the executive department is charged with the power and duty of executing the law. All these departments act under express limitations of their power. The highest court in the land has decided that the only power Congress has to levy and collect taxes is a revenue power. Chief-Justice Marshall characterized "the power to tax as the power to destroy." And the Supreme Court, in the case of The Loan Association *vs.* Topeka, 20 Wallace, p. 655, after concurring in this statement of its greatest Chief-Justice, adds that "the power to tax is the strongest, the most pervading of all the powers of government, reaching directly or indirectly to all classes of the people." "And that of all the powers conferred upon government that of taxation is most liable to abuse."

The most important limitation upon the power of a government to tax is conspicuously emphasized in this case by Justice Miller, a Republican in politics, speaking for a majority of the court, and it should be kept in full view by law-makers when exercising the dangerous power of taxation. The limitation is that taxes can only be imposed for a "public purpose." The court says "taxes levied for any other use is not taxation." That "it is none the less robbery, because it is done under the forms of law and is called taxation." "Beyond cavil," says the Court, "there can be no lawful tax which is not laid for a public purpose."

The important question is, what is a "public purpose?"

In the supreme courts of Pennsylvania, New York, Iowa, and Wisconsin, in cases cited approvingly by Justice Miller, it is decided that "the common mind has everywhere taken in the understanding that taxes are imposed for a public purpose when levied by authority of the Government for the purpose of carrying on the Government in all its machinery and operations." Justice Miller inquires, "What objects or purposes are considered necessary to the support and for the proper use of the Government?" He answers that "if it be said that a benefit results to the local public of a town by establishing manufactures, the same may be said of any other business or pursuit which employs capital or labor." "The merchant, the mechanic, the inn-keeper, the banker, the builder, the steamboat-owner, are equally promoters of the public good and equally deserving of the aid of the citizens by forced contributions." "No line can be drawn in favor of the manufacturer which would not open the coffers of the public treasury to the importunities of two-thirds of the business men in the city and town."

This is the language of the most august judicial tribunal in the world, proclaiming the invaluable truth that the protection of American manufactures is not a "public object" in the meaning of the power of Congress to levy taxes for revenue, and hence that the taxing power can not be exercised primarily for their protection. The raising of revenue to pay the debts of the United States contracted for "the support and proper use of the Government" in carrying on "all its machinery and operations" is certainly the only "public object" within the meaning of the Constitution.

But there is another absolute and unqualified limitation upon the taxing power of Congress, and that is, it can only be exercised to raise the amount of revenue needed for the necessary and proper uses of the Government in carrying on "all its machinery and operations."

Then, the first duty of Congress when called on to enact tariff laws is to ascertain what amount of money is needed by the Government. This information is generally furnished in the estimates of the heads of Departments in their reports to Congress through the President.

For the present and the next two or three years the amount of revenue needed will be exceptionally large, to meet the increase occasioned by the claims of pensioners upon the Government. In round numbers it will average about $340,000,000 per annum to be raised from all sources.

It is a heavy burden to be borne by the people.

Having decided upon the amount the next inquiry is, How shall it be levied and collected? By a direct tax, collected by internal-revenue

officers, or by a tariff upon importations, collected through custom-houses and their officers? These two modes of taxation are demanding examination and settlement.

It makes no difference in money to the consumer whether the tax he pays for the support of his Government is called a direct or an indirect tax. The mode of collecting a direct tax in practice is more annoying, and gives rise to more abuses and crimes; but these evils do not exist in the laws, they come from their wrongful execution. I am satisfied that nothing the people consume has less merit in the claim to exemption from taxation than whisky and tobacco. There is no tax imposed upon consumers that is more willingly paid than the tax on whisky and tobacco. They are classed as luxuries, their consumption is purely voluntary, and I have no doubt the demand for the repeal of the law taxing these articles comes mainly from those who are interested in adding largely to the amount of revenue that would have to be raised by a higher tariff on importations to afford more protection to American manufacturers. I am in favor of reducing the tax on tobacco to 10 cents per pound, but on distilled spirits I would regulate the duty by their capacity to produce the highest amount of revenue.

I can not believe there is any consumer of whisky and tobacco who knows he must pay his share of the revenue to support his Government that would prefer all the tax he pays to be put on his clothing, shoes, blankets, iron, steel, and farming implements he must purchase, rather than let his whisky and tobacco, which it would be better for him not to use, bear a part of his burden of taxation. As to the objectionable machinery now in use for the collection of the internal tax, there can be changes and improvements made by the use of revenue stamps and levying the tax on the capacity of the still, thereby dispensing with so many partisan tax-gatherers.

Deducting the internal revenue from the amount of money needed by the Government gives us the sum to be raised by tariff duties on importations. The consumers of the imported articles taxed make up the American population engaged in the four great industrial pursuits in this country. Agriculture, manufacturing, and mining are the three great productive industries, and the fourth—commerce—is made up of the transportation and trade in those articles produced by all the other industries. These great industries go into the common market, where they meet consumers in open and fair competition. When these four industries are left to their normal condition they are mutual helps and contribute largely to each other's success. In open market, with unrestrained and equal competition, prices are necessarily regulated by demand and supply, and upon such prices depend the profits and success of each of the great American industries. But in this open field, where consumers meet these four industries for a fair contest, the Government of all the parties to this contest makes its appearance and demands so much money for its necessary support.

Agriculture, with three-fifths of the whole number of our industrial population, responds that the amount demanded is a burden for "a public purpose" that should be imposed upon all alike and borne by all alike, as it is necessary for the equal benefit of all American citizens and consumers. Manufacturing and mining, largely in the minority in number, object to an equal distribution of the burden, and claim that the power of the Government to impose it by taxation shall be exercised so as to secure them the possession of American markets and the control of American prices for their manufactures.

The consumers answer, that we all admit the importance of encouraging American manufactures to the extent that it can be made successful and self-sustaining; that we all recognize the inestimable benefits that inure largely to the other American industries. But no political economist who has favored the policy of protection ever recognized the right of any manufacturing industry to demand protection except upon a well-grounded assurance that it could be thereby ultimately made self-sustaining against foreign competition. The whole argument in favor of protection is that if the industry is helped in its infancy and weakness it will reimburse those who contribute to its support and maintenance when it gets strong enough to be self-sustaining.

The only demand I have heard in this debate for the help of protection was that the laborers employed in manufacturing industries should have enough increased price for their labor from tariff duties to insure them a comfortable support for themselves and families according to American ideas of comfort and respectability in society. If the security of the independence of the American laborer against competition with the pauper laborer of Europe is the controlling reason for protective duties, tell me when this reason is to cease? How long shall this bounty to American manufacturers continue on the plea that their operatives may be able to secure through their employers wages high enough to insure American comfort and respectability?

It is very certain that the existing conditions operating upon the relations of American and European operatives in manufacturing are likely to continue, and can never be changed so as to make the American operative no longer the scapegoat of protected manufacturers. It will always be in the power of the capitalist manufacturer to keep the wages of his operatives at the rate necessary to enable him to enforce his demand for protection in the name of the laborer. He will always be able to make a continuing predicate for protection out of the necessities of the laborer. If there was any honesty in the demand for protection to insure a decent living to the operatives, it could be easily satisfied.

How can this be done and keep ourselves within the range of the Constitution? The Supreme Court in the case cited admits that protection can be made to result as an incident to the exercise of the taxing power. What is a tax levied for revenue only? It is the lowest rate of duty that will produce the largest amount of revenue. What is the lowest or the highest rate that will raise the greatest amount of revenue very few Senators are able to decide on their personal knowledge. We must admit our dependence on facts and figures to be obtained from the operation of former tariff laws and from those persons whose experience and opportunities in their business pursuits enable them to acquire and furnish reliable information on these subjects.

When we obtain the necessary information the important question arises, shall we, as law-makers, levy on each article imported the lowest or the highest rate of duty that will produce the greatest amount of revenues?

The protection afforded by the lowest rate of duty that will produce the largest amount of revenue is an inevitable and unavoidable incident, and therefore not expressly intended by the law-maker, except that he is presumed to intend the natural consequence of his own act. The rate of duty may be raised higher than the lowest point without interfering with the amount of revenue it will produce. For the purpose of affording protection as an incident of a duty levied primarily for revenue, what is the difference between the lowest and the highest rate of duty that will produce the same amount of revenue? The practical difference, of course, is in the greater degree of protection resulting from the increased price caused by the higher duty. The important question is, shall Congress levy the lowest duty that will produce the same amount of revenue as the higher rate without reference to the degree of protection the duty affords? In deciding this question, we enter the field where Democrats meet each other on what I consider mere definitions of distinctions, which amount to nothing in principle or substance.

Here we also encounter unavoidably the doctrine of discrimination in the exercise of the power to tax for revenue only. The right and duty of Congress to discriminate between the articles imported in selecting those to be taxed are founded on public considerations of justice, humanity, and patriotism. No Senator, whatever may be his opinions as to the objects of tariff laws, whether they should be for the single purpose of raising revenue or for the double purpose of raising revenue and also affording incidental protection to American industries, will close his eyes to the effect the duty will have upon the different classes who consume the articles we propose to tax. The articles imported number over 2,000, and many of them are necessaries that go into consumption by all classes and conditions of persons. It is not optional with the consumer to use them or not, but his necessary wants compel him to purchase them at any cost if he has the means.

Many other articles imported are indispensable in the different pursuits of our people. The common understanding of the people will not mistake these articles of necessity, and it is useless to enumerate. A large list of the articles imported is made up of luxuries which are consumed by the wealthy or persons having the means to indulge themselves in the use of those things the poorer classes are unable to purchase. The payment of any duty levied on the necessaries of life is compulsory. The consumer has no volition or choice. His necessary wants must be supplied if he is able. As to the luxuries of life there is a choice. The payment of the tax on luxuries is voluntary and comes out of those who choose to pay it because they are able to gratify unnecessary wants.

We all agree that it is right, just, and humane that as Senators representing our constituents we should afford all the "protection" we can to the weaker and poorer classes by discriminating in their favor by selecting from the imports those articles of necessity everybody must consume more or less, and putting all of them we can on the free-list, and making the duty as light as practicable on those that must bear some tax for revenue "only." We further discriminate to ascertain what articles imported are raw material, and what articles are manufactured, and to what extent they are produced or manufactured abroad and in this country. Why do we make this examination? Is it for the sole purpose of seeing how much revenue "only" the lowest rate of duty will produce from the article imported, whether it be a necessity or a luxury or raw material or manufactured, or whether produced or manufactured more or less in Europe or America?

After discriminating to acquire this information do we shut our eyes to the effect the duty we impose will have upon the wants of our country in times of war, or the industries or pursuits of our people in times of peace? If revenue "only" was our sole aim, without regard to any other effect the duty would produce, our work would be short and simple in passing tariff laws. Ten articles imported that enter into general and necessary use would carry by compulsion a duty sufficient to raise all the revenue needed for the support of the Government. Then it is untrue and misleading to assert that there is any political party in this country, or any considerable number of people who have any favor for tariff laws passed to have no other effect than to raise revenue enough to support the Government. The power to tax is a revenue power only.

But in exercising this power we, as law-makers, must open our eyes and survey with care and judgment the circumstances, conditions, wants,

necessities, pursuits, and interests of the people to be affected by our tariff legislation. This same revenue power is the only authority Congress has to keep safely and disburse the revenue collected from taxation. And yet Mr. Jefferson and Mr. Calhoun and General Jackson derived from this power to levy and collect, keep safely and disburse the public revenue, the power to issue Treasury notes and furnish the people with a paper currency as a proper and necessary incident. So by analogy is the Federal Government the custodian of the legal title to the public domain, in trust, to raise revenue and make new States, according to law; and in exercising the powers of trustee Mr. Calhoun expressed the opinion that the Federal Government had the Constitutional power to donate to railroad corporations alternate sections of the public lands, to produce the incidental effect of doubling the value and bringing into market the remaining sections by furnishing transportation to persons who would purchase and appropriate the public domain.

These illustrations are furnished to show that a power granted to Congress for a specific purpose only may be exercised with reference to incidental effects upon the common defense and general welfare, although the common defense and general welfare constitute no part of the specific grant of power to Congress, these being objects only, and not in themselves any delegation of power. The question recurs, shall Congress in exercising its power, granted only to raise revenue, levy the lowest rate of duty or the highest rate of duty that will produce the same amount of revenue? If we select the lowest rate of duty the protection afforded by it will be an inevitable and unintentional incident. If we select the highest rate of duty that will bring the same amount of revenue as the lower rate it will afford a higher degree of protection intended and desired by the law-maker as an incident.

The duty levied to yield the same amount of revenue need not be the lowest or the highest, as the amount of revenue produced by either rate on the article taxed might be more than its share and more than the Government required. So that it is reduced to a question of apportionment of the different rates of duty among the articles imported, according to the share each article should bear as its just and equal portion of the whole amount of revenue needed by the Government, having reference in fixing the rate of duty to the character of the article taxed, whether it be an article of necessity or luxury, raw material or manufactured, whether produced or manufactured in this country or in Europe, and to what extent in each country.

Acting on these rules and principles, if there is any honesty in the demand for protection to insure reasonable wages to the American laborer and to enable him to compete with his pauper rival it can be made to result easily and legitimately from the operation of our tariff laws. Duties can be so apportioned as not to impose any undue share of the revenue burden on any industry, and while raising the necessary amount of revenue as the primary object of the duty, at the same time bring to the manufacturer price enough for his goods to enable him to pay remunerative wages to his operatives. But we all know that the wages of American operatives in manufacturing have never corresponded in amount with the rate of duty demanded and imposed for his protection. We are aware that the monopoly of the American market by our manufacturers and their immense profits have invited investments and multiplied manufacturing establishments to an extent that has caused overproduction; and having no disposition to compete with their rivals in foreign markets, the only alternatives left to them are, to reduce the overstock by a reduction of prices, or to close their mills and discharge their operatives and wait on time and demand to insure the prices for their goods which they had fixed on the plea of protection to their laborers, whom they have turned out to starve.

When the manufacturer thus reduces his overstock below the demand for his goods, and the discharged laborers have in the mean time consumed their scanty means of living, and are presented with the alternative of low wages or starvation, the mills resume work, and the manufacturer makes up for the lost time by having secured greater profits in lower-priced labor and higher-priced goods. Here is where can be found the source of the widespread discontent that induces the formation of labor unions and explodes in labor strikes and generates communism.

The bill before the Senate in the arrangement of the different schedules of dutiable articles and in its machinery for the collection of the revenue is an able production of the best capacity and skill that could have been employed to establish a system of protection as a permanent American monopoly. I admit that the new machinery is a great improvement of the old. But as a revision and correction and reduction of the existing tariff laws the bill is an insult to the demands of the people for tariff reform. I shall not go into the complicated details of the different schedules. It is manifest that the change made, as a rule, from ad valorem to specific duties, on the pretense of fraud and difficulty in the assessment of an ad valorem duty, is really intended to increase the rate of duty and make it permanent against a reduction of prices on account of improvement in machinery and the processes of manufacture and home competition.

The so-called reductions are ingenious devices to mislead the people and silence their complaints against oppressive and intolerable taxation. The classification of dutiable articles are all made in the interest of the protected manufacturer and against the consumer. As a rule the reductions of duty are on articles of small value and comparatively of little use to the great mass of consumers, and where the reductions are on staple articles that enter into general consumption, the articles are so classified that the reduced rates are put on those that are imported in the least quantity; and on the pretense of a worthless reduction of rates on non-essentials, there is a large increase of duty on different classes of the same articles that are imported in large quantities and supply the American market in part at reduced prices to the consumer.

Mr. President, I do not claim that I have contributed anything new to the Senate or the country in what I have said on this dry, everlasting, and always important subject of taxation. It has exhausted the capacity, ingenuity, and learning of every civilized country in the world, and it confronts us to-day with all its old difficulties. It is a problem incapable of final solution and settlement. In the very nature of its subject-matter and the everchanging laws and causes always operating upon any legislation, it is beyond human power to produce any system of tariff laws that approaches perfection. But in my humble judgment there is not to be found in the past legislation of any Congress upon the subject of taxation anything that equals the bill before the Senate in the audacity of its exactions.

The Acting Secretary read the item from lines 547 to 549, as follows:

Iron or steel T-rails, weighing not over twenty-five pounds to the yard, and iron or steel flat rails, punched, nine-tenths of 1 cent per pound.

Mr. BAYARD. I move to strike out "nine," and insert "seven," on line 548, so as to read "seven-tenths of 1 cent per pound."

Mr. VANCE. That is an unenumerated class in the present tariff law; it is new altogether; and by striking out the whole section the article there enumerated will be remitted to the schedule of seven-tenths of a cent per pound on rails, iron or steel. I think the whole clause might as well go out.

Mr. SHERMAN. The Senator from North Carolina is entirely mistaken. This bill supercedes and is a repeal of the old tariff law. You will find in the beginning of the section that this title entirely takes the place of the old title; it is repealed by this.

Mr. VANCE. I understand that the item of iron or steel T-rails weighing below twenty-five pounds to the yard is not mentioned at all in any tariff law; it is a new enumeration here, and it would be covered by the section which taxes iron and steel rails.

Mr. SHERMAN. The Senator is mistaken. Because there is already a tax on rails weighing more than a certain number of pounds to the yard; this is necessary to provide for the rate of tax on those weighing less. I think that the rate proposed is much lower than a proportionate rate. The rate proposed of seven-tenths of a cent a pound would not be in just proportion to the other rates in the bill.

Mr. BAYARD. The practical figures to be reached by my amendment are these: If the amendment I propose is adopted the tax would be $15.68 per ton upon that which can be bought in England for less than $20; so that the tax in proportion in ad valorem is rather over 75 per cent.

Mr. MORRILL. I ask the Senator from Delaware to see the difference in the value of this. This is for a smaller kind of iron, and it has also to be more finished than the other iron. This has to be punched. If he would say eight-tenths of a cent a pound I would not object.

Mr. BAYARD. I had not the advantage of the attention of my friend from Vermont when I stated, and so I will repeat that the tax, as proposed now by me, would be equal to $15.68 per ton upon an article that can be bought in Liverpool for $20 or less, so that the ad valorem proportion is over 75 per cent. Now, the Senate has been pleased to make the clause on lines 527, 528, and 529 read:

Steel railway bars and railway bars made in part of steel, weighing more than twenty-five pounds to the yard, seven-tenths of 1 cent per pound.

Mr. MORRILL. I know they have, but this is a more expensive article; it is of a lighter kind, and it is more finished. I think there should be at least one mill a pound difference.

Mr. BAYARD. I believe I am justified in stating that which I did, that you can buy these rails in Liverpool to-day for less than $20 on board, and the duty now proposed is $15.68 per ton, which is an ad valorem protection of over 75 per cent.; and I submit on those figures there ought to be no hesitancy in adopting the amendment.

Mr. ALLISON. Mr. President, I do not know what value is to be attached to the report of the Tariff Commission upon this question, but they recommended us to make this duty 1 and two-tenths cents per pound, and we took the liberty in the Committee on Finance of reducing it to nine-tenths of a cent.

Mr. MORRILL. And they also told us we had got it too low; that it would not do to put it at less than 1 and two-tenths cents per pound.

Mr. ALLISON. I fear we may get this lower than we should have it, to correspond with the remainder of the bill. I think if the Senator from Delaware would make the rate eight-tenths of a cent we should then reduce it four-tenths of a cent from the amount proposed by the Tariff Commission, and they certainly must have had some relation to the remainder of this entire schedule of metals.

Mr. BAYARD. I really can not see why there should be a discrimination and an advance of 10 per cent. per pound duty between steel railway bars and railway bars made in part of steel weighing more than twenty-five pounds to the yard, and iron or steel rails weighing

not over twenty-five pounds to the yard and iron or steel flat rails punched. Why should there be a difference in duty between these two articles, the same in their general nature?

Mr. MORRILL. Because it takes twice as much labor to make a ton as of the other.

Mr. BAYARD. That is so extravagant a remark that I am surprised at my friend from Vermont.

Mr. MORRILL. It takes a good deal more, at all events.

Mr. BAYARD. There is no such thing as twice as much labor. It is very infinitesimal difference, if there is any at all.

Mr. MORRILL. It will be obvious to everybody that a rail which weighs seventy or fifty-six pounds to the yard will require a very much less amount of labor to make it than a rail weighing a third or half as much. There is no doubt about it at all.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware [Mr. BAYARD].

Mr. MORRILL called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. I should vote "yea" if he were here.

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON.]

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON]. If he were present, I should vote "nay."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

Mr. SLATER (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were here, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

Mr. WILLIAMS (when his name was called). I have been paired with the Senator from Nebraska [Mr. SAUNDERS]. But I have transferred my pair to the Senator from Nevada [Mr. FAIR]. Therefore I vote "yea."

The roll-call was concluded.

Mr. GROOME. I am paired with the Senator from New York [Mr. MILLER] who is temporarily absent from the Chamber. But for that, I should vote "yea."

Mr. PENDLETON. I am paired upon this vote with the Senator from New Jersey [Mr. SEWELL].

Mr. FARLEY. I am paired with my colleague [Mr. MILLER, of California]. If he were present, I should vote "yea."

The result was announced—yeas 24, nays 26; as follows:

YEAS—24.

Barrow,	Cockrell,	Harris,	Morgan,
Bayard,	Coke,	Ingalls,	Pugh,
Beck,	George,	Jackson,	Ransom,
Butler,	Gorman,	Jones of Florida,	Vance,
Call,	Grover,	Lamar,	Walker,
Camden,	Hampton,	Maxey,	Williams.

NAYS—26.

Aldrich,	Chilcott,	Hill,	Platt,
Allison,	Conger,	Jones of Nevada,	Rollins,
Anthony,	Dawes,	Lapham,	Sawyer,
Blair,	Frye,	Logan,	Sherman,
Brown,	Hale,	McDill,	Voorhees.
Cameron of Pa.,	Harrison,	McMillan,	
Cameron of Wis.,	Hawley,	Morrill,	

ABSENT—26.

Davis of Ill.,	Groome,	Miller of Cal.,	Sewell,
Davis of W. Va.,	Hoar,	Miller of N. Y.,	Slater,
Edmunds,	Johnston,	Mitchell,	Van Wyck,
Fair,	Jonas,	Pendleton,	Vest,
Farley,	Kellogg,	Plumb,	Windom.
Ferry,	McPherson,	Saulsbury,	
Garland,	Mahone,	Saunders,	

So the amendment was rejected.

Mr. CONGER. I offer the following amendment to come in at the end of line 546.

Mr. MORRILL. We have gone by that.

Mr. CONGER. I was not aware that it was passed, and I have been waiting to introduce the amendment.

The PRESIDING OFFICER. If the Chair hears no objection, the amendment will be entertained and read.

Mr. MORRILL. I think we had better go on.

Mr. BECK. I desire to hear the amendment read.

The PRESIDING OFFICER. It will be read.

The ACTING SECRETARY. At the end of line 546 it is proposed by the Senator from Michigan [Mr. CONGER] to insert:

And provided further, That all iron bars, blooms, billets, or sizes or shapes of any kind manufactured with charcoal as fuel, shall be subject to the same duty as is imposed upon like sizes or shapes of steel of the same value.

The PRESIDING OFFICER. Does the Chair hear objection to the amendment being entertained?

Mr. CONGER. I understood there was objection.

The PRESIDING OFFICER. The Chair hears no objection, and the amendment will be received.

Mr. CONGER. The object of this amendment is to place the same duty on charcoal-iron of like kinds and forms and sizes as upon the low grades of steel. It is understood and admitted by all that the price of charcoal-iron is about the same for the classes mentioned here as for steel. There are in the forest lands of the Western and Northwestern States a large number of charcoal furnaces producing charcoal-iron. Without this amendment charcoal-iron, which is worth from $2 to $6 a ton more than the other kind of iron to which this clause would apply, is protected by far less duty than other iron.

Gentlemen have stated upon the floor this morning, especially the Senator from Georgia [Mr. BROWN], the difference between charcoal-iron and other iron, and I need not take any time to dwell upon that.

There are scattered through the wood regions of Michigan, perhaps of Wisconsin, of Ohio, and of other States in the Northwest, very many of these industries where charcoal furnaces for the manufacture of charcoal-iron have been established near large tracts of forest where there are a very large number of people engaged in the manufacture of charcoal for the furnaces. Settlers in that region are burning charcoal to supply the furnaces where iron ore is brought from the iron regions or the woods near the charcoal. Charcoal is a material which can not be transported to any great distance, and the ore is transported to the charcoal region and there manufactured. It is an industry which deserves this protection, and charcoal-burners all over the country have petitioned that a corresponding rate of duty may be imposed upon it.

Mr. MORRILL. I merely desire to say that there is no possible way that I am aware of that charcoal-iron can be distinguished from any other iron. I am aware that Norway iron is charcoal-iron, and is worth more than twice as much as the ordinary iron. If there was any practical and legitimate way of putting a duty upon it so as to increase the rate upon that which is made merely from charcoal, I should have no objection; but there is no possible way that I am aware of by which the difference between charcoal and coal iron can be distinguished, and yet I know that Swedish iron is worth more than twice as much as the ordinary English iron and more than twice as much as what is called English refined iron.

Mr. PLATT. I should like to vote understandingly on this matter, and therefore I ask for information what the effect of this amendment will be as to the duty upon Swedish iron? I ask the question for this reason: New England manufacturers have to take iron in the second or third stage of manufacture. They desire that there shall be a fair protection on the earlier stages of manufacture; but, as I understand it, there is really no iron in this country that comes in competition with Swedish iron, which is very high-priced iron; and I see no reason why the duty on Swedish iron should be raised above that proposed by the bill reported by the committee. I do not know that this does it, but I ask for information.

Mr. ALLISON. All Swede iron is charcoal-iron.

Mr. PLATT. Then it would raise that iron to the same duty which we impose on steel. It would be an advance in the rate of duty on Swedish iron, would it not?

Mr. ANTHONY. Of course it would.

Mr. CONGER. I think it will astonish the iron-men of the country to learn that the chairman of the Committee on Finance makes an objection to imposing a duty because a man can not tell the difference between one material and another, or that that should be considered any reason. There is not one man in this body who can tell the difference between the highest grade of Swede iron and the lowest grade of Pennsylvania iron of the same shape and make. There are not ten men on this floor who can tell the difference between the coarsest iron and the best bar-steel. They would not know it. And yet we are making different rates of duty for different kinds of iron according to shape, for different kinds of steel according to quality.

I may say here that it is not true that the great bulk of this iron is charcoal-iron. A large portion of it is, and that is worth double the same kind of iron made from common coal, and it is a matter of common purchase and sale all over the United States. Charcoal-iron and other kinds of iron are bought in the market. It is just as easy to find out whether it is charcoal-iron as it is to find out whether it is steel, or any other kind of iron.

The sworn invoices are the basis of duty, and they contain the name and quality of the material. If there is fraud in the invoices, it can be ascertained from the places where the goods are invoiced what that fraud is, if there is fraud in description. Besides that, we have experts in all the custom-houses whose special duty it is to determine the quality and value of the materials imported. Now, if a very great interest in this country is to be sacrificed on the mere theory that on looking at the outside of a bundle or on any reasonable examination of the article we can not tell what it is, we may as well give up all discriminations in the kinds of material upon which duties are laid.

I do not claim that the great body of iron-workers in the United States are charcoal-iron men. I am not speaking for that great class of men

who, by their association and by their power, and by the diffusion of their work all over this country, are able to protect themselves here or anywhere, but I am speaking in behalf of a class of men who go into the forests and with their own strong arms cut the tree and make the wood and burn the charcoal, poor, obscure, dark-faced men, 10,000 of them in my own State, or 10,000 counting the families to be supported. Their labor and the success of the manufacture of charcoal-iron depend upon a reasonable measure of protection. Their labor furnishes the best iron that is made in the United States, and we have the best material for making it. If there were forests enough all over the country there would be charcoal-iron made in greater quantities than iron from other kinds of coal to-day. In some kinds of manufacture charcoal-iron is an absolute necessity. If our suspension bridges, all those works in which the purity and tension of iron is important, were really made of charcoal-iron, the thousands of accidents, the hundreds of deaths that occur for lack of good material in iron would be avoided.

I ask this simply as a measure of justice to an important branch of industry in the United States. That industry extends through many States, wherever there are forests from which the charcoal can be made, and I hope at least this measure, in justice, will be given to this interest, which is now left with the common iron of the country, with the poorest grade of iron in the land, no more protected, and yet in many instances it is worth double. It is worth as much, as I said before, as the grades of steel with which it is compared here, and on which the same duty is to be raised by my amendment, and it can be ascertained. Those interested in this manufacture have already shown to the Committee on Finance how charcoal-iron can be ascertained, how there can be no frauds on the Government. If it is not ascertained to be charcoal-iron, there is no increased duty; if it can not be shown to be charcoal-iron, then no one suffers except the charcoal-iron men themselves. If the proposition is correct, it can do no damage. If iron can not be proved to be charcoal-iron, the affirmative of the proof being on those who introduce it as charcoal-iron, then no one suffers.

Mr. MORRILL. Mr. President, there is not only objection to the manner of computing the duty proposed, but there is objection to placing the same duty upon any iron that is put upon the most valuable steel. The proposition of the Senator from Michigan is to place this as high as any duty we place on steel, even cast-steel. Take iron wire, which is made with charcoal, or take bars; of course we do not want to put any such extravagant duty as that proposed by the Senator from Michigan. If the Senator would reduce his amendment to some system, some rate, and specifically name what he proposes for this iron so as not to embarrass anything else, there would be far less objection to it; but basing it entirely upon steel, the most costly article there is among these metals, taking cast-steel as well as Bessemer, it does seem to me that it is entirely untenable. The very article from which the best steel is made is Norway iron. Therefore there should be a little difference between Norway iron and steel made from Norway iron.

Mr. ALDRICH. I was about to suggest to the Senator from Michigan that the amendment as presented by him is surrounded by a great many difficulties. Steel, under the bill as it now stands, pays two different rates of duty. Cast-steel below 5 cents a pound in value—and most of this iron would be below 5 cents in value—pays 1½ cents a pound. All other forms and processes of steel were fixed yesterday by the Senate on motion of the Senator from Georgia [Mr. BROWN] at 1 cent a pound between 2 and 5 cents in value, and one-half cent a pound below 2 cents. The amendment of the Senator from Michigan says charcoal-iron shall pay the same rates as steel. Which kind of steel? If it was Bessemer steel, it would reduce the rate provided in this bill for iron; if it was cast-steel, it would increase the rate largely.

Mr. PLATT. I suggest to the Senator whether he will not withhold his amendment until we reach page 34, where the "crucible cast-steel" schedule comes in; and in the mean time we shall have an opportunity to look at it. If the charcoal-iron manufacturers are not properly protected, I should be very glad to assist the Senator in getting some protection for them, but I want to see the operation of this amendment and know what it does.

Mr. CONGER. For the purpose of attempting to give opportunity for information on this subject, I have no objection to acceding to that suggestion; but if the objection is that charcoal-iron is of such a kind and character that it can not be detected and it can not have a place anywhere in the bill, it might as well be disposed of at one time as another. I will withdraw the amendment and wait till we come to the steel schedule.

Mr. CAMERON, of Pennsylvania. I hope the Senator will permit me to make a suggestion that he let this go over till we come to the steel schedule.

Mr. CONGER. That is what I have agreed to do.

Mr. MAXEY. In the item now under consideration, beginning with line 547, I move that the word "nine," in line 548, be stricken out and "eight" inserted; so as to make the clause read:

Iron or steel T-rails not weighing over twenty-five pounds to the yard, and iron or steel flat rails, punched, eight-tenths of 1 cent per pound.

I will give my reasons in a very few words for the amendment I propose. The day before yesterday the Senate by a decisive vote agreed to reduce the duty on "steel railway bars, and railway bars made in part of steel, weighing more than twenty-five pounds to the yard," to seven-tenths of 1 cent per pound. That is on steel rails weighing more than twenty-five pounds to the yard. That makes a tax of $15.68 a ton. This morning the Senator from Delaware offered a proposition to reduce the tax on "iron or steel T-rails weighing not over twenty-five pounds to the yard, and iron or steel flat rails, punched," to seven-tenths of 1 per cent per pound, it now standing at nine-tenths of a cent in the bill, and that amendment was voted down. Having given a tax of $15.68 per ton in the other case, this tax per ton as it now stands in the bill is $20.16.

I now propose to put that at eight-tenths of a cent a pound, which makes it a tax of $17.92 per ton. Mr. Oliver, who is certainly the most capable man of the commission on the subject of iron and steel, says that $17.92 per ton will be prohibitory in effect except to the Gulf States at certain periods and to the Pacific seaboard, where the freights from Liverpool are less than they are to our Atlantic seaboard ports. Very well; the tax as it stands in the bill is $20.16 per ton for that class of bars, which is an absolute prohibition, and there can be, in my judgment, no reason for that. Putting it at $16.92 per ton gives an increase of $2.24 over what we have already agreed upon for the rails weighing more than twenty-five pounds to the yard. Now, to make a difference of $2.24 in the cost price of the rails weighing less than twenty-five pounds to the yard and of those weighing more will more than pay, largely more than pay, the difference in the labor.

Mr. MORRILL. I will say to the Senator from Texas that I offered when the Senator from Delaware was on the floor to accept eight-tenths of a cent in this clause, and I will therefore not resist the amendment.

Mr. MAXEY. I should like to state an additional reason for it. These Bessemer-steel people are to-day protected by patent, and we now propose to doubly protect them by a patent and a prohibitory tax, which of course is wrong. While I believe that eight-tenths of a cent a pound is too much, the sense of the Senate having been taken on seven-tenths and we having been defeated on that, I take as the next best and only thing to do eight-tenths of a cent a pound. I ask to have a vote on that amendment.

Mr. MORRILL. I make no objection.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Texas [Mr. MAXEY] to strike out "nine," in line 548, and insert "eight;" so as to read:

Iron or steel T-rails, weighing not over twenty-five pounds to the yard, and iron or steel flat rails, punched, eight-tenths of 1 cent per pound.

The amendment was agreed to.

Mr. MORRILL. Now, agreeably to my promise, I move to amend the next paragraph to reduce "1 and one-half of 1 cent per pound" to "1 and one-tenth of 1 cent per pound." I should not place it so low, but we have placed all the other articles in this schedule so low that I am willing to have this placed at this lower rate.

The PRESIDENT *pro tempore*. The Secretary will first read the clause.

The Acting Secretary read lines 550, 551, 552, and 553, as follows:

Round iron in coils or rods, less than seven-sixteenths of one inch in diameter, and bars or shapes of rolled iron not specially enumerated or provided for in this act, 1 and one-half of 1 cent per pound.

Mr. MORRILL. I move to strike out, in line 553, the word "one-half" and insert "one-tenth."

Mr. VAN WYCK. I desire to ask the chairman of the Committee on Finance whether the rods referred to here are the rods used in making barbed wire?

Mr. MORRILL. They are not.

Mr. MAXEY. Before a vote is taken I ask whether the round bar-iron here described is the kind of iron out of which barbed wire is made?

Mr. MORRILL. It is not.

The amendment was agreed to.

Lines 554, 555, 556, and 557 were read, as follows:

Armor or other plate, iron or steel, or combination of iron and steel, finished or unfinished, not less than one and a half inches thick, 1 and one-half of 1 cent per pound.

Mr. BECK. I move to strike that out altogether. The Tariff Commission made it 2½ cents, and we made it 1½. It is an entire new classification; there is no industry in this country, as I understand, that is established now producing this armor; and it seems to be a thing to catch the United States, if hereafter it shall undertake to make this class of armor. My colleague says somebody desires to do so and wants this put in in advance.

Mr. MORRILL. I think the Senator from Kentucky had better allow this to remain as reported by the committee. I am satisfied that any rate of duty ad valorem that may be fixed will be more than 1½ cents a pound.

Mr. BECK. I believe the rate is reasonable. I agree to it.

Mr. MORRILL. I think, therefore, you had better allow it to remain as the committee have placed it. The article is worth 10 or 12 cents a pound.

Mr. BECK. Very well. I withdraw my objection. I do not think the clause will hurt much.

The next paragraph, from line 558 to line 571, was read, as follows:

Boiler, or other plate iron, sheared or unsheared, skelp-iron, sheared or rolled in grooves, and sheet-iron, common or black, thinner than one inch and one-

half, and not thinner than No. 20 wire gauge, 1 and three-tenths of 1 cent. per pound; thinner than No. 20 wire gauge, and not thinner than No. 25 wire gauge, 1 and one-half of 1 cent. per pound; thinner than No. 25 wire gauge, and not thinner than No. 29 wire gauge, 1 and seven-tenths of 1 cent per pound; thinner than No. 29 wire gauge, and all iron commercially known as common or black taggers' iron, whether put up in boxes or bundles or not, 1 and eight-tenths of 1 cent per pound.

Mr. BECK. Mr. President, that classification in my opinion ought to be changed and the duties ought to be largely reduced. For example, boiler or other plate in the present tariff is 1 and one-fourth of 1 cent per pound; that ought to be a separate paragraph standing just as it is now in the present tariff law. Perhaps for some class of boiler and plate iron 1¼ cents per pound is not too much. I am not advised as to that. As to the other, "sheared or unsheared, skelp-iron, sheared or rolled in grooves," I have not examined the Revised Statutes, and don't know, but that language is not in the comparative table that is furnished us. I don't think these words are in the existing law. Sheet-iron ought to be in a different classification. I do not see why boiler and sheet iron are thrown together, boiler-iron being provided in a separate classification at 1¼ cents. I suggest, then, the different qualities of sheet-iron ought to stand by themselves. Senators will observe, beginning at line 559, the language is:

Sheet-iron, common or black, thinner than one inch and one-half, and not thinner than No. 20 wire gauge, 1 and three-tenths of 1 cent per pound; thinner than No. 20 wire gauge, and not thinner than No. 25 wire gauge, 1 and one-half of 1 cent per pound; thinner than No. 25 wire gauge, and not thinner than No. 29 wire gauge, 1 and seven-tenths of 1 cent per pound.

The present classification is, first, not thinner than 20 wire gauge; second, not thinner than 25, and the third, thinner than 25, without any limitation as to 29. That is the present law. The proposed bill stops at 29, and then increases duties above 29. It is an increase of all under 29, if there is any of that sort. All that is known as tagger-iron swell up to 1.8, adding $2.24 a ton to that over 29, which is not provided for in the present law, 25 being the minimum. It stops at 29 at 1.7, and then classes that as tagger-iron.

I will state what the price current shows. I do not want to repeat what I said this morning in regard to this classification; but I will state the facts as presented in the bulletin of the Iron and Metal Exchange Company, which I read from this morning. It is, I repeat, the organ of the iron and steel corporations of the country and is very high in authority. In the bulletin of the 19th of January, 1883, giving, as I said, all the markets of this country and the British markets, they say that sheet-iron No. 20, and not thicker, sells for £8 15s. per ton. That is, the best bar-iron not less than one-half inch diameter sells for £7 10s.; the best sheet-iron, No. 20 wire gauge, sells for $6 per ton more than the bar-iron not less than half an inch in thickness.

It will be observed that the proposition of the committee was to make the bar-iron, which costs $35.75 per ton, 1 cent a pound. We have made it by the amendment of the Senator from Georgia about nine-tenths of a cent a pound or $20 a ton, within a fraction of it; yet, although the sheet-iron not thicker than No. 20 costs free on board but $6 a ton more, the proposition of the committee is to add on an article that costs $6 a ton more $8.95 more duty per ton.

In other words, to make myself understood, bar-iron costing $35.75 corresponds exactly with the sheet-iron which costs $41.75; the sheet-iron being only $6 per ton more, the proposition is to make the bar-iron pay $22.40 per ton, while sheet-iron is to pay $29.20 per ton, or $8.96 increase, because of the increase in the original price of $6. That is a monstrous proposition. There can be no doubt as to the correctness of the prices I read from, the official tables vouched for by the iron-men themselves, in the bulletin issued by them as their organ, showing the prices current. Why there should be $8.96 of duty added because of an increase of price of $6 I am utterly unable to understand. We have reduced the duty on bar-iron of that quality to $20 a ton. I propose now to make the duty on sheet-iron, which costs $6 per ton more, $22.40 a ton or 1 cent a pound, and to strike out the three-tenths of a cent now in the bill. That corresponds exactly to what the Senate did in regard to bar-iron, taking the prices into consideration.

Mr. HARRIS. Are the forms all of uniform thickness?

Mr. BECK. I want to explain a little further in that regard. The first proposition is to make it 1 cent a pound, that is as high as half-inch bar-iron. Then it is agreed that from No. 21 to 25 there are 10 shillings or $2.50 increase in each wire gauge number. The same class of sheet iron, No. 20, which costs $41.75, up to 25 costs $7.50 extra. That class ought to be taxed at 1.2 up to 25, and from 25 upward at 1.4; that would maintain about the exact proportion with the cost prices, as I understand it, being 1 cent, 1.2, and 1.4, and the limitation as to 29 ought to be stricken out to correspond with existing law. That would be as high in proportion as we have now made the bar-iron, or else I have made a mistake in my calculation.

Mr. ALDRICH. I hold in my hand a copy of the New York Shipping List, which is the acknowledged authority for all kinds of quotations, and I find that the average price of bar-iron in New York is about 3 cents a pound.

Mr. BECK. What is it in Liverpool?

Mr. ALDRICH. I am not talking about Liverpool; I am only talking about New York now.

Mr. BECK. I am comparing it with the duties imposed upon the goods free on board at Liverpool.

Mr. ALDRICH. I am taking it for granted that the relative prices in New York and Liverpool are about the same.

Mr. BECK. I presume that the New York price contains freights, commissions, profits, and everything else.

Mr. ALDRICH. In both cases, of course.

Mr. BECK. The bulletin from which I read is the official bulletin of all the iron and steel companies. This bulletin of the 19th of January gives the price free on board at Liverpool upon which we are imposing the duty, both of the bar-iron and the sheet-iron, and there is only $6 difference per ton between the two.

Mr. ALDRICH. If the Senator will allow me to finish my statement I will say that I know nothing about the paper from which he reads, but I think the Senator recognizes the authority of the New York Shipping List as to quotations in the markets. I was saying that the average price of bar-iron in New York is just about 3 cents a pound, ranging from 2.6 to 2.3, while the average price of sheet-iron from No. 10 to No. 28 is about 4½ cents, ranging from 4 cents at No. 10 to 5 cents for No. 28, showing a difference from bar-iron of a cent and a half a pound, or $33.60 a ton, instead of $8 a ton, as suggested by the Senator from Kentucky.

Mr. BECK. I will ask the Senator from Rhode Island if there is any reason to doubt the accuracy of the bulletin which I hold in my hand?

Mr. ALDRICH. I know nothing whatever about it; I never heard of it before. It may be correct, I do not know.

Mr. BECK. It is issued by authority and is the organ of the manufacturing companies; the price given is about $6 per ton for sheet-iron not thinner than No. 20 more than on the bar-iron, the best quality of bar-iron, that we placed to-day at $20.

Mr. ALDRICH. The difference between those grades in New York is, as I have shown, about $33 a ton.

Mr. BECK. Each grade goes up as I have stated about 10 shillings as they advance from 20 to 25 and then again from 25. I have in my hand a list of the agents of the Iron and Metal Exchange Company, limited, who issue this bulletin. They are a very important body of men, and seem to extend all over New York, Pennsylvania, New England, and elsewhere. This is issued by their authority, I presume.

My amendment, therefore, would be to make boiler or plate iron 1 and one-fourth of 1 cent a pound as a separate proposition. I would make it read:

Boiler or other plate iron, sheared or unsheared, skelp-iron, sheared or rolled in grooves—

I do not know what the last words mean—

1 and one-fourth of 1 cent per pound.

The PRESIDENT *pro tempore*. Striking out "1 and three-tenths of 1 cent," in line 561?

Mr. BECK. No; I mean that to be in a separate paragraph, so as to let the sheet-iron stand by itself, maintaining the classification of the present tariff law. I see no connection between boiler-iron and sheet-iron, so as to embody them all in one paragraph. They have not been so heretofore.

The PRESIDENT *pro tempore*. The amendment of the Senator from Kentucky will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 559, after the word "grooves," it is proposed to insert "1 cent and one-fourth of 1 cent per pound;" so as to read:

Boiler or other plate iron, sheared or unsheared, skelp-iron, sheared or rolled in grooves, 1 cent and one-fourth of 1 cent per pound.

Mr. MORRILL. I trust this will not be done. The classification is adopted including all of these things under one schedule. The rate proposed by the Senator from Kentucky only reduces it half a mill, and I hope he will not insist upon that. It is just as well to remain as it is.

While I am up allow me to say that the Committee on Finance have reduced all of these rates as low as they thought was proper under the circumstances and as low as the trade can bear. I trust there will be no reduction upon sheet-iron beyond what has been proposed by the Committee on Finance.

Mr. BECK. I do not observe any reduction. I observe that the present rate of duty upon common sheet-iron not thinner than No. 20 wire gauge is to-day——

Mr. MORRILL. One and one-half cents.

Mr. BECK. One and one-fourth cents.

Mr. MORRILL. One and one-half cents.

Mr. BECK. I beg pardon; my print is wrong if it is so.

Mr. MORRILL. Look on the fifteenth page, at the top line.

Mr. BECK. The chairman of the committee will allow me. On the fifteenth page that is dealing with iron thinner than No. 20. I am speaking of iron not thinner than No. 20, which is 1½ cents, and the committee has seen fit to go above the present law and make it 1 and three-tenths of 1 cent.

Mr. MORRILL. A mere fraction.

Mr. BECK. A mere fraction, but it is an increase over existing law

when we are proposing to reduce, and it is making it from 60 per cent. up to 80 per cent. ad valorem, according to the prices that I have just read. One and three-tenths of a cent per pound is exactly 70 per cent. Under the present law it is now 56.95 per cent.; my proposition of 1 cent makes it 54 per cent.

Senators will observe that this is no small item. It is larger than all the others relative to sheet-iron put together. That is the way it always happens; the increases always creep in where the biggest sums are. If Senators will turn to their comparative tables, pages 14 and 15, they will find that of sheet-iron, common or black, not thinner than No. 20 wire gauge, which is now 1 and one-fourth of 1 cent, and which the Committee on Finance proposes to make 1 and three-tenths of 1 cent per pound, or an increase of half a mill, 11,441,205 pounds were imported, of the value of $250,438, paying a duty of $142,640, and that the next item is only 5,000,000 pounds, the next 2,000,000 and a fraction, and taggers' iron, which they have increased from 30 to over 50 per cent., rising again to four and a half millions. In other words, all the other gauges of iron, No. 20 and upward, are only 7,600,000 pounds. They have not increased them except to put a limitation on the last one; but taggers' iron and No. 20 go up because there is the most money in them.

The one great schedule where large amounts come in and where the big amount of money is they have increased, to wit, below No. 20 it brings in 11,411,000 pounds, and the duty paid is $142,000. That corresponds with all the other provisions of this bill. I have never been able to investigate it and dissect it and get at the truth in regard to it that I have not found it the most carefully prepared bill, as the Senator from Ohio said the other day it was, but it is carefully prepared in the interest of the men who are to pocket the money, and carefully prepared so as to increase the burdens of taxation upon the people.

I repeat, the tax ought to be 1 cent a pound, that is, 54 per cent., instead of making it 70 per cent., as the committee proposes, being an increase of about 5 or 10 per cent. ad valorem over the present rate of duty. I desire to say wherever those increases upon those large amounts come, if the Senate will examine it carefully they will find that it is done for a purpose, a bad purpose, so far as the people of this country are concerned.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Kentucky, in line 559, after the word "grooves," to insert "1 and one-fourth of 1 cent per pound."

The amendment was agreed to.

The PRESIDENT *pro tempore*. Does the Senator from Kentucky propose a further amendment?

Mr. BECK. Yes; in line 561, after the word "one," I move to strike out "and three-tenths of 1;" so as to read:

And sheet-iron, common or block, thinner than one inch and one-half, and not thinner than No. 20 wire gauge, 1 cent per pound.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Kentucky.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON]. If he were present, I should vote "nay."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call having been concluded, the result was announced—yeas 28, nays 25; as follows:

YEAS—28.

Barrow,	Cockrell,	Hampton,	Pugh,
Bayard,	Coke,	Harris,	Ransom,
Beck,	Davis of Ill.,	Hoar,	Slater,
Brown,	George,	Jackson,	Vance,
Butler,	Gorman,	Lamar,	Van Wyck,
Call,	Groome,	Maxey,	Walker,
Camden,	Grover,	Morgan,	Williams.

NAYS—25.

Aldrich,	Conger,	Logan,	Platt,
Allison,	Dawes,	McDill,	Rollins,
Anthony,	Frye,	McMillan,	Sawyer,
Blair,	Harrison,	Mahone,	Sherman.
Cameron of Pa.,	Hawley,	Miller of Cal.,	
Cameron of Wis.,	Hill,	Miller of N. Y.,	
Chilcott,	Lapham,	Morrill,	

ABSENT—23.

Davis of W. Va.,	Hale,	Kellogg,	Saunders,
Edmunds,	Ingalls,	McPherson,	Sewell,
Fair,	Johnston,	Mitchell,	Vest,
Farley,	Jonas,	Pendleton,	Voorhees,
Ferry,	Jones of Florida,	Plumb,	Windom.
Garland,	Jones of Nevada,	Saulsbury,	

So the amendment was agreed to.

Mr. BECK. In line 564 I move to strike out "one-half" and to insert "two-tenths;" so as to read:

Thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, 1 and two-tenths of 1 cent per pound.

That bears precisely the same relation as the amendment just made.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Kentucky.

The amendment was agreed to.

Mr. BECK. In lines 566 and 567 I move to strike out "seven-tenths" and to insert "four-tenths;" so as to read:

Thinner than No. 25 wire gauge and not thinner than No. 29 wire gauge, 1 and four-tenths of 1 cent per pound.

This is precisely the same relation as the preceding amendments.

Mr. MORRILL. I think if the Senator from Kentucky wants to preserve the symmetry of his amendments he should put the rate at one and five-tenths or one and one-half.

Mr. BECK. One and four-tenths bears exactly the same relation as the others.

Mr. MORRILL. But this is going constantly into a grade that is much more expensive; as it grows thinner it is much more expensive.

Mr. HOAR. I suggest to the Senator to make it one-half.

The PRESIDENT *pro tempore*. Does the Senator from Kentucky accept the suggestion of the Senator from Massachusetts?

Mr. BECK. Perhaps it might be as well to say "1 and five-tenths of 1 cent."

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Kentucky as modified.

The amendment was agreed to.

Mr. BECK. I think in lines 565 and 566 the words "and not thinner than 29 wire-guage" ought to be stricken out; so as to read:

Thinner than No. 25 wire-guage, 1 and five-tenths of 1 cent per pound.

There ought to be no limitation below 25. There is none in the present law. I am told that very little is imported under that size. While I care nothing about it particularly, I believe it ought not to be in.

Mr. MORRILL. The Senator had better let it go, for it is a more expensive article.

Mr. BECK. Very well.

The PRESIDENT *pro tempore*. Are there further amendments to the paragraph?

Mr. BECK. Yes. I suggest to strike out the word "and," in line 568, and then make it a separate paragraph, and change the rate from 1.8 cents per pound to 30 per cent. ad valorem; so as to read:

All iron commercially known as common or black taggers' iron, whether put up in boxes or bundles, or not, 30 per cent. ad valorem.

It is now 30 per cent. ad valorem, and it is an article that ought not to be taxed at anything like the rate of 1.8 cents per pound. It is an inferior article. I have specimens of it here on my desk which I desire Senators to look at. Here they are. [Exhibiting.] They are only single rolled, the thinnest stuff, glossed on one side and not on the other. They are used to make buttons; they are used by photographers; they are used in a thousand ways. The Senator from Connecticut [Mr. PLATT] knows a great deal more about them than I do. They go into every little industry all over the country and in every minute way. They are not sheet-iron in any sense except that they are of that frail quality which can be used for a thousand things. Senators can look at the specimens and see what they are. Under the 30 per cent. ad valorem we imported tagger-iron to the amount of 4,235,818 pounds, of the value of $117,447, and we received a revenue of $35,324, and that seems to me to be an enormous revenue to derive from an article of that sort which goes into ten thousand little things.

I have not before me the computation. I had not time, thinking that we should not get further than this to-day, and intending to look it up to-night, and to look over the testimony taken before the commission. Of course, it was just as much as I could do last night, in a very imperfect way, to look over sheet-iron and bar-iron and the other things we have got together as best we can. I do not know what the ad valorem would be at 1 and eight-tenths of 1 cent per pound, but I have no doubt it is away up very close on to 75, 80, or nearly 100 per cent. Perhaps other Senators know more about it than I do, but it is safe to say that not more than 30 per cent. ad valorem ought to be put upon this little article of inferior iron, the thinnest and poorest sort, which goes into a thousand little industries. I see the Senator from Connecticut rising. I have no doubt he knows infinitely more about it than I do.

Mr. PLATT. I think this is an increase of from about 30 to 50 per cent. ad valorem.

Mr. BECK. I was not sure.

Mr. HOAR. I have a letter here from a gentleman whom I know very well, who says that it is an increase of 45 per cent. ad valorem more than formerly, and will make a duty amounting to 75 per cent.

Mr. BECK. I am glad the Senators from New England know more about it.

Mr. PLATT. Does not that include the addition for single, rolled, and cold rolled?

Mr. HOAR. I suppose it does.

Mr. SHERMAN. The computations are based on the report of the Tariff Commission, but the committee have already reduced the rate recommended by them.

Mr. PLATT. Not on tagger-iron, I think.

Mr. SHERMAN. I think we have.

Mr. PLATT. I understand—I may be mistaken about it—that the duty of 1.8 cents is an increase over the 30 per cent. ad valorem duty to about 50 per cent., and then if the proviso which comes in in the subsequent clause applies to it, it increases it still more.

The PRESIDENT *pro tempore*. What amendment does the Senator from Kentucky move?

Mr. BECK. In line 568 I move to strike out the word "and," and in line 570 to strike out the words "one and eight-tenths of one cent per pound" and to insert "30 per cent. ad valorem;" so as to read:

All iron commercially known as common or black tagger-iron, whether put up in boxes or bundles, or not, 30 per cent. ad valorem.

That is the present law.

Mr. MORRILL. Let me suggest to the Senator from Kentucky that he does not want to strike out "and." That should remain.

The PRESIDENT *pro tempore*. Why does the Senator want to strike out "and?"

Mr. MORRILL. That should remain, so as to include iron thinner than 29.

Mr. BECK. I desire to make it a separate paragraph, detaching it from sheet-iron and putting it where it properly belongs.

Mr. MORRILL. It is sheet-iron, and nothing else.

Mr. BECK. It is of a certain sort. I will let the word "and" remain, however. The main object I have is to strike out the proposed rate and insert the present law.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kentucky, to strike out in lines 570 and 571 the words "one and eight-tenths of 1 cent per pound" and to insert "30 per cent. ad valorem."

The amendment was agreed to.

The next item, from line 572 to line 574, was read, as follows:

Polished, planished, or glanced sheet-iron or sheet-steel, by whatever name designated, 2½ cents per pound.

Mr. MILLER, of New York. I desire to ask, for information, of the chairman of the committee, whether the words used here refer only to what is commonly known as Russia sheet-iron?

Mr. MORRILL. That is the intention.

Mr. MILLER, of New York. Then I move to amend, in line 572, by inserting after the word "iron" the words "commercially known as Russia sheet-iron," so that there may be no doubt about it.

Mr. MORRILL. I will say to the Senator from New York that we can not under our treaties with all nations put in the name of any nation by which to designate any article, because that would be a discrimination.

Mr. MILLER, of New York. I understand that while the word "Russia" is the name of a nation it may be used as the name of an article in commerce, and if it were made in this country it would still be called Russia sheet-iron; if it were made in France or Germany it would still be commercially known as Russia sheet-iron; and I doubt whether any treaty would prevent the use of a word which has been used popularly in this way for the past century.

Mr. MORRILL. We had long lawsuits in New York and contests here in relation to Russia hemp. I desire to say to the Senator from New York that the language in the bill sufficiently covers it. It is polished iron and can not be anything else.

Mr. BECK. The District committees have violated that law very often in paving the streets, for we have voted for Belgian-block pavements a dozen times since I have been here.

The PRESIDENT *pro tempore*. Does the Senator from New York insist on his amendment?

Mr. MILLER, of New York. Yes, sir.

Mr. PLATT. I should like to inquire of the Senator from New York whether there is really any necessity for his amendment? The language of the present law is "crude or polished sheet-iron, by whatever name designated;" and I understand there has been no difficulty about the classification at the Department.

Mr. MILLER, of New York. If it is generally thought by Senators who understand this matter that it is unnecessary, I will withdraw the amendment; but there have been a great many misunderstandings of the present tariff, and a great many decisions which have brought about great trouble because of the misunderstandings of terms. If it is thought, however, by Senators that it is not necessary, I will withdraw it, and this debate will go on record to show what was meant by the Senate in passing the clause as it stands.

The PRESIDENT *pro tempore*. The amendment of the Senator from New York is withdrawn.

Mr. HOAR. In line 573 I move to strike out the words "and one-half," so as to make the duty 2 cents per pound.

Mr. MORRILL. I hope that will not be done.

Mr. HOAR. I understand that there has been for a great many years but one concern in this country that makes anything which approaches this Russia sheet-iron, and that it is a very imperfect imitation; that they make sometimes an appearance of it, but it has not the malleable qualities and not the polish, so much so that a great many of our manufacturers are obliged to use the Russia sheet-iron at whatever cost. These men have a patent, and the duty has been maintained, as it is now being maintained, in the interest of one single concern which has failed to make the true article.

Mr. MORRILL. I think the Senator from Massachusetts is decidedly mistaken. The article produced here sells in the market within 1½ cents or 1 cent a pound of the Russian ware, and it is a very handsome, smooth article. The American article sells at from 9½ to 11 cents a pound, while the Russian article sells perhaps at from 11 to 12 cents a pound.

Mr. HOAR. The Russian article is imported by certain contract dealers because their customers must have it, as there is nothing in this country which answers the purpose of it, without any profit or with very small profit. That is the reason of the price of the American imitation being able to go up so near the value of the true article. I have very thorough information from a person whom I personally know. I do not wish to detain the Senate on the subject, but there is a petition on file of metal dealers and stove manufacturers for a reduction of duty on Russia sheet-iron. There is but one manufactory in this country of any sheet-iron imitating that imported from Russia. I think there are two firms of the name of Wood, one in Pittsburgh and one in Philadelphia; the one a branch, I suppose, of the other. They are protected by numerous patents and by every new patent which comes out. I have the full statistics of the cost of Russia sheet-iron compared with the selling price. This letter is from the Russian consul in Boston, a gentleman whom I personally know and for whose statement I vouch as to his thorough information, his accuracy, and his integrity.

Mr. MORRILL. I desire to say that the Committee on Finance reduced the duty on this article from the present rate and from the rate proposed by the Tariff Commission. I desire to show the Senator from Massachusetts two specimens, one of Russian and the other American, and I ask him which is which. [Exhibiting.] I know which is which, but I ask him if he can see any difference?

Mr. HOAR. Does the Senator suppose I can distinguish the malleable qualities of two pieces of iron by looking at them? He is a very ingenious gentleman.

Mr. MITCHELL. I think the Senator from Massachusetts must be somewhat mistaken in the statements that he makes here. I have some information on the subject from a gentleman who is in the city at the present time, and knows all about this industry. He is not a manufacturer, but he is here in the interest of the manufacturers, so that this matter shall be properly understood, and I desired to have an interview with him before this subject came up for consideration. I believe it is a fact that none of this iron was ever manufactured in this country until the year 1874. There are two manufactories, one in Pittsburgh and one in Philadelphia, and they are concerns of very great consequence to this country.

Mr. HOAR. They are of the same name.

Mr. MITCHELL. I believe they are of the same name. They have reduced the price of Russia iron from 22 cents to 10½ or 11 cents at present, as I am informed, and certainly 2½ cents duty is a small rate of protection as compared to that provided for in this bill for a good many other industries.

Mr. MORRILL. There is hardly any rate so low as this.

Mr. MITCHELL. There is hardly any rate, as the Senator from Vermont suggests, so low as this. Senators will see at a glance that it is only about 25 per cent. ad valorem duty. I submit, therefore, that in consequence of the great benefit to the country resulting from these inventions, and I may say that they are American inventions, the rate should not be reduced below what is proposed by the Committee on Finance.

Mr. HOAR. If my friend will pardon me, the duty is more than 50 per cent.

Mr. MITCHELL. I should like the Senator from Massachusetts to explain how that can be.

Mr. PLATT. Thirty-nine and forty-seven one hundredths per cent. is stated in the table submitted to us.

Mr. HOAR. That estimate is made up by a wrong statement of the value of the Russian ruble. I will wait until the Senator from Pennsylvania gets through, and then I will send to the Clerk's desk the statement which I have.

Mr. MITCHELL. I have made about all the statement I desire to make. The substantial facts are that the introduction of this industry in this country has reduced the price of the Russia iron about one-half, which is, of course, of great consequence to our people; and this has been done in less than ten years. I submit that that industry ought to be sufficiently protected; and if I am mistaken as to the percentage, still it is true that it is not as large a percentage as is frequently imposed on manufactures of so minute a character as this.

Mr. HOAR. I will read a statement which I have from the Russian consul in Boston. He says:

The cost of the Russia iron last year was rubles 3.85 for ten poods delivered at St. Petersburg, or an exact invoice shows 500 packs, weighing poods 3,018.63, rubles 3.85, with the addition of shipping and packing charges—

Rs. 12,967.29=lbs. 108,992—3c. duty=$3,269.76.

Rs. 12,967.29—49½ (last consular and actual paid value of ruble)=6,418.82—50

per cent. would be $3,209.41, showing the duty to be more than 50 per cent. The tables to which you refer probably show the ruble at the custom-house valuation, namely, 65.8c., while the actual value by consular certificates and amounts paid make this less than 50c. The last quotation I have, 20th of December, 1882, the value was only 49½c.

I wrote to the Russian consul wanting to know the reason of the difference between his statement and that I have from the Committee on Finance as to the amount of the old duty. In other words, you have a duty exceeding 50 per cent. on this article of Russia sheet-iron, so much in demand for all nice iron work, the stove-pipes, the sheet-iron used in locomotives, the sheet-iron used in fireplaces, the funnels into which stoves enter, all the ornamental iron work about a house. For the sake of imposing upon our market an imperfect imitation, which does not supply and never can supply the article, after for years attempting to compete with or to imitate it, this Russian consul says there is a duty exceeding 50 per cent.

Mr. MITCHELL. I am still of the opinion that the Senator is mistaken in the computation. He appears to be willing to accept Russian authority on this subject, but not American.

Mr. HOAR. Though this gentleman is the Russian consul, he is an American merchant, known to me from his childhood, and for his accuracy and integrity I am willing to stake my reputation, whatever it is. No man in this country knows as much about this matter as he.

Mr. CAMERON, of Pennsylvania. Will the Senator from Massachusetts permit me to ask him, if the American manufacture is a pure imitation why is it that the price of Russia sheet-iron has fallen over 30 per cent. in the last ten years, owing to its manufacture by American companies?

Mr. HOAR. The Russian manufacture is itself a limited one; there are very few manufacturers there, and a certain amount goes to each country. It does not vary with the commercial needs or demands. As this gentleman says in another part of his letter, it is so much of a necessity for the persons who use it, who must have it, that the importers import it for their customers without profit.

Mr. CAMERON, of Pennsylvania. Then how can it supply the American demand? Does it not grow with the wants of the world?

Mr. HOAR. What do you want to put a duty on it for?

Mr. CAMERON, of Pennsylvania. Because we make just as good sheet-iron of this character in America as they make in Russia.

Mr. MORRILL. I desire to call the attention of the Senator from Massachusetts to the recorded facts. Here is the statement from the Treasury Department showing precisely the amount that was introduced and the value of it, and therefore the statement of the consul at Boston is not worth the paper upon which it is written. Here are the facts as to the amount imported and the duty collected, showing that it is no such rate as represented by the consul.

Mr. HOAR. What is the value of the ruble given there?

Mr. MORRILL. I do not care what the value of it is.

Mr. HOAR. It depends on that.

Mr. MORRILL. It depends on what we have received. The truth is that we have reduced the price of this article largely, but not so much as one-half, for I know all about it. We have reduced it from $16 or $17 a ton now to $11 or $12, and the duty that is proposed by the present bill is less than the existing rate upon it and is less than that proposed by the Tariff Commission.

Mr. CAMERON, of Wisconsin. What is the present duty?

Mr. MORRILL. Three cents a pound.

Mr. CAMERON, of Wisconsin. How long has it been 3 cents a pound?

Mr. MORRILL. Some considerable time.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Massachusetts, in line 573, to strike out "and one-half," after "two."

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BAYARD. There is no doubt about the fact that this article stands to-day at 3 cents per pound lower in its ad valorem proportion than almost any article of iron on the list. At 3 cents per pound it pays but 39 per cent. as a tax, and at 2½ cents it is 34 per cent., and that is less than one-half the duty on pig-iron.

Mr. HOAR. If the Senator from Delaware will personally investigate this question I shall be perfectly content to abide by his judgment as to the 39 per cent.

Mr. BAYARD. I have given a great deal of examination to this one thing. The tables have been furnished me; I have a dozen of them here, and I am stating precisely the fact. The present tax upon this article is 3 cents per pound, and that is equivalent to about 39.47 per cent. ad valorem. The committee have reduced it to 2½ cents a pound, and that is equivalent to 34 per cent. ad valorem; and, as exhibited by the specimens handed by the Senator from Vermont to the Senator from Massachusetts, it is an article of a high degree of workmanship; a great deal of labor is expended upon it; it is highly advanced in the progress of mechanics. Why is it that we are taxing a less advanced product at 60 per cent. and stop at taxing this at 34? I can not see the logic of that.

Mr. HOAR. The trouble with the Senator's position is that they do not make the real article in this country. You are not protecting an American manufacture which accomplishes the purpose; and the Senator's error in regard to the matter of the percentage of the duty is in taking the custom-house valuation of the Russian ruble of 65.8 cents, instead of the actual value as stated by our consuls. That is the whole of it.

Mr. BECK. In making as thorough an examination of this tariff as we possibly could this was one of the items that I thought we gave more consideration to than any other. I got specimens of the Russia iron and specimens of the iron they were making in Pittsburgh. As the Senator from Delaware states, this duty is only 39.4 per cent., and we have reduced it down to 34. Urgent appeals were made and very many reasons were given why we should not place this article below 3 cents a pound to keep up a competition with Russia. I am prepared to show that 2½ cents a pound is as low as we ought to make it in comparison with the other things that we have placed on this tariff list, and I propose to vote for the 2½ cents.

Mr. HOAR. Well, I will not press an amendment against the united authority of the Finance Committee under these circumstances, though I am satisfied they are in error.

The PRESIDENT *pro tempore*. The amendment is withdrawn.

The Acting Secretary read lines 575 to 581, as follows:

Provided, That plate or sheet or taggers' iron, by whatever name designated, or other than the polished, planished, or glanced herein provided for, which has been pickled or cleaned by acid or by any other material or process, or which is cold rolled or single rolled or smoothed by rolling, shall pay one-half cent per pound more duty than the corresponding gauges of commonor black sheet or taggers' iron.

Mr. MILLER, of New York. I move to strike out the clause from line 575 to line 581, inclusive.

Mr. BAYARD. I hope that will be done.

The motion was agreed to.

The Acting Secretary read lines 582 to 588, as follows:

Iron or steel sheets or plates, or tagger-iron, coated with tin or lead or with a mixture of which these metals is a component part, by the dipping or any other process, and commercially known as tin-plates, terne-plates, and tagger-tin, 1 and one-tenth of 1 cent per pound; corrugated or crimped sheet-iron or steel, 1 and eight-tenths of 1 cent per pound.

Mr. SHERMAN. I do not know but that I rise to a hopeless task; but as the position I take is perfectly clear, logical, and satisfactory to myself, and supported, as I think, by reasons which will satisfy every Senator that I am right, I feel myself bound to state the facts.

This duty on sheet-iron grew out of a faulty construction of the old law. Terne-plates or tin-plates are sheet-iron covered with tin by a chemical process, or by dipping and cold rolled, of which 95 per cent. is iron and 5 per cent. is tin. The duty on tin-plate at present, owing to the faulty construction of the law, is 1 and one-tenth cents a pound. The Tariff Commission when they came to revise this matter proposed to make the duty 2 and one-tenth cents a pound, in order to make it conform to the duty on the iron of which it is composed. That that is just and right every man of ordinary judgment would say amen.

The idea of putting a lower duty on an article of higher manufacture would appear to be manifestly unjust; and why has it been done? First, the tariff law was defective and left it among the non-enumerated articles; next, the interests of great masses of people all over our country in canning fruit, in putting up meats, an industry which has been vastly developed and which demands this tin for their purposes, for export and the like, have insisted that tin-plate ought to be separated from the other classes of duty on sheet-iron and be put at a lower rate. The result has been that although the manufacture of tin-plate is one of the simplest processes of manufacture, yet it is entirely destroyed in this country, and we are now depending upon the foreign market for all the tin-plate used here, when if you give to tin-plate the same relative duty that is imposed upon tagger-iron and the iron of which it is composed, tin-plate will be made in this country to the exclusion of the foreign article.

I have letters in my hand from some of the largest manufacturers of sheet-iron, tagger's-iron, and iron used for roofing, in which they say that if the same rate of duty is put upon tin in sheets that is put upon the iron which is the base of this tin, they will within two years supply the market and reduce the price; but under the present condition of the tariff they can not do it, because the rate of duty on the improved article, the tin-plate, is just twice as high as it is upon the materials of which it is composed, and the result is that no tin is made in this country.

By the tariff law as it has existed for years raw tin or block-tin is brought into the country free of duty, but none comes here except for solder, or very little, at least; none is brought here for tin-plate, and we are compelled now to rely on England for the whole of the tin-plate of this country, and it is said in the document before me that we consume 80 per cent. of all the tin in the world in our industries. We imported last year 439,746,895 pounds, valued at $16,550,834.64, at a duty of 1.1 cents per pound.

In this case, if Congress would give to manufacturers of tin-plate the same duty that is now proposed on taggers' tin or rolled tin, of, say, 1¾ cents a pound, because it is the finest kind, we should not only be able to manufacture it in this country and be independent of the foreign market for this essential necessity, but we should build up the industry here, and another thing, we should reduce the amount of revenue. The Senator from Kentucky [Mr. BECK] in his mode of reasoning the other day told us that our proposition to double the tax on tin-plate would

double the amount of revenue. On the contrary, within two years we should probably lose the larger part of the revenue we now collect and our people would buy the American manufacture, and it is a very simple manufacture to make tin, and reduce the price of tin to the consumer. It can not be made here under the present tariff, but the process of its manufacture is easy. Tin is nothing but sheet-iron dipped.

I have in my possession, as I have said, the statements of persons in Cincinnati and Pittsburgh, well-known manufacturers of sheet-iron used for roofing and for other purposes, that within two years they will make suitable arrangements and have an ample supply of this sheet-iron coated with tin to supply the domestic market; but owing largely to the influence of one single firm in New York, which had a monopoly of this tin-plate business, and owing to the low price of tin, it has become practically a monopoly, and we are dependent upon the foreign market for the use of an article which is now used to the extent of 480,000,000 pounds a year; and remember that none pay this tax except the Americans, for when the tin cans are exported containing articles for foreign use, the exporter gets a drawback; so that while we nominally receive $4,000,000 revenue from this source, we pay fully half of that back in the way of drawback when the tin cans are exported, under the provisions of the general law. When an article is used totally of foreign manufacture and is exported, even in a different shape like a tin can, all the duty which has been paid by that article is refunded; so the amount of duty we now collect from this thing is only nominally $4,000,000, while really it is probably a million and a half. More than half of this tin, according to the estimate made, is actually exported and the drawback refunded.

I ask what is right. Whether it will be done or not I can not vouch, but I say if you give to the manufacturer of tin-plate in this country the same duty that you have levied on the manufacture of sheet-iron or taggers' tin, or the material of which tin-plate is composed, you will not have this strange anomaly, and you will have tin-plate manufactured in this country in the greatest abundance.

Sir, the injustice of the present arrangement is palpable. It is very unjust to all those who manufacture sheet-iron for roofing and other purposes. They are driven out of the market. Why? Because tin-plate comes in and is used for roofing. Tin-plate is no better for roofing than ordinary galvanized iron or coated iron, and yet it drives it out, because tin-plate is admitted at a rate of duty of 1.1 cents a pound, while the iron of which it is mainly composed is admitted at a rate of duty of 1¾ cents a pound.

The result is that a very large trade in sheet-iron for building purposes, for covering roofs and the like, is driven out of existence by this favored monopoly, which deprives men of their livelihood, which drives them out of the business by admitting this article at a low rate of duty. I say that what I propose is but right and just; although it is an advance of duties, and therefore contrary to the general principles of this bill, yet it is but fairness and justice and equality. I move, therefore, that the rate of duty on this article, instead of 1.1 cents a pound, be put something near what is proposed by the Tariff Commission. The Tariff Commission recommended 2.2 cents a pound. I move that 2 cents a pound be put upon this article.

Mr. LOGAN. I desire to ask the Senator if there is any person in this country manufacturing this article at this time?

Mr. SHERMAN. They are manufacturing it to a limited extent. There is one establishment in Pittsburgh that began to enter on the manufacture of tin-plate, but did not go into it.

Mr. LOGAN. The manufacturers of tin cans all over the country, in every city in the United States, for putting up meat, fruit, &c., have said to the committee here—I presume they have to the committee, and probably to nearly every Senator—that they were better satisfied with the rate of duty which was imposed before, and are satisfied with the rate proposed by the committee, but they are universally opposed to increasing the duty. I have had telegrams to this effect from different parts of the country, and especially from Chicago, where they manufacture more tin cans than in any other part of the country. The idea of increasing the rate of duty for the purpose of encouraging anybody to commence a manufacture when he has not commenced it, I think is a new idea. I hope the amendment will not be adopted.

Mr. COKE. Mr. President, tin is an article of universal consumption which is not manufactured except on a very small scale in this country, and it seems to me that, if any change is made in the committee's bill, it is exactly the article that ought to be free from any duty whatever. I have a letter from a citizen of my State which makes the best argument I have seen against any increase and in favor of making it free. I will read the letter:

HILLSBOROUGH, TEX., *January* 19, 1883.

DEAR SIR: Allow us to ask your attention to the effort that is being made to raise the duty on tin. Tin in Texas now, and especially our part of the State, is as much of a necessity as pine lumber, shingles, barbed wire, or cedar posts. Nearly every business house now is covered with tin, besides the valleys and gutters, and it requires an average of $5 to trim every cook-stove in our land, and from $3 to $10 worth to make up the general kitchen outfit. Seventeen large houses of this place have been roofed in the last year with tin; as many more will be roofed the present year. Our house has bought the last year over $3,000 worth of raw material directly from importers. We hope you will investigate this matter and give your influence against an advance in the duty on tin. It ought to come free, if possible.

Respectfully, HAWKINS & LARY.

Hon. RICHARD COKE.

This is from a town in Texas of about one thousand or twelve hundred inhabitants. Throughout the State in every village and even in the country in many places tin is taking the place of shingles as the better roofing. When you take in to the estimate the large consumption of this article, the domestic use of it generally by all classes of people, universally by the poorer class of people, and add to this consumption the commercial uses of it for canning and shipping fruits and vegetables and fish and meat, it seems to me that its importance is of such a character that, instead of creating an absolute monopoly for the purpose of getting a few persons here to manufacture it, it had better at once be made free.

When you take the genius and the invention of the American people into consideration, and the fact that so much of this article is needed throughout our vast country, and especially in the prairie country, such as we have in the Southwest and West, and think of it that there are no manufacturers of it yet, when we are excelling the world in all other sorts of manufacture, it seems about time to come to the conclusion that it is an article which our people are not going to take hold of in a manner commensurate with the necessities of the country, and that we ought to invite the world to come in and bring it in and furnish it. If I am in order I will move to amend the amendment of the Senator from Ohio by moving that this article be placed on the free-list.

Mr. BECK. Move to strike out the paragraph.

Mr. COKE. If this is not in order now, I will make the motion at the proper time.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Ohio [Mr. SHERMAN] to strike out 1.1 cents and insert 2 cents.

Mr. GORMAN. I move to amend the amendment of the Senator from Ohio by striking out "two" and inserting "one," so as to make it read 1 cent a pound.

I desire to state that the rate of duty upon tin-plate from 1842 to the present time has never exceeded 1.1 cents a pound. In 1846 it was 15 per cent.; in 1857 it was 8 per cent.; in 1862 it was 25 per cent.; and in 1875 a specific duty of 1.1 cents per pound was fixed—then equal to 15 per cent. Now it is equivalent to 33 per cent. The present rate is therefore greater than was levied in 1862, when the necessities of the Government made it incumbent to fix the highest possible duty. The consumption of this, as has been stated by the Senator from Texas and the Senator from Ohio, is very great. I suppose there is no one article embraced in this tariff which is in more general use than this. We imported in 1882 439,746,895 pounds, the value of which was $16,550,834.64, and the duty paid amounted to $4,837,215.85. Owing to its cheapness and adaptability it is applied to numberless uses; manufacture of kitchen utensils, stoves, roofs, gutters of houses, cans, boxes for preserving meats, vegetables, oils, and many other articles which are necessary for the comfort of the great mass of the people.

All the hermetically-sealed goods in this country are inclosed in the charcoal tin, which is imported from England. The enormous growth of this trade is simply astounding. We absolutely control this trade; manufacture more of this class of goods than all the balance of the world. France is our only competitor, but she is so far behind that she can hardly be termed a rival. With the exception of pease, sardines, and condensed milk, none of her products are imported. The increase in the consumption of this article has been from 1,931,128 boxes in 1878 to about 3,600,000 boxes in 1882. Two hundred thousand workmen find employment in applying it to its almost countless uses.

In the State which I in part represent, the industry of canning is very large. I think it entirely safe to say that at least one-half of all the hermetically sealed goods put up in this country are canned in that State. These goods are shipped from Maryland to every State of the Union and largely exported. They go to the mining regions of California and Nevada. There is scarcely a miner's cabin or a poor man's hut in the land which these goods do not reach, and with the present prices the consumer can procure a pound of tomatoes or a pound of corn or a quart of oysters as cheap in mid-winter as they can be bought in the market in ordinary seasons where these articles are produced. An increase to 2 cents a pound of the duty upon tin will add largely to the cost of these goods.

Mr. SHERMAN. I will say to the Senator that it takes four quart cans to make a pound, and consequently the increase of duty would only be about one-fifth of 1 cent on a can; so I think the Senator must be mistaken. The weight of a can, I am told, is about four ounces.

Mr. GORMAN. I have the statement of as reliable a gentleman as is engaged in the business, which informs me that one-fourth the selling price of the goods consists in the cost of the can; so that if the amendment of the Senator from Ohio be adopted, which nearly doubles the present duty, you greatly increase the cost of each can which every consumer is compelled to pay. In other words, the tax on tin imported in 1882 was $4,837,216. Adopt the Senator's amendment and on the same importations the tax would be $8,784,937.90, an increased burden per annum on the people of $3,947,722.05, to benefit one or two firms in Pittsburgh and elsewhere.

But the Senator from Ohio seems to be under the impression that the increase of this duty to 2 cents a pound will enable us to manufacture tin in this country. I am confident he is mistaken in that. If the testimony as taken by the Tariff Commission is to be relied upon, it is clear

that unless the selling price per box is advanced to about $9, it can not be made here. The price now is about $4 a box. Your increase would not make the difference. I have before me a statement of a gentleman who appeared before the Tariff Commission. It will be found on page 2083 of the report. He is a manufacturer who desires an increased rate of duty. His desire was to have the Tariff Commission recommend an increase from 1.1 cents to 2.2 cents a pound. He states that it is utterly impossible to compete with the English manufacturers unless you make the duty 2.2 cents. His argument was convincing so far as the commission was concerned. I hope it will have but little weight with the American Congress. It was this: double the tax and we will try and begin the manufacture of tin. Unless the tax is doubled, it will be impossible to compete with the English manufacture. Then he tells the commission, the American Congress, and the people how much has been lost by the ton duty heretofore imposed. He states that from 1865 to 1882 the duty collected on all tin imported has been $5,505,755.05. If the tax had been at the rate of 2.2 cents a pound, the duty would have amounted to $93,472,778. In other words, this manufacturer would have had you during that time levy from the people $38,415,000 more than you did, merely for the purpose of establishing one or two manufactures.

Now, I submit to the Senator from Ohio that on an article which is used in every household in this land to increase in seventeen years the tax upon the consumers of that class of goods $38,000,000 would not be the reform the people of this country have been looking for. Sir, to give reasonable encouragement to these manufactures I do not object. The block-tin with which they galvanize the iron is now free of duty. The iron is fully protected, but for some reason unknown to me the English manufacturers have practically a monopoly of that trade; nearly all the tin of this class that is consumed throughout the world is manufactured in England.

Mr. MAXEY. The Senator from Maryland will permit me to suggest one point. Nothing has been done for years that adds so much to the health of those who live in camps out beyond the reach of vegetables and fruits as this very thing of canned fruits and canned vegetables. Instead of this supply being stopped, we ought to do everything we can in the interest of health to encourage it.

Mr. GORMAN. I am quite sure the Senator from Texas is correct, and I desire in connection with that to make another statement which is a little remarkable. Notwithstanding England has the monopoly of the manufacture of this article, and we draw our entire supply from that country, it has steadily decreased in cost from 1865, until to-day it is selling, I think, at about two-thirds of what it did ten years ago. The average price now is about $4 a box.

The Senator from Delaware [Mr. BAYARD] has handed me a table showing that—

> This large increase in consumption has been caused, first, by the decline in values from an average price of 34s. per box in 1872 to an average price of 16s. per box in 1882, with a probability of a low, or even lower, range of values being maintained over many years to come; and, second, by the wonderful growth and prosperity of our own country. It may be a selfish consideration to know that the manufacture in England has been unremunerative for many years, so that we as consumers are profiting thereby.

Mr. President, it is not the large manufacturer who is concerned specially in this tax. It is the consumer, the mechanic, the laboring man. The farmers also have a great interest; their products are easily and profitably disposed of by canning. In my State alone, in one county, with a population of not more than 30,000, there are 400 canning establishments owned by farmers—and in the State during the packing season, from forty to fifty thousand persons are employed in packing. We send to your State, sir, the great State of Illinois, two-thirds of the canned goods consumed by your people. We furnish for the entire West this healthy food at less the cost that you can raise and preserve it. While Maryland has a great interest in this question, it is not local. If you increase this duty upon the tin, the raw material, for it is raw material, it will be simply adding to the cost of the goods which your people buy. It is the consumer, the laboring man, who will pay it. I trust my amendment will be adopted.

Mr. INGALLS. Mr. President, I admire the attitude of the merchants of Baltimore. Whatever they produce they want protected, and on whatever they do not produce they want the duty diminished. The people are largely interested both in bichromate of potash and in tin-plates. Baltimore has a monopoly of the manufacture of bichromate of potash, and upon that the Senator from Maryland [Mr. GORMAN] desires the duty increased; but inasmuch as Baltimore does not manufacture tin-plates the Senator is very anxious that the workingmen and the laboring classes shall be protected, and that therefore the duty on tin-plates shall be diminished. The attitude is very inconsistent, and it demonstrates admirably the attitude of those who believe that there is an element in protection that affects the compensation that is paid to labor. But, in this respect, I am very glad to be able to coincide with the views of the Senator from Maryland.

Tin pure, in blocks, is admitted into this country without duty. We have an abundance of ore that can be rolled or manufactured into iron-plate. All that makes tin-plate, as I understand, is dipping this iron into a solution of melted tin. The industry of America has been hitherto unable to solve this problem. Tin has been free; iron is free; but tin-plate is not, and can not be manufactured.

The Senator from Ohio states rather an advance opinion, I think, upon this subject. We have heard hitherto of the necessity of protecting infant industries; that it was necessary to impose additional burdens upon the people to prevent industries that were struggling for existence from being strangled. But he now assures us that the duties are essential to create industries, to institute and inaugurate manufactures here that do not exist, for the purpose of obtaining prospective profits that may be realized upon articles that are not and can not be manufactured here, and that are imported in vast quantities for the welfare of the people.

Mr. President, if any argument has been adduced or can be adduced for the extraordinary motion of the Senator from Ohio I should be very glad to hear it. He claims that this is something that is in the interest of American industry, but the industry does not exist. It is apparent that so far as tin-plate is concerned it is actually a raw material. It is in no sense whatever competitive with any American manufacture. The only reason why a duty should be imposed upon tin-plate is for the purpose of revenue. The tariff upon this article should be fiscal merely. It can not be fiscal and protective, because there is nothing to protect, and every dollar that is imposed upon this article that is in excess of what it ought to bear as a revenue proposition is so much that is directly taken from the industry, from the wages of this country, that have burdens upon them already which they are illy able to bear.

Mr. MORRILL. Mr. President, I trust that neither of the motions now pending will prevail. As stated by the Senator from Kansas, the duty upon this article now is a revenue duty and produces almost $5,000,000.

Mr. INGALLS. Nearly ten million.

Mr. MORRILL. Four million eight hundred thousand dollars, nearly $5,000,000. Before the Committee on Finance we had ever so many memorials from those using this article in the manufacture of cans for the purpose of canning fruit, vegetables, &c., asking that the duty should remain as it is, and instead of following the Tariff Commission we put the duty precisely at what it now is, 1.1 cents a pound. I trust, notwithstanding the possibility that we might at some time hereafter manufacture tin, that we shall not raise the duty to 2 cents a pound, for I somewhat doubt whether we can get children to dip this article for a good many years yet, at the wages that are paid for dipping tagger-iron into melted tin.

Mr. GROOME. Mr. President, the Senator from Kansas [Mr. INGALLS] a few moments ago attempted to criticise the merchants and business men of Baltimore for desiring to have the tariff duties so adjusted as to best promote their interests.

Those shrewd and well-informed gentlemen know that a large amount of revenue must be raised by tariff taxation, and that the burdens of such taxation can not be so distributed as to bear with absolute equality upon every community and individual, and they would be more or less than human if they did not desire that the schedules of tariff duties should be so arranged as, without doing injustice to the people of other localities, or to industries flourishing elsewhere, to promote the growth of those existing among them, whether that object can be better attained by increasing or diminishing the duties upon particular articles.

That Senator also attempted to criticise the course of my colleague with reference to the position that he has taken upon this question, and the position that he and myself took a few days ago in regard to the proper duty upon bichromate of potash, and in so doing unintentionally misrepresented us. In the first place he said that Baltimore had the monopoly of the manufacture of bichromate. That is not correct, as it was shown the other day that there is a Philadelphia manufactory also.

Mr. INGALLS. About to be started.

Mr. GROOME. Started and in existence, as shown by the telegram of the Philadelphia manufacturer which was read to the Senate a few days since.

Mr. INGALLS. That was not the evidence.

Mr. GROOME. It may not have been the evidence before the Tariff Commission, but it is the positive statement of the manufacturer himself, whom I have known for years and regard as an entirely reliable gentleman.

The Senator stated that the course of my colleague in regard to the duty upon bichromate and the duty upon tin-plates was influenced by what he believed to be the interest of his immediate constituency.

I simply wish to say that if such is the case my colleague was governed by motives which control every Senator upon this floor, including the Senator from Kansas, and that any Senator would be false to his constituency if he failed to yield to them where, as in this case, the question involves no principle but is one merely of expediency and detail.

The Senator's statement was that my colleague desired to put up the duty on bichromate because it was for the interest of his constituency, while he desired to put down the duty on tin-plate, because the reduction was for the benefit of the people of Maryland.

In stating that he was also incorrect. My colleague did not ask to put up the duty on bichromate beyond the present rate, nor indeed as high as the present rate.

Mr. INGALLS. Beyond the rate proposed by the committee.

Mr. GROOME. I am speaking of the law as it stands. Committees can not make laws. They may propose them, but until the two Houses of Congress ratify their recommendations by a vote, they amount but to suggestions of legislation.

Bichromate is very largely manufactured in Maryland, and tin-plate is not manufactured there at all, but is consumed there to a very large extent, not only for the many uses to which it is applied elsewhere, but also in packing away the vast amount of oysters, vegetables, and fruits which are prepared by the many canneries in Baltimore and elsewhere throughout the State. As has been stated by my colleague, the canning industry gives remunerative employment, both in summer and winter, to a very large number of our people, and affords them an opportunity to preserve for future use and send to distant markets products of such a perishable nature that but for it they would have to be promptly disposed of and consumed. But great as is the canning industry of Maryland to-day, it is but in its infancy compared with what it will be ten years hence, unless retarded by disadvantageous legislation. There is no other known article out of which cans can be manufactured for the preservation of meats and fruits which possesses so many valuable properties as tin-plate. It is cleanly, free from all poisonous qualities, and convenient; and anything which adds to its cost is not only burdensome to those engaged in the packing business but is a tax upon the rich and poor alike who use the many articles prepared by the packers.

The duty upon bichromate under the present law is 4 cents a pound and upon tin-plate is 1.1 cents a pound. If the amendment proposed by my colleague some days ago and which he and I advocated had been adopted the duty upon bichromate would have been reduced one-eighth, and if his amendment in regard to tin-plates is adopted the duty thereon will be reduced one-eleventh; so that he is not open to the criticism of the Senator from Kansas, as he was in favor of a larger relative reduction of the duty upon bichromate, which is largely manufactured in our State, than he is now asking upon tin-plate which is so largely consumed there.

I have taken it upon myself to say this much in reply to the Senator from Kansas, because I entirely agree with my colleague in regard both to bichromate and tin-plate, and hence feel that the criticism of the Senator from Kansas applies equally to both of the Senators from my State.

Mr. ALLISON. I hope the Senator from Maryland will withdraw his amendment until we act on that of the Senator from Ohio.

Mr. GORMAN. I am willing to withdraw it temporarily, and let the vote be taken on the amendment of the Senator from Ohio.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Ohio [Mr. SHERMAN].

The amendment was rejected.

Mr. MORRILL. Now, I hope the Senator from Maryland will withdraw his amendment and let us go on.

Mr. GORMAN. No, sir. I renew my amendment.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Maryland to make the duty 1 cent a pound instead of 1.1 cents.

Mr. VANCE. I shall vote with pleasure for the amendment of the Senator from Maryland [Mr. GORMAN], but I think it does not go far enough. We were promised when this bill was introduced, and it was heralded into this Chamber by the chairman of the Committee on Finance, that we were to have a reduction of about 25 per cent. upon the present schedule of duties. I should like to see where it comes in. We raised it over $800,000 on pottery and glass ware; we have raised it considerably in several instances in the metal schedule so far, and if we are to keep it standing on tin-plate, &c., when is the good time coming when the reduction of 25 per cent. will come in, I should like to know? I am afraid, Mr. President, we are going to postpone it so long that we shall have no chance to get it in at all.

It so happens that there is no American laborer to be protected in the manufacture of tin. On the contrary, the lowering of the price is in the interest of the American laborer. It so happens that tin-plate is one of the things in which the price has steadily come down in England without any competition in this country. It is a very hard statement to credit, because we have been told again and again that there is no earthly way to get prices down unless we have a good substantial tariff. But still it seems from the statistics that this article has constantly gone down in England, and as it is an article of such universal use and as it was agreed on all hands that we could afford to reduce the revenue, that the country demanded that there should be a reduction of the revenue, and as the Senator from Iowa announced this morning a proposition that I gave my assent to most readily that if we were ever going to reduce the revenue at all we had to begin somewhere, I think this is about as good a point as any to begin with. There are no laborers to be protected. There is no question of protection here. There is only a question of simple reduction of revenue and accommodation to the people who use this article.

I, therefore, shall vote for the motion of the Senator from Maryland, but if it is not carried I give notice that I shall move—or is it amendable now?

The PRESIDENT *pro tempore*. It is amendable.

Mr. VANCE. Then I move to make the rate eight-tenths of 1 cent per pound.

Mr. PLUMB. I should like to ask the Senator from North Carolina a question. I ask how much he thinks the buyer or purchaser of a single can or a dozen cans would benefit by that reduction?

Mr. VANCE. I can make the calculation for the Senator if he will come around some evening when I have nothing else to do and can go into arithmetic. [Laughter.]

Mr. PLUMB. Only a very small per cent.

Mr. VANCE. There are over four millions of revenue from this article alone. If we bring it down 25 per cent. we shall have one million of reduction to the people.

Mr. PLUMB. Yes; but if we take it all off, it will not reduce the price of any single can of canned goods sold anywhere in the United States to the person who uses the goods inclosed in the can. It is absolutely beyond computation, beyond the possibility of computation in any way. The whole benefit would be divided between the manufacturer of the can and the retailer of the can.

Mr. VANCE. That brings up a great mathematical and metaphysical question. We are told on one hand that the tariff will not raise the price, on the contrary will bring it down, and we are told on the other hand that reduction will not reduce the price.

Mr. PLUMB. That kind of reduction would not.

Mr. VANCE. What kind of reduction would?

Mr. PLUMB. If we threw in a chromo to the man who bought a can, that might lower it.

Mr. VANCE. Very well, we will throw in a chromo; we will reduce the taxation and that will be the chromo that the people of the United States want, not only in this matter, but in various others. How much it will affect the can I have not the time nor the disposition to make the calculation; but I know that on the whole it would make a great reduction in the cost; at all events I am willing to risk that kind of reduction.

Mr. GORMAN. I suggest to the Senator from North Carolina that he withdraw his amendment until action is had on my amendment. I withdrew my amendment in order that a direct vote might be had on the proposition of the Senator from Ohio. If mine is voted down, the Senator from North Carolina can renew his.

I myself occupy a middle ground on the tariff question, and I have been extremely unfortunate in running in opposition to the peculiar views of the distinguished Senator from Kansas [Mr. INGALLS] on an article which I fear he does not understand; and now, on the other extreme, I am running against my friend from North Carolina. I trust my amendment may be directly voted on.

Mr. VANCE. I thought I was operating in the direction the Senator desired. I thought he would agree to a still further reduction. I withdraw my amendment for the purpose of allowing a vote on that of the Senator from Maryland.

Mr. MORRILL. I hope we shall allow this clause to remain as it is. The consumers of this article are perfectly content with it as it stands.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Maryland [Mr. GORMAN], to insert "1 cent" instead of "1.1 cents" a pound.

The amendment was agreed to.

Mr. VANCE. I renew my amendment now to make the duty eight-tenths of 1 cent per pound.

Mr. MORRILL. I rise to a question of order. The Senate having put in 1 cent, no further amendment is in order.

The PRESIDENT *pro tempore*. The Senate struck out "and one-tenth of 1."

Mr. MORRILL. The Senator from Maryland moved to make the duty 1 cent per pound.

The PRESIDENT *pro tempore*. The motion was to strike out "and one-tenth of 1," leaving it stand "1 cent." It is now moved, before "1 cent," to insert "eight-tenths of."

Mr. SAULSBURY. The idea that no person who uses a can will get the benefit of this reduction seems strange to me. There is a very large quantity imported into this country which is used in making cans in which are packed fruits, oysters, fish, meat, &c. Then the tin-plate is used for other purposes.

There are, according to the papers I hold in my hand, about 90 per cent. of the 260,000 roofs in Philadelphia covered with tin. I know that in my own town and every town in this country a very large per cent. of the roofing is done with tin. The Senator from Ohio remarked that the introduction of tin was interfering with iron roofing. That is not the case, because there has been nothing found by architects better adapted for the purpose of roofing than tin. Hence, notwithstanding Philadelphia is manufacturing iron plates, tin has superseded the use of iron for roofs. I hope that no extra duty will be put on this article.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina to make the duty eight-tenths of 1 cent per pound.

Mr. VANCE called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. FRYE (when his name was called). I am paired for the rest of day with the Senator from Alabama [Mr. PUGH], and I announce it now for the entire residue of the day.

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. PENDLETON (when his name was called). I am paired for the rest of the day with the Senator from New Jersey [Mr. SEWELL].

Mr. RANSOM (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN] for the rest of this evening.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY].

Mr. SLATER (when his name was called). On this matter I am paired with the Senator from Minnesota [Mr. MCMILLAN]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. MITCHELL. I am paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. PLUMB (after having voted in the negative). I did not observe that the Senator from Missouri [Mr. VEST] was absent. I am paired with him, and I withdraw my vote.

The result was announced—yeas 24, nays 26; as follows:

YEAS—24.

Barrow,	Cockrell,	Grover,	Maxey,
Bayard,	Coke,	Hampton,	Morgan,
Beck,	Farley,	Harris,	Vance,
Butler,	Garland,	Jackson,	Voorhees,
Call,	George,	Jones of Florida,	Walker,
Camden,	Groome,	Lamar,	Williams.

NAYS—26.

Aldrich,	Conger,	Hill,	Platt,
Allison,	Davis of Ill.,	Hoar,	Rollins,
Anthony,	Dawes,	Ingalls,	Sawyer,
Blair,	Edmunds,	Jones of Nevada,	Sherman,
Cameron of Pa.,	Hale,	McDill,	Van Wyck.
Cameron of Wis.,	Harrison,	Miller of N. Y.,	
Chilcott,	Hawley,	Morrill,	

ABSENT—26.

Brown,	Jonas,	Miller of Cal.,	Saunders,
Davis of W. Va.,	Kellogg,	Mitchell,	Sewell,
Fair,	Lapham,	Pendleton,	Slater,
Ferry,	Logan,	Plumb,	Vest,
Frye,	McMillan,	Pugh,	Windom.
Gorman,	McPherson,	Ransom,	
Johnston,	Mahone,	Saulsbury,	

So the amendment was rejected.

Mr. BECK. The Senator from Delaware [Mr. BAYARD] advised me that on line 587 he desired to make an amendment.

Mr. BAYARD. But that clause has not been finished yet.

Mr. VOORHEES. I move that the Senate adjourn.

Mr. MORRILL. I hope not. I ask for the yeas and nays.

Mr. EDMUNDS. Let us try it on a division first. That may save time.

The PRESIDENT *pro tempore*. It is moved that the Senate adjourn.

The question being put, it was declared that the ayes appeared to prevail.

Mr. EDMUNDS called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAWES (when his name was called). I am paired on this question with the Senator from Mississippi [Mr. LAMAR].

Mr. FRYE (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH].

Mr. SLATER (when his name was called). I am paired with the Senator from Minnesota [Mr. MCMILLAN]. Otherwise I should vote "yea."

The result was announced—yeas 22, nays 25; as follows:

YEAS—22.

Barrow,	Coke,	Hampton,	Vance,
Bayard,	Farley,	Harris,	Voorhees,
Beck,	Garland,	Jackson,	Walker,
Butler,	George,	Jones of Florida,	Williams.
Call,	Gorman,	Maxey,	
Camden,	Grover,	Morgan,	

NAYS—25.

Aldrich,	Conger,	Hoar,	Platt,
Allison,	Davis of Ill.,	Ingalls,	Rollins,
Anthony,	Edmunds,	Jones of Nevada,	Sawyer,
Blair,	Hale,	Lapham,	Sherman.
Cameron of Pa.,	Harrison,	McDill,	
Cameron of Wis.,	Hawley,	Miller of N. Y.,	
Chilcott,	Hill,	Morrill,	

ABSENT—29.

Brown,	Johnston,	Miller of Cal.,	Sewell,
Cockrell,	Jonas,	Mitchell,	Slater,
Davis of W. Va.,	Kellogg,	Pendleton,	Van Wyck,
Dawes,	Lamar,	Plumb,	Vest,
Fair,	Logan,	Pugh,	Windom.
Ferry,	McMillan,	Ransom,	
Frye,	McPherson,	Saulsbury,	
Groome,	Mahone,	Saunders,	

So the Senate refused to adjourn.

Mr. BAYARD. In line 587, I move to strike out "eight" and insert "four," so that the rate shall be "1 and four-tenths of 1 cent per pound," instead of 1 and eight-tenths cents on "corrugated or crimped sheet-iron or steel."

The amendment was agreed to.

The Acting Secretary read the proviso from line 589 to line 593, inclusive, as follows:

Provided, That all shapes or blanks, of sheet or plate, or skelp-iron, if not specially enumerated or provided for in this act, shall pay one-half cent per pound more duty than is imposed upon the material of which such shapes or blanks are made.

Mr. BAYARD. I move to strike out that proviso.

Mr. MORRILL. I appeal to the Senator from Delaware to know if he would not make some difference.

Mr. BAYARD. Throughout this bill there has been a rather novel way of providing. Take the clause beginning at line 589. What "shapes or blanks" have been referred to in this clause?

Mr. MORRILL. I only appeal to the Senator on his own principle.

Mr. BAYARD. I was about to state my principle.

Mr. MORRILL. I thought the Senator was through.

Mr. BAYARD. I mean to say that here is a proviso referring apparently to antecedent words, and those antecedent words do not occur in the clause, when you come to examine it. Will any one turn, if he can, to a sentence containing the words "shapes or blanks," as descriptive of this kind of iron. If we are not to understand precisely what laws mean and to what facts they refer, we had better not enact them. Therefore I hope that proviso will be stricken out.

Mr. MORRILL. This is a new provision, but I appeal to the Senator to know if it is not a proper one. It barely proposes a half-cent a pound beyond that imposed on the material from which such blanks are made.

Mr. BAYARD. Half a cent a pound is $11.20 a ton.

Mr. INGALLS. May I ask the Senator from Vermont what classification this is intended to include?

Mr. MORRILL. I do not know.

Mr. INGALLS. If the chairman of the committee does not know what it is intended to include, inasmuch as the classification is entirely new, and it appears from the report of the Tariff Commission that there have been none of this classification imported during the past year and no revenue derived from it, what is the use of putting a duty on it? I think before we are called upon to vote we ought to have some information.

Mr. ALDRICH. Without undertaking to say anything about the propriety of it, I can explain what it is for. It is a provision that an extra duty shall be paid upon partially manufactured articles of iron or tin or any articles of that kind where the metal is pressed into shape ready to be put together on this side of the water, making it above the raw material. That is the plan of the bill all the way through, to charge partially manufactured goods at a higher rate than the raw material from which they are made.

Mr. BECK. If the Senator from Rhode Island is correct, the words "shapes or blanks of sheet or plate or skelp iron" ought to be stricken out, and it ought to read:

Provided, That all articles partially manufactured, if not specially enumerated or provided for in this act, shall pay the additional duty.

Mr. ALDRICH. That language would be perfectly satisfactory to me.

Mr. BECK. If it has any meaning at all that ought to be the language or it ought to go out. On page 40 of the examination of Mr. Oliver before the Finance Committee he referred to a number of questions I asked on this clause, among others, and this is what he said:

The next proviso is on line 589, and reads as follows:

"*Provided*, That all shapes or blanks, of sheet or plate, or skelp iron, if not specially enumerated or provided for in this act, shall pay one-half cent per pound more duty than is imposed upon the material of which such shapes or blanks are made."

The commission deemed this proposition fair and right. They took great pains to enumerate all known articles, and it seemed but fair that if in the future a new article of manufacture should be produced on which there would be increased labor or waste in making, keeping in view our desire to have all rates proportionate to cost, it should pay one-half cent per pound more duty than is imposed upon the material of which the article would be made.

That seems to me to be a pretty harsh provision, looking into the future for possibilities. I think it ought to go out, but if it does not, and before the motion to strike out is put, if it is in order I will move to strike out "shapes or blanks, of sheet or plate, or skelp iron" and insert "articles partially manufactured" before the words "if not specially enumerated."

Mr. ALDRICH. It seems to me that if you insert in the six hundred and fifth line "plate or sheet" even at one-fourth of a cent per pound, the Senator from Delaware ought to be willing to consent to that. That would cover all that we ought to cover, it seems to me, by this provision. I call the attention of the Senator from Delaware to that.

The PRESIDING OFFICER (Mr. VOORHEES in the chair). If the Senator desires to amend the proposition of the Senator from Delaware, he had better put it in shape.

Mr. BECK. I am inclined to agree with the Senator from Delaware, that it is better to strike out the clause.

Mr. ALDRICH. I think the Senator from Delaware will agree with

me on the desirability of putting in the provision in the form I have suggested.

Mr. BECK. Let it be stricken out now, and it can be looked into hereafter.

The PRESIDING OFFICER. The question is on the motion of the Senator from Delaware [Mr. BAYARD], to strike out the paragraph from line 589 to 593, inclusive.

The motion was agreed to.

The Acting Secretary read the next paragraph, beginning with line 594 and ending with line 602, as follows:

Hoop, or band, or scroll, or other iron, without reference to length, and by whatever name called, eight inches or less in width, and not thinner than No. 10 wire gauge, 1 and two-tenths of 1 cent per pound; thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, 1 and four-tenths of 1 cent per pound; thinner than No. 20 wire gauge, 1 and six-tenths of 1 cent per pound.

Mr. MAXEY. I ask the Senator from Vermont in charge of the bill whether under the sweeping expression of that clause, "by whatever name called," it could be designed to take in cotton-ties?

Mr. MORRILL. It is not.

Mr. MAXEY. I want the record to show that fact.

Mr. EDMUNDS. Cotton-ties are provided for by themselves.

Mr. VANCE. The design of the committee will not be carried out when it comes to be construed by the Treasury officers. The words "hoop, or band, or scroll, or other iron, without reference to length, and by whatever name called, eight inches or less in width," will certainly, if the officers of the Treasury see proper to so construe them, be held to include cotton-ties.

Mr. MAXEY. I think a special provision always controls a general provision, and as there is a special provision in reference to cotton-ties I had the explanation put on the record for the specific purpose of showing that the item now under consideration does not include that which is specially provided for elsewhere.

Mr. BUTLER. Is there any objection to striking out the words "or less" in line 596? That would make it perfectly plain as to what this section referred to.

The PRESIDING OFFICER. Does the Senator move an amendment?

Mr. BUTLER. I should like to have the opinion of the Senator from Vermont, the chairman, and to know whether he will object to that.

Mr. BECK. Allow me to say a word. This involves a very large number of things by the classification. For example, we have provided for hoop-iron not thinner than wire gauge No. 10, and then above No. 10 and not higher than No. 20. The present law makes no division under No. 20. Then above No. 20 there are so many changes of classification here that unless there is to be some disposition to press this paragraph through, I hope the Senator from Vermont, as it is now quarter past 6, will give us a chance to look over it so as to see what is the real meaning of it. I have looked over it as much as I could, and found a good many things that ought to be looked at a good deal more carefully. I believe that limiting this down to wire gauge No. 10 at one rate and then from wire guage No. 20 at another rate when the present law makes no limitation below No. 20 means mischief, and I want time to look at it. As it is quarter past 6 o'clock now, the usual time for adjournment, I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from Kentucky moves that the Senate adjourn.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM].

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND]. If he were here, I should vote "nay," but I have agreed with him to have the right to vote to keep up a quorum. I withhold my vote for the present.

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. SLATER. I am paired with the Senator from Minnesota [Mr. MCMILLAN]. If he were here, I would vote "yea."

Mr. MITCHELL. I reserved the right to vote to make a quorum. Therefore I vote "nay."

The result was announced—yeas 18, nays 24; as follows:

YEAS—18.

Barrow,	Coke,	Hampton,	Morgan,
Bayard,	Farley,	Harris,	Vance,
Beck,	George,	Jackson,	Voorhees.
Call,	Gorman,	Jones of Florida,	
Camden,	Groome,	Maxey,	

NAYS—24.

Aldrich,	Chilcott,	Hoar,	Mitchell,
Allison,	Conger,	Ingalls,	Morrill,
Anthony,	Hale,	Jones of Nevada,	Platt,
Blair,	Harrison,	Lapham,	Rollins,
Cameron of Pa.,	Hawley,	McDill,	Sawyer,
Cameron of Wis.,	Hill,	Miller of N. Y.,	Sherman.

ABSENT—34.

Brown,	Frye,	McPherson,	Sewell,
Butler,	Garland,	Mahone,	Slater,
Cockrell,	Grover,	Miller of Cal.,	Van Wyck,
Davis of Ill.,	Johnston,	Pendleton,	Vest,
Davis of W. Va.,	Jonas,	Plumb,	Walker,
Dawes,	Kellogg,	Pugh,	Williams,
Edmunds,	Lamar,	Ransom,	Windom.
Fair,	Logan,	Saulsbury,	
Ferry,	McMillan,	Saunders,	

So the Senate refused to adjourn.

Mr. ALDRICH. I say to the Senator from Kentucky that the classification in this clause is the same as the old law with one slight exception. They are practically the same thing, the only change made being for the purpose of preserving the same language, using the number of the wire gauge instead of the other classification for thickness. The rates have been reduced throughout the whole clause.

Mr. BECK. The rates are reduced a fraction, and a very small fraction, at No. 20. The duty is 80.81 per cent., and I expect when the true prices of things are had it now will be found to be 100 per cent. Although no notice was given that we were to sit later than 6 o'clock, and the arrangement heretofore has been that we should adjourn at 6, and Senators had prepared themselves to examine all the questions likely to be acted upon before 6, now, at quarter past 6, a change of classification has been made and a new schedule has been reached that in the ordinary course of events it was supposed would not be likely to be considered to-day. I desire to say for one that I am not prepared to tell what is the meaning of it. If I can have until 11 o'clock to-morrow morning I can tell, and I believe that I shall then be able to show that this change of classification from ten to twenty is done for some purpose, that other changes have been made to increase protection and to add to burdens, because I find that under twenty wire gauge the large importations are made, and the change was not made recklessly; it was not made carelessly; it was made for a purpose, and while the reduction is from five-tenths down to four-tenths the reduction is so very small that I think we ought to look into it a little more closely. I am obliged to state, however, that I am not able to say what would be the real percentage. It is put down at 88.81 per cent. on one portion and at 76.50 per cent. on another. We have been endeavoring to obtain something like a system if we could.

Mr. BUTLER. I want to call the Senator's attention to the fact that under the 80.81 per cent. class not a dollar of revenue was returned.

Mr. BECK. I admit that. If we had been warned in advance by the caucus that sat yesterday morning and again yesterday evening that we were to be pushed into a conference committee, and all we did was to be upset without even getting a chance to make a record and tell the truth, I should have been prepared to sit until 9 o'clock. If gentlemen will adjourn now and give notice that they want us to sit to-morrow night I will come prepared to sit until 12 o'clock with them; but expecting to sit only until 6 o'clock to-day, and not expecting the Senate would pass this point, which involves the cotton-tie and many other things which ought to be carefully looked into, I do protest against our being driven in this sort of way.

Mr. MAXEY. Will the Senator allow me to offer an amendment right here, to which I think nobody will object?

Mr. BECK. I desire to finish what I rose to say. I want this bill finished rapidly, but I want a record made before it goes to a conference, and I believe all that we have done will be given away.

Mr. MAXEY. I asked the Senator from Vermont, in charge of the bill, whether the clause from line 594 to line 602 embraced in any way cotton-ties by the general description "by whatever name called," and he answered no. Now, I suggest to him as there seems to be doubt about that, to add after the word "called" the words "except cotton-ties or hoops for baling purposes, or cotton steel ties or hoops for baling purposes."

Mr. EDMUNDS. Then you will raise a doubt on every other portion of the bill where classifications are made that you can not get over. Now you can get over it, because cotton-ties are specially mentioned in a clause below. If you make this special exemption there you open the door to doubt on every other clause of the bill.

Mr. MAXEY. I must confess that this whole matter has given me a great deal of cause to think there is something wrong about it. Here, after going on and using the general expression "by whatever name called," I asked the question—I am not blaming the committee, I do not believe they did anything of that kind—whether that referred to cotton-ties, and the Senator in charge of the bill, the chairman of the Finance Committee, says "No, it does not." Very well. I look down then to that which does relate to cotton-ties:

Iron and steel cotton-ties, or hoops for baling purposes, not thinner than No. 19, wire gauge, 1 and four-tenths of 1 cent per pound.

It is perfectly well known to the very men who put that in there, I mean the outside men who did it, that No. 17 and No. 18 and No. 19 are used for the purpose of cotton-ties, and up to and including No. 20. It is from 17 to 20 inclusive that are most used for that purpose. Therefore in putting this, as the bill does, at No. 19, all the cotton-ties of No. 17 and No. 18 would have to come in under this other provision. I must confess that when I look at it, although as I say I do under-

stand that a special provision controls a general law—there is no doubt about that—the special provision does exclude all the gauges that we use constantly in baling cotton.

Mr. EDMUNDS. Then change the special provision when you come to it.

Mr. MAXEY. I propose to do that very thing.

Mr. MORRILL. No. 19 will include all that is used for baling cotton.

Mr. MAXEY. I judge about that for myself.

Mr. MORRILL. That is one or two numbers finer than is usually used. Nos. 17 and 18 are the kind, and No. 19 is finer than either of those numbers.

Mr. MAXEY. The Senator will pardon me. I think I understand that point. I took the precaution to telegraph to the Cotton Exchange in Galveston, in my State, before this question was raised, to give the numbers which they used, and their reply was that they used Nos. 17 to 20.

Mr. MORRILL. I merely desire to add further that every provision in the tariff bill would be faulty if there could be any fault found with this. It must of necessity come in where it is specially described, and nowhere else.

Mr. COCKRELL. Mr. President, a few days ago we had the question up of when we should take up this bill and how we should consider it and whether we should have night sessions or not. I presented a motion that the bill should be taken up immediately after the morning hour and its consideration continued until 6 o'clock. It is true that that was not formally acted upon; but there was a tacit agreement, an honorable understanding that we should take up the bill immediately after the close of the current morning business and consider it until 6 o'clock. Now it seems—I have discovered it in the papers, a thing that I did not know—that there has been some determination of our Republican friends to force a night session to-night without having given us any previous notice, directly or indirectly, of their intention to break this agreement, this tacit understanding.

Now, I appeal to the Senator from Vermont at this hour, past the time that we usually adjourn, and I state to him and others that if he desires a night session to-morrow night and will give notice to that effect I will vote for it; I will stay here with him. I want this bill passed; I do not intend to vote for it; and I and the Democratic party on this side of the Chamber are offering no obstructions to the passage of the bill. We are simply desiring to make a fair and candid statement of what the bill is and the effects of it. There is no disposition to unnecessarily delay this matter. You have scarcely got a quorum. You know perfectly well that you can not force action to-night. Now, why irritate and excite the same human nature in others that you have in yourselves? You can lead a horse to the water, but you can not make him drink.

Now, give your notice and you shall have an opportunity of having a night session. Nobody wants to throw any unnecessary obstructions in the way of the transaction of business.

We have staid here quietly until 6 o'clock. We supposed you would adjourn then. Now, give your notice for to-morrow night, if you will. Tell us what you want, and I will vote to give you any reasonable time. If you want to have night sessions next week, you are responsible. You say you can not get the bill through otherwise; be it so. There has been more time consumed than most of us expected with this bill.

For the last two or three days our Republican friends have been very loquacious. I think they have consumed much more than half the time that has been consumed in the discussion of this question. That is their right; it is their privilege. This bill is of sufficient importance to justify them in doing it without being continually censured.

I think it would be for the best interests of the bill, I think it would be for the best interests of the Senate, and I think it would be favoring the passage of this bill if the Senator himself would take the floor and give us notice and then move an adjournment.

Mr. MORRILL. Mr. President, I wish to say in the first place that there has been no caucus directing me to have a night session. My only object is to make some progress so that I can see that the end of this bill will some time be reached; and unless we can make even more progress than we have made to-day, we are not to have time enough to finish the bill. I concede that if a night session was to be had, perhaps some notice ought to be given of it, but I have only intended, as I shall intend to do from now until the end of the bill, to keep the Senate here as long as I can every day in order to finish the bill.

Mr. COCKRELL. Do you propose to keep us here to-night?

Mr. MORRILL. No; I move that the Senate adjourn.

Mr. MAXEY. I ask the Senator from Vermont——

The PRESIDING OFFICER. Debate is not in order.

Mr. MAXEY. I ask the Senator from Vermont to withdraw his motion for a moment.

Mr. MORRILL. Very well.

Mr. MAXEY. I want to offer an amendment to be pending. I withdraw the one I offered, and move that in line 595 the words "and by whatever name called" be stricken out.

Mr. MORRILL. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 26 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January* 26, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

SUGAR IN BONDED WAREHOUSES.

Mr. KASSON. Mr. Speaker, I now ask unanimous consent that the bill to which I have called attention on several occasions heretofore, but to which objection has been made, may now be taken up for immediate consideration. I refer to what is known as the warehousing bill. I think the objections have generally been withdrawn, and I hope there will be none made to-day to the passage of the bill.

The SPEAKER. The title of the bill will be read, subject to objection.

The Clerk read as follows:

A bill (H. R. 2222) to amend section 2983 of the Revised Statutes of the United States, so that the duty paid upon sugar shall be assessed upon the quantity delivered from instead of the quantity entered into bonded warehouses.

Mr. KASSON. This, I may be permitted to say, is the unanimous report of the committee, and the objections that have heretofore been made have been withdrawn upon an examination of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ELLIS. I object.

Mr. KASSON. If the gentleman from Louisiana will allow me a single word——

Mr. ELLIS. I object.

FORT SMITH MILITARY RESERVATION.

Mr. DAVIS, of Illinois, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (H. R. 7060) granting the right of way for railroad purposes and telegraph lines through the lands of the United States included in the Fort Smith military reservation at Fort Smith, in the State of Arkansas; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. TOWNSHEND, of Illinois. Regular order.

Mr. REED. I would like to have an opportunity to ask unanimous consent to pass a bill——

Mr. HUTCHINS. I understand that there will be objection made to passing any bill by consent.

The SPEAKER. The regular order is called for. The Chair will state that the regular order is the morning hour for the call of committees for reports.

Mr. KELLEY. I move to dispense with the morning hour.

Mr. RANDALL. I suppose it is the object of the gentleman to make that comprehensive enough to include also the suspension of private business for to-day.

Mr. KELLEY. It is my intention to make that motion.

The SPEAKER. It will require a separate motion. The question is on agreeing to the motion of the gentleman from Pennsylvania to dispense with the morning hour for the call of committees.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. KELLEY. I now move to dispense with the consideration of private business for to-day.

PRINTING REPORT OF TARIFF COMMISSION, ETC.

Mr. SPRINGER. I wish to make a privileged report from the Committee on Printing.

There have been several requests on the part of members and others to print as if it had appeared in the RECORD portions of the report and testimony taken by the Tariff Commission, and a resolution was referred to the committee authorizing certain copies to be printed. The committee have instructed me to report the resolution back with a substitute.

Mr. RANDALL. Is that a privileged report?

The SPEAKER. The Chair is unable to understand whether it is or not.

Mr. SPRINGER. It is a privileged report. The gentleman will not object to it when he hears it read. The resolutions for this purpose were introduced by the gentleman from Rhode Island [Mr. CHACE] and authorized the printing of 5,000 extra copies of certain parts of the testimony taken by the Tariff Commission. The committee recommend the striking out of all after the enacting clause of the resolution and the insertion of what I send to the desk as a substitute. This authorizes the printing to be done by the Public Printer on certain conditions which are specified in the substitute.

The SPEAKER. The proposed substitute will be read.

The Clerk read as follows:

The Committee on Printing recommend the striking out of all after the enacting clause of the resolution and to insert as follows:

"That the reports of the Tariff Commission and evidence and papers submitted therewith, or any part thereof heretofore printed by order of Congress, may be reprinted at the Public Printing Office at the instance of Senators, Representa-

tives, and Delegates in Congress, or others, upon payment in advance to the Public Printer of the cost thereof, the same as if originally printed in the CONGRESSIONAL RECORD."

Mr. HASKELL. Let me ask the gentleman in charge of this matter if that will in any way interfere with the printing already authorized?

Mr. SPRINGER. Not in the least. It interferes with no previous orders with reference to printing any portion of these tariff matters.

Mr. HOLMAN. I think this publication ought to be under the same conditions as those of the general law, which requires 10 per cent. above cost to meet contingencies.

Mr. SPRINGER. I do not think it is necessary to add the 10 per cent. on the cost, because the amount must be paid in advance, and this relates to a matter now pending before the House. Some gentlemen desire extra copies to be printed, and the committee have thought it well to allow them to be printed and to be paid for in advance, the same as for speeches.

Mr. HASKELL. And it should be stated that this is not for the benefit of the member.

Mr. SPRINGER. No. The members want to send them out in response to demands made upon them.

The concurrent resolution was adopted.

Mr. SPRINGER moved to reconsider the vote by which the concurrent resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SECTION 3788 REVISED STATUTES.

Mr. VAN HORN. I ask unanimous consent to take from the Speaker's table, for reference to the Committee on Printing, the bill (S. 2370) to amend section 3780 of the Revised Statutes.

There being no objection, the bill was taken from the Speaker's table, read twice, and referred to the Committee on Printing.

REPORT OF DISTRICT HEALTH OFFICER.

Mr. SPRINGER. I desire to make another privileged report from the Committee on Printing. I am instructed to report back with a favorable recommendation the joint resolution (H. Res. 293) authorizing the printing of 2,500 copies of the report of the health officer of the District of Columbia.

The resolution was read, as follows:

Resolved, &c., That the Public Printer be, and is hereby, authorized to print 2,500 extra copies of the annual report of the health officer of the District of Columbia; 100 for the use of the Senate, 300 for the use of the House of Representatives, and 2,100 for the use of the said health officer of the District of Columbia.

The resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question was on the passage of the joint resolution.

Mr. HOLMAN. I call for a division.

The House divided; and there were—ayes 26, noes 42.

Mr. SPRINGER. I call for tellers.

Mr. TOWNSHEND, of Illinois. I make the point that no quorum has voted.

The SPEAKER. The Chair appoints as tellers the gentleman from Illinois, Mr. SPRINGER, and the gentleman from Indiana, Mr. HOLMAN.

Mr. SPRINGER. This is the usual number which has always been printed. It is necessary that the health officer should have these copies in order to exchange with other health boards.

Mr. VALENTINE. I suggest that a quorum is not present, and that the point of no quorum should not be insisted on.

Mr. SPRINGER. If the House will allow me, I will withdraw the resolution for the present. I do not desire the matter to be prejudiced by hasty action.

There was no objection, and the resolution was withdrawn.

ORDER OF BUSINESS.

Mr. VALENTINE. I desire to offer a bill for reference.

Mr. KELLEY. I must press my motion to dispense with private business for this day.

The question being taken on Mr. KELLEY's motion, it was agreed to (two-thirds voting in favor thereof).

Mr. KELLEY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of resuming the consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair, and resumed the consideration of the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes.

TARIFF.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of further considering the tariff bill. The gentleman from Pennsylvania [Mr. KELLEY] is entitled to the floor.

Mr. KELLEY. Mr. Chairman, when I retired from the floor yesterday it was not because I had said all that the committee had a right to expect me to say, or all that I would have been glad to say, especially in reply to interrogatories that were pouring upon me very thickly from the other side. It was because decorum and the usages of the House under peculiar circumstances, such as had arisen, required me to retire. The announcement of the resolutions of the Senate expressive of the appreciation of that body of their late associate, Hon. Mr. Hill, of Georgia, was about to be made, and it was fitting that no obstruction should be put in the way of their consideration by the House.

I do not propose to renew my general discussion this morning, but desire to say this much, that I ought to have done, in vindication of the present bill and of my assertion that I regard it as the most perfect tariff bill that has ever been submitted to the American Congress. The present tariff abounds in compound duties, so much specific, so much ad valorem, which experience has shown involve customs officers in much labor and lead to many appeals and much litigation. Following the Tariff Commission in this respect, the committee have adhered to simple duties wherever it was not found to be impracticable, as appears to be the case in a few instances.

I had remarked that I believed the reduction of income under this bill would be very much more than that estimated by experts, and had added that this reduction was exclusive of commissions, charges, &c., which I thought amounted on the average to about 10 per cent. If it be asked why I anticipate a greater reduction, I will point to the fact that under the sweeping "not otherwise provided for" clause in the metal schedule of the existing law about $8,000,000 was collected in 1882. And my confident belief is that as most of the articles which made up that large sum will, under this better-devised system of classification, come in at their proper rates and under their proper designations, while there will be some increase of revenue under these schedules the large amount under the not-otherwise-provided-for clause will almost disappear as a total, it will have been distributed in minor amounts over other portions of the bill.

Mr. SPRINGER. Will the gentleman from Pennsylvania allow me to ask him one question for information?

Mr. KELLEY. I was about to say I was now ready to answer the questions which were being pressed upon me, I think by the gentleman from New York [Mr. COX], possibly by the gentleman from Kentucky [Mr. CARLISLE], and for aught I know by my friend from Illinois [Mr. SPRINGER]. I will be happy, if I can, to answer any question.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. KELLEY. For a question, yes.

Mr. SPRINGER. Did I understand the gentleman from Pennsylvania to state that the average reduction of duties recommended by the pending bill amounted to 10 per cent. of the existing rates?

Mr. KELLEY. If the gentleman so understood me it was because I utterly failed to express myself.

Mr. SPRINGER. I understood the gentleman to say that there was 10 per cent. of reduction.

Mr. KELLEY. I spoke only of the reduction resulting from the abolition of charges upon inland transportation, commissions, &c.

Mr. SPRINGER. Then will the gentleman state what he has estimated to be the average reduction upon existing rates by the present bill? Do I understand the gentleman to state——

Mr. KELLEY. I can not say what the gentleman understood me to state, after the question he has put to me. I can only repeat what I said.

Mr. SPRINGER. I beg the gentleman's pardon. I asked him what was the average amount of reduction proposed by this bill from existing rates.

Mr. KELLEY. As I understand it, it runs in the neighborhood of 5 per cent. over the whole imports, based upon the estimates of the imports for 1882. That is exclusive of the reduction that will follow the abolition of the charges to which I have referred.

A colleague on the Committee on Ways and Means reminds me that by the figuring of the experts the reduction will be at the rate of about 12 per cent. over the whole list, and my impression is that it will be larger. My mind had wandered a little from the point of the gentleman's question.

Mr. SPRINGER. Will the gentleman allow me to ask him whether the bill reported from the Committee on Ways and Means increases or diminishes the rate of reduction proposed by the Tariff Commission?

Mr. KELLEY. The gentleman has before him, or at least if he has not he ought to have——

Mr. SPRINGER. I have the big book here.

Mr. KELLEY. And by examining it he will find just what is done on that subject on every item the position of which is not changed by reclassification, so that we could not ascertain exactly what the particular article pays.

Mr. MCKINLEY. But there has been a decrease from the recommendation of the Tariff Commission.

Mr. KELLEY. Yes; I am aware of that.

Mr. SPRINGER. I am very glad to hear the gentleman make that admission.

Mr. KELLEY. Our bill proposes less reduction than that proposed by the Tariff Commission.

Mr. MORRISON. Some $8,000,000 less on sugar, some four millions less on one article of tin-plate, and other amounts on other articles.

Mr. KELLEY. I am replying to the question of whether there is a reduction; how that reduction is reached is another question.

Mr. SPRINGER. I see it stated in the report of the Tariff Commission that the reduction proposed by that commission is from 20 to 25 per cent. But I understood from the gentleman from Pennsylvania [Mr. KELLEY] that the rate of reduction proposed by the Committee on Ways and Means is only about 12 per cent.

Mr. KELLEY. I say that the calculation by the experts is that it will be 12 per cent.; but I think it will be much larger than that, and that is exclusive of the reduction resulting from the abolition of the duty on charges, commissions, &c.

Mr. CARLISLE. Will the gentleman permit me to ask him a question?

Mr. KELLEY. Certainly.

Mr. CARLISLE. There was some confusion in the Hall yesterday afternoon just as the gentleman was about closing his remarks, and I was not able to understand exactly what he said would be the effect upon the revenue of the proposition reported from the Committee on Ways and Means, as well as of the proposition of the Tariff Commission, to abolish the duties on commissions, charges, and packages. I understood the gentleman to say that it would work a reduction of from 10 per cent. to 50 per cent.

Mr. KELLEY. No; my estimate, based on the best information I could get, was that it would average about 10 per cent. And when I understood the gentleman from Kentucky [Mr. CARLISLE], or possibly it was the gentleman from New York [Mr. COX], to say that it was impossible it could amount to that much, I replied that there were cases in which it amounted to about 50 per cent., but that the average would probably be about 10 per cent.

Mr. CARLISLE. Fifty per cent. on the duties?

Mr. KELLEY. Yes, on foreign imports and consequently the duties.

Mr. CARLISLE. I do not think it will average 3 per cent. on the whole schedule.

Mr. HASKELL. There are instances in which——

Mr. KELLEY. I will not sustain the matter by my own assertion only, but will appeal to two of my colleagues for specific cases in which these charges——

Mr. CARLISLE. The gentleman must remember in the first place that the provision of the law which imposes duties upon commissions, charges, and packages applies only to those cases where ad valorem duties are imposed, and can have no reference whatever to those provisions of the law which impose specific duties. Our duties under the present law are largely specific, and they will be still more so under the bill reported from the Committee on Ways and Means.

Now, in order to make a reduction of 10 per cent. in the revenue by reason of the abolition of these duties upon commissions, charges, and packages, it must be shown that they will amount to ten dollars on every hundred dollars' worth of goods bought in a foreign market and imported into this country. I think no such proposition can be established.

Mr. KELLEY. The gentleman from Kentucky will not dispute the proposition I have already laid down that our present tariff is characterized by the general prevalence of compound duties; that a compound duty is made up in part of a specific duty and in part of an ad valorem; and as the charges now under discussion arise wherever an ad valorem duty is imposed, they arise on almost all the dutiable imports under the existing law.

Mr. CARLISLE. Will the gentleman allow me to call his attention to the metal schedule, in regard to which the largest importations consist of pig-iron, wrought and cast scrap-iron, and steel rails, upon all of which the duty is purely specific?

Mr. KELLEY. Yet it is true that one of the prevailing complaints against the present tariff is based upon these compound duties, and one of the well-grounded and most widespread demands for revision is to get rid of compound duties which have rendered the discharge of imported goods through the custom-house so difficult. I affirm that the ad valorem duty prevails in the general scale of our imports, and that 10 per cent. will probably be found to be a moderate estimate. Now I ask my colleague on the committee who sits behind me [Mr. HASKELL] to state a case in which the charges and commissions amount to about 50 per cent., and I ask my colleague from Ohio [Mr. MCKINLEY] to state another actual case.

Mr. MORRISON. If the gentleman from Pennsylvania will allow me before he gets away from this subject——

The CHAIRMAN. Does the gentleman yield?

Mr. KELLEY. I shall not "get away from this subject;" and I had appealed to my colleagues on the committee to state cases.

Mr. HASKELL. I am at liberty to state a case on the authority of a man whom every member of the Massachusetts delegation will represent as one of the leading importers of glass and crockery ware. I take the case of a crate of these goods from the interior of England, worth $24, or perhaps $30. When you take the cost of the crate and add to that the packing, the cost of inland transportation, 2½ per cent. commission, the port charges, and then the ad valorem duty levied upon crockery generally, the amount of these charges and commissions is $11 and some cents—about 50 per cent. of the invoice price of the goods abroad.

Mr. CARLISLE. Does the gentleman intend to say that the importation of an article from Europe, the cost of which is only $24, is a fair sample to take?

Mr. HASKELL. I did not say it was a fair sample——

Mr. CARLISLE. If it cost $12, the proportion of charges would be much larger, of course.

Mr. HASKELL. I did not state that it was a fair sample, nor did the chairman of the committee. But he said that these charges and commissions would run upward from 5 per cent., and in one case he knew of would amount to 50 per cent. He has appealed to me to state a case. The name of this importer—I am willing to give it—is Mr. Jerome Jones, of Boston.

Mr. CARLISLE. A very reputable man.

Mr. HASKELL. A very reputable gentleman, and a good Democrat, by the way. We have his statement, and I have the figures. That is an extreme case of the cost of an imported article being swelled by the commissions and charges. The chairman of our committee thinks that the commissions and charges will average 10 per cent. of the whole. I do not think they will go quite that high.

A MEMBER. How high?

Mr. HASKELL. I think they will go from 5 to 7½ per cent. I think the total reduction by this bill on the basis of importations is about 17 per cent., but I believe the total reductions without regard to importations—that is, giving us full credit for our reduction of tariff rates—will reach, as the commission said they would, from 20 to 25 per cent. of the present tariff rates.

Mr. KELLEY. Now, Mr. Chairman, I am ready to yield to my friend from Virginia [Mr. TUCKER], who, I understand, desires to present——

Mr. MORRISON. One word before the gentleman gets away from this subject of ad valorem rates and the probable reduction to result from repealing the provision of law which make freights, charges, and commissions part of the dutiable values. This has been stated by the gentleman from Pennsylvania [Mr. KELLEY] at 10 per cent., and by other gentlemen at a still higher figure. If we may credit what we see in the newspapers, since we are not allowed to speak of what occurs at the other end of the Capitol, it will appear that the estimate there, when extended over the whole range of duties, is 2½ per cent. or less than five and a half millions on more than two hundred and fifteen millions. The gentleman will remember there are certain schedules upon which there is no increase of duty resulting from this provision of law, because the duties are entirely specific. Take for illustration schedule of earthen and glass ware. While the duties on earthen-ware are entirely ad valorem and are increased very largely by this provision of law, we get more import duties from glass, the other part of that schedule, and upon this the duties are about three-fourths specific.

Nearly one-fourth of our revenue comes from sugar, and the duties upon it are entirely specific; and if the gentleman will examine the woolen schedule he will find that of the twenty-nine or more millions of duty we collect from that schedule only thirteen millions is collected on ad valorem rates.

Mr. KELLEY. I thought the gentleman was going to ask me a question.

Mr. MORRISON. Yes; and I am coming to the question. The gentleman says when we have double duties, say 25 cents per yard and 25 per cent. ad valorem, amounting to 50 per cent. on a piece of goods, that this provision applies to the whole, increasing both ad valorem and specific rates. This I submit is not the fact. It applies to and increases the ad valorem part. And if the gentleman will take the trouble (and that is what I wish to ask him to do) he can ascertain the fact for himself.

Mr. KELLEY. I am grateful for this lecture, but I will be still more so if the gentleman will now propound his question, because he will have a chance for the floor hereafter.

Mr. MORRISON. Does not the gentleman know these ad valorem duties apply to less than one-half of the duties collected?

Mr. KELLEY. No.

Mr. MORRISON. And understanding it may average on earthenware 17½ per cent., does he not know that on silks and such goods it will average less than 5 per cent., which I believe a fair average for all to which it applies, and as the duties are applicable to less than one-half of imported goods, does he not know that it will be less than 2½ per cent. on the whole?

Mr. HASKELL. The gentleman is in error about his articles. He said the large importation was of glass-ware where the rate is specific. I venture to say if he will examine the list he will find the rates are ad valorem where they run up to these large amounts.

Mr, MORRISON. I said so.

Mr. HASKELL. No; you turned it the other way, that the large importations were at specific rates.

Mr. MORRISON. On glass not on earthen ware.

Mr. HASKELL. On earthen-ware, on which the rates are ad valorem entirely. The gentleman is all wrong.

Mr. KELLEY. Before I yield to the gentleman from Virginia [Mr. TUCKER] I desire to express my anxiety that general debate shall be limited to as brief a period as is consistent. We on this side want but little general debate. We believe that the five-minute debate, with a liberal allowance for printing, which is usually made during such debates, would give ample time and means for the discussion of this bill after the very elaborate discussion on the abstract principles of tariff which took place during the last session of Congress. I ask the other side of the House to let me know at the close of the speech of their colleague how short a period will in their judgment be necessary for general debate. I have no disposition to crowd the matter, but am very anxious to have the time reduced to the least period which will be agreeable to gentlemen on both sides.

Mr. TUCKER. Mr. Chairman, the bill which is reported by the committee contains 2,440 lines. There is scarcely an article known to the consumption of the American people that is not included within its schedules for taxation, either by name or within their extraordinary classifications. We are taxed on every class of subjects, and if the House will look at the bill they will find the last item is some article whose name begins with "Z." So, then, we are taxed from "A" to "izzard." [Laughter.]

The truth is that the whole purpose of our tariff system seems to have been perverted from its original object, which was to select those subjects which would produce revenues for the support of the Government, until by the law of the last session experts have been employed for the purpose of finding not how we can raise revenue but how we can prevent revenue, in the interest of bounty to monopolies.

Why, Mr. Chairman, my friends and colleagues on the Committee on Ways and Means who hold views diverse from my own will admit that in the counsels of our committee it was conceded by a witness before us that certain duties were absolutely prohibitory and were intended to be so. And as to one of the classifications in the wool schedule, upon which they do not know the present rate of duty charged because of expert classification, it was also conceded that it was not even an infant industry, but an industry to be brought into being by this paternal Government (not an infant *in esse* but only *in posse*) in order that the little bantling after it was started into life might be protected by the public bounty as all other infant industries are by this so-called protective policy.

Mr. Chairman, let us look at the history of the efforts for the revision of this tariff. We find that the tariff which had existed up to 1861–'62 was revised by what is known as the Morrill tariff at rates very largely below what now exist, that continued during the war and until 1872–'73, when there was a revision by which the duties were reduced 10 per cent. And just before the advent of the Democratic party to power in this House, in the last hours of the Forty-third Congress, the tariff was revised again, and the 10 per cent. which had been taken off was again imposed and continues to this day. And this tariff is higher in most respects than that of 1842, and on the average on dutiable articles is nearly as high as any in our history.

Ever since that time we have been trying to get this tariff revised. My honorable friend from Illinois [Mr. MORRISON], who was chairman of the Committee on Ways and Means in the Forty-fourth Congress, reported a bill on which we might have secured action had it not been for the great Presidential issue of the winter of 1876–'77. The late chairman of the Committee on Ways and Means, Hon. Fernando Wood of New York, in the Forty-fifth Congress reported a bill, and the only consideration it received from our friends on the other side of the House when it came into the Committee of the Whole was a motion made to strike out the enacting clause, which was done. Every effort, Mr. Chairman, hitherto made has been foiled; and the effort has been to keep the people of this country under the same burden of taxation that now exists without any change or revision. No change has been made except in the sporadic case of the motion of my friend from Kentucky [Mr. MCKENZIE] to suspend the rules and put quinine on the free-list.

At the last session of Congress, when a proposition was made to consider the revision of the tariff, a counter-proposition for the creation of a tariff commission was offered for the purpose of making that revision. A commission for a revision had been proposed in a previous Congress, but it was postponed. As was wittily said by some one, the whole Tariff Commission proposition was simply an affidavit for a continuance. We were told at the last session of Congress that Congress was incapable of acting upon the question, that it was incompetent for the task of a systematic and thorough revision of the tariff, and that we must have a board of experts upon a commission to do that work for Congress. On our side of the House, in opposition to that commission, we insisted that when the report of the commission came into Congress, with its tariff proposition, we would necessarily be compelled to go to work to remedy the defects that might exist in it; in fact, to revise the revision; and the Committee on Ways and Means of the House and the Finance Committee at the other end of the Capitol have been for nearly two months revising and changing the work of the commission of experts. It is not surprising that this should be the case. That commission for revision, I will not say all of them, because it is not true, but a number of the gentlemen who were on that commission were persons who were interested in the perpetuation of this system by which the consumers of the country are made to contribute to the support of the monopolies. It was a tribunal so constituted that the advocates at its bar were the judges who sat on its bench; and after their advocacy of the system which they proposed in their own interests they sat on the bench and decided accordingly. This was not true of all; there were exceptions; but it was notoriously true of some of them.

The bill of that commission came into our Committee on Ways and Means. I am not revealing any of the secrets of that committee when I say that two of the members of that commission appeared before it, and one of them very signally went back on the report which he had signed as a member of the commission, and advocated the views which had been his own personal views on the commission, but in which he was overruled by the other members. Being thus overruled he came into the committee, and the committee almost entirely subscribed to his views and increased the duties on woolen goods, being the particular articles to which that member of the commission addressed himself. The committee in the way of revision of the bill of the commission has increased the duties, I believe, certainly with very few exceptions, as, for example, on sugars and tin-plates.

Mr. HASKELL. And wire rods, and on bar-iron and on wire and on sundries——

Mr. TUCKER. Yes, particularly on sundries; and in that *nomen generalissimum* the gentleman covers a large amount of bounty.

Mr. HASKELL. I say a large reduction was made by the committee on the report of the commission in these and other articles.

Mr. TUCKER. Now, Mr. Chairman, here is the bill of the Tariff Commission and here is the bill as we propose it, or rather as the committee propose; and my honorable friend the chairman of the committee, the chancellor of the exchequer, comes in with his budget under his arm, and when asked, as he was on yesterday, to throw some light on this subject and tell the House and the country what would be the effect of the revenue bill now proposed on the quantum of revenue, he said he was unable to do anything more than to make a very shrewd guess at it.

Mr. KELLEY. I said I could make a guess or an estimate, not a "shrewd guess."

Mr. TUCKER. I do not think my friend made a shrewd one, at all events; and the fact of the matter is that the committee has come into this House unprepared as a committee to satisfy the inquiries of the House and the demands of the country to know what is to be the effect of this bill which we propose to the country to adopt.

Gentlemen have said, or the intimation has been thrown out, that we on our side of the House have been operating for delay and to postpone the consideration of this tariff bill. I was anxious, Mr. Chairman, that there should be a postponement of the consideration of the bill until the members of the committee, and especially its chairman, should be filled with sufficient information to throw some light upon this important subject.

Mr. HASKELL. I want to ask the gentleman from Virginia, when he says that we can not give correctly the amount of reduction of revenues that this bill will produce, if in his experience he has ever seen a tariff bill or an internal-revenue bill, or if he ever hopes to see one, wherein any man can fairly with accuracy estimate the amount of revenue resulting therefrom?

Mr. TUCKER. I say, with very great respect to my friend from Kansas and to all the members of the Committee on Ways and Means *quorum pars minima fui*, that I think the committee has shown itself inadequate to the task devolved upon it by the House if when it comes in with a bill so important as this for the revision of the tariff it is unable even to make a shrewd estimate or guess as to the effect of the bill upon the Government.

Mr. HASKELL. Here is the estimate which I hold in my hand.

Mr. TUCKER. Does my friend from Kansas mean to say that that is even a shrewd estimate?

Mr. HASKELL. You asked for an estimate.

Mr. TUCKER. I wanted a shrewd estimate.

Mr. HASKELL. We will leave that to the Democracy.

Mr. KELLEY. Will not the gentleman from Virginia, who was also a member of the Committee on Ways and Means, give us his estimate, or even a shrewd guess, and the date upon which his estimate is based, and I trust it will be a shrewd one? I ask the gentleman, as one of the Committee on Ways and Means charged with the preparation of this bill, to give us such an estimate as he himself has been able to form with reference to the question he asks, because he had every facility that we had and all of the opportunities that we have had for making an estimate.

Mr. TUCKER. My honorable friend, the chairman of the Committee on Ways and Means, has said that it was not our duty to make an estimate.

Mr. KELLEY. I ask for your personal opinion.

Mr. TUCKER. Mine, personally?

Mr. KELLEY. Yes, sir.

Mr. TUCKER. Now, Mr. Chairman, let me say to my friend that he will remember that on the morning this bill was reported or was ordered to be reported he came into the committee with his report prepared, cut and dried for the occasion; and that we asked leave to get some informa-

tion from the Treasury Department in reference to these matters of revenue and the effects of these duties. We wanted the delay in order that we might get the facts on which we might make an estimate; that delay was not accorded to us. The bill was ordered to be reported. It came in with that reservation. I confess I have not the means at my disposal of making the estimate, but I can show that the estimate which has been made in the paper which the gentleman holds in his hand is utterly delusive.

Mr. KELLEY. Mr. Chairman, I desire to say right here, in response to the averments of the gentleman from Virginia, that the paper I now hold in my hand was then completed or receiving the finishing touches from that agent of the Treasury Department who has for many years had charge of the preparation of the volume on the exports and imports which enter into domestic consumption. He was also the compiler of the volume I have here, giving us the Treasury statistics on these subjects from 1867 to 1878, and has compiled those of the subsequent years; and I ask the gentleman whether it is not within his knowledge that the Treasury Department had appealed to the committee to send it this table prepared under the supervision of the committee by this agent, that it might be returned to us with the Treasury certificate. I do not wish to speak of the secrets of the committee-room, but I do say that the Treasury sat with us through its clerk best equipped for the duty of preparing the information referred to day by day, taking our agreed rates of duty and calculating the ad valorem and putting the results in the table day by day. No information has been withheld, nor was the bill precipitated upon the House until we had all the Treasury could give us in the way of information.

Mr. TUCKER. I would like to know whether my hour has expired, or whether my friend from Pennsylvania now controls the floor?

Mr. KELLEY. No, sir; but when the gentleman made a statement which was so easily overthrown I felt it my duty to do it.

The CHAIRMAN. The gentleman from Virginia is entitled to the floor.

Mr. TUCKER. I now desire to go on.

The CHAIRMAN. The gentleman from Virginia will proceed.

Mr. TUCKER. I do not doubt that what my honorable friend has said is true, although I am not aware of it. But one thing is clear, that the gentleman would not put the estimates which are found in that paper in the report which he has submitted to the House. Why was not that done? Was it because the gentleman did not consider those estimates reliable? If so, then in the midst of all this darkness upon which the report of the committee throws no light, what light is thrown upon it by the estimate which the gentleman holds in his hand, and which I will show directly is absolutely delusive?

Now, Mr. Chairman, that I may not exhaust my time in this play between myself and the gentlemen, my colleagues on the committee, I proceed to say that in the revision and formation of a tariff bill three parties are interested: the Government for its revenue, the manufacturer for his bounty, and the consumer for his burden.

Before I go into an analysis of the bill in respect to these important interests, permit me to make this remark: those with whom I co-operate upon that committee and with whom I stand associated in this House on the tariff question have not proposed any radical reforms in this tariff system. We recognize the fact that under this protective-tariff policy industries have grown up, have been brought into being, have been nursed by the Government, and capital has been invested in them to such an extent that it would not only be wrong but unstatesmanlike for any one in this country to attempt to break up the whole manufacturing interests of the country by a leap from the high protective system which prevails down to what I would regard as a revenue-tariff system. All that we have proposed or attempted to do, and all that we will attempt to do in the course of the investigation of this bill is to diminish the enormous profits of the manufacturing industries which are derived from levying a tribute upon the consuming interests of the country.

With this preliminary statement I proceed to show what I call the special attention of the House to, that the burden which the consumer bears in reference to the tariff system is double in its character. He bears a burden resulting from the tax levied by the Government upon the article of import that he consumes, which tax goes into the Treasury. That is a burden which he bears in the support of his government; and heavy as it may be for all the legitimate purposes of the Government, he cheerfully bears it. But there is another burden that he bears, and that is the burden which results from a system of prohibitory duties under your tariff system, which, by preventing importation, prevents all revenue, but indirectly enhances the price of the home article he is forced to consume instead of the foreign article; not to the full extent of the duty in all cases; but a large percentage of that duty he does pay in the enhanced price of the domestic article he consumes, and which thus goes, not into the Treasury at all, but into the pockets of the manufacturer as a bounty contributed by the consumer.

It is obvious, therefore, that when the country lifts its hands and cries for a relief from the burden, it is idle and delusive for the gentlemen on the other side to say, "Why, do not you see we have decreased the burden? The revenues under this tariff will be $20,000,000 less than they are under the existing tariff." True, if that be the fact the burden which the citizen bears in contributing to the support of the Government is lessened; but if along with the lessening of the duty which would go into the Treasury you increased the duties which are for the benefit of the manufacturer, and by prohibiting importation increase the bounty paid by the consumer, do you not see that while you credit the Government with a diminution of burden on the score of revenue to it you must charge the Government and this bill with the increase of burden which comes from the amount the consumer is made to pay to the monopolies of the manufacturers?

A revenue duty and a protective duty differ as wide as the poles. A revenue duty looks to and invites importation; a protective duty forbids or decreases importation. And therefore I say to my friends upon the other side that when you come to measure the amount of diminution of burden which the proposed bill makes for the benefit of the people, you must not only see how much diminution of revenue that goes to the Government it affects, but how much diminution of tribute it makes in the form of bounty to the manufacturers of the country.

Therefore when revenue ceases or is reduced it does not necessarily follow that burdens are increased, because the revenue may be reduced by the imposition of a prohibitory duty, which would at the same time increase the burden in the form of a bounty to the protected interest.

Take this case: Suppose that the duty on pig-iron, which is now $7 a ton, should be increased to $20 a ton. That of course would prevent all revenue from pig-iron, and gentlemen could say, "Do you not see that the duty which we now have laid on pig-iron relieves the dear people from all burden, for the Government gets no revenue from pig-iron, for the people pay no duty on it?" But at the very same moment the duty of $20 a ton on pig-iron, by preventing all importation of that article, would tend to increase the monopoly of the manufacturers of pig-iron in this country so as to enhance the price paid by the consumer for that article. Therefore the burdens may really be increased by a rate of duty which would apparently diminish the burdens, because by that duty the Government obtains no revenue at all.

Take this instance, and I call the attention of my honorable friends from the South to it, take the instance of cotton-ties. The present duty on cotton-ties under the "n. o. p." provision, the "not otherwise provided" provision, is 35 per cent. ad valorem. Now, what is the duty proposed by this bill? It will amount, as I see by the statement of some gentleman who has made a calculation, to 82 per cent. ad valorem.

Now, while under the present rate of duty of 35 per cent. ad valorem there is a revenue collected for the Government from cotton-ties, under the proposed rate of duty of 82 per cent. ad valorem there will be no revenue at all derived from that source. And the effect of it will be that gentlemen will say, "Why, you see we have relieved the people of the country, particularly our Southern brethren, from all taxation on account of cotton-ties." That is to say, by the crook of the Treasury we will take nothing, but by the crook of protection the burden on the cotton-tie consumer is doubled in the interest of the monopolist manufacturer, although the Government does not get a cent of revenue from it.

Mr. HASKELL. May I ask the gentleman one question on the cotton-tie question?

Mr. TUCKER. My friend will have ample time to reply to me. I am very glad to see that he perceives the necessity for unlimited debate. [Laughter.]

Mr. HASKELL. I do not see that.

Mr. TUCKER. I beg pardon of the gentleman; he will follow me, and I hope will do so in extended remarks, because the subject needs full and ample explanation.

Mr. HASKELL. The statement of the gentleman is so grossly inaccurate that I would like to respond now.

Mr. TUCKER. If the gentleman wants to reply I will yield to him if it does not come out of my time.

Mr. HASKELL. I will not take the gentleman's time.

The CHAIRMAN. The Chair understands that the gentleman from Virginia [Mr. TUCKER] declines to yield.

Mr. TUCKER. No, I will yield to my friend.

Mr. HASKELL. The statement made by the gentleman from Virginia [Mr. TUCKER] was that he had been informed by some gentlemen that the duty on cotton-ties proposed by this bill will amount to 82 per cent. ad valorem. Now, I hold here in my hand the price-list of cotton-ties for the last ten years, showing that the rate of duty under the present law of 35 per cent. ad valorem on cotton-ties went as high in some instances as 2½ cents per pound, while under the bill of the committee it will be but 1.41 cents per pound. The present rate of duty of 35 per cent. ad valorem is about 2 cents per pound, while the rate of duty proposed by the bill of the committee is about 1.41 cents per pound; showing that the statement made by this gentleman to whom reference has been made, whoever he may be, that the duty on cotton-ties has been doubled by this bill, is incorrect, for I can prove it will be lowered on the average rate of cotton-ties for the last ten years.

Mr. MILLS. If the gentleman from Virginia [Mr. TUCKER] will allow me a moment——

Mr. TUCKER. Certainly.

Mr. MILLS. I have here a list furnished by Nailor & Co., of New York, importers, of the price paid by them for cotton-ties in England, which is $35.39 per ton. At the rate proposed by the bill of the Com-

mittee on Ways and Means, the duty on cotton-ties will be $31.36 per ton, or the equivalent of an ad valorem duty of over 81 per cent.

Mr. CARLISLE. Nearly 82 per cent.

Mr. TUCKER. Now, the "veritable estimate" which has been referred to by the chairman of the Committee on Ways and Means [Mr. KELLEY], and which is to throw so much light on this controversy, my friend from Kansas [Mr. HASKELL] says is not reliable, for the duty on cotton-ties as estimated in that statement is equivalent to an ad valorem duty of 81.64 per cent. Now, is this estimate reliable or not? Did you bring into the House a paper to instruct the House which tells what is not true?

Mr. HASKELL. That paper is one asked for by your side of the committee, and you got what you asked for.

Mr. TUCKER. This paper is one which was referred to by the honorable chairman of the committee when he was asked a few minutes ago how he would throw any light upon the subject, and he said, "Here is the statement and it is all that we have." [Applause and laughter.] Now, "if the light that is in thee be darkness, how great is that darkness!" [Renewed laughter.] Has my friend from Kansas any further question to ask me?

Mr. HASKELL. I stated to the gentleman the rate of the average for the last ten years. I said nothing about the present rate except to compare it with the average rate. I hold here a statement of the price of cotton-ties for the last ten years.

Mr. TUCKER. I take the latest information; and, besides, I want to know, and I press the question on the House, why is it if, as the gentleman from Kansas [Mr. HASKELL] says, the proposed bill puts a duty on cotton-ties lower than the existing tariff that the manufacturing interest is so eager to change the rate of the existing tariff and adopt that proposed by the bill of the committee?

Now, Mr. Chairman, let me show how absurdly delusive this whole statement is. In the last column of this statement, as gentlemen will see, under the head of "estimated duties on merchandise entered for consumption during the year ending June 30, 1882, at the proposed rates of duty," the revenue from the duty on cotton-ties proposed by this bill is given as $608,000, while the duties previously levied on cotton-ties amounted only to $270,000. This would appear to show that by this change of duty there will be an increase of revenue. But everybody knows that the increased duty will be prohibitory, and there will be no revenue. Hence I say that this table submitted to us by the committee is one which, if it be relied upon, will absolutely delude us, for the reason I have already stated, that a revenue duty does not prohibit importation, while a protective duty, by prohibiting importation, does not increase revenue, but is bound to diminish it. But remember while the protective duty does not burden the citizen for the benefit of the Government, it burdens him to a greater extent with a bounty to the manufacturer for whom it creates a monopoly.

There is one other matter to which I wish to call attention that gentlemen may notice it in the progress of our examination of this bill: that the form of specific duties and the results as tabulated in the paper referred to from the committee will, if we rely upon them, deceive us. I will take one illustration. It is said that the duty of $7 a ton on pig-iron is only about 37 per cent. The reason of this, if you will look into the reports of the Bureau of Statistics, will be found to be that the unit of value of a ton of pig-iron imported into this country in 1881–'82 was $18; and Mr. Oliver in his late statement before the Committee on Finance of the Senate has said that most of the pig-iron imported during that year was Bessemer pig, the highest-priced pig. Now, on $18 a ton, $7 is about 37 per cent.; but what becomes of all the cheaper grades of pig-iron which can be made in England for $10 per ton, and the freight on which will be, say, two or three dollars a ton? Seven dollars a ton on pig-iron worth $10 a ton would be 70 per cent.; but this duty of $7 a ton on the lower grades of pig, being absolutely prohibitory, brings no revenue. It is only the higher class of pig that brings you any revenue at all, because the ad valorem equivalent of the duty is less on the higher class than it is on the lower class.

Therefore I ask my friends on both sides of the House to be careful not to be deluded—of course I do not use the term in any improper sense—not to be deluded by the appearances of this table, but to see by looking at the report of the Bureau of Statistics for the amount of imports into the country and at the unit of value upon which the equivalent ad valorem duty is estimated. These specific duties cover articles ranging sometimes I will say from 20 cents to 50 cents; so that the rate of duty, while it may be fair for the high-priced article, may be absolutely prohibitory as to the low-priced article, all being in the same class under the same specific duty.

Now, Mr. Chairman, there is a subject which has been one of very great interest in this discussion—the subject of labor. I have gone into that so fully on a former occasion that I do not desire to consume time upon it just now, except by making one or two statements. I wish to show that the idea that a protective tariff can have any effect in increasing the wages of labor in a country is absolutely unfounded. If you will ask a man why he wants a protective tariff he will tell you, because labor is so much higher in this country than abroad that he can not pay the wages demanded and manufacture the article at a profit. Suppose there were no tariff, would the protective-tariff man demand a tariff? Yes. Why? Because under free trade, as labor here would be so much higher than it is abroad, capitalists in certain branches of industry could not afford to carry them on, could not go into these manufactures without a protection which would enable them to pay the wages demanded. Thus it will be seen that so far from the tariff being the cause of the high wages, it is the fact of high wages that makes the occasion and creates the need for a tariff. Men want protection because, as they say, the laborer demands higher wages here than he does in England, and they can not afford to carry on manufactures unless they get enough protection to give such price to the products as will leave a profit after paying the wages demanded by labor. Yet the protectionist turns the argument right around, and holds that the tariff is the cause of high wages, when in fact the high rate of wages in this country is the cause of manufacturers wanting and demanding a tariff for protection.

But, Mr. Chairman, there is no man on the committee—and I speak not only for gentlemen on the other side but for myself and, I think, for the distinguished friends who act with me on this question—there is no man on the committee who is not willing in the present condition of things to accord such a duty upon all these manufactured articles as will enable the manufacturing interests to pay the full measure of wages that the American laborer has a right to demand. But what we desire is that after we have made the tariff high enough to enable you to protect the laboring man in his wages, you shall not under the color of getting a high tariff to protect the laboring man get a tariff which will enormously increase the profits of manufacturing capital.

But I want to call the attention of the committee to another point in this connection. A proper question for the laborer to ask is not only "How much wages will I get?" but "How much will I be able to get with my wages?" It is not how much wages in money he gets into his hands, but how much of the comforts of life will he be able to buy with his wages. When you tax the blanket, when you tax the food, when you tax the clothing and the very homes of the poor laboring man 50, 60, and 70 per cent., it is a mere delusion to him to increase his wages and then to a like extent increase the price of the things he has to buy with his wages.

There is another matter to which I desire to call especial attention, and that is a point made by a distinguished gentleman on the Republican side of this House many years ago. I claim for it no originality, and give him full credit. I refer to my friend the present Director of the Mint, the Hon. Mr. Burchard, of Illinois. The idea is this: The factors that enter into the cost of every manufactured article are the cost of the raw material and the cost of the labor. Now, if the raw material costs the domestic manufacturer no more that it does the foreigner (sometimes it is less, as in the case of cotton) and the cost of labor in this country is 50 per cent. higher than it is in the cotton factories of England (which it is not, for the reports of the Secretary of State show that, looking to the efficiency of our labor and the length of time employed, the English laborer is as well paid in the cotton factories of Manchester as in the cotton factories of America; I refer to the reports of Mr. Secretary Blaine and Mr. Secretary Evarts), in such case the manufacturer demands such duty on the perfected article as will compensate for the increased price of raw material and of labor. Now, when raw material is not enhanced to the domestic manufacturer over what the foreign manufacturer has to pay, then the only thing you want a duty for is to protect the labor. I may say the labor in cotton manufactures, in round numbers (I am not precisely accurate), is about 20 per cent. and the raw material 80 per cent. It is obvious, then, to any man who is an arithmetician that if you want to give 50 per cent. protection to the labor involved in the manufacture of that particular cotton product worth $100 a duty of 10 per cent. on the whole product, which amounts to $10, will yield 50 per cent. on the $20 of labor in the product; therefore where the cost of the raw material here and abroad is the same, and the only thing to be protected is the labor, you may distribute a small duty over the whole product, which will accumulate on the element of labor engaged in it to an extent ample for its protection. And in the case of cotton a duty of 10 per cent. on the cotton manufactured would be equivalent to a duty of 50 per cent. protection to the labor engaged in making it.

That same doctrine applies in reference to all manufactured articles. Yet very often our friends say that while the cost of labor here and in England differs by 50 per cent., you must have on this article 50 per cent. duty to protect the laborer. But the view I have taken shows this is not necessary. You must look in each case at what is the cost of raw material there and here, and so lay your duty on the whole, raw material and labor combined, as will be equivalent to the protection of the labor engaged in the manufacture of the particular article.

Now, Mr. Chairman, let us see how much the manufacturer is interested in this matter. I find by the returns of the census that on all of the manufactures of this country the profits amount to over 35 per cent. under the existing tariff—the profits on woolens to 34 per cent.; on chemicals, 33 per cent.; on cottons, 24 per cent. On iron and steel the final report has not been made, as there have been errors in the previous one; but the new report will show an increased profit over the present one. But the profits on iron and steel by the present report amount to 21 per cent.; on window-glass they amount to 20 per cent.

Mr. MCKINLEY. May I interrupt the gentleman from Virginia with a single question?

Mr. TUCKER. Yes, sir.

Mr. MCKINLEY. I wish to ask the gentleman how he reaches those figures; that is, what computation he makes use of for reaching the conclusion he has just announced?

Mr. TUCKER. I will tell you. I find the capital invested is so much; I find the cost of the raw material entering into the manufacture is so much, and all the wages paid to labor so much, and the value of the product is so much; and then I deduct raw material plus labor from the value of the product, and the residuum is the profit on the capital.

Such being the beneficial results to the manufacturer, what is it to the consumer whether you levy the duty on him and put it into the Treasury or levy the same duty and put it into the manufacturer's pocket? I will tell you what is the difference to the consumer. That which he puts into the Treasury goes to the support of the Government and is a benefit to him. What goes into the pocket of the monopolists is a tribute which he pays out of his own labor to fill the already full and overflowing coffers of the manufacturing industries of the country.

I have stated general principles which I think are proper to be considered prior to coming to look at the schedules in this bill. The first schedule is on chemicals. In order to prevent this tariff from being a tariff for revenue, the duties on spices are entirely taken off and those articles are put on the free-list, and everything, I believe, which is made in this country and to which any amount of labor is contributed is put on the dutiable list at a high rate of duty.

Quinine is restored to the dutiable list, and all medicines and mineral waters that are contributed by nature for the cure of disease and the administration of health to the human family are made dutiable. In other words, nature herself is taxed under this proposed bill in order that she may not contribute the gifts of God for the welfare of mankind.

Let me look at this matter of chemicals a little further and see how they fare under this revision. The labor employed or the wages paid in chemicals, according to the census reports, is $11,820,728; the amount paid for raw material is $77,344,281, and the product is $117,407,054; the profits, therefore, are about $28,000,000, or 33 per cent. on the investment. But, again, the materials used are not all of them subject to any rate of duty; and therefore the principle that we have already applied would amply protect labor with a low rate of duty, because the raw material is on the free-list in many instances.

Let us look briefly into the schedule of duties as fixed by this bill on earthen-ware and glass. Looking at the amount of labor, raw material, and the product, as before, I find that the profits are about 20 per cent. of the glass manufactured, and yet the duty on window-glass is kept at a rate of from 59 to 84 per cent. ad valorem. But before leaving this subject of earthen-ware, while I do not desire to delay the committee by going into the question of details, it will be found that in this matter of earthen-ware—common earthen-ware—that it is put into the classification with china, and that will result in increasing the duty on earthen-ware from 40 to 65 per cent.

In the matter of metals, the duties on copper, although somewhat reduced, are still prohibitory. The profits on copper apparently are not as large as on other things, and yet we have a statement of the great copper mine of Michigan, the Calumet and Hecla, for which there was paid originally $8 a share. It is standing now in the market at $250 a share, and, as I was informed, the annual profits, or rather the dividends, amount to 250 per cent. Now, that is a copper infant with a good deal more brass about it than most of them have. [Laughter.] I will not go into the schedule of metals very particularly at this time, because that will be examined particularly by other gentlemen, and very carefully when we come to the details of the bill in the committee. There is a small decrease, for instance, of the duty on pig-iron. There is also some decrease in the duty on Bessemer rails.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BUCKNER. I hope that the gentleman from Virginia will be permitted to continue his argument.

Mr. KELLEY. I would ask—and I do not mean to object to the extension of the time—whether gentlemen on that side of the House can now give some idea as to what they would regard as a reasonable time for this debate?

Mr. TUCKER. After I am done speaking, but not while I have the floor.

Mr. HASKELL. Does the gentleman from Virginia desire to consume another hour?

Mr. MONEY. The gentleman from Virginia desires simply to finish his remarks.

The CHAIRMAN. Is there objection to the gentleman from Virginia continuing?

Mr. HASKELL. For how long?

Mr. TUCKER. If my friend insists upon it I will give way now and ask leave to print. [Cries of "Go on!"]

Mr. HASKELL. I have no objection to the extension of the gentleman's time.

The CHAIRMAN. Is there objection to extending the time of the gentleman from Virginia to enable him to conclude his remarks?

There was no objection.

Mr. TUCKER. Now, Mr. Chairman, in the matter of cotton the committee will observe when they come to look at the schedules in detail, and at this paper in reference to the comparative rates of duty now proposed and those in force under the existing tariff, that while there is a diminution of duty upon some of the lower types of cotton manufactures it is upon that class that is not only not imported in any considerable quantity, but of which we export five or six times more than the quantity we import, so that in reality we have the command of the domestic market without any duty at all, and yet the existing duty is prohibitory and the duty fixed by the proposed bill will be still prohibitory. There is no relief to the consumer as to such articles. We are exporting the very things to foreign countries and selling them in competition with foreign manufacturers at a lower rate than we sell them at home to our own people. But when you come to these articles which are actually imported under the existing tariff you will find that the rate of duty is kept up and that there is no reduction. The rate of duty on some articles of cotton fabrics runs all the way up to 45, 50, and as high as 60 per cent. on spool-cotton. Now, mark you, sir, here is the raw material at our very doors. The element of labor in the manufacture is only 20 per cent., and a duty of 50 per cent. on the entire product is really a duty of 250 per cent. on the labor engaged. And yet the statement made by the Secretary of State, based upon the consular reports, is that wages paid in cotton factories in Massachusetts are not larger, according to the efficiency of the labor and the time of work, than in the factories of Manchester, England. So that we are really not protecting the labor at all. This heavy duty is practically, for that is the result, to fill the pockets of the manufacturer at the expense of the consumers of the country. I really believe on most cotton manufactures the duty of 20 or 25 per cent. would be the outside that would be required; and yet you find here the schedule of rates ranges all the way from 25 to 60 per cent.

I come to the subject of woolens. It is a very remarkable fact, Mr. Chairman, that while there is upon blankets and flannels and hats of wool and such like articles an apparent reduction of duty of from 6 to 17 per cent., yet when you come to other woolen goods the duties are kept up and the reduction is very small. For instance, I find on blankets, flannels, &c., the duties are reduced 17, 25, 19, and 6 per cent. only. On woolen cloths the reduction is only 9 per cent.; on women's dress-goods, 7 to 10 per cent. only. And then a new class of goods is made which was formerly embraced under a duty of 6 cents plus 40 per cent. ad valorem and 8 cents plus 40 per cent. ad valorem; these special goods in a new class, have been put up to a duty of 12 cents plus 40 per cent. ad valorem. So that the increase is from a rate equivalent to an ad valorem of 66 per cent. to a rate equivalent to an ad valorem of 82 per cent. And Dr. Hayes, a member of the commission, and at the head of the Wool Association of the United States, stated before the committee that this was a new industry; that they expected to bring it into being as a young infant which should live on the bounty of the paternal Government afforded by raising the duty to this enormous rate of 82 per cent. And the question for the American people is, are they not only to support the infants already in existance, but to bring new ones into being and place them upon the list of the foster-children of the Government, to be protected at the expense of the people by duties at the rate of 82 per cent.?

Mr. SPRINGER. What is that industry?

Mr. TUCKER. Women's dress-goods made wholly of wool.

Mr. SPRINGER. Is that an infant?

Mr. TUCKER. It is not born yet.

I remark upon this whole schedule, that the reduction of rate on the manufactured article is not sufficient, looking to the reduction of the rate on the wool, the raw material which is in the article; in other words, the reduction of duty on some classes of wool is, I think, as much as 20 per cent. ad valorem. Will the gentleman from Kentucky [Mr. CARLISLE] state whether I am right?

Mr. CARLISLE. I have not made the calculation.

Mr. TUCKER. I think you will find the result is about 20 per cent. reduction on the wool which enters into the woolen fabric.

Mr. HASKELL. About 11 per cent.

Mr. TUCKER. Oh, no; about the 11 per cent. ad valorem part of the duty is knocked off of one class, but if you will look into it you will find the reduction amounts to about 20 per cent. on all wools.

Mr. HASKELL. Oh, no!

Mr. TUCKER. Here, for instance, on scoured wool of the first class the present rate is equivalent to 63 per cent. ad valorem; and the rate under the proposed tariff will be equivalent to 43 per cent. ad valorem.

Mr. RUSSELL. The ad valorem rate has been removed, but the classification has been changed from 32 cents per pound to 30 cents per pound; which reduces the reduction of 11 per cent. so that there is not really a reduction of 11 per cent.

Mr. TUCKER. Now, to bring this dispute to an end, I will look at the source of all light—the tabular statement referred to by the chairman of the committee. I find here that scoured wool of the first class, valued before scouring 32 cents or less per pound, under the present tariff is subject to a duty equivalent to an ad valorem rate of 63.70 per cent. Under the proposed tariff it will be subject to a rate equivalent to 43.62 per cent. ad valorem; so that there is a reduction of 20 per cent. of the rate; but that reduction is 33⅓ per cent. on the duty

now levied, so the reduction is larger than I stated. The next class of scoured wool, value before scouring over 32 cents per pound, was subject to a rate under the present tariff equivalent to 65.42 per cent., and under the proposed tariff will be subject to a rate equivalent to 32.42 per cent.; one-half reduction. And yet with a reduction of one-half of the duty on the article raised by the agriculturist the duties on the manufactured article made out of the wool of the sheep-raiser are put at a much less reduction than that to which he is subjected.

Now look at the matter of carpets. The duties on carpet wools are considerably reduced under this tariff. They are wools of the third class. On the cheaper grades of them the present rate, equivalent to 25.49 per cent., is reduced to a rate equivalent to 21.24 per cent. On the higher grades of them the rate equivalent to 31.32 per cent. is reduced to 26.11 per cent. So that while there is a reduction of duties on carpet wool of nearly 20 per cent. the reduction of duties on carpets is much less. And you will find all through this tariff while there were no farmers on the commission to protect themselves, the manufacturers were there to decrease the protection given to the agriculturists and to keep up the duties which are contributed by the farmer to the manufacturing industries of the country.

Mr. KELLEY. I would ask the gentleman from Virginia whether I have not heard the complaint made that there was a member of the Wool Grower's Association there?

Mr. TUCKER. Unquestionably. But they have been in league with the woolen manufacturers ever since 1867.

Mr. KELLEY. Then there was a farmer on the commission?

Mr. TUCKER. I do not know that.

A MEMBER. Yes, there was.

Mr. TUCKER. I am glad to hear it.

Mr. KELLEY. A member of the Wool Growers' Association.

Mr. TUCKER. I do not know what his farm was doing while he was on the commission.

Mr. SPRINGER. He is only a theoretical farmer.

Mr. TUCKER. Mr. Chairman, there is one other subject I desire to call attention to. One of the great subjects upon which gentlemen boast themselves of a reduction of duties is in the article of sugar. Now, sir, sugar is not an infant industry, I suppose; but it is as much so as pig-iron or cotton goods or woolen goods. The duties at the present rate on the three classes of sugars that go into the refinery are 2.1875, 2.50, and 2.8175 cents. The reduction of duty is 1.25 cents on all sugars that polarize 75 degrees, and .04 of a cent on each degree above 75. The average duties upon refined sugars, therefore, considering 89 degrees by the polariscope as the average of all those refining sugars up to No. 13 Dutch standard, would be 1.81 instead of 2.18, 2.50, and 2.81 cents; so that the reduction of duty on the sugar which the planter of Louisiana raises is about 40 per cent. upon the present rates. The duty on sugar up to 13 Dutch standard, none of which goes into consumption, and which is therefore a raw material for the refiner, is reduced thus largely, not in the interest of the people who consume the sugar, but in the interest of the refiner who is to refine it for consumption by the people.

Then what do you do with the refiner of sugar? Ah, sir, when you come to that you will find that the reduction proposed is a very stinted one. The reduction is not as great upon the refined sugars as upon the refining sugars. As it is under the present tariff, and as it will be under the proposed tariff, the duty upon all sugars that go into consumption is absolutely prohibitory. Therefore the refiner who sells sugars to the American consumer has an absolute monopoly by reason of a prohibitory tariff.

Thus when you come to look at the duty on the sugars which are to be refined for consumption you find the reduction is large in order that the refiner may get them cheaper for his refinery—a cheaper raw material. He will get the sugar from the planter in Louisiana and Mississippi at a reduced price by reason of the reduced rate of duty on the foreign sugars, and under his monopoly he will sell it back to the sugar-planter at any price he may choose to demand.

Sir, such legislation is not only unjust, but it is viciously unjust. Such legislation lays the whole agricultural and other classes under contribution to a few manufacturers, because at least the manufacturing interests which are protected by this protective tariff employ, it is said, only about 700,000 laborers. That will make about three and a half millions of people dependent upon these manufactures, taking five as the average of the family. Therefore these three and a half millions of people lay under contribution nearly 50,000,000 of people to pay tribute to exaggerate the profits and dividends of the monopolists, who do not constitute one-quarter or one-fifth of those who labor on the farms.

Now, gentlemen will say, "Are you in favor of keeping up the duty on sugar?" No; I am in favor of reducing it. But for Heaven's sake, if you do reduce the duty on sugar, reduce it in the interest of the consumer by lessening the profits of the man who refines the sugar which goes into the mouths of the people. Do not lessen the duty on that which the planter raises, in order that the refiner may get the raw material cheaper and so make his already bloated profits larger by reason of his monopoly under the prohibitory duty you give to his refined sugars.

But I have said enough on this subject. There is one matter of which I ought to say something—the matter of the revenue. It is utterly impossible with the lights before us to determine what will be the amount of revenue derived under the proposed tariff if it should ever come into existence. Why, sir, you propose to take quinine off the free-list.

Mr. SPRINGER. Does this bill do that?

Mr. TUCKER. Yes; quinine is now free and the Government gets no revenue from it.

Mr. MCMILLIN. And it was made free by more than a two-thirds majority of this House.

Mr. TUCKER. You take quinine off the free-list and how much revenue will you get? This statement says that you will get 10 per cent. on the last year's importations, and that will show that we will get a large revenue. Now, everybody knows that a duty of 10 per cent. on quinine will exclude all foreign quinine and give the monopoly to Powers & Weightman, of Philadelphia. There will be no revenue to the Government; but the consumer of quinine will pay a tax which will go into the pockets of the favored monopolists of Philadelphia.

Now, I say that as long as you keep your duty on this side of or below the maximum-revenue point of duty any diminution of duty will result in a diminution of the revenue. But when you have a present duty which is on the other side of or above the maximum-revenue point of duty the increase of duty will decrease the revenue. Therefore, unless you know whether the existing duty is prohibitory or is tending to be a prohibitory duty, is below or above the maximum-revenue point, you can not tell whether an increase or diminution of duty will increase or diminish the revenue.

In the course of this discussion, with the best lights and with all the ability we have, we will be compelled to call the attention of the Committee of the Whole to the facts of the case in reference to each article, in order to ascertain whether we are increasing or diminishing the burdens of the people; whether we are decreasing their burdens by decreasing the revenue of the Government while we increase them by enhancing the profits of monopolists, or, on the other hand, are decreasing the profits of monopolists in order to enhance the revenue of the Government.

Mr. RUSSELL. Will the gentleman permit me to ask him a question?

Mr. TUCKER. Certainly.

Mr. RUSSELL. Does the gentleman know that this estimate upon the decrease and increase of revenue is based upon the imports of last year?

Mr. TUCKER. Yes sir. But my dear sir [addressing Mr. RUSSELL]—the Chair will pardon me, but I always feel so kindly toward my friend from Massachusetts, that inadvertently I have been led to violate the decorum of debate. [Laughter.] Does not my friend from Massachusetts [Mr. RUSSELL] see that if the importation of quinine last year was $1,000,000 worth, and we should lay a duty of 100 per cent. on quinine, that none whatever could come in under that duty? But you put a duty of 100 per cent. on quinine, and make your estimate by multiplying that by the million of dollars' worth, and say, "There is our revenue, $1,000,000!"

Mr. SPRINGER. A duty of 10 per cent.

Mr. TUCKER. Yes, I used 100 per cent. to illustrate by, but 10 per cent. illustrates the same thing. A 10 per cent. duty on a million of dollars worth of quinine imported it is said will yield $100,000 revenue. But with that rate of duty will any of that million dollars' worth come in? You put up the bars and will not let the quinine come in; your protective policy means that it shall not come in.

Mr. RUSSELL. But the gentleman was complaining that we have not reduced the revenue, and yet he is arguing to show that there will be a reduction.

Mr. TUCKER. I beg your pardon; I want the revenue reduced. But I am more vitally interested in decreasing the revenue of the monopolists. I am not for increasing the revenues of the Government beyond what is wanted for its purposes, but am for cutting down the profits of monopoly by decreasing the tribute paid to it by the people.

Mr. HASKELL. Will the gentleman permit a question?

Mr. TUCKER. Certainly.

Mr. HASKELL. The gentleman is speaking of the revenues and profits of the monopolists. The Powers & Weightman quinine, the best in the United States, about like that of Howard's in England, is selling to-day for 50 or 60 cents per ounce above the average market price because of its known good quality.

Mr. TUCKER. What in the world, then, do we or they want with a tariff on this article?

Mr. HASKELL. Wait a moment. The reduction in the price of quinine during the last two or three years has been 60 per cent. The duty was never more than 20 per cent. Does the gentleman claim that the removal of a duty of 20 per cent. reduces the price of the article 60 per cent., or that a 10 per cent. duty is prohibitory in the light of these facts?

Mr. TUCKER. A 10 per cent. duty may be a prohibitory duty——

Mr. HASKELL. Oh, not at all.

Mr. TUCKER. But my friend is not the organ of all infallibility; and although he so confidently says "not at all," yet I think it may be "at all." [Laughter.]

Mr. HASKELL. The article was imported under a 20 per cent. duty; would it not be imported under a 10 per cent. duty?

Mr. TUCKER. My friend knows that we can not horizontalize the tariff and say that a duty of 10 per cent. will be prohibitory upon all articles although we may know it is so on some one or more. It may be prohibitory upon one article, because of the relation of cost abroad and at home.

Mr. HASKELL. Ten per cent. upon quinine worth $1.50 an ounce would make it $1.65. Howard's quinine is worth $2.25 to-day; and he could import it under a 10 per cent. duty and still have a margin of 30 or 40 per cent. In the light of this fact, does the gentleman say that a 10 per cent. duty would be prohibitory?

Mr. TUCKER. My answer to the gentleman is a very simple one. If the gentleman's argument be correct—and there can be no doubt that his argument is always correct—he has no doubt about it himself, why should we?

Mr. HASKELL. Of course not.

Mr. TUCKER. If the gentleman's argument be correct, then what in the name of common sense is the reason that Powers & Weightman have sent their agents howling all over the country for a restoration of the duty of 10 per cent., saying that the importation of foreign quinine has destroyed them, and has killed their infant industry?

Mr. HASKELL. I do not remember to have seen any such statement coming from that firm. Every other manufacturer I believe has asked for the imposition of this duty; but Powers & Weightman have declared repeatedly, "Do as you please; we can sell quinine anyhow."

Mr. TUCKER. Has not my friend from Pennsylvania [Mr. KELLEY] stated that Powers & Weightman have stopped making quinine, but make the cheaper form of the product, cinchonia?

Mr. TOWNSHEND, of Illinois. Here is one of Powers & Weightman's circulars that has just come to me this morning.

Mr. KELLEY. Powers & Weightman are not the only manufacturers of this article in this country.

Mr. TUCKER. How many are there?

Mr. KELLEY. There are five.

Mr. TUCKER. Five manufacturers for whose benefit more than fifty million people are to be taxed?

Mr. KELLEY. How many are there in the whole world? Eighteen; and under adequately protective duties we can produce one-sixth of the world's production, as we did before quinine was put on the free-list. What I said was this: that they could only continue to produce quinine by virtue of the fact that we had not taken the duty off the other product of the same material known as cinchonida.

Mr. CARLISLE. May I ask the gentleman from Pennsylvania whether it is not a fact that quinine factories have been started in this country since the duty was taken off the article?

Mr. KELLEY. My information is that when the duty was taken off parties had prepared to start factories, who had got their plant, which is very expensive, and their stock, proceeded as well as they could; and one of them, a member of the firm of Keasbey & Mattison, said to me that they had contrived to work up their stock.

Mr. CARLISLE. Does the gentleman mean to say that they went on and finished their plant simply for the purpose of working up the stock they had on hand, and then stopped?

Mr. KELLEY. I mean to say that they had engaged parts of their plant. The gentleman is probably aware that in this country we can not prepare the most costly machinery of a quinine factory.

Mr. TUCKER. Then why not let it come in free?

Mr. KELLEY. We do.

Mr. TUCKER. Now, I wish my friend from Pennsylvania, for whom I have very great respect, to answer one question—I know he will give me a candid answer. Has not the price of quinine fallen since the removal of the duty?

Mr. HASKELL. Yes; 60 per cent.

Mr. KELLEY. Yes, sir; after the removal of the duty of 20 per cent.—if the removal of the duty regulates the price—the article fell 60 per cent.

Mr. TUCKER. Then it has fallen; that is the point I wanted to get at.

Mr. KELLEY. It has fallen to this extent since the time the duty was removed; but this decline is owing to many circumstances. The mere abatement of a duty of 20 per cent. can not have reduced the price of the article 60 per cent.

Mr. TUCKER. I did not ask my friend to give the reason for the faith that is in him; I only wanted the fact. I understand my friend to say that the price of quinine has diminished since the removal of the duty.

Mr. KELLEY. Yes, sir; and I say it may go up again to $4 an ounce, as it did once when quinine was free.

Mr. TUCKER. Yes; it may——

Mr. KELLEY. And probably will.

Mr. TUCKER. It may; but I do not think that Powers & Weightman and the four other monopolists in this manufacture would desire the reimposition of the duty if they thought the article after the restoration of the duty would continue to fall in price.

Now, the question is: Are the people in this country to be taxed for the benefit of these five firms, the tax being upon a necessary of life—a medicine for the cure of disease? Is health to be taxed and disease to be at a premium in order that somebody may thrive?

Mr. Chairman, I will not trespass further upon the attention of the committee. I have spoken under very great disadvantages. I have had no time for preparation. I have treated this subject in a way which has not been satisfactory to me, because it has been too desultory. But I wished to say in connection with the pending bill that the people all over the land are demanding a reduction of burdens; not a reduction of revenue merely, but a reduction of burdens; not a delusive reduction, but a real one, which will bring down the revenue of the Government to the basis of a constitutional and economical expenditure, and will greatly reduce the bounty which monopoly receives from the tribute of a free people.

You are going to keep up the internal revenue. Even my honorable friend from Pennsylvania, who came here a year ago with the cry to abolish the internal-revenue system and especially to take off the taxes entirely from the great staple of tobacco, but gracefully receded from that position last session, came back again at this session with a promise of abolition of the tobacco tax, which he has kept to the ear but broken to the hope, for when we tried, in the bill absolutely repealing the tax on tobacco, to bring the question up yesterday he objected to its consideration, preferring to keep up the internal-revenue taxes by reducing the taxes on imports $20,000,000 by this bill. If that reduction results, what hope is there of repeal of the tobacco tax?

Mr. KELLEY. I do not think my action of yesterday needs explanation or defense, even under the arraignment of the gentleman from Virginia.

Mr. TUCKER. He confesses judgment, then, as I understand him. [Laughter.] But being commended to the mercy of the court I will let my honorable friend off and say no more about it.

I mean to say that the people of this country have demanded a reduction of burdens. For myself, I can not permit this bill to pass into a law when it does not reduce burdens, but keeps them up. It keeps them up in the interest of monopolies; and under the appearance of reducing the burdens the Government imposes for revenue it still retains the heavier and more grievous burdens the monopolists receive in the form of bounties from the people. The people ask for bread; let not this Congress give them a stone. They ask for a fish, and do not give them a scorpion that will sting their industries to death. [Applause on the Democratic side.]

Mr. KELLEY. I ask the gentleman whether his principles apply to such products as sumac, barium, and hoop-poles, which I have heard said in the Committee on Ways and Means room are infant industries of Virginia?

Mr. TUCKER. Yes; the duties on these articles are revenue duties. I did not desire to have them taken off. Besides, I will state now what I said in the committee-room to gentlemen of the House, and especially to gentlemen on the other side of the Chamber: that as labor enters as an almost sole factor in the collection and gathering of sumac and as it is gathered by my colored fellow-citizens very largely down in my district and other parts of Virginia, it would grieve my heart very much, as much as it would grieve the heart of my honorable friend from Pennsylvania if the colored laborer of the South was put on a par with the pauper labor of Sicily! [Laughter and applause.]

Why what is the duty on sumac? Sixteen per cent.; and on the extract of sumac 20 per cent. Bring your woolen and your pig-iron and your steel rails down to that rate and then you can taunt me for going for the protection of sumac.

No, sir; that is a device of my friend to throw me off the track. But it puts me on the track. I say I am not in favor of this Congress striking down every petty industry in the Southern country from which I come, while it does not diminish the duties on the articles of Northern production which the South consumes.

A heavy blow is struck at the sugar interest of the South; and does the gentleman now want to strike down and destroy my infant sumac?

Mr. KELLEY. I did not want to strike at it, but, on the contrary, I co-operated with the gentleman.

Mr. TUCKER. I do not say that you struck it. I hope I did not strike Billy Patterson. [Laughter.] I never charged my friend with that. I am talking about what was done in committee.

But why have you struck at this duty on sugar? What is it? We have never reached the maximum revenue point on the article of sugar. We make one pound for every nine pounds imported. The people will have sugar; the children cry for it. These infant industries must be fed with it.

Now, with an increase of duties on sugar you would increase the revenue, and reach the maximum point, but with a diminution of duties on sugar you would diminish the revenues. But diminish the duties on pig-iron and you will increase the revenues. Diminish the duty on blankets and on hats of wool, which the poor people wear, and you will increase the revenue and lessen the cost. What is the tariff on hats last year? The duties ranged up to 90 per cent. on common woolen hats. What revenue? Two dollars. [Laughter.] That, too, under a tariff bill passed under a provision of the Constitution of the United States to lay and collect taxes to support the Government. You have reduced it somewhat by this bill; but wool hats will not come in. The duty you propose is prohibitory. Everybody will have to go bareheaded or wear the hat which monopoly will furnish at 70 per cent. advanced

price, unless those who buy silk hats in their foreign tour, and wear them when they come back to their country. They can avoid the grasp of monopoly by going abroad to buy. Those who can not travel abroad can not evade the monopoly that this Government creates for their disadvantage and loss.

But I will not detain the House longer. I am obliged to the House, not only for its kind attention but for the special attention which has been given to me by my friends on the other side. [Applause.]

Mr. KASSON. I will yield to my colleague, the gentleman from Pennsylvania [Mr. KELLEY], to come to some limitation on the general debate.

Mr. KELLEY. I ask my friend from Virginia [Mr. TUCKER] who has just concluded, my friend from Kentucky [Mr. CARLISLE], and the gentleman from Illinois [Mr. MORRISON] to say what time is required on the other side.

Mr. TUCKER. I say as we have had our full time it would be cruel to other gentlemen not on the committee not to give them some time. I think it would be invidious, when the committee have thrown so little light, at least in the view of gentlemen in this quarter, on this subject, not to allow those outside of the committee to throw some light on it.

Mr. KELLEY. Can any time be indicated?

Mr. KASSON. I will waive all further general debate if gentlemen on the other side are willing to rest their case on the presentation of the gentleman from Virginia. [Cries of "Good!"] Then we can proceed to the consideration of the bill at once by sections under the five-minute rule.

Mr. CARLISLE. I will say, Mr. Chairman, in response to the gentleman from Pennsylvania that I have been petitioned by five gentlemen at least who desire to say something in reference to this bill. No one of them I think desires to occupy a full hour, and possibly two or three of them may speak within an hour. Perhaps other gentlemen also desire to be heard, but certainly there is no disposition, as far as I know, on this side of the House to prolong the debate.

Mr. KELLEY. Would the gentleman from Kentucky then name a time at which we might close the general debate? There will be very little speaking on this side. There will be none whatever if we can get general debate closed now. If you will indicate a time, say how much will be taken on the other side, then we can fix a limit to the general debate.

Mr. REAGAN. Mr. Chairman, this is a bill of so much importance that it should have full and unrestricted discussion. It seems to me that there are other gentlemen on the floor besides the members of the Committee on Ways and Means who desire to be heard upon it. It is a bill far-reaching in its results; one involving so much to the people that the debate should be allowed to run certainly a little longer before the attempt is made to curtail it.

Mr. KELLEY. Then, if there can be no arrangement made by which the debate is to be limited, my friend from Iowa will proceed; and I hope gentlemen will bear in mind that there is no limit to the debate because of the opposition of gentlemen upon the other side.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. REED. I hope some understanding will be arrived at. I think the people of this country are more interested about the subject than they are about the debate.

Mr. VALENTINE. A great deal more.

Mr. McKINLEY. I would like to suggest to the gentleman from Pennsylvania that we might go on with the general debate to-day——

Mr. REAGAN. I shall object for myself to any effort to limit the debate at this stage of the bill. As I have said, this bill is one that is very far-reaching in its results. It is one in which the whole country has a deep and vital interest——

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. McKINLEY. I have made a suggestion to the gentleman from Pennsylvania——

Mr. MILLS. Let me say to the gentleman from Pennsylvania that he will make more progress by allowing the discussion to run for a while.

The CHAIRMAN. The Chair would suggest that without unanimous consent it is not possible for the committee to limit general debate.

Mr. McKINLEY. I am proposing that we go on by unanimous consent for this day with general debate.

The CHAIR. The Chair understands the gentleman from Texas to object.

Mr. McKINLEY. I understood the gentleman from Kentucky to say that only five gentlemen, to his knowledge, on that side desired to speak, and they will not probably occupy more than an hour. The Republicans on the Committee on Ways and Means are willing to surrender any time that they may have otherwise wanted, if we can secure an understanding that the general debate shall be finished to-day.

Mr. MILLS. You can not do that.

Mr. McKINLEY. And I trust that we may go on for this afternoon and up to 5 or 6 o'clock, and if it be necessary have an evening session, and close the debate to-day.

Mr. BLAND. I demand the regular order.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa.

Mr. KELLEY. Mr. Chairman, I move that the committee do now rise for the purpose of coming to a conclusion if possible as to the time for general debate.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having had under consideration the tariff bill, had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House was requested, a bill of the following title: A bill (H. R. 5380) supplementary to an act approved December 17, 1872, entitled "An act to authorize the construction of bridges across the Ohio River, and prescribing the dimensions of the same."

TARIFF.

Mr. KELLEY. Mr. Speaker, by way of arriving at the sense of the House with reference to the limitation of general debate, I move that all general debate upon the pending bill close at 5 o'clock to-day.

Mr. RANDALL. I move to amend by saying 3 o'clock to-morrow.

Mr. MILLS. Say 5 o'clock to-morrow.

Mr. RANDALL. Very well; I accept the modification, and say 5 o'clock.

Mr. KELLEY. If the proposition of my colleague from Pennsylvania be acceptable to the other side of the House I will not object to it.

Mr. McLANE, of Maryland. Mr. Speaker——

Mr. RANDALL. I only speak for myself. I have made what I regarded as a reasonable suggestion.

Mr. REAGAN. I desire to repeat what I said before, Mr. Speaker, that on a measure of this kind a proposition to limit the debate to one or two days is an unheard of proposition. If the gentlemen presenting the bill are willing that it shall go before the country they ought not to fear general discussion upon it. I hope the members of the House who are opposed to the bill will resist the motion. I shall certainly do so.

Mr. RANDALL. I entered a motion neither as a friend nor an opponent of the measure, having no reference to that question, but simply because I regarded it as a reasonable time for discussion of the question. The most important discussion upon this bill will necessarily be had under the five-minute rule, and that is not cut off by my motion.

Mr. KELLEY. I accept the amendment of the gentleman, and propose that general debate be closed to morrow at 3 o'clock.

The SPEAKER. The gentleman from Pennsylvania has modified his amendment by making it 5 o'clock.

Mr. KELLEY. Very well; I have no objection.

Mr. SPRINGER. I move that the motion to limit debate be laid upon the table, for the purpose of saying that we do not want to fix the time at all——

The SPEAKER. This debate is out of order.

Mr. McLANE, of Maryland. I rise to a question of parliamentary inquiry or parliamentary privilege, for I rose before and addressed the Chair. I want to amend the proposition. I rose for that purpose when it was entirely in order.

The SPEAKER. The Chair can not entertain a motion to amend now. The question is on the motion to lay on the table.

The House divided; and there were—ayes 15, noes not counted.

So (no further count being demanded) the motion to lay on the table was not agreed to.

Mr. McLANE, of Maryland. Now, Mr. Speaker, I desire to amend the proposition, if it is open to amendment. I move to substitute "Tuesday, at 12 o'clock," as the period when general debate shall be closed.

Mr. RANDALL. Then I demand the previous question upon the motion and the amendment.

Mr. TOWNSHEND, of Illinois. The gentleman from Maryland has offered an amendment.

Mr. RANDALL. That is included in the demand for the previous question.

The previous question was ordered.

The SPEAKER. The question is upon the amendment proposed by the gentleman from Maryland, which is to fix the time for closing general debate at 12 o'clock on Tuesday next.

Mr. McLANE, of Maryland. On that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 79, nays 143, not voting 69; as follows:

YEAS—79.

Armfield,	Caldwell,	Cox, William R.	Ford,
Atkins,	Carlisle,	Culberson,	Forney,
Barbour,	Cassidy,	Darrall,	Frost,
Belmont,	Chapman,	Davidson,	Geddes,
Berry,	Clardy,	Davis, Lowndes H.	Gibson,
Bland,	Clark,	Dibrell,	Hammond, N. J.
Blount,	Converse,	Dowd,	Hardenbergh,
Buchanan,	Cook,	Ellis,	Hardy,
Cabell,	Covington,	Evins,	Harris, Henry S.

Hatch,	Le Fevre,	Phister,	Townshend, R. W.
Hewitt, G. W.	Manning,	Reagan,	Tucker,
Hoblitzell,	Matson,	Reese,	Turner, Henry G.
Hooker,	McKenzie,	Robertson,	Turner, Oscar
House,	McLane, Robt. M.	Rosecrans,	Upson,
Hutchins,	McMillin,	Scales,	Vance,
Jones, George W.	Mills,	Simonton,	Warner,
Klotz,	Morrison,	Singleton, J. W.	Wheeler,
Knott,	Moulton,	Singleton, Otho R.	Whitthorne,
Ladd,	Muldrow,	Springer,	Willis.
Leedom,	Oates,	Talbott,	

NAYS—143.

Aldrich,	Dugro,	Mackey,	Shallenberger,
Anderson,	Dunn,	Marsh,	Shelley,
Barr,	Ermentrout,	McClure,	Sherwin,
Bayne,	Errett,	McCoid,	Shultz,
Beach,	Farwell, Sewell S.	McKinley,	Skinner,
Belford,	Flower,	McLean, Jas. H.	Smalls,
Beltzhoover,	Godshalk,	Miles,	Smith, A. Herr
Bingham,	Grout,	Miller,	Smith, Dietrich C.
Bisbee,	Guenther,	Moore,	Spaulding,
Bliss,	Hall,	Morey,	Speer,
Bowman,	Hammond, John	Morse,	Spooner,
Brewer,	Harmer,	Mosgrove,	Steele,
Briggs,	Haskell,	Mutchler,	Stockslager,
Browne,	Heilman,	Neal,	Stone,
Buck,	Henderson,	Norcross,	Strait,
Burrows, Julius C.	Hepburn,	O'Neill,	Taylor, Ezra B.
Burrows, Jos. H.	Hill,	Page,	Taylor, Joseph D.
Butterworth,	Hiscock,	Parker,	Thomas,
Campbell,	Hitt,	Payson,	Thompson, W. G.
Candler,	Holman,	Peelle,	Townsend, Amos
Cannon,	Horr,	Peirce,	Updegraff,
Carpenter,	Houk,	Pettibone,	Urner,
Caswell,	Jacobs,	Pound,	Valentine,
Chace,	Jadwin,	Randall,	Van Aernam,
Crapo,	Jones, James K.	Ranney,	Van Voorhis,
Cravens,	Jones, Phineas	Ray,	Wadsworth,
Cullen,	Jorgensen,	Reed,	Wait,
Curtin,	Joyce,	Rice, John B.	Walker,
Cutts,	Kasson,	Rice, Wm. W.	Ward,
Davis, George R.	Kelley,	Rich,	Washburn,
Dawes,	Ketcham,	Ritchie,	Watson,
Deering,	Lacey,	Robeson,	Webber,
De Motte,	Lewis,	Robinson, Geo. D.	West,
Dezendorf,	Lindsey,	Robinson, Jas. S.	Williams, Chas. G.
Dingley,	Lord,	Russell,	Wise, Morgan R.
Doxey,	Lynch,	Scranton,	

NOT VOTING—69.

Aiken,	Dwight,	King,	Scoville,
Atherton,	Farwell, Charles B.	Latham,	Smith, J. Hyatt
Black,	Fisher,	Martin,	Sparks,
Blackburn,	Fulkerson,	Mason,	Thompson, P. B.
Blanchard,	Garrison,	McCook,	Tyler,
Bragg,	George,	Money,	Van Horn,
Brumm,	Gunter,	Murch,	Wellborn,
Buckner,	Harris, Benj. W.	Nolan,	White,
Calkins,	Haseltine,	Pacheco,	Williams, Thomas
Camp,	Hazelton,	Paul,	Willits,
Clements,	Herbert,	Phelps,	Wilson,
Cobb,	Herndon,	Prescott,	Wise, George D.
Colerick,	Hewitt, Abram S.	Rice, Theron M.	Wood, Benjamin
Cornell,	Hoge,	Richardson, D. P.	Wood, Walter A.
Cox, Samuel S.	Hubbell,	Richardson, J. S.	Young.
Crowley,	Hubbs,	Robinson, Wm. E.	
Deuster,	Humphrey,	Ross,	
Dunnell,	Kenna,	Ryan,	

So the amendment was not agreed to.

The following pairs were announced:

Mr. CORNELL with Mr. BLACK.

Mr. HUBBELL with Mr. BLACKBURN.

Mr. MASON with Mr. HEWITT of New York.

Mr. HUBBS with Mr. LATHAM.

Mr. PACHECO with Mr. WILSON.

Mr. CAMP with Mr. ROBINSON of New York.

Mr. DEZENDORF with Mr. GARRISON.

Mr. DWIGHT with Mr. WELLBORN.

Mr. CALKINS with Mr. KENNA.

Mr. WHITE with Mr. THOMPSON of Kentucky.

Mr. TYLER with Mr. WILLIAMS of Alabama.

Mr. HARRIS, of Massachusetts, with Mr. AIKEN.

Mr. BRUMM with Mr. MURCH. Mr. BRUMM would vote "no" and Mr. MURCH would vote "ay."

Mr. CROWLEY with Mr. HOGE.

Mr. RICHARDSON, of New York, with Mr. RICHARDSON, of South Carolina.

Mr. WALTER A. WOOD with Mr. HOBLITZELL.

Mr. FISHER with Mr. COLERICK.

Mr. MCKINLEY. I move that the reading of the names be dispensed with.

Mr. BERRY. I object.

The Clerk proceeded to read the names of members who had voted.

The result of the vote was then announced as above stated.

The SPEAKER. The question recurs on the motion of the gentleman from Pennsylvania [Mr. KELLEY], which is that all general debate on the bill now pending in Committee of the Whole House on the state of the Union be closed at 5 o'clock to-morrow.

Mr. SPRINGER. I call for a division.

The question was taken; and there were—ayes 106, noes 42.

Mr. REAGAN. I call for the yeas and nays.

The ayes and nays were not ordered, only 18 members voting therefor.

So the motion of Mr. KELLEY was agreed to.

Mr. KELLEY moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. KELLEY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of resuming the consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair, and resumed the consideration of the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the tariff bill. By order of the House all general debate upon the bill will be closed at 5 o'clock to-morrow. The gentleman from Iowa [Mr. KASSON] is entitled to the floor.

Mr. KASSON. Mr. Chairman, I regret that my proposition made to the gentlemen on the other side was not accepted. In view of the prolonged debate upon the proper theory of a tariff bill had at the last session of Congress, my own judgment was that there was left to us, the same members of the same Congress, no other practical consideration than the question of the rates to be proposed on the various articles imported from abroad. For that reason I desired to come directly to the consideration of the bill itself in its various schedules. I should be glad to do it now, sir, and to leave the entire responsibility for delay upon those who desire that delay. Is any one ignorant of the dangers of procrastination? We are informed, on the contrary, that every day's delay is producing harm to the country, and this irrespective of the theories that one or the other entertains upon the tariff bill; for, sir, business is embarrassed, is impeded, is in many cases suspended—not merely the business of producing in our own industrial establishments, but the business of merchants importing from abroad and of the trade in the interior of the States. Daily come letters and recommendations to us to press forward to some conclusion the bill that is now pending before the House and in Committee of the Whole. I desired for one to yield to that demand, and I desired, if it were possible, that the debate should be limited to this day. But the House has ordered otherwise.

It remains, then, for me to consider certain questions which concern my own views of the bill as well as the public interests involved in it. The gentleman from Virginia [Mr. TUCKER] has seen fit again to attack the composition of the commission of which I was an advocate and which nearly two-thirds of the House supported at the last session of Congress. He has made complaint against that commission that there were men on it who were connected with certain great interests, and who were there as advocates more than as judges. That criticism, sir, reminds me of the criticism of one who wanted no lawyers elected as judges, in order that the bench might be impartial in determining the force of the arguments of counsel to be heard upon points of law.

It was just as important to have men of intelligence and of special acquaintance with the great interests of this country on that commission as it is to have an intelligent and learned judge on the bench to decide questions of law. When the gentleman says that there were certain interests not represented on that commission, I have only to reply to him that it was impossible on a commission of nine members only to have representatives of each and all of the great interests of the country.

When the gentleman said that no great agricultural interest had a representative on that commission, he has already been answered touching one of them, who was put there for the express reason that the confidence of the entire wool-growing interest of the country had been given to him by electing him to be the chief representative of that interest. And then he complained that that representative was in "cahoot" with the manufacturers of wool.

Ah, sir, did he not know that the present tariff is, and every proper tariff must be, the result of what he calls "cahoot," but what I call the mutual consideration of the relations between the raw material and the manufactured article? Without that relation there can be no just tariff. Our tariff on wool has been, is now, and must in the future be adjusted with special regard to the relations existing between cost of wools and of woolens. If you have no manufacture of woolens in this country you can not produce wool in this country, and that enormous plant of the farmers of the United States goes for nothing, for they can not compete in the markets of England and foreign countries with the wool grown in Australia and South America. Both wool and its manufactures would disappear from our productive sources of wealth.

So it is with every other interest; there is always a relation between the raw material and the manufactured article which you must observe in your adjustment of tariff duties. If you begin by putting your duty to any extent upon the raw material, that amount of duty must be added to whatever duty you impose, whether as revenue or on the basis of protection, upon the manufactures imported into this country.

Mr. CARLISLE. Will the gentleman permit me a question?

Mr. KASSON. In a moment. Yet the gentleman from Virginia [Mr. TUCKER] complains that there is a larger percentage of reduction of duty proposed on wool than there was of reduction upon the manufactured article, forgetting that the chief integral element of the duty on the manufactured article is that fixed element of the duty on the raw material, on the wool. And you arrive neither at protection nor

at any other just principle until you have decided that there must be at least as much duty on the manufactured article as that put upon the raw material which enters into the manufacture. Consequently there must be a difference in the proportion of reduction, because you can not apply the percentage of reduction on manufacture to the unreduced tax left on the raw material. It can only be applied to the excess of duty above that. I will now yield to my friend from Kentucky [Mr. CARLISLE].

Mr. CARLISLE. Unless the imposition of the duty upon what the gentleman calls the raw material increases its price to the manufacturer, what reason is there for increasing the duty upon the manufactured article on account of the duty on the raw material? The gentleman from Pennsylvania [Mr. KELLEY] and other gentlemen on that side of the House deny emphatically that the imposition of a duty increases the price, but contend that on the contrary it decreases it.

Mr. KASSON. I do not so understand it.

Mr. CARLISLE. And if that be true, then I desire to know why it is that you must put a higher duty on woolen goods by reason of the fact that you have put a duty on wool?

Mr. KASSON. Why does the gentleman pay a higher price for any article which is also imported, unless the import duty enhances the cost? Is it not because no man does business at a loss, and every other man must pay the market price? The resulting effect in the long run is a fall of prices to the consumer, under the operation of a double competition. The immediate effect is to enhance the cost of manufacturing.

Mr. CARLISLE. If you import your wool, then I admit your conclusion.

Mr. KASSON. We largely import wool.

Mr. CARLISLE. We use nine or ten times as much domestic wool as foreign wool in some of the manufactures of this country.

Mr. KASSON. And in certain branches of the wool manufacture we use nine or ten times more foreign wool than domestic. When we come to details that will all be very well. I am now speaking about the erroneous theory upon which gentlemen maintain their opposition to this bill.

I say, therefore, that in every case where we impose a duty on the raw material there is not an intelligent member of this House who will not agree with me that you have one basis that you can neither change nor modify in considering the question of the imposition of duties on the manufactured article. If any one disputes that proposition I should be glad to know it now. [After a pause.] There is then no dispute. We then have one basis upon which we all agree.

There remains then the disputable points beyond; how much duty you are always obliged to impose, upon the same correct principle, to compensate for other differences of cost in this country. There is a further admission that generally the price paid for labor in this country is higher than the price paid for labor abroad. Is there any dispute as to that proposition? [After a pause.] I hear none.

There you have another element, fixed in principle, but not fixed in amount. And on that margin your committee, if it does its duty, must make an allowance for the estimated difference of cost in labor, if they wish the article to be manufactured in the United States at all.

These two elements have been constantly present with me, in that part which I have had in the adjustment of duties on imports. They are points which we can not afford on either side of this House to forget or to ignore, either as patriots or as statesmen.

Whenever there is a raw material which we do not produce or which we produce in such small quantities that it ceases to be anything approaching a national interest, and which enters largely into consumption in various articles of manufacture which are of very general use, then, in my judgment, the first principle of national economy requires that such raw material should go upon the free-list.

And the great object I have had in view from the time of the organization of the Tariff Commission down to this time has been to find the way for enlarging the free-list and thus reducing the compensating rate of protection. I care not so much for any theoretical change of system as I do to make a sure foundation for the maintenance of the national industries, without which no nation can be independent and without which no nation can make its people prosperous and happy.

And by so much further as any bill goes than the establishment of a rate of duty which will protect in vigorous operation all these great interests which concern the independence and prosperity, the wealth and the happiness of a country, so far as it goes beyond that point it then becomes high protection, and I am not for it.

To be frank with gentlemen of the committee, there are in certain schedules of this bill some articles which in my opinion do not conform to that rule, some articles upon which the duty is unduly imposed, some articles upon which the duty is imposed for the protection of the more infirm enterprises, enterprises which ought not to have been undertaken, because of the little profit in them, instead of being based upon the maintenance of the average of that producing interest throughout the United States. If there be a poor copper or lead mine, the owner of which struggles to realize a profit of 5 per cent., and if there be other and greater mines from which the owner has an immense profit and the country ample supply, I do not think we ought to adjust the tariff rates to cover those cases which represent the poorest enterprise and lift enormously the profits of the great sources of supply and wealth. The rule is then changed, and we are protecting individuals, while the true law of protection ignores individuals but protects national production and national independence.

It is when we come to these points that I think there is fair room for disputing certain conclusions to which a majority of the Ways and Means Committee have arrived. But shall we spend time here in preventing the committee from considering those questions; or should we utilize our time to facilitate a movement toward certain rules of action which we can apply to the different items of the bill when we come to consider them? I think, sir, the latter is the proper course. When my friend from Virginia says to us on this side of the House who believe in protecting our national industries, instead of fostering those of England and Belgium—when he styles that effort "bounty to monopolists," I think, if my honored friend will allow me to criticise him, he goes into the old style of the schoolmen who always preferred a sharp point in logic to arriving at the truth. I think in this respect he has failed to enlighten the committee—has stated no principle which should run through the consideration of this tariff bill, but has, against all laws of just logic and grammar, styled the creation of competing establishments in America "monopolies," when the very existence of these establishments means the destruction of foreign monopoly by domestic competition. Monopoly means a special privilege that one has and others have not; yet every man in the United States may go into these industries which the gentleman says are yielding 20 per cent. per annum. Where is the element of "monopoly?" When we foster and encourage home production according to the principle declared in the first tariff bill signed by George Washington, who would have thought, unless it be a schoolman, that we were creating "monopolies" in the United States of America? Does not my honored friend from Virginia prefer to provide bread and meat for the laborer in America rather than provide bread and meat with our money for the laborers of Belgium and England? Just so far as by your policy you invite their products to come in and suppress our own, just so far are you taking bread out of the American laborer's mouth and putting that bread into the mouth of the foreigner.

Americans have often shown their willingness to extend charity to the impoverished people of other countries. I am willing to send from this country as we have before done cargoes of food to starving people abroad. But when I stand here to legislate I legislate for the United States of America, not for the interests of any foreign land. The only practical question for us is, What rate of duty is to be imposed upon articles which we produce in competition with foreign countries to offset the disadvantages of place, of relative cost of raw material, and of the cost of labor, and to allow the average enterprise of this country to have that fair profit which is indispensable to the maintenance of its existence? When you have done this—call it if you please protection, call it if you please a tariff for revenue with discrimination—you have done your duty as statesmen; you have done the duty of patriots in taking care of the country of their birth and their allegiance.

I should not fail to respond to the statement which the gentleman from Virginia quoted from the census report as to the average profit in certain industries. How is that statement made up? He told you that it was the cost of raw material, plus the labor, deducted from the value of the product. It was remarked at the time by one gentleman on this side that he would be sorry to have the gentleman from Virginia manage his business; but on the other hand I should be glad to have him manage mine if he could make up a balance-sheet on that principle. Sir, the question of interest, of depreciation of plant, of bad debts, of salaries paid to agents and employés, of the conditions of the market, of the amount of competition at home, of taxes to be paid in various forms, municipal, state, and national, and other elements which every business man considers are left out of this calculation. I can only quote (not having personal knowledge myself) the statement of a distinguished glass manufacturer, who the gentleman says is so enormously protected by the existing tariff that from the beginning his establishment has not averaged a yield of over 5 per cent. net per annum.

Under such circumstances am I to trust a theoretical statement such as the gentleman makes against the fact as we know it from our neighbors and friends, and as it comes to us upon individual responsible statements?

I had not intended to mention a single article upon these schedules until we came to them under the five-minute debate, because then the same ground is to be gone over. But there is one article which rolls so sweetly in the mouths of our opponents—I speak of quinine—which in fact makes my friend from Virginia shake as if he had the fever and ague itself, that I will say a word of the principle applied to that article.

As he says, this bill fixes a duty of 10 per cent. on manufactured quinine. Now, which is the proper rule in adjusting a tariff, that exercised by a late Democratic Congress, which took the duty off manufactured quinine and left it on the raw material, or that policy now adopted, which puts the raw material on the free-list and a small duty on the manufacture? I asked a little while ago if anybody disputed the principle that the raw material should be at the lower rate and the manufacture should bear the higher duty. All admitted the principle to be correct. Can you say that it applies everywhere else, but does not apply to quinine?

For myself I am utterly indifferent whether this small duty of 10

per cent. is on or not. And why? Because, sir, not one-hundredth of 1 cent reduction is made to the people who consume it by reason of this duty being off. The entire profit made by your action in taking it off would go into the hands of the importer and trader. I challenge any man to go into any drug store and find any difference they make in their tariff to the buyer because a tariff of 10 per cent. is put on it at the port of its importation in gross. The druggist's retail price remains unchanged.

But the gentleman from Virginia said in opening his speech that it is not right, when we have encouraged the creation of manufacturing establishments by our legislation, suddenly to reverse the conditions and take away the very elements by which they had been brought into existence. In the light of that principle which he stated, and I agree with him, I ask whether, when this plant has grown to hundreds of thousands of dollars, he wishes to make this an exception, and upon what ground of principle that exception can be maintained?

Now, sir, what was the effect of failing to make any discrimination in favor of home manufacture? The bark which previously came to this country was all diverted and went to England. The raw material bearing a duty and the manufacture none, we could not of course compete, and the bark went to England, and they took away our money for the manufacture sent back here free of duty. The former Congress left that law actually in force by way of bounty to the foreign manufacturer, just as distinctly as if they had given him a bonus of 10 or 20 per cent. for manufacturing our quinine.

Mr. CARLISLE. Is it not a fact there was but a small discriminating duty?

Mr. KASSON. There was a duty on the bark or raw material, which you did not take off, and none on the manufacture.

Mr. CARLISLE. A small discriminating duty on bark east of the Cape of Good Hope.

A MEMBER. Ten per cent.

Mr. KASSON. The gentleman admits the duty on the manufactured article is small, a discriminating duty because it is on the advanced article. Now I do not believe they desire to defend the mistake made by the last Congress.

Mr. CARLISLE. I do not admit the 10 per cent. duty you propose to put on quinine is a discriminating duty in any sense of the term. The duty put on the bark was 10 per cent. on bark coming from certain places. Only a small portion comes from those places. If the gentleman will look at the statistics he will find these amounted each year to very little. Now I think the Congress made a mistake in not taking that discriminating duty off the raw material when it repealed the duty on quinine. I have always said so.

Mr. KASSON. The gentleman from Kentucky is so candid I did not suppose he would answer differently. But I desire to get to a solid basis upon which we agree; and that is that the basis of all our duties on advanced articles should be the duty on the raw material plus the difference in other elements of cost. When there is no such difference the question is changed. You have then the question of revenue duty or protective duty, according to your different theories. And no man can say the 10 per cent. duty on quinine is anything more than a fair competitive revenue duty. I am not here to advocate its staying or to advocate its going; but I am here simply to say in that instance the committee observed a rule which is openly and plainly admitted to be just on both sides.

Mr. FLOWER. Will the gentleman yield to me for a question?

Mr. KASSON. Yes.

Mr. FLOWER. If you do not need the money you collect on quinine why then do you collect it?

Mr. KASSON. We have to collect money on something.

Mr. FLOWER. Why?

Mr. KASSON. For revenue. On your suggestion we do not need any duty on sugar, and take it all off. We do not need it on cigars and tobacco, and take it all off. If you take item by item all through the list you may get rid of all of the duties by applying your principle to each one. But the question is of the fair distribution of the revenue over the various articles that we import as well as produce.

Mr. FLOWER. But if we do not need the money have we the right to collect it?

Mr. KASSON. The gentleman from New York utterly fails to see the point of the answer I make. I say we do not need the money on any single article you may choose to select from the list. But we do need revenue, and the proper mode of providing the revenue is to distribute the duty over all of these competitive articles; and my answer to the gentleman is that you should not sweep away the whole revenue from such articles, for each, on the revenue principle, should bear its fair proportion of the duties. As to natural mineral waters I regret very much that my friend from Virginia did not remember the action of the committee. It has authorized an amendment to put them on the free-list, which was necessary by reason of an error in making up the bill.

Mr. Chairman, I come back to the question of the bill itself and the desire I have, in common with this side of the House, to pass some bill at this session revising the tariff. I ask the other side of the House, when there is a conceded reduction of many millions of revenue effected by this bill, mark my words, a "conceded" reduction of many millions——

Mr. SPRINGER. Who concedes it?

Mr. KASSON. All members of that side of the House who know anything of the contents of the bill. [Laughter and applause.]

Mr. SPRINGER. I did not so understand it.

Mr. KASSON. Well, you will when you come to the consideration of the bill by sections. Your associates on the Ways and Means Committee know the fact which I have stated.

Mr. MORRISON. Let me say in answer to the gentleman from Iowa that there is as much as eleven millions of reduction on sugar and four millions on silk. That is all.

Mr. KASSON. And another member of that side of the House on the Committee on Ways and Means estimates the aggregate reduction at twenty millions. I hope for greater reduction yet. I should be glad myself to have fifty millions taken off; and while saying that, I must add that I do not believe in destroying these essential national industries of which I have spoken. I do not believe it is necessary to destroy them in effecting such reductions if your bill is properly ordered and proper relations are maintained between the raw materials and the manufactured article.

Mr. HUMPHREY. Will the gentleman yield to me for a question? I wish to ask if the revenue should fall off by importation, by the increase, or by lowering the amount of revenue under the tariff bill, whether it might not reach forty or fifty millions? Is not twenty or twenty-five millions simply a comparative estimate, and is it possible to make anything like more than an approximate estimate?

Mr. KASSON. That brings me into the debatable ground, and I have only to say that I agree with the gentleman from Virginia [Mr. TUCKER] that there is somewhere a point technically known as the "revenue point," but no member on this floor is able to define this point accurately for our action, and no man, I think I may say, elsewhere could more than approximately establish it.

The conditions of national prosperity, of home competition, the abundance of money in the United States, the disposition to import luxuries which arises from an abundance of money, the recklessness of expenditure that comes from the possession of excessive amounts of money, or credit, all of these things enter as factors into the amount of our importations, and are so varying and varied that we can not establish any rate which shall positively determine the diminution of the revenue or positively determine the increase which may result from its adoption.

Now, sir, if it were not for the maxim which we are all taught in Latin when boys, *nil desperandum*, I should despair of effecting a revision of the tariff at this session, and when my honored friend from Virginia, instead of aiding the House to do the best it can in the revision of the tariff contents himself with a running fire of commentary and criticism upon past, present, and future, I do not think he discharges that duty which he is so well able to perform.

When we come to the consideration of the bill in its details, when we come to the direct question presented to us, is this article made to bear a greater proportion of the revenue to be gained by the Government than its share? then come the practical questions to which our theories must be applied. I shall close, sir, without going into the different schedules of the bill, reserving what I have to say in the application of my principles till we take them up in order. I can not close, however, without noticing one point made by my colleague on the committee, the gentleman from Virginia. He spoke of the burdens the bill imposes and which are imposed by our tariff legislation upon the poor man, and estimated at only 20 per cent. the labor that enters into the production of manufactured articles. I recognize the fact there again that there is no fixed percentage of value of labor which you can apply to a given article. But remember that labor begins down in the deep bosom of the earth; God gives the ore of all kinds in the mine; God gives the wood in the forest; God gives the great plant of nature, without cost and without expense. But from the moment you cut the tree or open the earth the hand of labor is almost as universally recognized as the finger of the Almighty; and that hand of labor goes into every intermediate form in the thousand forms that the product assumes before it goes into consumption. I venture the assertion that an average of 80 per cent. of cost of every article which assumes these new forms is the approximate value of the labor that goes into it.

Mr. NEAL. Over 90 per cent.

Mr. KASSON. I am certainly within it when I say 80 per cent., and I shall not exaggerate the statement. It is estimate; it is, if you please, conjecture; but I ask any gentleman to follow the merchandise from the elemental form which God gave it to the form in which you consume it or use it, and tell me if you do not find the hand of labor everywhere, the hand of labor in machinery, as well as in fashioning, forming, beautifying, and fitting the article for the use of man, and constituting the most important element in the cost of the finished article.

Sir, I am for protection in the sense in which I have spoken, because I am for maintaining two things, the independence of my country for its necessary supplies, its independence of foreign countries and foreign control, and also because I am for giving bread and shelter and clothing to the poor men in the United States of America who depend upon their daily labor for their daily bread. And I can not do that if I allow by my action in legislation all the money earned in this country to go to the workshops of Europe for the supplies which we need and which we

consume. I can not do it if I adopt a pure revenue standard which ignores utterly the question of the cost of our home materials and labor. When I force our manufactures to the alternative to perish or to reduce the wages of their labor, I take, in either case, that much of the bread from the mouths of my fellow-citizens who perform that labor. Sir, we have had these laborers before us. The commission had them also before it. If you ask why I take their statement instead of accepting the statements of free-trade orators on this floor, my answer is that I trust the man who has been employed in the workshops of Europe and is now employed in the workshops of America as a better witness of what concerns his welfare and his prosperity than the orator who maintains on this floor any theory resting on logic instead of facts. And they have been not only singly but in companies before the commission. We have heard them in the room of the Committee on Ways and Means. And when you tell me that the laborer's interest is to take off duties on account of his consumption instead of maintaining them on account of wages for his labor, I appeal from orators and professors to the laboring man himself.

If there be one certain duty of government recognized in every country of the globe which bears the stamp of civilization that duty is to take care of the interests of their own country and people and to provide work for poverty. It is a question of patriotism protecting labor, disguise it how you will.

I have seen the time, sir, when I thought it was mere stump oratory when we spoke of the pauper labor of Europe. I heard the term used satirically by my friend from Virginia [Mr. TUCKER] to-day. But, sir, when I know of my own knowledge the miserable wages that are paid in foreign countries; when I know of my own knowledge the miserable conditions of human existence that surround the laborer in many foreign countries; when I have seen his family without education, his children with scant clothing, and himself serf rather than free laborer, I see no wit in the satire. When the proposition is put to me to reverse that condition of things which makes his wages higher in this country than they are abroad, I resist; and I appeal alike to humanity and to statesmanship and to the experience of the nations of the world against any theory which involves the degradation of labor. Infinitely better for me and for my constituents that we accept increase of cost, if any there be, for the sake of the millions whose welfare and comfort in life are involved in your decision.

While this debate goes on to-day a million homes in the United States are as anxious over the solution of the question as if their inhabitants dwelt in palaces instead of humble rooms. We can not ignore it. I never wish to speak as a demagogue on this floor, let their votes go where they will. I affirm that our duty is to accept the universal testimony of all the organized laborers in the United States, which testimony confirms the fact that without the maintenance of duties which you may fairly call protective their condition will be degraded to that which many of them experienced in the old country and have so gladly found changed in this.

Mr. REAGAN. May I ask the gentleman a question?

Mr. KASSON. Yes.

Mr. REAGAN. Has one single laborer in any class of industry appeared before the Committee on Ways and Means?

Mr. KASSON. No man of any class appeared technically before the Ways and Means Committee, but a company of selected representatives of organizations of labor throughout the country; some gentleman can tell me embracing how many——

Mr. BAYNE. One hundred thousand.

Mr. KASSON. Representing 100,000 laborers came before us and interviewed us individually, including myself, on this question.

Mr. McKINLEY. And the president of the amalgamated associations.

Mr. REAGAN. Were these gentlemen representatives of labor and not of capital?

Mr. KASSON. Certainly; the principal man being the president of the amalgamated labor associations. And not only that, but we have petitions from various labor associations of the country, presenting their views.

Mr. Chairman, I have said more than I had intended upon the general theory of the bill. But in view of the attack made upon the principle of protection itself, irrespective of rates, and since the debate must go on, I felt bound to state the reasons which have controlled my action and which furnish the justification of the principle. I have now done, and will gladly reach the question of just rates, so soon as we consider the bill by paragraphs. We can not afford to say that we will pass no bill unless all the items in it are agreeable to us. You admit that there are hundreds of articles upon which duties must be imposed, and you differ as to the rates. Some of them are what you want, others you dispute. Shall we ever secure a revision of the tariff without some mutual concessions? We who represent agricultural, and to some extent manufacturing interests, may not be wholly satisfied.

You who represent manufacturing interests particularly may or may not be satisfied. But is it not our duty to secure the passage of some bill which in the result shall reduce the amount of revenue and the rates of taxation? They are now too high, and in my judgment the reduction proposed by this bill in many instances is not enough. But shall I therefore vote against reducing at all? Will gentlemen on the other side of the House vote against all reduction because that which is attainable is not enough?

If we pass an insufficient bill at this session the next Congress has the right to go further if it chooses. Shall we keep up this agitation before the country, impeding trade and preventing production largely, and tending also to increase prices, because the markets will become less stocked than they have been? Shall we go on keeping up this agitation and arriving at no result whatever?

Statesmanship can not take the position that because we are dissatisfied with some of the items in this great bill, which simply preserves existing principles with diminished burdens, therefore we will not vote for what good it does contain. I appeal to all sides of the House to aid in arriving at correct results when we reach the schedules. Let us have a conference with the Senate on the provisions of the bill, so as to accomplish something in the reduction of taxation, even if it is not enough. Better some good secured than none at all. [Applause.]

The committee rose informally; and Mr. ROBINSON, of Massachusetts, took the chair as Speaker *pro tempore*.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries, who also informed the House that the President had approved and signed a bill of the following title:

An act (H. R. 7330) to remove the disabilities of Francis H. Smith, sr., of Virginia.

The message further announced that the joint resolution (H. Res. 190) to refer certain claims to the Court of Claims, having been presented to the President on the 12th instant and not having been returned to the House of Congress in which it originated within the ten days prescribed by the Constitution, had become a law without his approval.

TARIFF.

The Committee of the Whole resumed its session.

Mr. MILLS. Mr. Chairman, we are attempting to execute the power vested in Congress by the Constitution, which authorizes us to lay and collect duties on imports to pay the debts and provide for the common defense and general welfare of the United States. The object of imposing this power in Congress was to enable the legislative department to provide the necessary revenues to carry on the administration of government. The power to tax is the power to raise money alone for public purposes. We have no rightful power to go beyond this. The Supreme Court of the United States, in the celebrated case of the Loan Association *vs.* Topeka, said that the power to tax is the most liable to abuse of all the powers conferred upon government, and they might as truthfully have said that it was more generally abused than any other power vested by organic law in legislative bodies. All taxes are burdens; to support government they must be imposed and must be borne; but they should be levied in such manner as to impose the least possible burden upon the people.

The objection I have to the bill proposed by the Ways and Means Committee is that it is not a bill to raise revenue, but a bill to prevent raising revenue. This bill and the one pending in the Senate and the one reported by the Tariff Commission emanated from the same source, and were designed to prevent importation and hinder and obstruct the collection of revenue. They are all perversions of the constitutional authority to lay duties to raise revenue. What this measure proposes and what its friends advocate is to abuse the power of taxation and make it the instrument for transferring the property of one class of the people to the pockets of another. In the case of McCulloch *vs.* Maryland, Chief-Justice Marshall says that the power to tax is the power to destroy, but to exercise it to destroy is not the rightful exercise but an abuse of the power. That is just what the supporters of this bill are asking Congress to do. We are told that we are receiving too many cheap goods from foreign countries, coming in competition with American manufacturers and cutting down their profits, and we are urged to put duties upon them that will keep them away. We are urged to use the power of taxation not to raise revenue on imports but to prevent them from coming into our country. Is not that an abuse of the taxing power? Does not that oppress and destroy our commerce? Where do they find any authority for such legislation?

This is a government of enumerated powers. It has just such power as may be granted in so many words in the Constitution or that may be implied from some power enumerated by name. Where do the gentlemen find the authority, either express or implied, to take the property of one man and give it to another? Why, sir, you can not take the property of a citizen for the public without paying him just compensation. The only power in the Constitution to take his property at all is for a public purpose. In the case to which I referred a moment ago the Supreme Court of the United States say that taxing the people for the benefit of private individuals is robbery. That is very strong language to come from the bench, but it is true. This is what Judge Miller says in rendering the decision in that case.

Mr. TUCKER. Give the volume and page.

Mr. MILLS. I read from 20 Wallace, page 664, Loan Association *vs.* Topeka.

To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private

enterprises and to build up private fortunes is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms. Nor is it taxation. A tax, says Webster's Dictionary, is a rate or sum of money assessed on the person or property of a citizen by the government for the use of a nation or state. Taxes are burdens or charges imposed by the legislature on persons or property to raise money for public purposes.

A recent case came before the same court and was decided within the last month, the case of The City of Parkersburgh rs. Brown and others, in which the same court reaffirmed the principle decided in the Topeka case. The facts in the two cases are very similar. In the Parkersburgh case bonds were issued by the city government under an act of the Legislature of West Virginia authorizing the city government to levy a tax to aid *infant* industries in that city. The decision of the court below sustained the law, but the Supreme Court pronounced the act void and reversed the judgment. They said the government had no power to take the property of one citizen and give it to another. They said the Legislature might levy taxes for the use of the city and to pay its debts, but that taxation to pay bonds to aid private persons in conducting a private manufacturing business is not taxation for a public object.

It is a principle of law universally recognized in the courts that tax laws must be strictly construed. Statutes imposing burdens upon the people are not entitled, like remedial statutes, to be liberally construed. In executing laws imposing taxes the grant of power must be closely followed. And when power is given to tax for public purposes, the Legislature can not tax for any other purpose. But notwithstanding that fact is well recognized, the principle is constantly ignored in Federal legislation, and the power of taxation is exercised to aid private individuals, which the Supreme Court has declared to be robbery. What does this bill propose to do? Raise revenue? No. It proposes to make it impossible for anything to come into this country that is cheaper than the corresponding article that is manufactured here. Why? To compel the people who are bound to have things necessary to their existence to pay the American monopolist double prices. Is that to raise revenue? If you put a duty upon iron and steel that prohibits it from coming into the country, you do not raise revenue. You prohibit the raising of revenue. You compel the people to buy the produce of the domestic manufacturer at higher prices when he could get the same produce in foreign markets at lower prices. Is that a rightful exercise of the taxing power? I want some of the friends of this bill to tell me what is the difference between this and communism and socialism. What difference is there between this principle and the principle of the highwayman, who says, "Let him take who has the power and let him keep who can." If the Government has the right by a vote of its representatives to take the property of one citizen and give it to another, what use is there for government at all? A combination of men sufficiently powerful can do that without incurring the expenses of supporting government.

My understanding of the object of government is to associate the powers of the people to prevent the spoliation of property. I have been taught that the object of constitutions is to put a limit upon power, to lock it up with bolts and bars. The arbitrary power of the many is often as cruel and corrupt as the power of one. And a majority, assured of its superior strength and its own safety, may become as remorseless in its oppressions as the tyrant who wears a crown on his head. The object of constitutions is to secure the person in the enjoyment of life and all that makes life worth having, the enjoyment of the products of one's own labor to minister to the satisfaction of one's own wants. Yet it is the settled policy of the party now in power to teach by legislation that communism and socialism are right; that it is right for the rich and powerful iron and steel barons to exert the power of their wealth and influence to induce Congress to take from all the people every year more than a thousand millions of their earnings to swell the fortunes of the already too powerful manufacturers. You proclaim to the country that it is right for the associated manufacturers to have representatives sent here from all over the land to vote for the spoliation of the property of other people for their benefit. You proclaim that it is right to combine all these manufacturers of different kinds of commodities and by their united power give the form of law to a forced contribution levied upon the people of the whole country for the enhancement of their fortunes, and yet you complain of communism growing up in all parts of your manufacturing regions, and to-day a distinguished communistic leader is enjoying an ovation in one of your largest cities. Sir, this is but the hand of the avenger holding to your own lips the ingredients of the chalice which you have poisoned.

In laying duties we may adopt the advalorem method and lay directly upon value, or we may adopt the specific tax upon quantity, or we may adopt both methods, as this bill does. If we adopt the ad valorem system, we impose a duty of so much upon the market value of the thing imported. If we adopt the specific system, we impose duty on articles by weight, measure, and number. While the policy of the ad valorem system has been condemned by the friends of this measure in discussions in the other end of the Capitol, I notice that about one-third of the items of the bill are based upon value alone. Why is that so? Because when it is not necessary to discriminate in the interest of monopolies there is no objection to ad valorem duties. In all such cases you will find by examining the bill that the duty is levied upon value alone. But wherever it is necessary to cover up, to conceal, to confuse, to embarrass, to entrap, to defraud, to obstruct and prevent importation, there you will find specific duties, and you will find them prescribed in such a manner, and with so many conditions and specifications where the subject admits it, and the meaning of the language used so involved, so dark and hidden by accumulating provisos piled on top of each other, that it is impossible without the key of the Iron and Steel Association to interpret and comprehend the meaning.

When we come to the duties levied in the schedule on metals and attempt to analyze them, and see what they are and what effects they are to produce, we become bewildered by the babel of words. I shall not be far from the mark if I say of the two hundred and ninety-three members of this House there are not ten who can give an intelligent analysis of the metal schedule unless they shall simply repeat what they have heard from the lips of the iron-mongers who wrote it. I might call upon members to rise in their places and enlighten the House by explaining the different classifications and the multiplied specifications of weight, size, length, diameter, and processes of manufacture, and I would venture my arm that there are not ten gentlemen on this floor who can explain them. These articles were written by the representatives of the Iron and Steel Association. The cunning words that are piled up in this schedule were put there by them. They never intended this House to understand the meaning of that schedule. They understand it, and when this bill becomes a law and your customs officers attempt to execute it you will see that the importation of iron and steel will be almost annihilated, and the people of this country will be lashed to the chariot wheels of the iron and steel monopolists of Pennsylvania.

If we want to do what the Constitution authorizes us to do, that is, to raise revenue; if we want to do what our duty requires us to do, that is, to raise it in the least burdensome way we can, the simplest, easiest, most honest, and efficacious way of reaching that result is to discard all this verbosity that is designed to cheat and mislead, and put the taxation directly upon the value. It is not right to tax a yard of coarse cloth that a poor man buys as high as a yard of French broadcloth that the rich buy. But it is right that each shall pay a tax according to its value. The commerce of the world is all carried on and always has been on the standard of value. As far back into history as our researches have ever penetrated we have found men trading. In the old book we have all been taught to read in our childhood we are told of the merchants who crossed the desert with their camels loaded with merchandise, and from that day to this they have been buying and selling by a standard of value.

If a merchant buys a cargo of goods in England he purchases upon his knowledge of their value in the foreign market, the cost of transporting them, the amount of duty he is to pay, and the value of the goods in the American market. Sometimes the margin of profit upon which he bases his calculation is but the fraction of a cent in the dollar. Still he understands the value of the goods in which he deals sufficiently well to hazard his fortune in the enterprise. Who ever heard of one going to England to buy a cargo of shoes and boots by quantity without reference to value? Who ever heard of one buying a cargo of goods by weight, measure, or number without reference to value. All commerce, all exchanges of property by nations or individuals are carried on by value. How is it that the Government can not levy its taxes by value? The States all do it; the counties all do it; the cities and towns do it. Does not the customs officer know what silk is worth in the New York market, what coffee is worth? He knows just as well as the merchants of the city who deal in them. The value of silk it seems is beyond his comprehension, but he readily knows when it is advanced beyond "sliver." He knows when an article is produced to be appraised whether silk is the component of chief value. He knows nothing of the value of glass, but in classifying it he must know whether it is "blown with or without a mold." He can know nothing of the value of iron ore; but he has in collecting the duty to determine whether or not it contains 15 per cent. of silica and what amount of copper is concealed in the body of the ore. He knows nothing of the value of steel, but if a piece is imported he is required to know whether it is made by the "Bessemer, pneumatic, Thomas-Gilchrist, Siemens-Martin, open-hearth, or basic process." It is a palpable absurdity to say that an officer handling merchandise every day can not determine the value, and yet have all the knowledge of an expert about its manufacture. But we are told that the ad valorem system will not do, because there are great frauds perpetrated on the Treasury by undervaluation, and by reason of that fact the law can not be executed. That argument is not one of the *infant* industries; it is old enough to be on the retired-list. It has been the faithful companion of the spoliationist throughout all his history. It has been on the witness-stand in all his trials. It repeats the same old fallacy that has been exposed as often as it has been produced. Now, let us expose it again.

A merchant buys a cargo of sugar in Havana for $100,000. He undervalues it $5,000 and has it invoiced at $95,000. The duty on the sugar is 50 per cent.; 50 per cent. of $5,000 is all that he can make if he succeeds. Twenty-five hundred, therefore, is the stake for which he is playing. When his sugar reaches New York it is inspected by experts in that business. Sugar importers are called in to examine it.

The result is it is valued at $100,000; his stake is lost, but that is not all that is lost. A penalty of 20 per cent., which is $20,000, is decreed. And yet that is not all: If there be probable cause to suspect fraudulent intent the whole cargo is forfeited. Is there any man, however dishonest, who is reckless enough to try such an experiment under the threats of such penalties, and when the probabilities of detection are so numerous and so strong as almost to amount to a certainty? That penalty has been upon the statute-books for many years, and I do not believe that there ever has been a case of undervaluation attempted since its enactment.

A few years ago, during one of my canvasses, in which I was discussing the tariff and its pernicious effects upon the country, after I had come down from the stand at one of my appointments, a venerable Roman-looking matron, upon whose hair the snows of many winters had fallen, approached me with a handful of old papers, which she gave me, saying as she did so, "I heard you a few days ago in another neighborhood, and when I went home I said to my children and grandchildren that you talked like my husband used to do, and about the same subjects, and I went and got a bundle of his old papers that I have kept for many years and have brought them to you to read if you feel like it. You will find them the words of one who loved and faithfully served his country." I opened them, and the first one was a speech of Dixon H. Lewis, of Alabama, delivered in the Senate of the United States, July 13, 1846, defending the system of ad valorem duties against the false charge made against it by those who wanted to monopolize the American market for their own individual gain. She who gave them to me was the venerable relict of that distinguished statesman. He was one of the greatest among the many able men that Alabama has sent and still continues to send to the national councils. He says in that unanswerable speech that the charge of undervaluation "is one of the axiomatic errors which upon examination will be found to be wholly fallacious." He called the attention of the Senate to the fact that an importer then living in New York, whose name he gave, had made a contract with an ironmonger at Birmingham, England, for the purchase of iron at a fixed price. After a time iron rose 20 per cent., and when he imported a cargo and offered it for appraisement it was valued by the customs officer at the then market price, which was right. But because his invoice showed that he had bought 20 per cent. below the foreign market price the penalty for undervaluation was assessed against him. He was forced to pay the penalty or give up the advantage of his contract. The penalty, at that time 50 per cent., being more than the profit, he was forced to abandon his contract.

A similar fact of recent occurrence was stated in the same body a few days ago by a Senator who in physical and intellectual structure, in habits of thought and labor, in powers of analysis and unflinching devotion to the right, is more like Dixon H. Lewis than any other man today in public life. I of course refer to JAMES B. BECK. He stated to the Senate that a short time since a merchant bought a cargo of goods in Liverpool to be delivered a month after purchase. In the mean time rumors of some pending political trouble on the continent carried up the price of the goods, so that he was prevented by the threatening penalty from importing his goods and reaping the benefits of his bargain.

Talk about the frauds of undervaluation! The thing is impossible. It only exists in the fertile imagination of the American manufacturer and his representatives. It is the fairest and most equitable tax that can be levied on imports, because every one who buys pays taxes according to the value he receives. It is the easiest collected tax, for it excludes all controversy about classes, numbers, sizes, and processes of manufacture. It interposes no annoyances and obstructions to commerce by involving in doubts the amount of tax the commodities are to bear. It is more honest, because it lets the tax-payer know what is the amount of tax he is paying. It produces more revenues to the Government and less burdens to the people, because, being open, undisguised, and well understood, no ad valorem tax can exist that is not on a revenue basis.

There is still another advantage in the ad valorem system. It adjusts itself to the rising and falling of prices. When you have determined how much money you want to raise by duties on imports you fix the proportionate rate on each article or group of articles. It must be sufficiently low not to lessen consumption of the article; it must be sufficiently high to produce the desired revenue.

Having fixed your rate and imposed it upon the article imported, it remains a revenue duty, however great may be the fluctuation in the price in the future. When prices are low exchanges are made on lower scale, and when high on a higher scale; but whether low or high exchanges continue, and your levy being upon a revenue basis you can always confidently rely upon your income. To illustrate: if a ton of pig-iron is worth to-day $10 and your duty is 25 per cent., you get $2.50; if pig-iron doubles in price your duty doubles; if it increases to $40 per ton your duty is $10. It always preserves its character of revenue duty. When the article is low in price your duty accommodates itself to the condition of the commodity and exacts only its relative proportion. If the price is high it rises and keeps itself to its fair proportion. Now let us see the specific. A ton of pig-iron is worth $10; a specific duty of $2.50 per ton is imposed. That is equivalent to an ad valorem duty of 25 per cent. and supposed to be about a revenue standard. It rises to $20 a ton; your duty is $2.50; you are only receiving one-half of what you supposed was the revenue standard. It rises to $40 per ton. Your duty is still the same in amount, but the equivalent ad valorem is only 6¼ per cent., or one-fourth of the revenue standard. Instead of rising, suppose it falls from $10 per ton to $5. Your duty is 50 per cent., far above the revenue standard, and your importation is greatly cut down. If it falls to $2.50 per ton the duty is 100 per cent. and prohibitory. Your Treasury gets nothing and your people are robbed by those who have the monopoly of the home market. This illustration is sufficient to show you that a specific system of duties, levied by weight, measure, and number, is wholly inadequate to meet the demands of revenue. If it is the coffers of the manufacturers you wish to fill, and fill them by depleting the public Treasury and impoverishing the great body of the people, the ingenuity and cunning of man never invented an instrument more capable of accomplishing the work assigned it. You can abuse the taxing power by the ad valorem system as well as by the specific. You can levy excessive duties and keep out importations by the ad valorem system, but in doing that you have this peril to encounter: you spread your net in the sight of the bird. Your object will be discovered by those whom you wish to insnare, and the birds you are preparing to catch will be strong enough to come down upon you and carry away the fowlers and their nets.

When you spread upon the statute-books a long list of impositions of duty from 100 to 150 per cent. you give notice openly to the people that your object is plunder, not revenue; and when they come to comprehend that fact they will rise in their might and indignation and sweep such a law from your statute-books in a less time than it has taken the iron-mongers to hatch out this conspiracy against their property and labor. The specific mode is the chosen mode of the monopolist. He does not want revenue. He is no more interested in that than the farmers. He would not have gone to all the labor of getting up the Tariff Commission if revenue was all that was to be accomplished by the tariff. He wants to prevent us from buying abroad and compel us to buy at home at his price. It is the farmer's money he wants, not a better system of revenue. He wants to get it from the farmer in such a way that he will feel patriotic and happy when he gives it to the monopolist. He wants to give the farmer an anæsthetic and relieve him while he is slumbering of some of his corn and cotton and wheat. He wants to sing him to sleep with a lullaby and put him in his little bed, and while he is in the land of Nod dreaming about American industry he proposes to administer on his estate.

Let me call your attention to one item in this bill in the metal schedule, and let me see if you can tell me what it means:

Steel ingots, cogged ingots, blooms, and slabs made by the Bessemer pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, open-hearth, or by any other process except the crucible process, weighing not less than five hundred pounds each and measuring not less than five inches square, nor less than five inches in least diameter of cross-section of the ingots, cogged ingots, or blooms, not less than five inches in thickness nor ten inches in width of the slabs, six-tenths of 1 cent per pound.

Now, what does all that mean? Why is steel made by the crucible process excluded from this item? Why is this duty confined to steel above five hundred pounds in weight? Why must each piece be five inches or more in least diameter, and why least diameter of cross-section? Why must each piece be not less than five inches thick? Why must each piece be not less than ten inches in width? Will some one who has been permitted to enter the holy of holies of the steel-rail sanctuary and been enlightened in its great laboratory of knowledge solve this mystery for me? Who is to determine all these things when the article is imported? Where is the officer to get knowledge sufficient to pass on this item? How is he to inform himself whether the steel is made by the Bessemer process or the Thomas-Gilchrist process or the basic process or the Siemens-Martin process or the open-hearth process? If the tariff was 30 or 40 or 50 per cent. upon all steel and iron imported any intelligent clerk could tell at once what the market price was, and that would be the plain, practical, common-sense way of getting at it, if collecting revenue was what we wanted. He would only have to look at the invoice and see if it corresponded with the market value of the import. He could determine to a fraction without any quibble or controversy what the amount of duty was. But who is to determine these questions about the process of manufacture, and why all these varied specifications? The duty on these cogged ingots, blooms, and slabs over five hundred pounds is $13.44 per ton; by another item in the bill the same articles less than five hundred pounds are $44.80 per ton. Why this difference of more than 233 per cent. in favor of the larger size? Is it because the steel rail barons have large machinery and can import the larger sizes and cut them up when smaller traders can not. Two hundred and thirty-three per cent. is a fine margin for profits out of the pockets of the people who buy hoes and axes and plows and trace-chains. May be they will stand it. There ought to be some reason, and one of vast and overpowering importance, to justify a difference of 233 per cent. in the rates of duty between the same article made of the same material and differing in nothing but weight.

But why dwell on this item? This bill is filled *ad nauseam* with just such provisions, and for what purpose? To conceal the robbery inflicted upon the people in all its specific items.

It was conceived in sin and brought forth in iniquity. During the last session of Congress we were repeatedly told upon the floor of this House, when many of us wanted to respond to the demands of the people and reduce taxation, that Congress was incompetent to the task. It was constantly pressed upon us that a commission of intelligent business men was requisite to the task of unloading the burdens that were breaking the backs of our people and striking from their limbs the fetters that the concentrated greed of associated monopolists had riveted upon them. We were told that we must get men who were thoroughly informed as business men. We were told that it was a question bristling all over with difficulties. That it must be taken from the political forum and settled in the counting-room as an industrial problem. While I was satisfied that the result was to be a base and infamous fraud, I confess that I did not dream that it would be so complete, so comprehensive, so all sufficient in its eagerness for plunder.

Why was it that the iron and steel men became so anxious for a revision of the tariff, and why did they demand that it should be done by a commission appointed by the President, instead of being done by Congress, upon whom the duty was imposed by the Constitution? If you will read their arguments at that time you will find that cotton-ties and fencing-wire and quinine were the stimulating causes. Congress had taken the tax off of quinine. The iron and steel men denounced it as a raid, and in a letter to a distinguished member of the Ways and Means Committee, signed by a great number of them, they said they wanted to feel assured that such raids were rendered impossible. One of the confederates had been wounded in the opening skirmish of the great battle for reform, and they were sounding the long roll and calling the troops to quarters. The Secretary of the Treasury had decided, and so had the courts, that cotton-ties with buckle and rivet should only pay 35 per cent. The Secretary had decided that fencing-wire should be admitted at 30 per cent. They had applied time and again to have these decisions reversed. They had failed, and their only hope of getting high duties was in a tariff commission dictated by themselves. A complacent Congress created it. A complacent President appointed all of them in the interest of the associated monopolists. Some people were credulous enough to say, and perhaps believe, that a minority of them would be Democrats, who represented the consumers, who favored taxation for revenue, who were opposed to legislative robbery, but they were all mistaken, and all of them, every one of them, represented some one of the associated horse-leeches who were crying, "Give! give!" They would not let us have even one to ask questions and give information which might be of great use to us when we come to sit on the report. But they have done their work and it has been submitted to us, and the long-coveted cotton-tie and fencing-wire has fallen into their arms. Instead of 35 per cent. on cotton-ties they have put a duty of $31.36 per ton. One of the largest importers of cotton-ties in the United States gave me the price of cotton-ties in England during the last session of Congress. It was then $35.39 per ton. At that price the duty is over 88 per cent. The same firm gave me at that time the price of fencing-wire in England at $43.65 per ton.; the present duty is 30 per cent, or $13.09 per ton. It is now proposed to make it $16.80 per ton. The ad valorem is equivalent to 38½ per cent. A friend has just handed me a printed statement showing the present English price of cotton-ties, which is $36.98 per ton. The proposed duty of $31.36 per ton is equal to 85 per cent. ad valorem, or an increase over the present rate of 143 per cent. And this is tariff reform!

On the 2d of March, 1861, Congress enacted a war tariff bill, and put a duty equivalent to 30 per cent. on all articles manufactured of iron and steel. After enumerating by name all articles that could be thought of, they made a general provision and put the same rate on all articles not otherwise provided for. In 1862 5 per cent. ad valorem was added to these articles. And the clause under which cotton-ties are now taxed has come down to us from 1861. Hoop-iron, of which cotton-ties are made, pays a duty of $33.60 per ton, while cotton-ties at the price to-day pays $13.26 per ton. The cotton-tie, with buckle and rivet, is a distinct article of commerce, and not being otherwise provided for comes in at 35 per cent. As an article of commerce it is of incalculable importance to all of our laborers in the cotton fields. It has entirely superseded the old rope tie for two reasons. It enables the carrier of cotton to compress a bale of cotton into half the space it occupies in the rope tie, therefore twice as many can be carried by rail and vessel. Secondly, in case of fire the old rope tie soon burns and a general conflagration ensues. Now if a bale gets on fire it is so closely compressed and held that the fire makes poor headway, and gives ample opportunity for its extinguishment, and that fact has led to a great reduction on insurance.

So the iron cotton-tie is indispensable to the Southern farmer. When we remember the important part played by cotton in our export trade we ought to be willing, nay anxious, to relieve it of every possible burden and give every legitimate encouragement to its growth. Fifteen or twenty millions of people are interested in a reduction of the price of cotton-ties, and six firms manufacturing it are interested in raising the price. Whom shall we serve? During the year 1882 we imported 43,431,272 tons of cotton-ties that were consumed by our cotton growers. They cost in England $744,821. At 35 per cent. duty the revenue to the Government would be $260,687. At the rate proposed in the bill, 85 per cent., the duty if imported would be $633,097, or an increase in cost to the farmer of $372,410; and whether imported or not the increase of cost will be the same to the farmer, only the Treasury of the Government will be cheated of that amount, and the treasury of the six cotton-tie manufacturers will get it. There is a significant fact to be noted here. There are two sorts of cotton-ties: one pays a duty of $33.60, that is what is called protection; the other pays a duty of $13.26 per ton, that is what is called revenue duty. We imported 1,000,000 under protective duties and 42,000,000 under revenue duties. In the protective duty the Treasury got $20,000; under the revenue duty it got $253,000. All hail, humbug! Now, these two duties were fixed on the same basis of value.

In 1864 $33.60 a ton on hoop-iron was about 35 per cent. duty. That was the duty put at that time on it. Prices were high; we were dealing in a depreciated paper currency. Prices always go up as the circulation increases and go down when the circulation decreases. But after a while we began to contract the circulation and the prices began to come down, and they continued to come till the duty per ton originally fixed upon a basis of 35 per cent. became nearly a hundred. The ad valorem duty in the mean time kept itself adjusted to the rise and fall of prices, marking the revenue point at every change as accurately as the thermometer marks the rise and fall of heat.

What was the effect of this on the revenue and the people? The high duties became prohibitory. Scarcely any iron or steel or manufactures of them came in. We got little revenue and the people were compelled to buy at exorbitant prices all they needed from the American manufacturer who held the monopoly of the market. There were only about 5 per cent. of all the products of iron and steel consumed in the United States that were imported. Now we are urged to keep up that policy of defrauding the revenue and taxing to death the great farming industry to build up overgrown fortunes for a few. And the cotton growers, black and white, who are numbered by millions, are to be raided on and robbed to gratify the greed of six manufacturing companies. What Southern man here, representing thousands of these victims who toil in the fields when the sun is burning down at a hundred degrees, will dare to betray his people and vote for this iniquitous bill? How many of you dare do this deed and go home and confront a people whom you will have betrayed under the false pretense of encouraging home industry? How many Southern men will vote to rob the Government of its treasure and the cotton growers of their rightful property in order to enrich a half dozen manufacturers? If there be such an one in this House of any party, I hope his constituents will tear his political hide from his body when he goes home.

A MEMBER. They will do it, too.

Mr. MILLS. Now let me invite your attention to the item of wire. Under the existing tariff we have two classes of wire, and that is one too many. The bill proposes to make four classes. All wire under No. 10 pays a duty $50.40 per ton; all between 10 and 18, $61.60 per ton; all between 18 and 26, $72.80 per ton; all over 26, $89.60 per ton. The numbers run from 1 to over 30 by the gauge. They begin with a very large wire as No. 1 and run down to one almost as small as a hair, as will be seen by the gauge which I have taken from the speech of Senator BECK.

The changes from one number to another are so very gradual that they can not be detected with the eye. What will be the result of this classification with the increasing rates? An importer buys his wire at No. 10. He is buying and selling on a close margin of profits. He calculates the cost per ton, the transportation and duty, calculates perhaps on five or

ten dollars profit per ton. When he comes to pay duty, the iron manufacturer has his friends at the custom-house as well as in Congress. He says that wire is No. 11; if so, the duty is $11.20 per ton more than if No. 10. When you get to No. 18 the same thing occurs, only the wire is getting smaller and the grades more indistinguishable. The importer buys at 18, the manufacturer says it is 19; if so, the duty is increased again $11.20 per ton. His profits at the highest are only to be ten. Do you not see that the importation must stop and the manufacturer must monopolize the market? The importer buys a cargo of wire No. 26, duty $72.80. When he comes to pass his wire through the custom-house, he is told that it is 27, and that the duty on that number is $89.60, or $16.40 more than No. 26. But he had only calculated on a profit of $10 per ton after paying the legitimate duty. His business is broken up, importation is stopped, commerce is destroyed, and the manufacturer is protected in monopolizing the market and robbing the people. But it is said the gauge will show precisely the number. Whose gauge? The importer buys by the gauge of the English manufacturer. The American manufacturer has a gauge a little smaller, and so little that the eye can not detect it, made so on purpose like this law to prevent importation; and when the wire is applied to the gauge it will not fit. Importation is harassed, annoyed, obstructed, profits are uncertain, the business is stopped, and that is protection.

If the object of Congress is to raise revenue, why not put an ad valorem duty on all iron and steel, and manufactures of iron and steel at 30 or 35 per cent.? That would be amply sufficient in the way of prescription, and it would give you twice as much revenue as you get now from the same source. Or if you want to be more particular, put a duty on all wire of 30 or 35 per cent. and that will remove all the facilities for fraud and give you twice as much money as you now get from wire.

On some descriptions of wire in this bill, if I am not mistaken, the duties are 7½ cents per pound, and I think some double that. [To Mr. CARLISLE.] Am I right in that?

Mr. CARLISLE. Per pound?

Mr. MILLS. Yes. Whatever it is, the rate is double from one grade to another.

Mr. CARLISLE. It is double by reason of galvanizing, and on wire rope and wire strands it is more than doubled.

Mr. MILLS. Oh, no; I do not mean that. Perhaps the item I was thinking of is in the Senate bill; at least I can not lay my eye on it here. The object of all these classifications and all these different descriptions and different rates of duty is to throw impediments and obstructions in the way of commerce, and to prevent our people from importing and buying the cheaper goods of foreign manufacture. Those who wish to accomplish that object dare not put on the prohibitory duty at ad valorem rates, because the people would see it and compel its repeal, but they propose to accomplish it by concealing from them the enormous wrong they are doing the whole body of consumers. This bill was characterized on this floor the other day as the best tariff bill that had ever been brought to the attention of Congress. In my opinion there was never conceived in the mind of men and written upon the same amount of paper as much diabolical iniquity, as much fraud and false pretense, and as much downright shameless robbery of the people of the United States as is put into this bill.

You may talk of getting the tariff question out of politics by passing this infamous measure, but you reckon without your host. Do you think that you can put this act of confiscation on the statute-books and more than 50,000,000 of defrauded people will submit in silence? Do you think when you have written this legislative decree to take annually from the farmers of the United States more than a thousand millions, to enrich the iron and steel monopolists and their confederates, that they will fawn like dogs and lick the hand that scourges them? Then do it and try the experiment. Sir, you will hear a storm sweeping over this country worse than the one that swept so hurriedly from your statute-books the back-salary law. We are consuming annually over six hundred millions of the manufactures of metal produced at home. We are importing seventy millions. The imports carried an average duty of more than 40 per cent., and give us thirty millions of revenue. The six hundred millions gave the metal manufacturers, out of the pockets of the people, more than two hundred and forty millions. Against that they raised their voice, and to remove that abuse they have called on their representatives to reform the tariff. You propose to answer their demands as Rehoboam answered the complaints of the people of Israel when they called on him to correct the abuses that had grown up under his father's administration, and which had come down to him. When they said to him, "Make the yoke which thy father did put upon us lighter," he replied that his little finger should be thicker than his father's loins, and where his father chastised them with whips he would chastise them with scorpions. You haughtily answer a complaining people by making the yoke heavier, and you confidently expect them to bend and be silent. Remember the scepter departed from Rehoboam, and it will depart from you.

I want to see the Western man who will have the temerity to vote to increase the duty on fencing-wire and then return to his home on the prairies that stretch toward the setting sun and tell the people whose only dependence for fencing their farms is wire that he bowed the knee to the Pennsylvania Baal. There is a day of reckoning coming, and all the power in this land does not lie in the shadow of the smoke-stacks. You are very earnest and very energetic in pushing on to completion the work you have planned. Your object is to fix it before you leave the Halls from which you have been driven by public condemnation. You think when you have once fixed it the next Congress will not be able to undo what you have done. The people will be able to extricate themselves from all the toils you may weave around them. Do not push them too far. Do not provoke them to speak with indignation. If you do, they will go a great deal further and make the reform much more thorough than that which they would accept to-day.

It is insisted by the friends of high prohibitory duties that they are necessary to give good wages to manufacturing operatives. They profess great devotion to the laboring man. Under the pretext of increasing his wages you are plundering his property. You care nothing for the laborer. It is the proprietor whose interests you are serving. You deceive the laborer by your sophistries and fallacies and make him the instrument that aids you to rob himself along with all the other laborers and increase the fortunes of his employer. The other day we had a bill before us to give bounty from the public Treasury for ship-building. It was declared then by you in high-sounding phrases to be in the interest of the poor toiling people in the ship-yards. I wanted to unmask you and test your sincerity to the laboring people, and I offered to amend the bill so that no subsidy should be paid to the ship-builder until he should file with the Secretary of the Treasury the proof that he had paid his workmen 20 per cent. advance on the wages paid for the month of December last. Our people over here supported it very cheerfully, and you as solidly voted against it. This is the way you protect the laboring man. You talk a great deal of it to get his vote, and there your interest in him ceases. You profess that high tariffs are for the benefit of the manufacturer and his workmen. But when the benefits derived by the law are to be distributed, you propose to divide with him like the Indian says the white man did with him when they hunted together. They killed a turkey and a buzzard, and the white man said to the Indian, "I will take the turkey and you take the buzzard, or you take the buzzard and I will take the turkey." The Indian says he never said turkey to him once. So it is with the laborer engaged in manufacture. The capitalist gets the turkey, and the laborer there, in common with his colaborers everywhere, supplies from his wages the money that pays for it.

Wages, like everything else that has value, is regulated by demand and supply. The wages received all over the country to-day in all the fields of employment are regulated by that, and neither free trade nor protection has a particle of influence in determining its amount. One of the best illustrations of the principle I have ever seen is given by Professor Sumner as coming from a workman, himself a wage-laborer, in Boston. He said he could see no way to increase the wages of workmen; that when he saw two "bosses" running after one workman wages were high, but when he saw two workmen running after one "boss" wages were low. A better illustration has never been given in the schools and colleges. You may destroy the whole commerce of the country, you may prohibit the importation of everything but the raw material for the manufacturer and give him full opportunity to charge just what he pleases for his product, but the workman will stand precisely where he does to-day. When there is a great demand for labor it is high; when there is no demand it is low. Every fall in the South there is a great demand for labor to pick cotton. Farmers come into the towns with their wagons to hunt for laborers. Two farmers are often seen after one workman; not only that, but they form associations and send out of the State to import them. Then labor is high. I heard last fall one man say that he got $5 a day for picking cotton, while in the summer he could not obtain employment at a dollar a day.

If high tariffs give high wages and comforts and happiness to the wagemen, why all these strikes we have had under the present tariff, the highest we have ever had, the highest that any country has ever had? Why were the swarthy sons of toil driven to desperation a few years ago, when torches were set to the city of Pittsburgh and a lane plowed through its center by flame? If high tariffs promote the comforts of the wagemen that ought not to have occurred. There have been infinitely more distress and more disturbance in the United States in the last ten years under our high tariff than there has been in England under a free-trade tariff, and yet our people receive higher wages than they do. But our dollar will buy less than theirs. Our workmen can not purchase with a day's wages as many of the necessaries of life as theirs. Nobody denies that our workmen get higher wages than they do, and will continue to do so until our country becomes thickly settled like Europe, and there are more laborers than there are places for them to fill. But it will be a long way in the future before we become like England and France and Germany and the Netherlands. We have an immense expanse of unsettled country inviting labor and offering high wages for its employment. The supply is far short of the demand and must remain so for many long years, whether the tariff be high or low. Agriculturists are moving westward in great bodies, armed with axes and plows and hoes and harrows. They are fencing up vast bodies of land with protected wire. They are looking back toward the eastern hives of population and inviting labor and offering high wages. We have a genial climate, rich soil, prolific in its resources,

and it yields great stores of abundance to the hand that will toil. Agricultural wages regulate all other wages. If the manufacturer cuts too low, his laborer will find profitable employment in the fields. He can not reduce American wages to the English standard, and nothing else can but an oversupply of workmen.

Happily for the laborer he is protected in having high wages by laws that neither Congress nor all the combined manufacturers can change. His wages are assured. No tariff can deprive him of them. But what he wants is to get to the last farthing the benefit of the purchasing power of his money. That the tariff can help or hurt. In respect to wages he is in the same situation with the rest of us; and in respect to the amount of comforts to be obtained for his money he is in a like situation. While we all get higher wages for our work, our wages do not procure for us as many comforts as the lesser wages of the Englishman. We pay nearly 100 per cent. more for our woolen clothing than he does; from 50 to 75 per cent. more for our cotton clothing than he does; from 75 to 100 per cent. more for the implements of labor made of iron and steel with which we toil to make our daily bread, and the five or six millions of bales of cotton and the three or four hundred million bushels of wheat that we export to foreign markets.

Mr. HASKELL. Will the gentleman from Texas say that there is a tariff duty of 100 per cent. on agricultural tools, or tools of any sort?

Mr. MILLS. I said that there is a duty of 75 to 100 per cent. generally on all manufactures of iron and steel entering into the implements of labor.

Mr. HASKELL. Can the gentleman name a country in the world where a single agricultural tool can be bought dollar for dollar as low as in the United States—a plow, a shovel, a hoe, an ax, a spade?

Mr. MILLS. Yes; and mind you, my friend, I am going right now to impale you. [Laughter and applause.] If that be the fact, why do you want protection? [Laughter and applause.]

Mr. HASKELL. If that be the fact, why do you want free trade? [Laughter and applause.]

Mr. MILLS. I want to remove all obstructions out of the way of commercial exchange, because if your statement is true there is no sense in keeping them up, and if it is not true they ought not to be kept up.

Mr. HASKELL. That protection has reduced the price of agricultural tools here lower than the rest of the world is a matter of fact.

Mr. MILLS. It never has done it here or elsewhere in the world. That is one of the old fallacies of the protectionists. John Stuart Mill exploded the whole doctrine of the protectionist by applying to it Gamaliel's dilemma. When the Pharisees laid hands on the apostles to punish them for the work they were performing, Gamaliel said, "Let them alone. If their work is the work of man, it will come to naught; if of God, you can not overthrow it." On either proposition their interference could accomplish nothing. So as Mill said of protection. If it protects the manufacturer it robs the people. If it does not protect, it is of no benefit to the manufacturer. Now, my friend can hang on either horn of this dilemma he chooses. One or the other he must take, and both are fatal. The whole thing is an utter fallacy. It is all nonsense to hear an intelligent man like my friend from Kansas say that protection has brought down the prices of anything. If the American manufacturers, by competing with each other without the competition of foreigners, have brought down prices, would they not have come down further and faster by admitting the foreigners to come in and increase the competition? If two persons competing with each other lower the price of the thing in which they deal, would not three increase the competition and make the price lower than two? No, sir; the question in which the laborer is interested, and vitally interested, is making his wages go as far as possible in purchasing that which will satisfy his wants. His wages must be expended for himself and family, and the problem he must solve for himself is how can he make his money realize the greatest sum of comforts.

I am the friend of the laboring man. I speak with no double tongue on that subject. I shoot the way I vote and vote the way I shoot on that question; but some professed friends of the laboring man shoot their mouths in one way and vote the other, as we saw demonstrated the other day. When I came here I came as the representative of working people; I am a working man myself. Ever since I was 17 years old I have been depending upon my own labor for a living. I known what it is to feel for men who work. Ever since I have been here I have been working for their emancipation from the toils of cunningly devised laws that take from them a large part of the proceeds of their toil. Neither the threats of power nor the blandishments of the rich barons that hang around your Ways and Means Committee room and dictate these acts of spoliation will ever deter me from denouncing the acts of legislative robbery that are constantly eating out his substance. I am willing to vote for whatever taxes are needed to carry on an honest and economical administration of government. The people I represent are willing to bear every burden necessary to that end; but I am not willing to put the hand of the Government into their pockets and take the earnings of their toil and give it to increase the fortunes of some manufacturer in Pennsylvania or Massachusetts. If I want a pair of blankets and an Englishman offers them to me for two dollars and a half and a man in Massachusetts or Maine for five dollars, it is my right as a freeman to buy the cheaper blanket, and when the Government forbids me the enjoyment of that right it makes me to that extent a slave. It is a matter of no concern to me that the Englishman is said to be a pauper. It is not a matter of sentiment, but of trade. Under this system of spoliation we see our people fast separating into two extremes of wealth and poverty, the very few getting richer and richer every day, the great, busy hive of its working millions getting poorer. The power of wealth is getting stronger, the power of labor is getting weaker. It is a matter of comfort to me that I have never by word or vote contributed to this result, and if I remain in public life until I am as old as Methuselah I never shall. [Applause.]

Mr. KELLEY. If the gentleman from Texas desires an extension of his time, I will move that it be granted. If no other gentleman desires to speak, and the gentleman does not desire an extension of his time, I will move that the committee rise, followed by a motion to adjourn.

The CHAIRMAN. The gentleman from Maryland is recognized.

Mr. McLANE, of Maryland. Mr. Chairman, I was one of those who voted for this Tariff Commission. I did not choose on that occasion to lose what I deemed to be an opportunity offered to us for information upon this important subject. I must confess, inasmuch as several, indeed almost all those who have preceded me in this debate, have made reference to the commission, I must confess my own disappointment at the constitution of that commission. In voting for it, it never entered into my mind for a moment that it would be really a partisan commission. I remember that I then gave expression to the sentiment that I had no doubt the President of the United States would realize the general obligation which rested upon him and allow every interest in the country to be represented upon that commission. But I recollect very well, Mr. Chairman, that I voted for it with the full knowledge that he might not do so. I recollect perfectly well that I anticipated the contingency that he might even create a partisan commission; and that the literature which we would receive from that commission would be all on one side. And, in view of that possible partisan character of the commission, I still voted for it, satisfied that it could only produce the same theories which were already in possession of the country and which more than one honorable gentleman on this floor had developed as fully as it was possible for the commission to develop them.

I made the point then, which I desire to make now, that in voting for it it was not because I believed the information was necessary, but I did not choose to be put in the position of refusing any information which we could get from any source upon this question. And I avail myself of my present opportunity to say that I find in that report of the Tariff Commission not only no novelty as to fact, but no novelty as to theory. I find throughout that report in reference to all of the industries of this country the same theory—the same political theory—that the honorable gentlemen on the other side of this House with comparative unanimity have alway presented, and never with less logic and sound statesmanship than the honorable gentleman from Iowa has to-day given us the benefit of. We find throughout this report the declaration that every industry in this country requires the offices and care of the Government with the object of giving bread and employment to the laboring man of this country. Neither the commission nor the honorable gentleman from Iowa admits for a moment that in the advocacy of these high duties there was any spirit of favoritism or partiality shown toward monopolists. Indeed, the gentleman from Iowa ridiculed the idea that we could create a monopoly, in replying to the gentleman from Virginia.

Now I want to note in passing, as responsive to the commission and responsive to the honorable gentleman from Iowa, that the number of laboring people that would be protected by this proposed legislation and that are now protected by the existing tariff is insignificant as compared to the entire laboring population of this country.

I want to note also that for one I am very much surprised that an honorable gentleman who represents a region of country beyond the Mississippi River should endeavor to induce this House to impose upon 10,000,000 of people, who are laboring people and living by their own labor, not materially better than the laboring people of Europe to whom he referred, that they should be taxed with the support of 2,000,000 of American people who live in the manufacturing villages and towns of this country and who do live somewhat better than the laboring people of Europe; that he should tax 8,000,000 of laborers to enable 2,000,000 to live better than the corresponding class in Europe or the great bulk of our own population.

Now, that is what as I understand him he proposes to do, and that is why I say the presentment of the case by him was never made in my hearing with less logic or less sound reasoning. It is the very presentment of the case against which an American representative ought to revolt. It amuses me that he should stand here knowing to-day that the wealth and the power of this country come from the laboring population of his own great valley, counting nearly ten millions in numbers, and that it should be taxed and taxed to an enormous degree in order that two millions or thereabouts in towns and villages, as I said before, should live better than the same number of people living in Europe.

It has that result in some degree; but it is in a degree infinitely less than the honorable gentleman would have this committee understand.

It would be a great mistake, Mr. Chairman, for this committee to suppose that the laboring man in the manufacturing establishments of this country lives much better than the laboring man in the same sort of establishments in Europe. There is a very slight difference, unhappily for them as for all laboring people. There is a very small margin of surplus for the laboring people of any country or any industry. It is the universal law of the world that the laboring man, be he ever so industrious and sober, at the utmost can effect no more than simply to live and support his family. He lives and dies with only the necessities of life, and because he has that hard fate, it is a popular subject to declaim upon. But when that declamation is made in the face of intelligent and honorable and fearless men by an advocate of this bill, he ought to have the mask stripped from his fallacious reasoning, and he ought to be told, what the fact can fully establish, that it is not the laboring man in the factories he is aiding, for the laboring man in the factories continues to live on as before, the benefits conferred upon him being of the most subordinate degree as compared with the benefit conferred on the capitalist.

There is to-day, and I am not the one to regret it—there is to-day great prosperity in the manufacturing establishments of this country.

Mr. SPRINGER. Oh, no; that is a mistake.

Mr. McLANE, of Maryland. I think there is, and they contribute largely to the general wealth and power of the country—not to be compared, however, with the contribution which the eight or ten millions of farming people make; but still the wealth that is contributed from the manufacturing establishments deserves the care and attention of the legislature.

But what gentleman can for a moment compare the results of profit which the capitalist obtains with the results which the laborer obtains? So little does he obtain that it is only by combination, it is only by co-operative societies that he can lay aside means to provide for his family in the first few days of their orphanage. There is no laborer to-day in any manufacturing establishment in this country who could leave a dollar for the support of his orphan children were it not for the intelligent efforts which he has made with his fellows to accumulate money in co-operative societies. But for that the manufacturing laborer would be left to the cold charity of the world for the support of his orphan children.

The argument, coming as it does from a gentleman who challenges the statesmanship of his opponents, deserves in my opinion the responsive refutation of every American Representative, because an American Representative knows the fact that these duties, whether they be revenue duties or purely protection duties, are in the interest of capital engaged in manufactures. While my first and warmest sympathy is for the laborer, I have never anticipated the contingency in which I would be willing to injure, much less to destroy those industries. And my opposition to this bill I base upon the fact that they are not protected in pursuance of and in conformity with the Constitution or in a spirit of permanent and conservative equity. There is no difficulty about protecting them. There never has been any from the foundation of the Government to our day. They always have been protected and they always will be. The question is how they are to be protected. Shall the Government avail itself of its constitutional right to levy a particular kind of tax, that being the tax on imports—shall it confine itself strictly to the revenue standard and the revenue object, or shall it avail itself of that privilege in order to raise more money than the Government wants, and to raise it from a particular class of objects in order that it may protect a certain class of the community without raising revenue? My objection to this bill is that it does that, and I shall not vote for it. I prefer the original law, and when I say I prefer the original law it is but another form of expressing to the committee how odious this law is. Under that original law there are, I think, some 2,200 or 2,400 articles taxed. There are about as many under this law.

And the heaviest burdens to be found in the original law are taxes upon articles that give no revenue, or next to no revenue, as such taxes are more or less prohibitory. And a peculiarity of this bill is that there is a reduction of revenue, but not of burdens, for the reduction comes mostly from articles taxed to the prohibitory point nearly.

Here is a reduction of rate in most of the schedules and in several an increase, and an estimate of about twenty millions decrease of revenue. I do not mean to embarrass myself or the committee with much detail. And yet I feel it due to the question to call attention to what is changed in this law from the old law. You will find reductions of about 12 per cent. in chemicals, 5 per cent. in metals, 23 per cent. in sugar, 5 per cent. in provisions, 13 per cent. in woolens, 17 per cent. in silk and silk goods, and an increase of 17 to 23 per cent. in earthen and glass-ware, and 5 per cent. in cotton goods. The other schedules being about the same as in existing laws, these modifications, with a repeal of the ninth section of the act of July 28, 1866, constitute the principal changes from the old law.

Mr. CARLISLE. On the commonest kind, the printed or painted earthen-ware, there is an increase of over 30 per cent. after making all allowance for the repeal of the duties on packages and commissions.

Mr. McLANE, of Maryland. And when you add to the commoner class of earthen-ware the finer classes you reach an average increase of 17 per cent. on all of them.

Now, I am not called on to-day, in discussing this bill or any other tariff, to make an argument in favor of a free breakfast table. I do not think a man has any right to be protected in his use of any article; and I am as ready as any man on either side of the House to put the proper revenue duty on sugar or on anything consumed by the consumer. I only want the committee to take note of the fact that while in one schedule you have the reduction of 23 per cent. on sugar, an industry which has always required protection, an industry which upon any protective theory that has been stated in this debate will always require protection—while the duty there is reduced 23 per cent. there is on these common classes of earthen-ware, and these are the classes of earthen-ware used by the poor man, an increase of duty rate as great and greater than the reduction proposed on sugar. That is the protection which the honorable gentleman on my right [Mr. KASSON] gives the workingman. It allows the fine china and fine glass and porcelain to come in at a moderately low duty; but the common pottery and glass-ware used by the poor man has the rate increased over the old duty over 20 per cent.

It is so with silk. You will find there is in this bill a material reduction on silk. Now, Mr. Chairman, if there is one article in one of those schedules that requires protection it is silk.

On the other hand, if there is one article that will bear a duty it is the article of silk. It is the rich who use silks; silk is an article of luxury. And yet it is an infant industry, for it is only within a year or two that any man dreamed that the American manufacturers of silks could compete with the French manufacturers as they are doing to-day. It is only within a year or two that we have reached that point.

Therefore, upon the theory of the protectionist, silk is the article of all others that should be protected; and upon the principle of love for the people it is the article that ought to be taxed the highest. It is the very last article in all these schedules upon which I would consent to reduce the duty.

Mr. SPARKS. What is the reduction of the duty on silk?

Mr. McLANE, of Maryland. It is 17 per cent., one of the very greatest reductions; but I do not believe the reduction will operate upon the revenue as has been estimated; I do not believe it will decrease the revenue much.

If there is any one fact well known it is that the cotton goods of this country require very little protection, yet the rate of duty on them is increased. They are ready to-day to compete with all the world. American cottons can go to China and South America and be sold to advantage in competition with the same class of goods from England. And the only reason that we do not send them to South America is because by the present existing tariff, as by this proposed tariff, such a high duty is put on South American products that no man in South America can afford to pay for American cottons. He is obliged to buy English cotton, because the English receive his products free of duty.

Here is the extraordinary spectacle in trade to-day, that the entire South American people are clothed in English goods, because England takes their wools, skins, and ores free of duty, while we put a prohibitory duty on two of them and an enormous duty on the third.

This subject has been so fully considered and developed in the course of the tariff debate that I feel I should give some excuse for myself referring to it. But these details are interesting and are sufficient to control my vote, sufficient to suggest to me that I had better leave the present law as it is than to take this proposed law. By doing that I am not taking away protection. I am not, however, led into a trap. I have no doubt at all that many a protectionist on that side of the House is rejoicing in his soul that he finds one man ready to vote against this bill, though he means to vote for it.

The protectionist does not in truth want this bill passed. He is timid about it; he is doubtful about it. He knows very well that we who profess to be in favor of revenue reform, in favor of a revision of this impost system, are likely in the future to be more effective in our reform action than we can possibly be to-day.

Therefore, if he is in favor of this law at all, it must be in the hope that it will stop the way to further changes, because, as I have said, we all have an interest in these manufacturing establishments. Permanency is of infinite value. If we pass this bill, then we will be told in the next Congress and in the future that we ought not to disturb these interests. We will be told, and with great reason, that we have given to these manufacturing capitalists the pledge of the nation; that we have given them their rule of life and action, and when they have adjusted themselves to that rule it can be said with very great reason that we ought not to disturb them; that to further legislate would be vacillating and trifling and very injurious, and many who like myself desire a more intelligent and liberal reform to-day might hesitate after the passage of this act in further agitation and disturbance of the trade of the country.

And so it would be, and that is one reason why I will not vote for this bill. It would be trifling in any man who is not content with this bill to vote for it. There is not difference enough between this bill and the existing law to justify that vote. I have no hesitation in standing by the existing law until I can reach a real genuine revenue revision in this or in some future Congress, a revision which will leave us with comparatively few articles on the tariff schedule and yet will

give us $50,000,000 annually more of revenue than we get under the present law, reducing at the same time the actual burden of taxation on the consumer to an equal amount.

Mr. BERRY. And all the protection that is needed.

Mr. McLANE, of Maryland. And if I had no other reason to give for opposing this bill it would be because it reduces revenue and does not reduce the burden of prohibitory taxes. I need not say to the committee that there is very great difference between reducing revenue and reducing the burdens of taxation. The burdens of taxation will not be reduced by this bill; the revenue will be. Now, I would reduce the burdens of taxation and I would increase the revenue.

Holding this exhibit of schedules in my hand, I say to the honorable gentlemen who constitute the majority of the Committee on Ways and Means that where they reduce the duty on an article 5 per cent. on which the duty is now almost prohibitory, they will not reduce the burden of taxation. The article will remain prohibited still, and the American laboring man will still have to buy the American manufactured product at the price the monopolist chooses to put upon it.

If the duty was reduced 25 per cent. instead of 5 per cent., then an importation of the article would occur, and revenue would be received from that article. The laboring man, in whose interest it is pretended this bill was prepared, would be able to purchase the article for 25 per cent. less. And what is true of one is true of nearly all of these articles upon which very high or prohibitory taxes have been laid. This is especially true in the case of the laboring man's woolen goods, flannels, and blankets, and of some of the rates in the metal schedule and in the schedule of earthen-ware and glass to which I have referred, all of which can be fully protected within the revenue rate.

My real complaint, if I am permitted to make one of the Committee on Ways and Means is, that this bill reduces revenue and not taxation. It is the same complaint that I made at the last session of Congress. I stand here to-day in favor of repealing the internal-revenue tax system. In my opinion that is the true line of action for the statesman. The internal-revenue tax which was a necessity when it was enacted has ceased to be a necessity to-day. We could to-day reduce it fully one-half.

If that political sun should rise in the East which we all hope to see and bring the warm promise of success to the Democratic party which we need, and give us the control of the national legislature and of the executive department of the Government, there would be no difficulty at all in wiping out the entire internal-revenue system in the four years of Democratic administration.

And if I had a word of counsel or of entreaty to address to my political friends, it would be to stand by the fort, to stand by the present law, by the legislation which is now on the statute-book, until it can be sufficiently revised in pursuance of the policy and principles which have guided every Democratic administration since the foundation of the Government.

I have no misgivings as to the good sense of the people of the United States. What better reason could you give to a constituency that you are against this bill than that it is because it is delusive, as the gentleman from Virginia [Mr. TUCKER] so well said? With me it is not only delusive, but it contains in it all that is most obnoxious in the present law.

Why, then, pass it, if I am right in my position that there is no reform in it and that the reductions are more than counterbalanced by the increase?

I am looking for a real reduction of taxation. I say there is none of it in this bill. Take woolens, which I have already referred to in this debate. There is an apparent reduction of the duty on woolen goods; but in truth the reduction is not sufficient to bring in the coarser foreign goods. The poor man's blanket, to which the gentleman from Texas [Mr. MILLS] has referred, will still cost as much as ever; the duty will still remain prohibitory.

Mr. CARLISLE. And the case is the same with flannels.

Mr. McLANE, of Maryland. Yes; there is no reform. The whole class of flannels that make up the domestic wearing of a laborer's family remains prohibited under this bill. One great objection to the existing law, that the duties on South American products prevent us from sending there our manufactured cotton goods, is equally strong against this bill.

The men who dig copper upon the banks of Lake Superior are not exposed to any competition. They dig their copper out of the earth as cheaply, I believe, as it is dug in Europe. It is sold in this country at a price which the duty enables the producer to put upon it. More than that, we are obliged when it comes to us from South America to export it to some country like England, where it is received free, in order that it may be manufactured into plates for your ships. You bring back those plates and pay a duty upon them, though you might keep the product at home and make your plates here at much less cost. Almost every bad feature in the existing law is embraced in this bill.

There is no good reason, Mr. Chairman, why we should make the change from the one system to the other. I am not surprised that gentlemen on the other side are willing to make this change—not with a free will, not without fear and doubt and misgiving, but they are willing to make it. They are listening still to the funeral knell which was sounded in the early days of last November; they are demoralized by that sound, as well they may be, and under its influence they would make almost any change. But the infinite skill with which they have clothed this apparent change entitles them to a better fortune in the future than they are likely to obtain.

For the reason that I believe that we shall have an opportunity to repeal the internal-revenue taxation and substitute for it in most part a revenue duty on imports, I am against any but a satisfactory adjustment of this question. I have a constituency quite as much devoted to labor, and especially to labor in manufacturing establishments, as that of my honorable friend from Texas, or my friend from Massachusetts. There is no lack of manufacturing industry in Maryland. On the contrary, as the State has grown old, and our farming industry diminishes in comparison with the great West, we have become more and more a manufacturing State. Throughout these long weeks during which the Committee on Ways and Means has been besieged upon this tariff question, I have seen my constituents there quite as often as any other gentleman can have seen his. We have our glass, our iron, cotton, and woolen interests; they want more protection, because, in the face of existing high rates, they receive wages only sufficient to support themselves, and they all desire an intelligent revision of the tariff system which will enable the operative to live in comfort. Many of them in the face of the existing high rates are starving; they would laugh to scorn the idea that the present law is in the interest of the laborer; even now while I speak they are striking, and it is difficult to find a man with sympathy enough for them to go and associate with them in their public meetings and petitions. Yet they belong to an interest as highly protected as any interest embraced in this bill.

I have told them that if they are not fully paid it is not because they are not protected, but because their share of the profits has to be regulated by those who possess a monopoly of the market. They are left with only such wages as can be obtained in any other branch of industry. If the industry of a town or a region of country weakens and fails, the laboring man suffers. No man in this House needs to be told that every protected interest fails when it is too much protected. There has never been an epoch in this country when some branch of manufactures was not crying out in distress because it had been too much protected, like the shipping industry, which my honorable friend from Maine [Mr. REED], who stands before me, is familiar with, which was protected until it expired.

Mr. REED. I suppose my friend from Maryland does not wish me to inject into his speech right here a discussion on this subject. If not, he must not tempt me.

Mr. McLANE, of Maryland. That whole interest, like others of which I have knowledge and which I am representing, has been protected until it is dying of protection, dying by reason of competition induced by this excessive protection.

Mr. Chairman, this line of objection, if well taken, ought to satisfy all our friends on this side of the House. I desire to impress upon the committee that for one I am very much interested in the industries of the country, especially the industries of my own community. It is in their interest first and before everything else that I oppose this bill; for just as I oppose this bill I would oppose any other which in my judgment affected them injuriously.

I am persuaded I can give them all the protection they desire or ought to have or need, and be below the revenue point.

And I want to say further that no call on the Treasury was necessary and no commission was necessary. You can take that tariff, and any clerk in the Statistical Bureau to-day can give you a list of the importations for the last five or ten years of every article, and any arithmetician can take that list of importations and strike the revenue point. He can trace it up precisely as he traces the hands of a clock. It will go up to a certain point, and that point ranges somewhere about 50 per cent. in almost every article imported. You can go up, but somewhere about 50 your revenue will diminish. Sometimes it will not diminish until you go up to 60 or 70, but generally it will diminish about 50. That is your revenue standard. You stop there. And if we took these 2,400 articles and carried them all up to their maximum point, you would get more than $350,000,000 from your tariff. Every expert knows it. Every statistician knows it. You would not do that. You do not want that much. Even if you repealed the entire internal-revenue law you would not want three hundred millions. We can live for less than that. We can pay pensions and improve rivers and harbors, too, on much less. We can do everything this Government requires to have done on less than three hundred millions, and we can get that without going to the revenue standard.

But below that you can discriminate in the interest and to protect the industries of the country. That is the doctrine I have been taught. I go back over my life, and I have said it several times before, and I never knew a day when I would lay a duty above the revenue standard. I have never known a day when it required a maximum rate for revenue. I have never known a day you could not go below the maximum and discriminate for protection below that—that you could not go below and select the articles you mean to protect and give them sufficient protection; give them the protection the gentleman from Iowa [Mr. KASSON] asks.

I think he said he only wanted the difference between the price of labor. What there was intelligible in his argument was that! He said he wanted protection to be the difference in the price of labor. If that is what you want you can get it below the revenue rate, but anything beyond that would be discrimination for protection without regard to revenue.

In tariff controversies between political parties in this country this was the policy of the Democratic party. I can not recollect any issue that was ever made between political parties in this country on the tariff except the one made in 1833 and after the tariff expired in 1840. We had prior to 1833 opposition to a tariff until it culminated almost in a civil war. We then had a compromise tariff; and, by the way, that ought to encourage us to-day in our difficulties. When they had that controversy at its height what was the solution of it? A reduction of 10 per cent. a year for ten years. There was not agreement enough of opinion in Congress to select the articles and fix the rates. The administration of General Jackson was engaged in the preparation of a discriminating revenue tariff, which it transmitted to Congress. This House engaged in its discussion. Every item was calculated for a revenue standard. That was the theory and that was the policy of the Jackson administration, as it was that of the Polk administration; and while that bill was being debated in this House two great champions of opposite schools at the other end of the Capitol united in a proposition to take ten years to reform the tariff and bring it down 10 per cent. a year until it reached 20 per cent. ad valorem on everything.

Mr. KELLEY. That was in 1832.

Mr. McLANE, of Maryland. It was, and in 1833.

Mr. KELLEY. Yes; 1833.

Mr. McLANE, of Maryland. And while the Democratic party in this House, under the instruction and advice of its own Executive, was engaged in that debate to protect American industry under a revenue and discriminating tariff, Mr. Clay, the champion of the American system, with the support of Mr. Calhoun, its most formidable antagonist, made that compromise and agreed that those duties should stand to 1840 and come down 10 per cent. a year; and when they came to 20 per cent. at the end of ten years the party of that date, in opposition to the Democracy, availed of their opportunity to put them up again as high as in 1833.

Mr. KELLEY. That was done because the people were bankrupt. Labor was unemployed. The nation demanded a bankrupt law, and the Administration sent a special messenger, General William Robinson, to Europe to negotiate a five million loan, and found itself unable to get but one-half of the money it needed.

Mr. McLANE, of Maryland. Now, my honorable contemporary—for he and I were both living in that day, he participating with one party and I with the other, as we are to-day, entertaining perhaps exactly the same opinions that we entertain now——

Mr. KELLEY. No, sir; I was then foolish enough to be a free-trade Democrat. [Laughter.]

Mr. McLANE, of Maryland. Very well; the honorable gentleman has changed sides. I never knew an honorable gentleman on either side to do such a thing who did not do it to his own confusion. And no man ever presented to the country a more complete picture of confusion worse confounded than my honorable friend from Pennsylvania, the chairman of the Committee on Ways and Means. [Laughter and applause on the Democratic side.]

He it was who said to this House and to the country that he would have the entire internal-revenue system removed, and he it is who said we should rely upon the tax on imposts for our revenues; and yet notwithstanding that declaration he comes into this House to-day in warm support of a bill which reduces the tax on imposts some twenty-odd millions of dollars and obliges him to keep in existence the entire internal-revenue system of taxation. [Applause on the Democratic side.]

That is the result of his conversion, and that is what places him in the confused position he now occupies.

Mr. KELLEY. We passed a bill to reduce the internal-revenue taxation at the last session of Congress, which has not yet come out of the Senate, and the gentleman knows that I can not be put in a false position by the statement he has made.

Mr. McLANE, of Maryland. I will not put the gentleman in a false position. He puts himself in a false position when he passes from this side of the House to the other, whether he did it thirty years ago or to-day. He puts himself in a very false position, because he goes where it is impossible for him to give effect to his convictions.

Mr. KELLEY. It was because of my convictions, and it was in the second period of bankruptcy brought about by undue protection in 1857.

Mr. McLANE, of Maryland. And I care not whether it be a Democratic or a Republican caucus, if the question at issue is a matter of conviction upon principle it should not control our actions; and every man, every public man, who violates his convictions by saying he acted under the dictates of a caucus places himself in a false position. [Applause on the Democratic side.] It has always been understood in my life that a caucus could never control you in a matter of principle or conviction. You can caucus upon questions of expediency; you can caucus to know how long, for instance, you propose to allow your opponents to debate this bill. [Laughter.] You may caucus upon such questions as that, and upon which bill you will take up first, and which one you will make objection to. But when you come to a man who thinks that an internal-revenue tax is an odious tax unless in a time of war and ought to be wiped out, and yet who will support a bill for imposts which makes it impossible to wipe out that internal-revenue tax, and when he does that under the dictates of a caucus, I submit nothing disrespectful, only that he has placed himself in a very confused condition.

Mr. KELLEY. I believe that the adoption of the present tariff bill will facilitate the repeal of all of the internal-revenue taxes.

Mr. McLANE, of Maryland. Never. The adoption of this bill will postpone that desirable consummation, and will fasten on the country, I believe, all of the protective features of a tariff on imports, together with the odious internal-revenue taxation.

I do not believe, Mr. Chairman, and that is why I have taken some interest in this bill, in a political sense, whether we avow it or not, we are all and ought to be more or less influenced by the political aspects of this question. I do not believe it is a remedy. I find no fault with honorable gentlemen on that side of the House desiring to pass the bill. I have said already that I think it natural, but I believe they will be very much disappointed in their expectations. I do not think it will bring them the results they seek; but I understand why they are making the experiment. But I feel at liberty to present a view of the question which will bring in harmony this side of the House in opposition to the bill. I go to the country in opposition to the bill because it does not reduce taxes. I go there because in my judgment it accomplishes only the minimum of what it ought to accomplish. I go to the country in opposition because I believe in the future I have the hope of seeing a more complete revision, and I have indicated what character of a revision I think should be had. I have left that in no doubt. It is a revision which while constitutional—while strictly constitutional—will give the manufacturer protection and in a political sense will unite this great body of men who have one-half of the voters of the country now.

A MEMBER. More than half.

Mr. McLANE, of Maryland. I am not going to claim more than I know of. We have had a majority. We have had a majority of votes and of States; and but for the insolence and for the hardihood of men in possession of great power we would have had the possession of the Government. We have found that it is no easy matter, even with a majority, to take possession by legal means of this executive Government.

It will be no easier in the future. The same influences and the same power which interposed once can interpose again. And if, Mr. Chairman, I had no other motive to address to my own political associates than that, I would appeal to them to remain shoulder to shoulder until they get the full reform they want and have promised the people.

There is no mistake about this; we are not united as individuals upon this intricate question. It is a question which through all time in its details had divided men—I do not speak of the division upon the great fundamental question of free trade and protection, that is easily settled; but when we come to the details there is very great difficulty, and it is because there is very great difficulty that we ought to be able to unite when we have before us a measure which is unsatisfactory to all.

Now, let the majority of this House pass this bill. They are likely to pass it. They not only have reported it and professed to desire to pass it, but it is their responsibility to pass it. It has not to them the objectionable features that it has to me. Because it is worse than the existing law is no objection to them. There never has been a day when they would refuse to make the existing law more protective than it is now. I need not remind this House that upon the only occasion when they were ever prevailed upon to reduce the duties on the old law, they only allowed one year to pass before they increased and put them up again, although in doing so they reduced the revenue. It is not to be supposed, therefore, that any bill, unless one more protective or as protective and as prohibitory as is the existing law, will find any favor there.

Besides, it may be with them stooping to conquer; and I have no doubt that that motive is the controlling motive. It is impossible to listen to the debates, either at the other end of the Capitol or here, upon this bill without feeling that there is a rally of the country. It was so in the last Congress; it was almost impossible to resist it. There was a combined effort North and South in the interest of protection to teach the laboring man of this country that his interests were with one political party. If this question has become a political question it comes from that fact. It comes from the fact that a great party in possession of the Government have, through the press and through the Legislature, done all that was possible to teach the people that their interests as a laboring people were in the maintenance of this system. That issue has been made up, and our only danger is in being divided upon it. If we can manage so far to subordinate individual opinions to the general principle that we ought to reform and revise the tariff in conformity with the policy and principles of the Democratic party, for one I have no doubt we will reform the tariff, we will revise the tariff, and we will restore the Government to its constitutional rule; and we never will do it until we have complete and full possession of every department of this Government.

Mr BLAND was recognized.

Mr. KELLEY. If the gentleman from Missouri will yield for that purpose I will move that the committee do now rise.

Mr. BLAND. I yield for that purpose.

Mr. KELLEY. I now move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. ROBINSON, of Massachusetts, having taken the chair as Speaker *pro tempore*, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7313) to impose duties upon foreign imports and for other purposes, and had come to no resolution thereon.

Mr. KELLEY. I move that the House do now adjourn.

LIBRARY OF STATE DEPARTMENT.

The SPEAKER *pro tempore*. Pending the motion to adjourn, the Chair, in the absence of objection, will lay before the House certain executive communications. The Chair lays before the House a message from the President of the United States.

The Clerk read as follows:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State concerning the character and condition of the library of the Department of State.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 26, 1883.

The message was referred to the Committee on the Library, and ordered to be printed.

REFERENCE OF CLAIMS TO COURT OF CLAIMS.

The SPEAKER *pro tempore* also laid before the House the following message from the President of the United States; which was read:

To the House of Representatives:

It is hereby announced to the House of Congress in which it originated that the joint resolution (H. R. 190) to refer certain claims to the Court of Claims has been permitted to become a law under the constitutional provision. Its apparent purpose is to allow certain bankers to sue in the Court of Claims for the amount of internal-revenue tax collected from them without lawful authority, upon showing as matter of excuse for not having their suits within the time limited by law that they had entered into an agreement with the district attorney which was in substance that they should be relieved of that necessity. I can not concur in the policy of setting aside the bar of the statute in those cases on such ground; but I have not deemed it necessary to return the joint resolution with my objections for reconsideration.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *January* 26, 1883.

DEFICIENCY ESTIMATES.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury transmitting estimates of appropriations required by the various departments to complete the service of the fiscal year ending June 30, 1883, and prior years; which was referred to the Committee on Appropriations, and ordered to be printed.

BUILDINGS AT MILITARY POSTS.

The SPEAKER *pro tempore* also laid before the House a communication from the Secretary of War, and accompanying papers, relative to the construction of buildings and other improvements at certain military posts; which was referred to the Committee on Appropriations, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Pennsylvania, that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By the SPEAKER: The petition of 12 citizens of Springfield, Ohio, asking that a pension be granted to William Donnelly—to the Committee on Invalid Pensions.

By Mr. BINGHAM: The petition of Post No. 5, Grand Army of the Republic; of the Towboat Owners' Association, and of the Commercial Exchange of Philadelphia, protesting against the proposed transfer of the revenue-marine, Life-Saving, and Marine-Hospital services to the Navy Department—severally to the Committee on Commerce.

By Mr. CHAPMAN: The petition of Henry L. Heiskell and others, praying that the Signal Service be not transferred to the Interior Department—to the same committee.

By Mr. W. R. COX: The resolutions adopted by the General Assembly of North Carolina, asking for an appropriation for the improvement of the navigation of Lumber River—to the same committee.

By Mr. CURTIN: The petition of Andrew Gleason and 78 others, citizens of Houtzdale, Pennsylvania, for a reduction of the duties on sugar—to the Committee on Ways and Means.

By Mr. HATCH: The petition of citizens of Hannibal, Missouri, for an appropriation for constructing a pier at the Des Moines Rapids Canal at Keokuk, Iowa—to the Committee on Commerce.

By Mr. O'NEILL: The petition of the board of admiralty surveyors and the surveyors of the Association of Marine Underwriters, of Philadelphia, Pennsylvania, remonstrating against the transfer of the revenue marine, the Life-Saving Service, and the Marine-Hospital Service to the Navy Department, and against a mercantile marine bureau in that Department—to the same committee.

Also, the resolutions adopted by the board of directors of the Philadelphia Maritime Exchange, protesting against the transfer of the United States Coast and Geodetic Survey to the Navy Department—to the Committee on Appropriations.

By Mr. SPAULDING: Papers relating to the claim of John R. Goodrich—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. SPOONER: The petition of J. W. C. Ely, M. D., and other physicians and surgeons of Rhode Island, for the erection of a fire-proof building for the use of the Army Medical Museum—to the Committee on Public Buildings and Grounds.

Also, the petition of A. W. Sprague and 175 others, of Block Island, Rhode Island, protesting against the transfer of the revenue-marine service to the Navy Department—to the Committee on Commerce.

By Mr. TAYLOR: The petition of E. Sperry and 79 others, for reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. UPDEGRAFF: The petition of V. J. Williams and 79 others, of Dubuque; of W. Hildreth and 30 others, of Winthrop; and of Hugh Corrance and 77 others, of Dubuque, Iowa, for reduction of duty on sugar—severally to the same committee.

By Mr. VANCE: The petition of E. A. Tweed and 14 others, praying for a post-route from White Rock, North Carolina, to Flag Pond, Tennessee—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIS: The petition of Sebastian Ganz, for a pension—to the Committee on Invalid Pensions.

The following petitions, praying that Congress will not adopt any lower rate of duties on foreign manufactured products than recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. BELTZHOOVER: Of employés of the South Mountain Mining and Iron Company, of Pine Grove, Pennsylvania.

By Mr. CAMPBELL: Of 169 workingmen of Johnstown, Pennsylvania.

By Mr. CURTIN: Of employés of the Jackson Iron Works, of Laurelton, Union County, and of employés of iron works at Lewistown, Pennsylvania.

By Mr. DIBRELL: Of employés of Lookout Rolling Mills of Chattanooga, Tennessee.

By Mr. ERRETT: Of manufacturers and business men of Pittsburgh and of 571 workingmen employed by Park Brothers & Co., of Pittsburgh, Pennsylvania.

By Mr. HOBLITZELL: Of workingmen employed by the Abbott Iron Rolling-Mill, of Baltimore, Maryland.

By Mr. KLOTZ: Of Superintendent Cooper and 60 employés of the Iron and Pipe Company of Carbon County; and of Fred. P. Drinkert and 34 others, of the Bloomsburgh Iron Company of Columbia County, Pennsylvania.

By Mr. McKINLEY: Of Thomas Johns and 75 other workingmen, employés of the Youngstown Rolling-Mill, Youngstown, Ohio.

By Mr. R. M. McLANE: Of Henry Jackson and other employés of the Stickney Iron Company, of Baltimore, Maryland.

By Mr. MUTCHLER: Of 221 workingmen of the Allentown Rolling-Mills, at Allentown, Pennsylvania.

By Mr. NEAL: Of Robert E. Jones and 120 others, employed in the iron and steel rolling-mill of Ironton, and of B. F. Fisher and 185 other iron-workers in the rolling-mill at Portsmouth, Ohio.

By Mr. RANDALL: Of workingmen of Allentown (Pennsylvania) Iron Works.

SENATE.

SATURDAY, *January* 27, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

CREDENTIALS.

Mr. VANCE presented the credentials of MATT. WHITAKER RANSOM, elected by the Legislature of North Carolina a Senator from that State for the term beginning March 4, 1883; which were read, as follows:

THE STATE OF NORTH CAROLINA.

To the Hon. Matt. Whitaker Ransom, greeting:

Whereas it has been certified to the executive department by the honorable the president of the senate and the speaker of the house of representatives, that you have been duly elected by the General Assembly of North Carolina United States Senator from said State for six years from and after the 4th day of March, A. D. 1883:

Now, therefore, in pursuance of law, I, Thomas J. Jarvis, governor of the State of North Carolina, do hereby certify to your election as such Senator for said term.

In witness whereof I have hereunto set my hand and caused the great seal of the State to be affixed, at Raleigh, the 22d day of January, A. D. 1883, and in the one hundred and seventh year of American Independence.

[L. S.]

THOMAS J. JARVIS.

By the governor;

W. L. SAUNDERS, *Secretary of State.*

Mr. EDMUNDS. That credential, like several others that have been received, does not show a compliance with the act of Congress as it ought to do. I do not object to it on that ground, because we all know, as a public fact, that my friend from North Carolina was duly elected. I only speak of it in order that by and by this shall not become a precedent as to the legality of such certificate.

The PRESIDENT *pro tempore*. The credentials will be placed on file.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of War, in answer to a resolution of the 24th instant, transmitting a report from the ordnance board on the recent trial of a caliber .45-inch Gatling gun at Sandy Hook, New Jersey; which, on motion of Mr. HAWLEY, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. HALE presented a memorial of the Legislature of Maine, protesting against the reduction of the duty on lumber; which was ordered to lie on the table.

Mr. MCMILLAN. I present a memorial of the Legislature of Minnesota in favor of an immediate and substantial increase in the appropriation for the improvement of the harbor of Duluth in that State, and setting forth the great necessity for the increase of the appropriation in the interest of commerce. I move that the memorial be referred to the Committee on Commerce.

The motion was agreed to.

Mr. DAWES. I present a petition of the Six Nations of New York Indians setting forth that they have interests in Kansas lands that have been disregarded by the United States, and praying that a proper recognition of their claim may be made. I move the reference of the petition to the Committee on Indian Affairs.

The motion was agreed to.

Mr. DAWES. I present the petition of Charles H. Dalton, president; Henry Saltenstall, Edmund Dwight, Henry F. Coe, executive committee, and Henry D. Sullivan, secretary, of the Arkwright Club of Boston, Massachusetts, earnestly praying Congress to enact some bill that shall reduce the revenues of the Government to a proper standard and at the same time preserve the industries and prosperity of the country. I move that the petition lie on the table.

The motion was agreed to.

Mr. HARRIS. I present what purports to be the petition of E. S. Norton and 95 other workingmen, employés of the Lookout Rolling-Mill, at Chattanooga, Tennessee, praying that Congress will not reduce duties upon imported articles from foreign countries below the rates recommended by the Tariff Commission. The petition is evidently carefully prepared and printed, with the envelope in which it is sent already prepared and the address printed upon it, distributed by the attorneys of the protected interests, evidently, for signatures. I present it and ask that it lie upon the table, as the bill to which it refers is already reported to the Senate and under consideration.

The PRESIDENT *pro tempore*. The petition will lie on the table.

Mr. MORGAN. I present the petition of H. H. Sibley, late major First Dragoons, United States Army, praying for an allowance under his contract with the United States for the use of his patents in making A tents. As there is a bill pending before the Committee on Claims on the same subject, I move that the petition be referred to that committee.

The motion was agreed to.

Mr. BECK presented a petition of workingmen, employés in iron furnaces in Trigg County, Kentucky, praying that the recommendations of the Tariff Commission in regard to iron products may be agreed to; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BUTLER. I am instructed by the Committee on the District of Columbia to report back an amendment to the bill (H. R. 6929) to provide for the collection of taxes in the District of Columbia, and for other purposes, and the bill (H. R. 6930) to levy an assessment of the real estate in the District of Columbia in the year 1883, and every third year thereafter, for purposes of taxation. I ask that it be placed on the Calendar. It is an amendment in the nature of a substitute.

Mr. EDMUNDS. You can not put an amendment on the Calendar.

The PRESIDENT *pro tempore*. The amendment can not be placed on the Calendar, but it can be printed. The bill has been reported back, has it not?

Mr. BUTLER. The bills were reported back and recommitted to the committee, and this amendment is reported by the committee for the purpose of being printed.

Mr. HARRIS. It is simply a substitute for the original bills.

The PRESIDENT *pro tempore*. The Senator from South Carolina reports an amendment intended to be proposed to the bills named.

Mr. BUTLER. I report back the two House bills with an amendment.

The PRESIDENT *pro tempore*. Then it must be an original bill.

Mr. BUTLER. There are two bills, both from the House.

The PRESIDENT *pro tempore*. The Senator from South Carolina reports back the bills with an amendment.

Mr. BUTLER. I do not care how we get at it, so that the amendment gets on the Calendar.

Mr. ROLLINS. If you report back an original bill, it will have to go to the House.

The PRESIDENT *pro tempore*. It is an amendment to two bills.

Mr. EDMUNDS. Where are the bills?

The PRESIDENT *pro tempore*. Has the Senator the bills?

Mr. BUTLER. The amendment is a substitute for both bills.

Mr. EDMUNDS. But my point is, in order to keep the Journal and rules straight, where are the bills to which this amendment is proposed? Are they in committee?

Mr. BUTLER. They are in the hands of the committee.

Mr. EDMUNDS. What the committee needs to do—and it is perfectly simple—is to report the bills with this amendment, each one by itself.

Mr. BUTLER. Then I report the two House bills with this amendment.

Mr. ROLLINS. You want to report this as an amendment for one of the bills?

The PRESIDENT *pro tempore*. The bills will be reported by their titles.

The ACTING SECRETARY. A bill (H. R. 6929) to provide for the collection of taxes in the District of Columbia, and for other purposes, and a bill (H. R. 6930) to levy an assessment of the real estate in the District of Columbia in the year 1883 and every third year thereafter for purposes of taxation.

The PRESIDENT *pro tempore*. The amendment will be printed.

Mr. HARRIS. Let the amendment reported be regarded as a substitute for the first bill.

Mr. EDMUNDS. No, I do not wish anything regarded as a substitute until I see what it is going to be a substitute for. I may like the original bill much better than the substitute. The amendment will be offered when the measure comes up, and it will be offered to take its place; and then we shall see what it is.

Mr. ROLLINS. I suggest that it be reported back as an amendment to one of the bills.

The PRESIDENT *pro tempore*. That would be the better way.

Mr. BUTLER. We do not want it as an original bill, because the House has passed upon it.

This report was journalized as follows:

"Mr. BUTLER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 6929) to provide for the collection of taxes in the District of Columbia, and for other purposes, reported it with an amendment.

"He also, from the same committee, to whom was referred the bill (H. R. 6930) to levy an assessment of the real estate in the District of Columbia in the year 1883 and every third year thereafter for purposes of taxation, asked to be discharged from its further consideration and that it be placed on the Calendar; which was agreed to."

TARIFF COMMISSION REPORT.

Mr. ANTHONY. The Committee on Printing, to which was referred a concurrent resolution from the House of Representatives relative to printing the report of the Tariff Commission, have instructed me to report it with an amendment and to recommend its passage. I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment of the Committee on Printing was, in the last line of the resolution, to insert after the word "thereof" the words "with 10 per cent. added;" so as make the resolution read:

Resolved by the House (the Senate concurring), That the report of the Tariff Commission, the evidence and papers submitted therewith, or any part thereof, heretofore printed by order of Congress, may be reprinted at the Public Printing Office, at the instance of Senators, Representatives, and Delegates in Congress, or others, upon payment in advance to the Public Printer of the cost thereof, with 10 per cent. added, the same as if originally printed in the CONGRESSIONAL RECORD.

The amendment was agreed to.

The resolution as amended was concurred in.

BILL INTRODUCED.

Mr. BAYARD (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2430) for the relief of Thomas H. Norton and James McLean; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BAYARD. With the bill I return from the Committee on Private Land Claims a petition of Thomas H. Norton and James McLean, that was inadvertently sent to them, touching the very matter described in the bill. I move that that committee be discharged from the further consideration of the petition and that it be referred to the Committee on Public Lands.

The motion was agreed to.

WITHDRAWAL OF PAPERS.

On motion of Mr. MILLER, of California, it was

Ordered, That the papers in the case of Charles M. Blake in the Thirty-ninth Congress be taken from the files of the Senate subject to the rule

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DAWES submitted an amendment intended to be proposed by him to the bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. MILLER, of California, submitted an amendment intended to be proposed by him to the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Naval Affairs, and ordered to be printed.

INTERNAL-REVENUE AND TARIFF DUTIES.

The PRESIDENT *pro tempore*. If there be no further morning business the morning hour is closed.

Mr. MORRILL. I move the postponement of the present and all prior orders for the purpose of taking up the revenue bill.

The PRESIDENT *pro tempore*. The question is on the postponement of the Calendar until to-morrow.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the revenue bill be now taken up.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation, the pending question being on the amendment of Mr. MAXEY, in line 595, after the word "length," to strike out the words "and by whatever name called;" so as to make the clause read:

Hoop, or band, or scroll, or other iron, without reference to length, eight inches or less in width, and not thinner than No. 10 wire gauge, 1 and two-tenths of 1 cent per pound; thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, 1 and four-tenths of 1 cent per pound; thinner than No. 20 wire gauge, 1 and six-tenths of 1 cent per pound.

Mr. MAXEY. Mr. President, if I can get the attention of both Senators from Vermont, I should be glad. I do not wish to waste any words on this question, but to lay down simply a proposition of law.

It, I presume, will be conceded by every lawyer that where there is an exception out of a general provision by a special exception the special provision controls the general provision. It is equally true that where the general provision specifies item after item everything not thus specified is excluded. The maxim runs both ways. It is also true that it is not necessary in a general provision where it is designed to embrace a given subject to put in the adjective "all," to make it apply to all unless there are exceptions.

In my judgment the expression "and by whatever name called" does not as a legal proposition in the slightest degree strengthen the clause now under consideration, but as there is an exception in lines 611, 612, and 613 which takes the items embraced therein out of the operation of the clause between lines 594 and 602, it does throw a suspicion, because this says "by whatever name called," and the very items which are excepted are called by another name.

Therefore I say that the words I have moved to strike out do not strengthen this paragraph, but create a suspicion and do no good whatever. The clause is just as strong legally without the expression "by whatever name called" as with it, and therefore I think it right that it should go out as surplusage; and all surplusage in a statute is vicious legislation.

I will state to the Senator from Vermont with entire fairness my purpose. My purpose is to entirely clear the lines from 611 to 613 from any sort of doubt; and then I propose when we reach lines 611 to 613 to move an amendment, if I can get the floor, to place those lines as I think they ought to be. That is my object.

Mr. BAYARD. I wish to ask the Senator from Texas whether it would not be well to include in his motion to strike out the words preceding, "without reference to length?" It reads:

Hoop, or band, or scroll, or other iron, without reference to length, and by whatever name called.

Mr. MAXEY. I am satisfied if I can get the words "and by whatever named called" stricken out, because I am sure that no judge on earth would say where there is a special provision, as there is here, that that would not control the general provision.

Mr. BAYARD. If the Senator has no objection, I should like him to include striking out the words "without reference to length" as an amendment to his amendment.

Mr. MAXEY. I have no objection to that, as a matter of course.

Mr. BAYARD. This description, so far as I can judge from the present tariff, is novel. I have before me what is supposed to be the language of the present law, and I find that the words "without reference to length and by whatever name called" make their first appearance in this present tariff bill. It would not strengthen the law at all as a general tax provision, but it might be used for the purpose of an exclusion, or rather an inclusion, of some description of cotton-ties which it is the intention of the bill apparently to place at a different rate. Therefore I will move that the words "without reference to length" be included in the motion to strike out made by the Senator from Texas.

Mr. MAXEY. I accept that. It carries out the same idea I am after.

The PRESIDENT *pro tempore*. The question, then, is on striking out the words, in lines 594 and 595, "without reference to length, and by whatever name called."

Mr. MORRILL. I hope that will not be done. I am perfectly willing that the amendment shall be put in if the Senator from Texas thinks it is necessary, "excepting iron and steel cotton-ties," although I do not deem it necessary, because a special provision for any article in the tariff will be binding upon the Treasury Department and upon all the courts in the country; there is not a question in relation to it. At the same time, if the Senator from Texas out of abundant caution chooses to insert after the word "length," in line 595, the words "excepting iron and steel cotton-ties," I have no objection, but I would not alter the general scope of the whole paragraph.

Mr. MAXEY. I will simply say in reply to that statement that I did frame the amendment yesterday evening as suggested by the Senator from Vermont [Mr. MORRILL] now, so as to except cotton-ties used for baling purposes. His colleague [Mr. EDMUNDS], however, objected to that phraseology, and as I always concede that he is far better in drafting a bill than I am, I was willing to accept his suggestion on the point that he made, that it might throw some glamour upon some other part of the bill; and after a careful examination of it I became satisfied that I could accomplish my object by striking out the words "and by whatever name called." I give it as an opinion, which I do not think any lawyer will controvert, that the expression "and by whatever name called" does not strengthen the bill in the slightest degree whatever. It would have the same effect without it as with it, and leave the special exception standing like any other special provision which does control a general provision.

Mr. MORRILL. But the Senator must see that this language may be fitted to various other kinds of manufacture besides cotton-ties. Therefore the words had better remain in, and if he chooses to put in the other phraseology I will not object.

Mr. MAXEY. If the Senator will accept that I will move the amendment, as I did yesterday evening, so as to insert an exception of cotton-ties or hoops for baling purposes. I move that as a substitute for my prior amendment.

Mr. MORRILL. That is enough.

Mr. MAXEY. Very well; then I will move that amendment in lieu of striking out the words "and by whatever name called."

Mr. CONGER. If the Senater would propose lines 611, 612, and 613 as a proviso to this paragraph, putting it all into one paragraph, it would remove all question.

Mr. MAXEY. I prefer it as it is. If the chairman of the committee will accept the amendment that I offer I prefer it in that shape, for I will, I think, place the other matter before the Senate clearly when we reach it. We are not to it yet.

Mr. BAYARD. I submit to the honorable Senator from Vermont that one object sought to be reached by the present tariff revision is the simple revision of the law, not merely the question of the amount of duties but to relieve the law from obscurity. Why is it that you place these additional words in the present measure? What are they there for? What is their object? The enumeration of these articles heretofore has been made without any such language as now is sought to be applied to them, and wherever words are found in a law I suppose it is the duty of the administering office to give them some weight and effect.

You are now laying a duty upon hoop, band, scroll, or other iron. Why should you add the words "without reference to length, and by whatever name called?" The article already has its name; it has its commercial designation. It has been already scheduled in tariffs.

I therefore submit that all unnecessary words are better out of a law, and manifestly all words that tend to complicate the meaning of laws should be left out. In the present case there can be no real good reason suggested why these words should find themselves for the first time in this schedule. There is no reason why you should have this addition "without reference to length, and by whatever name called." You may create by those very words a complication and an antagonism of meaning that will call for some adjudication by a departmental officer.

I believe it to be a very great vice in legislation where you create obscurities or give rise to ambiguities in any way at all. The less we leave to the judgment of the executive officers by making the language of a law simple, plain, and distinct, the better for the people over whose interests the laws are supposed to extend.

Mr. MAXEY. I will say to the Senator from Delaware that the principal object I have in view in my amendment is to remove what appears to be in the mind of some an ambiguity.

Mr. BAYARD. Then I hope the question will be taken on the amendment of the Senator from Texas as proposed to be amended by my motion.

Mr. MAXEY. Very well.

The PRESIDENT *pro tempore*. The question then is on striking out the words, in lines 594 and 595, "without reference to length and by whatever name called."

Mr. MORRILL. I think that the Senator from Delaware did not hear what I said in relation to this matter. I am perfectly willing that

it shall be made perfectly clear that we do not intend to include cotton-ties in this paragraph, but I wish to avoid any future confusion in relation to manufactures of this hoop and band iron such as we have heretofore had in the case of cotton-ties. There may be various things into which this hoop and band iron may be put in a different form so as to evade the duty.

Therefore I shall vote against the proposition to strike out these words, because I do not desire to have any ambiguity about this paragraph. I am willing to free it from it so far as cotton-ties are concerned, but I do not wish to free it from any future inventions that may be had by which the tariff will be evaded.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Texas [Mr. MAXEY] as modified by the Senator from Delaware [Mr. BAYARD].

The question being put, there were on a division—ayes 23, noes 14.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I announce for the day that I am paired with the Senator from Minnesota [Mr. WINDOM], unless I should happen to agree with him on some vote, in regard to which his colleague will be the judge.

Mr. MILLER, of California (when his name was called). I am paired with my colleague [Mr. FARLEY].

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. GORMAN (after having voted in the affirmative). I desire to withdraw my vote. I am paired with the Senator from Ohio [Mr. SHERMAN].

Mr. PENDLETON (after having voted in the affirmative). I voted inadvertently. I am paired with the Senator from New Jersey [Mr. SEWELL]. I desire to withdraw my vote.

Mr. FRYE (after having voted in the negative). I will withdraw my vote. I am paired with the Senator from Alabama [Mr. PUGH].

Mr. ALDRICH. The Senator from Ohio [Mr. SHERMAN], who has just left the Chamber, stated to me that he was paired with his colleague [Mr. PENDLETON].

Mr. PENDLETON. I transferred the pair to my immediate neighbor, the Senator from Maryland [Mr. GORMAN]. I had forgotten for the moment that I was paired with the Senator from New Jersey [Mr. SEWELL].

Mr. MITCHELL (after having voted in the negative). I am paired with the Senator from Virginia [Mr. JOHNSTON], but the pair is transferred to the Senator from New York [Mr. MILLER].

The PRESIDENT *pro tempore*. The Chair would inform the Senator from Pennsylvania that his understanding is that the Senator from New York [Mr. MILLER] is paired with the Senator from Maryland [Mr. GROOME].

Mr. MITCHELL. As the Senator from New York is otherwise paired, I withdraw my vote. I am paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. MILLER, of New York. Has the pair been announced between myself and the Senator from Maryland [Mr. GROOME]?

The PRESIDENT *pro tempore*. It has.

Mr. MILLER, of New York. If the Senator from Maryland were here, I should vote "nay."

The result was announced—yeas 27, nays 20; as follows:

YEAS—27.

Barrow,	Coke,	Jackson,	Slater,
Bayard,	Davis of Ill.,	Jonas,	Vance,
Beck,	Garland,	Kellogg,	Van Wyck,
Butler,	George,	McDill,	Vest,
Call,	Hampton,	Maxey,	Walker,
Camden,	Harris,	Morgan,	Williams.
Cockrell,	Ingalls,	Ransom,	

NAYS—20.

Aldrich,	Chilcott,	Hawley,	Morrill,
Anthony,	Conger,	Hill,	Platt,
Blair,	Dawes,	Hoar,	Plumb,
Cameron of Pa.,	Hale,	Logan,	Rollins,
Cameron of Wis.,	Harrison,	McMillan,	Sawyer.

ABSENT—29.

Allison,	Gorman,	McPherson,	Saunders,
Brown,	Groome,	Mahone,	Sewell,
Davis of W. Va.,	Grover,	Miller of Cal.,	Sherman,
Edmunds,	Johnston,	Miller of N. Y.,	Voorhees,
Fair,	Jones of Florida,	Mitchell,	Windom.
Farley,	Jones of Nevada,	Pendleton,	
Ferry,	Lamar,	Pugh,	
Frye,	Lapham,	Saulsbury,	

So the amendment was agreed to.

Mr. BECK. I move to amend the paragraph beginning with line 594 by striking out, after the word "than," in line 596, the words "No. 10 wire gauge, 1 and two-tenths of 1 cent per pound; thinner than No. 10 wire gauge and not thinner than," and, in line 599, to strike out "and four-tenths of 1," before the word "cent;" so as to read:

Hoop, or band, or scroll, or other iron, eight inches or less in width, and not thinner than No. 20 wire gauge, 1 cent per pound.

Mr. President, I desire to say a few words in explanation of the amendment. The present classification makes one rate, not thinner than No. 10 wire gauge, 1 and two-tenths of 1 cent per pound, and another classification, thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, in the bill, 17 reported by the Tariff Commission, 1 and four-tenths of 1 cent. I am not speaking now of scroll-iron thinner than No. 20. I propose to place all not thinner than No. 20 wire gauge in one classification, as I think they ought to be and as they substantially are under existing law; the rate of duty I propose is 1 cent per pound or $22.40 per ton. It will be observed that the present rate of duty upon all between No. 10 and No. 20 is 80.81 per cent. The values are the same in the markets of the world, as I understand it, of all thicker than No. 20, No. 20 being the point of departure at which the price of the thinner gauges increases or is advanced.

In the bulletin from which I read yesterday I find that hoops, usual gauges, ordinary best of the usual gauges, up to No. 20 wire gauge, which I understand is the commercial point, sell free on board at Liverpool at from £7 5*s.* to £7 15*s.*; in other words, a very slight fraction over the price of the round bar-iron that we provided for yesterday at $20 per ton. There is no distinction in the price until you reach below or thinner than 20 wire gauge, so that the classification can be simplified up to 20. The rate I propose on a ton of this wire, which costs $36 per ton free on board, is $22.40 per ton, or 62 per cent. That proposition surely ought to be satisfactory to the gentlemen who are engaged in this business, as it will leave it, according to present prices, at a rate of 62 per cent.

This paragraph is really not of very great importance standing alone. All the hoop-iron, scroll-iron of all grades introduced last year was less than $100,000 in value, paying a duty of $61,000, with rates varying from 80.81 per cent. to 76.58, and at the present rate that would be 25 per cent. ad valorem higher than the rates marked on the comparative tables. But the great significance of these clauses, Senators may as well understand, will be felt when we come to provide in the same page for the cotton-ties, which run somewhere between 17 and 20 wire-gauge, and are now admitted at 35 per cent. ad valorem. The proposition is to make that four-tenths, the same as No. 20 wire-gauge, which the Tariff Commission very adroitly sought to make 17, and to increase the rates above 17 instead of 20. That is one of their artful dodges, really not to catch the ordinary band, hoop, and scroll iron, such as we are now providing for, but to catch the cotton-ties. The proposition, even at the present rate on cotton-ties, is to raise the amount of duty paid from $253,353.87 to $608,037.81; and the argument will be when a reduction is sought as to the cotton-ties, even to 1 cent per pound or 60 per cent. ad valorem, that you can not afford and it would be inconsistent if you attempted to reduce cotton-ties below the duty placed on the plain band, hoop, and scroll iron, out of which they are made.

The importation of this class of goods is pretty nearly prohibited by the present duties. You will observe when they get below No. 20 there is only $477.09 in revenue received and goods to the value of $623 imported. All of it, as I said, amounted to less than $100,000 in value, bringing in only $61,000 in revenue, while the other that is to be governed and controlled by the rates placed upon those will run up to $608,000 from $253,000. I repeat, as shown by the prices current, that the value of this ordinary hoop not less than 20 wire gauge is in Liverpool free on board the same as the round bar-iron that we fixed at $20 a ton yesterday. I now propose to make the duty on it $22.40 a ton, or 62 per cent., as high as we ought to place it if we intend to be at all consistent in apportioning duties to the relative value of those articles.

Mr. MORRILL. I propose to amend the amendment of the Senator from Kentucky. It will be seen by those who have examined it that the rates proposed here are lower than the existing rates. I offer as an amendment to strike out "one and two-tenths of," on line 597, so as to leave the duty 1 cent per pound on that description; on line 599 to strike out "four" and insert "two," so as to read "1 and two-tenths of 1 cent per pound;" and on line 601 I propose to strike out "six" and insert "four," so as to read "1 and four-tenths of 1 cent per pound."

I will say to the Senator that that is a reduction of one-quarter of a cent a pound on the first; it is three-tenths of a cent on the second, and three and one-half tenths on the last.

Mr. BECK. I admit that the amendment of the Senator from Vermont is a very decided improvement on existing conditions, but I think he would do better to let the one classification run to No. 20 instead of stopping at No. 10, although I believe in the present law what is called one-eighth of an inch means No. 10 wire gauge.

Mr. MORRILL. It does.

Mr. BECK. Perhaps there is no serious change of classification here. The Senator from Rhode Island [Mr. ALDRICH] knows these things more accurately than I do and he will correct me. Am I right?

Mr. ALDRICH. No. 10 wire guage is precisely the same as one-eighth inch.

Mr. BECK. That is what I am advised. I do not care much about this one way or other, and if the Senator from Vermont thinks I am placing it too low, I am not going to be very urgent about it. I do not think that I am placing it too low, however.

Mr. MORRILL. The Senator's amendment would be a very large reduction from that proposed by the committee.

Mr. BECK. It is.

Mr. MORRILL. I hope the Senator from Kentucky will accept my amendment.

Mr. BECK. To simplify it, unless some other Senator renews it, I will withdraw my amendment and allow the Senator from Vermont to present the amendment he desires, unembarrassed by mine.

The PRESIDENT *pro tempore*. The amendment of the Senator from Vermont will be reported.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed, in line 597, to strike out "one and two-tenths of" before "one;" in line 599, to strike out "four" before "tenths" and insert "two;" and in line 601, to strike out "six" before "tenths" and insert "four;" so as to make the paragraph read:

Hoop, or band, or scroll, or other iron, eight inches or less in width, and not thinner than No. 10 wire gauge, 1 cent per pound; thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, 1 and two-tenths of 1 cent per pound; thinner than No. 20 wire gauge, 1 and four-tenths of 1 cent per pound.

Mr. MORRILL. That will make it correspond with the reductions we have heretofore made, and if we are to insist upon those, I think this will be fair.

The amendment was agreed to.

The next paragraph, from line 603 to line 610, was read, as follows:

Provided, That all articles not specially enumerated or provided for in this act, whether wholly or partly manufactured, made from the hoop, band, or scroll iron herein provided for, or of which such hoop, band, or scroll iron shall be the material of chief value, shall pay one-fourth of 1 cent per pound more duty than that imposed on the iron from which they are made, or which shall be such material of chief value.

Mr. BAYARD. I move to strike out, in lines 607 and 608, after the word "pay," the words "one-fourth of 1 cent per pound more duty than" and to insert "the same duty;" and after the word "that" to insert the word "is;" so as to read:

Shall pay the same duty that is imposed on the iron from which they are made, or which shall be such material of chief value.

I wish to draw the attention of the Senate to the novel language contained in the bill in this shape of provisos and to contrast it with the language of the present, and, so far as I know, of the preceding, tariffs. Heretofore it will be found by reference to the proposed taxed articles, where the chief component of the material was considered, we taxed it at the same rate. Let me read an illustration of this, in the present tariff on iron or steel covered with cotton, silk, or other material. I read from page 12 of the tabulation given to the Finance Committee and of which I believe every Senator was furnished with a copy:

Provided, That all wire rope and wire strand or chain made of iron wire, either bright, coppered, galvanized, or coated with other metals, shall pay the same rate of duty that is now levied on the iron wire of which said rope or strand or chain is made.

In the preceding page the proviso is as follows:

But all articles of steel partially manufactured, or of which steel shall be a component part, not otherwise provided for, shall pay the same rate of duty as if wholly manufactured.

Why is it that in the present measure, wherever you are arranging for the taxation of articles composed partly of the material concerning which you are arranging the tariff, you provide that it shall not only pay the same tax that would be charged upon the material which is its chief component, but invariably there is an additional duty laid, because it is partly but not wholly composed of that material? I draw the attention of the Senate to the fact that that feature runs throughout this bill from the first to the last; and the result is that these series of provisos are nothing in the world but a series of advances upon the article which forms the chief component of the matter now to be taxed. That strikes me as being something not only new but certainly unjust. Why should you tax that which has for its chief component a material at a greater rate than the material itself? That has not been the rule in tariff legislation before.

I think my friend from Vermont will agree with me that the rule heretofore has been that the ruling ingredient which enters into an article shall fix the rate of its tax, and it should be fixed as if wholly composed instead of being partly composed of that ingredient.

In the present case we have here a long schedule, which we have gone over with much pains and care for the last two days; and now it is proposed to provide—

That all articles not specially enumerated or provided for in this act, whether wholly or partly manufactured, made from the hoop, band, or scroll iron herein provided for, or of which such hoop, band, or scroll iron shall be the material of chief value—

Shall not pay the same duty as hoop, band, or scroll iron, but—

shall pay one-fourth of one cent per pound more duty than that imposed on the iron from which they are made, or which shall be such material of chief value.

That is to say $5.60 a ton more than if it were wholly composed of the material in question.

I submit to the Senate that these remarks apply to this series of provisos, and I think that this is a good time in which to make the change, and that the rule which I submit to my honorable friend from Vermont is the rule that has been followed under the existing tariff; for I know of no instance where you have advanced the composite article at a rate of tax greater than its chief ingredient.

Mr. MORRILL. I am, I confess, surprised that so thorough a student of political economy as the Senator from Delaware should present such an argument as he has presented here now. This schedule refers to articles which are wholly or partly manufactured. Would the Senator from Delaware, for instance, allow all manner of cutlery to be forged, or blacksmith hammers or anything you may think of to come here completely finished except grinding and polishing and pay the same duty as the raw material?

Mr. BAYARD. The best answer I can give is not as to any surprise about my want of knowledge, but let us take the tariff itself, and I will ask my friend why was it that in all his previous tariffs he has never adopted the rule now proposed?

Mr. MORRILL. I ask whether the Senator is willing that these articles forged out of iron or steel, and wholly or partly finished, shall come in here at the same duty as that imposed upon the raw material?

Mr. BAYARD. I do think that the article should pay the rate of duty that its chief component has laid upon it.

Mr. MORRILL. And no more, whether manufactured or not?

Mr. BAYARD. No more; that is the theory. You may take steel; if it be steel of a fine quality it will pay a very high tax. Suppose it is connected with some very cheap and low-taxed material in combination with steel, then, according to the rule that I have proposed, following the present tariff, it would pay the duty as if it were wholly composed of steel. Why should you, because it is composed of other articles than steel, add an additional duty to it beyond the duty imposed upon steel?

Mr. MORRILL. The absurdity of the position of the Senator from Delaware is that this schedule under his interpretation would allow all these articles to come in nearly finished at precisely the same rate that is levied upon the raw material. The very article that was cited by the Senator, that is, wire rope, has been reconsidered by the Committee on Finance, and a majority propose an additional amount to be put upon wire rope beyond what is put upon the wire of which it is made, and the Tariff Commission confess their mistake and error in not having done it themselves. They slipped over it themselves.

Let me say in relation to wire rope that the article made in America is much better than the article that is brought here from Germany, and it is very important in our elevators that we should have the very strongest wire rope that can be obtained in order to secure our people against accidents. Therefore there should be an additional amount placed upon it clearly, and the matter will be remedied, so far as the Committee on Finance can do so, by proposing an additional duty upon wire rope when we reach that article.

Mr. BAYARD. In the first place we are not discussing, at this time, the duty upon wire rope. Let us lay that aside for the moment.

Mr. MORRILL. I should not have referred to it if the Senator had not.

Mr. BAYARD. I illustrated by it, and therefore, so far as absurdity is concerned, I am going to place myself in the excellent company of the honorable Senator from Vermont. I shall read him the language of the existing tariff law, in which it is understood his share of the responsibility is probably greater than that of any one else. I read now the present tariff on steel.

But all articles of steel partially manufactured, or of which steel shall be a component part, not otherwise provided for, shall pay the same rate of duty as if wholly manufactured.

It seems to me that there is the rule running throughout, and that there is no advance.

Mr. MORRILL. Will the Senator allow me to call his attention to the very language he has read? The language is, "shall pay the same rate of duty as if wholly manufactured," instead of being "partly manufactured."

Mr. BAYARD. I do not wish to detain the Senate, but with the high respect I have for my friend from Vermont, I must say that the proposition to advance under the form of provisos the duties upon an article because it has an additional ingredient, and to tax it more than you would the subject of which it is chiefly composed, is entirely a departure from the present line of tariff legislation. Is not that so? I take the silence of my friend from Vermont as an answer.

Mr. MORRILL. I am perfectly willing to answer, but I did not suppose the Senator wanted me to interrupt him again.

Mr. ALDRICH. If there is any principle of tariff legislation which is well settled it is that where specific rates are levied the partially manufactured article shall pay a higher rate than the raw material of which it is composed; and I am very much surprised that the Senator from Delaware, who has made such a careful study of these questions and who is usually so intelligent, should have fallen into such an error as this. To support his proposition he has even cited a provision of the present law, which provides that partially manufactured articles shall pay the same rates of duty as fully manufactured articles, thus sustaining the view which the Senator from Vermont has stated and the principle which is properly incorporated in this bill.

The Senator has alluded to wire rope. I call his attention to the statement made by Mr. Oliver on the twenty-sixth page of his printed statement. Speaking of wire rope he says, "It is all wrong if there is to be any proportional rate in these different articles," and that "it was the fault of the manufacturers themselves that this change had not been made," and he recommended that an additional duty of 1 cent a pound

should be levied upon manufactured wire rope over the duties on the wire from which it was manufactured, and he stated very cogent reasons why this should be done.

I supposed that all political economists, free-traders as well as protectionists, conceded that a higher rate of duty if specific should be levied upon partially or wholly manufactured articles than upon the raw material, and I think the principle enunciated by the honorable Senator from Delaware is now announced for the first time by any intelligent legislator.

The PRESIDENT *pro tempore*. The amendment of the Senator from Delaware [Mr. BAYARD] will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 607, after the word "pay," it is proposed to strike out "one-fourth of 1 cent per pound more duty than" and to insert the words "the same duty;" and after the word "that," in line 608, to insert the word "is;" so as to read:

Provided, That all articles not specially enumerated or provided for in this act, whether wholly or partly manufactured, made from the hoop, band, or scroll iron herein provided for, or of which such hoop, band, or scroll iron shall be the material of chief value, shall pay the same duty that is imposed on the iron from which they are made, or which shall be such material of chief value.

Mr. MORRILL. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. HOAR (when Mr. DAWES's name was called). My colleague [Mr. DAWES] is paired with the Senator from Oregon [Mr. SLATER].

Mr. FRYE (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH].

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. HAMPTON (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN].

Mr. MITCHELL (when his name was called). I was paired with the Senator from Virginia [Mr. JOHNSTON], but the pair has been transferred to the Senator from Louisiana [Mr. KELLOGG]. I therefore vote "nay."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. BECK (after having voted in the affirmative). I am paired on this question with the Senator from Maine [Mr. HALE]. I see that he is not in his seat, and I ask leave to withdraw my vote.

Mr. PENDLETON. I am paired with the Senator from New Jersey [Mr. SEWELL].

Mr. GORMAN. I am paired with the Senator from Ohio [Mr. SHERMAN].

The PRESIDENT *pro tempore*. These announcements can be made for the day if it is wished; they will be entered on the RECORD.

Mr. VEST (after having voted in the affirmative). I ask leave to withdraw my vote. I am paired with the Senator from Kansas [Mr. PLUMB], who is not present.

The result was announced—yeas 23, nays 24; as follows:

YEAS—23.

Barrow,	Coke,	Ingalls,	Morgan,
Bayard,	Farley,	Jackson,	Ransom,
Butler,	George,	Jonas,	Vance,
Call,	Groome,	Jones of Florida,	Walker,
Camden,	Grover,	Lamar,	Williams.
Cockrell,	Harris,	Maxey,	

NAYS—24.

Aldrich,	Chilcott,	Hoar,	Mitchell,
Allison,	Conger,	Lapham,	Morrill,
Anthony,	Davis of Ill.,	McDill,	Platt,
Blair,	Harrison,	McMillan,	Rollins,
Cameron of Pa.,	Hawley,	Miller of Cal.,	Sawyer,
Cameron of Wis.,	Hill,	Miller of N. Y.,	Van Wyck.

ABSENT—29.

Beck,	Garland,	McPherson,	Sherman,
Brown,	Gorman,	Mabone,	Slater,
Davis of W. Va.,	Hale,	Pendleton,	Vest,
Dawes,	Hampton,	Plumb,	Voorhees,
Edmunds,	Johnston,	Pugh,	Windom.
Fair,	Jones of Nevada,	Saulsbury,	
Ferry,	Kellogg,	Saunders,	
Frye,	Logan,	Sewell,	

So the amendment was rejected.

Mr. ALDRICH. In line 605 I move to strike out "the" before the word "hoop" and to insert "sheet, plate," so as to have the same proviso as the partially manufactured articles of sheet and plate iron apply as now applies by this proviso to hoop, band, or scroll iron; and I move also to insert the same words in line 606, after the word "such."

The PRESIDENT *pro tempore*. The amendment of the Senator from Rhode Island will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 605, before the word "hoop," it is proposed to strike out "the" and to insert "sheet, plate;" and in line 606, after the word "such," to insert "sheet, plate;" so as to read:

Provided, That all articles not specially enumerated or provided for in this act, whether wholly or partly manufactured, made from sheet, plate, hoop, band, or scroll iron herein provided for, or of which such sheet, plate, hoop, band, or scroll iron shall be the material of chief value, shall pay, &c.

Mr. SAULSBURY. I understand that the object of the amendment is to take away the restriction of this provision applying to certain classes of goods, hoop, band, or scroll iron, or articles composed of them, and to apply the provision to every kind of article included in this act.

Mr. ALDRICH. I beg the Senator's pardon, it is to make it apply to sheet and plate iron the same as it does to hoop, band, and scroll iron. Yesterday we struck out, on the motion of the Senator from Delaware [Mr. BAYARD], the proviso on the top of this page which made these articles pay a half cent per pound more. I then stated that I would offer this amendment to the pending paragraph so that they should pay a quarter cent more, the same as manufacturers of hoop, band, and scroll iron. It seems to me to be entirely fair.

Mr. SAULSBURY. The proviso under consideration reads:

Provided, That all articles not specially enumerated or provided for in this act, whether wholly or partly manufactured, made from the hoop, band, or scroll iron herein provided for, or of which such hoop, band, or scroll iron shall be the material of chief value, shall pay one-fourth of 1 cent per pound more duty than that imposed on the iron from which they are made, or which shall be such material of chief value.

I ask, if you remove this restriction, will it not apply to every article mentioned in this act?

Mr. ALDRICH. Not at all.

Mr. SAULSBURY. I so understand it.

Mr. MORRILL. Oh, no!

Mr. PLATT. I should like to say just one word in explanation of this amendment to show why I think it ought to be adopted. The manufacturers of our section of the country, as I said yesterday, usually take metal in its second or third stage of manufacture and then work it up into small articles. Certainly the manufacturer who takes the sheet-steel, or the sheet-iron, or the tin-plate, ought to have a little protection as against the foreigner who manufactures articles from the same material. That is the object of this amendment, so that the foreigner can not wholly or partly manufacture articles from sheet-iron, plate-iron, or tin-plate, and bring them in for the same duty which the New England or other manufacturer has to pay on the sheet-iron, the plate-iron, or tin-plate. It seems to me that it is fair that there should be a little modicum of protection there to our manufacturers.

Mr. BECK. The proviso referred to was stricken out yesterday, and that action was certainly a very great improvement in various regards; first, because it limited the wholly or partly manufactured iron, instead of making a provision for "shapes or blanks," which have not a very distinct meaning perhaps, and brings it down to one-fourth of 1 cent per pound, instead of one-half cent, as the proviso did. So far as I am concerned I do not see any serious objection to the amendment of the Senator from Rhode Island as now presented.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

The next item, from line 611 to line 613, was read, as follows:

Iron and steel cotton-ties, or hoops for baling purposes, not thinner than No. 19 wire gauge, 1 and four-tenths of 1 cent per pound.

Mr. MAXEY. In line 612 I move to strike out "19" and to insert "17" after the word "number," and in the same line, after the word "gauge," I move to strike out "1 and four-tenths of 1 cent per pound," and to insert "35 per cent. ad valorem."

Mr. ALDRICH. Let the paragraph be read as it would read if amended?

The Principal Legislative Clerk read as follows:

Iron and steel cotton-ties, or hoops for baling purposes, not thinner than No. 17 wire gauge, 35 per cent. ad valorem.

Mr. MORRILL. I desire to say to the Senator from Texas that I shall not feel it my duty to make any opposition to his amendment.

Mr. MAXEY. I beg to modify my amendment by striking out "17" and inserting "20," so as to read "not thinner than No. 20." I was trying to get at the same idea. "Not thinner than No. 20" is the expression I intended to use.

The PRESIDENT *pro tempore*. The amendment will be so modified. Does the Senator from Vermont object to the amendment as modified?

Mr. MORRILL. No, sir, I do not object.

Mr. MAXEY. Mr. President, I desire to give my reasons for moving the amendment. I stated yesterday that we were in the habit of using cotton-ties of the gauges from 17 to 20. The Senator from Vermont thought we did not use as low or as thick as 17 or 18. The bill as it is presented is that it shall not be "thinner than No. 19," and my purpose is to get in 17, 18, 19, and 20, the four numbers that we actually use, and by saying "not thinner than No. 20," it gives us all back of that so as to include the numbers that we really want.

In support of the proposition that I make that we do use from 17 to 20, I ask that the letter which I send to the desk may be read.

Mr. MORRILL. I make no opposition to the amendment. Does the Senator care to consume the time?

Mr. MAXEY. The Senator agrees to the 35 per cent. ad valorem?

Mr. MORRILL. Yes.

Mr. MAXEY. Then it is all right; that is all I want.

Mr. BARROW. If I am in order, I should like to substitute for the amendment of the Senator from Texas a motion to strike out all of lines 611, 612, and 613, and I give notice that I shall move at the proper time to put the articles mentioned in this paragraph upon the free-list. I should like to inquire of the Chair if it is in order now to make a motion to strike out the paragraph?

The PRESIDING OFFICER (Mr. RANSOM in the chair). In the judgment of the Chair that motion is in order.

Mr. BARROW. Then I move to strike out lines 611, 612, and 613, and I ask my friend from Texas to withdraw his amendment temporarily in order that we may have a vote on mine, and if it is defeated then we can vote more intelligently upon his proposition.

Mr. MAXEY. I made this proposition in perfect good faith. The Supreme Court have decided that we pay now 35 per cent. ad valorem. I have moved the amendment in the interest of labor. Cotton is produced by the hardest of all labor. We talk about protecting labor, and I know of no man on this earth who is more entitled to protection than the man who works in a cotton-field, be he black or white. I speak for a State which raises more cotton than any other State in the Union. They are satisfied to let the law stand as it is, and the amendment which I move simply leaves the law exactly where it stands. They are willing to pay their fair share of the revenue, and I can not agree to do that which I think would be imposing upon the good feelings of my friends. I think the rate is right as I have proposed to make it.

Mr. BARROW. Mr. President——

Mr. HARRIS. I desire to suggest to the Senator from Georgia, and I will occupy but a second, that the amendment of the Senator from Texas be voted upon, and if it is adopted the amendment of the Senator from Georgia will then be in order, and he can move to strike out the clause and put the article upon the free-list after the adoption of the amendment of the Senator from Texas.

The PRESIDING OFFICER. The Chair intended to put the question on the amendment of the Senator from Texas first.

Mr. BARROW. Very well.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Texas [Mr. MAXEY].

The amendment was agreed to.

Mr. BARROW. I now renew my motion to strike out all of lines 611, 612, and 613, and I give notice that at the proper time I shall move to put these articles upon the free-list. I propose now in a very few words and without detaining the Senate to give my reasons for making this motion. Mr. President, I am very well aware that when a motion is made to put any article upon the free-list that a very strong case ought to be made. I am very well aware that in order to convince the good sense and the good judgment of the Senate, and especially the Senators whom I see before me who are so much better acquainted both with the general principles and the details of this question than I am, that in order to satisfy their minds that the motion ought to prevail I must make an exceptional case in this article of cotton-ties.

It is certainly true that there are some on this floor who, in the arrangement of the details of this tariff, if it be possible to encourage any American industries, are willing to give it a direction which will be most conducive to that result. I undertake to say the culture and production of cotton in this country is the only important industry that has not received any such encouragement. Indeed it has not yet received so much as the touch of one of our little fingers in the way of protection in all our discussions of this tariff. I have sat here day after day, and I have heard of sugar, of rice, of iron, of bichromate of potash, of sumac, and of everything in the *materia medica* and in the known world, from the smallest to the largest, to which some consideration has been paid, and yet here is an industry which is one of the pillars of the industrial fabric of this country, and we have been treating it as the Moabite of this country, the hewers of wood and the drawers of water, having no right which we were bound to respect.

I admit that it was all unintentional. I charge upon no Senator on this floor an intention to discriminate against cotton. It springs out of the necessity of the case; and what is that? It is the isolated fact that this industry is one that asks no protection. It is one that Congress is powerless to protect in the ordinary way in which protection is given to the agricultural or manufacturing interests. This is true because this unrivaled textile enters the markets of the world and is without a competitor. There is not one single pound of foreign cotton that is ever shipped into America to compete in our markets with American cotton, and therefore a tariff to protect it would be idle and useless. It enters the markets of Europe and stands at the head of the list in Liverpool, and Havre, and everywhere else. You can not protect it by throwing a duty around it, for it stands alone the recognized queen in all the markets of the world.

How, then, can we give a little left-handed, incidental encouragement to the producers of cotton? Here is an article which is used exclusively by those who produce cotton. Iron ties for the purpose of baling cotton are not used by anybody else but the producers of cotton. There are every year more than 30,000,000 of these iron ties used by the southern farmers who raise cotton. I ask the attention of the Senator from Vermont to the fact that these ties are paid for by the small tenants and croppers in the South, as they are the parties who deliver the cotton to the landlords or to the merchants in a condition suitable for transportation, and there is no danger if we place this article on the free-list that we will be giving any incidental encouragement or incidental protection to anybody but the producers of cotton. We will not be putting one single mill into the pockets of anybody or assisting anybody except the producers of cotton, whom we can not assist in any other way; and to place this item on the free-list will relieve them of a tax of about $600,000 per annum.

Furthermore, out of six or seven hundred millions of imported merchandise brought into the United States every year the balance of trade is rectified by this product alone to the extent of very nearly one-half. Now, as we can not protect by giving it a protective tariff because it needs none, when we do reach a case where we can benefit the cotton-producer without any danger of treading on any one else, without any danger of the indiscriminate protection of other producers, and when we can confine it to that I appeal to the fair minds of Senators on the other side to consider the case of the cotton-producers of the South and see if it is not exceptional. If you put this article of cotton-ties on the free-list you will benefit that class and none other, because none others use it, and you will do for them what can not be done by any other item in this bill, or in any other way, because the article stands, as I say, not where it needs no protection, but where it can receive none. I appeal to the fair mind of the Senator from Vermont to give us in this instance, which he can do without danger, as I said of an indiscriminate application to other industries, that protection which he can not give us directly.

Mr. VANCE. Mr. President, the concession of the chairman of the Finance Committee was as liberal as it was unexpected. I was gratified at it, and yet I feel it to be my duty to support the proposition of the Senator from Georgia and to give a very brief statement of my reasons for so doing.

Cotton is the one great peculiar and distinctive American production. The Southern States of this Union produce seven-tenths of all the commercial cotton of the world. It is the chief instrument in the maintenance of our foreign exchanges. It employs the industry of eleven States, embracing many millions of people; and it is, I believe, as stated by the Senator from Georgia, the only American production that receives no protection whatsoever. It is the strong man of American industry. Upon its broad shoulders are laid a portion and a very heavy portion of all the burdens of taxation. Every other industry has some protection. Iron is protected by an average at least of 50 per cent., and all iron goods. The ores of the earth existing in a state of nature are protected by a very heavy percentage. Even the forests that dot the surface of this country are protected. All manufactures of wool and the wool itself are protected. The manufacture of cotton is protected in the production. Wheat is protected against cheap production on the Canadian border.

Mr. ALLISON. May I suggest to the Senator that in order to place cotton on a par with wheat and other things he propose a duty on imported cotton? That, perhaps, would cover his point.

Mr. VANCE. No, sir. The Senator knows very well that a duty upon imported cotton would do no good to the cotton-growers of this country.

Mr. ALLISON. But that is the kind of duty we have on wheat. It is a duty on imported wheat.

Mr. VANCE. Still the Senator is bound to admit that on the northern border of this Union the duty on wheat, oats, and barley is of some benefit. It is so claimed, at all events.

I was going on to say that every conceivable industry of the people of the United States has some protection except cotton, and as from the very nature of the circumstances we can not by levying a protective duty benefit the cotton-grower, would it not be a just as well as a graceful act on the part of the Senators whose prosperity and the prosperity of whose constituents in a very great measure results from cotton, and on the part of those whose constituents are engaged in the great business of commerce which is chiefly supported by cotton—would it not, I ask, be a just and a graceful thing to do for the encouragement of the cotton-growers to allow the iron baling by which they envelop their product and fit it for transportation to market to come in free? Would not that in some degree compensate the cotton-grower for having to pay a tariff upon all the tools and the iron which is used in the production of the cotton to support those industries? It so seems to me.

As I remarked at the outset, I am not disposed to quarrel with what has been done, because it has been unexpectedly liberal; but it does seem to me that this great interest, which pays its proportion of all the duties that are levied for the support of other industries, might have this one little concession made to it, and the farmer might have the satisfaction of knowing that the material with which he envelops his bales after the year's labor is not subjected to this high duty.

Mr. President, the question of protection to American industries scarcely enters in here. There is a very small amount, indeed, of cotton-ties made in this country. They nearly all come from abroad, and under the present tariff as levied here they will continue to come from abroad.

Mr. HARRIS. Most of them are re-exported.

Mr. VANCE. Most of them are re-exported.

Mr. BECK. And no tare is allowed.

Mr. VANCE. No tare is allowed, because the first thing that is done

to a bale of cotton when it is landed on the wharf at Liverpool is to strip it stark naked, with just enough envelope left around it to hold it together until it is sold.

A tariff of $28 per ton, which is nearly 100 per cent., is levied upon steel rails. A tariff almost as high is levied upon iron rails. The average life of a railroad rail is ten years; so that only once in ten years is there to be $28 per ton levied upon those articles. But the life of a cotton bale is one season, and the duty upon the cotton-tie is paid every year by the farmer. If you take a series of ten years the amount of duty paid upon this product alone by the farmers of the South is about 350 per cent. In the same time an iron or a steel railroad rail would only pay from 75 to 100 per cent., according to the price abroad.

I do not think it is unreasonable to ask this one concession. I think this article ought to go upon the free-list and that it would redound to the benefit of everybody. It would add something to the very scant profits made by those who cultivate cotton. It is taking nothing scarcely from the American laborer in this country. I can conceive of nobody who would be injured, except, indeed, there would be some revenue lost by it; but those who support the Government of the United States in the payment of taxes are to a very large extent these same producers of cotton, and they would cheerfully submit to that small loss of revenue, as I have no doubt the people at large would.

Mr. MORRILL. When I made the statement to the Senator from Texas [Mr. MAXEY] I had no idea that there would be a moment's further time consumed in the consideration of this question. I desire to be perfectly frank and fair and liberal; but if it is to be argued, there can be of course a very strong presentation of the case upon the opposite side.

I would say, so far as this article is concerned, whatever is consumed by the people here in the United States is paid for by the consumers at the same rate that they pay for the cotton. To be sure when they take it abroad the tare is taken out.

I hope there will be no necessity for arguing this case any further; and I should be glad if the Senator from Georgia [Mr. BARROW] would withdraw his amendment.

Mr. MAXEY. I want to add one word right there. I would not have myself placed on the record wrong about this matter for every dollar there is involved in this bill. I in perfect good faith went to the gentlemen who ordinarily vote on the other side of the question, and I stated the peculiar condition of our people in the South, our efforts to try to build up that; this involved the labor of the black man and the white man; and that we were satisfied with the law as it is, at 35 per cent. ad valorem. A number of them told me very generously that they would sustain me, which they did do. To my surprise, this morning the chairman of the Committee on Finance voluntarily (I had not, I believe, mentioned it to him) agreed to the amendment which I proposed all the way through.

Now, it might appear that when the amendment was moved to put cotton-ties on the free-list I in some manner might have known that that proposition was to follow mine. I did not. My amendment having been adopted, I feel myself bound to support it, and to vote for retaining the paragraph as it has been amended. I will do it if not another man should so vote. I would not vote to put cotton-ties on the free-list, because it would be to me, not to others, bad faith, because in order to help my people I have worked hard with gentlemen who belong to the other party to get them to agree to what has now been done. I have got what they were willing to give, and right there I propose to stop.

Mr. COKE. Mr. President, as this bill will go before a conference committee in all probability, and as this question will be up again, I simply ask unanimous consent, without troubling the Senate to have it read, to have the argument and statement of Samuel A. Edgerley on this subject before the Tariff Commission published in the RECORD.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The Senator from Texas asks to have a certain statement published in the RECORD. The Chair hears no objection.

Mr. ANTHONY. What was the request the Senator from Texas made about printing something in the RECORD?

The PRESIDING OFFICER. He has asked to have a brief argument made before the Tariff Commission on this subject printed in the RECORD as part of his remarks.

Mr. COKE. It is an argument made before the Tariff Commission on the subject of cotton-ties by Mr. Samuel A. Edgerley, of New York, the most exhaustive one I have seen.

Mr. ANTHONY. I will not object, but we are cumbering up the RECORD with an awful amount of matter by such orders to print.

Mr. HARRIS. It is submitted as part of the remarks of the Senator from Texas.

Mr. COKE. I will adopt it as my own and make it part of my remarks; but if the Senator from Rhode Island prefers I will have the Secretary to read it.

Mr. ANTHONY. No, sir; I make no objection.

The paper is as follows:

PHILADELPHIA, PA., *October* 14, 1882.

Mr. Samuel A. Edgerley, of New York, representing the McComb Arrow Tie Company, addressed the commission as follows:

I have no lengthy, detailed statement to present to the commission, and have had no time to prepare myself in that way. I expected at some time during the continuance of the commission to bring the question of the duty on cotton-ties properly before you. But having heard that statements will not be received after to-day, I have asked the privilege of coming before you to say a few words.

As manufacturers of cotton-ties, we protest against the suggestion which has been made to advance the duty to 1¼ cents a pound. We prefer a reduction in the tariff, but we are willing to accept the present rate of 35 per cent. ad valorem, or an equivalent specific rate. We prefer the latter, because it does away with attempts at fraud upon the revenues, does away with invoice values, and is more certain in results.

I have no doubt the commission has heard a good deal said upon this subject of undervaluations. The importer is continually harassed by the increase of his invoice values, based upon the consular quotations, which the consul derives from some source or other, and forwards to this country as being the market value of goods on the date of shipment. The present rate of duty on cotton-ties is only nominally 35 per cent ad valorem. The business is always spoken of as being protected to that extent, but in fact, through the efforts of the iron-men, the Treasury Department has decided against cotton-ties being imported with the buckles loose, and we have to rivet the buckles to the bands, which causes nearly 10 per cent. additional expense, an expense which the American manufacturer does not have to incur, as he can make his with the buckle loose. Besides, through the efforts of certain parties (aided by consuls in the interest of iron-men), in raising invoice values we are frequently mulcted from 2½ to 10 per cent. additional, so that the duty would stand more fairly as 35 per cent. ad valorem, with 10 per cent. and 5 per cent. added, making in all about 50 per cent., the usual rate we have to pay on cotton-ties.

The proposed advance of the duty to 1¼ cents a pound contemplates a duty of not less than 86 per cent., and from that to 100 per cent. Either of these figures is unquestionably excessive and is not needed by the American makers of these ties to equalize the difference in the cost of labor. I might say here that there is an additional protection in the matter of freights. Freights this year range from 12*s.* 6*d.* to 40*s.* a ton, the highest rate named being by steam and the lowest by sail. That adds enormously to the protection. A moderate specific tariff, or the present one properly administered, offers the advantages of a revenue to the Government, protection to the American workman, protection to the consumer, and protection for our trade. Under such a tariff we have a choice of markets, and this choice prevents the compulsory payment by us of high prices in this country or successful combination of American mill-men.

This is illustrated by our experience of a year or so ago. When the iron boom occurred in the fall of 1879 we had mainly purchased our cotton-ties in this country, but we still had some supplies from the English manufacturers. We were selling them from $1.75 to $2.25 per bundle, net. But while selling them at these prices, the lowest figure at which we could purchase from the American mill-maker in the fall of that year was $2.75 a bundle, and if we had not a choice of markets we should have been compelled to pay the highest price that he could charge as against English cost and excessive duty and freights. It would have thrown the business entirely into their hands. We could not get a lower bid than $2.75 that fall from manufacturers who had made ties for us that same season at $1.30 a bundle; showing the enormous advance in iron between $1.30 in July and $2.75 in December. Yet that shows that if the tariff was advanced to 1¼ cents a pound, thereby practically prohibiting the importation of foreign ties, and throwing us entirely upon the American manufacturer, we should be compelled to pay his price, which would be whatever he chose fix it. While the ties were made for us that year at $1.30, they had been offered under certain conditions at $1.15 a bundle, fairly competing with the English manufacturer, that is, on the basis of 35 per cent. ad valorem, flat. Fifty-six pounds is the standard weight of a bundle. When trade is poor on this side of the water and prices low, our manufacturers can make ties successfully with a duty of 35 per cent. ad valorem, and when trade is good and prices high, they can afford to let the consumer have the benefit of cheapness on one article of iron. The advance to 1¼ cents a pound would shut out all foreign competition, and deprive the United States of all revenue from this source, and enable the mill men to combine to destroy our business.

We come before you as Americans. We have a trade which has been built up by long years of labor. This trade does not belong to the iron men; they have no special claims on this article. It stands by itself on the list of productions. The cotton-tie trade is the result of the invention and the persistent, indomitable energy of J. J. McComb. We have succeeded in overcoming the objections of the underwriters to the use of the cotton-tie as a substitute for rope. When it was first proposed to use iron as a binding for cotton the main objection was that in loading, and on shipboard, the bales would strike against each other, and the iron tie would inevitably strike fire and burn the cotton. But we all know that iron ties have lived down that objection, and to-day they have superseded every other article for the baling of cotton. This article was not known to the trade when the tariff of 1864 was framed. It is not hoop-iron. It is an article of special manufacture, made for a special purpose, and there is no other article in the list like it. It is our manufacture; and, being Americans, we are entitled to fair play in this matter. The business is an open one, and never can be monopolized, because importations can be brought from the other side, and competition here prevents high prices or large profits.

I might state, as an instance of the reduction of profit by competition, that the business this season will not afford the importer 5 per cent. clear profit, no matter what may be thought in regard to the enormous profits of the cotton-tie business. It is now an open business, from the fact that the principal patent on cotton-ties has expired, and any one can now make the very best style of cotton-tie he desires and sell it. A large number of manufacturers have gone into the business, and the importation has been enormous, and largely in excess of the demand, but still at a profit of not over 5 per cent.

The proposed increase of duty to 1¼ cents a pound is an attempt to monopolize this trade for the profit and aggrandizement of the mill owners, and means a tax of one-half or three-quarters of a million dollars for their benefit. There are only ten mills in the United States which make cotton-ties, and they employ only a small proportion of the total number of workers in iron. I call special attention to that fact. It has been stated that the necessity for increasing the tariff is, that it will benefit an enormous number of people employed in the manufacture of these ties in this country. That is a fallacy. The entire consumption of the United States is never more than 30,000 tons, which would only occupy three hundred men, making one ton a day, one hundred days. One mill alone, in Pittsburgh, could make half the amount in a season without an effort: and the consumption is positively limited by the amount of the cotton crop. The cotton crop is a fixed quantity, and that limits the demand for cotton-ties. You can not sell another bundle of cotton-ties, except on speculation, beyond the demands of the crop. The necessary result will be that if the rate of 1¼ cents is adopted, the American mill-owners will have entire control of the business, and they will have to enter into arrangements among themselves to prevent an overplus from being manufactured. There are not over two hundred and fifty people in the business who earn their livelihood by it. That shows that the change is demanded for the benefit of a limited number, and those mainly in Pittsburgh and Youngstown.

There is one point which is constantly urged against the cotton-tie, and that is that it is simply hoop-iron, and its importation as a tie is simply an evasion of the tariff law, which calls for a duty of 1¼ cents a pound. Cotton-ties are not hoop-iron; they require in their composition a different quality of iron. Tensile strength is necessary, and arrangements must be made to secure that. That difficulty was originally met in the making of cotton-ties. Mr. McComb, one of the first manufacturers, found great difficulty in England, and subsequently in this country, in securing the peculiar quality of iron necessary for the manufacture of a cotton-

tie. Any iron manufacturer will readily understand the difference required in a cotton-tie, which must have tensile strength, and hoop-iron, which is held by a rivet driven down on a barrel. They are entirely different. Notwithstanding, it is always claimed that they are the same. But they are not convertible, and the charge of fraud in this direction can not be sustained, and never has been whenever such allegations have been made before any court or jury. On the contrary, during the trial of a case in Philadelphia it was shown that there was no chance for an economical substitution of cotton-ties for barrel hoops. The charge is a fictitious one on the part of the United States mill men to affect the Treasury decisions in regard to the tariff. They are now charging fraud on us also in regard to the invoice value, and the result is they tax us higher, and put us in for 20 per cent. penalty whenever they can. Some means should be adopted to save our self-respect, and at the same time secure correct consular quotations.

I suppose importers in other lines of goods are affected in this way the same as we are, although I am not familiar with their methods. But I know we are continually harassed by consular quotations being sent from Liverpool to this city, quoting prices from 5 to 10 or 15 shillings higher than our invoice values, which we raise from 2*s.* 6*d.* to 5*s.* above the fair market cost, to insure their coming through without objection. Yet in addition to that our invoices, on representations of quotations furnished by the consuls on the other side, are raised 10*s.* or 15*s.* higher. That compels us to have a dispute on this side in regard to nearly every invoice. To-day we have three invoices in New Orleans which have been advanced from 5*s.* to 7*s.* 6*d.* each. We went there with the proof in our hands, and showed the collector that on the day of shipment we had tenders from most responsible manufacturers of ties at a lower price. For instance, we had some ties valued at £7 15*s.* which we invoiced at £8, yet they raised us here to £8 5*s.*, and compelled us to pay the additional duty.

By Commissioner MCMAHON:

Q. Did you state the fact correctly just now, or did I misunderstand you, that you purchased these ties at a certain figure and invoiced them at another figure?

A. No sir; we manufacture ties on the other side, and to establish a market value (which is very difficult to do) we ask tenders from half a dozen prominent mill men, and we use those offers in proof to sustain our valuations when we come before the reappraisement board, which we are compelled constantly to ask for.

There are special arguments for the reduction of the tariff on cotton-ties. I call your especial attention to the fact that it is a peculiar article and stands by itself on the list. It is an article of prime necessity to the planter. It is the string that ties up the cotton to enable the planter to get it to the seaboard and to market. It is to him practically a raw material. The present duty levies a direct tax of nearly half a million dollars upon that producing class—the cotton planters. It is a fallacy to say that he does not pay those taxes, but sells his cotton-ties at the price he gets for his cotton. You need not fear that the cotton planter does not pay for his bagging and ties. When his cotton is bought it is bought with full knowledge of the weight of the bagging and ties, and the price is made to correspond. Besides, on the other side of the water, in the English market, there is an actual 4 per cent. deduction for tare, which is loss. So that in the price of his cotton he loses for his bagging and ties. He does not sell them at the cotton price, although he may think he does.

Commissioner UNDERWOOD. I never saw a planter who thought he sold his cotton-ties for the price of the cotton.

The WITNESS. But that is the argument which has been advanced for the last ten years.

Commissioner UNDERWOOD. I know it is.

The WITNESS. The cotton-tie is practically the highest article of its kind on the tariff list in one respect—I mean in regard to the life of the article. Iron rails have a life of ten years on the average, and pay a specific duty only once of $28 a ton. With cotton-ties, however, it is different. Cotton-ties have a life of only six months and have to be renewed every year, and the equivalent of the 35 per cent. duty they pay in ten years would be 350 per cent.

To cite a presumable case: A vessel could come to New Orleans with cotton-ties on board for her cargo of cotton. She could deliver these ties to the compress to be put on this identical cotton, and carry it away. The ties on that cotton on board the vessel have not been in this country to exceed two months, yet the cotton-ties have to pay full duty, and, strange enough, there is no drawback after they are shipped. I mean by that they pay a heavier rate than any other iron goods. Two-thirds of all the cotton-ties used in the United States are exported every year, and yet no drawback is allowed, as in the case of tin, when used to export domestic produce. The allowance of a drawback, most of us say, is impracticable. It is impossible for us to devise a plan of drawback on cotton-ties which will reimburse properly the man who pays the duty. These same cotton-ties must pay a duty if reimported, even though made here in the United States. In that respect they differ from any other goods of American manufacture. To show you what it costs I will give you some figures.

The Government received a tax of about $310,000 on cotton-ties exported during the year 1881, on which there is not a cent of drawback. So $620,000 a year is paid in duties on an article exported from the country, and none can be brought back without paying a duty again. On the other hand, if it was a domestic manufacture, shipped out the same as cotton-ties upon cotton, you could bring it back again without paying a duty. So I think we should either reduce the tariff, allow a drawback to the consumer, or permit a reimportation of duty-paid ties, on sworn proof of their having been previously imported.

There are one or two other points in relation to this matter. A necessity exists in our business for stability in the rate of duty. We have to make preparations for supply six months in advance of the demand for the article. We have to go abroad and buy it, and, after purchasing, some legislative discussion or enactment will take place, whereby we are very much affected. One great thing we desire is stability in whatever tariff may be enacted.

By Commissioner MCMAHON:

Q. Do you say that American cotton-ties can not be brought back without paying a duty?

A. Yes, sir.

Q. There is no regulation about it.

A. Yes, sir; I believe there is a special clause in regard to that matter.

Q. Is not the life of a cotton-tie so short that it would not be worth while to bring them back and pay a duty?

A. No, sir. Ties can be taken off the bale on the other side and rerolled and brought back very much cheaper than new ones.

Q. If the rate of duty be put up to 1¼ cents a pound and a drawback allowed, under proper regulations, would it be of any consequence to the producer what rate of duty was imposed, so far as the exported cotton is concerned?

A. If you could regulate both of those matters it would not make any difference, but you can not. The importer sells the cotton to the dealer, and the dealer, in his turn, to the consumer, and you never can get the tie back again to the importer, who has paid the duty. In the case of tin cans, you can trace them from the importer to the jobber, or wholesaler, and from the wholesaler to the canner, and from the canner to the exporter; and from the exporter to the foreign dealer, and the drawback is allowed. But you can not keep track of cotton-ties. Some go to Texas, some to Louisiana, and they are scattered to the four winds. By breaking a bundle you destroy its identity.

Q. Could you not overcome that difficulty by stamping them?

A. You might possibly invent a stamp or tag, or have a peculiar cut on the band, but there could not be any positive proof that a band had been previously imported.

By Commissioner OLIVER:

Q. You are the secretary of the McComb Cotton-tie Company, I believe?

A. Yes, sir.

Q. How long have you been connected with that company?

A. That company has been in existence about three years.

Q. How long have you been connected with the American Cotton-tie Company?

A. About twelve years.

Q. What was the price per bundle or pound of cotton-ties in 1873?

A. They were about 5 cents a pound.

Q. At that time the American Cotton-tie Company had control of the whole business of furnishing cotton-ties in the United States?

A. No, sir.

Q. Did it not control 95 per cent. of the trade in the United States?

A. No, sir; by reason of patents, and the enormous capital invested, I have no doubt it controlled 80 per cent.; but there were other persons in the business.

Q. You say the price was then 5 cents a pound?

A. Yes, sir.

Q. When the American Cotton-Tie Company commenced buying their ties from American mills in 1877 or 1878, what was the price then of cotton-ties in this country?

A. The price differed on styles, all the way from $1.60 to $2.50, with a discount.

Q. Did not the competition of the American mills force the American Cotton-Tie Company to bring down the price on cotton-ties to the planter or dealer very nearly one-half?

A. No, sir.

Q. How much did it affect that question?

A. I do not think it had any effect on it.

Q. What was the price in 1878?

A. It was $2.50 a bundle; nearly 5 cents a pound.

Q. Did not your agents sell the McComb or American Cotton-Tie Company ties in large quantities at $2.50, $2.60, or $2.70 a bundle; is not that a fact?

A. Yes, sir.

Q. What are the figures you are selling at now?

A. The figures are $1.50 a bundle, gross.

Q. The first year or two after the expiration of the patent the price was reduced to the cotton-planter more than one-half, was it not?

A. It was reduced nearly one-half for various reasons; doubtless the principal one was the competition of the American mills. Prior to that the patents controlled the business. If a man had not a patent he could not make a cotton-tie. There were several favorite styles, and these had the trade, and it was very difficult to take it away from them or compete with them. It was the attrition and competition of succeeding patents coming in, making so many of them, and their becoming owned by the different rolling-mills of the country, which helped cut down the prices, together with the foreign competition.

Q. Were not all the American mills persistent in getting up new patents?

A. Yes, sir; they were. But the most successful opposition that was ever made against our cotton-tie came from Liverpool.

Q. The American mill-owners were trying to cut these prices down and make a difference to the cotton-growers of $2,000,000 a year?

A. No, sir. They were trying to absorb the proprietary trade, or cut into it.

Q. Do you advocate a specific or an ad valorem duty?

A. If the Government must have a duty, we shall be content to accept a *bona fide* 35 per cent. ad valorem duty, or an equivalent specific rate. The reason why I ask for a specific rate is on account of the convenience of invoicing, and to rid ourselves of this continual charge of trying to defraud the Government by invoicing our goods 2*s.* 6*d.* lower than they cost us.

Q. You manufacture all these cotton-ties yourself in England?

A. Yes, sir.

Q. Your factory in England, or your agent in England, makes a bill to your American house?

A. Mr. McComb manufactures on the other side, and has an office there. Since the expiration of some of the patents the business has become an open one. There is hardly a vessel which leaves Liverpool for the United States that does not bring cotton-ties as part of her cargo.

Q. You think it is better to have a fixed specific rate of duty, then—one not liable to be interfered with?

A. Yes, sir. There should be but one rate for cotton-ties. There need be no difficulty about ties coming in under one classification. A cotton-tie is a cotton-tie, notwithstanding the efforts that have been made to call it hoop-iron.

Q. To get rid of that difficulty you would name it specially in the tariff as a cotton-tie, and put a specific duty on it as a cotton-tie?

A. Yes, sir; provided that specific duty was fair and equitable.

Q. What is your information in regard to the quality of the American as compared with the English tie?

A. The American tie, made by proper parties under proper supervision, is just as good as any other tie.

Q. Is it not better?

A. No, sir; it is not better.

Q. It has been so stated to us by an American manufacturer.

A. I do not think that is the case. On the contrary, I remember seeing ties advertised as being made of English iron—the only instance I can recall of a distinction being made—and this would suggest some people thought them better than domestic goods.

Q. What is the estimate of this year's cotton crop in this country.

A. It is estimated at from six and a quarter to seven million bales. The crop is a positive quantity, and that limits the sale of cotton-ties. If the trade in ties from foreign countries is destroyed, and it is put into the hands of the American mill-owners they will inevitably come together and say, "Why, we can not make but 30,000 tons for the year, because there is no greater demand for them; let us agree to distribute this amount among ourselves and arrange our own prices."

Q. Would the consumer be any better off if he were left in the hands of the American manufacturer, as he was twelve years ago in the hands of the American Cotton-tie Company, who charged him just what he could stand, and put up the price to 7 or 8 cents per pound?

A. I do not think that is a fair presentation of the case.

Q. You have asserted there would be a combination here?

A. But we must look at the altered condition of things since that time.

Q. But I ask you if he would be any worse off in the hands of ten men here than in the condition he was in in the past?

A. Yes, sir. The consumer would be worse off, because the mill-owners would combine; whereas the American Cotton-tie Company had always to stand up against all competition.

The following tables show the consumption of cotton-ties in the United States for the periods named:

Cotton-ties used for crop of 1880-'81.—Total crop, 6,606,000 bales; at 1 bundle ties to 5 bales, 1,321,200 bundles cotton-ties; at 40 bundles to the ton, 33,030 tons cotton-ties; average value, £7 15*s.* per ton, or, in Federal money at $4.86 for pound sterling, $37.67; duty at 35 per cent. per ton, $13.18; duty on 33,030 tons, $435,484.05.

Cotton-ties used for crop of 1881-'82.—Total crop, 5,456,048 bales, or 1,091,209 bundles cotton-ties, or 27,280 tons cotton-ties; average value, £8 per ton, or, in Federal money at $4.86 for pound sterling, $38.88; duty on $38.88 at 35 per cent. per ton, $13.60⅘; duty on 27,280 tons, $371,226.24.

Exports, season 1880-'81.—Four million five hundred and sixty-five thousand bales cotton, or 913,000 bundles cotton-ties, or 22,825 tons; duty at 35 per cent. on

$57.67, value per ton, $300,956.21. Season 1881-'82, 3,551,075 bales cotton, or 710,213 bundles cotton-ties, or 17,755 tons; duty at 35 per cent. on $38.88, value per ton, $241,610.04.

Total crop for ten years, from 1872-'73 *to* 1881-'82.—Forty-eight million four hundred and twelve thousand bales; estimated duty, if all imported on 243,060 tons at $13.20 per ton, $3,209,392.

Total exports for same ten seasons.—Thirty-three million two hundred and seventeen thousand bales; estimated duty as above on 166,086 tons, $2,192,335.

Cotton-ties at £8 cost per ton at $4.86 per pound sterling, $38.88; present duty 35 per cent., $13.60; duty proposed of 1¼ c. per pound, $33.60, or over 86 per cent. protection.

Cotton-ties at £7 cost per ton at $4.86 per pound sterling, $34.02; present duty 35 per cent., $11.90; duty proposed of 1¼ c. per pound, $33.60, or nearly 100 per cent protection.

Present actual protection:

	Per cent.
By tariff of duties	35
By riveting English ties	10
By freights, average 15s. per ton, say	10
Or a total of	55

Cost of cotton-ties.

	At 35 per cent. duty.	At 1¼ cents per pound duty.
Cotton-ties, at £8 cost per ton	$38 88	$38 88
Freight, at 15s. per ton	3 65	3 65
Insurance, 1½ per cent. on value of $50 per ton	75	75
Duty	13 60	33 60
Cost per ton	56 88	76 88
Cost per bundle, at 40 bundles per ton	1 42½	1 92½

Average annual consumption, 25,000 tons.

Revenue to Government at present rate, $340,000.

Loss of revenue annually by proposed advance prohibiting importations, $340,000; additional tax on consumer of 50 cents per bundle, $500,000, or an equivalent of $840,000 per annum bonus to American mills engaged in making cotton-ties, and not one cent of revenue to the Government.

Number of mills in United States making this class of goods, not over 10; estimated number of men employed, 250.

Mr. BECK. When the question relative to cotton-ties was being discussed in the Finance Committee, if I may be allowed to allude to that—I suppose it would not be in order to say what took place there—but I will say that a general disposition was manifested everywhere in the consideration of this question to make it exceptional because of the fact that a large amount of it was imported for the purpose of being exported, because it was lost as tare where it came into competition with the cotton of India and other places, and because it was generally believed that it could be made exceptional. For this and other reasons there was a desire on the part, I believe, of all the members of the committee to make it exceptional so far as they could, and in the individual opinions expressed the same feeling was manifested which has been carried out very fully to-day by the chairman of the committee. I for one express great gratification at the disposition manifested to make it not over 35 or 50 per cent., instead of the high rate that would be imposed by the bill as reported. I agree with the Senator from Texas [Mr. MAXEY] that an adjustment now at 35 per cent. is as low as we ought to ask, and I shall vote against putting it on the free-list, although I should like to see it there if it could properly be done.

Mr. BAYARD. I, too, would hold it to be a solecism in anything like a tariff system to place an article of this kind on the free-list. The proposition of the Senator from Vermont I think is a reasonable and fair one. It puts this article at a fair revenue point, and, under that, revenue being collected, it pays that which I think we all must agree that all American things should join in paying—their fair share of public burdens, no more and no less. That is the *summum bonum* which should be arrived at in the scheme of taxation in this country. Each industry, each production should bear its fair relative share; and I think it would be a solecism to place cotton-ties upon the free-list. I hope, therefore, that the proposition of the Senator from Vermont will be accepted, and I am very glad that it came from him.

Mr. BARROW. Mr. President, I always listen with great respect to everything that falls from the lips of the Senator from Vermont and the Senator from Kentucky upon these questions, as well as the Senator from Delaware, and it certainly is a very discouraging prospect for the motion I have made, as they all oppose it. But nevertheless, that motion will not be withdrawn by me.

I have only one word to add. The Senator from Vermont suggests that in the selling of a bale of cotton the planter receives for the ties per pound what the cotton is worth. That is true in the American market but it is not true in the European market. But suppose it was, the difference between what the ties and bagging and the production of the cotton cost the planter, and the sum that he receives for the cotton, is the small margin of profit that he receives; and as the tax is added on to the cost, it comes back at last to the arithmetical proposition that in proportion as this tax is put upon the original cost of the ties it is taken off the profit.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The question is on the motion of the Senator from Georgia to strike out lines 611, 612, and 613.

Mr. MORGAN. I desire to make an inquiry of the chairman of the Committee on Finance, whether manufactured tin cans when exported are entitled to a drawback of the value of the import duty?

Mr. MORRILL. I can not hear the Senator.

Mr. MORGAN. I desire to know whether when tin cans are exported covering American products, fruit, oysters, and the like, they are entitled to a drawback for the full amount of the duty paid on the importation of the tin?

Mr. MORRILL. No, sir.

Mr. MORGAN. One-half of it?

Mr. MORRILL. None of it.

Mr. MORGAN. None of it at all?

Mr. ALDRICH. Ninety per cent.

Mr. MORRILL. I was mistaken. I think they are.

Mr. MORGAN. They are entitled to 90 per cent.?

Mr. ALDRICH. Ninety per cent.

Mr. MORGAN. Drawback?

Mr. ALDRICH. Yes, sir.

Mr. SHERMAN. That is under the general law which applies to all articles exported; and it applies to cotton-ties as well as anything else.

Mr. MORGAN. Unless there be some regulation putting us all upon terms of equality, the motion of the Senator from Georgia ought to prevail in this case. If those who are compelled to use foreign-made tin-sheets for the purpose of packing goods that they ship abroad are entitled to a drawback of 90 per cent. of the tariff which they pay upon the importation of tin, there can be no good reason stated why cotton producers should not be entitled to a similar drawback when they use foreign material for packing their goods. In the progress of commercial enterprise in this country iron cotton-ties have entirely supplanted our own home-made hemp rope, and they have also superseded every other description of rope. They are found to be the best security against fire and the best protection of the staple in shipping. They are easy to work in the compresses and in every respect they are better.

When this iron, which is imported I will say from England, goes back to England the entire weight of it is deducted as tare from the cotton, and we have no allowance made to us for that portion of the weight of the bale, so that we pay duty upon the importation and we get no drawback when it goes out.

In every respect it is very clear that we are not put upon a footing of equality with other exporters of American goods bound up in material which is brought entirely from abroad. That is an injustice and inequality.

Mr. SHERMAN. Upon the subject of drawback the law is perfectly well known. It is in the commencement of chapter 9, on page 581 of the Revised Statutes. Section 3015 allows a drawback generally in all cases with a rebate of 1 per cent., and this is the section under which these manufactures are allowed to be exported:

SEC. 3019. There shall be allowed on all articles wholly manufactured of materials imported, on which duties have been paid when exported, a drawback equal in amount to the duty paid on such materials, and no more, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury. Ten per cent. on the amount of all drawbacks so allowed shall, however, be retained for the use of the United States by the collectors paying such drawbacks respectively.

Consequently when tin is imported into this country, which is entirely of foreign manufacture, and manufactured into tin cans, and the tin cans are exported, on proof that they were made wholly of imported material, which proof can be easily furnished, a drawback is allowed.

Mr. MORGAN. I ask the Senator from Ohio whether that statute is broad enough to cover the case I suggested, whether the cotton-tie would not be entitled to a rebate?

Mr. SHERMAN. I think the cotton-tie is not a manufacture. The cottton-tie is brought here in the way it is produced; but I think it is covered by section 3015, though I am not sure. It must have been ruled upon many a time.

SEC. 3015. A drawback of duties, as prescribed by law, shall be allowed and paid on all merchandise imported into the United States, in respect to all such merchandise as shall be exported to any foreign port other than the dominions of any foreign state immediately adjoining to the United States, either from the district of original importation, or from certain other districts; and all duties, drawbacks, and allowances which shall be payable, or allowable, on any specific quantity of merchandise, shall be deemed to apply in proportion to any greater or lesser quantity, except as herein otherwise provided.

Then there is a provision that unless the amount exported by a particular invoice amounts to $50 they are not entitled to the benefit. In many cases of the exportation of cotton-ties, the amount being under $50, it would not be covered; but I should think that the section would cover cotton-ties exported in the same condition they were brought in.

Mr. MORGAN. Now, I suggest to the Senator from Georgia that perhaps it would be as well for him not to press his amendment to put this article on the free-list, but to move during the progress of this bill for an amendment to it making provision by which the existing statute shall be made applicable to this article, so that we shall have a perfect equality of legislative treatment in respect to cotton-ties with tin cans. We do not desire any advantages over other persons; but it is very clear that we ought to have an equality of justice in the provisions made applicable to this subject.

The Senator from Georgia made a concession which I do not think he need to have made. He said, as I understood him, that we got the value of the weight of our cotton-ties when we sold our cotton in American markets.

Mr. BARROW. The Senator misunderstood me if he supposed that

I conceded as much as that. I said there was no reduction made in the American market on account of it, but in the foreign market there is.

Mr. MORGAN. There is no tare in the American market, but at the same time the price of cotton in the American market is regulated by the price in the foreign market, and the price in the foreign market is predicated entirely upon the production with the tare taken off so that after all we get just the same in the American market as in the foreign market, the tare reducing the price of the goods. In other words, whatever amount we pay and it is pretty large for the cotton-tie that binds up the crop, we lose the whole of it both in America and in the foreign market.

I hope the Senator from Georgia will take this subject into consideration, and will move an amendment to the bill later in its progress to cover the view I now present to him, putting this article on the same footing with other articles that are exported in the condition that they were when imported, and withdraw his proposition to place cotton-ties on the free-list.

Mr. BARROW. I am put in a very embarrassing position by the appeals made to me by Senators for whom I have a profound respect to withdraw this motion. If I had not believed it was my duty to make it I never would have laid it before the Senate. If I am a fool about everything else I do know something about cotton, and I know this tax comes out of the ultimate producers, and they are not able to bear it. I was born on a cotton plantation; I was raised on it. All my interests are there. All my associations and all the connections of my life have been with cotton; and if I did not believe that it was my duty to make this motion and lay it before the Senate and insist upon a vote on it I would not have made it, and for the very same reasons that I made it I respectfully decline to withdraw it.

Mr. MORGAN. In voting on this motion I do not wish to be misunderstood. I would vote to put this article on the free-list but for the fact that I see a better way of providing for the subject, in which I think the Senator will agree with me—at all events it is a more just manner in which to present it—to put this on the same footing with other commodities which are exported in the same condition in which they are imported as to drawback. Therefore I shall be compelled to vote against putting it on the free-list, hoping that we shall get a better provision.

Mr. SHERMAN. I do not seek to reverse what has already been done; but if cotton-ties are to be an exceptional article, I wish to say that I will myself vote for no proposition that will make an exception in favor of the production of any State or any portion of our country. I believe that the defects of the bill, which are growing now, are that favoritism is given to particular interests and particular sections. This is a request made by the cotton-planter, probably as strong a one as can be made. We had yesterday a request made by the people who put up tin cans, although nearly all their article being of foreign manufacture the tax is refunded to them on its exportation. There was a demand made in favor of tin cans, and that was yielded.

The other day there was a demand made in favor of scrap-iron, and that was yielded, though it effected great and enormous injury. Now, this is a demand to have the cotton-planter made an exception. Why should you make an exception in favor of the cotton-planter? Why should you not apply the same rule to hoops that go around petroleum barrels, of which millions are exported, or any other form of hoop-iron—that used to bale hay, for instance? We use wire now largely to bale hay. Why should not that be excepted?

Mr. BARROW. Will the Senator from Ohio allow me to attempt to answer him now?

Mr. SHERMAN. No; I heard the argument of the Senator and I have read a good deal about it. The committee have been furnished with all the arguments, and none of them make a case of inequality. So far as the cotton-tie is re-exported or sent abroad, we pay no duty on cotton-ties.

Mr. BARROW. Would it interrupt the Senator for me to ask a question?

Mr. SHERMAN. No, sir.

Mr. BARROW. Is there any duty upon the importation of hay?

Mr. SHERMAN. Oh, yes.

Mr. BARROW. Is there upon the importation of raw cotton?

Mr. SHERMAN. No; but we will give it to you if you want it.

Mr. BARROW. It will not do us any good when no country can compete with us. The duty does do hay good.

Mr. SHERMAN. In other words, the South, having the absolute monopoly in the cotton crop, being able to compete with all the world, does not want duties. It is absolutely independent, and in one limited capacity cotton is king in this country; and yet this King Cotton, who is without a rival in all the markets of the world, wants the baling that goes around it to be excepted as against other forms of baling material, as against the hay, as against the petroleum barrel, as against the barrels of pork and beef, the food of our Western people. Now, sir, I would not vote to except the hoops that go around the beef and pork barrels, because it would be wrong. It makes an invidious distinction. I would not ask it. That is where I stand. While I shall acquiesce in what has been done, while I believe the course pursued by the Senator from Vermont is proper and right enough, because it expedites matters, at the same time it is not just to make an exception. You have got to apply these rules of tariff legislation without fear, favor, or affection, or you will not have a just tariff bill. That is all I desire to say.

Mr. BARROW. I only desire to say one word, and that is that I agree with the Senator from Ohio that there ought not to be any exceptions made to the bill. The thing that I object to is that this article of cotton is the only exception in the bill.

Mr. SAULSBURY. I desire to say that so far as I am concerned, while I have all sympathy with every agricultural interest, I am opposed to giving any special favors to any industry in this country. Let every industry bear its just proportion of the burdens of government. I do not see that there is any more hardship in the growers of cotton paying for the bale that goes around their cotton than there is in the farmer paying a duty on the sacks which he pays for to transport his grain. Let every interest bear its just proportion. Cotton is one of the chief interests of the country, and there is no tax upon it except the small tax that is imposed on the bale which surrounds it. We have to have revenue, and every interest excepted from paying its just share of revenue throws that proportion on other interests of the country. I am in favor of raising sufficient revenue for the country and making every business contribute its just proportion of that revenue which is needed by the Government. I shall therefore vote against the proposition of the Senator from Georgia.

Mr. BUTLER. It may look hard, coming as I do from such a large cotton-producing State, that I should announce my purpose to vote against this proposition, and yet I feel bound to do so.

It occurs to me that the concession made by the chairman of the Committee on Finance is all that we have a right to ask. It is all that has ever been asked of me by any constituent of mine. It seems to me to be perfectly fair to all interests, and the suggestion of the Senator from Vermont appears to me to be the correct one. If after getting through this bill we find that this article can be put upon the same plane with other exportations by asking a rebate, it will be quite time when we arrive at that point to provide for it.

There is another suggestion which I will throw out as a reason why it strikes me that we should not adopt this amendment. It is suggested to me by the Senator from Louisiana [Mr. JONAS] that the contracts have been made with reference to the tariff as it now stands, and it would not be fair or proper to ignore the rights of those who have made large purchases with that view. That is an additional reason why I think the Senate should not adopt this amendment as proposed by the Senator from Georgia. I dislike extremely to vote against it; but I feel bound in good faith, as was said by the Senator from Texas [Mr. MAXEY], to sustain the position already taken upon this subject. It is all that has ever been asked by anybody, and I think it is about reasonable, as well as fair, equitable, and proper; and hence I shall sustain it.

Mr. BARROW. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. BECK (when his name was called). I am paired with the Senator from Maine [Mr. HALE], who is absent, but believing he would vote "nay" I vote "nay."

Mr. GARLAND (when his name was called). I am paired on this question with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea," and he would vote "nay."

Mr. HARRIS (when his name was called). Upon this question I am paired with the Senator from Illinois [Mr. DAVIS]. If he were present, I should vote "yea."

Mr. McDILL (when Mr. MITCHELL's name was called). The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON]. Otherwise the Senator from Pennsylvania would vote "nay."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 11, nays 41; as follows:

YEAS—11.

Barrow,	Farley,	Ransom,	Vest,
Call,	George,	Slater,	Walker.
Coke,	Lamar,	Vance,	

NAYS—41.

Aldrich,	Conger,	Jackson,	Morrill,
Allison,	Dawes,	Jonas,	Platt,
Anthony,	Gorman,	Jones of Florida,	Plumb,
Bayard,	Groome,	Kellogg,	Rollins,
Beck,	Hale,	Lapham,	Sawyer,
Blair,	Hampton,	Logan,	Sherman,
Butler,	Harrison,	McDill,	Voorhees,
Camden,	Hawley,	Maxey,	Williams.
Cameron of Pa.,	Hill,	Miller of Cal.,	
Cameron of Wis.,	Hoar,	Miller of N. Y.,	
Chilcott,	Ingalls,	Morgan,	

ABSENT—24.

Brown,	Ferry,	Jones of Nevada,	Pugh,
Cockrell,	Frye,	McMillan,	Saulsbury,
Davis of Ill.,	Garland,	McPherson,	Saunders,
Davis of W. Va.,	Grover,	Mahone,	Sewell,
Edmunds,	Harris,	Mitchell,	Van Wyck,
Fair,	Johnston,	Pendleton,	Windom.

So the amendment was rejected.

The Acting Secretary read the items in lines 614, 615, 616, 617, 618, 619, and 620, as follows:

Cast-iron pipe of every description, 1 cent per pound.
Castings of iron, not specially enumerated or provided for in this act, 1 and one-quarter of 1 cent per pound.
Cut nails and spikes, of iron or steel, 1 and one-quarter of 1 cent per pound.
Iron or steel railway fish-plates, or splice-bars, 1 and one-half of 1 cent per pound.

Mr. ALDRICH. I desire to reserve the right to offer an amendment which has been agreed on in committee to lines 619 and 620. I have not the amendment at hand, but will offer it later.

The Acting Secretary read lines 621 and 622, as follows:

Malleable iron castings, not specially enumerated or provided for in this act, 2 cents per pound.

Mr. VANCE. The duty levied here upon malleable iron castings is nearly 60 per cent.—59.27 per cent. I should like to ask why a higher duty is placed upon this than on other castings, or than cut nails and spikes of iron or steel, &c.?

Mr. SHERMAN. I can state that that is all answered in the word "malleable." They are more valuable, because they can be hammered; at least I understand that to be the meaning of the phrase. They are malleable castings.

Mr. VANCE. Why should the rate per cent. be greater if there is a difference in the value of the article?

Mr. SHERMAN. The reason is that it is further advanced; it is a higher grade of manufacture. But I will say that the rate is reduced fully 25 per cent. Under the old law it was 2½ cents and now it is reduced to 2 cents a pound. So we have at least applied the rule of reduction to this article as high as any other, that is 25 per cent. I hope when the committee have gone so far toward reducing taxes the Senator will pass it over.

Mr. PLATT. I should like to say a word. Cast-iron pipe is 1½ cents per pound, reduced to 1 cent by the present bill. Castings of iron not specially enumerated are put here at 1¼ cents per pound. Those are very simple processes. The malleable-iron casting is a very difficult process, and one in which no malleable-iron manufacturer is sure that any particular lot is to come out of his furnace fit for use. There is great waste, indeed, of material, and I do not think that the duty of 2 cents per pound is any higher in proportion to the cost of the article or the cost of the process or the difficulty in the process than is the rate fixed upon cast-iron pipe and other castings of iron.

Mr. VANCE. All this does not answer the question I asked. I asked merely for information. There is so much about this schedule that I am unacquainted with, technicalities which I do not comprehend, that I want all the information I can get. I see that the duty on cast-iron pipe of every description is 35 per cent. and a fraction, and on malleable castings it is 59 per cent. and a fraction. Now, why is one almost double the other? That is the information I want.

Mr. PLATT. One is not almost double the other.

Mr. VANCE. One is placed at 35 per cent. and the other at 59 per cent.

Mr. PLATT. The same amount of reduction has been applied in each case; but the reason for the higher duty on malleable castings I have stated, or tried to state, and that is the process is so difficult, the loss in it is inevitable, and the price is very much more.

Mr. VANCE. Of course all that enters into the original cost; but why the percentage should be so much higher on one than on the other is what I can not understand.

The PRESIDING OFFICER. The reading will proceed.

The Acting Secretary read lines 623 and 624, as follows:

Wrought-iron or steel spikes, nuts, and washers, and horse, mule, or ox shoes, 2 cents per pound.

Mr. VANCE. I move to reduce that to 1½ cents a pound by striking out "2" and inserting "1½," in line 624. The duty now is 79 per cent., nearly 80 per cent.

Mr. SHERMAN. All these articles for nearly a page along here are articles that are not imported into this country. Our own American mechanics have practically got the trade; and probably the reduction proposed, if it be done with a full understanding of the value of these articles, might be made more or less. Practically, all these articles are now made in America. Senators will see from the tables before them that these articles of common use can be produced in this country by our own people probably as cheaply as by any others. The committee have uniformly reduced the duties on these articles about 25 per cent. It seems to me the Senator ought to be satisfied with that. When it comes to an article that is largely brought into this country, then there may be some question; but where the articles are such as we know are made by the common blacksmiths of our country, as the horseshoes, and muleshoes, and oxshoes, &c., there is no occasion for a greater reduction than 25 per cent. We might possibly, by making the reduction blindly, as is proposed by the Senator from North Carolina, by reducing it about 65 per cent., do great injustice and disturb prosperous industries.

Mr. VANCE. The present duty is 98.45 per cent., or say 98½ in round numbers. The proposed duty is 79 per cent. That is a reduction, not of 25 per cent.; it is a very small reduction; but if it was a reduction of a thousand per cent. when it still left the duty 79 per cent. I should think it would be too high. These articles yield little or no revenue. Only $33,431.05 of revenue was collected from them last year. There are perhaps no articles in more common use throughout the country than these. I move to reduce the duty to 1½ cents a pound, which will leave it I suppose about 50 per cent.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina.

Mr. VANCE called for the yeas and nays, and they were ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. GROOME (when Mr. GARLAND's name was called). I announce the pair of the Senator from Arkansas [Mr. GARLAND] with the Senator from Vermont [Mr. EDMUNDS].

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. PENDLETON. I announce that I am paired with the Senator from New Jersey [Mr. SEWELL]. I make that announcement for the whole day.

The result was announced—yeas 23, nays 25; as follows:

YEAS—23.

Barrow,	Cockrell,	Hampton,	Slater,
Bayard,	Coke,	Jackson,	Vance,
Beck,	Farley,	Jones of Florida,	Vest,
Butler,	George,	Lamar,	Walker,
Call,	Gorman,	Morgan,	Williams.
Camden,	Groome,	Pugh,	

NAYS—25.

Aldrich,	Dawes,	Lapham,	Platt,
Allison,	Frye,	Logan,	Plumb,
Anthony,	Hale,	McDill,	Rollins,
Blair,	Harrison,	McMillan,	Sherman.
Cameron of Pa.,	Hawley,	Miller of Cal.,	
Chilcott,	Hill,	Miller of N. Y.,	
Conger,	Hoar,	Morrill,	

ABSENT—28.

Brown,	Garland,	Kellogg,	Saulsbury,
Cameron of Wis.,	Grover,	McPherson,	Saunders,
Davis of Ill.,	Harris,	Mahone,	Sawyer,
Davis of W. Va.,	Ingalls,	Maxey,	Sewell,
Edmunds,	Johnston,	Mitchell,	Van Wyck,
Fair,	Jonas,	Pendleton,	Voorhees,
Ferry,	Jones of Nevada,	Ransom,	Windom.

So the amendment was rejected.

Mr. ALDRICH. In accordance with notice, I now offer the following amendment from the Committee on Finance to come in after line 618, inserting an item left out of the bill by mistake:

Cut-tacks, brads, or sprigs, not exceeding sixteen ounces to the thousand, 2½ cents per pound; exceeding sixteen ounces to the thousand, 3 cents per pound.

That is exactly the present rate, which is only 27 per cent. ad valorem.

The amendment was agreed to.

The Acting Secretary read lines 625 and 626, as follows:

Anvils, 2 cents per pound.
Iron or steel rivets, bolts, with or without threads or nuts, or bolt-blanks, and finished hinges or hinge-blanks, 2 and one-half of 1 cent per pound.

Mr. VANCE. The article just read by the Secretary is taxed under the existing law 2 cents per pound, and this is an increase of one-half cent per pound on the report of the Tariff Commission. In other words, it is restoring the present law. The Tariff Commission reported it at 2 cents per pound, which would be 32.63 per cent. I move to strike out "and one-half of 1" and leave the clause "2 cents per pound."

Mr. ALDRICH. The Senator from North Carolina is mistaken in his statement of facts, I think. The present rate is 2½ cents per pound, and the rate recommended by the commission is 2½ cents.

Mr. VANCE. No; I am correct——

Mr. BECK. Or else the print is wrong.

Mr. VANCE. Or the computation given us by the Treasury Department is wrong.

Mr. ALDRICH. If the Senator from Kentucky will look at the comparative statement——

Mr. BECK. I am looking at it. "Anvils, 2½ cents." I think we intended to make it 2 cents, but I am not sure.

Mr. VANCE. On anvils? The rate on anvils is 2 cents per pound. That has been passed and agreed to.

Mr. BECK. I was looking to "anvils."

Mr. VANCE. No, it is "iron or steel rivets, bolts," &c. The present tariff is 2½ cents per pound, and according to the report of the Tariff Commission it would be 2 cents per pound; but according to the report of the Finance Committee as printed in the bill, it is 2½ cents per pound, thus recommending an adherence to the present tariff duty in the face of the recommendation of the Tariff Commission.

Mr. ALDRICH. That is a misprint in the bill the Senator is reading from. If he will look on the Tariff Commission report on page 56 he will find that 2½ cents a pound is the rate. If he will look at the comparative statement of rates published by order of the Finance Committee he will find it 2½ cents a pound. There is a misprint in the bill he is reading from; that is all. If the Senator will look to the Tariff Commission report he will find he is mistaken.

Mr. VANCE. Well, sir, nevertheless, I make the motion to reduce it to 2 cents per pound whether it is a mistake in the Tariff Commis-

sion report or whether it is a mistake in the print or a mistake made by the enumerator at the Treasury Department.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE] to strike out "and one-half of 1" in lines 627 and 628.

The amendment was rejected; there being on a division—ayes 18, noes 21.

The Acting Secretary read the clause from line 629 to line 631 inclusive, as follows:

Iron or steel blacksmiths' hammers and sledges, track tools, wedges, and crowbars, 2 and one-half of 1 cent per pound.

Mr. VANCE. I make the very same motion there to strike out "one-half of 1;" so that the clause will read:

Iron or steel blacksmiths' hammers and sledges, track tools, wedges, and crowbars, 2 cents per pound.

It is the same duty that is existing now, it is no reduction at all; and that duty is 81.28 per cent; and as this is levied on the laborers themselves, the men who use these hammers, crowbars, &c., and as a reduction would be in their interest, I make the motion.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. VANCE] to make the duty on this item 2 cents a pound.

Mr. VANCE called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. CAMERON, of Wisconsin, (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE].

Mr. CAMERON, of Wisconsin (when Mr. INGALLS'S name was called). The Senator from Kansas [Mr. INGALLS] is paired with the Senator from Tennessee [Mr. HARRIS].

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. I do not know how he would vote on this particular motion, but I should vote "yea" if he were here.

Mr. MCMILLAN (when his name was called). Upon this question I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were here, I should vote "nay."

Mr. MILLER, of California (when his name was called). I am paired with the Senator from Mississippi [Mr. LAMAR].

Mr. RANSOM (when his name was called). I am paired on this question with the Senator from Wisconsin [Mr. SAWYER]. If he were here, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. PLATT. On this vote I am paired with the Senator from South Carolina [Mr. HAMPTON].

Mr. GROOME. The Senator from New York [Mr. MILLER] not having voted, I withhold my vote under a general pair with him.

I also announce, while I am on my feet, the pair of the Senator from Arkansas [Mr. GARLAND] with the Senator from Vermont [Mr. EDMUNDS].

The result was announced—yeas 18, nays 21; as follows:

YEAS—18.

Barrow,	Cockrell,	Jones of Florida,	Vance,
Bayard,	Coke,	Maxey,	Walker,
Beck,	Farley,	Morgan,	Williams.
Call,	Gorman,	Pugh,	
Camden,	Jackson,	Slater,	

NAYS—21.

Aldrich,	Conger,	Hill,	Morrill,
Allison,	Davis of Ill.,	Hoar,	Rollins,
Anthony,	Dawes,	Kellogg,	Sherman.
Blair,	Frye,	Lapham,	
Cameron of Pa.,	Harrison,	Logan,	
Chilcott,	Hawley,	McDill,	

ABSENT—37.

Brown,	Grover,	McPherson,	Saunders,
Butler,	Hale,	Mahone,	Sawyer,
Cameron of Wis.,	Hampton,	Miller of Cal.,	Sewell,
Davis of W. Va.,	Harris,	Miller of N. Y.,	Van Wyck,
Edmunds,	Ingalls,	Mitchell,	Vest,
Fair,	Johnston,	Pendleton,	Voorhees,
Ferry,	Jonas,	Platt,	Windom.
Garland,	Jones of Nevada,	Plumb,	
George,	Lamar,	Ransom,	
Groome,	McMillan,	Saulsbury,	

So the amendment was rejected.

The item from line 632 to 635, inclusive, was read, as follows:

Iron or steel axles, parts thereof, axle-bars, axle-blanks, or forgings for axles, without reference to the stage or state of manufacture, 2 and one-half of 1 cent per pound.

The item from line 636 to line 639, inclusive, was read, as follows:

Forgings of iron and steel, or forged iron, of whatever shape or in whatever stage of manufacture, not specially enumerated or provided for in this act, 2½ cents per pound.

The item from line 640 to line 642 was read, as follows:

Horseshoe nails, hob nails, and wire nails, and all other wrought-iron or steel nails, not specially enumerated or provided for in this act, 4 cents per pound.

Mr. COKE. I move to strike out, in line 642, "4" and insert "2½." On horseshoe nails, hobnails, and wire nails, under the present tariff, the duty is 5 cents per pound. There was $46.10 of revenue collected last year under this head, so that the duty is prohibitory. I move that it be reduced to 2½ cents per pound, believing that it will bring these articles cheaper to the consumer and also bring more revenue to the Government.

Mr. MORRILL. It will be seen that, while there was only a small amount imported, the duty is not large, only 39 per cent., and it is proposed by the Committee on Finance to reduce that to 31.21 per cent. That would seem to be a sufficient reduction, and these articles are all wrought and made by hand.

Mr. VANCE. What would be the objection to reducing this duty to a point where the thing would bring some revenue to the Government? It is now practically prohibitory. If that were reduced we could reduce the price to the people and get something for the Government.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Texas [Mr. COKE], to strike out, in line 642, "4" and insert "2½."

Mr. COKE. I call for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. CHILCOTT (when his name was called). I am paired with the Senator from Delaware [Mr. BAYARD].

Mr. HARRIS (when his name was called). I was momentarily absent, and was paired with the Senator from Wisconsin [Mr. CAMERON]. I do not see him in the Chamber, and withhold my vote. I should vote "yea" if he were here.

Mr. JONES, of Florida (when his name was called). I am paired with the Senator from Maine [Mr. FRYE]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. HARRIS. Learning that the Senator from Wisconsin [Mr. CAMERON] is paired with the Senator from Mississippi [Mr. GEORGE], I record my vote "yea."

Mr. GEORGE. If I were not paired as announced by the Senator from Tennessee, I should vote "yea."

Mr. MCMILLAN. I am paired with the Senator from South Carolina [Mr. BUTLER].

I desire also to announce that my colleague [Mr. WINDOM] is paired with the Senator from West Virginia [Mr. DAVIS].

Mr. PLUMB. I am paired on this question with the Senator from Missouri [Mr. VEST].

Mr. CAMERON, of Wisconsin. I vote "nay."

The result was announced—yeas 22, nays 23; as follows:

YEAS—22.

Barrow,	Farley,	Harris,	Ransom,
Beck,	Garland,	Jackson,	Slater,
Call,	George,	Lamar,	Vance,
Camden,	Gorman,	Maxey,	Williams.
Cockrell,	Groome,	Morgan,	
Coke,	Grover,	Pugh,	

NAYS—23.

Aldrich,	Conger,	Hoar,	Morrill,
Allison,	Dawes,	Lapham,	Platt,
Anthony,	Edmunds,	Logan,	Rollins,
Blair,	Harrison,	McDill,	Sawyer,
Cameron of Pa.,	Hawley,	Miller of Cal.,	Sherman.
Cameron of Wis.,	Hill,	Miller of N. Y.,	

ABSENT—31.

Bayard,	Frye,	Kellogg,	Saunders,
Brown,	Hale,	McMillan,	Sewell,
Butler,	Hampton,	McPherson,	Van Wyck,
Chilcott,	Ingalls,	Mahone,	Vest,
Davis of Ill.,	Johnston,	Mitchell,	Voorhees,
Davis of W. Va.,	Jonas,	Pendleton,	Walker,
Fair,	Jones of Florida,	Plumb,	Windom.
Ferry,	Jones of Nevada,	Saulsbury,	

So the amendment was rejected.

The item in lines 643 and 644 was read, as follows:

Boiler tubes, or flues, or stays of wrought-iron or steel, 3 cents per pound.

The item in lines 645 and 646 was read, as follows:

Other wrought-iron or steel tubes or pipes, 2½ cents per pound.

The item from line 647 to line 652, inclusive, was read, as follows:

Chain or chains of all kinds, made of iron or steel, not less than three-fourths of one inch in diameter, 2 cents per pound; less than three-fourths of one inch and not less than three-eighths of one inch in diameter, 2½ cents per pound; less than three-eighths of one inch in diameter, 3 cents per pound.

Mr. BECK. I desire to say a word in reference to that paragraph. As to all the paragraphs we have been considering since action was taken on cotton-ties, from line 614 of the bill down to line 646, there has been a general reduction varying from 10 or 15 to 20 or 25 per cent.

Mr. MORRILL. Will the Senator from Kentucky allow me to say a word?

Mr. BECK. Yes, sir.

Mr. MORRILL. If the Senator will move a reduction of one-quarter of a cent a pound on each of these rates I will not object.

Mr. BECK. I think that is substantially what I proposed to do. I started to say that upon all the various items we have been going over for the last hour in which there were reductions, the aggregate duty collected last year was only about $140,000. They are all little matters, which nobody cares anything about, and therefore there were reductions upon them all, on most of them the duties being prohibitory now, and on most of them they are prohibitory even at the little reduc-

tions proposed. That is the character of the reductions that have been obtained from the Tariff Commission, but when they come to trace chains, in which there is something of importance, then there is an increase.

Mr. MORRILL. No.

Mr. BECK. I beg pardon. I have looked into that, because whenever you find a change of classification, as there is here made without any cause and without any reason assigned for it, the Tariff Commission and the careful men who prepared this bill have always taken care to put in something that will put money into their pockets, and they have changed the character of trace-chains in the present law in a variety of ways.

The present law is:

Chains, trace-chains, and fence-chains made of wire or rods, not less than one-fourth of an inch in diameter, 2½ cents per pound; less than one-fourth of an inch in diameter and not under No. 9, wire gauge, 3 cents per pound; under No. 9 wire gauge, 35 per cent. ad valorem.

The bill before us following the report of the commission changes the classification to:

Chain or chains of all kinds, made of iron or steel, not less than three-fourths of one inch in diameter, 2 cents per pound; less than three-fourths of one inch and not less than three-eighths of one inch in diameter, 2½ cents per pound; less than three-eighths of one inch in diameter, 3 cents per pound.

On all that class of trace-chains made of wire or steel between three-eighths and one-fourth of an inch in diameter, which embraces nearly all the trace-chains and other chains that are needed, there is an increase over the present law, they being put here at 3 cents per pound. Under the present law the rate is 2½ down to 2½. Here is an addition of half a cent per pound; or an increase of 17 per cent. on all that class of chains which come in between three-eighths and two-eighths of an inch in diameter, and that one-eighth embraces many, indeed, I understand the majority of the chains that we bring in. The difference is between 2½ and 3 cents per pound on all of that class of chains. If I am correct in saying that it adds 17 per cent., it will bring up the rate collected from 57 to 74.7 per cent.

That was not done by accident; there was a design in it; and I want some member of the Finance Committee to tell why that change was made. It was made by the Tariff Commission to deceive the committee. I did not see it until I began to suspect everything they did when they made a change of classification, and on figuring out the difference between the three-eighths and one-fourth, where they increase the rate from 2½ to 3 cents, I saw that it was done for the purpose of deceiving the committee, deceiving Congress, and deceiving the country. I believe there never was a body of men who met together who more carefully concealed, more artfully concealed what they were doing than the Tariff Commission. When I began to read the letters of Mr. Porter, and to learn his history in various other transactions connected with the census and the sales of books and his present trip to Europe to prove that everybody is starving there, and when I began to read the letters published the other day my attention was called to him and to Mr. Kenner and others. And when I came to look at the bill and see the changes of classification with an increased duty upon all important articles that the country receives from abroad, and examined the pretended reduction that has been made, I was astonished. As I said, from the time we passed the cotton-ties item until we struck this item the duties are prohibitory. I believe the Senate would have been better off, and the masses would have been better off, and we would have passed a bill much more readily if we had been disembarrassed from this attempt at a tariff by the Tariff Commission. It is the trouble of undoing and setting aside false classifications that is giving us more difficulty now than we should have in dealing with a tariff as an original proposition.

If the Senator from Vermont will strike out the classification put in by this Tariff Commission in this item, unless he can give a good reason why there should be a change, and adopt the classification of the present law, and then make his proposed reduction, so that we shall understand what we are doing and what is the effect of our action, he will make a great improvement in the bill. I do not know the effect of this change of classification. I know it will increase by half a cent a pound, or from 17 to 20 per cent. ad valorem, under a pretense of a reduction, the duty upon the class of trace-chains and other things that are most used by the people of the country, and I do not propose if I can help it to allow that false classification to be made without explanation or report under a pretense of reduction, but a substantial increase. I hope some member of the committee will tell why this classification was changed.

Mr. MORRILL. Mr. President, I do not desire to take any time to explain anything, though I think the Senator from Kentucky is decidedly mistaken, for I am anxious to make some progress; but I do wish to make a proposition that I think he will accept, and that is to make the rate, in line 648, 1¾ cents; in line 650, 2 cents; and in line 652, 2½ cents per pound. That will most certainly be a substantial reduction of the present rate, and I hope that that will content the Senator from Kentucky and that he will forgive me if I forego answering his impeachment of the Tariff Commission on every occasion that he gets up.

Mr. BECK. The only reason I desire an answer in this regard is to see whether I am doing the Tariff Commission injustice. If they have any reason for making these changes and an increase of half a cent a pound or 20 per cent. upon items that the people want, while they were pretending to make a reduction of 20 per cent., I should like to hear it.

Mr. ALDRICH. If the Senator desires a statement, I think I can show him very readily that he is mistaken.

Mr. BECK. Am I mistaken in saying that there is an increase over the present rate in that class of chains between one-fourth and three-eighths of an inch in diameter?

Mr. ALDRICH. The Senator is not mistaken in that.

Mr. BECK. What was that for?

Mr. ALDRICH. But there is a very great reduction on every other grade.

Mr. BECK. But that is the large and important one; and why was that change made? That is what I desire to understand.

Mr. ALDRICH. That is only one-fourth of a cent a pound.

Mr. BECK. Why is that one-fourth of a cent added, or 20 per cent. more, the Tariff Commission giving us an increase while pretending to make reductions?

Mr. ALDRICH. I do not know what basis the Senator has for saying that the large importations are between one-fourth and three-eighths of an inch in diameter.

Mr. BECK. I have information from the public documents of the country and from men who profess to know, and I want to know now why the Tariff Commission made that change, in whose interest it was. In other words, if they made a change without cause and under a false pretense, then I say "false in one thing, false in all things." Nearly two millions of pounds are imported of these articles, 1,318,930, and how much comes under this class I do not know.

Mr. ALDRICH. The reduction on all the other grades is from a half to three-fourths of a cent a pound. That is the reduction on every grade except the one which the Senator names.

Mr. BECK. I deny it.

Mr. ALDRICH. And the difference in language was made, I suppose, because under the old law there were two kinds of classification, one alluding to the one-eighth of an inch, and the other to the wire gauge. The commission have made it uniform in the present bill instead of using the wire gauge in one part and the eighths of inches in the other part.

Mr. MORRILL. I will make the motion I suggested to the Senator from Kentucky: To insert 1¾ cents on line 648; on line 650, 2 cents; and on line 652, 2½ cents. I think that will content my friend from Kentucky.

Mr. BECK. The first proposition is 1¾, the next 2, and the next 2½ cents?

Mr. MORRILL. Yes, sir.

Mr. BECK. I think that is a sensible reduction.

Mr. COCKRELL. Now let the clause be reported as amended.

Mr. VANCE. Will not the Senator from Vermont make the last-mentioned class 2 cents per pound?

Mr. MORRILL. No, sir.

Mr. VANCE. That is the chain that holds the plow.

Mr. MORRILL. No.

Mr. VANCE. Which chain holds the plow?

Mr. MORRILL. A much larger one.

Mr. VANCE. The Senator from Vermont, I am afraid, has not seen many plows.

Mr. MORRILL. Yes, I have, and sold trace-chains and plows too.

Mr. VANCE. Less than three-eighths of an inch in diameter is the chain which pulls the plow, and is the chain in most common use in this country; and the reduction he proposes from the bill brings them back, as I understand, to the old rate.

Mr. MORRILL. Oh, no. As the proposition now stands in the bill it is lower than the old rate in the general class.

Mr. VANCE. Any one who will take the time to make the calculation (I can not make it hurriedly in this way) will see that the proposed reduction on the larger kind of chain is greater than the proposed reduction on the smaller ones used by the farmers.

Mr. MORRILL. No, I propose one-fourth of a cent reduction on the larger ones and half a cent on the smaller ones.

Mr. VANCE. The Senator will observe that owing to there being less labor in the manufacture of the large chains, or from some other cause with which I am not acquainted, the total percentage of duty on the large chains is very much greater than it is on the small ones, and still they are not upon an equality by the proposed reduction of the Senator from Vermont. I do not think that in the interest of agriculture and in the interest of the great majority, which we should consult, the latter enumeration, to wit, "all chains less than three-eighths of 1 inch in diameter," should be put at 2 cents a pound.

Mr. BECK. I desire to say to the Senator from North Carolina that while there is a reduction in the other, the proposition of the Senator from Vermont in regard to that one item, between three-eighths and one-fourth of an inch in diameter (under which, as I am advised, the largest number of chains do come in), only seeks to restore the present law, which is 2½ cents a pound upon all chains between three-eighths and one-fourth of an inch in diameter.

Mr. VANCE. That is precisely what I stated.

Mr. BECK. The amendment brings it down to the present law.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. MORRILL].

The amendment was agreed to.

Mr. VANCE. I ask whether, after the adoption of the amendment of the Senator from Vermont, to which I have no objection, as to the largest item, my motion would be in order to reduce the duty on the smaller size?

The PRESIDENT *pro tempore*. Not if the amendments were agreed to in a lump; but there can be a separate vote if any one calls for it, and the Chair will regard the question as open.

Mr. MORRILL. I hope the Senator from North Carolina will not higgle about it, for I have tried to meet him, as far as I could, at least half way. I trust the Senator will not insist on the further consideration of this item.

Mr. VANCE. Well, Mr. President, it is very hard to resist the appeal which the Senator from Vermont makes, and I will not make a further stand now, but reserve the motion to strike out "three" and insert "two cents" in the Senate.

The PRESIDENT *pro tempore*. "Three" has been stricken out.

The item in line 653 was read, as follows:

Cross cut saws, 8 cents per linear foot.

The item from line 654 to line 656, inclusive, was read, as follows:

Mill, pit, and drag saws, not over 9 inches wide, 10 cents per linear foot; over 9 inches wide, 15 cents per linear foot.

The item in line 657 was read, as follows:

Circular saws, 30 per cent. ad valorem.

Mr. VANCE. I rise to an inquiry for information. Why is the duty on circular saws about twice as great as it is upon cross-cut saws? One is about 15 per cent., as I make the calculation, and the other 30.

Mr. MORRILL. If the Senator had read the bill he would have seen that one is by the foot and the other ad valorem.

Mr. VANCE. I know; but when they are all reduced to ad valorem one is 30 and the other 15 per cent.

Mr. MORRILL. Circular saws are put in here because they were an unenumerated article before.

Mr. VANCE. Still that does not answer my question; but let it go.

Mr. BECK. This is one of the little matters where they made reductions. I have been expecting the Senator from Ohio to rise and explain and ask that this item be put on the free-list, because while he was Secretary of the Treasury he recommended that all the things which did not bring $10,000 or upward be made free, as there was so much difficulty and trouble in collecting the revenues. All these duties are prohibitory now, and the reduction proposed does not amount to anything.

The item in lines 658 and 659 was read, as follows:

Hand, back, and all other saws not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Mr. COKE. I move to strike out "40" and to insert "20;" so as to read "20 per cent. ad valorem."

I find that the present rate of duty is 40 per cent., and that $21.30 and $50.97 were collected in one year upon the importations of these saws, making about $72 collected. The duty appears to be prohibitory. I move that 40 per cent. be stricken out and 20 per cent. inserted, believing that it will produce greater revenue while cheapening the article to the consumer.

Mr. MORRILL. I trust that will not be done. The saws of this description made in this country are the most beautiful article made in the world. They are made by very ingenious mechanics, and the present duty upon them is only 43 per cent., and it has been reduced by this item to 40 per cent. There are some descriptions to which a lesser rate might possibly be made to apply. There are others that could not endure it. I trust, therefore, that the amendment of the Senator from Texas will not prevail.

Mr. VANCE. I support with great pleasure the amendment of the Senator from Texas. These saws that are used by hand are used by all the carpenters and almost every farmer in the country. I want to put in the testimony of Mr. James E. Emerson, a saw manufacturer in the United States, contained in an address which he made before the national tariff convention, in New York, in November, 1881, in which he makes use of the following language:

We have been able to enter the English market with our saws. The largest saw manufacturer in the United States to-day has a place of business in the city of London. We are exporting saws from the United States into Canada and into other colonies of Great Britain; and we have been enabled by the skill and genius of American mechanics to place upon the market an article with which we can compete with them right in their own market.

If that is so, why should a duty of 40 per cent. be placed upon the common handsaw in universal use throughout the country, a necessary appendage to every cottage and every farmstead in the United States?

Mr. MORRILL. That could be done only in this way: Where they import the plate-steel and manufacture the saws and get a drawback upon it. From articles exclusively made of our own product they might possibly be exported in some instances so as to compete; but I assure the Senator from North Carolina that there is not a mechanic in his State who would use a foreign-made saw in preference to an American saw.

Mr. VANCE. That may be. Then if the article made here is so much superior to the other, certainly the superior article does not need a high protective tariff to protect it against the inferior article in a land where people are outside of the lunatic asylum.

Mr. MORRILL. They have been cheapened more than 40 per cent. within the last twenty-five years.

Mr. VANCE. Does the Senator mean that the tariff has cheapened them?

Mr. MORRILL. I do mean to say that the protection afforded has given rise to their manufacture in various places, and especially in Philadelphia, where a very beautiful article is made to a large amount.

Mr. VANCE. They have been cheapened in England in precisely the same ratio that they have been here. Does the Senator contend that our tariff has cheapened the English article?

Mr. MORRILL. Of course we have to compete there, as we always do all over the world.

Mr. VANCE. That is the most wonderful thing that I have found yet; and I have heard of a Yankee who invented a scarecrow so frightful that it not only made the crows quit pulling up corn but made them bring back all that they had pulled up the spring before. [Laughter.] It seems to me if we can pass a tariff law here that will absolutely reduce everything in England, the higher we make it the better, and the sooner we get at it the better.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Texas [Mr. COKE], to reduce the rate from 40 per cent. ad valorem to 20 per cent. ad valorem.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired with the Senator from Wisconsin [Mr. CAMERON]. If he were here, I should vote "yea."

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were present, I should vote "yea."

Mr. PLUMB (when his name was called). On this question I am paired with the Senator from Missouri [Mr. VEST]. If he were present, I should vote "nay."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. BLAIR (after having voted in the negative). I am paired with the Senator from Georgia [Mr. BARROW]. I withdraw my vote.

The result was announced—yeas 21, nays 27; as follows:

YEAS—21.

Bayard,	Garland,	Jones of Florida,	Slater,
Beck,	Groome,	Lamar,	Vance,
Butler,	Grover,	Maxey,	Williams.
Cockrell,	Hampton,	Morgan,	
Coke,	Harris,	Pugh,	
Farley,	Jackson,	Ransom,	

NAYS—27.

Aldrich,	Dawes,	Ingalls,	Miller of N. Y.,
Allison,	Edmunds,	Kellogg,	Morrill,
Anthony,	Frye,	Lapham,	Platt,
Cameron of Pa.,	Harrison,	Logan,	Rollins,
Chilcott,	Hawley,	McDill,	Sawyer,
Conger,	Hill,	McMillan,	Van Wyck.
Davis of Ill.,	Hoar,	Miller of Cal.,	

ABSENT—28.

Barrow,	Fair,	Jones of Nevada,	Saunders,
Blair,	Ferry,	McPherson,	Sewell,
Brown,	George,	Mahone,	Sherman,
Call,	Gorman,	Mitchell,	Vest,
Camden,	Hale,	Pendleton,	Voorhees,
Cameron of Wis.,	Johnston,	Plumb,	Walker,
Davis of W. Va.,	Jonas,	Saulsbury,	Windom.

So the amendment was rejected.

The next paragraph, from line 660 to line 666, was read, as follows:

Files, file-blanks, rasps, and floats of all cuts and kinds, four inches in length and under, 35 cents per dozen; over four inches in length and under nine inches, 75 cents per dozen; nine inches in length and under fourteen inches, $1.50 per dozen; fourteen inches in length and over, $2.50 per dozen.

Mr. BECK. I only desire to say that that is a very important item, and one to which the committee has given much attention. I see the Senator from Rhode Island [Mr. ALDRICH] on his feet. I believe that he understands it; I confess that I do not.

Mr. ALDRICH. I will state the effect of the provision as compared with the present law, if the Senator desires.

Mr. BECK. I do.

Mr. ALDRICH. The duty by the present law on 18-inch files is $4.93, reduced by the present bill to $2.50; on 16-inch, from $3.63 to $2.50; on 12-inch, from $1.73 to $1.50; on 8-inch, from 83 cents to 75 cents. It is a reduction on all grades except the very finest and smallest files, and on them there is no reduction whatever.

Mr. VANCE. There is so much noise in the Chamber that I could not hear all that the Senator from Rhode Island said. I understood him to claim, however, that this is a reduction upon all the grades except one.

Mr. ALDRICH. Yes, sir.

Mr. VANCE. I have been furnished by the New York importers

with a statement of the importation of files, the present duty, the proposed duty upon them, and the price abroad, which I will ask to have the Secretary read, by which it will be shown that the duty is enormously increased upon all.

The PRESIDENT *pro tempore*. The Secretary will read the paper.

Mr. EDMUNDS. Is that a printed statement, Mr. President?

The PRESIDENT *pro tempore*. It is a printed statement.

Mr. EDMUNDS. Is it signed by somebody?

The PRESIDENT *pro tempore*. It is not.

Mr. EDMUNDS. Then it will be read as part of the Senator's speech. There will be no objection to that.

Mr. VANCE. As the reading of figures is tedious, if there is any objection to the reading I ask the privilege of the paper being printed as a portion of my remarks. It is a short statement.

Mr. ALDRICH. If permission is given to me to insert a statement by responsible parties who are willing to give their names I have no objection to that being done. I will say that the statements made in the paper which the Senator from North Carolina has sent to the desk are misleading. He says they are made by a New York importer. That they are erroneous is shown by the statement which I hold in my hand. I submit a statement of the Nicholson File Company, of Providence, Rhode Island, as follows:

TARIFF ON FILES.

Argument by Nicholson File Company.

PROVIDENCE, *December* 28, 1882.

First. Specific duty as distinct from ad valorem or compound is asked for by the commissioners as being desirable on files.

Second. Mr. L. McMullen, an examiner in the appraiser's department New York custom house, in his testimony before the commissioners (see page 434, Misc. Doc. 6, part 2, last two paragraphs) truly says, speaking of saws and files, that there are hardly any imported at this time on account of the progress that has been made in improving the quality and cheapening the production and suggests a specific duty of so much a pound.

Third. We admit that in view of the multiplicity of kinds and cuts which in themselves can be so subdivided as to increase their cost more than twofold, while in many cases to the casual observer the difference would hardly be discernible, that a specific duty would prevent the possibility of undervaluation.

Fourth. It should, however, be borne in mind that any specific duty of so much per dozen or per pound which will afford protection to the average-value file will afford little protection to the finer grades, while on the coarser grades the duty might be too large. The following figures will show the wide range of values, being based on the cost price in Liverpool, England:

Kinds, and degrees of coarseness.	4 inches long.	10 inches long.	16 inches long.
Flat, mill, half-round, square, round:			
If dead-smooth or fine-cut	$1 28	$3 57	$9 75
If bastard or coarse-cut	60	1 88	5 38
The difference in value is	68	1 69	4 37

Showing increased cost on account of fineness of cut and extra labor of 113 per cent., 90 per cent., and 81 per cent.; and these differences in the cost of the kinds named are not exceptional and would hold practically good throughout all the range of files manufactured.

Fifth. If, as suggested by Appraiser McMullen, the duty should be fixed at so much per pound, the varying weights would require several classifications, otherwise the 18-inch file of the coarser grades would be protected thirteen times as much as the 3-inch, and the finer grades of files will have but about half the protection of the coarser grades, as will be seen by the following table:

Kinds, and degrees of coarseness.	3-inch; ¼ lb. per dozen.	10-inch; 6 lbs. per dozen.	18-inch; 33 lbs. per dozen.
Flat, mill, half-round, square, round:			
If bastard or coarse-cut, cost in Liverpool	$0 60	$1 88	$7 50
Suppose a duty of 25 cents per pound, it would be	5	1 50	8 25

The equivalent ad valorem would be, 8⅓ per cent, 80 per cent., 110 per cent.

Or if applied to the finer cuts of dead-smooth would equal 4 per cent., 42 per cent., 60 per cent.

Thus showing that in fixing the duty on files at so much per dozen or per pound, unless it is fixed upon each inch, it must necessarily vary widely in the protective power, and even if so fixed, as was shown in illustration under paragraph 4, the sum total must apply to 60 cents; must also apply to $1.28.

Sixth. We have thus far referred to files known as Sheffield files, from whence, up to within comparatively few years, from 90 to 95 per cent. of all the files brought into this country have come. But under the protection of the Morrill tariff, which, during the eleven years, 1867 to 1877, inclusive, averaged about 51 per cent. on all classes of files, the range, however, being from 33 per cent. on the smaller sizes and finer grades to 78 per cent. on some of the larger sizes and coarser grades, the ingenuity and skill of our mechanics has been successfully devoted to the production of the larger sizes and coarser kinds, until at the present time, by the force of competition, American-made files are sold in this country, notwithstanding the high price of labor and cost of living, 20 per cent. lower than they were before the Morrill tariff went into effect, or, say, in 1859 or 1860.

Seventh. We have not the data at hand to state positively what proportion of the files that are brought into this country at the present time are of this coarser grade, Sheffield goods, but we assume, and venture the opinion, that not 20 per cent. of the entire importation of files during 1882 were of this class, and the balance of the importations, over 80 per cent., was made up of files manufactured by Peter Stubs, of Warrington, England, and F. L. Grobet and Vantier & Sons, both of Geneva, in Switzerland, and, further, that the great bulk of these files were eight inches and under in length, and of the finer cuts, such as are used by jewelers, dentists, watchmakers, silversmiths, and in the finer grades of tool work in machine shops, and upon which the minimum equivalent ad valorem rate of duty applies.

Eighth. Under the existing tariff the duty on files not over ten inches long is 10 cents per pound and 30 per cent. ad valorem; over ten inches long, is 6 cents per pound and 30 per cent. ad valorem; which, when applied to the class of files just referred to, offers little protection in the way of specific duty, as the weight per dozen is so small a factor, especially upon the small sizes, or five inches and under, which constitute the great bulk of this class of trade.

Ninth. The files made by Stubs, Grobet, and Vantier, it should be recollected, are not invoiced from what is known as the Sheffield list, but from very much higher lists, issued by each of the parties named; therefore any specific duty which may be fixed upon should be based upon these lists, and not upon the cheaper or Sheffield grades.

Tenth. The tariff on files as reported is as suggested to the Tariff Commission by a committee appointed especially for that purpose by the File Manufacturers' Association of the United States; and notwithstanding the opposition which is embodied in an unsigned circular dated "New York, December, 1882," and sent to the Finance Committee of the Senate, in which exorbitant duty is shown upon certain sizes and cheaper grades of files, the duty as recommended is not higher than it should be if applied to the kinds of files actually imported at the present time. Especially is this true of the smaller sizes, which it has been shown require a much higher specific duty owing to their largely increased cost at port of shipment.

Eleventh. To prepare ourselves to produce these small and finer grades of files, which have hitherto been and still are entirely imported, this company alone have already expended large sums of money, and are desirous of succeeding in supplying our American mechanics with American-made files of every grade and kind known at the present day, and the obstacle that we can not alone overcome is the lack of suitable protection upon files six inches and under in length as against the cheap, half-paid laborers of Europe, Switzerland in particular. The nature of this work is such that but comparatively little machinery can be safely applied, thus necessitating, if these goods are produced in this country, the employment of careful and skilled workmen to a much larger extent than in the ordinary or coarser grades of files.

Mr. BECK. But we must vote on the question. Why not state exactly what it is?

Mr. EDMUNDS. He did state before.

Mr. BECK. I confess that after working at this question of files for weeks, as the Senator knows, adopting first one view and then another, finally I did not know what to do and quit in absolute despair, never understanding it, and I do not understand it now.

Mr. ALDRICH. I have already stated the effect of the changes. I will restate it if the Senator desires, or I will make a more careful and elaborate statement and will point out the glaring errors and mistakes of the printed statement which the Senator from North Carolina has sent to the Secretary's desk.

Mr. BECK. I want to vote intelligently; that is all I care about.

Mr. VANCE. I want to say in answer to the Senator from Rhode Island that I have a letter at my room containing the names of the firm who sent me that statement, which I have not here. I will try to produce it. I think it is a reliable statement. At all events, I think it comes from a reliable firm. Of course I do not know whether the statement is correct or not.

The paper submitted by Mr. VANCE is as follows:

Table showing the ad valorem equivalent of the present mixed rate of duties on certain kinds of files, at their present wholesale market price in Sheffield, and the ad valorem equivalent of the proposed specific rate of duty on the same files at the same prices.

DUTIES ON ENGLISH FILES.

Description of files.	Present duty.		Proposed new duty.	
	Rate.	Equal to ad valorem on sterling value of.	Rate.	Equal to ad valorem on sterling value of.
		Per ct.		*Per ct.*
Taper saw files:				
3 inches	10c. per lb. and 30 per ct	36½	35c. per doz	71½
3½ inches	do	39½	do	71½
4 inches	do	42½	do	63½
4½ inches	do	46½	75c. per doz	123
5 inches	do	47½	do	112
5½ inches	do	51	do	95
Mill bastard:				
10 inches	10c. per lb. and 30 per ct	63½	$1.50 per doz	82½
14 inches	6c. per lb. and 30 per ct	54½	$2.50 per doz	68½
Flat bastard:				
4 inches	10c. per lb. and 30 per ct	34½	35c. per doz	59½
6 inches	do	51½	75c. per doz	88½
14 inches	6c. per lb. and 30 per ct	62½	$2.50 per doz	68½
Half-round bastard:				
6 inches	10c. per lb. and 30 per ct	51½	75c. per doz	88½
10 inches	do	71½	$1.50 per doz	82½
14 inches	6c. per lb. and 30 per ct	59½	$2.50 per doz	68½
Round bastard:				
6 inches	10c. per lb. and 30 per ct	39½	75c. per doz	88½
8 inches	do	40½	do	59
10 inches	do	43½	$1.50 per doz	82½
14 inches	6c. per lb. and 30 per ct	52½	$2.50 per doz	68½
Square bastard:				
6 inches	10c. per lb. and 30 per ct	40½	75c. per doz	88½
8 inches	do	43½	do	59
10 inches	do	56½	$1.50 per doz	82½
14 inches	6c. per lb. and 30 per ct	55½	$2.50 per doz	68½

Mr. ALDRICH. The statement submitted by the Senator from North Carolina is based on quoted prices abroad of the lowest grade and cost of files. If the better grade of "dead-smooth" had been taken, a difference in price would have been shown on 4-inch files of 113 per cent.; on 10-inch, of 90 per cent.; on 16-inch, of 81 per cent. The anonymous circular takes, I believe, the lower prices for the coarse cuts in every case, while the statement which I have made showing the effect of the proposed changes and showing a reduction of from 9 to 30 per cent. upon present rates is based upon the average cost of all cuts and sizes of the various kinds of files.

Mr. VANCE. Of course I am not competent to tell whether that statement is correct or not. I suppose that the prices-current quoted in the newspapers would correct any errors that might have been made in the statement that I might make or that the Senator might make; but I want to say that circumstances are against the statement that he puts in. The manner of enumerating and of classifying these files is entirely changed in the bill, and there is no reason assigned for it. Although the duty was specific before, it is now made specific by the dozen. I concur in what the Senator from Kentucky asserted a while since, that I have known nowhere any change from one duty to the other that did not have some object in it, and that object was connected with an increase of the duty.

I do not see any reason why the classification of these files should be changed, and the manner of levying the duty should be changed also, unless there is something to be gained by it. Formerly, the rate was 3 cents per pound and 30 per cent. ad valorem, and 6 cents per pound and 30 per cent. ad valorem, according to the classes. It seems now that the method of classification is changed to 75 cents, $1.50, and $2.50 per dozen.

Mr. ALDRICH. I will state very briefly the reasons for making this change. They are two: first, to simplify the classification and prevent fraud; and, second, to prevent a decrease in rates, which the manufacturers were unwilling to submit to on the smaller and finer classes of files, such as I hold in my hand, and which are used by jewelers, watchmakers, and dentists, and in which the proportion of the cost of labor is about 90 per cent. of the whole cost of the file. They are wonderful pieces of mechanism, creditable to American mechanics, and I would ask Senators to examine them. Files of this class are now made almost entirely in Switzerland and in England, by three manufacturers. Several manufacturing establishments in this country are, however, now preparing to make them. While they do not object to a reduction on all the larger sizes, they protest against a reduction upon the smaller and finer files to which I have alluded.

I will make one more statement. In 1861, when what is known as the Morrill tariff went into effect, 90 per cent. of all the files used in this country were made abroad. To-day 90 per cent. of the files used here are made in the United States; and notwithstanding the increased cost of labor over what it was at that time, files to-day are 20 per cent. cheaper than they were in 1861, which I think is a very creditable showing for the skill and the energy of American manufacturers.

Mr. VANCE. I should like to ask the Senator if the statement he submits is from the manufacturers of files in this country.

Mr. ALDRICH. It is from a responsible manufacturer whose name is signed to the paper which I present.

Mr. VANCE. The one is a statement by the importers of the goods, and the other a statement by the manufacturers. I leave it there.

Mr. BAYARD. I can not doubt that the schedule proposed by the change does work a very considerable advance in the duty upon files. The duty on machinery is 35 per cent. ad valorem; and where is the advantage that this most necessary tool in the making of all machinery shall have the benefit derived from a cheapened crude material taken away from it by fixing at a high rate the instrument by which machinery is chiefly made? It is as clear a tax upon labor as I think can well be imagined or stated. Despite all the advance in machinery the file is still the very basis of machine-making. You may adopt what materials you please, but in the end you must place your work under the file. Why is an implement, a tool necessary to unskilled labor and necessary to skilled labor? Why should the very creative force of American labor be subject to an increased tax? It certainly can not be contended that that is necessary. We have already by a proposed schedule to this tariff reduced the duty on the crude material of which files are made, and every day invention is making steel cheaper and cheaper. Why, then, should it be that this advance—for advance, I submit to my friend from Rhode Island, it undoubtedly is—in the tariff schedule, which the Senator from Kentucky says is almost always found to accompany a change in the phraseology and arrangement of the schedules, why should it be now insisted upon to destroy the very advantages that invention has brought about in the making of steel, and the improvements by which files are made and files are cleaned?

I know of one industry connected with this particular tool, the sand blast, which enables files to be restored to their original sharpness. I believe the machines are used at the Government machine-shops. Why, when this essential facility in our manufactures is progressing, should it be arrested by an increased tax? It is that idea that it seems to me has prevailed, so that just as fast as human ingenuity discovers labor-aiding and labor-saving methods, the benefit which was intended for mankind, in this country at least, is cut off by some tax law and by something which makes it more and more difficult for our people to get the benefit of the progress of modern invention. That seems to be the constantly recurring feature of the tax laws as proposed here. Why was it that this tariff schedule was so recast that you can scarcely recognize the subject by comparing the present law and the proposed law? I do not doubt that these figures are correct, that there is the advance as represented in the statement presented by the Senator from North Carolina, running from 34 to 123 per cent.

I trust there will not be an advance in this essential primary tool in the manufacture of machinery.

Mr. MORRILL. The Senator from Delaware is certainly mistaken in supposing that the rate proposed now increases the cost of files to the unskilled labor of the country or even to the carpenter, blacksmith, and joiner. The rates proposed to be substituted are lower for all of these articles, and are only increased on the very fine articles such as are used by dentists and jewelers. The present rate is 10 cents per pound and 30 per cent. ad valorem on all files not exceeding ten inches in length, and above that 6 cents per pound and 30 per cent. ad valorem. The rate proposed here is a very considerable reduction upon all the larger classes of files, and it only reaches these smaller and very fine articles that do not take a large amount of steel and it is simplified from the old tariff to a specific rate.

Mr. VANCE. There is no motion pending, I believe?

The PRESIDENT *pro tempore*. None.

Mr. VANCE. I move, then, to strike out that paragraph relating to files, from line 660 to line 666 inclusive, and insert the classification of the present law:

Files, file-blanks, rasps, and floats, not exceeding ten inches in length, 40 per cent. ad valorem; exceeding ten inches in length, 35 per cent. ad valorem.

That will very nearly conform to the present law with a very slight reduction.

Mr. ALDRICH. I hope that will not be done. I think the Senator from Delaware could not have heard my denial, which I meant to make as emphatic as language could make it, that this is an increase over the present rates. I say that it is a decrease on the large sizes of 30 per cent., on the medium sizes of about 13 per cent., and on some of the smaller sizes of about 9 per cent. The only place where the present rate is retained is on the very small and very fine files to which I have called the attention of the Senate.

If the amendment of the Senator from North Carolina should prevail it would stop immediately the manufacture of these fine files in the United States and transfer their manufacture back to Switzerland and England. They are not used by the masses of the people at all. No man in the State of North Carolina, unless it be a dentist or a watchmaker, is interested to the extent of one-tenth of a cent in the question whether the duty on these files is 40 or 50 per cent.; whether it remains as it is now or is reduced. If the Senator desires to strike down an industry which has just commenced in this country his amendment ought to prevail, otherwise it ought not.

Mr. VANCE. I do not know why the Senator undertook to say so knowingly that such and such articles are not used in North Carolina. Perhaps they are, and perhaps they are not. That is not the question; but there is one thing very certain: they are not made there. I have no doubt in the world of that. I should like to ask the Senator how many factories in the United States are engaged in the manufacture of these small files?

Mr. ALDRICH. But very few.

Mr. VANCE. How many?

Mr. ALDRICH. Probably ten or twelve.

Mr. VANCE. Where are they located?

Mr. ALDRICH. In various States in the East.

Mr. VANCE. Are there any in the Senator's own State?

Mr. ALDRICH. Yes, sir; two I think.

Mr. VANCE. How many?

Mr. ALDRICH. Two, and others in New Jersey and in Massachusetts—and I think in other manufacturing States.

Mr. VANCE. On what authority does the Senator undertake to say that my constituents do not use them?

Mr. ALDRICH. I said no one outside of a few dentists and watchmakers, for no one else, except jewelers, silversmiths, and makers of fine tools uses these files in any State.

Mr. VANCE. And the Senator is sure that the factories would die immediately if the duty was placed as I propose?

Mr. ALDRICH. The factories would not die, but as the manufacture of these files requires 90 per cent. of labor the workmen would die, or else they would stop the manufacture in his country.

Mr. VANCE. Well, Mr. President, I do not like to be the cause of anybody's death, but I insist upon my amendment. I disavow any malice, and therefore I shall not be guilty of murder.

Mr. DAVIS, of West Virginia. I understand from the Senator from Rhode Island that the present bill reduces as a whole the duty upon files.

Mr. ALDRICH. I do say that most emphatically.

Mr. DAVIS, of West Virginia. All those used in the common establishments and about the saw-mills?

Mr. ALDRICH. Yes, sir.

Mr. DAVIS, of West Virginia. And on those things the country is generally interested in, files used in blacksmith's shops, &c., it is a reduction?

Mr. ALDRICH. I do say so.

Mr. DAVIS, of West Virginia. I think the amendment of the Senator from North Carolina on that class of files will increase the duty. I hope he will confine his amendment to the small files, for it is very important, as every blacksmith's shop in his State as well as mine uses the large files. His amendment increases the duty on those.

Mr. VANCE. What is the present duty on the large, coarser files? I see the average duty is put down by the accountant of the Treasury Department at 44.83 per cent.

Mr. ALDRICH. The duty on 19-inch files at present is $4.93 a dozen. This reduces it to $2.50 a dozen, a reduction of nearly 50 per cent.

Mr. SLATER. Statement No. 26 from the Treasury Department, "Home Consumption and Imposts, Imported Merchandise entered for Consumption in the United States," puts the largest files coming in last year now spoken of at 40.13 and all files at 57.65 per cent. on the average.

Mr. ALDRICH. This reduces it on the very largest size about 30 per cent. from that rate.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE called for the yeas and nays, and they were ordered.

Mr. BAYARD. Mr. L. McMullen, examiner in the appraisers' department of the custom-house at New York, was examined last August before the Tariff Commission at Long Branch. He states:

The American files can be produced much cheaper than the European manufacturers can export them, because we have in this country many new machines for cutting the files which has greatly lessened the cost of production.

This being the case, it seems to me that all anxiety in regard to protection might well cease, and certainly there is no necessity for an advance of duty; but I do not know whether the proposition of the Senator from North Carolina is to advance the duty upon this article or not. I find in the table for the year ending June 30, 1882, that the duties received upon one class of files was $51,295.66 and on another $27,026.79, making in all less than $80,000 for an article probably as universally used as any other article that can be named, used in every blacksmith's shop in the country, used in every farm-house, and yet we receive less than $80,000 of duty upon it. I can not think it is a matter of great importance that the duty should be increased, because the more it is increased the less the revenue.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BECK (when his name was called). I am paired with the Senator from Maine [Mr. HALE]. Not seeing him in his seat, I do not vote.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM], but on this question I think he would vote as I do, and I vote "nay."

Mr. McMILLAN. I can assure the Senator he would.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND], unless my vote shall be necessary to make a quorum. I do not know how he would vote, but I should vote "nay."

Mr. JONAS (when his name was called). I am paired on this question with the Senator from New Jersey [Mr. MCPHERSON].

Mr. MILLER, of California (when his name was called). I am paired with my colleague [Mr. FARLEY].

The result was announced—yeas 19, nays 30; as follows:

YEAS—19.

Barrow,	George,	Lamar,	Slater,
Butler,	Grover,	Maxey,	Vance,
Call,	Harris,	Morgan,	Walker,
Camden,	Jackson,	Pugh,	Williams.
Coke,	Jones of Florida,	Ransom,	

NAYS—30.

Aldrich,	Davis of Ill.,	Hoar,	Morrill,
Allison,	Davis of W. Va.,	Ingalls,	Platt,
Anthony,	Dawes,	Kellogg,	Rollins,
Blair,	Frye,	Lapham,	Sawyer,
Cameron of Pa.,	Gorman,	Logan,	Sherman,
Cameron of Wis.,	Harrison,	McDill,	Van Wyck.
Chilcott,	Hawley,	McMillan,	
Conger,	Hill,	Miller of N. Y.,	

ABSENT—27.

Bayard,	Ferry,	Jones of Nevada,	Saulsbury,
Beck,	Garland,	McPherson,	Saunders,
Brown,	Groome,	Mahone,	Sewell,
Cockrell,	Hale,	Miller of Cal.,	Vest,
Edmunds,	Hampton,	Mitchell,	Voorhees,
Fair,	Johnston,	Pendleton,	Windom.
Farley,	Jonas,	Plumb,	

So the amendment was rejected.

The item from line 667 to 682, inclusive, was read, as follows:

Crucible cast-steel ingots, cogged ingots, blooms, and slabs, die-blocks or blanks; billets and bars and tapered or beveled bars; bands, strips, and sheets of all gauges and widths; plates of all thicknesses and widths; steamer, crank, and other shafts; wrist or crank pins; connecting rods and piston rods; pressed, sheared, or stamped shapes, or blanks of sheet or plate steel, or combination of steel and iron, punched or not punched; hammer-molds or swaged steel; gun-molds, not in bars; alloys used as substitutes for steel tools; all descriptions and shapes of dry sand, loam, or iron molded steel castings, all of the above being crucible cast-steel, valued at 5 cents per pound or less, 1½ cents per pound; valued above 5 cents and not above 9 cents per pound, 2 cents per pound; valued at above 9 cents per pound, 2½ cents per pound.

Mr. BECK. The proviso which follows this clause I think is in some regards a pretty troublesome one, and I desire to say a word before we come to it. While I am not sure that the committee have not at least arranged these different things as low, perhaps, as can very well be asked, this was a part of the bill as originally prepared by the commission that seemed to me to have more vice in it than any other part of the bill. Here is a long array of language that we have preserved that is not in the present law, and it may contain a great many things that I do not know the meaning of. But as this provision first came from the commission they proposed an increase on the most valuable articles contained in the clause of thirty-odd per cent. over existing law, and changed their classification, as they had done in many other cases, in such form as to make it almost impossible to ascertain what they had really done.

In that long description of articles now there is something that I have not been able yet to ascertain the meaning of. But a statement was made up, I believe, at the custom-house in New York—at least I received it from an official in New York—in these words relative to the matter we are now considering:

Statement showing the actual percentage of quantities on specified values of imported cast-steel, from which it will be seen that the bulk is of the value of 5 to 7 and 9 to 11 cents per pound:

Under 2½ cents per pound, *nil*; 2½ to 5 cents per pound, 1½ per cent.; 5 to 7 cents per pound, 19½ per cent.

Of that valued from 5 to 7 cents per pound, 19½ per cent. of the importations consists, and there is an increase from 7 to 9 of 3½ per cent., and from 9 to 11 the increase is half a cent a pound, and under that class 67½ per cent. of all that was imported was received. There is an increase of from 59 to 81 per cent. That is the way we received the bill from the Tariff Commission, without explanation, without suggestion as to the necessity for it, and decreasing nothing that was imported, increasing from 59 or 60 per cent. to 80 per cent. where we receive the large bulk of all our imports, and all done by a skillful change of classification. The committee, however——

Mr. VANCE. If the Senator will permit me to say so, that shows that the men who formed this bill were great on the mint, anise, and cummin, but by no means did they neglect the weightier matters of the law.

Mr. BECK. They did not neglect the weighty matters of finance when money was going into their own pockets, but they neglected the weighty matters when relief to the people was concerned. The committee, however, have reduced the rates below the Tariff Commission bill and the present law so as to make the duty on steel valued at less than 5 cents 1½ cents a pound; from 5 to 9, 2 cents, and from 9 up, 2½ cents, all of which being substantial reductions, I care nothing to say any more about what the commission have done; but from this time on, as soon as somebody defends their action on the rates they sought to place on crucible steel, I will assume that what I have stated about the commission endeavoring to increase duties without right and making calculations to put money in the pockets of the person affected is true, I ask any member of the committee or member of Congress to tell me why the commission increased the present duty on crucible steel worth from 9 to 11 cents a pound half a cent a pound, or $11.20 a ton, an item from which we receive over 60 per cent. of the receipts, while they reduced the duties on the little matters from which, as the returns of the custom-house show, we were receiving nothing, unless it was a trick. I shall not repeat my opinion of the commission any more unless somebody defends them.

Mr. MORRILL. Mr. President, I am glad to have the Senator from Kentucky admit that we have gone as low as we possibly can on this schedule. We have not only reduced it from the present rate but we have made a very severe reduction from the rates proposed by the Tariff Commission on all classes beginning with the first and going through; but I ask to make some verbal amendments that I think the Senator from Kentucky understands and will not object to.

After the word "bands," in line 669, I move to insert "hoops;" and between "gun" and "molds," in line 675, I move to insert "barrels;" so as to read "gun-barrel molds."

The amendments were agreed to.

The proviso from line 683 to line 689, inclusive, was read, as follows:

Provided, That on all iron or steel bars, rods, strips, or sheets, of whatever shape, and on all iron or steel of irregular shape or section, cold-rolled, cold-hammered, or polished in any way in addition to the ordinary process of hot-rolling or hammering, and on steel circular saw plates, there shall be paid one-half cent per pound in addition to the rates provided in this act.

Mr. MORRILL. In order to correct this I move to insert "steel," in line 684, before "sheets."

Mr. ALDRICH. I suggest there should be a transfer.

Mr. MORRILL. That would be better, and I ask to have "steel sheets, of whatever shape," transferred, so as to have it read:

That on all iron or steel bars, rods, strips, of whatever shape, or steel sheets.

The PRESIDENT *pro tempore*. Transposing those words?

Mr. MORRILL. Yes, sir.

Mr. BAYARD. I supposed the intention of the honorable Senator was to relieve the bill of the obvious error pointed out by Mr. Oliver.

Mr. MORRILL. Yes, sir.

Mr. BAYARD. It has been suggested to me that the proper way to do that is to insert the word "steel" before the word "sheets" on line 684.

Mr. MORRILL. I moved that in the first instance.

Mr. BAYARD. Unless this is emphasized the result will be to add whatever is the addition here to the duty on sheet-iron.

Mr. MORRILL. No; I only want to get in "steel."

Mr. BAYARD. What is the meaning of the word "strips" in the six hundred and eighty-third line? It is a new classification.

Mr. MORRILL. It is steel strips or steel rods.

Mr. BAYARD. It is a new phrase applied to a tariff law, I believe.

Mr. ALLISON. I think it is safer to adopt the suggestion of Mr. Oliver, which was to put the word "steel" in line 684 before the word "sheets."

Mr. MORRILL. I will take the amendment as I first proposed it. I have no objection to that if the Senator from Delaware and the Senator from Iowa prefer it. I have no choice whatever.

Mr. ALLISON. Should not the word "bars" be inserted in line 684 after "steel," so as to read "on all iron or steel bars of irregular shape."

Mr. ALDRICH. It might not be a bar.

Mr. ALLISON. What would it be?

Mr. ALDRICH. A mass of iron of irregular shape.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont, to put the word "steel" before "sheets" at the commencement of line 684. Is there objection? The Chair hears none, and that amendment is made.

Mr. BAYARD. And the word "bars" after the word "steel," at the end of that line. A bar, of course, is a well-known description. The line reads thus now:

Provided, That on all iron or steel bars, rods, strips, or steel sheets of whatever shape, and on all iron or steel of irregular shape or section, &c.

So that the word "bars" should be inserted after the word "steel" at the end of line 684.

The PRESIDENT *pro tempore*. Does the Senator from Delaware make any motion?

Mr. BAYARD. I move to insert the word "bars" after "steel," at the end of line 684.

The PRESIDENT *pro tempore*. Is there objection to that amendment? The Chair hears none, and it is made.

Mr. BECK. I move to strike out "one-half" and insert "one-fourth" in line 688, so as to read "and on steel circular-saw plate there shall be paid one-fourth of a cent per pound in addition to the rates provided in this act."

Mr. SHERMAN. In my judgment one-fourth would be enough to answer the purpose, because that makes an additional duty on all of over $5 per ton.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kentucky [Mr. BECK].

The amendment was agreed to.

The item from line 690 to line 694, inclusive, was read, as follows:

Iron or steel beams, girders, joists, angles, channels, car-truck channels, tees, columns and posts, or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, 1 and one-fourth of 1 cent per pound.

The item from line 695 to line 700, inclusive, was read, as follows:

Steel wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, and other railway tires, or parts thereof, wholly or partly manufactured, or iron or steel ingots, cogged ingots, blooms or blanks for the same, without regard to the degree of manufacture, 2½ cents per pound.

Mr. BAYARD. A tax is here put on blooms of iron or steel, ingots, and cogged ingots. The blooms have been subject to taxation before, I think up to 45 per cent. It strikes me that this is a very great advance; 2½ cents per pound is equal to about $50 a ton. The former part of the law first imposes a tax on the bloom and it is subjected to a different tax from what is proposed in the present law. Now, whether you import blooms for the purpose of rolling locomotive tires from them or whether you import them for the purpose of rolling steel-wire bars, why impose a double duty?

I move on line 698 to strike out the words "blooms or blanks for the same."

Mr. PLATT. I suppose "blanks" means a piece of iron cut to shape for a wheel. Let me inquire whether the Senator desires to strike out the word "blanks?"

Mr. BAYARD. If the Senator will turn to page 28, line 521, he will see that steel ingots, cogged ingots, blooms, and slabs made by the pneumatic process are taxed, I think, six-tenths of 1 cent per pound, and by line 698 the same article is taxed 2½ cents per pound. I think that is in conflict and obscure. As I understand, the steel bloom is that progress in manufacture from which the locomotive tires are rolled, and from which the steel rods are beaten from which the wire that goes into fencing is drawn. The articles are substantially the same; they may not be technically the same, but they are steel blooms; and why should they be taxed in one part of the law 2½ cents per pound, and in the other at six-tenths of 1 cent a pound?

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware [Mr. BAYARD].

Mr. MORRILL. I ask for a division. I have no objection to striking out "blooms," as I understand it now, but I would have to striking out "blanks." I think the Senator will accomplish all he desires by striking out "blooms."

Mr. BAYARD. Then let "blanks" stand, and I move to strike out "blooms" only.

Mr. ALDRICH. I think the word "or" in line 698 should be changed to "and."

Mr. BAYARD. I will include that in the amendment.

Mr. MORRILL. Then under that suggestion the Senator from Delaware would allow "blanks" to remain. It is the word "or" between "blooms" and "blanks" that the Senator from Rhode Island desires to have striken out, and the word "and" inserted in lieu of it.

The PRESIDENT *pro tempore*. The Senator from Delaware moves to strike out the word "blooms" from line 698.

Mr. MORRILL. I ask the Senator from Delaware if he accepts the suggestion of the Senator from Rhode Island that this shall read "blooms and blanks?"

Mr. BAYARD. I do not know that I apprehend as clearly as I ought this clause, but I wish to submit to the good sense of the Senate whether you are not under this law imposing different duties on the same article in different sections of the law. Turn to line 521 of the bill, and from that to line 698, and you will find there much the same description of steel——

Mr. MORRILL. If the Senator desires, I shall be quite willing to strike out "blooms" and let it go.

Mr. BAYARD. Do you not think you should strike out "cogged ingots, blooms?" I extend my motion to strike out to include "cogged ingots" in the matter to be stricken out. I move to strike out "cogged ingots, blooms," and that the word "or," after "blooms," in the same line, be stricken out and the word "and" inserted.

Mr. ALLISON. It seems to me that the steel ingots, cogged ingots, and blooms are all on a par here.

Mr. MORRILL. They are all for this purpose.

Mr. ALLISON. I know they are all for this purpose, and under the phraseology inserted here by the Senator from Rhode Island or on his motion, if they are of high value, they come in any way under the first provision. So if you strike out "cogged ingots" you want also to strike out "ingots."

Mr. MORRILL. These articles are intended for the purpose of manufacturing steel wheels for railways. I do not see that there can be any confusion about it if it remains as now provided. Still if the Senator from Delaware thinks that "blooms" ought to be stricken out, I shall not object to that, but I object to going further.

The PRESIDENT *pro tempore*. Does the Senator from Delaware desire to strike out any words after the word "blooms?"

Mr. BAYARD. I think that the nomenclature of these two provisions of the law is almost identical and that there will be confusion almost certainly unless there is an amendment. It strikes me as a very important matter. Line 521 provides for "steel ingots, cogged ingots, blooms, and slabs," and this item is in relation to "iron or steel ingots, cogged ingots, blooms, or blanks." We remember what is known as the McKinley amendment to put steel blooms on the same rate as steel of a high class, whereas the decision of the Supreme Court was that it came in at 35 per cent. ad valorem. The manufacturers of locomotive tires, the manufacturers of steel wire, were the men who chiefly objected to it, and their objections were so strong that the amendment was withdrawn. Now, is not the effect of this to put that right back and to subject these articles to a duty higher than is provided in another section on the same articles?

Mr. DAWES. It seems to me that it will not do to put "blooms and blanks" in here, for this reason: a bloom is an imperfect quality of the article not yet perfected; a blank is a more perfected quality, but an imperfect shape; and therefore blooms and blanks, it seems to me, would not go together.

Mr. BAYARD. No, but I would put the word "and" in and leave the word "blanks" remain. My suggestion is that the words "steel ingots, cogged ingots, blooms," be stricken out.

Mr. MORRILL. I suggest to the Senator to strike out all after the word "manufactured," in line 697, to and including line 700. I see no objection to striking out the whole of it.

Mr. BAYARD. If the Senator will make that motion, I will withdraw mine.

Mr. MORRILL. I then move to strike out beginning with the word "or," in line 698, down to the word "manufactured," in line 700. The words are:

Or iron or steel ingots, cogged ingots, blooms, or blanks for the same, without regard to the degree of manufacture.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont [Mr. MORRILL].

The amendment was agreed to.

Lines 701, 702, and 703 were read as follows:

Iron or steel rivet, screw, nail, fence, and wire rods, round or flat, with longitudinal ribs, in coils and loops, not lighter than No. 5 wire gauge, 1 cent per pound.

Mr. PLUMB. I move, in line 703, to strike out "1 cent" and insert "one-half cent" per pound, restoring substantially the present duty upon that article.

Mr. SHERMAN. There is no part of this tariff that received a more careful, patient attention and consideration in the Committee on Finance than this question of the duty on steel rods and steel wires. That grew out of the fact that under existing law, as steel rods were not named specifically, they were classified as unenumerated articles at a duty of 30 per cent. ad valorem. Thirty per cent. ad valorem, as the Senator from Kansas says, would amount to a little more than half a cent a pound; but that was inordinately low, owing to the fact that it was not classified in the old tariff but was brought in by the decisions of the courts as an unenumerated article of steel manufacture at the rate of 30 per cent. ad valorem. Then the duties on steel wire made in this country out of these steel rods were advanced to 1½ or 2 or 3 cents a pound. This was a great incongruity that was corrected by increasing the duty on steel rods and reducing the duty on steel wire. That is clearly right, and I believe the manufacturers themselves who import all these steel rods will not object to it. Steel rods are made into wire, but they are not useful in the form in which they are imported; they are the raw articles used by wire mills to make wire.

The rate of duty on the steel wire was abnormally high and that on steel rods was abnormally low, and the committee have made a fair and just proportion between these two items and I think it ought to stand. We desire as a matter of course, in the country in which I live as well as the country in which the Senator from Kansas lives, to have the steel wire as low as possible, as it is fixed now at a little lower rate than on any other form of steel of that character. I hope the Senator, unless he has examined this subject with all the care that the rest of us have, will leave this classification stand. It will then stand under the law, and it will not increase the price of wire at all, but it will stand at 1 cent on steel rods, 1½ cents on steel wire, and from that by graduations according to its fineness up to 2 or 2½ cents a pound.

Mr. BECK. Am I correct in supposing that the gauge of wire used for barbed-wire fences is 7, 8, and 9, between 5 and 10, smaller than No. 5?

Mr. SHERMAN. Larger than No. 5 is the steel rod.

Mr. BECK. No. 5 is larger than any of the wire used for wire fences.

Mr. SHERMAN. Yes; iron and steel wire would come in at 1½ cents a pound.

Mr. BECK. Between 5 and 10 is the principal importation.

Mr. SHERMAN. I think so, but I am not sure about it. At any rate the utmost care was taken to make this classification right, and the result is that the duty on iron and steel wire is somewhat reduced, while the duty on the rods is made to conform to the general duties on other steel and iron rods or bars. It is indeed less on this form than almost any other; but whatever is done the classification ought to be preserved. The Committee on Finance, after looking at this matter, agreed on the subject. I think the Senator from Kentucky and all the committee who examined it felt that we had reached the exact and just classification between the steel rod and the steel wire, reducing the steel-wire duty considerably and advancing somewhat the duty on the steel rod from which wire is made.

Mr. PLUMB. If the last statement of the Senator from Ohio is correct, it happens that instead of doubling the duty upon the article of wire used for the manufacture of wire fence, it has been multiplied by three.

Mr. SHERMAN. Steel rod is not used for wire fences.

Mr. PLUMB. If the wire used for fencing is not that specified from line 701 to line 703, it is that specified in line 710 and 711 and the following lines.

Mr. SHERMAN. That is right.

Mr. PLUMB. And that is 1½ cents a pound as against the half-cent a pound now; so that the committee propose to multiply the duties three times on the wire used in fencing.

Mr. SHERMAN. The Senator is mistaken in regard to the present duty. The present duty is not less than 2 cents—I think 2½ cents.

Mr. ALLISON. On wire fence?

Mr. SHERMAN. On wire fence.

Mr. ALLISON. The wire used for the wire fence is No. 12 or No. 13 wire gauge, none lower; so that all the wire that comes in will come in under the classification on page 36:

Smaller than No. 10 and not smaller than No. 16 wire gauge, 2 cents per pound.

Mr. SHERMAN. No. 9 is the kind, I think.

Mr. ALLISON. No, sir; I happen to know that the gauge in reference to wire fence is from No. 12 to No. 13 chiefly, none of it larger than No. 10. So the duty on fence-wire has been reduced from 2¾ cents to 2 cents per pound. I desire to say to the Senator from Kansas that as I understand this question the wire fence, so called, is wire No. 12 and No. 13 chiefly. It may be that some wire No. 11 may be used, but none higher than No. 10. Now, these wire rods are imported at a rate of duty of 30 per cent. ad valorem, and are drawn in this country into wire to the extent of 150,000 or nearly 200,000 tons.

I hold in my hand a letter received from one of the wire manufacturers, in which he states that 150,000 tons of these steel-wire rods are now used in the United States, and that there are but four mills in the United States that can draw them, and that it would take two years to equip mills having the necessary capacity in this country to manufacture these wire rods; and he protests, as a manufacturer of wire, against the increase of the duty.

Mr. PLUMB. Now, Mr. President——

Mr. BECK. Allow me to make a suggestion to the Senator from Iowa, to simplify this matter. You will observe that we have increased the classification of this wire in the present bill, and the Tariff Commission's report also increased it from 5 to 10 and then from 10 to 16 and then from 16 to 26. By looking at the comparative table on page 20 Senators will observe that the only classification in the present law is:

Steel wire less than one-fourth of an inch in diameter.

That is No. 5.

And not less than No. 16 wire gauge.

Another classification. We have gone here from 5 to 10, from 10 to 16, and from 16 to 26, and 26 and upward, adding to the tax every time. Why not, to avoid all question about the value of the wire gauge, make one classification of it from one-fourth of an inch or No. 5 up to 16, and from 16 upward, and fix whatever rate you like and stand by the present classification that is well understood instead of doubling up the classification as now proposed? That is the suggestion I would make.

Mr. PLUMB. The rods mentioned in the lines under consideration are spoken of as fence rods. They are the material out of which, at all events, the smaller rods are made. And it is just as important that the duty on this character of rods should be put at the proper price with reference to the effect upon the wire fence as that any other portion should.

In addition to that the Senator from Iowa is mistaken in saying that only wire from No. 10 to 20 is used for fencing. The later and better idea in regard to the character of wire for fencing is that it is to consist of a single rod and not of a double rod; and the best fence made to-day, according to my belief, consists of a single rod; I can not say what is its number, but I believe it to be better than that composed of two of the smallest wires. Therefore, the Senator from Iowa is certainly mistaken in a degree in saying that only the smaller numbers are used for fencing.

Now, what I want is that all of this classification, from line 701 down to line 716, shall be so adjusted as not to increase the present price of wire fencing, if it can not be, as it probably can not be reduced. But certainly it is not fair in making up this tariff to arbitrarily increase the cost of this very important article of consumption. It will be enough, certainly, if it is allowed to remain where it is now. Business has been adjusted to it; large interests are dependent upon it; and it certainly would be an unjust imposition upon those who are compelled to use this ordinary fencing that the duty should in any way be increased.

I therefore think that, with reference to the subject-matter which I had in mind, the duty of 1 cent a pound in line 703 should be reduced, and I will move to make corresponding reductions in the remaining classifications as they are reached.

Mr. DAWES. I should like to make an inquiry in reference to wire rods. If I understand it aright from the examination I have been able to give this paragraph, compared with the present law, there is a less proportionate reduction upon iron rod than there is upon the manufactured article which follows, the wire fence. There is a less reduction upon wire rods than there is upon the article which follows. Am I right?

Mr. MORRILL. I call the Senator's attention to the fact that we made a reduction from what was reported from 1½ cents down to 1.1.

Mr. DAWES. As I find it here and as I am comparing it, I should like to know what is the relative duty upon wire rods?

Mr. MORRILL. On page 29 we reduced it to 1.1 cents per pound.

Mr. EDMUNDS. We are on page 35 now.

Mr. MORRILL. But there are reductions on page 29.

Mr. DAWES. On this very article? These rods are increased from the existing law, are they not?

Mr. MORRILL. No.

Mr. PLATT. Will the Senator from Massachusetts permit me to interrupt him?

Mr. DAWES. I am after information about the subject.

Mr. PLATT. I understand—the Finance Committee will know whether I am right or not—that the wire of which the fence is made is classified in the old tariff at not less than No. 16 wire gauge, which was 2½ cents per pound and 20 per cent. ad valorem, which would be equivalent to about 3.1 cents per pound.

Mr. DAWES. I think the Senator must be mistaken; I think this is raised from about $12.50 per ton to $22.

Mr. PLATT. I am speaking of the wire.

Mr. DAWES. I am speaking of the rods.

Mr. PLATT. The rods come in at 30 per cent. ad valorem, which is equivalent to about one-half cent per pound now.

Mr. DAWES. Under the existing law or under this bill?

Mr. PLATT. They are raised to 1 cent per pound by the bill.

Mr. DAWES. Why do the committee put up the raw material and strike down the manufactured article?

Mr. SHERMAN. I will again answer the Senator that the steel rod was not mentioned at all in the old tariff, and therefore when it came to be introduced for the purpose of making wire from it the duty was contested in the courts, and the courts decided that it was not embraced in any of the specified duties fixed by the law, and it came in as an unenumerated article at the rate of 30 per cent. ad valorem, which was abnormally low, amounting to about five-eighths of a cent a pound, while on wire drawn from those rods there was a duty imposed of 2½ cents a pound and 20 per cent. ad valorem, if I remember aright. Steel wire under the old law was 2½ cents a pound and 20 per cent. ad valorem. After the fullest and most careful examination of the testimony before the commission and of the members of the commission and persons interested, it was deemed proper and right, in order to make a just and fair relation between the duty on the rod and the wire, to raise the duty on the rod from 30 per cent. ad valorem to 1 cent a pound and to reduce the duty on the wire to 1¼ and 2 cents a pound. So the result is to cheapen the wire, and it gives the manufacturer ample verge and protection for converting the steel rod into wire, a very simple process. So far as I know, all parties became satisfied and saw that that was just. We therefore raised an unnaturally low rate on rods to a rate probably equivalent to about 45 per cent. ad valorem, and we reduced the rate on wire somewhat corresponding to that ad volorem rate. This was done after consideration.

Mr. DAWES. What is the rate now?

Mr. SHERMAN. The duty on iron wire ranges from 1½ to 2¼ cents a pound, and on the rods from which it is made it is 1 cent a pound.

Mr. ALLISON. They do not import the wire, they only import the rod. The wire is drawn here.

Mr. SHERMAN. They have ample room and verge for reasonable protection.

Mr. VAN WYCK. It does not appear necessary in the discussion of the amendment of the Senator from Kansas to anticipate and to discuss in connection therewith the matter of the duty on wire. That is not at all necessary now. There is nothing by comparison, as I understand, in this matter. It will not do for gentlemen to say the duty is so much on the rod and so much on the wire, and then draw a comparison to know where we stand on this matter. I understand this proposition to be perfectly plain and simple; it is a proposition to increase the duty nearly double on rods, as has been stated. When only two or three weeks ago I took occasion, in discussing another matter, to state incidentally in making some criticisms upon the work of the commission and the Finance Committee that they had increased the rate of duty upon rods from which barbed wire is made, my friend from Massachusetts, the senior Senator, said that that could not be so. He insisted upon it that that was not so, that the duty was not raised upon rods; and I even understood my friend from Vermont, the chairman of the Finance Committee, in a very quiet, gentle shake of his head this morning, to mean to be understood as saying it was not so, that it was not increased.

Mr. DAWES. Does the Senator allude to me?

Mr. VAN WYCK. No, sir; I allude to the other Senator from Massachusetts, the Senator in front of me. The Senator from Massachusetts remembers that when I made allusion to the fact that the duty on rods was increased, he antagonized my position and said that he thought that could not be so.

Mr. HOAR. Which Senator from Massachusetts is the Senator addressing at this moment?

Mr. VAN WYCK. The Senator immediately in front of me, the senior Senator from Massachusetts.

Mr. HOAR. Whom?

Mr. VAN WYCK. I do not know that I ought to discriminate in that manner. I mean it was the Senator from Massachusetts before me, who thought or believed that the tax on rods from which barbed wire was made had not been increased by this bill.

Mr. DAWES. Does the Senator refer to me?

Mr. VAN WYCK. Possibly both Senators from Massachusetts may have indulged in that error. If so, either one would be in order to reply.

Mr. DAWES. It was my colleague.

Mr. BECK. If the Senator from Nebraska will turn to page 29 of the examination of Mr. Oliver before the Committee on Finance he will see that the duty is increased, and a royalty is paid to a firm in Massachusetts by one house of $130,000 a year, and their patent monopoly on barbed wire runs up to nearly half a million. So we are told. I should like it if there is any way to prevent it, to cut it down, so that it shall not go all into the pockets of one monopoly. I will aid the Senator all I know how.

Mr. HOAR. My friend will pardon me, for he refers to me. If he understood me to say the other day that there had been no increase of duty on wire rods or rolled iron from which wire is drawn, he either misunderstood me or I misunderstood him. I shall be glad to make the most ample acknowledgments, because I understood and now understand that the duty on rods has been raised very considerably for reasons stated by the Senator from Ohio, while the duty on wire has been largely reduced.

I wish to say, as by the indulgence of the Senator from Nebraska I rose to my feet, indeed at his request, that the interest of my constituents in Massachusetts who manufacture wire would be, if they were to look merely at their own personal interest, the reduction of the duty upon the wire rods which they import and from which they make their wire. But the Senator from Kentucky speaks of this monopoly. Why, these patentees have given to the farmers of this country in the reduction in the price of their fencing and in making it possible to fence their vast fields which it was entirely impossible to fence before, a benefit to be measured by hundreds and hundreds of millions of dollars in value. It is one of the great benefits like that of the cotton-gin, by which Eli Whitney was conceded by an eminent Southern authority to have multiplied by three the value of every acre of cotton-producing land in this country, and if they have got $150,000 it is nothing——

Mr. BECK. Every new invention I suppose is valuable. The sewing-machines did a great deal of good; the crossing of the continent by the Union Pacific did a great deal of good; thousands of things have done good; but that is no reason why we should legislate to put money into the pockets of a few people at the rate of $500,000 a year for their royalty and put up the price of rods. I would strike out of this classification the wire and make it all at 35 per cent. ad valorem.

Mr. VAN WYCK. I much prefer that the rod and the wire should be kept apart in this consideration, as they are in the tariff bill itself. It is conceded now that the duty is raised upon rods from which barb wire is made. Even Mr. Oliver concedes that point in his examination before the Finance Committee. When asked in regard to that he said:

We put it as an increase.

Again at another place he is asked:

Have you increased the duty on wire rods?

He says:

Yes, to 1 cent.

Then the fact is apparent that the commission in the discharge of its duty, as well as the Finance Committee of this body, have increased the duty nearly one-half a cent a pound on rods from which wire is made.

We naturally ask the reason why. Why should this be done when this is a matter of absolute necessity? Mr. Oliver gives an ingenious reason for this, and it is strange when we come to notice just what the reason is. Since 1872 the duty upon these rods has been fixed. It was fixed by the decision of the Secretary of the Treasury, sustained by the decision of the Supreme Court of the United States. Since 1872, and from that time until now, ten years, the duty upon these rods has been fixed and determined. Therefore it is that there was no ambiguity to be settled by the Tariff Commission in this regard. When we were appealed to during the last session to appoint this commission it was said that the purpose was to settle ambiguities and resolve doubts, and in every case where there has heretofore been a contest between the Treasury Department and the manufacturers, as notably in the case of cotton-ties, where the Department had placed the duty at a certain amount, the Tariff Commission, when they met to resolve that doubt, resolved it in favor of Mr. Oliver and those interests that he represented on the commission; and every resolving of a doubt and every proviso has been ordinarily put, as we have noticed here, for the purpose of increasing the duty.

Here I say this matter had been settled for ten years, and there was no longer a doubt to be settled, though originally there had been. The Treasury Department, sustained by the Supreme Court, had placed the rods at an ad valorem duty equal to about half a cent a pound. Then certainly there was no doubt to be resolved; but arbitrarily these gentlemen, for a certain reason and for a certain purpose, raised the duty to 1 cent a pound.

Mr. Oliver justifies it by the usual argument with these gentlemen, that the higher the duty the lower the price; and Mr. Oliver, in his statement, thinks that if we will only double the duty on rods it will have a tendency to cheapen the price. Under this present duty we have several manufactories of rods in this country. They are doing business notably at a profit.

Mr. SHERMAN. Not of rods; of wire.

Mr. ALLISON. There are four manufactories of wire rods.

Mr. VAN WYCK. Let me read what I understand to be the fact:

As matter of fact, the Albany and Rensselaer Iron and Steel Company of Troy, the Cambria Iron Company of Johnstown, the Cleveland Rolling Mill Company of Cleveland, and the Union Iron and Steel Company of Chicago are, among others, rolling wire rods to-day and have rolled them for years, while the Johnstown, Cleveland, and Chicago mills are not only rolling wire rods but are themselves drawing them into wire.

They do both, make rods and then draw them into wire.

They are rolling these wire rods at remunerative rates, as is shown by the admission made at a meeting of the manufacturers of iron and steel wire of the United States.

So there are several establishments making rods in this country and they have made them on the basis of the settlement of this duty for ten years and more; and now this matter is precipitated at this time without any sort of necessity, striking at one of the greatest industries

in this country; I mean the industry in this country which needs protection and gets but little of it. I mean the industry of the millions of this land who desire to fence in their acres and protect them, who did it by means first of lumber, but that has become impossible by reason of the scarcity of that article, and next they have resorted to wire fences. I speak for the industry which takes the produce of these mills and puts it around millions and millions of acres of land in this country, and I am thinking of the millions and millions they must use in the future. It is that industry that deserves a little pause for reflection, and I ask you how that industry is protected by doubling the duty upon this rod from which the barbed wire is made. I do not understand gentlemen to give any sort of reason for this.

Keeping this matter of rods by itself, as distinct from wire rolled from the rods, I submit that there has not been a single reason alleged why this duty should be doubled. At 30 per cent. it is about $12 a ton, as I understand, and at the rate here proposed it is $22.40 a ton, so that really, without any question, it is conceded that this duty on wire is doubled, and that, too, when the commission promised us a reduction of duties, and claimed that it reduced duties 20 to 25 per cent., and the Committee on Finance comes here and undertakes to show wherein millions have been reduced, and yet in this most important article the duty has been increased without any apparent reason, almost doubled, going from about $12 to $22.40 a ton.

Mr. McDILL. Mr. President, we have in this case, I think, something that has not often occurred with reference to the reduction of a tax or the raising of it. I believe I am able to show that both the producer and the consumer unite in this case in protesting against the doubling of this duty. I have before me a paper which refers to the testimony before the Tariff Commission and substantiates the statement. Referring to the testimony of Mr. E. S. Wheeler, found on page 2248 of the report, who is referred to as "representing the following wire-mills, whose annual consumption of wire rods is not less than 50,000 tons, and who objected then and object now to the proposed doubling of the duty on wire rods: American Screw Company, Providence Rhode Island; J. Wool Griswold, Troy, New York; Horace Lamb & Co., Northampton, Massachusetts; Spencer Wire Company, Spencer, Massachusetts; George W. Prentiss & Co., Holyoke, Massachusetts; Kennebec Wire Works, Hallowell, Maine; Cary & Moen, New York city; Thomas Hamilton, & Co., Philadelphia; John A. Roebling's Sons Company, Trenton, New Jersey; Troy Wire Works, Troy, New York; Falls Wire Manufacturing Company, Cuyahoga Falls, Ohio; Stewart & Co., South Easton, Pennsylvania; The New Haven Wire Company, New Haven, Connecticut."

Then in the same report, on page 1467, there is a list given of the barbed-fence manufacturers who use annually 40,000 tons of wire. They also all object to the proposed doubling of the duty on wire rods. They are as follows: Stiles & Calkins, Chicago, Illinois; Superior Barbed Wire Company, De Kalb, Illinois; Indiana Wire Fence Company, Crawfordsville, Indiana; Iowa Barb Steel Wire Company, Marshalltown, Iowa; Lambert, Bishop & Co., Stone City Fence Company, Lock Stitch Fence Company, A. N. Klinefelter & Co., Joliet, Illinois; Northwestern Barb Wire Company, Sterling, Illinois; W. J. Adam, Joliet, Illinois; Ayres A. Decker Manufacturing Company, Bushnell, Illinois; Saint Louis Wire Fence Company, Saint Louis, Missouri; Frentress Barb Wire Fence Company, East Dubuque, Illinois; Sherman & Marsh, Chicago, Illinois; Cleveland Barb Fence Company, Cleveland, Ohio; Fish & Connell, Joliet, Illinois; Omaha Barb Wire Company, Omaha, Nebraska; Schnabel & Co., Chicago, Illinois; Novelty Manufacturing Company, Sterling, Illinois; Cincinnati Barb Wire Fence Company, Cincinnati, Ohio; The Thorn Wire Hedge Company, Chicago, Illinois; The Hazard Manufacturing Company, New York, and Wilkesbarre, Pennsylvania.

It will thus be seen that a very large number of persons engaged in the manufacture of the barbed fence object to this doubling of duties. Is it necessary to say that those who use the barbed fence object to it? It is hardly necessary to say so, because the records of this body show that at the last session of the Senate when it was proposed by a bill, which is generally known as the McKinley bill, to very largely raise the duty on the barbed wire, the Legislature of the State of Iowa by a unanimous vote, if I recollect rightly, instructed its Senators and Representatives to oppose it, and there were numerous memorials signed by thousands and thousands of people remonstrating against the increase. Here is a case, then, where both the producer and the consumer object to the doubling of this duty. The man who makes the barbed fence from the rod is the producer, as I look at it. We are not talking now about the wire; we have passed that; the question is about the barbed fence, and the wire rod; and those who make the fence from the wire rod, and those who use the barbed fence, are all united in asking that there shall be no increase of duty.

Why should there be an increase of duty? Are we in need of a great sum of money? Is it not a fact that we have felt ourselves impelled to the consideration of revenue bills because we have a great surplus of revenue? Why, then, should we select an article which goes into general use, which is an absolute necessity, which is a necessity for the poor as well as for the rich, and at once double the duty on it?

The manufacturers of wire from the wire rod do not ask for it; they have so stated. I have on my desk a statement from a manufacturer of wire rods who says that they are perfectly satisfied with the present duty, and I can think of no reason why there should be an increase. Must the people of this country be burdened in order to preserve the fair proportions of the bill, in order that the bill may have symmetry, for that seems to be the argument, in order that it may be well rounded out in all its parts? Must we arbitrarily, and I will say cruelly increase this duty, almost double it? I admire symmetry; I admire beautiful proportions; but for one I am not willing to sacrifice so many people living in so many parts of this great country of ours, in order that there may be symmetry, if, indeed, retaining the duty as it is shall deprive the bill of its symmetry. No, sir, the symmetry, if there is any, is the other way. When we are endeavoring to so revise the tariff laws and so revise the revenue laws as to reduce our income, it is no time to select any article and increase the rate, and certainly it is no time to select an article like this, which is used so largely by those who are not of the wealthy class.

I think the voice of the people who use the barbed wire ought to be heard. It is a fact that there is a very large royalty paid to the patentees in this case. Mr. Oliver says in his testimony before the Finance Committee that his firm alone have in the last year paid $120,000 royalty to Washburn & Moen. I am not here to find fault with Washburn & Moen, or with the laws of my country for granting them the royalty, but I am here to tell you, as you all know, that in addition to the duty that we shall put upon the consumers of barbed wire there is continually a tax I believe of three-fourths of a cent a pound. The evidence of Mr. Oliver before the committee is that sometimes when the price of wire begins to break and go down, Washburn & Moen go around and stiffen up the men who sell the wire to the dealers and say that they must not drop. It is utterly impossible for us to relieve the people of the royalty tax; it probably would not be advisable that we should—I am not now discussing the patent laws—but when we have a case where in addition to all the other burdens put upon the people there is this plain burden of a royalty on the article consumed, why should we, merely for symmetry, merely to make the bill well proportioned, double the tax? It is not needed for income. Those who manufacture do not want it; those who consume do not want it; the Treasury does not need the money. Why, then, should there be an increase? I did hope that we should have some sort of concession to the people of the Northwest, such as we witnessed this morning in reference to the cotton-ties. I did hope that all sides would say "Give to the people this which they so reasonably demand, this which we can so well give."

Mr. PLUMB. I will modify my amendment so as to make the duty six-tenths of a cent a pound, which is just about what it is now, in place of half a cent.

Mr. SHERMAN. I have here the statement of the manufacturers of iron wire from iron rods. Every manufacturer of iron wire is in favor of having the rate of duty as low as possible, and therefore these gentlemen now in their earnestness are doing precisely what the men who make the iron wire want them to do; and as I said before, I have their statement showing that there are scarcely any rods made in this country. Here is the statement made by these manufacturers of wire. They say that the wire rods are imported, and that under existing conditions very little, if any, wire rods are made here. They hope after awhile to make them, but they admit that they are now made abroad and imported here by them. They are the ones who appeal to you to give them the raw material cheap, in order that they may make iron wire; but they fail to make a reduction on iron wire. It is perfectly manifest in this matter, as in other matters, and Senators may as well look it fairly in the face, that if you reduce the duty on the rod you must consent to a reduction on the iron wire, and thus destroy the whole of this monopoly. If you wish to do it, well and good; but the Committee on Finance endeavored to cheapen wire and require the manufacturers of wire to pay the same fair duty on the rods that is paid on other kinds of wire imported into this country. If you give to these wire manufacturers, whose work is protected by patents and by large duties, cheaper raw material, as a matter of course it results in a wholesale reduction of the duty on wire.

I wish to be fair to both. As a matter of course the people of Ohio are more interested in the reduction of wire probably than the people of any other State, because we are consuming it largely, and to a large extent iron wire is superseding nearly all other forms of fence in our State gradually, as it is in the far West. We are interested in cheap wire. We want to have the wire cheapened and not the rods. If the steel rods are admitted at 1 cent a pound duty it is less than any other form of steel of that grade, because it must require a very fine grade of soft steel to draw out into wire, and 1 cent a pound is a very low rate of duty on that rod. Then we have reduced the duty on wire itself very largely, from 2½ cents a pound and 20 per cent. ad valorem down to 1½ and 2 cents a pound. If it is proposed now that the gentlemen who desire cheap wire shall go in and help the manufacturers to get cheap rods, they are working in the interest of the monopoly they denounce, and not in the interest of the consumer. The interest of the consumer is for cheap wire, not for cheap rods. There is no reason why these rods ought not to pay the same rate of duty as any other iron introduced for any other purpose. The question of the duty on wire is another thing.

Mr. ALLISON. I shall vote for the amendment of the Senator from Kansas. We have placed steel blooms at five-tenths of a cent a pound. This gives the wire-rod people a small advance over the material from which wire rods are made, but I do not think this will interfere with the manufacture of wire rods at all west of the Alleghany Mountains. I think very likely this whole duty upon wire rods may affect some iron-rod mills, if there are any, immediately on the seaboard; but the iron-rod mills at Cleveland and at Chicago will still continue to flourish under this duty.

Mr. SHERMAN. They are not making them now. They say so themselves.

Mr. ALLISON. Are they not making them now?

Mr. SHERMAN. I will read what they say. They are not making to any considerable extent.

Mr. ALLISON. They, perhaps, have not made them during the last year to any considerable extent, for the reason that the steel has been in demand for rails, as we all know, in the building of 11,000 miles of railway in the last year, and every available mill that could be utilized has been engaged in making steel rails. Wire rods have not been made because of the great demand for steel blooms for railway purposes; but I understand that demand has ceased to a considerable extent, and of course these steel blooms will now be used in the manufacture of wire rods, which will be largely needed during the next year. So I do not think we are doing any injury to the wire-rod people by fixing this duty at six-tenths of a cent per pound when we take into account the scale of duties we have already provided.

Now, as to its bearing on the question of the manufacture of wire. I do not precisely know what it costs to manufacture wire from these wire rods; probably $4 a ton. Undoubtedly the effect of having cheaper raw material will be to enable the wire-rod manufacturers of this country to produce more cheaply their product; but it is said that the Massachusetts firm will come in with its claim for royalty upon this wire and thus make wire dear again. I understand that this firm of gentlemen in Massachusetts only charge three-fourths of a cent a pound royalty on the barbed wire to cover their patent, and I believe they have established that as the uniform rate. So Mr. Oliver told us in connection with his statement that his firm paid about $130,000 per annum. We are a little more progressive in the State in which I live. We do not pay this firm anything. Our people are undertaking to manufacture barbed wire despite the patent. Of course they are doing that at their own risk. If it so turn out after a while that these men are protected by patent which our people are infringing, they will be obliged to pay whatever it is worth.

So I think on the whole that we can fairly, without injury to anybody, either the people who make steel blooms or the people who make steel rods, reduce this duty to six-tenths of a cent a pound, and if then further on we want to reduce the duty on wire rods to correspond with this reduction I shall be ready also to vote for that.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kansas to make this duty six-tenths of a cent per pound.

The amendment was agreed to.

The item from line 704 to line 709, inclusive, was read, as follows:

Screws, commonly called wood screws, two inches or over in length, 6 cents per pound; one inch, and less than two inches in length, 8 cents per pound; over one-half inch, and less than one inch in length, 10 cents per pound; one-half inch and less in length, 12 cents per pound.

Mr. VANCE. This is another one of those cases where the classification has been changed without any cause visible to the ordinary and average spectator. The existing classification is:

Screws, commonly called wood screws, two inches or more in length * * * and less than two inches in length.

That is all. This makes five different classifications; two inches or over in length; one inch and less than two inches in length; over one-half inch; and less than one inch in length; and one-half inch and less in length—five classifications, following what seems to be the usual method when the classifications are changed. The commission begin by making the first and last classification a reduction and then gradually increasing. Now, whereas in the present schedule wood screws of two inches or more in length are put at 8 cents per pound, and wood screws less than two inches in length are put at 11 cents, the duty here is 6, 8, 9, 10, and 12 cents, increasing of course in the finest numbers, the smallest sizes, and on the whole I have no doubt making an increase in the total amount of taxation upon this article.

The amount that was imported in 1882 of the larger size, two inches or more in length, was only 6,122 pounds, on which there was paid $489.76 duty, being an average of 69.08 per cent., while of those less than two inches there were imported 115,282 pounds, on which the duties collected were $12,681.02, and on which the ad valorem rate was 57.97 per cent. So by reducing now the duty on the larger sizes 2 cents a pound the deficiency in protection is more than made up by the increase of 1 cent a pound on the smaller sizes, of which twenty times as many were imported as of the larger sizes. That seems to be the scheme all the way through.

Now, why there should be any necessity for making a classification of a wood screw less than half an inch in length, and why from one inch to a half inch should be one size, and from that half to near down to zero should be another size, I can not understand; and yet I have every assurance in the world that it was done for some purpose, and the only purpose that is apparent to me is the increase of the duty on the smaller sizes of which the larger number is imported.

I move to restore the old classification, to strike out the clause and make the classification as it exists in the present law, to wit:

Screws commonly called wood screws, two inches or more in length, 4 cents per pound.

Less than two inches in length, 5½ cents per pound.

Mr. ALDRICH. The Senator from North Carolina is as widely astray, if not more so, upon this clause as he was upon the clause in relation to files. The fact is that there is a decrease of duties upon every description except in one case, and in that case there is an increase of 1 cent per pound. On screws two inches or over in length the present duty is 33⅓ per cent. greater than that proposed in the bill. The duty fixed in the bill is 6 cents per pound, and the existing rate is 8 cents per pound. On screws of one inch and less than two inches in length there is 37½ per cent. reduction, and on screws over one-half inch and less than one inch 10 per cent. Here is a single exception in the bill: "On screws over half an inch and less than one inch in length" the present duty is 8½ per cent. less than the proposed rate. This class of screws, one-half inch in length and less, comprises twenty sizes. The smallest size requires twenty-seven gross to weigh a pound, the average weight of all sizes being two and six-tenths ounces to the gross or six and one-half gross to the pound.

The cost value of this average pound of screws is 60 cents, and the proposed duty of 12 cents a pound is but 20 per cent. on that value. The fact is that it costs twenty times as much—and the difference in cost is entirely in labor—to make the smaller sized screws, less than half an inch in diameter, as it does the large sizes, above two inches in diameter. It is very easy to see—there need be no mystification—why these gentlemen should ask to have a higher rate of duty levied upon screws worth twenty times as much as those of a lower price. We have merely made four grades in this bill, instead of two as before.

Mr. VANCE. I should like to ask the Senator from Rhode Island why this classification is changed? I pause for a reply.

Mr. ALDRICH. What was the question of the Senator from North Carolina?

Mr. VANCE. Why was this classification changed from the existing law to make two other classes?

Mr. ALDRICH. For the reason that these gentlemen were willing to submit and could submit to a large reduction on all the larger sized screws, and could not submit to a reduction on the smaller sizes. Indeed they have been selling the smaller sizes of screws at a loss ever since the present rate was established. They require and ask for a little more protection on the very smaller screws but are willing to submit to a reduction of about 30 per cent. on all the larger sizes.

Mr. VANCE. Does the Senator know where any of these manufactories of wood screws are located?

Mr. ALDRICH. There are sixteen or seventeen manufactories, located in nine different States.

Mr. VANCE. Does the Senator know if they have been doing well under the present tariff or not?

Mr. ALDRICH. While certain patents were in existence, controlled by certain of these companies, they made a considerable amount of money and paid large dividends. The patents all expired several years ago, and I can say to the gentleman from personal knowledge that for the last three or four years they have made but very little if any money in any of these different establishments and have paid small dividends.

Mr. VANCE. It seems to me—and that was the object of my question—that if they have managed to worry along so far on the present duty and present classification they can stand it a little while longer. We have been reducing other things for them. Nearly all the material that is used in their manufacture has been reduced and the cost of living has been reduced. I do not see why they can not manage to worry along a little longer on the old schedule and come down some on that, if indeed we are going to reduce taxation at all. I can not but view with suspicion this new method of classifying, making two more additional classes in this kind of taxation, and the arranging of different schedules of duty upon each. If they have been making on the larger sizes to such an extent that very few have been able to go in and compete with them, it seems to me they might afford to manufacture the other sizes which are not quite so profitable with the same rate of duty, if not with less.

Mr. HAWLEY. Do I understand the Senator from North Carolina to propose the existing law instead of the bill?

Mr. VANCE. No, sir; I propose the existing classification or enumeration of the articles with a reduction of 50 per cent. on each one of the classes as they now exist.

Mr. HAWLEY. The reason why these articles are divided into four classes is a very simple one to those who will stop and think, or who are already familiar with the manufacture. I will illustrate it thus: The largest size of screws made in the ordinary trade-list is called No. 30. A single screw there weighs half a pound. Of course there is much less labor there and much less waste of material. But if you go down

to the smallest size, a screw of half an inch, it is called number zero; there it takes 27 gross, or 3,456 beautiful little articles, to make a pound, and there is a very heavy waste of material. A statement by some of the manufacturers shows how much it is:

To make a pound of screws of this class, two pounds of wire rods are required, and the average loss in material (rods) is not less than 40 per cent. on the entire manufacture of screws.

So that if you are going to graduate the tax according to the value of the article per pound, one class may perhaps be worth ten times as much per pound as the other. If you are going to impose the duty with any sort of equity, of course you must classify the articles. There is a reduction proposed in this bill on the screws two inches or over of 33⅓ per cent.; over an inch and less than two inches the reduction is 37½ per cent.; and on the next class there is a reduction of 1 cent on the pound, and there is a slight increase on the last class, that is to say, the class that includes those which require twenty-seven gross to make a pound.

The bill as it stands is perfectly logical and makes a very considerable reduction in the duties imposed. I have not the calculation precisely according to the Senate bill—there is a slight difference between that and the House bill—but the ad valorem duty on the one size upon which an advance is proposed will average 26 per cent. only on the cost of importation. That calculation is based on the House bill, which gives a larger duty on these sizes than the Senate bill does.

It seems to me that the propositions made by the committee are entirely reasonable and logical and sensible, and according to the nature of the business; they are in fact a very considerable reduction. The very small screws have not been made at a profit, and will not be under this bill, but the manufacturers continue to make them, for they must furnish to the trade the whole list. These small screws, I am willing to admit, make but a small proportion of the entire value sold, but the manufacturers make them at a loss, and expect to do so in spite of this loss.

Mr. DAWES. They are not consumed as much as the larger size screws.

Mr. HAWLEY. There is not so much used of them. They are called wood screws because they are used in screwing into wood.

Mr. DAWES. The smaller sizes are very little used compared with the larger-sized screws above half an inch. The larger sizes are used the most.

Mr. VANCE. It seems to me that the simplest way to attain to a thing in this sort would be to put an ad valorem duty upon the whole of it, and then the ad valorem duty of course would keep pace with the value of the article and the amount of labor expended upon it, and justice would be done on all sides.

Mr. ALDRICH. What rate would the Senator suggest?

Mr. VANCE. I suppose on an average a duty of 25 per cent. would do.

Mr. ALDRICH. A few minutes ago the Senate fixed the duty on the materials from which screws are made at 30 per cent. ad valorem. Would the Senator think the duty on the screws ought to be made less?

Mr. VANCE. The present subsisting duty on the larger size is 69 per cent. and a fraction, nearly 70 per cent., and on the smaller size 57.97 per cent.

Mr. ALDRICH. Would the Senator think the manufactured article ought to pay a less rate than the raw material?

Mr. VANCE. I suppose an ad valorem duty would include the cost of the raw material in the article.

Mr. ALDRICH. Should it be less?

Mr. VANCE. I do not think a specific duty on the raw material ought to be imposed and then an ad valorem duty on the article which would be less than the specific duty on the raw material. That would not be just; but if the ad valorem duty was adhered to, then it would include the cost of the material, with all the advance in that cost.

Mr. ALDRICH. The Senator proposes to fix a lower specific rate on the articles than the ad valorem rate on the raw material from which they are made. The committee propose, and think it will not be necessary to make any further statement, to fix a rate equivalent to 20 per cent. ad valorem on the portion of this manufacture requiring the largest amount of labor when the raw material even pays 30 per cent. ad valorem.

Mr. DAWES. So that there will be an inducement to bring it in in the manufactured shape rather than in the raw material. It is an inducement held out to manufacturers abroad rather than here.

Mr. VANCE. I was not aware that we had passed upon the raw material of which these wood screws are made.

Mr. DAWES. The Senator should take that into consideration.

Mr. VANCE. We have not got to that yet.

Mr. DAWES. We have passed it.

Mr. VANCE. I propose that we shall argue the merits of these duties as we go along.

Mr. ALDRICH. The last item we passed was the very item itself.

Mr. VANCE. Does the Senator from Rhode Island assure me that the classification here and the new duties would on the whole reduce the duties?

Mr. ALDRICH. I do, sir, to the extent of about 37½ per cent.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. As the Senator from Rhode Island has made the calculation and I have not, and he assures me that the clause as it stands will be a reduction of the present existing duties, I will withdraw the amendment.

The item from line 710 to line 716, inclusive, was read, as follows:

Iron or steel wire, smaller than No. 5 and not smaller than No. 10 wire gauge, 1½ cents per pound; smaller than No. 10 and not smaller than No. 16 wire gauge, 2 cents per pound; smaller than No. 16 and not smaller than No. 26 wire gauge, 2½ cents per pound; smaller than No. 26 wire gauge, 3 cents per pound.

Mr. BECK. I think a great mistake has been made in changing a number of these classifications. I desire to test the sense of the Senate by moving to strike out all of line 711 after the word "than," to strike out all of line 712, and on line 713 to strike out "2" and insert "1½;" so that the clause will read:

Iron or steel wire, smaller than No. 5 and not smaller than No. 16 wire gauge, 1½ cents per pound.

Sixteen is the present classification of steel wire, and iron wire as well. There was no classification stopping at No. 10 until this was invented in the report of the Tariff Commission. There is no reason why it should be made. I make the motion, so that the Senate can act upon it, to return to the present gauging, two classes instead of four, 1 to 16 to be followed by a lower one from 16 up, without any further limitation.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed to amend in line 711, after the word "than," by striking out "No. 10 wire gauge, 1½ cents per pound; smaller than No. 10 and not smaller than;" and in line 713 to strike out "2" and insert "1½;" so that the clause will read:

Iron or steel wire, smaller than No. 5 and not smaller than No. 16 wire gauge, 1½ cents per pound.

Mr. ALDRICH. I will content myself with protesting against the amendment of the Senator from Kentucky. The present rate on steel wire finer than No. 16 is 2½ cents a pound and 20 per cent. ad valorem, amounting to 3½ cents a pound. That is reduced on the recommendation of the Tariff Commission to varying rates from 1½ to 2½ cents, a reduction of about 1¼ cents a pound. It has been further reduced by the Committee on Finance to 1½ and 2 cents a pound. Now, why is this very large further reduction asked for? It will merely transfer the manufacture of iron and steel wire from this country to the other side. We have reduced it already, as I have stated. We are less than the Tariff Commission; half a cent less on all grades.

Mr. BECK. I have nothing further to say, except that the classification from 5 to 16 embraces all the wire used for the wire fencing of the country; and I think we ought to get it at a reasonably cheap rate, considering how it is protected both by patents and high tariffs.

Mr. HOAR. The patents do not protect anybody against foreigners, and under the patents the wire manufacture in different States is starting up all over the country. There are some ten or twelve concerns which have gone into this wire manufacturing now. I will state to the honorable Senator from Kentucky the amount of reduction the Committee of Ways and Means made, knowing the desire of the farmers to get cheap fences; and it has gone as far down as it is possible to do it without shutting up the wire mills. The Committee on Ways and Means and the Tariff Commission both fixed this at a very considerably higher rate than the Committee on Finance——

Mr. BECK. I must ask the Senator to come to order, I have been called to order so often when I have spoken of the Committee on Ways and Means of the House.

Mr. HOAR. I want the Senator to get through; I did not mean to interrupt him.

Mr. BECK. I make the point of order that the Senator has no right to speak of what the Committee on Ways and Means of the House has done. I have been stopped so often in doing that.

Mr. HOAR. I beg the honorable Senator's pardon; I have no right to state what the House have done, and I have no right to state what has been done there; but when a committee of the House sends a paper to the Senate and lays it on our table for our information I have a right to allude to that; I am entirely in order. But I will defer to my honorable friend's superior experience, better than mine. If he thinks I am out of order I will yield.

Mr. BECK. I desire to say that I have been stopped very often when I made the same reference, and I am glad to find that it is not out of order.

Mr. HOAR. If the Senator from Kentucky will pardon me, I understand the rule extends strictly to alluding to what is done in the House. The phrase in Jefferson's Manual is, that "it is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there." I did not understand that the rule went any further than that. I think if a member of the House does something out of the House and sends us what he has done, we should have a right to allude to it; but as I said, the Senator is very much more likely to be right than I am, and I will defer to his larger parliamentary experience.

All I have to say is that there have been two or three almost hostile considerations of this matter of the duty on wire, and they have pared it clear down to the quick from the present duty; and then our Finance Committee have reduced it between 30 and 40 per cent. lower than that, reducing from 2½ cents to 2, from 2¾ to 2½, and from 3½ to 2½. Those between numbers 10, 16, and 18 are the sizes of wire used either in

single wires or in strands in making the barbed-wire fence. It is a greater reduction than any other reduction I think of in the tariff. I should be perfectly willing to leave this matter to the Senator from Kentucky himself, because I know that whatever may be his opinions he does not wish to shut up this industry, which supports 15,000 persons in my own city, and I say it is an industry which is growing up all over the country, at Cleveland, Chicago, Saint Louis, in various States. The price of wire fence is constantly going down. I do not mean that within three months or six months it does not have its rises and falls, but as compared with three years ago or five years ago or ten years ago.

The invention of this one single firm, to which the Senator alluded, saves the farmers of this country every year $50,000,000 in the cost of repairs of fences, saying nothing about their original outlay for building. The mere item of repairing the farmers' fences of this country, taking the fences to be of the cheap kind, the slab fences, taking that as your basis of estimate, saves the farmers of this country between forty and fifty million dollars every year in the item of repairs of existing fences.

It is true, as has been said, that the large sum of $130,000 a year is paid to this establishment for royalties on patents; but there are, I do not remember the number, but many hundred patents, and these firms in their turn pay one neighbor of mine $7,000 a year as royalty for an invention that he made in one part of their process. It is not pocketed by the owners of the establishment, but the royalties go among the great number of inventors who are workmen and mechanics and skilled men.

As I said, the Tariff Commission and the other reports we have on our table have cut this thing clear down into the flesh. When the Finance Committee have gone still further, I hope the Senator will be contented to abide for the present with the judgment of the committee.

Mr. BECK. I desire, in the first place, to restore the classification of the existing law from No. 5 to 16. I have never been able to see any good reason why there should be a classification made smaller than No. 5 and not smaller than No. 10 at 1½ cents, and then another classification raising it from No. 10 to No. 16 two-tenths of a cent. I am willing to make a proposition to put those two classifications together as they are now in the existing law from not smaller than No. 5.

Mr. HOAR. Will the Senator pardon me one moment before he proceeds?

Mr. BECK. Yes, sir.

Mr. HOAR. As I understand, this material is brought over here or imported in the form of steel rods. Some, of course, of our manufacturers roll their own rods, as was stated by another Senator, the Senator from Ohio [Mr. SHERMAN] I think. Then the wire is put into the block and each drawing reduces the size of the wire very slightly. I presume for these small sizes of wire there may be twenty or thirty drawings through the blocks; I am not able to say from actual information, but a great many. The reason, therefore, for the classification is that when you get this very small-size wire you add infinitely to its cost; it is all labor.

Mr. BECK. Up to No. 16, as was shown by the wire gauge the other day, they do not get to be very small. From 16 up to 36 I am willing they shall have an addition because of the additional labor; but we have reduced just now by a vote of the Senate "iron or steel rivet, screw, nail, fence, and wire rods, round, or flat with longitudinal ribs, in coils and loops, not lighter than No. 5 wire gauge," from 1 cent a pound down to six-tenths of 1 cent.

Mr. HOAR. I am sorry to keep interrupting the Senator, but have you reduced it? Have you not simply reduced a proposed increase? The rate is still as high as it is in the old tariff; if I am not misinformed, a little higher.

Mr. BECK. The proposition that was made by the Tariff Commission and in the bill now before the Senate by the Committee on Finance has been reduced from 1 cent a pound to six-tenths of 1 cent a pound, nearly half.

Mr. DAWES. The Senator forgets that it is still higher in the bill than the existing law.

Mr. BECK. I will state what I am willing to do. I am willing to strike out the No. 10 wire gauge, for which there can be no good reason, and return to the old schedule of smaller than No. 5 and not smaller than No. 16, which embraces all the wire that is used for wire fencing, and make it 1½ cents a pound, as is now proposed in the bill, to be in correspondence with the other proposition of wire rods at 1 cent a pound, which has been reduced to six-tenths, and allow the 1½ cents a pound to remain on steel wire, which they now propose from Nos. 1 to 10, extending it only to 16, and that is certainly a less proportionate reduction than the Committee on Finance have made when they were proposing that the steel rod should be 1 cent a pound, which we have made six-tenths of 1 cent. I only propose now to extend the classification from 5 to 16 at 1½ cents. They propose from 1 to 10 and extend it to 16, so as to certainly embrace the wire used for wire fences.

Mr. ALDRICH. I hardly think that the Senator from Kentucky can understand the effect of the amendment he has proposed.

Mr. BECK. Yes, I do.

Mr. ALDRICH. I think I can safely appeal to his spirit of fairness after the explanation which I will make of the effect of this amendment.

Under the existing duty, which averages 3.6 cents a pound for all wire under No. 16 wire gauge, including in that iron and steel, there were imported last year into this country 1,802,469 pounds, and the average rate ad valorem was 50 per cent. of the value. The rate fixed by the Committee on Finance reduces that from 3.6 to 2 cents and to 1½ cents, or to an average rate of 26 per cent. The rate fixed by the committee is only 26 per cent., and the Senator from Kentucky proposes to reduce that from 2 cents to 1½, or a reduction of about 30 per cent. from that.

The Senator is mistaken about the present law. The present law makes one classification down to one-quarter of an inch thick, and then another classification from one-quarter up to No. 16. The bill which we propose leaves out the quarter of an inch, as we have done in every case, and fixes the line of difference at No. 10 wire gauge, instead of a quarter of an inch, and leaving the same number of classifications that there are under existing law.

I can not see how the Senator from Kentucky can in fairness or in justice ask that this duty be reduced below 26 per cent. ad valorem when the reduction is one-half of the present duty.

Mr. BECK. In the paragraph that we passed upon a moment ago reducing the rate from 1 cent per pound to six-tenths of 1 cent per pound we had provided for all the rods lighter than No. 5 wire gauge, as the Senator will see by looking at the bill. That is a quarter of an inch; an eighth is No. 10; and as we have reduced that from 1 cent to six-tenths of 1 cent I am only asking to make it 1½ cents on from No. 5 to No. 16. Below that I admit, and I admitted when I first rose, that we had to make an increase because of the fineness of the wire, and this is a much larger proportion, 1½ cents up to 5 and to 16, than six-tenths of 1 cent is upon the rods.

Mr. ALDRICH. But the Senator forgets that six-tenths of a cent is about equivalent to the present rate, and that while the Committee on Finance agreed to a reduction of three-quarters of a cent a pound here, they did not recommend any reduction upon rods.

Mr. BECK. No; but the Senate has done it.

Mr. ALDRICH. The Senate has not put down the duty on the present rate where the importations to which I alluded are.

Mr. PLATT. The committee have already in the bill reduced the duty upon wire of which fences are made from 3.6 or 3½ cents a pound to 2 cents a pound. It leaves only about a 26 per cent. ad valorem duty on the wire. The Senate has already put 30 per cent. ad valorem duty on the steel rods, which is the lower process of manufacture. The wire manufacturers, I am confident, will not be able to manufacture wire with any such reduction as that proposed by the Senator from Kentucky. The committee recommends a 40 per cent. reduction and it would seem as if that was enough,

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The question is on the amendment of the Senator from Kentucky [Mr. BECK]. It will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 711, after the word "than," it is proposed to strike out the words "No. 10 wire gauge, 1 and one-half cents per pound; smaller than No. 10, and not smaller than;" and in line 713 to strike out "two" and insert "one and one-half;" so as to read:

Iron or steel wire, smaller than No. 5, and not smaller than No. 16 wire gauge, 1½ cents per pound.

Mr. ALDRICH. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were here, I should vote "yea."

Mr. MITCHELL (when his name was called). I was paired with the Senator from Virginia [Mr. JOHNSTON], but the pair has been transferred to the senior Senator from Rhode Island [Mr. ANTHONY]. I vote "nay."

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. GROOME (after having voted in the affirmative). I ask whether the Senator from New York [Mr. MILLER] has voted.

The PRESIDING OFFICER. He has not.

Mr. GROOME. Then I withdraw my vote.

Mr. FARLEY (after having voted in the affirmative). I voted under the impression that my colleague [Mr. MILLER, of California] was in the Chamber. I am paired with him. I withdraw my vote.

The result was announced—yeas 24, nays 27; as follows:

YEAS—24.

Barrow,	Cockrell,	Hampton,	Pugh,
Bayard,	Coke,	Harris,	Ransom,
Beck,	Garland,	Jackson,	Vance,
Butler,	George,	Jones of Florida,	Van Wyck,
Call,	Gorman,	Maxey,	Vest,
Camden,	Grover,	Morgan,	Walker.

NAYS—27.

Aldrich,	Dawes,	Hoar,	Morrill,
Allison,	Edmunds,	Ingalls,	Platt,
Blair,	Frye,	Lapham,	Plumb,
Cameron of Pa.,	Hale,	Logan,	Rollins,
Cameron of Wis.,	Harrison,	McDill,	Sawyer,
Chilcott,	Hawley,	McMillan,	Sherman.
Conger,	Hill,	Mitchell,	

ABSENT—25.

Anthony,	Groome,	Mahone,	Slater,
Brown,	Johnston,	Miller of Cal.,	Voorhees,
Davis of Ill.,	Jonas,	Miller of N. Y.,	Williams,
Davis of W. Va.,	Jones of Nevada,	Pendleton,	Windom.
Fair,	Kellogg,	Saulsbury,	
Farley,	Lamar,	Saunders,	
Ferry,	McPherson,	Sewell,	

So the amendment was rejected.

The next paragraph, from line 717 to line 741, was read, as follows:

Provided, That iron or steel wire covered with cotton, silk, or other material, and wire commonly known as crinoline, corset, and hat wire, shall pay 4 cents per pound in addition to the foregoing rates: *And provided further*, That no article made from iron or steel wire, or of which iron or steel wire is a component part of chief value, shall pay a less rate of duty than the iron or steel wire from which it is made either wholly or in part: *And provided further*, That iron or steel wire cloths, and iron or steel wire nettings, made in meshes of any form, shall pay a duty equal in amount to that imposed on iron or steel wire of the same gauge, and 2 cents per pound in addition thereto: *And provided further*, That wire rope and wire strand, of iron or steel wire, shall pay the same rates of duty that are levied on the wire of which they are made and one-fourth of 1 cent per pound additional: *Provided*, That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, when galvanized, or coated with any metal, or compound, alloy, or mixture of metals, by any process whatsoever, there shall be paid (excepting on what are known commercially as tin-plates, terne-plates, and taggers' tin, and hereinbefore provided for), one-half cent per pound in addition to the rates provided in this act.

Mr. MORRILL. I move to amend this clause in line 732 by striking out "one-fourth of," in order to leave the duty upon wire rope 1 cent per pound additional instead of one-fourth of a cent, so as to read:

And 1 cent per pound additional.

That was agreed to by a majority of the Committee on Finance after the bill was reported.

Mr. BECK. To make it an additional cent.

Mr. MORRILL. An additional cent for the rope, and I say to the Senator from Kentucky, and I believe I shall be in order in saying it, that another body that claims the power to originate these bills has made it 3 cents, but I think 1 cent is enough. It ought to be that at least, for the reason that we want to secure the best rope that can be made, and the best rope is made by Americans.

Mr. BECK. I think the commission themselves only recommend, as the provision of the bill is:

That wire rope and wire strand, of iron or steel wire, shall pay the same rates of duty that are levied on the wire of which they are made.

That is as far as the Tariff Commission would venture to go, and Mr. Roebling, I believe, and somebody else, who are putting up a bridge at New York, made a death struggle to have an allowance of a half cent for reasons they thought satisfactory, and as long as I heard it argued in committee they did not have anything; the Tariff Commission did not report anything, and now some pressure has come to double up the duty on the wire when it is made into rope. I suppose Mr. Roebling, or some of those gentlemen who want to get twice what the thing is worth, have got this done, although the Tariff Commission, which is held up to us as being worthy of great consideration, recommend nothing, and we did not for a long time think we ought to do anything; but in deference to Mr. Roebling we put one-fourth of a cent additional duty on, and now we are to double the price of wire and give him a cent additional duty. That is the whole proposition.

Mr. MORRILL. It takes in any case thirty or forty strands of this wire to put into this rope, and it is an article that is worth almost double after it is put into the shape of a wire cable or rope, and this addition is necessary whether recommended by the Tariff Commission or not.

Mr. SAULSBURY. I desire to offer an amendment. I move to insert "and fence wire" after the word "tin" in line 739. The provision is:

That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, when galvanized, or coated with any metal, or compound, alloy, or mixture of metals, by any process whatsoever, there shall be paid (excepting on what are known commercially as tin-plates, terne-plates, and tagger-tin, and hereinbefore provided for) &c.

In line 739, after the word "tin," I propose to add "and fence-wire;" so as to read:

That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, when galvanized, or coated with any metal, or compound, alloy, or mixture of metals, by any process whatsoever, there shall be paid (excepting on what are known commercially as tin-plates, terne-plates, and tagger-tin, and fence-wire, and hereinbefore provided for), one-half cent per pound in addition to the rates provided in this act.

The PRESIDING OFFICER. The Senator from Delaware is perhaps not aware that an amendment is pending on an entirely different subject in line 732.

Mr. SAULSBURY. I was not aware there was an amendment pending. I shall offer this amendment after that is disposed of.

Mr. BAYARD. I have a paper before me which states that—

The present and proposed duties on wire used for hoisting purposes are as follows:

	Present.	Proposed.	Increase.
	Per cent.	*Per cent.*	*Per cent.*
Charcoal-iron ropes	56 to 57	98 to 105	75 to 84
Crucible-steel ropes	47 to 51	57 to 62	20 to 22

While there is no such classification in this bill, still this wire rope and wire strands are materials that enter very importantly into the use of shipping, in which the country has ever a great deal of interest.

Mr. HOAR. I rise to a question of order. Which amendment is now pending?

The PRESIDING OFFICER. The amendment offered by the Senator from Vermont in behalf of the committee on line 732.

Mr. HOAR. We can not hear the Senator from Delaware on this side of the Chamber, and we should be glad to.

The PRESIDING OFFICER. The Chair requests that there may be better order. The Chair will inform the Senator from Delaware that perhaps he is not aware that an amendment is pending, offered by the Senator from Vermont.

Mr. BAYARD. Let it be read.

The ACTING SECRETARY. In line 732, after the word "and," it is moved to strike out "one-fourth of;" so as to read:

That wire rope and wire strand, of iron or steel wire, shall pay the same rates of duty that are levied on the wire of which they are made and 1 cent per pound additional.

Mr. BAYARD. That is $22.40 a ton additional upon this wire rope. I have never heard that the duty upon wire rope was not a very full one. I have never heard the slightest complaint as to the insufficiency of the protection upon that; and it seems to me that the proposed advance tallies very strangely with the proposition to relieve American shipping. Wire rope is now an essential. Wire rope for all sorts of hoisting apparatus is essential. Its use is increasing and extending daily. The demand for it is in itself an enormous advantage to those who have already a very large barrier of taxation between them and foreign competition; and I submit that this is not the time, nor is it wise or right to tax the mechanical industries of this country by raising the price from 20 to 25 per cent. higher than it was before of the product of this very highly protected manufacture.

What is the use now of adding $22.40 per ton, as the Senator from Vermont proposes? It was $35 until he changed it. What is the use of speaking of relieving American industry when you shall make it more and more expensive to obtain that which is growing into a daily necessity in so many branches of industry? In the mine you are lessening the duties on domestic coal. The object is, of course, to give to our manufacturers the prime materials of their manufacture as low as possible. If you give with one hand and take away with the other, what benefit or advantage is it to them? I am told this is a very expensive article, and it is a very essential article. The cables that are used on the street-railways now are composed of it; and I might mention a hundred other illustrations of its application to daily use. What is the idea at this time, when the demand is increasing, when the duty already is abundant, of putting another tax of $22.40 a ton? I submit that the Senator from Vermont would be wise in striking out the whole of these lines. You have tax enough on it. I submit that as an amendment to his amendment.

Mr. MORRILL. It is very clear that we have made a low rate upon the wire; and all that we propose in addition to the wire itself, from which this rope is made, is 1 cent a pound. The Senator from New Jersey is not here, or he might perhaps explain it more fully than I shall be able to do; but I wish to say that there is a necessity that there shall be a difference between the duty on wire rope and the duty on the wire itself. The wire rope that is imported from Germany, as in very many instances in coal mines and in elevators, has been found to be a poor article, and the American is much better. This proposition made by me is less two-thirds (that is, it is 1 cent instead of 3) than what has been proposed by a body that claims the right to originate tariff bills, and it is a very low addition in consideration of the amount of labor that is added to this wire to make it into wire rope.

Mr. BECK. The Senator from Vermont has succeeded by voting down an amendment that I offered a little while ago by the aid of his western friends, in doubling up already the rate of duty on the wire fences that have to go over those plains. I hope they will be able to answer to their farmer constituents as well as they can to the Senate. He has already placed upon wire rope in the last five minutes, under No. 16, which is larger than the strands of which almost any wire rope is made, a tax of $56 per ton, and upon all smaller than No. 26, $67.20 a ton. That is the tax imposed in the last five minutes upon the wire out of which this rope is made.

Now, in addition to the $67.20 a ton thus imposed, he proposes to add $22.40 per ton, making the tax upon the wire rope $89.60 per ton. Even the Tariff Commission did not venture to suggest any such increase. Nobody ventured to suggest beyond a quarter of a cent a pound in the committee so long as I was ever present in it, and I think I was at every meeting, and that came only under the pretense that Mr. Roebling, who was building a bridge at Brooklyn, thought he ought to have some little extra upon that rope, and after long hesitation it was conceded at a quarter of a cent a pound. Now, with wire under No. 26 already taxed $67.20 a ton, $22.40 is to be added, making $89.60, when nobody has ever ventured to come before any committee publicly and demand it.

I do not care what the House committee has done, but since reference is made to it I may say that it is under the lead of a representative man, Judge KELLEY, of Pennsylvania, who I do not doubt would make it 6

cents a pound; and there is where I apprehend the trouble with this bill is going to be when the Senator from Vermont and the gentleman from Pennsylvania get together in their conference committee.

Again, I think this whole provision ought to be stricken out, from line 717 down to line 741, because that is one of the favorite ways by indirect means of doubling taxation. What they dare not make high enough directly and take a vote on, comes in in the form of provisos. Why, sir, when I rose a moment ago and yielded to the Senator from Vermont, I rose to make a suggestion in regard to another branch of this proviso a few lines above, from lines 725 to 729:

And provided further, That iron or steel-wire cloths and iron or steel-wire nettings, made in meshes of any form, shall pay a duty equal in amount to that imposed on iron or steel wire of the same gauge, and 2 cents per pound in addition thereto.

Every human being who lives in a country where they can not keep the mosquitoes out without the little wire netting, after having paid a tax of $67.20 a ton for the netting to make the mosquito bars, has to pay $22.40 more a ton or $89.60 to protect somebody, and this is done in the innocent guise of a proviso; and so when you follow here one of these provisos it is an adroit, cunning way of doubling up taxation in a way that they dare not make it in a direct proposition. Think of it; in the Northwest where I have been many a time, in Minnesota, Kansas, and Nebraska, where the mosquitoes are it is true not as big as geese, but where they are very vigorous, $89 a ton is put on the wire that the people living among mosquitoes have to have in their windows or they can not live. Senators from Western States will vote a tax of $89.60 a ton on wire that these poor people have to put over their windows to keep out the mosquitoes, and do it in the name of protecting American labor, while those very people have to raise their wheat and their corn and send it abroad and to sell it in competition with all the pauper labor of the world.

I hope that these provisos will be carefully scanned and looked at from the beginning to the end, and it will be found that there is a series of provisions seeking to create taxes unduly, and this provision made by the Senator from Vermont is not the recommendation of anybody until he brings it in to-day and says it has the sanction of a majority of the committee. No man appeared before the committee to ask for it; no man claimed that he had a right to it; no man claimed that he needed it; no man claimed that $67.20 a ton or 3 cents a pound upon the wire of which these rods are made was not sufficient protection against anybody anywhere, and yet I suppose it will be voted through. I shall at least have the benefit of having the yeas and nays called upon it before it is done.

The PRESIDING OFFICER. The Senator from Vermont moves to strike out "one-fourth of," in line 732, and the Senator from Delaware moves as a further amendment to strike out the whole proviso, beginning in line 729, down to and including the word "additional," in line 732. The question is first on the amendment offered by the Senator from Vermont [Mr. MORRILL].

Mr. BECK. I do not want that to go without the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. JONAS. I am paired with the Senator from New Jersey [Mr. MCPHERSON]; otherwise I should vote "nay."

I desire to announce the pair of the Senator from Kentucky [Mr. WILLIAMS] with the Senator from Nevada [Mr. JONES].

The result was announced—yeas 9, nays 41; as follows:

YEAS—9.

Blair,	Edmunds,	Lapham,	Morrill,
Cameron of Pa.,	Hoar,	Mitchell,	Sherman.
Dawes,			

NAYS—41.

Allison,	Conger,	Harris,	Pugh,
Barrow,	Davis of Ill.,	Harrison,	Ransom,
Bayard,	Farley,	Hill,	Rollins,
Beck,	Frye,	Ingalls,	Sawyer,
Butler,	Garland,	Jackson,	Vance,
Call,	George,	Jones of Florida,	Van Wyck,
Camden,	Gorman,	McDill,	Vest,
Cameron of Wis.,	Groome,	McMillan,	Walker.
Chilcott,	Grover,	Maxey,	
Cockrell,	Hale,	Miller of Cal.,	
Coke,	Hampton,	Morgan,	

ABSENT—26.

Aldrich,	Johnston,	Mahone,	Sewell,
Anthony,	Jonas,	Miller of N. Y.,	Slater,
Brown,	Jones of Nevada,	Pendleton,	Voorhees,
Davis of W. Va.,	Kellogg,	Platt,	Williams,
Fair,	Lamar,	Plumb,	Windom.
Ferry,	Logan,	Saulsbury,	
Hawley,	McPherson,	Saunders,	

So the amendment was rejected.

The PRESIDING OFFICER. The question now is on the amendment of the Senator from Delaware [Mr. BAYARD], to strike out the proviso.

Mr. BAYARD. I withdraw that motion for the present.

Mr. BECK. I move in line 728 to strike out "2" and insert "1;" so that the proviso will read, beginning on line 724:

And provided further, That iron or steel-wire cloths, and iron or steel-wire nettings, made in meshes of any form, shall pay a duty equal in amount to that imposed on iron or steel wire of the same gauge, and 1 cent per pound in addition thereto.

I said when I was up before all that I desire to say; I make the motion because all the wire that is used in small netting, by people who can not live unless they have screens made of wire under No. 26 wire gauge, pay $67.20 a ton, and $22.40 on that, making $89.60. That is surely protection enough, where people have to buy these things, and can not live without them.

Mr. HOAR. Will the Senator from Kentucky state how much 2 cents a pound would amount to as a protection on these articles, which are usually articles requiring a great deal of skill and very light in weight? In a set of window-screens the steel wire would be only 2 or 3 cents apiece.

Mr. BECK. I do not know how much it would amount to in each one, but I know that these screens are a matter of absolute necessity, and the proposition I make leaves a protection of $89.60 a ton, and God knows that is enough, no matter how light it is.

Mr. MORRILL. I presume the Senator does not know how light these are in proportion to their dimensions. I suppose that a wire net screen sufficient for a window would not weigh one pound. It is a very difficult article to weave. It requires peculiar machinery to weave it, and skilled labor; and as to the price it would not make any difference in the price of it if you were to take the duty entirely off, but it is absolutely necessary if the manufacture is to continue in this country that there should be a small duty upon it. It is even more necessary than it is upon cottons, wools, or silks.

Mr. SAULSBURY. I desire to say that the Senator labors under some misapprehension as to the cost of this wire. I live in a section of country where we are annoyed by mosquitoes, and in every outside door or window to every comfortable house there are these screens placed. I know that in my own house there is not a single window but has a wire screen, as well as on the outside doors of my dwelling. Such is the case with all the people of that community, and I apprehend every other community where the annoyance of mosquitoes exists, so that it is a very considerable matter.

Mr. PLATT. Mr. President, I should like to vote intelligently on this question if I can, and therefore I should like to get some information. This is a branch of manufacture. The manufacturer buys his wire and he pays for it whatever the going price is. He is entitled to a certain fair degree of protection on his manufacture when he manufactures it into wire cloth. I do not know how much it costs. I would like to have a fair and adequate protection to him. I think he should have 30 per cent. ad valorem at least. If any one can tell what it costs to manufacture a pound of this wire into a pound of cloth, we should have some intelligent rule upon which we can fix the duty which ought to go upon the cloth. I apprehend it is not too high now.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. BECK] moves to strike out "two," in line 728, and to insert "one." The question is on that amendment.

The question being put, there were on a division—ayes 23, noes 27.

Mr. BECK. I call for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GROOME (when his name was called). I am paired with the Senator from New York [Mr. MILLER].

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "yea."

The result was announced—yeas 24, nays 27; as follows:

YEAS—24.

Barrow,	Cockrell,	Gorman,	Morgan,
Bayard,	Coke,	Hampton,	Pugh,
Beck,	Davis of Ill.,	Harris,	Vance,
Butler,	Farley,	Jackson,	Van Wyck,
Call,	Garland,	Jones of Florida,	Vest,
Camden,	George,	Maxey,	Walker.

NAYS—27.

Aldrich,	Dawes,	Hoar,	Morrill,
Allison,	Edmunds,	Lapham,	Platt,
Blair,	Frye,	Logan,	Plumb,
Cameron of Pa.,	Hale,	McDill,	Rollins,
Cameron of Wis.,	Harrison,	McMillan,	Sawyer,
Chilcott,	Hawley,	Miller of Cal.,	Sherman.
Conger,	Hill,	Mitchell,	

ABSENT—25.

Anthony,	Ingalls,	Mahone,	Slater,
Brown,	Johnston,	Miller of N. Y.,	Voorhees,
Davis of W. Va.,	Jonas,	Pendleton,	Williams,
Fair,	Jones of Nevada,	Ransom,	Windom.
Ferry,	Kellogg,	Saulsbury,	
Groome,	Lamar,	Saunders,	
Grover,	McPherson,	Sewell,	

So the amendment was rejected.

Mr. VANCE. It is now a quarter to 6, and Saturday evening. I move that the Senate adjourn.

Mr. MORRILL. I will say to the Senator from North Carolina that I am merely anxious to get through with the next page, that disposes of iron and steel, and I will then move for an executive session if he will withdraw his motion. I hope we shall not adjourn until we finish this one page, and I do not think there is any matter of dispute in it; and when we reach the end of it I shall move an executive session.

Mr. DAVIS, of Illinois. Mr. President, it is Saturday night and almost everybody wishes to adjourn. You can not get through with the next page.

Mr. SHERMAN. Ten minutes will carry us through the next page.

Mr. MORRILL. I think five minutes will.

Mr. DAVIS, of Illinois. If the Senator from North Carolina will withdraw his motion, I shall move that the Senate proceed to the consideration of executive business.

Mr. VANCE. I yield for that purpose.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois, that the Senate proceed to the consideration of executive business.

Mr. EDMUNDS. I call for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. GROOME. I am paired with the Senator from New York [Mr. MILLER].

The result was announced—yeas 26, nays 26; as follows:

YEAS—26.

Barrow,	Coke,	Harris,	Ransom,
Bayard,	Davis of Ill.,	Jackson,	Vance,
Beck,	Farley,	Jonas,	Van Wyck,
Butler,	Garland,	Jones of Florida,	Vest,
Call,	George,	Maxey,	Walker.
Camden,	Gorman,	Morgan,	
Cameron of Pa.,	Hampton,	Pugh,	

NAYS—26.

Aldrich,	Dawes,	Ingalls,	Morrill,
Allison,	Edmunds,	Lapham,	Platt,
Blair,	Frye,	Logan,	Rollins,
Cameron of Wis.,	Harrison,	McDill,	Sawyer,
Chilcott,	Hawley,	McMillan,	Sherman.
Cockrell,	Hill,	Miller of Cal.,	
Conger,	Hoar,	Mitchell,	

ABSENT—24.

Anthony,	Grover,	McPherson,	Saunders,
Brown,	Hale,	Mahone,	Sewell,
Davis of W. Va.,	Johnston,	Miller of N. Y.,	Slater,
Fair,	Jones of Nevada,	Pendleton,	Voorhees,
Ferry,	Kellogg,	Plumb,	Williams,
Groome,	Lamar,	Saulsbury,	Windom.

So the motion was not agreed to.

Mr. VANCE. I now move that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina [Mr. VANCE], that the Senate adjourn. [Putting the question]. The Chair is in doubt.

Mr. VANCE called for the yeas and nays, and they were ordered.

Mr. HOAR. I thought last night when we voted to adjourn there was an engagement by the Senator from Kentucky [Mr. BECK], and I think other Senators on that side, that if we adjourned then they would sit to a late hour this evening

Mr. HARRIS. The Senator from Massachusetts certainly did not understand that there was anything like a general consent to any such suggestion.

Mr. HOAR. No dissent was expressed.

Mr. BECK. As my name was called by the Senator from Massachusetts, I will say that I said last night, and I repeat again, that whenever a notice is given to us that there is a desire to have a night session, I will stay as long as any one. The Senator from Vermont was kind enough to say yesterday evening that he had not given notice; and none has been given to-day. It is now nearly 6 o'clock. I care nothing about it, but whenever notice is given I am willing to stay; but gentlemen around me tell me they have engagements for this evening.

Mr. HOAR. I understand that notice was given last night.

Mr. BECK. None was given.

Mr. HOAR. I have no doubt the Senator from Kentucky will carry out everything he says.

Mr. MORRILL. I wish to give notice now that I shall on Monday, and after that during the week, ask for a continuous session into the evening, in order to get through with the bill next week.

Mr. VAN WYCK. Then I suggest to the Senator not to press this matter further to-night.

Mr. EDMUNDS and others. Let us go ahead.

The PRESIDING OFFICER. The motion is to adjourn, on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. MITCHELL. My pair with the Senator from Virginia [Mr. JOHNSTON] is transferred to the Senator from Rhode Island [Mr. ANTHONY].

Mr. SAULSBURY. The pair which I announced with the Senator from Michigan [Mr. FERRY] is transferred to the Senator from Mississippi [Mr. LAMAR], and I vote "yea."

Mr. GROOME. I announce my pair with the Senator from New York [Mr. MILLER].

The result was announced—yeas 27, nays 26; as follows:

YEAS—27.

Barrow,	Coke,	Harris,	Ransom,
Bayard,	Davis of Ill.,	Jackson,	Saulsbury,
Beck,	Farley,	Jonas,	Vance,
Butler,	Garland,	Jones of Florida,	Van Wyck,
Call,	George,	Maxey,	Vest,
Camden,	Gorman,	Morgan,	Walker.
Cameron of Pa.,	Hampton,	Pugh,	

NAYS—26.

Aldrich,	Dawes,	Ingalls,	Morrill,
Allison,	Edmunds,	Lapham,	Platt,
Blair,	Frye,	Logan,	Rollins,
Cameron of Wis.,	Hale,	McDill,	Sawyer,
Chilcott,	Hawley,	McMillan,	Sherman.
Cockrell,	Hill,	Miller of Cal.,	
Conger,	Hoar,	Mitchell,	

ABSENT—23.

Anthony,	Grover,	McPherson,	Sewell,
Brown,	Harrison,	Mahone,	Slater,
Davis of W. Va.,	Johnston,	Miller of N. Y.,	Voorhees,
Fair,	Jones of Nevada,	Pendleton,	Williams,
Ferry,	Kellogg,	Plumb,	Windom,
Groome,	Lamar,	Saunders,	

So the motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January* 27, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

SURVEYOR OF THE PORT OF NEW ORLEANS.

Mr. LYNCH. I ask unanimous consent to take from the Speaker's table for present consideration a Senate bill to which I think there will be no objection.

The SPEAKER. What is the title of the bill?

Mr. LYNCH. It is Senate bill No. 1592, fixing the salary of the surveyor of the port of New Orleans.

The SPEAKER. The bill will be read, after which the Chair will ask for objection.

The bill was read, as follows:

Be it enacted, &c., That the salary of the surveyor of the port of New Orleans be, and is hereby, fixed at $4,500 per annum.

The SPEAKER. Is there objection to the present consideration of the bill just read?

Mr. HOLMAN. I object.

Mr. LYNCH. I think if the gentleman will hear an explanation——

Mr. HOLMAN. I will reserve my right to object until the gentleman can explain the bill.

Mr. LYNCH. I will say that section 2719 of the Revised Statutes of the United States fixes the compensation of certain officers therein named, the surveyors of ports being among them, in certain cities therein named, New Orleans being one of them, at the amount specified in this bill.

Some time after the adoption of the section of the Revised Statutes a clause was inserted in an appropriation bill reducing the amount to be received by the surveyor of the port of New Orleans. The question was referred to the Secretary of the Treasury and he recommends that this bill be passed, fixing the amount at the sum prescribed in the Revised Statutes.

I have conferred with the Representatives from the city of New Orleans [Mr. ELLIS and Mr. GIBSON], both of whom have considered the matter, and they say this bill is right; the other members here say it is right and the Secretary of the Treasury says it is right. The bill was passed by the Senate without objection.

Mr. HOLMAN. I do not remember the salary fixed by the appropriation bill for that office. What is the salary?

Mr. LYNCH. I do not remember the exact amount, but it is considerably less than the sum named in the bill.

Mr. HOLMAN. I will have to call for the regular order; I am opposed to any increase of salaries.

The SPEAKER. Objection being made, the bill is not before the House.

ORDER OF BUSINESS.

Mr. HOLMAN. I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

Mr. KELLEY. I move to dispense with the morning hour for the call of committees for reports.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. KELLEY. I now move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the tariff bill.

Mr. URNER. I desire to submit a report from the Committee on Accounts.

The SPEAKER. Is it privileged?

Mr. URNER. It is.

Mr. BURROWS, of Michigan. It will take but a moment.

ACCOUNTS OF SELECT COMMITTEE ON MISSISSIPPI IMPROVEMENTS.

Mr. URNER, from the Committee on Accounts, reported the following resolution:

Resolved, That a sum not exceeding $1,000, out of the contingent fund of the House, may be applied and used by the Clerk of the House for the payment of such vouchers as may be presented by the Select Committee Relative to Appropriations for the Improvement of the Mississippi River, such vouchers to be approved by the chairman of said committee, and subject to the approval of the Committee on Accounts.

The resolution was adopted.

Mr. URNER moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. HOLMAN and others called for the regular order.

Mr. JOYCE. I desire to submit a report.

The SPEAKER. Is it a privileged report?

Mr. JOYCE. It is a report from the Select Committee on the Alcoholic Liquor Traffic upon a bill to limit the number of licensed liquor saloons in the District of Columbia.

The SPEAKER. The call for the regular order cuts off reports.

Mr. DEERING. I hope the gentleman from Pennsylvania [Mr. KELLEY] will give us an opportunity to submit reports from committees.

Mr. KELLEY. I have not called for the regular order.

COMMITTEE ON THE IMPROVEMENT OF THE MISSISSIPPI RIVER.

Mr. BURROWS, of Michigan. I ask the gentleman from Pennsylvania [Mr. KELLEY] to yield to me to ask permission of the House that the Select Committee on the Improvement of the Mississippi River be authorized to sit during the sessions of the House.

There was no objection, and leave was granted accordingly.

ORDER OF BUSINESS.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania, that the House now resolve itself into Committee of the Whole for the further consideration of the tariff bill.

Mr. JOYCE. What is the reason I can not be recognized to offer a report when other gentlemen have been recognized?

The SPEAKER. Simply because a motion is pending and a number of gentlemen have called for the regular order.

Mr. JOYCE. The Speaker recognized the gentleman from Michigan [Mr. BURROWS].

The SPEAKER. The gentleman from Pennsylvania [Mr. KELLEY] moves that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BURROWS, of Michigan, in the chair.

TARIFF.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill (H. R. 7313) to impose duties on foreign imports, and for other purposes, upon which the gentleman from Missouri [Mr. BLAND] is entitled to the floor.

Mr. BLAND. Mr. Chairman, I do not propose as an humble member of this body under the circumstances to proceed to discuss the pending bill in detail. It is only within the last day or two that we have been afforded the opportunity of examining this bill. It is a bill containing some two thousand and over articles of home production and manufacture on which duties are imposed, together with a great number upon the free-list. It is a bill which, as its friends profess, involves the weal or the woe of the industries of this country. Nearly every line and every paragraph of the bill relates to some separate subject-matter which is an industry of importance, and should receive due consideration at the hands of this Congress. And yet, sir, this bill within a few days appeared for the first time in print, and the report and comparative statement have not been furnished to us in time for us to examine them for use during the general debate.

There are some peculiar circumstances surrounding this subject and its management. There has for years been a demand for reform of the tariff. The subject has been pending in Congress for the last two or three sessions, and those of us who favor tariff reform, when we met here a year ago last December, demanded that there should be reported to the House some bill having in view a reduction of taxation and the relief of the people from the burdens imposed by our tariff system. With what were we met at that time? There was reported to us in the latter part of the session, after we had been here four or five months, the Tariff Commission bill, which (whether or not its object may have been to postpone the consideration of the subject and prevent its intelligent consideration during this Congress) has had that effect—an effect predicted by its opponents at the time, who then declared that it was simply a postponement of the subject to prevent action during this Congress, or else to perpetrate upon us the iniquity and fraud charged against the bill now brought here for consideration in the expiring weeks of this Congress when we have no time to consider it in detail; and it is proposed without discussion, without intelligent examination, to choke this bill through the House and the Senate, although even its own friends can not give us a "shrewd guess" as to its effect upon the industries of the country or its revenues.

There are two interests, however, that it well serves. The protective interests, for the bill takes money that ought to go into the Treasury and puts in the pockets of the tariff barons; this suits protection. It pleases the bank president because the revenues it thus prevents from going into the Treasury stops paying the debt and canceling bankable bonds. This will continue the national banks. They are happy.

Mr. Chairman, I suspect that originally there was no intention of considering this subject during the present Congress; that the Tariff Commission bill was a mere makeshift to postpone and defeat its consideration. But the elections of last November taught a different lesson, and we find that the very men and the very party who heretofore were anxious to postpone the consideration of this subject, who delayed it from day to day, refusing to take it up and consider it, now meet in solemn caucus and determine that a bill which has just been presented to us shall receive only two hours' discussion on either side of the House. The people having discussed this question and decided it at the last election, having, as they supposed, elected men to represent their views on this subject, men whose terms of office will begin on the 4th of March next, the party in power here, instead of permitting the next Congress, coming fresh from the people, to take charge of this subject, propose that it shall be dealt with and settled by this Congress, which has been condemned by the people, a Congress which will expire on the 4th of March next, and many of whose members—I might say a majority who are favoring this bill—will then go out of office. Having been defeated on these issues, they still insist on forcing the policy of a high protective tariff on the people.

Is that any reason why the Committee on Ways and Means and the protection party of this House is not even as liberal toward the people in reducing burdens as the Senate, for we know that this bill does not go as far in reduction and reform as the Senate bill. Senators hold over; after the 4th of March next they will still be responsible to the people of this country; and being so responsible, they are differently situated from many of us whose responsibility and whose political life will expire with the termination of this Congress.

I am forcibly reminded, Mr. Chairman, of another species of legislation similar in character to this which was put through this House under whip and spur in the Forty-third Congress. That Congress, which was also Republican, met here during a panic. They undertook to devise remedies for that panic. The representatives of the people in this House—almost by a two-thirds vote or by a very large majority—determined that to pass a bill increasing somewhat the legal-tender money of the country, increasing the legal-tender notes from $375,000,000 or $380,000,000 to $400,000,000, would give some relief to business prostration. That bill having been passed here, went to the Senate, where it was also passed. But it met with an executive veto. The elections followed in the succeeding November, and we remember the result. A House of Representatives was chosen which was Democratic by nearly two-thirds. But, sir, before the Congress thus elected could meet, the House that was to expire on the 4th of March following, the majority of whose members had not been returned, their political life expiring with that Congress, turned around and reversed the former legislation. Instead of passing a bill to increase the currency they passed a bill to contract and decrease it, to provide for the resumption of specie payments by contraction and by the destruction of the greenback dollar; thus defying the will of the people as expressed at the polls and forestalling the action of the new Congress. Thus the subsequent Congresses, in which there was a Democratic majority, were driven to the necessity of passing bills to remedy the viciousness of that legislation—first, to give us resumption by giving us a coin in which to resume. Finding that silver had been demonetized, we restored it. Instead of contracting the greenback dollar, we passed a bill preventing its further contraction, thus giving to the country a monetary system which aided in bringing about the prosperity that we see to-day and have enjoyed since that time. Protective tariffs do not prevent panics and hard times, but precipitate and intensify them, for the panic alluded to occurred during our present protective tariff.

Mr. Chairman, the resumption bill was put through under the gag-law, and by the operation of the previous question; no discussion was had upon it, and this bill is to be driven through the House in the same way. The Congress that is to follow us will have to take up this question again, and strip our legislation on this subject of its iniquities and inequalities.

But it is whispered around—we hear it on every hand—that unless this House and the Senate pass this bill, or some other tariff bill, the President is to call the next Congress in extra session for that purpose. That, I suppose, is to be a terror held over us to hasten us in our action and to prevent a due consideration of this measure. That is to be held

over our heads as a threat to compel us to take this bill or else to remain here during the summer months in extra session to consider the matter. It has no terrors in it for me.

Mr. KELLEY. Will the gentleman permit me to ask whether he has any authority whatever other than mere idle rumor for that statement?

Mr. BLAND. I have seen it so stated in the public prints——

Mr. KELLEY. Oh, yes.

Mr. BLAND. And I have heard it whispered here upon the floor of this House.

Mr. REAGAN. Let me say to the gentleman from Pennsylvania that the President has intimated to Senators that he was waiting to see what the action of Congress would be on the tariff bill to determine whether he would have to call an extra session of Congress.

Mr. KELLEY. I doubt that such an intimation ever came from the President. The President would not propose to offer a bribe to the Democratic party to prevent legislation on this subject.

Mr. BLAND. I was proceeding to say, Mr. Chairman, that the same threat was made during the Forty-sixth Congress when we had under consideration the bill to refund the national debt. During that Congress when that bill was under consideration for the purpose of refunding the bonds as they became due the bondholders and those in the interest of the bondholders were anxious to secure from the Government the greatest amount of interest and the longest time that they could possibly get for these extensions. They were anxious to have the securities of the Government in exchange for their bonds as they fell due, with the highest rate of interest that they could possibly extort. Strong pressure was brought to bear from all quarters in their interest. They wanted a 4 per cent. bond. We were told unless we passed a bill to refund the debt that the President would deem it a sufficient cause for convening Congress in extra session. We passed that bill, sir, providing for the conversion of that debt into 3 per cent. or its refunding at the lower rate of interest. This was not what the banks and bondholder wanted. So after all the President vetoed the bill. The Secretary of the Treasury of a subsequent administration took it upon himself to pass a refunding law of his own, so to speak, and refunded the debt at a greater rate, the most of it at 3½ per cent. Thus the capitalist had his way anyhow.

So, Mr. Chairman, from history I think that I am justified in saying that we are under duress, and that threats have been held out that we must pass some bill of this kind to suit the other side, for we are informed that the bill must be one that is satisfactory because there is power to veto it if it does not suit and to sign it if it does.

Why this inordinate haste to pass this bill? What is the occasion for it? There was no such haste displayed at the last long session of Congress. We appointed this commission in place of revising the tariff ourselves. It took all the summer and fall to investigate the subject, as they claim. They went to all of the large cities where the manufacturers and the capitalists could have easy access to them. They paid but very little attention to the laboring and agricultural classes of the country. They came here with a report and proposed a bill. That report is referred by this House to the Committee on Ways and Means. In last December, on the convening of Congress, this commission, no doubt having been to some extent admonished by the elections, did report a bill professedly, at least in some respects, to relieve the people of the burden imposed upon them by the present tariff; and yet after nearly two months' consideration by the Committee on Ways and Means these admonitions have been forgotten, the report of the commission and its bill have been set aside, and in nearly every instance where they recommended a reduction an increase of duties has been made. And yet, sir, after this committee has consumed nearly two months in reviewing this report, in preparing a bill, we are asked without consideration to take their bill and to pass it before the 4th of March next.

It will be difficult, Mr. Chairman, for any one to discuss this bill in detail under these circumstances. We have not had the opportunity that our friends on the other side have had in directing the business of this House. They have been in the majority. They were informed and knew when measures were to be brought forward or when they were not. They kept us in the dark as to their proceedings; consequently we are at a great disadvantage in this discussion. But so far as I am personally concerned, and I have no right to speak for any one else, I am willing under all the circumstances even in the short time allowed to us to proceed in regular order to the consideration of this bill with a vain hope that it may be even barely possible under it to effect some reforms and incorporate upon its pages some measures of legislation that will give relief to the people of this country. That will to some extent be satisfactory, and if that be so I shall not, so far as I am concerned, make any protest against its passage. But, Mr. Chairman, if the bill in its present shape is the best that we can do, if that is all that is to be offered to a long-suffering and patient people, I shall consider that any parliamentary means which may be resorted to for its defeat would be not only justifiable but demanded on the part of the people of this country who have elected other men to consider and revise this subject.

We are told, and the protective system tells us, that it is the duty of Congress to take charge of the various industries of this country; that we are to meet here for the purpose of reviewing the duties on imports, not so much for the object of revenue as for the protection of the various industries named. In other words, instead of proceeding under our constitutional authority to levy these taxes for the purposes of revenue and permit the business interests to take care of themselves, having regard in levying this revenue to the fact that it will give incidental and ample protection to all our industries—instead of being satisfied with that they claim we should go forward and make protection its chief object and revenue its incident.

When we consider that this Government consists of over 50,000,000 people, embracing a territory of nearly half a continent, extending from the Atlantic to the Pacific and from the lakes to the Gulf, with its thousands of diversified interests, to say that we can in three weeks in this Congress so adjust a revenue system as to do anything like intelligent justice to these industries is too absurd to be considered for a moment. And if no argument was required to answer the claims of protection, this argument alone is sufficient to show that no government or legislative body is competent to take charge of the business interests of its people and regulate them by a law.

Why, Mr. Chairman, we were told that the object of protection is to benefit American labor; but when we answer that American agriculture has employment for the 800,000 engaged in manufactures, who in the course of time may find it convenient to leave manufacturing industries, that there are lands sufficient to provide them homes, and that they will find employment in agricultural pursuits, we are told that in that event they will come in conflict with the farmers, and thus the farmers of the country will find a competition from all the laborers engaged in manufacturing pursuits.

Why, if that were so, Mr. Chairman, Missouri alone has sufficient territory and soil to support every one of them now engaged in manufacturing industries in this country, to say nothing of Kansas, that lies on its border, and Texas could take care of four times as many, and they would live better, make more money, live easier, and be more independent than they are in their present pursuits. And more, sir, they would then become the producers of wealth instead of the consumers of wealth. For at last it is from the soil that all the wealth of this nation and other nations is derived, and your manufacturing industries or other industries could not exist without the industry of the soil. It is the produce of the farm and of the agriculturist sent abroad that brings to us wealth. It gives us the balance of trade. That means we are making more than we are expending. It helps to pay our national debt, our individual debts, our State debts, and all others. And the more there are engaged in this industrial pursuit, that does not call upon the Government to sustain it but sustains itself, a business that pays and asks no subsidies to be maintained, an industry that gives to us wealth and the power to pay our debts and to live independent, the more that you engage in it the more wealth you have and the better you live and the better it is for all concerned.

Our farmers are not frightened at the idea of this competition. They are ready and willing to receive and do invite immigration to those States. Their lands are cheap, and they are glad to be afforded the opportunity of selling them. They are glad to invite immigration of this sort, because they know it helps to pay their local taxes, their county and State taxes, their national taxes; and every farmer added to the industries of this country becomes a prop, not only to support himself but to support the whole fabric.

But, sir, while this is true, we do not propose to interfere with the manufacturing industries of this nation. We recognize the fact that under a system of protection capital has been invested—capital probably that might not have been invested under other circumstances. And governing ourselves by the circumstances, all that we demand is that this tariff bill shall be adjusted upon a system of raising revenues sufficient to support the Government and pay the debt, and in so adjusting that system to have due regard for the incidental protection that it will give. But they are not satisfied with that; and if I am correctly informed by the speech of the gentleman from Virginia [Mr. TUCKER], a member of the Ways and Means Committee, instead of this being a bill for the purpose of raising revenue to go into the Treasury, it will curtail the revenue that goes into the Treasury by raising the tariff so as to exclude imports, while by the same stroke of the pen it places the money in the pockets of the monopolists. That is to say, we decrease the amount that goes into the Treasury, but increase the amount that goes into the pocket of the manufacturers. And the argument that there is a reduction of taxation comes from the fact that under this bill the same amount of money will not go into the public Treasury as under existing law.

But we have been told by those who as members of the Ways and Means Committee have had the opportunity to examine this bill, that while that is the case yet the burden upon the people has been increased in the way of high protective duties that exclude imports; so that what the people demanded, a reduction of burdens, has not been given. They have never demanded a reduction of taxation that goes into the Treasury of the Government, for we will need it to pay our national debt, &c. I will take a commodity—I will say iron, simply for an illustration without going into details; or steel—I do not remember, nor is it necessary for illustration, what the duty on steel is now in its various forms, nor what it is under this bill. But say it is $10 per ton, for illus-

tration. Then every ton of steel that is imported into this country pays into the Treasury of this Government $10; but every ton that is manufactured in this country and sold at the price enhanced by the duty pays $10 that goes into the pocket of the manufacturer and never reaches the Treasury. In other words, the steel that is imported into this country pays $10 per ton that goes to pay the expenses of this Government, the pensioner, the bondholder, and every other expense; but when the product is bought from the manufacturer of this country the same $10 goes into his pocket as a bounty, which bounty is increased by this bill, while the amount to go into the Treasury is decreased, speaking as to the general effect it will have.

Now, upon the subject of wages. When we tell these men that the farmer of this country is not afraid of competition, but rather invites it, they say that they want to protect American labor; that it is not right that the American laborer should work for the same wages as the pauper laborer of Europe. To that we all agree; but we deny that bounties and monopolies given to capitalists increase wages.

How is it that the agricultural people of this nation can compete with the pauper labor of Europe and of the civilized world, and while doing that contribute all that is contributed originally of the wealth of this coantry in any form? They are demanding no protection at our hands. Under our system of taxation the agriculturists are compelled to compete with the agriculturists of Europe, not only of Great Britain but of the civilized world. And all that we do by our revenue system in regard to them is simply to discriminate against them, because every laborer who is taken out of competition with the agriculturist and added to the manufacturers and the consumers of agricultural products tends to give the agriculturist of Europe and of the civilized world the opportunity to enjoy advantages in common with our own people, for our agriculturists are compelled to compete with them, and they do not under our laws contribute to taking laborers from the agricultural interests and transferring them to the manufacturing interest. It does not pay our farmers to buy or hire people to engage in other than agricultural pursuits. They object to being taxed for any such purposes.

If the agriculturists of this country can compete with those of other nations why should not our manufacturers do the same? We are told that we are possessed of a soil richer than that of other countries and yielding more abundantly, that our seasons are more favorable, that our facilities for agricultural pursuits afford an opportunity for this competition.

How is it with the manufacturing industries? Have they not also a new continent in which to operate? Have they not taken the cream of our mines of iron, coal, &c.? Have they not had the opportunity of selecting those nearest the market and richest in deposits, those nearest the coal and wood? Have they not the advantage of transportation by water and by land? Have they not had an opportunity to traverse the whole continent, so to speak, the same as the agriculturist, for the purpose of finding the richest deposits of mineral? Have they not had the same opportunity and the same natural facilities for manufacturing that our people have had for farming, and ought they not to be able to compete in the same way?

Those who manufacture our textile fabrics have at home the cheapest raw material and have a home market unsurpassed; they have the advantage in cost of transportation and a prompt handling of their products; we will also propose to give them the advantage of a tariff system adjusted for revenue, and with reference incidentally to giving them an advantage over European manufacturers. With this they are not content.

By the bounty of a protective tariff they seek to dominate not only the market of this country but the markets of the civilized world besides. England gave free trade to the agriculturist of this country by repealing the corn laws in 1846 and permitting our agricultural products to go into that country free of duty. This added greatly to the prosperity of that portion of our people. We have the freedom of their markets with our agricultural products and our manufacturing products as well. They are our best customers for our farm products. England gives us free trade for the produce of our farms and the products of our manufactories. Our manufacturers demand that duty shall be so high as to exclude the manufacturers of England from coming in competition with them and thus giving our farmers the benefit of a competing market.

There is no question in my mind that under the tariff system which we advocate our manufacturing industries would be maintained as they have been; indeed, I believe that generally they would be more successful and more prosperous than they are now. Their business would be conducted more upon correct principles, in accordance with the law of supply and demand and the law of economy. They would be taught that they must rely to some extent at least upon business habits and business economy, and make close calculations, like the rest of us, in order to secure a living, and not rely for that purpose upon acts of Congress.

When you tell the manufacturers of this country that the farmers, the agriculturists, and the consumers are demanding a reduction of these duties in order that they may have the advantage of competition, they answer that Great Britain and other European countries would flood our markets and break down our industries. Now, what do we see? Under our present system, if we examine the statistics, we will find that whenever under our high protective tariff there is a slight importation of some articles, the moment that article is imported these manufacturers come to Congress and demand that its importation shall be prohibited by means of a duty upon the article, and thus prevent competition. Instead of conducting their business upon business principles and principles of economy in order to meet that competition, instead of reducing their expenditures in living more within their income, they come to Congress and ask relief from that competition by the raising of duties on imports. No, Mr. Chairman, let them spend less in high living, wining and dining, speculating and running corners on the markets to put up or put down prices, thus to cheat producers and consumers alike and destroy the profits of labor.

Why, Mr. Chairman, gentlemen around me can remember very well that under what was called a tariff for revenue we had prosperity in this country. We then had manufactures and manufacturing interests. We remember, however, that there were not then so many fortunes made as are made to-day. From 1850 to 1860, when we were on the basis of a revenue tariff, there was general prosperity throughout the country. Every man could make a living and make it easily. Business was regulated according to business principles and according to the law of supply and demand, not by legislative act. In those days a millionaire was scarcely heard of. A few of our merchant princes in large cities had accumulated fortunes probably to that amount; but those men could be counted on the fingers of one's hand. Under your protective-tariff system, however, you find that instead of the wealth of this country being generally diffused, all the people being in easy circumstances and to some extent upon an equality, millionaires can be counted by the thousands, and on every hand are counted the "tramps," a name that was never heard of until this high protective system brought into existence the class which it describes.

The law is usually made for the strong, when it ought to be made for the protection of the weak. We respond to the demands of capital and legislate for the protection of capital rather than the protection of the laboring man and the poor. When the laboring man of this country is taught to believe that he must rely upon Congressional legislation, upon tariff bills to protect him, he is relying upon a broken reed and taught a dangerous doctrine, because all the legislation of Congress for the last twenty years has confessedly been in the interest of capital and against labor. To-day I can look around me and see in these galleries, in this lobby, in those corridors, the agents and attorneys of these millionaire manufacturers and corporations, who are here pressing the passage of this bill in their interest, although it is death to the laboring interests of the country. You can scarcely leave one of your committee-rooms to come into this Chamber without being jostled from your path by this eager crowd. To-day they are swarming in this city; the hotels are full of them. The newspapers are publishing everywhere the fact that the lobby is here to-day in greater force than ever before. Lobbyists of whom? Of the farmer and the laboring man? Oh, no. It is these millionaires who are demanding the passage of this bill for the purpose of enslaving and crushing labor, building up monopolies. This bill is full of "infant industries." These infants, being of royal birth, are to be born and bred millionaires. In a few years they will grow to lusty manhood, full-grown millionaire cormorants.

As I before stated, we are dependent upon the soil for all the wealth of this country. That which might encourage the tilling of the soil would be to the interest of the laboring man and all concerned. Why? Because the price of labor depends upon the wage capital, the wealth to be invested in wages. The wealth to be invested in wages, which keeps up the price of labor, is that wealth which comes from the soil, that keeps up all prices and all business industries. When we diminish that and legislate against it we destroy the wealth and the capital or wage fund to be invested in labor, and to this extent we destroy or reduce the price of labor.

I can illustrate some of the workings of the present tariff system with regard to labor by referring to the "strike" a few years ago. One of the great difficulties of Congressional legislation, with reference to the business of the country, is its tendency to build up monopolies, to legislate in favor of the rich as against the poor. Under the stimulus of a high protective tariff we find that capitalists rush into these protected branches of industry. They go on for a while at a large profit, but finally they ascertain that they have manufactured beyond the demands of the market. They have crippled agriculture by reducing its profits. They have reduced the opportunities for a market and the amount of wealth to be invested in wages. What do they do under these circumstances? Why, sir, we are told that sometimes one factory will buy out another or pay it to stop a short time—for five or six months, or probably they will all shut down and wait awhile until prices rise. Meanwhile the laborers are turned out of employment. Thus instead of the laborer working the year round, as he might do on a farm, he is employed only five or six months in a year or not quite so long, and during the remainder of the year is idle. The manufacturer, however, retains his wares and refuses to place them upon the market, in order to maintain his prices and his profits.

We had an illustration of the working of this system when the strike

occurred a few years ago—when the city of Pittsburgh was almost laid in ashes—when from one end of the country to the other State governments were called upon to summon out their troops to put down mobs, and even the Federal Government was appealed to to shoot down starving laborers who had been turned out of employment. What did these laborers do? They came to our Western country as "tramps," so-called; they came there to get bread which had been refused them by these monopolists and manufacturers. They went from door to door. They obtained bread, and finally obtained labor. Many of them to-day are prosperous farmers on our Western prairies. But the monopolists follow him there and by protective tariffs rob him to further swell their profits.

This, from a paper read before the labor congress in Cleveland, Ohio, by Mr. Frank Foster, of Cambridge, Massachusetts, who represented the International Typographical Union, on the motion to strike out the eleventh section in the platform of principles of the society. The section stricken out was as follows:

That we recommend to the Congress of the United States the adoption of such laws as shall give to every American industry full protection from the cheap labor of foreign countries.

This part of the platform of this labor union was stricken out by vote of 17 to 7.

Mr. Foster said:

We aim at high wages. Let us recognize the great fact which is fast impressing itself upon the understanding of the masses, that land is the source of all wealth, and its accessibility to the people the main factor that determines the measure of the need of the people. Not the tariff, not prohibitory duties, but the broad, far-reaching plains of this great Western country and the many fertile valleys of the North and South supply the cause of the higher wages of the American workingmen. In times of business depression the overplus of mechanics turn for relief to the soil, and that steady competition is continued between agriculture and manufactures that has no equivalent in any other land.

It is the soil, it is agricultural pursuits that at last give the laborer a home, give him employment and maintain him when turned out of employment in manufacturing establishments under the high pressure of protective duties. In such an emergency our laboring men must look to agricultural pursuits for a living; and if the industries of the country had been permitted to assume their natural position, or follow their natural course, many of our laboring people would have engaged in cultivation of the soil long ago—would have been prosperous.

I will have read from the Journal of the Senate, December 4, 1882, page 17.

The Clerk read as follows:

If the tax on domestic spirits is to be retained, it is plain therefore that large reductions from the customs revenue are entirely feasible. While recommending this reduction I am far from advising the abandonment of the policy of so discriminating in the adjustment of details as to afford aid and protection to domestic labor. But the present system should be so revised as to equalize the public burden among all classes and occupations, and bring it into closer harmony with the present needs of industry.

Without entering into minute detail, which, under present circumstances, is quite unnecessary, I recommend an enlargement of the free-list so as to include within it the numerous articles which yield inconsiderable revenue, a simplification of the complex and inconsistent schedule of duties upon certain manufactures, particularly those of cotton, iron, and steel, and a substantial reduction of the duties upon those articles, and upon sugar, molasses, silk, wool, and woolen goods.

Mr. BLAND. The following, from a document entitled "How protection affects the farmer," was circulated as a campaign document in the district I represent:

We are sending to other nations yearly our agricultural implements, including fanning-mills, horse-powers, mowers and reapers, plows, cultivators, forks, hoes, &c., carriages, carts, cotton goods, railroad cars, locomotives, steam engines, watches, clocks, glass and glass-ware, hats, caps, boots, shoes, wearing apparel, machinery, cutlery, edge tools, files, saws, firearms, nails, India rubber goods, jewelry, lamps, saddlery, harness, organs, piano fortes, paper, stationery, printing presses, sewing machines, household goods, furniture, woodwork, tinware, and scales.

Now, if the President in his message recommends a reduction of the tariff upon iron, cotton and woolen goods, and so forth, and we are advised by those who investigated the subject, and by gentlemen upon the Committee on Ways and Means who are familiar with it, that there have been no reductions of consequence upon these articles, does the President mean that if we fail to pass this bill, or a similar one that will meet his views, that he will convene us together again for the purpose of considering the subject? If so, to pass this bill, which does not conform to his recommendations, will be no cause for his not convening us in extra session immediately after the adjournment of the present session. In other words, this bill does not follow his recommendations. The President felt instructed by the last fall elections, and so too did the Tariff Commission to some extent, with reference to this question; but the Committee on Ways and Means seem to have been influenced more by the agents and attorneys of these manufacturing and industrial interests, who have access to their committee-rooms, and who press the consideration of particular measures and interests there, to raise instead of reducing the revenues upon them. We are legislating not in conformity to the recommendations of the Executive or the Tariff Commission. The paper that I had read a moment ago from the desk refers to the fact that the iron and cotton goods and others which the President mentions, and on which he recommends a decrease, are being sold now in England; in other words that we are really exporting them, and if that be so why is it not proper to reduce the duties upon them? If we can sell them in the English market or in the other markets of the world at prices so as to make it possible to export them at a profit, then there is no necessity for prohibitory tariffs in order to prevent competition. The articles enumerated can be exported and sold in England; yet England does send them here and pays a duty of about 50 per cent besides, thus showing that our home manufacturers are selling to us at a profit of 50 per cent.

But I may remark right here in passing, that I am satisfied the duties imposed to prevent this competition by importation are simply intended to be prohibitory, or practically so, in order that these articles may not only be sold in the home market without foreign competition, but that they may also be sold in foreign markets in competition with foreign goods, and thereby make a profit in both ways.

In the testimony of the Tariff Commission is a paper read by Professor W. G. Sumner, of Yale College, on page 2327. In this paper the following answers were given by this professor on political economy to questions on the part of Commissioner Boteler:

Question. We have as many natural advantages and resources as any country in the world. Do you think we should have attained any great degree of eminence in the production of those manufactured articles that have made us important in the world's history if we had been kept in subjection to England, and received our supplies from the old country instead of improving our natural advantages?

Answer. The colonial system was nothing in the world but a protective system.

Q. It was a protective system to England, but not to us. It did not encourage manufactures here; on the contrary it restricted them. So far as the protective system existed in the old country it had no application to our country.

A. Yes, it did. It was exactly the same as the levying of taxes on the Western farmers to-day for the benefit of the Eastern manufacturers—identically the same. The application of the colonial system of Great Britain to the colonies did not differ by a hair from the protective system of to-day. I am a pretty careful student of all these matters, and I think I speak with all the facts behind me. If you gentlemen would learn the theory of the matter——

Commissioner BOTELER. We are practical men, and want only facts.

The WITNESS. I suppose you understand that a man who speaks where he knows his reputation is at stake has to have his proofs behind him. The limitation on the industries of these colonies was a sacrifice of their interests to the interests of Great Britain; and the protective system to-day as it exists in the United States is a sacrifice of the interests of the Western farmer to the interests of the Eastern manufacturer. That is where the peril is. You can study it as closely as you like and look into the matter as far as you can, but you can not get away from that.

Commissioner BOTELER. We have traveled many thousand miles during the last few weeks, searching for facts, in the humble hope that we might be able to send to Congress a record that would be considered as a mirror of the public sentiment of the country, and we have never yet found in the neighborhood of any manufacturing town where the farmer finds a ready market for his perishable products one single person who did not rejoice in the establishment of such manufactories and feel that the greatest encouragement that could be given to the farming community was to vary the industries of his region of country and develop a market for his products.

The WITNESS. That is the famous truck-farm argument.

Professor Sumner is a New England man, but his candor compelled him, as an economist, to say that the West was in effect a hewer of wood and drawer of water under the operation of the protective system.

To show that manufactures will go on and that all other business will prosper with a revenue tariff, I quote from the same authority, in his history of protection in the United States:

The period from 1846 to 1860 was our period of comparative free trade. The sub-treasury act of 1846 removed subjects of currency and banking from national legislation. Thus these two topics were for a time laid aside. For an industrial history of the United States no period presents greater interest than this. It was a period of very great and very solid prosperity. The tariff was bad and vexatious in many ways, if we regard it from the standpoint either of free trade or revenue tariff, but its rates were low and its effects limited. It was called "a revenue tariff with incidental protection." The manufactures which, it had been said, would perish, did not perish, and did not gain sudden and exorbitant profits. They made steady and genuine progress. The repeal of the English corn laws in 1846 opened a large market for American agricultural products and took away the old argument which Niles and Carey had used with such force, that England wanted other countries to have free trade, but would not take their products. The effect on both countries was most happy. It seemed as if the old system was gone forever, and that these two great nations, with free industry and free trade, were to pour increased wealth upon each other. The fierce dogmatism of protection and its deeply-rooted prejudices seemed to have undergone a fatal blow. Our shipping rapidly increased. Our cotton crop grew larger and larger. The discovery of gold in California added mightily to the expansion of prosperity. The States indeed repeated our old currency follies, and the panic of 1857 resulted, but it was only a stumble in a career of headlong prosperity. We recovered from it in a twelvemonth. Slavery agitation marked this period politically, and if people look back to it now they think most of that; but industrially and economically, and I will add also in the administration of the Government, the period from the Mexican to the civil war is our golden age, if we have any. There was simplicity, even to dullness, in national affairs. It was one of those happy periods when a nation has little history. As far as the balance of trade is concerned, it never was more regular and equal than in this.

In confirmation of many of the views I have expressed I take the following extract from the very able speech of Senator COKE, of Texas, delivered in the Senate at the last session of Congress, on the subject under consideration. He said:

But outside of all this is the great principle so forcibly expressed by Justice Miller, delivering the opinion of the Supreme Court of the United States in Loan Association *vs.* Topeka, which must be borne in mind in the construction of these clauses of the Constitution, that the "power to tax is the power to destroy," and that there is a universally understood limitation upon this power in both State and National Legislatures—implied in the very nature of free government—necessary to the security of individual right against what would otherwise be an intolerable despotism; that this great power to tax shall be used only "for pub-

lic purposes," and that when attempted to be used to build up or increase private interests and private fortunes at the expense of all, the action is absolutely void, because beyond the domain of legislative power. To use his own language, Justice Miller said, after discussing the general principle referred to:

"To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because done under the forms of law and is called taxation. This is not legislation; it is a decree under legislative forms."

To sum up, protection does not increase the wages of labor, but decreases its profits. These bounties or advantages are first utilized by capitalists. They are in a position to immediately avail themselves of the favorable situation and at once accumulate large fortunes. Thus being made strong and powerful, they are able to dominate and control the home market. Poor men or laborers can not become proprietors, because capital has beforehand absorbed these bounties. They crush out all competition at home by their sudden wealth and prevent all competition from abroad by legal enactments. In this manner they dictate prices and levy tribute upon consumers and fix prices for the laborer so low as to make him a mere slave for whatever his wages may be. His cost of living is so great that he has nothing at the end of the year.

Protection is a species of robbery perpetrated on the farmer, because the farmer is taxed to swell the profits of the manufacturer. Protection compels the farmer to buy of the protected manufacturer at the price fixed by the conscience of the manufacturer, for law has prevented foreign competition, and the advantages this law gives have enabled a few rich companies to control the home market to the exclusion of the competition the poor manufacturer would give if he was not crushed out by powerful and rich corporations. That is to say, a company of poor laborers might organize for the purpose of carrying on business for themselves; but they would soon find that their neighbor who had already grown rich through protection, and who understood the law and could have the law changed to suit him, would bankrupt the laborers who had presumed to compete with these barons.

All wealth comes primarily from the soil. Two total failures of crops succeeding each other would bankrupt the country; would put out the fires in the engine and the furnace; would throw all labor out of employment and bring starvation to our doors. This proves that the soil is the origin of all real wealth. It takes wealth to pay for labor. The more wealth we have the greater the wage fund; the greater the wage fund the greater will be the price of wages. Whatever, therefore, decreases the profits of the farm decreases the wage fund and thereby decreases the price of wages.

Whenever the manufacturer tells his employé that he can pay him only so much and the laborer says, "No; I can not live on that. I can do better on the farm. I can't live there. I will not work for you for that price," he thus compels the manufacturer to pay him more; hence it is that those engaged in agriculture regulate the price of wages. If farmers are prosperous and can pay high wages everybody else is compelled to; if wages are low on the farm they are low everywhere. Any law that makes the farmer and the farm laborer poor depresses all other business. The farmers who live in the immediate vicinity of manufacturing establishments have a market that saves transportation and waste of produce, and to that extent are compensated for the extra tax or tribute they pay to this system; but this is only a compensatory advantage. It is the "truck-patch argument," that does not affect the situation of the great mass who are not thus located.

To conclude, the Government ought not to tax one part of the people to help another part make a living. This is class legislation; makes one class rich and another poor. It makes the rich richer and the poor poorer. A few protected barons of the tariff are to make slaves of us all. To this system I enter my earnest protest and will not give my vote. The reasons assigned in our infancy as a nation for a tariff having in view the protection of our industries was that it would induce skilled workmen and artisans to come among us and by this means we would more speedily build up in our midst manufacturing enterprises; but we have them now in great abundance. We have fifty million people; we are a hundred years old as a Government. This argument no longer holds good or is even advanced.

Mr. RUSSELL. Mr. Chairman, I did not intend to occupy any of the time fixed by the House for general debate on this bill, preferring to discuss directly the items in the bill as they might be reached in its consideration in Committee of the Whole under the five-minute rule, but the gentleman from Virginia [Mr. TUCKER] in his speech yesterday having made such extravagant statements in regard to the manufacturers of this country, whom he calls the "great monopolists," I wish to lay before the House some facts in relation to their condition and their position on this great question of the tariff.

Although that section of the country which I here in part represent is engaged extensively in manufacturing, and my own district very largely in the manufacture of textile fabrics, I do not feel that I am specially called upon to espouse their cause or to defend their action only as I may be more familiar with their operations. This constituency sends me here to vote for and support in committee and in this House such measures of finance and tariff as shall inure to the advantage of all interests, whether they are manufacturing, mining, or agricultural.

The gentleman from Virginia [Mr. TUCKER] in the many times he used the word "manufacturer" failed hardly in a single instance to preface it with the term "monopolist," and to sustain this position he undertook to show by reports from the Census Bureau the large gains and profits in manufacturing. He takes the figures given for the cost of raw material and labor in manufacturing it into finished products and deducts this cost from the gross value of the product and calls the difference the profit to the manufacturer. He is not the first gentleman who has fallen into this error at this end of the Capitol, as well as at the other. Although the cost of raw material and the expense for labor in its manufacture are important factors in the cost of most any manufactured article, they by no means constitute the whole cost. Water-power, insurance, commissions on sales, taxes, depreciation, repairs, lights, and many other incidentals, form not an inconsiderable part of the cost of manufacturing goods.

The Census Bureau in 1879–'80 sent out on blank forms lists of questions to the different manufacturing industries for the purpose of ascertaining the amount of raw materials consumed, the amount of labor necessary to manufacture them into their various forms, and the gross value of their product—with no purpose to ascertain what profits might accrue in their manufacture. This must be apparent to any one who would give the matter a second thought.

I hold in my hand one of the blank forms sent to cotton manufacturers. On the last page it states that "no questions are asked as to general expenses for insurance, taxes, freight of goods to market, interest, depreciation, or cost of sales," and in another note it asks for the amount of wages and earnings paid to all persons, except the president, treasurer, agent, superintendent, paymaster, and clerks.

You have therefore no data from the Census Bureau upon which to form any conclusion as to the profits of manufacturing, and I trust that no one will be misled by calculations or statements of this kind in future.

There is, however, a way in which this can be definitely arrived at, and I have obtained from a reliable source a statement giving the dividends paid by a large number of corporations engaged in the manufacture of textile fabrics. I publish the statement as it came to me:

Statement showing the dividends paid by textile manufacturing corporations in New England whose stocks are quoted and sold in the Boston market, for the years 1873 *to* 1882 *inclusive.*

Number of corporations	51
Capital stock of same, being the average for ten years	$54,647,600
Total dividends for the same period, including extra and stock dividends, being an average per year of	$4,150,317
From which deduct losses to stockholders in such corporations during the ten years, arising from failures and reorganizations, being a yearly average of	547,260
Average annual net receipts of stockholders	3,603,057

Being equal to 6.59 per cent. of the capital stock.

BOSTON, *January* 23, 1883.

Mr. CARLISLE. Will the gentleman allow me to ask him a question?

Mr. RUSSELL. Certainly.

Mr. CARLISLE. Does the gentleman know or has he any means of ascertaining how much of the earnings of these various establishments has been invested during that time in increasing their machinery, their plant, and their property generally, and how much of their earnings has been paid out during that time to the stockholders in the form of salaries for service as officers? This is, as I understand the gentleman from Massachusetts, the net dividend, the average net dividend, declared during the period of ten years, after deducting all that has been invested permanently of their earnings and of the salaries that have been paid to the stockholders for their services as officers.

Mr. RUSSELL. In reply to that part of your question which relates to the payment of salaries to officers, I would state that that is a part of the current expense of carrying on the business. It does not relate to the question of dividends.

Mr. CARLISLE. But does not a large portion of the earnings during that period assume the form of capital by being invested in additional plant and other property?

Mr. RUSSELL. In many instances corporations do invest their earnings in increasing their works or plant, and in some instances make stock dividends which represent the same, but these stock dividends are included in the dividend statement which I have just read. In some cases the investment does not take this shape, but remains as a permanent investment, unrepresented by stock; but it is claimed that such additions will no more than make good the depreciation of their original investment. But however much they may have increased the capacity of their works, they have not been able to pay more than the dividends which I have stated upon their capital stock.

The gentleman from Virginia [Mr. TUCKER] has referred to the fact that a larger reduction from the revenues under the proposed bill will fall upon the item of sugar, and I will refer to that now, as I see that the gentleman from Louisiana [Mr. GIBSON] is in his seat. The whole amount of duties received from dutiable articles last year was $215,617,669.02, $49,207,279.16 of which was derived from the duties on sugar

and molasses imported, which is nearly one-fourth of the entire revenue from imports. Is it therefore surprising or unreasonable that the reduction should fall heavily upon this product? Notwithstanding the reduction made by the Ways and Means Committee on the sugar schedule there still remains a duty on sugar (low grade) of 42.41 per cent. ad valorem, a protection on this product of natural growth, crude in its manufacture, as estimated by the experts of the Treasury Department, within 2½ per cent. of the duty on cotton goods, and more than the ad valorem duty on the woolen schedule. This certainly ought to be sufficient to satisfy the sugar-growers of Louisiana.

Mr. GIBSON. Will the gentleman allow me a question?

Mr. RUSSELL. Certainly.

Mr. GIBSON. I would like to ask my friend from Massachusetts, as I find that the committee have reported that on the lower grades of sugar the average duty is 42 per cent., what was the unit of average adopted by the committee in order to get at the ad valorem rate?

Mr. RUSSELL. The gentleman has in his hand a book showing the estimates of the experts.

Mr. GIBSON. If the committee adopted as the unit of average the duty on the several grades of sugar, then I will say to the gentleman that the rate given is delusive. It will not be operative, because the best or highest qualities of the lower grades of sugar will come in at the rate imposed upon the lower grades of sugar. If you take the higher grades of low sugar, the ad valorem duty imposed upon this rate will not be 35 per cent.

I do not wish to interrupt the gentleman, but if he will permit me I will illustrate very briefly. I will say to the gentleman that the Cuban planter is not necessarily compelled to manufacture any one grade of sugar. Sugar exists in nature, in the cane, and the process of sugar-making consists simply in separating the woody fiber and the water from the sugar crystals. Now, the Cuban planter may order his whole crop to be made up, so to speak, of No. 7 or No. 10 sugar or No. 13 sugar. He will order it all made up of No. 10 if there is the same tariff rate on No. 7 and No. 10 sugar. In other words (and gentlemen will see the reason for it), he will make the sugar that will command the highest price in our market at the lowest tariff rate. That being so, it inevitably follows that the tariff rate which is proposed here at an average of the rates on two or three grades of sugar will be operative only upon the highest quality of sugar. That will reduce, therefore, this ad valorem rate from 42 per cent., which is the rate of the unit derived from the average, to about 34 or 35 per cent. I beg pardon of the gentleman from Massachusetts for interrupting him, but I am glad that he has chosen the article of sugar to illustrate this point in the tariff.

Mr. HASKELL. Let me ask the gentleman from Louisiana [Mr. GIBSON] if he claims that there has been a reduction of 35 per cent. on some grades of sugar?

Mr. GIBSON. On the best grades of the lower sugars there has been fully a reduction of 35 per cent.

Mr. CHACE. When the gentleman says the best of the lower grades, to what numbers does he refer?

Mr. GIBSON. Nos. 7 to 10.

Mr. RUSSELL. I know it is difficult to classify grades and fix proper and equal rates upon sugar, but I do not see how importers could evade paying under the proposed law the full rates according to quality and value.

I know that changing the mode of ascertaining the saccharine strength in sugar, which is the basis for assessing duties, has made it necessary for the experts to estimate or guess at results. Their calculations, therefore, must be taken with some degree of allowance, as I shall undertake to show on the wool schedule, which the gentleman from Virginia has just referred to. He calls attention to the reductions proposed on raw wool as they appear in this tabulated statement, which is deceptive. The reduction on wool under the proposed law will not be so great as they seem here, as will appear.

On wools of the third class—South American and other coarse wools, used principally for carpets, wools not grown to any extent in this country—of which we imported last year in value $6,642,699.10, a reduction has been made of about 16 per cent. In the other two classes of wool, the first and second, there is an apparent reduction of about 20 per cent. upon present rates, but it will not amount to this, for reasons which I shall show. In class one, clothing wools, there was imported last year in value $2,990,173.30. The present rate of duty is 10 cents per pound and 11 per cent. ad valorem when valued at 32 cents and less; over 32 cents, 12 cents per pound and 10 per cent. The proposed rate on this wool is 10 cents per pound when valued at 30 cents or less, and when valued at above 30 cents, 12 cents per pound. You will notice that the ad valorem duty is dropped, which, as I have said, makes an apparent reduction of about one-fifth of the duty; but the dividing line of valuation has been changed from 32 cents to 30 cents per pound, which will materially lessen the real reduction on wool. All that has been coming in between 30 and 32 cents per pound (and it is a large quantity) will be taxed at 12 cents, instead of 10 cents per pound, as under the present law. So that in reality the reduction on this class of wool will not amount to over about 10 or 12 per cent.

Wools of the second class, combing wools, have been treated in the same way; that is, the ad valorem rate dropped and the dividing line of value carried down from 32 cents, leaving on these two grades of wool in which our wool-growers are most interested a reduction not amounting to over 10 or 12 per cent.

On this point I insert a part of the testimony presented to the Tariff Commission:

> The present duty on wool is based upon a line of 32 cents; that is, wool costing less than 32 cents bearing the low duty, or 10 cents and 11 per cent. ad valorem, and above 32 cents, the high duty, or 12 cents and 10 per cent. ad valorem. It is more profitable to the manufacturer to import wools costing as near the line as possible, because the percentage of duty thereby comes lower, the wool being less greasy and the duty on the scoured pound, which is the true test, being lower.
>
> The proposed change in the rate, while apparently lowering the rate of the duty on wool 20 per cent., does not in reality do so, because, for the above reason, the wool brought in has largely cost nearly up to the line of 32 cents, between the higher and lower rates. The effect, therefore, of making the dividing line 30 cents, adopted by the commission, instead of 32 cents is, that the duty on the wools costing between those points, and which have heretofore borne a very large proportion of the whole quantity imported, are reduced only 10 per cent., as will appear by the following statement:

Wool costing—	Present duty.	Proposed rate.
30.01 cents	13.30 cents	12 cts. = 1.30 or 9.77 per cent.
31 cents	13.41 cents	12 cts. = 1.41 or 10.51 per cent.
32 cents	13.52 cents	12 cts. = 1.52 or 11.24 per cent.

Passing on I find that we imported under the woolen schedule last year in value $37,618,182.42. Under the classification woolen cloths, woolen shawls, and other manufactures of wool not otherwise provided for, which covers a large range of importations used by the masses, there was imported in value $12,666,018.78, and this rate has been reduced from 50 cents per pound and 35 cents ad valorem to 35 cents per pound and 35 to 40 per cent. ad valorem—in pound duties a reduction of 15 cents. In the next classification, flannels, blankets, hats of wool, knit goods, worsted yarns, &c., valued at not exceeding 40 cents per pound, the pound rates have been reduced from 20 to 12 cents per pound, the ad valorem rates remaining the same; valued at 40 cents and not exceeding 60 cents the pound rates have been reduced from 30 to 18 cents, the ad valorem rates remaining the same; valued at above 60 cents and not exceeding 80 cents, the pound rates have been reduced from 40 to 28 cents, the ad valorem rates remaining the same; valued at above 80 cents the pound rates have been reduced from 50 to 35 cents, and the ad valorem rates increased 5 per cent.

Women's and children's dress goods, coat linings, Italian cloth, &c., with a cotton warp, on which the present duty is, when valued at 20 cents or less per square yard, 6 cents per square yard and 35 per cent. ad valorem, the rate has been reduced to 5 cents per square yard, the ad valorem duty remaining as before. Another class of women's dress goods is manufactured from the highest grade of merino wool, which is largely imported, the duty on which has been fixed at 12 cents per square yard and 40 per cent. ad valorem.

The compound duties which were imposed upon woolen goods have been retained for reasons which must be obvious to every member of the House. The pound duty is intended to be compensatory for the duty on wool, while the ad valorem duty is intended for protection to the manufacturer, to meet higher wages paid, &c. It is claimed, and it can be sustained, that it requires about four pounds of the greasy imported wool to make one pound of finished cloth.

Mr. CARLISLE. That is, all-wool cloth?

Mr. RUSSELL. Yes; I am speaking of all-wool cloth.

Mr. CARLISLE. But very little of that is made in this country. Is not that so?

Mr. RUSSELL. I can not answer to what extent now, but the manufacture should be encouraged and increased. All-wool ladies' dress-goods, weighing about four ounces to the yard, or one-fourth pound, represent one pound of merino or combing wool on which must be paid, if imported, 12 cents, and the 12 cents per square yard on the goods is imposed to counterbalance the 12 cents duty paid on the wool. In addition thereto is the 35 or 40 per cent. ad valorem, according to the quality of the goods, to compensate for the extra wages paid for labor in manufacturing. I find that the average ad valorem rate on the woolen schedule is but 37½ per cent.

A material reduction has been made in the woolen schedule on all classes except one grade of women's dress goods, made from the fine merino wools above referred to, and which our manufacturers here are now striving to make in competition with the French and other foreign manufacturers. If greater reductions are made in the woolen schedule than those already proposed, with the proposed duty on wools, chemicals, and coloring materials maintained, it will strike at and down a very important element entering into their manufacture—labor; for, as I have already shown, the capital invested is receiving but a fair remuneration and would seek other channels of investment and the woolen-manufacturing interest thus be undermined and destroyed.

The following table exhibiting the wages actually paid in one of the leading worsted-mills of New England, for the week ending January 13, 1883, and certified to by the treasurer, and the wages paid for like

work and divisions of work, so far as comparison is possible, in leading worsted-mills in Leeds, Rheims, and Aix la Chapelle, shows how great an obstacle the wage portion of this problem has become:

Average weekly wages paid in worsted-mills in United States and Europe at present.

Occupations.	United States (60 hrs. per week).	Yorkshire, England (56½ hrs. per week).	Rheims, France, (72 hours per week).	Aix la Chapelle, Belgium (76 hrs. per week).	Rhenish Bavaria (84 hours per week).
WOOL SORTING.					
Overseer	$38 46	$8 40	$6 96 to $8 10	*$4 28	.....
Second hand	16 50	6 00	5 82 to 6 36	*2 38	.....
Sorters	10 63	5 76	4 62 to 5 82	*2 38	*$1 14
CARDING AND COMBING.					
Overseer	30 00	16 80	8 10	8 00	4 28
Gill boxers	*5 70	.....	.....	.....	.....
Combers	7 50	.....	*2 40 to 2 88	.....	.....
Ballers	5 70	.....	4 08 to 4 62	.....	.....
Preparers	6 73	.....	*2 40 to 2 88	.....	2 38
Carders	6 07	.....	*2 03 to 2 70	1 90	1 90
Fettlers and wolliers	.....	5 76	.....	.....	.....
Fettlers and wolliers	.....	*2 88	.....	.....	.....
DRAWING AND SPINNING.					
Overseer, drawing	30 00	10 08	6 96	.....	3 80
Overseer, spinning	30 00	8 40	.....	6 66	.....
Drawers	*6 18	*2 88	*2 70 to 2 88	.....	2 85
Boys	4 90	2 04	.....	.....	.....
Reelers	*6 42	.....	2 88 to 4 62	.....	.....
Warpers	6 00	.....	2 88 to 4 62	.....	.....
DRESSING.					
Overseer	18 00	7 20	.....	*4 30	4 76
Dressers	13 08	5 76	2 88 to 4 62	*2 80	1 60
WEAVING.					
Overseer	30 00	.....	.....	8 09	4 28
Second hand	16 50	.....	.....	8 00	.....
Twisters	10 72	.....	2 20 to 2 66	.....	*1 19
Weavers, 1-loom	†8 80	.....	4 62 to 6 96	4 25	2 85
Weavers, 2-loom	†6 85	.....			
Weavers, 3-loom	†8 46	.....			
Tuner	.....	10 08	.....	.....	.....
Assistant	.....	5 76	.....	.....	.....
Knotters and searchers	.....	2 88	.....	.....	.....
DYEING.					
Overseer	30 00	14 40	.....	8 00	.....
Second hand	15 00	7 20	.....	3 00	.....
Dyers	7 50 to 7 67	.....	.....	2 00	.....
FINISHING.					
Fullers	8 80	.....	.....	2 90	2 85
Shearers	7 61	.....	.....	2 83	.....
Pressers	8 05	.....	.....	2 85	.....
YARD AND REPAIRS.					
Overseer	18 00	4 80	.....	5 00	.....
Mechanics	12 00	9 12	6 36 to 7 50	4 30	.....
Carpenters	12 82	7 92	5 82 to 6 96	3 50	.....
Pipers	12 75	.....	5 22 to 5 82	4 30	.....
Laborers	7 61	4 80	3 78 to 4 62	2 90	2 14
Engineer	18 00	9 60	5 82 to 6 96	4 30	3 80
Firemen	8 76	6 24	4 62	3 60	.....
Watchmen	7 88	4 80	.....	2 85	.....

* Females. † Males and females.

The Ways and Means Committee have made but few changes in the cotton schedule from the existing law. The rates have been largely reduced on the coarser grades of cloth and increased somewhat on the finer grades of cotton hosiery and lace goods, a branch of this industry not now well established in this country.

We imported last year cotton fabrics to the value of $31,285,306.49, nearly as much as under the woolen schedule, although the raw material is a native product and in abundance sufficient to supply the full demand. The importations under this schedule are principally fine and costly goods, used largely by the wealthier classes, the principal item in the manufacture of which is labor. The chemicals, dye-stuffs, and colors used are to some extent enhanced in value by the duties imposed upon them. This, together with the higher rate of wages paid, invites, with the present rates of duty, the large importations which I have stated. The high rate of duty existing now upon the coarse grades of cotton goods has so stimulated and established this manufacture here that home competition has reduced the ruling price so low that a much lower rate of duty is proposed or needed on this grade of goods. Fixing higher rates on the finer grade, which we are not able to manufacture to any extent, would establish their manufacture here, and the same result, a reduction in prices, would follow, as in the case of the coarser grades.

The estimated revenue from the cotton schedule in this bill would exceed the receipts under the present law, although it would be less than would be received under the rates recommended by the commission bill. Hosiery is one of the principal items of importation in the cotton schedule. The present rate is 35 per cent. The commission fixed the rate at 40 per cent. for the purpose of encouraging the manufacture of the finer grades. The Ways and Means Committee have divided hosiery into two classes and fixed two rates of duty: on stockings, hose, half-hose, shirts, and drawers made on knitting-machines or frames, 35 per cent.; on stockings, hose, half-hose, shirts, and drawers fashioned, narrowed, or shaped wholly or in part on knitting-machines or frames or knit by hand, 45 per cent. Estimating that one-third are of the finer class of goods which would come in at 45 per cent., it increases the receipts from this class of goods.

Mr. CARLISLE. Does not the gentleman believe that at least two-thirds of the importations will come in at the higher rate?

Mr. RUSSELL. From information I have received since the estimate was made I believe it would.

Mr. CARLISLE. I can show that by the testimony before the Tariff Commission.

Mr. RUSSELL. Estimating it upon that basis, the receipts from cotton importations would not then exceed the receipts that would follow at the rates recommended by the Tariff Commission. The average ad valorem rate on the entire cotton schedule is 45 per cent. However, if this bill should become a law in practical operation the rate would be less, for the reason that the basket or "not otherwise provided for" clause is made higher than most of the clauses where the goods are specifically mentioned, whereas in the present law the "not otherwise provided for" clause is less than the clauses where the goods are specifically mentioned, which has led to fraud or the evasion of the law, and larger importations have come in under this clause by the change of name and character of the goods.

The gentleman from Virginia [Mr. TUCKER] said that in this question of the tariff there are three parties interested or to be considered—the Government, the manufacturer, and the consumer. It seems to me that he has overlooked that great and most numerous class, the toiling millions, who both labor and consume. They are more interested in the tariff than any of the others he has named. They will be more directly affected, and therefore it is a vital issue with them. The Government can be served with your system of tariff, a tariff for revenue only.

The cost of some of the articles that enter into consumption with all classes is augmented no doubt by our system; but as long as the ratio of difference between living here and wages paid exceeds that elsewhere our system is the best and should receive our support.

Without discussing further the bill or the system, I would say that this country is one of the most instructive object-lessons in the world. We are growing rapidly in population and wealth, and our people are prosperous and happy, presenting a marked contrast to the material and social condition of any other nation.

Who are now pressing for a large reduction of duties? Save the numerous petitions which have come to us asking for the reduction of the duty on sugar the people are silent. Revision is called for and necessary for the readjustment of duties rather than for great reductions.

Mr. TOWNSHEND, of Illinois. I will ask my friend whether there are not circulars also coming from the manufacturers?

Mr. RUSSELL. For what purpose?

Mr. TOWNSHEND, of Illinois. Asking in some cases an increase of duty over the rates fixed by the present law. For instance, the applications for the reimposition of the duty on quinine and for increased duty on other manufactures?

Mr. RUSSELL. Oh, yes. Many asking for an increase, but I know of none for reductions save for raw material.

Mr. TOWNSHEND, of Illinois. Certainly not by the manufacturers for a decrease.

Mr. RUSSELL. And not by the people. There is a class I have overlooked who are asking for reductions—the importers—those whose support comes from the importation of foreign goods. From them Congress is flooded with anonymous communications urging reductions and abolition of duties.

I wish to refer to another remark made by the gentleman from Virginia. He says "the tariff does not raise wages" (I use his language); "the reason the protectionist wishes tariff is that he has to pay high wages to laborers and can not manufacture unless enabled by duty to raise the price of his products so as to pay the wages and reserve profit. The high wages are not the effect of the tariff but the occasion for the manufacturers' needing it." It seems to me it makes no difference whether high wages are cause or effect; they are all the same to the laborer. There is a popular but erroneous idea that the manufacturers are the only parties interested in maintaining a protective tariff. Occupying the position as employers and responsible for the success of their business, it devolves upon them in a measure to watch the conditions of trade, and as far as possible to so aid in shaping its laws as to effect a successful issue; but as manufacturers, with only their individual interests to consider, free raw material and cheap labor, which would inevitably follow free trade, are not to be feared by them.

Mr. CONVERSE addressed the Chair.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to proceed?

Mr. KELLEY. I yield to the gentleman from Ohio, to an arrangement which seems to have been made but of which I was not informed.

Mr. CONVERSE addressed the committee. [See Appendix.]

The CHAIRMAN. The Chair will now recognize for three-quarters of an hour gentlemen on the right. There will then remain three hours for general debate to be divided among members of the Committee on Ways and Means.

Mr. ROSECRANS. Nothing less than a sense of high duty to my constituents and to the country could induce me, unskilled as I am in debate, to occupy the time and challenge the attention of the committee. But in choosing me my constituents of the first district of California had to rely on my intelligence, patriotism, and fidelity to represent their home interests on the shores of the Pacific, and still more directly their interests as an integral part of this great Union of States with its fifty-four millions of people.

The bill under consideration touches intimately all these interests. I owe it to them to state the views which I believe are held by a very large majority of my constituents, and I think I may safely say by a very large majority of the people of our coast. We are a young, vigorous, enterprising, intelligent, and generous people.

Within thirty-four years we have firmly planted our modern civilization on the western shores of this great Republic. We hold high over it the starry emblem of its power, and under it our workers are steadily extending the peaceful empire of prosperous industries. We are a mining, staple-producing, and young manufacturing people..

Farther from our eastern brethren than they are from Europe, and more than double their distance from the markets of the world, our producing classes have submitted to these disadvantages without murmuring, and have rejoiced in the prosperity of their eastern brethren as if it were their own.

Our very remoteness gives breadth and impartiality to our sympathies in the welfare of every section of the Union. We embrace in this large affection the agricultural and staple-growing as well as the manufacturing sections, and have always freely and generously made and will continue to make sacrifices to maintain the Government for the benefit of all.

But we have a right to demand that the Government shall do its duty. We have a right to require it to do that without which no government has a right to claim obedience from citizens—that it shall secure individual liberty and impartial justice to all. We know that in the life of a nation some must needs suffer and do more than others for the common weal. We do not expect any government to exempt its citizens from these inevitable inequalities of burden, but we do expect it so to shape its legislation as not to create them. On the contrary, it should make them as few and light as possible.

We believe that a perfect government, free to act, would so shape its legislation as to secure the largest amount of productive industry and a fair and just distribution of its profits. We believe that our own Government, within its constitutional limits, ought so to legislate as to come as nearly as possible to these results. But we believe that no government has the right so to legislate as to enrich one man at the expense of another.

We reject the doctrine of protection because, while reason compels its advocates to use qualifying words, its inevitable logic is to allow each and every demand for protection. Admit the principle, and each new industry, each old and failing industry that has a voice may demand laws to compel consumers to pay such prices as would make them profitable, and, like the daughters of the horse-leech, they would cry, "Give, give," and never say enough.

But, while free-traders so far as resistance to this iniquitous system of protection is concerned, we are not absolute free-traders.

We know that absolute free trade means that the strong may devour the weak, and that might—not right—shall be the rule.

We believe that government exists in order to substitute the rule of reason and justice for the rule of the strongest, and that its duty is te afford all the protection to person and property which reason and justico demand. To that rule applied to our condition we appeal against the tyrannical theories of protection, the instrument of capitalists and monopolies on the one hand and of arbitrary and regulated free trade on the other.

We do not expect our Government to do all that a perfect government could do to secure the perfect and even growth of all our interests and industries, but within the limits of its constitutional powers we do expect it to protect the weak against the strong, to protect and guard the interests of the producing classes against the cunning and power of capital and monopoly. It is not the strong but the relatively weak who demand the care of government.

We expect our Government fittingly to represent us in the great family of nations; but we have constituted it as the head of our family, and we expect it to legislate and to act for the protection of our own labor, our own industries, our own capital, and our own producing classes.

Constituted as it is, we are glad that its powers are limited by the organic law of the Union, because were it free to act it would be more likely to be unjustly swayed in the interests of monopoly and capital than in the larger and more beneficent interests of industrial production.

Our people, therefore, do not expect it to act except within constitutional limits. It can raise money to pay for doing all that the Constitution authorizes to support and maintain government and promote the general welfare.

They are willing to pay their full share of the expense, and hitherto have done so with a noble and cheerful loyalty. But, Mr. Chairman, they have done this under circumstances of peculiar hardship and oppression.

They are a mining and agricultural people, living on the far western limits of the Republic. To the markets of Europe they have sent most of their grain, gold, silver, and mining products. Freights from Europe to San Francisco have been as cheap as freights from New York. The articles of consumption which they have had were far cheaper in the European markets than in the East; yet when national defense called for a tariff which deprived them of these great advantages they submitted without a murmur. They took their goods from inside our tariff line or imported them and paid duties to the amount of $6,000,000 per annum without a murmur.

But our people regard the present tariff system as full of injustice and oppression. They think it is building up great monopolies and special interests at the expense of the great masses of producers and consumers which could only be justified by sudden desperate national exigencies. They have the conviction that common justice and the interests of revenue for the last ten years have demanded thorough revision and great reduction of duties.

Mr. Chairman, I share fully in these convictions of my constituents and the people of the Pacific coast. I think the present tariff should be thoroughly revised, simplified, and reduced to the smallest rates of duties which will produce the revenue required for an economical administration of the Government, and so laid as to give just and reasonable protection to labor. Our people on the Pacific coast are especially anxious that this should speedily be done. Any legislation honestly to this end will have my cordial support. In giving that support I shall be governed by the convictions I have here announced to my colleagues on this floor. Does the bill now before the committee meet the demands of our people? I answer, it does not.

Mr. Chairman, I have reached the conviction that in its general character and spirit this bill is wholly inadequate, and in its details cunningly devised for the protection of capital and not of labor, contrary to principles which ought to govern in laying a tariff bill, namely, in the least burdensome way to provide adequate revenue, and at the same time ease the burdens of the producing classes and of labor. Its concessions are apparent and in response to popular demands under political exigencies which rob it of the right to the public confidence and support. Under these circumstances, I have only to say that I believe many colleagues on both sides of this House share in these convictions.

I appeal to them to do all that can be done during the consideration of the bill so to amend it as to make it afford at least some relief from the intolerable burdens of the present tariff and which will be substantially continued by the present bill.

I have no hesitation in declaring my conviction that as it stands this bill is subtantially a sham, and whether it should be adopted or the present law allowed to stand would be a question of temporary expediency which each member and his constituents may solve as they please. But to my mind its adoption would leave the public business and the public mind in an unsettled state, with all the attendant evils of anxiety and uncertainty more injurious and oppressive than the existing tariff.

I renew the expression of my hopes that this bill may be so amended in Committee of the Whole as to make it reasonably fit to be supported.

I yield the remainder of my time to the honorable gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Chairman, I have never for a moment been mistaken about the purpose of the Tariff Commission. I never believed, as some of our friends did, that its purpose was delay. I predicted its outcome in the speech I made on that question in this House on the 2d day of May, 1882. I then said:

> I believe the protectionists will control the commission; that it will report in favor of reducing some of the most glaring abuses and reconciling some of the inconsistencies of the present system, but that it will seek to fasten on us a very high tariff as a permanency, and that to accomplish this result and gain strength it will extend the tax to articles not now taxed and increase the tax on others.

I knew very well that the intention of the protectionists who had taken this matter in charge was to make a revision which would serve to satisfy the popular demand and at the same time answer the purposes of the monopolists who have for twenty years had control of the dominant party in this country, and so of the country itself. The Republicans came out of the campaign of 1880 with the shout of victory on their lips, but demoralized on the tariff question. They well knew that they were indebted not to their platform or their principles for the victory they had won, but to the gentleman who is now figuring so prominently as a defendant in the star-route cases, Mr. Dorsey, and the money furnished him by the present honorable gentleman, accredited by the President and Senate as our representative man before the peo-

ple of France. Dorsey and his money carried Indiana, and as Indiana went so went the Union.

But the monopolists were frightened. They determined never to risk another election for President without being able to put up a plea that the tariff had been revised. So as soon as the first session of this Congress began we heard them advocating a tariff commission. The plan had been proposed in the Forty-sixth Congress. Republicans could see no good in it then. But after their experience in the Presidential campaign they came back here in favor of a tariff commission. They wanted no revision. They never intended to have any until they became convinced it was a political necessity. It was easy to foretell what a revision would be undertaken and carried on under such auspices. The Republican party is under the control of the monopolists. These monopolists do not intend to give up their hold on the people. They naturally insist that the people shall continue to pay them tribute. So it follows, Mr. Chairman, that this bill gives no relief to the people.

Mr. Chairman, if I had had this bill before me at the time I used those words I have quoted from my speech of last May I could not more correctly have described it. Upon the cursory examination I have been able to give the bill in the short time it has been before us for investigation, I find that reductions, numerous reductions, are made on articles not imported at all, or on articles imported to so small an extent that the tax is practically prohibitory.

I have marked a number of items to which if I had the time I would call attention, but I propose now in the very brief time given to me to point out some of the remarkable features of the bill as proposed.

For instance, we find that in "Schedule A," chemical products, some articles are reduced, for instance gelatine, fancy soaps, tartaric acid, castor oil, &c. But now we come to an article which has been heretofore on the free-list. I refer to "acidulated phosphate of lime, ammoniated or otherwise." Heretofore that was free, and in the State of South Carolina there are at present large phosphate beds which are being worked and a very considerable interest has grown up there in that direction. In order to catch that interest this Ways and Means Committee have taken that item, which as I say was heretofore on the free-list, and imposed a tax of $3 per ton upon it. The prediction that I made was that they would take in articles not heretofore taxed and put them upon the taxable schedule in order to gain strength to help them to keep this organized system of robbing the people. Now, here is an instance. Phosphates, in which the farmers throughout the country are interested, are to be taxed—a bounty is to be given to the owners of phosphate beds in order that they may enlist themselves under the banner of the protectionists.

Another thing is sumac. That is becoming something of an industry in this country, and an increase in tariff rates is proposed, in order to gain strength for this measure, from those who gather the sumac.

Mr. KELLEY. Mr. Chairman, will the gentleman from Alabama permit me to interrupt him to ask in what part of the free-list he finds the article of acidulated phosphate of lime, ammoniated or otherwise?

Mr. HERBERT. Yes, sir.

Mr. KELLEY. It may come in under some Treasury ruling.

Mr. HERBERT. I will answer the gentleman. I find it in your document, on the second page, and I quote the exact language:

> Acidulated phosphate of lime, ammoniated or otherwise.

That is the manner in which it is designated by the Ways and Means Committee, and they further say it was formerly known as—

> Phosphate, crude or native, for fertilizing purposes.

Mr. KELLEY. Oh, "crude or native;" but that which is acidulated, ammoniated or otherwise, is not crude. That is an element of the manufacture of phosphate.

Mr. HERBERT. You have printed in this table and brought into the House, and that is my authority for the statement that I make, a table in which you give here in tabulated columns, first, the classification as proposed by the Committee on Ways and Means; and, second, as classified in the impost schedule of the Bureau of Statistics. And now you say here yourself in this table brought in by you:

> Acidulated phosphates of lime, ammoniated or otherwise, $3 a ton.

You also say in this table that this title which you give to that substance covers the same article known in the schedules of the Bureau of Statistics as "phosphate, crude or native, for fertilizing purposes." And running out that line you state yourself that it was on the free-list before.

Mr. KELLEY. I beg the gentleman's pardon; it never was on the free-list.

Mr. HERBERT. The gentleman's own table so states.

Mr. KELLEY. Phosphate, crude, was one of the several ingredients of that article known as acidulated or ammoniated phosphate of lime. That is simply one of the crude elements of it. They were free, and they will still be free if the committee's bill be adopted.

Mr. HERBERT. Your bill does not so specify.

Mr. KELLEY. Yes, the bill does.

Mr. HERBERT. It is not so stated in this document which you have furnished to the House.

Mr. KELLEY. That is a Treasury table.

Mr. HERBERT. It is your table, and was the table given to the House by the gentleman himself to accompany the bill.

Mr. KELLEY. But as I have told the gentleman, this is simply a table prepared for convenience by Treasury experts.

Mr. HERBERT. Does the gentleman say, then, that it is wrong?

Mr. KELLEY. I have not examined it with a view to discovering, but under the title that the gentleman gives this he designates the whole manufactured article as one of the crude materials. That is not the case.

Mr. HERBERT. The designation that I have given it is upon your own language embodied in your own table, and I stand on that and claim that under that bill acidulated phosphate of lime, ammoniated or otherwise, heretofore shown by this same table to be free, is placed on the tariff schedule at $3 a ton. Right opposite to that, in a parallel column, you give the same article under its own old name, which was permitted to come in free, and you show how it was classified before as "phosphates, crude or native, for fertilizing purposes."

Mr. KELLEY. But the gentleman will understand me when I say to him that that simply refers to one of the elements.

Mr. HERBERT. But this says it is the same thing; in other words, that phosphate, crude or native, for fertilizing purposes is the same as acidulated phosphate of lime, ammoniated or otherwise. Now, that is the clause that you have embodied in this bill, and if your bill contained a mistake in a matter of as great importance as that, why did not you explain it in some report accompanying the bill?

Mr. KELLEY. I will try to explain it when we come to the bill in detail, and not take more of the gentleman's time.

Mr. HERBERT. I do not see how the gentleman can explain it, except upon the idea that the table itself is an entire mistake. This very table states that those very articles were upon the free-list before, and then it states that a tax is now proposed of $3 a ton. That is where I get it. The gentleman from Pennsylvania supposed I was talking about the Senate table. But here it is in the House table; there can not be any mistake about it. The gentleman may cavil about names and classifications, but when I show that the committee has placed a tariff charge on an article needed by the farmer for fertilizing purposes which was before on the free-list, then I think I have shown what the animus of the bill is. It is a fair sample of the relief the farmer may expect from it if it ever becomes a law.

So much of my time has been taken up in this colloquy that I can only allude to a few other articles I had marked to illustrate the principle upon which this bill is framed.

Let us come to copper. Under the former bill "copper, old and fit only for remanufacture," came in largely, and "brass in bars or pigs, old and fit only to be remanufactured," came in largely. On those articles now classified as "old copper only fit for remanufacture" the tariff was 18.49 per cent., according to this table if there is no mistake about it. Now, then, under this bill the tariff is raised to 33.51 per cent. In other words, there was too much copper coming in. Under that clause it found a way to get into this country so as to compete with the monopolists who own the copper mines of America. Consequently there was a revenue of $79,504.92 collected on that class of copper. But the rate of duty is now to be raised from 18.49 per cent. up to 33.51 per cent.

That shows you the principle upon which the Ways and Means Committee increase taxation. The tax is increased in order to shut goods out, to prevent the people from getting them at low prices, and keep the Treasury from getting revenue. The duty on copper in plates, bars, ingots, &c., they lower. They put that from 5 down to 4 cents a ton. Why, only $836 worth of it was ever imported, giving only $310 of revenue. Therefore the copper mines of America can stand that reduction. So they reduce where it will do the people no good and they increase so as to prevent goods from coming in cheaply that would benefit the people. The workers in brass and copper are still to pay high prices for material, still to pay tribute to monopolists who own the copper mines of America.

Mr. Chairman, the motive principle of those who framed this bill is to be found in the remarks made the other day by the honorable gentleman from Pennsylvania [Mr. KELLEY], the chairman of the Ways and Means Committee, when he declared that it was the most perfect and the best tariff bill that ever had been proposed to Congress for two reasons. One of those reasons, he said, was that the "not otherwise provided for" clause, which had heretofore in all tariffs been low, had been raised so that the tariff under that drag-net clause would be higher than the duties on the goods specifically described belonging to the same class. Experience had shown that under that "not otherwise provided for" clause a gap was let down through which goods came to the people and revenue came to the Government, and the purpose—if not the purpose, the effect—yes, I will say both the effect and the purpose of this clause as now proposed will be to prevent in future the Government from getting revenue and the people from getting goods at low rates.

I take only two instances. Under that "not otherwise provided for" clause cotton-ties and hoops used for cotton-ties came in to such an extent as that the Government got a revenue of about $270,000, the tax being 36.19 per cent. That is a fair revenue tax. Under that the peo-

ple of the South got their cotton-ties at reasonable rates. But this bill proposes to raise that tax up to 81.64 per cent.

Does any gentleman on this floor imagine that the Government will get that much revenue in the future if this bill becomes a law? Does not every one know that it will shut out the importation of cotton-ties; that the Government will lose revenue; and that the people will have to pay more for this necessary article?

So of steel-wire fencing. That came in heretofore under the "not otherwise provided for" clause. Like cotton-ties, it had not been invented when the Morrill tariff was framed. So it escaped specific taxation and only came under the general clause, which in all former tariffs was low. Hence the farmers in the West got steel-wire fencing at low rates and the Government got a revenue amounting to several hundred thousand dollars. Now, this bill proposes to put the tax on all things of that kind at 2½ cents a pound; in other words, of $56 per ton. The gentleman praises his bill because it changes the principle on which all tariff bills heretofore have been framed. That principle was not to place a prohibitory duty on the possibilities of the future; but the gentleman now felicitates himself upon having devised a plan by which all the discoveries of chemistry, all the inventions of man, all the achievements of science on the other side of the ocean shall redound to the benefit—not of the American people but of the American capitalists and monopolists. They want to foreclose now a chattle mortgage on every creation of art or science that is in the womb of the future.

The other reason the gentleman gave for saying this was the best tariff bill ever reported to Congress was that it gave the owner or manufacturer a right to become a party to any dispute about the rate of duty on a similar imported article, and to go into the courts to settle the question. In other words, if any manufacturer thinks that consumers are escaping his monopoly he may litigate. He and the importer may fight it out in the courts, and the consumer has no right in the premises except to sit quietly by and wait while others wrangle over the price to be charged him for his goods.

Oh, Mr. Chairman, if the American people would only free themselves from party trammels and look this great question of taxation full in the face; if they would only learn what their rights are and demand at the polls that legislation be fair and square and honest and just to all classes of people, no committee would ever hereafter dare to report such a bill as this is to the American Congress.

In my opinion, sir, no such favorable opportunity was ever offered before for the discussion of the tariff question as the present. The American Government is a century old—we are in all the elements of greatness first among the nations of the earth. The question that influenced so largely the statecraft of the past, the question of securing an independent position among the nations of the earth, is solved. We have attained that position. It is secure. No government on earth rests on so firm a foundation as ours. No people on earth are so absolutely independent as we are, and we can now settle on questions of domestic policy, uninfluenced by fear of foreign nations. So the American people ought now, sir, to decide whether we are to continue and extend, as this bill proposes to do, that system of protection which had its origin in the plea that we must become independent and attained its growth by the accident of a civil war, or whether we will, by gradual and safe and statesman-like measures return to the path pointed out to us by the science of political economy and sanctioned by the principles of equality and justice which underlie our Government, that the power to tax must be used for the support of government and not for the purpose of enriching one industry at the expense of another.

Not only, sir, do we occupy a position that enables us to decide this question on its merits, but we have facts at our disposal that will enable us to discuss it intelligently. The returns of the census of 1880 are just coming in. It is the most complete census we ever took. We took it at the cost of millions of dollars. That expenditure was wise if we utilize the facts it furnishes. That census shows us what makes this nation great. It shows us who the laborers are in whose sweat and on whose muscle the grandeur and glory and development of the country must rely. It is labor, labor with muscle and brawn and brain, that makes the difference between savage and civilized man, and this American Congress must care for American labor; not labor in one occupation at the expense of another, but all American labor, looking upon every honest laborer as equally honorable and equally entitled to the protection of the law. Whoever places a burden on one class of laborers for the benefit of another class is not the friend, he is the enemy, of the laborer. The friend of labor will do justice to all labor.

I trust, Mr. Chairman, that I have as much patriotism as any other gentleman on this floor. I love my own country better than any other country, my own people better than any other people. I desire that American laborers should be better paid, better fed, better clothed than other laborers, and a gentleman by suggests, better educated. They ought to be. We have a better soil, cheaper land, cheaper food, more natural advantages, greater liberty than other people. These things our laborers should all enjoy and share fairly between them.

But, sir, I know of no reason why I should prefer as a legislator the man who works in a glass-factory to him who molds brick or makes tiles. Yet, sir, I find on looking at the census returns and the collections of customs that the laborers in glass-factories in the United States make goods worth $23,691,580 per annum. Another class of laborers make bricks and tiles worth $32,833,537.

Now, the laborers who make this $23,000,000 of glass goods the Ways and Means Committee propose to protect from foreign competition by imposing on the foreigners who compete with them taxes amounting to $7,744,378.13, while they propose to protect the manufacturers of $32,000,000 worth of bricks and tiles by taxes amounting to but little over $25,000. In other words, you propose to protect the glass-worker two hundred and eighty fold more than the brick molder. Can any one look at these figures and give credit to the Ways and Means Committee as being the sincere friends of labor?

I find also, that according to the Census the value of the wheat crop of this country in 1880, estimating it at $1 a bushel, was $459,000,000; yet wheat is to be protected from foreign competition by a tax which it is estimated will produce a little over $25,000. I find that the oat crop was worth $203,000,000; yet the protection to the grower of oats will amount to only $181,000. The corn crop, estimated at 40 cents a bushel, was worth more than $709,000,000; yet the people who grow that corn are to be protected, as estimated under this bill, by the amount of $537.20. Somebody brings in a little corn-meal. The cotton crop, at $50 a bale, was worth $287,320,700. Now, ought we not look to these interests as well as to the manufacturing interests? It seems so to me. The small importations of cotton and corn and wheat and oats, compared to the immense amounts made by the farmers of this country, have no effect upon the price. We export all these articles. Our farmers are compelled to compete with European products and European labor, and prices in Europe control largely American prices. But when European manufactures are shut out of this country and we are compelled to buy the high-priced American article, the farmer, the mechanic, the workers and consumers of all kinds must foot the bill. What does it amount to? I will now undertake to calculate fully, but I shall only take three articles as samples.

I think, sir, we can estimate now more fairly than ever before what protection is costing the country in dollars and cents.

Let us utilize the facts before us.

In order to make the estimate and ascertain how much we pay to the American producer on any one protected article we have only to ascertain, first, how much of that home-manufactured article we use and how much we pay for it. That the census tells us. Next, ascertain at what rate we could buy that same article manufactured abroad. Then, having ascertained the difference between the price we pay for the home-made article and the price at which we could purchase the same article abroad to import it, we easily see how much protection costs us on that article. We have only to remember that our own people buy, our own people consume all the protected articles manufactured in the country. They can not be exported because they are too high-priced.

Now, it is always difficult to ascertain the foreign and home prices accurately, but the report of the Tariff Commission and the bill of the Ways and Means Committee furnish us the data, from which I shall make a calculation.

The avowed purpose of the Tariff Commission was to revise our tariff and put it at a point where American manufactures will have a fair opportunity to compete with the foreign manufactures. In order to ascertain what was the difference between the cost of production in America and abroad the Tariff Commission was appointed. This was deemed necessary, so it was said, to enable this Congress to fix upon fair rates. For this reason experts were appointed, and they called before them the manufacturers and importers and took evidence. It must be presumed that they obtained the most reliable information that was to be had, and it must be presumed that they acted upon it.

Now, if having ascertained this difference between the cost of the American product and the imported article they had fixed on that difference as the tariff on each article, they would have placed the American on exactly the same footing as the foreign manufacturer. That would be the competitive point. But I make my calculations upon the idea that the Tariff Commission and Ways and Means Committee having ascertained that point, having allowed for the difference in wages and material and interest and all other fair allowances to reach that point, then added in each case to that difference 5 per cent., a still further difference in favor of the American manufacturer. Certainly the Ways and Means Committee will not contend they have done more. Even 5 per cent. added under these circumstances would eventually prove prohibitory, and gentlemen can not afford to admit that they have gone further than that.

Making my calculation on this basis, first finding the proposed average duty on an article, then deducting from that duty 5 per cent. and taking the percentage thus found as showing the difference in price between the American and the imported product, I have calculated first on window-glass, a common and necessary article. I find that the amount produced and, of course, consumed in America was in 1880 $5,047,000; and I find that the average duty which will be collected under the proposed tariff on glass-ware is 75.67 per cent. Deducting 5 per cent. from this, we have, in round numbers, as the difference between the price of the American and imported article, leaving out the fraction, 71 per cent. Now, estimating that this 71 per cent. difference makes up a part of the American valuation of the glass manufactured

as above, $5,047,000, and working out the calculation by discount, I find that the people of this country in 1880 paid to the manufacturers of window-glass $2,095,668.

I have had a similar calculation made with regard to iron and steel, giving the same 5 per cent. benefit. I find that the people of the United States paid in one year to the iron and steel interests $169,000,000; while the people who bought the imported iron and steel articles paid to the Government in duty only $27,000,000. In other words, the manufacturers of iron and steel get about $8 of the people's money where the Government gets $1.

In relation to the woolen goods, making the same estimate, I find that the amount of duty estimated as collectible under this bill, upon the amount of goods for the year 1882, would be $23,000,000. Yet the American people pay annually to the woolen interests $97,000,000.

These results are simply astounding. The calculations show more than $268,000,000 paid by the consumers of this country to three protected industries in one year. Thus in ten years we have paid these industries a sum about equal to the national debt at the close of the war. If I should include in the calculation all the protected industries, all the high-priced goods we are compelled to buy, it would show that we are taxed for the benefit of manufacturers more than six hundred millions per annum.

Now, how are we to be reconciled to all this? If you look over this bill you will find, as I predicted a year ago, that our kind friends of the Ways and Means Committee have added some things to the free-list, to show how good they are to the people. The most important benefit to the American people by additions to the free-list I find is pepper. Pepper we are to have free, but they do not add salt.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEWITT, of Alabama. I would ask my colleague how much more time he would like?

Mr. HERBERT. About five minutes more.

Mr. HEWITT, of Alabama. I ask consent that my colleague's time may be extended for five minutes.

There was no objection.

Mr. HERBERT. The most important article I found on the free-list was, as I told you, pepper. Why not salt? Why not allow a man to salt his vegetables as well as pepper them without being taxed? I will tell you why; it is because a duty on pepper is a purely revenue tax; every dollar minus the cost of collection goes into the Government coffers.

Mr. COX, of New York. The gentleman will remember that there is free salt for codfish but not for pork.

Mr. HERBERT. Yes, sir, free salt for codfish, but none for pork and none for beef.

In this article of salt we have an illustration of the principle upon which the Ways and Means Committee have constructed this whole tariff bill. They refuse to give us free salt because they want the salt men to help them keep up high taxes and make people pay high prices for their clothing, their hats, their shoes, and their farming implements. But for the expected assistance of the salt men salt also would have been on the free-list.

The next most important thing added to the free-list is nutmegs. So that, if this bill passes, when the American citizen mixes his toddy with his sugar, his whisky, his water, and sees the nutmeg gracefully floating on the top, he can drink the health of the great Republican party and the Ways and Means Committee, and thank God that at least the water and the nutmeg are untaxed.

Another thing that this committee keep most conscientiously on the free-list is attar of roses. Just think of it—attar of roses, the most delicate, the most fragrant, and, I believe, the most costly perfume in the world is still left on the free-list! If any querulous American citizen should say to his member of Congress, "Why have you left me to pay these high taxes on every article of clothing from the crown of my head to the sole of my foot," the Representative can reply, "But remember attar of roses comes in duty free!" But if your constituent's wife or child is sick with fever and he wants quinine as a medicine he must pay a tax upon it, for this committee has taken quinine off the free-list, where we put it some four years ago, and restored it to the list of taxed articles.

[Here the hammer fell.]

Mr. McKINLEY and Mr. CARLISLE addressed the committee. [See Appendix.]

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. HASKELL. Mr. Chairman, before entering upon the consideration of the pending bill and of the American system of protection and its results it may be wise to glance comprehensively at the conditions which attach generally to the various leading nations of the world and the position the United States occupies among them. We shall not be guilty of the folly of attributing everything of success and all prosperity to the tariff, but as a matter of general interest to even the most careless observer the statements which follow are of interest and will be found worthy a place here. When we remember that the advocates of a tariff for revenue only boldly assert that the system we defend is one of "robbery," "extortion," "unjust and unnecessary taxation," "ruinous to our industries," a "relic of barbarism," with other harsh and startling declarations, we naturally have a strong desire to mount some imaginary Pisgah and take one comprehensive glance over the land which we are accused of "ruining" and "dwarfing," and, comparing it with other nations, see if we can discover the effects of the ravages that it is alleged we have committed on our beloved country.

In this mood, therefore, I present to your mental vision the United States, a nation whose industrial life compared with that of other nations is as that of a child of 10 years compared with some hoary octogenarian.

The tables that follow are from estimates made by Charles S. Hill, Statistician of the Department of State, representing the Metropolitan Industrial League, of New York, which appear in evidence taken by the Tariff Commission, on page 1676, volume 2, of the commission's report:

Age.—United States, dating from the Declaration of Independence, 100 years; United Kingdom, dating from William the Conquerer, 800; France, dating from Charlemagne, 1,100; Germany, dating from Charlemange, 1,100; Russia, dating from Peter the Great, 350; Austria, dating from Charlemange, 1,100.

Population.—United States, 50,150,000; Great Britain, 34,505,000; France, 37,166,000; Germany, 45,367,000; Russia, 82,400,000; Austria, 39,175,000.

Wealth.—United States, $55,000,000,000; Great Britain, $45,000,000,000; France, $40,000,000,000; Germany, $25,000,000,000; Russia, $15,000,000,000; Austria, $14,000,000,000.

Debt.—United States, $1,800,000,000; Great Britain, $3,800,000,000; France, $4,000,000,000; Germany, $90,000,000; Russia, $2,000,000,000; Austria, $2,000,000,000.

Expense.—United States, $257,000,000; Great Britain, $415,000,000; France, $550,000,000; Germany, $150,000,000; Russia, $600,000,000; Austria, $370,000,000.

Production.—United States: Agriculture, $7,500,000,000; manufactures, $8,000,000,000. Great Britain: Agriculture, $1,200,000,000; manufactures, $4,000,000,000. France: Agriculture, $2,000,000,000; manufactures, 2,500,000,000. Germany: Agriculture, $1,800,000,000; manufactures, $2,200,000,000. Russia: Agriculture, $2,000,000,000; manufactures, $1,300,000,000. Austria: Agriculture, $1,000,000,000; manufactures, $1,500,000,000.

I append another estimate and letter from the Bureau of Statistics, Treasury Department of the United States, on the same subject:

TREASURY DEPARTMENT, BUREAU OF STATISICS,
Washington, D. C., January 11, 1883.

DEAR SIR: In reply to your request of the 5th instant, I have collected from the best sources accessible to me statistics of wealth, public debt, &c., relating to the countries mentioned below, as follows:

Wealth.—United States, $30,068,518,507. (United States Census, 1870.) United Kingdom, $42,825,200,000; Germany, $21,616,993,000; Russia, $14,716,296,000; Austria, $13,528,870,000. (Mulhall's Progress of the World, 1880.)

The following statement in regard to the public debt and expenditures of the countries mentioned is taken from Spofford's American Almanac for 1882:

Public debt and expenditures.

Countries.	Year.	Debt.	Expenses.
United States	1881	$2,018,869,698	$260,712,887
United Kingdom	1881	3,843,518,460	415,509,620
Germany	1881	1,358,454,095	491,995,566
Austria	1881	2,287,193,399	436,238,209
Russia	1880	2,081,417,932	469,121,794

Products.

Countries.	Manufactures and mining.	Agriculture.
United States	$4,232,325,442	*$2,447,538,658
United Kingdom	3,236,222,500	†1,289,622,500
Germany	1,391,819,000	†1,654,610,000
Russia	778,640,000	†1,800,605,000
Austria	632,645,000	†1,279,889,500

*United States Census, 1870. †Mulhall's Progress of the World, 1880.

I beg to refer you to the Superintendent of the Census for the figures of the wealth of the United States for 1880, if you desire to use them in this connection. They have not yet been given to the public. Although Mr. Mulhall's work was published in 1880, it is probable that his data may have been several years old with respect to some of the countries.

So far as I am imformed, countries other than the United States do not take a periodical official inventory of national wealth, but such data are the results of estimates made by eminent statisticians.

I assume no responsibility for the above figures, but, as before remarked, have collected them from the best souces at my command.

Very respectfully,

JOSEPH NIMMO, Jr.,
Chief of Bureau.

Hon. D. C. HASKELL, M. C.,
House of Representatives.

Without claiming accuracy for the estimates we can from them, however, make the following most gratifying and safe deductions:

First. That the United States is the wealthiest nation in the world.

Second. That it is the largest producer of agricultural products.

Third. That it is the largest manufacturing nation in the world.

Fourth. That it has the least debt, save Germany.

Fifth. That its expenses are the least, save Germany.

And all this can be said of a nation one hundred years old, which for the most part has been conducted under a system which, it is alleged by our opponents, is one of robbery and extortion!

When to the foregoing we can add that nowhere is there so equable a distribution of wealth, nowhere more widely diffused general intelligence among the masses of the people, nowhere so many golden opportunities for advancement in wealth or station, nowhere is there paid such wages to labor, and, above all and beyond all, nowhere can there

be found so great civil and religious liberty, we come down from our imaginary Pisgah to examine more closely into the details of the bill and of our economic system, to accept the gage of battle offered by our opponents, and to defend our American system of protection, strong in the faith that no nation could make so happy an exhibit that was conducted upon a system of economics radically wrong or grossly defective.

TARIFF COMMISSION.

The report of the Tariff Commission has been a surprise to every one: To the friends of the measure, which provided for its creation, a most agreeable one; to its opponents, a bitterly received disappointment.

The enemies of the measure insisted that the commission would accomplish nothing. On the contrary, its labors have been almost herculean, and its report, with the evidence submitted, has been invaluable in the preparation of the pending bill.

The enemies of the commission declared that it was organized merely to delay tariff revision. They are forced to admit that its action has hastened the work of revision.

It was declared that it would advocate the present rates or an increase even of those rates of duties levied; it has advised, on the contrary, many radical reductions and suggested most salutary simplifications in rates and classifications.

They declared that the evidence it would take would be one-sided at best, perhaps garbled in the interest of a high tariff, and that it would present to Congress a mass of undigested matter, practically valueless, that few would ever read and none would understand.

The testimony it submits embraces all the varying shades of tariff faith from absolute free trade to ultra protection. The importer and the domestic manufacturer, the mechanic and the farmer, have all been heard, and their evidence is clear, concise, and valuable.

The opponents of the commission declared that if any scheme of revision was presented it would be a theoretic or so-styled "scientific" plan, of no practical utility; a scheme fitted for some Utopia, but not for the United States.

On the contrary, like eminently well-qualified business men, the members of the commission seem to have placed themselves by the side of the farm, the mill, the mine, and the factory, recognizing every industry and ignoring none; to have examined the law as it now affects each and every interest, and to have recommended such changes as in their judgment the best good of all the people and all the interests of our country demanded. They have presented no foolish invention, no fine-spun theory, but on the basis of solid facts have advised us of the evils and of the benefits that are attached to or derived from our industries as they actually exist to-day.

WORK OF WAYS AND MEANS COMMITTEE.

Accepting the general outline and features of the plan of revision of the tariff and the revision of the customs laws as presented by the commission, the work of the Committee on Ways and Means has been to verify it, and correct wherever found the errors that of necessity must occur here and there in the text, and, owing to the limited time it had for its labors to supply obvious omissions, and occasionally after patient and exhaustive re-examinations of the various industries, to recommend an advance or decrease of the rates of duties proposed, and to correct ambiguities of phraseology. On the whole the committee have reduced rather than advanced the various schedules; have executed and carried more certainly into effect the evident judgment of the commission, and have suggested few changes in general plan or policy, the intent of the commission and of the Committee on Ways and Means being to carefully revise the tariff as to every industry, and leaving the protection afforded only high enough to permit the carrying on of our industries and the maintenance of American competition. In other words, a competitive, not a prohibitory tariff bill, is presented for your consideration.

The intention has been also to favor or give preference to specific rates of duty; to use ad valorem rates only where specific could not be safely trusted, and to fix a compound rate, where neither specific nor ad valorem rate would give a safe and unambiguous law. To illustrate, where a given generic name for an article covered only the one article or line of articles of about the same value, a specific rate has been named; where the generic name covered a fabric or an article which from coarse to fine embraced a wide range of values, an ad valorem rate has been given, and where the generic name applied to an article which was a compound of two or more dutiable or free-list articles a specific rate and also an ad valorem rate or compound rate has been applied.

In a few instances articles of the same name would be bound to pay so much in value and material that a compound rate was found to be the only one that would prevent a systemized undervaluation on the lower grade goods.

There are a few points that, though well understood, it may not be out of place to mention here in connection with an examination of tariff schedules: First, that the rate of duty is always to be estimated upon the foreign invoices, and hence when noting an advalorem rate the popular impression that any person has of home and current retail prices, or prices that the consumer pays, must not be allowed to cloud the judgment as to what the real duty is on the given article.

Again, when an article pays an ad valorem rate of duty, it must be understood that foreign invoices are never above the very lowest possible foreign manufacturers' price, and are often very much lower. Undervaluations are sometimes as great as 50 per cent. of real value, and instances have been given, in cases where the merchandise has been controlled by a foreign monopoly or unscrupulous trader, in which the foreign import invoice was not in excess of 33⅓ per cent. of the ordinary foreign wholesale price, but owing to the difficulty of ascertaining the real cost of manufacture where but one or two persons make the goods these fraudulent invoices have to be accepted at the custom-houses, or at best are not and can not be raised to full price.

It will thus be readily seen that if the tariff was a tax (which it is not) the amount of it in most cases is much less than "revenue only" advocates would have it to appear, or indeed as it appears from the mere mention of the ad valorem rate. Again, all foreign manufacturers of importance now have agents located in New York who are the first consignees of goods imported to the United States, the manufacturers of Europe sending all their goods to themselves in this country, *i. e.* to their agents in New York, and imported goods now are largely sold to American merchants by these agents "duty paid." No one knows what the foreign invoices are, in point of price, save the custom-house inspectors, and no one knows what the amount of tariff paid is on its real value.

There is to-day not a single American importer of silks; silks all come to the United States consigned to agents, and are sold "duty paid," and while every one is aware that imported silks are largely undervalued, the extent of the undervaluation can not be determined, since it is to every importer's interest to keep the prices as low as they can be crowded past inspectors, and their schemes and inventions to accomplish this lack in nothing in cunning and shrewdness.

Again, two chemicals are used in the arts and manufactures—one at a high rate, one at a low rate—easily and cheaply combined, easily and cheaply separated or modified for a given use. The mixing is done on the other side; the cheaper preponderates, and the compound pays the lower rate as it is entered at the custom-house for consumption.

REDUCTIONS IN RATES AND REVENUE.

I go now directly to the provisions of this bill and to the criticisms of its opponents. I never have heard such reckless statements, born, I presume, of forgetfulness or inadequate information, than those that have been placed before the House during this debate. This bill, as shown by the table prepared under the supervision of the experts of the Treasury Department, from the beginning of which to the end every protection member of the committee declared made an unfair showing for us, all their theories or figures and all their estimates and computations drifting against our estimates of the probable results, and yet these estimates and figures make a 10 per cent. reduction in revenue without any reference to the charges and commissions which the bill repeals.

Adding to the above reduction of 10 per cent. the charges and commissions repealed by this bill and no man, it seems to me, can possibly estimate the reduction of revenues that it will bring about at less than 15 to 17 per cent. on "the basis of importations for the last fiscal year." No one can say what a reduction in rate will accomplish, for the reduction may stimulate importations; but if the importations remain the same as they were during the last year the reduction of revenue will reach $34,000,000.

I can not say that all has been done that I desired to see done in the way of reductions; but I gladly accept what has been done and earnestly hope the bill may become the law of the land.

But the gentleman from Kentucky says that he believes the reduction is less than 10 per cent., and that too against this showing of the experts of the Treasury. Against this statement I desire to remark simply that wherever we have reduced a rate wherein there were not importations or large importations in that estimate of the experts we get no credit for reduction whatever. So that I assert it as my belief that the reduction in rates without reference to importations will reach, instead of 10, at least 25 per cent., and the Tariff Commission also so state.

In this connection I go to the cotton schedule because it furnishes me the best possible illustration with which to support this statement. We put down the rates on the whole cotton schedule excepting on a few embroideries and just one grade of hosiery. My friend from Kentucky and the experts' estimates, based upon importations, overlook every reduction made on every tariff rate, every item put lower in this schedule, except upon two items, that of cotton velvets and gimps and braids, and that of one class of stockings or hosiery, there being heavy importations of these goods. Every other article is reduced, every other rate lowered, everything in the whole cotton schedule except those two, and yet we are told we have advanced the rates on the cotton schedule, because in these two items are our largest importations. Why, Mr. Chairman, the real reduction of the tariff rate on the cotton schedule is 30 per cent., or else every cotton expert who has examined it is exceedingly wide of the mark in his estimates. On the great mass of cotton goods a reduction of tariff rates could not lower the price to the consumer, for we make and sell most of them as cheaply as they can be made and sold by any nation. Our importations are confined to fancy articles almost entirely.

I go from the cotton schedule to the woolen, since both these have been referred to by the gentleman from Kentucky, and since by this indirection I reach it naturally. I was astonished beyond measure to hear the honorable gentleman from Kentucky, usually so fair and usually so accurate, ignore every grand, sweeping reduction of this schedule and call your attention to just one single item and one single class of women's dress goods, and only these. Look at this, Mr. Chairman, as to the reduction on woolens. Here are the tables. We have "woolen cloths, woolen shawls, and all manufactures of wool of every description," and flannels, "blankets, hats of wool, knit goods," and all "goods made on knitting frames." They are down here on this list, the general sweeping classification of the whole woolen schedule—on these goods which now are paying customs duties here in one item amounting to $9,000,000, in another $1,000,000, in another item $3,000,000, in another $7,000,000, in another $500,000, and so on down through the entire page. My friend from Kentucky says that there is no reduction on woolen goods simply because we raise the duty on one item of women's dress goods.

What is the reduction on these goods that I have referred to? Let us look at it for a moment. On woolen cloths, woolen shawls, and all manufactures of wool, a clause which includes the great mass of goods that the laboring people of this country need, which were formerly 50 cents per pound and 35 per cent. ad valorem, we reduced the rate to 35 cents per pound and 35 per cent. ad valorem, a reduction, of 33⅓ per cent. on the pound rate, which is the heavy rate on these woolen goods. Take "flannels, blankets, and hats of wool," what is the present rate? It is 20 and 30 cents per pound and 35 per cent. ad valorem. Those we have reduced to 12 cents per pound and 35 per cent. ad valorem or eight-twentieths less on the pound rate, 40 per cent. reduction on the pound rates on the blankets that go to the poor. Upon the next page, under the classification of women's and children's dress goods, the whole general classification of them, with the exception of the single item of Bradford goods, to which my friend from Kentucky alluded, we have reduced in the following manner: from 6 cents per yard to 5 cents per yard and from 8 cents to 7 cents, and some of the rates are down as low as 6 cents, and so on through the whole woolen schedule. The bill before you shows the reductions made—large reductions.

And yet my friend, knowing these facts, knowing these enormous reductions of the bill, calls your attention to this article of women's cashmere dress-goods, fine goods, and claims that we have raised the rate on woolens to the robbery of the people.

I pass from woolens to the great metal schedule, that I may follow the line of my opponents' criticism. The honorable gentleman from Kentucky says there are not over 700,000 people in all the protected industries of the country. How wild a statement, when we know as to the great farming industry of the nation alone, every product of which is protected, there are dependent upon it 45 per cent. of our entire population. Only 700,000 persons in the protected industries! When here, covered by the metal schedule alone, there are 3,532 establishments; 298,000 workmen—not women and children—workmen; $416,000,000 of capital scattered through thirty States and Territories of the Union; $122,000,000 paid out each year in wages; $380,000,000 of raw material used; $604,000,000 of products sold.

From the beginning to the end of that metal schedule there is a reduction of the rates. Let us take steel blooms. The gentleman from Kentucky says that the billets the barbed wire is made of and that nails are made of are imported under the 30 per cent. duty. I hold here a letter from a manufacturer of the nails; I hold other letters from manufacturers of the wire, in which they ask a reduction of the rates and over their signatures declare that the Treasury Department hold their goods dutiable at 2½ cents a pound, and I so read it in the present law. We have reduced that rate to 2 cents; even on the small billet it is only 2 cents. There has not been a Thomas-Gilchrist bar, there is not a Bessemer bar, there is nothing but railroad bars and wire rods in coils admitted into this country under a less duty than 2½ cents; and we put the duties at 2 cents per pound instead of 2½ cents. More than that, we provided that if they bring in the large blooms, blooms of the right size for making rails larger than can be made of crucible steel, 500-pound blooms, then all Bessemer, all Siemens-Martin, all basic blooms, and every kind of steel bloom come in under the provisions of the bill at six-tenths of 1 cent per pound, a lower rate of duty than has been on these forms of steel for twenty years—a lower rate.

IGNORANT CRITICISMS.

Why, sir, the honorable gentlemen on the other side have followed in the line of the ordinary free-trade newspaper criticisms of this bill rather than to read from the plain pages of the bill itself. I heard it stated to-day, evidently drawn from these papers, that we had doubled the duty on all cotton-ties. You heard the answer of the gentleman from Ohio [Mr. MCKINLEY] to that charge. It is published in these free-trade papers, and broadcast over the land, that we have doubled the duty on Russia sheet-iron, to the detriment of every user of a stove. We have not touched the duty on Russia sheet-iron. It has always been 3 cents a pound, and we left it where we found it, at 3 cents.

It has been charged also that we have increased the tax on the book schedule. We reduced the duty on the book schedule; we have not increased it. It has been charged here that we have increased the duty on all kinds of blankets and common woolen goods, and I have showed you here a reduction of from 20 to 25 per cent. on the great leading lines of woolen goods. It has been charged through the press of the country, the free-trade press, that we have increased the tariff duty on salt. We have not raised the duty on salt at all. It has been charged by these papers, and the story circulated through the country by them, as it has been charged on this floor by the other side in this debate, that we had imposed a tax, for instance, of 75 cents per square yard on tapestry Brussels carpet, when the truth is to-day that those carpets can be bought of the American manufacturer for about 70 cents a yard, and the duty on these goods we have reduced, not raised.

Do they mean to say that if we take off the duty on these carpets the British manufacturer will give them to us?

It is against such misrepresentations as those that I have been called upon this afternoon to speak. I return now for a moment after replying to these ignorant criticisms of the bill to take up the general plan of the bill. For among the other charges it has been asserted that the plan was one of patchwork made up merely in the interest of those parties who could bring to bear the largest lobby. We have followed a well-considered system and plan in the construction of this bill, a plan inaugurated by the commission and never abandoned by the committee, and that is to place upon the free-list every article or raw material that was not in existence in this country, and then rising gradually in the imposition of the duty and protecting the manufacturer of it stage by stage to the last and most advanced form. This has been adhered to. This has been carried out to the veriest detail and we have imposed a duty on home raw material only high enough to insure the continued development of our great natural resources.

Coupled with that we have tried to search out in the bill—and in this immense enumeration of articles that are always found in a complete tariff list there are always some such articles—we have tried to search out those articles wherein the tariff operates to any extent like a tax upon the people, and whenever it did thus operate as a tax we have tried to reduce the rate to the lowest possible mark and preserve our own industries.

Sugar comes in as a perfect illustration of that idea. Sugar to the protectionist is the black beast of the tariff schedules. Why? Because the Almighty in making this country has not made rich bottom lands enough on which to grow enough sugar-cane to make the necessary supply for our own consumption, and the result is that we are obliged to import our sugars. Raise the tariff 1,000 per cent. and there is not enough suitable soil in all the South to raise the sugar-cane needed to give us our full supply of sugar. We import in the ratio of sixteen pounds for every two that we raise at home.

The result is that the duty on sugar works practically as a tax on the people, and it is the only item in the tariff schedule where the duty does operate fully as a tax. The foreign price plus the tariff duty on sugar is about the market price of the article in the United States. Therefore, following up the idea of relieving the people on all these items in the bill where the tariff operated as a tax upon the people, we made our heaviest reduction on the sugar schedule.

This is an important feature of the bill, for in a well-to-do family the cost of the sugar used will be found equal to the cost of the flour used.

There was another reason why we should make a heavy reduction on sugar. The tariff on sugar in 1861 was not as high as it is now by 25 per cent. After the war closed, and after the panic of 1873, because of the failing revenues of the Government, an additional rate of 25 per cent. was placed on sugar. Therefore, in making this reduction now, great as it may seem, we have reduced the duty on sugar only a trifle below the war rate which was placed upon it in 1861.

What else have we done? We have taken thirty-three articles now dutiable, some of them at 10 per cent., some at 20 per cent., and some at 50 cents per pound, and placed them on the free-list. We have increased the free-list by one and a half millions of dollars in round numbers, and that, too, upon commodities that enter into every household, rich or poor. All our spices we have put on the free-list, and a number of crude, raw materials not mentioned in the old tariff.

Therefore to-day, as against the English tariff plan, where coffee, tea, sugar, and spices would be taxed, "the breakfast table," the policy of the American protectionist is to relieve the great masses of the people of taxes upon those necessaries of life and place them where they will at once raise a revenue for the support of the Government and foster a home industry that will give employment and wealth to our people.

Mr. MORRISON. Will the gentleman from Kansas allow me to interrupt him?

Mr. HASKELL. Certainly.

Mr. MORRISON. I wish to ask the gentleman to explain upon what theory the reduction of duty on silks has been made of from 16 to 20 per cent.

Mr. HASKELL. The silk manufacturers came to us and said: "We have now so strong a hold that if you will give us our raw material free and protect us in that we will take our place with other industries and match the skilled workmen of France with the skilled workmen of America; we can do that and we will do it." And they named a rate at which they could employ American labor and continue the development of that magnificent industry, which has reduced the price of that commodity to every purchaser of it in the land. That is why we reduced the

duty on silks. The working people of America, thanks to the protective tariff and a wise economic policy generally, are sometimes able to buy even silk gowns for their wives and their daughters.

I pass now to an examination of the chemical schedule, which stands at the head of the list. Here is an industry that twenty years ago, before the articles that are made in this industry were protected by an American tariff, was of very slight consequence to America. To-day it numbers 1,349 establishments; it has $85,000,000 invested; it has annual sales of products amounting to $118,000,000; and it burns 600,000 tons of coal in the preparation of articles it puts upon the market.

Hastily, and while this debate was going on, I noted, from the memoranda upon the margins of my bill, the working of the protective tariff policy upon the chemical schedule. Here is an item; think of it, you gentlemen who insist that the tariff rate is added to the value of the goods. Chloroform formerly sold for $2.50 a pound. It had a duty of a dollar a pound placed upon it, and American industry began to work, and to-day chloroform, under a duty of $1 per pound, is selling for 65 cents a pound in all the markets of the United States.

Mr. TOWNSHEND, of Illinois. Then what is the use of keeping the duty on that article?

Mr. HASKELL. What is the use of taking it off? [Laughter.] The duty has put the price down from $2.50 a pound to 65 cents per pound, and yet you are not content.

Aniline dyes for cotton and woolen goods—price before the industry started in America, $6.50 per pound; price now, $2.50 per pound.

Here is an insignificant little item, but it so clearly shows the fallacy of the idea that the tariff is a tax that I submit it.

Acetate of soda—rate of duty 222 per cent. Price abroad, 28 cents. Price in the United States, 22 cents.

Fusel-oil is another article. Listen to me you gentlemen who insist that a tariff is a tax. What is the duty on fusel-oil? It is $2 a gallon; and we propose to make it $1 a gallon. What can you buy it for? You can buy fusel-oil to-day for 32 cents a gallon, purified and ready for use in the manufacture of quinine.

Mr. TOWNSHEND. of Illinois. That is a prohibitory tax.

Mr. HASKELL. A prohibitory tax? Then may the Lord bring more prohibitory taxes that so reduce prices.

Mr. WILLIS. Will the gentleman allow me to interrupt him right there, while he is talking about fusel-oil?

Mr. HASKELL. Certainly.

Mr. WILLIS. I would ask the gentleman why the committee did not put alcohol on the free-list for industrial purposes?

Mr. HASKELL. I will try to reach that further on. There is the article of bicarbonate of soda; something common, that everybody can understand. It was sold under a comparatively revenue system of tariff for 4.8 cents per pound. It is selling to-day with a heavy protective duty at 2½ cents per pound. I might add illustration to illustration showing how prices have been reduced to the consumer under the protective tariff, until my tongue from sheer weariness would refuse to do my bidding.

Then there is the article of hydrate or caustic potash, used in all the arts, but especially in the manufacture of wood pulp for paper; that invention which has reduced the price of paper to every consumer in the United States. Before a duty was placed on that article its market price was 7⅛ cents per pound. To-day it sells for 3¼ cents per pound, under the present rate of duty.

Alum used to be free, and you could not buy a pound of it for less than 3¾ cents. When the present tariff duty was put on it American industry developed its production, and to-day you can by it for 1⅞ cents a pound.

Castor-oil is protected by a duty of $1 per gallon. Castor-beans by a duty of 60 cents per bushel. It takes over two bushels of beans to make one gallon of oil. If the duty was added to the cost of the article, then twice 60 cents or $1.20 duty would be added to foreign cost of castor-oil. Is it added? Not at all. Castor-oil is selling for 92 cents per gallon in our markets to-day.

Then there is the article of woolen cassimere cloth. Take this great leading schedule or classification of woolen goods. Go back to your old comparative free-trade era from 1850 and 1860, when wool was free and the duty on cloth nominal. Take the case of the Hale & Frost factory of Fitchburgh, Massachusetts, an old firm that was established in 1848, using the same old looms that were used from 1850 to 1860, hardly a new invention in their mills, the same old firm managing the business. Here are the Hale & Frost cashmerets, light wool spring goods, cotton warp, for men and boys; with free wool and revenue tariff the prices of these goods from 1850 to 1860 averaged 51 cents per yard. Average price for the identical goods, made on same looms by same process in 1882, 45 cents per yard.

Drawn from their books I have a statement showing that from 1850 to 1860 they sold their cassimeres at an average price of $1.07 a yard. Then came the tariff rate under the law of 1861; and the duty, you say, is always added to the price. From 1870 to 1880, when we reached resumption, the Hale & Frost cassimeres averaged in price from their mill 97 cents a yard instead of $1.07.

Take the very item of wool, in which you are all interested. From 1850 to 1860 wool was free, and the wool interests of this country were at a low ebb. The market for wool was in the hands of the importer; it was in the hands of the foreign grower. To-day, under our tariff system, the market for American wool is in the hands of the American grower. Every pound of wool that the American farmer can raise he sells to-day to an American manufacturer, and the money stays at home—is not sent abroad. Do you say that the price of wool has increased under this tariff of 12 cents a pound as against the free wool of 1850 to 1860? I have here the figures. To-day wool is cheaper pound for pound, and has been for the last five years, than it was from 1855 to 1860 under the free rating of the free-trade party.

Mr. SPRINGER. Then what do you want a duty for?

Mr. HASKELL. Because, while the price of wool has fallen, the American grower holds the market and gets every dollar that the American wool manufacturer pays out for his material, except as to two items—clothing wool, a small importation, and carpet wools. I want the money paid by the manufacturer for wools to be paid in the United States, not in Australia, Africa, or Persia.

Mr. TOWNSHEND, of Illinois. Would it not be better, then, for the wool-grower to have no tax?

Mr. HASKELL. Ah, but he controls his market to-day, and is able to make money in spite of his neighbor's competition.

Mr. SPRINGER. What difference does it make to him whether he holds the market or not if he gets a less price for his wool?

Mr. HASKELL. Why, the difference is between a man having 1,000 bushels of wheat to sell at 50 cents a bushel and having half a bushel to sell at $10 a bushel. [Laughter and applause.]

Mr. REED. Now the gentleman from Illinois has got some information.

Mr. HASKELL. Again, all the farmers' tools are of American make. No nation can compete with us in style or price of reapers, mowers, threshers, plows, shovels, hoes, forks, axes, scythes, wagons, harness, saddlery hardware, &c. Our people buy cheaper and better goods than any nation in the world can sell us. Our hardware, much of it, is found on the shelves of English dealers.

Permit me here to refer to a purely American industry, the common cut nail. Eight million kegs of nails are made in the United States, 3,800,000 east of the Alleghanies, 4,200,000 west.

Here is an industry born of the old protective duty on wrought nails, not one made in the United States at the time the duty was fixed, all imported from England. Under the duty the manufacture was started here in the United States. Out of the shops thus started came the Perkins nail-cutting machine. Now all the nails used in the United States are home-made, and the price, instead of 20 cents per pound, varies from $3.25 per hundredweight to $3.50.

Glass-ware: I dismiss this item with a quotation from an importer's evidence, given before the Tariff Commission:

> Glass-ware needs little or no protection, as it is produced here better and cheaper than most foreign glass.

As an importer he wanted the duty off, that he might trade in foreign glass. As consumers we want it on to maintain American competition which lowers prices. Here is something comforting to our Democratic friends, who feel that the tariff robs them. I quote from evidence given before the Tariff Commission:

> I have here a tumbler, known to the trade as a whisky tumbler. Six years ago, when the American manufacturers commenced to make them, they were imported by the case of twenty-five dozen at $1.40. We made some; our first price was $1.25. They are now sold at 40 cents.

Comment is unnecessary.

The price that kaolin or china-clay brought in England was $1.28 per cubic foot. The price under protected American competition is 40 cents per cubic foot. From this clay is made our fine pottery and china tableware.

From the authority of a merchant and importer in New York city—Mr. Davenport; facts gleaned from the pages of his books—we learn that the crockery-ware that went upon the farmer's table in 1852 and years following to 1860 was 60 per cent. higher in price than to-day under protection. Here is one invoice: 1852, one crate of ware, $95.30, no tariff; 1882, one crate of ware, $57.89, 40 per cent. tariff. The identical goods, changed only in style, hand-made entirely in both instances.

I have before me the bill, item by item, prices attached, which aggregates as above. A dozen such might be given. The cause of reduction can be only the policy of protection under which nearly fifty fine-ware potteries are now successfully at work in the United States, and by their competition with foreign makers for this market have produced this reduction to the consumer. There are no new inventions to account for the decline in price—no labor-saving machinery or device. As the goods were made then so they are now, by hand-labor.

On all the coarser kinds of earthen-ware the freight from abroad makes it impossible to import and transport them to the interior of the country, and these goods are made and sold by local potters, and the tariff in no wise affects the price.

As to the glass-ware and earthen-ware schedule, I hardly have need to refer to it after the remarks of my friend from Ohio [Mr. McKINLEY].

What is the fact as to earthen-ware and glass-ware? The gentleman from Kentucky picked out as his sample of earthen-ware one single kind of pottery known to the English manufacturer, which, in order to incorporate a general clause into our bill we had to include. We did not

want to include it, but we had to do so in order to protect the very fine art in crockery-ware decoration. The gentleman brought in here a piece of crockery that has never been imported to any extent for years; you can not find a piece of it on any poor man's table. It has no existence in the American market. There is no laborer in the United States who has bought a plate or a cup and a saucer of it for the last twenty years. Every piece of the white crockery that goes upon the farmer's table and the workingman's table is left untouched in our bill, and by the reduction or abolition of the charges the item is actually reduced.

Now, again, in regard to the metal schedule, I showed the fallacy of the gentleman from Kentucky in regard to blooms. I explained how the rate on blooms can not by any construction be made to appear as high as it was before, and there is an enormous reduction upon all the heavier ones. I pass from that item to the item of tin-plates. We have placed these in the bill at 1.1 cents a pound. The rate under the old law was 2.2 cents, which by a Treasury ruling, on account of a misplaced comma, was reduced to 1.1 cents. Why, sir, this rate of 1.1 cents, fixed by our bill on tin-plates, is nine-tenths of a cent per pound less than the rate fixed in the Fernando Wood bill, a Democratic bill. Nobody says anything about that on the other side. Nobody on the other side gives us credit for a reduction; yet we have made this reduction on an immense importation running up into millions of dollars. We, protectionists as we are, have reduced the rate nine-tenths of a cent per pound lower than you dared to put it.

How is it as to steel for agricultural implements? You can not get a pound of it into the United States, under the present tariff, for less than 2¼ cents a pound. This is a matter affecting every shovel, every plow, every hoe, every fork. We change the classifications from the commission rate and provide that this steel should come in at 2 cents a pound, every pound of it that is used in any of the agricultural implements in the whole country, and this provision applies to all of it except the finer grades of cutlery-ware, &c. And yet free-trade newspapers have been claiming all over the country, and even manufacturers have been misled, and have come before us here by letter charging us with increasing the rates on steel when in fact we had lowered them. We felt that we ought to protect the steel manufacturers, especially these crucible steel manufacturers, that while reducing rates we did not desire to reduce the rates on that class so low as to destroy the industry; and why? Because the crucible-steel men are selling better than English steel in the American market 2 cents a pound less than John Bull sells it in his own market. Reduce the prices of these crucible-steel men, and you necessarily injure them.

They have from 17 and 16 and 15 cents a pound reduced the price down to 9 cents and 10 cents a pound, and have brought some grades down step by step and step by step until you can buy it at 4 or 5 cents. Why should not we keep such an industry upon its feet? One member upon this floor said: "I want to vote on this bill from the standpoint of that great mass of my Western farmers." So do I; but in nine-tenths of these industries touched by this tariff bill, by the invoice from the mill and the invoice from the factory, I can prove, I think, item for item, classification for classification, that our farmers under a protective system are getting their goods cheaper than they did under the free-trade system. Why, let me give you just one more instance of the working of this grand policy.

AN INCIDENT OF PROTECTION.

Going back to the days of the tariff of 1824, when cotton goods were selling for 24 cents per yard—24 cents for an unbleached cotton—they started a few mills in this country and came down here to Congress and had the temerity to ask 8 cents a yard protection on their cotton cloths. Congress had the wisdom to grant it in that tariff, and before it was repealed these cotton cloths that they got 8 cents a yard protection on, that had been selling at 24 cents a yard when the tariff was framed, were sold for 6¼ cents a yard. I have on my desk the statement of one of the factory men who established the mill and who came to Congress and asked this protection.

Now, before I close, there are a few general propositions I want to call attention to, for I believe I have referred to every schedule that has been commented upon by the other side, and when we come to the five-minute debate on these items we can prove to the House from the facts and the face of the bill the actual reduction I have stated; and all the arguments and statements which have been made against that idea of reduction will all go for naught.

Mr. BERRY. Do not forget my barbed wire.

Mr. HASKELL. What about it?

Mr. BERRY. I want to know if it is increased or diminished.

Mr. HASKELL. In response to that question I will say to the gentleman that it should have come in at 2½ cents a pound under the present law. By the Treasury ruling, however, it came in at 35 per cent. ad valorem. The price now on steel-wire rods, of which this wire is made, has dropped so low that the rate of duty at 35 per cent. ad valorem is only six-tenths of 1 cent a pound. The rate of duty fixed by the bill amounts to seventy-five hundredths of a cent a pound, and will consequently be a slight advance on the rate that just now prevails on wire rods and a large reduction on the average price for the last five years. Wire itself is reduced in the tariff rates a quarter of a cent a pound below the report of the Tariff Commission.

Mr. Chairman, we have heard from the other side references made to the wages paid by the English manufacturer, and the statement was made yesterday by the gentleman from Virginia [Mr. TUCKER] that the cotton-spinners of England were paid about as high wages as the cotton-spinners of America. Now, I hold in my hand a statement of the wages paid by a company that ought to know whereof it speaks. I refer to the Clark Spool Thread Company, that owns an enormous factory in Newark, New Jersey, and another in Paisley, Scotland, and they have sent a statement of the wages paid by them in both places to the committee. I call your attention to them. Here they are:

Cop-winders, $8 a week in Newark, $5.50 in Paisley; finishers in Newark, $5.50, $2.50 in Paisley; reelers, $8 a week in Newark, $4.25 in Paisley; foremen, $20 a week in Newark, in Paisley $7 a week; hank-winders, $7 in Newark, and $3.75 in Paisley.

This is a statement made by a manufacturer who runs a great factory in the United Kingdom and one in the United States, and who I think is able to judge of the wages he pays to his own employés.

The following quotations from the London Standard, a prominent English journal, date of January 1, 1883, shows clearly that even in England the labor situation is not as rose-colored as the free-trader would have us believe:

Thousands of females, old and young, mothers and daughters, with little children by their side, toil by day and night in one part of the black country. The female nail-workers in East Worcestershire and on the borderland of South Staffordshire district work during the day with all the restless ardor of industrious men; and very often they labor on during the long, late hours of the night, and almost to the break of day. * * * The locality in which this female labor is carried on is within seven or eight miles of Birmingham. * * * The houses, if they deserve to be dignified with the word, are wretched in construction; in many instances they are more like hovels than human dwelling-places. * * * How they manage to exist at all in some of these houses is a problem which may well exercise the ingenuity of some social philosophers to solve.

This is a gloomy picture by day but it is far worse by night. Nearly the whole district is literally as well as socially in the dark. Occasionally lurid bands of light tinge the distant horizon with a purple glow (they come in fitful flashes from some distant iron-works), but there is no other mode of lighting except perhaps in the liquor-vaults and in the shops in the few leading thoroughfares, where the competitive exigencies of business demand the luxury of gas. In all other parts of the district the old-world system of tallow-candle and oil-lamp artificial light has not been superseded. About twenty-four thousand people are engaged in this dismal part of Great Britain in making nails and rivets. It would not be so much a matter for surprise, even for the lowness of the wages that they earn, if they were all men and youths who are engaged in the industry, one of the very worst paid in any part of the country.

But it so happens—and here arises the social degradation of the traffic—that there are at least 16,000 females engaged day after day in the occupation. They are not all mature women, either; daughters work by the side of mothers, daughters who in their tender years ought to be either at home, if they have any home, or in bed, instead of working their weary arms in shaping, in the still, small hours of the morning, molten iron into the form of nails for the benefit of what are called the "froggers." Here is a picture of what may be seen any night in this district, except, perhaps, Saturday night. In the middle of a shed which adjoins a squalid-looking house there is a whole family at work in the production of these nails; father, mother, sons, and daughters—daughters, too, very young in years, but with that sad look of premature age which is always to be noticed in the faces of child-workers. The gayety of youth, its freshness and its gentleness, seem to be crushed out of them.

* * * * * * *

But what do the nail-makers earn a week, may naturally be asked? The remuneration they receive is incredibly small. It is no unusual thing—on the contrary it is rather the usual custom—for a family of three or four persons, after working something like fourteen hours a day, to earn £1 in a week. But out of this money there has to be deducted 1*s.* 3*d.* for carriage to convey the nails to the "gaffers," as they are termed in the district; then there is an allowance to be made for fuel and the repairing of the machinery, which reduces the £1 to about 16*s.* 9*d.* for three people—for three people who have commenced to work every morning at half past 7 or 8 o'clock, and who have worked on through all the weary day with no substantial food until late at night. * * * It may appear strange, but it is an undisputed fact, that two young women, after working more than sixty hours a week, earned less than 4*s.* 6*d.* a week, and out of this pittance, in many cases, they have to keep three or four children. * * * Their children, ragged and ill-fed, have had to lead miserable and wretched lives, with no hope before them but a life of wickedness and vice.

Time forbids at this time an extended review of the comparative prices paid for labor in the United Kingdom and on the Continent of Europe, but from Young's Labor in Europe, from the United States Consular Reports, and from the United States Census of 1880 we learn that labor in the United Kingdom averages only about one-half our rate, and in France, Germany, Belgium, Austria, and the other continental nations the prices of labor do not exceed one-third those of the United States. I give from the United States Consular Reports the labor statistics of one of several Austrian woolen-mills which find market for their products in the United States, with the retail price of provisions at the same place, Goerlitz:

Number of employés	300
Hours of labor per day	13
Hours of labor per week	78
Total wages paid employés per week	$744 00
Wages of employés per week:	
Wool sorters (overseers)	4 28
Nappers	2 14
Spinners	2 38
Scourers	2 14
Carders	1 66
Shearers	2 14
Dyers	2 38
Pressers	2 62
Weavers	1 90
Pickers (female)	1 19
Fullers	2 62

The owners say:

We manufacture cloths and other woolen goods, from the cheapest to the finest.

The following is the retail price-list of provisions:

Wheat flour per pound	$0 4½
Rye per pound	4
Rye bread (5-pound loaf)	13
Butter per pound	28 to 38
Milk per quart	3
Eggs per dozen	12
Beef per pound	14
Pork per pound	15
Mutton per pound	14
Veal per pound	14
Hams per pound	24
Bacon per pound	21
Lard per pound	24
Onions per quart	3
Dried apples per pound	12

I quote these prices of labor in the Austrian woolen-mill for the reason that I find from an examination of the pay-roll of a woolen-mill in Fitchburgh, Massachusetts, that these *weekly* wages of the Austrian mill are almost identical with the *daily* wages paid in the Massachusetts mill.

But do you ever remember or ever recollect, my friends, when the price paid the English laborer is referred to on the other side that they always mention to you the prices paid the skilled artisan of the United Kingdom? And do not you recollect the boast of the Englishman that the sun never sets on the dominions of the Queen?

England is not altogether described by the Islands of Great Britain. She has her dependencies all over the world—India, Turkey, Egypt, Australia, and other nations, which she has commercially subjugated. What is the price of labor there? Ten cents a day in India; 15 cents a day in Egypt; 25 cents a day in Turkey. Between all these English dependencies and the great workshops of Great Britain proper, traversing the ocean in a hundred directions, is an unrivaled merchant marine, built on the ruins of American shipping caused by the war, and built on governmental subsidy. From India and other dependencies of England comes much of her raw material across the ocean by her subsidized steamships, there to be worked up to a finished product and sent abroad throughout the world. The price of East India labor is just as much an English price, just as much set by English policy as is the price of labor in the Island of Great Britain itself.

Now, in America where is our cheap labor? Where is our East Indiaman? Where is our foreign dependency to bring to us the cheap raw material in subsidized steamships? We have none. Our labor that produces the finished product is called upon also to produce the raw material. We then must have protection against the English labor that in fact in all the important productions of raw material gets less than our old Southern slave labor before the war.

TIDEWATER VS. INTERIOR INDUSTRIES.

While I touch this question of raw material I want, my friends of the West, to call your attention to a few hard facts. Do not be misled by this cry of "free raw materials" to such an extent as to ask to place them all upon the free-list. Free raw material means cheap-labor material for the tide-water industries only. Mr. HEWITT, of New York, the advocate of this doctrine of free raw material, can live with his factory on tide-water, and free raw material means to him the utilization of the slave labor of Africa and the cheap-labor of Spain in the production of ore. The ocean freights from the cheap-labor countries on the raw materials are lower than it is by rail from Ohio to New York, or from Pittsburgh to New York.

Free raw materials, then, Western men, means the destruction or the serious crippling of all the interior industries. It is well enough for tide-water men to talk of "free raw materials." But how are Missouri and Illinois and Ohio, how are those States and those industries separated from the seacoast by monopoly lines of railroads, how are they to compete with the tide-water industries on a free-raw-material basis?

How can they, with our high-priced Western labor, develop mines and mineral resources against such competition?

My time is short, but I have a few more words to say in the line of general propositions. The Committee on Ways and Means have brought before the House and the whole country this bill. It is a protective-tariff bill. We never have disguised that fact. If it had not been a protective bill it would not have been brought before the House. But every industry that is touched by its provisions, every schedule and every item has been examined, not in the light of the theories of the schools, but in the light of the actual facts that surround all our various industries, and we have cut the rates in most cases just as low as we dared to cut them, though in some places I desired lower rates in committee. But if any industry be called in question and it be one that has lowered and is lowering prices to the consumer, I leave it to the considerate judgment of this House to say if we did not reduce it enough, provided we have put the rate at a point beyond which if we went we were in danger of destroying it and its competition with the foreign importer and manufacturer?

A fallacious argument is often made and urged with vigor that a tariff for protection must of necessity be much higher than one constructed for "revenue only." A word will expose its weakness. The best revenue point on a wool hat is, for illustration, we will say 20 per cent. Under its operation wool hats are all imported, none are made at home. The foreign manufacturer is just able to control the market and repress domestic manufacture. Five per cent. is a good minimum profit on hats. Add to the revenue rate of 20 per cent. 5 or 10 per cent. more, and the foreign manufacturer loses a portion of the market, which is at once entered and permanently occupied by the domestic manufacturer, who, by this small advance, finds himself comfortably protected and at once proceeds to employ home labor and establish a new industry.

Which is the wiser tariff rate in this case, the "revenue only" rate of 20 per cent. or the "protective" rate of 25 or 30? Which is the product of the best statesmanship?

The money paid out in wages and the profit earned by the capital invested under the protective rate stays at home to stimulate other industries and to enrich the common country. Under the "revenue only" rate both wages and profit are expended in a foreign nation and enriches a foreign country.

REVENUE TARIFF TAXES NECESSITIES AS WELL AS LUXURIES.

Another curious and instructive lesson in the practical working out of free-trade or "revenue-only" logic is seen in this. They propose a duty on all crude spices, tea, and coffee, for they say these articles are of universal use, and whatever duty is levied upon them goes direct into the Treasury with no loss. The result is that foreign spice and extract mills in countries where no duty is levied upon these raw materials become the purchaser of these articles, grind and prepare them for use by the employment of thousands of workmen, and send the manufactured product to this market for sale, keeping at home the wages paid their men and the legitimate profits of the manufacture. Under the bill now before the House, prepared on the theory of protection, we levy the duty on the prepared article and admit the crude duty free. What is the result in this case? Mills are in successful operation in this country; wages paid in this country and profits kept at home. The consumer gets his goods just as cheaply as under the other system, and millions of dollars stay at home that otherwise would be paid to foreign manufacturers.

FARMERS ARE INTERESTED.

There is no industry that is more interested in tariff legislation than the agricultural, whether it be in Kansas or Pennsylvania, and no industry that is more benefited by a conservative but genuine protective policy.

The farmers' gain from the tariff is largely indirect, but none the less sure, none the less profitable.

Accept, if you please, the free-trader's maxim, "buy where you can buy cheapest and sell where you can sell at the highest price;" and from the farmer's standpoint we will meet our opponents at this Philippi. We must, however, never lose sight of both propositions, for the general average of the two tells where the profit is, and which doctrine is right in theory and practice depends on both selling and buying. We are willing to buy $100 worth of goods in a 10 per cent. higher market under protection if by so doing we can sell $200 worth of goods in a like 10 per cent. higher market.

The farmer is both buyer and seller, and his larger interest is that of a seller.

He can not afford to buy in a 10 per cent. lower market under free trade if he must sell in the same 10 per cent. lower market all he has to sell. No farmer will agree with the merchant that what he buys at the store or of the seller shall be 10 per cent. less than usual, if at the same time and in the same bargain he has to agree that all he sells to the merchant or buyer shall also suffer a 10 per cent. reduction; in other words, his selling interest is the greatest by the measure of his year's profits or savings. The delight of the free-trader is to convince the farmer that under free trade he could buy goods cheaper than he does under protection, and he fondly imagines he has won the day if he can establish this fact. Has he won? Not at all; he has won only one-half his case; he must now prove that the farmer can also sell his produce for the same or a greater price than under protection.

He can prove neither proposition. I have endeavored to show that under protection the farmer buys his goods in the cheapest market in the world, buys his goods under protection at a less rate than he could under free trade, he sells in the best markets in the world, sells at higher rates than he could under free trade. What he has to sell he sells without let or hindrance to all the world, to whomsoever will pay him the best price, having also at his command the best home market of any nation in the world, as the following facts will clearly demonstrate:

HOME-MARKET ARGUMENT.

The home-market argument of the protectionists has been made the target of many ill-directed sneers, Professor Perry asserting that it is one that has been "trumped up when all others had failed" and is of recent origin, and Professor Sumner sneeringly alludes to it as the "famous truck-patch argument of the protectionist."

Now for a few facts, as against the theories of the schools.

Franklin and Hamilton are perhaps the earliest of American economists that brought it forward, as early as 1789, and it is therefore as old as the present Constitution of the United States. Calhoun, Clay, Jackson, Webster, and later statesmen of great culture, of broad information, men generally esteemed as good authority on questions of national economy as Professor Perry or Professor Sumner, have used this

argument effectively and seemed not to have despised its worth. Let me quote from Colton's Life of Clay:

CALVIN COLTON'S "CLAY."

The war of 1812 had, by necessity, built up a system of American manufactures, and when peace came it began to totter and fall in competition with foreign products of the same classes.

The tariff of 1816 was enacted to save it, but it proved inadequate, or not well adapted. The experience of the country for the first five years subsequent to the peace had taught our statesmen what was wanted, and the tariff bill of 1820 was prepared with great care by Mr. Baldwin, of Pennsylvania, who was afterward promoted to the bench of the Supreme Court of the United States.

It was in support of this bill that Mr. Clay made one of his great tariff speeches, in which the home-market argument was its leading feature.

The bill passed the House by a vote of 90 to 69, but failed in the Senate by a vote of 22 against 21. So narrow a chance doomed the country to four years more of the greatest commercial embarrassments; for it was not until the tariff of 1824 that trade and business began to revive.

Mr. Clay afterward found, by comparison, that the seven years previous to the tariff of 1824 was a period of the greatest commercial depression, and the seven years subsequent to that event a period of the greatest commercial prosperity the country had ever experienced.

The last four years of the first-named period, the most pinching and most distressing of the seven, were brought about by that failure of the Senate in 1820 to pass the tariff bill of that date.

And here is a word from one of the authorities I have quoted.

Dr. Franklin in a letter to Humphrey Marshall says:

"Every manufacturer encouraged in our country makes part of a market for provisions within ourselves and saves so much money to the country as must otherwise be exported to pay for the manufactures he supplies.

"Here in England it is well understood that wherever a manufacture is established which employs a number of hands it raises the value of land in the neighboring country all around it, partly by the greater demand near at hand for the produce of the land, and partly by the plenty of money drawn by the manufacturers to that part of the country.

"It seems therefore the interest of all our farmers and owners of lands to encourage our young manufactures in preference to foreign ones imported among us from distant countries."

And here is an authority of some repute in the United States. In his first annual message Washington said:

The advancement of agriculture, commerce, and manufactures by all proper means will not, I trust, need recommendation, but I can not forbear intimating to you the expediency of giving effectual encouragement as well to the introduction of new and useful inventions from abroad as to the exertions of skill and science in producing them at home.

And here is still another. During the pendency in Congress of the tariff bill of 1824 General Jackson, in a letter to Dr. Colman, dated Washington, April 28, 1824, said:

Where has the American farmer a market for his surplus products? Except for cotton he has neither a foreign nor a home market. Does not this clearly prove, when there is no market either at home or abroad, that there is too much labor employed in agriculture, and that the channels of labor should be multiplied? Common sense at once points out the remedy. Draw from agriculture the superabundant labor, employ it in mechanism and manufactures, thereby creating a home market for your breadstuffs and distributing labor to a most profitable account, and benefits to the country will result.

Take from agriculture in the United States 600,000 men, women, and children and you at once give a home market for more breadstuffs than all Europe now furnishes us.

In short, sir, we have been too long subject to the policy of the British merchants. It is time we should become a little more Americanized, and instead of feeding the paupers and laborers of Europe, feed our own, or else in a short time by continuing our present policy we shall all be paupers ourselves.

And again, long enough after the tariff of 1824 had been passed to give ample opportunity to note its effects, President Jackson in his third annual message, December 6, 1831, said:

Manufactures have been established in which the funds of the capitalist find a profitable investment, and which give employment and subsistence to a numerous and increasing body of industrious and dexterous mechanics.

The laborer is rewarded by high wages in the construction of works of internal improvement, which are extending with unprecedented rapidity.

And in every succeeding annual message President Jackson congratulated the country on its steady growth in population and wealth, or, as he states in his seventh message, 1835—

The unexampled growth and prosperity of our country.

The ground taken by these statesmen in behalf of protection has been to the effect that if labor was drawn away from agriculture, to which under the influence of our rich soils and salubrious and varied climate it naturally and strongly tends, and turned into other channels, it would produce the twofold effect of reducing the inevitable overcompetition in agricultural products and of creating at the very doors of the farmers a large and never-failing home market not only for his exportable but his non-exportable or perishable products. No one will deny that protection has stimulated manufactures and that labor has been diverted from agriculture, to what extent and to what result we will next consider, and determine from the irresistible logic of facts, uncontroverted and uncontrovertible, whether the intent of the fathers through the agency of protection has brought forth fruit.

In 1840 the number of persons engaged in agriculture was 3,717,536; in 1880 the number was 7,670,493; population of the United States in 1840, 17,069,453; population of the United States in 1880, 50,155,783.

It will be seen that from 1840 to 1880 the number of persons engaged in agriculture had a little more than *doubled*, while the total population of the United States from 1840 to 1880 had nearly *trebled*.

In other words to use simple fractions, in 1840 each farmer had of neighbors, non-producers of agricultural products, to buy his produce 4¾ persons; in 1880 he had 6¼ persons who were consumers of his products, an enormous increase in demand of nearly 50 per cent. Every farmer realizes that supply and demand regulate the price of his products as they regulate all others, and he to-day finds at home a demand 50 per cent. greater for his products than the demand of 1840.

Take another view of this result of protection, as shown by the census of 1880, as against the "tariff for revenue" period of 1840. Had the nation been remanded to the productions of agriculture for support to the same extent as it was in 1840, and had the number of farmers increased as the total population increased there would now be in the United States 3,000,000 *more* persons engaged in agriculture than there is. The careful attention of our farmers is called to this fact, and I leave them to answer as to what effect the work and produce of 3,000,000 of additional farmers would have upon the price of farm products, when they take into consideration a *market* no larger than it now is.

Again, the condition of the country now as compared with 1840, after nearly forty years of protective policy, is simply this:

The farming interest of to-day has in the United States of consumers, non-producers of agricultural products, not competitors with it, a population of nearly seventeen millions more than it would have had had the ratio of producers and consumers of 1840 been continued.

Will any one, in the light of these facts, sneer at this "home market" of seventeen millions. Our agricultural product, estimated, for the year 1882 amounts to $7,500,000,000 in round numbers. Our exportations of these products amounts to $600,000,000—8 per cent. only exported, 92 per cent. consumed at home. The statesmen of the past saw in their day farmers' produce, under free-trade policy, unsalable at any price. We see a steady demand at living prices for anything and everything edible that the farmer can produce, while the prices of all manufactured articles tend lower and lower year by year.

What better vindication can be had of the wisdom and forethought of the early fathers of protection, who numbered in their ranks the first President of the United States, and that grand statesman and delineator of the American economic system, our Henry Clay, of the West. [Great applause.]

The CHAIRMAN. The time fixed for the close of general debate has arrived, and the Clerk will now proceed to read the bill by paragraphs for amendment.

The Clerk began the reading of the bill, and read as follows:

Be it enacted, &c., That from and after the 1st day of July, 1883, the following sections shall constitute title 33 of the Revised Statutes of the United States:

TITLE XXXIII.

Duties upon imports:

SEC. 2491. All persons are prohibited from importing into the United States from any foreign country——

Mr. KELLEY. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the State of the Union had had under consideration the bill (H. R. 7313) to impose duties upon foreign imports and for other purposes, and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. KELLEY. I move that the House now adjourn.

The SPEAKER. Pending the motion to adjourn the Chair will submit a communication.

STORAGE OF SILVER COIN.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, relative to the amount of silver coin on hand and the facilities for its safe-keeping in the sub-treasury offices.

Mr. McCOOK. As the letter of the Secretary of the Treasury is not long I ask that it be printed in the RECORD of to-morrow morning.

There was no objection, and it was so ordered. The letter is as follows:

TREASURY DEPARTMENT, *January* 26, 1883.

SIR: I have the honor to invite your attention to the inclosed copies of communications relative to the amount of silver coin on hand and the facilities for its safe-keeping in the sub-treasury offices, showing the urgent necessity for providing additional vault-room at once for storing silver, or for discontinuing the coinage of the standard silver dollar.

Since the act passed February 28, 1878, authorizing the coinage of the standard silver dollar, new vaults have been built expressly for storing silver at the following-named offices:

Year 1878.	
New York sub-treasury, at a cost of	$38,687 25
San Francisco sub-treasury, at a cost of	17,059 77
Philadelphia sub-treasury, at a cost of	8,268 18
Year 1880.	
San Francisco mint, at a cost of	9,346 08
Baltimore sub-treasury, at a cost of	8,268 18
Philadelphia mint, at a cost of	6,985 52
Year 1882.	
San Francisco mint, at a cost of	10,000 00
San Francisco sub-treasury, at a cost of	6,985 52

These vaults are now practically filled, some of them to their utmost capacity.

Under the law there must be coined at the mints at least two million dollars' worth of standard silver dollars monthly, and unless the law is repealed before Congress adjourns this session provision must be made for the storage of this year's coinage, say $27,000,000, less the amount put in circulation.

The increase in the circulation of standard silver dollars between November 1, 1881, and November 1, 1882, was less than a million and a half of dollars; the amount coined during the same time was $27,772,075.

The office of the assistant treasurer at Cincinnati is in a building owned by the Government, but it has been sold, to be delivered as soon as the new building is completed. For this reason, and on account of the small amount of space available, no additional vault was built, and there has been transferred from that office to other sub-treasury offices from time to time to relieve the vaults since February 28, 1878, the sum of $3,827,780 in silver.

The office of the assistant treasurer at Saint Louis is in a rented building, and in addition to the vaults of the office available for use there has been rented from the Safe Deposit Company in that city a large vault exclusively for storage of silver dollars, at a cost of $1,750 per annum.

But the most serious difficulty will be experienced in affording relief to the San Francisco sub-treasury. The amount reported on hand January 11, 1883, was in standard silver dollars, $14,414,000. Fractional silver, $7,374,606.43. Total silver, $21,788,606.43, or about 628 tons. Both new vaults built for the purpose are now about full, and the assistant treasurer reports that there is no further space available in his office for building another vault. The only relief, therefore, that can be given is to transfer to some sub-treasury in the East, at a cost of $10,000 for transportation of each million transferred. There is not sufficient appropriation available for the payment of the transportation of the amount required to be transferred in order to properly relieve that office, nor are the sub-treasury offices in the East in a condition to receive that amount, as shown by the accompanying reports of the several offices.

Amount in the Treasury January 1, 1883:

Standard silver dollars	$94,016,842 00
Fractional silver	26,521,692 20
Total silver	120,538,534 20

or about 3,500 tons.

In view of the facts stated above, and the reports herewith, it is apparent that this Congress should either discontinue the coinage of the standard silver dollars or make suitable appropriations for building additional vaults in the East and for the transportation of silver coin from San Francisco, no further space being available for building another vault at that point. The lowest rates for transportation of silver from San Francisco obtainable is $10 per thousand dollars.

Very respectfully,

CHAS. J. FOLGER, *Secretary.*

Hon. J. W. KEIFER,
Speaker of the House of Representatives.

The SPEAKER. If there be no objection the communication, with the accompanying papers, will be referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

Mr. HISCOCK. As the communication relates to additional accommodations for the storage of silver coin I think it should go to the Committee on Appropriations.

The SPEAKER. If there be no objection that will be the reference.

There was no objection, and the communication was accordingly referred to the Committee on Appropriations, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. COLERICK, for one week, on account of illness.

ORDER OF BUSINESS.

Mr. REED. Will not gentlemen on the other side of the House let me pass my little bill now?

Mr. RANDALL. I have one I want to pass.

Mr. REED. But mine is such a little one. [Laughter.]

Many MEMBERS. Regular order.

The SPEAKER. The regular order is the motion of the gentleman from Pennsylvania [Mr. KELLEY], that the House now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. AIKEN: The petition of citizens of Neenah, Wisconsin, for regulation of interstate commerce, to elevate the Department of Agriculture, and to protect innocent purchasers of patents—to the Committee on Patents.

By Mr. BREWER: The petition of keepers and surfmen of life-saving stations No. 17 to 24 inclusive, protesting against the transfer of the revenue marine to the Navy Department—to the Committee on Commerce.

By Mr. CRAPO: The petition of citizens and master mariners of Westfield, of George H. Munsell and others, and of keepers and surfmen of life-saving stations 3, 4, and 5, second district Massachusetts, protesting against the transfer of the revenue-marine service to the Navy Department—severally to the same committee.

By Mr. CURTIN: Eleven petitions relating to certain legislation prayed for by the stockholders of the centennial exhibition held in Philadelphia A. D. 1876—severally to the Committee on Appropriations.

By Mr. DAWES: The petition of J. M. Raper and others, veteran soldiers, for a grant of one hundred and sixty acres of land on account of service in the late war—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. HARMER: The resolutions adopted by the Commercial Exchange of Philadelphia, remonstrating against the proposed transfer of the Life-Saving Service and revenue marine to the Navy Department—to the Committee on Commerce.

By Mr. H. S. HARRIS: The petition of Andrew J. Fulmer and 42 others, of Stewartsville; of W. H. Duckworth and 79 others, of Little York; of Thomas E. Barton and 46 others, of Ringers; and of W. H. Oppie and 32 others, of Griggstown, New Jersey, for a reduction of the duty on sugar—severally to the Committee on Ways and Means.

By Mr. HASKELL: The petition of Six Nations of New York Indians, relating to Kansas lands—to the Committee on Indian Affairs.

By Mr. HISCOCK: The petition of John Casler and others, of Jordan, New York, for a reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. JORGENSEN: The petition of Joseph Jorgensen, for allowance for expenses of contested election in the Forty-fifth Congress—to the Committee on Elections.

By Mr. MURCH: The petition of 142 citizens of South Thomaston and Saint George, and of 52 citizens of Addison, Maine, protesting against the transfer of the revenue marine to the Navy Department—to the Committee on Commerce.

Also, the resolution adopted by the Legislature of Maine, protesting against the removal of the duty on lumber—to the Committee on Ways and Means.

By Mr. O'NEILL: The resolutions adopted by the board of wardens of the port of Philadelphia, Pennsylvania, urging an appropriation for locating gas-lighted buoys—to the Committee on Appropriations.

By Mr. PETTIBONE: The petition of W. A. Allen and 38 others, citizens of Greenville, Tennessee, asking that aid be extended to common schools—to the Committee on Education and Labor.

By Mr. SCRANTON: The petition of members of the bar of Dauphin County, Pennsylvania, for the passage of an act establishing the northern judicial district of Pennsylvania—to the Committee on the Judiciary.

By Mr. SHALLENBERGER: Papers relating to the claim of the minor children of Robert H. Ramsey—to the Committee on Invalid Pensions.

The following petitions, praying that Congress will not adopt any lower rate of duties on foreign manfactured products than recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. CAMPBELL: Of employés of the Gautier steel department of the Cambria Iron Company, of Johnstown, Pennsylvania.

By Mr. ERRETT: Of 41 employés of Linden Steel Company, of 94 workingmen employed by McIntosh, Hemphill & Co., and of 320 employés of Painter & Sons, of Pittsburgh, Pennsylvania.

By Mr. J. HAMMOND: Of workingmen of Wood's Falls, and of workingmen of Black Brook, New York.

By Mr. H. S. HARRIS: Of workingmen of the Andover Iron Company, of Phillipsburgh, New Jersey.

By Mr. HILL: Of 150 workingmen employed in the Passaic Rolling-Mill, at Paterson, New Jersey.

By Mr. HISCOCK: Of employés of the Onondaga Iron Company, of Syracuse, New York.

By Mr. MILLER: Of 147 employés of P. L. Kimberley & Co.'s iron-works, of Greenville, Pennsylvania.

By Mr. MUTCHLER: Of 382 employés of the Bethlehem Iron Company, of Bethlehem, and of 132 employés of the Lehigh Iron Company, of Allentown, Pennsylvania.

By Mr. A. TOWNSEND: Of workingmen of the Forest City Iron Works, of Cleveland, Ohio.

By Mr. WAIT: Of the Arkwright Club.

SENATE.

MONDAY, *January* 29, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of proceedings of Saturday last was read and approved.

PROPOSED EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

Mr. MORRILL. I understand that there is a great necessity for an executive session, and I shall therefore not object.

The PRESIDENT *pro tempore*. Does the Senator desire it before the regular morning business is through?

Mr. HALE. Yes, sir.

Mr. DAVIS, of West Virginia. Had not the Senator better wait until the routine morning business is gone through with? That will only take a few minutes.

Mr. HALE. My object is to have only a formal executive session. It will merely require a few moments.

Mr. MORRILL. It will take but a short time, I understand.

Mr. PENDLETON. We had better do it now.

Mr. HALE. Yes, we had better do it now, I think.

Mr. LAPHAM. I hope the Senator will delay his motion for a few moments. There are certain Senators who have reports to make who are not here. I suggest that the ordinary routine business be gone through with, and by that time they will be here. There are quite a number of Senators who have reports to make who are not here.

Mr. HALE. I have no objection, provided it can be by common consent understood that at the end of the ordinary morning business we shall have an executive session.

The PRESIDENT *pro tempore*. Does the Senator withdraw the motion?

Mr. HALE. I withdraw it for the present.

CREDENTIALS.

Mr. WALKER presented the credentials of AUGUSTUS H. GARLAND, chosen by the Legislature of Arkansas a Senator from that State for the term commencing March 4, 1883.

The credentials were read and ordered to be filed.

REPORT OF LIBRARIAN OF CONGRESS.

Mr. SHERMAN presented the annual report of the Librarian of Congress, exhibiting the progress of the Library during the calendar year 1882; which was ordered to lie on the table and be printed.

Mr. SHERMAN. I submit the following resolution:

Resolved, That the annual report of the Librarian of Congress for the calendar year 1882 be printed, and that five hundred extra copies, with covers, be printed for the use of the Library.

That is the usual order, but I suppose the law requires it to go to the Committee on Printing.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Printing.

PETITIONS AND MEMORIALS.

Mr. LAPHAM presented the memorial of the American Seamen's Friend Society of New York City, remonstrating against that portion of the shipping bill which transfers the duties now performed by the shipping commissioners to the collectors of the several ports of the United States; which was referred to the Committee on Commerce.

Mr. SAWYER presented resolutions of the State Grange of Wisconsin, in favor of an amendment to the patent laws providing that a royalty be paid to patentees by manufacturers in the form of a percentage on the manufactured article; which were referred to the Committee on Patents.

He also presented a memorial of A. C. Brown and 20 others, citizens of Iron Mountain County, Michigan, remonstrating against any lower duties being imposed on foreign iron products than are recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. McDILL. I present the petition of H. A. Stoltenberg and others, citizens of Des Moines, Iowa, praying for an amendment to the patent laws. As there is a bill on the subject reported from the Committee on Patents on the Calendar, I ask that the petition, as it is short, may be read and lie on the table.

The petition was read, as follows:

To the Senate and House of Representatives,
Forty-seventh Congress, second session:

The undersigned citizens and voters respectfully pray your honorable body to amend the patent law, as follows:

I.

Add to section 4884 of the Revised Statutes: "And in all cases where a claim is allowed for an invention that is an improvement relating to prior unexpired patents and subordinate to one or more prior unexpired patent claims, the dates and numbers of such prior claims and patents shall, after notice to and acquiescence by such applicant, be printed in and clearly set forth in each subordinate patent issued for an improvement in any known art or subject-matter covered by unexpired generic claims."

II.

Add to Section 4898: "And whenever the public is deprived from using any patented invention for two years or more by the failure of the owners thereof to place the same upon the open market, or by refusing to license other responsible parties to make, vend, and use the invention upon a tender of a 10 per cent. royalty upon the value of the novel and patented merchandise to be produced as contemplated by the invention and patent, then it shall be the duty of the Commissioner of Patents to grant licenses to make, vend, and use such patented and suppressed invention to any applicant who will pay in advance a royalty of 10 per cent. upon the market value such applicant and producer may place upon such patented merchandise; and all revenue thus collected by the Commissioner shall be subject to the order of the owners of such patents, less 1 per cent. thereof, which amount shall be added to the General Patent Office fund and credited to the particular patent or patents from whence it was derived."

Mr. PLATT. I think no bill has been reported from the Committee on Patents covering the matters of amendment suggested in the petition, and probably the petition had better be referred to the Committee on Patents.

Mr. McDILL. Very well.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Patents.

Mr. VEST presented the petition of Thomson, Lewis & Co., and other tobacco dealers, of Glasgow, Missouri, praying for the abolition of the tax on tobacco; which was ordered to lie on the table.

Mr. PENDLETON. I present the petition of H. & S. Pogue, Bart & Hickcox, A. E. Wilde & Co., B. Kettredge & Co., and 35 other firms in Cincinnati, who are in the habit of importing goods, praying that legislation may be had to increase the facilities of importers and others at United States custom-houses. They represent that certain oaths can only be administered by the collectors of customs, and pray that legislation may be enacted by which such oaths may be administered by deputy officials or notaries public. I am a little in doubt whether the petition should go to the Committee on Finance or to the Committee on Commerce.

Mr. BECK. I desire to call the attention of the Senator from Ohio to the fact that those matters are all to come under review in the revenue bill before the Senate, as I understand. The Senator from Ohio [Mr. SHERMAN] has charge of that part of the bill.

Mr. SHERMAN. All matters in regard to oaths and the mode of making up invoices are embraced in the revenue bill under consideration.

Mr. BECK. The petition had better, therefore, lie on the table.

Mr. PENDLETON. As that is the case, I ask that the petition lie on the table.

The petition was ordered to lie on the table.

Mr. PENDLETON presented a petition of the president and professors of Kenyon College, Gambier, Ohio, praying that Congress place the superintendency and management of the Naval Observatory in the hands of trained scientific men, and in favor of the construction of a new observatory building; which was referred to the Committee on Naval Affairs.

Mr. JACKSON presented the petition of 175 workingmen, employés of the Warner Iron Company, Warner, Hickman County, Tennessee, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. SHERMAN. I present four petitions of citizens of Ohio similar to those presented by the Senator from Tennessee, and I move that they lie on the table.

The motion was agreed to.

Mr. MITCHELL. I present two similar petitions from citizens of Pennsylvania.

The PRESIDENT *pro tempore*. The petitions will lie on the table.

Mr. MITCHELL presented the memorial of the board of directors of the Vessel-Owners and Captains' Association, of Philadelphia, Pennsylvania, protesting against the transfer of the revenue marine, the Life-Saving, and the Hospital Service from the Treasury to the Navy Department; which was referred to the Committee on Military Affairs.

Mr. MITCHELL. I present also the petition of Fitzpatrick & Pemberton, of Philadelphia, praying for the passage of the bill (H. R. 2222) providing for the assessment of duties on sugars upon their weight when removed from the warehouse in this country. I desire in this connection to call the attention specially of the Committee on Finance to the subject. I have not myself sufficiently reflected upon the question to express an opinion, but I regard it as a matter of very considerable importance to a large number of people engaged in warehousing business in this country, and I would be glad if the committee would give immediate attention to the subject. A recent law enacted in Spain grants peculiar and special privileges to citizens of Cuba engaged in the sugar business, which will result, unless some action is taken here, in the entire transfer of the business to that country.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Finance.

Mr. INGALLS. I present concurrent resolutions of the Legislature of Kansas asking for the establishment of a soldiers' home on the Fort Riley military reservation. I believe a bill looking to that purpose has been reported adversely by the Committee on Military Affairs, and I therefore ask that the resolutions may lie upon the table, and, as is customary, I believe, that they be printed in the RECORD.

The resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

House concurrent resolution No. 14 instructing our delegation in Congress to aid in securing the passage of a bill providing for a soldiers' home, to be located on the Fort Riley military reservation in Kansas.

Whereas during the war of the rebellion Kansas furnished more Union soldiers in proportion to her population than any State in the Union; and

Whereas, in addition to those who survived the war and returned to their homes, thousands of old soldiers have immigrated from other States to Kansas and are now residing in our midst, until it is estimated that not less than one-eighth of our entire voting population is composed of ex-soldiers; and

Whereas it is the first duty of government to provide for the comfort and welfare of those who voluntarily offer their lives in defense of their country: Therefore,

Be it resolved by the house of representatives of the State of Kansas (the senate concurring therein), That our Senators in Congress be instructed and our members respectfully requested to aid in securing the passage of a law providing for the location and establishment of a soldiers' home in Kansas, and that admission to the same be free to all indigent survivors of the rebellion, their widows and orphans, subject only to such limitations and restrictions as the honorable Secretary of War and the legal representatives of the Grand Army of the Republic of this State as a board of managers may from time to time elect.

Resolved further, That a copy of these resolutions and preamble, duly attested, be forwarded by the secretary of state to Hon. Robert T. Lincoln, Secretary of War, the President of the United States Senate, Speaker of the House of Representatives, and each of our Senators and Representatives in Congress.

STATE OF KANSAS, *Secretary's Office:*

I, James Smith, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of original house concurrent resolution No. 14 of Legislature of 1883, on file in my office.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal. Done at Topeka, Kansas, this 25th day of January, 1883.

[SEAL.] JAMES SMITH, *Secretary of State.*

Mr. INGALLS. I present a petition of many citizens of Kansas praying for the passage of the bill granting an increase of the pension now allowed to soldiers who have lost a leg or an arm, and as the Committee on Pensions have, I believe, made three reports on that bill I ask that the petition lie on the table.

The PRESIDENT *pro tempore*. The committee have made four reports. The petition will lie on the table.

Mr. McMILLAN. I present a petition of the members of the several faculties of the Howard University reciting the fact that a movement is on foot to effect a change in the management of the United States Naval Observatory, and asking for certain legislation in that regard. I move its reference to the Committee on Naval Affairs.

The motion was agreed to.

Mr. CAMERON, of Pennsylvania, presented the petition of Owen F. Liebert and other workingmen, employés of the Bethlehem Iron Company at Bethlehem, Pennsylvania; the petition of R. S. Hennick and 309 other workingmen, employés at Painter & Sons' iron-works at Pittsburgh, Pennsylvania; the petition of Frederic Aubend and other workingmen, employés of the Lehigh Iron Company at Allentown, Pennsylvania; the petition of John Pogue and other workingmen, employés of the Rockhill Iron and Coal Company at Orbisonia, Huntingdon County, Pennsylvania; the petition of James Findlay and other workingmen, employés of the Rockhill Iron and Coal Company at Robertsdale, Huntingdon County, Pennsylvania; the petition of John J. Deemer and other workingmen, employés of the Chester Steel Castings Company at Chester, Pennsylvania; the petition of P. E. Chapin and other workingmen, employés in the Gautier steel department of the Cambria Iron Company at Johnstown, Pennsylvania; the petition of M. B. Blanch and other workingmen, employés of Arthur and Horace Brock at Lebanon Furnace, Lebanon, Pennsylvania; the petition of John Henley and other workingmen, employés of the Linden Steel Company, limited, at Pittsburgh, Pennsylvania; the petition of Thomas M. C. Benner and other workingmen, employés of Mackintosh, Hemphill & Co., limited, at Pittsburgh, Pennsylvania; the petition of John R. Snow and other workingmen, employés of the Baldwin Locomotive Works at Philadelphia, Pennsylvania; the petition of Forrest Snyers and other workingmen, employés of the Logan Iron and Steel Company at Logan, Mifflin County, Pennsylvania; the petition of George W. Patrick and other workingmen, employés of T. B. and A. Laughlin, pig-iron manufacturers, at Stewardson Furnace, Armstrong County, Pennsylvania; the petition of J. A. Songster and other workingmen, employés of J. Eichelberger & Co. at Hopewell, Pennsylvania; the petition of workingmen, employés of J. King McLanahan at Ore Hill, Pennsylvania, workingmen at Rodman, Pennsylvania, and workingmen at Hollidaysburgh, Pennsylvania; the petition of workingmen, employés of the Blair Iron and Coal Company, of Hollidaysburgh, Pennsylvania; and the petition of workingmen, employés of Laughlin & Co., at Eliza Furnace, Pittsburgh, Pennsylvania, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which were ordered to lie on the table.

He also presented the memorial of the Philadelphia Maritime Exchange, remonstrating against the proposed transfer of the Signal Service from the War Department to the Interior Department; which was referred to the Committee on Military Affairs.

He also presented the memorial of the Philadelphia Maritime Exchange, in favor of the same reduction in the duty on molasses as the duty on the lowest grades of sugar; which was ordered to lie on the table.

He also presented the memorial of the Vessel-Owners and Captains' Association of Philadelphia, and the memorial of the Tow-Boat Owners' Association of Philadelphia, remonstrating against the proposed transfer of the revenue-marine service, the Life-Saving Service, and the Marine-Hospital Service from the control and management of the Treasury Department to that of the Navy Department; which were referred to the Committee on Commerce.

Mr. COCKRELL. I present the petition of workingmen, employés of the Iron Mountain Company, Iron Mountain, Missouri, touching tariff legislation. I move that it lie upon the table.

The motion was agreed to.

Mr. COCKRELL. I present the same kind of a petition of workingmen, to the same effect, which is a printed petition and was sent in an envelope that was directed on its back in print. It does not specify where the signers are from, but the petition was mailed in Saint Louis. I move that it lie on the table.

The motion was agreed to.

Mr. COCKRELL presented the memorial of Mayflower Grange, No. 2071, of Christian County, Missouri, and the memorial of Cambridge Grange, No. 382, of Patrons of Husbandry, favoring the passage of the House bill to create a secretary of agriculture; which were ordered to lie on the table.

Mr. MILLER, of New York, presented a petition of employés of Union Iron Works, Buffalo, New York; a petition of employés of Fletcher Furnace Company, of Buffalo, New York; a petition of employés of I. & I. Rogers Iron Company, at Au Sable Forks, New York, and a petition of employés of the Onondaga Iron Company, of Syracuse, New York, praying that Congress will adopt no lower rate of duty on any article of foreign manufacture than that recommended by the Tariff Commission; which were ordered to lie on the table.

Mr. SEWELL presented the petition of workingmen, employés of N. J. Taylor & Co., Chester Furnace, Morris County, New Jersey, and the petition of workingmen, employés of Anderson Iron Company, Phillipsburgh, Warren County, New Jersey, praying that Congress will adopt no lower rates of duties on any foreign manufactured product than are recommended by the Tariff Commission; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SHERMAN. I am directed by the Joint Committee on the Library to report two amendments to the sundry civil appropriation bill, which I move be referred to the Committee on Appropriations.

Mr. HALE. What are the amendments?

Mr. SHERMAN. One is in regard to the Carpenter papers, and the other in regard to the Rochambeau papers, the same that were before the committee and acted upon by the Senate last year.

Mr. HOAR. They were acted on favorably here.

Mr. HALE. There is no new legislation required?

Mr. SHERMAN. No new legislation.

Mr. HALE. Only an appropriation?

Mr. SHERMAN. Only an appropriation of money, and the appropriation was unanimously agreed to by the Senate at the last session, but was left off, I believe, in conference.

The PRESIDENT *pro tempore*. The amendments will be referred to the Committee on Appropriations.

BILLS INTRODUCED.

Mr. HARRIS (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2431) to regulate licenses in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. VANCE asked and, by unanimous consent, obtained leave to introduce a bill (S. 2432) to remove any statutory limitations against the State of North Carolina upon a claim against the Government of the United States for taxes assessed and collected out of the State by the Government, and to confer upon the Court of Claims jurisdiction to hear and determine the same; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. ANTHONY asked and, by unanimous consent, obtained leave to introduce a bill (S. 2433) to amend sections 6 and 7 of the act providing for the publication of the Revised Statutes and the laws of the United States, approved June 20, 1876; which was read twice by its title, and referred to the Committee on Printing.

Mr. PLATT asked and, by unanimous consent, obtained leave to introduce a bill (S. 2434) providing for the enlargement and improvement of the post-office, custom-house, and court-house at New Haven, Connecticut; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

AMENDMENT TO AN APPROPRIATION BILL.

Mr. VANCE submitted an amendment intended to be proposed by him to the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

DISTRICT WATER SUPPLY.

Mr. McMILLAN. I offer the following resolution and ask for its present consideration:

Resolved, That the Secretary of War be, and he is hereby, directed to appoint a board to consist of three officers of the Army, other than those now connected with the District government, to examine and report whether the present distribution of the water supply to the District of Columbia is conducted and made according to proper engineering principles, what amount of water is supplied daily for United States Government use, what amount for private use, and whether the water tax-payers of Washington are equally and fairly supplied with water according to their locality, and to the means available by the District government, and to transmit to the Senate the report of the board hereby directed to be appointed.

Mr. SAULSBURY. Is the supervision of the water-works in this District under the control of the War Department? I supposed that the commissioners of the District had some authority over that subject. I observe that the resolution proposes the appointment of a board. Is there to be any additional expense? Are there any salaried officers to be appointed to make the report?

Mr. McMILLAN. The object is to get the opinion of those not connected with the Department in regard to that matter.

Mr. HALE. There is to be no additional expense?

Mr. McMILLAN. There will be no additional expense in regard to it. It is merely a temporary board of army officers and they of course are in the service of the Government.

Mr. INGALLS. There is no fact called for in the resolution that is not already accessible in various printed reports made to this body. There can be no use, in any event, for the appointment of an additional board for the purpose indicated. The water-works of the District are under the control of the Secretary of War; and, as the Senator from Minnesota knows, arrangements are now under operation for very largely increasing the water supply. While there have been heretofore difficulties and deficiencies, there can be no doubt that in the immediate future those will be rectified. I can see nothing to be gained by this, and in any event, as it will involve additional expense, I ask that it go over until to-morrow.

The PRESIDENT *pro tempore*. The resolution will lie over.

NICARAGUA MARITIME CANAL COMPANY.

Mr. MILLER, of California. I move that the bill (S. 550) to incorporate the Maritime Canal Company of Nicaragua be recommitted to the Committee on Foreign Relations.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-two minutes spent in executive session the doors were reopened.

INTERNAL-REVENUE AND TARIFF DUTIES.

Mr. MORRILL. I move to set aside the Calendar and to take up the revenue bill.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to postpone the Calendar until to-morrow.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to proceed to the consideration of the revenue bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. BLAIR. I ask the honorable Senator if he will allow Senate joint resolution 109, presenting the thanks of Congress to John F. Slater for his donation, to be taken up and disposed of. If any debate should follow I shall withdraw it.

Mr. MORRILL. Having lost a half hour this morning, I must insist upon going on with the revenue bill. I have been importuned on two or three sides for further delay, but——

Mr. BLAIR. This is simply a vote of thanks. We ought to get it through in two Congresses.

Mr. MORRILL. I cannot give way.

The PRESIDENT *pro tempore*. At the adjournment on Saturday the Secretary had read down to line 741, and he informs the Chair that the Senator from Delaware [Mr. SAULSBURY] moved to insert "and fence wire" after "taggers' tin," in line 739.

Mr. SAULSBURY. I made that motion and I desire to say one word in reference to it.

In this bill, on line 703, the duty on wire rods has been reduced four-tenths of 1 cent a pound from the rate reported. These are rods out of which the fencing wire is manufactured, as I understand. A reduction has taken place upon the rods, which inures to the benefit of the manufacturers of the fencing wire; but on the fencing wire itself, on line 713, the rate of duty has been placed at 2 cents per pound. It is now proposed by this paragraph to provide—

That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, when galvanized, or coated with any metal, or compound, alloy, or mixture of metals, by any process whatsoever, there shall be paid (excepting on what are known commercially as tin-plates, terne plates, and taggers' tin, and hereinbefore provided for), one-half cent per pound in addition to the rates provided in this act.

Now, in the exception I propose to insert "fencing wire." A large proportion of the fencing wire is now galvanized or coated with some substance to prevent its rusting. The tax on fencing-wire rods has been reduced to six-tenths of 1 cent per pound; that inures to the benefit of the manufacturer of fencing wire, and fencing wire having been put at the rate of 2 cents per pound, I am opposed to this further increase on fencing wire, when it shall be coated, of one-half cent per pound.

I think, in justice to the great farming interests of this country, which have never been specially favored by any legislation, we ought to put as little burden as possible on fencing. The value of this fencing to the farming interest of the country may be ascertained from the remarks of the Senator from Massachusetts [Mr. HOAR] on Saturday, when he stated that the products of one firm, as I understood him, of fencing-wire manufacturers had saved to the farmers of this country $150,000,000 annually in the repairs of fences. There must be some mistake in that statement; but taking it as stated by the Senator we can readily see what is the importance of fencing wire to the farmers of the country. They have no special protection on anything, but when you come to legislate upon a matter which they have to consume you ought, in my opinion, to make it as cheap as possible to the farmers, so that they shall not be burdened while they are asking for no protection whatever. I have therefore moved this amendment, so that fencing wire when coated shall not pay any additional duty over the fencing wire when not coated. I am told that the process is a very cheap one; I am told that at $2.50 a ton at Pittsburgh the coating can be placed on it. The coating is placed on it in order to preserve the wire from rust. Any process applied for the purpose of protecting it from corrosion by rust, &c., is subject, under the provisions of this bill, unless my amendment prevails, to a duty of one-half cent per pound additional, which is unjust. I think, therefore, my amendment ought to prevail.

Mr. PLATT. Did the Senator from Delaware state what the additional cost of galvanizing was per ton? I was not paying attention.

Mr. SAULSBURY. It is placed in the bill at a half cent per pound, making about $11.50 per ton.

Mr. PLATT. I thought the Senator was making a statement as to what the cost of the process was.

Mr. SAULSBURY. I am informed by my friend from Kentucky [Mr. BECK] that it costs about $5 per ton. I was informed before that it was about $2.50 a ton.

Mr. HOAR. My impression is, which I have from a manufacturer, that it is about a cent a pound.

Mr. PLATT. That would be $22.50 a ton.

Mr. SAULSBURY. It can not be any such sum as that.

Mr. HOAR. I have a letter here from a manufacturer making that statement.

Mr. SAULSBURY. If we depend on statements made by interested parties we shall never get a tariff bill that is of advantage to the country. The report of the Tariff Commission is based on statements made before that commission by interested parties who went before it. The whole theory of the commission report, and I fear of the Finance Committee's bill, is based on information derived from interested parties; and if we depend on their statements, instead of getting a bill that will reduce taxation we shall have a bill that will add enormously to the burdens of the people of this country. I discard all these statements of interested parties, as a general rule, who come before commissions and committees seeking to protect their own interests.

Mr. HOAR. Who was the party from whom the Senator derived his statement?

Mr. SAULSBURY. I derived the statement which I just now gave from the Senator from Kentucky, whose opinion upon questions of this kind is far superior to that of the Tariff Commission or of those parties who appeared before the Tariff Commission, and, I do not hesitate to say, whose opinion I would rather have upon a question of this kind than even the letter which the Senator from Massachusetts holds in his hand from an interested party.

Mr. BECK. When the Senator from Delaware asked me the question I was not alluding to galvanizing particularly; for this proviso says "or coated with any metal or compound, alloy, or mixture of metals by any process whatsoever." I am informed that men have processes of this sort whereby they can coat this iron at a cost of $5 per ton, and they are doing it at that price. Galvanizing may mean one thing, and may be a more expensive process.

Mr. HOAR. That is what I speak of.

Mr. BECK. My information was not about galvanizing. There is a sample of the goods that are dipped [exhibiting]. They are coated simply with a composition into which they are dipped and then drawn out, to preserve them from rusting. Here is a composition. This process is exceedingly valuable; and it can be done for $5 per ton. Here is a duty of $11.20 a ton to protect the labor on that.

Mr. ALLISON. I can not hear the Senator from Kentucky.

Mr. BECK. It costs $5 per ton to dip these goods, as I am advised.

Mr. HOAR. Will the Senator allow me a moment?

The PRESIDENT *pro tempore*. The Senator from Kentucky has yielded the floor.

Mr. HOAR. I did not know whether the Senator had yielded the floor or was only giving way to me.

Mr. BECK. I only rose to say that I was advised that this coating cost $5 per ton, and had so told the Senator from Delaware. That is all I know about it.

Mr. HOAR. I do not know anything about the cost of dipping this article in paint or cheap washes; I have no information on that point; but I speak of galvanizing or covering it with either zinc or tin, which is the process to which the best fence-wire is subjected, where it has got to be exposed, not merely to use in the house, but to the elements, to all sorts of weather, to heat and cold, and to be covered with ice which rests upon the metal. That process is done by conveying each separate wire through a bath of melted zinc or tin, and that process costs about a cent a pound.

The Senator will see from the statement of the manufacturer, Mr. Moen, who is my neighbor and friend, and whose truthfulness I am perfectly sure of, that the cost of the added material, the tin or zinc, must be a very considerable portion of a cent a pound. The letter which I have is this: the writer is remonstrating against the half cent a pound and desires a cent a pound:

Please observe that the Senate committee only recommended a half cent per pound extra for coating wires with zinc or other metals. This is a great mistake. One cent per pound will not cover the extra cost of covering most sizes with tin or zinc. Therefore, 1 cent extra is the least that should be added.

The statement which the Senator from Delaware made on the authority of the Senator from Kentucky, as I understand, applies to covering these metals with cheap paint. The statement which I make, and I wish to say I have great respect for the person on whose authority I make it, and have no doubt of its entire truthfulness, he being a man whom I have known for many years, relates to covering with tin or zinc.

Mr. MAXEY. I would call the attention of the Senate to the wording of this proviso:

Provided, That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, when galvanized, or coated with any metal, or compound, alloy, or mixture of metals, by any process whatsoever, there shall be paid (excepting on what are known commercially as tin-plates, terne plates, and taggers's-tin, and hereinbefore provided for), one-half cent per pound in addition to the rates provided in this act.

It makes no difference what the "compound" may be. It may be the compound referred to by the Senator from Kentucky, which would cost $5 a ton, or that referred to by the Senator from Delaware, which costs $2.50, which in my opinion is the correct figure, and yet, according to this proviso, we are to pay $11.20 protection. The statement of the Senator from Massachusetts as to the cost of the galvanized may do very well, but it does not meet this proviso.

Mr. MORRILL. I call the attention of the Senator from Texas to the language which he has read, and he will find that it refers solely and exclusively to articles covered with metal. The reading of it is:

Or coated with any metal or compound, alloy, or mixture of metals.

It may be covered with tin, it may be covered with zinc, or it may be covered with lead, but it can not apply to anything that is covered with paint, and I doubt very much whether after trial many people would accept this article covered with paint, as it will not last, exposed to the weather, covered with paint made with linseed oil, more than three or four years. It is obvious that the additional weight and cost of the tin or zinc or lead with the labor added to it must be much greater than the Senator from Delaware has intimated.

Mr. MAXEY. I still, while I have a very high respect for the opinion of the Senator from Vermont on language, am exactly of opinion that these words, disjunctively connected as they are, will cover any compound whatever, whether it be metal or not metal, because it says so.

Mr. MORRILL. No.

Mr. MAXEY. It says:

When galvanized, or coated with any metal or compound, alloy, or mixture of metals by any process whatsoever.

Mr. HOAR. Put in the words "of metal" after "compound." That will remove the Senator's difficulty.

Mr. HAWLEY. Or put in the word "or."

Mr. MAXEY. It is put in there to accomplish the very object of making these low grades costing, say, $2.52 or $5 a ton pay $11.20 a ton duty, the same as if the wire was galvanized with some metal. That is the design, in my opinion.

Mr. INGALLS. All fence-wire of domestic manufacture that is known as barbed wire is covered with a composition of metallic paint which follows the drawing immediately, and when it is coiled upon the spools upon which it is wound when it enters the market it is uniformly coated with a cheap mineral paint. There is no fence-wire at all sold in the market, so far as I am aware, either single stranded or barbed, without some protection or covering, either galvanized by tin or zinc or by metallic paint. I have a vague suspicion in my mind, that I can not exactly formulate, that the action of the Senate has not been exactly right on this fence-wire. On Saturday, upon the motion of my colleague, the duty on the wire rod from which the wire is drawn was reduced from 1 cent to six-tenths of 1 cent per pound.

It now appears that by the action of the Senate taken on the paragraph between lines 710 and 714 we have imposed a very large duty in excess of that upon imported wire. I supposed that the wire which was defined in that classification was not used for fencing purposes; but the Senator from Massachusetts said that the wire named in the classification was employed for purposes of fencing either in a single or double strand. If that is the case we have been foully dealt with, because it appears in evidence that there are about 75,000 tons of this wire used for fencing annually, about 75,000 tons more used for telegraphing and other economic purposes, of which aggregate of 150,000 tons only a small portion can be made by American mills.

I do not know what amount is imported; but if we have reduced the duty on wire rods to six-tenths of a cent a pound, then, if we are to have cheap wire fencing there must be a reduction on the corresponding gauges that are named in this paragraph, or no benefit is conferred upon those who use that grade.

I would suggest to the Senator from Delaware, also, that the language of his proposed amendment, while his idea meets with my concurrence, is defective, because this wire is described, not as fence-wire, but as wire of a certain gauge; therefore he ought to change his amendment so as to admit wire of a certain gauge covered with metal or paint or alloy at a specified rate of duty, if he desires to protect this material.

I should like to hear from the Senator in charge of this bill some further explanation or statement as to whether the benefits we are to derive from the amendment in line 703 have not been entirely taken away from us by the duties which are imposed in line 710 to line 713 inclusive.

Mr. SAULSBURY. I will yield to the suggestion of the Senator from Kansas so far as my amendment is concerned. The purpose is to get fencing wire out from under the additional duty imposed by this proviso. I will alter my amendment so as to read "iron or steel wire for fencing purposes.

Mr. McPHERSON. May I inquire of the Senator from Delaware if it is his intention to allow iron and steel wire galvanized to be imported at the same rate as that ungalvanized?

Mr. SAULSBURY. For fencing purposes I propose that it shall not be subject to any higher rate of duty than we have already provided for, 2 cents a pound. That is ample. Let it pay the 2 cents we have agreed on and have no additional charge upon it because of the fact that it is galvanized or coated.

Mr. McPHERSON. How do you propose to separate the wire for fencing purposes? It seems to me the amendment offered simply vitiates the whole provision in the bill, because it excepts the very substantial thing that the proviso is designed to cover.

I should like to ask of the chairman of the committee if the whole matter can not be properly adjusted by striking out, in line 736, the words "or compound;" so as to leave it in this form:

When galvanized, or coated with any metal, alloy, or mixture of metals, by any process whatsoever.

The words "or compound" might mean a compound of metal and oil making a paint, whereas by striking out those words the proviso will simply apply to galvanized metal and wire galvanized with metal.

Mr. MORRILL. I have no objection to striking out the words "or compound."

Mr. BECK. That does not improve it at all. The Senator from New Jersey is very well aware that inserting "fencing wire" does not vitiate or limit this proviso, because the proviso says:

That on all of the kinds of iron or steel, or articles, or manufactures of iron or steel, hereinbefore in this act enumerated.

Surely putting in "fencing wire" does not vitiate any of the preceding provisions. If fencing wire is galvanized it is done in the cheapest possible way, and on much of it I know simply metallic paint is used, and you add $11.20 a ton duty to that article, which is already taxed $44.80 a ton, in spite of all I could do. I moved an amendment, as the RECORD will show, to make it all pay 1½ cents a pound from No. 5 to No. 16 wire gauge, so as to include the fencing wire.

Mr. INGALLS. Is that the gauge that is used for fence-wire?

Mr. BECK. Yes, sir; some is smaller than No. 10 wire gauge; but the bulk of it, as the Senator from Iowa said, or the average is from No. 10 to No. 12.

Mr. INGALLS. Single-strand or double-strand wire?

Mr. BECK. None of the double-strand wire is smaller than No. 16. The single strand is sometimes larger than No. 10. It was all embraced in the clause I proposed, but I did not succeed on the call of the yeas and nays in getting the vote of the Senate for it; and I reserve a vote on it in the Senate, and I expect to carry it there when the matter is fully explained. I do think that this fencing wire ought not to be taxed any more. It is taxed already $44.80 a ton, and now to tax it $11.20 a ton more because it is coated with some compound, some alloy, some something just to make it cost the farmer that much more, I am opposed to. I went to the Northwest last summer——

Mr. COKE. Galvanized wire, let me say to the Senator, is superseding very rapidly any other kind. I believe three-fourths of the fencing wire now used is of that character.

Mr. BECK. Suppose it is; does the Senator from Texas insist that we ought to put $11.20 a ton more duty upon it?

Mr. COKE. I do not; quite the contrary.

Mr. BECK. That is what I am endeavoring to prevent. I know that out in the far northwestern country where there is no timber they can not by possibility secure their crops without wire, and the cattle men have succeeded in having herd laws passed under which the man who takes a pre-emption or a homestead, the man who goes out with his family, no matter how poor he is, is obliged to build an impassable wire fence around his little farm, so that the cattle-herders can raise cattle. He has no redress. That is required by the laws of Wyoming and Montana and other places where the cattle kings who live at Chicago and elsewhere own the cattle, and who send their cowboys there to attend to them and never set a foot inside themselves except when they come around to get their money. They have arranged these territorial laws which this Congress ought to repeal in justice to the actual settler and the poor man who is laboring to make a living—they have it fixed by law that he shall make a fence of not less than four and a half to five feet high with so many strands of wire and so much timber, and if he does not make that character of fence and the cattle eat up his wheat, corn, potatoes, or anything he has, he is not entitled to damages. They even go this far, that if he sets his dog upon them to drive them out, or drives them out otherwise than gently, in the language of the laws, he is to be fined $50, although he may see them eating up the products of his year's labor.

These laws, allowed by Congress to stand, make the cattle-men the kings of the country, make the poorest settler there absolutely at the mercy of the kings of the cattle, which they have bought in Texas and driven there because they can make more money than out of anything else, having no interest in the country except to get all they can out of the cattle, and when that is done they go somewhere else and invest somewhere else. When these fences are required by law to be made you tax them $44.80 a ton on the wire itself and then tax them $11.20 more if they dare to paint it or coat it with anything in order to keep it from rusting out in a year. I say it is all wrong, and any man who will go into that country and look at it will see that it is all wrong. I saw it covered with mineral paint. I suppose the Senator from Delaware [Mr. BAYARD], who was in that country last year, saw the same thing, saw it coated with mineral paint. In Big Horn Mountain the

material is found by the millions of tons. The land can be bought at $10 an acre, and a paint absolutely pure is laid inside of the iron which only requires grinding and mixing to make it first-class paint for wire fencing, impervious to water; so good that when I went back to Fort Custer and told General Hatch in command, who was then putting up barracks there, of it he sent his wagons up there and got enough to cover all he needed. It was fire-proof and did not cost a dollar; he could get it for the hauling. Any one can buy that land for $10 an acre, with millions of tons on every acre of it. And yet men can not even paint the wire with that without paying $11 a ton for the privilege of doing it.

Mr. HOAR. What is the Senator's opinion as to a just protection on galvanizing with tin or zinc?

Mr. BECK. Galvanizing by itself?

Mr. HOAR. That is all I want to get at. If this thing includes a cheap paint it ought to be redrafted so as not to include it. I agree with the Senator in that.

Mr. BECK. The vice of this proviso is that it reaches so far; and so it is throughout the bill; the trouble is under the provisos. I was about to suggest that if we make this a quarter of a cent a pound, or $5.60 a ton, it would be pretty high. We have taxed all the materials already, and now we are only proposing to protect the labor of the United States against the poorer-paid labor of Europe; and it is only because of the difference between our labor and theirs that it is necessary to provide for an additional duty here. That is the argument for it. It seems to me that a quarter of a cent a pound would cover that difference in the highest-priced article and would certainly be too much in many of the lower-priced. It seems to me that would be a good deal nearer justice and would be perhaps aboutright. I may be wrong, however.

Mr. PLATT. Let the amendment be read, so that we may understand it.

Mr. WILLIAMS. One moment. My information on the subject is that there is no galvanized barbed iron imported at all. The wire is imported in the rod state, barbed here, and galvanized after it is barbed. I do not think there is one coil imported into the United States at all of barbed wire; and I am satisfied on another point, that the galvanized wire is the only wire which should be made. The galvanizing takes place after the barbs are put upon it by our own manufacturers here, who have a patent for that process.

Mr. ALLISON. Mr. President, as I understand it, no wire is now imported for fencing purposes.

Mr. HOAR. There is a vast deal of fencing wire used that is not barbed.

Mr. ALLISON. As I understand it, the present duty upon steel which is used in the manufacture of wire is 30 per cent. ad valorem, and that is imported in the form of steel rods not less than No. 5 wire gauge. Above No. 5 wire gauge there are small importations, as I understand, up to No. 8 wire gauge; but No. 8 wire guage is steel coiled and steel rod, and not wire, and therefore it comes in under 30 per cent. ad valorem. I have been unable to find in any of these tables any considerable importation of wire in any form, and therefore I repeat what I said in the beginning, that wire for purposes of fencing is not imported at all, but only imported in the form of rods. So the question that we are discussing does not affect the question of cheap or dear fences as compared with the present law.

Mr. SAULSBURY. I wish to ask the Senator from Iowa a question. While it may be true that this article is now imported in the shape of fencing wire, would not an addition of one-half per cent. a pound, or $11.20 a ton, prevent its importation hereafter?

Mr. ALLISON. Now I proceed to that question. Under the present law steel wire under No. 16 wire gauge pays 2 cents a pound duty and 15 per cent. ad valorem. Steel wire, galvanized or coated with tin, pays 2 cents a pound and 15 per cent. ad valorem. So in the present tariff there is no distinction, and I call the attention of the Senator from Massachusetts to the fact that in the present law there is no distinction, between galvanized wire and wire not galvanized made of steel.

Mr. HOAR. There is a distinction in the ad valorem.

Mr. ALLISON. But the Senator knows that would be a very slight distinction indeed, because the thing that it is coated with, the tin or zinc, or whatever the article is, undoubtedly is of nearly as much value as the steel of which the wire is composed, is it not?

Mr. MORRILL. A little more if it is zinc.

Mr. ALLISON. But not much more. It is about the same value. So, then, as a matter of fact there is now really no distinction between galvanized wire and wire not galvanized in our present tariff. I take it that the present rate of duty is either practically prohibitory or there are no manufactures of galvanized steel wire or wire not galvanized abroad, because there are no importations of either kind.

Mr. SAULSBURY. I call the attention of the Senator from Iowa to the fact that the cover or coating of the wire adds to the weight; and there may be a full compensation for the coating process by the additional duty on the increased weight of the wire.

Mr. ALLISON. So I endeavored to state a moment ago myself, and I thank the Senator from Delaware for repeating what I said in order that it may be more fully understood. It seems to me that this provision as applied to wire ought not to exist in this proviso at all, and that all wire ought to be exempt from this provision of half a cent a pound additional. I do not know but that the pots and kettles that my friend from Kentucky [Mr. BECK] has brought in ought to be included or excluded. I do not know what the facts may be about those, but it seems to me that all wire should be excluded from this proviso.

Mr. HOAR. You get the cost of the labor, which is about 1 cent per pound in the galvanizing to protect telegraph wire or protect the fence wire, and it is the most economical in the end, because it lasts much longer than cheap wire.

Mr. ALLISON. So it may be.

Mr. HOAR. Putting it through this process costs a cent a pound. It does not add to the weight. You have got no addition to the value of the material, but the actual cost of that process is entirely unprotected.

Mr. ALLISON. It may be, and it may not be. The steel wire is protected in this very bill at 2 cents a pound. We have only reduced the rate on this steel wire half a cent a pound.

Mr. ALDRICH. I know the Senator does not want to make a misstatement.

Mr. ALLISON. And therefore I am looking at my friend in order that he may correct me if I am in error.

Mr. ALDRICH. The present duty on steel wire is 2½ cents a pound and 20 per cent. ad valorem, amounting to 3.6 cents a pound, which we have reduced to 2 cents.

Mr. ALLISON. On steel wire?

Mr. ALDRICH. On steel wire.

Mr. ALLISON. Where shall I look?

Mr. MORRILL. On page 20 of the printed table.

Mr. HOAR. The Senator will pardon me for a moment, because the statement made may mislead some Senators, though it is a very simple matter. It has been said that the duty on the wire rod has been decreased. The duty on the wire rod has not been decreased except by a mere shadow. The committee put up the duty on wire rods very largely, the Senate refused to accede to the committee's recommendation, and the Senate leave it, therefore, a trifle lower than the existing law on wire rods.

Mr. ALLISON. About the same.

Mr. HOAR. So you have got wire cut down, the rod which is imported as the material for wire remaining substantially the same while you have cut down wire almost 50 per cent.

Mr. ALLISON. But the Senator from Massachusetts does not seem to bear in mind that these rods are imported and the wire is not imported; in other words, the present duty is prohibitory or else they do not manufacture the wire at all abroad. I take it for granted, therefore, that the 20 per cent. ad valorem was out of proportion to the duty upon steel wire.

Mr. HOAR. My information is—and that comes from the manufacturer, and the Senator will make any deduction from it that he chooses, but the man is absolutely a man of truth, though he may err in judgment, of course—that the German manufacturers of wire will import very largely under the duty as fixed by the Committee on Ways and Means. In other words, you have already changed this duty which was purely competitive (we had certain advantages of skill also) to one purely prohibitory, because the wire manufacture is an American development at every step. You will have a very large German importation under your present tariff. Then it will become an adjustment between the American and the foreign manufacturer, instead of a prohibition.

Mr. ALLISON. That is a mere matter of judgment.

Mr. HOAR. Certainly.

Mr. ALLISON. We have still upon this steel wire a duty of 2 cents a pound as applied to fence-wire, and it does seem to me that it is worth while for us to try and ascertain whether that is not more clearly in proportion to the duty we have already imposed upon the material of which this wire is made than the present rate. I am strongly of the opinion that as applied to wire this proviso ought to go out, and now I will say to my friend from Rhode Island before I leave this question that I was mistaken with reference to the present duty upon steel wire. I see that the present duty is 2½ cents a pound and 20 per cent. ad valorem, and there were imported last year 894,000 pounds under No. 16 wire gauge, and of finer than No. 16 wire gauge 250,000 pounds, showing that this latter character of wire is not imported at all practically. What I wanted specially to call the attention of the Senator from Massachusetts to was that the present rate, so far as I can see, does not make any difference between wire galvanized and wire not galvanized. If I am mistaken in that I shall be glad to be corrected.

Mr. HOAR. You have got it to about 1.37 cents per pound only of protection on the process of converting this steel rod into wire, which is an American manufacture, from 3 cents as it was before, cutting it down more than 50 per cent.

Mr. ALDRICH. It seems to me that there is considerable confusion in the discussion of this question. If I can have the attention of the Senator from Iowa for a few minutes, I think I can show him that he is wrong in his conclusions in regard to this matter.

It undoubtedly was the intention of Congress to fix the duty on wire

rods at 2½ cents a pound, as steel in coils in the old law was fixed at that rate. Under a Treasury decision, however, wire rods came in as steel not otherwise provided for, at 30 per cent. ad valorem, reducing the duty to about six-tenths of a cent a pound, where it has now been fixed by the action of the Senate. The duty on steel wire, however, was at 2½ cents and 20 per cent. ad valorem, or about 3.6 cents a pound. There was and is no additional duty upon galvanized wire. The Senator is quite right in that. There was no necessity for it because, as he says, the duty as then fixed prevented the bringing of steel wire into this country, except the finer articles of steel wire which were used for other purposes. As a matter of fact he is also right in saying that there is no wire now imported that is used for fencing purposes. It is all made in this country, and made very largely, if not entirely, from imported wire rods coming in under the Treasury decision to which I have alluded. It makes but very little difference to the farmers of the West whether the duty on steel wire is at one rate or another, because the fence-wire will continue to be made in this country, being entirely, I believe, covered by American patents. I believe there are no fences made of any wire that is not covered in some process of construction by American patents.

Mr. INGALLS. The Senator means barbed wire.

Mr. ALDRICH. Barbed or any other kind of wire fence except plain wire fence, and I do not know of any fence of that character that is used.

Mr. INGALLS. None of them?

Mr. ALDRICH. It may be that there are some plain wire fences, but I think the proportion is very small in comparison with the whole amount used. The effect of this amendment suggested by the Senator from Delaware or the Senator from Kentucky would be entirely for the interest of telegraph companies and nobody else. It will allow galvanized wire for telegraphic use, which costs a cent and a half a pound more to make, to come into this country at the same rate as plain steel wire, which is reduced, as I have already shown on Saturday, from 3.60 cents, as provided for in the present law, down to an average of 1¾ cents a pound, as we have fixed it. It will allow telegraph wire costing over a cent a pound to galvanize it to come in at the same rate as plain wire, which I think would be an injustice to the rollers of wire and to the galvanizers of this country. I think they ought to be somewhat different. I think the suggestion made by the Senator from Kentucky is, perhaps, a sensible one and a wise one, that we reduce this additional rate to one-fourth of a cent a pound and leave the proviso as it is, and if it covers painting, to so amend the section that it shall not cover painting; it was not intended to and ought not to cover it, but it should cover galvanizing and any process of coating with metals, not with metallic or mineral paint, but any process of coating with metals.

Mr. MORRILL. I move to amend by striking out the word "compound" before "alloy" and inserting, in line 737, the words "not including paints" after "whatsoever;" and then, in line 740, to strike out "half" and insert "fourth of one;" so as to read:

Provided, That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, when galvanized, or coated with any metal, or alloy, or mixture of metals, by any process whatsoever, not including paints, there shall be paid (excepting on what are known commercially as tin-plates, terne plates, and tagger-tin, and hereinbefore provided for) one-fourth of 1 cent per pound in addition to the rates provided in this act.

The PRESIDENT *pro tempore*. This is an amendment to the amendment of the Senator from Delaware [Mr. SAULSBURY].

Mr. MORRILL. I wish merely to say that it has not been the purpose of the Committee on Finance to increase the cost of wire-fence by a single mill. I believe that the action taken by the committee and by the Senate will reduce it. There has been a slight reduction upon rods. There are at least a dozen to twenty establishments where they make the barbed fence that will be able to get their material a little cheaper, and hereafter it will be at a much less rate, and, as the Senator from Rhode Island [Mr. ALDRICH] has justly said, it is certainly a very large reduction from the existing rate.

Mr. INGALLS. Mr. President, the reason why fencing wire is not imported is not because it is not needed, but because the duty upon it is prohibitory. It is obviously the intention of the committee to have it prohibitory, and to prevent any subsequent importations of wire that can be used for fencing purposes. We have incontrovertible evidence that the demands for consumption in this country are far in excess of the possibility of manufacture. The Senator from Iowa [Mr. ALLISON] says not for wire. I say yes for wire, that the testimony is incontrovertible that while we get rods enough by the provisions of this bill, yet the capacity for drawing into wire is not sufficient to supply the consumption that would ensue if the demand were fully supplied.

What is the effect of this? We have been told that we ought to legislate so as to protect manufacturers. In this case we not only protect manufacturers, but we protect patentees who do not manufacture at all. We exclude the material that is demanded by a very large area of this country for fencing purposes. We exclude the material for the benefit of those who manufacture, who are by the exclusion enabled to put up their price, and we legislate for the benefit of those who hold patents and who do not do anything at all about manufacturing, but simply sit still and receive their excessive, exorbitant, and extortionate royalties. We have the evidence before us that one concern alone in the city of Worcester, where the Senator from Massachusetts [Mr. HOAR] lives, received last year from royalties alone the sum of $130,000. How much more is paid in other localities we do not know, but we are called upon to legislate now not to protect the manufacturer alone, but to protect the double imposition of manufacturing profits and the profits of a monopolizing patentee.

Mr. President, I do not think that can be called legitimate legislation, and I believe that the amendment proposed by the Senator from Vermont is nugatory. What good does it do to strike out the provision about mineral paints when it is obvious that there is no wire coated with mineral paint imported? That is a sop thrown to Cerberus; it is a tub thrown to the whale. It can have no possible bearing upon this question. It does not relieve this manufacture of the double burden that is placed upon it both by the prohibitory tariff and by the imposition that is charged for the monopoly held by the patentees.

Mr. MORRILL. The Senator from Kansas is entirely mistaken in supposing that the patentees have not cheapened the cost of wire fence throughout the country. There is no sharper way in which prices are reduced than by competition. Unquestionably the fifteen or twenty patentees competing with each other send the article into the market at a much lower price than would be the case if there were no patents existing. When it comes to the difference of plain steel wire or iron wire coated and galvanized with tin, zinc, or lead, the fourth of 1 cent. is not 25 per cent. on the actual additional cost. Therefore it seems to me that the argument that is presented here against this proposition, as the Senator from Kansas would say, is entirely nugatory.

Mr. PLATT. We have some wire manufacturers in my State. They do not make barbed wire; they do not own a patent; but they do draw wire from the rod. I do not want to see their interests sacrificed by any prejudice which may be raised against anybody who has a patent for barbed wire fence. The duty on the wire which they make from the rod has been reduced by the Senate more than 40 per cent. already. If the duty was prohibitory before, it is so no longer.

To allow the galvanized wire, which costs still more than the drawn wire, to come in at the same rate as the drawn wire not galvanized, I apprehend would have the effect to allow the foreigner to put his galvanized wire into the market in competition with our drawn wire not galvanized, and turn that branch of the wire business over to the foreigner. I do not want that. What I want is a fair thing. I think a reduction of 40 per cent. duty upon wire is a fair reduction, and I do not believe that it does anything more than to give the American wire-drawer an even chance with the foreign wire-drawer.

Mr. MCPHERSON. May I ask the Senator from Connecticut a question before he takes his seat?

Mr. PLATT. Certainly.

Mr. MCPHERSON. If there should be a patent upon the article, what effect can it possibly have upon the cost of the wire whether manufactured here or abroad? If the importer of wire gets his wire here, he will be compelled to pay the patentee of that kind of wire, of course, his royalty upon it; the manufacturer here would only be compelled to pay the same royalty; so I do not see what the question of patents has to do with this case.

Mr. PLATT. There is no patent whatever on wire-making. The only patent is on taking the wire after it is made and twisting it or making it into barbed wire fence. That has nothing to do with the manufacture of the wire.

Mr. SHERMAN. I send to the desk an amendment to the bill which I ask to have printed together with that part of the bill relating to the same subject, so that the Senate can have it to-morrow.

Mr. INGALLS. Let it be read.

The ACTING SECRETARY. It is proposed to strike out from line 510 to line 520, in the following words:

Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap-iron, and scrap-steel of every description, including old iron and old steel railway-bars, steel-filings, borings, turnings, steel railway-bar crop-ends, none of which shall exceed twenty-four inches in length, steel ingot, cogged ingot, bloom, slab, and billet crop-ends, none of which shall exceed five inches in length, $6 per ton: *Provided*, That nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be manufactured by remelting or rerolling.

And in lieu thereof to insert:

Iron in pigs, iron kentledge, spiegeleisen, and cast scrap-iron, three-tenths of 1 cent a pound; on wrought scrap-iron or scrap-steel, $8 a ton; but nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured.

Mr. SHERMAN. The clause was reserved, and I simply want to have the amendment in print so that the Senate may have it before it.

The PRESIDENT *pro tempore*. The amendment will be printed. The question is on agreeing to the amendment of the Senator from Vermont [Mr. MORRILL] to the amendment of the Senator from Delaware [Mr. SAULSBURY].

Mr. ALLISON. The Senator from Kansas [Mr. INGALLS] a moment ago when he addressed the Senate said that I was mistaken when I asserted that there was an ample power of production of wire in this country. I understand that there is ample provision for the manufacture of wire in this country, and in almost every part of this country, but from the fact that——

Mr. INGALLS. Will the Senator then allow me to inquire, if that

is the case and it can be produced at living rates, so that people can afford to buy it, why do you insist upon the policy of imposing a prohibitory duty?

Mr. ALLISON. I am glad the Senator from Kansas asks that question, and particularly the last part of his question, when he asks me why I insist upon putting on a prohibitory duty. I am trying to prevent just that thing. He does not seem to comprehend what I am about with reference to the suggestions I have made. He seems to have an idea that I am insisting upon higher duties here. I am endeavoring to so regulate these duties as that they shall not be prohibitory upon any of these articles, but that they will raise a fair measure of competition, which competition of course shall be to the advantage of the American producer.

Wire rods are not produced in this country sufficiently to supply the wire manufacturers with wire. That is the trouble. There are four or five rod-mills only in this country—one at Johnstown, one at Cleveland, one at Chicago, and another somewhere in the West. I believe there are only five of these rod-mills, but there are wire-mills that draw the wire everywhere in this country. The Senator from Connecticut [Mr. PLATT] mentioned the fact that there is in his State a manufactory of wire.

Mr. SEWELL. I will simply state that there are two in New Jersey, working about half time at the present.

Mr. ALLISON. Two wire-mills?

Mr. SEWELL. Yes, sir.

Mr. ALLISON. The Senator from New Jersey invigorates me in my position by saying that there are two in New Jersey who are only working on half time now. There are wire-mills everywhere but not wire-rod mills. However, I submit there will be rod-mills in this country in the future, because those here now are making rods; so that there is not only an ample supply of wire-mills, but the competition I submit between the wire-mills furnishes us the wire at reasonable rates. There is no pretense of laying any patent upon wire. The only thing patented is what is known as the barb in its various forms.

Mr. HOAR. There are patents on machines for making wire.

Mr. ALLISON. On machines for making it, of course; but there is no patent whatever upon the wire itself. The Senator from Connecticut speaks of one wire-mill in his State. That wire-mill draws the wire from imported rods and sends the wire to Chicago or elsewhere in the West, where barbs are put on by machinery there, and the fence is dipped in paint. That is an ordinary process of dipping in paint. The galvanizing is another process whereby the wire is run through an acid and thus the wire is galvanized.

I want to say to the Senator from Kansas and all other Senators that I am willing to put upon wire such a rate of duty as will enable our own people to compete with the people abroad successfully in the making of this wire, but I do not wish, nor will I consent, to the establishment of a prohibitory duty upon the importation of steel wire. I want such a duty as will furnish a reasonable measure of protection to our own people and at the same time furnish a revenue. I did state that the rate now is practically prohibitory. We have reduced it, as the Senator from Connecticut says, nearly 40 per cent. If that is not enough to make a substantial competition, then let us reduce it further; but let us not make wholesale statements, without any knowledge of the facts in existence, that the rate proposed by the Finance Committee is a prohibitory rate. I do not believe it is so.

Mr. BECK. Will the Senator, before he sits down, allow me to call his attention to something that has troubled me? I may have it all wrong; I do not profess to get everything right. If the Senator will turn to the comparative table on page 20 he will find this provision in the existing law:

Iron-wire, bright, coppered, or tinned, drawn and finished, not more than one-fourth of an inch in diameter—

Which is No. 5, at the highest; not less than No. 16 wire gauge. That is the wire gauge we are now fixing, and we agree that iron and steel wire are the same price. That wire, by the existing law, coppered, tinned, covered with any composition, only pays 2 cents a pound and 15 per cent. ad valorem. We are now making it pay 2 cents a pound under No. 16, and it is proposed to put $11.50 a ton additional, or half a cent a pound, which is more than 15 per cent., so that we are really increasing the duty over the existing law if we agree to the proviso for coppered and tinned wire. I desire to know if that is not the fact.

Mr. ALLISON. The steel wire has a higher rate of duty now.

Mr. BECK. But in the report of the Tariff Commission they are together.

Mr. ALLISON. They are not together in the bill, but it is generally understood that the Bessemer steel is as cheap as iron.

Mr. BECK. Finding the iron wire coppered and tinned only at 2 cents a pound up to No. 16, and we having made it 16 for this wire, and then seeing that you put on another half cent by the proviso, it seems to me that instead of taking off 40 per cent. we are actually increasing it over the existing rate.

Mr. ALLISON. But the Senator from Kentucky falls into the same error that the Senator from Kansas did. I seem to have no faculty in making myself understood. I said when I was up before that I thought wire ought to be excluded from this proviso.

Mr. BECK. I agree that it is right.

Mr. ALLISON. Therefore I happen to be in accord with the Senator from Kentucky on the question of wire. I think that we have put a substantial duty on steel wire, and a duty that will enable our own producers, as we have a great number of them and ample power of production here, to continue the production of wire drawn from the rods. That we have already provided.

Mr. HOAR. Mr. President, it is a great mistake to suppose that this is one, and is left in the bill one of the highly protected industries. The Committee on Finance have cut this industry clear down to the quick; the knife has gone into the flesh. We have reduced it more than 40 per cent.

This industry is peculiarly an American industry, and should remain so. It is an industry which is growing up all over this country. Wire-mills are being built everywhere, and mills for making the barbed wire are growing up in Missouri, in Ohio, at Cleveland, in Chicago, in Pennsylvania, and in various of the New England States.

The Senator from Kansas [Mr. INGALLS] undertook to denounce the persons who have made these inventions as making extortionate demands by reason of monopoly, as extortionate patentees who do not manufacture. I deny the charge made by the Senator from Kansas. Here are hundreds of patents, I think nearly six hundred, on the various processes which have gone into the making of this wonderful and marvelous industry, from which comes the wire which is coming so generally into use to-day.

Suppose it is true that the workmen and the skilled laborers, who are the men who have made these inventions, have received $140,000 in a single year; they have saved in that year hundreds of millions to the farmers. Here are these farmers all over the country, the great grazing farms of California and of Texas, the wheat-fields of the Northwest, the farms in New England and in the East of the various kinds, down to the smallest poor man's patch, and wherever in the scarcity of lumber it was impossible to make the fields useful or to fence them at all, to-day the invention of these workingmen has enabled this cheap, economical, durable, and sufficient fence to be furnished to the farmer, to say nothing of the fencing of the railroads.

Great Britain for a single military conqueror builds the palace of Chatsworth or Blenheim, and gives to him and his heirs for a thousand years princely revenues, compared to which the compensation given for this victory of peace to these men is slight. The man who helps to cover the Northwest and the South with these amply protected farms and fields is grudged the miserable little pittance of a few thousand dollars divided among these numerous inventors. I say the victory which these men dwelling in my city and my State and elsewhere have achieved over the forces of nature and over the difficulties which beset America is a victory a million-fold more deserving of reward than that which attended the hero of Waterloo or of Blenheim, and it is a disgrace to the country, it is a disgrace to the people which would take a fair, just, and reasonable, though by no means adequate reward secured by the law of the land, from the men who invented and who have secured this benefit. Eli Whitney, as I said the other day, multiplied by three the value of every acre of land which your constituents till to-day, and he could not get a verdict against an infringer of his patent, although the sound of the cotton-gin was audible through the open windows in the summer when the trials were taking place.

I say again that it is no monopoly; it is no extortion; it is no man reveling in wealth. It is six hundred workingmen, skilled laborers, men seeking to save their own labor and to do a benefit to the people, among whom these royalties are divided. It is the crowning glory, it is the crowning achievement of the American Government that it has secured to the patentees reasonable and decent rewards so far as it has been able to do it for the inventions which have been such a benediction to mankind.

There is not a single thing by which nations are accustomed to be compared when they measure their title to dignity or to glory. We do not exceed although we equal other nations in military glory by land or by sea. We still go to Europe for our literature; we still seek the authorities of Westminister Hall, and we still read the Pandects of Justinian for the sources of our law. Art and architecture and music come to us from afar, but even one thing better than all other things in which America has her pre-eminence among the nations of the earth is in the inventive arts which have multiplied and increased the blessings of the poorest workman's home.

I am willing to give to other nations the palm in art and architecture and music so that we can but preserve these to my own countrymen. I am willing that the glory of the palace and cathedral and castle shall never rise on American soil if we can but perfect the architecture of the people's dwelling. I am willing that we never shall have hanging on the walls of our galleries the paintings which Titien or Raphael have wrought if Heaven but paint with her roses the cheek of our factory girls, or that the music of Handel or Beethoven shall not swell into the domes which Angelo or Wren have builded, but we will at least have the music of children's voices in the well-paid workmen's homes.

It will be a sorry day for the glory of this country when the American Congress adopts the cheap and foolish policy which the Senator

from Kansas has indicated, and when it denounces these beneficent victors, the inventors, as monopolists or extortionists.

Mr. SHERMAN. I wish I could use the eloquence of my friend from Massachusetts to appeal on behalf of the poor people who are engaged in making steel rods out of which this wire is made. I want to show the Senate what it did on Saturday, all for the benefit of wire fence. It made the duty on steel rods, from which all the wire in wire fences is made, 60 cents per hundred pounds, or $13.44 per ton; and that is the main cost of iron wire, three-fourths of it. Those rods, having been reduced to about one-third of an inch or one-fourth of an inch, have to be drawn at one simple process of manufacture, done entirely by machinery. Thereupon, according to the votes of the Senate thus far, the duty on that iron wire, to which but little machine work has been applied and at which a few men have been employed, is advanced as follows: No. 12 wire, the kind that is used for wire fences, which are talked about so much, is $2 per hundred pounds, or $44.80 per ton; and when you add the half cent proposed by this proviso it makes it $2.50 per hundred pounds more, or $56 per ton; so that the little steel rod which is admitted from England at a duty of $13.44 is in its next process of manufacture advanced to $56 and some cents a ton.

The Committee on Finance did not report that, they are not responsible for it, and in justice to that committee I make this statement: They did endeavor to put about the same rate of duty upon steel rods that has been put by the law upon steel wire, but the vote of the Senate entirely deranged their work and I have been sitting by to see what would come of it. But the palpable injustice is seen from this plain statement, by which an article worth say $30 or $35 or $40 a ton is admitted at a duty of $13, and when it is advanced about $10 more a ton the duty is advanced to $56 a ton. It is manifestly unjust.

I do not care what additional duty is put upon this article. It seems to me that the relation of harmony of all these duties has been so much deranged that we are falling back upon all the inequalities of the old tariff. Labor in one form is not protected adequately when labor in another form is unduly protected. Then in addition to the cost of this wire, before the American fence-builder gets a chance at it, there is added a royalty of $16.80 a ton, I am informed, or three-fourths of a cent a pound on the wire, and that is to pay for the inventive genius of making the barbs and of twisting the wire; so that the duty and the royalty together amount to $72.80.

The Committee on Finance went over this subject with the greatest care and made these duties all bear a just relation to each other, and I do think if the Senate undertakes to destroy the harmony of that work the committee ought not to be blamed.

So with the article of tin. On tin sheets, the highest form of manufacture, which is not merely dipped as this wire is, but which is cold rolled, with tin veins covering both sides of it, the duty is reduced to 1 cent a pound. The duties on all these various articles have been deranged and changed in order to gratify the interests of particular localities or of particular industries, on the whims of the moment. Cotton, which is king, is allowed 35 per cent. on the bales that are put around it, while the bales put around hay are charged 75 per cent.

These inequalities have been produced, not by the Committee on Finance, not by the Tariff Commission, but by the votes of the Senate, which has deranged this iron schedule so that I think the persons who supported it at the beginning will hardly know their handiwork. In this way all the incongruities of the old tariff which had sprung up in twenty years will be continued under this schedule. Although there is a little reduction all around, and this bill is undoubtedly a necessary reduction on nearly all branches of this manufacture, I still shall support it, though I do not like it. It is yet a good work, although it is not the work that was reported by the Tariff Commission or by the Finance Committee.

Mr. SAULSBURY. Mr. President, what is the amendment pending?

The PRESIDENT *pro tempore*. The amendment pending is the amendment of the Senator from Vermont [Mr. MORRILL] to the amendment of the Senator from Delaware [Mr. SAULSBURY], which will be read if desired.

Mr. SAULSBURY. No; I understand it now.

Mr. HARRIS. I should like to have the amendment read. I do not understand it exactly.

The ACTING SECRETARY. In line 736 it is moved to strike out the word "compound," and in line 740 to strike out "one-half" and insert "one-quarter."

Mr. MORRILL. I rather regret that we are constantly going back and debating subjects that have already been decided. In relation to this matter there is no sort of doubt that the rates upon iron or steel wire have been reduced at least 40 per cent. below the present existing rates, and if fencing by iron wire galvanized or barbed wire can be cheapened, it will be cheapened by the provisions already established by the vote of the Senate. I accepted the suggestion of the Senator from Kentucky, which I thought possibly a little too low, as something in the nature of compensation for the very considerable addition in the cost of the wire that is galvanized. I do not desire to include that which shall be merely painted, and I trust, therefore, that we may have a vote upon this subject without much further debate.

Mr. BECK. Will the Senator allow me a word? I desire to ask him a question before he sits down. In line 735, after the word "enumerated," it rather strikes me that it would be better to insert the words "except wire;" so as to read:

That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, except wire, &c.

Mr. MORRILL. That is the very article we want to include, if it is galvanized with tin or zinc or lead.

Mr. BECK. I beg pardon.

Mr. HAWLEY. I believe that the Senate has wisely approved the general policy of the reduction of duties. We have reduced the duties upon wire; we have legislated in the general direction of cheaper wire, at the same time reserving what is probably a sufficient and safe protection to the American manufacturer; but we have passed all that. The Senator from Vermont has said much of what I intended to say. We have passed that, and I think wisely passed it, and it is not, therefore, under consideration in connection with this motion.

Another matter has been brought in here, upon which considerable time has been spent, with which we have nothing in the world to do. Nothing that we can say or do in connection with this bill will affect for one moment the royalty upon the patented barbed wire. The inventors have done something by which they will give the farmer, we will say, a saving of a dollar a rod on his fence—I do not know; I merely use that figure for supposition. If he takes 5 cents out of him for himself, I think it is entirely reasonable, and with that we have nothing to do, and we can not affect it by anything we may try to do. There is only before us the question of a little protection upon the added value given to the wire by galvanizing, and I think the suggestion of the Senator from Vermont is wise and satisfactory and it ought to be accepted.

Mr. SAULSBURY. I hope the Senator from Kentucky will perfect his amendment so as to exclude wire from this increased duty entirely, whether it be for fencing purposes or any other. The remarks that have been made here show that so far as the wire is concerned that is used for fencing the existing tariff is prohibitory, and that the proposed tariff in this bill of 2 cents per pound will also be prohibitory. I hope that the amendment proposed by the Senator from Kentucky to except all wire will prevail. We are talking about the interests of manufacturers, but there are other people in this country besides manufacturers. We ought to have some reference to the consumers of this article, especially those who use it for purposes of fencing.

Mr. ALLISON. I should like the Senator from Delaware to tell me, or tell the Senate, how he knows that this rate we impose is prohibitory?

Mr. SAULSBURY. I do not know that it is prohibitory; but the statement has been made here, and I think the Senator from Ohio himself stated a reduction had been made of the duty on the rods from which the wire is made and that inures to the benefit of the manufacturer of the wire; but I understood the Senator from Iowa to say that there was no wire introduced from abroad.

Mr. HOAR. May I ask my friend why it is that he keeps repeating that a reduction has been made on the rods?

Mr. SAULSBURY. Yes, a reduction from the rate proposed by the committee has been made.

Mr. HOAR. But the Senator is speaking of a "reduction," implying a reduction from the law.

Mr. SAULSBURY. I will confine it to a reduction from the rate proposed by the committee.

Mr. HOAR. Of course the committee's proposition is not a law. Nothing has been imported under that; but when the Senator says that a reduction is made for the benefit of manufacturers of wire fence, everybody would understand it to mean a reduction of the existing law, not on somebody's proposition.

Mr. SAULSBURY. I was speaking of this bill as reported from the Finance Committee. I say that from the provision which the Finance Committee incorporated in reference to iron and steel rods there has been a reduction of nearly one-half. Six-tenths of a cent a pound has now been fixed by the Committee of the Whole of the Senate, whereas the Finance Committee proposed 1 cent a pound. So there has been a reduction of nearly one-half from the rate proposed by the Finance Committee. That reduction inures to the exclusive benefit of the manufacturers of wire. Now I propose that a corresponding benefit shall inure to the consumers of the wire after it has been made, and especially as that class that largely consume it are the persons engaged in agricultural pursuits, who have not come to the Senate, as every manufacturing interest in the country has come, asking for protection. They only ask not to be oppressed by your laws, not for protection. They ask, and I stand here to ask for them, that your legislation shall not inure to their oppression. They come in here to ask, not that you shall benefit them by protective laws, but that you shall not oppress them by the legislation you propose. If the Senator from Kentucky does not renew his motion to insert in line 735, after the the word "enumerated," the words "except wire," I shall do it. Do I understand the Senator has withdrawn his amendment?

Mr. BECK. I did not offer it. I rose to make a suggestion to the Senator from Vermont, and finding that he did not receive it I did not offer it as an amendment. The amendment as originally offered by the Senator from Delaware I am in favor of.

Mr. SAULSBURY. In lieu of the amendment which I offered, to which the Senator from Vermont has added an amendment, if it is in order, I will withdraw for the present that amendment for the purpose of offering the other. I do not know, as an amendment to it has been proposed, whether it would be in order now for me to withdraw my first amendment.

The PRESIDING OFFICER (Mr. FARLEY in the chair). By consent of the Senate it may be done. Is there objection to the withdrawal of the amendment? There is no objection and the amendment is withdrawn.

Mr. SAULSBURY. Now, I move, in line 735, to insert after the word "enumerated" the words "except wire," so that the tax proposed on the coating process here shall not apply to wire.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware [Mr. SAULSBURY], as now offered in line 735, after the word "enumerated," to insert "except wire."

Mr. VAN WYCK. I may have misunderstood the Senator from Massachusetts. I desire to know whether his intention is that the duty on this wire shall be retained as reported by the Finance Committee. Is that his proposition?

Mr. HOAR. There is no proposition on that subject.

Mr. VAN WYCK. Is that the Senator's theory, that the duty on wire shall be retained the same as reported by the committee in this bill?

Mr. HOAR. That is all past. We have nothing to do with that now.

Mr. VAN WYCK. Then it is true, as stated by the Senator from Delaware, that the reduction of nearly one-half cent a pound on rods inures to nobody's benefit but the manufacturers; and symmetry in this bill would require that the reduction applied to rods should also be extended to the wire made from the rods.

Mr. HOAR. The Senator will pardon me. Here the Committee on Finance go over the entire tariff system with thousands of different items and different interests, and they come in and it turns out that they have cut down a manufactured article about 40 per cent., while they have proposed to raise the raw material of that manufacture, which the manufacturer imports from England, more than 40 per cent. I have forgotten what the original raising on wire rods was before the Senate cut it down. What earthly use is there discussing about the symmetry of the committee's bill or the existing law under which these industries have grown up in reference to which they have been formed, a symmetry against the manufacturers? Now you have the wire rod a little increased, 10 per cent. I think.

Mr. VAN WYCK. Then I did not misunderstand the Senator from Massachusetts. The Finance Committee, after laboring, concluded that the duty on rods——

Mr. HOAR. But the Senate strangled their baby after they had labored.

Mr. VAN WYCK. One part of it; it left the other part alive. The Finance Committee, as I understand the Senator to say, had a symmetrical bill; but in making that symmetry they had increased the duty on rods nearly one-half cent a pound, and in order to discharge their duty also and complete the symmetry of their bill in accordance with what they supposed was right, they continued this duty upon wire. Very well; that is one proposition. When that bill came to the Senate the Senate as well as the nation were asking some reduction of duty, and the Senate reduced the duty one-half cent upon the rod; and the committee's bill still, as I understand the Senator to say, continues the duty upon the wire; so that in fact no one receives the benefit of this reduction of half a cent on the rod except the manufacturer. Therefore the proposition of the Senator from Delaware is evidently correct. The symmetry of the proportions of the bill from the Finance Committee can only be continued by reducing the duty on the article of wire.

Mr. ALDRICH. I dislike to continue this discussion, but I wish to say one word in answer to the statement made by the Senator from Delaware and the Senator from Kansas in relation to the present rate of duty being prohibitory on iron and steel wire. So far from that being true, under the present rates 2,000,000 pounds were imported last year into this country. This wire paid an average duty of 3.6 cents a pound, or an average ad valorem duty of 50 per cent. The duty has been reduced by the action of the Finance Committee and by the action of the Senate down to an equivalent ad valorem duty of 26 per cent. In other words, we have taken off one-half of the existing duty on iron and steel wire. The existing duty is not prohibitory, and I should like to know what warrant any Senator has for saying that a duty reduced one-half that is not prohibitory at present still remains prohibitory. I dislike to continue the discussion, but make that statement for the benefit of the Senator from Delaware and the Senator from Kansas.

Mr. McPHERSON. I should like to have the amendment read as it now stands.

The PRESIDING OFFICER. The amendment as offered by the Senator from Delaware will be read.

The ACTING SECRETARY. In line 735, after the word "enumerated," the amendment is to insert "except wire;" so as to make the proviso read:

Provided, That on all of the kinds of iron or steel, or articles or manufactures of iron or steel, hereinbefore in this act enumerated, except wire when galvanized, or coated with any metal, or compound, alloy, or mixture of metals, by any process whatsoever, there shall be paid (excepting on what are known commercially as tin-plates, terne-plates, and taggers' tin, and hereinbefore provided for) one-half cent per pound in addition to the rates provided in this act.

Mr. MORRILL. That would result solely for the benefit of telegraph corporations in this country.

Mr. WILLIAMS. I do not know any greater boon that can be conferred on the agriculturists of this country than to have cheap material out of which they are to make their fences. The fencing of the farms of this country costs more than the cultivation of the land. Our fences have already cost the farmers of the country more than the land itself would sell for. The timber is giving way everywhere, out of which the farmers used to make their rails. In the olden time when the forests were abundant, every year a farmer chose to add some additional acres to his fields he made a clearing on the outside, and made the trees into rails sufficient to inclose other grounds. But now all this has passed away. Fencing has become one of the most serious difficulties with which the farmers of the country have to contend. The Senate the other day made lumber free for fencing and other purposes, but it was especially to furnish the farmers of the Northwest with cheap lumber for their fences, their farms, and their houses.

Now, if I understand the amendment of the Senator from Delaware it reduces the tax one-half cent per pound, which is $11.20 a ton, an enormous saving. I am for it for that reason. I want the farmers to have some benefit under this bill. They have but few friends anywhere; they have had nobody to manage their interests upon these committees or upon the petitions presented to us every day the first thing in the morning.

This wire is a new industry; and let me say to that Senator that no farmer would buy now any other wire but this galvanized wire. There is no galvanized wire imported from abroad at all. All that we get is manufactured by our own manufacturing establishments. The wire is imported, it is here arranged with the barbs, and it is galvanized after that has been done. The whole of this business is now in the hands of a few factories who have bought the patents upon the process. If we can in any way cheapen it we ought to do so. I do not know that this amendment will interfere with any industry now established in the country or with any manufacture, but it will open the way to bring foreign competition into our own markets with our own manufacturers who now have a monopoly of this whole thing. My object in lowering the tariff is not so much that we may have competition among our own manufacturers as that we may have the competition of foreign makers in our own markets, so as to cheapen and better the quality of the goods to our own people. I do not know to what extent it may go, for this is comparatively a new industry here, but if there is any profit in it (and there must be great profit) some ingenious foreigner will undertake its manufacture also; but if there is none coming in, why object to reducing the duty; why insist upon a prohibitory duty if none of the article now comes in?

Mr. President, all the arguments for protection here have amounted to arguments in favor of prohibition from beginning to end. Gentlemen are not satisfied with encouraging such industries and establishments as we have already on hand in this country, but they are for going all over the world and hunting up and introducing other new industries and putting a high tax upon them, all of which is to come out of the pockets of the consumers of this country. I am for this amendment, because I believe it will cheapen wire, of which our farmers want to make their fences.

Mr. McPHERSON. I have heard no argument here except in favor of wire for fencing purposes. I should therefore like to inquire of the mover of this amendment why he does not confine it to wire used for fencing purposes? Why cover the whole field and permit wire of a certain grade used for any and every purpose to come in duty free, and in that way destroy a vast number of mills which have been established in this country for the manufacture of wire?

Mr. WILLIAMS. I will tell the Senator why I vote for it. It is that wire is totally worthless for any of the purposes for which it is used except with this galvanized coating upon it, and I think the duty is already high enough without this addition here proposed for the galvanizing.

Mr. McPHERSON. Galvanic wire is used to-day for telegraphing purposes, for all kinds of wire fences, and for a multiplicity of purposes. I have no objection to making the wire duty free, so far as this provision is concerned, in respect to wire fences. Now, after the word "wire," as proposed by the amendment of the Senator from Delaware, I move to add "used for fencing purposes."

Mr. SAULSBURY. How are you to tell when the wire is imported for what purpose it is to be used?

Mr. McPHERSON. Say "under such regulations as the Treasury Department may prescribe."

Mr. SAULSBURY. It was that suggestion which induced me to withdraw the amendment I first offered, because of the difficulty of ascertaining definitely for what purpose wire is to be used that is imported. If you say "for fencing purposes," and add that to my amendment, I apprehend that the whole provision will be nugatory. We have already reduced the duty on rods from which the wire is to be made; that inures to the benefit of the manufacturers. We have retained the duty in this bill of 2 cents a pound upon wire used for any purpose

whatever and of any character whatever, galvanized and all, and now seek to relieve wire already proposed to be taxed in this bill 2 cents per pound from a further imposition of half a cent a pound after it has had some coating or some process of galvanizing applied to it. I believe that the tax proposed in the bill of 2 cents per pound is sufficient protection to every interest of this country, whether it is engaged in the manufacture of galvanized wire or of wire which is used without the coating applied to it.

Mr. McPHERSON. The Senator from Delaware is in error as to the designation that might be made by the Secretary of the Treasury. In certain other parts of this bill we find a discretion left to the Treasury Department; for instance in the case of tobacco. Tobacco used for wrappers bears a certain duty; that used for filling cigars bears another duty. There is a discretion left to the Treasury Department to make regulations there. I see no reason why a discretion should not be left to the Treasury Department to make certain regulations by which this wire taken from bond should give some guarantee that the wire shall be used for fencing purposes, and in case it were not used for those purposes it shall bear the same duty as other wire.

Mr. INGALLS. But there is no rod manufactured expressly for the purpose of making fence wire. It is the gauge, as I understand, that determines the use of the manufactured product.

Mr. McPHERSON. That is the very thing of which I complain.

Mr. INGALLS. Suppose that wire of a gauge which was suitable for use as fencing should be invoiced as telegraph-wire, then does not the Senator see that the entire object of the law would be circumvented; that having been invoiced at the custom-house as telegraph-wire it would come in here and then be sold for any purpose that the consignee might desire? It is obvious that if the amendment of the Senator from Delaware is to be effective the definition of fence-wire must not be used, but there must be a description by gauge that will include wire that is to be used or can be used for fencing purposes.

Mr. McPHERSON. That is the very thing of which I do complain. I say that this amendment moved by the Senator from Delaware will open the entire field and allow all wire to come in without the imposition of this proposed duty of one-half cent a pound, for fencing purposes as well as for other purposes. My idea is that of the whole amount manufactured perhaps not 25 per cent. is used for fencing purposes.

Mr. SAULSBURY. It has been stated here by the Senator from Massachusetts that the quantity used now has saved to the farmers of this country $150,000,000 annually; and if that be the case there must be a very heavy amount of wire now used in this country for fencing purposes.

Mr. HOAR. I stated it stronger; the Senator will pardon me.

Mr. SAULSBURY. It is very evident, as stated by the Senator from Kentucky [Mr. WILLIAMS], that lumber is giving out, and a very large per cent. of the wire manufactured in this country or imported into this country may be applied to the purpose of making fences.

Mr. McPHERSON. The Senator should understand that I do not object to excepting wire made for fencing purposes. I am perfectly willing to vote for an amendment to that effect; but I do object to opening the field so widely as the amendment of the Senator from Delaware proposes. That is my objection to the amendment. If he can frame an amendment that will cover his view of the case and except fencing wire from this additional duty I shall be satisfied.

I think there has been some extravagant assertion here in regard to the amount of saving. I can not understand all that I hear. I do not believe it is exactly true. There is unquestionably a saving; but at the same time this is an important industry which is deserving; and if you propose to protect anything, if you propose to protect any industry, I see no reason why you should strike down this one and say nothing shall be given to it. I am perfectly willing, with the Senator from Delaware, to take all wire used for fencing purposes and let it come in duty free, if you please, so far as the galvanizing process is concerned; but I do most emphatically protest against opening the field entirely and allowing all grades of wire to come in under that schedule.

Mr. SAULSBURY. I say to the Senator from New Jersey that the provisions of this bill now impose $44 per ton upon wire of every grade, of every description, and that is beyond the average protection which is afforded to the industries of this country. It is not my purpose to do injury to any interest; I want that every industry should flourish and prosper; but I do not want to see any industry pampered and fostered at the expense of the great body of agriculturists of this country.

Now, a very large per cent. of the wire imported into this country or manufactured here must of necessity in the very near future be used for the purpose of fencing farm lands. While there may be a certain percentage used for telegraph and for other purposes, the great body of this wire manufactured or imported into this country must at a very early period be used for fencing.

Mr. McPHERSON. Unlike the Senator from Delaware, I do mean to protect some industries. The interest I wish to protect is the labor interest of this country. I do not want the laborers of this country to be placed in such a position that they can not earn sufficient to support life. I do not wish to destroy the labor interest of this country.

The galvanized process applied to wire is another stage of manufacture. Now, as the Senator affirms, there is a sufficient duty on all wire, but there is no separate and distinct provision made for protecting this additional stage of manufacture. If the duty which he names is too great upon wire, certainly the true policy would be to reduce it, and then fix upon this galvanizing process another and additional duty, because it is a new and another stage in the manufacture, requiring great expense and labor. It seems to me that the purpose of the Senate is to equalize, to make just, to make fair all the different stages of manufacture; and if the bill carries with it to-day a duty upon one stage which is too great, then let the Senator from Delaware propose to reduce it, and I shall vote with him; but when he undertakes to draw no distinction whatever between plain wire and wire galvanized except for his own purpose of fencing, there I will agree to make it free for fencing purposes, but not for the other and greater purposes for which it is used.

Mr. DAWES. Mr. President, the proposition of the Senator from Delaware seems to me to be this: We have fixed a duty upon the wire that a foreigner makes and brings into this country. The Senator proposes to offer to that foreigner this privilege: "You may put upon that wire $20 worth of work and of material, and then bring it in at the same price you would if you did not put that addition to it." If that is not offering a premium to him to do his work and put his material upon the wire on the other stage, I do not understand it; and the Senator says he wants to do that in the interest of the farmer! I do not understand how it would benefit the farmer to say to the foreigner, "If you bring this wire in before you galvanize it you shall pay less duty upon it, but if you galvanize it and employ your labor there and your material there, $20 worth on every ton, you may bring it at just the same price." That he thinks will benefit the farmer! Does the Senator from Delaware have any idea that the farmer will get his wire any cheaper if we take this duty off and say to the men on the other side, "You may make the wire and you may fix the price?"

Sir, this is not for to-day, it is for to-morrow and a good many to-morrows; and the question is whether the farmer can command a cheaper wire when it is made here at home, with all the materials in the ground around him out of which to make it. But the idea that it is going to help the farmer to tell the manufacturer abroad, "You may put just as much more of additional work on it there as you please, it will not cost you any more to bring it in," strikes me as very fallacious. All the difference in the world will be that we shall be relieved of performing that work here in this country, and we shall relieve so much of our capital here in this country from employment and so many laborers. That is all there is to it, and that benefits the farmer!

Mr. MAXEY. Mr. President, I do not think that every Senator here is informed as to the great importance of this question to the people of the West and Southwest. I will make a statement about an interest of which the Senator from New Jersey ought to know and I have no doubt does know a great deal. He says he is in favor of labor. So am I. You take a ranch of 50,000 head of cattle. It requires eight acres of grazing land to every head of cattle. Eight times 50,000 is 400,000. You therefore need for a ranch of that many cattle 400,000 acres of inclosure. Barbed wire to inclose one single ranch of 400,000 acres is needed for 50,000 cattle, and that is not a large ranch by any means. We have several in Texas larger than that, and I may add no industry in the whole country is developing more rapidly or in grander proportions than the cattle industry in Texas. The grazing lands of Western Texas are rapidly passing into the hands of those who seek to open up cattle and sheep ranches.

Take the great interest of wool. These gentlemen from Massachusetts and the Eastern States all want cheap wool. We need the barbed wire fence to inclose our sheep ranches also; and the Presiding Officer [Mr. FARLEY in the chair] at this moment understands as well as I do that in all that grazing country out in Western Texas, in what we call the grazing part of the State, next toward your State, sir, we have not sufficient timber for fencing. We are bound to use wire, or otherwise we shall have one man with his forty or fifty or seventy-five thousand head of cattle on one uninclosed ranch and another on another in proximity uninclosed; then a norther comes along; these cattle are feeding on the grass in the same great range, but by the norther they are scattered and get mixed, and trouble and difficulty ensue. A shotgun war begins, as it did in old times. But by the aid of the barbed wire fence every man can inclose his own ranch, keep his cattle within his own fences, and the result is peace, quiet, and harmony among the great cattle-raisers of Western Texas, as is probably true in your State and others.

The system of raising cattle in inclosed ranches has done more than anything else to keep the peace among ranchmen.

So if we want to protect labor I say let us protect all labor alike. The great mistake which the Senator from New Jersey makes, and it has been made all the way through, is in supposing that the only labor of this country worth legislating for is the manufacturing labor. I repeat that the agricultural labor is the hardest worked of any in this country.

In addition to these two great industries of wool and cattle, when you get out into the agricultural portion of Western Texas, where land is too valuable to be devoted to grazing purposes, and is devoted to the culture of cotton, of corn and wheat, and of the other grains, there is always need of these wire fences, because we have not sufficient timber,

and that is equally true of a large portion of the best farming lands in the State in North, Middle, and Eastern Texas.

Mr. McPHERSON. Will the Senator give me one moment to ask him a question?

Mr. MAXEY. Certainly.

Mr. McPHERSON. Did the honorable Senator from Texas hear the amendment that I offered to the one proposed by the Senator from Delaware? If he did his remarks would have been entirely unnecessary.

Mr. MAXEY. On the question of whether they were unnecessary or not I propose to judge.

Mr. McPHERSON. So far as related to me they were unnecessary.

Mr. MAXEY. The only reference I made to the Senator from New Jersey was in reference to his remark that he wanted to protect labor. To that I reply that his definition is cramped. I have not spoken of his amendment; and the reply I make to what he said about labor is that the man who works in the cotton-field or tobacco-field, in the corn-field, or in the raising of wheat, or who lays out on the prairie guarding cattle and sheep, as many do night after night and day after day, in sunshine and in storm, are laborers as well as the blacksmith, the carpenter, the saddler, and others in mechanical employment, and just as much entitled to be considered by the Senate as the man who works in the forge or in the foundery or in the loom.

Now, in respect to the point made by the Senator from Massachusetts. He says we should not get these things any cheaper if this protection was not put on. Then I ask, in the name of common sense, what do you want it protected for? If it does not enhance the price we have to pay, what good does it do the manufacturer? Why do you wish a foolish thing? Why do you wish to keep on a duty which you yourself say does not raise the price of the article upon which that duty is laid?

Mr. DAWES. Why, Mr. President, does not the Senator know that giving the American producers the market has some beneficial effect upon the production, and also by the competition upon the price?

Mr. MAXEY. I can not quite, at this distance, I am sorry to say, understand the Senator.

Mr. DAWES. The idea of protection is this: not that it raises the price to the consumer, but that it gives the market to the American, and the market being given to the American, American competition, and not foreign competition, brings the price down. What, I ask my friend, has brought the price of Bessemer steel down in this country to an almost unremunerative point?

Mr. MAXEY. I will begin right there. If the price comes down by competition among American manufacturers, then labor in those industries goes down with the fall in price, and away goes your whole theory. There are numerous reasons which have brought down the price of Bessemer steel. The first——

Mr. DAWES. Suppose the Senator lets Bessemer steel go until he answers the other.

Mr. MAXEY. The fall in price, the Senator insists, is the effect of competition among American manufacturers. Necessarily this brings down the price of labor. I now reply to the next question. Since the original discovery of that wonderful Bessemer process of converting iron into steel there have been such improvements made in it that, from the best information I have, in England to-day they can convert a ton of iron into a ton of Bessemer steel at a cost of not more than one or two dollars per ton. More than that, they have their factories and machinery in such condition that they can start in with the ore, and from the various manipulations that ore passes into iron and the iron into steel and the steel into the steel bar. These wonderful improvements are the evidences of triumph of mind over matter, and had more to do with the reduction of price than anything else, and the price fell, if I mistake not, in England before it did in America. But now, recurring to the subject of competition that the Senator speaks of——

Mr. HOAR. May I make a suggestion to the Senator from Texas?

Mr. MAXEY. I should like to finish trying to answer the Senator's colleague; but, however, I do not suppose it will be important just now.

Mr. HOAR. The Senator asks why it is that if this wire is not to be any cheaper by the reduction of the duty the American manufacturer should complain. It seems to me that it is very much as if the Senator should ask why if golden eggs were no cheaper after the goose that laid them had been slain the goose should object to the process of being killed. He proposes to kill the American manufacture and leave the market to the English.

Mr. MAXEY. If the price falls as a result of American competition, as the Senator's colleague asserts, then the price of American labor engaged in factories necessarily goes down with the fall in price of products, and the theory of raising the price of labor by protection is hoist on its own petard, and it has no leg left to stand on.

That suggestion of the Senator is the latest agony on that subject; that is the position of these people who are claiming to be the peculiar guardians and protectors of this protected industry. When the grandest man that ever unfurled the banner of protection, with more brain power, more will power, more persuasive power than any of them, when Henry Clay began in 1819, upon what ground did he put it? He put it upon the ground that during the war of 1812–'15 with England patriotism had caused men to invest their capital in manufactories of such articles as the soldiers defending the flag of our country needed and were bound to have, munitions of war, clothing, &c., and that when that war was over if these factories were not protected coming in competition with the old and well established factories, the machinery, and the cheap capital of Europe, our factories would be bound to go down, and those men who had from an honest and patriotic purpose put their money in factories would be bound to go down with them. What next? He then said that so soon as they were able to walk alone he himself would be opposed to continuing the protection any further, and he placed the protection alone upon the ground which I stated in the incipiency of his grand American system. Mr. Clay was too good a reasoner to rest his case on a theory which defeats itself.

The other day the Senator from Ohio [Mr. SHERMAN] put it entirely outside of that ground and said that capital needs no protection nor ought it be protected; that capital was strong enough, and he put it on the ground alone that it is the protection of American labor against what he calls the pauper labor of Europe. I say if you put it on the ground of protection of labor, what is your syllogism? American labor should be protected against the pauper labor of Europe. The workers in the forge and in the foundery and in the loom are American laborers, and therefore should be protected against the pauper labor of Europe. That is the syllogism. Carry that out. The man who works in the corn-field, the tobacco-field, the cotton-field, the wheat-field is an American laborer, and therefore should be protected against the pauper labor of Europe. The man who cares for and protects cattle and sheep is an American laborer, and therefore should be protected against the labor of Europe. The blacksmith, carpenter, cabinet workman, and workers in all the mechanical industries are American laborers, therefore should be protected against the pauper labor of Europe. Thus when you come to work it out you have every laborer taxed to protect every other labor; and who then is benefited? The position is reduced to absurdity. It is not the protection of American labor against the pauper labor of Europe that would be protected by the theory of the Senator from Ohio, but the protection of certain special industries, worked and manipulated by capital, that are to be protected, while the great industry of agriculture, the mining and the mechanical industries and stock-raising are not thus to be protected. That shows that the syllogism on which he bases his argument can not stand, but falls of its inherent weakness, and yet it is more plausible than the theory of the Senator from Massachusetts.

Now, on the point of killing the goose that lays the golden egg: sir, this whole bill shows that that is precisely what these protection people are doing in this bill; they are laying this enormous burden upon the shoulders of the unprotected workers so heavily that the people throughout the length and breadth of this land, groaning under an oppressive burden, paying into the Treasury $150,000,000 annually more than is needed, and vastly more than that under a fallacious system into the pockets of the protected capitalists, will shake this load off. This great American people, this giant in strength that has been bound down hand and foot by protection is rising in his strength and shaking off the burden, and with it this doctrine of protection.

The people favor a tariff for revenue, admitting into this country such articles of foreign production as any one sees proper to bring, paying therefor a fair and just tariff for revenue for the purpose of supporting the Government. The protectionists who are thus burdening an overtaxed and overburdened American people by cruel, oppressive, unjust taxation, are killing the goose that lays the golden egg, and the time will roll round in the history of this country when you will find that the factories which now flourish in the New England States seeking protection, which by the new theory reduces prices and of course the wages of the laborer with the reduction in price, will find their way down into that grand and glorious country where I live, where we have water-power enough to turn the machinery of the whole world, which is never frozen over at any period during the whole three hundred and sixty-five days of the year, located in the midst of the cotton and the wool and the hide, with a soil fertile beyond comparison, producing all that man needs to live upon, all the grains, with the cattle upon a thousand hills and the sheep producing the wool and the fields of the country white with cotton. They will go to a State which has every condition in favor of factories and which needs no other protection than wholesome laws and what the God of nature furnishes. Yea, they will go to many Southern States.

There, sir, the factories will finally find their way where they need no protection except the protection which God gives them, that protection which necessarily follows by having the mills, the hide, the wool, and the cotton, and every article of food and a salubrious climate all brought together. That is the only protection that we need. This great water-power we have without having to expend millions of dollars in making artificial pools; that protection which keeps the ice from clogging our mills during the winter; that protection which blesses us with the privilege of beginning our manufacturing career by making our coarse cotton fabrics and taking them across to the Pacific slope to your own beautiful city of San Francisco, and thence to China and the East Indies on a shorter line of railway than any other manufacturing country in the world, and bringing back from them the tea and silk and shawls, and the grand trade and industry of those countries. That is the protection we need, the protection which God gives us; in short, a health-giving climate, a fertile soil, variety of production, ample water-power,

in close proximinty to cheap and wholesome and abundant food, easy access to market, and the raw material in easy reach of the mills—these with a hardy, energetic, intelligent population and wholesome laws give us all the protection we need.

And, sir, coarse cotton fabrics can be made there in our country, upon our own water-power, out of our own cotton, and sent by the shortest line to the Pacific slope to supply that demand which up to the present time is immeasurable, because the inhabitants of the Mongolian race in China and the East Indies are as countless as the sands of the sea. When you come to talk about labor, talk about all the labor that makes this the grandest and most glorious country on the face of the earth; protect all alike, and only by furnishing wise and wholesome laws, all obstacles removed, and a free race for all.

Mr. McPHERSON. Mr. President, I fear very much that the Senator from Texas has misunderstood me in the remarks I made a few moments ago; and as I permit nobody to misrepresent me, and do not wish to be misjudged by another Senator, I think an explanation is due from me.

The remarks of the Senator would have been entirely unnecessary as applied to me if he had heard the amendment I offered to the amendment of the Senator from Delaware.

Mr. MAXEY. The Senator will pardon me. I stated before that the only reply was to the Senator's use of the word "labor."

Mr. McPHERSON. The Senator knows very well that I have not used any term in an offensive sense. He has lectured me on my evident desire to protect the manufacturing laborer while I left the agricultural laborer entirely unprotected. My amendment provides that all wire imported for fencing purposes, all used for agricultural purposes, shall come in duty free so far as this proviso is concerned. In that way I certainly protect the agricultural laborer.

Mr. MAXEY. I find no fault with that whatever. I will say to the Senator from New Jersey I think that is a wise amendment, and I do not find any fault with it. I was speaking about his views as to protecting American labor, and I think he will find when he looks to the Reporter's notes that was all I said about the Senator.

Mr. McPHERSON. I simply wished to draw a distinction which the Senator from Texas will not permit me to do. The distinction is simply this: I say of all the wire of that class manufactured and imported not 25 per cent. is used for fencing purposes. I wish to protect the manufacturers of the wire in this country to a limited extent, and not close up the vast wire-mills. I wish to fix that distinction upon an industry or any number of industries which can well afford to pay one-half of 1 cent a pound for the additional cost of manufacture between the coarse wire and the galvanized wire. Everybody knows that for any purpose for which wire is used galvanized wire is more valuable, more costly, more durable, better in every respect than a wire not galvanized. Under the provision proposed by the Senator from Delaware all classes of wire, galvanized, come in duty free. What will be the result? Wire would come here as galvanized wire and be sold in our markets against an unprepared wire. That will be the sum and substance of it.

Mr. BECK. There seems to be a great misapprehension about galvanizing as being a new thing for which the duty ought to be added to. The Senator from New Jersey must be aware that the Tariff Commission—and they surely sought to put everything high enough—declared over and over again in their report that steel and iron in all their grades had come together until there was no distinction. The Bessemer process, the Thomas-Gilchrist, the Siemens-Martins, and all the others had brought down the character of the material until they were all the same; and we have acted upon that all through; and yet in the present law, which has been the law since 1867, the only classification is "iron wire, bright, coppered, or tinned, drawn and finished, not more than one-fourth inch in diameter, not less than No. 16 wire gauge."

The very thing we are providing for now under which all the cottonties come in is admitted at 2 cents per pound and 15 per cent. ad valorem. "Iron-wire rope, strand or chain, either bright, coppered, galvanized, or coated with other metals (subject to the same rates of duty imposed on iron wire, of which the same are composed), made of iron wire not more than one-fourth inch in diameter, not less than No. 16 wire gauge," is now at 2 cents per pound and 15 per cent. ad valorem. The committee reduced the Tariff Commission's report down to 2 cents a pound on No. 16. I proposed to reduce it so as to make it 1½ cents, embracing all the wire rope, and on a call of the yeas and nays, on Saturday evening, when the Senator from New Jersey was unfortunately absent, I was not successful. A few votes from the gentlemen who are very zealous now for iron wire would have carried it if they had been in their seats. But now the assumption is that we are going to let it in free. Iron wire, just as cheap as steel wire, is only taxed 2 cents a pound, coated, galvanized, and prepared in every form under the existing tariff, and 15 per cent. ad valorem in addition; and by voting down the amendment I offered on Saturday all that character of wire under No. 16 wire gauge is to pay 2 cents per pound. The proposition here is to make it pay $11.20 more a ton by this proviso; and you are going to starve somebody if you do not put it on, and that $11.20 a ton is 25 per cent. upon the value, an absolute increase of all this character of wire over the iron wire and iron rope which is imported now under the present tariff.

Gentlemen have only to look at the iron provision and see that that is the fact; and yet the moment we say that the rate we have imposed of 2 cents a pound upon all that class of wire from No. 16 down is high enough, gentlemen say we are going to starve somebody who wants to galvanize it or coat it in addition, and you shall not bring it in that form fit to be manufactured and the barb put upon it, but you shall go through another process and you shall pay $11.20 more a ton to go through that process. That is the proposition now.

Mr. DAWES. And for that $11.20 he can put upon it $20 worth of labor abroad.

Mr. BECK. Then I ask the Senator why it is that under the present tariff law wire-rope can be coppered, brightened, galvanized, and brought in at 2 cents per pound and 15 per cent. ad valorem, and not starve the American laborer?

Mr. DAWES. I answer my friend what is the object of a tariff bill at all if it is not to correct what is wrong in the existing law?

Mr. BECK. The object of this tariff bill, particularly as amended by the men who appointed the commission and by the commission themselves, is to make a reduction of from 20 to 25 per cent. over present rates, because they say exorbitant war duties were imposed in order to guard against the taxes imposed on incomes and manufactures and they ought now to be largely reduced. We are now living under an artificial system, and instead of reducing, the Senator from Massachusetts thinks somebody is going to be starved unless you add 20 per cent. to the war rates in defiance of the statements of the commission, in defiance of the avowals of what they have done. The Senator from Massachusetts says somebody is going to starve if a man in the West gets any benefit.

Mr. DAWES. The Senator has very frequently told the Senate what he understands to be the object of this bill.

Mr. BECK. And when a Senator asks me a question I tell him the truth, and if I can not convince him I can not help it.

Mr. DAWES. The Senator will let me tell him what I understand to be the object of this bill.

Mr. BECK. I think I understand it quite as well. I heard the Senator from Massachusetts tell the Senator from Delaware a little while ago what he understood it to be. Now I propose to give him my views of it.

Mr. DAWES. I did not know but that the Senator had had an opportunity to give his views.

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Massachusetts?

Mr. BECK. I have always given way to him.

Mr. DAWES. If the Senator does not care to know what I want——

Mr. BECK. I should like to hear the Senator very much. I will give way until he makes another speech.

Mr. DAWES. I tell the Senator that I understand the object of this bill is to reduce the revenue to the lowest possible point where the expenditures of the Government will permit it to be reduced, but to so reduce it that there shall all along be such a discrimination between manufactured articles and raw material that there will be an inducement to manufacture here and not a premium to manufacture abroad. That is the difference between the Senator from Kentucky and myself. Whenever an opportunity to offer a premium to labor abroad is presented, the Senator from Kentucky is always found on that side; I am always found on the other side. That is the difference between us.

Mr. BECK. I rise simply to flatly contradict the Senator from Massachusetts, and so far as I am concerned to deny the fact and to assert that there is not a word of truth in it.

Mr. DAWES. The Senator is at this moment engaged in that very purpose.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. DAWES. It is in vain to convince him that he is, but that he is is as plain to everybody else, it seems to me, as anything can be made plain. I know the Senator does not think he is working in the interest of men abroad, but every man engaged in manufacture abroad is in his interest and takes the liveliest interest in all he does.

Mr. BECK. The statement of the Senator from Massachusetts, I again repeat, is utterly and absolutely untrue, so far as my action is concerned. I am seeking to reduce the tariff in the interest of the people of this country, and not to put money into the pockets of a few men in any corner of it.

Mr. DAWES. The Senator will understand that I do not impugn his motives or his intention.

Mr. BECK. I understand that the Senator from Massachusetts flatly and distinctly avowed that my action was in the interest of people abroad, and the RECORD will show it. That I deny and denounce.

Mr. DAWES. I want the Senator to understand distinctly that I do not impute to him any intention to serve those people abroad, but somehow or other they are highly interested in all his efforts and agree with me in opinion as to what he is doing.

Mr. BECK. The Senator from Massachusetts can not get out of the suggestion that I am a knave by saying that I am a fool, and that everybody but me knows that fact. I denounce that statement also as untrue.

I am acting, as I understand it, in the interest of the great body of the American people, and I am acting in accordance with the views taken

by the Tariff Commission in their report—not carried out, I admit, in their bill—for a reasonable reduction of taxes. When I show the Senator and show the Senate that galvanized-iron wire and wire rope, which they say is worth as much as steel, is now brought in at 2 cents a pound up to No. 16 wire gauge, which embraces all the fencing wire of the country, and he now seeks to add $11.20 a ton to it because it is galvanized, increasing the present rates over what they are now, I say he is not acting in the interest of the American people and in the interest of the American farmer, but in the interest of some monopoly that he has more at heart than he has the good of the people, and a few manufacturers who have been lauded here, with their $500,000 made out of their patents, are to be held up here as the great American people.

I claim to be as patriotic, I claim to be as honest in my convictions, I claim to maintain my views as intelligently as the Senator from Massachusetts can venture to do his, to the extent of the ability I have at least. I have concealed no sentiment; I have sought to break down no industry; I am seeking in this very matter now before us not to reduce the rate even to the point the Tariff Commission said they were going to do; but when we have war duties imposed upon us, imposed because a tax of 5 per cent. was placed upon incomes, a tax of 5 per cent. upon manufactures, and taxes upon everything, and we have been told we are living under a tariff that could afford reduction in the interest of the people, when I insist that galvanized iron wire can be brought in now at 2 cents a pound and then will have a protection of 60 per cent., I am to be told on the floor of the Senate that I am utterly against the interests of American labor!

The men who are using that wire for their fences all over the great plains of the West, as I said this morning, can not raise a bushel of wheat nor a bushel of corn nor a bushel of oats, under the laws of the Territories that Congress has sanctioned, unless they put up fences to guard their little crops against the cattle that are roaming over those plains, owned in Chicago, owned in Boston, owned everywhere except among the settlers there; and we are now to require them to put up those fences or starve, when they are true, *bona fide* settlers, building up the country, unless they can pay 2 cents per pound, $44.80 per ton, and then add another $11.20 because the wire may be galvanized or coated with something to preserve it from rust, and that somebody is going to starve unless they are forced to pay that amount of money and put up that amount of fence they are obliged to put up or not to live at all.

There are more men in those great Territories that they are settling up every day than there are wire factories in Massachusetts, and all the mills of Washburn and Moen or anybody else connected with wire in the State that the Senator represents. They are men who have to sell their wheat, their corn, their beef, their butter, their everything in the markets of the world, and who have to contend with the pauper labor everywhere in the prices they get for their products; yet when they want to buy wire to put up a fence to raise more, and to protect their crops against the cattle that are roaming over the plains, they shall not bring it in, so the Senator from Massachusetts says, unless they pay $56 a ton for the privilege of bringing it here to put up fences to guard the crops they have to raise next year in order to live; and it is said that some manufacturer in New England or some patentee of barbed wire is to be starved if they are to be allowed to bring it in for a cent less than that. Because I am willing to consent that the farmer shall pay $44.80 a ton, that the manufacturer shall take that much out of the pockets of the unprotected producers of the crops, who have to go abroad, and am not willing to give him $11.20 a ton more added to his patents and the patents of the friends who send him here, I am to be denounced on the floor of the Senate as a man against the interests of American labor and working in such a way as to induce all the men who are seeking to break down the interests of this country to be at my back, and if I do not do it with a bad motive I have not sense enough to see it!

I say that all my action is in the interest of the great producers of this country. There are five hundred men working in those great industries that can not be protected where there are fifty working in the industries that the Senator seeks to tax all the people for, and it would be just as fair for me to say to the Senator from Massachusetts that he was sitting in his seat seeking to break down all the farmers of America, all the producers of the cotton and petroleum and tobacco and grain, of everything that has to go abroad and that constitute 85 per cent. of all we sell, and to take out of their pockets their hard earnings by refusing to let them buy what they need for less than 50, 60, or 75 per cent. more than it is offered to them in the market where they are obliged to sell, and doing it to put money into the pockets of a few of his friends, as it is for him to charge me with working in the interests of people outside of the United States.

I have a right to my views; I have a right to express them. I have done so freely and fairly and I have opposed a reduction wherever I have believed that any item was being brought down below what was a reasonable protection, if you please, as in the interest of Russian sheet-iron, where the Senator from Massachusetts sought to make the duty 2½ cents a pound. I rose in my place and voted against it, or offered to do so, when he withdrew it. When the Senator from Georgia [Mr. BARROW] sought to make cotton-ties free, although there is much reason in it, I said no; the present rate is right; I desire an equality of burdens. Now, when I say the farmers of the great West, who are using this iron wire and are compelled to use it and can not live without it, are taxed heavily enough when they pay $44.80 a ton duty on galvanized iron wire, I am to be told that I am seeking to break down American labor when not a pound of barbed wire can be put up without paying $15 a ton royalty to a firm in Massachusetts, and a Massachusetts Senator, I was about to say, had the audacity and had the assurance to rise and accuse a Senator representing a people equal to his own with operating against the labor of this country!

When the pending proposition was made by the Senator from Delaware [Mr. SAULSBURY] I thought it was right. The Senator from Iowa [Mr. ALLISON] expressed his approval of it; the Senator from Kansas [Mr. INGALLS] expressed his approval of it. I believe the great mass of the Senate agree with it, and I am willing to stand upon the yeas and nays of the Senate to see whether or not, after we have been allowing galvanized iron wire, wire rope, and everything else to come in at 2 cents a pound with only 15 per cent. added, and we are now making it 2 cents a pound, as high as the present tariff makes it, the war tariff that everybody proposes to reduce, we shall strike off the 15 per cent. ad valorem instead of adding the $11.50 a ton or 25 or 30 per cent. tariff. I am willing to take the sense of the Senate upon the yeas and nays upon that question.

The suggestion of the Senator from New Jersey, to add "except brought in for fencing purposes," will be of no value because the wire has to go through the process of barbing under the patent of the Massachusetts Senators or the friends of the Senators from Massachusetts, before it can be made into fencing wire; and there is no way of definitely ascertaining that it is for fencing purposes when it comes in. I think the Senator from Texas was misled a little when he agreed with the Senator from New Jersey that he was willing to confine it to fencing wire, for there is nothing that comes in of a distinctive character as fencing wire until it goes through the process; it is only wire fit for that purpose; which may embrace a thousand other purposes, and the Treasury decisions would include it all if that limitation were put upon it.

I repeat that after the Senate voted down the proposition to put all this character of wire under 16 wire guage at 1½ cents a pound duty, as it ought to have agreed to, and would have done if the Senator from New Jersey and a few other gentlemen who are now very anxious in the interest of farmers had been in their seats—for it was only defeated by about three votes—I say when that was made 2 cents instead of 1½ as it ought to have been made, to seek to impose another half cent a pound upon it, $11.40 a ton, is against the interest of all the men who have to use those articles.

Mr. DAWES. Mr. President, the Senator from Kentucky seems to be unusually as well as unduly angry. I endeavored in a few words which I uttered here a few moments ago to do two things: to do absolute justice to the Senator's integrity, to the Senator's intentions, and also to show in a few words his mistake. The Senator says that he will not be justified as to his purposes. He insists upon it that he does see the effect of his proposition.

When every importer in the land stands at his elbow and furnishes him with his arguments and with his specimens, which he brings into the Senate Chamber in their interest, he insists upon it that he knows what the effect of his action is. Then it must be one of two things, either the men behind him do not know, or he does intend to make such a condition of things here as will promote the interests of those who bring manufactured articles here to sell. It is either one thing or the other.

I have labored with the Senator a good while in this and the other branch. I never heard the Senator speak five minutes on the subject of the tariff but what he charged my constituents with being thieves and extortionists, and an effort on my part to create for them a monopoly of work in this country. When I tell the Senator to-day that one of two things was true, that he did not know the effect of what he was doing, or he was doing this, and I did not believe he intended to do it, he flies into an awful passion about it and insists upon it that he must be a friend of the American laborer, when he takes the employment out of that laborer's hands. I do not think still, notwithstanding what the Senator says, that he desires to do that; I do not believe for a moment that the Senator desires to take work out of the American laborer's hands; but I do still think, notwithstanding what he has said to-day, and notwithstanding what he has said a hundred times over in the last fortnight, that when he puts a condition of things like this, that you can bring a manufactured article into our market from abroad and pay less duty than you do on the material of which it is made, it is utterly impossible for him to make intelligent men see that that does not offer a bounty to the labor employer abroad. He can not do it, because it is true that it offers a bounty to labor abroad; it to that extent takes employment out of the laborer here at home. He may amplify, he may talk about his love for the poor laborer the live-long day; but until he can demonstrate that that is true it is idle for him, and I had rather believe that the Senator is blind than to believe that seeing it he still persists in it.

The Senator talks about how much it costs the poor farmer out in the Western country to fence in his land, and his denunciation of this duty upon wire he seems to think is aimed at some patentee in my State who gets something upon the wire after it is brought here or after it is made here. It has no effect upon that question. That question

is summed up in this: That patentee furnishes to his farmer every rod of his fence a dollar cheaper than he could otherwise have it; and because the patentee takes 5 cents out of every dollar and keeps it himself and gives 95 cents of it to the farmer, my friend from Kentucky thinks he serves the farmer by denouncing that patentee for taking out 5 cents of the dollar which he saves for every rod to the farmer, and my friend from Kentucky thinks the farmer needs to be defended against that man. That is all there is to that, sir.

Mr. BECK. Mr. President, only one suggestion of the Senator from Massachusetts needs answer. If that statement was true, then I should be false to the best interests, as I think, of the American workman. He says I propose in this case to allow the raw material to come in at a higher rate than the manufactured article, and by allowing the raw material to come in higher than the manufactured article I am against American labor. If his statement was true his conclusions would be correct; but, unfortunately for him, on Saturday evening we allowed the iron and steel rods out of which the wire is made for the wire fences to be imported into this country at six-tenths of a cent a pound, or $13.44 a ton, reducing it from what the committee had reported, $22.40 a ton, or 1 cent a pound, to $13.44 a ton; and in the very next line after doing that we placed a duty on the manufactured product of $44.80 a ton, making a difference in favor of the manufacturer of $31.40 on the finished product more than was placed upon the raw material.

I thought it was well enough to contradict as bold a statement as the Senator made that I had voted to place a higher tax upon the raw material out of which the wire was made than I had upon the wire itself, for even my proposition of 1½ cents a pound was $32 a ton on the finished product as against $13 for the raw material. I could not quite afford to allow the country to understand that I had done what the Senator said.

Mr. DAWES. I want the Senator to understand what he means. Wire without being galvanized he proposes shall pay so much. He proposes that any man who will put $20 worth of labor and material on it in the shape of galvanizing it may bring it in at the same rate of duty.

Mr. BECK. The iron rod out of which the wire is made comes in at six-tenths of 1 cent a pound. Two cents on the finished material will pay for the galvanizing, the coating, and everything else; even under the present tariff it was all that was allowed the iron wire or wire rod, except 15 per cent. The result will simply be to get the very best article, because the manufacturer here being allowed his raw material at six-tenths of 1 cent a pound, and obtaining $44.80 on his product, can manufacture it, galvanize it, do everything else with it, and still undersell anybody who has to pay $44.80 a ton for competing with him, and nobody is going to bring in ungalvanized wire at that price. That is what I say.

Mr. DAWES. The question is not what the present tariff is. The question is not what we put upon the raw material, this ungalvanized wire. That is not the question. The question is what is the difference the Senator proposes to make between ungalvanized and galvanized wire. If he makes no difference he makes it an object to put the galvanizing upon it where labor is cheaper and where the material which is put on in the galvanizing process is cheaper and no duty paid upon it. He makes that inducement. That is what led me to say that the Senator offered a bounty to work abroad against work here.

Mr. BECK. If the Senator will allow me one word in regard to these poor starving industries in Massachusetts, a Senator, to whom a note was addressed by a leading New England gentleman who knows the fact very well—I will neither name the Senator nor the gentleman—hands me this note:

I call attention to the fact that the stock of the Washburn & Moen Wire Works of Massachusetts—

For whom the Senators plead—

sells and is scarce at $200 per share—the par is $100—and declare dividends of 20 per cent.

These are the poor starving men who are to be driven out of employment if the farmer gets his wire in, even galvanized, at $44.80 a ton duty.

Mr. DAWES. Will the Senator please to explain what that which Washburn & Moen put upon the wire after it is brought here or after it is made here has to do with the duty upon the wire itself?

Mr. BECK. It means that the iron wire comes in now coated and galvanized at 2 cents a pound, and has been coming for the last twenty years, and has still enabled Messrs. Washburn and Moen to raise their stock from 100 to 200 and to divide 20 per cent. and to make $500,000 out of this industry; and as we do not propose to put it any lower we do not care to give them $11.20 a ton more than they are getting now, as they are not starving.

Mr. DAWES. It does not make any difference to the Washburn and Moen patent whether the wire comes in free or pays a duty. That makes no difference at all with that process; and because the Senator can not reach that patent he makes faces at somebody else.

Mr. MORRILL. Mr. President, we have now consumed about three hours upon this inconsiderable question. I think it is time we should take a vote upon it.

I desire to call the attention of the Senate to the fact that the amendment proposed by me was the very suggestion made by the Senator from Kentucky; that is, to reduce the rate proposed in the bill to one-fourth of a cent per pound. I am in favor of protection to American industries, because I believe that it has contributed immensely to the growth and prosperity of our country, and will continue to do so; but I am not the slave of protection; I do not declare in favor of protection for protection's sake for the reason that that exigency has not yet arisen, and I do not think it will arise, certainly not until we have extinguished our public debt; nor will it arise until we shall have need of less appropriations for our public expenditures. The Senator from Kentucky comes in here a young man, but with the economical policies of a past generation. I desire to say to him and to others that this question is no longer a New England question, or a Northern question, or a Western question. Many of these industries are gravitating Southwest. Ere long iron and cotton will require that the labor to produce them, which will be, as I think, in the Southwest, shall have some protection. In fact, I do not believe that there is any State in this Union that does not desire the introduction and the growth of manufactures, and it is for the protection chiefly of the agriculturists, not mainly for those engaged in manufactures, that protection should be accorded. It is in order that there shall not be the entire population of this country engaged in one single pursuit, but that some of them shall be engaged in other pursuits where they will become consumers of agricultural products.

Mr. President, I do not desire to get into a general discussion on every item of the bill, but I ask whether we have not consumed time enough this morning on this question to take a vote upon it, and I recall the attention of the Senate again to the fact that I have accepted the suggestion of the Senator from Kentucky to put this at a quarter of a cent a pound more than the wire not galvanized, when the commission recommend 1 cent.

Mr. LOGAN. Before the vote is taken I desire to make a report from the Committee on Appropriations.

The PRESIDING OFFICER. The Chair will receive it.

ARMY APPROPRIATION BILL.

Mr. LOGAN. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 7077) making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes, to report it with sundry amendments. I ask that the bill be printed as proposed to be amended, and I will state to the Senate that at a very early day I shall call it up and ask to have it acted upon. I do not think it will take very long to dispose of it.

Mr. MORRILL. At what time?

Mr. LOGAN. I do not desire to interfere with the revenue bill, but I shall call it up the first opportunity where it will not interfere with the business of the Senate.

The PRESIDING OFFICER. The bill will be placed on the Calendar, and the amendments as reported will be printed under the rule.

Mr. LOGAN. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 2269) to increase the efficiency of the Army of the United States, to report it in connection with the Army appropriation bill, in order that it may be called up then.

AMENDMENT TO A BILL.

Mr. COCKRELL submitted an amendment intended to be proposed by him to the bill (H. R. 7327) to establish post-routes; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

INTERNAL-REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDING OFFICER. Is the Senate ready for the question on the amendment of the Senator from Vermont [Mr. MORRILL]?

Mr. BECK. I do not propose to take any more time and I do not expect I should have said one word on this amendment but for some questions asked me on Saturday and again to-day by the Senator from Massachusetts; but I again deny once for all that the notions I have are the notions of a past generation or that they are not being accepted by the world. I believe we have to liberalize our commerce, we have to reduce our taxes, we have to be able to sell as low as other people in order to control the trade of China, Japan, and the Indies, as we shall whenever we do trade fairly and upon reasonable terms. When I am seeking to reduce the cost of this article of wire and other articles to the farmers, I am seeking to reduce to the manufacturer as well the price of his sugar and his blankets and cotton and his raw material, and everything that is necessary to enable him to pull off his coat and work on terms like other people. The antiquated notion of the world is the one now adhered to by the Senator from Vermont. It has not been fifty years since England had a protective tariff on everything. She drained the American colonies until she would not allow them to make a horseshoe nail; she would not allow any but English ships to come into her ports, and she would not allow a coastwise trade.

Mr. MORRILL. But the Senator can name no other country that practices free trade.

Mr. BECK. I can name no other country that has quadrupled her commerce. There is nobody else that we can not compete with except

that single country. I hold her tariff in my hand. There it is in half a column, £20,000,000, nearly $100,000,000, drawn from liquors, tea, coffee, and tobacco. That is the whole tariff. I will send it to the Reporter to be incorporated in the RECORD.

Mr. MORRILL. I will relieve the Senator from having his article published by reading the English tariff myself and showing what every article is that they protect, that they have a duty upon; and on every article but one it is a specific duty:

	£	s.	d.
Ale or beer, specific gravity not exceeding 1,065° per barrel	0	8	0
Ale or beer, specific gravity not exceeding 1,090° per barrel		11	0
Ale or beer, specific gravity exceeding 1,090° per barrel		16	0
Beer, mum, per barrel	1	1	0
Beer, spruce, specific gravity not exceeding 1,190° per barrel	1	1	0
Beer, spruce, exceeding 1,190° per barrel	1	4	0
Cards, playing, per dozen packs		3	9
Chicory (raw or kiln-dried), hundredweight		13	3
Chicory (roasted or ground), pound		0	2
Chloral hydrate, pound		1	3
Chloroform, pound		3	0
Cocoa, pound		0	1
Cocoa, hundredweight, husks and shells		2	0
Cocoa paste and chocolate, pound		0	2
Coffee, raw, hundredweight		14	0
Coffee, kiln-dried, roasted, or ground, pound		0	2
Collodion, gallon		1	4
Essence of spruce, 10 per cent. ad valorem.			
Ether, iodide of, gallon		13	0
Ether, gallon		1	5
Fruit, dried, hundredweight		7	0
Malt, per quarter	1	4	0
Naphtha, purified, gallon		10	5
Pickles, in vinegar, gallon		0	1
Plate, gold, ounce		17	0
Plate, silver, ounce		1	6
Spirits, brandy, Geneva rum, &c., gallon		10	5
Spirits, rum, from British colonies, gallon		10	2
Spirits, cologne water, gallon		16	6
Tea, pound		0	6
Tobacco, unmanufactured, pound		3	1½
Tobacco, containing less than 10 per cent of moisture, pound		3	6
Cavendish, or negro-head		4	6
Other manufactured tobacco		4	0
Snuff, containing more than 13 per cent. of moisture, pound		3	9
Snuff, less than 13 per cent. of moisture, pound		4	6
Tobacco, cigars, pound		5	0
Varnish, containing alcohol, gallon		12	0
Vinegar, gallon		0	3
Wine, containing less than 26° proof-spirit, gallon		1	0
Wine, containing more than 26° and less than 42° spirit, gallon		2	6
Wine, for each additional degree of strength beyond 42°, gallon		0	3

It will be seen that Great Britain imposes a protective tariff upon all of these articles, and every one but one is a specific duty.

Mr. BECK. I have sent the British tariff to the Reporter, requesting that it be incorporated in the RECORD.

The paper submitted by Mr. BECK is as follows:

The British tariff.

RATES OF ALL TAXES AND IMPOSTS

From which the imperial revenue of the United Kingdom was raised, together with the gross amount yielded by each tax or impost, showing the total gross revenue in the year ending on the 31st day of March, 1882, with the costs and charges for collecting the same, under each head, these charges being deducted, and leaving the net amount of revenue; and of the aggregate revenue collected in the previous ten years.

[Compiled from Mr. Slagg's Return No. 350, session 3 (in continuation of Parliamentary Paper No. 393 of session 2, 1881), ordered to be printed August 11, 1882; with alphabetical rearrangement, and comparative statements of totals for the year preceding and summary for nine previous years.]

	Quantities taxed in 1881–82.	Rate of tax.	Gross produce in 1881–82.
		£ s. d.	£
Beer (old duties to April 4, 1881)			
And ale, not exceeding 1,055 degrees per barrel of 36 gallons	176	0 8 0	71
Not exceeding 1,090 degrees per barrel		11 0	
Exceeding		16 0	
Beer and ale (new duties):			
Worts, not exceeding 1,215 degrees per barrel	1,889	1 6 0	2,874
Exceeding 1,215 degrees per barrel		1 10 6	
Of other sorts, the worts being 1,057 degrees, and so in proportion	11,694	6 6	3,823
Of the Isle of Man	647	4 3 *	208
Cards:			
Playing, per dozen packs	3,494	3 9	655
Chicory:			
Raw or kiln-dried per hundredweight	104,759	13 3	69,413
Produce of the Channel Isles		12 1	
Roasted or ground, per pound	239,206	0 2	1,993
Chocolate, per pound	825,110	0 2	6,876
Cocoa, per pound	11,055,216	0 1	46,063
Husks and shells, per hundredweight	5,389	2 0	539
Coffee.			
Raw, per hundredweight	277,329	14 0	194,188
Kiln-dried, roasted, or ground, per pound	14,417	0 2	145
Fruit, dried:			
Currants, per hundredweight	930,274	7 0	325,610
Figs, plums, and prunes, per hundredweight	121,950	7 0	42,692
Raisins, per hundredweight	409,539	7 0	143,355
Plate:		£ s. d.	£
Gold, per ounce troy	569	0 17 0	484
Silver, per ounce troy	83,603	1 6	6,270
Spirits, and alcoholic articles.			
To April 4, 1881:			
Rum, &c., of and from British possessions, per proof-gallon	46,508	10 2	23,643
Rum, from country of production, per gallon	827	10 2	
Rum, not from country of production, per gallon	50	10 5	27
Brandy, per proof-gallon	25,557	10 5	13,312
Geneva	1,754	10 5	913
Tafia, of or from French colony		10 2	
Other sorts	1,463	10 5	762
Methylated		0 5	
Sweetened or mixed	23	10 2	12
From April 5, 1881:			
Brandy, per proof-gallon	3,087,346	10 4	1,595,177
Rum, per proof-gallon	4,291,007	10 4	2,217,143
Geneva, proof-gallon	214,368	10 4	110,774
Unenumerated, per proof-gallon:			
Not sweetened or mixed	444,388	10 4	229,604
Sweetened or mixed	21,604	10 4	10,989
Liquors, cordials, or other preparations containing spirits in bottles not tested for ascertaining the strength	4,335	14 0	3,034
Perfumed	24,513	16 6	20,230
Other sorts	992	14 0	695
Chloral hydrate, per pound	16,058	1 3	1,004
Chloroform, per pound	61	3 0	9
Collodion, per gallon	15	1 4 0	17
Ether, per gallon	23	1 5 0	28
Ethyl, iodide of, per gallon		13 0	
Naphtha, purified, proof-gallon		10 4	
Soap, transparent, per pound	21,158	0 3	265
Varnish, containing alcohol, per gallon (to April 4, 1881)	136	12 0	89
Tea, per pound	159,133,861	0 6	3,978,344
Tobacco, unmanufactured:			
Containing 10 per cent	48,922,045	3 6	8,561,374
Or more moisture	330	3 6	61
Containing less		3 10	
Free, for manufacture in bond	458,470		
Free, for agricultural purposes	73,721		
Tobacco, manufactured:			
Cigars, per pound	1,189,482	5 6	327,083
Cavendish or negro-head, of foreign manufacture, per pound	28,856	4 10	6,973
Cavendish or negro-head, of home manufacture in bond	32,094	4 4	6,954
Other manufactured	132,235	4 4	28,649
Admitted free for agricultural purposes	1,892		
Snuff, containing more than 13 per cent. of moisture, per 100 pounds	70	4 1	14
Snuff, containing less, per pound	34	4 10	8
Vegetable matter applicable to the uses of coffee and chicory (roasted and ground, mixed) from January 9, 1882, per pound	50,930	0 2	424
Wine:			
Of less than 26 degrees of proof-spirit, per gallon	7,709,072	1 0	385,931
26 degrees, and not less than 42 degrees, per gallon	7,863,806	2 6	982,774
Of 42 degrees, per gallon (with 3d. additional for each degree beyond 41)	854	2 6	123
Charges on goods delivered from the warehouses for home consumption, namely—			
Tobacco, per cent. on amount of duty		2 6	17,116
Other goods		5 0	23,287

* And upwards in proportion.

Aggregate amount, &c., of customs revenue for eleven years.

Years ending March 31—	Total gross receipts.	Repayments for drawbacks over entries, &c.	Net produce.	Charges of collection.	Net produce after deducting charges of collection, &c.
1872	£20,552,915	£297,660	£20,255,255	£1,023,434	£19,231,821
1873	21,274,962	301,428	20,973,534	1,010,628	29,962,906
1874	20,593,647	274,557	20,319,090	1,034,997	19,284,093
1875	19,469,096	122,543	19,346,553	1,015,926	18,331,001
1876	20,293,937	103,630	20,190,307	1,023,201	19,174,298
1877	19,994,882	102,761	19,892,121	1,019,385	18,878,274
1878	20,146,558	107,034	20,039,924	995,260	19,050,107
1879	20,446,994	101,519	20,345,475	1,005,049	19,346,920
1880	19,252,747	81,661	19,171,086	1,005,556	18,165,530
1881	19,306,439	95,650	19,210,789	1,019,742	18,191,047
1882	19,386,081	108,755	19,277,326	1,035,570	18,241,756

Mr. BECK. What the Senator from Vermont read proves exactly what I say that beer, wines, alcoholic liquors, coffee and its substitutes, tea, and tobacco, with the exception of a little upon dried fruits, form the British tariff, and she is not a very unimportant nation in the commerce of the world when we are paying her $130,000,000 a year to do our carrying trade. That is quite an important matter.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Vermont [Mr. MORRILL].

Mr. SAULSBURY. The amendment of the Senator from Vermont was an amendment to an amendment which I offered this morning. That amendment was withdrawn with the understanding that the amendment of the Senator from Vermont would fall with it, and then I offered a subsequent amendment in lieu of the one which I had previously offered and to which the amendment of the Senator from Vermont does not apply. I have no objection, however, to first taking a vote upon the proposition of the Senator from Vermont.

Mr. MORRILL. It will make no difference. I think the Senator had better allow my amendment to be voted upon first.

Mr. SAULSBURY. I am perfectly willing that it should be.

The PRESIDING OFFICER. The question now before the Senate is the amendment of the Senator from Vermont, which will be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 736, after the word "or," it is proposed to strike out the word "compound;" in line 737, after the word "whatsoever," to insert "not including paints;" and in line 740, to strike out "one-half" and insert "one-fourth of 1."

Mr. BAYARD. Let the question be divided, and let us vote upon the first amendment. That is a very good one.

The PRESIDING OFFICER. A division of the question being called for, the question will be first taken on the amendment of the Senator from Vermont in line 736, before the word "alloy," to strike out "compound;" so as to read:

When galvanized, or coated with any metal, or alloy, or mixture of metals, by any process whatsoever.

Mr. WILLIAMS. Is that an amendment to the one offered by the Senator from Delaware?

The PRESIDING OFFICER. It is not. The Senator from Delaware withdrew his amendment by consent of the Senate.

Mr. WILLIAMS. The vote on this amendment does not affect the amendment of the Senator from Delaware, I understand.

The PRESIDING OFFICER. It does not affect the last amendment offered by the Senator from Delaware. The question is on agreeing to the first amendment of the Senator from Vermont.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the Senator from Vermont is, after the word "whatsoever," in line 737, to insert the words "not including paints," and in line 740 to strike out "one-half" and insert "one-fourth of 1."

Mr. MORRILL. The last amendment is the one the Senator from Delaware desires a separate vote upon. Let the question be taken upon the amendment in line 737 first.

The PRESIDING OFFICER. The question is on the amendment in line 737, to insert the words "not including paints."

The amendment was agreed to.

Mr. MORRILL. The question now comes up on the amendment in line 740 reducing the rate proposed by the Tariff Commission and by the Finance Committee.

Mr. BAYARD. Let that amendment be reported.

The PRINCIPAL LEGISLATIVE CLERK. In line 740 it is proposed to strike out "one-half" and to insert "one-fourth of 1;" so as to read:

One-fourth of 1 cent per pound in addition to the rates provided in this act.

Mr. BAYARD. I submit to the honorable Senator from Vermont that there is an advance in the grade of manufacture and in the proportion of labor bestowed that would by the one-half cent proposed by this amendment raise the duty to an average of 37 per cent. ad valorem.

My object in the tariff bill has been a plain one throughout, to preserve so far as we could a proportion in duty, so that where you start upon a crude material and add to the value by advanced processes of labor there the rate of taxation in the tariff should accompany the advance in the labor bestowed upon it.

I have here from some persons whom I know, one firm, McDaniel, Harvey & Co., who have the chief seat of their works in Pennsylvania and Maryland, the statement that if half a cent contained in this proviso stands, it will give an ad valorem duty of 37 per cent. upon this manufacture. If that be so, what are you to say upon reducing it when you put upon pig-iron a tariff of very nearly 60 per cent. ad valorem?

Therefore, as I have striven from the first to the last that there shall be some faint thread of a principle running through this law, something to which you can apply the various processes, it seems to me that it would be out of proportion, that it would be entirely disproportionate to place the ad valorem duty upon the galvanized process of wire at 34 per cent. instead of leaving it as the bill now stands at 37. I should say, to my great surprise in differing on this question with my friend from Vermont, that it is better that the tax should stay at half a cent additional than at a quarter of a cent.

Mr. MORRILL. Very likely the Senator from Delaware may be right, but having joined hands with the Senator from Kentucky, who has almost frightened me out of my propriety this morning, I shall not desert him on this vote.

Mr. BAYARD. I hope the amendment will not be agreed to. It should stand, according to my theory, at one-half cent.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont [Mr. MORRILL].

The amendment was agreed to.

The PRESIDING OFFICER. The next question is on the amendment of the Senator from Delaware [Mr. SAULSBURY], which will be reported.

The PRINCIPAL LEGISLATIVE CLERK. After the word "enumerated," in line 735, it is proposed to insert the words "except wire."

Mr. SAULSBURY. The object of that amendment is to take wire out of this provision, which requires that where there is coating placed upon it of any description there shall be a duty of one-fourth of 1 cent as now fixed by the amendment of the Senator from Vermont, the object of my amendment being to secure the cheapest possible fencing material to the farmers of this country.

Mr. MORRILL. Having once wired in the fourth of 1 cent a pound, the Senator from Delaware proposes that we shall wire it out, and that this article which is particularly intended to be included shall be excluded. I trust we shall do nothing of that short.

Mr. McPHERSON. I now call attention to my amendment offered to the amendment of the Senator from Delaware.

The PRESIDING OFFICER. The Chair would suggest to the Senator from New Jersey that his amendment was not formally offered.

Mr. McPHERSON. I will now move to insert after the word "wire" the words "used for fencing only."

Mr. HOAR. How can a duty depend upon the subsequent use of an article the design of which is not apparent from its quality when it comes in, when the same article can be used for different purposes?

Mr. SAULSBURY. I suggest to the Senator from New Jersey to put his amendment in a shape to apply by numbers. Under the phraseology now suggested, "used for fencing purposes," it would be so hard to determine at the custom-houses that it would practically amount to nothing.

Mr. McPHERSON. I confess that I do not really know the sizes of wire used for fencing as designated in this bill.

Mr. SAULSBURY. I will inform the Senator from New Jersey that the sizes are between 5 and 16.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey to the amendment of the Senator from Delaware.

Mr. SAULSBURY. The Senator from New Jersey is going to modify his amendment.

Mr. McPHERSON. I am informed that the gauges of wire used for this purpose are between the numbers 5 and 16. I will therefore move to insert after the word "except wire" the words "used for fencing between gauges 5 and 16."

Mr. HOAR. Why does the Senator from New Jersey think that should be excepted? Is it any more just to pay a bounty to the foreigner who makes that kind of wire than any other?

Mr. McPHERSON. I do not know that it is, except in this regard: I am certain, for my part, that it should not all be exempted, but there seems to be a demand here that wire used for fencing purposes should be exempted. I am willing, so far as I am concerned, to submit to that demand, but I am not willing to include all wire.

Mr. PLUMB. If the Senator from Delaware and the Senator from New Jersey want to include fencing wire they do not want to include No. 5. No. 8 is the lowest number, I think, which is used for that purpose.

Mr. BECK. Between 8 and 13.

Mr. PLUMB. Nine is perhaps the most usual number, though I think 8 is often used. It certainly ought not to be any lower than 8.

Mr. McPHERSON. No lower than 8 and no higher than 13.

Mr. DAWES. Then it would be necessary to put a penalty on the use of any other wire.

Mr. PLATT. If I can have the attention of the Senator from New Jersey for a moment I should like to inquire of him whether this would include telegraph wire? I do not suppose the telegraph companies are such poor people that we need to legislate specially in their behalf.

Mr. McPHERSON. Between gauges 5 and 16, I was informed; now I am again informed that it is between 8 and 13. I confess I do not myself know what sizes of wire are used for fencing, as designated by numbers. If I can be informed on that point accurately, I can then prepare the amendment according to the suggestion of the Senator from Delaware.

The PRESIDING OFFICER. In what form does the Senator from New Jersey propose his amendment?

Mr. McPHERSON. I move to amend the amendment by adding after "except wire" the words "used for fencing only between sizes 8 and 13."

Mr. MORRILL. That is precisely the size that is used for telegraph wires—exactly the same.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey [Mr. McPHERSON] to the amendment of the Senator from Delaware [Mr. SAULSBURY].

The question being put, a division was called for; and the ayes were 23——

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. HAMPTON (when Mr. BUTLER's name was called). My col-

league [Mr. BUTLER] is paired with the Senator from Iowa [Mr. McDILL]. On this question my colleague would vote "yea."

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. SAWYER (when his name was called). I am paired on this question with the Senator from Mississippi [Mr. LAMAR]. If he were present, I should vote "nay."

Mr. HOAR (when Mr. SHERMAN's name was called). The two Senators from Ohio [Mr. SHERMAN and Mr. PENDLETON] are paired.

Mr. GARLAND (when Mr. WALKER's name was called). My colleague [Mr. WALKER] is paired with the Senator from Colorado [Mr. HILL]. If my colleague were here, he would vote "yea."

The roll-call was concluded.

Mr. VOORHEES. A pair has been arranged for myself with the Senator from Michigan [Mr. FERRY]. I would vote "yea" if not paired.

Mr. DAVIS, of West Virginia. I am paired with the Senator from Minnesota [Mr. WINDOM]. I announce the pair for the day, so that I shall not have to announce it again.

Mr. ROLLINS (after having voted in the negative). I desire to withdraw my vote. I am paired with the Senator from Florida [Mr. JONES].

The result was announced—yeas 27, nays 27; as follows:

YEAS—27.

Barrow,	Farley,	Jackson,	Saulsbury,
Bayard,	George,	Jonas,	Slater,
Beck,	Gorman,	McPherson,	Vance,
Call,	Groome,	Maxey,	Van Wyck,
Camden,	Grover,	Morgan,	Vest,
Cockrell,	Hampton,	Pugh,	Williams.
Coke,	Harris,	Ransom,	

NAYS—27.

Aldrich,	Conger,	Hoar,	Miller of Cal.,
Allison,	Davis of Ill.,	Ingalls,	Miller of N. Y.,
Anthony,	Dawes,	Jones of Nevada,	Morrill,
Blair,	Frye,	Kellogg,	Platt,
Cameron of Pa.,	Hale,	Lapham,	Plumb,
Cameron of Wis.,	Harrison,	McMillan,	Sewell.
Chilcott,	Hawley,	Mahone,	

ABSENT—22.

Brown,	Garland,	McDill,	Sherman,
Butler,	Hill,	Mitchell,	Voorhees,
Davis of W. Va.,	Johnston,	Pendleton,	Walker,
Edmunds,	Jones of Florida,	Rollins,	Windom.
Fair,	Lamar,	Saunders,	
Ferry,	Logan,	Sawyer,	

So the amendment to the amendment was not agreed to.

The PRESIDING OFFICER. The question recurs on the amendment offered by the Senator from Delaware [Mr. SAULSBURY].

The question being put, there were on a division—ayes 25, noes 23.

Mr. MORRILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. LOGAN (when his name was called). On this question I am paired with the Senator from North Carolina [Mr. RANSOM]. Were he here, I should vote "nay."

Mr. McDILL (when his name was called). On points of difference I am paired with the Senator from South Carolina [Mr. BUTLER]; but on this I vote "yea," as he and I agree.

Mr. McPHERSON (when his name was called). May I inquire if we are voting on the amendment of the Senator from Delaware?

The PRESIDING OFFICER. That is the amendment.

Mr. McPHERSON. After the word "enumerated," in line 735?

The PRESIDING OFFICER. That is it.

Mr. McPHERSON. I vote "nay."

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. ROLLINS (when his name was called). I am paired with the Senator from Florida [Mr. JONES].

Mr. GARLAND (when Mr. WALKER's name was called). My colleague [Mr. WALKER] is paired with the Senator from Colorado [Mr. HILL]. If my colleague were here, he would vote "yea."

The roll-call was concluded.

Mr. HARRIS (after having voted in the affirmative). During my absence the Senator with whom I was paired transferred his pair to the Senator from Michigan [Mr. FERRY] and he in turn transferred it to the Senator from Delaware [Mr. SAULSBURY] during his absence. I find that the Senator from Delaware and I have both voted on this roll-call. As I feel bound to take care of the pair of the Senator from Michigan, I withdraw my vote. Before the result is announced I should like to ask the Senator from New Hampshire if the Senator from Florida [Mr. JONES] is paired with any Senator?

Mr. ROLLINS. I just announced my pair with the Senator from Florida [Mr. JONES].

Mr. HARRIS. Then I believe I shall pair the Senator from Michigan with the Senator from Florida, and the Senator from New Hampshire and I can both vote.

Mr. ROLLINS. Very well.

Mr. HARRIS. I will let my vote stand "yea."

Mr. ROLLINS. I vote "nay."

Mr. SAWYER. I am paired to-day with the Senator from Mississippi [Mr. LAMAR] on all questions, I reserving the right to vote against adjournment and to make up a quorum. I announce that for the day.

The result was announced—yeas 29, nays 25; as follows:

YEAS—29.

Allison,	Garland,	Jackson,	Vance,
Bayard,	George,	Jonas,	Van Wyck,
Beck,	Gorman,	McDill,	Vest,
Camden,	Groome,	Maxey,	Voorhees,
Cockrell,	Grover,	Morgan,	Williams.
Coke,	Hampton,	Pugh,	
Davis of Ill.,	Harris,	Saulsbury,	
Farley,	Ingalls,	Slater,	

NAYS—25.

Aldrich,	Dawes,	Jones of Nevada,	Morrill,
Anthony,	Edmunds,	Lapham,	Platt,
Blair,	Frye,	McMillan,	Rollins,
Cameron of Pa.,	Hale,	McPherson,	Sewell.
Cameron of Wis.,	Harrison,	Mahone,	
Chilcott,	Hawley,	Miller of Cal.,	
Conger,	Hoar,	Miller of N. Y.,	

ABSENT—22.

Barrow,	Ferry,	Logan,	Sawyer,
Brown,	Hill,	Mitchell,	Sherman,
Butler,	Johnston,	Pendleton,	Walker,
Call,	Jones of Florida,	Plumb,	Windom.
Davis of W. Va.,	Kellogg,	Ransom,	
Fair,	Lamar,	Saunders,	

So the amendment was agreed to.

Lines 742 and 743 were read, as follows:

Steel in any form, not specially enumerated or provided for in this act, 3 cents per pound.

Mr. ALLISON. I move, in line 743, to strike out "3" and insert "2½," so as to conform to what has been already done.

Mr. BAYARD. I move to amend the amendment of the Senator from Iowa by making the duty 1½ cents a pound, and I will state why I make that motion.

The steel schedule in this bill is more elaborate than ever found its place before in a tariff law in this country or any other country as far as elaborate tariffs are concerned. We have provided in this schedule for almost every imaginable stage of steel manufacture and preparation, and this duty of 3 cents a pound proposed by the bill, reduced to 2½ by my friend from Iowa and proposed again to be reduced by me to 1½, would virtually place all unenumerated articles of steel at a higher rate of duty than almost any other, however advanced in manufacture. Three cents a pound is $67.20 a ton; 1½ cents a pound is $33.60 a ton. The Senate have already voted upon the matter of steel rails made by the Bessemer process a duty of less than 1 cent a pound—I think three-fourths of 1 cent. Your legislation, to be sensible and just, must be in contemplation of existing facts. The pace of modern invention in the reduction of crude ores by a single process to the condition of steel has been so rapid and so complete within the last ten years that it may be stated almost with safety that to make steel or to make iron is simply a question of the will of the manufacturer without increased cost for material. How utterly out of proportion to lay a tax of $6 a ton upon pig-iron or scrap-iron, what may be called iron in its crude state and first step of manufacture, and then by this provision to lay a duty of more than eleven times as much upon that which can be produced by the same process without any material increase in the cost of production?

I suppose that every member of the Senate has been furnished as I have been with letters stating the progress of invention under what is called the Siemens-Martin process, used principally in Germany, whereby the very combustion of the ore and of the metal is assisted by its own components, so that the very phosphorus which is fatal to the iron becomes the agent for making the iron purer and better in the course of the process. This is the triumph of modern invention, of human ingenuity for man's benefit, and yet the American tariff attempts to exclude the American people from the benefits of modern invention.

At page 24 and 25 of Mr. Oliver's statement before the Committee on Finance will be found his statement—I will not call it an explanation—but his statement as to why the Tariff Commission chose to put this egregious and exorbitant tax of $67.20 a ton upon all such steel in every shape as may have escaped their ingenuity in making out their schedule. I have oftentimes in praise of a man heard it said that what he did not know about a subject was not worth knowing. That is a common phrase; and I have a strong impression that what these able and skillful and ingenious manufacturers of steel and iron, who were properly represented by Mr. Oliver, do not know of their own interests on this subject it is scarcely worth while for any one engaging in that industry to acquire.

When I look over the action of the Senate, I see steel rails put at something like $18 a ton, corrugated steel put at 1.6 cents a pound, crucible cast-steel at 2 cents, and slabs at a rate much less than 2 cents per pound. I find that crucible cast-steel, that steel, as I understand, which requires the presence of charcoal in its manufacture, not above 5 cents per pound

in value is put at 1½ cents; valued at 5 cents per pound, which is $116 a ton, we propose to put a duty of $33.60 per ton, something in a fair proportion to both protection and revenue. Not above 9 cents in value it is put at 2 cents per pound, and above 9 cents at 2¾ cents per pound, this being crucible steel, the most expensive form in which steel is made. My friend from New Jersey will find it at line 667 of the bill.

I mean to say that this general measure of taxation is preceded by specific schedules of taxation arranged after very careful consideration of the subject, and yet at the end they propose to throw a drag-net, not over the past only, but over the future, for that is what Mr. Oliver refers to when he says the tariff is not made for existing exigencies of trade, but it is made for the future.

Mr. OLIVER. I say I do not know of any article to-day which is imported or made in this country which escaped us.

* * * * * * *

In making this general clause so high we intended to make them hold to the old names, and not endeavor to get ahead of the law, though it will not be used. You make the rate high, and you compel them to keep to specific names. But there was no intention of catching anything, because, as I say, we named every article we thought of, and to-day there is no use for that clause, but there may be next year.

Desiring to preserve a proportion in the scale of tariff duties, desiring that there shall be a fair equity resting upon the burdens of all production and of all consumption in this country, that there shall be, as I said this morning, some vague thread of a principle running through this law which we can apply to the various duties, I submit that it is utterly absurd to apply a duty of 3 cents per pound or $67.20 a ton upon all non-enumerated productions of steel, when the whole schedule has been so sifted, so examined, so arranged, and all by the Senate, at a rate far inferior to that which is now proposed. I submit to my friend from Iowa that he can scarcely find a steel product specially enumerated, because of its importance and of its advance in the process of manufacture, that is taxed so high as he now proposes to apply to the vast unknown, if it be vast, and I do not think it is very vast, for what Mr. Oliver and associates do not know about the various forms of steel is not worth inquiring about to-day. I say a tax of $33.60 per ton upon the production of steel is a fair and reasonable and full tax.

Mr. ALLISON. I quite agree with the Senator from Delaware that the present schedule with reference to steel is a very extensive one.

Mr. BAYARD. Very elaborate.

Mr. ALLISON. It is elaborate in every way. It covers, perhaps, almost everything that is now imported. I think the rate fixed by the committee was too high. I do not know but that the rate suggested by me was too high. It certainly would be upon the lower grade of steel known as Bessemer steel and steel made by kindred processes. And in order that there may be absolute fairness, I will modify my amendment by inserting 30 per cent. ad valorem, and then let the steel come in as it can. I trust the Senator from Delaware will accept that.

Mr. BAYARD. That is the present tariff.

Mr. ALLISON. I know it is, and it certainly is as low as we can afford to go.

Mr. BAYARD. I would rather vote for that than I would for the specific duty here proposed.

Mr. ALLISON. I will modify my amendment, then.

Mr. McPHERSON. May I ask the Senator from Delaware a question?

Mr. BAYARD. Certainly.

Mr. McPHERSON. On line 678, on "crucible cast-steel," "valued above 5 cents and not above 9 cents per pound," the duty is "2 cents per pound; valued at above 9 cents per pound, 2¾ cents per pound." That refers to a certain kind of steel, ingots, blooms, slabs, &c., &c. Now we go on to line 742, that we now propose to amend "steel in any form;" meaning, of course, any form other than the exact form designated; "not specially enumerated in this act." I want to know by what process of reasoning the Senator concludes that if, in a certain form as that in line 681, it shall demand 2¾ cents per pound, as already fixed, while in line 742, the same quality of steel shall only be subjected to a duty of 1½ cents per pound.

Mr. BAYARD. It is not the same quality of steel.

Mr. McPHERSON. Why not?

Mr. BAYARD. The schedule from line 667 to 682 covers the highest class of crucible-steel. It is from this class that the finest articles of machinery are made, that the finest cutlery is made. It is adapted to the production of the highest degree of skill and labor in articles composed of steel. Therefore it has all been enumerated. Why, then, should you put steel, in any form not specially enumerated, at a higher rate than you have proposed and adopted for the most expensive class of carefully prepared steel? I think the proposition of the Senator from Iowa is vastly more acceptable; it is vastly more just. I shall, with pleasure, vote for 30 per cent. ad valorem, for then I shall know, in a certain degree, what we are about; whereas if we put it 2½ or 3 cents a pound we shall not.

Mr. McPHERSON. The Secretary of the Senate has informed me that the item referred to was not changed at all except as indicated by the bill handed me, in line 679:

Valued above 5 cents and not above 9 cents per pound, 2 cents per pound; valued at above 9 cents per pound, 2¾ cents per pound.

This whole schedule is arranged very largely upon the form, not quality, of the steel, the form of blocks. For instance, a block less than a certain number of inches in size and less than certain pounds in weight is to bear a certain duty for a specific purpose and one well understood. Now, I submit that in line 742, if you propose to apply that rule, you should change the phraseology entirely. Instead of saying "steel in any form" you should say "steel of any quality not specially enumerated or provided for in this act," because it is specified as to form where rates are fixed as to form.

Mr. ALLISON. Does the Senator from New Jersey think that unless the word "quality" is inserted there will be some trouble about the higher grades of steel?

Mr. McPHERSON. In the former sections we provide for steel of a certain size and certain weight.

Mr. ALLISON. Then I submit to the Senator from New Jersey that the way to correct it is to strike out "in any form" and say:

Steel not specially enumerated or provided for in this act, 30 per cent. ad valorem.

I think that covers everything.

Mr. McPHERSON. I think the use of that phraseology is entirely unnecessary.

Mr. ALLISON. Well, strike out "in any form" and say:

Steel not specially enumerated or provided for in this act, 30 per cent. ad valorem.

Mr. McPHERSON. I have no objection to striking out those words. Perhaps that would be an improvement on my motion.

Mr. ALLISON. I suggest, then, the striking out of the words "in any form."

The PRESIDING OFFICER. The question is on the amendment just suggested by the Senator from Iowa.

The amendment was agreed to.

Mr. ALLISON. Now I move to strike out "3 cents per pound" and insert "30 per cent. ad valorem."

The PRESIDING OFFICER. Does the Senator from Delaware withdraw his amendment?

Mr. BAYARD. Yes; I think that is better.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa.

Mr. McPHERSON. In the whole metal schedule the commission has, I think, very wisely adopted a specific duty instead of an ad valorem duty. I should like to inquire why in this particular case there is a deviation from that well-known rule, which I believe to be a good rule?

Mr. ALLISON. Does the Senator address himself to me?

Mr. McPHERSON. Yes, sir.

Mr. ALLISON. The reason is that there is a great variety of price, for steel, dependent upon the quality and grade of it. This bill provides 3 cents per pound; I suggested a reduction to 2½ cents; the Senator from Delaware suggested a further reduction to 1½ cents per pound, and made a very excellent argument showing why 2½ cents per pound would be a very high rate upon a class of steel that might be imported; and so it occurred to me that the best way is to hold to the present law, which simply makes an ad valorem according to the value and quality.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

The clause from line 744 to line 756, inclusive, was read, as follows:

Provided, That all metal produced from iron or its ores, which is cast and malleable, of whatever description or form, without regard to the percentage of carbon contained therein, whether produced by cementation, or converted, cast, or made from iron or its ores, by the crucible, Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or open-hearth process, or by the equivalent of either, or by the combination of two or more of the processes, or their equivalents, or by any fusion or other process which produces from iron or its ores a metal either granular or fibrous in structure, which is cast and malleable, excepting what is known as malleable iron castings, shall be classed and denominated as steel.

The clause from line 757 to line 761 was read, as follows:

No allowance or reduction of duties for partial loss or damage in consequence of rust or of discoloration shall be made upon any description of iron or steel, or upon any partly manufactured article of iron or steel, or upon any manufacture of iron or steel.

Lines 762 and 763 were read, as follows:

Argentine, albata, or German silver unmanufactured, 25 per cent. ad valorem.

The clause from line 764 to line 779, inclusive, was read, as follows:

Copper, imported in the form of ores, and copper cement, 2½ cents on each pound of fine copper contained therein; regulus of and black or coarse copper, 3½ cents on each pound of fine copper contained therein; old copper, fit only for remanufacture, clippings from new copper, and all composition metal of which copper is a component material of chief value not specially enumerated or provided for in this act, 3 cents per pound; copper in plates, bars, ingots, Chili or other pigs, and in other forms, not manufactured or enumerated in this act, 4 cents per pound; in rolled plates, called brazier's copper, sheets, rods, pipes, and copper bottoms, and all manufactures of copper, or of which copper shall be a component of chief value, not specially enumerated or provided for in this act, 35 per cent. ad valorem.

Mr. BECK. I merely desire to suggest that that whole copper schedule is too high. We have reduced it from the present rate, it is true, but it is in all its forms absolutely prohibitory at the present rate as well as at the rate proposed in the bill. If there is to be any cheap-

ening of articles made out of copper or of which copper is the principal component element, the duty ought to be reduced a good deal lower that it is now. There ought to be some chance for some competition in order to reduce prices to a reasonable rate.

Mr. MORRILL. I hope there will be no motion to meddle with this. The rate fixed is 25 per cent. less than the existing law.

Mr. BECK. I am not going to make any motion in regard to it, but it is prohibitory now at the rate proposed, just as it is at the rate in the existing law, and the prices are unnecessarily kept up of everything connected with copper. I do not think that it is my duty to make every motion.

Mr. SAULSBURY. I ask the Senator from Vermont if that provision covers copper fastenings of vessels?

Mr. BECK. Of course.

Mr. SAULSBURY. We are talking about relieving our shipping interests and benefiting the carrying trade. It seems to me there ought to be some exception made in behalf of that particular interest of copper fastenings and sheathings in the construction of ships.

Mr. MORRILL. All these materials come in free for ship's use.

The item in lines 780 and 781 was read, as follows:

Brass in bars or pig, old brass, and clippings from brass or Dutch metal, 1½ cents per pound.

The item in line 782 was read, as follows.

Lead ore, and lead dross, 1½ cents per pound.

The items from lines 783 to line 785, inclusive, were read, as follows:

Lead in pigs and bars, molten and old refuse lead run into blocks and bars, and old scrap-lead, fit only to be remanufactured, 2 cents per pound.

Mr. INGALLS. Are these various items of the lead classification being agreed to?

Mr. BECK. They are increased.

Mr. INGALLS. The lead products in the chemical schedule were passed over with the understanding that they were to be considered when this portion of the metal schedule came up.

Mr. BECK. Yes, sir.

Mr. INGALLS. I did not want these items to pass as being agreed to until we had considered them in connection with the portion of the schedule of chemical products including lead products.

Mr. ALDRICH. I suggest to the Senator that it is first necessary to fix the duty on pig-lead.

Mr. INGALLS. I understand that.

Mr. ALDRICH. After that is done we can go back and fix the duties on the chemicals of which lead is a component.

Mr. BECK. I did not hear the Senator from Rhode Island.

Mr. ALDRICH. I merely suggested to the Senator from Kansas that it was necessary first to fix the duty on pig-lead, and then we might fix the duty on the lead products.

Mr. BECK. We have made in this bill on old and refuse lead run into bricks and bars and old scrap-lead 2 cents per pound, and under the present law it is 1½ cents per pound, if I am correct. On lead in sheets, pipes, or shot, the duty here is 3 cents per pound, which is 2¾ cents in the present law.

Mr. ALDRICH. I would suggest to the Senator from Kentucky that the rates are the same as the present law. He is mistaken about their being advanced.

Mr. INGALLS. They were reduced by the Tariff Commission and restored by the committee.

Mr. ALDRICH. That is it.

Mr. BECK. If I read the present law correctly, lead in sheets, pipes, or shot, we have made 3 cents instead of 2¾ cents a pound as it is under the existing law, or else there is a misprint in the table.

Mr. ALDRICH. Lead ore and pig-lead are the same here as under the existing law.

Mr. BECK. Yes, but the lead in sheets, pipes, or shot is 3 cents per pound by the bill, and it is 2¾ cents under the existing law, as will be seen on page 24 of the table.

Mr. ALDRICH. I think the Senator is right about that.

Mr. BECK. That item was increased and the others restored to the existing rates. The items in the chemical schedule, which the Senator from Kansas calls attention to, were passed over until we should act on this. I think the schedule is altogether too high.

Mr. WILLIAMS. I should like to ask what is the necessity of keeping up the tax on copper and lead as high as appears in this schedule?

Mr. ALLISON. Copper is reduced.

Mr. WILLIAMS. There is not one pound of copper or lead imported to-day into this country, nor is there likely to be in the future. We have more of both of those metals than all the world besides; and the effect of this high duty upon them is merely to give the monopoly to the men who own these mines and compel the people of this country to pay twice as much for lead and copper as they ought to pay. These duties benefit nobody except the capitalists who own mines.

Mr. PLUMB. Do I understand the Senator from Kentucky to say there is no lead imported into this country?

Mr. WILLIAMS. Very little. How can you import lead when the duty is 3 cents per pound and it is only worth 5 cents?

Mr. PLUMB. In 1882 the importations amounted to the value of $3,360,000.

Mr. WILLIAMS. Since the discoveries in the Rocky Mountains of mines of lead ore it has really been a drug in this country.

Mr. ALDRICH. The Senator from Kentucky is entirely mistaken. The importations last year were 6,300,000 pounds.

Mr. WILLIAMS. Was there any brass or copper imported?

Mr. ALDRICH. The importation of lead last year was 6,300,000 pounds.

Mr. WILLIAMS. Was there any copper imported?

Mr. ALDRICH. I thought the Senator was asking about lead.

Mr. WILLIAMS. Copper and lead both.

Mr. ALDRICH. We have passed the copper clause in the bill; it is not under consideration now.

Mr. WILLIAMS. I know, but this schedule includes it. I see no necessity for a duty on either.

Mr. PLUMB. This may be, as the Senator from Kentucky says, a drug; I believe in some forms it is a drug; but the lead industry of this country has assumed an entirely new phase since the discovery of large deposits of lead and silver in Colorado. The increase of the silver product in Colorado has been accompanied by an increase also in the product of the lead. Much the larger portion of the silver ores in Colorado are found in connection with lead, and very often the lead is the more valuable product.

I speak what I think I know when I say that if the duty on lead is considerably reduced, or in fact reduced at all, the production of silver and lead combined in Colorado will be very largely diminished. That product, of course, is so far from the market that undoubtedly there is a large addition to its price when it reaches the seaboard on account of railway transportation, and that is so much greater than the ocean transportation between the mines of Spain and other foreign countries and New York that to seriously reduce the price of lead would simply close the entire eastern market to the Colorado product; and that is true, although not precisely for the same reason, of the lead product of South Missouri and Southeastern Kansas. It is simply a question as to whether for the purpose of injuring a large portion of this country this industry shall be interfered with to this extent. I am only stating these facts that the Senate may be advised of what they really are.

Mr. MORGAN. I desire to know whether the Senate intends now to proceed to dispose of this subject or waive it until some future period?

The PRESIDING OFFICER. The Chair is unable to answer the question. No amendment is offered.

Mr. ALDRICH. Let us proceed with the bill if no amendment is offered.

Mr. MORGAN. Did I not understand that this subject was to be postponed and taken up in connection with the chemical schedule?

Mr. ALLISON. The chemical schedule had to be postponed until we saw what was done with the major products.

Mr. SHERMAN. I wanted to call attention to the marked difference between pig-lead and pig-iron; but I will not trespass now.

Mr. MORGAN. I desire to offer an amendment which would come in properly on the free-list; but I will offer it now in order to give notice of it. It is:

The product of argentiferous ores, by smelting or otherwise, where the silver produced thereby shall exceed in value all other substances in combination therewith.

The PRESIDING OFFICER. The Senator gives notice of a proposed amendment?

Mr. MORGAN. I shall propose to amend the free-list by inserting that. I submit it now because it is connected with this subject, and give notice of it here.

Mr. ALDRICH. The free-list is not now under consideration, and I suppose that is only presented as an amendment to be offered.

The PRESIDING OFFICER. It is simply notice of an amendment to be offered?

Line 786 was read, as follows:

Lead, in sheets, pipes, or shot, 3 cents per pound.

Mr. INGALLS. Will it be agreeable to the Senator from Vermont, we having concluded the lead classification, to return now to that in the schedule of chemical products?

Mr. MORRILL. I trust we shall not go back just at this time. I want to get through this schedule, if I can, to-day. There will be ample time to go to the other.

Mr. INGALLS. Very well.

The item from line 777 to 787, inclusive, was read, as follows:

Nickel, in ore, matte, or other crude form not ready for consumption in the arts, 20 cents per pound on the nickel contained therein.

Mr. SEWELL. I move to amend that clause by making the duty 25 cents per pound instead of 20.

Mr. PLATT. I move to amend the amendment of the Senator from New Jersey by making it 15 cents per pound.

Mr. SEWELL. As I understand, by the present tariff nickel has been at 30 cents per pound for several years, but under a ruling of the Treasury Department it has been reduced to 20 cents a pound. On that reduction the nickel works of the country have been closed, and are closed to-day, and can not be opened at a less per cent. of duty than 25 cents per pound. I submit that to the Senate as a matter of fact.

Mr. PLATT. Mr. President, nickel under the present law in the ore is 30 cents per pound, and nickel alloys are 20 cents per pound. Most of the nickel which has been imported into this country, indeed all of it except 22,000 pounds, has been imported in the form of alloy, which contains 95 to 97 per cent. of nickel and 3 per cent. of copper, it being alloyed merely for the purpose of importation, so that the importations into the country have been really at the rate of 20 cents per pound. Either duty is practically prohibitory. A single establishment in Connecticut uses of nickel annually three times the amount that has been imported into this country.

Mr. INGALLS. Where is it mined in this country?

Mr. PLATT. It is mined in one single mine near Lancaster, Pennsylvania, I think. When this duty was imposed of 30 cents on the ore and 20 cents on the alloy, nickel was worth from $2 to $2.50 or $2.75 a pound. A duty of 15 cents a pound to-day would be a higher ad valorem duty than that imposed when nickel was from $2 to $2.75 a pound and the duty was really 20 cents per pound on the alloy.

All this nickel, or three-quarters of it, is consumed in Connecticut for the manufacture of German silver. The tariff on German silver, the manufactured product, has been reduced from 35 per cent. to 25 per cent. ad valorem.

It is said that this nickel mine is closed. It is simply closed not because it does not pay, but because at the present time there happens to be an overproduction, and the owner of it will not reduce the price. The price at the present time is about $1 to $1.05 a pound. It can be produced—I do not make this statement from my own knowledge, but I make it from representations made to me by persons who I think are entirely familiar with the subject—it can be produced in this country as cheap as it can abroad, owing to the fact that this ore here is more easily refined.

Mr. BAYARD. What is the foreign price?

Mr. PLATT. The foreign price is somewhere in the neighborhood of 70 cents at the present time. I believe that 15 cents per pound is more than a fair protective duty to the gentleman who produces this nickel. Certainly my constituents are very greatly interested in not having so high a rate of duty placed upon it as to unnecessarily enhance the cost of the article which they manufacture, and which is then taken in its third stage and worked into articles which go all over the country.

Mr. VANCE. I wish to make a suggestion in the interest of the Senator's argument. I have understood that a large Britannia manufacturing company in this country had to set up over in Canada in order to avoid the heavy charge for this product. Perhaps the Senator may know that.

Mr. PLATT. It is true that an establishment which uses the German silver, which is made from nickel, of which nickel is the chief element of value, has been obliged to go to Canada and establish a manufactory, but I suppose that is on account of the Canadian tariff.

I was going to say that this nickel is coming into common and everyday use. It goes into almost every household in the land. All good plated spoons are made of German silver, of which the nickel is the element of chief value, and it is in the interest of everybody except the owner of this mine that no higher rate of duty should be placed on nickel than is necessary to give him a fair protection. That is all I ask for. I believe he will be fairly protected at 15 cents a pound.

I do not think there should be any distinction between nickel in the ore and nickel in the alloy. Although the alloy is the cheaper product it is not imported in the shape of alloy, except where the alloy is made really for the purpose of getting the nickel into the country cheaper under the present law than it can be got in in the form of the ore.

Mr. VANCE. Can the Senator tell us who is the owner of that one mine in this country?

Mr. PLATT. Mr. Joseph Wharton.

Mr. SEWELL. I have stated the facts in this case, that the only nickel mine and nickel manufactory in this country has been obliged to shut up in consequence of the ruling of the Treasury Department, which was brought about by an evasion of the law on the part of the importers of the nickel. The Senator from Connecticut is a very good tariff man until we get to something that the people of Connecticut want to have for their manufactures. The proposition which I make of 25 cents a pound is simply about one-third the value of the foreign article, which is certainly not a very high rate of duty, and which is proportionate to the other items in this schedule. I hope the amendment will be allowed.

Mr. PLATT. A single word. I am just this kind of a tariff man: I believe in a fair protection and only a fair protection to any article manufactured or produced in this country. I do not believe in a rate of duty which will be prohibitory, and so much more than prohibitory as to enable the producer or manufacturer of it in this country to add unreasonably to the price of his article. I am just that kind of a tariff man.

Mr. SEWELL. I would ask the Senator from Connecticut if the manufacture of this article in this country has not reduced the price of the foreign article very largely?

Mr. PLATT. The producer of nickel in this country produced nickel for a number of years at 50 cents, or from 50 to 70 cents a pound. He sold it from $2 to $2.50 and as high as $3 a pound, because there was a scarcity of it in the whole world. Recently a mine has been opened in New Caledonia which produces large quantities of nickel, and has thereby forced him to reduce the price, but I still believe he makes 100 per cent. on every pound of nickel he produces.

Mr. SEWELL. Does the Senator from Connecticut say that the price of nickel is 75 cents a pound?

Mr. PLATT. That is stated by those persons who consume it.

Mr. SEWELL. Mere hearsay.

Mr. PLATT. It is not mere hearsay. There are eleven establishments in Connecticut engaged in the manufacture of German silver, all of whom depend upon this producer for the nickel. As I say, they have been able to import very little. He has practically the control of the market in this country. They are very intelligent men; they are men who have examined this matter with the greatest care, and it is their statement that I make when I say that I believe Mr. Wharton can produce nickel at 50 cents a pound. I have never seen it denied by him. The statement has been made over and over again, and I do not think they intend to misrepresent him.

Mr. BAYARD. Is the amendment in line 788 to reduce 20 to 15 or in line 794 to reduce 20 to 15?

Mr. PLATT. Both; I shall make both.

Mr. BAYARD. I hope both will succeed.

Mr. SEWELL. I have moved to make the rate 25 cents.

Mr. BECK. The statement is made by the Senator from Connecticut that Mr. Wharton can sell his nickel at a profit at 50 cents a pound. Am I correct in that?

Mr. PLATT. I say that is my belief, based on information from gentlemen who, I think, are perfectly conversant with the subject.

Mr. BECK. The information I have, which is semi-official, for I sent to the Treasury for it this morning, is that 17,000 pounds were purchased last year by the United States at 80 cents a pound, and the mint is paying now $1.50 per pound to Mr. Wharton for it. He is a poor, suffering individual, too!

Mr. PLATT. Will the Senator from Kentucky allow me to relate a single incident which came under my observation?

Mr. BECK. Of course.

Mr. PLATT. A manufacturer in Connecticut thought that he had an opportunity to obtain a very large contract, amounting to millions of dollars, to furnish the Mexican Government with blanks for nickel coin. He applied to Mr. Wharton to buy the nickel. He could not buy it of him for less than $1, I think, or $1.05. He then was obliged to give up the contract, or give up the hope of getting it. After he had done that I am informed that Mr. Wharton went to another manufacturer and offered to sell him the nickel for the contract at 74 cents a pound if he would endeavor to get the contract.

Mr. MORGAN. Is there any other nickel mine in the United States besides Wharton's?

Mr. PLATT. No, sir.

Mr. BECK. There is a good illustration now of the suffering industries of this country; and a man will be told that he is acting in the interest of foreign labor and seeking to support everybody's interest abroad against the interests of this country if he seeks to reduce this, when Mr. Wharton has a monoply, selling to the United States at $1.15 per pound when he can sell at 50 cents. If we attempt to reduce this rate of duty from 20 to 15 cents per pound, as I propose to vote, I shall be told again that some suffering industry is stricken down. [Mr. SEWELL rose.] Not just now. I want to say a word about Mr. Wharton.

Mr. SEWELL. I simply ask the authority of the Senator from Kentucky.

Mr. BECK. I can not hear.

Mr. SEWELL. I ask the authority of the Senator from Kentucky for saying it can be sold at 50 cents a pound.

Mr. BECK. I did not say it; the Senator from Connecticut said he had good authority for saying that. I asked him the question. I say the United States is paying that for it to-day.

Mr. SEWELL. The invoice price for it on the other side is 55 cents.

Mr. BECK. I asked the question merely as to 50 cents and the Senator from Connecticut responded that he had good authority for saying so. Mr. Wharton is one of these patriots who are always seeking to protect American industry against pauper labor. He was a disinterested witness before the Tariff Commission, and Mr. Robert P. Porter, the gentleman who figured in the census and maps and books, and other things which brought him perhaps more profit than his pay, writes to "my very dear Judge" KELLEY from Long Branch, saying:

LONG BRANCH, *July* 27, 1882.

MY VERY DEAR JUDGE,

* * * * * * *

The commission has really begun business in earnest, and while no matter has yet been reached that you and I have not discussed over and over again, and no facts presented that we have not examined time and again, still it must be remembered that all the members have not had the advantages during the past three years that I have had, and consequently I listen patiently and observe the effect that the witnesses have upon them. The free-traders put forward their best man yesterday, Everett P. Wheeler, of New York, and he presented his case; but when our friend Wharton, of Philadelphia, took the stand the contrast was as great as between a Hudson River steamer and a magnificent Cunarder. No storm of questions could affect him and no witness has made such an impression.

I am very glad that the revenue bill has come to such an ignominious ending, and that, by the way, simply carries out what you said near a week ago.

The working of the commission is much more satisfactory now than hereto-

fore, as there is an evident desire on the part of the commissioners to take matters into their own hands and push them through. We have certainly a magnificent opportunity to do good work, and I am inclined to think we shall do it. I send you to-day a copy of the New York Herald, which contains a magnificent letter on the commission, and also a copy of the Graphic containing portraits of the commissioners.

R. P. PORTER.

Little wonder, with the nickel mine of America in his hand and selling to the United States at $1.15, that he should be protesting that American industry is to be destroyed if that monopoly is crippled in any way!

Mr. BAYARD. I hope that the amendment of the Senator from Connecticut will be amended by a further reduction. The present duty laid upon this metal, the uses of which are being increased and developed daily, amounts to 20 cents a pound, which is $488 per ton upon the crude ore. Is there any such tax imposed upon any other such crude ore or crude metal? If there is I do not know it.

The use of this metal in plating, beyond the production of the manufacture of German silver, is extending everywhere with great benefit. It's property to prevent oxidizing of metals is well understood, and everywhere it is being employed.

The proposition of the Senator from Connecticut would still leave a duty of $336 a ton upon nickel ore. Considering the rate at which other metals are put, would it not be reasonable to tax nickel ore at $224 per ton? Therefore I propose that in lieu of the 15 cents a pound suggested by the Senator from Connecticut in lines 788, 789, and 794, the tax shall be 10 cents a pound.

The PRESIDING OFFICER. The Chair suggests to the Senator from Delaware that an amendment to an amendment is now pending, so that his amendment can not be received at this time.

Mr. MITCHELL. Will the Senator from Delaware state what is the equivalent ad valorem duty now imposed?

Mr. SEWELL. The proposition as I made it is 25 cents, or equivalent to 35 per cent. ad valorem.

Mr. BAYARD. I had forgotten that the Senator from New Jersey first proposed to increase the duty. My amendment will be in order afterward.

Mr. MITCHELL. My attention has not been called to the subject, but I find by referring to the schedule before me that the present duty does not appear to operate as absolutely prohibitory by any means. It appears that during the past year there were 177,822 pounds of nickel ore imported. It also appears that it paid a tax of $35,564.40 at the rate of 20 cents a pound, and that the equivalent of that in ad valorem is 28.28, I think quite as low a duty as any imposed on similar natural products. I understand the proposition of the committee to be to leave it where the law now puts it—20 cents a pound.

Mr. SEWELL. The present law is 30 cents a pound on the ore, but there is a deviation in the law by putting in alloy and bringing it in under the 20 cents clause.

Mr. MITCHELL. I see by the table it is at 20 cents rate that importation comes in; the duty is 30 cents on the ore, which is 38.34 ad valorem. I have not heard any one representing the committee here presenting the views of the party interested in this matter, and it occurs to me that unless somebody is here to speak for him injustice may be done. I have not the honor of being a member of the Finance Committee. This subject has not beeen called to my attention. I know it is one of importance to our State, and I think it would be proper to have an understanding of the facts in regard to it. I do understand, however, that for the time being there is no production of nickel, and I can not understand how it is true or can be true that the statements made here are correct, that there is such an enormous profit in this business.

Mr. MORRILL. I seems to me that there has been a determination to make a raid upon Mr. Wharton. Now, Mr. Wharton I happen to know, and he is one of the most enterprising men in this country; and can it be believed that he would turn adrift three hundred men, as he did some time ago, who were employed in the business of mining nickel ore and making nickel—that he could turn them adrift and cease the product of this metal if he were making a profit? The idea that this is a large duty imposed upon it is refuted by the notorious fact that it is not bought abroad for less than 75 or 80 cents a pound, and when you compute the duty upon a ton, the value of a ton is $1,680, and therefore it ought to have some sort of decent treatment here in the Senate.

Notwithstanding the vituperation which may be hurled upon industrious gentlemen who can not reply, and refute the statements which are made here, I trust that we shall treat this matter with some degree of fairness and allow at least the amount proposed by the Committee on Finance.

I wish to say that in the second section here there seems to be a mistake; and I shall move at the proper time in line 791 to strike out all after the word "value," down to and including line 793. I do not wish to impose 20 cents a pound upon the manufacturers of iron where nickel is consumed in plating it, but my friend from Connecticut is very desirous to have the articles into which this may be manufactured decently protected. I am willing to accord it to him, but I do not wish to strike down any other industry that is equally worthy; and therefore while the Senator from New Jersey has made a motion to increase the duty, and the Senator from Connecticut wants to reduce it, I think the Senate may as well accept the proposition made by the Finance Committee, and retain this duty at 20 cents a pound, which is certainly a very moderate duty upon so valuable a metal as nickel.

Mr. PLATT. I have made no raid upon Mr. Wharton.

Mr. MORRILL. You have represented that this nickel could be produced by him for 50 cents a pound, as you believed. I have not a particle of confidence in any such statement.

Mr. PLATT. I have made no raid on Mr. Wharton. I know he is an enterprising gentleman, and I do not ask here and I would not ask here for any duty to be fixed on nickel which I did not think would adequately protect him clear to the point of giving him an advantage over the foreign manufacturer. If I believed that the duty which I proposed of 15 cents a pound would have that effect I should vote against my own amendment.

Mr. MITCHELL. The Senator will allow me. Does he think that 25½ per cent. ad valorem duty is too high to be placed on this ore? That is the rate that is fixed in the schedule of the Ways and Means Committee at 20 cents a pound, which I understand to be proposed by the bill pending in the House of Representatives.

Mr. PLATT. I see no reason why to-day a higher ad valorem rate should be placed upon it than was placed when the rate of the present tariff was fixed.

With regard to the product of German silver which is made from this, the Tariff Commission did cut it down from 35 to 25 per cent. ad valorem, and I am not here finding any fault with regard to that. New England manufacturers you will find ready to accept reductions; but they have to take this material in its second and in many instances in its third and fourth stages of manufacture, and then work it up into the articles which they sell. We find no fault with the reduction in German silver. The manufacturers do not desire to hurt Mr. Wharton except as they believe he is making to-day profits which are larger than he can fully claim the right to make. They desire that the duty shall be placed where it will still yield him a remunerative profit and give them a slight chance to reduce the value of the article which they manufacture.

Mr. McPHERSON. To say the least, the argument to-day has been a surprising one. As we run down these pages we find Senators voting to retain the duty on lead at 51 per cent., the duty on copper at 48 per cent. and 35 per cent., and not a word of protest is entered. We hear other Senators rising in their places and saying that they insist upon some degree of equality; that when the tariff is made there shall be an equality of rates. The article of nickel costs just as much to mine it, nobody pretends to say that it does not cost as much to take it from the ground and prepare it, as lead or copper or iron or any other commodity. According to the tariff schedule at the rate of 20 cents per pound the duty is only 28.28 per cent. ad valorem. I wish to know by what process of reasoning a Senator desirous of maintaining an equality of right, of justice, of fairness, will vote to maintain lead at 51 per cent. and copper at a corresponding rate, and because some individual happens to own a nickel mine you are then unwilling that the rate of 28 per cent. shall be paid; but no, it must be cut down to 15. I should like to have some explanation. I confess I have been very much astonished in listening to the arguments on both sides of this Chamber upon these questions. I am confused. I do not know the meaning of them. I can not understand the processes by which conclusions are reached. I am entirely at sea and quite sea-sick.

Mr. VAN WYCK. I ask the Senator if he has sufficiently recovered to give us his idea as to the duty proposed on this metal?

Mr. McPHERSON. The rate fixed by the existing tariff is 28.28 per cent. ad valorem.

Mr. VAN WYCK. I want to know the Senator's opinion as to the proposed duty on this metal.

Mr. McPHERSON. I asked why lead should bear 51 per cent. ad valorem duty and nickel only 28.28?

Mr. VAN WYCK. We have passed lead, and I am asking the Senator his opinion on this now. I supposed he rose to speak on this matter of nickel, and I wanted to know if in his confusion he had any clear idea on the subject of nickel.

Mr. McPHERSON. Yes; I have this idea: I do not think I shall vote to reduce the duty. Having passed the others at a higher rate, I do not expect to vote to reduce this.

Mr. VAN WYCK. Then because the Senate did wrong there he proposes to continue the wrong on this.

Mr. McPHERSON. No; but I want the Senate to be consistent.

Mr. VAN WYCK. He desires that the record shall be all right, although he sacrifices himself on this matter.

Mr. McPHERSON. I did not rise to bandy words about it, but simply to say that with the professions which have been made there should be an equality maintained, a principle of fair and just equality. I merely wished to know how the consistency of the Senate is going to be made clear by a process of this kind.

Mr. VAN WYCK. Precisely. Now one word. It is a very good time now to illustrate what some few gentlemen have been trying to do in this bill. It is a bundle of inconsistencies from beginning to end—your whole tariff is. It is filled with them. I congratulate myself that my friend the Senator from Connecticut [Mr. PLATT] is getting upon

the true Republican platform now—a tariff for revenue. I am rejoiced at that; and although I may regret a little the difference of opinion among the happy family of protectionists, yet it illustrates that this inconsistency has been going on to a very great extent, so that our friend the Senator from New Jersey has really got dizzy by the repetition of the ideas of this inconsistency. That is probably true. He is not the only gentleman who has got dizzy since we have been discussing these great problems here.

My friend from Vermont says that Mr. Wharton is an enterprising man. Certainly; he has got a mine. Who would not be enterprising if the Government would get its arms under him and give him the duty that is imposed upon this metal? I presume the Senator from Vermont means to say that the millions of this nation shall be taxed for this one man, who happens to own a nickel mine. My friend from New Jersey [Mr. SEWELL] says that this nickel mine is shut up; well, let it be shut up, and closed forever, if the whole American nation must be taxed, every man who desires to buy a little of the ore made from nickel—that the whole of this American nation must be taxed merely to accommodate Mr. Wharton, I care not how respectable he may be, and his one, single nickel mine. I care not whether it may be valuable or not, it costs this nation too much to run that individual mine for Mr. Wharton, I would say to my friend from Vermont; and nothing better will illustrate what this tariff is desiring to do in some of its features.

I am desirous that we should have a tariff for revenue with incidental protection, not for protection exclusively and alone, as some gentlemen have proclaimed on this floor and as the Senator from Vermont said in his argument for protection. There is no pretense, on the necessity to have a single solitary mine running, that you lay a tax on all the population of this nation to sustain it. That illustrates the discussion of this whole question. It can not be better emphasized than by the position taken here to-day. Connecticut can feel it when she feels the pressure about her manufactures, and she stands here, very properly, to arraign this Finance Committee, to arraign the attempt to fasten this tax even upon Connecticut manufactures; and I say the whole American nation stands and protests as the Senator from Connecticut protests.

Let us go a little further. You protect one manufacturer who owns a nickel mine, absolutely taxing the American nation, and that, sir, is no better whether there is one mine or whether there be eleven mine owners. You will probably protect, as you have protected, the owners of the eleven Bessemer-steel companies, and tax the whole United States to do it. You can not see it there; I believe the Senator from Connecticut can not see it there; but he can see it when it is confined to only one mine, to one man, and when it lays its heavy hand upon the manufacturers of Connecticut. Just as that lays its hand upon the manufacturers of Connecticut, so it lays its hand upon the laboring population of this nation. I speak of the majority of the laboring population. When the Senator from Massachusetts talks of protecting American labor, he thinks of a few thousand men and leaves out of his view the millions who go forth and toil and grapple with the soil, who receive no sort of consideration at his hand; he has no poetry for that class of laborers. It is the blushing cheek that he desires in the female operative at his factory, but he does not think of the others who live upon the great prairies of the West.

Mr. HOAR. I hope my friend from Nebraska, when I spoke of any blushing cheek, did not understand me as alluding to him. I certainly did not.

Mr. VAN WYCK. Oh, no; it was the other sex entirely. [Laughter.] I did not misunderstand the Senator.

Now, I shall be pardoned for these few remarks. I thought it was just a good opportunity to resolve the doubt between our protection brethren, and then I thought it was a very excellent opportunity to allow a little time for the great confusion and whirl in the mind of our good friend from New Jersey [Mr. MCPHERSON] to get composed on this subject, to see just where this matter was leading, and then further to show the injustice, the inequality, and the necessary inconsistency of the tariff when you get away from the only doctrine on which we can have a tariff in this country, and that is for revenue.

Mr. HAWLEY. Mr. President, I am reminded of what somebody said of Lord Brougham once when he was spoken of as a gentleman of vast and varied misinformation. There are many misapprehensions in regard to this very subject. The Connecticut manufacturers consume—I do not know how much—an illimitable quantity of this material. Here is a memorandum of the product of the nickel, and here is the product of that nickel, and here is a memorandum signed by four persons, representing the eleven brass and German-silver manufacturing companies, who have a united investment exceeding the sum of $8,000,000. These gentlemen are all interested in getting nickel as cheaply as they can, for they are using it in immense quantities daily, and it is going into every family in the land.

The Senator from Nebraska will be surprised to learn that these identical gentlemen of Connecticut have before rallied to save Mr. Wharton, and to maintain a reasonable protective duty that his nickel mine might be developed and played off against the nickel producers of Europe, who otherwise could very easily combine and hold the market entirely at their mercy.

The Senator speaks of it as an illustration of special selfishness on the part of Mr. Wharton. Not at all. The manufacturers of nickel in the country have been, I may say, equally interested with him in maintaining that industry, and I have known them to take the trouble to come here or send here and manifest a strong interest in Washington for the maintenance of a respectable duty on nickel, and by his efforts and theirs combined, the production and the good fortune of discovering further mines and enterprises in that direction, by all these things combined nickel has been brought down from $2.50 and $2.75, sometimes even $4 and $5 a pound, until it is now produced at about 70 cents a pound, and this development was done with a duty of about 25 per cent.

Mr. MITCHELL. Fifteen per cent.

Mr. HAWLEY. Ten to 30 per cent.

Mr. MITCHELL. Fifteen per cent. as stated by the list laid before the Senate.

Mr. HAWLEY. The existing duty was intended to be 30 cents a pound. It is indeed on nickel ore 30 cents a pound on the nickel contained therein, but the importations are made in the form of the alloy, which is, as my colleague has explained, 95 or 97 per cent. of nickel and a little copper besides. They send it in in the form of alloy, paying a duty of 20 cents a pound.

Mr. MORRILL. Instead of paying the whole 30.

Mr. HAWLEY. Instead of paying 30 as nickel, it has paid 20 as an alloy. This mining industry has been maintained by this moderate duty until the price of nickel has gone down to about 70 cents in the London market.

Now, we do affirm and we claim that Mr. Wharton ought to stand with us and yield to a reasonable request in this respect. He has been built up under a duty of something like 7 or 8 or 10 per cent., and we are perfectly willing to allow him a duty of some 25 per cent. I will with the permission of the Senate read a portion of this circular and put it in the RECORD. It is a statement by these gentlemen, well known in our part of the country to be gentlemen of high integrity and ability at the head of $8,000,000 of capital in this business:

The present duty on nickel is 30 cents per pound; on nickel oxide or alloy, 20 cents per pound; and most of the imports are of nickel alloy, 95 per cent. nickel and 5 per cent. copper. It is claimed that both nickel and nickel alloy should have the same rate of duty, and it may be conceded that this claim is substantially right.

Our manufacturers of German silver use chiefly the nickel alloy when they use imported nickel; it is their raw material. The duty on this being 20 cents per pound, its equivalent ad valorem duty is 28.28.

That the committee propose to continue.

The Tariff Commission's report proposes to increase this duty to 25 cents per pound—

That is the motion of the Senator from New Jersey—

its equivalent ad valorem duty being 35.36 per cent.

Now, note this:

At the same time it is proposed to reduce the present ad valorem duty of 35 per cent. on the product classified as "argentine, albata, or German silver" to 25 per cent. ad valorem. In other words, it is proposed to make the duty on the product or manufacture over 10 per cent. less than upon the raw material.

If the motion of the Senator from New Jersey should carry, which I do not anticipate, it would certainly be necessary then to go back in this bill and raise the duty on German silver. The circular proceeds to say:

The manufacturers do not object to this reduction of duty upon German silver, provided that the duty be reduced upon nickel, their raw material, as it should be.

When the duty upon nickel and nickel alloy was imposed nickel was worth from $2.20 to $2.70 per pound. It afterward became worth in England, as Mr. Wharton says in his evidence, from 16 to 20 shillings per pound. An abundant supply has since cheapened it, so that it is worth only about $1 a pound here and 70 cents a pound in England.

This is from gentlemen who buy it in very great quantities.

A duty of 15 cents a pound now is a higher ad valorem duty than 30 cents a pound was when the duty was imposed—

And when Mr. Wharton prospered—

with the price of nickel at that time.

This throws light on the subject:

It does not cost over 50 cents a pound to produce nickel in this country or abroad.

This may be disputed by the friends of Mr. Wharton, perhaps, as to his production, but that is the opinion of these eminent manufacturers. They proceed:

And a duty of 10 cents per pound would be a protection of 20 per cent. on the cost of the nickel.

We do not propose to make it that, though our manufacturers say they would like to have it and think it reasonable, but 15 cents they would be willing to concede. They certainly think that would be enough.

Mr. Wharton, who has the only establishment for producing nickel in this country, said to the commission that he employed three hundred hands in his business. The manufacturers of German silver employ their thousands of workmen, and thousands more are dependent on this industry. The manufactures of nickel have increased immensely within the last few years, and articles made of this metal are now a necessity in every household. It is a good metal, and it takes the place of other and poorer metals, like pewter, that was formerly used. There is competition enough in this country to keep down the price of the manufactured articles, so that all of very moderate means can buy, if the cost of the raw material is not increased by too high a duty.

The manufacturers have no desire to injure or cripple Mr. Wharton's industry. They believe, from the best of information, that he can produce nickel with a

handsome profit, with little or no duty, now that the industry is established. They believe 10 cents a pound will be ample protection, and in no event should it be over 15 cents per pound, which would be about the same duty as an ad valorem of 25 per cent. proposed for German silver. The manufacturers ask for no increase for their own production—

Mark that. They desire no increase of duties to protect their manufacture—

and will cheerfully submit to the proposed reduction from 35 to 25 per cent. on German silver if at the same time the duty on nickel shall be reduced to 10 cents a pound.

The interests of the manufacturers and the consumers are identical in this matter of cheap nickel; and there can be no monopoly and but a small profit to the manufacturers, as their large number and inevitable competition will keep down prices of German silverware to the lowest living rates. And while we are glad to know that Mr. Wharton has already realized an ample fortune from his industry, we believe he can continue it with a large profit with a duty of 10 cents per pound, as it is well-known that he can produce nickel here as cheaply as it can be produced in any other country.

Dated at Waterbury, New Haven County, Connecticut.

L. W. COE,
F. J. KINGSBURY,
D. S. PLUME,
G. W. CHEESEMAN,

Committee Representing Eleven Brass and German-Silver Manufacturing Companies, located in the Naugatuck Valley, Connecticut, whose united capital and investments exceed the sum of $8,000,000.

I think they make a fair statement. My colleague and myself do not desire to press overmuch in this matter, and we are content to make the duty 15 cents. We think it can bear that.

Mr. INGALLS. Mr. President, one of the incidental advantages of the high rate of duty hitherto imposed on nickel appears to me to be that the gentlemen who have purchasad it have deliberately engaged in an effort to defraud the revenue; that is to say, knowing that the pure nickel should bear a duty of 30 cents per pound, they have had it alloyed with 5 per cent. of brass, not for the purpose of improving the nickel, but for the purpose of cheating the Government, so that they could get their article in at 20 cents per pound instead of 30; but that *en passant*.

Mr. PLATT. Right there let me say that the gentlemen who manufacture it have had nothing whatever to do with that.

Mr. INGALLS. The gentlemen who export it, then.

Mr. PLATT. They found that law in existence. They found that by law they could bring it here at 20 cents a pound and it was perfectly proper for them to buy and bring it here.

Mr. INGALLS. Undoubtedly if they could induce the Treasury Department to regard this as alloy by deliberately putting in 3 or 4 cents' worth of brass to the dollar that they did not want to use.

Mr. McPHERSON. How would that affect it when it comes into this country?

Mr. INGALLS. I do not know, but it must undoubtedly be admitted and invoiced as alloy to be admitted at 20 cents per pound. If it came in as nickel it would pay 30; and I say that is one of the incidental advantages of a high rate of duty upon a raw material.

The Senator from Vermont stated that Mr. Wharton was an enterprising individual. I think he deserves the highest eulogium that that Senator can pass upon him. He owns the only mine of this metal that is known to exist in this country. This metal is employed in many establishments; it is used very largely in the fractional currency of the country. It has a very large and permanent market value. He cannot continue his industrial enterprise at a duty which is equivalent to something like $700 a ton, and therefore discharges three hundred men, who have been employed in mining this product heretofore, and closes the industry, having, as the Senator from Connecticut asserts, already made a competent fortune in the prosecution of this business.

Now, Mr. President, can the most ardent disciple of protection allege that there is any reason why there should be any duty upon this import?

I am myself a moderate protectionist; but I appeal to those who go beyond me and insist that protection *per se* is good, what conceivable reason in the face of the facts which appear here that there is but a single mine in this country, and that the owner of that has closed it and discharged his men because he can not satisfactorily mine the product at a protective duty of $700 a ton, why it should not be placed on the free-list?

Mr. HAWLEY. Does the Senator desire an answer now?

Mr. INGALLS. I wish I could have an answer.

Mr. HAWLEY. Those who may be supposed to know best about this are the men who have $8,000,000 invested in the business and desire cheap nickel. Is not that so?

Mr. INGALLS. I do not feel disposed to admit the entire truth of that.

Mr. HAWLEY. They desire to sell their goods as cheaply as possible, because that greatly extends the quantity and range of their sales.

Mr. INGALLS. If they all are compelled to pay the same amount of tribute upon articles of necessary consumption, it does not make any difference to them whether nickel is cheap or dear, because they all bear alike; and the men who buy ultimately are the men who pay.

Mr. HAWLEY. The Senator from Kansas is immensely mistaken about that. If he will go among some of those men who are accustomed to consulting the great markets he will find that they are very much pleased always to be able to sell an article at a lower rate if they can make a reasonable profit, because it greatly enlarges the range of customers. It brings their product within a range of people of more moderate means. I say the best judges in the world of this matter are the men who have eight millions invested in the manufacture; and they would be exceedingly sorry to see Mr. Wharton's mine closed permanently because he acts as a balance-wheel, a check upon the producers of the rest of the world, and without some American check it is the easiest thing in the world for them, by the use of the telegraph, in three days to combine on the price of nickel and govern the American market and compel our manufacturers to pay a high price for their raw material, which undoubtedly has the effect of reducing the gross amount of their sales.

Mr. INGALLS. When Mr. Wharton closes his mine and discharges his operatives and ceases to produce how does he hold any check upon the markets of the world?

Mr. HAWLEY. That is temporary.

Mr. INGALLS. The mere fact that he possesses a mine that he does not operate is no menace to the other producing industries of the world.

Mr. HAWLEY. Yes; but if these foreign producers would dare to raise the price of nickel, immediately Mr. Wharton would start again.

Mr. INGALLS. Then he is only waiting until foreign competition and domestic prohibition have brought this article up to such a prodigious elevation that he can secure any profit that he desires.

Mr. President, you place this article in any aspect you please; place it as raw material, place it as a partially competitive American product, and in view of the admissions that have been made by the Senator from Connecticut there is not the slightest reason for imposing any tariff duty whatever upon this product, because it is apparent that it is not being mined in this country in the interest of industry, but for the purpose of extravagant and extortionate profit on the part of the owner of this one mine.

Mr. HAWLEY. There is not one word in anything I have said which justifies that.

Mr. INGALLS. I am making an argument; I am not asserting what the Senator did or did not say.

Mr. HAWLEY. I would rather put 20 per cent on this than to vote to put it on the free-list, representing those eight millions of capital in the interest of American manufactures and American labor.

Mr. INGALLS. I am not representing organized capital. I do not stand here representing the incorporated manufacturing capital of this country. I speak for that great mass of people who produce nine-tenths of our exports and pay four-fifths of all our taxes; and I speak from that standpoint, and ask in view of the facts which have been adduced with regard to this product why in their interest should the impost be longer continued?

Mr. PLATT. I will answer that question.

Mr. INGALLS. I yield with pleasure.

Mr. PLATT. The people whom the Senator says he speaks for desire to have the articles which are made of German silver, into which nickel enters, cheap; do they not? That is the interest of those people. Now, put this upon the free-list; put it where it can not be produced in this country, and the price of this article is to be fixed by the foreign manufacturer. It will immediately go back to where it was years ago, at three or four dollars a pound in extreme instances. The inevitable result of that is to enhance the price of the articles which are used by the people whom the Senator says he represents. It can have no other effect. The men who live out on the prairies in the Senator's State who desire to buy German silver spoons, if this mine were to be permanently closed would have to pay an additional price for them because the foreigner controlling the market would get the price which Mr. Wharton formerly got for his nickel—three or four dollars a pound. Of course that would greatly enhance the price of the manufactured article.

Mr. INGALLS. Then they would not buy them.

Mr. PLATT. Then they would be deprived of those articles which they desire to use.

Mr. CAMERON, of Wisconsin. I ask the Senator from Connecticut how many foreign mines of nickel are known or worked at this time?

Mr. PLATT. I do not know with regard to that. There were several mines which were worked in competition, if I may use that term, with the mine in this country until a mine was discovered in New Caledonia which produces very largely.

Mr. CAMERON, of Wisconsin. Would not those mines be in competition with one another?

Mr. PLATT. Really, the mine in New Caledonia is the controlling mine in the world. You close this mine; put it where Mr. Wharton can not mine; let his mine run out, so to speak, and the New Caledonia mine, run by English capital, will control the price of nickel in this country and put it just where they please.

Mr. SEWELL. I will add that that mine is worked by convict labor.

Mr. HAWLEY. Yes.

Mr. INGALLS. Did the Senator say Mr. Wharton's mine was worked by convict labor?

Mr. HAWLEY. No, the New Caledonia mine.

Mr. INGALLS. I wish the Senator from Connecticut would advise me whether the mining of nickel is particularly expensive above that of quarrying other metals?

Mr. PLATT. It undoubtedly is. I ought to say in justice to Mr.

Wharton that it is represented, and I believe it to be true, that he sank from $500,000 to $1,000,000 in opening that mine, in devising processes for refining it, before he received any substantial return. I believe that he has got that all back, and that now it is a profitable industry to him and will be at this rate of 15 cents a pound duty.

Mr. INGALLS. How can it be if it is not profitable at 30 cents—if he has closed his mine and discharged three hundred men with the duty now at 30 cents?

Mr. PLATT. I said there was a temporary overproduction of this article, which I believe accounts for the stoppage of this mine.

Mr. INGALLS. The price, then, has gone down?

Mr. PLATT. It was stopped on the principle that he would rather close than put down the price.

Mr. INGALLS. If there is overproduction how can the price advance?

Mr. HAWLEY. When the surplus is used up he will go on.

Mr. PLATT. There is no difficulty about it.

Mr. INGALLS. Usually when there is overproduction there is a diminution in price.

Mr. PLATT. If one man holds it there will be no diminution in price until the surplus is used up, and then he will go on.

I beg pardon of the Senate for having spoken so much as I have on this subject, but I wish to add that I have looked at this matter with a good deal of care. I believe that 15 cents a pound is a fair duty in this matter. I do not believe it is too much duty, nor do I believe it is too little. I believe it is just about a fair duty, and therefore I have suggested that amount.

Mr. MORRILL. I must regret to be brought in contact with the Senators from Connecticut on this subject, but I do believe that they are doing the miner who is engaged in this business a very great injustice. This gentleman is engaged in various other enterprises. He had accumulated a handsome fortune and invested largely in this nickel business, and, as has already been stated, lost a large sum of money before he was able to successfully accomplish his object in making a good article. Subsequently, until the last three or four years, owing to the fraud of importing this article with only 3 or 4 per cent. alloy, he has not been making any profit whatever. Under such circumstances, while he has reduced the price, as is admitted by the Senators from Connecticut, more than 50 per cent., yet I have no sort of doubt if this establishment shall be kept closed they will immediately have to pay a higher price for nickel.

Now, let me call the attention of the Senate for one moment to the bugaboo—and I beg pardon for calling it so—in regard to the duties placed on German silver. It is true that the amount of duty proposed upon argentine and albata and German silver unmanufactured is 25 per cent., but what is German silver? It is made of 25 per cent. of nickel, 25 per cent. of zinc, and 50 per cent. of copper; merely melting them in that proportion makes your German silver. It seems to me they ought not to present that as much of an argument for a reduction of the duty on nickel. Only 25 per cent. goes into the manufacture of German silver; and then if you look at the bill you will find that it is proposed on the next page but one that the duties upon these articles that are manufactured, like silver spoons and forks and other things, is to be 45 per cent. That is what has been proposed.

Mr. President, I do trust that the Senate will not do any injustice about this matter one way or the other. I have no interest whatever in it. I merely want to see fair play, and I think if we retain the duty as proposed by the Committee on Finance, at 20 cents a pound, we may probably do at least what will not untimately and finally crush this industry, although I have some fears about it. I know a few years ago that the only great profit this manufacturer made upon this article was when he was able to supply Germany with nickel for subsidiary coins.

Mr. INGALLS. On the question of the fraud perpetrated on the revenue by the introduction of this alloy, I ask that a brief statement which was made by the Assistant Secretary of the Treasury, Henry F. French, before the Tariff Commission, may be read. I think it will appear what claim there is on the consideration of Congress for a further increase of duties.

The Principal Legislative Clerk read as follows:

Take the article of nickel referred to in paragraph 138, and which is assessable at 30 cents a pound. By paragraph 139 nickel alloyed with copper is assessed at 20 cents a pound. The commission has already heard Mr. Wharton on this subject, and he is engaged in that manufacture and understands more about it than anybody else in this country, and I have conversed with him fully on all these topics. The importation of nickel alloy began with about one-half copper and one-half nickel, though I do not understand that nickel is found combined originally with copper. But at any rate there seemed to have been some article called an alloy of copper with nickel, and it was a recognized article. Afterward we had an importation of an article containing 95 per cent. of nickel and 5 per cent. of copper. That seemed to be a pretty severe test of the law, and we had it analyzed and there was no doubt of the proportions of the alloy. There was no doubt either that that was an intentional combination, made with reference to the tariff. The question came up about the time that Secretary Windom came into office, although I think it had been discussed before Mr. Sherman.

I went through the whole matter as carefully as I could, but preferred to take the opinion of the Secretary on it, and laid the papers all before him. The Secretary did not decide the matter during his term of office, and when Mr. Folger came in as Secretary the question still remained there. I made a short brief after we had obtained the decision on the sugar question, which seemed to me to have some bearing upon it. Before that I had the impression that it was a fraudulent evasion of the law, and that the article ought to be assessed as pure nickel at 30 cents a pound. When men deliberately took nickel that was pure and put 5 per cent. of copper with it to make an alloy of nickel for the purpose of getting it in here at the lower rate of duty which our laws authorized, I thought that was a fraud, and we should assess it as pure nickel. But the Supreme Court of the United States decided in the sugar cases that a man might color pure sugar with black molasses in a vacuum pan for the purpose of reducing the color below its normal color, and that such sugar might be imported in the United States at a lower rate of duty.

Those facts were admitted: that the sugar was of the highest grade and had been colored in that way down to the lowest grade, so as to entitle it to be admitted at the lowest rate of duty. But that was the decision of the Supreme Court of the United States. I made a suggestion to the Secretary on this nickel question, that if that was the law then the nickel men undoubtedly had the right to take the nickel, melt it up, and put 5 per cent. of copper with it, and bring it in here and pay duty on it as an alloy of nickel with copper. And I do not know how we can escape that conclusion. I do not know how we can escape the application of that decision to a great many cases where we were inclined to say that the thing was a palpable fraud on the revenue, and should not be countenanced by the courts or anybody else.

Mr. ALLISON. That only shows that nickel and alloy of nickel should be at the same rate.

Mr. FRYE. Just as the committee have got it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut [Mr. PLATT] to the amendment offered by the Senator from New Jersey [Mr. SEWELL]. The Senator from New Jersey proposed to increase the rate from 20 to 25 cents per pound. The Senator from Connecticut proposes to reduce it to 15 cents a pound. The question is on the amendment to the amendment.

Mr. SEWELL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. HILL (when his name was called). I am paired on this question with the Senator from Arkansas [Mr. WALKER].

Mr. McDILL (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. McPHERSON (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE]. I would vote "nay," and he would vote "yea," if present.

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON]. If he were present, I should vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM]. If he were here, I should vote "yea."

Mr. VANCE (when Mr. RANSOM'S name was called). My colleague [Mr. RANSOM] is paired with the Senator from Illinois [Mr. LOGAN].

The roll-call was concluded.

Mr. JONES, of Nevada (after having voted in the negative). I withdraw my vote. I forgot for the moment that I was paired with the Senator from Kentucky [Mr. WILLIAMS].

Mr. ROLLINS. The Senator from Florida [Mr. JONES] is paired with the Senator from Michigan [Mr. FERRY]. I make the announcement for the day.

Mr. BLAIR (after having voted in the negative). I am paired with the Senator from Georgia [Mr. BARROW]. I withdraw my vote.

The result was announced—yeas 27, nays 13; as follows:

YEAS—27.

Allison,	Davis of Ill.,	Harris,	Platt,
Bayard,	Dawes,	Hawley,	Pugh,
Beck,	Farley,	Ingalls,	Saulsbury,
Camden,	Gorman,	Jackson,	Vance,
Cameron of Wis.,	Groome,	Jonas,	Van Wyck,
Cockrell,	Grover,	Kellogg,	Vest.
Coke,	Hampton,	Maxey,	

NAYS—13.

Aldrich,	Frye,	Miller of N. Y.,	Sherman.
Anthony,	Harrison,	Morrill,	
Chilcott,	McMillan,	Rollins,	
Conger,	Miller of Cal.,	Sewell,	

ABSENT—36.

Barrow,	Ferry,	Lamar,	Plumb,
Blair,	Garland,	Lapham,	Ransom,
Brown,	George,	Logan,	Saunders,
Butler,	Hale,	McDill,	Sawyer,
Call,	Hill,	McPherson,	Slater,
Cameron of Pa.,	Hoar,	Mahone,	Voorhees,
Davis of W. Va.,	Johnston,	Mitchell,	Walker,
Edmunds,	Jones of Florida,	Morgan,	Williams,
Fair,	Jones of Nevada,	Pendleton,	Windom.

So the amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment as amended.

Mr. SHERMAN. Let the clause be read as it now stands.

The Principal Legislative Clerk read as follows:

Nickel, in ore, matte, or other crude form, not ready for consumption in the arts, 15 cents per pound on the nickel contained therein.

Mr. INGALLS. "On nickel contained therein." How is that to be ascertained? By analysis at the custom-house?

Mr. PLATT. I desire to move the same amendment in the next

clause when we come to it. I do not think there should be any distinction.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The next paragraph, from line 790 to line 794, was read, as follows:

Nickel, nickel oxide, alloy of any kind in which nickel is the element of chief value, and ingots, sheets, or other forms of iron or other metal covered or plated with nickel, and wares made of metal so covered or plated, 20 cents per pound.

Mr. MORRILL. In line 791, after the word "value," I move to strike out down to and including the word "plated," in line 793, in the following words:

And ingots, sheets, or other forms of iron or other metal covered or plated with nickel, and wares made of metal so covered or plated.

This includes all forms of iron covered or plated with nickel. Obviously it should have no such duty placed upon it.

Mr. INGALLS. Let the clause be read as it would be if amended.

The Acting Secretary read as follows:

Nickel, nickel oxide, alloy of any kind in which nickel is the element of chief value, 20 cents per pound.

Mr. ALLISON. It ought to be 15 cents, to correspond with the other.

Mr. BAYARD. Is the paragraph open to amendment?

The PRESIDING OFFICER. The amendment is open to amendment.

Mr. BAYARD. Then I move to strike out "20" before "cents," and to insert "15."

The PRESIDING OFFICER. The Chair will suggest that the question be first taken on the amendment of the Senator from Vermont [Mr. MORRILL]. The question is on agreeing to that amendment.

The amendment was agreed to.

Mr. PLATT. In line 794, I move to strike out "20" and insert "15;" so as to read: "15 cents per pound."

The amendment was agreed to.

Line 795 was read as follows:

Cobalt, oxide of, 20 cents per pound.

The paragraph, from line 796 to line 799, was read, as follows:

Zinc, spelter, or tutenegue, in blocks or pigs, and old worn-out zinc, fit only to be remanufactured, 1¼ cents per pound; zinc, spelter, or tutenegue in sheets, 2½ cents per pound.

Mr. BECK. That is an increase on a very important article, both above the present tariff and above the proposition made by the Tariff Commission, whatever that is worth. I doubt whether the committee intended to increase the rate.

Mr. MORRILL. They did not.

Mr. BECK. The Tariff Commission reports to make zinc 1¼ cents a pound and in sheets 2 cents per pound instead of 2½ cents, so that we have added $5.60 a ton above the Tariff Commission report.

Mr. ALLISON. That is exactly the present duty.

Mr. BECK. I beg pardon.

Mr. COCKRELL. It is it exactly.

Mr. BECK. It is above what the Tariff Commission reported, and it is adding in the worn-out zinc, fit only to be remanufactured, and imposing a duty of 1¼ cents a pound on that, when the present duty is 20 per cent. ad valorem. Old zinc, fit only to be remanufactured, which it is proposed now to make 1½ cents a pound, is at present admitted, Senators will observe, under the head of "unenumerated" at the rate of 20 per cent. ad valorem. An article in the New York Post of a day or two ago reads thus—I do not know how accurate it is:

I am informed that it is proposed to change the duty on scrap-zinc from 20 per cent. ad valorem, equal to about $12.50 per ton, to 1¼ cents per pound specific duty, or $33.60 per ton. The article is fit only for remanufacture, and loses 15 to 20 per cent. in reducing to a second grade of spelter, which is worth 10 per cent. less than metal smelted directly from the ore. The effect is that the same duty is to be levied on scrap as on spelter. The product of scrap-zinc is of great use in remanufacture of ships' sheathing and for ordinary galvanizing purposes. Is it the purpose of those behind the packed Tariff Commission to increase the duty on an article fit only for manufacture 170 per cent. or more, or is it the result of ignorance? Certainly not the latter, for the writer called the attention of the president of the Tariff Commission to this article last fall, long before the commission completed its labors or made its report.

Why should we increase this duty from $12.50 to $33.60 per ton?

Mr. MORRILL. If the Senator from Kentucky will allow me, as I am anxious to make some progress, I will say that I do not know how this happened to be reported above the rate recommended by the Tariff Commission.

Mr. SHERMAN. I can tell the Senator from Vermont, and I think the Senator from Kentucky will remember it. When the effort was made to prevent the reduction of duty on lead, the duty on zinc was made to correspond with the duty fixed upon lead. I remember distinctly the matter being fully considered, and the representations were made by manufacturers of lead, especially from Utah and other Western Territories.

Mr. ALLISON. And from Missouri particularly.

Mr. SHERMAN. And Missouri; and we finally concluded that it was best not to reduce the duty on lead, and that zinc and lead must go together. Zinc is a little higher in value than lead. We decided that the relation of one to the other should be maintained. As that theory is pretty well knocked in the head in this bill, I do not care what is done with it; but that is the reason for it.

Mr. BECK. In the variety of discussions we had, that escaped my recollection; but it is a very important matter, it will be observed. Zinc and zinc in sheets, leaving out the old, amount in value imported to about $1,000,000. The duty collected on zinc in blocks or pigs was $276,125.88; in sheets $99,293.45. It is used very extensively, and I suppose we ought to leave the old zinc, for the reasons given in this statement, at 20 per cent. ad valorem, and place the other about where the Tariff Commission reported it. That is my idea of it.

Mr. ALLISON. Has the Senator from Kentucky any information as to the amount of scrap-zinc imported?

Mr. BECK. Here it is, on page 24. The amount of zinc in blocks or pigs is put at 18,408,391 pounds, the value at $736,964, paying a duty of $276,125.88; and in sheets the amount imported is 4,413,042 pounds, the value $207,031.68, paying a duty of $99,293.45.

Mr. ALLISON. But the Senator did not answer my question. I want to know how much old zinc is imported. The Senator is stating the zinc in sheets and in blocks. The unenumerated portion of zinc is not reported anywhere that I can find.

Mr, BECK. The Senator will observe that the unenumerated articles run up to a very large sum, of which that is a part.

Mr. ALLISON. That is a part, of course, but that includes all the metals.

Mr. BECK. It does.

Mr. ALLISON. All metals unenumerated.

Mr. BAYARD. I wish to say in regard to zinc, spelter, and tutenegue, which is the alloy of copper and zinc, that they enter now very largely into the progressive manufacture of galvanizing and coating iron. The tables which we have passed upon have lowered the rates of duty very properly and materially upon iron; and why should not the components be lowered *pari passu* with the rest? Instead of that the Senate has advanced the duty, as proposed by the Tariff Commission, 1½ cents a pound. It ought not to be higher than 1 cent.

Mr. ALLISON. The Senator from Ohio explained why zinc was advanced. It was advanced without any discussion, owing to the fact that we had advanced lead according to the report of the Tariff Commission.

Mr. BAYARD. That is like taking away from a man one eye because you put out the other.

Mr. ALLISON. I know, but I did not hear the Senator speaking of the increase in lead. I was only stating the reason why the committee raised this beyond the Tariff Commission report. I am not against the suggestion of the Senator from Delaware; I am perfectly willing to reduce the rate.

Mr. BAYARD. The lead schedule was passed over inadvertently in the Senate, and it will have to come up again when we get the bill out of the Committee of the Whole. It was passed without reflection, read rapidly, and gotten through without consideration; but it is too high and ought to be reduced.

Mr. VEST. I want to say to the Senator from Delaware that I agree with him generally in regard to the tariff question, but when it comes to the lead and zinc question I beg to differ with him very respectfully.

I say very frankly and candidly that while I do not agree with the statement which was attributed to the Democratic candidate for the Presidency, General Hancock, that the tariff question is entirely a local question, still I shall have much to say in behalf of lead and zinc when that question comes before the Senate.

Mr. ALLISON. The question of zinc is before the Senate now.

Mr. VEST. I agree entirely with the Senator from Ohio when he states that the question of zinc is indissolubly connected with the question of lead. The two must be considered together.

Mr. SHERMAN. I said simply that they were about the same value. They are both used largely for paints, and a discrimination could not be made between them as they compete with each other in the manufacture of paints. The rates of duty upon zinc and lead have been put ten times as high as they are on corresponding iron.

Mr. VEST. I do not know that there is any necessity for discussing the zinc question at this time, as the Senator from Delaware has advised us that he proposes to open the question as to lead. I will simply say in regard to it that while I believe in the general doctrine of a tariff for revenue, at the same time I have always held and hold now, and am prepared to defend the assertion, that inside of the limit of a tariff for revenue, protection, which is incidental to every tariff, should be given to the infant American industries. I hold that no Democrat, if this question is put even upon a plain partisan basis, will dispute that proposition.

The zinc industry is an infant American industry. It has grown up since the war. Two-thirds of the zinc produced in the United States is produced west of the Mississippi River in the States of Kansas and Missouri. If the duty which the committee proposes now upon zinc be reduced the result will be a destruction of this industry. If it is left alone and the duty is still imposed on foreign zinc, the result will be in a very few years in my judgment that no protection will be asked for at all.

Take lead, for instance, which is indissolubly connected, as the Sena-

tor from Ohio said, with zinc. In 1881 there were 43,000,000 pounds of lead ore produced in Southwestern Missouri and in Kansas, equivalent to 15,000 tons of pig-lead, and 34 per cent. of the total product of the whole United States. Of zinc ore 50,000 tons were produced in Southwestern Missouri and in Kansas, or two-thirds of the total product of the United States. There were engaged in mining in lead 2,000 persons, in lead smelting 300 persons, in zinc smelting 450 persons, and in operating pumps, drills, &c., 1,000 persons.

Immediately dependent upon the industry of lead and zinc are the towns of Joplin, Missouri, with 8,000 inhabitants, Webb City and Carterville, Missouri, with 4,000 inhabitants, Granby, Missouri, with 1,500 inhabitants, and Galena and Empire, Kansas, with 4,000 inhabitants. The lead furnaces are at Joplin and Granby, Missouri, and there are zinc furnaces at Joplin and Rich Hill, Missouri, and at Weir City and Pittsburgh, Kansas. The ore is found at a depth of from 30 to 150 feet beneath the surface.

I will not go through the statistics to show the effect of the tariff duty upon the production of lead and upon its price in Saint Louis, Missouri, and in New York, but I simply say that if this duty be reduced now the result will be, as I am informed by persons interested to the largest extent in the production, an absolute destruction of this industry at the present time. Within the limit of a tariff for revenue I propose to protect this production and this industry if I possibly can and I shall blame no other Senator if from his own State and his own standpoint within the limit I have mentioned he takes care of his people and of their industries.

Mr. CONGER. Mr. President——

The PRESIDENT *pro tempore*. Senators will come to order.

Mr. CONGER. I hope there will be a little order on the other side of the Chamber, for I wish to make a remark affecting some of my friends there.

The PRESIDENT *pro tempore*. They were in perfect order until somebody spoke to them.

Mr. CONGER. I desire to say that I hail with unalloyed satisfaction the new recruit, even if it is upon but one of the industries and productions of this country. I have been looking for several days past for the list of productions in the United States and I have made inquiries. I was anxious to find that there were industries somewhere in some of the States of the Union that needed protection. I looked in vain to Kansas; I ran over the productions of Nebraska. I did find a very important production in Kansas, of which I had no knowledge when that subject was before the Senate, that needed protection. That industry is an industry running loose, if we might say so, the castor-oil bean, and the production of castor oil therefrom.

I am free to say that for Kansas, when I came to the Senate I had prepared a little amendment and laid it on my desk to use, and see whether castor oil would start the Kansas Senators to vote in favor of the protection of that or anything else. I felt pretty secure on that subject. In Nebraska I failed to find any industry in the world that needs any protection. In Missouri, in olden times, when my friend from Kentucky and the Senator from Missouri and the members of the House from Missouri had to speak on tariff questions, I found that hemp was an important article needing protection in Missouri. I am told now that there was not protection enough to hemp; that the hemp fields are all gone, and that they do not raise enough hemp in Missouri now to hang their criminals. I failed on the criminal application, then, of the tariff question. I did not even know that lead was such a product of Missouri that the feelings of Senators could be touched by it; and I am very happy to find my friend from Missouri just as zealous and just as earnest to protect that industry of his State and ask the favorable consideration of other Senators for that protection as I was for lumber. I will take it right from the RECORD to-morrow morning when it is printed, unless the Senator shall have changed his statement, his assertion as to what would be the effect of a neglect to give protection to the lead industry and the zinc industry, which is coupled with the lead, that not being a product of Missouri.

Is it possible, as I now understand, that they have got another industry there to be protected—lead and zinc both? Then I have hope even for Missouri. But I was going to say that the gentleman, in a pathetic tone of voice, which he can not imitate but which he must feel, asserts here that if this tariff is changed and this protection taken away from zinc and from lead, a great industry in his part of the country will be prostrated. I said the same about lumber, but the gentleman's ears would not listen to what I was saying. He voted for free lumber all through, as he has for free everything else, and for reduction of tariff upon everything else until we came to zinc. He said a large number of persons would be thrown out of employment and that that great industry would be prostrated. God knows it would be prostrated, and the gentleman ought to know that the lumber interest would be prostrated while he appeals to me to save zinc. There is a kind of metallic ring to that, it is true.

I could help the Senator from Missouri save zinc, this production, this industry his people are engaged in, because I would have the protection of all American industries by a reasonable distribution of duties upon the products coming from other countries which compete with the industries here. The gentleman will not do it. He has not done it. He has voted with all these other gentlemen, whose interests in their own States in behalf of protection to the lumber which is becoming, from day to day, to be a more and more important interest of their constituents and to the workmen in their forests; he voted with them to put lumber on the free-list. I did not find these industries in Missouri. I feel very much gratified to find that there is one industry or two industries in Missouri that will call on my free-trade friend to change his opinions and to assert here, as he has done just now, that it is the duty of every Senator to labor for the protection of the industries of his State. How can that be done unless by some common link the industries of all States alike are regarded and all are protected under some proper rule?

I make these remarks because, so far as these questions have come up on the castor-oil beans of Kansas (and the castor-oil production needs protection), I intend when the proper time comes to call out the Senators from Kansas, as the Senator from Missouri has been called out, to labor for the defense even of that interest. I desire to say to the Senator from Missouri or to any other Senators that whenever within their States there is an interest separate, it may be, from that of every other State in the Union, one interest not known in other regions, with my views of protection and my duty to all parts of this country I shall vote for the reasonable protection of every industry in this land. I will not be a free-trader against everybody else and an ultraprotectionist for my own people. The people of Michigan do not desire me to take that stand. They ask for their industries the same reasonable, proper, rational amount of protection which they are willing to give to all the other industries of the land. We can not live any other way; legislators can not act in any other way. If it be so that some few great industries can control all tariff legislation and give protection, then all the minor industries or even the great industries of particular regions must fall to the ground.

Mr. PLUMB. Mr. President, I have been for some time during the period of my acquaintance with the Senator from Michigan delighted with his great ability, but very much concerned about the bilious condition of his stomach, as manifested by the intemperate speeches he has uttered here from time to time.

Mr. CONGER. If the gentleman will prescribe the Kansas remedy——

Mr. PLUMB. I have never had until now a fair understanding of the causes. His stomach has never known the delights of Kansas castor-oil.

The representatives of the smaller interests, in one sense a little larger, in the western country are confronted with just this condition of things: for many years, for twenty years or more, and especially since the adoption of the tariff made necessary by the war, we have been paying considerable prices to eastern manufacturers. We have regarded that as a thing which was necessary to be done in view of the necessities of the Government, and have subscribed in a modified way to the theory of protection on which the imposition was founded. After a time we have found ourselves in possession of a small industry, the production of lead and of zinc, which we have modestly sought to have put upon the same footing with the greater interests of this entire country.

I think I feel entirely warranted in saying that if the iron and the copper and the cotton and the other interests of this country are perfectly willing to wipe out all tariff duties, the representatives of the lead and the zinc interests of Kansas and Missouri are willing to do the same thing. If we can have free trade in all the other things, saying nothing about it now as a thing apart from this question of comparison, we are willing to take the same thing; but for twenty years the interests of the eastern portion of the continent have been built up and fructified and made profitable, I do not say at our expense in any offensive way, but after this has occurred for now to come around at this late day and in reference to an industry which has sprung up in the last five or six years to any considerable importance to reflect upon us, because we say on the whole we should have some of the medicine which we have ourselves given heretofore with no stint and at great expense to ourselves, is not a very fair thing, I think, to say.

However, the Senator from Michigan puts this interest upon the same platform with lumber. I had occasion to say the other day why I thought it stood apart from all other interests in this country seeking protection; that it did not seem wise with one hand to advance the price of lumber in the United States and stimulate its production and with the other hand to give bounties for the destruction of the forests, and the lavish waste thus encouraged was bringing about, but still the logic of events has taken the Senator from Michigan I have no doubt in the ranks of what he would call the free-traders. All I want for him now to say is that while he accepts the logic of the situation in reference to lumber he will not apply that logic alone to lead and zinc, but that he will apply it to iron, to copper, and to all other manufactures in this country, and put them all on the same footing, and particularly copper, as the Senator from New Hampshire says, with a relish which I think he must have some basis of fact probably back of it, so that when we come to look at these questions we may consider the people who are interested, the protection heretofore accorded, the benefit derived from it, the condition of industries as they are to-day, and when that has been done I am satisfied that the interests of lead and zinc in Missouri will be perfectly willing to take an account of stock and abide by the result of the invoice.

Mr. LOGAN. Mr. President, I do not know that I have anything to say about what I shall vote for or what I shall not in reference to other matters. I will try to be as consistent as possible. I have no discussion with any gentleman as to the interests of his State or those which are not interests of the different States; but in part I represent a State that has some interests so far as zinc is concerned. I believe the only zinc mills in the United States are in my State, two in La Salle County, and I have a statement here giving the amount of spelter, tin, zinc, &c., imported into the United States since 1876 up to the present time showing very large quantities. I submit it for publication in the RECORD:

Importation of spelter and sheet-zinc at New York from January 1, 1876, and for nine months to October 1, 1882.

Year.	Spelter.	Sheet-zinc.	Spelter.	Sheet-zinc.	Total.
	Pounds.	*Pounds.*	*Tons.*	*Tons.*	*Tons.*
1876	504,958	1,901,914	225	849	1,974
1877	1,138,490	1,332,149	509	603	1,112
1878	1,101,605	856,220	492	382	874
1879	4,272,107	2,621,601	1,908	1,170	3,078
1880	6,100,653	4,288,028	2,750	1,900	4,650
1881	5,511,203	2,676,700	2,461	1,195	3,656
	18,689,076	13,696,702	8,345	6,099	14,444
1882 (nine months)	19,821,842	4,074,550	8,849	1,819	10,688

Previous to March 1, 1882, there was but one sheet-zinc mill in operation in the United States. Since that date two mills have been in operation, both in La Salle County, Illinois.

Mr. ALLISON. May I ask the Senator how much of that is old zinc? Is that specified?

Mr. LOGAN. No, sir. The table shows that within the last nine months the amount of spelter imported into this country was 19,821,842 pounds, of sheet-zinc 4,074,550 pounds, of spelter 8,849 tons, showing a very large importation of this article. This industry being one that is not a very old one in this country, if there is anything that needs protection it certainly does need it as much as any industry. I do not say whether it ought to have it or not except that according to the rule and the idea of a tariff for the protection of industries where they are growing up in this country, this certainly deserves it and ought to have it.

The gentlemen who are engaged in manufacturing this article complain very bitterly that they were not properly treated by the Tariff Commission; that they were not properly heard; that their industry was entirely ignored while similar industries were put up much higher. Whether that claim is proper or not I do not know; but that is what they do say. They claim that the tariff in reference to lead, spelter, and zinc and everything of this kind (but I only speak of zinc now) ought to be 2½ cents instead of 1½ cents a pound. One and a half cents is the old rate, which they claim has been but of little benefit to them so far as protection is concerned, and that in order that this industry should be placed upon the same basis as other industries it ought to have 2½ cents tariff. As I said, it is reduced to 1½ cents, and the commission recommended 1¼ cents. It is very hard to get anything raised here in the Senate, there has been such a raid by our friends on the other side who believe in low tariff, and a few of our friends on this side who seem to have very recently got the disease of free-trade are sufficient to vote with that side and beat everything almost that this side proposes. I do not know that it is necessary to propose an increase of this tariff, but I shall do it. I shall move to increase it one-half cent per pound.

I do not want to detain the Senate. I have some letters here from gentlemen who are engaged in manufacturing this article, in which they protest against the tariff as laid in this bill and as recommended by the commission, and give some comparisons to show the manner in which they think they have been treated. Without detaining the Senate, for I do not wish to discuss anything in connection with this tariff, I shall ask the Senate to merely take a vote. I move to increase this article half a cent per pound, so as to make the rate of duty 2 cents a pound.

Mr. McPHERSON. Is the Senator from Illinois aware that this item in the bill is largely increased above the commission's report?

Mr. LOGAN. I differ with the Senator. It is only an increase of a quarter of a cent. The commission recommended 1¼ cents, and the committee has reported 1½ cents.

Mr. McPHERSON. That is a difference of $5.60 a ton.

Mr. LOGAN. It does not make any difference; it is a very small increase.

Mr. McPHERSON. The Senator's proposition is to increase it half a cent above that?

Mr. LOGAN. Yes, to make it 2 cents a pound.

Mr. VEST. What motion does the Senator from Illinois make?

The PRESIDENT *pro tempore*. In line 797 the Senator from Illinois moves to increase the rate from 1½ cents to 2 cents per pound.

Mr. BAYARD. I should like to ask the Senator from Vermont whether he does not think the time of adjournment has about arrived? It is 6 o'clock. He has charge of the bill.

Mr. MORRILL. I desire to say that we have made very little progress to-day.

Mr. BAYARD. We have been here since 11. I have given very close attention to the bill since the time we started on the discussion.

Mr. MORRILL. I do not intend to vote for an adjournment until 9 o'clock. At all events I want to get through with this schedule.

Mr. SHERMAN. Let us make it 9 o'clock.

Mr. MORRILL. Nine.

Mr. ALLISON. I hope the Senator from Vermont will give notice as to the time he will agree to an adjournment. I think that would be rather important.

Mr. MORRILL. Nine o'clock.

Mr. ALLISON. If it is understood that an adjournment will take place at 9 o'clock, that will be satisfactory to everybody I think.

Mr. BAYARD. I hope the Senate will not sit until 9 o'clock. I understand that the honorable Senator from Vermont expresses his personal desire, nothing further, upon this subject. I move, therefore, that the Senate do now adjourn.

Mr. SHERMAN. I understood that it was agreed that this week we would sit until a later hour.

Mr. MORRILL. I gave notice on Saturday evening to that effect.

Mr. ROLLINS. It certainly was the understanding.

Mr. MORRILL. It was generally assented to on Saturday evening that we would sit this week every evening to a later hour.

Mr. BAYARD. I have always had the impression that a motion to adjourn was not debatable.

The PRESIDENT *pro tempore*. It is not debatable.

Mr. BAYARD. I have made the motion, and I have a right to have it put.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Delaware, that the Senate adjourn.

Mr. MORRILL. On that I ask for the yeas and nays.

Mr. BAYARD. Let us have a division.

The PRESIDENT *pro tempore*. The Senator from Vermont calls for the yeas and nays.

Mr. BAYARD. Let us have a division.

Mr. ROLLINS. Let us have the yeas and nays.

Mr. HARRIS. I think if we take a division the Senate will not adjourn if the Senator from Vermont desires that it should not. I suggest to try a division before asking for the yeas and nays.

Mr. BAYARD. Try a division.

Mr. MORRILL. Very well.

The PRESIDENT *pro tempore*. Those in favor of an adjournment will please rise and stand until counted.

The Senate refused to adjourn; there being on a division—ayes 16, noes 28.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Illinois [Mr. LOGAN], to increase the duty on zinc, &c., in blocks or pigs from 1½ cents per pound to 2 cents per pound.

Mr. BAYARD. Mr. President, I wish to say a few words in regard to the remarks of my friend from Missouri [Mr. VEST]. We are trying to take a step toward reform of our system of tariff duties. There is a general concession in public opinion that the present tariff is obstructive to our domestic industries and obstructive to our commercial intercourse with other nations; that it is complicated, obscure, and excessive in its rates. The task has been proposed to Congress to remodel the tariff and get rid of these defects if possible. There is, as far as I can understand, an intelligent, clear, public demand for a reduction of the scale of tariff duties, for a simplification of the system; that there shall be some method by which the necessaries of life and the cost of production in this country shall be lessened.

How is that to be obtained? We feel here the difficulty of dealing with the diversified industries of this country and the diversified productions of the country. The Senator from Missouri speaks very naturally when he says that while he is for a revenue tariff generally, yet when it comes to some especial interest near his home and among his people he feels the duty incumbent upon him to insist upon a protective spirit in the law that he does not feel as applied to other portions of the country. That is a very natural feeling which does exist, and it is one of the chief causes of difficulty we now encounter in settling our system of tariff taxation.

At the very root of the doctrine of taxation lies, it is true, a necessary principle, that it is a public act and for a public purpose, and the very instant that you shall change that doctrine and make it a private act or a local act for a private, class, or local purpose then you have begotten the natural rivalry between localities and local interests that will make it almost impossible ever to reduce a system of taxation which has been swollen and enlarged to an improper extent.

It was the exigency of the war; it was the haste, the inevitable haste at that time to discover objects upon which taxation could be levied that led to this conglomerate system both of internal and external taxation which we have witnessed for so many years past in this country.

The internal revenue has comparatively been simplified. It has been reduced to three or four chief heads. Distilled spirits, fermented liquors, and tobacco form its chief heads; but the tariff upon imports has not only had no modification since war ceased, but, on the contrary, repeated intensification in many of its features.

The tariff of 1867 lowered internal revenue, but it seriously increased the duties upon imports. The tariff of 1875, another most unwise advance in tariff duties, was made in a time of profound peace, and some of its evils are those from which we are now seeking relief.

How is it to be done? If the doctrine suggested by my friend from Missouri is to be followed up, then the compliments of the Senator from Michigan will of course be passed around the Senate—"You tickle me, I tickle you;" "You sustain my local industry and I will join hands with you to sustain yours." And so you will have this cordon of combined interests which will effectually prevent anything like the reformation and reduction of taxes which is sought.

Mr. CONGER. Mr. President——

Mr. BAYARD. The Senator will pardon me; I will give way to him in a minute. The Senator calls on the Senator from Missouri and welcomes him into the ranks of protection because he says upon the subject of zinc and spelter and the like he wants to have an increase of duty over the present high rates, and now he says, "You voted to put lumber on the free-list, but I will show a peculiarly Christian spirit by voting for your favorite article, and I will vote for every other in order that there shall be a firm combination that in the end will be able to resist all attempts at reform and reduction asked for."

I saw this spirit; I recognized it. I do not speak of it disrespectfully; I look upon it as a natural exhibition of human feeling; but I do say it is as fatal as death to the principles of sound and just taxation. In a country like our own, with that spirit started and that rivalry for local interests among local representatives, there never can be and there never will be an agreement.

If we ever mean to pass a truly reformatory law upon this subject it must be upon the basis that it is the public interest which shall affix the grade of taxation sufficient for public needs and purposes, and that individual demands raising it beyond such requirements shall not prevail. Upon that principle Congress may proceed to make a tariff law. Upon the other system of a mere division of the spoils of legislative power, for that is what it is, I do not believe that the Senate or the House of Representatives ever can agree.

Our interests in this country are so diverse—by that I mean that the diversity of the production, the natural clash and rivalry of local interests, are so great—how are they to be harmonized; how are they to be brought together? If you are to have combinations to advance one especially or an especial class, what will be the result? That the weakest will go to the wall, that those who can command the most votes will demand and receive the greatest share of the taxing power, and injustice must surely follow or else human nature will have been changed.

I submit to my friend from Missouri, and to those who discussed the item which we are now proposing to arrange, a tax upon zinc and spelter and the alloy of copper and zinc, called tutenegue, whether they shall not give consideration to the general scale of duties which has throughout the course of the bill so far, and is proposed in the future in regard to the bill, been applied to industries in which this metal and this substance have their part and into which they enter and enter usefully.

We have been taxing iron in its various shapes. The debate lasted for two hours this morning upon the subject of a duty upon galvanized steel wire. What is galvanized wire? It is wire coated with zinc or with spelter or with some preparation of these very metals now under consideration. The Senate refused to increase the tariff tax on the galvanized wire over that of ordinary steel or iron wire uncoated or ungalvanized, and at the same time it is proposed to advance the duty upon the coating substance, the zinc or the spelter, in order to make the business of galvanizing iron and steel more difficult for those who are engaged in it in the United States.

Thus it will go on all around the circle, each man claiming and obtaining for his especial pet and local industry the highest grade of taxation, the article being but an ingredient in other manufactures and a needful one; and what will be the result? Each man will get his tax, and the manufacture at every stage of progress will pay the additional tax, and at the end the consumer pays the whole as an addition to the natural cost of the article.

Zinc is a crude material not at all a difficult one to produce. Let me read something which has been said upon this subject. He does not refer to its use for galvanizing, in which a very large amount of capital is embarked in this country, and its uses to prevent the oxidization of other metals, with which of course the Senate are very familiar. I read from the testimony of Mr. Louis Windmüller given in New York in October, 1882, in regard to the duties upon sheet-zinc and spelter. He states that—

> The present duty upon sheet-zinc of 2½ cents per pound is equal to 53 per cent. of the present foreign value. It costs now, at the principal places of production, in Belgium and in Siberia, 4¼ cents of our currency per English pound.

You add to that, as this is an article of weight and bulk, the cost of freight, the commissions, the transportation, and so on.

> Since the article is used extensively in every house in this country, for protection of floors against fire, under stoves; for covering of bath-tubs, counters, &c.; for washboards; to cover floors on steamboats, I think this duty is too high, inasmuch as it enhances the price of an article of necessity more than is expedient.
>
> It requires no skilled labor to roll zinc. The only mill in this country which until quite recently had the monopoly of rolling it in the United States is at La Salle, in Illinois; the product is 15,000 tons annually. The owners have amassed a fortune in a comparative short space of time, at the expense of the consumers.
>
> The metal from which zinc is rolled (spelter) is taxed 1¼ cents per pound. Its present value in Silesia is $3.80 per one hundred pounds. The duty is therefore nearly 40 per cent. of the present foreign value. The annual product of spelter in the United States is about 30,000 tons. The quality of American spelter is generally superior to the foreign article. Some is exported at prices showing that it is highly appreciated abroad.

There is a fact that will not seem to demand protection.

Mr. DAWES. Will the Senator inform me what is the price of spelter?

Mr. BAYARD. I am reading from the testimony, page 1617 of the Tariff Commission report, the duties upon sheet-zinc and spelter.

Mr. DAWES. I was inquiring as to the cost of spelter. Has the Senator got it there?

Mr. BAYARD. As I stated:

> It costs now, at the principal places of production, in Belgium and Siberia, 4¼ cents of our currency per English pound.
>
> * * * * * * *
>
> I give you on the other side a list of the imports of spelter and zinc for the last ten years; they have increased lately in spite of the high duties, because the American product was not sufficient for the increased demand.
>
> I consider the duties upon this as well as upon all other metals entirely too high. I see no good reason why the whole people are taxed for the benefit of the few producers of these necessary raw materials.
>
> Most metals are found in this country in a state of greater purity than in other countries. For this reason, and by superior mining machinery, metals could be produced in the United States as cheap as in any country of the world.
>
> I advocate a reduction of the duty upon sheet-zinc to 1½ cents per pound, spelter to 1 cent per pound, and upon all other metals in the same proportion. This reduction may temporarily reduce the revenue derived from these articles. It would not, however, curtail the quantity produced here, but only the profits made by the producers. The cheapening of the price would gradually increase the consumption.
>
> They would be used extensively and for a great many purposes for which the present values are too dear in this country, but for which they have been used for a long time in England and in other countries.

Mr. LOGAN. Will the Senator allow me to ask what testimony he is reading from?

Mr. BAYARD. I am reading from the testimony of Mr. Louis Windmüller before the Tariff Commission.

Mr. LOGAN. Where from?

Mr. BAYARD. He gave it in New York.

Mr. LOGAN. An importer of the article?

Mr. BAYARD. I will tell you what he was——

Mr. LOGAN. He is an importer of this very article.

Mr. BAYARD. I suppose he was or otherwise he would not be so competent to speak of the prices abroad.

Mr. LOGAN. I only want to call the Senator's attention to the fact that the gentleman who testifies there swears to the amount of money these gentlemen have made in my State. I take the liberty of saying that he makes a statement there that is not borne out by the facts.

Mr. BAYARD. That is a question of course I am not competent to decide.

A gentleman from Peru, Illinois, Mr. Archibald Means, testified before the commission at page 1171, and he gives the production of spelter for the year ending August 31, 1882, as follows:

	Tons.
In Illinois	15,500
In Missouri	6,675
In Kansas	4,250
Total Western	26,425
The importation of foreign spelter in last fiscal year, as given by New York Metal Report, was	11,346
Total Western and imported	37,771

This gentleman goes on to say that the ore can be found in various States; that there is a great deal of ore in Wisconsin, Illinois, Tennessee, Arkansas, and Missouri. He goes on to describe its condition in the earth.

Mr. LOGAN. There is a great deal in Arkansas, I know.

Mr. BAYARD. What I mean to say is this: The uses of this metal enter importantly into and are contributory to a great many other of the metallic industries, the galvanizing of iron and of other metals. The duty upon the finest sheet-iron which has just been passed upon by the Senate, a highly advanced stage of production, has been reduced to 2 cents per pound or 2¼ cents, and there it stands. Here is a perfectly crude production, a very ductile and plastic metal, requiring, as this man says, little skill in rolling, soft and easily rolled. The duty proposed upon it is greater than upon the highly finished elaborate production of American sheet-iron, which to the eye was so superior to the Russian specimen produced to the Senate alongside of it; yet the tax imposed upon that highly advanced production of American labor, sheet-iron, is but a little over 34 per cent. ad valorem, and upon this crude article the duty was 53 per cent. ad valorem, and it is proposed now to advance it still further. What proportion is there in this?

I submit to the Senate if we are to embark upon the rule that each member of this body is to get for his immediate constituents all he can of the taxing power of the United States—if that is to be the rule, if it is to be "the devil take the hindmost"—of course then this tariff bill is to be a scramble for the spoils of legislation. I do not see how any wise change of the law can occur, or how any just basis of taxation can be arrived at or shall long be satisfactory; because I am satisfied that in

this country there will come sooner or later, and I think soon rather than late, a perception in the minds of our people that this is one country, and that there is one national interest that is superior to any local interest, and that our laws for taxation and for all other public purposes are to be arranged with reference to the national interest first and chiefly, and that that can not be done by having a scramble between the different localities and States of the Union as to which shall obtain the greatest share and benefits of the taxing power of the General Government.

I shall despair of any arrangement of our system of tariff duties that shall not recognize something like a principle in their apportionment. That principle will I think take the form of something like proportion, starting with a tax upon the crude material, although in my judgment that should be as low as possible, for the chief thing for our manufacturers and their laborers is to give them cheap raw material. Then as you advance the product in its stages of labor, in all of these progressive stages protect it if you will by taxes which while yielding revenue shall establish a discriminating protection to the American laborer as against his foreign competitor.

There is a principle, but that principle must be applied under some uniformity of system. Here we have in this proposed lead, zinc, and spelter schedule an egregious exception to the general rate of duties which has been arranged in a prior part of this bill for iron, steel, and nickel. The duties on all those articles have been lowered I believe without exception, but on lead, zinc, and spelter they are now to be advanced and much too far advanced upon the principle to which my friend from Missouri says he yields to in the case of Missouri. I do not understand that he would include any other State, but he yields to it in the case of Missouri. I hold we can not, but if it is right for him to say this it is right for any other Senator to say it and to act upon it, and if each man acts upon it, then the industries of our country become simply rivals to obtain the greatest share of the favor of taxing the rest of the country for their support. If that is to be the rule and the doctrine, I think the day is distant when any tariff system shall be settled upon what ought at least to be a permanent basis, for this fluctuation and uncertainty in tax laws is death to every business enterprise, and of course to the steady employment of labor.

To-day this disturbance and delay in settling this tariff of duties is playing havoc with many a laboring man's means of living and with the capital and property of the manufacturer. Laws should be stable; and in order to be stable they must be founded upon justice, and in order to be just to the American people you shall not impose a greater burden upon one class or section than you do upon any other, and you must not select certain favored industries from local or other causes and prefer them as the objects of governmental protection to others who may not have so long a hand, or so loud a voice, or so many voices to speak for them in these halls of legislation.

Therefore, I hope that the duty upon zinc and spelter will be relegated to its proper place of proportion, and if you do that you can lower them considerably beyond the amount agreed to by the Tariff Commission or by the Committee on Finance. They are now too high. They are high in proportion to all those other industries into which they necessarily enter. They are to-day obtaining an amount of taxation upon the consumers of this country that the other metals do not obtain in proportion to their value, or the difficulty of their production. Therefore it is, I say, that I regret every evidence that I see of the intention to settle or to try to settle—I think it will be a vain attempt—a tariff system upon the basis of local demand and merely local or class interest. There must be a general consideration of the needs of the country and there must be something like a principle adopted, or the attempt to make an equitable tariff law will be fruitless.

Mr. VEST. Mr. President, I shall detain the Senate but a minute. It is not my purpose of course at this stage of the bill to indulge in any general argument on the question of tariff. It is a threadbare subject, to say the most of it. But I certainly wish to say something in reply to the Senator from Delaware.

Permit me to say in the first place that much as I appreciate the spirit of fraternity which actuated our amiable friend from Michigan [Mr. CONGER] when he welcomed me into the school of protectionists, I modestly disclaim it. I believe now, as I had the honor to say before and as I think I shall always believe, in the doctrine of a tariff for revenue only; and I believe that no other tariff is constitutional. The whole teachings of my life, all the expressions that I have ever given utterance to are in that direction; nothing more and nothing less. But at the same time I believe that inside of the limit of a tariff for revenue the infants of American industry should be protected, because every tariff logically and necessarily gives protection. It is simply impossible to speak of a tariff for revenue unless we associate with it the idea of protection inside of that limit.

As I said the other day, I have never risen myself to that solar region, that high philosophical lunar altitude where I could overlook the people who sent me here and the State which did me the honor to give me a place on this floor. While I am a Senator of the United States, I am not here to take care especially of Massachusetts or Pennsylvania when they have Senators upon this floor who, more ably than I can possibly do, look to those interests. I believe, as a Democrat, that the ligament which binds these States together to a common prosperity and in a glorious Union is the ligament based upon State interests, local interests, and the fact that every local interest is represented upon this floor and in the Chamber of the other House.

The Senator said that I was a recruit to the doctrine of protection. The difference between the Senator from Michigan and myself is and always will be this, that there is a limit to my idea of protection and there is none to his. I am for protection up to the limit of revenue for the support of the Government. Inside of that I intend to take care of my people. That is my business upon this floor.

If I were convinced by the eloquence or logic of the Senator from Delaware to let the interests of the people of Missouri as to lead or zinc give way to the common interests of the whole Union, I hope—I say it modestly—that I could rise above local prejudices, interest, or passion and give way to the result of his argument and of his eloquence, but until I am so satisfied I shall do all that I can to protect the interests that are committed immediately to my hands, the interests immediately under my eye, the interests with which I am conversant, the interests that I know to be infants, the interests that I know to be struggling now for a bare existence, and I have no hesitation in saying that I plead guilty to the impeachment that I am so actuated and that I propose to so vote.

I distinctly repudiate the assertion of the Senator from Delaware that I stand here upon any such doctrine or platform as "you tickle me and I tickle you." I voted for the reduction upon iron. I voted for it, although my State to-day produces more iron ore than any other State in the whole Union. I voted for it because I believe that cheap iron means cheap plows, cheap anvils, cheap chains, and, more than all, it means a navy and a merchant marine for the people of the United States.

Why is it to-day that there are no ships upon the ocean? Why is it that we have to-day no navy in foreign parts? It is because the iron vessels of the world are not built in the navy-yards of the United States, because England has cheap iron, and we refuse to take it. It is because by the tariff upon iron we have shut out from the navy-yards of the United States the facility and the means of competing with the navies of the world and the merchant marine of the world.

I have not, as my votes will show, acted upon the principle of "you tickle me and I tickle you," but I do say that inside of the limit of a tariff for revenue I will vote for the protection of every infant American industry, and when Senators taunt me by saying I am going to the school of protection I can stand it.

I propose at the proper time after the bill has been perfected in its details to give my reasons why I can not vote for the protection that is contained upon its pages. Protection to what? To infant industries? To zinc, that since 1872 has been struggling and falling, stumbling and staggering in order to maintain its feeble existence? It is protection to what? To industries wholly that have come year after year to the American Congress demanding more protection, that have, under the pretense of being weak, panoplied themselves in the doctrine of a high protective tariff, until now they send to control all the rest of the country, including the Congress of the United States.

I say to the Senator from Delaware that my protection is inside of a tariff for revenue, not outside of it. I stand upon the doctrine that Mr. Polk advanced in his letter of 1844. The Democratic party of the West stands upon it. We propose not to strike down the whole system of tariff duties in this country, because I recognize the truth of what the Senator from Georgia [Mr. BROWN] said the other day; you must have a tariff; you must derive revenue from a tariff. No party, no individual is willing to stand in this country to-day and say that he is in favor of striking down the whole tariff system. But the difference between the Senator from Michigan and myself is as broad and distinct as the difference between this world and the other, as between night and day, as between fire and water. It is the difference between a tariff for revenue and an unlimited tariff for protection.

Now we propose to have a tariff for revenue and inside of that tariff I want to keep the duty upon zinc. I want to keep it there because in my State and in Kansas eight cities and towns are dependent upon it. I want to keep it there because I know it is an infant industry. I want to keep it there until the infant, staggering, trembling, crawling to-day stands erect in its manhood as an industry and production of the United States. I can give this vote without leaving the ranks of the party to which the Senator from Delaware and myself belong.

Mr. MORRILL. I merely desire to say that one of the main objects in this revision of the tariff is to release some of the revenue that comes into the Treasury; and the proposition of the Senator from Illinois would be to increase it. It will be seen that we import very large quantities of zinc and spelter. The amount imported last year was 18,408,391 pounds, and we received from that and zinc in sheets almost $400,000. To reduce the duty upon this article would increase the revenue, for unquestionably more would be imported.

I desire to say one thing and but one thing in relation to this matter. It is an article of very difficult manufacture. It requires extensive machinery and furnaces. The ore is found in great abundance in Iowa, Kansas, Missouri; and further West in still greater abundance. The ore is obtained at a very low rate; but it requires four tons of coal, I understand, to reduce the ore to a sufficient amount for a ton of spelter or of zinc. That is something of an industry in addition to that of zinc,

and it ought to be taken care of. There are furnaces in Illinois, in Missouri, and in Kansas. I do not know whether there are any in Iowa or not. So it seems to me that we might as well let well enough alone.

Mr. CONGER. Mr. President, the Senator from Missouri [Mr. VEST] says he is in favor of a tariff, and, under the tariff, for giving such protection as he can give under a necessary tariff to the industries which he represents; and the Senator from Missouri says he is for a tariff for revenue. I venture the assertion that no man can say he is for a tariff for revenue merely or make any distinction that way who votes continually to throw out from under the benefits of that tariff articles which would otherwise bring in a revenue. I dispute the Senator's position on this question, for he continually votes for placing without the operation of the tariff hundreds of articles that would bring a revenue and that would make the duties and the protection less upon other articles if duties were imposed upon those on the free-list.

The man who votes for a tariff for revenue only must gather that revenue from all the sources to which revenue will attach, and from which it may be raised. The Senator from Missouri is continually violating that principle and taking away from articles to be taxed by the tariff hundreds and thousands of articles perhaps in their various forms and modes which would bring revenue. Tea, coffee, all the things in this free-list are proper subjects to be taxed under the theory announced by the Senator from Missouri, and he can not escape that proposition. The moment he lets go one article upon which duties can be raised and taxes gathered that might otherwise tend to increase the revenue he adds, of course, by that very process to higher taxes upon other articles and other productions, and violates the principle of a tariff for revenue. But I will not prolong my remarks upon that subject.

I want to say one word to the Senator from Delaware [Mr. BAYARD] in regard to the sneering remark that my view and that of other Senators here proceeds upon the little doctrine "tickle me and I will tickle you." I am glad the Senator from Delaware is here to hear what I have to say. I say the sneering remark of the Senator from Delaware that I or any other man acts upon the principle "we will protect your interest if you will protect mine," the "tickle-me-and-I-will-tickle-you" principle does not apply here any more than to the Senator from Delaware, when in his place on a former occasion day after day he stood advocating that the old war tax upon matches should remain until it astonished me and astonished the country. Whenever since that time any tax has been denounced as a war tax, that the Senator from Delaware could so soon have forgotten that the war tax on matches, on an article which is found from the hovel to the palace, wherever human beings exist in our country, is allowed to remain here and kept here by the gentleman's urgency, while upon all other things he denounces the high taxes as war taxes and wonders why they should be continued——

Mr. BAYARD. May I answer the Senator by stating one fact?

Mr. CONGER. In a moment.

Mr. BAYARD. I should like to say——

Mr. CONGER. In a moment. The Senator has had his long talk upon this subject, and I talk so seldom that I want to say a word or two.

Mr. BAYARD. All right.

Mr. CONGER. But I hope he will not go away. I would rather give him the floor.

Mr. President, I was about to say that there is not in the whole range of tariff duties such protection upon any article that I know of as a measure of protection to monopolist manufacturers as the internal-revenue tax upon matches. Every one of the great manufacturing companies for the making of matches is now confined to a few manufactories in the United States, the greatest of which, the Diamond Match Company, lies just off a little distance from my friend from Delaware; and I must say in passing here that the Senator from Missouri who desires to protect and announces his intention to protect the peculiar industries of his State has not half risen up to the importance and the energy and the zeal of protecting his interests which the Senator from Delaware has exhibited on many occasions in the protection of that high and useless tax upon matches, an article consumed by all the people of the country.

I was glad to have the Senator from Delaware reprove the Senator from Missouri. I was glad to have a little conflict between the free-traders themselves. I was glad that the candidate for the Presidency in 1884 should begin early to reprove his followers if they wandered a little in any way from the Democratic track and the Democratic doctrine. I had been a little afraid that the usual caution and wisdom and prudence of that great Senator who looks forward to a higher position, if it may be, than can be found in the Senate—I had thought it was time for him to lay his hand upon the Senator from Indiana [Mr. VOORHEES] and to-day to lay his hand gently upon the Senator from Missouri [Mr. VEST] and bring them back from their wanderings, so that they would be prepared to sustain him when he came before the people with his free-trade doctrine and his tariff for revenue only in 1884 and test their working. It gratifies me to see these little differences and discrepancies between those who have heretofore opposed tariff for protection, where great industries and small industries are springing up in the States, to see men listening with attentive ear to the voice and the demand of their people that they shall, notwithstanding theory and notwithstanding creed, protect the interests of those who sent them here to represent those interests; and I do not wonder that the great leader of the Democracy, its future flag-bearer, sees that it is necessary here to-day and every day to check these wanderers from the fold of Democracy and from the theoretic doctrine of the Democracy in favor of free trade.

My friend from Missouri says that his principle and mine in regard to the tariff are diametrically opposite; that he never can agree with me and that I can not agree with him. Any man who will protect the industries of his State, and with justice and fairness do the like when asked to by other Senators in protecting the interests of another State reasonably, properly, agrees with me all through and through. The Senator from Missouri in announcing his doctrine agrees with me. I want no better doctrine than that you shall protect and that every Senator and every Representative of the people shall protect the industries of his State. How can he do it alone?

The Senator from Missouri denies the "tickle-me" doctrine. Of course he does not ask anybody to help him. He speaks for it; he expresses his view of the necessity of it; but is that enough for him? Does he not ask me and others to help protect that industry, and do I not ask him and others to help protect the industries that I represent? The whole thing is based upon that footing. The theories of free trade or tariff for revenue only yield the moment the people of one State demand that we shall protect their industries. They yield in Indiana; they yield in Missouri; they yield in Delaware when a great monopoly of match manufacturers comes to the front. They yield in Louisiana when the sugar question comes up. Oh, how it would stir up the people along the Atlantic and Gulf coasts if you were to propose to reduce the duty on rice one-half. There is no free trade there. The Senator, who sits before me, from Louisiana [Mr. JONAS], would be stirred to the inmost depths of his soul by a mere proposition to reduce the duty on sugar. He is ready to join with me and talk with me and urge me to stand by that industry of Louisiana. Why? Because it is his duty to protect the industry. He votes against everything that I desire to protect. He is free trade all over, galvanized with free trade, and he wants the duty on the outer galvanized article to cover the whole body too; but let me vote to reduce the duty on sugar, and I am an enemy to his State; let me vote to reduce one-half the duty on rice, and every man from the rice-growing States feels that I am attacking an infant industry.

That thing has gone far enough with me; it has gone far enough with the people of the United States. The idea that you can have free trade against everybody else and protection only for yourselves is too selfish an idea. Men can sacrifice their theories of free trade for their own individual State interest, and be consistent. I want to say it and announce it now, I want to hear how gentlemen can stand within a tariff for revenue, as the Senator from Missouri says he stands, and yet protect industry. Even in a tariff for revenue only you would seek out those objects which can bear the greatest tariff; and in every tariff you lay a duty wherever the cost of collection would not exceed the amount collected.

In all my acquaintance with men in public life in the other House and in this I have never seen the wildest theorist of free trade so consistent with his doctrine as to vote against the protection of a leading industry of his own people, and I never expect to. When it comes to Maryland, and an obscure, almost unknown earth from which a beautiful substance called bichromate of potash can by some process be extracted, both Senators from Maryland are imbued with an energy and a power for the protection of that dull earthly interest which gratifies their people and makes them the admiration of the world.

These things develop little by little. If I can know what great leading industries, or young infant industries that may become great, exist in any State of this Union, I can tell beforehand that no free-trade Democrat has moral courage to go against that interest in his votes here. They may talk, as the Senator from Delaware does, about theories, or what is best to be done, about great theories to be announced in convention and make Democratic platforms of, upon which a man can run for office; but when it comes to the test we are all human.

One touch of nature makes the whole world kin—

on tariff as well as on other things. When it comes to the proposition to injure the interest of a State or to refuse to protect the interest of a State, I have yet to find the first man here who will not in some way, either by voting himself or by going around and encouraging others to vote for that, violate his free-trade theories.

Now I wait with a kind of pleasant anxiety from day to day for the development of this protective interest for one's own State. It comes in Maryland, it comes in Indiana. When a few years ago the Legislature of Indiana passed a resolution in favor of free trade and against protection, requesting the Senators and Representatives of that State to favor that doctrine, Indiana was as dull of individual State interests there and industries for which any protection could be needed as Nebraska is to-day. The call of the Legislature was responded to in the other House. Before the next two years Indiana had opened its iron mines, its coal mines, its industries, its manufactures, its agricultural works, its glass works. The men interested in them went to the Legislature of Indiana at the subsequent session and said to them, "You passed a resolution instructing our representatives in Congress to de-

stroy our interests, to refuse to protect them; is that your business as legislators?" And the very next Legislature passed a resolution directing their Senators and requesting their Representatives to favor a protective tariff. It took a good while to work through the outside casing of free trade of my friend the Senator from Indiana [Mr. VOORHEES], but it did work through. It has taken a great while for that doctrine of protection to the interests of a State to work through free-trade Senators here. But it is working through, and the time is coming fast when a State that has any industries to protect, when a State that has any people bold enough to demand their rights here in the National Legislature of the country, will directly or indirectly influence their Senators to protect their rights and to join with others who do protect their rights.

Mr. VEST. Mr. President, I was under the impression that I was safer in voting to retain a duty than to increase it. I have listened to the Senator from Michigan and he seems to insist upon the proposition that I am in order to keep a proper duty on zinc to go into political affiliation with him.

Farewell, then; farewell zinc. Farewell everything rather than to join with that Senator in his political opinion.

Mr. LOGAN. I do not desire, Mr. President, to enter into any controversy with these gentlemen as to how they shall settle their affairs. It is a matter very immaterial to me, but I should like at least that the industries of my own State should be recognized as well as those of others, and this industry in reference to the manufacture of zinc is a young one so far as the milling of it is concerned. We have in this country plenty of that kind of metal, if we only encourage the production of it, to prevent the importation of any so far as the necessities of our people are concerned. The importation of zinc into this country amounts to 18,000 tons, it being valued at $80 per ton. The proposition I make is to tax it $28 per ton. If you will examine that in connection with the tariff you have placed on other articles where they are imported and where they are manufactured in this country in competition with those which are imported, you will find that this is about the same ratio or rate with the tariff placed on other imported materials where they are in competition with those made in this country. Take the article of steel rails; at one time when our tariff was $28 per ton it had the effect of stimulating the manufacture in this country, and the manufacture in this country reduced down the price until to-day the price is not over $40 a ton. That was done by encouraging the manufacture of the article in our country.

The two mills that are in my State preparing this metal and rolling it into zinc-plates and the various articles manufactured out of it say that they do require this amount of tariff in order to give them that protection which will be an encouragement sufficient to cause them to extend the works and to cause other works to grow up and grow out of those. Take the State of Arkansas. they are not producing any of this metal there, or but very small quantities of it, and yet in Arkansas they can produce sufficient for all the wants of this whole country; so they can in the single State of Missouri, so they can in the State of Kansas, so they can in the State of Wisconsin and in Illinois. This metal, being produced in those Western States, and having but the two mills preparing that article at this time, its value recognized as it is and as stated by the Senator from Delaware, it goes into a great many things that are used all through this country everywhere, I say to Senators, without wishing to elaborate to any extent whatever, that I do think 2 cents a pound on zinc metal imported into this country is not an extravagant tariff. It is only such a one as will encourage the manufacture of the article in this country, and such a one as will produce it cheaper in this country, too, if you encourage it. It is selling, as I said, at $80 per ton in Europe to day, £17 per ton, or from $80 to $82.

I have a list of the value of spelter, zinc, and everything of that kind, showing that that which is imported to our country is produced and imported at the price I have mentioned, coming in competition with the manufacture that we have here.

I hope that the amendment I have offered will be agreed to, that zinc and spelter imported into this country will be fixed at 2 cents per pound duty. On rolled zinc the duty is now fixed in the bill at 2½ cents per pound. The rolled zinc being taxed 2½ cents per pound, the metal when it comes here in the soft state, the same as when we speak of pig-iron coming here being rolled in its soft state, and only requiring the rolling of it, which is not a very expensive operation, except the amount of coal which is required for use in the furnaces, ought to be put at 2 cents. It seems to me that it would be about a fair division between the rolled plate and the spelter itself.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Illinois [Mr. LOGAN].

Mr. HARRIS. Let the amendment be read.

The PRESIDENT *pro tempore*. The amendment is to strike out "1½ cents," in lines 797 and 798, and insert "2 cents."

Mr. LOGAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. BAYARD (when his name was called). I am paired with the Senator from Missouri [Mr. VEST]. Were he here, I should vote "nay."

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND]. I do not know how he would vote, but I shall not vote, he not being present.

Mr. MCDILL (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. MILLER, of New York (when his name was called). I am paired with the Senator from Maryland [Mr. GROOME].

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON]. If he were here, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

The roll-call was concluded.

Mr. VANCE. I am requested to announce the pair of the Senator from Delaware [Mr. SAULSBURY] and the Senator from Colorado [Mr. CHILCOTT].

Mr. EDMUNDS. I understand that a quorum has not yet voted, and I am authorized by my friend from Arkansas to vote. So I vote "yea."

Mr. HARRIS. I announce the pair between the Senator from Michigan [Mr. FERRY] and the Senator from Florida [Mr. JONES], both of whom are absent from the Chamber.

Mr. SAWYER. I am paired, but I have a right to vote to make a quorum. I vote "yea."

The result was announced—yeas 18, nays 22; as follows:

YEAS—18.

Blair,	Davis of Ill.,	Kellogg,	Rollins,
Cameron of Pa.,	Dawes,	Lapham,	Sawyer,
Cameron of Wis.,	Edmunds,	Logan,	Sewell.
Cockrell,	Hoar,	McMillan,	
Conger,	Ingalls,	Miller of Cal.,	

NAYS—22.

Allison,	George,	Jackson,	Platt,
Anthony,	Hale,	Jonas,	Sherman,
Barrow,	Hampton,	McPherson,	Vance,
Beck,	Harris,	Maxey,	Voorhees.
Coke,	Harrison,	Morgan,	
Farley,	Hawley,	Morrill,	

ABSENT—36.

Aldrich,	Ferry,	Jones of Nevada,	Ransom,
Bayard,	Frye,	Lamar,	Saulsbury,
Brown,	Garland,	McDill,	Saunders,
Butler,	Gorman,	Mahone,	Slater,
Call,	Groome,	Miller of N. Y.,	Van Wyck,
Camden,	Grover,	Mitchell,	Vest,
Chilcott,	Hill,	Pendleton,	Walker,
Davis of W. Va.,	Johnston,	Plumb,	Williams,
Fair,	Jones of Florida,	Pugh,	Windom.

So the amendment was rejected.

The item from line 800 to 804, inclusive, was read, as follows:

Sheathing, or yellow metal, not wholly of copper, nor wholly nor in part of iron, ungalvanized, in sheets 48 inches long and 14 inches wide, and weighing from fourteen to thirty-four ounces per square foot, 3 cents per pound.

Mr. BAYARD. There ought to be a reduction on that, certainly.

Mr. DAWES. I move to strike out that whole paragraph. The effect of it will be to put that article under the preceding paragraph on copper. It will come under the clause commencing in the seven hundred and seventy-sixth line:

And all manufactures of copper or of which copper shall be a component of chief value not specially enumerated or provided for in this act, 35 per cent. ad valorem,

It will come under that clause. It is made of six parts of copper to four parts of spelter. The components of which it is made are in this bill put at a higher duty than the article itself. The copper is put at 4 cents a pound and the spelter at less than that; but the aggregate makes the copper and spelter together before their manufacture pay a larger duty than when they are put together and made white metal. It was a mistake in the Tariff Commission bill, and that mistake is followed here in putting the old duty 3 cents a pound, just what is fixed here. It is 45 per cent., and if it is carried into this column of which I speak it will be 35 per cent., following about the average of other reductions. If it remains where it is the people who have copper and spelter to import have only to put them together into white metal and they will come in cheaper than they would in the raw material.

Mr. HALE. The Senator's motion reduces the duty about 10 per cent., does it not?

Mr. DAWES. About 10 per cent. There is a general provision of a drawback for all that enters into ship-building.

Mr. MORRILL. If the Senator will change the 3 cents a pound and propose 35 per cent. ad valorem, so that it shall be enumerated, I shall not object.

Mr. DAWES. That will do. If it meets the views of the committee that will reach just what it would be, because it would go into the other item.

Mr. ALLISON. I ask the Senator from Vermont what that would be per pound? What does this yellow metal sell for?

Mr. DAWES. It costs abroad about 16 or 17 cents a pound. I do not know what it is worth here. That would be a reduction of 10 per cent. upon the existing tariff, and if that meets the views of the committee I will withdraw my amendment.

Mr. MORRILL. I have not the authority of the committee, but so far as I am concerned I shall not resist the amendment.

Mr. DAWES. The duty would then be 35 per cent., just what it would be if this item were carried into the other clause.

Mr. ALLISON. I do not know that I shall object to this amendment, but we have left everything relating to zinc just as it is in the present law, and I do not see why we should make an exception with reference to this yellow sheathing metal unless there is some reason given for it.

Mr. DAWES. You reduce the yellow sheathing metal from 45 per cent., where it is, down to 35 per cent.

Mr. HALE. We want to put it just where the present law does.

Mr. ALLISON. When was the law made 45 per cent. on sheathing-metal?

Mr. DAWES. I will tell the Senator how it was done. In 1875 this was put into the law:

That yellow sheathing-metal and yellow metal bolts, of which the component part or chief value is copper, shall be deemed manufactures of copper, and shall pay the duty now prescribed by law for manufactures of copper.

The manufacturers of copper paid that. Look in Heyl and you will see it.

Mr. ALLISON. I shall make no objection to the amendment, but it seems to me that, having left zinc and articles of that character just as the law now provides, we ought not to reduce the duty on yellow sheathing metal. I shall interpose no objection, however.

Mr. DAWES. I will change my motion, according to the suggestion of the Senator from Vermont, to reduce this duty to 35 per cent. That is a reduction of 10 per cent. of the present law.

The PRESIDENT *pro tempore*. Is there objection to the amendment placing this duty at 35 per cent. ad valorem? The Chair hears none, and it is so ordered.

Mr. BAYARD. I want to say one word here about this particular item. A gentleman, Mr. Samuel T. Snow, testified as to this, who is of Boston, Massachusetts, treasurer of the Revere Copper Company, and has been a manufacturer of this yellow metal. I supposed this amendment was in the line of aid to American shipping, and this yellow metal would have been put down at a moderate price, but we having just now advanced the tax upon spelter, of course some tax is required upon an article which spelter partly composes. Said this gentleman:

Question. What effect would that have upon the price of the manufactured article in this country?

Answer. The price would be the same as the foreign article is now. We can take the imported copper and spelter free of duty and can furnish the manufactured article as low as the English manufactured article is sold. I may add that when this business was commenced in 1843—

An infant, I may say, according to the definition of my friend from Missouri—

there was no duty either on the raw material or on the manufactured article, and we built the business up without any protection. But we were importing then copper and spelter without paying any duty on them. Under those conditions we built up the business and secured the markets for this country. We did more than that; we supplied some other markets of the world. For instance, we used to ship bars and sheathing metal to China and Chili in large quantities and compete with the English manufactured article there. Give us the raw material to-day, without the payment of duty, and we will do the same thing again—not immediately, but in a very short time we can do it. We have done more than that. We came very near doing a very handsome thing in our line of business, although we did not quite succeed, owing to circumstances which we could not control. We sold a suit of metal to be taken from Boston and put upon a vessel at Liverpool at the price at which the English metal was sold in Liverpool. We made that agreement; but at the last moment it was found that the vessel did not require it. If she had we would have taken our metal and carried it to Liverpool and put it on the vessel at the same price the English were selling their metal for there.

There is something that shows what an American can do if you will only give him a free foot and a free hand to do it with.

Mr. DAWES. So long as there is 4 cents duty on copper it is impossible to do that.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. BECK. Before leaving that, perhaps I am a little confused about what took place, but I understood the Senator from Iowa said we left zinc just as it is in the present law. Am I correct in saying that we put a duty of 1½ cents a pound on "zinc, spelter, or tutenegue, in blocks or pigs," and had left the old worn-out zinc at 20 per cent., or have we put that up to 1½ cents as well?

Mr. ALLISON. That was not changed.

Mr. BECK. Does that remain at 20 per cent.?

Mr. ALLISON. No, the "old worn-out zinc, fit only to be remanufactured," remains in the bill. I did not move to strike it out. I find that old lead, unmanufactured, is in the same category. There must certainly be a very small importation of this unmanufactured zinc; so I did not make any motion about it.

Mr. BECK. I will not delay the bill by making any motion about it now. If I think it worth while I will make it in the Senate.

The item in line 805 was read, as follows:

Antimony, as regulus or metal, 10 per cent. ad valorem.

The item in line 806 was read, as follows:

Bronze powder, 15 per cent. ad valorem.

Mr. McPHERSON. Bronze powder is manufactured from a certain number of parts of copper and a certain number of parts of zinc. Now, the bill proposes to fix a duty on that of 15 per cent. ad valorem, while upon the copper of which it is manufactured the duty is 35 per cent. and on the zinc 4 cents a pound. There seems to me to be very great unreason in all that. I move to fix bronze powder at the same rate of duty exactly as the materials of which it is made.

The PRESIDENT *pro tempore*. Will the Senator state what his amendment is?

Mr. McPHERSON. I do not know anything about the number of bronze-powder manufactories in this country, but I know there are two in New Jersey, both of which are closed simply because they can not compete with the foreign industry even at the present duty, 20 per cent.

Mr. SEWELL. Make it 25 per cent.

Mr. BECK. Bronze powder under the present law is 20 per cent. The Tariff Commission proposed to make it 15 and the Committee on Finance agreed with them. That is all.

Mr. McPHERSON. I think, like some other things in the bill, the Tariff Commission has entirely overlooked this. There are several mistakes of this character in the bill which the Tariff Commission did not intend to have placed there. I move to make the rate 25 per cent. in order that it may come somewhere near the same duty that is levied upon the materials out of which it is made.

The PRESIDENT *pro tempore*. The Senator from New Jersey moves to strike out "15" and insert "25" in line 806.

The amendment was rejected.

The item in lines 807 and 808 was read, as follows:

Cutlery, not specially enumerated or provided for in this act, 35 per cent. ad valorem.

Mr. VANCE. In line 808 I move to strike out "35" and insert "25," so as to read "25 per cent. ad valorem." If we are going to make any reduction upon the taxation of the country we have to begin somewhere.

Mr. PLATT. I hope that will not be done.

Mr. HALE. No, it will not be done.

Mr. ALLISON. Of course not.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

The amendment was rejected.

The item in line 809 was read, as follows:

Dutch or bronze metal, in leaf, 10 per cent. ad valorem.

The item in lines 810 and 811 was read, as follows:

Steel plates engraved, stereotype plates, and new types, 25 per cent. ad valorem.

The item in lines 812 and 813 was read, as follows:

Gold leaf, $1.50 per package of five hundred leaves.

The item in lines 814 and 815 was read, as follows:

Hollow-ware, coated, glazed, or tinned, 3 cents per pound.

Mr. VANCE. I move to amend by striking out "3" and inserting "2," in line 814, so as to make the duty 2 cents a pound. The present tariff is almost prohibitory. This is an article of common necessity and I propose to cheapen this common article for the benefit of the people and see if we can not get some revenue from it.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE called for the yeas and nays, and they were ordered.

Mr. MORRILL. I will merely say that this is not a common article, but it is a very expensive article and this is a reduction of one-half a cent a pound from the present rate.

Mr. BECK. Is it in order to amend?

The PRESIDENT *pro tempore*. Yes, sir.

Mr. BECK. It seems to me that 2½ cents would be the average according to the way we have been reducing. It is 3½ cents a pound now, which is 61.84 per cent. At 3 cents it is 53 per cent., and at 2½ it would be about 46 per cent. I move to amend by making it 2½ cents.

Mr. VANCE. I think I can not accept that amendment. Certainly those of us who believe we have no authority to levy a tariff except for revenue can not favor a duty on this article of universal consumption amounting to millions of dollars, which yields only a little over a thousand dollars of revenue. It shows that it is at the prohibitory point.

Mr. BECK. The only answer I make is that from 3½ to 2½ is a very large reduction per pound.

Mr. HALE. What kind of ware does this cover, I ask the chairman?

Mr. MORRILL. This is an article of very fine hollow-ware, cast very thin, and covered with porcelain or tin on the inside for preserving purposes and things of that sort. It is not the article in ordinary use in kitchens.

Mr. HALE. A sort of fancy matter.

Mr. VANCE. I accept the amendment of the Senator from Kentucky, and call for the yeas and nays on the amendment as modified.

The PRESIDENT *pro tempore*. The Senator from North Carolina accepts the amendment of the Senator from Kentucky to make the duty 2½ cents a pound. The question is on the amendment as modified, on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND].

Mr. HILL (when his name was called). I am paired with the Senator from Arkansas [Mr. WALKER].

Mr. McDILL (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. PLUMB (when his name was called). On this question I am paired with the Senator from Missouri [Mr. VEST].

The roll-call was concluded.

Mr. MITCHELL. I am paired with the Senator from Virginia [Mr. JOHNSTON]. If he were present, I should vote "nay."

The result was announced—yeas 19, nays 22; as follows:

YEAS—19.

Barrow,	Coke,	Hampton,	Morgan,
Bayard,	Davis of Ill.,	Harris,	Vance,
Beck,	Farley,	Jackson,	Van Wyck,
Call,	George,	Jonas,	Voorhees.
Cockrell,	Groome,	Maxey,	

NAYS—22.

Aldrich,	Dawes,	Kellogg,	Platt,
Allison,	Hale,	Lapham,	Rollins,
Anthony,	Harrison,	McMillan,	Sewell,
Cameron of Pa.,	Hawley,	Miller of Cal.,	Sherman.
Cameron of Wis.,	Hoar,	Miller of N. Y.,	
Conger,	Ingalls,	Morrill,	

ABSENT—35.

Blair,	Frye,	Logan,	Saulsbury,
Brown,	Garland,	McDill,	Saunders,
Butler,	Gorman,	McPherson,	Sawyer,
Camden,	Grover,	Mahone,	Slater,
Chilcott,	Hill,	Mitchell,	Vest,
Davis of W. Va.,	Johnston,	Pendleton,	Walker,
Edmunds,	Jones of Florida,	Plumb,	Williams,
Fair,	Jones of Nevada,	Pugh,	Windom.
Ferry,	Lamar,	Ransom,	

So the amendment was rejected.

Lines 816 and 817 were read, as follows:

Muskets, rifles, and other fire-arms, 25 per cent. ad valorem.

Mr. PLATT. I move to amend in line 816, by inserting, after "fire-arms," the words:

Not specially enumerated or provided for in this act.

The object of the amendment is to introduce a new clause, after this clause shall have been passed, relating to sporting shotguns.

Mr. SHERMAN. Let us hear the other amendment.

Mr. BECK. The word "otherwise," or something, ought to be in, because this enumerates them.

Mr. PLATT. I propose to introduce the following, to succeed the clause referred to, after line 817:

All sporting breech-loading shotguns, 35 per cent. ad valorem.
Forged shotgun barrels, rough bores, 10 per cent. ad valorem.

The PRESIDENT *pro tempore*. The first amendment of the Senator has not been acted on. It will be read.

The ACTING SECRETARY. In line 816, after "fire-arms," it is proposed to insert:

Not specially enumerated or provided for in this act.

And at the end of the line to insert:

All sporting breech-loading shotguns, 35 per cent. ad valorem.
Forged shotgun barrels, rough bores, 10 per cent. ad valorem.

Mr. PLATT. That leaves the duty on sporting shotguns just at the present rate of 35 per cent. ad valorem. The manufacturers ask for an increase, but I have not proposed any increase. The duty now on muskets, rifles, and fire-arms is 35 per cent. ad valorem. The bill reduces muskets, rifles, and other fire-arms to 25 per cent. ad valorem. Now, the point I make is this: That the makers of sporting shotguns, breech-loading shotguns for sporting purposes, can not stand that reduction. Not 10 per cent. of the guns used in this country are made in this country. There are more than three factories, but three factories really make all that are made in this country. Every one of those factories has sunk a large amount of money. One in my own city has sunk at least $200,000 in trying to establish and carry on this industry. It is not a profitable industry, but the factories are struggling along, and all that I ask for them is that the duty on that class of fire-arms shall not be reduced.

Mr. EDMUNDS. That is a duty on luxuries.

Mr. PLATT. They are luxuries purely.

Mr. BAYARD. I should like to ask the Senator from Connecticut what other enumeration in the law is there of muskets, rifles, and fire-arms?

Mr. PLATT. Nothing; but I propose one in order that breech-loading sporting shotguns may be specially enumerated, and therefore not come within the 25 per cent. clause.

Mr. BAYARD. Are there any classed as other firearms at 25 per cent.?

Mr. PLATT. The point that I have been trying to make is that the duty upon that class should not be reduced, but should remain at 35 per cent. on that particular article of sporting breech-loading shotguns.

Mr. BAYARD. Why not, then, let the advantage of breech-loading fowling-pieces, rifles and the like accrue to the American people, and let them get them at 25 per cent. as they do muskets, rifles, and other fire-arms. I am very willing to vote for this matter of 10 per cent. that you may get the rough barrels, bring them in and finish them up. That is part of "the shot-gun policy" that I do approve of. I want to see them made in Connecticut or anywhere else, but I do not want to see the tax advanced.

Mr. PLATT. I said that I did not propose to advance the duty. All these articles come in now under the present law at 35 per cent. ad valorem. The committee propose to reduce them all to 25 per cent. ad valorem. As to the musket and the rifle, I think that manufacture has progressed to an extent where it possibly is not unfair; but, as I said, breech-loading shotguns are not now made at a profit in this country. The three leading establishments have, to my knowledge—one of them, at least—sunk more than $200,000 in endeavoring to establish the industry in this country. Of course if the duty is lowered the industry must stop. The makers here are endeavoring to make a good sporting gun, and I think it is for the interest of this country that they should have an opportunity to do it; and therefore all that I ask, although they desired the duty to be increased, is that the duty upon that particular class of fine guns used entirely by sporting men should not be decreased.

Mr. BECK. I was referring to the RECORD of yesterday, and I find that on the motion of the Senator from Vermont [Mr. MORRILL] we added, in line 675, "gun-barrels," so as to read——

Mr. PLATT. "Gun-barrel molds."

Mr. BECK. That is so. I thought it referred to this, but I see it does not.

Mr. PLUMB. I suggest that the amendment should be "not herein otherwise enumerated."

Mr. ALDRICH. The word "otherwise" is not used in the bill. "Not specially enumerated" is the language all the way through.

Mr. PLUMB. Very well.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Connecticut [Mr. PLATT].

The amendment was agreed to; there being on a division—ayes 22, noes 20.

The item in lines 818 and 819 was read, as follows:

Needles for knitting or sewing machines, 35 per cent. ad valorem.

The item from line 820 to line 822, inclusive, was read, as follows:

Needles, sewing, darning, knitting, and all others not specially enumerated or provided for in this act, 25 per cent. ad valorem.

The item from line 823 to line 825, inclusive, was read, as follows:

Pen-knives, pocket-knives, of all kinds, and razors, 50 per cent. ad valorem; swords, sword-blades, and side-arms, 35 per cent. ad valorem.

Mr. VANCE. I move to amend that clause by striking out, in line 823, the word "fifty" and inserting "thirty-five;" so that it will conform to line 807:

Cutlery, not especially enumerated or provided for in this act, 35 per cent. ad valorem.

I see no reason for making an exception against the pocket-knife as in favor of other cutlery.

Mr. PLATT. I will endeavor to show the Senator a reason for it. The distinction now exists in the law—table cutlery at 35 per cent. ad valorem, and pocket cutlery at 50 per cent ad valorem.

The manufacture of pocket cutlery is something which I do happen to know something about. I lost all the money I had a few years ago in endeavoring to assist some friends to manufacture pocket cutlery in this country, and having lost it I am no longer pecuniarily interested in the business, but I do think that I know something about it.

It is not an even-handed fight with the foreigner to-day at a duty of 50 per cent. ad valorem. It has not one-half the trade of the country to-day at 50 per cent. ad valorem. There is not 5 per cent. profit in the business the most carefully and economically administered. I sent the other day to one of the best-managed corporations in the country, and I believe there is but one corporation; the other companies, so far as I remember, are partnerships composed of poor people, some of them co-operative establishments formed by cutlers and none of them rich. I sent to the one corporation that I did know about, that was founded upon the ruins of the one in which I put my money, knowing that it was well and carefully administered, for its balance sheet. The capital of that company is $50,000; the cash invested is over $200,000. Of course when the old company went down and a new company was organized it got for $50,000 what had cost more than $200,000. Its capital is $50,000; its profits have been a little less than 6 per cent. on its capital and less than 1¾ per cent. upon its real investment. The business is as close as that, and therefore, the matter having been fully explained to the Tariff Commission, it was left at the present duty and it can not stand any reduction.

Mr. VANCE. I am sure that a stranger sitting in the gallery and watching our legislation and listening to the speeches made here for the first time would take it for granted that this was a grand court of claims in which every man who lost everything in business had a right to petition to be recompensed. Now the duty is advanced here because somebody in Connecticut in the town of the Senator lost money by manufacturing this cutlery. Are we a grand insurance company? If so, it seems to me we ought to be on the mutual plan, and the farmers and the people at large and the consumers ought to have some of the

benefits if they are to pay for all the losses. If they are to assume all the debts and liabilities and be responsible for all the losses of the concern, certainly they ought to share in the dividends when any are made.

It is taken for granted that whenever a man fails in any kind of business he fails for the want of more tariff. That seems to be the proposition, that he has not failed for the want of skill or for the want of diligence or energy, or cheap raw material, or upright dealing, or anything of that sort, but he has failed simply for the want of more tariff, and it is the duty of Congress to levy that tariff immediately and reimburse that man. That is the principle we are acting on. Suppose one company did fail; this 50 per cent. tariff has been the law on cutlery for I do not know how many years, and if the company failed under the 50 per cent. tariff, why will it not fail under that tariff, and will you not have to continue to make the company's losses good whenever it fails? There is no end to it.

Mr. President, I can not see why, if a man may make money manufacturing table cutlery at a duty of 35 per cent., he can not manufacture pocket cutlery on the same duty and make money. It is true I do not know as much about making cutlery perhaps as the Senator from Connecticut does, for I never saw the process, but I can not see the difference. One knife remains open and the other shuts up; one is a clasp-knife and the other stands open all the time. That is the only difference I can see between the two classes of cutlery.

Under "cutlery not especially enumerated or provided for in this act" all the elegant, delicate, and exceedingly difficult of manufacture kind of cutlery used by surgeons or by dentists, &c., would come in at 35 per cent. and if there is any of that character made in this country of course it gets a protection; but a common jack-knife, with a buck-horn handle, or a Barlow, or a boy's dog-knife, can not be manufactured in this country; these foreign paupers work too cheap, and we must have a duty of 50 per cent. I do not see any reason for it in the world, except the reason assigned by the Senator from Connecticut, which is a good one in his view and an honest one, that is to say, that they run a losing business and the country must pay that loss.

Mr. PLATT. I make no claim that any business should be reimbursed, but I make this claim, and it is the rock on which I plant myself in all this legislation, that every industry in this country should have just that fair protection which enables it to make an even-handed fight with foreign competition. This business has no more than that. It has hardly that. To be protected as other industries are in this bill it ought to have at least 75 per cent. ad valorem; but it does not ask that. They are willing to keep on and try to live under the duty which they have had. I know something about the men who make pocket-cutlery, and I undertake to say here that not 1 per cent. a year has been realized upon the investment in the manufacture of pocket-cutlery in this country.

Mr. BECK. Before the vote is taken I desire to say that my recollection is—though I have not the speech before me—that the Senator from Vermont made quite a laudatory speech as to the progress of American manufactures under protection, and he said the cutlery of this country was even sold in Sheffield. I may be mistaken about it, but I think the Senator said we had gone so far as to go to that extent.

Mr. PLATT. I know all about that. The table cutlery men of this country, in a spirit of bravado, exported a small lot of table cutlery, not exceeding $10,000, to say the most, and put it into Sheffield and other places in England. The whole export of cutlery from this country last year was only about $92,000 and most of that went to South America. We can not export cutlery. There was an importation of between $700,000 and $800,000 of it last year, and all there is of the exportation of it is just what I have said. It is true that a single concern in New Britain, Connecticut, in a spirit of bravado, once exported a small lot to Europe.

Mr. MILLER, of New York. A single word upon this question. It is true that under our present tariff we have succeeded in so developing the manufacture of table cutlery that our manufacturers do produce nearly all that is consumed in this country, and we do export some. That has been done by the inventive genius of our manufacturers. They have succeeded in making machinery to do the work which always heretofore had been done by hand; but the manufacture of pocket cutlery has not yet fully succeeded in this country. As the Senator from Connecticut has remarked, nearly all those who have embarked in the business have failed. The great cost of pocket cutlery lies in the labor. Thus far it has been done almost entirely by hand labor. Some of our manufacturers are now making machinery for the production of pocket cutlery. It has not yet been a full success, but I have no doubt that in a few years, if this industry shall be properly protected, the inventive genius of this country will be enabled to produce the finest class of pocket-knives, and that the work will largely be done by machinery instead of hand work as it is now done.

I know of but one or two pocket-cutlery establishments in the country that have as yet introduced machinery for its manufacture. They are working and have been always under the old system of hand labor, and it is here that we come more directly into competition with the foreign labor, for the German system of manufacturing pocket cutlery is to put out the material into families. The head of the family, with his wife and children, work at this industry at their own homes in many cities of Germany. The manufacturer furnishes the steel, furnishes the horn for the handles, furnishes various items, and the work is put out and done by the piece in families, in which all the children are enabled to take part, and thus it is that they reduce the cost of labor.

It is not customary for our families in this country to work in that way at all. The head of the family is expected to be able to earn sufficient wages to provide for the wants of the family including his wife and children; and thus pocket cutlery in this country is manufactured in large establishments where but few children are employed. The labor is almost entirely that of adults. Hence it is that protection is required.

In my State it is carried on at one point by a co-operative association, cutler-workers. Men without means, without capital, have associated themselves together, and by their small earnings they are enabled to purchase the material to carry on this labor, being their own masters and their own paymasters. At a less rate of protection than that given by this bill it is impossible that this work shall be carried on. As the Senator from Connecticut has said, only about one-third of the amount used in this country is now produced here, but if it shall be encouraged I have no doubt whatever, knowing something of this industry, that ten years will not pass before machinery will have been perfected which will do nearly all of this hand labor, and which will thus vastly reduce the cost of manufacture.

Certainly the cost of pocket cutlery is not any burden to our people, not any burden even to our poor boys. Pocket-knives are made in this country now and sold at wholesale at less than $1 per dozen and can be retailed at 10 cents apiece, and are. Of course the finer grades cost much more; but when every boy can have a pocket-knife for 10 cents, I submit even to the Senator from North Carolina that the poor people of this country are not over-oppressed by this duty, and it will enable a few laboring men who are associated together in co-operative societies to continue this very worthy industry.

Mr. HAWLEY. I hardly think the Senate is ready to reduce the duty on this cutlery. Some of the manufacturers desire to keep where they are; a great many are willing to be reduced. This can not afford to be reduced, in my humble opinion. Last year the amount of goods imported was about $2,000,000. The importation has increased rather faster than our manufacture. The amount manufactured here was $1,350,000. You see we make about three-eighths of what is needed by the country.

The temporary trouble with this manufacture—but it will recover from it—is that from 15 to 20 per cent. only is raw material and from 80 to 85 per cent. is labor, a fine class of skilled labor. The blades can not be made or have not yet been made by machinery. It is handwork by dexterous workmen, and therefore it is an article that is more likely to need something of protection than most articles.

Our manufacturers are greatly embarrassed by the evasions in valuation. There are agents of foreign houses here who get the goods sent over from abroad at the cost of material and work alone in the old country, bringing them in at a very low valuation indeed. Then there is another class of fraud to which our people are largely subject. There are made in Germany and elsewhere now large quantities of cutlery under the name of "the New England Knife Company," a very inferior cutlery, and it enters into competition with that made in America because people suppose it is American cutlery, and then there is "the Western Cutlery Company," "the Manhattan Cutlery Company," "the Columbia Cutlery Company;" the knives come here stamped in that way, but are made abroad. I simply ask in fairness to let the duty stay where it is for the present.

Mr. VANCE. I should like to ask the Senator if the same amount of labor, and skilled labor at that, is not required in all kinds of table cutlery, surgeons' knives, dentists' knives, &c.?

Mr. HAWLEY. Oh, no. Of course in the two, three, and four bladed pocket-knives, the elegantly finished knives, the proportion of skilled labor is very much greater than in the case-knife and fork.

Mr. PLATT. It may be that the articles to which the Senator alludes come in under "cutlery not otherwise enumerated," but the great bulk of that is simply table cutlery.

Mr. VANCE. I can not see it. I suppose the amount of labor would enter into the cost, of course, but the ad valorem would determine it. I can not see why it is possibly otherwise.

Mr. HAWLEY. There is five times as much work on a beautiful pen-knife as on any table-knife.

Mr. VANCE. Yes; but remember the case-knife the man could buy for that would be equal in value to the pocket-knife.

Mr. ALDRICH. The fact is that the amount of labor that goes into pocket cutlery, on the average, is about 90 per cent. of the cost of the cutlery.

Mr. VANCE. I think I have heard something of that sort before, Mr. President.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE], to strike out "50" and insert "35."

The amendment was rejected.

Lines 826, 827, and 828 were read, as follows:

Pens, metallic, 12 cents per gross; pen-tips and pen-holders, or parts thereof, 35 per cent. ad valorem.

Mr. BECK. I move to strike out "12 cents per gross;" so that the clause will read:

Pens, metallic, pen-tips and pen-holders, or parts thereof, 35 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kentucky [Mr. BECK].

Mr. BECK. That is a large item. Of pens metallic there were imported last year 415,610.25 gross, of the value of $119,327.99, and the revenue paid was $71,393.02. I hold in my hand an invoice which was furnished me by some gentlemen from New York who seem to be men of respectability. I will read their names in a moment. They say that the great bulk of the pens that are imported that bring this large amount of duty are school-pens that cost—here is the invoice—fifty gross at 9 pence, another gross at 5 pence, 9 pence being 18 cents, and 5 pence being 10 cents; others at 2 shillings; others as high as 4 shillings.

The result is from the invoice I hold in my hand that a school-pen that costs 5 pence or 10 cents is paying now, at 12 cents a gross, 120 per cent. ad valorem. Those that are bringing 9 pence, or 18 cents, pay 66⅔ per cent., while those that cost 2 shillings per gross are paying 24 per cent., and those that cost 5 shillings are paying 2.4 per cent.

Those gentlemen say this to me in their letter; I do not know them myself. They are Ivison, Blakeman, Taylor & Co., publishers, New York; A. S. Barnes & Co., educational supplies, New York; H. Bainbridge & Co., stationers, New York; and B. Illfelder & Co., stationers, New York; and this is what they say:

January 27, 1883. * * * We beg that the tariff on metallic pens may be made ad valorem instead of specific for the following reasons:

Steel pens in common use cost in England from 4 pence (8 cents) to 3 shillings (72 cents) per gross; very fine grades from 5 to 20 shillings ($1.20 to $4.80) per gross. The cheaper grades costing from 8 to 16 cents in England, such as are used exclusively in our schools, at a tax of 12 cents per gross, will pay from 75 to 150 per cent., and extra fine (including gold pens) will pay almost no tax.

That is not fair. The ad valorem ought to reach the finest class of pens just as it does the lower grades of pens, and the common-school pen should not pay 120 or 150 per cent. while the fine pen comes in at 5, 10, 15, or 20 per cent.

Mr. DAWES. What does the Senator say the maximum is?

Mr. BECK. The maximum they say is 150 per cent. on the school pens.

Mr. DAWES. The maximum cost?

Mr. BECK. The maximum cost. I will read again.

Steel pens in common use cost in England from 4 pence (8 cents) to 3 shillings (72 cents) per gross; very fine grades from 5 to 20 shillings ($1.20 to $4.80) per gross.

A fair tax on the valuation would seem to me to be better than to fix 12 cents per gross, and therefore I move to strike out these words; and the invoice that I hold in my hand verifies it.

Mr. MILLER, of New York. The Senator from Kentucky proposes 35 per cent. I fully agree with him that the duty should be made ad valorem, but I think the rate suggested by the Senator from Kentucky is too small for this kind of work. It is no more than the duty upon the raw material, the steel out of which they are made; perhaps even not as much as on the steel when it is reduced to that degree of thinness necessary to make a pen. I would agree to make it an ad valorem duty, but I think it should be 45 per cent. I do not believe that the cheaper pens, which are worth only 6 or 8 cents per gross, are of any benefit to the country or to the children. They are useless, entirely worthless to write with, and it would be much better if they did not come in at all, in my judgment. I submit that 45 per cent. would be a fair rate of duty on an ad valorem basis rather than 35.

Mr. BECK. The Tariff Commission recommend 40 per cent., I believe. Perhaps 40 per cent. would be nearer right. I do not want to be too low.

Mr. SEWELL. I call attention to the importations last year: 415,610.25 gross of steel pens were imported at a valuation of $119,327.99, making the cost of them 40 cents a gross. I do not find any 6 or 8 cent pens coming in. The tariff at present is 10 cents a gross specific and 25 per cent. ad valorem, making an average tariff of 59.83 per cent. The commission recommended 40 per cent.; but on the representation of the manufacturers here of the undervaluation of pens, and that they would rather have a specific duty, I think even a low one, the Finance Committee finally fixed it at 12 cents a gross, which is about 8 per cent. less than it is to-day, and certainly low enough.

Mr. MILLER, of New York. Thirty-five per cent. would be altogether too low.

Mr. SEWELL. We want a specific rate.

Mr. PLATT. I dislike to be obliged to speak upon all these items, but it so happens that the State of Connecticut, a small State, is the fifth State in the Union in the value of its manufactured articles. It also happens that we have no great overshadowing, leading branch of industry, but that almost all of our manufactures are small compared with the great industries of the country, and I think there is not an article manufactured on this list—I have been looking it over with some degree of care—that the manufacturers of Connecticut are not interested to a greater or less extent in. Therefore it is perhaps reasonable that I should from time to time speak upon these various items.

The present duty on pens is 10 cents per gross and 25 per cent. ad valorem. If you were to strike down the 25 per cent. ad valorem you would still have 10 cents per gross. What the manufacturers ask is that the rate shall be fixed at 12 cents per gross, which is a little reduction on the best; it is no reduction on the very cheapest kind of pens, which the Senator from Kentucky speaks of as costing abroad, duty free, 8 cents. It leaves the duty upon those pens just exactly where the duty is now. It reduces from that all along the list until on the higher-grade pens the reduction is quite considerable.

Mr. MILLER, of New York. What do you want to do?

Mr. PLATT. I want to leave it where the committee recommended, at 12 cents a gross.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kentucky [Mr. BECK].

Mr. BECK. I am inclined to think that 40 per cent. would be safer than 35, and it is what the commission recommend, and having no other knowledge except what I have given, I will suggest 40 per cent. ad valorem as being perhaps——

The PRESIDENT *pro tempore*. And strike out "12 cents per gross."

Mr. BECK. Yes, sir; and insert "40 per cent. ad valorem."

Mr. PLATT. Let me suggest to the Senator from Kentucky why will he not be content to make a 25 per cent. ad valorem reduction on this and leave it at 10 cents a gross?

Mr. BECK. Ten cents a gross would be 100 per cent. upon the pens that are invoiced at 5 pence or under. I would rather have a fair ad valorem rate on all.

Mr. PLATT. I have not made the calculation, but I can not think that it is as high as that.

Mr. BECK. That is what this statement says, and that is what the invoice that I hold in my hand shows.

Mr. PLATT. At any rate it is 25 per cent. ad valorem less than it is now.

Mr. BECK. But it would not get clear of the inequality.

Mr. SEWELL. The Senator from Kentucky refers to a statement given him by interested parties; but here we have the actual facts from the Treasury Department that these pens imported run over 40 cents a gross on the average.

Mr. BECK. Yes; the higher-priced pens come in cheaply.

Mr. SEWELL. The average is about 42 cents. They now pay 10 cents a gross specific and 25 per cent. ad valorem, which is 20 cents a gross. The Finance Committee report 12 cents. I hope the specific duty will be retained and that we shall not go back to the ad valorem.

Mr. BECK. I would rather suggest 40 or even 45 per cent. than have the inequality that now exists. My amendment is 40 per cent. I have told the Senate all I know about it.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kentucky [Mr. BECK].

Mr. SEWELL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALDRICH. Do I understand the Senator from Kentucky to move that pen-holders be increased 5 per cent.?

The PRESIDENT *pro tempore*. Everything in the item is increased 5 per cent.

Mr. ALDRICH. I do not see why the duty on pen-holders should be increased.

Mr. BECK. I do not care enough about it and did not know enough about it, except to make the suggestion of 40 per cent.

Mr. DAVIS, of West Virginia. It is all one clause.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Kentucky [Mr. BECK], on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. DAVIS, of West Virginia (when his name was called). I am paired with the Senator from Minnesota [Mr. WINDOM], but that pair is transferred to my colleague [Mr. CAMDEN], who is absent. I vote "yea."

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND] unless there is a want of a quorum, and then I can vote.

Mr. MILLER, of California (when his name was called). I am paired with my colleague [Mr. FARLEY] unless my vote is necessary to make a quorum.

Mr. PLUMB (when his name was called). On this question I am paired with the Senator from Missouri [Mr. VEST].

The roll-call was concluded.

Mr. EDMUNDS. As I am authorized by my friend from Arkansas [Mr. GARLAND] to vote if necessary to make a quorum, I vote "nay."

Several other Senators having voted.

Mr. EDMUNDS. I think there is much over a quorum now, and I withdraw my vote, as my friend from Arkansas [Mr. GARLAND] is not here.

The result was announced—yeas 22, nays 20; as follows:

YEAS—22.

Barrow,	Davis of W. Va.,	Jackson,	Sherman,
Bayard,	George,	Jonas,	Vance,
Beck,	Gorman,	Lapham,	Van Wyck,
Call,	Groome,	Maxey,	Voorhees.
Cockrell,	Hampton,	Morgan,	
Coke,	Harris,	Ransom,	

NAYS—20.

Aldrich,	Cameron of Wis.,	Harrison,	McMillan,
Allison,	Conger,	Hawley,	Morrill,
Anthony,	Davis of Ill.,	Hoar,	Platt,
Blair,	Dawes,	Ingalls,	Rollins,
Cameron of Pa.,	Hale,	Kellogg,	Sewell.

ABSENT—34.

Brown,	Garland,	McPherson,	Saunders,
Butler,	Grover,	Mahone,	Sawyer,
Camden,	Hill,	Miller of Cal.,	Slater,
Chilcott,	Johnston,	Miller of N. Y.,	Vest,
Edmunds,	Jones of Florida,	Mitchell,	Walker,
Fair,	Jones of Nevada,	Pendleton,	Williams,
Farley,	Lamar,	Plumb,	Windom.
Ferry,	Logan,	Pugh,	
Frye,	McDill,	Saulsbury,	

So the amendment was agreed to.

The item in line 829 was read, as follows:

Pins, solid-head or other, 30 per cent. ad valorem.

The item in lines 830 and 831 was read, as follows:

Britannia ware, and plated and gilt articles and wares of all kinds, 35 per cent. ad valorem.

The item in line 832 was read, as follows:

Quicksilver, 10 per cent. ad valorem.

Mr. MILLER, of California. Mr. President——.

Mr. BECK. Quicksilver is on the free-list now.

Mr. MILLER, of California. I move to amend by striking out "10" as the per cent. and inserting "15." The reason I do this is that owing to the competition of the foreign mines in Spain and Austria the quicksilver mines of California have almost ceased working. There were at least 5,000 men engaged in this industry before this article was put on the free-list, and as the consumption is mostly on the Pacific coast I do not think objection should be made to our adjusting this duty so as to foster this industry in connection with our other mining industries. Quicksilver mining is a precarious sort of industry at best, and the mines have been opened at great expense, and now out of thirty quicksilver mines there are only eight in operation, and they are working at an absolute loss.

I do not mean to detain the Senate. I think this slight increase of duty over what the committee have recommended is necessary, and I doubt whether it will be sufficient, but it is all I shall ask at this time. I trust the Senate will vote for the amendment.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from California [Mr. MILLER].

Mr. VANCE. I move to strike out that paragraph.

The PRESIDENT *pro tempore*. The motion of the Senator from California is first in order. After that the motion to strike out can be made.

Mr. VANCE. I should think the interests of the people of California would be promoted by having as much free quicksilver as possible, because it is used for mining purposes. I suppose the Senator knows their interests better than I do, but it struck me it would be an accommodation for the miners of the West to have free quicksilver.

Mr. MILLER, of California. I hope the Senator will be kind enough to let us decide that for ourselves.

Mr. VANCE. You have my permission. [Laughter.]

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from California.

The amendment was rejected.

Mr. VANCE. Now I move to strike out the paragraph. Quicksilver is now on the free-list. I move to strike out the line and let it go back to the free-list.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

The amendment was rejected.

The item in lines 833 and 834 was read, as follows:

Silver leaf, 75 cents per package of five hundred leaves.

The item in line 835 was read, as follows:

Type-metal, 20 per cent. ad valorem.

The item in lines 836 and 837 was read, as follows:

Chromate of iron or chromic ore, 15 per cent. ad valorem.

The item in lines 838, 839, and 840 was read, as follows:

Metallic substances in a crude state, and metals unwrought, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Mr. VANCE. I simply want to inquire from some Senator competent to answer if that would not include ores. The language is "metallic substances in a crude state."

Mr. MORRILL. It would not, because they are already provided for.

The item from line 841 to line 846 was read, as follows:

Manufactures, articles, or wares, not specially enumerated or provided for in this act, composed wholly or in part of iron, steel, copper, lead, nickel, pewter, tin, zinc, gold, silver, platinum, or any other metal, and whether partly or wholly manufactured, 45 per cent. ad valorem.

Mr. BAYARD. I move to strike out "45" and insert "30" in line 845.

Mr. MORRILL. I trust that will not be done. This embraces a great variety of very expensive manufactured articles that are not enumerated and are intended to be embraced in this provision.

Mr. BECK. The schedule has arranged them all, and this is only to produce conflict in your laws.

Mr. ALDRICH. The Senator from Delaware is entirely mistaken in what he says. All we have done in steel is to make a duty on steel not otherwise enumerated. On the raw material it is 30 per cent.; manufactures of steel are included in the very clause we now have under consideration; and the duties on the larger portion of the materials that are included in this clause are above the rate which the Senator from Delaware now proposes. These embrace articles of very fine manufacture, upon which the duty on the raw material is more than 30 per cent. ad valorem.

Mr. BECK. The present rate upon all this class of articles is 35 per cent. ad valorem under a tariff that is said to be exceptionally high, and that we are seeking to reduce, involving, as the Senator says, millions of dollars.

Why we should put up from 35 to 45 per cent. ad valorem articles attached to a schedule where we have reduced from 15 to 20 per cent. below the present rates, I am unable to see. Thirty-five per cent. is the present law, and we have reduced the present taxation certainly on an average 15 per cent. from what the law now is; and why this should be put up to 45 I can not understand.

Mr. MORGAN. Mr. President, a good deal of solicitude has been expressed on the part of gentlemen from older States of the North and the East that the South and the West should engage in manufactures. We have quite an abundance of raw material in the South to be manufactured, such as wool, cotton, timber, iron, and other commodities. We find ourselves very much embarrassed for the want of capital, and also by the expense of machinery which we are compelled to obtain either from the North and East or from abroad. I have had more desire that my country should embark in manufactures because of the conveniences we have there of the raw material and because it seems to be natural, particularly in reference to the heavier commodities, that the manufacturing should take place as near as possible to the point of production. We have been buying machinery at the South and have accumulated a good deal of it, particularly in cotton spinning. We have invested large amounts of money in the last few years, so that the increase of our investment there has rather surprised the manufacturers of other parts of the country.

We have had to buy this machinery under an ad valorem tax of 35 per cent., and this bill proposes now to advance it to 45 per cent., to put an addition of 10 per cent. ad valorem on the machinery we are to use in starting manufactories, enough to cripple and destroy the infant industries of the South. The benevolence which has been expressed here in reference to infant industries seems to have taken a sort of sectional turn, and those industries are now considered as being infants which have been established a hundred years, and those which are about to be built seem to be senile or in a state of decrepitude because they are trying to start off on their first feet.

I desire to put the sincerity of gentlemen who profess to be encouragers of American industry to a test on this question on a plain, palpable proposition. The Senator from Rhode Island, I think it was, or probably it was the Senator from Vermont, stated that this clause in this bill relates to very fine qualities of machinery or very fine qualities of manufacture of the different metals that are mentioned in this clause. It does relate to very fine machinery, and it also relates to very common machinery, to machinery of every kind and character, for except car-wheels I have not found any other machinery introduced into this bill by a specific enumeration at any place. If it is here I have overlooked it.

Now, then, will the Senators on the other side, who profess to be willing to encourage American industry everywhere through this country, explain why it is that they strike a blow at Southern industries which is obliged to be fatal and which will compel us to relinquish all hope of competing with them in manufactures from this time forward? They have had the encouragement of a protective tariff for a century. States that otherwise were sterile, States that never would have been built up into prosperity, have had the continuous annual bounty of a protective tariff, a high protective tariff, many of them for near a century. Our people have made contributions out of the richness of their productions, almost without murmuring. It is true we have sometimes made some complaint of inequalities and burdens coming from taxation, but we have had to bear the burden of the building up of these manufacturing industries in the North and in the East; and not only are the manufacturers there now representing in themselves enormous capital accumulated in machinery and in buildings and in grounds and in appliances and accessories of every kind, but palatial residences and enormous colossal fortunes have been also built up through this taxation which our industry has largely yielded in favor of these gentlemen in the North and East.

You have had a long time during which you have enjoyed the contributions of the people of the agricultural regions of this country; and now when we desire to enter into manufactures you deny us the opportunity by an advance of 10 per cent. ad valorem upon all the machinery that we should put into our plants. This is an exceeding injustice.

The question has been asked why we have not heretofore engaged in manufactures. The reasons of it are very obvious, and I have had the honor on one occasion, I remember, during this debate to explain them somewhat before the Senate. It must be remembered by gentlemen in the older States that we in the South and the West have had States to build; we have had communities to found; we have had every establishment of civilization to build, and we have been producing at the same time the enormous crops of cotton, sugar, and of other productions, which have brought immense revenues to this country, and which have contributed as much, if not more, to its commercial enrichment than any other crops or any other products that have been made in the United States.

Now, sir, think of what we have had to do in the opening up of these vast forests, cutting them down and subjecting the lands to cultivation, building towns and cities, bridges, roads, everything that belongs to civilization, school-houses and churches, making contributions from our current earnings to an enormous amount every year, while we have been supplying the raw material to the commerce of this country, and which has so wonderfully enriched it. We are, therefore, not to be blamed for not being in a more forward state in the reservation of our money as capital and its investment in manufactures.

Another point I shall refer to, not in any spirit of bitterness or of complaining, but I refer to it as a great and essential fact which has had a very marked influence upon the development of the South in the direction of industrial improvement. What is that? The Northern States in an early part of the founding of this Government and before its foundation saw immense profit in the importation of slaves into this country. Their ships were built, sent to Africa and elsewhere, loaded with slaves and brought into this country, and that trade continued as late as the year 1820. What became of that slave property? It did not remain in the North; it was not emancipated there; it was not lost to the people who had imported it. It was sold, and it was bought by the people of the South and of the West. We contributed our money to the Northern and Eastern people in the purchase of this species of property, all that we could get. It was the most attractive property that we could possibly find; it was exactly suited to the hard labor of the opening up of a new country; it was precisely adapted to a Southern climate. There was no other laborer under whose hand cotton could grow as it could under that of the negro slave, and there was no other labor that would contribute so much and so successfully to the cultivation of the sugar-cane.

The result was that we, as a matter of choice, paid great prices to the Northern and Eastern importers of slaves and enriched them very greatly by this commerce. What did they do with the money? With that thrift that is becoming to them, and which certainly characterizes all of that people and has always done so, they invested their money in manufactures; they commenced from the very beginning, the very foundation of this country, in laying at once in manufacturing establishments the money that we paid them for our slaves. We went on making money, growing rich in the use of this description of labor, bestowing upon it every attention that could be bestowed for the purpose of its increase and its propagation. We spent all of our surplus earnings in the purchase of land and in the purchase of slaves, and we found encouragement to do so because the markets of the world opened themselves invitingly to us that we might sell slave products to them.

Hence it was that all of the energies that we bestowed in the cultivation of the soil, all of the immense contributions that we made to commerce in this country and the fruits of these contributions when they were returned to us were invested in more property and in more lands, and in the building of more towns and in other improvements, including in recent years large outlays for railways and other means of commercial intercommunication.

Now, sir, are we not entitled to some regard and some respect and to fair dealing when by necessity, by a convulsion that we can not avoid, we are forced now to divert our earnings, whatever they may be, in large part from agricultural employments and to invest them in machinery? I expected, sir, a friendly hand of assistance from these gentlemen without reference to the past who have said so much and contributed so much of talent and zeal and ability to the building up of manufacturing industries in the country; I had expected and I had a right to expect their assistance in enabling the South to go forward in this plan of money-making, in this plan of investment and improvement which they themselves have used to such enormous profit.

But how is it, Mr. President? Just the reverse of that. When this tariff bill was reported, I expected to have seen a reduction, at least upon those classes of machinery necessary for the spinning of wool and cotton in the South; but instead of that we have got 45 per cent., raising it from 35 to 45 per cent. ad valorem in this tariff. Sir, there never was a more marked instance of sectional selfishness than that which is portrayed in this very movement. The old-established institutions of the country, who have their capital already invested, who have their plants already made, who have nothing to do but turn on the steam and water and put their machinery into operation to the manufacture of all things from the coarsest fabrics to the thinnest, turn to us and say: "You shall not even invest your money in the manufacture of the coarsest of the fabrics which you produce unless you will agree to pay a 10 per cent. ad valorem duty in excess of 35 per cent., under which you have heretofore been acting."

Sir, I had the pleasure of attending that great exposition at Atlanta, which was an honor to the entire country, and I saw there the manufacturing machinery of the gentlemen from the North in full play and operation, and the delight with which it was received by the people of the South gave me encouragement to believe that they would bend their energies toward that line of improvement and investment. They were willing to do it, aye, sir, anxious to do it from that time to this; but what a check do we put upon them here, how we dampen their ardor when we deny to them the privilege of manufacturing unless they pay a 10 per cent. increased duty upon these productions!

I do not understand this, Mr. President. I can not conceive why it is that we should be cut off from this opportunity of buying machinery at fair rates to start these infant industries, about which gentlemen have said so much, and in reference to which they have spoken in a spirit of almost pathetic patriotism. I do not understand it.

I move to strike out 45 per cent., but I believe the motion has been made by the Senator from Kentucky.

The PRESIDENT *pro tempore*. The Senator from Delaware has moved to strike out "45" and insert "30."

Mr. ALDRICH. I understand the Senator from Delaware is willing to accept a compromise of "35."

Mr. MORGAN. The Senator from Delaware is a good Southern man, but he lives too far to the North. We would rather have 30 per cent.

Mr. SHERMAN. The Tariff Commission give a reason for making this very rate, and I will read it, as it is very brief. Senators will then see the reason why it is placed so high:

> In recommending the comparatively high rate of 45 per cent. for the general "not otherwise provided for" clause, the commission is influenced by the idea that this "unenumerated" provision should be, on the average, higher than the general rates in the schedule. A reference to the testimony will show conclusively that a great many of the disputes that have heretofore arisen between the importers and the Government have been caused by the attempts of consignees to have new articles or old articles under new names made dutiable under the low ad valorem rates of the present "not otherwise provided for" clause. It is believed that a close examination of the subject will show that this suggestion is of the utmost importance, and that the ad valorem rates for this clause should be placed at the figure named, and in all cases should be higher than the average rate of duty on other articles in the schedule."

This matter was considered and talked over a good deal in committee. There was great difference of opinion as to what should be the right rate for these non-enumerated articles. In the classification that has been made about $8,000,000 worth of imported articles have been grouped under this non-enumerated clause, the duty on which yields on an average 37.26 per cent. I thought myself that the duty of 45 per cent. ad valorem was too high. We have taken off the duty on packages, but at the same time I should be willing to see this reduced to 35 per cent., which is 2½ less than the present non-enumerated clause.

Mr. EDMUNDS. And 5 per cent. taken off for packages.

Mr. SHERMAN. Then, considering that the cost of packages is taken off, that will make quite a reduction besides. I move, therefore, to amend the amendment so that it shall read 35 per cent.

Mr. ALDRICH. I understand that is satisfactory to the Senator from Delaware.

Mr. MORGAN. I ask the Senator from Ohio what is the reduction in cost of packages; what would be the ad valorem reduction?

Mr. SHERMAN. That is stated by the Tariff Commission as from 2 to 15 per cent.; on these articles 5 per cent., and 15 per cent. on bulky articles of crockery.

Mr. HOAR. I understand that on cotton machinery the package is very expensive. I understand it amounts to 10 per cent.

Mr. ALDRICH. Ten per cent. at least.

Mr. HOAR. They have to be entirely air-proof, air-tight.

Mr. MORGAN. That is a concession which I am willing to give—35 per cent. on that statement.

Mr. GEORGE. I offer this amendment——

Mr. SHERMAN. Is my amendment agreed to?

The PRESIDENT *pro tempore*. The vote has not yet been taken.

Mr. GEORGE. At line 846——

The PRESIDENT *pro tempore*. There are two amendments pending.

Mr. GEORGE. I want my amendment read for information before the vote is taken.

The PRESIDENT *pro tempore*. It will be read.

The ACTING SECRETARY. At the end of line 846 it is proposed to add:

> *Provided*, That machinery for the manufacture of cloths and threads composed in whole or in part of cotton, wool, hemp, jute, or ramie, and all tools of mechanics used solely in manual labor shall be charged a duty of 10 per cent. ad valorem.

Mr. SHERMAN. I ask for a vote on the other proposition.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Ohio [Mr. SHERMAN] to the amendment of the Senator from Delaware [Mr. BAYARD] to make the rate of duty 35 per cent.

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware as amended.

The amendment as amended was agreed to.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Mississippi [Mr. GEORGE].

Mr. EDMUNDS. Let it be again read.

The ACTING SECRETARY. At the end of line 846 it is proposed to insert:

Provided, That machinery for the manufacture of cloths and threads composed in whole or in part of cotton, wool, hemp, jute, or ramie, and all tools of mechanics used solely in manual labor, shall be charged a duty of 10 per cent. ad valorem.

Mr. CAMERON, of Pennsylvania. I think that had better be printed and go over until to-morrow.

Mr. VANCE. I move that the Senate do now adjourn.

Mr. MORRILL. I merely ask——

The PRESIDENT *pro tempore*. The motion to adjourn is not debatable.

The motion was not agreed to.

Mr. MORRILL. When the reading of the next schedule is commenced I will consent to an adjournment.

Mr. SHERMAN. Before that is done I wish to make a motion that everybody will agree to. I move that Schedule C be printed as it now stands, so we may to-morrow have it.

Mr. EDMUNDS. We have not finished Schedule C yet.

Mr. SHERMAN. I supposed it was finished.

Mr. VANCE. I believe I have the floor.

The PRESIDENT *pro tempore*. Yes, sir.

Mr. BECK. In regard to the printing, does the Senator from Ohio move that the three schedules we have passed be printed as amended, A, B, and C?

Mr. SHERMAN. Four schedules. D has been passed also, "wood and wooden-wares."

Mr. EDMUNDS. If we can only get through the A, B, and C business, we shall have less discussion over the way.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Mississippi [Mr. GEORGE].

Mr. VANCE. May I say a word now, sir?

The PRESIDENT *pro tempore*. Yes, sir.

Mr. VANCE. I want to say that I have an amendment of a similar character to offer which would properly come in attached to this schedule, and I propose to accompany it by some remarks, but I do not want to make them to-night. I am not prepared to do so. As we have worked so faithfully to-day and got through the schedule, with the exception of that amendment, I hope there will be universal consent to adjourn.

Mr. EDMUNDS. No, sir, no consent.

The PRESIDENT *pro tempore*. The amendment of the Senator from Mississippi is pending.

Mr. VANCE. Now, Mr. President, I say once more that I desire to make a few remarks to-morrow upon that amendment of the Senator from Mississippi, or a similar one which I have on my desk ready to offer at the proper time; and as it is now 9 o'clock, I do not think it would be fair for Senators after we have worked so faithfully all day to force me to go on to-night or to force the Senator from Mississippi to speak to his amendment to-night; and as it was agreed that we would sit and work till 9 o'clock, and that the Senator from Vermont, the chairman of the committee, would then make a motion to adjourn, I hope he will do so. ["Question!" "Question!"]

Mr. GEORGE. It is 9 o'clock. I should like to submit some remarks in favor of the amendment which I have offered in behalf of a large class of my constituents. I move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Senator from Mississippi moves that the Senate adjourn. Will the Senator wait a moment? The Senator from Ohio [Mr. SHERMAN] moved to have all these schedules printed.

Mr. HARRIS. That order has already been made, I understand.

The PRESIDENT *pro tempore*. It has not been.

Mr. HARRIS. I thought it had.

The PRESIDENT *pro tempore*. It will be made if there be no objection. The Senator from Mississippi, the hour of 9 o'clock having arrived, and that being the hour that it was said the Senate would adjourn, moves that the Senate adjourn.

The question being put, it was declared that the ayes appeared to prevail.

Mr. EDMUNDS called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND]. If he were present, I should vote "nay," but I am authorized to vote if it is necessary to keep a quorum to finish this bill.

Mr. DAVIS, of West Virginia. I should have stated when my name was called that I am paired with the Senator from Minnesota [Mr. WINDOM], but the pair is transferred to my colleague [Mr. CAMDEN].

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. PLUMB (when his name was called). On this question I am paired with the Senator from Missouri [Mr. VEST].

The roll-call having been concluded, the result was announced—yeas 19, nays 25; as follows:

YEAS—19.

Barrow,	Davis of Ill.,	Hampton,	Morgan,
Bayard,	Davis of W. Va.,	Harris,	Ransom,
Beck,	George,	Jackson,	Vance,
Call,	Gorman,	Jonas,	Voorhees.
Coke,	Groome,	Maxey,	

NAYS—25.

Aldrich,	Dawes,	Lapham,	Rollins,
Allison,	Hale,	Logan,	Sawyer,
Anthony,	Harrison,	McDill,	Sewell,
Blair,	Hawley,	McMillan,	Sherman.
Cameron of Pa.,	Hoar,	Miller of N. Y.,	
Cameron of Wis.,	Ingalls,	Morrill,	
Conger,	Kellogg,	Platt,	

ABSENT—32.

Brown,	Ferry,	Lamar,	Saulsbury,
Butler,	Frye,	McPherson,	Saunders,
Camden,	Garland,	Mahone,	Slater,
Chilcott,	Grover,	Miller of Cal.,	Van Wyck,
Cockrell,	Hill,	Mitchell,	Vest,
Edmunds,	Johnston,	Pendleton,	Walker,
Fair,	Jones of Florida,	Plumb,	Williams,
Farley,	Jones of Nevada,	Pugh,	Windom.

So the Senate refused to adjourn.

Mr. VANCE. I move that the Senate proceed to the consideration of executive business, and call for the yeas and nays on the motion.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND] with liberty to vote if it is necessary to keep a quorum against filibustering.

Mr. MILLER, of California (when his name was called). I am paired with my colleague [Mr. FARLEY].

The roll-call was concluded.

Mr. EDMUNDS. Is there a quorum?

The PRESIDENT *pro tempore*. There is not.

Mr. EDMUNDS. I vote "nay."

Mr. MILLER, of California. I will vote to make a quorum.

The PRESIDENT *pro tempore*. There lack nine of a quorum.

Mr. VOORHEES. I hope it may be considered proper on the part of all Senators on this side who are paired likewise to vote to make a quorum. I see it is universally done on the other side. I do not doubt the propriety of it so far as they are concerned, but I hope it may be an equal-handed affair and Senators will not feel trammeled on this side of the Chamber, but will be allowed to vote to make a quorum.

Mr. ROLLINS. That is all right.

Mr. MAXEY. I vote "nay."

Mr. EDMUNDS. Let the result be announced. Follow the law.

The PRESIDENT *pro tempore*. The Chair votes "nay."

Mr. GEORGE. Is it in order to move to adjourn?

The PRESIDENT *pro tempore*. It is not.

Mr. EDMUNDS. Let the list be read.

The result was announced—yeas 4, nays 31; as follows:

YEAS—4.

Barrow,	Call,	Hampton,	Voorhees.

NAYS—31.

Aldrich,	Dawes,	Kellogg,	Morrill,
Allison,	Edmunds,	Lapham,	Platt,
Anthony,	Gorman,	Logan,	Plumb,
Blair,	Hale,	Maxey,	Rollins,
Cameron of Pa.	Harrison,	McDill,	Sawyer,
Cameron of Wis.,	Hawley,	McMillan,	Sewell,
Conger,	Hoar,	Miller of Cal.,	Sherman.
Davis of Ill.,	Ingalls,	Miller of N. Y.,	

ABSENT—41.

Bayard,	Ferry,	Jones of Florida,	Saunders,
Beck,	Frye,	Jones of Nevada,	Slater,
Brown,	Garland,	Lamar,	Vance,
Butler,	George,	Mahone,	Van Wyck,
Camden,	Groome,	McPherson,	Vest,
Chilcott,	Grover,	Mitchell,	Walker,
Cockrell,	Harris,	Morgan,	Williams,
Coke,	Hill,	Pendleton,	Windom.
Davis of W. Va.,	Jackson,	Pugh,	
Fair,	Johnston,	Ransom,	
Farley,	Jonas,	Saulsbury,	

The PRESIDENT *pro tempore*. Four Senators voting in the affirmative and 31 in the negative, there lack four of a quorum.

Mr. EDMUNDS. Now I rise upon a question of order and call upon the Chair to enforce the rule to call the roll of Senators.

Mr. GEORGE. Is it in order to move an adjournment?

Mr. EDMUNDS. Let the roll be called.

The PRESIDENT *pro tempore*. A motion to adjourn is not in order pending a call of the roll.

The roll was called, and the following Senators answered to their names:

Aldrich,	Dawes,	Kellogg,	Morgan,
Allison,	Edmunds,	Lapham,	Morrill,
Anthony,	Gorman,	Logan,	Platt,
Blair,	Hale,	McDill,	Plumb,
Cameron of Pa.,	Hampton,	McMillan,	Rollins,
Cameron of Wis.,	Harrison,	Maxey,	Sawyer,
Conger,	Hawley,	Miller of Cal.,	Sewell,
Davis of Ill.,	Hoar,	Miller of N. Y.,	Sherman.
Davis of W. Va.,	Ingalls,	Mitchell,	

The PRESIDENT *pro tempore*. Thirty-five Senators are present.

Mr. EDMUNDS. I move that the absent Senators be sent for.

The PRESIDENT *pro tempore*. That motion is in order unless a motion to adjourn is made.

Mr. EDMUNDS. It is in order without a motion to adjourn, if the Chair will permit me to say so.

Mr. VOORHEES. I hardly think it worth while to send for absent Senators.

Mr. EDMUNDS. Will the Chair be kind enough to put the question I propose?

Mr. VOORHEES. Will the Chair be kind enough to entertain a motion to adjourn?

Mr. EDMUNDS. Not until he has put the question I proposed, first.

Mr. VOORHEES. I submit to the Chair that that will not be in order when a motion to adjourn is made.

The PRESIDENT *pro tempore*. The motion to adjourn would be proper if the motion of the Senator from Vermont had not preceded it.

Mr. VOORHEES. I would not have made it except for the suggestion of the Chair, and I shall not make it again.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont to send for absent Senators.

Mr. HARRIS. Pending that motion, I move that the Senate do now adjourn.

The PRESIDENT *pro tempore*. That motion is in order. [Putting the question.] The ayes seem to have it.

Mr. EDMUNDS. Let us have the yeas and nays on that.

The yeas and nays were ordered and taken.

Mr. BECK. I want to move to amend the amendment of the Senator from Mississippi, if the debate is to go on.

Mr. EDMUNDS. We have not had the announcement of the vote, and then there can be no business done unless to adjourn or send for absent Senators if there is not a quorum.

The PRESIDENT *pro tempore*. The Senator from Vermont insists upon the rule to have absent Senators sent for.

Mr. COCKRELL. I desire to vote.

The PRESIDENT *pro tempore*. The Senator from Missouri.

Mr. EDMUNDS. I rise to a question of order, and ask the Chair to announce the vote.

Mr. COCKRELL. I rise to vote before the announcement, as is my constitutional privilege.

The PRESIDENT *pro tempore*. The Senator from Missouri.

Mr. COCKRELL. I vote "yea."

The result was announced—yeas 17, nays 30; as follows:

YEAS—17.

Barrow,	Coke,	Hampton,	Ransom,
Bayard,	Davis of Ill.,	Harris,	Vance.
Beck,	Davis of W. Va.,	Jackson,	
Call,	Gorman,	Jonas,	
Cockrell,	Groome,	Morgan,	

NAYS—30.

Aldrich,	Edmunds,	Logan,	Plumb,
Allison,	Hale,	McDill,	Rollins,
Anthony,	Harrison,	McMillan,	Sawyer,
Blair,	Hawley,	Maxey,	Sewell,
Cameron of Pa.,	Hoar,	Miller of Cal.,	Sherman,
Cameron of Wis.,	Ingalls,	Miller of N. Y.,	Voorhees.
Conger,	Kellogg,	Morrill,	
Dawes,	Lapham,	Platt,	

ABSENT—29.

Brown,	Garland,	McPherson,	Van Wyck,
Butler,	George,	Mahone,	Vest,
Camden,	Grover,	Mitchell,	Walker,
Chilcott,	Hill,	Pendleton,	Williams,
Fair,	Johnston,	Pugh,	Windom.
Farley,	Jones of Florida,	Saulsbury,	
Ferry,	Jones of Nevada,	Saunders,	
Frye,	Lamar,	Slater,	

So the Senate refused to adjourn.

Mr. MORRILL. I desire to say that when I came here this morning I did expect that we would adjourn by 9 o'clock. Several Senators came to me and asked me at what time I expected the Senate to adjourn, and I said 9 o'clock, and if we got through the metal schedule perhaps a little sooner. I never intended to move an adjournment until we got through the schedule, but I find that my friends from Mississippi and North Carolina each of them wants to take ten or fifteen minutes to-morrow morning. I am perfectly willing to propose to give those Senators, each of them, ten or fifteen minutes.

Mr. MAXEY. I shall oppose that.

Mr. BECK. We want no limit about it.

Mr. VANCE. I decline to be restricted in reference to time. I will speak two hours if I want, or three minutes if I want, or four days if I want, and I can hold out.

The PRESIDENT *pro tempore*. A quorum being present——

Mr. EDMUNDS. I withdraw my motion for a call of the Senate, as a quorum is here, as it has been all the time, except that gentlemen on the other side would not vote.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Mississippi [Mr. GEORGE].

Mr. BECK. I move to amend that amendment by striking out "10 per cent." and inserting "15 per cent."

I merely desire to say on the amendment that my understanding was, and I believe it was the understanding of gentlemen on this side, that we were to sit here till 9 o'clock to-night, and when the gentleman from Delaware [Mr. BAYARD] at 6 o'clock in the evening moved to adjourn, I voted against it because I thought that was the understanding. I have sat here from 11 o'clock to-day until now, half past 9, hardly going out of my seat, without even taking lunch, thinking that we would adjourn at 9 o'clock and I could get home in time. Other gentlemen have taken the privilege of being out of the Chamber for hours to-day.

Mr. COCKRELL. How long has the Senator from Vermont been out?

Mr. BECK. I do not know how long any Senator was out, but the Senate has been very thin at times, although some of us have been sitting here without leaving our seats, believing that at 9 o'clock the Senate would adjourn. As the Senator from Mississippi said he desired to address the Senate, and the Senator from North Carolina said he desired to address the Senate, and it was after 9 o'clock, believing that was the arrangement, and as we had sat here steadily until 9 o'clock, I thought that we ought to adjourn. If the Senate will stay until 12 o'clock to-morrow night or 2 o'clock in the morning, and give us notice so that we may get something to eat, I shall not object to it; but believing this evening that we should adjourn at 9, I voted as I did and withheld my vote as I did. I withdraw the amendment I offered.

Mr. MAXEY. I have only this to say: I came here to-day to work in good faith on the bill with a view of perfecting so far as we could a tariff bill for final action by the Senate and the House, and I have worked faithfully the whole day through. There has been from the beginning up to the present time no limit upon any gentleman expressing his opinions fully and freely upon any original proposition presented or any amendment. Here comes up a proposition which is more important by far to the people of the section of country in which I live than any proposition which has been presented, and yet when two Senators, the one who offered the amendment and another, announced to the Senate that they desired to be heard upon it, at this hour of 9 o'clock, after ten hours of hard work, an attempt is forced upon them to speak here, although they had notified the Senate that they were not prepared to go on with their speeches to-night. If that is fair dealing in this body, I do not want to act fairly.

Then when the proposition comes up to adjourn it is a conditional proposition that upon this measure these gentlemen shall be limited to ten or fifteen minutes, when no man who has spoken in favor of protection and no man who has spoken against protection has been limited in the debate. Yet when this original proposition is made, which the Senator from Mississippi had a right to present and upon which he has a constitutional right to be heard, and others have a constitutional right to be heard, an adjournment now at this late hour for the first time that I have ever known it in the Senate, when that announcement was made by a Senator, is refused, and a proposition is made to give them the poor privilege of discussing for ten or fifteen minutes a measure amounting to millions of dollars and amounting to more in the development of the Southern States than any proposition that has yet been presented.

I say I would not accept such a proposition as that, and I say further that if I see proper, as one of the Senators from a State of this Union, to talk to that amendment, I will do it, and talk just as long as I please. I am not in the habit of wasting the time of the Senate on long speeches, but if I believe it to be for the interest of the State of Texas, which I in part represent, to advocate a measure for the introduction of machinery and agricultural implements upon moderately low tariff rates, I have the right to advocate it without asking anybody any odds in regard to it.

Therefore I say that the proposition, in my judgment, to limit the debate upon a great measure like that to ten or fifteen minutes is not a fair proposition; especially when we all came here this morning with the expectation to stay until 9 o'clock, and nobody proposed to adjourn until the time came around. The schedule upon which we were at work was completed, and then this measure was offered as an original proposition to add to that, which is nothing more than common and usual in legislation. It is the right and proper place for it to come in, and it is the usual course of legislation to propose it. Under these circumstances we are told that we have to stay here or ten or fifteen minutes will be given to-morrow. All right; I have a tolerably good constitution, and I propose to stay here if necessary, if there is occasion to do it; but I propose to assert and maintain with the dignity due to my position the right which I have as a Senator in this body.

Mr. MORRILL. As several gentlemen seem to have understood that there was a sort of understanding that we were to adjourn at 9 o'clock——

Mr. MAXEY. There was a very general understanding on this side.

Mr. MORRILL. I do not wish to be supposed to be guilty of any breach of faith. While I am disposed to say that I had no idea of adjourning to-day before we get through with this schedule, as several gentlemen seem to have understood we were to adjourn at 9 o'clock I move that the Senate do now adjourn.

The motion was agreed to; and (at 9 o'clock and 31 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, *January* 29, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of Saturday last was read and approved.

ORDER OF BUSINESS.

Mr. MOREY. I ask unanimous consent that Senate bill No. 2356 may be taken from the Speaker's table and put on its passage at this time.

Mr. PAGE. What is the nature of the bill?

Mr. MOREY. I will explain briefly.

The SPEAKER. The title of the bill will be read.

The title of the bill was read, as follows:

A bill (S. 2356) to authorize an increase of the capital stock of the Second National Bank of Xenia, Ohio.

Mr. RANDALL. Let us have the regular order.

Mr. MOREY. I hope the gentleman will allow me to make a statement in reference to the reasons for the bill.

Mr. RANDALL. That would only be a loss of time. I propose so far as I can to have the House go on with the tariff bill.

Mr. MOREY. If the gentleman will hear the statement I think he will withdraw his objection.

Mr. RANDALL. I insist upon the regular order.

The SPEAKER. The regular order being called for, the bill is not before the House. To-day being Monday, the first business in order is the call of States and Territories for the introduction of bills and joint resolutions, and also resolutions calling for executive information, for reference to their appropriate committees. Under this call memorials and resolutions of State and Territorial Legislatures are in order for reference.

AGRICULTURAL COLLEGE LANDS, ETC., FOR COLORADO.

Mr. BELFORD presented a memorial of the Legislature of the State of Colorado, praying the passage of the bill to enable that State to secure agricultural and other lands; which was referred to the Committee on the Public Lands, and ordered to be printed.

JASPER GUILL.

Mr. TOWNSHEND, of Illinois, introduced a bill (H. R. 7396) granting a pension to Jasper Guill; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MANUFACTURE OF FERMENTED LIQUORS.

Mr. MORRISON introduced a bill (H. R. 7397) to amend sections 3336 and 3349 of the Revised Statutes, in relation to the manufacture of fermented liquors; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. BROWNE introduced a bill (H. R. 7398) to re-enact certain provisions of old pension laws known as military establishment and peace establishment acts, not embraced in the Revised Statutes; which was read a first and second time, referred to the Select Committee on the Payment of Pensions, Bounty, and Back Pay, and ordered to be printed.

Mr. BROWNE also introduced a bill (H. R. 7399) to amend the act approved June 9, 1880, entitled "An act to restore pensions in certain cases;" which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. BROWNE also introduced a bill (H. R. 7400) to amend the pension laws and to re-enact certain provisions of laws relating to old wars which are not embraced in the Revised Statutes; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

SOLDIERS' HOME IN KANSAS.

Mr. HASKELL presented a resolution of the Legislature of the State of Kansas in favor of the passage of a bill providing for a soldiers' home, to be located on the Fort Riley military reservation in Kansas; which was referred to the Committee on Military Affairs, and ordered to be printed.

ISABELLA BURBANK.

Mr. CARLISLE introduced a bill (H. R. 7401) granting a pension to Isabella Burbank; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CALVIN M. SMITH.

Mr. CALDWELL introduced a bill (H. R. 7402) to place upon the pension-roll the name of Calvin M. Smith; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DUTY ON COTTON-TIES.

Mr. BLANCHARD presented a memorial of the Cotton Exchange of Shreveport, Louisiana, protesting against the increase of duty on cotton-ties; which was referred to the Committee on Way and Means, and ordered to be printed.

IMPORTATION OF LUMBER.

Mr. REED presented a resolution of the Legislature of the State of Maine against any change in the existing revenue laws relating to imported lumber; which was referred to the Committee on Ways and Means, and ordered to be printed.

WINIFRED B. COFFIN.

Mr. CRAPO introduced a bill (H. R. 7403) for the relief of Winifred B. Coffin; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANN LITTLE.

Mr. RANNEY introduced a bill (H. R. 7404) granting a pension to Ann Little; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NAVAL CADETS.

Mr. MORSE introduced a bill (H. R. 7405) prescribing the course for naval cadets at the Naval Academy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

IMPROVEMENT OF DULUTH HARBOR.

Mr. WASHBURN presented a memorial of the Legislature of the State of Minnesota asking appropriations for improvement of Duluth Harbor; which was referred to the Committee on Commerce, and ordered to be printed.

JOHN BUSH.

Mr. STRAIT introduced a bill (H. R. 7406) for the relief of John Bush; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

GEORGE W. SMITH AND OTHERS.

Mr. CHAPMAN introduced a bill (H. R. 7407) for the relief of George W. Smith, David Stockslager, and Jeremiah Kanode; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JOHN H. KEY.

Mr. CHAPMAN also introduced a bill (H. R. 7408) for the relief of John H. Key; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ROLLY WEST.

Mr. HASELTINE introduced a bill (H. R. 7409) for the relief of Rolly West; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANN E. HAMILTON.

Mr. BURROWS, of Missouri, introduced a bill (H. R. 7410) for the relief of Ann E. Hamilton; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

AMY STANTON.

Mr. ROBESON introduced a bill (H. R. 7411) for the relief of Amy Stanton; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

MRS. GEORGE W. DE LONG.

Mr. ROBESON also introduced a bill (H. R. 7412) granting a pension to Mrs. George W. De Long; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TREADWELL SEAMAN, JR.

Mr. FLOWER (by request) introduced a bill (H. R. 7413) for the relief of Treadwell Seaman, jr.; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GUANO ISLANDS.

Mr. COX, of New York, introduced a bill (H. R. 7414) further to suspend the operation of section 5574 of the Revised Statutes of the United States, title 72, in relation to guano islands; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

DANIEL CONNOR.

Mr. VAN AERNAM introduced a bill (H. R. 7415) for the relief of Daniel Connor; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

GEORGE M. HAWKINS.

Mr. BELMONT introduced a bill (H. R. 7416) granting a pension to George M. Hawkins; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

IMPORTATION OF WORKS OF ART.

Mr. BELMONT also introduced a bill (H. R. 7417) in relation to the importation of works of art; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

IMPROVEMENT OF NAVIGABLE RIVERS.

Mr. VANCE presented resolutions of the Legislature of the State of

North Carolina, embodying instructions and requests to Senators and Representatives in Congress in reference to the improvement of rivers; which was referred to the Committee on Commerce.

LAND FOR STREET PURPOSES, CLEVELAND, OHIO.

Mr. TOWNSEND, of Ohio, introduced a bill (H. R. 7418) donating to the city of Cleveland, Ohio, a certain tract of land for street and park purposes; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CHARLES MUNROE.

Mr. TOWNSEND, of Ohio, also introduced a bill (H. R. 7419) granting a pension to Charles Munroe; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BOUNTY TO CERTAIN SOLDIERS AND SAILORS.

Mr. ROBINSON, of Ohio (by request of the Union Veterans' Union), introduced a bill (H. R. 7420) granting a bounty to certain soldiers and sailors of the rebellion; which was read a first and second time, referred to the Select Committee on the Payment of Pensions, Bounty, and Back Pay, and ordered to be printed.

WILLIAM A. WARD.

Mr. COLERICK (by Mr. LEEDOM) introduced a bill (H. R. 7421) increasing the pension of William A. Ward; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CREET H. DOUGHERTY.

Mr. COLERICK also (by Mr. LEEDOM) introduced a bill (H. R. 7422) granting a pension to Creet H. Dougherty; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BENJAMIN F. BETHEL.

Mr. COLERICK also (by Mr. LEEDOM) introduced a bill (H. R. 7423) granting a pension to Benjamin F. Bethel; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

J. D. WILLIAMSON.

Mr. COLERICK also (by Mr. LEEDOM) introduced a bill (H. R. 7424) granting a pension to J. D. Williamson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SILAS B. JOHNSTON.

Mr. LEEDOM (for Mr. COLERICK) introduced a bill (H. R. 7425) for the relief of Silas B. Johnston; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SUSANNAH HALL.

Mr. MOREY introduced a bill (H. R. 7426) granting a pension to Susannah Hall; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LEWIS C. RAUCK.

Mr. GEDDES introduced a bill (H. R. 7427) granting a pension to Lewis C. Rauck; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

COST OF LIGHTING BEACONS AND BUOYS.

Mr. O'NEILL submitted the following resolution; which was read, and referred to the Committee on Commerce:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to furnish to the House such information as he may have relative to the cost of introducing gas for lighting beacons and buoys and the expense of their maintenance as compared with the system now in use for lighting beacons and screw-pile light-houses; and also to submit such recommendations as he may wish to make in reference thereto.

BENJAMIN YATES.

Mr. JADWIN introduced a bill (H. R. 7428) for the relief of Benjamin Yates; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

VALINA HUTCHERSON.

Mr. SPEER introduced a bill (H. R. 7429) for the relief of Valina Hutcherson; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

MICHAEL KREIS.

Mr. SPEER also introduced a bill (H. R. 7430) for the relief of Michael Kreis; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JESSE THOMAS.

Mr. MOSGROVE introduced a bill (H. R. 7431) granting a pension to Jesse Thomas; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN G. ORR.

Mr. MOSGROVE also introduced a bill (H. R. 7432) for the relief of John G. Orr; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOSIAH T. CROUCH.

Mr. CAMPBELL introduced a bill (H. R. 7433) for the relief of Josiah T. Crouch; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM MILLBUN.

Mr. CAMPBELL also introduced a bill (H. R. 7434) granting a pension to William Millbun; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

OLD MANSION AT NAVAL ACADEMY.

Mr. SHALLENBERGER submitted the following resolution; which was referred to the Committee on Public Buildings and Grounds:

Resolved, That the Secretary of the Navy is hereby requested to inform the House, at his earliest convenience, when, by whom, and for what reasons the old mansion at the Naval Academy, long used and occupied by the Superintendent as a residence, was condemned and torn down and other foundations laid for a new building on the same site; also to state the total estimated cost of a new building, if one is proposed, including furniture and fixtures, and to specify the items of appropriations under which expenditures therefor have been made and estimates submitted to Congress.

MARY LEWIS.

Mr. WALKER (by request) introduced a bill (H. R. 7435) granting a pension to Mary Lewis; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RILEY S. DEXTER.

Mr. WALKER also (by request) introduced a bill (H. R. 7436) for the relief of Riley S. Dexter; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BOUNTY LANDS.

Mr. JOYCE introduced a bill (H. R. 7437) to amend chapter 10, Title XXXII, Bounty Lands, Revised Statutes of the United States; which was read a first and second time, referred to the Select Committee on the Payment of Pensions, Bounty, and Back Pay, and ordered to be printed.

IMMIGRATION.

Mr. GUENTHER introduced a joint resolution (H. Res. 326) providing for a commission and joint commission on immigration; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

Mr. GUENTHER also introduced a bill (H. R. 7438) to amend an act entitled "An act to regulate immigration," approved August 3, 1882; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SUFFERERS BY FLOODS IN GERMANY.

Mr. DEUSTER introduced a joint resolution (H. Res. 327) for the relief of the sufferers by the late disastrous floods in the valley of the Rhine, Germany; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

YELLOWSTONE PARK.

Mr. DEUSTER also introduced a bill (H. R. 7439) to amend sections 2474 and 2475 of the Revised Statutes of the United States, setting apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

APACHE INDIANS IN ARIZONA.

Mr. OURY presented a memorial of the Territorial Legislature of Arizona in reference to Indian affairs; which was referred to the Committee on Indian Affairs.

Some time subsequently,

Mr. OURY asked and obtained unanimous consent that the memorial presented by him in relation to Indian affairs be printed in the RECORD.

The memorial is as follows:

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Twelfth Legislative Assembly of the Territory of Arizona, beg leave to represent to your honorable bodies: From time immemorial the Apache Indians, an aboriginal tribe, inhabiting the country between the Rio Grande and the Gulf of California, have been a curse to civilization and a plague spot on the continent.

Since the first efforts of the Spaniards to colonize and to Christianize this country, more than three centuries ago, these savages have retarded progress and paralyzed prosperity in a portion of the grandest and richest part of the globe.

After the Mexican revolution the Apache impinged upon that weak and struggling government to the extent of devastating and comparatively depopulating the northwest provinces.

Since the acquisition of this country by the United States the depredations of these Bedouins of America have been continued with undiminished fury. For these Indians have been segregated vast reservations, unwieldy in size and altogether unadapted to the purposes had in view by the Government. By such segregations princely extents of rich mineral, agricultural, and grazing lands have been withdrawn from development, and millions of acres of productive country rendered of no use, save to serve as the lurking places for an implacable foe. The cringing solicitude with which the demands of the semi-belligerent and belligerent Indians have been complied with, and the manner with which they have been supplied with necessaries, and even luxuries of life, has not inspired the Indians with gratitude but has given them a contempt for our Government, and has imbued them with the idea that their Great Father at Washington is only the timorous keeper of a great free hotel, where they are entertained gratuitously through fear of their anger. They call the reservation agents "squaws," and despise our people with more than a Mongolian insolence of race

prejudice. To their brutalized minds kindness appears to be a confession of weakness, and forbearance seems evidence of fear. They have so often set at defiance the attempts of our soldiery to dislodge them from their mountain fastnesses that they believe themselves well able to cope with American troops whenever a favorable time may arrive. Not only are they ignorant as to our national strength, but statements of our number as a people are derided by them as "forked-tongued," to use for once a part of the figurative twaddle with which the novelists have so completely deceived the American public as to the real characteristics of these beastly monsters.

The nature of the Apache can not be comprehended by a knowledge however intimate of the habits of other Indians. They are the most treacherous and cruel creatures that disgrace the earth. Murder is, with them, a trade; torture a fine art; outrage, mutilation, and burning at the stake, a delight. His career of bloodshed has been the same for ages. The killing of some of the braves in the wars, instead of intimidating the remainder, has only fired anew their unforgiving hearts. They implicitly believe that some day they will crush out American civilization, even, as tradition tells them, their ancestors obliterated the civilization of that extinct race whose ruined cities in every part of this Territory delight the antiquary and puzzle the historian. Their presence in Arizona is a continual menace to our welfare. Their present deceitful calm reassures no one; it is but "the torrent's smoothness ere it dash below." The presence here of the efficient Indian fighter, General George Crook, does not remove our apprehensions. The people know, by woeful and repeated experiences, that no outbreak, however vigorously resisted, can be put down without long delay and great loss of lives and property on the part of the Government of the United States, and, still worse, on the part of non-combatant citizens. These particular difficulties are more the fault of our Government at Washington than the fault of our soldiers, for the special obstacles arise as much from the mountainous nature of the countries in which the Indians are allowed to remain as from the nature of the savages. The Apache is no contemptible foe. In point of intellect, in cunning and duplicity, in warlike skill and untiring energy, in tenacity of purpose and wonderful powers of endurance, the Apache has no equals among the war-like tribes of North America. His daily thought and nightly dream is destruction. His traditional hatred toward all the peaceful and industrious tribes is irreconcilable. There is not a grown Apache male in this Territory who does not, in his secret heart, thirst for American blood. He is the veritable Ishmaelite, whose hand is against every man, and that hand will continue to be stained with American blood as long as he knows that his record of villainy is the open sesame by which he can command the distinguished consideration which he now receives.

This treatment of the Apaches is not understood by the peaceful and industrious tribes, and they are demoralized and tempted to depart from their good behavior by the reflection that they are comparatively neglected, while the murderous fiends are so assiduously conciliated.

If an American sailor is murdered on some remote shore, we send a costly expedition to demand satisfaction and to prevent a repetition of the crime, but the depredations and murders that have, during the past twenty years, characterized the diabolism of the Apaches have been in many cases slightly considered, and, in more cases, ignored with an indifference worthy of the stoicism of the Indian himself.

In addition to our local grievances, it is a source of international disgrace and shame that these nomadic savages should be maintained here to commit depredations upon the adjoining Republic of Mexico, thereby provoking retaliation and to a considerable extent interfering with the welfare of the northern tier of states of our sister republic.

The people have, in their desperation, often fitted out expeditions of hardy and experienced frontiersmen to suppress Indian insurrections, and such volunteer troops have often passed through hundreds of miles of country, rife with savage outrage, without seeing an Indian, in such a way do they take advantage of the facilities for hiding afforded by mountainous country.

The only solution of the problem is the removal of the Apaches to a prairie or level country, where they can be easily guarded and forced to take up agricultural pursuits until, by such a life, and by communicating to them the rudiments of education, succeeding generations shall have lost the instinct as well as the power to follow in the footsteps of their sanguinary ancestors.

Such a mode of disposing of the Indians would be as much a benefaction to them as to ourselves. It is not visiting upon them the heavy hand of retribution for their atrocities, but is the only possible way of ever making them other than a millstone around the neck of the nation. It is the course which has brought to their present condition the Canadian and other, at present, semi-civilized tribes of this continent.

The vacillating policy, the creation of reservations in mountainous countries, the treaties, presents, and general whangdoodleism of our Indian Department are as cruel to the savages in the ultimate result as to us. How severe the present régime upon us is shown by the fact that with a climate superior to that of many of the most populous and prosperous portions of the East, a soil of surpassing fertility, and a wealth of mineral resources exceeding any other known to history, Arizona is to-day, save in a limited number of protected and settled localities, a virgin and undeveloped land; the present visible wealth of the Territory being a mere bagatelle as compared with its possibilities under more favorable auspices.

In the administration of Indian affairs extravagant sums of money have been drawn from the national Treasury for the ostensible purpose of improving the condition of these Indians, but up to this time without any perceptible advantage to the intended beneficiaries.

That your memorialists believe that the extraordinary success which has distinguished the military campaigns of General George Crook against the savages has been due to his employment of other savages to follow them into the mountain retreats in their own fashion of warfare. Your memorialists are aware that the tribal hostilities existing among the different clans will always prevent their confederating together against the whites and that they will, by being placed in the same region of country with other hostiles, be the most efficient check and guard, the one upon the other.

It appears to your memorialists but just and right that a long-suffering people should be relieved of this perpetual incubus by the removal of the Apache and other belligerent Indians from our boundaries into some level country where they can be managed successfully, and where the expenses will be somewhat less fabulous than as at present.

Wherefore your memorialists humbly pray that measures may be taken to remove the hostile Indians from the Territory of Arizona; that the costly system of Arizona Indian reservations, with its attendant temptations to peculation, may be terminated, and that the lands included in the reservations may be relegated to the uses of the citizens of the United States.

SCHOOL OF FORESTRY.

Mr. PETTIGREW introduced a bill (H. R. 7440) to grant lands to the Territory of Dakota for the purpose of establishing a school of forestry; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

GEORGE F. BROTT.

Mr. PETTIGREW also introduced a bill (H. R. 7441) to authorize the Quartermaster-General to investigate the claim of George F. Brott for logs used in the construction of Fort Abercrombie, and to pay for said logs; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

R. B. HIGBEE.

Mr. LUNA introduced a bill (H. R. 7442) for the relief of R. B. Higbee; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ORGANIC ACT OF NEW MEXICO.

Mr. LUNA also introduced a bill (H. R. 7443) to amend section 10 of the organic act of the Territory of New Mexico, entitled "An act proposing to the State of Texas the establishing of her northern and western boundaries, the relinquishment by the said State of all territory claimed by her exterior to said boundaries and of all her claims upon the United States, and to establish a Territorial government for New Mexico," approved September 9, 1850; which was read a first and second time, referred to the Committee on Territories, and ordered to be printed.

STEAM-RAILROADS IN THE DISTRICT.

Mr. URNER (by request) introduced a bill (H. R. 7444) to prevent unauthorized persons from riding on engines or cars of steam-railroads in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

RICHARD H. BRYARLY.

Mr. HOGE introduced a bill (H. R. 7445) for the relief of the personal representatives of Richard H. Bryarly; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

DAVID SEIBERT.

Mr. HOGE also introduced a bill (H. R. 7446) for the relief of David Seibert; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

NATHAN D. PAYNE.

Mr. HOGE also introduced a bill (H. R. 7447) for the relief of the personal representatives of Nathan D. Payne, deceased; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SARAH MAYNARD.

Mr. WHITE introduced a bill (H. R. 7448) granting a pension to Sarah Maynard; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHAIRS AND DESKS IN HALL OF REPRESENTATIVES.

Mr. WHITE also submitted the following resolution:

Resolved, That the Clerk of the House be, and is hereby, directed (before the convening of Congress in December, 1883,) to remove the desks and chairs now in use in this Hall of Representatives, and substitute therefor the same chairs, or those of a more convenient style and pattern, if such can be obtained, attached to the right arm of which shall be a rest or table on which to write, with a small drawer or receptacle underneath for holding writing materials; such chairs to be placed in their present circular form, maintaining the space now existing in front of the Speaker's table; the present desks, or in lieu of them, counting-house or library table, containing drawers, and presenting writing spaces sufficient to accommodate the Representatives and Delegates elect to the Forty-eighth Congress, so that each person may have a drawer and space for his exclusive use, the desks or tables to be placed in the open space behind the chairs, and separated therefrom in the most convenient manner.

The SPEAKER. The resolution will be referred to the Committee on Rules.

Mr. WHITE. Has not that whole matter been referred to a select committee?

The SPEAKER. The whole subject, on the motion of the gentleman from Illinois [Mr. SPRINGER], was referred a few days ago to the Committee on Rules.

Mr. WHITE. Very well; let it go there.

The resolution was accordingly referred to the Committee on the Rules.

WILLIAM BUCKNER.

Mr. PHISTER (by request) introduced a bill (H. R. 7449) for the relief of William Buckner; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES M'NEFF.

Mr. SINGLETON, of Illinois, introduced a bill (H. R. 7450) for the relief of James McNeff; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHARLES D. WHITNEY.

Mr. SINGLETON, of Illinois, also introduced a bill (H. R. 7451) for the relief of Charles D. Whitney; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHARLES C. WHITESIDE.

Mr. SINGLETON, of Illinois, also introduced a bill (H. R. 7452) for the relief of Charles C. Whiteside; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LLOYD THOMAS.

Mr. FORD introduced a bill (H. R. 7453) granting a pension to Lloyd Thomas; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

KINSEY B. CECIL.

Mr. FORD also introduced a bill (H. R. 7454) to confirm the title to certain lands in Platte County, Missouri, and authorize patents to be issued therefor to Kinsey B. Cecil; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

JAMES D. WITTEN.

Mr. FORD also introduced a bill (H. R. 7455) granting a pension to James D. Witten; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOSEPH M. DENNIS.

Mr. MURCH (by request) introduced a bill (H. R. 7456) granting a pension to Joseph M. Dennis; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

MARY E. CHUMLY.

Mr. SPEER introduced a bill (H. R. 7457) for the relief of Mary E. Chumly; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THOMAS BOAS.

Mr. HAMMOND, of New York, introduced a bill (H. R. 7458) for the relief of Thomas Boas; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GEORGE N. BARBER.

Mr. HARDY introduced a bill (H. R. 7459) for the relief of the widow and children of George N. Barber; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARY E. HILL.

Mr. PRESCOTT introduced a bill (H. R. 7460) granting a pension to Mary E. Hill; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The call of States and Territories for the introduction of bills and joint resolutions is now concluded.

MISSISSIPPI ELECTION CONTEST—BUCHANAN VS. MANNING.

Mr. THOMPSON, of Iowa, presented a report from the Committee on Elections on the contested-election case of Buchanan *vs.* Manning, from the second Congressional district of Mississippi.

The SPEAKER. The Clerk will read the resolutions appended to the report.

The Clerk read as follows:

Resolved, That George M. Buchanan is not entitled to a seat in the Forty-seventh Congress.

Resolved, That Van H. Manning is not entitled to a seat in the Forty-seventh Congress from the second Congressional district of Mississippi.

The SPEAKER. This report will be ordered to be printed and will lie over.

Mr. CALKINS. Before that order is made, I desire to say that the committee when it passed upon this case was not full, so that what appears to be the majority report becomes the minority report, the majority of the committee having signed another report which I now send to the desk. I will make this point when the case is called up. I ask that the two reports be printed together.

The resolution appended to the report submitted by Mr. CALKINS was read, as follows:

Resolved, That the contestant have leave to withdraw his papers without prejudice.

The SPEAKER. Both these documents will be ordered to be printed and will lie over.

TARIFF ON SUGAR.

Mr. THOMPSON, of Kentucky, by unanimous consent, presented a joint resolution (H. Res. 328) to simplify and reduce the tariff on sugar; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

Mr. KING. I ask unanimous consent that this resolution be read and printed in the RECORD.

HAWAIIAN TREATY.

Mr. BELMONT. I ask unanimous consent at this time to present the views of a minority of the Committee on Foreign Affairs on the subject of the Hawaiian treaty.

Mr. KING addressed the Chair.

The SPEAKER. For what purpose does the gentleman from Louisiana rise?

Mr. KING. I rose in ample time to make a request of the Chair, but the Chair took no notice of me.

The SPEAKER. What is the parliamentary inquiry?

Mr. KING. The gentleman from Kentucky presented a resolution a moment since, when I at once rose and moved that it be read and inserted in the RECORD.

The SPEAKER. The gentleman did not so state to the Chair.

Mr. KING. I did.

The SPEAKER. It would not be in order if the gentleman had done so.

Mr. KING. I am entitled to have it read, and I make the point of order that I made the request in time.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. BELMONT. I rise to present the views of a minority on the subject of the Hawaiian treaty.

Mr. BLOUNT. Permit me to say that my friend unintentionally does me injustice in that connection. I wish to say that I have not seen his report, but as I understand it he and I differ materially in reference to the matter. My own individual views have been in favor of the entire abolition of the treaty, and I do not understand that my friend takes that view of the subject.

The SPEAKER. That is a question to be settled between the gentlemen themselves.

Mr. BLOUNT. But I do not wish this report to appear as the minority report of the committee.

The SPEAKER. If gentlemen have personal differences they can settle it themselves.

Mr. BLOUNT. But this is not a matter of personal difference. It is more than that. I say I do not want it to go to the country that I am giving my concurrence to either the majority report or what my friend now claims to present as the minority report.

Mr. BELMONT. Let me say, Mr. Speaker, in justice to the gentleman from Georgia, that this report embodies my own individual views upon this question, and I present it simply as a minority report embodying those views.

The SPEAKER. The views of the minority will be printed with the report of the majority.

Mr. BLOUNT. I do not want the matter to be misunderstood. My friend does not claim, as I understand, that he presents any other views than his own.

The SPEAKER. Certainly those would be the views of the minority.

Mr. BLOUNT. But there may be several minority reports. I do not want it to be understood as a report embodying the views of all of those who dissent from the majority report. I do not want to be understood as favoring it.

Mr. BELMONT. I am aware of the fact, Mr. Speaker, that the gentleman from Georgia differs with me in that matter. As I have said, I present simply my own views as a member of the minority of the committee.

ORDER OF BUSINESS.

Mr. RANDALL. I demand the regular order.

Mr. KING. I rise to a point of order. I asked when the gentleman from Kentucky offered his resolution in reference to sugar that it should be read and printed in the RECORD. I now make that request.

The SPEAKER. The gentleman is too late.

Mr. KING. I was in time and made the request when the resolution was first presented. Another matter came immediately before the House, but I demanded the reading of this resolution and its printing as soon as it was presented, but I could not get the ear of the Speaker at that time.

The SPEAKER. The gentleman from Louisiana was not recognized for that purpose and it would not have been in order to make the request under that call.

Mr. KING. It would not have been in order to have had it read?

Several members demanded the regular order.

The SPEAKER. The regular order is the morning hour for the call of committees for reports.

FREEDMENS' SAVINGS COMPANY.

Mr. SPEER, from the Committee on Ways and Means, reported back the bill (H. R. 6204) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company.

The SPEAKER. The bill will be referred to the Private Calendar——

Mr. SPEER. The report accompanying that bill recommends that the Committee on Ways and Means be discharged from its further consideration and that the same be referred to the Committee on Appropriations.

The SPEAKER. The change of reference will be made accordingly.

Mr. LYNCH. I object. I ask that it be referred to the Committee on Education and Labor instead of Appropriations.

The SPEAKER. The Chair thinks it proper that it should be referred to the Committee on Appropriations.

Mr. LYNCH. This is a matter that the Committee on Education and Labor have cognizance of, and I hope it will be referred to that committee.

The SPEAKER. The Chair thinks it would have to go to the Committee on Appropriations unless there is a motion to the contrary.

Mr. LYNCH. Then I make that motion. I move its reference to the Committee on Education and Labor.

The House divided; and there were—ayes 7, noes 39.

So (no further count being demanded) the motion was not agreed to.

The bill was then referred to the Committee on Appropriations.

CONSTRUCTION OF BRIDGES.

Mr. WASHBURN, from the Committee on Commerce, reported, as a substitute for H. R. 7322, a bill (H. R. 7461) to authorize the construction of certain bridges and to establish them as post-roads; which was read a first and second time, referred to the House Calendar, and ordered to be printed.

TREATY WITH GERMAN EMPIRE.

Mr. DEUSTER, from the Committee on Foreign Affairs, reported, as a substitute for H. Res. 106, a joint resolution (H. Res. 329) providing for a treaty with the German Empire; which was read a first and second time, referred to the House Calendar, and ordered to be printed.

ADDITIONAL LAND DISTRICTS IN DAKOTA.

Mr. STRAIT, from the Committee on the Public Lands, reported, as a substitute for H. R. 7043, a bill (H. R. 7462) to create three additional land districts in the Territory of Dakota; which was read a first and second time.

The SPEAKER. Does this bill provide for additional officers?

Mr. STRAIT. Yes, sir.

The bill was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

MENOMONEE INDIANS IN WISCONSIN.

Mr. DEERING, from the Committee on Indian Affairs, reported back with a favorable recommendation the bill (H. R. 7136) to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians in the State of Wisconsin; which was referred to the Committee of the Whole House on the state of the Union.

LOUISA BODDY.

Mr. DEERING also, from the Committee on Indian Affairs, reported back with a favorable recommendation the bill (H. R. 5131) for the relief of Louisa Boddy; which was referred to the Committee of the Whole House on the Private Calendar.

LANDS IN SEVERALTY AMONG INDIAN TRIBES.

Mr. HOOKER. I am instructed by the Committee on Indian Affairs to report the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the memorial of the Creek Indians on the subject of the alotment of lands in severalty among the several Indian tribes, with the appendices thereto attached, consisting of abstracts from the report of the Secretary of the Interior and the Commissioner of Indian Affairs and reports of former committees, be printed.

The resolution and accompanying memorial were referred to the Committee on Printing.

JOHN NORMAN FILLMORE ET AL.

Mr. DE MOTTE, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation the bill (H. R. 6958) for the relief of John Norman Fillmore and John Septa Fillmore, heirs of John S. Fillmore, deceased, and Max Howard Kershow and Carlton Montgomery Kershow, heirs of Jere Kershow, deceased; which was referred to the Committee of the Whole House on the Private Calendar.

BRIGHTWELL DOCK PROPERTY, CHICAGO.

Mr. DE MOTTE also, from the Committee on Public Buildings and Grounds, reported back Executive Document No. 14, the same being a letter from Hon. Charles J. Folger, Secretary of the Treasury, to Hon. J. WARREN KEIFER, Speaker of the House, submitting the reports of the majority and minority of a commission appointed with reference to the disposition of the Brightwell dock property belonging to the United States in the city of Chicago, with the recommendation that the Brightwell dock property be not sold; and moved that the papers be laid on the table and that the report be printed.

Mr. DAVIS, of Illinois. I ask that the report be placed on the Calendar.

It was so ordered.

PURCHASE OF PROPERTY IN WASHINGTON, DISTRICT OF COLUMBIA.

Mr. SINGLETON, of Illinois, from the Committee on Public Buildings and Grounds, reported a bill (H. R. 7463) to authorize the Secretary of the Interior to purchase certain property in the city of Washington, District of Columbia; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

CLINTON D. SMITH.

Mr. BROWNE, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 6946) for the relief of Clinton D. Smith; which was referred to the Committee of the Whole House on the Private Calendar.

MARY G. HAWK.

Mr. CULLEN, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 7066) for the relief of Mary G. Hawk; which was referred to the Committee of the Whole House on the Private Calendar.

MARIA SALTSMAN.

Mr. DAWES, from the Committee on Invalid Pensions, reported back the bill (H. R. 5039) for the relief of Maria Saltsman, and moved that the committee be discharged from the further consideration of the same, and that it be referred to the Committee on Military Affairs.

The motion was agreed to.

ELLEN MILLER.

Mr. FULKERSON, from the Committee on Pensions, reported back with an adverse recommendation the petition of Mrs. Ellen Miller for arrears of pension; which was laid on the table, and the accompanying report ordered to be printed.

ORPHAN ASYLUM, NATCHEZ, MISSISSIPPI.

Mr. WISE, of Virginia, from the Committee on War Claims, reported back with a favorable recommendation the bill (S. 1939) for the relief of the Protestant Orphan Asylum of Natchez, Mississippi; which was referred to the Committee of the Whole House on the Private Calendar.

MELISSA G. POLAR.

Mr. URNER, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (H. R. 7087) for the relief of Melissa G. Polar; which was referred to the Committee of the Whole House on the Private Calendar.

SARAH A. REDMOND.

Mr. URNER also, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (H. R. 6858) for the relief of Sarah A. Redmond; which was referred to the Committee of the Whole House on the Private Calendar.

W. B. WEBB AND OTHERS.

Mr. URNER also, from the Committee on the District of Columbia, reported a bill (H. R. 7464) to authorize W. B. Webb and Henry R. Elliott, trustees, to institute legal proceedings to determine the title of certain real estate in the District of Columbia; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

MORTGAGES ON PERSONAL POPERTY, ETC., IN THE DISTRICT.

Mr. NEAL, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (H. R. 7183) authorizing the execution of bills of sales and mortgages on personal property in the District of Columbia; which was placed on the House Calendar, and the accompanying report ordered to be printed.

R. B. CLARKE AND S. J. BOWEN.

Mr. BOWMAN, from the Committee on Claims, reported, as a substitute for H. R. 4548, a bill (H. R. 7465) for the relief of Reuben B. Clarke and Sayles J. Bowen; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

LICENSED LIQUOR SALOONS IN THE DISTRICT.

Mr. JOYCE, from the Select Committee on the Alcoholic Liquor Traffic, reported back with a favorable recommendation the bill (H. R. 7073) limiting the number of licensed liquor saloons in the District of Columbia; which was placed on the House Calendar, and the accompanying report ordered to be printed.

PENSION LAWS.

Mr. LINDSEY, from the Select Committee on the Payment of Pensions, Bounty, and Back Pay, reported back with a favorable recommendation the bill (H. R. 7099) to amend the pension laws, and for other purposes; which was referred to the Committee of the Whole on the state of the Union, and the accompanying report ordered to be printed.

ADDITIONAL ACCOMMODATIONS FOR CONGRESSIONAL LIBRARY.

Mr. RICE, of Massachusetts, from the Select Committee on Additional Accommodations for the Congressional Library, reported back with amendments the bill (H. R. 3843) authorizing the construction of a building for the accommodation of the Congressional Library; which were ordered to be printed.

HENRY B. SEELY.

Mr. TALBOTT, from the Committee on Naval Affairs, reported back with a favorable recommendation the bill (H. R. 4355) for the relief of Henry B. Seely; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

OFFICERS AND MEN OF THE UNITED STATES STEAMER RODGERS.

Mr. HARRIS, of Massachusetts, by unanimous consent, introduced a bill (H. R. 7466) for the relief of the officers and men of the United States steamer Rodgers; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

COURT OF CLAIMS.

Mr. DAVIS, of Illinois (by request), introduced a bill (H. R. 7467) to

authorize the Court of Claims to hear and determine certain claims; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JAMES M'GONNELL.

Mr. SHULTZ, by unanimous consent, introduced a bill (H. R. 7468) granting a pension to James McGonnell; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RUHANNA NELSON.

Mr. BURROWS, of Missouri, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 4559) granting a pension to Ruhanna Nelson; which was referred to the Committee of the Whole on the Private Calendar, and ordered to be printed.

ELIZABETH M. LEWIS.

Mr. BURROWS, of Missouri, from the same committee, reported adversely the bill (H. R. 4822) granting a pension to Mrs. Elizabeth M. Lewis; which was laid on the table, and the accompanying report ordered to be printed.

FREEDMAN'S SAVINGS AND TRUST COMPANY.

Mr. LYNCH. I ask to have entered on the Journal a motion to reconsider the vote by which the House referred to the Committee on Appropriations the bill (H. R. 6204) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company.

The SPEAKER. The motion will be entered.

ASA O. GALLOP.

Mr. UPDEGRAFF, from the Committee on War Claims, reported back, as a substitute for H. R. 1160, a bill (H. R. 7469) for the relief of the heirs of Asa O. Gallop; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The call of committees for reports has been concluded.

Mr. KELLEY. I now move to go into Committee of the Whole.

Mr. REAGAN. I ask the gentleman to allow me to call up a resolution of the Senate.

Mr. KELLEY. I think I must insist upon the motion that the House now resolve itself into Committee of the Whole on the state of the Union for the further consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the State of the Union, Mr. BURROWS, of Michigan, in the chair.

TARIFF.

The CHAIRMAN. The House is now in committee of the Whole for the further consideration of the bill (H. R. 7313) to impose duties on foreign imports and for other purposes. At the close of the general debate on Saturday last the Clerk began the reading of the bill by paragraphs and sections for amendment; but before concluding the first paragraph a motion was made that the committee rise, which was agreed to. The Clerk will now begin the reading of the bill by sections and paragraphs for amendment.

The Clerk read as follows:

Be it enacted, &c., That from and after the 1st day of July, 1883, the following sections shall constitute Title XXXIII of the Revised Statutes of the United States:

TITLE XXXIII.

Duties upon imports:

SEC. 2491. All persons are prohibited from importing into the United States, from any foreign country, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion. No invoice or package whatever, or any part of one, in which any such articles are contained shall be admitted to entry; and all invoices and packages whereof any such articles shall compose a part are liable to be proceeded against, seized, and forfeited by due course of law. All such prohibited articles in the course of importation shall be detained by the officer of customs, and proceedings taken against the same as prescribed in the following section: *Provided*, That the drugs hereinbefore mentioned, when imported in bulk and not put up for any of the purposes hereinbefore specified, are excepted from the operation of this section.

SEC. 2492. Whoever, being an officer, agent, or employé of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not less than one hundred dollars and not more than five thousand, or by imprisonment at hard labor for not less than one year, nor more than ten, or both.

Mr. KELLEY. It is proper I should say that this is a new section prepared for the purpose of enforcing the very proper section which precedes it, and which was read without objection.

Mr. CARLISLE. The gentleman from Pennsylvania is mistaken. This is not a new section. It is precisely the same language as section 1785 of the Revised Statutes.

Mr. KELLEY. It is a new section in our tariff laws. It is a part of the existing law which has been transferred to this bill from another title.

The Clerk read as follows:

SEC. 2495. The President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious disease among the cattle of the United States, may, by proclamation, declare the provisions of the preceding section to be inoperative, and the same shall be afterward inoperative and of no effect from and after thirty days from the date of said proclamation.

Mr. HEWITT, of Alabama. I move to amend by striking out this section. I think it is wholly superfluous. The power of suspension is already conferred upon the Secretary of the Treasury. If this section be adopted the President is to exercise this power in such a way as to amount to a repeal of the law. I think the section ought to go out.

Mr. RANDALL. Let it go out.

Mr. KELLEY. I can see no reason why the section should be stricken out.

Mr. HEWITT, of Alabama. I suppose that when the President issues his proclamation declaring the law inoperative it will, at the expiration of thirty days, cease to have any force, and there is no power to reinstate it except Congress itself. If there be a mere suspension by the Secretary of the Treasury the law can be reinstated in the same way; it is not a repeal of the law. But if the President exercises this power the law is repealed.

The question being taken on the motion of Mr. HEWITT, of Alabama, to strike out the section, it was not agreed to, there being—ayes 64, noes 101.

Mr. HEWITT, of Alabama. I move to amend the section by striking out the word "inoperative," where it first occurs in line 75, and inserting the word "suspended."

Mr. KASSON. The Committee of the Whole should act wisely on this question. I have observed the difficulty arising from the word "inoperative," which with the context would seem to effect a permanent repeal of the law. I apprehend that the section as originally framed was intended only to give the President the power to suspend the law for a period during which the danger of the introduction of the disease might exist. I speak only for myself, not for the committee, when I say that I think the word "suspended" a wiser word, according to the real intent of the provision, than the word "inoperative."

Mr. KELLEY. I quite concur in the suggestion that we should insert the word "suspended" instead of leaving the language open to the possibility of a construction which was not intended. I accept, so far as I have power, the amendment.

The CHAIRMAN. If there be no objection, the amendment proposed by the gentleman from Alabama will be considered as agreed to.

Mr. KELLEY. The word "suspended" should be substituted for "inoperative" in both places.

Mr. KASSON. I think there ought to be a little additional amendment to conform to this change.

Mr. ROBINSON, of Massachusetts. To insert the word "suspended" as suggested will not make the provision harmonious, because the words "and of no effect" immediately follow.

Mr. KASSON. I was about to propose an amendment in that respect.

Mr. ROBINSON, of Massachusetts. It seems to me that if the Committee on Ways and Means have considered this question they should be able to suggest some language which will meet the whole difficulty. The prior section, if I read it aright, though I have given no attention to the subject, provides, it seems to me, for suspension by the Secretary of the Treasury, while in order to effect an absolute total abrogation of the law the provision is here inserted that the President may declare it inoperative. I can see no harm in allowing the section to pass as it stands.

Mr. REAGAN. If the word "inoperative" be struck out in both places, and the word "suspended" substituted, and then if the words "of no effect" be also struck out, the purpose will be accomplished.

Mr. KASSON. The further amendment should be in addition to substituting the word "suspended" for the word "inoperative," at the beginning of line 75.

The CHAIRMAN. The Chair again inquires whether there is objection to the amendment proposed by the gentleman from Alabama?

Mr. KASSON. I think the question should be put on all the amendments together. There will be no difficulty about the matter; if the amendment be made in one place it should be in the other. I suggest, therefore, that the word "inoperative" be changed in both places, as the chairman of our committee has suggested, to the word "suspended," and the words "of no effect" be struck out.

Mr. ROBESON. Then what will be the difference between the two sections? As I understand, the preceding section authorizes the Secretary of the Treasury to suspend the law under certain conditions; this section authorizes the President to repeal it or declare it inoperative.

Mr. KASSON. The difference is this: In the previous section power is given to the Secretary of the Treasury to suspend the law as to any foreign country or any part of a foreign country. This section proposes to give the President a universal power with regard to all countries.

Mr. ROBESON. That is the difference the committee intend, is it?

Mr. KASSON. That is the difference as it exists in the law.

Mr. ROBESON. As it exists in the present law?

The CHAIRMAN. The Chair will again put the question whether there is objection to the amendment proposed by the gentleman from Alabama to strike out "inoperative," in line 75, and insert in lieu thereof the word "suspended."

Mr. McKINLEY. I trust that will not be done. This is but a re-enactment of the present law. It is perfectly understood, and there has been no difficulty in its administration. I hope, therefore, the text will be allowed to remain as it is.

Mr. REED. I think we had better allow it to remain as it is, unless proper consideration is given to the verbiage of the change.

The CHAIRMAN. The question is upon the amendment of the gentleman from Alabama.

The question was taken; and the Chair decided by the sound the "noes" seemed to have it.

Mr. HEWITT, of Alabama. I demand a division.

Mr. KASSON. Now, Mr. Chairman, let the question be distinctly stated to the committee.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

In line 75 strike out the word "inoperative" and insert in lieu thereof the word "suspended."

Mr. KELLEY. Now, permit me to say——

The CHAIRMAN. Debate on this is exhausted.

Mr. KELLEY. Then I move to strike out the last word.

The previous section authorizes the Secretary of the Treasury to suspend the prohibition in law whenever he believes that it will not invite danger to the cattle-growing interest and to the country. The paragraph under consideration allows the President to declare not the law inoperative but the suspension, and to relieve trade from that suspension; and I hope, therefore, it will be permitted to stand as it is and as it has operated with entire satisfaction since 1857.

Mr. ROBINSON, of Massachusetts. Let me call the attention of the committee, Mr. Chairman, to the fact that under this section, 2495, the President of the United States is authorized to declare the suspension of the law inoperative; but by the terms of this section, unless we are careful in its wording, he may declare also the provisions of the other portions of the preceding section inoperative which relate to the power conferred upon the Secretary of the Treasury to suspend the operation of this prohibition. Therefore the committee ought to proceed very slowly in making a change of the law in this respect. It had better be allowed to stand as it is.

Mr. HASKELL. Let it remain as it now is.

The CHAIRMAN. The Chair desires to inquire of the gentleman from Alabama which word in this seventy-fifth line his amendment refers to, the word "inoperative" occurring twice in that line?

Mr. HEWITT, of Alabama. Where it first occurs.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Alabama, on which a division has been asked.

The committee divided; and there were—ayes 60, noes 89.

So the amendment was not agreed to.

Mr. HEWITT, of Alabama. I move the following amendment to come in at the end of the paragraph:

At the end of line 77 add:
"And the President may by proclamation declare the suspension provided for in the preceding section to be inoperative."

[Cries of "Vote!" "Vote!"]

Mr. KASSON. I do not propose, sir, to vote on this thing unless it is done understandingly; and I may be in error, but I ask gentlemen of the committee to consider that while the previous section confers the authority upon the Secretary of the Treasury, which it is important to have somewhere in the Government in order to prevent the importation of contagious diseases of cattle into this country, and nobody wants under any circumstances that entire section to be repealed, still it is important that its provisions shall be clearly understood.

Now, the section under consideration provides that the President has the power, in certain cases, to declare the provisions of the preceding section to be inoperative, and the same shall be afterward inoperative and of no effect, and so forth. The language here is:

May by proclamation declare the provisions of the preceding section to be inoperative.

Not the suspension made under that section, but the provisions of the preceding section which carries the power to suspend it. And it goes on to say:

And the same shall be afterward inoperative and of no effect from and after thirty days from the date of said proclamation.

Now, how is that section which is thus suspended under the authority of law to be again revived or brought to life? It is of no effect and there is no limit upon it if the President makes his proclamation. It has never been construed to my knowledge in such a manner as to make it perfectly clear how it may be again revived; and therefore I call the attention of the committee while we are revising all these laws to this question, to know exactly what they desire in reference to the matter, so that proper amendments may be incorporated.

Mr. CARLISLE. Let me say to the gentleman from Iowa that this section of the bill was not considered in the Committee on Ways and Means at all.

Mr. KASSON. Not in detail.

Mr. CARLISLE. It was simply inserted in the bill by the clerk when he made up the bill.

Mr. KASSON. Now, as I have said, I ask the attention of the committee here because it is a very important point. I do not want under any circumstances to impair or repeal the authority which our Government now has to impose prohibition upon the importation of cattle suffering from contagious diseases.

Mr. REED. I venture to suggest to the gentleman from Iowa whether the following amendment would not meet the case: Insert after the first word, "inoperative," in line 75, the words "during the pleasure of the President;" and after the word "effect," in the seventy-sixth line, insert the words "during such time?" That would enable him to revive the section after he has suspended it for the purpose contemplated in section 2495.

Mr. KASSON. I am not particular as to the form of the amendment, but I am very particular as to the effect of it, in order that we may not nullify the power which is now conferred upon the Secretary of the Treasury and the President in this connection, which involves important consequences to our country.

Mr. REED. Then I will offer that amendment.

Mr. MOULTON. You want to strike out the second word "inoperative."

Mr. REED. No; this amendment, I think, will cover the ground.

The CHAIRMAN. The amendment proposed by the gentleman from Maine will be read.

The Clerk read as follows:

After the word "inoperative," where it first occurs in line 75, insert the words "during the pleasure of the President," and after the word "effect," in line 76, insert "during such time."

Mr. THOMPSON, of Kentucky. As it does not seem that this section has had any consideration in the Committee on Ways and Means, and as it is a very important matter, would it not be in order to ask unanimous consent to pass it over for the present informally, in order that the committee may take time to examine it and perfect their amendment?

Mr. KASSON. It will be right with the amendment suggested, or suitable amendments in order to guard against nullifying the law.

Mr. THOMPSON, of Kentucky. We might get into an inextricable tangle if attention is not given to it with a view to perfecting it before action is taken upon it.

Mr. HEWITT, of Alabama. I will withdraw my amendment in order that the amendment of the gentleman from Maine [Mr. REED] may be voted on.

Mr. HAMMOND, of Georgia. Before that is voted on I would like to ask the gentleman from Maine if he intends that this part of the section prohibiting the importation of neat cattle and the hides of neat cattle shall be law or not law as the President desires or shall not desire?

Mr. REED. That is the idea.

Mr. HAMMOND, of Georgia. Then you have it to cover both things, that the President may let cattle be imported when he pleases without regard to disease. Section 2494 has two clauses, one to forbid it altogether except that the Secretary of the Treasury may from time to time allow cattle to come from one country or part of a country, &c. Then this section under consideration, section 2495, allows the President to stop any of these provisions at his pleasure and repeals the law. Now you propose to let him stop it whenever he wants and resume whenever he wants.

Mr. REED. Precisely. From the very nature of the subject under discussion there must discretion be given. That is, at one time it will be entirely suitable to admit cattle and proclaim it shall be so done, and at another time it will be entirely unsuitable to do it. And you have to trust that power, that shifting power as it were, to some one, and it is proposed to trust the President with it. The object is not to prevent the importation of cattle, but it is to prevent the importation of cattle in a temporary condition, namely, in a condition of sickness from infectious diseases.

Mr. HAMMOND, of Georgia. But does not your amendment allow the President to permit cattle to be imported if he pleases and to keep them out if he pleases, without regard to disease?

Mr. REED. No, sir; because the law presumes the President will do his duty, and the statute provides what his duty shall be. When it can be done without danger he shall suspend, and the suspension may cease when he considers there is danger. I think the thing is automatic arranged in that way, on the presumption that the President intends to do his duty. And I see my friend is satisfied.

Mr. HAMMOND, of Georgia. Satisfied to vote against your amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Maine, which the Clerk will again report.

The amendment was again read.

The question being taken, the amendment was agreed to.

The Clerk read as follows:

SEC. 2497. No watches, watch-cases, watch-movements, or parts of watch-movements, of foreign manufacture, which shall copy or simulate the name or trade-

mark of any domestic manufacturer, shall be admitted to entry at the custom-houses of the United States, unless such domestic manufacturer is the importer of the same. And in order to aid the officers of the customs in enforcing this prohibition, any domestic manufacturer of watches who has adopted trade-marks may require his name and residence and a description of his trade-marks to be recorded in books which shall be kept for that purpose in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe, and may furnish to the Department fac-similes of such trade-marks; and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of the customs.

Mr. BEACH. I offer the amendment which I send to the desk.

The Clerk read as follows:

In the first and second lines of section 2497 strike out the words "watches, watch-cases, watch-movements, or parts of watch-movements" and insert the words "article or product of whatever."

Mr. BEACH. This clause will read, if the amendment I have proposed be adopted, in this way:

No article or product whatever of foreign manufacture which shall copy or simulate the name or trade-mark of any domestic manufacturer shall be admitted to entry, &c.

Mr. Chairman, I see no reason why this prohibition of simulated trade-marks should be confined to watches, watch-movements, and watch-cases. There are numerous other articles of foreign manufacture which find their way into our markets simulating the names or trade-marks of American manufacturers. If this provision is a good one for watches and watchmakers, I do not see why it should not be equally good in other cases.

Mr. KELLEY. If the gentleman will permit me to modify his amendment I will strike out the word "or," in the second line, and let it read:

No watches, watch-cases, watch-movements, or parts of watch-movements, or other articles of foreign manufacture which shall copy or simulate, &c.

Mr. BEACH. I do not see why there should be any specific mention made of any specific product. This is special legislation in one of its most odious forms. My object by my amendment is to make it universal. In illustration of the point which I make in this amendment, I send to the Clerk's desk the second volume of the report of the Tariff Commission, and ask him to read the few lines which I have marked on page 406.

The Clerk read as follows:

Mr. Thomas W. Bradley, president of the New York Knife Company, of Walden, New York, made the following statement:

"The principal point to which I desire to call the attention of the commission is the one in regard to the importing of foreign goods, particularly German goods stamped with American names. By that I do not mean that they import goods stamped with the same name of the firm manufacturing goods in this country, but only with some name akin to it. For instance, I am connected with the New York Knife Company, a firm which has been in existence since 1852. We claim to make a good quality of knife, like the English knife, to compete with the German production. We meet in the market a brand of goods stamped the 'New England Knife Company.' The inference in the trade is that it is the same class of goods as ours. These goods are German goods of a very cheap class and a poor quality of steel, but they are put in competition with our steel by reason of the use of the words 'New England Knife Company,' and the trade infer that they are manufactured in New England by American makers. In that way our goods are degraded by reason of the importation from Germany of knives of that description. There are many instances of that kind where different brands are used. We would like to have that business stopped if we could. Take this knife that I hold in my hand. It is an imported German knife of good finish and appearance, and to the appraiser in New York appears pretty much of equal value with ours; but the difference is in the quality of steel used. The finish is nice and the workmanship fair, but the quality of the knife is not within 25 per cent. of our home-made knife."

Mr. KELLEY. I submit an amendment to the amendment of the gentleman from New York. It is in substance what I suggested.

The Clerk read as follows:

Strike out the word "or," in line 83, and in the same line, after the word "movements," insert "or any other article."

Mr. KELLEY. That gives the gentleman the benefit of his proposition and yet leaves the general text of the statute to stand.

Mr. BEACH. I will accept the amendment of the gentleman from Pennsylvania.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Pennsylvania [Mr. KELLEY].

Mr. TUCKER. It seems to me that if the amendment which is now proposed be adopted in reference to all manufactured articles, all that any manufacturer in the United States will have to do will be to put a trade-mark on his particular manufacture, and then if any article of foreign manufacture simulates or looks like his, as cotton goods or woolen goods, it will be regarded as coming within the simulation.

Mr. REED. The language is, "simulate the name or trade-mark."

Mr. RANDALL. This is not as to goods. It is against the use of the trade-mark on goods.

Mr. KELLEY. It is simply as to the name or trade-mark.

The question being taken on the amendment of Mr. KELLEY, it was agreed to.

Mr. KASSON. There should be one other amendment made in order to make the section correspond to the amendment just adopted. In line 89, the words "of watches" should be stricken out, so that it will read, "any domestic manufacturer who has adopted trade-marks," &c.

The amendment was agreed to.

Mr. HAMMOND, of Georgia. I now move to strike out the section as amended. As it now stands every manufactured article in the United States may have placed upon it the name or trade-mark of its manufacturer; and thereupon, it being sent to the Treasury Department, "the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of the customs."

It seems to me that that will be making provision for a very large amount of work without any corresponding good. There is some sense in having the trade-mark on watches and other things of large value protected. But it seems to me there is not the same reason for protecting the trade-mark on a pocket-knife or a tooth-pick. Yet this section as now amended would compel the Treasury Department to spend as much time and attention in protecting the trade-mark on a tooth-pick as on the finest watch. I think the section as it is now amended should be stricken out.

Mr. KELLEY. This provision is intended simply to protect the American manufacturer in the right to the use of his own name on such goods as he produces. He may accompany that name with a trade-mark or he may put his name alone on the article as the trade-mark. Without this law after the American manufacturer has perfected his production a foreigner might prepare an inferior article in resemblance of it and put the American's name on it, and while defrauding the American manufacturer he would cheat every American consumer who relied upon the stamp of his countryman.

The CHAIRMAN. The time for debate on the pending motion is exhausted.

Mr. THOMPSON, of Kentucky. I move to strike out the last word. This matter of trade-marks may assume a very broad range. A manufacturer can assume any trade-mark he desires. Suppose that there is a foreign article with a trade-mark on it, and an American manufacturer chooses to assume the trade-mark on that article. Then, under this provision, would not that foreign article be totally prohibited from being brought into this country, unless this domestic manufacturer himself chooses to import it?

Mr. KELLEY. No; because the American manufacturer must put his own name on it.

Mr. THOMPSON, of Kentucky. He can put any trade-mark on which he wants to.

Mr. REED. He can not put another man's name on.

Mr. KASSON. The language here is "copy or simulate," which means that the American must be the first to use the trade-mark.

Mr. TALBOTT. Your bill does not say that.

Mr. THOMPSON, of Kentucky. Do we not put ourselves in this attitude: that we make the Government assume the responsibility, cost, and expense of the protection of every American trade-mark; whereas the law now leaves every manufacturer to protect himself at his own expense?

Mr. KASSON. I would like to say one word, as at one time I was officially charged with this subject of trade-marks.

I have only to say that every commercial nation in the world has, in the main, made treaties with other commercial nations for the protection of the trade-marks of its people. I was myself at one time engaged in that direction, and I know that every country recognizes the importance, first, of having security for its trade-marks and the products of its own manufacture within its own jurisdiction; and, second, to further protect them by the aid of the legislation of other countries.

In this case we endeavor to give our people the additional security for their trade-marks within our jurisdiction by providing that counterfeits shall not be permitted to come into this country. I assure gentlemen that it is in accord with the legislation of other nations and is necessary and right.

Mr. KELLEY. Having reference to the remarks of the gentleman from Kentucky [Mr. THOMPSON] about the labors of the Treasury Department, I will say to him that this is to be done under the regulations prescribed by the Secretary of the Treasury, which may require compensatory fees.

Mr. RANNEY. It seems to me that this section as amended is very dangerous, and will be very difficult of practical operation. If it was only with regard to the name of the manufacturer, we could get along with it; but it says "name or trade-mark." Now, anybody knows who has had any practical experience in regard to trade-marks that very difficult and complicated questions arise as to what is a simulation of a trade-mark. Are you going to put on the Treasury Department or custom-house officers all the expense and also the right to determine these questions of fact?

Mr. KASSON. Subject to appeals to the court.

Mr. RANNEY. It is true that many trade-marks adopted in this country by manufacturers are themselves simulations of foreign trade-marks. A man may send in his report of his trade-mark. An article may be brought in from abroad with a similar trade-mark, and although it was the original, under this section it might be held to be a simulation of the American trade-mark.

Now, if you open up that question and put on the officers of the Government at custom-houses the duty of settling the question of simulation, you will confer upon them the whole jurisdiction of the courts, because trade-marks are as numerous as the leaves of the forest.

Mr. KASSON. It follows the similitude of existing laws, where we are obliged to give the first discretion to customs officers, always subject

to appeals to the court. There would be no difficulty under this section other than there is under existing laws.

Mr. RANNEY. Meanwhile the goods are not entered and allowed to go into the market to be disposed of; you tie them up for a year while the appeal is going on.

Mr. KASSON. Only in the same way as at present.

Mr. BRIGGS. But the provision of the present law reaches only one class of goods; this amendment proposes to apply to all.

The CHAIRMAN. Debate is exhausted.

Mr. SINGLETON, of Illinois. I move to amend by striking out the last word. It seems to me that this section is inconsistent with the protection which it purports to give to a certain class of manufacturers. I understand that the object of protection is to give employment to home labor, to encourage domestic industry. This section opens a field, and a very wide field, for fraud, because it authorizes the manufacturers to go abroad and manufacture their own watches, or whatever other article he may choose to import, and then impose those articles upon the people of this country as the product of his own shop, thus depriving the American laborer, of whom so much has been said, of the means of support. I hope the distinguished gentleman from Pennsylvania may be able to explain to my satisfaction the operation of these words, "unless such domestic manufacturer is the importer of the same." The language of the section, it seems to me, excludes everybody except the manufacturer himself, who is authorized to go abroad and put his mark upon the goods there manufactured which are to be sold in our market as the product of his own shop. I say this is a fraud upon the consumer of this country, and a fraud upon labor.

A MEMBER (to Mr. SINGLETON, of Illinois). Move to strike out those words.

Mr. SINGLETON, of Illinois. I would do so but for the fact that the question is now pending upon the motion to strike out the section.

Mr. KASSON. What are the words to which the gentleman objects?

Mr. SINGLETON, of Illinois. The words beginning with "unless," in line 86, down to and including the word "same," in line 87.

Mr. KASSON. I suppose the gentleman is aware that there are manufacturers who have come from abroad with their own trade-marks, and are manufacturing very largely in the United States. It is necessary for us to meet the emergencies of our own trade by allowing such a manufacturer who establishes himself in business here to continue the use of his trade-mark.

Mr. SINGLETON, of Illinois. But this is general in its application; it applies to all manufacturers.

Mr. HASKELL. The manufacturers of the Clark and Coats spool-thread and several large hemp, jute, and flax manufacturers run large establishments abroad and also in the United States, the trade-mark used abroad and that used here being identical.

Mr. SINGLETON, of Illinois. That is exactly what I desire to prevent.

Mr. ROBINSON, of Massachusetts. It seems to me that a single suggestion should dispose of the present difficulty. The section as presented in this bill without amendment is the same as the provision of the present statutes as in force for twelve years. It seems to me the Committee of the Whole has acted unadvisedly on this bill by swinging open a very wide door; and I think we all begin to see that this door should be closed. The only parliamentary way out of the difficulty, as I understand, is to vote down the motion to strike out the whole section, and in the House reject the amendments which have been adopted. Thus we allow the section to stand as reported by the Committee on Ways and Means.

A MEMBER. We do not want it in that form.

Mr. ROBINSON, of Massachusetts. I do, and I think the House does.

Mr. SINGLETON, of Illinois. I withdraw my *pro forma* amendment.

Mr. HERBERT. I renew it. I think I can make a proposition which will meet the difficulty presented by the gentleman from Massachusetts [Mr. RANNEY], in whose suggestion I heartily concur. I think that the manufacturer or trader is entitled to the use of his trade-mark, and should be protected in it. But this section, as now amended, will impose very onerous duties upon the Treasury Department, duties which will be very difficult and expensive in their execution. It will be difficult in many cases to say whether the American or the foreign manufacturer is the imitator. In order to determine this question it will be necessary to ascertain who first used the trade-mark. This question must necessarily be settled in order to discharge the duties imposed by the section. This difficulty, I think, can be obviated if the motion to strike out the section be voted down and an amendment adopted inserting at the end of the section these words:

Provided, That this section shall apply only when the name of the American manufacturer shall comprise part of the trade-mark so recorded.

This will simplify the duty imposed upon the officers of the Government. Any person desiring a trade-mark protected, if he will make his name a part of it, can then record this trade-mark. Whenever any foreign goods are imported with the name of an American trader upon them it will be an easy matter for the officers of the United States to say, "Those goods ought to be excluded; the right of the American trader in his trade-mark ought to be protected."

I withdraw my *pro forma* amendment.

Mr. HAMMOND, of Georgia. My motion to strike out the section would, I think, more clearly afford the relief that is contemplated and remove the difficulties complained of than the suggestion of the gentleman from Massachusetts, because we could add what is proper to be added in the bill hereafter.

I spoke of the enormous difficulty and expense of carrying out the law as it is proposed. The committee will remember that we have no trade-mark law of the United States except that which was passed in March, 1881, applicable only to goods used in our domestic manufactories for foreign nations and the Indian tribes. But other trade-marks are permitted here entirely by State laws. One State, like Massachusetts for instance, protects watches. Another, like Illinois, protects beer, &c. The great mass of trade-marks of this country are trade-marks resting upon the common-law principle, and affected more or less by the statutes of the different States. Your custom-house officers are expected and required, under this statute as amended, to take cognizance of the fact not only as to what the trade-marks are or what the law of trade-marks is under the United States laws, but with reference to the trade-mark laws of all the States, and they are as various as anything that can be named, coming as they do from thirty or forty different Legislatures. Now, the committee has, in a spirit of apparent liberality, brought in this provision of the bill now under consideration, in reference to trade-marks, to make it general. It is conceded now on both sides of the House that they have placed themselves in a very awkward position, a position that neither side of the committee is willing to stand by. I submit, therefore, that my motion is right and practicable, and one that ought to be adopted under the circumstances.

Mr. KELLEY. I do not so understand it.

Mr. HASKELL. We are waiting for a vote, and do not admit the reasoning of the gentleman from Georgia.

The CHAIRMAN. Debate upon the present amendment is exhausted.

Mr. HERBERT. I withdraw the *pro forma* amendment.

Mr. FLOWER. I renew it simply for the purpose of asking the chairman of the Committee on Ways and Means what watches of American make are copied and sent to this country from England, and also why he put this section into the bill? I ask him to state what particular grades of watches of United States manufacture are duplicated in England?

Mr. KELLEY. We put it into the bill because——

The CHAIRMAN. Will the gentlemun suspend for a moment until the committee is in order?

Mr. FLOWER. I ask the gentleman to state what particular American watches are duplicated in England?

Mr. KELLEY. That I can not do; but the gentleman put a question which I desire to answer. He asked why the committee put this section into the bill. The answer is, they did it because they found it in the existing law, and they put it in without the change of a word in its phraseology.

Mr. BEACH. Mr. Chairman, I can answer the question of my colleague from New York. This provision of law was enacted in 1871 at the instance of certain American watchmakers whose trade name in the market was simulated by English manufacturers who put the name of "Elgin" and "Waltham" on their manufactures and sent them to this country; and on very inferior movements, too.

Mr. FLOWER. They were so inferior that the veriest boy in the business could see the difference.

Mr. BEACH. They were generally of a very inferior quality.

Mr. FLOWER. There is not a watch made in Europe which can be compared with one of our movements, and I have had experience in that direction, having been in the business.

Mr. HASKELL. Will the gentleman from New York permit me to say to him that the watch machinery of Waltham and American watchmakers has been imported into Switzerland, and that by the aid of this improved American machinery the Swiss watchmakers are making the identical movements that are being made in the watch manufactories of this country to-day with the same class of machinery?

Mr. FLOWER. Do they put them on the market as American watches?

Mr. HASKELL. They used to do it before the law was passed which prevented it; and in order that the American watch manufacturers with their perfect movement, leading, as they do, the world in perfection—we propose to keep the law where it is in order that they may be protected.

Mr. FLOWER. I have noticed myself in watches that the trade-marks are duplicated by the English and Swiss, but you can tell the difference as far as you can see the movement. Any person who has experience in the business can tell. I have never seen a watch imported from Europe which duplicated an American trade-mark that was not an inferior production.

Mr. RANDALL. They have to come to the United States to learn something about making watches.

Mr. FLOWER. I withdraw the *pro forma* amendment.

The CHAIRMAN. The question is on striking out the section——

Mr. RANNEY. I wish to make an inquiry. It has been said that a mode is presented here, where there are differences, for their settlement by an appeal. Now, I would like to know what provision is made

whereby a controversy can be settled in reference to a question of trade-mark by the ordinary mode of jury, and whether this does not deprive everybody interested of the right of trial by jury to determine the question of originality in trade-marks, and whether there has been an infringement or not? The customs officers cannot determine it because in general these questions have to be submitted to the determination of the clerks in those offices, and difficult and complicated questions of originality and infringement are likely to arise and must be determined so as to afford exact justice to our manufacturers who are so directly interested.

Mr. KASSON. Let me say to the gentleman from Massachusetts [Mr. RANNEY] that at the end of the schedules the Committee on Ways and Means have incorporated a new provision providing for the adjudication of all questions arising under the operations of this bill. And if, when we come to these sections, they are not full enough to cover this point then ample opportunity will be given for amendment, so as to perfect them as they may be required.

Mr. COX, of New York. Mr. Chairman, what is the proposition now pending?

The CHAIRMAN. It is the motion of the gentleman from Georgia, to strike out the whole of this section 2497.

Mr. COX, of New York. I move to amend by striking out the last word as a *pro forma* amendment. But I desire to say I favor the proposition of the gentleman from Georgia [Mr. BLOUNT], because I am in favor of removing every possible restriction in reference to these articles of jewelry, watches, &c., as well as all other articles of that nature. It was said by the gentleman from Kansas [Mr. HASKELL] just now that American watches or movements or parts of watches were taken to Geneva and sold there.

Mr. HASKELL. I said the machines for making them.

Mr. COX, of New York. Some gentleman on this side said that the American manufacturers had their agents there and sent over watches or parts of watches. We do send over parts of watches made in this country to Geneva, where they are put together.

I do not believe, being in favor of the largest liberty in commerce, the largest interchange possible between nations like Switzerland and our own Republic—I do not believe in adding any other restrictions to our present ad valorem of 25 per cent. on watches and jewelry. Therefore I make this point in advance now that there is no need of protecting these watches in this tariff bill; that there is no need of these restrictions as to trade-marks. Let the buyer beware. Let him buy only that which will be a *quid pro quo* for his money. I would not allow the custom-house officer to be the judge of certain trade-marks on articles coming into this country from abroad.

I believe there was a large revenue derived from this 25 per cent. duty on jewelry—for watches are not separated—and I think the committee has not reduced the taxation in this bill from what now exists. I think they still retain the 25 per cent. duty on all articles of jewelry.

Therefore I favor the amendment of the gentleman from Georgia [Mr. BLOUNT] as the only generous and proper solution of this question to avoid all litigation and trouble and let the watches come in, if you please, without these restrictions.

Mr. KELLEY. Now let us have a vote.

Mr. COX, of New York. I will say to the gentleman from Pennsylvania [Mr. KELLEY], who rises to interrupt me very indecorously before I get through——

Mr. KELLEY. I thought you had got through.

Mr. COX, of New York. When he said the other day general debate would perhaps be ended sooner because members would not merely be allowed to print but would have time in the five-minute debate—under those circumstances I think the howl on that side for voting is most unseemly.

Mr. KELLEY. I beg to say that I thought the gentleman had terminated his remarks.

Mr. COX, of New York. It came from others besides the gentleman from Pennsylvania.

Mr. RANDALL. I do not object to any modification of this section that will improve it. But I do not think it wise to strike it entirely out. I think it our duty to legislate so as to prevent deception in the introduction of articles of all descriptions into this country. Nay, more, I think it is our duty to protect the consumers in this country from that character of deception.

Mr. COX, of New York. I withdraw the *pro forma* amendment.

Mr. HERBERT. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HERBERT. Does not my motion to amend the section and thus perfect it have precedence of the motion to strike out?

The CHAIRMAN. Certainly; but the Chair did not understand the gentleman from Alabama had offered an amendment.

Mr. HERBERT. Then I offer it now.

The Clerk read Mr. HERBERT'S proposed amendment, as follows:

Insert at the end of section 2947 the following:
"*Provided*, This section shall apply only when the name of the American trader or manufacturer shall compose part of the trade-mark so recorded."

Mr. HERBERT. Before the vote is taken on that amendment I desire to say its purpose is simply and solely to simplify the duties imposed on the customs officer under this section. That amendment will require the name of the manufacturer or trader to accompany the trade-mark which he proposes to record. When he shall have done that it will be very clear that any imported article coming in without his consent, having his trade-mark, of which his name composes a part, is an imitation; so that the duty will be easily performed and there will not be much expense attached to it; and thus the manufacturer or trader will be protected and the consumer too, as the gentleman from Pennsylvania [Mr. KELLEY] suggests, because he will know when he sees a trade-mark upon an article that that trade-mark has the protection of the law and that he is buying a genuine article under that trade-mark.

Mr. SPRINGER. I am not concerned about the amendment in regard to trade-marks. I may say here that I have the honor to represent, as part of the interests of my district, one of the largest watchmaking establishments in the country, an establishment that employs several hundred hands and turns out a character of watches recognized universally as being of the best quality. The gentleman from Kansas has one of them. I carry one myself. And if any gentleman desires to get the correct time at any time of the day, let him come to me and I will give it from a Springfield watch. But so far as that institution is concerned it does not complain of the futile, feeble efforts of other manufacturers in the world to imitate their trade-marks. It is impossible for them to do it. We are therefore impregnable on this point. Making the best watches of the best material, we defy the world to compete successfully with us.

But there is a provision in this bill to which persons interested in that industry do object, and when we reach it I shall ask this committee to give some relief in reference to one of the items of raw material which they use very largely. I refer to the article of enamel, of which I have a specimen here which was inclosed to me. Under this bill the duty of 35 per cent. ad valorem is imposed on the raw material, while the manufactured dial made in Europe with the face all figured comes in at 25 per cent. ad valorem. Now, we wish that the raw material may be allowed to come in free and that a tax of 25 per cent. ad valorem be placed on the manufactured article.

I do not see any material benefit to the watchmaking industry of this country from this provision; but when we come to the right place I shall ask the committee to do justice to that interest.

The CHAIRMAN. The question is upon the amendment of the gentleman from Alabama [Mr. HERBERT].

The motion was to add to the section the following:

Provided, This section shall apply only when the name of the American tradesman or manufacturer shall compose part of the trade-mark so recorded.

The question was taken; and upon a division there were—ayes 62 noes 92.

Before the result of the vote was announced,

Mr. COX, of New York, called for tellers.

Tellers were ordered; and Mr. COX, of New York, and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported that there were—ayes 62, noes 101.

So the amendment was not agreed to.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Georgia [Mr. HAMMOND], to strike out the section as amended.

Mr. THOMPSON, of Kentucky. With a view of perfecting the section, before the motion to strike out is voted on, I move to amend by inserting after the words "United States," in line 86, the words "until after ten days' notice to the domestic manufacturer."

The object of the amendment is this: Under the provision as it here stands all these foreign articles are subject to be imported by the domestic manufacturer who has a similar brand or whose trade-mark has been copied or simulated by the foreign manufacturer. Under this section no person can bring in any of those articles except the American manufacturer himself.

Now, if the object of the section is to protect the American manufacturer, all that is necessary is, not to prohibit other parties from importing the goods, which I do not understand to be the object of the law, but to provide that before they are entered at the custom-house the American manufacturer shall have notice of their entry, and then he can protect himself or not as he desires.

Mr. KASSON. How are the people to be protected who do not understand what the counterfeit is?

Mr. THOMPSON, of Kentucky. If the American manufacturer on ten days' notice has not sufficient interest in the matter to seek to protect his own trade-mark or brand, then the people are certainly not sufficiently interested in it, because that fact will show that the consumption of the article is so insignificant that it does not deserve any protection.

Mr. KASSON. I would like to say to my friend from Kentucky [Mr. THOMPSON], for I know that he is only desirous of securing proper legislation, that this will illustrate my position: We all know and have known from boyhood that there are pocket-knives which we purchase because of the name of "Rogers" on them. Now suppose an American manufacturer makes a knife which is better than that of Rogers and introduces it into the market. In order to get into the market all that

the English manufacturer would have to do would be to put the same trade-mark on his goods which the American manufacturer has made popular in this country. The American manufacturer would suffer from that counterfeit.

This provision has nothing to do with preventing or prohibiting the introduction of any article into this country, but simply to prevent counterfeit articles from being brought into this country and imposed upon the people. I know the gentleman is in favor of the principle of the section, and if he can suggest any way to improve it I will go with him. What I want is to prevent our people from being imposed upon.

Mr. THOMPSON, of Kentucky. I would like to ask the gentleman from Iowa, because I think he and I are trying to accomplish the same thing, if this section will not prohibit any similar article being brought here unless the American manufacturer chooses himself to import it and impose it on our people if he is dishonest enough to do so?

Mr. SINGLETON, of Illinois. It is a license to the American manufacturer to practice fraud.

Mr. KASSON. The amendment of the gentleman from Kentucky [Mr. THOMPSON] will not prevent the article from being brought in here and going into circulation. When we come to the provision in relation to proceedings being promptly determined, which is one of the most valuable provisions of the bill, we can provide for this matter.

Mr. THOMPSON, of Kentucky. This provision now prohibits everybody from importing a simulated or counterfeit article except the American manufacturer himself. If it is his interest to be dishonest and import these frauds which the gentleman speaks of the section will allow him to do so.

Mr. KASSON. The interest of the manufacturer would lead him to prevent that and protect the public.

Mr. THOMPSON, of Kentucky. The gentleman says the manufacturer's interest will lead him to protect the public. I say that ten days' notice given to the manufacturer that these fraudulent articles are in the custom-house is all that is necessary to protect him and the public.

Mr. SINGLETON, of Illinois. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SINGLETON, of Illinois. When I was last upon the floor, at the suggestion of the gentleman from Iowa [Mr. KASSON], I stated an amendment to this section, to strike out after the words "United States" the words "unless such domestic manufacturer is the importer of the same." I desire to ask if that amendment is pending?

The CHAIRMAN. The Chair did not understand the gentleman to offer that amendment.

Mr. ANDERSON. Offer it now.

Mr. SINGLETON, of Illinois. I offer it now.

The CHAIRMAN. The gentleman will be recognized at the proper time to offer his amendment. The pending question is upon the amendment of the gentleman from Kentucky.

Mr. HAMMOND, of Georgia. I think the amendment proposed by the gentleman from Kentucky would not operate beneficially, but on the contrary would complicate this matter very much. Who shall give this notice? How shall it be given; through the mail or by personal service? Who is to pay the expense of the notification? How are you to prove the notice? I desire to keep this matter from being further complicated. If it were proposed simply to continue the old law in order to protect the consumer from being cheated by the importation, under a false name, of some article in regard to which deception would be easy, I should make no objection. My objection is that by this amendment of the law you establish a system which, as I understand, the Committee on Ways and Means never contemplated. This amendment, as I understand, has been made carelessly, certainly without unanimity on either side of the House. By this change in the law we shall make both expensive and awkward the administration of the measure which we are passing. We want simple laws, under which the people may get along quietly and inexpensively. But there has been put into this section a provision which will make a lawsuit whenever anybody sees proper to make it, upon the most insignificant articles which can be imported.

The question being taken on the amendment of Mr. THOMPSON, of Kentucky, to insert after the word "States," in line 86, the words "until after ten days' notice to the domestic manufacturer," it was not agreed to.

Mr. SINGLETON, of Illinois. I move to amend by striking out, in lines 86 and 87, the words "unless such domestic manufacturer is the importer of the same."

Mr. Chairman, I am not disposed to offer any factious opposition to this bill, but am desirous to co-operate with any party in this House to perfect it. It seems to me, however, that a provision such as we have here, authorizing the manufacturers of this country to practice a fraud upon their patrons and upon the labor of the country, is a very grievous wrong. To copy or simulate the name or trade-mark under which an article goes upon the market is a fraud in fact, if not in law. This section authorizes a manufacturer to perpetrate this fraud upon the people of the country by manufacturing an article abroad and importing it into this country under the same trade-mark as if it were manufactured here. By an enactment of this kind we defraud labor; we are guilty in our legislative characters of a moral turpitude of which gentlemen should be ashamed. I desire to co-operate with the friends of this bill in perfecting every part of it; and therefore I hope that the words named in my amendment may be struck out, so that the consumers of this country and the labor of the country may be protected from fraud.

The question being taken on the amendment of Mr. SINGLETON, of Illinois, there were—ayes 66, noes 69.

Mr. SINGLETON, of Illinois. I call for tellers.

Mr. SPARKS. I make the point that no quorum has voted.

Tellers were ordered; and Mr. SINGLETON, of Illinois, and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 66, noes 91.

So the amendment was not agreed to.

The question being taken on the motion of Mr. HAMMOND, of Georgia, to strike out the section, there were—ayes 43, noes 91.

Mr. HAMMOND, of Georgia. I call for tellers.

Tellers were not ordered; there being ayes 24—less than one-fifth of a quorum.

Mr. TOWNSHEND, of Illinois. We are entitled to tellers; no quorum had voted.

The CHAIRMAN. It is too late to make that point.

Mr. TOWNSHEND, of Illinois. It is never too late to raise the question of a quorum.

The CHAIRMAN. The point was not made in time. The motion of the gentleman from Georgia is not agreed to. The Clerk will read.

The Clerk read as follows:

SEC. 2498. No goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship or vessel, and cargo shall be liable to be seized, prosecuted, and condemned, in like manner and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

Mr. REAGAN. I move to strike out this section. I understand that this is a literal transcript of section 2497 of the Revised Statutes. My objection to it is that it imposes unnecessary, injurious, and expensive restrictions upon our foreign commerce.

Mr. KELLEY. If the gentleman will read the next section, of four lines, he will find that this is not a general provision of law, but is only to operate where it is necessary for the purpose of retaliation.

Mr. REAGAN. I have read the section to which the gentleman calls attention, but there is no defense for either provision. If the lawmakers or rulers of other countries impose unnecessary, inconvenient, and expensive burdens upon the commerce of their countries, it is no way for us to retaliate by imposing like burdens upon citizens of the United States. What use can there be for a provision of this kind except to impose restrictions upon the foreign commerce of this country? A few days since we had before the House a bill upon which there was on both sides an earnest advocacy of a liberalization of our commercial policy, and the relieving of the foreign commerce of the United States from the restrictions now imposed upon it.

All that I can see is that it simply increases the burdens imposed upon our commerce. It increases indirectly the duties imposed upon foreign merchandise by forcing the importers to transport it in American vessels or in vessels of the country in which it is made. I see no reason for its retention.

Mr. KASSON. Will the gentleman from Texas allow me a word just here? This law has been in force almost since the close of the war with England. It was enacted, I think, in 1817.

Mr. REAGAN. I understand that.

Mr. KASSON. And therefore if you will——

Mr. REAGAN. I have but five minutes' time; the gentleman can occupy his own time.

All I desire to say is that if the law was a thousand years old it is embarrassing, expensive, and unnecessary, and there was never a better time than now to get rid of it altogether. It is a burden on foreign commerce and increases the duties on foreign commodities imported into the country. It is unjust to the people and totally unnecessary. It is a hardship upon the commerce of the country to be burdened with such a provision.

Mr. KELLEY. This law, which comes down to us from the early part of the century, relates only to goods imported in vessels of a foreign nation which maintains a similar regulation against vessels of the United States. It is simply intended to put us on an equal footing with nations which attempt to restrict our commerce. I hope the paragraph will be adopted.

Mr. RANDALL. Mr. Chairman, this law, as has been said, was adopted in 1817. It has stood all the time undisturbed upon our statute-books through every tariff revision or modification from that period down to the present time.

The object of that law was in the first instance simply coercive as against other nations. It is now coercive against one nation especially, and it has, I believe, already effected or is likely to effect successful and satisfactory negotiations with Spain.

Mr. TOWNSHEND, of Illinois. Will the gentleman from Pennsylvania permit me to ask him if he knows of any nation to-day that makes such restrictions against our commerce?

Mr. RANDALL. This law is especially applicable at the present time to reach the case of Spain, which has such restrictions against us.

Mr. McMILLIN. Do I understand the gentleman to say that this is the law as it now stands?

Mr. RANDALL. Yes, sir; and has been since 1817.

Mr. McMILLIN. Will some one, then, be kind enough to tell me the reason why this law should remain in force?

Mr. RANDALL. The particular reason seems to be that Spain has restrictive regulations in force against the commerce of the United States. The effect of this law has been, I believe, to bring about negotiations between the two countries which are likely to terminate satisfactorily.

Mr. COX, of New York. I move to strike out the last word. The gentleman from Pennsylvania who has just taken his seat has told the House that this is an old subject, and that it is legislation which grew out of the war of 1812. It is a part of the old and irrational retaliatory or restrictive system. By it we sought retaliation upon nations that did not treat us fairly in commercial affairs. The gentleman from Pennsylvania [Mr. RANDALL] tells us that this is an old subject, but that the object is to reach Spain. Ah, it is Spain that is the object of this restrictive and retaliatory measure. Well, sir, Spain has been very unmutual toward us for many years. And since this law has been on the statute-books since 1817, why, then, has it not reached Spain? Why? Simply because the law is a corpse—a dead letter.

I will tell you our commercial trouble with Spain. She has certain tariff laws which discriminate against this country. They discriminate against our product and our carrying trade. Under the provisions of her law at present it costs more to send a barrel of flour from New Orleans to Havana than it costs to send it from New Orleans to Cadiz and thence back to Cuba. Charges of all kinds are piled up. They are the odium of trade and comity. They are against our commerce. There is a lack of mutuality on the part of Spain toward us. We have not thus far remedied this condition. But the proper remedy is comity with Spain. It is not by a provision of this sort. It has no place in a revenue bill. By treaty such as there is now in progress in the State Department negotiations may compass our best commercial idea.

I am looking to the formulation of such a treaty. Let us call for the correspondence on that subject. Then we will know why it is that a colony like Cuba, the faithful island from which we buy, I was going to say, $80,000,000 worth of sugar per year——

A MEMBER. Eighty-four millions.

Mr. COX, of New York. And sell of our products not one-fifth, should keep up this prohibitory and barbaric system against us. It is the shame of the century.

But, Mr. Chairman, this is no way of reaching the difficulty. We have never reached it by keeping on our statute-book a law like this.

No, sir; this is a perpetuation of the old system. We inveighed against it the other day when the House on two occasions voted for free material and free ships, and then turned around the next day and voted out their wise and liberal sentiment. It is a part of that mode against our trade and shipping whereby we are prohibited from purchasing our ships where we can get them cheapest, which is the very life and soul of commerce.

But let me say, Mr. Chairman, that all tariff bills which are not thoroughly revenue in principle and designed solely for the expenses of a frugal government—all such tariff bills, I care not whether they derive their authorization from one clause of the Constitution or another, every tariff bill except to pay the fair, honest, legitimate expenses of our Government, is pointed robbery and spoliation. Never in any instance was there as great a spoliation as that which spoiled our shipping and continues to perpetuate the spoliation.

Mr. RANDALL. Mr. Chairman, during the existence of this law to which reference was made here many nations have had discriminating duties against the United States, and they ceased to impose them by reason of this law. We have recently torn down the barriers to trade that existed between this country and Holland, and if I am not misinformed there are negotiations of a diplomatic character now pending between the United States and Spain having in view the same result, and therefore I think that until these negotiations are concluded it would be better to retain this clause of the statutes in force in this bill.

Mr. COX, of New York. I withdraw the *pro forma* amendment.

Mr. ANDERSON. I renew the *pro forma* amendment. I would like to ask a little information from the gentleman from Pennsylvania on a point which I do not understand. Suppose articles were imported from China to San Francisco, must not those articles, under the provisions of this bill, be brought in American ships?

Mr. KELLEY. No, sir. Read the exception.

Mr. COX, of New York. That depends on the treaty with China.

Mr. ANDERSON. What is the substance of that exception?

Mr. KELLEY. It is this:

The preceding section shall not apply to vessels or goods, wares, or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

Mr. ANDERSON. I withdraw the *pro forma* amendment.

The CHAIRMAN. The pending question is on the motion of the gentleman from Texas [Mr. REAGAN] to strike out section 2498.

The question being taken, the motion was not agreed to.

The Clerk read the following section:

SEC. 2500. There shall be levied, collected, and paid on each and every non-enumerated article which bears a similitude, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this title as chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles on which different rates are chargeable, there shall be levied, collected, and paid on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials the duty shall be assessed at the highest rates at which any of its component parts may be chargeable. If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates, and in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty: *Provided*, That non-enumerated articles similar in material and quality and texture, and the use to which they may be applied, to articles on the free-list, and in the manufacture of which no dutiable materials are used, shall be free.

Mr. CARLISLE. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 132 strike out the word "highest" and insert in lieu thereof the word "lowest;" so that it will read:

"There shall be levied, collected, and paid on such non-enumerated articles the same rate of duty as is chargeable on the article which it resembles paying the lowest duty."

Mr. TOWNSHEND, of Illinois. Will the gentleman from Kentucky not accept an amendment to strike out the word "highest" wherever it occurs in this section?

Mr. CARLISLE. We can take it one at a time.

Mr. KASSON. Will the gentleman from Kentucky allow me to offer an amendment to his amendment now, so that he can speak on both?

Mr. CARLISLE. Certainly.

Mr. KASSON. I move to amend the amendment by making lines 134 and 135 read as follows:

The duty shall be assessed at the rate at which its component part of chief value shall be chargeable.

Mr. CARLISLE. I have an amendment to meet that which I think is expressed in a little better phraseology. I would make the clause read thus:

Shall pay the rate of duty imposed by law on the component part of chief value.

But that has no reference to my present amendment.

Mr. Chairman, this provision of the bill is copied *verbatim* from the present statute, and it applies only to the non-enumerated articles embraced in these various schedules, or the non-enumerated articles which may hereafter be imported into this from foreign countries. It will be observed that the first part of the section provides that where these non-enumerated articles shall resemble other articles they shall pay the same rate of duty imposed upon the articles which they most resemble. And to that it seems to me there is no objection.

Mr. ROBINSON, of Massachusetts. Will the gentleman excuse me? Did he say this section is precisely in the language of the present law?

Mr. CARLISLE. This part of it is. But it must be borne in mind that the bill now under consideration by the Committee of the Whole is much more perfect in its enumeration of articles subject to duty than the existing law. In other words, a great many articles of various classes which now come into the country as non-enumerated articles under the general provisions of the statute are specifically enumerated in this bill; and the proposition is simply to make those articles the names of which have not occurred to the committee, and which, therefore, are not enumerated, pay the rate of duty imposed on the article which it resembles paying the highest rate of duty.

It seems to me, Mr. Chairman, that having made this large enumeration of articles and embraced under specific duties everything that could be thought of, we ought at least to allow those which have escaped us to come in at the lowest rate of duty imposed upon the articles which they resemble. And while I can not now discuss the question at length, I offer this amendment and suggest to the gentlemen on both sides of the House that it is a very proper one to be made at this point.

Mr. KELLEY. Much of the necessity for the revision of the present tariff arises from the fact that the duties on non-enumerated articles are lower than the duties imposed on the schedules and classifications to which those non-enumerated articles properly belong. Finding that making the general provision for articles not otherwise enumerated imposes a low rate has led to litigation, to derangement and disorder through large portions of the importations, the Tariff Commission attempted as a measure of correction, as a measure which would reduce the amount of litigation, to classify everything that might be classified and enumerated; and then for the few articles that might remain of those not embraced in the schedules and classifications, to compel the importer by his own interest to import them under such names as would give them their proper classification. Therefore we have said that if that be not done then they shall pay the highest rate of duty upon any of their component parts. This may be said to be a measure for the relief of those who administer our customs system.

Mr. CARLISLE. My amendment does not relate to that subject—

to the duty on the component part. But this is a case where an article equally resembles two or more enumerated subject to duty, and you put upon it the highest rate.

Mr. KELLEY. The commission and the committee influenced by their convictions have provided that where an article is brought in having similitude to a classified article it shall pay the highest rate of duty upon any of its component parts, and I hope the provision will be maintained. To make it the lowest instead of the highest rate of duty would be to challenge the ingenuity of all other manufacturing countries to make combinations in articles in similitude and put in some material upon which the duty was little more than nominal, and bring in all the costly elements which bear high rates of duty under that lowest rate.

Mr. WILSON. Will the gentleman permit me to ask him a question?

Mr. KELLEY. In a moment. It would be to falsify every economic principle, and so far as I know every provision of our revenue laws.

Mr. WILSON. Now will the gentleman allow me to ask him one question?

Mr. KELLEY. Certainly.

Mr. WILSON. I understand the gentleman from Pennsylvania [Mr. KELLEY] to say that he proposes by this provision to make the imported article pay the highest rate of duty. What can the importer or the consumer of the article do to bring it down to a reasonable and proper rate of duty?

Mr. KELLEY. The importer can import the article under its right classification, so that it will pay what other articles of the same class would pay. If he attempts to sneak the article in at lower rates of duty, then he runs the risk of having it charged a double rate of duty.

The CHAIRMAN. The time for debate upon the pending amendment has been exhausted.

Mr. TOWNSHEND, of Illinois. I move to strike out the word "lowest" for the purpose of calling attention to one other feature of this section.

The rule of construction in the case of all questions arising under the laws of taxation has been that they shall be construed strictly and every doubt shall be resolved in favor of the tax-payer. But this section, it will be seen by reading a few lines further on, proposes to change that universal rule of law, and puts it within the power of the collector, in fact it makes it obligatory upon him, to decide doubtful questions against the tax-payer.

I understand that the amendment of the gentleman from Kentucky [Mr. CARLISLE] does not embrace the lines of this section which give this power to the collector of customs. If some other member does not do it, when the proper time arrives I will myself move to amend, for it strikes me this is a very obnoxious feature and ought to be eliminated from this section.

It would seem that the committee in framing this bill has taxed its ingenuity to the utmost in order to find everything that has a name which is manufactured, so as to embrace it in this bill. And now, in this section, they propose to spread a drag-net in order, if possible, to find something which may be unnamed at the present time or may be named hereafter, bearing some similitude to some of the articles they have named.

They have uprooted and overthrown the familiar principle of law which has governed every court in the land and every department of the Government for years and years in order to subject the tax-payer to the highest rate of duty.

Mr. HORR. That is the present law.

Mr. TOWNSHEND, of Illinois. Not the clause to which I refer. I refer to that portion of the section beginning after the word "chargeable," in line 135, and ending with the word "duty," in line 140. That is an entirely new feature of the law. The clause to which I refer is this:

> If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates, and in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty.

Mr. HASKELL. The gentleman from Iowa [Mr. KASSON] offered an amendment there.

Mr. McMILLIN. Oh, no.

Mr. TOWNSHEND, of Illinois. Not at that place.

Mr. McMILLIN. His amendment was in a preceding line.

Mr. HASKELL. This provision practically runs on all fours with the present law.

Mr. TOWNSHEND, of Illinois. I withdraw the *pro forma* amendment.

Mr. TUCKER. I renew it for the purpose of calling the attention of the Committee of the Whole to this remarkable fact: In the present discussion and in the present bill it is conceded by the commission, and I believe admitted by our friends on the other side from the Committee on Ways and Means, that the demand of the people of this country is for reduction of burdens; yet here is a bill with a provision in it which declares that upon all non-enumerated articles which bear a simulation to two or more other articles in texture, quality, or the uses to which they may be devoted, in the choice between the highest rate of duty and the lowest rate of duty the highest rate shall be imposed upon said article.

Mr. HORR. Is not that the law now?

Mr. TUCKER. It is the law now; but I desire to call the attention of gentlemen on the other side to the fact that this bill, as they say, is intended to reduce burdens. Yet, a provision which provides that whenever there is a choice between the heavier and the lighter burden of the people you are to impose the heavier burden; and that too after enumerating in the bill everything that they can think of.

Mr. HORR. Is not that for the purpose of preventing evasions of the law? If so, then your rule of law does not apply.

Mr. TUCKER. Yes; but it would be equal protection against evasions if you should provide that the lowest rate of duty should be imposed.

Mr. HORR. Oh, no; it would be just the other way.

Mr. BAYNE. It would be a constant temptation to evade the law.

Mr. TUCKER. It would be a temptation to lead us to try to get something a little lower than we are now compelled to pay for it under this enormous and heavy protective system. I am for the amendment of the gentleman from Kentucky [Mr. CARLISLE] and will vote for other amendments to this section, all of which look to laying the lightest burdens, where there is a choice between a higher and a lower rate of duty.

Mr. HORR. I think the gentleman from Illinois [Mr. TOWNSHEND] and the gentleman from Virginia [Mr. TUCKER] are entirely mistaken. Where the object is to prevent evasion of the law, the highest duty is the only thing that can accomplish the object.

Mr. CARLISLE. The gentleman from Pennsylvania has been discussing one clause and my amendment relates to another. My amendment applies simply to cases where the article imported resembles equally one or more articles subject to duty.

Mr. CHACE. That is just the tack the importer takes to evade the revenue.

Mr. TUCKER. I withdraw my *pro forma* amendment.

Mr. ROBINSON, of Massachusetts. I move to amend by striking out the last word. By reference to volume 5 of the Statutes at Large I find in the tariff act of 1842 precisely the language embraced in this section down to and including the word "chargeable." I have heard something about a former Presidential campaign which was carried on upon one side under the cry of "Polk and Dallas and the tariff of 1842!" We have lived through the administration of this Government by different political parties down to the present time, and nobody has discovered until to-day that this provision is a terrible inroad upon the rights of the tax-payer. As my friend from Michigan has stated, the provision was doubtless for the purpose of preventing evasion and fraud upon the law governing imports. We are now asked to go back and reverse what has been the well-settled and common-sense practice for forty years.

Mr. TOWNSHEND, of Illinois. Is not the gentleman aware that the Senate has stricken out this provision?

Mr. ROBINSON, of Massachusetts. That question is not pertinent in this debate, and the gentleman knows it. I withdraw the *pro forma* amendment.

The question being taken on the amendment of Mr. CARLISLE, there were—ayes 59, noes 109.

Mr. CARLISLE. I call for tellers.

Tellers were ordered; and Mr. CARLISLE and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 63, noes 97.

So the amendment was not agreed to.

Mr. KASSON. I move to amend by striking out, in lines 134 and 135, the words "the highest rates at which any of its component parts may be chargeable" and inserting in lieu thereof "the rate of duty imposed by law on the component part of chief value."

In offering this amendment I speak for myself, not having been authorized by the Committee on Ways and Means, as I desired to be, to present it. I submit the proposition here, where the question first arises, advising gentlemen that cases calling for the application of the same principle will appear in subsequent parts of the bill. As my object is to perfect the bill and consume as little time in debate as possible, I respectfully ask the attention of both sides of the House to the question whether they will adopt for the whole bill the rule which I propose in this amendment. Very many articles are composed of different materials, which as materials would come in at different rates of duty. Under our former schedule and imperfect description there was a constant disposition on the part of foreign manufacturers, as there will be hereafter, to evade the duties imposed by law so as to introduce their goods at the lowest cost to themselves. Thus when duty was imposed at one rate upon silk and at another rate upon cotton, the foreign manufacturer, in order to get the article rated at the lower rate of duty, would put a thread or two of cotton in with the silk, and thus the effect designed by the law was evaded.

To prevent this system of evasion, there are two modes of action. One is to say that when an article is not embraced in any descriptive clause of the bill, the duty shall be imposed at the rate fixed for that material which, as a material, bears the higher rate of duty. If you

thus impose duty at the rate fixed for an article entering into the composition which may represent only one-twentieth part of the value, you do an injustice which is in direct conflict with the similitude clause. If you impose the duty at the rate fixed for the material of lowest value, you in like manner do injustice to a principle of your similitude clause. Hence we have in recent years adopted the rule of imposing a duty in such cases upon the material which is of chief value, because this rule comes nearer to the principle embodied in the similitude clauses.

I have therefore contended in committee, as I contend here, for the sound principle, as I believe, not to protect in the nature of prohibition or injustice, but to get a correct principle upon which everybody can stand who is in favor of such a tariff bill, and that is that the guide in such cases—and it applies only to non-enumerated articles—shall be what is the material of chief value in the article. There I think we should stand or levy the duty upon that article, because then it is in harmony with the opinions and principles upon which the bill itself is framed.

Mr. RANDALL. The difficulty is as great in the non-enumerated as it is in the enumerated articles.

I favor the amendment of the gentleman from Iowa as preferable to either of the suggestions which have been made to use the words "highest" or "lowest" in its effect. It has been suggested by the gentleman from Illinois [Mr. SPARKS] and the gentleman from Alabama [Mr. WHEELER] that they design to offer an amendment looking to the average rate of duty on the component parts of an article. The duty as I have said can be readily determined in reference to the great majority of articles, but the difficulty is not so much as to the non-enumerated as to the doubly enumerated. For instance, I can not better illustrate the point that I desire to make than by exhibiting my glasses. There is a combination of glass and steel. Now the glass pays a duty under our tariff of 40 per cent. while the steel pays a duty of 45. The question therefore to be determined is, what rate of duty shall prevail on the articles combining the two; and that is the question directly at issue. The average rate which occurred to me would be better than the manner proposed; but I shall vote for the proposition of the gentleman from Iowa in the hope that it will be adopted in preference to the other two, either the highest or lowest, and that we will probably then adjust a proper medium between them by which we will be able to arrive at a correct average and thus the proper amount of duty to be imposed.

Mr. KELLEY. I move to strike out the last word. I wish to call the attention of the committee to the fact that this language is borrowed from the act of 1842 and that the provision now struck at has been a part of the law ever since that period and down to the present time. I read from page 459 of the Revised Statutes, the edition of 1878, and I find, and gentlemen may compare the language:

> And on all articles manufactured from two or more materials the duty shall be assessed at the highest rates at which any of its component parts may be chargeable.

That is the exact language of the statute covering this point.

Now, here is Heyl's United States Import Duties, an authoritative exposition of these laws, from which I shall read, on page 14, a note at the bottom of the page:

> Note from Brightly's Digest: "This section was not designed to levy duties, but to check fraudulent evasions or prevent doubts in the execution of the revenue laws; and it is not repealed by the act of 1846. (Stewart *vs.* Maxwell, 16 How., 150.) Its effect is not to impose a duty on an article not provided for in the act of 1846, or a different duty from that act, but it simply gives a rule of construction to determine under what schedule in the act of 1846 a given article shall be ranged for the purpose of charging duty. (Marlot *vs.* Lawrence, Blatch., 608.) It applies, however, only in cases where an article has not been specially provided for in the act of 1846. (Lottimer *vs.* Lawrence, ibid., 613.) But an article not enumerated by name in the act of 1846 does not come under the section of that act which provides for non-enumerated articles, provided it so resembles some enumerated article in quality, material, or use as to be governed by this section of the act of 1842. (Ross *vs.* Peaslee, 2 Curt. C. C., 499.)"

Now, I say to the committee that they had better stand by the law as it has existed for forty-one years, and as it has been so repeatedly construed by our courts, who have frequently decided that it is not a provision for imposing a tax; that this section was not designed—

> For levying duties, but to check fraudulent evasions or prevent doubts in the execution of the revenue laws.

Mr. TUCKER. Will my friend allow me to ask him a question?

Mr. KELLEY. Yes, sir.

Mr. TUCKER. As I understand it, the gentleman read from section 2499 of the Revised Statutes?

Mr. KELLEY. Yes, sir.

Mr. TUCKER. That does not apply to the amendment now pending offered by the gentleman from Iowa.

Mr. KELLEY. It does; it is precisely the amendment as to its phraseology, and has been often sustained by the courts.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CARLISLE. Mr. Chairman, there will be no difficulty whatever in the administration of a law which provides that an article shall pay the rate of duty upon its component parts of chief value; and it will be just as difficult to evade the provisions of such a law as to evade the provision proposed to be inserted here; that is, that the article shall pay the highest rate of duty imposed by law upon any one of its component parts. The construction of the statute which relates to the duties upon the component parts of chief value is that where an article is composed of various materials the duty shall be paid upon that part of the material which is of more value in that article than any other part of the material in that article, not that it shall be imposed upon the article according to the duty upon the material of more value than all the other material in the article. I repeat, if it is of more value than any other one part of the material composing that article then the duty is imposed upon it at that rate. That is, the rate generally imposed by the bill now under consideration.

For instance, in silk goods, or manufactured articles of silk, or of which silk is a component part of chief value, we provide that it shall pay 50 per cent. ad valorem, and so on throughout these schedules.

But here it is proposed to make what seems to me an utterly inconsistent provision with that by providing that—

> On all articles manufactured from two or more materials the duty shall be assessed at the highest rates at which any of its component parts may be chargeable.

Now, suppose an article is imported into this country composed partly of iron and steel, partly of brass and partly of nickel. The value of the nickel in it may not be 1 per cent. of the whole value of the article. And yet under this provision if that happens to be an unenumerated article it must pay on its whole weight 25 cents a pound, which is $556 per ton.

It is true, as I said, that this applies only to unenumerated articles. But every gentleman who examines these schedules will find that there are a large number of articles not enumerated. One occurs to me at this moment; the small scales upon which you weigh letters or mail matter composed partly of steel, partly of copper, or brass, and ornamented with nickel, such an instrument as that would be required to pay, not being enumerated in these schedules, the duty imposed by the bill of 25 cents per pound on the nickel, although the nickel does not constitute 1 per cent. of its value, perhaps.

Now, Mr. Chairman, there can be no injustice to anybody in providing that an unenumerated article shall simply pay the duty imposed by law on its component part of chief value. That is the just, equitable, and fair rule. I trust the committee, no matter how long this law may have stood on the statute-book, will change it and will apply this rule to it.

Mr. ROBINSON, of Massachusetts. Will my friend from Kentucky permit me to ask him one question?

Mr. CARLISLE. Yes, sir.

Mr. ROBINSON, of Massachusetts. How does it appear from the particular language in this section that this shall apply only to the non-enumerated articles? It says "on all articles manufactured," &c.

Mr. CARLISLE. I have given the language the construction most favorable to those gentlemen who are insisting on retaining this provision. I am inclined to think myself that it applies to all articles, and would therefore be utterly inconsistent with the provisions contained in these schedules. But supposing it applies only to non-enumerated articles, it will have the effect I have stated.

The *pro forma* amendment was withdrawn.

Mr. KASSON. I renew the *pro forma* amendment for the purpose of saying that the courts have decided this clause only applies to the case where a law imposing duties is not specific; that is that it applies only to non-provided-for articles. My own opinion is, the words "not otherwise provided for" should be inserted after the word "articles;" in which case we could strike it out from the bill in every place where it occurs. But whether that be so or not I have a word to say on the main question.

The decisions found in Heyl, and referred to by my colleague the chairman of the committee, do not appear to have been decisions upon this particular clause of the section which I seek to amend, but refer to other provisions of the section. In this clause we are dealing solely, under the decisions of the court, with articles which are not elsewhere provided for; and the same would be made plain by inserting the "not otherwise provided for" phrase in line 103 after the word "articles."

Now, sir, art is a very active element in trade and business, and is always inventing new combinations in material. And the sole question is, what is the safest rule which can be adopted for unknown merchandise? You ought not to adopt the duty which is the highest. You ought not to adopt the duty which is the lowest. But you ought to adopt the duty which reaches the chief value of the article which is combined of different materials. And I will say that since the law of 1842 we have continually in tariff laws—I know it from what occurred during my earliest terms in Congress—obviated the language of this general law by putting in connection with our schedules the very language I am now advocating here, namely, "the component part of chief value." And I simply affirm the principle that while you cannot reach accurately every form of combination and must establish a general rule, that general rule is safest which applies the duty imposed on the component of chief value.

Mr. BAYNE. Suppose this provision is modified as the gentleman suggests by his amendment and then an engine is imported into this country, or the parts that go to constitute an ordinary engine, and the parts of chief value should be bar-iron and sheet-iron, but there should

be also in the engine copper and brass and other elements, steel screws and rivets, &c., of far greater value, would not the amendment of the gentleman from Iowa admit that entire engine on the duty payable on bar-iron and sheet-iron, they being the components of chief value?

Mr. KASSON. Not on the statement of the gentleman from Pennsylvania, which is that the other things are of chief value.

Mr. BAYNE. When I said the chief value I meant the aggregate value of the bar-iron exceeded the aggregate value of the copper or brass or the other elements, but not of all together. But when you take bar-iron or sheet-iron and find one of those is the element of chief value, would not the amendment now proposed admit that entire machine, copper, brass, steel, rivets, and all those things, at the rate of duty fixed on bar-iron?

Mr. KASSON. I will answer that illustration by another. Suppose in such a machine there is a single rivet of brass, shall we impose on the whole machine the duty which is imposed on manufactures of brass on account of that single rivet? We can not illustrate the matter precisely by extremes. The principle should be made applicable to all cases. Let the gentleman obviate the difficulty touching the article he suggests by putting that article in here by name, then the difficulty will be obviated.

Mr. ROBINSON, of Massachusetts. I would like to inquire of the gentleman whether during forty years of experience we have had any difficulty because of this language in the statute?

Mr. BAYNE. Not at all.

Mr. KASSON. I will tell the gentleman from Massachusetts that we have adopted this language all through the schedules; not in regard to one or two of them.

Mr. ROBINSON, of Massachusetts. And wherever it has been found necessary to make an exception the adoption of that exception has justified the wisdom of the rule of the statute.

Mr. McKINLEY. I trust the amendment of the gentleman from Iowa [Mr. KASSON] will not prevail. If it should prevail then we will have a continuance of the evils under which we are now suffering, whereby evasions of the law are constantly being made by domestic importers and foreign manufacturers, to the injury of our own domestic manufacturers.

This principle which we find here at the very outset of the bill runs through every schedule of the bill now before the committee. It has the approval of forty years of experience; it has the approval of the Tariff Commission; it has the approval of the Committee on Ways and Means; and it has been sustained by the courts. The only purpose of it is to prevent frauds upon our revenue.

Mr. KASSON. I would like any friend——

Mr. McKINLEY. It is said that we have enumerated every article. So we have enumerated every article known either to the Tariff Commission or to the Committee on Ways and Means. But the trouble is not with enumerated articles; it is not with the articles that have a commercial designation now.

Mr. KASSON. Before the gentleman goes on I wish to meet one statement he makes.

Mr. McKINLEY. The purpose is to meet new designations which may be adopted for the purpose of evading the proper rate of duty.

Mr. KASSON. I wish to call the attention of the gentleman from Ohio [Mr. McKINLEY] to the statement he makes that we have had forty years of experience under this provision. Does he mean to imply that we have been collecting duties on that theory for forty years? If so I question his statement.

Mr. McKINLEY. I mean to say that the principle for which we are contending and which is found throughout this bill has been on the statute-books for forty years. I will read the latter clause of section 2499 of the Revised Statutes, which declares:

> On such non-enumerated articles, the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials, the duty shall be assessed at the highest rates at which any of its component parts may be chargeable.

It does not say "any of its component parts of chief value;" but it says "any of its component parts." I only say this because we will find this principle running through the several schedules of this bill, and we might as well meet it now.

Mr. CARLISLE. Will the gentleman permit me to ask him a question?

Mr. McKINLEY. Certainly.

Mr. CARLISLE. I understand the gentleman to say that we are suffering very great evils now from the fact that articles are brought in under new names.

Mr. McKINLEY. Yes.

Mr. CARLISLE. Does the gentleman think that this provision has any reference to that? If he does, then how can these articles come in now with this provision in the present law?

Mr. McKINLEY. I think this provision has very much to do with it, and it will force all importations into their proper and legitimate classifications.

Mr. BAYNE. That is it.

Mr. McKINLEY. And that is what we seek to do.

Mr. KASSON. Now, in the time of the gentleman from Kentucky [Mr. CARLISLE], I wish to say that while I do not desire to differ from so intelligent a colleague as the gentleman from Ohio [Mr. McKINLEY], still, if he means to convey the idea that the administration of our revenue laws has for forty years been upon the theory he advocates, then I must differ with him.

Without going further into the schedules at present, the first I open to is Schedule C, where I find in relation to flax goods, &c., this language: "or of which flax shall be the material of chief value." And then going on a little further in regard to burlaps, &c., I find this language: "or which shall be the component material of chief value."

Mr. RUSSELL. That refers to enumerated articles.

Mr. KASSON. I know; but it is the principle to which I refer, and in your committee you have gone back on that principle and adopted the other in the whole of the bill.

The CHAIRMAN. The time for debate upon the pending amendment has been exhausted.

Mr. KASSON. I withdraw my *pro forma* amendment.

Mr. HASKELL. I renew it, simply to say a word on two points. First, as to the remark made by my friends on the other side in regard to plated goods. They are provided for in the metal schedule, and plated goods will come in under their proper classification; they will not be compelled to come in this portion of the bill, so that difficulty is relieved.

In regard to the matter of machines, &c., and all that class of work, I desire to state, it is the practice now in the custom-houses under the rulings of the Treasury Department to allow machines to be taken to pieces; or, as the furniture men say of their wares, to allow them to come in "in knock-downs;" that is, in separate pieces.

Thus rivets, bars, and all parts of a machine which are separable can come in and pay their own rate. This relieves the situation of at least two difficulties. I withdraw my *pro forma* amendment.

The question being taken on the amendment of Mr. KASSON, there were—ayes 79, noes 107.

Mr. TUCKER and Mr. CARLISLE called for tellers.

Tellers were ordered; and Mr. SPRINGER and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 86, noes 99.

So the amendment was not agreed to.

Mr. McMILLIN. I move to amend by striking out the word "highest," where it occurs in lines 137 and 140, and inserting in lieu thereof the word "lowest."

Mr. Chairman, the amendment offered by the gentleman from Iowa [Mr. KASSON] was strenuously opposed by a number of members because it was claimed to be in contravention with the ancient law. That claim at least can not arise in opposition to this amendment, because as I believe the provision which I move to amend does not date back so far as the clause to which the gentleman from Iowa proposed his amendment.

I can not flatter myself that the relief for which the people of this country have so long clamored and clamored in vain will be given by this House. It seems, Mr. Chairman, that the admonition given by the severe political thrashing to the opposite side of this House last November is not heeded. It was admitted here, during a session of nine months, that there should be a reduction of taxation; and a commission was appointed to go forth in the country and gather wisdom to be poured into the room of the Committee on Ways and Means. That commission has done its work; and the first action taken by the Committee on Ways and Means is to tear asunder that work and make five hundred or more amendments to it. They have disregarded the "sinews of war" for which one of those commissioners clamored; they have disregarded the appeal for relief that has come up; they have disregarded the best interests of the country in almost every instance; and now, as if determined that no relief should come by accident or design, when articles may possibly fall under two different classes, the Committee on Ways and Means come before a complaining people and tell them that in such a case the clause which gives them the least relief shall be the one to which the articles shall be assigned. It is to correct this injustice that I have offered the pending amendment.

Mr. Chairman, what is the sense and what the use of having all articles which may fall under two schedules placed on that one which provides the highest duty? Why not legislate for the consumer instead of devoting all our time to the interests of the manufacturers? The number of consumers is vastly greater than that of producers. Then why reverse the old legislative maxim requiring us to work for the greatest good to the greatest number?

Why, sir, the very criminal at the bar of justice, the man accused of crime, is entitled to the benefit of any doubt. But here where doubts are to be resolved, instead of giving the mass of the people the benefit of the doubt you give it to the few who are interested in the manufacture instead of the many who are consumers.

We have many anomalies in this bill. We were told last summer that if we would appoint a commission, if we would select these wise men to traverse the country from city to city and from hotel to hotel, we might expect some relief. But when they come back, what does it all amount to? The hundred million dollars of relief which it has been admitted could be granted without injuring the Treasury has been re-

fused, and we have after much labor a pitiable reduction proposed in the burdens of taxation—not claimed by the most earnest advocates of the measure to amount to even $25,000,000; and half of this is to come from one article in such a way as not to benefit the consumer. This bill increases the duty on many articles. It transfers many from the free to the dutiable list. It changes the law of construction and resolves many doubtful cases against the consumer. It is not what the people of this country expected. It is not what they will have. They know their rights and will assert them. The same avalanche which struck you in 1882 will sweep you away in 1884. Do not deceive yourselves.

[Here the hammer fell.]

Mr. KASSON. I rise to oppose the amendment and also to speak of a clause of the bill now under discussion. That part of the pending section after the word "chargeable" is new; neither it nor any part of the section has been considered in the committee; hence my desire to bring it to the attention of the House. I read the clause to which I wish to refer:

If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates, and in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty.

I ask gentlemen to consider what will be the effect of this clause if the language preceding it should be adopted, namely, that in every case of combined material the rate of duty shall be that imposed upon the material bearing the highest rate. We have enumerated articles and non-enumerated articles, and both are provided for in the bill. I do not know how you can in this way provide for still another class which shall pay the highest of alternate rates. If the gentleman from Pennsylvania will give an illustration of how this provision is to operate it will perhaps save me from the necessity of offering an amendment. Some amendment seems to be necessary in order to fix the rate of duty in cases of doubt. The provision here is that these articles shall be classified for the highest rate of duty. It seems to me there should be added a clause "subject to the decision of the forum herein provided for." I ask the attention of gentlemen who are lawyers that they may decide this question as they think best. It seems to me there should be reserved a power of appeal.

Mr. McKINLEY. Would not that right exist under the law without any reservation in this section?

Mr. KASSON. The trouble is you direct the customs officer to classify the article at the highest rate of duty.

Mr. McKINLEY. But there is an appeal from the decision of the collector under this bill.

Mr. KASSON. In certain cases; but if this should be construed, as it might be, to impose a duty by virtue of the classification, there would be no appeal.

Mr. McKINLEY. This does not take away the right of appeal.

Mr. TOWNSHEND, of Illinois. I move to amend by striking out the last two words.

The more, Mr. Chairman, that we examine into this bill, and the more thoroughly we become acquainted with its peculiar provisions, the more clearly does it appear to the House that it is the worst tariff bill ever reported to the American Congress. Neither the Morrill tariff bill nor any previous bill was as thoroughly protective and burdensome on consumers. No bill in Congress, not even the one recommended by the Tariff Commission, ever contained such a dangerous and oppressive clause as the one to which this amendment is offered. It is a complete change of the rule of construction in questions of taxation. It clothes a mere collecting officer with power to resolve all doubts against the importer where unenumerated articles bear a similarity to enumerated articles, and imposes upon him the highest tax.

Now, I would like for some gentleman here to answer the remarks made by the gentleman from Kentucky a few moments ago, in regard to the case to which he referred, where, if an article should come in chiefly composed of elements bearing a very low rate of duty, yet if it contains an element, no matter how small, similar in character to an article on which a high duty is fixed—in that case the collector is commanded to impose the highest duty on the whole article. Such a law is unfair and can not be defended on grounds of reason and justice, no matter how long it may have been on the statute-books. It is seen at once that this clause will greatly increase the burdens upon consumers and increase the bounty to the protected classes.

I hope the amendment of the gentleman from Tennessee will be adopted.

The gentlemen from Massachusetts and Pennsylvania, as well as others, urged as an objection to the motion of the gentleman from Kentucky that the clause he was seeking to amend had stood upon the statute-books of this country for over forty years. They can not in that way justify this clause, for it is entirely new. It is an innovation upon the tariff system, and, as I have said, changes the rule of construction in reference to levying duties.

Mr. HASKELL. The language that the gentlemen have complained of is simply an amplification of that which is contained in the preceding paragraph.

Mr. TOWNSHEND, of Illinois. Not at all; it is entirely different.

Mr. HASKELL. It is universally conceded to be an amplification or clarifying, if I may use the word, of that which has gone before. This section 2499 of the Statutes was under consideration in the committee, of course, necessarily; and the Tariff Commission simply went on to illustrate by a sort of half-way argument, as the gentleman from Kentucky will remember, when we had the matter up in committee.

Mr. CARLISLE. Yes; and a portion of it was stricken out.

Mr. HASKELL. At one time we struck a portion of this phraseology out; not because it was harmful, not because it was a new principle or a change of law, but we did not consider it necessary. We believed that it was sufficiently clear without it; and the worst that may be said of this phraseology is that it is unnecessarily full for the settlement of such controversies as are likely to arise and is otherwise provided for.

Mr. TOWNSHEND, of Illinois. I withdraw the *pro forma* amendment.

Mr. HASKELL. In reference to this particular part of the statutes I will again read:

If any non-enumerated article equally resembles two or more enumerated articles on which different rates of duty are chargeable there shall be levied, collected and paid on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest duty and on all articles manufactured from two or more materials the duty shall be assessed at the highest rates at which any of its component parts may be chargeable.

Now, of course the question of doubt will arise as to which of two articles is the chief component article.

Mr. TOWNSHEND, of Illinois. Which heretofore has always been resolved in favor of the importer.

Mr. HASKELL. Never; the gentleman is entirely mistaken.

Mr. McMILLIN. Let me say to the gentleman from Kansas that my amendment seeks to reach that class of cases where there are two laws that are equally applicable to either case.

Mr. HASKELL. Exactly, and so you would simply introduce here the same idea that was voted down farther on up the page. It is nothing new.

Mr. CARLISLE. I renew the *pro forma* amendment.

In the report made by the Tariff Commission it was recommended that in the metal schedule this language should be inserted:

If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates, and in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty.

The Committee on Ways and Means struck out the following language:

And in all cases of doubt as to the classification for duty of an imported article such article shall be classified at the highest rate of duty.

And the bill which was agreed upon in committee and reported to the House does not contain that clause. But it seems that when the clerk came to prepare the bill he preceded it with certain sections which he found in the Senate bill, as gentlemen will see by comparison, and this language is found there and thus comes before the House, as I believe, without the sanction of the Committee on Ways and Means.

Mr. HASKELL. My recollection was that it was stricken out in the committee.

Mr. CARLISLE. So I have stated.

Mr. HASKELL. And how the phraseology got back again I have forgotten, but suppose it was done by some subsequent action of the committee.

Mr. CARLISLE. Not at all; it was a mistake.

Mr. McMILLIN. Then what objection have you to letting it go out?

Mr. CARLISLE. And I desire to say further that I hope no gentleman will understand me to intimate that the clerk of the committee was guilty of an impropriety in inserting that language in the bill. He simply took what he found in the Senate bill upon the subject, and which had already been reported to the Senate, and attached it to the bill, I presume on the assumption that it was exactly what the Committee on Ways and Means had agreed upon. In that way it comes before this committee.

Mr. McKINLEY. And if the gentleman will allow me right there I will say it was done with the assent of the committee. The matter was brought before the committee. I remember it well.

Mr. CARLISLE. Not when I was present.

But what I want to say is this: This is a most remarkable provision of the law. It directs the customs officer if he in his own breast entertains a doubt as to the classification of an article to assess it at the highest rate of duty.

Mr. HASKELL. Will the gentleman allow me to interrupt him long enough to read what I believe the committee struck out and see if he agrees with me? Beginning at line 138, after the provision:

If two or more rates of duty should be applicable to any imported article it shall be classified for duty under the highest of such rates.

Then I believe the action of the committee was to strike out these words:

And in all cases of doubt as to the classification for duty of an imported article such article shall be classified at the highest rate of duty.

Those words were all stricken out.

Mr. CARLISLE. That is what I stated a few moments ago.

Mr. HASKELL. I move that they be stricken out now.

Mr. CARLISLE. I desire to complete what I was saying.

There is no possible method by which you can review the action of this customs officer. There is no tribunal in the country which can decide by any possibility whether he entertained a doubt or not. An imported article is presented to him for the purpose of having the rates of duty assessed upon it, and he assesses the highest rate, and there is, I repeat, no method by which you can ascertain whether he entertained a doubt or not; and therefore there is no method by which you can correct the assessment. Those words ought to be stricken out, as suggested by the gentleman from Kansas.

Mr. HASKELL. If the gentleman from Kentucky will withdraw his amendment——

Mr. CARLISLE. I do so.

Mr. HASKELL. I will move then to amend by striking out the words I have indicated.

The CHAIRMAN. An amendment is already pending. The gentleman from Tennessee [Mr. McMILLIN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

In lines 137 and 140 strike out the word "highest" and insert the word "lowest."

The question being taken on Mr. McMILLIN's amendment, it was not agreed to.

Mr. HASKELL. Now I move to strike out, beginning with line 138, from the word "and," to the word "duty," in line 140.

The Clerk read the words proposed to be stricken out, as follows:

And in all cases of doubt as to the classification for duty of an imported article, such article shall be classified at the highest rate of duty.

Mr. WHEELER. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert after the word "duty," in line 140, the following:

"But if said non-enumerated article resembles an article on which a specific duty is taxed, and said non-enumerated article is of less value than the article which it resembles, the rate of duty upon said article shall be proportioned so that the duty upon the non-enumerated article shall be in the same ratio to the duty upon the article which it resembles that the value of the non-enumerated article bears to the article which it resembles."

Mr. WHEELER. Mr. Chairman, I respectfully submit to this honorable body that the amendment proposed by me, which has just been read, is very necessary to prevent the possibility, I may say probability, and I might say almost certainty of great injustice with regard to the tariff tax upon many articles that are imported or that may be imported.

Suppose an article worth 10 cents a gallon happens in the judgment of a custom-house official to most resemble an article worth $5 a gallon, upon which there is levied a specific tariff tax of 50 cents a gallon; that, Mr. Chairman, would be an ad valorem tax of but 10 per cent.

Under the law as it stands, if in the opinion of an official—and let me say here that from his opinion there practically is no appeal—if in his opinion the ten-cent article resembles the five-dollar article, he would have the power to levy and collect the same specific tariff tax upon the cheaper that the law lays upon the more expensive article.

Therefore without this amendment the tariff tax would be 10 per cent. ad valorem on the expensive article, and probably 500 per cent. ad valorem upon articles of lesser value.

The advocates of this bill have told us and have told the country that the purpose of the bill was to reduce the tariff tax. That is what the framers of this bill still insist is its purpose. To attain that end is what the dominant party in the House told us was their purpose during the First session of this Congress, when they were so earnestly advocating the Tariff Commission as a first and formidable step toward a relief to our people from the oppressive tariff laws under which for twenty years the farming classes have most grievously suffered.

A reduction in the tariff tax is what we and the country have been promised by the Committee on Ways and Means of this House.

Whether these professions were what they seemed and claimed to be, or whether they were the contrary, is the question to be determined by the vote of the gentlemen who compose the majority of this body.

It was upon the theory that the bill proposed and professed to reduce the tariff tax and to relieve our people of oppressive burdens that I framed the amendment; but the cry of "Vote!" "Vote!" before I commenced my remarks was a significant indication that this important modification of the bill met but little favor with the managers on the other side of the House.

The entire question is confined almost to a single word. If the tendency is to reduce the tariff tax, as is contended, my amendment is necessary and proper. If the reverse is true, opposition to the amendment will of course be expected.

I can suggest articles that at this moment enter my mind. We export cotton-seed oil to Europe. By a process to which it is subjected in Italy, France, Spain, and other countries it is made to resemble olive oil, to which it is of course inferior, and does not sell for probably more than one-fifth of its price. And yet, under this act, when it returns as an article of import a tariff tax could be assessed upon it the same as is assessed upon the pure oil from the olive nut, which possibly might be as high as one or two hundred per cent. ad valorem.

Now, Mr. Chairman, one word upon the effect of tariff-tax laws, one word upon the history of these laws and some of the evils they have inflicted, and one word upon the remedies which this bill ought to provide.

Upon these questions argument has taken a wide range this morning. It has been asserted, and asserted correctly, that the enactment of laws by us which are detrimental to the commercial interests of other nations provoke legislation upon their part of a retaliatory nature.

This principle of international retaliation was so ably argued on the other side an hour ago during the discussion of the amendments proposed to section 2498 that the friends of the measure yielded the question and consented to submit to serious restrictions rather than combat so acknowledged a theory of commercial policy.

This principle, invoked by the other side of the House and questioned by no one, will, I hope, not be forgotten in the further discussion of the important measure now being considered; and this is the reason why articles raised by us to an extent greater than our home consumption should be free from tariff tax.

It will certainly be admitted that all tariff laws enacted by us are in one sense detrimental to the commercial interest of other countries which seek a market for their products within our borders.

[Here the hammer fell.]

Mr. HEWITT, of Alabama, was recognized, and yielded his time to Mr. WHEELER.

Mr. WHEELER. I thank my colleague for his courtesy.

I will say one word on the effect of high tariff upon the commerce of our country. During the twenty years preceding 1861, with a gradually declining tariff, our tonnage of foreign trade increased from 788,398 tons in 1841 to 2,496,894, an increase of over 300 per cent.

During this period the tariff tax per cent. dutiable was gradually reduced from 32½ to 18½. From 1861 to 1881 the tariff tax per cent. dutiable was gradually increased from 18⅛ to over 45, and our foreign shipping gradually decreased from 2,496,894 tons in 1861 to 1,335,586 in 1881. Under a gradual reduction of tariff tax we increased our foreign shipping threefold in twenty years, and under a gradually increasing tariff our foreign tonnage fell to one-half during the same number of years.

Had the same ratio of increase which we enjoyed prior to 1861 continued until 1881, our tonnage of foreign trade in 1881 would have been about eight million tons instead of one and a third million tons. So much for one view of the tariff wall built around our coast by Republican laws.

From 1861 to 1881 our means of inland transportation by railroads increased its mileage from 31,286 miles to 100,000 miles, an increase of threefold, exactly what ought to have been the increase of our means of trade with foreign countries, and which would have been the condition of our foreign trade had it not been for the obstructive and destructive laws enacted and adhered to by the party now in power. You have built a wall around our shores and in retaliation most foreign nations have built walls around their shores.

Our great inland transportation lines should not stop at the seaboard, but they should extend to every part on the globe.

The line of transportation called the New York Central, the line called the Pennsylvania Central, and the line called the Erie Railroad, and the line called the Baltimore and Ohio Railroad, and the line called the Chesapeake and Ohio, and the line called the Norfolk and Western Railroad, and the line called the Georgia Central, all in effect stop at the wall you have built along the shores of the Atlantic.

The laws of Congress ought to be such that American capital would seek investment in fleets of vessels which would connect the Atlantic terminus of each of these lines with every port where people live who do or can consume products of American soil and American industry. And lines of vessels ought also to connect every such port with the termini on the gulf coast of the Louisville and Nashville and the Illinois Central.

Look at the picture now presented. Look to-day at the American cotton-cloth manufacturer with a bale of cotton domestic, clambering over the tariff wall you have built at New York. Look at him climbing the sides of an English vessel. Look at him with the perspiration on his brow talk to the English captain; this is what he says: "Mr. Englishman, I have manufactured a bale of cotton domestic I want to sell in the Old World. America has no ship to take it across the ocean for me, and I came to ask you to take my domestic to England; there put it in an English warehouse, reship it on another English vessel, and by the side of English goods let it fight its own battle and find its own market."

The American Congress has no right to place the American manufacturer in such a false position.

It is not wisdom. It is not statesmanship. It is not diplomacy.

Has it never occurred to the advocates of high-tariff that there is some other duty they owe to American industries than to repeatedly increase import duty until they have destroyed our foreign market and confined American trade to American consumers?

Has your statesmanship never risen to a sufficiently elevated plain to see that American labor would be subserved if you augmented the demand for American products by opening to its enterprise the marts of the world, thus increasing the patrons of American toil from the 50,000,-

000 citizens of the United States to the 1,500,000,000 inhabitants of the globe?

To have prosperity we must have foreign trade, and to have foreign trade we must have a merchant marine for the transportation of our goods across the ocean, and we must no longer see a hundred vessels steaming into our ports bearing the British flag where scarcely two are to be seen bearing the flag that floats above us, while we are in fact now so legislating as to further circumscribe rather than to extend the shipping which it is the province of that flag to herald into all the ports of the world.

Yes, Mr. Chairman, to attain these ends we must amend this bill so as to secure reciprocal laws in foreign countries, by which insurmountable barriers will be removed which now prevent foreign trade.

We must remove the unnecessary restrictions and burdens on the foreign shipping of the country, and we must sweep away the heavy protective tariff on materials necessary to the building and equipment of ships constructed for our foreign carrying trade.

To accomplish what I have indicated our untiring efforts should be directed. We should not by sudden and unnecessary changes destroy, paralyze, or even stagnate any of our industries.

I am confident I express the views and wishes of the people of Alabama when I say that in all that broad State, blessed by God as she is with a soil unsurpassed in fertility; minerals rich and inexhaustible, a climate mild, healthy, and delightful; a generous people—God bless them—renowned for their courage, virtue, perseverance, and industry.

This people, Mr. Chairman, oppose no clause in this bill which is necessary to uphold the best interests of Massachusetts, Pennsylvania, Michigan, or any other Northern State.

We are all brothers, and ought to rejoice in each other's prosperity; but the amendments we shall urge are only such as are necessary to correct apparent inconsistencies of the bill, protect the weak against the strong, the people against the monopolists, and to do justice to labor in its neverending and everlasting struggle against undue encroachments of capital.

If this bill can be amended to accomplish these purposes I believe it will have almost unanimous support from this side of the House.

[Here the hammer fell.]

Mr. SIMONTON. I move to strike out the last word. I do not know that I understand fully the drift of the pending amendment [laughter]; but I think it is a matter worthy of the consideration of the House.

If I understand the duty laid upon Congress it is a reduction of the burdens of taxation. The President, as was his duty under the Constitution, in advising Congress has advised us to reduce taxation. And the Secretary of the Treasury, if I remember his words aright, has said that the Treasury Department is embarrassed in disposing of the surplus revenue in any legal way.

Now, it would seem that this bill should be one for the reduction of taxation. Yet, instead of reducing taxation it appears to me that every proposition which is presented here, where there is a fair chance for a reduction of taxation, is resisted by the solid vote of the majority which controls this House. Take the votes which have just been taken in regard to the proposition to take the lowest instead of the highest rate of duty under certain circumstances, according to the rule of construction that the doubt should be resolved in favor of the tax-payer and against the Government where there is a doubt.

The matter presented by the pending amendment, if I understand it properly, covers precisely the same point. It is certainly the duty of Congress to reduce taxation in all the instances which have been presented to the House.

Mr. KELLEY. I hope the vote will now be taken.

Mr. SIMONTON. I withdraw my *pro forma* amendment.

Mr. COX, of New York. I renew it for the purpose of re-enforcing the statement of my friend from Tennessee [Mr. SIMONTON]. I desire to put on record, according to his suggestion and that of the gentleman from Pennsylvania [Mr. KELLEY] when we limited general debate, the admonition of the President of the United States and of the Secretary of the Treasury with reference to our enormous surplus revenue.

The general sentiment of the Administration, which is supposed to be represented on the other side, should be reproduced.

Before making these quotations, may I not demand from the present majority of the House generous and decent respect for the opinions of their own President and Secretary of the Treasury?

It is no matter to me that the Republicans gave Judge Folger so large a minority. I respect the man and statesman. The Republican party was as much honored as it was possible by his selection for the Treasury Department and by his gubernatorial nomination. Because they failed to heed his advice and that of the President they were overwhelmed.

What is the Executive advice to us? I quote from the last message of the President:

I heartily approve the Secretary's recommendation of immediate and extensive reductions in the annual revenues of the Government.

It will be remembered that I urged upon the attention of Congress at its last session the importance of relieving the industry and enterprise of the country from the pressure of unnecessary taxation. It is one of the tritest maxims of political economy that all taxes are burdensome, however wisely and prudently imposed. And though there have always been among our people wide differences of sentiment as to the best methods of raising the national revenues, and, indeed, as to the principles upon which taxation should be based, there has been substantial accord in the doctrine that only such taxes ought to be levied as are necessary for a wise and economical administration of the Government. Of late the public revenues have far exceeded that limit, and unless checked by appropriate legislation such excess will continue to increase from year to year. For the fiscal year ended June 30, 1881, the surplus revenue amounted to one hundred millions of dollars; for the fiscal year ended on the 30th of June last the surplus was more than one hundred and forty-five millions.

The report of the Secretary shows what disposition has been made of these moneys. They have not only answered the requirements of the sinking fund, but have afforded a large balance applicable to other reductions of the public debt.

But I renew the expression of my conviction that such rapid extinguishment of the national indebtedness as is now taking place is by no means a cause for congratulation; it is a cause rather for serious apprehension.

If it continues it must speedily be followed by one of the evil results so clearly set forth in the report of the Secretary.

Either the surplus must lie idle in the Treasury, or the Government will be forced to buy, at market rates, its bonds not then redeemable, and which, under such circumstances, can not fail to command an enormous premium, or the swollen revenues will be devoted to extravagant expenditure, which, as experience has taught, is ever the bane of an overflowing Treasury.

It was made apparent in the course of the animated discussions which this question aroused at the last session of Congress that the policy of diminishing the revenue by reducing taxation commanded the general approval of the members of both Houses.

I regret that because of conflicting views as to the best methods by which that policy should be made operative none of its benefits have as yet been reaped.

In fulfillment of what I deem my constitutional duty, but with little hope that I can make valuable contribution to this vexed question, I shall proceed to intimate briefly my own views in relation to it.

Upon the showing of our financial condition at the close of the last fiscal year I felt justified in recommending to Congress the abolition of all internal-revenue taxes except those upon tobacco in its various forms and upon distilled spirits and fermented liquors; and except also the special tax upon the manufacturers of and dealers in such articles.

I venture now to suggest that, unless it shall be ascertained that the probable expenditures of the Government for the coming year have been underestimated, all internal taxes save those which relate to distilled spirits can be prudently abrogated.

Such a course, if accompanied by a simplification of the machinery of collection, would then be easy of accomplishment.

The President had already advised us:

Upon the showing of our financial condition at the close of the last fiscal year I felt justified in recommending to Congress the abolition of internal-revenue taxes, except those upon tobacco, in its various forms, and upon distilled spirits and fermented liquors, and except also the special tax upon the manufacturers and dealers in such articles. I venture now to suggest that unless it shall be ascertained that the probable expenditures of the Government for the coming year have been underestimated, all internal taxes save those which relate to distilled spirits can be prudently abrogated. Such a course, if accompanied by a simplification of the machinery of collection, which would then be easy of accomplishment, might reasonably be expected to result in diminishing the cost of such collection by at least $2,500,000, and in the retirement from office of from 1,500 to 2,000 persons.

As to tariff reduction, the President said in the same message:

Without entering into minute details which, under present circumstances, is quite unnecessary, I recommend an enlargement of the free-list so as to include within it the numerous articles which yield inconsiderable revenue; a simplification of the complex and inconsistent schedule of duties upon certain manufactures, particularly those of cotton, iron, and steel, and a substantial reduction of duties upon those articles and upon sugar, molasses, silk, wool, and woolen goods. If a general revision of the tariff shall be found to be impracticable at this session, I express the hope that at least some of the more conspicuous inequalities of the present law may be corrected before your final adjournment.

Does the Secretary of the Treasury say, with similar emphasis, the same thing in his report of December 4, 1882?

After showing the ordinary revenues for the fiscal year ending June 30, 1882, to be $403,525,250.28, he shows the ordinary expenditures for the same year to be $257,981,439.57. The surplus is over one hundred and forty-five millions and a half!

In other words, we are now collecting from one and a quarter to one and a half millions of dollars of revenue every day. We have piled up a surplus in the Treasury, as the statement of the Secretary of the Treasury will show. We have been asked by the Secretary of the Treasury and by the President to cut down internal taxes and to reduce the tariff.

Read how pitiably he pleads to this dying Congress. His appeal goes to the very heart of Wall and Broad streets; but it fails to touch this insensate Committee on Ways and Means. Here is his appeal:

REDUCTION OF TAXATION.

The Treasury Department was created by act of Congress, chapter 12, of the year 1789. By the second section it was made the duty of the Secretary "to digest and prepare plans for the improvement of the revenue." The word improvement meant enlargement. The need was for more revenue, and the lack was of subjects from which it might be taken. In that sense that duty is now without care. The times have changed. What now perplexes the Secretary is not wherefrom he may get revenue and enough for the pressing needs of the Government, but whereby he shall turn back into the flow of business the more than enough for those needs that has been drawn from the people.

There are now in the Treasury unused assets to a large amount, and the daily receipts into the Treasury from customs and internal-revenue taxation are about a million and a quarter.

It is plain from this, and the statement with which this report begins of the estimated expenditures for the next fiscal year, that the receipts from revenue are, and are likely to be, in excess of the needs of the Government.

From the inequality between daily large receipts and comparatively small daily disbursements there comes an evil effect upon the business of the country. The collections by Government are taken out of the money market in sums and at dates which have little or no agreement with the natural movement of money, and are returned to it with the same inadaptation to commercial or financial requirements. Occasionally the large disbursements of the Government have created a plethora of money; more frequently its large and continued withdrawals of money have caused such a scarcity of floating capital as to check the proper movement of legitimate business.

It is not only that the amount in the Treasury is so much kept from the use of community; the fact becomes an incentive and an aid to men who for their

own ends conspire to keep from that use other large sums. We have believed that the laws of the State against primogeniture, the entail of estates, and the accumulation of personal property, stood in the way of heaping up wealth in single hands, and gathering in single hands the power over others that great wealth gives. But so it is, that to-day men are so rich that by conspiring together they can at will put and hold hand on near as much money as Government can lay hand to, save by the use of its credit.

For myself, I expressed myself at the last session in favor of the total abolition of the internal-revenue system as a vicious system. If gentlemen want to continue it for whisky or tobacco, let them propose a plan either to delegate its collection by the customs officers or by the States. The system is too bad, too old, too effete. It is espionage and corruption. Most hearty haters were Jefferson and Madison. They represent the people then and now. Its returns do not pay for the demoralization.

If this committee had reported a fair tariff rate on woolens, silks, and cottons, steel and iron, &c., and other coarse matters, so as to relieve our trade and commerce and help our consumers only a little, instead of making a great vociferation about little reliefs, when they meant to help only the monopolists; if they had made some worthy reductions, they might have been restored to public confidence. These schedules are the veriest shams. There will not be anything left of them in ten days if they allow the five-minute men to debate in the interest of the people.

In every instance thus far this debate demonstrates the fact that gentlemen on the other side of the House are not reducing taxation. When we come to chemicals I can show that they are not even reducing them much. They are not reducing taxation so as to give that thorough and complete reform and relief which both your Secretary and your President demand.

Perhaps the gentleman from Pennsylvania [Mr. KELLY], in common with most of us, has received from the manufacturers of textile fabrics in Philadelphia a "whereas" that there are now idle in Philadelphia and vicinity 10,000 looms which the manufacturers are unable to start on account of their inability to forecast the course of legislation by Congress, and the consequence is that 20,000 people are out of employment. That may or may not be true.

What a commentary on the protective system! and on the most protected article under it, excepting, perhaps, iron and steel.

Now, I would not impede this legislation to-day; but I declare that we are entitled to some little fairness in debate. We ought to have our share of discussion on these subjects as they come up, without gentlemen on the other side crying, "Vote!" "Vote!"

Several MEMBERS (on the Republican side). Vote! Vote!

Mr. COX, of New York. Well, you cried, "Vote!" "Vote!" last fall and you did not get them! [Laughter on the Democratic side.] And you can not get any votes on this side until we please.

Mr. BAYNE. We will get them next year if you defeat this bill, and "don't you forget it." [Laughter.]

Mr. ERMENTROUT. We will see about that.

Mr. KELLEY. Will the gentleman permit me to ask him a question?

Mr. COX, of New York. I would like to speak out my five minutes.

Mr. KELLEY. The gentleman says that they are entitled to discuss all propositions. I would like him to tell us the proposition which he is now discussing in the amendment before the committee. [Laughter.]

Mr. COX, of New York. I am discussing your failure to reduce taxation, and your consequent inability to be in the next Congress in a majority. [Laughter.]

Mr. KELLEY. General debate closed last Saturday.

Mr. COX, of New York. And if the Sergeant-at-Arms, whose duty it is to preserve order, would only take that mace with the silver eagle on it and go around here and tap on the forehead the men who cry out "Vote!" "Vote!" there would not be any brains lost. [Great laughter.]

A MEMBER. Let us vote.

Mr. COX, of New York. There is another one. [Continued laughter.] I thought that when the brains were out the man would die.

The CHAIRMAN. The time of the gentleman is expired.

Mr. COX, of New York. Has my time really expired?

Mr. HASKELL. I will yield my time.

The CHAIRMAN. Does the gentleman withdraw his *pro forma* amendment?

Mr. COX, of New York. The gentleman from Kansas [Mr. HASKELL] gives me his five minutes.

Mr. ERRETT. I object to one gentleman handing over his time to another.

Mr. COX, of New York. My friend from the Pittsburgh district [Mr. ERRETT] is too late. I am now under the protection of Kansas. [Laughter.]

Mr. HASKELL. Let me say before the gentleman goes on——

Mr. COX, of New York. I will not make any conditions. Unless I can get the floor free I do not want it.

Mr. HASKELL. The gentleman from New York deplores the standing idle of 10,000 looms in Philadelphia, and we can not start those looms until he stops talking.

Mr. ERRETT. I object to a gentleman handing over his five minutes to one who has already spoken five minutes.

Mr. COX, of New York. Mr. Chairman, I wanted to call attention to the fact that there is a falling off in our exportations and an increase of our importations. The great body of our exportations is made up of cotton and breadstuffs. Our cotton last year is 29 per cent., our bread and breadstuffs 25 per cent., making 54 per cent. In fact our whole agricultural exports amount to over 75 per cent.

Mr. TOWNSHEND, of Illinois. Eighty.

Mr. COX, of New York. Yes; nearly 80 per cent., and yet this bill does not relieve the farmers, who make the exports—the products of this country.

Does this make your trade with other nations healthful and fair? This bill is full of all sorts of selfish and mean restrictions to help greed by bounty.

We are entitled to speak not merely for the farmers, but for the artisans. It is claimed for them that they receive the blessings of protection from this miserable subterfuge. Why, sir, at Paterson, New Jersey, and other places where these pets of protection, these workers in silk, &c., live, they must resolve in this way somewhat:

Resolved, That in view of the fact that the wages of operatives do not average $5 a week, and that wages have been reduced about 50 per cent. under a 60 per cent. tariff, this meeting considers it advisable to make truthful representations on the subject to the Congressional tariff committee, and, if necessary, send a delegation to Washington to appear before that committee.

Have these men been relieved by your tariff system? Why, sir, do you remember the picture given here by my friend from Illinois [Mr. TOWNSHEND] the other day of the tariff-mongers? Do you remember the composite and isolated ambition in the noble pursuit of avarice, as he illustrated it?

A member of this House, not a Democrat, but interested in fair legislation, told me that he never saw such a selfish, greedy, miserly brood of cormorants as flooded the room of the Committee on Ways and Means during these tariff deviltries. "I believe," said he, "that many of them would even go down to hell and barter its ashes at 100 per cent. ad valorem to protect themselves after they get there." [Laughter.]

I withdraw my *pro forma* amendment.

The question being taken on the amendment of Mr. WHEELER, it was not agreed to.

Mr. SPARKS. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "article," in line 131, strike out all down to and including the word "duty," in line 132, and insert the words "the average rate of duty of the articles of which it is composed."

In line 134 strike out "highest" and insert "average;" and in same line and line 135 strike out the words "any" and "of;" and in line 137 strike out the word "highest" and insert "average."

Mr. SPARKS. Mr. Chairman, I have offered this amendment in good faith. If gentlemen will examine the bill they will find that the amendment has the effect of making this assessment as fair and equitable as it is possible to make it. Propositions to strike out the word "highest" and insert "lowest" rates have been made and voted down by the committee. There has also been a proposition to change from specific to ad valorem duties offered by my friend from Alabama [Mr. WHEELER], which has also been voted down. Now, my amendment, as gentlemen will see if they will examine it in connection with the bill, aims simply at a fair classification and makes the rate of assessment the "average" of the ratings of duties of all the articles comprised in the class.

I wish it distinctly understood, however, Mr. Chairman, in the beginning of this discussion (for I think I am warranted in saying to gentlemen on the other side of the House that they are now but in the beginning of this discussion) that I care but little about this amendment, for I am against this whole bill even should it include this amendment. Sir, I regard the tariff bill now presented by the Ways and Means Committee as a cheat and a sham. I use no equivocal language, but want the people whom I specially represent and the whole country to know that I so regard it, and have much pleasure here and now in saying so. Why, sir, your Tariff Commission, which has so largely contributed to this bill, was a "packed jury," known to be such, and put up as such. It was composed of men directly interested in the "protective" policy. I can mention the names, if necessary, and will do so if they are called for. It was gotten up through the instrumentality of a class of men who have grown rich upon the bounty which legislative favoritism and discrimination has heretofore given them for the purpose of perpetuating that bounty, and at the same time deluding the people upon whom the burdens rest with the deceitful pretense of "reforming the tariff."

Everybody knew what that commission would present in its report when it was appointed, and we are not therefore unprepared to meet it. We knew they would present something unfair, something in the interests of the few rich men and monopolists, and to the prejudice of the great laboring millions of the country. We were sure they would do that. We expected it, and are not disappointed that we have got it. And the Ways and Means Committee in acting upon the report of the commission have but intensified the wrong, by bringing in the bill now under consideration.

Why, sir, they are pretending in this bill to give relief to the country. That is the pretense upon the tongue of every hired lobbyist and orator and circulated with flaming headlines in the subsidized press of these "protected monopolists" throughout the country—that "the people are to have relief by this discriminative legislation." Sir, is there any relief of the burdens of taxation to the people in this bill? Wherein you find any reduction of taxation in the bill you will find it to be upon articles as to which the duties are now prohibitory and are still left substantially so. There is no relief here for the people. If there be any reduction it is not such reduction as relieves any of the burdens now resting upon the men who pay the taxes. The bill is a sham and a cheat. I will not vote for a sham and a cheat. I desire to be respectful to all men, and especially so to those with whom I am associated on this floor; but I must be allowed to express my own convictions in my own way.

I desire further to say that the arguments used by its advocates in defense of the bill are in my judgment very much like the bill itself, so glossed with deceitful verbiage as to delude and cheat the country. Take for example the argument of my good friend from Ohio [Mr. MCKINLEY] (a gentleman for whom I have the highest respect, and I am quite sure that he knows it).

In the very elaborate speech made by him in this House two days ago in discussing the clause relating to the increased duties imposed upon cotton-ties, with an adroitness equaled only by its want of candor, he endeavored to convince the House that the "protected" manufacturer of cotton goods paid not only the enhanced duty upon the ties, but 11 cents per pound for them, when their original cost was but 3½ cents per pound. My friend must have known that that argument was deceitful and unfair.

[Here the hammer fell.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Illinois.

The committee divided; and there were—ayes 69, noes 104.

Mr. SPARKS. On that vote I demand tellers.

Tellers were ordered.

Mr. SPARKS and Mr. HASKELL were appointed tellers.

The committee again divided; and the tellers reported—ayes 63, noes 102.

So (no further count being demanded) the amendment was not agreed to.

Mr. CARLISLE. I move to amend in line 141 by striking out the word "and" where it occurs after the word "quality" and inserting the word "or;" and strike out the word "and" after the word "texture" and insert the word "or."

The CHAIRMAN. The clerk will report the amendment proposed by the gentleman from Kentucky.

The Clerk read as follows:

Strike out in line 141 the word "and" where it occurs after the word "quality" and insert the word "or;" and strike out the word "and" after the word "texture" in the same line, and insert the word "or;" so that it will read: "that non-enumerated articles similar in material and quality or texture or the use to which they may be applied."

Mr. CARLISLE. Gentlemen will observe the first clause of this section reads as follows:

There shall be levied, collected, and paid on each and every non-enumerated article which bears a similitude, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this title as chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned.

Mr. HASKELL. You make a grammatical change so that the latter part of the section shall conform to the first part?

Mr. CARLISLE. Yes, that is the object of the amendment, so that when we come to the free-list that list shall have the benefit of the same phraseology we give to the dutiable list.

Mr. KELLEY. Agreed.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Kentucky.

The amendment was agreed to.

Mr. MORRISON. I send an amendment which I offer to this section.

The Clerk read as follows:

Add at the end of line 144:

"And sections 2907 and 2908 of the Revised Statutes of the United States be, and the same are hereby, repealed."

Mr. MORRISON. All that is here proposed appears in the bill after the schedule of rates. The sections repealed are those which add to the dutiable value and also to the duties the cost of transportation and commissions from the seaport to the place where the goods are made or produced. And it adds a material element, a considerable part of the value, and increases in some respects in fact the duty on all the goods which are imported under ad valorem rates. I think that this provision should precede the schedule of rates, so that we may know certainly whether it is to be a part of the law or not. It is embodied in the bill, and this only changes its position.

Mr. RANDALL. It is only a question of where it shall come in. It is already embodied in the bill.

Mr. KELLEY. I believe, Mr. Chairman, that we have no better place in which to insert this provision than here. I have no objection, as far as I am concerned, to its being brought forward from where it is now and inserted at this point.

Mr. HASKELL. I would like to have that question definitely settled. It has been charged in some quarters that we did not propose to repeal these sections at all. Now, I want to show that we are in favor of making this repeal.

Mr. KELLEY. As I have said I do not know that there is any better place in the whole bill than here. It is already, as I have said, embraced in the bill and will be found on page 129.

Mr. VALENTINE. The numbers of the sections proposed to be repealed are given there 2907 and 2908.

Mr. MORRISON. I have so stated.

Mr. KELLEY. I hope there will be authority to insert it at this point.

Mr. MCKINLEY. I do not desire to differ with the chairman of the Committee on Ways and Means, but it does seem to me that we should take these matters as we reach them in the order of the bill. That repeal is provided for further on, and I do not see why we should interpolate it here. I therefore ask the gentleman from Illinois to withdraw his amendment, to be inserted at the proper time and place.

Mr. MORRISON. If I can get an assurance from the gentleman from Pennsylvania and also the gentleman from Ohio that they will support it after we have adopted the rates upon the hypothesis that it is to be adopted, I have no objection to withdrawing it for the present.

Mr. RANDALL. The assurance had better come from the House.

Mr. MCKINLEY. For my part, Mr. Chairman, in answer to the gentleman from Illinois, I will say that I am for this bill, and therefore for the repeal suggested in his amendment, and shall vote for it when we reach it in its proper order.

Mr. MORRISON. Why not adopt it here?

Mr. MCKINLEY. Because it does not belong here.

Mr. KELLEY. I desire my colleague on the committee to permit me to say this: that it occurred to me and to other members of the Committee on Ways and Means with whom I have had an opportunity of conferring, that much of our future debate will be simplified by bringing these paragraphs forward from where they were inserted in the original bill, with the concurrence, I think, unanimously of the Committee on Ways and Means—I do not say this positively, but believe so—to insert them here. I believe, as I have said, it will simplify matters to bring them forward and dispose of them now, so that that question will not arise while the rates are being disposed of, as to whether or not this change will be made. [Cries of "Question!"]

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Illinois.

The amendment was agreed to.

Mr. RANDALL. Will the gentleman from Pennsylvania move an amendment so that there will follow those two sections what is known as the appraisal clause?

Mr. KELLEY. Will the gentleman refer to the page?

Mr. RANDALL. The gentleman next to the chairman of the committee has it.

The CHAIRMAN. The Clerk will continue the reading of the bill.

The Clerk read the following:

SEC. 2501. Upon the reimportation of articles once exported of the growth, product, or manufacture of the United States, upon which no internal tax has been assessed or paid, or upon which such tax has been paid and refunded by allowance or drawback, there shall be levied, collected, and paid a duty equal to the tax imposed by the internal-revenue laws upon such articles.

Mr. WHITE. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 150 strike out the words "equal to" and insert in lieu thereof the word "double;" so that it will read:

"There shall be levied, collected, and paid a duty double the tax imposed by the internal-revenue laws upon such articles."

Mr. WHITE. Mr. Chairman, I should like for some member of the committee who has not undertaken to defend the whisky bill on this floor to inform me whether this is not an attempt to accomplish by indirection what this House has positively refused to do by direct legislation.

Mr. DINGLEY. Is not this the law now?

Mr. WHITE. If it is the law now, why put it in this bill?

Mr. HASKELL. We are re-enacting the entire title.

Mr. WHITE. If it is the law now it is a bad law and ought to be repealed.

A MEMBER. Make your motion.

Mr. WHITE. I have made my motion, and desire to say but a word in support of it.

We have now, Mr. Chairman, 84,000,000 gallons of distilled spirits which will come out of bond if the law is not changed in some way so as to give relief to those men who have overproduced this abominable stuff. It will not come out, as has been stated by the whisky ring's Cincinnati Gazette, which ran the temperance campaign in the State of Ohio last fall to the loss of the Republican party there, but it will come out of bond from month to month until November, 1885—84,000,000 gallons which are now in bond will come out unless under some law of this kind they are permitted to ship it abroad to be aged in some other country and to be shipped back into this country free of tax or as near that as possible.

This goes far to convince me of the truth of a statement that was made on this floor last year, that there seems to be an understanding between some special-tariff men and some special-whisky men that is doing no credit to this Congress and a great deal less to the Republican party, which is responsible for its legislation. I ask for some explanation. I desire some one to deny, point blank, that I state the exact fact when I state this is an attempt by indirection to give relief to this vast bonded-whisky interest which has been denied them by straightforward, honest legislation. They came in here last year and slipped the bond-extension bill through under a suspension of the rules, which I need not take up the time of the House to say was infamous, for the action of the House this year has been entirely different and condemnatory of last year's rash legislation on this subject.

Mr. HASKELL. I desire to reply to the gentleman from Kentucky, because I am one of the persons he has alluded to. I am opposed to the reduction of the tax on whisky and tobacco. I am willing to state it now before the bill is under consideration; and I purpose to fight that battle through to the end of this Congress. But this clause to which the gentleman refers was put into the United States Statutes in 1866, and has been there ever since unchanged.

Now, this is done for this purpose; I will give an illustration. It covers a multitude of articles; but it would be useless to multiply illustrations. Take gum shellac. But for this clause an American importer of gum shellac can send it to Canada, mix it with alcohol in Canada, make out of it shellac varnish, and reimport it into the United States in competition with the manufacturer who has used domestic alcohol on which he has paid a tax of $1.80 a gallon, while the other man could reimport it by paying 60 or 70 cents a gallon.

And so all through the list of crude articles, which but for this section could be sent out of the United States to a West Indian island, be manufactured there and returned in competition with manufactures of articles in the United States requiring alcohol, on which our manufacturers have paid a tax of $1.80. That is the old law, and I give my friend from Kentucky my personal word of assurance as well as that of a member on the floor that what I have stated is the scope and intendment of the section, and nothing else.

Mr. WHITE. Will the gentleman from Kansas allow me to ask him whether under that section the men who now have distilled spirits in bond can not export them to Canada and allow them to remain there an indefinite length of time, having all the aging they like, and then ship them back by paying 90 cents a gallon?

Mr. HASKELL. Yes; 90 cents on a proof-gallon. That is the law under which you have lived since 1866; and your alcohol and whisky distillers have had the same opportunity ever since that year which is given in this bill; for this section is a verbatim copy of the present statute, and that has worked no harm. We put it in this bill so as to reenact the entire title.

Mr. MORRISON. I move to strike out the last word.

In response to the gentleman from Kentucky [Mr. WHITE] I want to state what I understand this particular provision of the bill to mean.

This protective system, notwithstanding all professions to the contrary, has not yet furnished us out in Illinois a market for our corn, and we are compelled for a large portion of it to find a market in the Old World, and in doing that much of the value is consumed in transportation. We have learned that by converting the corn into alcohol we can put two bushels of corn into half a bushel of alcohol; so that if we put it in alcohol we get our product to the markets of the Old World at half what it costs us if we keep it in corn. And sometimes we have what very often whisky men are accused of having: we have overproduction in this country and we hunt for a foreign market, and after crossing the water we find no market there, and have to bring our product back.

Some of our people in Illinois are said to be very smart. The gentleman from Kentucky [Mr. WHITE] must know that they are required to pay no internal revenue when they export alcohol.

Mr. WHITE. Will the gentleman allow me just there?

Mr. MORRISON. Yes.

Mr. WHITE. When was that the law?

Mr. MORRISON. It has always been the law that no duty is paid on alcohol exported.

Mr. WHITE. My friend does not understand my question. If I understand him, he says that alcohol taken out of the distillery pays no tax to the Government?

Mr. MORRISON. Not if it is exported.

Mr. WHITE. When was that the law?

M.. MORRISON. It has always been the law.

Mr. WHITE. That it shall pay no tax to the United States Government?

Mr. MORRISON. Certainly not; that is the Constitution of your country which you took an oath to support when you came here.

Mr. SINGLETON, of Illinois. The Constitution provides that no duty shall be levied on exports.

Mr. MORRISON. We have some very smart people in Illinois who make alcohol. If you do not regulate this matter of exporting, they may take this whisky out of the warehouses, pretending to export it, take it out on the ocean a short distance, and then bring it back again and put it on the market without paying one cent of internal tax. Now, if you do not require them to pay the tax when they bring it back again, then you will get no tax upon it, for you do not require any to be paid when they export it. That is all this section means.

Mr. THOMPSON, of Kentucky. I ask the gentleman from Illinois [Mr. MORRISON] to withdraw his *pro forma* amendment.

Mr. MORRISON. I will do so.

The CHAIRMAN. Debate is not exhausted on that amendment.

Mr. THOMPSON, of Kentucky. I propose to offer an amendment to the amendment of the gentleman from Kentucky [Mr. WHITE], if I understand his amendment. My amendment is as follows:

That all articles now in bond which are subject to an internal-revenue tax, which can be exported under the law, may remain in bond two years longer than now allowed by law, on the payment of 5 per cent. interest on the tax, securing the same by proper and sufficient bonds, to be secured by sufficient sureties to be approved by the Secretary of the Treasury.

Mr. KELLEY. I make the point of order on that amendment that it is not germane.

Mr. COX, of New York. It is neither German nor lager. [Laughter.]

Mr. McKENZIE. You can not get it out on that point of order.

Mr. THOMPSON, of Kentucky. Not very well.

Mr. KELLEY. It is also a provision contained in several pending bills.

Mr. THOMPSON, of Kentucky. I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. THOMPSON, of Kentucky. The object to be attained by my amendment is very evident to the House. If the amendment of my colleague [Mr. WHITE] shall be adopted it will prohibit those who are now oppressed by an internal-revenue tax of 500 per cent. on their whisky in bond from obtaining any relief. The only relief they now can have under the law is to export that whisky, so as to keep from paying the tax.

If they are to be fenced up as they are now by an enforced collection of the tax, then there ought to be some remedy provided for them. If they are not to be allowed to relieve themselves of the surplus reduction under the weight of which they are now laboring by exportation and reimportation under the law, then they ought at least to have the extension of time to enable them to prepare to meet the emergency which the amendment of the gentleman will thrust upon them.

The law as it now stands provides that the 56,000,000 gallons of Bourbon whisky which is now in warehouses in the State of Kentucky can all be exported to the Sandwich Islands, for instance, and kept there an indefinite length of time and then reimported at less expense than the 5 per cent. which the Government would charge them even if the extended bonded period should be granted. They have the right under the law as it now stands to relieve themselves of the burden of overproduction in that way.

The amendment of the gentleman from Kentucky [Mr. WHITE] would compel them, if they reimported the manufactures of whisky and tobacco, important manufactures in our State, to pay a rate of duty equal to double the internal-revenue tax now laid upon those articles. I say that it is not more than fair that before that amendment shall take effect they shall have at least two years in which to get ready for it.

Mr. WHITE. Will my colleague allow me to ask him a question?

Mr. THOMPSON, of Kentucky. Certainly.

Mr. WHITE. Under what law did these distillers overproduce? Was it under the Democratic law of 1879 and 1880?

Mr. THOMPSON, of Kentucky. They overproduced under the general law. The law has been modified time and again, not only by Democratic but by Republican Congresses. But so far as that is concerned, there is no overproduction. There are now 84,000,000 gallons of whisky in bond, and every year we consume nearly that amount.

Mr. HORR. I would ask the gentleman if he is not satisfied that the point of order lies against his amendment?

Mr. THOMPSON, of Kentucky. I am satisfied that the Chair has not yet ruled on it.

The CHAIRMAN. The Chair is ready to pass on the point of order. Does the gentleman insist on his amendment?

Mr. THOMPSON, of Kentucky. Only in case the amendment of my colleague [Mr. WHITE] shall be adopted.

The CHAIRMAN. The Chair sustains the point of order that the proposed amendment is not germane to the pending paragraph. The question recurs on the amendment of the gentleman from Kentucky [Mr. WHITE] on the left of the Chair, and the time for debate on that amendment has been exhausted.

Mr. BUTTERWORTH. I move to amend by striking out the last word. I shall have very little to say in regard to the amendment offered by my friend from Kentucky.

Several MEMBERS. We will vote it down.

Mr. BUTTERWORTH. I apprehend it will be voted down, for I submit it is not conceived in wisdom. But I want to avail myself of this opportunity to say one word touching the subject-matter of which the amendment treats, to wit, the liquor interest.

I am glad to see the zeal with which our brethren address themselves to the protection of our American industry. If one trip-hammer stops in Pennsylvania this House is successfully appealed to to pause and seek out the cause, and when found to postpone all other business until that cause is removed. If in New England fifty spindles cease to buzz, this House turns from its other labors and seeks out ways and means to set them whirling again.

Several MEMBERS. That is right.

Mr. BUTTERWORTH. I do not complain of it. But, gentlemen, I, in conjunction with other gentlemen on this floor, represent an industry that pays into the coffers of the General Government every year nearly $100,000,000 of internal-revenue tax. That industry to-day is prostrate, is on the verge of bankruptcy. [Cries of "Good!"] Some gentleman cry "Good!" "Good!" It was not in that spirit you cried "Good!" when this same industry during the war supplied the money to pay the soldiers who were fighting your country's battles. Not in that spirit did you say "Good!" when with the tax gathered from this industry you paid the expense binding up the wounds and caring for those who were shot in battle. Nor when with the millions poured into our national coffers the pensions due to the widows and orphans of those who fell in defense of the Union were paid. Do those who say "Good!" deem that they are serving the cause of temperance? So far as the temperance aspect of the question is concerned, as it relates to the bill to which I refer, you might as well discuss the question of infant baptism. The temperance issue nowhere appears. The two questions are wide apart.

I have always been earnest and constant in my efforts to help the various industries in Pennsylvania, in New England, and elsewhere. But do we have shown to us any spirit of reciprocity? Why, sir, the boards of trade, the chambers of commerce, the bankers, the merchants, the grocers, and other business men of the leading cities of this Union, have by petitions and memorials begged this House for a few hours' consideration of their prayer for the relief of the great and suffering industry to which I have referred, an industry which has paid into the coffers of this republic more than your existing war debt; and yet we can not secure a hearing to present our prayer for relief.

Mr. WHITE. When did they ask three hours? The bill was slipped through the House last year under a suspension of the rules.

Mr. BUTTERWORTH. Now all we ask is——

Mr. BLACKBURN. Will the gentleman allow me a moment? The gentleman from Kentucky [Mr. WHITE] says that that bill was "slipped through the House." I challenge that statement, and remind him that the RECORD shows it came here reported unanimously by the Committee on Ways and Means and was passed in the House with, I believe, only nineteen dissenting votes.

Mr. WHITE. It was passed without debate and without our being able to get the yeas and nays upon it.

Mr. BLACKBURN. You never asked for debate.

Mr. WHITE. We did ask for debate, and I asked for the yeas and nays, as the RECORD will show.

The CHAIRMAN. The gentleman from Kentucky is not in order.

Mr. BUTTERWORTH. He hardly ever is. [Laughter.]

The CHAIRMAN. The gentleman from Ohio [Mr. BUTTERWORTH] is entitled to the floor.

Mr. BUTTERWORTH. It may be a little out of order to discuss this proposition in connection with the measure before the House, but I have had no other opportunity to present the question, and its importance constrains me to adopt this means of securing a partial hearing.

Now, I beg to submit that while we are protecting all these industries—some of them in their swaddling clothes, some of them embracing possibly a half dozen factories the products of which twenty Russian refugees would take in packs upon their backs and carry and peddle through the country—I say while we are considering the claims of such industries I have good cause to ask the House at a very early day to consider the claims of a great industry which is now prostrate and which we can, if we will, lift up and place upon its feet, an industry which, if left prostrate, will probably in its destruction drag down to ruin many of the interests which you are seeking to protect and cherish. All I ask is that the great industrial interest I represent shall not be swept upon the tide of your indifference into the sea of bankruptcy.

Mr. WHITE. The gentleman who has just taken his seat says that the interests he represents have asked three hours' debate for this question. I challenge that statement. I ask any man to point his finger to any statement on record, made during this Forty-seventh Congress on this floor, by any man in favor of the bonded-extension bill that he ever desired to debate the whisky bill. Far from it. On the contrary, when the bill was under discussion here on the 3d of April last, I demanded debate, and the Speaker decided that debate was not in order. I then demanded the yeas and nays. The gentlemen from New York [Mr. HUTCHINS and Mr. CAMP] joined me in that demand, but no attention was paid to us, and the bill was passed through without any debate. After that was done the gentleman from Minnesota [Mr. DUNNELL] asked permission to have the report of the committee and a letter of the Commissioner of Internal Revenue, addressed to the gentleman from Ohio [Mr. BUTTERWORTH], published in the next morning's RECORD; and a most singular thing is that a letter dated on the 3d of April addressed to the Commissioner of Internal Revenue by that gentleman [Mr. BUTTERWORTH] was replied to on the same day by that officer, and the reply published in the RECORD on the following day. Neither the report of the committee nor that remarkable letter was read on this floor.

This year they came in here with a bill from the Senate, a modified bill, which lay there on the Speaker's table, but was not put upon the Calendar. Twice it was left out of the Calendar. I went to the document-room for it every day for a week. The gentleman [Mr. BUTTERWORTH] having the bill in charge never asked to have it printed until I had published it in the RECORD, and along with it the reply of the Secretary of the Treasury to the chairman of the Senate Committee on Finance, saying that he condemned H. R. 5656 to extend the bonded period for distilled spirits. Now the gentleman says that we will not give three hours for discussing this subject. I challenge any friend of the whisky men to point his finger to the place where any request to that effect has been made during this Congress.

The CHAIRMAN. Debate upon the pending amendment is exhausted.

Mr. BUTTERWORTH. I withdraw the *pro forma* amendment, and move to strike out the last three words. The trouble with my friend from Kentucky is that he never had a right apprehension of the question presented by the bill extending the bonded period, and which this House is asked at an early day to consider.

Mr. WHITE. These gentlemen who know so much will not tell us anything.

Mr. BUTTERWORTH. My dear friend, if you will possess your soul in patience for three minutes, which it seems utterly impossible for you to do, you will be able to get some information that is necessary to a right understanding of the subject.

So far as the discussion of the bill when it was before the House is concerned, the trouble was that my friend did not ask for a second upon the motion to suspend the rules, which would have given him the opportunity for debate. There was never any hesitation about discussing the bill. There was no objection to the fullest and freest discussion of it. All that we ask now is that it shall receive full and fair consideration. We claim that three hours will be ample for that purpose. We do not ask its passage unless after a full and fair examination it shall commend itself to the judgment of this House. What we complain of is not that the bill is not passed without careful consideration, but that we are unable to get a hearing at all. We say the magnitude of the interest, the dangers that threaten in case action is postponed, entitle us to an early consideration of the proposition contained in the bill. It is said it must come up in its order. But delay is ruin, action postponed may be fatal, and the relief, if granted, come too late. We insist that we represent interests here that have a right to demand a hearing in preference to other interests of minor importance. And we have a precedent for our demand. It will be remembered that this House was asked to suspend all other business and proceed to the consideration of the knit-goods bill. It was urged in support of the request that woolen manufacturers of New England were suffering, and the House promptly and rightfully, in my judgment, went into the consideration of the question and enacted a measure of relief which lifted the burden from that industry. That is all we ask.

I do not care to discuss the merits of the question at length. A word or two I may say. The present distress in the whisky trade has resulted from overproduction. This overproduction would not, however, cause any embarrassment in commercial circles but for the enormous tax imposed and the fact that payment of the tax is compelled before the spirits can be put upon the market, before it is withdrawn from the bonded warehouse for consumption. Thus the distiller is compelled to pay as tax five times the value of his goods, and without being able to realize a cent for them.

There is now no market for the goods in bond. They are not required to supply the present demand, but the distiller is compelled under the existing law to advance 90 cents on each gallon, the actual value of the spirits being about one-fifth of that sum. The Sherman amendment to the House bill proposes to permit the spirits now in bond to remain not exceeding two years, the distiller paying 5 per cent. interest on the amount of tax due. This will protect the Government and give time for the equilibrium to be restored between the supply and the demand.

Mr. REED. Mr. Chairman, I do not desire for my part to make any reply to the statement of the gentleman from Ohio; but I do think that an advantage has been taken of the situation to present one side of this case at a time when it is impossible to present the other. If there be any overproduction of whisky it is the plain result of the legislation which the whisky men themselves demanded and which my friend from Ohio was foremost in securing.

If there is any trouble now in the case it is because we have done three times precisely what they demand here now.

I have heard precisely this discussion about the danger that was to come from refusing the demand of the whisky men three times before, and if it is successful this time I expect to hear it just once more, and that is upon a demand to repeal the whisky tax. [Applause on the Republican side.] I expect to hear it upon the demand of those men

who claim that there has been an overproduction in excess of the demands of the country, and a demand re-enforced by more overproduction very largely from those who inspire it. [Applause.]

Mr. BUTTERWORTH. One single word in answer to the gentleman from Maine.

The CHAIRMAN. Debate upon the pending amendment is exhausted.

Mr. BUTTERWORTH. I renew it, and I shall say only a word in reply to my friend from Maine, and that is this, that he is right. The embarrassment which results from overproduction is the result of unwise legislation upon the part of Congress. I agree to that fully. But how is it? You tax whisky 500 per cent. more than its value, and compel payment before the spirits go into market, disregarding the law of supply and demand. Distillers can not know intuitively whether or not there will be an overproduction in any given year. Nor can men engaged in business of any other character know whether there will be overproduction of the particular goods they manufacture or produce. How can they know?

Mr. REED. I will tell the gentleman why there is embarrassment. When your overproduction springs from fifteen up to eighty millions then they can see that there is overproduction.

Mr. BUTTERWORTH. Undoubtedly anybody, even my friend from Maine, can be wise after the fact. [Applause on the Democratic side.]

Mr. REED. I was wise before the fact.

Mr. BUTTERWORTH. It does not show a great foresight to speak after the fact has been consummated. Now, how can any man who is engaged in business of this character know there will be overproduction? My friend says that they can tell after the results of overproduction are manifest. That, as I have said, any man can tell. But to know before the fact is in the nature of things impossible. And who can or will provide against that of which he has no knowledge? Our system is a bad one, and the embarrassment results from the operation of that system.

How is this tax collected in England? It seems to me that that would be the proper policy for us to adopt. Under the English law the payment of the tax is required when the spirits enter into consumption, not before; that is, when the spirits are withdrawn to be sold. Why is this? Because she only expects to recover the tax upon what goes into consumption, and only that which actually goes into consumption is taxed or compelled to pay tax. It is the same in this country as to the tax being collected only on what goes into consumption, but here payment is compelled in advance of the demand for consumption.

The Government has no right to compel the payment of a tax on this overproduction before the surplus can be put upon the market. There is no element of justice in it. It will not increase the revenue received by the Government one farthing.

You may increase the revenues for a single year by pursuing such a policy; but next year you decrease it in the same proportion that you increased it this.

It must be clear to every one that, so far as increasing consumption (which must ultimately determine the amount of the revenue) is concerned, the withdrawal by seizure and sale or otherwise of the surplus stock will not increase the consumption one gill, nor lessen it. The amount consumed will be about the same, and if it is in stock no more will be made until consumption creates a demand for increased supply. The distillers are not to blame for overproduction, and relief should not be denied on the theory that they are. Let me illustrate by taking some other industry; cheese, for instance. Suppose you impose a tax of 50 cents per pound on cheese, compelling payment before the article can be put on the market. Now, tell me how the producer is to know whether there will be an overproduction any given year? How can he tell what contracts to supply the article those engaged in manufacturing that article have made? And yet the production may and will depend upon these contracts. For instance, this year, on account of short pasture, &c., there is reduced production, and that is followed by an active market; and contracts are made for supplying large quantities; and Paul, Silas, and Sebastian, and all the rest increase their stock, enlarge their capacity, to fill their contracts. The result is that after it has occurred it is ascertained that there has been an overproduction. The market is glutted; no demand for the article, which cost 10 cents per pound; and yet the Government says, "Market or no market, you shall pay a tax of 50 cents per pound." Now, is the dairyman to blame? No; and no embarrassment will result if the Government will let the tax be paid as the article is withdrawn for consumption. Thus the Government will lose nothing, and the healthful law of supply and demand will regulate the trade and prevent panics.

If the law of supply and demand operates, the surplus production can be held until it is required to meet the demands of the market, and then the tax will be paid without loss to the Government. No more whisky will be drank by forcing the payment of the tax. Consumption not increased, there will be no gain in forcing this surplus stock on the market. It is at last a question of the amount required for consumption, not of the amount produced at any one time. My friend is in error in saying it is the fault of the distillers, and is equally in error in supposing the relief we ask will result in loss of revenue to the Government. He is also in error in saying that notwithstanding the ascertained overproduction the distillers have gone on producing. Many of the distilleries are idle; others are not producing 5 per cent. of former amounts. In fact, it may be stated that the production of the Bourbon and rye whiskies has for the present practically ceased.

Mr. REED. One word, and I am through. One year they demanded an extension of one year; they got it; they increased their overproduction. Then they demanded three years; they got it; they still further increased their production. They came to us demanding the bill passed on the motion of the gentleman from Minnesota [Mr. DUNNELL], saying overproduction was ruining them. They got it through the House and they increased their production; and they are increasing their overproduction this very day.

Mr. BUTTERWORTH. They can make no profit by that overproduction.

Mr. HASKELL. I call for the regular order.

Mr. BUTTERWORTH. I withdraw the *pro forma* amendment.

Mr. THOMPSON, of Kentucky. I renew the *pro forma* amendment.

I do not desire to impose on the good nature of the House this evening, but I can not let pass unchallenged some of the statements made by the gentleman from Maine [Mr. REED].

Mr. ERRETT. I call the gentleman from Kentucky to order if he is going on to discuss this whisky question.

Mr. THOMPSON, of Kentucky. I have been called to order. I would like to have order in the committee that I may be heard.

The CHAIRMAN. Gentlemen will suspend conversation. The committee will be in order.

Mr. THOMPSON, of Kentucky. I understand the gentleman from Maine [Mr. REED] to say that there is still an overproduction on the part of those very men who are asking now for some relief.

Mr. ERRETT. I rise to a question of order. Is the gentleman from Kentucky in order in discussing the whisky bill on this tariff bill?

Mr. THOMPSON, of Kentucky. I would like the gentleman from Pennsylvania [Mr. ERRETT] to write a speech and put it in the hands of everybody here and tell him how to deliver it. That might be an easier method than allowing gentlemen to discuss the bill in their own way.

Mr. ERRETT. We are now discussing the tariff bill.

Mr. THOMPSON, of Kentucky. And I am discussing it in my own way. What I have to say will be germane to the amendment which my colleague [Mr. WHITE] has offered, which is pending before the committee.

I wish to say that the gentleman from Maine has misled the House when he states it as a fact that there is now an overproduction in the class of whiskies for which relief is sought. There is scarcely a distillery in the State of Kentucky or in the State of Pennsylvania that makes the class of whiskies which are now in the bonded warehouses that is running at all.

You can take one of these districts which the year before last during the four months of July, August, September, and October made a million of gallons of whisky, and they made less than 6,000 during the same months of last year. Less than six-tenths of 1 per cent. has been produced. And the gentlemen who tell the House there is an overproduction going on do not know the facts because they have not examined them.

Furthermore the gentleman is mistaken when he says these changes have been demanded by the whisky men. Until 1868 our Government pursued a policy to allow whisky to be stored in the warehouses until consumption withdrew it, and there never was a bonded period until 1868, the tax at that time being $2 a gallon. The frauds perpetrated in Saint Louis brought the matter before Congress and they modified the law by reducing the tax to 50 cents and fixing the bonded period at one year. But the bonded period of one year brought bankruptcy and ruin upon every distilling interest in the country. It was found to be too short; they could not live under it, and Congress in 1877 extended the time to three years, because they found themselves face to face with the same difficulty that they find now, and that is the bankruptcy not only of the men who hold whisky but of all the cognate interests that surround it.

Mr. BLACKBURN. I desire to say one word. The discussion which has been had here for the last fifteen months is not right in the direction of this feature of the tariff bill. But it must always be proper among fair-dealing men to have the facts stated, or misstatements corrected when they are made.

The whisky interests that are asking the relief at the hands of Congress to-day are asking nothing except what other great manufacturing interests of this country have asked before. My friend from Ohio [Mr. BUTTERWORTH] need not have paused when he referred to the action which Congress took upon what was known as the knit woolen goods, blocking the wheels of legislation in order to give attention to a great interest that it was claimed was being paralyzed. He might have gone further and reminded this House of the fact that more than once when the woolen-goods interest of the East was involved, when legislation that was said to be unfriendly was pinching that great interest, it came to Congress and demanded immediate attention, and it received it.

Now, when the gentleman from Maine [Mr. REED] declares that in

face of legislative warning these whisky men have gone on and are to-day going on piling up the misfortunes resulting from overproduction, he finds himself confronted by the statement of the Commissioner of Internal Revenue upon the naked question of fact. I have from that office figures showing the results in my own Congressional district for the four months of July, August, September, and October, 1880. It will be found upon examination of those figures that in that one district there were produced over 600,000 gallons of whisky in the four months named of the year 1880. In the four corresponding months of 1881 the product in that district was over 1,000,000 gallons. But for the same corresponding months in the year 1882 the product of whisky in that district was less than 7,000 gallons. For the month of July last it was 6,000 gallons, nothing for August, nothing for September, and nothing for October.

Now, I submit to the candid judgment of this House, whatever the prejudices of gentlemen may be against the manufacture of this article, that as long as you recognize it as property, as long as you burden it with a tax equal to 300 per cent. of its actual value, it is not only fair but it is also wise and sensible to treat it with common decency. You have already taxed it out of existence; that is, you have, according to the statement of your own Commissioner of Internal Revenue, driven the manufacturers from its production.

Now, the gentleman from Maine [Mr. REED] need not claim any patent upon his opposition to a repeal of the tax on whisky. I stand here on this side of the House, coming from a district that probably grows as much tobacco and makes as much whisky as any district on this broad continent, and will strike hands with the gentleman from Maine. I tell him that odious as the internal-revenue system of taxation is, inquisitorial in its very nature as it is, inequitable in its distribution of burdens as it is, I for one am content and willing to endure it. I never will support a measure that looks to the abolition of the tax on the luxuries and the vices of life as long as you grind the necessaries of life into the very earth by reason of your tariff.

I am opposed to abolishing the tax on whisky and tobacco. I would not free those articles from taxation. But I would deal justly by the manufacturers of those articles and enable them to pay their taxes, however onerous they may be, under fair and liberal laws. I would have free salt and free sugar instead of free whisky and free tobacco. [Applause.]

Mr. REED. Is the gentleman opposed to a reduction of the tax on whisky and tobacco?

Mr. BLACKBURN. I am not asking a reduction, and do not want any now.

Mr. REED. Do you intend to oppose it hereafter?

Mr. BLACKBURN. That may or may not be. I am not asking now a reduction of the tax on either tobacco or whisky. I am asking simply for such fair legislation as will enable these people to pay their debts to the Government.

Mr. KASSON. In case the debate on this section, which has wandered far from the subject, is not soon ended, I must move that the committee rise in order to obtain from the House an order to close debate on the pending section.

Mr. BLACKBURN. I will withdraw my *pro forma* amendment.

The CHAIRMAN. The question recurs upon the amendment of the gentleman from Kentucky [Mr. WHITE].

The question was taken by a *viva voce* vote, and the Chair announced that the noes had it.

Mr. WHITE. I call for a division.

The CHAIRMAN. Those in favor of the amendment will rise and stand until they are counted. [After counting.] There are 2 in the affirmative. Does the gentleman ask for a further count?

Mr. WHITE. I do, unless you can count better than that. [Laughter.]

The CHAIRMAN. Further count being called for, the ayes will be seated and the noes will rise. [After counting.] There are 100 in the negative.

Mr. WHITE. No quorum has voted.

Tellers were ordered, and Mr. WHITE and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported that there were—ayes 15, noes 136.

So the amendment was not agreed to.

Mr. WILLIS. I offer the amendment which I send to the Clerk's desk, to come in as an independent section.

The Clerk read as follows:

The Secretary of the Treasury shall grant permission to any firm, individual, or corporation to withdraw from bond alcohol or any spirits containing alcohol and subject to internal-revenue tax, in specific quantities of not less than three hundred and fifty proof-gallons, without the payment of the internal-revenue tax on the same or on the spirits from which it may have been distilled, for the sole purpose of use in industrial pursuits, under such rules and regulations as the Commissioner of Internal Revenue may prescribe, with the approval of the Secretary of the Treasury.

Mr. KELLEY. I make the point of order on that amendment that it is not germane to the pending bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WHITE. I move to strike out section 2501.

Mr. WILLIS. I desire to be heard on the point of order.

Mr. PAGE. The Chair has already decided the point of order.

Mr. WILLIS. Then I will appeal from the decision of the Chair if that is necessary.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. WILLIS. The point of order made by the gentleman from Pennsylvania [Mr. KELLEY], as I understand it, is that the amendment I have offered is not germane to this bill. That I understand is the only point of order made.

Mr. KELLEY. Not germane to this paragraph.

Mr. WILLIS. I need only call the attention of the Chair to the character of the amendment. I know we have been discussing the whisky question and the Chair may be under the impression that my amendment relates to that.

Mr. KELLEY. In justice to the gentleman from Kentucky [Mr. WILLIS] I will say that the amendment he has offered is the substance of a bill now before one of the committees of the House.

Mr. WILLIS. The gentleman now makes another point of order, and I desire to be heard on both of them.

I was going on to say that the fact that the Committee of the Whole had been engaged in the discussion of a particular matter, perhaps not germane to the bill, but a subject akin to this, may have led the Chair to believe that my amendment was in the same direction. Now, it has no connection with the whisky question. As the Chair will see upon reading it, it proposes that alcohol shall be permitted to be withdrawn from the bonded warehouses free of internal tax when it is to be used in industrial pursuits. It is an entirely different proposition, and a proposition germane to this bill. The very section we have just been discussing—section 2501—is directly upon the subject of internal-revenue taxes; and the Chair has just entertained, and properly entertained, an amendment with reference to the internal-revenue laws. The amendment which I now propose also bears upon the internal-revenue tax now paid upon alcohol, and, taken in connection with the section just under discussion, it is clearly in order.

This question has already been passed upon in this very Congress. Only a few months ago—in the last session of the present Congress—this identical point of order was made; and the Chair then decided and correctly decided, upon full discussion, it was not sustainable.

Now, as to the question of whether this amendment embodies the substance of another bill pending in the House. It is true that I introduced in the first session of this Congress a bill to authorize the withdrawal from distillery warehouses, without tax, of alcohol and other spirits to be used in industrial pursuits. I hold that bill in my hand. It is only necessary for the chairman of the Committee of the Whole to read it to see that it is not in substance the same as the amendment which I have proposed. This point of order was also made in the last session of this Congress and promply overruled, as it ought to have been, by the distinguished gentleman then presiding as chairman over the Committee of the Whole. Both these points of order may therefore be said to be *res judicatæ*.

This bill to which the gentleman from Pennsylvania refers provides for the withdrawal of alcohol after it has been mixed with one-ninth of wood alcohol, or what is known in the arts as methylated spirits. The amendment which I have submitted makes no reference to methylated spirits. This bill, moreover, provides the terms, the machinery if you please, by which alcohol may be withdrawn from bond. The amendment which I have offered leaves this matter entirely to the discretion of the Commissioner of Internal Revenue, the language being "upon rules and regulations to be provided by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury." There is no substantial similitude between the amendment and the bill upon the same subject.

As to the question of germaneness the Chair, as I have said, has just admitted an amendment upon this same subject. We have just passed from a section bearing directly upon the subject of internal-revenue taxes, providing that where articles have been exported they may be reimported upon the payment of the internal taxes then due. I am surprised that there should be any hesitation in deciding this amendment in order. It is clearly so, and the only reason I can perceive for the Chair inclining to the contrary opinion is the fact that we had been discussing a matter not in order, and the Chair, in the great confusion prevailing at the time upon the floor, doubtless supposed that my amendment had reference to the same subject. It has not, as the Chair can see upon a closer examination.

The CHAIRMAN. Will the gentleman kindly point out to the Chair what provision of the amendment affects the question of duties?

Mr. WILLIS. The present duty on alcohol is $1.80 per gallon; this amendment allows it to come in free for industrial purposes—to be withdrawn and used in the arts and manufactures without the payment of any tax.

The CHAIRMAN. The Chair must hold that the amendment is not germane.

Mr. WILLIS. With due respect, I appeal from the decision of the Chair.

The question being put, "Shall the decision of the Chair stand as

the judgment of the committee?" the Chair declared that the ayes seemed to prevail.

Mr. WILLIS. I call for a division.

The CHAIRMAN. As the question is upon appealing from the decision of the Chair, tellers will be appointed. The gentleman from Kentucky, Mr. WILLIS, and the gentleman from Kansas, Mr. HASKELL, will act as such.

The committee again divided; and the tellers reported—ayes 92, noes 25.

So the decision of the Chair was sustained.

Mr. WHITE. I move the amendment which I send to the desk.

The Clerk read as follows:

Provided, That all such reimportations of alcohol, spirits, or whisky, there shall be levied upon the same a duty equal to double the internal-revenue tax now imposed by law upon alcohol, spirits, or whisky.

Mr. ERRETT. I make a point of order on that amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ERRETT. We have just voted down a similar proposition.

Mr. WHITE. I desire to be heard on the point of order.

Mr. ERRETT. I withdraw it.

Mr. WHITE. Mr. Chairman, I wish to say a word in support of this amendment. It is different from the one which I offered a while ago. Objection was made to this amendment on the ground that it would double the duty on spirits necessarily used in compound substances. The present amendment makes an exemption in that respect, and is designed to apply to whisky and alcohol pure.

The gentleman from Illinois [Mr. MORRISON] stated a few moments ago that under the Constitution you can not levy any internal-revenue tax on what is to be shipped abroad. Surely the gentleman does not mean to assert that Congress has not the power to enforce collection of taxes on any distilled spirits made and deposited in United States warehouses. Under the law passed by a Democratic Congress distillers were allowed to get their distilled spirits out of bond free of internal-revenue tax by filing a bond to the effect that said spirits were to be shipped to foreign countries.

Here is the provision of the statutes allowing alcohol to be withdrawn from bond:

SEC. 20. That under such regulations and requirements as to stamps, bonds, and other security as shall be prescribed by the Commissioner of Internal Revenue, any manufacturer of perfumery, medicines, or preparations for export, manufacturing the same in a duly constituted manufacturing warehouse, shall be authorized to withdraw, in original packages from any distillery warehouse, so much alcohol as he may require for the said purpose, without the payment of the internal-revenue tax thereon.

The chairman of the Committee on Ways and Means knows this; every member of that committee knows it. The gentleman from Kansas [Mr. HASKELL], who a few moments ago promised me to do all he could against this whisky bill, was, I recollect, one of the members of the Committee on Ways and Means who last session consented to that unanimous report giving the distillers an indefinite extension of the bonded period.

In this amendment I simply ask a Republican Congress to overturn the corrupt legislation of previous Democratic Congresses. The first motion ever made on this floor in reference to this subject came from a Democrat, and proposed as the bonded period sixty days. The distillers subsequently asked to be allowed one year, and agreed that they would pay 5 per cent. interest in addition to the tax. Then they came in here when the Democrats were in power in 1875 to 1880 and asked three years' extension of the bonded period without interest. Whatever quantity was to be exported should go free of any Government tax.

The large distilleries of this country are shipping millions of gallons abroad and paying no internal-revenue tax. And yet, Mr. Chairman, we are going right ahead and arresting men for making half a gallon of whisky or for selling a pint of it to a neighbor in violation of the law, while the enormous distilleries are enabled under Democratic laws to pile up millions on millions of gallons to be shipped abroad, on which the Government during the past three years has not received one dollar of tax.

Sir, this is a serious matter. Even-handed justice is not done These great manufacturers of abominable poison are encouraged to overproduce by an extraordinary protection and singular tyranny in the enforcement of the laws. The wonder is that outraged human beings have quietly submitted so long.

[Here the hammer fell.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Kentucky.

The amendment was not agreed to.

Mr. WILLIS. I offer the amendment which I send to the desk, to come in at the end of this section 2501.

The Clerk read as follows:

Provided, That any alcohol or distilled spirits to be used in the arts and manufactures, reimported as herein provided, may be withdrawn from the warehouse without payment of any internal-revenue tax under such rules and regulations as the Commissioner of Internal Revenue may prescribe, with the approval of the Secretary of the Treasury.

Mr. HOOKER. It is evident, Mr. Chairman, that that amendment will lead to considerable debate. I therefore ask the gentleman in charge of the bill to move that the committee do now rise.

Mr. KELLEY. I will move that the committee rise whenever we dispose of this paragraph. [Cries of "Vote!" "Vote!"]

Mr. WILLIS. I wish to be heard briefly upon the amendment. The amendment I have offered is a most important and substantial one, and it is submitted to the committee not only in perfect good faith, but with the honest, and as I trust the vote of this committee will show, the reasonable hope that it will be ingrafted upon the bill.

It provides that alcohol imported into this country to be used in the arts and manufactures shall not pay any duty. It is one step in the direction of the broader proposition which has just been ruled out by the Chairman upon a point of order. I introduce this amendment now and here at the request and after consultation with several members of the Ways and Means Committee. As alcohol is the chief and most expensive constituent of many of the chemicals and medicinal preparations legislated upon by this bill, the question whether it shall be free or taxed should be decided before we begin the direct consideration of any of the schedules, and this for the obvious reason that the present price and the present duty of a large number of the articles embraced in these schedules will be determined by it.

Mr. Chairman, in view of the urgent demand of the industrial interests for legislation upon this subject; in view of the fact that it has been at the last session publicly stated upon this floor by one of its members—I alude to the gentleman from Kansas [Mr. HASKELL]—that the Ways and Means Committee were unanimous in their approval of the principle of this legislation, I must express my surprise, and the country will be surprised, that no action has yet been taken in this Congress and no promise of action is given by the gentlemen to whom this subject under our rules is intrusted.

On the 13th of March, 1882, I introduced H. R. 5082, "to authorize the withdrawal from distillery warehouse, without tax, of alcohol and other spirits to be used in industrial pursuits." That bill provides for the use of alcohol in the arts in two forms, methylated, that is, mixed with one-ninth of its bulk of methyl or wood alcohol of equal proof strength, and pure, in which latter form its complete destruction was to be entailed, so that it could not be recovered by any process of distillation.

Not once, but repeatedly, in company with my honorable friend from Ohio [Mr. BUTTERWORTH], I appeared before that committee in advocacy and explanation of this bill. The Commissioner of Internal Revenue was called before the committee and has made several reports upon the subject showing the number of persons who would be benefited by this legislation. The bill, however, has never been reported upon by the Ways and Means Committee. We have not even had an adverse report. We have had no direct opportunity, therefore, of testing the deliberate judgment of the House as to the expediency and necessity of making alcohol free in the arts. This bill has been strangled in the committee-room, that "tomb of the Capulets" in which the best hopes and opportunities of the people are so often buried. Such is the outcome of that infamous, undemocratic, and unrepublican system of "rules" which dominates this House, an oligarchical tyranny from which even the Czar of the Russias might learn some lessons.

And now, sir, when, after nearly a year's delay and denial of a hearing before the House, I offer a part of that bill, that committee, which should long ago have reported it, endeavors, and with too much success, to still further deny the two hundred and ninety-three members of this House an opportunity to represent their constituents by voting for this amendment by making a "point of order" upon it. It is, says the venerable chairman of the committee, the "substance of a bill already pending." Pending where? Pending in the very committee of the objector; in the very committee which has reported this long and bulky bill upon cognate subjects, but which has not had time or inclination to dispose of the one now grown musty upon its files.

Before the war we had no tax upon alcohol; now we pay $1.80 per gallon. As a consequence the use of alcohol has greatly decreased. Before the tax, over 33 per cent. of the alcohol manufactured in this country was used in the arts; now less than 5 per cent. is so used. What further effect has been had? It is well known that alcohol is the great solvent of nature. It was used in a large per cent. of the chemicals and medicines until its high price caused the substitution of fusel-oil, which is a poison, and other injurious and less effective solvents. When, therefore, the gentleman from Kansas [Mr. HASKELL], in his discussion of this bill the other day, referred to the fact that fusel-oil had been reduced in duty one-half, I could not refrain from asking him in that connection why he and his committee had not been equally liberal toward alcohol. Why should the health of our people be injured by discouraging the use of alcohol and encouraging the importation and use of fusel-oil, its poisonous and improper substitute? Benzine, also a most dangerous article to human life, has been, because of its greater cheapness, introduced as a burning fluid.

Who are affected by the present high tax on alcohol? I hold in my hand the report of the Commissioner of Internal Revenue to the Ways and Means Committee, which shows that there are over 150,000 artisans and manufacturers in the United States whom this unjust, unnecessary, and exorbitant tax now oppresses. Gentlemen on the other side proclaim to the country that they are the especial advocates and protectors of American industry. I challenge that claim upon this

vote. I challenge them to show to this great body of artisans and manufacturers—to the 1,321 manufacturers of chemicals and medicinal preparations; to the 3,640 photographers; to the 16,412 hatters; to the 3,618 dealers in leaf-tobacco; to the 28,572 retail druggists; to the 110,660 painters and varnishers; to the plumbers, jewelers, percussion-cap and carpet manufacturers, the machinists, the brass founders, and other numerous representatives of industries who are compelled, as Commissioner Raum in his report shows, to use alcohol—I ask them to show to these men that their professions of friendship are not idle words, but that they are ready by their votes for this amendment to give them relief from this burdensome and unnecessary tax.

Will you do it, gentlemen? Here is no question of temperance—of whisky or no whisky. Here is a plain opportunity to lift a heavy load from the necks of American workingmen, of American manufacturers, and give them an equal chance with the products of foreign lands where alcohol is free.

I appeal also to members on this floor who represent agricultural constituencies. The relation of the farm to the distillery is well known. Make alcohol free and you increase its manufacture, and thus increase the demand for grain.

During the last fiscal year, as you will find from the report of the Commissioner of Internal Revenue, 23,109,000 bushels of corn, 4,630,000 of rye, and 2,579,000 of barley were used for distilling. The Commissioner in another report tells us that if alcohol is made free you will increase its production 20,000,000 gallons every year. What does that mean? It means that 5,000,000 more bushels of corn will be consumed annually. And this corn, be it remembered, is generally of an inferior and unmarketable quality, that would, if not thus used, rot in the granary. As the gentleman from Pennsylvania [Mr. KELLEY], upon a former discussion of this question, well said:

> There can be no question of the economy to the farmer from the reduction of the tax on spirits. One bushel of corn will not carry another to the seaboard. But one bushel put into alcohol will carry five to the seaboard. The two bushels sent in bulk, one to pay for the other, are gone from the farm. Those that go into alcohol are left at least in their nutritive and fertilizing substances in the neighborhood of the farm to enrich it and assist it in feeding cattle.

These words I now commend unto their author and to every gentleman who intends to prevent, by his vote, the good results which they detail.

Free alcohol is now allowed in two instances under our own laws: first, to "any manufacturer of medicines, cordials, and other liquors for export," and second, for scientific purposes. In England since 1855 free spirits have been withdrawn for the arts and manufactures. France and Germany, our other two most formidable rivals in trade, have followed the example of England. What is the effect of this state of things? In all these articles of manufacture, where alcohol is an element, the American manufacturer, having to pay $1.80 per gallon on it, is unable to compete with his brethren across the water. Is this your boasted encouragement of home industries? Is this the enlarged and liberal policy under which you confidently expect to build up and to prosper the interests of our own people? These are questions which our constituents will expect to be answered.

[Here the hammer fell.]

Mr. KELLEY. I hope the amendment will be voted down.

The committee divided; and there were—ayes 44, noes 92.

Mr. WILLIS. No quorum.

I desire to say that I do not wish to take up the time of the committee, and if a vote can be had upon this in the House, I am perfectly willing to withdraw the point. [Cries of "No!"] You ought not to be afraid of the record.

The CHAIRMAN. Does the gentleman from Kentucky insist upon the point?

Mr. WILLIS. I ask a vote in the House upon the amendment. If that is refused, then I must insist upon tellers.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. HASKELL and Mr. WILLIS were appointed tellers.

The committee divided; and the tellers reported—ayes 30, noes 91.

So (no further count being demanded) the amendment was not agreed to.

The Clerk read as follows:

> SEC. 2502. A discriminating duty of 10 per cent. ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, and merchandise which shall be imported on vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

Mr. KELLEY. There is a verbal amendment, a mere typographical correction, which I desire to make in this section; in line 155, strike out the word "on" and insert "in."

The amendment was agreed to.

Mr. COX, of New York. I offer the amendment which I send to the desk.

Mr. KELLEY. Pending that I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union, having had under consideration the tariff bill, had come to no resolution thereon.

Mr. KELLEY. I move that the House do now adjourn.

LEAVE OF ABSENCE.

Pending the motion to adjourn, leave of absence was granted,

To Mr. URNER, for two days, on account of important business.

COMMITTEE APPOINTMENTS.

The SPEAKER announced the following appointments to fill vacancies on standing and select committees, namely:

Mr. DOXEY on the Committee on Mines and Mining, *vice* Mr. CALKINS, excused on his own request from further service thereon;

Mr. JOSEPH D. TAYLOR on the Committee on Education and Labor, *vice* Mr. PAGE, excused at his own request from further service thereon;

Mr. JOSEPH D. TAYLOR on the Committee on Private Land Claims, to fill the vacancy occasioned by the death of Mr. Shackelford;

Mr. WHEELER on the Committee on Military Affairs, to fill a vacancy; and

Mr. CAINE on the Committee on the Post-Office and Post-Roads, *vice* Mr. BRENTS, excused at his own request from further service thereon.

The motion to adjourn was then agreed to; and accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BLANCHARD: The petition of the Cotton Exchange of Shreveport, Louisiana, protesting against an increase of duty on cottonties—to the Committee on Ways and Means.

By Mr. BRENTS: Papers relating to the claim of John S. Chisom—to the Committee on Indian Affairs.

By Mr. BREWER: The petition of citizens of Cincinnati, Ohio, for the passage of the Brewer bill relating to commercial travelers—to the Committee on Commerce.

By Mr. COLERICK: The petition of George W. Beaner and 68 others, of Fremont, and of Thomas P. Walker and 59 others, of Orland, Indiana, for reduction of duty on sugar—severally to the Committee on Ways and Means.

By Mr. GEORGE: The petition of citizens of Coquille Valley, for an appropriation for the improvement of the Coquille River, Oregon—to the Committee on Commerce.

By Mr. HARDENBERGH: The petition of Rudolph Kuenstler and of cigar manufacturers of Hoboken and of Jersey City, New Jersey, against a reduction of duty on imported cigars—severally to the Committee on Ways and Means.

Also, the petition of John A. Bonker, relative to certain surveys—to the Committee on Commerce.

By Mr. HITT: Memorial recommending that Captain George E. Belknap be authorized to accept a donation—to the Committee on Foreign Affairs.

By Mr. HUMPHREY: The petition of Dr. E. L. Boothly and others, of Hammond, Wisconsin, for the continuance of the immigrant inspection service—to the Committee on Public Health.

By Mr. JADWIN: The petition of John Hayden and 9 others, citizens of New Milford, Pennsylvania, protesting against an increase of duty on tin-plate—to the Committee on Ways and Means.

Also, the petition of Rodman Morse and 15 others, of New Milford, and of J. H. Munger and 18 others, of Susquehanna County, Pennsylvania, protesting against a reduction of tax on whisky and tobacco—severally to the same committee.

By Mr. LADD: The petition of soldiers who served in the Aroostook war, for a pension—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. LORD: The petition of 20 citizens of Michigan, protesting against the abrogation of the fishing clause of the Washington treaty—to the Committee on Foreign Affairs.

By Mr. MANNING: The petition of Patrick Brown and 14 other citizens, claiming lands within the Ontonagon and Brule River Railroad grant, for confirmation of title—to the Committee on the Judiciary.

By Mr. MURCH: The petition of Wells Simpson and others, of Hampden, Maine, for pensions for services in the Aroostook war—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. O'NEILL: The petition of Adelheit Rhein, for a pension—to the Committee on Invalid Pensions.

Also, the petition of the Philadelphia Maritime Exchange, protesting against the transfer of the Signal-Service from the War Department to the Department of the Interior—to the Committee on Commerce.

Also, the resolution adopted by the Philadelphia Maritime Exchange, recommending the same percentage of reduction of the duty on molasses as is made in the duty on the lower grades of sugar—to the Committee on Ways and Means.

By Mr. PETTIBONE: The petition of Henderson Lynch, of Green County, Tennessee, for relief—to the Committee on War Claims.

Also, papers relating to the pension claim of Walter D. Plowden—to the Committee on Invalid Pensions.

By Mr. J. H. SMITH: The petition of Mary F. Creney, for a pension—to the same committee.

Also, papers relating to the application of Mrs. Clementine Rutherford for renewal of patent—to the Committee on Patents.

By Mr. SPRINGER: The petition of physicians and surgeons of Pekin, Illinois, for continuance of the immigrant inspection service—to the Committee on Public Health.

By Mr. STRAIT: Memorial of the Legislature of Minnesota, praying for further and more liberal appropriations for improvement of the harbor of Duluth, Minnesota—to the Committee on Commerce.

By Mr. A. TOWNSEND: The petition of citizens of the twentieth Congressional district of Ohio, relative to the duty on tin-plates, &c.—to the Committee on Ways and Means.

By Mr. VANCE: The petition of H. C. Burns and others, for a mail-route from Mooresborough, North Carolina, to Gaffney's, South Carolina—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN VOORHIS: The petition of J. D. Bingham and 77 others, citizens of Spencerport, New York, for reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. WARNER: The petition of Jefferson King, administrator of the estate of Robert J. Small, deceased, for relief—to the Committee on War Claims.

By Mr. YOUNG: The petition of the Arkwright Club, of Boston, Massachusetts, for a reduction of the tariff duties on raw material entering into the production of silk, cotton, and other fabrics produced in the United States—to the Committee on Ways and Means.

The following petitions, praying that Congress will not adopt any lower rate of duties on foreign manufactured products than that recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. CAMPBELL: Of employés of Hollidaysburgh and Gap Iron Works, of Blair County, Pennsylvania.

By Mr. CLARDY: Of 358 employés of the Iron Mountain Company, of Missouri.

By Mr. CURTIN: Of employés of the Logan Iron and Steel Company, of Logan, Mifflin County, Pennsylvania.

By Mr. DIBRELL: Of employés of Tennessee Coal and Railroad Company, of Troy City, Tennessee.

By Mr. ERRETT: Of 112 employés of Eliza Furnace, and of 100 employés of the mill of Long & Co., of Pittsburgh, Pennsylvania.

By Mr. FISHER: Four petitions of citizens of Huntingdon County, Pennsylvania.

By Mr. FORD: Of workingmen of Saint Louis, Missouri.

By Mr. GODSHALK: Of 50 employés of the Merion Iron Company, of Montgomery County, Pennsylvania.

By Mr. GUENTHER: Of employés of the Fox River Iron Company, of West Depere, Wisconsin.

By Mr. J. HAMMOND: Of workingmen of Au Sable Forks, New York.

By Mr. HARDENBERGH: Of employés of Adirondack Steel Works of Jersey City, and of the Arkwright Club.

By Mr. HILL: Of workingmen of Chester Furnace, Morris County, New Jersey.

By Mr. KELLEY: Of 35 workingmen, employés of George V. Cresson, 8 of John R. Snow, and 222 employés of the Baldwin Locomotive Works of Philadelphia, Pennsylvania.

By Mr. PHISTER: Of 65 employés of the Ashland Coal and Iron Company of Ashland, Boyd County, Kentucky.

By Mr. A. TOWNSEND: Of employés of Otis Iron and Steel Works, of Cleveland, Ohio.

By Mr. WHITTHORNE: Of employés of the Warner Iron Company, of Tennessee.

The following petitions, remonstrating against the proposed transfer of the revenue-marine to the Navy Department, were presented and referred to the Committee on Commerce:

By Mr. CHACE: Of Captain Albert Church and others, of Life-Saving Service stations Nos. 1 and 2, third district of Rhode Island.

By Mr. CRAPO: Of Charles G. Churchill and others, of Marston Holmes and others, of masters and owners of vessels and others, of Plymouth, and of Timothy W. Calder and 200 others of Nantucket, Massachusetts.

By Mr. CROWLEY: Of keepers and surfmen of life-saving station No. 5, of the Buffalo Board of Trade, of ship-owners and masters, and of merchants and others, of Buffalo, New York.

By Mr. HISCOCK: Of keepers and crew of life-boat station No. 3, of ship-owners and of citizens, Otsego, New York.

By Mr. MURCH: Of the crew of life-saving station No. 3, of Maine.

By Mr. RANDALL: The resolution adopted by the Towboat Association of Philadelphia, Pennsylvania.

By Mr. SKINNER: Of citizens of Jefferson County, New York.

By Mr. J. H. SMITH: Of keeper and crew of United States life-saving station No. 37, Kings County, New York.

SENATE.

TUESDAY, *January* 30, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. GARLAND presented a memorial of citizens of Fort Smith, Arkansas, protesting against the establishment of a United States court in the Indian Territory; which was ordered to lie on the table.

Mr. HARRIS presented the petition of W. A. Knight and 77 others, citizens of Franklin County, Tennessee, praying that no lower rate of duties be imposed on importations of goods than those recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. LOGAN presented two petitions of citizens of Kane County, Illinois, praying for the passage of the bill granting an increase of pension to soldiers who have lost a limb in the service; which were ordered to lie on the table.

He also presented a petition of iron-workers of Chicago, Illinois, praying for the passage of the tariff bill as recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. CAMERON, of Wisconsin, presented a resolution adopted by the Wisconsin State Grange, in favor of an amendment of the patent laws; which was referred to the Committee on Patents.

Mr. ALLISON presented a petition of citizens of Davenport, Iowa, and a petition of the Burlington (Iowa) Board of Trade, praying for the passage of what is known as the Lowell bankruptcy bill; which were ordered to lie on the table.

He also presented a petition of citizens of Dubuque, Iowa, praying for an appropriation for the purpose of constructing a pier connecting the outer wall of the Des Moines Rapids Canal, in the Mississippi River, with the pivot pier of the Keokuk and Hamilton bridge; which was referred to the Committee on Commerce.

Mr. SAWYER presented the petition of S. D. Arnold and 38 workingmen of Fox River Iron Works, at West Depere, Wisconsin, praying that no lower duties be imposed on iron and steel products than are recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. SHERMAN presented a petition of employés of Sharp, Daniels & Co's Iron Works at Steubenville, Ohio, praying that no lower duties be imposed on any article of foreign manufacture than are recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. INGALLS presented a concurrent resolution adopted by the Legislature of Kansas, relating to the institution of a suit to determine a disputed question of title to certain lands in Allen County, in that State; which was ordered to be printed in the RECORD, and referred to the Committee on the Judiciary, as follows:

House concurrent resolution No. 10, relating to the institution of a suit to determine a disputed question of title to certain lands in Allen County, Kansas.

Whereas the title to certain even-numbered sections of land in Allen County, Kansas, has long been in dispute between the settlers thereon and the Missouri, Kansas and Texas Railroad Company; and

Whereas the said settlers went upon said lands in good faith, believing that said lands were subject to homestead and pre-emption entries, and have long occupied the same as their homes, and have made lasting and valuable improvements thereon; and

Whereas the said railroad company and its assigns are now attempting by suit in the district court in Allen County to eject said settlers from their homes and deprive them of their improvements—the labor of years—which, if done, will cause great hardship and distress; and

Whereas it is claimed by said settlers, upon the advice of eminent counsel, that the patents held by the said railroad company were illegally and improvidently issued, and are in law void, and that said lands are in law public lands and subject to homestead and pre-emption entries; and

Whereas the question of the validity of said patents can only be determined in the Federal courts, and the Attorney-General of the United States has directed that a suit be brought therein for the purpose of determining such question, but the United States attorney for the district of Kansas has declined to bring such suit: Therefore,

Resolved by the house of representatives of the State of Kansas (the senate concurring therein), That our Senators and Representatives in Congress be requested to take such action as will cause said suit to be immediately instituted.

Resolved, That the honorable Attorney-General of the United States be respectfully requested to cause said suit to be immediately instituted.

Resolved, That a copy of these resolutions be at once forwarded by the secretary of state to our Senators and Representatives in Congress and the honorable Attorney-General of the United States.

STATE OF KANSAS, *Secretary's Office:*

I, James Smith, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of original house concurrent resolution No. 10 of Legislature of 1883, now on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal. Done at Topeka, Kansas, this 26th day of January, A. D. 1883.

[SEAL.] JAMES SMITH, *Secretary of State.*

Mr. WILLIAMS presented a petition of the employés of the Ashland (Kentucky) Coal and Iron Company, praying that Congress will adopt no lower rates of duties on any foreign manufactured products than are recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. PLUMB presented eleven petitions of citizens of Kansas, praying for a reduction of duty on sugar; which were ordered to lie on the table.

Mr. LAPHAM presented a petition of citizens of Buffalo, New York;

a petition of citizens of Tarrytown, New York; a petition of citizens of Fredonia, New York; a petition of citizens of Sauquoit, New York; a petition of citizens of Webb's Mills, New York; a petition of citizens of Glens Falls, New York; and a petition of citizens of Dundee, New York, praying for a reduction of the duty on sugar; which were ordered to lie on the table.

Mr. BLAIR. I present a petition of the students of the Hampton Institute, Virginia, 353 colored and 63 Indians, their original signatures, praying for the appropriation of funds for the education of their respective races and for national aid to common schools. The subject-matter having been reported on, I move that the petition lie on the table.

The motion was agreed to.

Mr. CONGER presented three petitions of citizens of Michigan, numerously signed, praying for a reduction of the duty on sugar; which were ordered to lie on the table.

Mr. GORMAN presented a memorial of A. Schumacher & Co., C. Morton Stewart, and other merchants and ship-owners of Baltimore, Maryland, protesting against the abolition of the office of shipping commissioner; which was referred to the Committee on Commerce.

He also presented a petition of the employés of the Catoctin Furnaces, mining and smelting iron ores, of Frederick County, Maryland, praying that no lower rate of duties be imposed on any article of foreign manufacture than that recommended by the Tariff Commission; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BARROW, from the Committee on Pensions, to whom was referred the bill (H. R. 4387) granting a pension to Anthony B. Graves, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. McPHERSON. I am instructed by the Committee on Finance, to whom was referred the bill (S. 2228) to extend to the port of Perth Amboy, in the State of New Jersey, the privileges of sections 2990 to 2997 of the Revised Statutes, inclusive, to ask to be discharged from the further consideration of the bill, and that it be referred to the Committee on Commerce, it being a matter appertaining to that committee.

The report was agreed to.

Mr. McPHERSON. While I am on my feet, and as the matter is before the Senate, perhaps I may be permitted to state that I hold in my hand another bill which is intended to take the place of the one I have reported to the Senate, which is faulty. I shall ask leave at the proper time to introduce this bill and to have it referred to the Committee on Commerce to be considered by them.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 7240) for the relief of William H. Donohoe, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. COCKRELL. The Committee on Military Affairs, to whom was referred the joint resolution (H. Res. 320) authorizing the Secretary of War to loan to the directors of the competitive drill, at Nashville, Tennessee, one hundred tents, have duly considered the same and instruct me to report it adversely, and to say that in pursuance of the notice given to the Senate at the last session the Committee on Military Affairs have not deemed it proper to authorize the loan of any more tents or flags or tent-poles. It is involving a great expense to the Government and is rapidly consuming all the tents on hand. I move that the joint resolution be postponed indefinitely.

The motion was agreed to.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 124) authorizing the Secretary of War to loan tents to the board of directors of the national military competitive drill to be held at Nashville, Tennessee, in May, 1883, reported adversely thereon; and the joint resolution was postponed indefinitely.

Mr. LOGAN, from the Committee on Military Affairs, to whom was referred the bill (S. 2242) for the relief of James W. Schaumburg, reported adversely thereon; and the bill was postponed indefinitely.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (H. R. 3220) to ratify the issuance of duplicate checks in certain cases by the superintendent of the mint of the United States at San Francisco, reported it without amendment.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5300) to amend chapter 58 of volume 20 of the United States Statutes at Large, relating to contracts under the War Department, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. BLAIR. I am instructed by the Committee on Pensions, to whom was referred the bill (H. R. 4562) for the relief of Julia A. Stimers, widow of the engineer of the Monitor, to report it without amendment and to recommend its passage.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar and the report will be ordered to be printed.

Mr. WILLIAMS, from the Committee on Railroads, to whom was referred the bill (S. 2046) to authorize the Southern Pacific Railroad Company and other railroad companies to unite and consolidate so as to form a continuous line of railroad between the tidal waters of the Atlantic and Pacific Oceans, reported it with amendments, and submitted a report thereon. which was ordered to be printed.

Mr. GROVER, from the Committee on Military Affairs, to whom was referred the bill (S. 2203) to authorize the Chesapeake and Ohio Railway Company to extend its road to a point on the lands of the United States at Fortress Monroe, Virginia, reported it with an amendment, and submitted a report thereon, which was ordered to be printed.

Mr. LAPHAM, from the Committee on Foreign Relations, to whom was referred the joint resolution (H. Res. 277) providing for a new mixed commission in accordance with the treaty of April 25, 1866, with the United States of Venezuela, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1991) to authorize the Court of Claims to examine and determine whether certain awards therein specified, rendered by the commission organized under the claims convention of the 25th of April, 1866, between the United States and Venezuela, were obtained by fraud or corruption, asked to be discharged from its further consideration and that it be indefinitely postponed; which was agreed to.

Mr. PENDLETON, from the Committee on Foreign Relations, reported an amendment intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF LIBRARIAN OF CONGRESS.

Mr. ANTHONY. I am instructed by the Committee on Printing, to which was referred a resolution for printing the report of the Librarian of Congress, to report it without amendment, and to ask for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the annual report of the Librarian of Congress for the calendar year 1882 be printed, and that five hundred extra copies, with covers, be printed for the use of the Library.

BILLS INTRODUCED.

Mr. McPHERSON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2435) to extend to the port of Perth Amboy, in the State of New Jersey, the privileges of the act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," passed June 10, 1880; which was read twice by its title, and referred to the Committee on Commerce.

Mr. KELLOGG asked and, by unanimous consent, obtained leave to introduce a bill (S. 2436) to authorize the Secretary of the Navy to transfer to the Secretary of the Interior for entry and sale all reserved lands in the State of Louisiana not needed for naval purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also asked and, by unanimous consent, obtained leave to introduct a bill (S. 2437) providing that sales of property on the order, judgment, or decree of the circuit or district courts be made by the marshal; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. GEORGE asked and, by unanimous consent, obtained leave to introduce a bill (S. 2438) to authorize the construction of a bridge over Bayou Barnard, in the State of Mississippi; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB. I present a concurrent resolution of the Legislature of Kansas in favor of the location of a soldiers' home on the Fort Riley military reservation, in that State. In this connection I wish to introduce a bill for the accomplishment of that purpose, which I will ask to have referred to the Committee on Pensions, and I venture to express the opinion that that committee will have time to attend to it, as another committee of this body had not; and in introducing the bill I call attention to the fact that there is not now room enough in the existing homes for those who by law are entitled to admission into them, that there exists a very great necessity for an increase of accommodations, that there are more ex-soldiers of the Union Army in the States of Kansas, Nebraska, and Colorado in proportion to the population than probably in any other portion of the United States, and if they are to have practically the benefit of the soldiers' home system which has been established by the Government it is not only proper but essentially just and necessary that a home should be established somewhere within convenient reach of that large and largely increasing soldier population.

By unanimous consent, leave was granted to introduce a bill (S. 2439) to authorize the Secretary of War to establish a home for indigent soldiers and sailors in the State of Kansas; which was read twice by its title, and referred to the Committee on Pensions.

ORDER OF BUSINESS.

Mr. GARLAND. I intended this morning to ask the indulgence of the Senate to consider the bill (S. 2412) to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884, but the Senator from Maine [Mr. HALE] tells me that he has the census deficiency appropriation bill ready and it is very important that it should pass. That is a bill of pressing necessity, and I shall not ask the consideration of the bill I have named to-day, but I will ask the Senate to do me the favor to-morrow morning, before we take up the tariff bill, to take up the bill, and I am satisfied it will not take exceeding fifteen minutes to dispose of it.

Mr. HALE. Mr. President——

Mr. BLAIR. If the Senator from Maine will give way for a moment I wish to call up the joint resolution extending the thanks of Congress to Mr. John F. Slater. It has been pending some time in the Senate and must go to the House. It is not a resolution that can take debate or occupy time, but it is really necessary that we should advance it in order that it may be considered at this session; otherwise we shall be almost too long in doing an act of courtesy. I hope the Senate will allow it to be taken up and passed. If it leads to debate I shall not press it now.

Mr. HALE. I should be very glad to give way to the Senator, but I am already under obligations to the Senator from Arkansas [Mr. GARLAND], who gave way the matter in his charge on the condition that the census appropriation measure should be taken up and passed. I have also had an arrangement with the Senator in charge of the revenue bill, who has agreed not to push that matter until this is through. Under those conditions I think the Senator from New Hampshire will see that I ought not to yield to anything, but try to get the appropriation measure through.

Mr. MORRILL. I desire to say merely that I understand there is a pressing necessity for the passage of the census appropriation, which is a deficiency, in order to keep the men at work who are now and have heretofore been employed in the census, which is in a rapid state of completion; and as I am informed by the Senator from Maine that it will not take five minutes, I do not object.

The PRESIDENT *pro tempore*. The Senator from Maine moves to postpone the Calendar.

Mr. HALE. I think there will be unanimous consent given to take up the joint resolution.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

CENSUS DEFICIENCY.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 323) making appropriations for continuing the work of the Tenth Census.

The joint resolution was reported from the Committee on Appropriations, with amendments.

The first amendment was, in line 3, before the word "hundred," to strike out "two" and insert "one;" so as to read:

That the sum of $100,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to continue the work in the Census Bureau.

The amendment was agreed to.

Mr. INGALLS. Mr. President, impressions not favorable to the value or the verity of the census work now being conducted have gained general circulation. I do not know whether they are warranted or not. We were told when the act was passed in 1879 that the expenses of the census would be about $3,000,000. They already very nearly approach $5,000,000, and the work is still very far from being complete.

My impression is that the work of the census was laid out upon a ground-plan far too extensive for the most practical purposes. It is reported that a large number of volumes yet remain in manuscript not prepared for the Printer. From a cursory examination of their titles I am convinced that many of them ought not to be printed. There are volumes about the statistics of cities and towns that may in the future be valuable and perhaps should be purchased to go with the Franklin archives and the Rochambeau papers, to be placed away in the files for the historian and antiquarian of the future; but I hope we shall have some examination as to the condition of this work, in order that we may know whether any further expense should be incurred in printing this vast amount of manuscript.

The entire publication we are assured will reach the enormous aggregate of 16,000 pages. I am disposed to believe that a very large proportion of this is not properly census material, and if there is any way of preventing the accumulation of expense in the printing of material that does not properly belong to the work that was undertaken by the Census Bureau, I hope the committee may be instructed to make that inquiry, so that there will be a stoppage somewhere of the already enormous expenditure that has been incurred in taking the Tenth Census.

Mr. HALE. Mr. President, I have shared, as I think other Senators have, somewhat in the feeling of the Senator from Kansas with reference to the condition of the work in the Census Office. I have been disappointed that appropriations made from time to time with a view to the finishing of the work have been found inadequate, and I have been restive under the necessity of again and again calling upon the Senate for new appropriations of money to finish the work.

When the subject-matter of this last deficiency came to the Senate and was referred to the Census Committee, of which I have the honor to be the chairman, the committee took the matter in hand and went into something of an investigation as to the condition and status of the work in the Census Office. We found that the present Superintendent, Colonel Seaton, had broken down under the strain of the labors imposed upon him, very arduous and faithful labors; I may say the entire committee was convinced of that fact. The charge of the establishment had fallen upon the acting chief clerk, Mr. Richards, who became the acting superintendent. He was sent for and came to the committee, and at the request of the committee prepared a careful and definitive statement of the work in the Census Office applicable to each subject-matter embraced there.

If the Senator from Kansas or any Senator will examine Senate Report No. 941, which accompanied the joint resolution, he will there find in the form of letters either to the chairman of the Committee on Appropriations, or to me, as chairman of the Census Committee, a complete statement of the condition of the work and its needs. He will find a statement in detail how this money needs to be used, upon what part of the work it will be expended, how much will be necessary to complete each volume, and the time at which each volume may be expected.

But the committee did not stop there. Finding that the Superintendent was so ill that he could not be depended upon for continuing his work, and realizing the feeling such as the Senator from Kansas has expressed, and other Senators have shared, that something must be done in an authoritative way to satisfy Congress and the public that this work was to be brought to a speedy end for a comparatively small sum of money, the Secretary of the Interior, at the suggestion of the committee, sent for General Francis A. Walker, the original Superintendent, the framer of the plan under which the work has been conducted, the father of the system under which the census is taken, who resigned about a year ago, on which Colonel Seaton was appointed as his successor, and went to Boston, taking charge there of the School of Technology. General Walker at once responded to the summons, reporting to the Secretary of the Interior, the Secretary having been heard before the Committee on Appropriations considering this matter. General Walker at once, in view of this feeling of restiveness about the work, agreed to leave all other vocations and to stay here and take charge of the work and to continue administering it until the whole work is completed. He does that in no spirit of opposition to the present Superintendent, who is ill, but acting in conjunction with him and in conjunction with and subordination to the Secretary of the Interior. He writes me a letter, of yesterday's date, which I ask the Secretary to read.

The Acting Secretary read as follows:

DEPARTMENT OF THE INTERIOR, CENSUS OFFICE,
Washington, D. C., January 29, 1883.

DEAR SIR: Having spent two days in examining the condition of the census work, I am glad to be able to report that I find it much more advanced than I had anticipated.

The compendium—1,800 pages—is all in type, and the proofs of the last table are promised by noon to-day. The same energy which the Government Printing Office has displayed in setting up this large amount of matter would enable the work to be printed and bound copies delivered next week.

The full "copy" of the population volume will be sent to the Printing Office on or before Friday next; that of the volume on manufactures will be sent next week; and that of the volume on agriculture the week following.

I can say with confidence that the above-mentioned volumes will all be in the Printing Office on or before the 20th day of February. Within the same period it will be possible to send to the Public Printer 1,500 pages quarto of solid statistical tables, one-half relating to railroads, telegraphs, canals, and the steam marine of the United States, the other half relating to the mortality of our population.

I am, respectfully, yours,

FRANCIS A. WALKER.

Hon. EUGENE HALE, *United States Senate.*

Mr. HALE. I have also just received the following letter from Secretary Teller, which I will read:

DEPARTMENT OF THE INTERIOR,
Washington, January 27, 1883.

SIR: I inclose herewith a copy of a letter just received from General Francis A. Walker, concerning the census. I have accepted the services of General Walker, and I trust there will be no further delay in the completion of the work of the Census Office.

Very respectfully,

H. M. TELLER, *Secretary.*

Hon. EUGENE HALE,
Chairman of the Committee on the Tenth Census,
United States Senate.

And the letter which the Secretary transmits is this:

DEPARTMENT OF THE INTERIOR,
Washington, January 27, 1883.

SIR: In view of the severe and protracted sickness of the Superintendent of Census, at this critical period of the census work, I hereby offer my services unreservedly to the Department.

Should it be your pleasure to accept them, I will give to the work all the time and all the labor, in personal attendance upon the office in Washington, which may be required to bring out the several reports to your satisfaction.

Such assistance as I might render in this connection would be in strict subordination to the Department, and in cordial co-operation with the acting superintendent.

It would, also, be without any wish on my part to receive compensation.

Very respectfully, yours,

FRANCIS A. WALKER.

Hon. H. M. TELLER, *Secretary of the Interior.*

Now, I believe, Mr. President, that under General Walker's eye and control——

Mr. DAVIS, of West Virginia. Will the Senator be kind enough to read again the latter part of the letter about compensation? I did not catch it.

Mr. HALE. The latter portion is as follows:

Such assistance as I might render in this connection would be in strict subordination to the Department, and in cordial co-operation with the acting superintendent.

It would, also, be without any wish on my part to receive compensation.

General Walker feels that, having been responsible for the plan originally of this great work and having been so largely and so completely trusted by Congress in the carrying out of that plan, it is due to the work and to himself as well as to the public service that he give his time now in bringing the work to a completion.

I believe, Mr. President, that under his eye and control this will be done, and that we shall be satisfied with the result.

So far as regards the point the Senator from Kansas makes, that this work has been amplified and has become too large, and that much matter has been collected that is of relatively little value, that was all considered last session. The Committee on Printing were instructed to take the matter up and see in what form it should be issued, and the appropriation was made and has already been partly expended for that purpose. I do not believe that at this time it would be good economy or good husbandry to reject the work that has cost so much to collect, all of which is valuable to some degree, and you can not, of course, find any work of fifteen volumes of a thousand pages each where there is not something of much greater relative value than others. When the work is completed, as it will be in a few months, it will be a most invaluable work, and if it is properly tabulated with proper tables of contents, and, what is of more importance than anything else, properly indexed—that point was enforced upon General Walker's mind by the committee in its discussion with him—we shall have a work, as I have said, invaluable to the American people and to the world, and I hope we are going to get it now, and I believe that we shall.

I do not say that this $100,000—and it is not put in that light—will absolutely clean up the work. The subject-matter of the final clearing up of the work must be considered in a final appropriation, probably to be embraced in the sundry civil appropriation bill, and at that time, if there are any further directions needed to be given, they can be given; but I think this—and I say it with some confidence now, although in this matter my confidence has been a plant of slow growth—will wind up the business.

Mr. SAULSBURY. I should like to ask the Senator from Maine, as a matter of information, how much the appropriations already made for the census have amounted to?

Mr. HALE. Four million five hundred and seventy-five thousand dollars. I will say here that as compared with the magnitude of the work and the increase of population, supposing that the work had been upon the same plan as the Ninth Census, the proportionate increase of wealth and population would have brought the expense of this census up to about just what it has cost; and by that money we get not only that relative increase, but the vast subjects-matter that have been embraced for the first time in this work.

Mr. INGALLS. Mr. President, I am not complaining about the aggregate expenditure for the purposes of taking and publishing the report of the census. I believe that the per capita expense of the census of 1870 was about 9 cents, and that the increase for the Tenth Census is but proportional; but the most serious allegation is this: not that the statistics have been enormously amplified, but that they are not reliable. It is averred with a great deal of minuteness and particularity of detail that these statistics have been doctored; that in consequence of the conflict arising by reason of the minute subdivision of the various tabulations discrepancies have occurred which have been summarily reconciled by processes of elongation and of amputation respectively. This money had better have been thrown into the deep sea than to have been expended for statistics that are unreliable and inaccurate. Take one illustration. It is said that in the agricultural statistics it appeared that there were several million pounds more of flour ground than there are pounds of wheat from which it could have been manufactured, and that upon a comparison of these tables the summary method was adopted of cutting off a certain aggregate of flour and distributing that diminution arbitrarily among various States where flour was manufactured.

Again it is alleged that in the report of the statistics of forestry and lumber, which I see are yet in manuscript, the whole tabulation is grossly defective; that instead of the supply being as nearly exhausted as it appears from the bulletin, in one case a tract in Minnesota of 4,000,000,000 feet was absolutely omitted, and that in another tract that alleged to contain 75,000,000,000 feet more than 400,000,000,000 feet have been sold since the census was taken in 1880.

Now, Mr. President, my object in making these statements is not for the purpose of saying that the allegations are true, but to call the attention of the Superintendent to the fact that these assertions have been made, and to say that in the opinion of the Senate his duty is not merely to superintend the publications of these bulletins that have been issued and these reports that have been prepared, but to ascertain whether they are worthy of being published.

I shall be disappointed, sir, if the Superintendent of the Census, who is responsible for this vast and injurious subdivision of reports, does not devote his attention to the ascertainment of the fact whether or not these unpublished reports are in a condition that will render them at all valuable to the interests of the country if they are published hereafter.

Mr. HALE. Mr. President, I have seen some of the allegations to which the Senator from Kansas alludes. They have never come to me in any form where they were backed by responsible statements or affidavits or in any way to bring them to the attention of the Census Committee, that has a sort of supervision. There may be something in them; I do not know whether there is or is not anything in them.

Mr. INGALLS. May I make one single observation?

Mr. HALE. Certainly.

Mr. INGALLS. I, of course, would not permit myself to be made the agent for the diffusion of unreliable and detrimental aspersions upon any officer or Department of the Government; but with regard to the forestry and lumber item, the assertions were made in a journal devoted exclusively to the interest of that branch of industry and production. They were made upon the testimony of the most reliable and responsible persons, who could have no motive other than the elucidation of truth.

Mr. HALE. I suppose that to be so, and I was going to say when interrupted by the Senator from Kansas that General Walker in taking hold anew of this work has had his attention called to these and other allegations touching the integrity of the work of the census, and one of the things that General Walker will set himself to do is to investigate into just such questions as have been referred to by the Senator from Kansas.

Mr. McMILLAN. Will the Senator allow me to ask him whether this did not occur under the supervision of General Walker himself before he abandoned this taking of the census, and adopted other pursuits?

Mr. HALE. I do not know whether the particular things that have been called up here this morning embrace statistical work while General Walker was in charge or after he left; but that makes no difference. Whoever now is responsible and in charge of the work has to look into just such things as have been named by the Senator from Kansas, and if there has been any tampering with the integrity of this work it ought to be brought out, the figures ought to be corrected; and when we get the result we ought to have something that when Senators look to the volume they can depend upon. I agree with the Senator from Kansas about that.

Mr. McMILLAN. Allow me to ask another question. If these irregularities occurred under the supervision of General Walker, is he the proper person to be set to correct them? What assurances have we that these will be corrected if they are all the results of his mistakes?

Mr. HALE. I think that he is, because General Walker is a very skillful, scientific, and honorable man, and, like any man devoted to a great work of that kind, he is capable of correcting his own mistakes. If I supposed that General Walker had any complicity with a purposed alteration or transmutation of accounts, bringing out a false result, it would be different; but I do not suppose that. I have more confidence in him. I think if there have been mistakes—and it would be strange in this great work if there had not been—that he can rectify them, and he better than anybody else.

Mr. HOAR. I think it is proper to say that I suppose there is no man in this country whose capacity and integrity for the performance of this kind of executive duty has been more thoroughly tried than that of General Walker. He has been from his youth in the charge of most responsible and difficult public duties, every one of which he has discharged with the most brilliant success; and therefore undoubtedly, whatever may be the solution of the question which has been raised, it will not be a solution which will impute any personal want of skill or fidelity to him. However, he is not a gentleman who needs any man's certificate of character.

Mr. McMILLAN. No, sir; I made no such charge as that at all.

Mr. ANTHONY. Of course, Mr. President, there must be errors in any census, such a work as this. The Superintendent is not responsible for the errors; he does not go round making the enumerations himself, but he has thousands of enumerators employed, and they bring him the results, and if those results are erroneous, and are proved to be erroneous, General Walker is the very man to correct them, so far as they can be corrected. In all that has been said in praise of his character and service I fully concur.

Mr. BECK. I hope the investigation made by the committee under the very careful management of the Senator from Maine [Mr. HALE] may be productive of good, because, until this was set on foot, it seemed to me that I never knew a great public interest that was running at loose ends as badly as this seemed to be. When we sent for the young man who is now managing the census, after General Walker had substantially abandoned it and Mr. Seaton was incapable of giving it further attention, with a large number of matters outstanding and a large number of specialists who seemed to be writing up for their own glory more than for the good of the country, there did not seem to be any end to it or any way to bring all the work together.

The Compendium ought to have been in our hands long ago, and was promised to us last year, before the 1st of December. We are going through with a great readjustment of the whole tariff system, requiring statistics to be furnished us as to wealth, taxation, population, manufactures, and many other things which ought to be in our hands, and we are not to receive them until after Congress adjourns; or if we do receive them before, it will be after the tariff bill has passed out of the hands of the Senate.

I complained of this before the committee. These matters have been managed to be kept out and each thing magnified until they can hardly

be drawn together. I believe now an effort is being made, an honest one, an earnest one, under the lead of the Senator from Maine, to bring them together; but the statement made before us by the young man at the head of the bureau, Mr. Richards I believe is his name, showed that specialist after specialist was at work on different things. Professor Pumpelly, in Rhode Island, I believe, is one who is engaged in writing a book. Mr. Porter, who was one of your tariff commissioners, not only used the men connected with the Census Bureau to write a book, but had a book published in advance of the census reports and published by a firm in New York, receiving pay.

Mr. HALE. Who is that?

Mr. BECK. I refer to Mr. Porter. Is it not the fact that Mr. Porter's book was out and published by a house in New York, and that the allegation was made before us that he was paid for that work, much of which was done by census clerks.

Mr. HALE. If the Senator would like——

Mr. BECK. I heard that. That was said.

Mr. HALE. Would the Senator like me to explain that matter now?

Mr. BECK. I should like to hear it. I should like to know about those maps that came out, done up by the census clerks.

Mr. HALE. The matter of Mr. Porter's work came up in the committee——

Mr. BECK. I do not make any charges. I desire to know whether or not these specialists have not been using up the money.

Mr. HALE. I want to state to the Senator that I called General Walker's attention specially to that, and asked him what the circumstances were under which Mr. Porter was employed by the Census Bureau to conduct that part of the work relating to wealth, public debt, and taxation. He told me that when Mr. Porter was so employed he was then engaged in compiling for Rand & McNally, printers and stationers, I think, in Chicago; that he embarked upon the census work and took charge of that part of it; that everything that has been embodied in the work that he was then engaged in for Rand & McNally was what from time to time was embraced in the census circulars that were made public to everybody, that were put out, for instance, every week, showing population, manufactures statistics of industries of one kind and another for the benefit of the public.

As an instance of using this work General Walker said that Mr. Porter was preparing his work upon the basis of the census of 1870 as to the population of towns and cities, and General Walker suggested that it would be a wise thing for him to delay that work, and in publishing it to take advantage of the census work showing the population in 1880, not in any way giving any volume any advantage, because these statistics were from week to week put out to everybody, and whether Mr. Porter had been in the Census Office or not he would have had access to them. So his work was delayed, and the public information in the new census was incorporated. But General Walker informs me that he knows of nothing in that work which in any way has been taken from the census work except such as was published and known to all, and that in no respect has it interfered with the census work, in which Mr. Porter has been faithful, attentive, and valuable.

Mr. BECK. I see that for collecting statistics of wealth, debt, and taxation Robert P. Porter and two assistants received as compensation $21,064.27, with traveling expenses amounting to $7,174, and other miscellaneous expenses, making in all $28,501.21. His maps are out, and I believe selling at $25 each, and the book on wealth and statistics is also out, published in New York, and being sold, and yet the people of the United States can not get any of the census reports, and are not to get them for a year.

Mr. HALE. The maps in the Rand & McNally Atlas have nothing to do with the census work.

Mr. BECK. But it looks to me very curious that we are now unable to get these things; that these men have received such large sums and get the benefit of the work without the people of the United States being able to get the least benefit.

Mr. HALE. We have had the population statistics for a long time, as the Senator knows.

Mr. BECK. We have had a little pamphlet, one copy of which was given to each Senator. All I could get was one; I do not know how many the Senator from Maine was able to get; but none of my people nor anybody that wants them can get them, nor can I get them furnished to anybody, and I suppose the Senator can not get them now if anybody calls for them. I got one paper-bound copy.

I desire to do no injustice; but the statement was made before the Senator, as well as myself, in committee, as to these maps and books. I want to know whether many of the reports were not delayed in the hands of specialists so as to enable them to write up their books and make money in advance. The history of New Orleans had nothing to do with the census, and yet there is a book giving the early history of New Orleans and all connected with it. I do not know who got it up; I understand Professor Pumpelly is writing up some other book.

I am glad General Walker has come, because he is a man in whom I have the most profound confidence. I think he was the only good Commissioner of Indian Affairs we had; and I thought he could go through the census and keep it under proper control, but it seems it got clean out of his hands, and every scientific man who wanted to write up some theory, everybody who wanted to write a book, everybody who wanted to make money outside, could get the information collected by the Government and use it to magnify and extend his own special theme. General Walker, it seems, went away and left it until the Senator from Maine very properly has called him back. I hope General Walker will get out the reports and will let us have them, and I hope he will strike out what each man has written simply to give his own philosophy and his own views and confine their reports to facts. Let them speak for themselves, and let us not be publishing and printing what each of these specialists chooses to dilate on.

Mr. HALE. I think General Walker means to do that.

Mr. BECK. I believe he does. I believe he can; and the only thing I ever complained of General Walker for was when the work got so large that he was not more severe than he seems to have been in curtailing it. I think he will be now. I am willing to vote every dollar suggested. All I ask is to close up this work; stop these philosophers from magnifying themselves at the expense of the country, and publishing their views and selling them outside and getting the money in their pockets before we get the work we have paid for ourselves. That is the reason I called attention to Professor Pumpelly, Porter, and these other gentlemen who get large sums of money, as shown in the statement before us, which we ought to have the benefit of first.

The PRESIDENT *pro tempore*. There is another amendment of the committee which has not yet been read.

The ACTING SECRETARY. After the word "bureau," in line 6, the Committee on Appropriations propose to strike out the words "one hundred thousand dollars to be immediately available, and $100,000 to be available on and after July 1" and insert "for the fiscal year ending June 30;" so as to read:

That the sum of $100,000, or so much thereof as may be necessary, be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to continue the work in the Census Bureau for the fiscal year ending June 30, 1883.

The amendment was agreed to.

Mr. McPHERSON. I should like to ask the chairman of the committee if General Walker, who has had charge of the census matter from the beginning, and has seen fit to permit all this superfluous and unnecessary matter to be incorporated in the reports, why it would not be well to so amend this resolution as to require him to eliminate it from the reports?

Mr. HALE. It is by no means settled that there has been any superfluous and unnecessary work embodied in the census volumes.

Mr. McPHERSON. The Senator from Kentucky [Mr. BECK] certainly indicates such to be the case.

Mr. HALE. I understood the Senator from Kentucky to complain more that the results of the investigations and researches of the Census Bureau had been taken and used outside for the benefit of private parties near or remotely connected with the census. As I have said with reference to the importance of the work, some parts of it are of greater importance than others; but I do not think there is anything or much if anything in the work that will not be of value.

Mr. McPHERSON. Then I misunderstood the Senator from Kentucky, for I certainly understood him to say that the census reports contained superfluous matter which it was believed ought not to be published.

Mr. BECK. I have never seen the works, except those which have been issued from time to time.

Mr. McPHERSON. What do you say of those?

Mr. BECK. I said a while ago that there is a history of New Orleans that had no more to do with the census than the man in the moon. There may be other matters of that kind. I want General Walker to prune out all of these things.

Mr. McPHERSON. Then I suggest an amendment to fix it that this appropriation bill require him to do what he has already done in the circular of census reports which have been issued. The Senator from Kentucky avers that he has not seen any of the reports which have been published from time to time. General Walker having permitted such things to be done, now should be instructed to eliminate them. I suggest to the Senator that an amendment of that kind be made.

Mr. HALE. I do not want to take any more time, because it is trenching upon the consideration of the tariff bill. I will only say in reply to the Senator from New Jersey that it would be a very difficult matter to frame any amendment instructing the Superintendent of the Census what he ought to put in each volume and what he should leave out. We do not know, any of us, enough now about that. Take the statistics of New Orleans and other cities. While they are not strictly and intrinsically a part of the mere census compilation, yet they have some value as throwing light upon the growth, the history, and the origin of different municipalities in this country. It will be, to say the least, a very attractive part of the work, and will not be, by any means, without value or use. But I do not see that we can instruct the Superintendent what he shall do, and I hope the resolution will be allowed to pass.

The joint resolution was reported to the Senate as amended; and the amendments were concurred in.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had concurred in some and non-concurred in other amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes.

AMENDMENT TO A BILL.

Mr. BARROW submitted an amendment intended to be proposed by him to the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

DISTRICT WATER SUPPLY.

Mr. MCMILLAN. I ask that the resolution offered by me yesterday in regard to the water supply of the District be taken up and passed. It will lead to no debate.

Mr. MORRILL. I object.

Mr. MCMILLAN. It will lead to no discussion.

Mr. MORRILL. We have now exhausted forty minutes of the time we ought to have had for the consideration of the revenue bill, and I insist on its present consideration.

Mr. MCMILLAN. This resolution went over yesterday until to-day on an objection. It will lead to no discussion.

Mr. HARRIS. I am by no means certain that it will lead to much discussion, but it can not pass without more or less discussion, because I am satisfied that the resolution is wholly unnecessary.

Mr. MCMILLAN. Then I will not ask for action on it this morning.

INTERNAL REVENUE AND TARIFF DUTIES.

Mr. MORRILL. Now I move to go on with the revenue bill.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Calendar be postponed until to-morrow.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont now moves to take up the revenue bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Mississippi [Mr. GEORGE], which will be read.

The ACTING SECRETARY. At the end of Schedule C it is proposed to add:

Provided, That machinery for the manufacture of cloths and thread composed in whole or in part of cotton, wool, hemp, jute, or ramie, and all tools of mechanics used solely in manual labor, shall be charged a duty of 10 per cent. ad valorem.

Mr. JONAS. I offer an amendment to the amendment by adding after the word "ramie" the following:

And machinery for the extraction and manufacture of sugar from cane and sorghum.

Mr. FRYE. You had better include rice and hemp.

Mr. PLUMB. I give notice that at the proper time I shall offer an amendment to include also all agricultural machinery.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Louisiana [Mr. JONAS] to the amendment of the Senator from Mississippi [Mr. GEORGE].

Mr. VANCE. I ask leave to offer a substitute.

The PRESIDENT *pro tempore*. After the other amendments are acted on the Senator from North Carolina can offer his.

Mr. HARRIS. Let the amendment of the Senator from North Carolina be read for the information of the Senate, and the Senate will proceed to perfect the amendment pending before the vote is taken on his.

Mr. GEORGE. Before that is read I desire to have read for the information of the Senate, to post it more fully on the subject, my amendment as modified.

The ACTING SECRETARY. It is proposed to modify the original amendment by adding:

And provided further, That all agricultural implements, tools, and machinery shall be charged a like duty of 10 per cent. ad valorem.

The PRESIDENT *pro tempore*. The amendment of the Senator from North Carolina [Mr. VANCE] will now be read.

The Acting Secretary read as follows:

For the period of ten years from and after the passage of this act the importation of all kinds of machinery to be used exclusively in the manufacture of cotton or woolen goods shall be free of all duty, under such regulations as the Secretary of the Treasury shall prescribe.

Mr. VANCE. Mr. President, at the proper time I shall offer the amendment which has just been read as a substitute for the amendment of the Senator from Mississippi as proposed to be amended, and I wish to say a very few words to the Senate in support of that proposition.

On all occasions the South is told that she ought to manufacture. It is unfortunately true that the South is the poorer section of this Union, not naturally but in accumulated wealth; and being engaged almost exclusively in the pursuit of agriculture the burdens imposed for the protection of manufacturers have for three-fourths of a century fallen with peculiar force upon the people of the South; and whenever we have been disposed to complain of that taxation and to try to express that feeling in these Halls we are met always with the statement, "You ought to manufacture yourselves; you have great advantages for it and you ought to do it."

The Senator from Vermont in inaugurating this tariff discussion more than a year ago told us we ought by all means to manufacture. All that has been repeated again by the Senator from Massachusetts, and we have been told of our neglected opportunities and facilities in this respect. Now, sir, I propose to test the sincerity of those Senators in making those statements and in giving that advice.

We have not believed that it is the interest of every man to manufacture; we have not believed that it is true political economy that all the people, North and South, East and West, should manufacture. We have believed that it was the primal business of mankind to cultivate the soil and to furnish food for the race, and we have believed that the true policy consisted in fostering and encouraging manufactures wherever they were demanded by public necessity; and that labor would distribute itself naturally in the various occupations of mankind according to the suggestions of interest, of soil, of climate, and of all the circumstances that influence our action.

But, sir, we are, I admit, subject to the imputation that we have neglected great opportunities in my country, especially that manufacturing which is done by means of water-power and machinery. We are peculiarly situated with reference to the manufacture of cotton. According to the report of Professor Kerr, late State geologist of North Carolina, which I hold in my hand, for 1875, we have rivers—and I only mention what are known as the main rivers without regarding their various tributaries that are sufficient in strength to turn machinery—we have rivers equal to 3,300 miles in length, with an average fall of 10 feet to the mile, giving a horse-power of 3,300,000; and that according to the report of the Prussian Bureau of Statistics in 1875 was equal to all the engine-power of Great Britain, stationary and locomotive. That vast water power is very slightly utilized.

In addition to those advantages of water-power we have more forests existing, I believe, than in any State now in the American Union. From the same authority I have it that the forests in North Carolina now standing upon the soil are greater in extent than they were when the country was first visited by Sir Walter Raleigh's colonists, for the reason that the original inhabitants at that time had the custom of burning every fall and spring the forests which destroyed the young timber; so that notwithstanding the amount which was under the English settlers cut down for the purposes of cultivation, yet the preservation of the remainder has left at this day the forests now greater in extent then they were when the country was first settled. So, then, the building material is at hand and the labor is also at hand, and I think that it is the best labor for manufacturing purposes that I know of anywhere in this Union, and for this reason: If you will examine the census tables, I think you will find—I have not examined them closely for the last decade—that there are more land-holders, more men who live upon their own property, in North Carolina than any State in the Union in proportion to population and extent of territory, and the factories that we now have in North Carolina are not gathered into towns and villages as they are in the eastern portion of the Union. They are situated at a water-power somewhere in the country, and almost all of the labor employed in them is furnished from the families of adjacent land-holders, and is constituted of that portion of the family that has not room to work upon the farm or that it is not desirable should work upon the farm. It therefore goes into the factory, and by that means that labor is not dependent upon the vicissitudes of trade and upon tariffs, and it is not forced into desperate competition for life and for bread as it is in more thickly settled portions of the country where they do not own the land.

With all these advantages, with this great water-power given to us in consequence of the elevation of our mountain ranges, and these great forests and this cheapness and abundance of land, and with all the means of living cheap and with the cotton at our own doors, and with a climate that enables the mills to run every day in the year—I have never known a mill stop in North Carolina on account of the weather—with all these advantages, I say, the question recurs, why do we not manufacture more cottons especially? I will state that the reason as I conceive it to be—in fact, as I know it to be—is that we want capital to establish these manufactures. We have been endeavoring, so far as we had capital willing to invest in it, to establish manufactories, and in the State which I have the honor to represent we have now about sixty cotton-mills, with about 132,000 spindles in operation; but we have not been able to bring the small amount of capital that we have to bear on this subject. You will recollect, Mr. President, that in an agricultural community like ours what wealth we have is distributed, not concentrated; and you will recollect also that the South, and my State among the number of Southern States, has emerged but recently from a desolating war. You must recollect that our fields have been trodden down by

hostile armies; that our homes were burnt with fire; that our animals were destroyed; that our people were slain by the sword; that our bank stock, our railroad stock, our trust funds, and our slave property, which then amounted to almost half our wealth, and that a vast amount of our private funds were all swept away by the result of the war. I am not complaining of it; I am stating the simple facts of our condition; and the little capital that was left to us after the war found a more ready investment in the shape of usury, and a more profitable one than in any other form.

When you can conceive a community desolated as that was, and with an entire absence of money, and the fact that those who had money to loan could command 18 per cent. interest, and that for ten years after the war 18 per cent. was the common rate of interest, you will at once see why the little capital that we did have did not seek investment in manufactures. But we have been gradually getting over that; and now, having shown the water-power to be so abundant and cheap and the building material to be so abundant and cheap and the means of living to be so abundant and cheap, the machinery that is necessary to establish factories constitutes by far more than half the cost of putting them up; and if we could for a few years have the privilege of introducing machinery from abroad free of duty that would cost us, say, one-half the present cost in order to establish these cotton factories, I think that we might safely assure the country that we would go into the manufacture of cotton, greatly to the satisfaction of the Senator from Vermont and the Senator from Massachusetts. I have no doubt that they desire to see a rival spring up at the water-power of the South in order to undersell them in cotton.

Mr. President, if we had the capital and we could once get the factories for spinning cotton and weaving it in the South, in my opinion we could in a very short time supply the world, especially upon the commoner grades of cottons. We already compete with New England, with all her capital and acquired skill and experience, in the common grades of cottons, and we could compete with Old England if we had the capital to start the wheels of our factories; and we could do it without protection. We want capital; we do not want protection. We believe that we have sufficient protection in the advantages which I have enumerated, and we believe that if we can not compete with Manchester in the spinning and weaving of cotton with all these advantages, then it is an indication by the nature of things that we should not engage in it. It can not cost less than $7.50 to transport a bale of cotton from Montgomery, Alabama, which I take as the average center of the cotton production of the South, to Manchester. When you consider freight and insurance and all the commissions of the middle-men and the thousand and one expenses which they will reasonably or unreasonably put upon a bale of goods, it can not take less than $7.50 to take a bale of cotton to Manchester; and when that bale is spun and woven it can not take less than $7.50 to bring the product back to put it in competition with the mills here in this country. That is $15 on the bale that we start with, without any Congressional protection. We would want no more than that, Mr. President; and as it is certainly desirable—and I suppose the high-protection Senators would acknowledge that it was desirable in an abstract point of view—to produce all the cotton for the human family as cheaply as possible, as well as to maintain in respectability and comfort the men who do produce it, surely it would be to the interest of the American Republic to do this much to encourage the manufacture of cotton goods right on the ground where all the expense of transportation and the cost of middle-men would be avoided.

I recollect a very eloquent outburst the other day from the Senator from Connecticut, on the subject of transportation, in favor of manufacturing everything at home. In fact, that is in the mouth of every Northern Senator. Now help us to manufacture cotton goods. We do not believe in the protective policy, as you call it; we do not believe that protection raises wages, that the law can make a man's labor command more in the market than the natural law of demand and supply will afford. We do not believe that the protective policy increases the comforts or the wages of the laboring man; and, if it did, we know that there are only 3,837,112 men, according to the census, engaged in mining and manufacturing who would be benefited by this increase of wages, while there are 13,554,987 men and women workers outside of the factories whose wages would not be raised, but the price of whose living, whose bread, whose raiment, and whose shelter would be raised without any compensation from the law.

We do not believe the story that is so often heard in this Hall, that England owes the greatness of her commercial prosperity to the system of protection which she adopted and long followed. We do not believe that her prosperity is owing to that; but on the contrary we rather believe that those things retarded the day of her prosperity and kept her back in the race. As well might you undertake to tell me that the long adherence to the laws against witchcraft was the cause of the development of the famed British constitution as to tell me that the mistaken and barbarous protective policy of England was the cause of her greatness. As well might you undertake to tell me that the long and continued adherence of the ancient Britons to the Druidical religion was the cause of Christianity as to tell me that a protective policy was the cause of Great Britain's prosperity.

Sir, it is the successful and the mature experience of that people that we should desire to imitate, and not her mistakes and her failures. It is the glorious results which she has attained by wise and liberal enactments that we should desire to follow, and not the old practice of forcing the dead to be buried in wool and prohibiting artisans and mechanics from traveling out of their own parishes or going abroad. These things we should not desire to imitate, but we should desire to imitate her success rather than her mistakes.

Mr. President, I have given my opinions in regard to this proposition to grant us free machinery in the South for a number of years. I want to see Senators who continually advise that impoverished country to go to manufacturing stand up here and show the sincerity of their professions and the truthfulness of their advice. I want to see if they are really willing to encourage American manufactures. We do not ask for a bonus. We do not ask for a drawback, as has been given so long to the salt used in Northern fisheries. We simply ask the privilege of bringing in the machinery free for a certain number of years, to see if our people can be induced, with their limited amount of capital, to engage in manufactures.

We want the same privilege that was granted to the beet-sugar interest in the Northwest when the attempt was made, by the introduction of free machinery, to enable the people of that section to compete with Louisiana sugar. That is all we ask. At all events, if Senators vote down this proposition, I hope that I will not hear in the Senate any more the advice, "go to manufacturing," when it is impossible for us to go to manufacturing unless we had the machinery or the capital to buy it.

I am told, I do not know how true it is, but I believe it to be true, that nearly every undeveloped mine of valuable ore in the Southern States has been purchased by Northern capitalists, not for the purpose of development, but for the purpose of holding in order that it may not be developed in competition with their plants at home. Under those circumstances how are we to manufacture without this aid? If there ever was an industry in the world that needed the fostering hand of the Government it seems to me it is this one. With these remarks I shall take my seat.

Mr. GEORGE. Mr. President, at the last session of this body I had the honor to introduce an amendment to this same bill, a bill to reduce internal-revenue taxation, which provided for the admission of machinery for the manufacture of cotton, wool, jute, hemp, and ramie, free of duty. That amendment also provided for the admission free of duty of all agricultural implements, and of all the tools of mechanics used by them in manual labor. At that time I gave at length the reasons which induced me to offer the amendment, and I do not propose to repeat them now. I thought I showed to the satisfaction of any fair and reasonable man that with all the great opportunities of the section of the country in which I live to manufacture cotton and woolen goods, under the present system we were unable to avail ourselves of these advantages. I pointed out then that we had water-power in the State in which I reside, and in all other portions of the South good water-power, easily converted to the use of man, sufficient to manufacture all the cotton that we raise.

I pointed out then that the only reason why we could not avail ourselves of these great natural advantages was the want of capital, a want which I then showed was not entirely attributable to our wastefulness, want of energy, want of care and of saving, but the result of the unhappy circumstances under which we have lived for the last twenty years. I pointed out, also, that we had, in that section, a large amount of unemployed labor suitable for employment in cotton and woolen factories, and unsuited for employment in our fields under our burning sun. I pointed to the women and children of the South, most of them belonging to poor families, most of them persons who are under the necessity to resort to some means to improve their condition in life, by their own exertions. I showed that these women and children were, in the main, idle, or were employed in unremunerative labor, and labor unsuited to their strength.

The argument I then made in favor of the introduction of cotton and woolen machinery free of duty has been answered by a report from the Finance Committee increasing the duty from 35 to 45 per cent. I confess this is a little discouraging. I had thought we had arrived at a period in our history when there was a general disposition on the part of the Northern and capitalist States to extend a helping hand to the Southern States. But, sir, I was disappointed. I find that whatever of profession we might hear in favor of advancing the interests of labor, in favor of fraternity between the sections, in favor of equality of rights and privileges under the Government—I say, notwithstanding these professions, when we come to the point, are you willing to adjust the financial policies of this country, which we are now undertaking to do, so that we might prosper, so that we might have some of the advantages of this financial policy, instead of always being the hewers of wood and drawers of water, the tax-payers, the persons from whom this rich harvest of protection is to be gathered. I say, I thought this would be changed, that at last when public opinion had forced this body and the other end of the Capitol to undertake a revision of the tariff policy of this country, in that revision there would be some place for the industries of the section in which I live. Sir, I am disappointed, if the action of the

Finance Committee of this body is to be regarded as the voice of the body itself, for as I before remarked, instead of giving us free machinery they raise the tariff from 35 per cent. to 45 per cent.

I now desire to present this question in an aspect not so entirely sectional as I have presented it. I say that the introduction of this machinery, the establishment of cotton factories in the South, would be not only a sectional, a local advantage, but a national advantage. As it is now we raise over 6,000,000 bales of cotton a year, worth over $300,000,000 in the markets of the world, and fail to get the benefit, the great benefit of manufacturing but a small portion of it.

Here I desire to remark that the Southern cotton raiser raises his product in competition with the lowest paid labor on the face of this globe. He competes with the rice-fed Chinaman, he competes with the Indian ryot, he competes with the Egyptian fellah, and he competes with the Brazilian slave.

We have heard for the last three weeks that it is the great and high duty of this body to protect American labor from the pauper and underpaid labor of Europe. There is not a single instance upon which we have legislated so far, or upon which we will act, in which the competition of the foreign laborer is half so hard, so pressing, as it is in the raising of cotton. The manufacturer of the North and of the West competes with European labor, underpaid it may be, but he does not compete with the Chinese, the East Indian, the Egyptian, and the Brazilian slave, who are the competitors in the markets of the world with the laborers who are engaged in raising cotton.

You can not protect us by a protective duty because we raise more cotton than is consumed in this country. The levying of a protective duty on cotton would be nothing. From the want of facilities for manufacturing, our population, our workingmen at the South, and our workingwomen have been forced into a line of policy in raising cotton which has reduced it by overproduction to a price which hardly compensates for the raising. We want to divert this labor. We want to employ some of our population in making the products of our fields more valuable than they are now. We can not do that. We have not the capital to do it.

Why object to allowing us to have machinery free, as proposed by the Senator from North Carolina and as I proposed a year ago? What is the reason for it? Do you say that there are laborers in the North who are engaged in making this machinery and that it would be unjust to them? I answer that for every such laborer there are a hundred, if not five hundred, laborers in the South equally meritorious, equally entitled to the protection of this Government, who are deprived of employment by a prohibitory duty upon this machinery. What are we to do? Is it right, is it just, is it fair, is it a sound national policy to levy a tax to support one man and turn a hundred out of employment? That is the question here.

I have heard over and over again in the last three weeks the argument pressed, and it has nearly always been pressed with success, adjust the tax so that the raw material may come in, either free or at a very small duty. Why is that? For what purpose did we take such action? Only that our country and the world might receive the benefit of cheap productions. If that argument be sound, and no man on that side of the Chamber can deny its soundness, because it has controlled our action continuously ever since we entered upon the examination of this tariff question, then does it not apply with as much force to the introduction free or at a small tax of the machinery by which the raw material is converted into goods?

I defy the ingenuity of man to frame a sound and sensible and a fair reason which would admit the raw material free or at a low duty for the purpose of encouraging manufactures and at the same time would impose a prohibitory tax upon the implements by which the raw material is to be converted into goods. It can not be done. The argument which justifies one compels the other.

Suppose that right by our cotton-fields and right by our sheep-walks we had the machinery and the factories for converting our wool and our cotton into the goods which the world wants increased in value from 300 to 1,000 per cent., would you of the North be injured by that? Would you be hurt if we were enabled to increase the value of our productions over 500 per cent.? I say you would not.

Let me call the attention of Senators to the fact that the South now is and will continue to be a long time the very best customer of the North and West for their manufactures and for their agricultural products. Mississippi raises over $50,000,000 of cotton a year, and I am sorry to say, circumstanced as we are—I will not give the reason for it now—nine-tenths of that large sum is expended every year in the purchase of Northern goods, Northern wheat, Northern and Western flour, Northern and Western meat, Northern and Western wagons and plows. We buy everything. We expend all we make in the purchase of these things. Would it not be better for the West, would it not be better for the North, if our purchasing power was increased? I submit that to Senators on the other side. If you have no feeling of justice which would induce you to give us a fair and equal chance under the financial policies of the Government, then I appeal to your selfishness to enable us to make more money that we may spend more money with you.

There is another branch of the amendment to which I desire to call the attention of the Senate, which proposes to allow the introduction, at the rate of 10 per cent., of all the tools mechanics use in manual labor. I would rather they would come in free. I asked the Senate at the last session to let them come in free. I was answered by a proposition to tax them 45 per cent.; but if, as is alleged (and I desire to call the attention of the Senate to that, and not only of the Senate but of the country), the protective system has for its basis the protection of American labor and not the augmentation of the products of American capital, then that same principle certainly ought to induce us to give to that laborer the implements, the tools, the means by which to labor at the lowest possible price.

Can any reason be given, if this whole system is founded upon the idea that we are to protect American labor, why the very laborer can not have an ax, can not have a drawing-knife or an auger or a hammer or an anvil, or any other implement by which he plies his trade, unless he pays to somebody else 45 per cent. in addition to the actual value of it? That is what it means. It means that when the mechanic wants his hand-saw or his jack-plane, for that which would cost him otherwise but for this tariff $1, he pays $1.45. Is that right? Is that fair? Is it not inconsistent with the professions upon which you base your whole protective system? Does it not give color to the charge so often made and never to my satisfaction refuted that the cry for protection for American labor is a mere sham, a mere profession to cover a levy of taxation for the benefit of the capitalist? Who would be injured by the reduction I propose? Who would be hurt? Nobody. Who is injured by the imposition of the tax? It is the man who creates or helps to create the wealth of this country by his muscle, his sweat, his energy. Is that right? Shall every mechanic in this country who is not engaged in the great shops, and therefore working with the tools of a master—shall every independent laborer in the mechanic arts, every shoemaker who has his shop, every blacksmith who has his shop, every carpenter who builds a house and all the others when they go to work, be told, "You can not have the proper implements and tools by which to ply your vocation unless you pay, not into the national Treasury, but to somebody else, a tax of 35 or 45 per cent. upon your tools?"

It is this system which has driven the mechanics of this country into large shops, one of the greatest misfortunes as I believe of the time. I regard it as ominous of evil that the small, independent laborers, the men who get the pay themselves for the work they do, and who do not have to work under a master who gets the largest share of the profit, are being destroyed, driven by the policy of this country to work in the large shops, without tools of their own, without independent employment, ready to be dismissed, as we were informed yesterday by the Senator from Vermont, by a man who had the misfortune, I might say, to own the only nickel mine in this country, and whose hands were dismissed at the beck and will of the master. Sir, I protest against it. I say if we are in earnest in our professions of love for the American laborer we will give him a chance to work with tools of his own, and without being taxed for others.

The supplemental amendment which I offered this morning allows all agricultural implements to come in at a duty of 10 per cent. instead of a duty of 45 or 35 per cent. The farmers of this country, at least the great body of them, can get little or no protection by duties. The rice farmer can get protection, and the sugar farmer can get protection, and I learned in a discussion the other day in this Chamber in reference to starch that some farmers in New England who raise potatoes get protection against the potatoes raised in the Dominion of Canada by an impost duty; but the corn-growers of this country, the wheat-growers of this country, the hay-growers of this country, the cotton-growers of this country, who constitute I might say nine-tenths of the agricultural population, how are you to protect them? How are you to increase the price of their products by a protective duty? It can not be done. The price of cotton, of wheat, of corn, of pork, and of beef, is now fixed not by the American market but by the European market. You can not raise it above that. If you do, exportations will cease and the American market will fall. So, I say that this class of our community, constituting more than a majority of it, are entitled to have the implements by which they produce all this great wealth to this country without having them first taxed in order to fill the already plethoric pockets of somebody else.

Mr. President, I have in the amendment which I offered yesterday evening and to-day put the duty at 10 per cent. instead of free, as I offered it before. I confess, of course, that I would prefer the introduction of all these things free, but from the action of the Senate and from the action of the Finance Committee, and what I have heard from all parts of the Senate in the discussion of this question, I despair of getting an amendment of that sort passed. I therefore ask the adoption of this amendment imposing a small duty. There are other things taxed as low as this amendment proposes. Why can not the farmers and the mechanics of the country have the benefit of a low tax as well as others?

I have detained the Senate longer than I expected, and especially after the very able and forcible presentation of the most considerable part of the subject by the Senator from North Carolina. I hope, notwithstanding appearances, that something will be done in the way of advancing the interests which it has been my duty to advocate.

Mr. DAVIS, of West Virginia. Mr. President——

Mr. ROLLINS. If the Senator from West Virginia will allow me, I ask to have read the amendment proposed by the Senator from Louisiana [Mr. JONAS].

The PRESIDING OFFICER (Mr. ANTHONY in the chair). The amendment indicated will be read.

The PRINCIPAL LEGISLATIVE CLERK. After the word "ramie," in line 3, it is proposed to insert:

And machinery for the extraction and manufacture of sugar from cane or sorghum.

Mr. ROLLINS. I move to add the words "and sugar."

The PRESIDING OFFICER. Does the Senator from Louisiana accept the amendment?

Mr. ROLLINS. Perhaps the Senator from Louisiana will accept that modification of his amendment.

Mr. JONAS. I do not understand the amendment exactly.

Mr. ROLLINS. It proposes to reduce the duty upon sugar to 10 per cent.

Mr. JONAS. I do not see where that amendment comes in.

Mr. ROLLINS. I think it would be highly proper to have the amendment which I propose added.

Mr. JONAS. I object.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. DAVIS, of West Virginia. Mr. President, I shall endeavor to be as brief as I can. I believe that this Congress ought to pass a tariff bill. I believe the present tariff needs revision, and believing that sincerely, I shall do all in my power to forward and aid the passage of a tariff bill. It may not, probably will not, contain all that I might think was just as it should be. With that view of the case I want to make some general remarks upon the tariff, and ask to call attention to the amendment now pending. In this I have to say that I regret very much that I can not agree with all my Democratic associates. I believe the country needs a tariff, and that it is impossible to have what is known as free trade, or anything near it. In saying this I do not wish to be considered as being what is termed a high-tariff man. I am not. But I am for a tariff that will yield sufficient revenue for the economical and proper expenditures of the Government, and in that tariff I believe incidental protection to our own industries is right and proper. It has been so regarded from the foundation of the Government; it ought to be so now.

All political parties from the organization of the Government down to the present time have agreed that the revenue necessary for the expenditures of the Government should be raised by customs duties and not by internal revenue. For a short period during the war of 1812 I believe internal revenue was resorted to by the Government to a very limited extent; but I think in 1816, three or four years after, the enactment was entirely repealed, showing that our forefathers believed that a tariff for the necessary expenses of the Government was proper and right, and we have always until the late war acted upon that theory. The late war, of course, brought very extraordinary expenses, and internal revenue had to be, as it ought to have been, resorted to. I believe now it would be an advantage to the Government and the best thing that could be done, at as early a day as practicable (and that day I hope is not far off), to repeal all internal-revenue taxes except that on whisky and other spirits. I believe if we could do so it would be better for the country to at once repeal the tax on tobacco in all its forms.

In the report of the Secretary of the Treasury sent us a few days ago I find that during the last fiscal year $403,000,000 were collected from all the different sources. Of that sum $220,000,000, in round numbers—for I shall use round numbers, as I will use frequent figures perhaps, but I hope not to be very tedious—was derived from customs. What are known as the ordinary expenditures of the Government, less the sinking fund, were $257,000,000. When you add the sinking fund, the expenditures were $317,000,000. The estimated revenue of the Government for the present fiscal year is $415,000,000; the estimate of expenditures, $295,000,000. If you add to the necessary expenditures the provision for the sinking fund it makes $350,000,000, in round numbers. Let us see what the expenses are for the year in which this tariff is to go into effect, which is the fiscal year 1884. That is the first year in which this tariff and the expenditures of the Government will come together if we should pass on this measure, as I hope we shall. The estimated receipts of the Government for 1884 are $415,000,000, of which $235,000,000 are to come from customs duties. The estimates of the expenditures of the Government for the same year, the fiscal year 1884, including the sinking fund, are $340,000,000.

Mr. ALLISON. Do I understand the Senator from West Virginia to say that $335,000,000 will come in from customs duties?

Mr. DAVIS, of West Virginia. Two hundred and thirty-five million dollars is the estimate at the Treasury Department for the year 1884, and $340,280,162 is the estimate of the Secretary of the Treasury for the expenditures of the Government, without paying anything whatever upon the principal of the national debt; over $340,000,000 a year to be raised from taxation. Now, should this amount be raised from customs duties, or ought it to be from internal taxes?

My friend from Mississippi [Mr. GEORGE] has offered an amendment, which is pending, embracing a large list of articles on which he suggests that 10 per cent. ad valorem should be placed as the duty. The dutiable goods imported for the year ended June 30 last amounted to $505,491,966.66, and the free-list amounted to $210,721,980.84. On these $505,000,000 a duty must be levied to defray the expenditures of the Government, and the present duty, as the tariff now stands, is an average of 42.66 per cent. How can we, in justice to any portion of the country—I include the South in that—discriminate, and say that the South shall have or that the whole country shall have—tariff duties must be levied on all sections of the country alike—so large a list of articles and put them at 10 per cent., when the average duty that has got to be collected for the necessary expenditures of the Government is over 40 per cent. under this bill? I believe that under this bill the estimate tariff duty is about 37 per cent. I think the amendment now pending is impracticable and too low and ought not to prevail. I certainly can not support it.

Mr. President, this country has always been most prosperous when we have had a fair and just tariff. From the organization of the Government down to the present time I find when the tight times or financial panics came that almost universally they came at times of low tariffs, when we were exporting, sending abroad a large amount of the revenue of this country derived from its soil. No country can remain rich and prosperous that has to send abroad to get its manufactured articles, and by paying abroad for manufactured articles it must send money out of the country.

I have a list here of the balances of trade in our favor, and I wish to call attention to that for a moment. In 1837 we had a panic which disturbed the whole country. For seven years previous to that the balance of trade was against us, and we sent abroad a good deal more money than we got back. What did we send it abroad for? We sent it abroad for foreign merchandise. If we had manufactured those goods at home we should not have had to send that money abroad.

Again, in 1857 it will be recollected we had a panic. For eight years previous the balance of trade was against us; that is we bought more foreign goods than we sent abroad of our own products. The same was true in 1873 when there was another panic. For ten years previous to 1873 the balance of trade was more than a billion dollars against us. That brought us to a financial panic, and we did not rally from that panic until the great turn in our favor a few years since; and how was it done? First, by large agricultural crops, and then stopping the use of foreign goods and using our own manufactures. Both of these causes contributed to the result. For the last seven years there have been $1,200,000,000 balance of trade in our favor. That has brought about what you see in this country now, fair and prosperous times. It is true the last year the balance decreased somewhat because our crops had decreased and our purchases abroad had increased, and the balance of trade was only about $25,000,000 in our favor.

Mr. President, I wish to say a word as to the difference of political parties on the tariff question. From the organization of the Democratic party under Mr. Jefferson to the time of the war, with one or two intervals of short duration, the Democratic party had possession of the Government. It lived all that time and acted upon a tariff for revenue. Whatever expenses were necessary on the part of the Government were collected from customs duties and not from internal revenue. How was that levied and collected? It was by discrimination running through all the different tariff laws. The tariff ranged from 5 per cent. ad valorem up to 100 per cent. ad valorem. I have here the tariff act of 1846, which we all know was a measure passed under Democratic auspices, and repealing the tariff of 1842. The very first item in that act reads:

On goods, wares, and merchandise mentioned in Schedule A, a duty of 100 per cent. ad valorem.

And runs down to Schedule H, which is 5 per cent. ad valorem.

Senators will bear in mind that that tariff was made by a Democratic Congress, and in it the duties ranged from 5 per cent. to 100 per cent. I have also here all the other tariffs, which any Senator can look at who desires; but I do not wish to take time by quoting them. They show that the Democratic party from the earliest days believed in discriminations, that is in incidental protection; and in 1846, after long experience, Congress made a tariff with a schedule commencing at 100 per cent. and running down to 5 per cent.

Mr. McPHERSON. May I inquire of the Senator if there was any such thing known at that time as internal-revenue taxation?

Mr. DAVIS, of West Virginia. Certainly not. I have said that from the organization of the Government, with the exception of three or four years during the war of 1812, down to 1861, there was no internal taxation.

Mr. McPHERSON. During the time the Democratic party had possession of this Government 90 per cent. of all the revenue raised was raised on imported merchandise; while under the war tariff, levied by the Republican party and continued to-day, only 48 per cent. is raised from imported merchandise, and the balance from internal taxation.

Mr. BAYARD. One was a tariff for revenue, and the other is for protection.

Mr. DAVIS, of West Virginia. As I understand the difference between the Clay Whigs—for I was one of them, and I think my friend

from North Carolina [Mr. VANCE] was another—and the Democratic party of that day, it was that the Democratic party, under the lead of Jefferson and Jackson, said "tariff for revenue, with incidental protection," and Mr. Clay said "tariff for protection." In 1836, under Mr. Clay's lead, the law that I now hold in my hand was passed providing for the distribution of the surplus revenue, then amounting to almost $40,000,000, among the States. In other words, the Clay policy was to continue a high tariff and raise money from that source to be divided among the States. Under this act $28,000,000 were actually paid to the States. The State of my friend from North Carolina got $1,432,000 of that money, and all other States that were then in the Union got their fair proportion. That was under Mr. Clay's policy, who desired to continue the protective tariff to raise money and divide it among the States.

Mr. BAYARD. I presume my friend wishes to be right in a matter of history. The tariff of 1832, to which the Senator now refers, brought in as a compromise tariff under Mr. Clay's lead, provided for the gradual reduction and scaling down of the tariff by 10 per cent. biennially until the duties should reach an average of 20 per cent. ad valorem. It was a scaling down from year to year under the scheme of 1832 by which the tariff was reduced horizontally 10 per cent. every two years until 1842 should arrive, and then it should reach a maximum of 20 per cent. ad valorem. That was the scheme of Henry Clay in 1832.

Mr. DAVIS, of West Virginia. But my friend will also admit that the tariff of 1832 under Mr. Clay produced more revenue than was necessary to run the Government.

Mr. BAYARD. Undoubtedly.

Mr. DAVIS, of West Virginia. And in 1836 Mr. Clay brought forward the bill, which passed and became a law, distributing the surplus revenue among the States.

Mr. BAYARD. Undoubtedly he did, but at the same time he was reducing that by a reduction of the tariff every two years.

Mr. DAVIS, of West Virginia. But notwithstanding the reduction the revenue was so great that it was divided among the States.

Mr. President, from the earliest day of the Government most of our great and leading statesmen have been for a revenue tariff, with incidental protection. That is the Democratic doctrine as I understand it to be now. President Washington, in his last annual address, September 17, 1796, said this:

> Congress have repeatedly, and not without success, directed their attention to the encouragement of manufactures. The object is of too much consequence not to insure a continuance of their efforts in every way which shall appear eligible.

Mr. MORRILL. May I ask the Senator from West Virginia if that was not the doctrine of the Democratic party of North Carolina in the last election—a tariff for revenue with incidental protection?

Mr. DAVIS, of West Virginia. I presume it was, but I do not know anything of that.

Mr. VANCE. I think I am competent to answer that question. The platform of the Democratic party of North Carolina in the last election was almost precisely similar to that of the national Democratic platform at Cincinnati, a tariff for revenue with such incidental protection as would favor our own manufactures.

Mr. DAVIS, of West Virginia. I would say to my friend from North Carolina that I would much rather the national Democratic platform had left out the word "only;" it would have been better I believe for us. I believe to-day but for that word Hancock would be President, and I think a great many other Democrats agree with me.

I have quoted Washington. I will now read from Madison. Mr. Madison said in a special message to Congress May 23, 1809:

> It will be worthy at the same time of their just and provident care to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have been recently instituted or extended by the laudable exertion of our citizens.

He directly saying that we should give more protection to the manufactures "recently instituted." Now, what does Mr. Jefferson say on the same subject in his letter to Benjamin Austin, in 1816?

Mr. SAULSBURY. I wish to ask a question. I understand the first tariff was introduced at the very first session of Congress after the adoption of the Federal Constitution, and the average rate of duties imposed by that tariff was not much above 5 per cent.

Mr. DAVIS, of West Virginia. I am not able to answer positively, but I do know this, that whatever was necessary for the running of the Government as it was then economically run, it was collected by a tariff exclusively without resorting to internal-revenue taxation. It is true it then took much less to run the Government than it does now, but the fact that some articles were put at higher rates and some put on the free-list shows that they made discriminations in raising revenue. What does Mr. Jefferson say in his letter to Benjamin Austin, of Boston, in 1816? Speaking of free trade, manufactures, &c., for I do not want to read the whole letter, Mr. Jefferson said:

> I am proud to say that I am not one of these—

Meaning free-traders.

> Experience has taught me that manufactures are now as necessary to our independence as to our comfort.

Mr. Calhoun, who lived very near my friend from North Carolina, said about the same time in 1816—and I read this to show that Mr. Calhoun believed that agriculture, commerce, and manufactures ought to go together, and that by protecting one you fostered the others:

> Neither agriculture, manufactures, nor commerce, taken separately, are the cause of wealth; it flows from them combined, and can not exist without each.

Mr. LAMAR. Waat year was that?

Mr. DAVIS, of West Virginia. Eighteen hundred and sixteen. Now I ask the Clerk to read from President Monroe's first inaugural address, March 5, 1817.

The Acting Secretary read as follows:

> Our manufactures will likewise require the systematic and fostering care of the Government. Possessing as we do all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent, the sudden event of war, unsought and unexpected, can not fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case, instead of exhausting, as it must do in foreign hands, would be felt advantageously on agriculture and on every branch of industry. Equally important is it to provide at home a market for our raw materials; as, by extending the competition, it will enhance the price and protect the cultivator against the casualties incident to foreign markets.

Mr. DAVIS, of West Virginia. It will be seen that President Monroe called attention to the national wealth and thought we ought to give it proper protection. Now let me read what Andrew Jackson said. I read an extract from his letter to Colonel Robert Patterson, of Philadelphia, May 17, 1823:

> Upon the success of our manufactures, as the handmaid of agriculture and commerce, depends in a great measure the independence of our country; and I assure you that none can feel more sensibly than I do the necessity of encouraging them.

Again, Andrew Jackson, in his letter to Dr. L. H. Coleman, of North Carolina, August 26, 1824, after saying that Heaven had blessed us with independence and with the minerals, speaking especially of iron and copper, went on to say that we ought to protect our people and do more at home than we had done. I call the special attention of my friend from North Carolina and the Senate to the winding up of that letter:

> In short, sir, we have been too long subject to the policy of British merchants. It is time we should become a little more Americanized, and, instead of feeding paupers and laborers of England, feed our own; or else in a short time, by continuing our present policy, we shall be paupers ourselves.

Fearing what I have and will quote might be called in question, I sent to the Library and had the quotations examined and found them correct. Now I will read what James Buchanan said about iron:

> No nation can be perfectly independent which depends upon foreign countries for its supply of iron. It is an article equally necessary in peace and war. Without a plentiful supply of it we can not provide for the common defense. Can we so soon have forgotten the lesson which experience taught us during the late war with Great Britain? Our foreign supply was then cut off, and we could not manufacture in sufficient quantities for the increased domestic demand; the price of the article became extravagant, and both the Government and the agriculturist were compelled to pay double the sum for which they might have purchased it had its manufacture before that period been encouraged by proper portecting duties.

Then comes John Quincy Adams. Of course you know how he felt about manufactures. He has followed exactly the same line as these other gentlemen, showing that all the statesmen I have spoken of were for a tariff for revenue, with incidental protection.

President J. Q. Adams, in his fourth annual message, December 2, 1828, said:

> The great interests of an agricultural, commercial, and manufacturing nation are so linked in union together that no permanent cause of prosperity to one of them can operate without extending its influence to the others. All these interests are alike under the protecting power of legislative authority, and the duties of the representative bodies are to conciliate them in harmony together.

Mr. VANCE. Will the Senator allow me to ask him how much tariff those ancient fathers of the Republic recommended and thought was necessary?

Mr. DAVIS, of West Virginia. All that was necessary for the expenditures of the Government, no matter what that was, whether much or little—a tariff for revenue. That is what I am speaking for now.

Mr. VANCE. Is there any one on this side of the Chamber who is in favor of anything else?

Mr. DAVIS, of West Virginia. I hope not.

Mr. VANCE. Then the Senator ought to make his remarks for the other side of the House.

Mr. DAVIS, of West Virginia. I think both sides of the House need some little care. I ask my friend how can we put a numerous set of articles in the tariff-list at 10 per cent. when the average ought to be 30 or 40? How can it be done and the Government be supported? It can not be done.

Mr. VANCE. I want to ask the Senator—because he is competent to speak about this matter, he has given the expenses of the Government and the statistics of the Government a great deal of attention, much more than I have—if, in the days to which he has referred, tariff for revenue of about 20 per cent. on an average gave us enough revenue to defray all the expenses of the Government, enabled the Government under the lead of Mr. Clay to make a distribution of the surplus among the States for educational purposes—whether he does not think that a tariff of 20 or 25 per cent. now, considering the increase of population and the vast increase in consumption, would not yield the same revenue in the same way and give us enough for all the purposes of the Government and still have some to distribute among the States?

Mr. DAVIS, of West Virginia. The answer to that is that I think we are more extravagant, more so than we were then.

Mr. MORRILL. And that was the distribution of receipts from the public lands.

Mr. DAVIS, of West Virginia. Part of it. At that time it was considerably more in proportion than now. But the principle which I am contending for—and I believe it is proper and right—is not that the tariff should be 20 per cent. or 100 per cent., but that it should be levied in such a way that it will give fair incidental protection to all portions of the country, and not to one class of people over and above another. That is what I believe is right.

Now I will read what Henry Clay said in the Senate in 1832:

In short, sir, if I were to select any term of seven years since the adoption of the present Constitution which exhibited a scene of the most widespread dismay and desolation, it would be exactly that term of seven years which immediately preceded the establishmeni of the tariff of 1824. If the term of seven years were to be selected of the greatest prosperity which this people have enjoyed since the establishment of their present Constitution, it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824. And is the fact not indisputable that all essential objects of consumption affected by the tariff are cheaper and better since the act of 1824 than they were for several years prior to that law? I appeal for its truth to common observation and to all practical men. I appeal to the farmer of the country whether he does not purchase on better terms his iron, salt, brown sugar, cotton goods, and woolens for his laboring people? And I ask the cotton-planter if he has not been better and more cheaply supplied with his cotton bagging?

I plant myself upon this fact of cheapness and superiority as upon impregnable ground.

I have here a speech of Mr. George M. Dallas, of Pennsylvania, delivered in the Senate February 27, 1832, on this question. He takes the ground, and it is true and it is illustrated every day, that a tariff levied for incidental protection in the end gives you your goods cheaper. He says:

2. The reduction of the prices was a necessary consequence of the domestic competition created and excited by the policy. Since 1818, 1819, and 1820 the implements of husbandry have sunk in price thus: axes, from $24 to $12 by the dozen; scythes, spades, and common shovels, 50 per cent.; iron hoes, at $9 by the dozen, have given way to steel hoes, at $4 by the dozen; socket shovels, once sold at $12 by the dozen, now sell a $4.50; iron vises, once at 20 cents by the pound, now at 10 cents; braziers' rods were, in 1824, imported at $313 by the ton, and now are made at $130; and steam-engines have actually, since 1823, fallen 50 per cent. in price, while at the same time the amount of material and labor of which they are composed has nearly doubled."

To illustrate, if you buy for $50 a dozen certain articles and the protection say of 60 per cent. When competition grew up in this country it brought it down to $40. It was because manufactures in this country had grown into existence and enabled them to compete with foreign manufacture, and to reduce the price of goods.

Mr. VANCE. Then ought not the tariff to be immediately withdrawn when it sets the manufacturers on their feet and enables them to compete with foreigners?

Mr. DAVIS, of West Virginia. Certainly not, because then you would have no revenue for your Government; it should not be withdrawn.

President Millard Fillmore, in his third annual message, December 6, 1852, said:

Without repeating the arguments contained in my former messages in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is, the effect of large importations of foreign goods upon our currency. Most of the gold of California, as fast as it is coined, finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer to that extent is deprived of a home market for the sale of his surplus produce. In the third place, the destruction of our manufactures leaves the foreigner without competition in our market, and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from England.

Daniel Webster, in the United States Senate, March 3, 1840, spoke as follows:

The experiment of low wages has been often tried. We see it going on now in Asia and many parts of Europe. My colleague has recently given us a list of the prices of labor in various countries. We know what those countries are, and what the condition of the people is. On the other hand, we have tried the experiment of high wages; and has it not produced the best condition of society, for the general happiness of all, that has ever existed upon the face of the earth?

Now I read from Horace Greeley's Essays on Political Economy, 1869. In speaking of Mr. Clay, he said:

Mr. Clay, in his Raleigh speech (June 17, 1844), pleasantly exposed the fallacy of the free-trade assumption that the price of an article is enhanced by the amount of the duty thereon, by citing the discomfiture of a Democratic canvasser, who, seeing a shabbily-dressed hearer just in front of him, arrested the regular flow of his eloquence long enough to ask: "My friend, do you know that these tariff monopolists make you pay 6 cents per yard more than you should for that shirt you have on?" "I suppose it must be so, since you say it," responded the surprised and scared auditor; "but I have no learning, and don't quite understand it, since I only gave five and a half."

Now, I want to call attention to the celebrated Kane letter of James K. Polk, a letter upon which I believe he was elected President, for without that letter he could not have received the vote of Pennsylvania:

In my judgment it is the duty of the Government to extend, as far as it may be practicable to do so, by its revenue laws and all other means within its power, fair and just protection to all the great interests of the Union, embracing agriculture, manufactures, the mechanic arts, commerce, and navigation.

That is the letter on which Polk and Dallas went before the people and won; and Mr. Polk said he believed in incidental protection.

Mr. President, I am not willing in any vote that I shall give intentionally to strike down any particular industry. I do not think it would be right. I do not think it necessary. While I am opposed to what is called a high tariff, I shall steadily strive to regulate my course so as to make a tariff for revenue with incidental protection. It is my conviction that no party can succeed in this country for any length of time which places itself upon a free-trade platform, and I do not believe it ought to succeed. I think we ought to raise our revenue by a tariff, and not by internal-revenue taxation.

If we buy goods to a large extent abroad we must pay for them, and to pay for them we must send the money out of the country, and to send the money out of the country must make us poorer and enrich the foreigners to the extent taken from us. For that reason, if for no other, I should vote for a revenue tariff with incidental protection.

If we should cause free trade to-morrow what would be the result? I think I come within the limit when I say that from one to two million people would be thrown out of employment and perhaps a billion dollars would be sunk in this country. And what good would it do? None compared with the evil; and I think it would be wrong in principle.

Mr. President, the country is most prosperous, and it has always been so when we sent the least money abroad, when we bought the least goods abroad; and if that is so we ought to encourage home manufactures as far as we can properly do so.

Free trade would do what? It would make our labor as low as foreign labor, so we could not compete with it. I do not believe there is a Senator within the hearing of my voice who would cast a vote to put the labor of this country on an equality with foreign labor. That free trade would necessarily bring about if it came.

Now I beg pardon for detaining the Senate so long.

Mr. FRYE. Mr. President, the South is desirous of manufacturing her cotton at home. The North is entirely willing that she shall. There is no envy on the part of the North to the South. There is no desire to keep her in a state of poverty or to make her people agriculturists alone. The South is a part of this great nation, and her prosperity is the prosperity of the nation. One method proposed here to-day, under which the South shall manufacture her own cotton, is free machinery, because it makes no difference whether it is free or 10 per cent. ad valorem, the effect is precisely the same.

The Senator from North Carolina and the Senator from Mississippi both say that what they lack is capital. They have rivers enough and power enough to manufacture every pound of cotton they raise, but they have no capital. Where is their capital to come from, Mr. President? It must come from the North very largely, and in fact it has gone into the South from there to-day and engaged in manufacturing; nearly all of their manufacturing capital has come from the North; and that capital is ready at any day to pour itself into any State where there is a chance for reasonable profit—not the profits of 20 per cent. or 30 per cent. or 40 or 50 that gentlemen of free-trade proclivities talk about, but 6 per cent., 8 per cent., or 10.

But, Mr. President, let me say to the Senator from North Carolina that no capital from the North will go into North Carolina or any other Southern State for the manufacture of cotton under any such existing state of things as he described. He said, if I understood him, that there were 60 factories in North Carolina, 132,000 spindles, a little over 2,000 spindles to a mill. No people on the face of the earth can manufacture cotton goods and make a reasonable profit with mills scattered in that way from Dan to Beersheba. The North has been fortunate in manufacturing, say the Senators from the South; New England has been successful, say the Senators from the South. How? By her Lowells, her Lawrences, her Manchesters, her Concords, her Nashuas, her Lewistons, her Biddefords; not by scattering cotton-mills broadcast over the whole country, but by massing them in cities and towns around the fall in the river which moves the spindle, where it is possible for them to have every convenience for manufacturing with a profit.

They have, then, their own machine-shops; they build their own machinery; and if a wheel breaks or a card breaks down or a spinner is out of repair, all that has to be done is to load it on to a jigger and send it to the machine-shop, within half a mile of the cotton-mill.

Now, let me say to the Senators from the South that you never can have success in manufacturing cotton or wool or anything else until you mass your manufacturing corporations into localities by themselves, and being thus massed they equip themselves with everything necessary to carry on the cotton-mill and to repair its machinery and to build new machinery when the old is worn out.

Why, sir, the ordinary deterioration of machinery in the average cotton-mill is $1 to a spindle every year. Your cotton mills ought to have at least 30,000 spindles each; they run at the North from 20,000 to 75,000, and even then annual deterioration in a well-kept, well-built, well-cared-for mill is 75 cents on a spindle. If it is no greater than that in your State of North Carolina, and you have no machine-shop there to make the necessary repairs, how can you hope to prosper in manufacturing cotton? Why, sir, to be successful in any State in the South these cotton-mills must gradually work themselves into one city or on to one river, and then equip themselves with their own machine-shops; then they will not be exposed to the immense freight and

cost of repairs that they are to-day. And yet the proposition of the Senator from North Carolina and of the Senator from Mississippi is to let machinery come in practically free.

Sir, that is killing the goose that lays the golden egg. Let machinery come in free and you never can have a machine-shop within the whole borders of the South. There can not then be found $100 of capital so utterly crazy as to invest itself in a machine-shop in the South or anywhere else in this country, and no more fatal blow could be struck at the cotton-manufacturing industries of the South than this which the Senator from North Carolina and the Senator from Mississippi propose.

Mr. VANCE. Will the Senator allow me to ask him a question?

Mr. FRYE. With pleasure.

Mr. VANCE. I ask him for information. I simply want to know why, if his knowledge of machinery will enable him to answer satisfactorily, a man can not just as soon mend a piece of machinery that had come in duty free as to mend a piece that was broken that had been highly taxed?

Mr. FRYE. I said it because he can not build the machine-shop and get the tools. Let machinery come free into this country for five years and you would not have a machine-shop north or south in this whole country, but you would be dependent upon England, and then when your machinery broke down this whole country would be sending over to England to have their machinery repaired and to buy her new machinery. Do the Senators realize what this means? Why, every time an invention is discovered by which 10, 15, or 20 per cent. can be saved in any direction out comes all the old machinery in the mill and in comes the new. In these modern days of small profits, when the cost of manufacturing has been cut down at every step to the closest edge, I say to the Senator from North Carolina that this matter of inventing new machinery is the life and has been the life of manufactures in New England for the last fifty years. If the inventive genius of our skilled mechanics had been inactive; if prohibition on England's part had not been a constant spur, cotton manufacturing would have been an unknown industry here.

Mr. President, a short time ago a proposition like this was made in the House of Representatives, and General Robert Patterson, of Philadelphia, then 89 years of age, owning largely in, and controlling almost entirely, eleven cotton and woolen-mills, more spindles than there are in North Carolina to-day twice over, wrote this letter:

I learn that a member from Georgia has introduced a bill to repeal all duties on cotton machinery—

Mind you, this is a manufacturer, not a machinist—

To enact such a bill would cause great and permanent disaster to the American machine works and to the cotton manufacturers themselves. It is presumed the bill is for the supposed benefit of parties in Georgia and elsewhere who are engaged in manufacturing cotton, or who contemplate embarking in that business; and to those who take only a superficial view of the subject it would seem that the proposed measure would be a beneficial one to those classes. I am, I believe, the largest individual manufacturer in the United States, and my experience, which is a very long and large one, has proven just the contrary. The parties really benefited would be the English manufacturers of textile machinery. Remove the protection to American production, and in a short time the English would control the market, and ask what they pleased after the Americans had been crushed by inability to compete at living prices.

The Americans make the best machinery to be found anywhere. I have sold all the English machinery in my several mills for what I could get, and have replaced it with the product of the Bridesburgh (Pennsylvania) Manufacturing Company, and in consequence have saved as much from the increased production and improved quality of the same as the new machinery cost. I now have all my mills in perfect running order, but I pity the men who bought the English machinery. There is no State in this country more interested in the protection of American machinery and American industries of all kinds than Georgia; next to Georgia comes Alabama and Tennessee, with cotton, iron ore, and coal in the greatest abundance, a good climate, and water-power sufficient to run any amount of machinery. The child is born who will see these three great States competing with Pennsylvania in manufacturing, and their members of Congress the most ardent defenders of home industry.

Mr. President, how can men be so blind to their own interest? In these States in the South there is lying to-day buried in the bosom of the earth coal and iron, as good ore as there is in the world, and every spindle in a cotton factory takes one hundred and five pounds of iron ore and twice as many pounds of coal to make it, and yet the Senator from North Carolina asks to let that iron lie there; let that coal be buried there, and let his people be paupers if they may be; let them be unemployed, cross the Atlantic Ocean, employ the laboring men of England, use their coal mines and iron mines, and thus forever be compelled to pay tribute to England, and send his machinery there for repair or for renewal.

Two hundred and fifty thousand tons of iron ore are used every year in this country for new machinery and necessary repairs. Let it lie in the ground; let the men who mine it, the men who work it, the men who dig the coal from the bowels of the earth starve. The free-trade doctrine of the Senator from North Carolina feeds the hungry men of England, Scotland, and Ireland at the cost of his neighbors at home. A great injustice was done last night by the Senator from Ohio [Mr. SHERMAN] when he put this duty down to 35 per cent. ad valorem. The duty under the existing law is 45 per cent. for steel and 35 per cent. for iron, and this includes the casing and boxing of all machinery. This machinery has to be cased in tin first, then boxed, then material put between to keep it perfectly dry, and the actual duty upon this casing and boxing is at least 10 per cent. This bill which we are considering to-day repeals that duty on casing entirely, thus cutting down the duty 10 per cent. at least, and now the Senator from Ohio, who likes to have high duties on iron, has proposed and carried a proposition to cut it down 10 per cent. more.

Why, Mr. President, the textile machine manufacturers of this country, after twenty years of serious struggle, have just arrived at a reasonable hope of existence and no more. I owned stock in one of the largest New England textile machine works. For eighteen years I never received a dividend over 6 per cent., and six years out of the eighteen I did not receive one single dollar; and what is true of that machine-shop is true of about every other in New England. Many of them have failed over and over again, and you might know they would with a duty of 35 per cent. on the perfected machinery, one-half of that machinery being raw material, and a duty on the raw material of from 55 to 65 per cent.; while the difference in labor abroad and labor here is more than 80 per cent. more. How could you expect your manufacturers of machinery to live under a 35 per cent. duty?

Sir, with only that duty there never would have been a machine-shop established in the United States of America, and to-day we should have been paying tribute to Great Britain. Thanks to Great Britain herself, for seventy-five years we had a protection higher and better than ever was contained in any tariff law. In 1774 she passed a law prohibiting the exportation of machinery. In 1799 she renewed it; in 1823 she renewed it; in 1832 she renewed it. So that from 1774 down to 1845 you could not import from Great Britain any machinery for the manufacture of textile fabrics whatever—absolute prohibition. Back in those early days we tried our best to steal for the infant colony the early patents of Arkwright; they got the models on board ship; they smuggled them there in the night-time; a British officer was on the search, went on board the ship, and took them away from the smugglers; and this early and honest attempt to make this splendid invention of use to us was a failure.

The first model for a print roller that ever came to this country a woman stole in England, brought in her trunk, carried it to the city of Lowell. I say for seventy-five years we were protected by absolute prohibition, and there never was an industry that developed so magnificently, there never was an industry that so levied contribution upon the inventive genius of a country as this protected business of making machinery, protected by England until 1845. If it had not been for that protection which called out the inventive genius of our country, which enabled it to invent Whitney's gin, down in Mississippi, to-day——

Mr. VANCE. Will the Senator say when Whitney's gin was invented? In what year?

Mr. FRYE. I cannot exactly.

Mr. VANCE. I think that in that year the tariff was about one-third what it is now.

Mr. FRYE. When Whitney's gin was invented there was absolute prohibition.

Mr. VANCE. On what?

Mr. FRYE. On the importation of machinery itself. But whether that is so or not, I say that that absolute prohibition had so levied contributions upon the inventive genius of this country that the demand was constantly prevailing, continually pressing, and that genius was night and day engaged in its splendid work. I say now to the Senator from Mississippi if it had not been for the invention of the cotton-gin, in Mississippi to-day one man would have been ginning five pounds of cotton a day and no more, and until it was invented he never did more than that. If it had been left to the agriculturists of the South to have discovered or invented anything to help them out of that ridiculous position it never would have been discovered, and now a day's work would be five pounds to a man.

Why, sir, in one year after Whitney's gin was invented one man ginned seventy-five pounds a day instead of five before it was discovered, and to-day with its improvements, all made by American machinists, he can gin four hundred pounds. Your export of cotton under the old method of labor in 1791 was 150,000 pounds, and in ten years later it was 15,000,000 pounds, and yet you would destroy the machinists of America!

Mr. VANCE. I should like to ask the Senator what became of all those people that Whitney's gin turned out of employment, and if the invention of that gin was favorable to the protection of American labor?

Mr. FRYE. I have heard men who lived away up in some back country among the hills, and never approached civilization more than once in fifteen or twenty years, declare that when a railroad was built there would not a horse be sold in the whole length and breadth of the land. When Arkwright's machinery was invented, there were men who saw no further than over the glasses on their own noses who predicted that the world of labor was coming to an end, that women must weep and men must starve. Does the Senator from North Carolina want to go back to five pounds of cotton ginned in a day by one man?

Mr. VANCE. The Senator is not treating my question fairly. I asked him what became of those people, as he says the gin was favorable to the protection of American labor.

Mr. FRYE. Up in our country, I am happy to say, they are all at

work, every man who wants to work, and for good, fair wages, enough, if he is a temperate, sober man, to lay by every year something in the savings-bank for a rainy day.

Rhode Island, Massachusetts, and Pennsylvania, in addition to your duties under your tariff, once paid bounties to machinists, and they did well. A few years ago a few mule-spinners would come over from abroad, go into one of our mills, on Sunday get drunk, Monday would strike, and all the machinery in the mill stopped absolutely, and all over our country where we manufacture we were at the mercy of a few mule-spinners, ready at a moment's notice to strike, wages or no wages, high wages or low wages. The inventive genius of the machinist supplied a machine which now enables us to say to the mule-spinners, "Leave if you please; there is a machine that will do your work even with a boy attending it." The success of our machinists, as I say, has been perfectly magnificent, and it is due entirely not to protection but to absolute prohibition for seventy-five years. To-day we make better machinery than England can possibly make. We have better iron to make it of. We build our machinery more elegantly, more gracefully, using the weight of iron only that is needed, while England, having iron at low cost, uses it regardless of grace or strength, and their machinery can not compare with ours for the weaving and spinning of cotton goods or woolen goods or silk goods. This is a tribute to protection given us by England's policy of prohibition.

I say, Mr. President, that the proposition of 35 per cent. ad valorem on machinery is absurd, one-half of the machinery being raw material and paying a duty under the same bill that makes that 35 per cent., of from 45 to 50 per cent.; and yet the Senator from Mississippi and the Senator from North Carolina ask that it shall be put down to 10 per cent. Under the 35 per cent. I suppose our machinists will still struggle along, now and then halting, now and then falling, but still struggling along. Under 10 per cent. they die the death forthwith, and cotton manufacture in the South dies with it, as it ought to if Senators who represent the interests of the South commit the murder.

I have no doubt that they can manufacture cotton goods in the South. They ought to be able to do it. Capital will pour in there, machine shops will be built there, but it is in spite of an effort for fifteen years on the part of the South to destroy the industries of the South and destroy the building of machinery in this country. The Congress of the United States has had more sense than the gentlemen who represent the South as to that particular business.

Mr. President, I have kept silent through this whole discussion on the metal schedule, because it is a subject I know little or nothing about, and I believe I make it a rule never to talk about anything in the United States Senate that I do not think I can give some honest light upon, and that is my only excuse for these remarks which I have made. I thank the Senate for its indulgence, and I sincerely hope that Senators from the South will not undertake seriously to reduce a duty which is the lowest on any manufactured article in the whole schedule, a duty which is smaller than that on the materials going into the manufactured article, and that they will appeal for capital on some better ground than that after the capital has been invested it shall be forced to go to England to buy its machinery, and from year to year for its repairs.

Mr. VANCE. Mr. President, I had hoped from my knowledge of the Senator from Maine that in his remarks to-day, to which I have listened with pleasure, because I wish to obtain all the information I can on this important subject, he would have gotten out of the rut and have given us something new, but it is the same old formula about a struggling industry that will perish if the duty is not retained, and so on and so on. All that I would have deemed it unnecessary to reply to but for his allusion to what he said was my disregard for the paupers of my own country. By the way, we have none there, Mr. President. I think North Carolina will show fewer paupers supported by the public than any State in this Union.

Mr. FRYE. If the Senator will allow me I should like to change that word if I used it. I did not mean to speak of the paupers of North Carolina; I simply meant to say the poor men there whom the Senator was talking about. I meant nothing invidious. You have no more poor men than we have.

Mr. VANCE. I took it not at all invidiously. It is a word used all the time in discussions in relation to labor. We have some paupers in my State, and we send them to the poor-house and let the county commissioners provide for them. We do not build a marble palace for them and support them at public expense on better food than we ourselves have.

Now, in relation to the Senator's argument that with all the ores in the earth and facilities for manufacturing iron, we preferred to let them lie there and to feed the hungry paupers of Scotland, England, and so on. True we have not believed in the doctrine of taking that iron out of the earth unless it paid and was profitable to do so. If a man has an iron mine in my country he does not think that because he is unable to buy a pick and hire a man to dig it out for him in consequence of a neighbor living across the river having been at it longer and being better prepared for it so as to get it out a little cheaper, it is therefore necessary to tax all the neighbors around to pay him for hiring a man and buying the pick and getting the iron ore out. We do not believe in that. The Senator does.

I do not believe for one, and I hope the people whom I have the honor in part to represent, do not believe that this cry of protection to American labor is a sincere one. We believe it is hypocritical; we believe that in the Senator's own country he employs foreign labor whenever he can get it cheaper than American labor; and not only that, as was said by the Senator from Massachusetts the other day, that they welcomed everybody that would come here to take part with us and to become a citizen and a member of this great Republic and so on and so on—not only that, sir, but they welcome with open arms the introduction of the Chinese, not the better class of Chinese, but the refuse of Chinese society, the off-clippings of the fungus growth upon that society, and that never comes here to stay and become citizens. I believe there is but one instance of a Chinese subject ever having been naturalized in this country. They come professedly to make money by underworking the American laborer, and when they get a certain amount they go back to China. But those men are welcome, and for their welfare, in the sacred name of American labor, we are called upon to submit to taxation.

Not only that, Mr. President, but we know as a fact, and I have never heard it denied, that Canadians swarm cross the border into the country of the Senator who has just spoken, and work for a certain period of time until they get so much money, and go back to their own country, without any reference to becoming citizens at all, and *they* are welcomed with open arms, and we are called upon to levy a tax upon all the American people in behalf of that "American" labor!

Mr. President, in relation to this subject, I have a letter in my hand received from a citizen of New Hampshire, who signs his name, and I would send it to the Secretary's desk and have it read but that I fear the Secretary can not read it without a little preliminary examination as it is a difficult hand to read. I will therefore read it myself. Senators will be kind enough to listen to it:

TILTON, N. H., *January* 24, 1883.

DEAR SIR: I read with interest a synopsis of the debate in the United States Senate the 19th instant, in which you participated with good effect—

I am much obliged to him for his compliment—

The large introduction of Canadians is a striking illustration of the especial care manufacturers manifest for American labor, and furnishes conclusive evidence that they buy that commodity when and where they get it the cheapest.

This race throng our cotton manufacturing towns, and are a majority of the operatives in the mills.

Absolutely a majority, he asserts.

The Kanuck and wife, their children over 8 years of age, accept employment at prices named by the agent or overseer.

Their tenements of three rooms or two, and sometimes one, make ample shelter for all purposes for families of half a dozen or more. The wife earns her per diem except for a week before and after child-bearing.

Another peculiarity is a disregard for common schools. Our laws for compulsory education are very often avoided, and comparatively few comply with the regulations prescribed by the various boards of education or of prudential committees. Twenty-five to forty cents daily earned is of far more importance than rudimental learning in their estimation. I am informed that in Rhode Island such legislation has been defeated (compulsory attendance), and the potential agency of the manufacturing interests accomplished it. With this population the Sabbath becomes a holiday, sometimes ending in dances and drunken orgies within the shadow of our churches. As a rule, they are faithless, without honor in discharging their debts. Slight causes are sufficient to make them call for private or public charity, even when they have abundant funds at their command. They leave their Canadian homes for temporary purposes only, to earn money to discharge a mortgage, to make an advance payment, or to improve their premises, as the case may be.

Their reputation compels every prudent man who deals with them to ask for an assignment of wages.

With this precaution they beat the tradesman and the farmer out of large amounts wherever they locate.

They avoid taxation when possible, and contribute to no public charity or improvement. Their one purpose is to get money and keep all they can by means fair or foul.

One-third the population of Manchester, one-half of Suncook, with a heavy mix tn Laconia, Tilton, and Franklin, has been the result of a few years' development.

With such an element distributed in every neighborhood and permeating to a greater or less extent every manufacturing establishment, it is no use for protectionists to mouth homilies on the dignity of labor, or shed tears on account of the pauper labor of Europe. By such contact our own is already degraded. From eleven to thirteen hours' toil in the dust and clatter of cotton-mills six days in the week give ample sanitary cause for recreation the seventh, even if it rasps on New England notions of theology.

The transportation by railroads of these swarming squadrons of foreign laborers from Canada, and their consequent return, has become a very important element which continually adds to their receipts. In value it quadruples the total of summer travel through our State to the mountains.

This plant which has its origin in the ordinary working of our manufacturing interests, which purchases labor as it does cotton, wool, or shoddy in the cheapest market, results annually in an aggregate of paupers' bills and unpaid debts to middle-men which would almost vie in magnitude with the profits of our manufactories.

For twenty years with such surroundings American labor has struggled, handicapped with taxation almost malevolent. There has been no increase of wealth, no gain to show for two decades of persistent work with close-cut economy among the laboring classes. The small farmer, the mechanic, the factory operative, and the day worker, nine out of every ten, have just lived and made no advance except toward old age.

It is hypocritical cant or downright dishonesty for any intelligent New Englander to pretend to manifest anxiety or fear from the pauper labor of Europe when right in their eyes Canada swarms its inhabitants by thousands into our manufacturing centers where they are welcomed with hospitable hands. There is not a representative in Congress from New England but knows it, unless he is stupidly ignorant of a problem which is a common topic in almost every household. The pauper labor of Canada is a physical and moral parasite which deprives our own labor of just recompense and tends largely to demoralize and corrupt the community wherever it is employed. There is neither dissent nor

warning voice in behalf of the American laborer or good morals as against this Canadian exodus. The pretense of protectionists is too thin. To buy cheap and sell high is an immutable fixture to humanity. No man or corporation in the long run but adheres to the principle. It is inherent because it is natural. To deny it is stultification and falsehood. But I started to ask the favor of a copy of your speech if published, or a more complete text than appeared in the Boston papers. If not too much trouble, I will esteem it a favor to be remembered.

Yours, very respectfully,

FRANK J. EASTMAN.

Hon. Z. B. VANCE, *United States Senate.*

I should like to see the Senator chew over that a while. There it is, from a citizen whom I do not know, but he gives his name, and he gives his town, and he gives the figures, and writes very intelligently as you will all judge from hearing it read. He says that there has been no increase of wealth for twenty years. He says that the farmer, and the day laborer, and the mechanic, and such classes have made no advance; their only advance has been toward old age. And all of that is effected by this influx of Canadian labor, immoral as it seems to be, demoralizing in every sense, which comes over here to underwork and underbid for labor the genuine American citizens, and the money collected on this pretense of protecting the American laborer goes in this way.

Mr. DAWES. The letter which the Senator from North Carolina has read comes from New Hampshire. I have no personal knowledge of the condition of the operatives in New Hampshire; I only infer that if they were very much worse in New Hampshire than in my own State, they would not be able to keep them there a great while. I will give the Senator a few figures in reference to the condition of the operatives in my own State, and he can judge whether what is stated there to be true of the operatives in New Hampshire is true of the operatives in my own State.

Mr. VANCE. I did not know that I had yielded the floor, sir.

Mr. DAWES. I thought the Senator sat down.

Mr. VANCE. I do not look as though I was sitting down, do I?

Mr. DAWES. Not at this moment, but the Senator was actually sitting down when the floor was awarded to me. I beg the Senator's pardon.

The PRESIDING OFFICER (Mr. ANTHONY in the chair). The Chair thought the Senator from North Carolina took his seat and recognized the Senator from Massachusetts.

Mr. VANCE. I was very nearly done. I have just a word to add. I supposed the Senator rose to ask me a question and I paused to hear the question. If the Senator has anything to say in relation to this statement I will yield to him.

Mr. DAWES. I will not interfere with the Senator's speech. The Senator was sitting down and I addressed the Chair, but of course as the Senator had not concluded his speech, I will not interfere with him.

Mr. VANCE. The Senator is mistaken, but let that go. I was not sitting down.

Mr. President, as I was going to remark in conclusion, I know nothing of the gentleman who writes the letter, but I think it has been charged here over and over again, in fact I have charged it myself without denial, that this Canadian labor is employed. There is no harm, as I always contend, in buying your labor as you buy anything else, where you can get it cheapest, but I do not want the people to understand that the laborers who come here from Canada come to make citizens. I do not want people to understand that we are so anxious to help the citizenship of the country that we take in Chinese for such time as they shall see proper to stay and at the same time heavy taxes are to be levied for the benefit of American laborers, which in fact go to Chinese and Canadians. In other words, if heavy taxes are levied for the benefit of American laborers, I want the American laborers to get the benefit. I am willing for them to get it, though I am not willing that it shall come off my people who labor. I do not want to tax a man who is getting $10 a month 50 per cent. upon everything that he buys, eats, drinks, or wears; I do not want that man to pay high protective tariff duties for the benefit of the American laborer when that American laborer is a Kanuck or a Chinaman who does not intend to stay here and become a citizen of this country.

Mr. DAWES. Mr. President, the Senator from New Hampshire will of course speak for the condition of the operatives in New Hampshire, and I did not take the floor to interfere at all with that matter. The Senator from North Carolina has not only finished his speech but he has disappeared from the Senate Chamber as far as my eyes serve me.

Mr. VANCE. Will the Senator take notice of my presence, if he pleases?

Mr. DAWES. The Senator's drift this morning is that we are exposed to the influx of foreign labor. That at this moment is the alarm of the Senator. The poor, miserable foreign labor, he calls it, and so does his correspondent, and their condition has been described by him to be very abject and their servitude very deplorable.

So far as my own State is concerned, largely engaged in manufacturing, and employing equally and indiscriminately foreign and native born people, the former come into the State, as they suppose, for the purpose of bettering their condition, and they do not leave after any considerable experience of their treatment. Their number is increasing constantly. The proportion of those who come from abroad into our State is greater now than at any other time. The laws of Massachusetts require that every person employed in a manufacturing establishment between the ages of 5 and 16, I think, or about that (I will not undertake to be definite, but within about those ages), shall attend a public school thirteen weeks in every year, and any man who employs them without securing to them that much of free public education in the schools of Massachusetts is liable to indictment, and a penitentiary offense it is, too. There are officials in Massachusetts whose business it is to go about the Commonwealth and see to it that that law is enforced. There are a great many operatives in our mills, ranging from very tender years up to the maturity of manhood and womanhood. The employers are obliged to see that all those within those years attend the public schools. As to the operatives themselves, their miserable condition, to which I commend the Senator from North Carolina, and I sincerely regret that he does not take counsel of his eyes and come and see the miserable condition of the operatives in these States.

We have savings-banks in Massachusetts. Perhaps the Senator from North Carolina may know upon what terms and what is the basis of a savings-bank. Into these the people of Massachusetts, if they want to lay up for a rainy day their small earnings, deposit them. The law declares that no man shall make a deposit larger than a thousand dollars in any one savings-bank, so that there have got to be as many depositors as there are thousands of dollars. A man makes a deposit up to a thousand dollars for himself, and then his wife, if she earns it, makes another of a thousand, and then each one of his children, if they earn as much, do the same. In this twenty years which the Senator has been reading about in New Hampshire the people of Massachusetts have deposited more than $200,000,000 in these savings-banks. I think it is $265,000,000; it is either $265,000,000 or $235,000,000. You can see how many deposits there must be. There can be but a thousand dollars deposited in any one name in any savings-bank.

We have an officer who is at the head of a bureau of statistics in Massachusetts, and he has investigated and reported to the Legislature of Massachusetts from his individual investigation the character and business of every depositor in the savings-banks, and three-fourths of them all are those who earn their living by their daily wages. Three-fourths of all this $235,000,000 or $265,000,000 deposited in that time in the savings-banks of Massachusetts is the wages of labor deposited at the end of each month as a portion of that saved from their earnings against a day of misfortune or of sickness that may come upon the operative.

That is the condition of the operatives in my State; that is how they have prospered. They live upon their own earnings, paid to them by the owners of these mills, and encouraged by those owners to deposit them in the savings-banks of Massachusetts where they draw interest; and this is the proportion of them all which I have given. They are living in comfort and in competence, in good houses, in comfortable homes. They are obliged by the laws of the State to send every minor between the ages I have stated, boy or girl, to the public schools in Massachusetts. They participate in our government; they share in all that our citizens desire to share in; they share the burdens of the State; they participate in its honors and they become citizens of the State and of the United States, more and more every year identifying themselves with our institutions and with yours.

I should like to ask the Senator from North Carolina if there is any such condition of things anywhere as he and his correspondent represent, of which I never had any knowledge? I am certain it could not exist on the borders of Massachusetts, because those who dwell on the borders of Massachusetts could not be kept out of these opportunities I have spoken of.

Mr. VANCE. Will the Senator allow me to ask him a question?

Mr. DAWES. Certainly.

Mr. VANCE. I want to ask him if Mr. Edward Atkinson, who took the census of the cotton statistics for the Government, did not report that the average wages of the cotton operatives in Massachusetts were 85 cents, and if Mr. Wright, the commissioner of the industrial bureau of his State, did not report that the wages of the operatives in cotton were not sufficient to support them unless they put their women and children to work?

Mr. DAWES. I do not know whether he did or not. I only know that the cotton operatives will pay the money as I have told you, and not only will pay that money but live in as comfortable homes as anybody in the United States who depends upon his earnings for his daily bread. I know that the cotton-spinners in Massachusetts do not want for the comforts of life. I know that there is nothing that can contribute to the comfort and welfare and health and growth and development of man or woman in Massachusetts that is not within the reach of every cotton-spinner in Massachusetts.

What I wanted to ask the Senator when he interrupted me is, if there is any such condition of things where poor, abject operatives come from foreign countries here, what does he propose to do about it? Does he propose to exclude them? There was a time when the Senator entertained such a doctrine as that, but I thought that the folly as well as the unrepublicanism of that idea had passed out even of the mind of the progressive Senator from North Carolina. They are here. They have a right under the Constitution to be here. What does he propose to do with them? Does he propose to wage a warfare upon them and by unfriendly legislation or an unfriendly economical policy of this

Government to drive them out, or does he propose to adopt such a policy as will better their condition and acclimate them and assimilate them to American citizenship and to American ideas and to American opportunities? I should like to have the Senator define the policy with which he proposes to deal with a question which has stalled him so this morning and in the letter which some man has sent him from New Hampshire.

New Hampshire is not worse in this condition than any other sister State. If there is such an awful condition of things as is represented there—if it be a truthful representation—there is a problem before the Senator from North Carolina to which he would as a patriot and a statesman do well to address himself, and see whether it is not worth while for us to adopt more and more the policy which shall keep all the labor in this country to be performed by the laborers here, whether it is any encouragement to the idea that we can get along without bringing the laborer and the work and the capital here? To my mind such a condition of things, if it is a truthful representation, is only another stimulant to protect labor here, to see to it that we omit no opportunity in regard to the poor, abject operative he describes as coming across the border, coming here to be employed, to give him something to do, for if he has work he is worth something. It is the idle vagabond that this nation has to fear; it is not the operative who has something to do, whose body and whose mind are employed, and who finds no time to plot mischief or disturbance in society. The men who organize strikes, the men who are exciting riots, the men who are disturbing public opinion are not the men who have enough work to do.

Sir, I see nothing in the representation of the Senator from North Carolina that to me encourages the policy which he has been struggling here so long and so constantly to make prevail in this country, of bringing the manufactured article here rather than bringing the raw material and doing the work here.

Mr. ALDRICH. Mr. President, the Senator from Massachusetts has very properly explained that the large influx of foreign laborers into New England is owing to the advantages and benefits which they find in that community. It is true undoubtedly, as the Senator from North Carolina has said, that the special agent of the census has reported that the average earnings of all operatives in Massachusetts is 85 cents per day. The same agent also reports that the average wages of the same class of operatives in the State of North Carolina was 42 cents per day—a little less than one-half the wages paid in the Senator's own State than in the State of Massachusetts. This certainly accounts for the immigration of French Canadians into Massachusetts rather than into North Carolina.

I wish to allude very briefly to the portion of the Senator's amendment in relation to the manufacture of textile machinery. There are now in the United States engaged in the manufacture of textile machinery 25,000 persons, mostly male adults and mostly Americans, earning the highest wages as skilled mechanics and machinists, with at least 100,000 persons dependent upon their earnings. The amount of capital employed in this industry is $25,000,000. The present rate of duty on textile machinery is 45 per cent. on manufactures of steel and 35 per cent. on manufactures of iron. In addition to this a duty is charged upon the cost of inland transportation and upon the cost of packages, which, as the Senator from Maine [Mr. FRYE] has very well shown, is very large in this case. Machinery, in the first place, has to be incased in tin and then afterward in wood. I believe that the cost of this packing and inland transportation will equal at least 10 per cent. of the cost of the machinery, so that by fixing a rate of 35 per cent., as the Senate did upon the motion of the Senator from Ohio on Saturday, I think that we have actually reduced the duties upon machinery at least 15 per cent. from the present rates.

At present rates the manufacturers of textile machinery in this country have no more than an even chance with the English manufacturers. The American manufacturer has to pay 40 or 50 per cent. more for his raw material. The cost of skilled labor amounts to about one-half of the total cost of the production. At the rate already adopted there is hardly an article in the whole range of manufactured articles as little protected as textile machinery.

We now have a proposition from the Senator from Mississippi, seconded by the Senator from North Carolina, to place the duty upon textile machinery at 10 per cent. With the duties upon raw materials ranging from 40 to 50 per cent., with the price of skilled labor in this country at least 50 to 75 per cent. higher than it is in England, we can readily understand what the effect will be.

Mr. GEORGE. Will the Senator from Rhode Island allow me to interrupt him?

Mr. ALDRICH. I will; certainly.

Mr. GEORGE. I ask the Senator why not reduce the tariff upon the raw material out of which this machinery is manufactured?

Mr. ALDRICH. We have not been able to do it because a very large majority of the American people and a majority of the Senators voicing their sentiments are, I believe, in favor of protecting the labor which enters into the cost of iron and steel.

Mr. GEORGE. Let me ask the Senator another question. Why can not we make a provision exempting the raw material used by the manufacturers themselves and not the raw material generally? Why can not some regulation of the Department be made by which they would get the raw material in free?

Mr. ALDRICH. As I understand the proposition of the Senator from Mississippi, it is that raw material which nobody has a use for shall pay a duty, but that all raw material that is to be used shall come in free?

Mr. GEORGE. I make no proposition, but I make a suggestion. You object to reducing the duty upon machinery because you say that the raw material is taxed 40 to 50 per cent. I make the suggestion, which is a proper one, that the material imported by the manufacturers of textile machinery, under proper regulations of the Treasury, be admitted free of duty, and then you get rid of that trouble.

Mr. ALDRICH. I should like to ask the Senator from Mississippi if he desires to reduce the earnings of labor in this country to the standard of European countries?

Mr. GEORGE. I do not.

Mr. ALDRICH. How else can you accomplish this result except by protecting our laborers?

Mr. GEORGE. I answer that question by asking the Senator one. Does he desire the labor of the South to be brought in competition with Chinese labor in the raising of cotton with the ryots of India, the fellahs of Egypt, and to have the price reduced to the standard which is paid them, and if not how is it to be done, as we can not prevent it, as we can not put a protective duty upon cotton?

Mr. ALDRICH. The Senator from Mississippi knows as well as myself that the laws of the United States apply equally to the laborers in Mississippi and to those in Rhode Island, that there is no distinction. Your sugar, your rice, and other products are protected the same as the productions of our people in the North.

Mr. GEORGE. Will the Senator state what product of Mississippi is protected by this tariff? I have never found one.

Mr. ALDRICH. If none are protected it may be for the reason that a Senator on this side gave in regard to Nebraska, that you have none to protect.

Mr. GEORGE. We have got very little left under the operation of the protective tariff, I admit.

Mr. ALDRICH. There can be no question, and I presume every Senator on the other side will admit this, that the effect of this amendment would be the absolute destruction of every machine-shop and every manufacturer of textile machinery in the United States. That is apparent on the face of it.

Mr. GEORGE. Then allow me to say, if you please, that the continuance of this protective system is the absolute destruction of all the labor of the South.

Mr. ALDRICH. This proposition, in brief, stripped of the array of words with which the Senator from Mississippi and the Senator from North Carolina have seen fit to surround it, is to willfully destroy a great American industry, for the reason coolly stated that you may pay a bounty to manufacturers in the South, and this from gentlemen who consider themselves free-traders *par excellence*.

Mr. VANCE. Will the Senator allow me to ask him if his people have not been in receipt of a bounty ever since this tariff was levied?

Mr. ALDRICH. My people have enjoyed no privilege under our laws and Constitution that have not been enjoyed equally by the people of the State of North Carolina, and I do not ask that they shall in the future.

Mr. VANCE. My proposition proposes to allow your people the same privilege that my people have, and we do not ask any exclusive privileges over you.

Mr. ALDRICH. I will say to the Senator from North Carolina that the little State which I in part represent on this floor has more interest in dollars, in the amount of machinery employed, and in the amount of persons employed, than all the Southern States put together.

Mr. VANCE. Not if I should file a bill in equity against the State and follow the fund, sir. My people would take the biggest share of it.

Mr. ALDRICH. I am not saying what might be, but I am saying as to what is. I say that the people of the State of Rhode Island have more interest to-day in the manufacture of cotton goods than the thirteen Southern States united. I say, also, that those people are interested in anything which will reduce the cost of cotton manufacturing. If you reduce the duty on textile machinery to 10 per cent. it applies equally to Rhode Island, to North Carolina, and to Mississippi. I say that the manufacturers of Rhode Island, interested as they are in this question, do not ask and do not desire that this industry shall be stricken down. Why? From the inception of these industries the business of machine building and that of cotton manufacturing have walked hand in hand. Samuel Slater came to Rhode Island from England disguised as a farmer, the laws of England forbidding his emigration as a mechanic, and there founded both these great industries. He aided in the establishment of the first machine-shop in this country, and the two industries have stood side by side and prospered together and suffered together from that day to this.

The Senator from Massachusetts [Mr. HOAR] the other day described in eloquent terms the benefits and advantages which have resulted from the wonderful invention of Eli Whitney. The history of cotton manufacturing and the history of textile machinery of this country are full

of similar cases, perhaps not as conspicuous as the invention of the cotton-gin. Well-managed and well-equipped machine-shops are necessities in a manufacturing community. If you have no facilities for making and repairing machinery, you can have no successful manufacturing.

Mr. GEORGE. Will the Senator from Rhode Island allow me to interrupt him?

Mr. ALDRICH. Certainly.

Mr. GEORGE. I call to mind now—probably there are more—five successful cotton factories in Mississippi. One of them, at Wesson, is, I believe, as prosperous as any in the Union. There are two at the city of Natchez. There is one in the country in Lauderdale County, seven miles from any village, and another one I believe in Clarke County, or near the line of that and Lauderdale, also remote from any village, remote from any machine-shops. Yet they are all successful, every one of them, so far as I learn.

Mr. HOAR. Then will the Senator tell me, if they are succeeding under a tariff of 45 per cent. with 10 per cent. added for packages and transportation, why he charges us with ruining them under a tariff of 35 per cent.?

Mr. GEORGE. I do not catch what the Senator says.

Mr. HOAR. I asked the Senator from Mississippi if it was true that under the existing tariff, which put a duty of 45 per cent. on machinery so far as it is made of steel, with the addition of a duty amounting to 10 per cent. for the packages and the inland transportation, how it is that he claims this manufacture will be ruined if we reduce the duty to 35 per cent.? He says they are flourishing under the present tariff.

Mr. GEORGE. I did not say that the factories which are already established in Mississippi would be ruined if my amendment was adopted. I did not state that.

Mr. HOAR. But I understood my honorable friend from Mississippi to say that under a tariff nearly 20 per cent. higher than is now proposed there had been created, and of course the beginning of an establishment is always its hard time, manufacturing establishments as successful as any he ever knew in his own State. My question to him then is how is it that he claims that with our large reductions new industries will not spring up or old ones be injured?

Mr. GEORGE. The answer to that was furnished by the Senator from North Carolina and also by me. We have not got the capital to buy the machinery. I have in my mind now three large, harmonious, well-arranged, well-adapted manufacturing buildings in the State of Mississippi, one at Carrollton, one at Canton, and one at Corinth, the buildings standing idle, the capital having been exhausted in making the buildings, for want of means to buy machinery to put in them.

Mr. ALDRICH. I should like to ask the Senator a question. As I have the floor, perhaps I might be permitted to ask one. I ask where he expects to get the capital from?

Mr. GEORGE. I will answer that in this way: If it takes $1,000 worth of machinery we might raise $1,000, but if it requires $1,450 we might not be able to raise $1,450. We have to make small beginnings, and the cheaper you make the machinery, the cheaper you make the building, the sooner we will be able to raise the capital to establish a factory. That is the answer to it. We might be able to raise enough money to start a small factory if we were allowed to get our machinery cheap, when we could not raise enough if we are taxed 35 or 45 per cent. in addition.

Mr. ALDRICH. I believe that the success of cotton manufacturing in Mississippi and in Rhode Island will not depend upon the abundance of water-power which the Senator says they have in Mississippi, nor upon the bounty of the Government of the United States. It will depend upon the skill, upon the energy, upon the enterprise of her people, and until this is secured you never will have any capital, you never will have any manufacturing industry of any importance.

The manufacturing industries in Mississippi will prosper when her people learn to keep pace with the civilization of the age. Then cotton manufactures will succeed in your State, and then you will have sufficient capital; it will pour in from every quarter. We have large amounts of capital in New England waiting profitable investment. But I have said more than I intended. I merely wanted to impress upon the representatives of the South that cotton manufacturing will never succeed in that part of the country unless it is accompanied by the prosperity of the mechanics, machinists, and builders of machinery.

Mr. BECK. Mr. President, I did not expect to take part in this debate, but there is a suggestion I desire to make for the consideration of Senators on both sides; while it may have been suggested I did not hear it. The cotton manufacturers of the North had the tax upon their fabrics raised at the close of the war, in 1866 or 1867, from about 30 to 50 per cent., principally because an internal tax of 3 cents a pound or $15 a bale was imposed upon the cotton that was raised in the South.

Mr. ALDRICH. Will the Senator allow me to interrupt him?

Mr. BECK. I will.

Mr. ALDRICH. I will say that the duties fixed upon cotton manufactured at the time to which the Senator has alluded were not greater, if my memory serves me, and I think it does, correctly, than that fixed upon the motion of Mr. Clay, seconded by the efforts of John C. Calhoun, in 1816.

Mr. BECK. Does the Senator say that the tax upon cotton goods is no higher now than it was in 1860?

Mr. ALDRICH. In 1816?

Mr. BECK. I ask the question, Is not the tax on cotton goods double now what it was in 1860?

Mr. ALDRICH. I think perhaps it is.

Mr. BECK. That is all I mean to say, and to repeat that the excuse for doubling the tariff tax upon cotton goods was mainly because a tax of 3 cents a pound was imposed upon the raw cotton of the South which the New England manufacturers claimed properly was a tax upon their raw material, and as a consequence the cost of the manufactured articles to all the people was doubled because of the tax upon the raw material. That tax upon the raw material was removed after three years. It took $65,000,000 out of the pockets of the poorest class of producers in the South at the time when they were the most oppressed people upon earth; with their system of labor broken up, their homes, their property all gone, and struggling to make a new beginning. Yet, under these circumstances, from $60,000,000 to $65,000,000 was taken out of their pockets from a product three-fourths of which was exported. Your Honor knows, I was about to say, thinking you were still on the bench, how able the arguments were before the Supreme Court against the constitutionality of that law. I never have doubted that it was an unconstitutional tax upon exports; but I was not on the bench and had not the decision of the question.

These New England manufacturers received the benefit of the increased tariff. That cotton tax was repealed eighteen years ago, but the tariff that was imposed to compensate them for the tax imposed upon the cotton still remains, and all the people have to pay it. Now, the Southern people are asking for a chance to make a start to manufacture their own cotton. After having had $65,000,000 taken illegally from them out of a purely agricultural product, three-fourths of which went abroad; after the doubled tax upon the cotton goods has been pocketed by the New England manufacturer for eighteen years after the tax on cotton has been removed, it seems a little hard.

Mr. ALDRICH. Will the Senator allow me to correct him?

Mr. BECK. Yes, sir; of course.

Mr. ALDRICH. I find that under the free trade tariff of 1846 the duty on manufactured cotton was 25 per cent.

Mr. BECK. The average of it now is what?

Mr. ALDRICH. It was increased in 1861 to 30 per cent.

Mr. BECK. That 30 per cent. of increase has been retained to this day, and the present bill proposes to increase it still more upon many of the articles of cotton, as we will see when we come to them. So much for that.

The pauper labor of Europe is paraded as being another reason why the tax should be kept up. I am not going to argue all these questions. The South has to compete, of course, upon terms of absolute equality with New England, with all her magnificent machinery and with all her advanced processes of manufacture, the South in her impoverished condition having had taken $65,000,000 from the products of her fields in the form of a tax that was made the excuse for doubling the tariff, which the New England men have had for eighteen years since that tax was repealed, and which they are hanging on to now with the tenacity of death and asking for more. The question of wages being so often alluded to, I wish to quote the highest authority we have, which contradicts much that has been said. I do not mean the roving commissions which are employed to go and furnish falsehoods, but the official reports of the consuls of the United States and the Secretary of State of the United States in an official communication sent to the Senate for our information, which I shall now read. I read from the report furnished by Mr. Blaine, Secretary of State. His statement on cotton, labor, and wages is made up from the reports of his consuls in Europe, particularly Consul Shaw, who was a very able man. Says this report:

> Owing to the different arrangements of the English and American tables of wages, it is difficult to give comparative analysis thereof which would show at a glance the difference in the wages of the operatives of both countries.
>
> The wages of spinners and weavers in Lancashire and in Massachusetts, according to the foregoing statements, were as follows, per week:
>
> *Spinners:* English, $7.20 to $8.40 (master spinners running as high as $12); American, $7.07 to $10.30.
>
> *Weavers:* English, $3.84 to $8.64, subject at the date on which these rates were given to a reduction of 10 per cent.; American, $4.82 to $8.73.

Mr. ALDRICH. I should like to ask what the Senator from Kentucky is reading from?

Mr. BECK. I am reading from the reports of consuls of the United States laid before Congress by Mr. Blaine when Secretary of State.

Mr. ALDRICH. Compiled by whom?

Mr. BECK. Compiled at the Department of State.

Mr. ALDRICH. But the Senator is reading from what?

Mr. BECK. I am reading from that official paper, and as it was more convenient I am reading it from a speech I made last year, which the Senator from Rhode Island heard and did not then care to deny.

Mr. ALDRICH. Then I enter my denial now.

Mr. BECK. Does the Senator deny the fact that I state the truth when I say the American consul reported it and the Secretary of State sent it to Congress?

Mr. ALDRICH. I deny as explicitly as can be the assertion that any such state of affairs exists.

Mr. BECK. The truth is that whenever we get an official statement from any source that is not made in the interest of those people they employ just such men as Mr. Porter, whose record is not very savory in many things, and send them to other countries to make statements to suit themselves. I rely upon the official statements of the United States officers. Mr. Shaw was the consul at Liverpool, I believe. Mr. Blaine was Secretary of State, and the comments of Mr. Blaine are here. I propose to read them now to deny the truth of the hirelings who are sent abroad to traduce other people, as they are doing in the newspapers to-day.

The average wages of employés in the Massachusetts mills is as follows, according to the official returns: Men, $8.30; women, $5.62; male children, $3.11; female children, $3.08. According to Consul Shaw's report the average wages of the men employed in the Lancashire mills on the 1st of January, 1880, was about $8 per week, subject to a reduction of 10 per cent.; women, from $3.40 to $4.30, subject to a reduction of 10 per cent.

The hours of labor in the Lancashire mills are fifty-six; in the Massachusetts mills, sixty per week. The hours of labor in the mills in the other New England States, where the wages are generally less than in Massachusetts, are usually sixty-six to sixty-nine per week.

Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor. If this should prove to be a fact in practice—

This is the comment of the Secretary of State in an official communication to Congress, as I understand it—

as it seems to be proven from official statistics, it would be a very important element in the establishment of our ability to compete with England for our share of the cotton-goods trade of the world.

In the two prime factors which may be said to form the basis of the cotton manufacturing industry, namely, raw material and labor, we hold the advantage over England in the first, and stand upon an equality with her in the second.

Having the raw material at our doors, it follows that we should be able to convert it into manufactures, all things else being equal, with more economy and facility than can be done by England, which imports our cotton and then manufactures it in her mills. The expense of handling, transportation, and commission must be an important item in this regard as compared with our turning in the fiber from the cotton-fields to our mills and shipping it in the advanced form of manufactured goods. Add to this the secondary fact that it costs us no more to handle and manufacture the same than it costs in England, and we stand on an undoubted equality thus far in the race of competition.

That is the language of the officers of the United States. I place it against all the statements of the men who are hired to ascertain such facts as may suit the men who hire them.

Nothwithstanding the demand for further protection on the part of the people of New England in regard to their cotton industries, I repeat again from the record that a distinguished Representative from Massachusetts, General Banks, on the 7th day of May, 1878, placed on the records of Congress, the statement, which I shall read, in regard to the reductions that they could afford to make in the cotton industries, and so in regard to the woolens and the silks and all the other great industries which we are all denounced now as laboring in the interest of foreign paupers if we dare to ask even a slight reduction on.

Mr. Banks, when the Democratic party had control of the House, believing that we would endeavor to do something decent—that is the best word—in the way of reducing taxes in the interest of the people, said:

Therefore, sir, when I was placed by the honorable Speaker of the House upon the Committee on Ways and Means and was notified by the chairman that we were to consider a bill for the reduction of the duties upon imports, I said to the people whom I represent: "It is better for you to consider the condition of the country, ascertain what is necessary for the full security and protection of the interests in which you are engaged, and make a statement, if you please, to the committee of the House, setting forth what you think will be expedient, necessary, and just for the Government and yourselves." Now, sir, these gentlemen did not act upon this question as extremists, but as judicious friends of American industry and the Government which they serve and honor. These papers which I hold in my hand bear the official signatures of the authorized representatives of one hundred and twelve manufacturing corporations and firms of New England, in which they themselves suggest and consent to reduction of duties upon an extended and complete list of articles of foreign manufacture which come actively and directly in competition with the industries in which they are engaged, rising from 10 to 20, 30 40, and 50 per cent. upon the present schedule of duties upon such importations. More than a hundred and twelve corporations and firms of cotton and woolen manufacturers alone, of their own choice, and after repeated conferences, in which all the interests of the textile fabrics of this country were considered, high and low, made this proposition.

Mr. ALDRICH. I will say to the Senator from Kentucky that the bill now before the Senate adopted by the Committee on Finance was recommended for adoption by the same manufacturers who recommended the schedule presented by General Banks, and that the reductions of the bill now before the Senate are even greater than they were in the bill presented by him.

Mr. BECK. I have seen the calculation made in regard to the bill presented to the House of Representatives, and each item of it figured up carefully there is an increase over the present schedule, taking it as a whole, of over a million dollars. I have not yet figured up the bill as presented here, but the Senator from Rhode Island will find, when the change of classification is considered, that there is no substantial reduction, if indeed any reduction; if there is I shall be agreeably mistaken. Let me go on and read. There is an increase instead of a reduction in many things on the cotton schedule. Some immaterial things may be reduced, the revenue may be cut down, but burdens are not removed.

General Banks proceeded to say:

They are not to be regarded or condemned, therefore, as extremists, fanatics, or corruptionists upon the subject of American manufacturing industry. They embrace and represent the entire manufacturing interest of New England, where the manufacture of American cotton fabrics originated.

* * * * * * *

But, if it is thought to be necessary to reduce duties or taxes, they are willing to take their share of whatever disadvantages may follow, and they voluntarily recommended the retention of the frame-work of the present tariff, and consented to and advised a reduction of duties affecting the industry in which they are engaged from 10 to 50 per cent., leaving only one branch of their industries unchanged, and that one the most delicate, complicated, expensive, and novel of all their products.

Now, sir, how can the honorable gentleman from New York [Mr. Wood], the chairman of the Committee on Ways and Means, state, as he stated in his speech the other day, that nobody opposes this bill except friends of the extreme doctrine of protection? As it was with the cotton manufacturers, so it was with the woolen manufacturers. They consented to and in a certain sense recommended, as of their own accord, a reduction of duties of from 23 to 25 per cent. And as regards that still more delicate and less firmly established branch of industry, the manufacture of silk, for which the people of this country have long struggled, an industry which has given wealth to the most prosperous and richest states of the globe, this, too, came forward after anxious deliberation and made what the chairman called a most liberal proposition in the way of reduction of duties with which they had been and are now protected by the Government.

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Mr. HOOKER. Will the gentleman allow me to ask him why these interests asked a diminution of the tariff?

Mr. BANKS. Because their attention had been called to the subject. It was their duty to make known to the Government what they desired. They found when they brought their representative men together from all parts of the country that the duties could be reduced and they could still pursue their vocations with more or less success, and like honest and honorable citizens they made that declaration to the Government. And so did the wool-growers from California to New England. They assembled in the State of New York for the same purpose, and after long and anxious conference one with another and with the woolen manufacturers they agreed, as did the silk manufacturers, to what extent they would recommend a reduction of the duty.

* * * * * * *

The following is a schedule of the reductions proposed by New England manufacturers:

The plan proposed by New England manufacturers in the schedule to which I have referred, and which I have not time to read at length, as I should like to do, suggests reduction of duties on the various fabrics of their manufacture substantially as follows:

1. On all manufactures of cotton except jeans, denims, &c., not bleached, colored, or printed, &c., and not exceeding one hundred threads to the square inch, present rate 5 cents, 5¼ cents, 5¼ cents specific, and 10 per cent. ad valorem, a reduction of 50, 45.45, and 27.27 per cent., and 10 per cent. ad valorem.

2. On finer and lighter goods of like description and present duties nearly the same a reduction of 40, 36.35, 18.18, and 20 per cent. ad valorem.

3. On goods of like description of higher qualities, present duty nearly the same, 20, 18.18, and 20 per cent. ad valorem.

4. On jeans, denims, drillings, ginghams, &c., bleached, stained, or printed, a reduction of 50, 46.15, 30.75, and 10 per cent. ad valorem.

5. On similar goods of lighter and finer descriptions a reduction of 28.57, 20, 15, and 5 per cent. ad valorem.

6. On cotton thread, yarn, warps, &c., 20 per cent. ad valorem.

7. On spool thread of cotton a reduction of 30 and 35 per cent. ad valorem.

8. On cotton cords, gimps, galloons, and cotton laces, present rate 35 per cent., a reduction of 5 per cent. ad valorem.

9. On cotton shirts, drawers, hosiery, &c., present rate 35 per cent., a reduction of 5 per cent. ad valorem.

10. On cotton velvet, present rate 35 per cent., a reduction of 5 per cent. ad valorem.

11. On cotton braids, insertings, lace, trimmings, bobbinet, and all manufactures of cotton, at present rate, 35 per cent. ad valorem.

The last is the only exception made in relation to the proposed reduction of duties; they are braids, laces, trimmings, or bobbinets, comparatively new, delicate, difficult, and expensive fabrics; and other manufactures of cotton not otherwise provided for in the schedules of the manufacturers they propose shall remain at present rate, 35 per cent. ad valorem.

When that condition of things exists, I should like to know with what propriety gentlemen say, and especially the Senator from Massachusetts [Mr. DAWES] who yesterday attacked me, that I was operating in the interest of people outside of the United States, when I was recommending a reduction of duties less than was suggested by the manufacturers themselves. Senators, there is but one way to reach the markets of the world with our manufactures and to become again a great commercial people, because to become truly great we must reach the markets of the world with our manufactures. We must either reduce the cost of the material out of which finished manufactured products are made, whether they are of cotton, of woolen, of iron, of steel, or of anything else, or we must reduce the wages of the operatives. I propose to reduce the material out of which the things are made and to give full and lucrative employment to the operative engaged in working up the cheap materials. England had a high protective tariff once and her operatives were starving under it. She took off the taxes from the raw material, and the wages of operatives in England, as all the leading men of England assert and prove, have doubled since they made the raw material free and cheap. I laid the British tariff before the Senate yesterday. Why? To show that it only levied taxes upon wines, beer, whisky, tobacco, and a few other things, but not one dollar was levied upon anything that goes to make up a manufactured product, and the statistics show that the wages of the operatives of that country have doubled and in many instances trebled since the raw material was made cheap for them to work with.

The men who, like myself, are endeavoring to give our operatives cheap raw material and not to have the factories closed whenever this market is glutted are the true friends of the workingman, for as the Senator from Maine very well said to-day the improvements in machinery had been such that we have machinery now that does the work which required one hundred people to do twenty years ago. These operatives have had to seek other employment. Machinery is doing their former work and machinery needs no protection. We have to open the

markets of the world to secure a larger field and more steady employment for the workingmen. That is what I am seeking to do. When these people in the South who have to compete on terms of absolute equality, with free trade pervading all the States, ask some little reduction, I can not help sympathizing with them; yet I will not vote to make the machinery free, though last year I thought I would.

I would now, as a separate proposition and as a concession, but as part of the system, and we are dealing with a system in this bill, I will not ask even for these men, who I think are entitled to great concessions, an exception from their share of the burdens of taxation. I admit the justice of the claim, notwithstanding I do not feel prepared to vote to make the machinery free. I would vote to make it special to some extent; perhaps to a considerable extent, because of the inequality which exists in their present competition with the people of the North and East who have been protected so long, and who have had the former duties doubled because of the taxes upon the raw material which the people of the South raise, and that, too, at a time when they were too poor to be taxed on almost anything.

I now desire, for the benefit of the Senator from Massachusetts, to say to him in all kindness—because while he and I may say unkind things to each other at times in the heat of debate there is no personal ill-feeling between us, and can not be from our long, kindly relations—that, while men who are perhaps importers do write to me and inform me as to what they need or think ought to be done, for I listen to all men to secure information, as to the iron wire which we discussed a day or so ago I have this morning a letter from a house in New York—perhaps an importing house—a letter saying we have raised the tax on all the mosquito bars and nets up to 94 per cent. when it is now only 35 per cent. There are other correspondents beside this class who lay their views and their grievances before me. I hold one in my hand now that I received since I took my seat here this morning, from a man at Meriden, Connecticut. I believe I will not give his name; I will show it to the Senators from Connecticut, as I know he will not be turned out of the factory where he is working because of his name being exposed to them, but he might be if it was exposed to the world. This is his letter:

MERIDEN, *January* 29, 1883.

Hon. JAMES B. BECK:

DEAR SIR: During the debate of the last session on the proposed tariff commission—

I read this to show that there are very many men in this country, operatives in factories, laboring men, who agree with me in the views I entertain, and who desire to see accomplished what I think is best for the country—

During the debate of the last session on the proposed Tariff Commission it seemed to me that the Senators who advocated revenue reform labored under great disadvantage, apparently, in not being personally acquainted with the condition of the workingmen of the North. I refer to those stages of the discussion when the Senators from New England made invidious comparisons between the condition of labor in the North and South. In a great many speeches that have been delivered by Northern members of Congress Southerners have had it thrown in their faces that the prosperity and well-being of the South were impeded by a blind and unreasoning race prejudice. This may be true; and if it is equal to the cold disdain with which employés in the North are treated by the generality of shop-owners it is greatly to be deplored.

It is unnecessary for me to speak of the average wages paid to operatives in New England as you are perfectly familiar with this branch of the question. I can, however, speak of the way in which they treat promises made to their employés.

In Meriden during the depression of trade a great number of the shops made reductions of wages to the extent of 25 per cent., promising faithfully to restore the "cut" just as soon as business would warrant it. Five years have passed; the prices of all things that are necessaries of life have risen, but the wages of help, except where the employer has been compelled to increase his force by an enlarging trade, has remained where it was after the reduction. This is the parable of the laborers in the vineyard, with modern improvements by Northern factory tyrants!

It is the fashion of our Representatives to picture the mechanics living in a state of comparative opulence, owning their own homes, a nice and comfortable bank account—

That is one of the things suggested here continually—

their living apartments furnished with every article to delight the finer senses of humanity, such as fine pictures and the latest improved piano; their children enjoying all the facilities of good and cheap schools—what mockery! If you would know their true condition reverse the picture and you have it. It is true that in many instances men who work for daily wages do hold property, but under what conditions? I will tell you. The city of Meriden is, I think, the most prosperous and busy city, taking its population (20,000) into consideration, in New England. Everybody works; and yet outside of the britannia shops the wages paid barely suffice to sustain life. In fact, there is one concern (Senator PLATT knows this well) that within the past three years have paid such low wages to their help that the poor wretches have had to receive help from the town. A sad thing, truly, to brand honest labor with the stigma of pauperism!

If any one should desire to know how many laboring men in this town own their own houses he might consult the town records and also note the number and amount of the mortgages resting thereon. Senator HAWLEY'S pleasing statistics relating to the savings of the people of Connecticut might, if it were possible, be looked into closer, and I would wager that not many of the depositors work at ordinary day's pay, but are in a great many cases capitalists who have divided up their surplus moneys in dozens of banks, thereby making the large proportion of our people who, sir, in Mr. HAWLEY'S eyes, are blessed with a bank account.

The Senator from Massachusetts took pains to tell us about these bank accounts. I wonder how many savings banks there are in which Messrs. Washburn and Moen had deposited $1,000 each, or sums under it, out of their $500,000 royalty on barbed wire. This operative seems to think it is a fashionable way of doing, although the Senator from Massachusetts said they had a law where no one can do the same thing twice.

Mr. HOAR. Will the Senator allow me to state to him that the present report for this year of the savings banks commissioners of Massachusetts shows that more than 50 per cent. of the population of that State have deposits in the savings banks; that is, counting every man, woman, and child, more than one-half have a savings-bank deposit.

Mr. BECK. This writer goes on to say:

Mr. HAWLEY also asserts that the Connecticut mechanics are for protection. Possibly they are, but I doubt it, and I work in a factory that employs 1,200 hands—one-half skilled labor—and the highest average paid labor in this country. These men with whom I am brought into actual daily contact do not talk or act as if they believe in robbery, even if it does give them an extra dollar and their employer five.

If the leaders of the Democratic party of the North could only know the feeling in the hearts of workingmen, they would not be afraid to pick up the gauntlet which has been thrown down by our opponents and fight the next campaign boldly on the one single issue of the revenue, and even if beaten they would not have the self-reproach of having acted like cravens as they did in 1880.

In that campaign, which opened so bright and ended so disastrously, here in Meriden, as in fact throughout the North, the Republicans made the issue on the tariff, and we had not one man to stand up for Democracy and honesty in the whole State except Eaton.

And he will be in the next House to stand up again.

But no matter what the leaders may say, it was not the arguments from the platform which beat us, but undisguised intimidation and the lavish use of money. Here is a sample of notices that were posted in all the factories, to which the attention of operatives was asked by the owners of shops:

"WORKINGMEN, WHICH DO YOU WANT?

"*Republican platform.*	"*Democratic platform.*
"A tariff which shall discriminate in favor of American labor. This means plenty of work and good wages."	"A tariff for revenue *only*. This means short work and low wages."

They denied this to be intimidation—a threat and a promise in the same breath!

In that same contest it had become the custom of Republican stumpers to compare the American laborer's lot with that of his English brother, picturing the latter as living in the most abject poverty. Now, we have a very large colony of Britons with us, and those of them who renounce allegiance to Her Gracious Majesty Victoria R. usually vote the "truly good ticket." Naturally the words used in describing their former condition incensed them and they vowed vengeance. At the near approach of election the Repuublicans brought that great champion of protection, WILLIAM P. FRYE, here, and the English mustered in force. FRYE had been instructed not to touch them up, but his speech was prepared, and what should he do? A happy thought! Substitute France for Great Britain! He did, and for two hours he labored with his hearers, showing how France would destroy the sucking industries of our country if the terrible and heartless Democracy succeeded in wresting the power from the present party in authority.

After some complimentary remarks in regard to gentlemen like myself who are endeavoring to free labor from that sort of oppression, my correspondent signs his name, which the Connecticut Senators can see if they like, believing that they will do him no injustice after they know it.

Mr. PLATT. I wish the Senator, having read the letter, which contains some statements that I think will certainly be remarkable and be considered remarkable in the locality from which it is dated, will allow the name of the writer to go in the RECORD.

Mr. SAULSBURY. That might be his ruin.

Mr. HAWLEY. I think the Senator ought not to read a letter here unless the man is willing to avow it, otherwise he becomes responsible himself for the slanders it contains. Let the man bear his own responsibility, or let the Senator take it himself.

Mr. BECK. I have known so many men dismissed from employment in the Departments at Washington——

Mr. HAWLEY. I will guarantee that the man will not be disturbed in his work, but he ought to suffer the moral condemnation for his slanders.

Mr. BECK. I will show it to the Senators from Connecticut.

Mr. HAWLEY. I will not look at it unless I am at liberty to publish it, nor should the Senator have read anonymous blackguardism here.

Mr. BECK. Mr. President, I expect that man is as good a man as the Senator from Connecticut—he writes like he was—or as good as I am.

Mr. HAWLEY. I am quite willing to say I do not believe he is coward enough to wish to have his name concealed.

Mr. BECK. I think it very likely he would not, but when the Senator from Massachusetts asserted on the floor of the Senate yesterday that the men who were telling me to stand for a reduction of tax were men who were not residents of this country and were foreign paupers, and that I was acting in their interest, I desired to show him a letter from a New England operative, and I can give him plenty more who are telling me similar facts.

Mr. HAWLEY. There is no evidence that he is a New England operative. He is a stranger to the gentleman. He does not give his name?

Mr. BECK. Because the Senator from Connecticut has displayed so much temper I would not trust that man's place in his hands by giving the name. I thought I could. I aver that this letter is from a New England operative, and from Meriden, Connecticut, and when the Senator has characterized the man who wrote that letter, whose name is here, I believe that the man would not be safe if the Senator knew who he was and he shall not have his name. His colleague can.

Now, Mr. President, I rose only to say that after these people have had all the advantages they have had so long in the North it is not unreason-

able for men in the South, having suffered as they have when seeking to compete with them in manufactures, to ask for some privileges. I will vote for 25 per cent., or some lower rate than we have imposed on anything else, on the manufactures they are seeking to introduce; but I do not believe that in a system like this it is well to exempt it altogether or place it below the revenue point in taxation. I believe it would be a proper thing for Congress to do to make a special case of it, and I can show instances of it if I am required to do it or if it ever becomes necessary. Relative to the other matter I aver that I have letters from operatives all over the North, and from merchants and others from that section, telling me that I and men like me are in their opinion doing what is best for their interest and for the whole country in seeking to reduce taxation. I repeat that all insinuations made against us that we are seeking to destroy labor are, I say it with emphasis, unfounded and untrue. I read what Mr. Banks said in the House of Representatives six years ago for the purpose of showing that these charges are untrue. I read what the consuls reported and what was said to us by the late Secretary of State, who is a distinguished citizen of New England, to show that all the representations they are now making about the pauper labor of Europe are unfounded.

I have shown here before that since England made raw material free the wages of her laborers had doubled, and often trebled; and I have shown before that England now pays 25 per cent. more than France, 30 per cent. more than Germany, 40 per cent. more than Belgium, 50 per cent. more than Spain and Italy, as wages to her laborers for the same class of work, and she is driving, by their intelligence, skill, and machinery and the use of free material, the labor of those low-wage paying countries out of their own lands, until they have to shield themselves, as we are now seeking to do, by a protective tariff, which we have made so prohibitive that it makes our own people pay for all they want nearly double what anybody else in the world has to give for it. My policy means cheap material, high wages, and intelligent labor, so that our manufactures can go to South America, to China, to Japan, to the Indies, everywhere, backed by a great commercial marine such as we were building up before 1860, when this miserable protective system was inaugurated under all sorts of pretenses, and which has been kept up ever since under all sorts of false pretenses.

The tax of 3 cents on cotton has gone, the tax on incomes has been removed, the tax on manufacturers has been taken away, and all that justified them in requiring this high protective tariff over the Robert J. Walker tariff of 1846, under which we were living and flourishing and building up great manufacturing establishments and a great commercial marine, has been removed fifteen years ago; and they are now, through their representation on the floor of the Senate, demanding more protection for the manufacture of all their products than they are even now receiving, and they venture to denounce every gentleman who seeks to go back to the old system of a tariff for revenue as being an enemy of his country.

I do not propose to submit tamely to any such charges as are thrown out here day by day. I intend to assert what I believe to be the true interest of the country, and the best policy for all; and if the South can start her manufactures after all that she has undergone, and after all the taxation imposed upon her, and after the robbery of $69,000,000—for that was what was taken from her—and she is to get some little benefit in the way of cheaper machinery in order to open up a manufacture to supply the people of Cuba and Mexico, and the West Indies, and everywhere else that she can by the products of her own soil, neither I nor those who agree with me can afford to stand here like whipped spaniels and be denounced as enemies of their country, enemies of its labor, because we will not put all the money those people want into the pockets of a few men in the North, who have been protected to death, and whose operatives are suffering now because of over protection and overproduction in a limited market. They will organize strikes whenever they have a surplus of manufactured goods on hand, and they do not care whether the laborers starve or not. They will take a Chinaman to-day or a Canadian, if he will take 5 cents a day less wages than an American operative, and the American and his family may die from starvation so far as they are concerned. I have no patience with and no toleration for any such arrogance or any such assumption, and I intend to denounce it upon every proper occasion.

Mr. BLAIR. Mr. President, I think it may well be questioned whether this attempt at a revision of the tariff is conducive to the development of patriotic feeling or the good of this country. The Senator from Kentucky [Mr. BECK] and Senators from other sections of the country have in the course of this debate certainly exhibited considerable feeling indicating the existence and the development of a degree of sectionalism which, after the tremendous war through which we have passed, must lead one who really loves his country and the whole country and all parts of the country without reference specially to what may be for the advantage of any one section over another to doubt whether the effort to revise the tariff is not a public calamity.

But, sir, however that may be, and whatever course the debate may take in this regard, for one I do not propose to indulge in anything like crimination or recrimination, anything like accusation toward any section; nor shall I by my votes, if I understand them, inflict, or endeavor to inflict, upon any portion of the country any disadvantage, or to secure to any portion of the country any undue advantage over another. I prefer that the tariff remain as it is, and that we discuss other and more important questions than the tariff, for there are more important ones pending in this country to-day.

The honorable Senator from North Carolina [Mr. VANCE] made some invidious allusion to my own State. He read a letter from the town of Tilton written by a man whom I know and against whom I have nothing to say, as good a Democrat as there is in the world, and a good man I know from his standpoint. I suppose the Senator read that letter with the idea that in some sense it was a retort upon citizens of the North for some supposed defamation or insult that they may have offered to the people of the South. Whatever may have been the spirit which led him to introduce that letter on the floor of the Senate, I shall not reply to it with any such feeling.

The letter is to some extent true, and what is true in the letter so far as New Hampshire is concerned is really true with reference to other New England States. The Canadian population to which it makes allusion is a population which was originally of French extraction. In the war of 1756 it became subject to the arms of England, but it has remained essentially French, uneducated, without republican ideas, without that tendency to development which appertains to the Anglo-Saxon, and there is immediately north of us a thrifty, saving, population, but of a grade of civilzation very far below that of the average of the American people. They live upon the line.

As I said, they are thrifty, they are saving, they live, and they get and keep money, and finding opportunities within our own borders superior to those which they enjoy at home, they come under the benign and free influence of our institutions to our borders; they seek the wages which the American laborer possesses, and being more easily maintained, not being civilized to the extent that the American laborer is, having fewer wants, they can work at a lower price, and they do compete for the lowest forms of wages that are paid in our State and in other parts of New England and in New York, and perhaps elsewhere. They come and they go. They retain their homesteads in Canada very generally. They are sometimes to a certain extent in debt, and they wish to obtain money to remove their mortgages. They get their wages here, they return, and in due time they have arrived at a state of comparative affluence in their native home.

While here they have all the advantages of New England institutions and of the general institutions of the country, and they very generally avail themselves of those advantages; and as they remain with us year after year and come in increasing numbers, they are subjected to the influences of our schools, and of our churches, and of our newspapers, and of our means of development, and gradually they rise. They are becoming elevated, and as they become elevated they learn, as the Chinaman would learn undoubtedly, to ask compensation in proportion to what they do, and gradually their wages rise and they are ameliorated in every other regard. They come to be, those of them that remain with us (and some are remaining), good American citizens.

The same thing has been done once before in these Northern States. I can myself remember that my own mother was an operative in a factory in Lowell; and the New England girls very generally, the school teachers, the best quality of farmers' girls, were operatives in the factories of New England in early times. But gradually the foreign immigrant, the Irishman and some of other nationalities, usurped that position. They came to this country; they became qualified for the work of the factories; they usurped it; they crowded the others out; and that is hardly the true expression either, for these others elevating themselves by their own efforts, gradually found better positions in life, until to-day the child of the original Yankee is giving instruction to the whole United States, and it is a very rare thing indeed that now a person of genuine Anglo-Saxon New England descent, or Northern descent, is an operative in any of the factories of the North.

But how has it been with the Irishman who thirty years ago took the place of the American operative? The second generation of the Irish is the equal of any American, as intelligent as any, as honored as any, and gradually becoming as wealthy as any; and the Canadian is passing through precisely that same period of discipline and development, and the next generation of the Canadian will be the equal of the Irishman. The beneficent influence of these educational institutions—for the factories of this country are industrial, educational institutions in the highest and best sense—will be the gradual amelioration of the condition of all the laboring people of all nations and of all climes who are brought under their influence.

The picture is somewhat overdrawn, let me assure the honorable Senator from North Carolina, in the letter of his correspondent. He has seen what as a party man he was interested to see, and with the natural prejudice of a partisan he has depicted rather more strongly than the facts will justify the average condition of what he calls the Kanuck. I have endeavored to indicate what is his real condition and what is the effect of the influences to which he is being subjected.

But in regard to our general policy in our own State, it is not for me to boast of New Hampshire. I am not disposed to do it. We have Mount Washington; we have institutions based upon the principles of the Declaration, and we have given to the country some specimens of the effects of our institutions. The sons of New Hampshire are every-

where, and neither this country nor any other country has cause to be ashamed of the record which they have made.

But, sir, I did not rise to spend much time upon this aspect of the question. I do, however, wish to call attention to the general course of debate which emanates from the other side of the Chamber.

They are for this amendment because they say the South is poor; they say they have not had the advantages which we have enjoyed at the North; they require the same protection of the tariff which has protected and developed the industries of the North. They demand that for their own good. They say they have not had a fair chance. How is that? They concede that they have 1,000,000 square miles of the best territory on the face of the earth; that Texas alone is one-half larger than France and richer. And take the belt of the cotton States; there is no equal expanse of soil on the face of the globe which from the dawn of time could boast of such fertility; and on the Atlantic, from the coast of North Carolina to the mountain regions, there is water-power, with timber, with everything that is necessary for the development and maintenance of that great people.

The South surely can not say that she has not superior natural advantages to those which are enjoyed by any other people on the face of the earth. But they tell us that they have been destroyed and desolated by war. They say we got rich on the importation of slaves which we sold to them, and took from them capital to pay for them, and then as a result of the war we took from them the slaves themselves, and they are poor on that account. What made the slave valuable? Was he not a human being, and was it not because he had a soul and was a human machine and could produce and add to the wealth of the South? Is he not there now? Has he not devoted his ability since 1860 to production? Is he not now a more intelligent laborer than ever? Is he not a source of greater wealth than at any former time in the history of the country? Is not this true also, that while the African was brought from his native soil—as he may have been brought and sold to you to some extent by the Northern slave merchant—that you have had his unrequited toil for six generations? How long does it take this man to pay for himself? You have given him only his board and clothes. He is the most inferior of all laborers in agriculture. You have given him nothing and you have taken for six generations his labor. Was there not time enough to make it a source of profit added to your natural resources and means of production and development of wealth? Has he not been to you an infinite advantage even if to-day he is free? And as a freeman is he not a source of still greater wealth than he could be as a slave? Is it not preposterous, then, for you to stand here and claim that Northern industry should bestricken down for the advantage of the Southern population?

But, Mr. President, passing all that aside, let us look at this in another aspect. Why does a protective tariff exist to-day? Is it the fault of the North? That protective tariff, we have heard for the hundredth time, was imposed in its present extent in the year 1860 or 1861 or 1862. What were the circumstances of the country at that time that made it necessary?

Mr. President, did not the Southern section of this country precipitate upon us a tremendous war, and was not the tariff necessary so that the national life might be preserved at all? With a Treasury approaching depletion, with an army of a million and a half of men necessary to be maintained by the National Government in order to restore the national unity, with an immense expense to support our Navy, to what source could we look but to taxation and in what way could we find the means of taxation but by the imposition of this high protective tariff?

We did impose it, and under its operation the industries of the North were inevitably developed. It amounted almost to prohibition, and I believe almost in prohibition for the whole country. Prohibition during the war gave us the tremendous wealth out of which we paid the expenses of the war and as much as we have already paid of the national debt; and I do believe, as I believe that I live at all, that the application of the same principle to the whole country, now that we are a united people, would give wealth to the whole country. It is no fault of the North that this prohibitory tariff was first established, for it was necessary in order that the North and the South alike should live.

Now, Mr. President, I want to point our friends from the South and from the West to the effect of this high protective tariff. In 1816 a yard of cotton cloth cost 60 cents, and to-day it is worth 5 cents. In 1816 we were unable to sell abroad; to-day we are selling the cotton manufactures of the country right under the steeples of Manchester, and the markets for cheap cottons all over the world are open to the United States. What is the cause of this? Simply this high protective tariff which has given the opportunity for the development within our own borders of everything that appertains to successful production. The laborer is here, the capital is here, the machinery is here, and everything that enters into successful and intelligent production is here, and as the result of all combined the article itself has been cheapened. While wages have risen the price of the article has gone down, and to-day, under the twenty years' operation of this prohibitory tariff, all the better because for the time being it was prohibitory, we have become in certain directions the principal, or at all events the most successful, manufacturing nation on the face of the earth; and it is only by the continuance of that same policy and its application to other forms of industry and to those requiring still higher skill, in the direction of cotton, and wool, and iron, that we can come to be a largely exporting nation, to reach those markets of the world and compete with Great Britain and the continental nations in the continental nations themselves, and in Africa, in China, and in Japan, in the far isles of the sea, and wheresoever in developing civilization it is possible for the most successful manufacturing nation to reach the markets of 1,500,000,000 people.

Mr. President, this policy has made us great and rich at the North. In my own State every head of a family has an average of $500 in the savings-banks of the State, and our capital is in the West and it is in the South. Small as we are, with our 350,000 people, and with sterility the order of nature, we have become, as compared with our more wealthy sisters in many portions of the country, rich and opulent to-day; and the masses of our people have this money, for I do not know a millionaire in New Hampshire. There may be one or two or three, but there are very few millionaires in my native State. Under the operations of this tariff that little State has become what she is, and she is giving the blessings of her institutions to the Canadian who comes to enjoy them, as she has given them to the Irishman. Just about twenty years ago I sat side by side with an Irish Catholic in the Legislature of New Hampshire during one session, and that was the result of our institutions; and our present wealth has been very largely the result of this prohibitory tariff at the North.

And now, Mr. President, I wish to call attention to the necessity of the continuance of substantially the same policy if what has occurred at the North is to occur in the South, if the wealth which has been developed there is to become extensive as the nation throughout all the States and the Territories which comprise our geographical domain. You can not make the South rich by reducing the North to poverty. Our industries are based upon this protective tariff. The effect of it is to distribute wealth to the laboring man. Nothing but a high tariff, nothing but protection in a highly civilized condition of life, can give that equality in the distribution of wealth which is essential to general happiness.

I tried the other day to show in a brief moment the operation of the essential, fundamental principles in this thing, the elements of protection. What are they? They are the capital employed, the raw material consumed, and the labor employed. Just those three things make production. Capital is higher in our country than it is elsewhere. You can not get capital unless you give as much or more than they do in Europe. Raw material is as high as it is there. Now, unless there is a tariff to protect labor, the other ingredient, labor itself, is the very first element which must suffer, because it is the most defenseless.

What is civilization? It is simply an aggregation of our wants. The civilized man is the most dependent man on the face of the earth. The savage is independent because he wants nothing; to him life is of little value, liberty is of little value, property he has none. How is the highly civilized man, who is but a multiplication of wants, to supply those wants? How are the masses of men to do it? The distribution of wealth to the masses of men is simply the payment of their wages, and unless those wages are high, unless they have just wages, what can they have? We buy our churches, we buy our schools, we buy our newspapers, we buy everything that appertains to the development of mankind, and unless we have the money to do it we get nothing. The reason why the American laborer is better off than the English or the French or German laborer on the average is simply because he has more money, and he has more money only because he can get more pay for his day's work. As I endeavored to show if you reduce the price of the manufactured article the very first item the deduction falls necessarily upon the most defenseless element, the element of labor.

This particular amendment strikes directly at the industries of the North. We have free trade over a space larger than Europe; we have 3,600,000,000 square miles. Europe is not so large as we are in inhabitable surface, and we have the principle of free trade fully applied as between every State in this vast domain. In Heaven's name is there not room enough, is there not scope enough for the application of this doctrine? And if we are to have uniformity of development and uniformity of civilization throughout the whole country, it is well, it is proper that we should have free trade as between ourselves, but we can not rise above the rest of mankind unless the common people of this country throughout the land have more money, and they can get no more money unless they can get more pay for their day's work; and hence we must have, as against foreign nations, as against inferior peoples, protection if we would remain their superiors and advance as we hope to do in the future beyond them, lifting them up gradually to the level which we ourselves occupy rather than sinking to that on which they now are.

Mr. President, there are many other points which have occurred as this matter has been passing along; but it is not right for me to occupy the time of the Senate in regard to them. I should like to say of this tariff, if it must be remodeled, let it be remodeled in the interest of every American industry; and it is not for the interest of the South to buy of England, as she may have been inclined to do during the war. It is better for the South to find her market at home; better to find her market for her great productions among her own countrymen, and re-

ceive in return the productions of those countrymen that are alike home products. It is better for the South, as it is better for the North, to so revise the tariff, if it must be revised at all, as to encourage the Northern capitalist to invest his money in the South, to encourage the Northern laborer and the Northern voter in the development of patriotic sentiments toward the South; and it would be well, I believe, if Southern Senators, as well as Western Senators and Northern Senators and the people all over the country, should remember that they are integral portions of one great unity, and that we have had a war which has settled that question, and that we have got to rise a little above the interests of our own immediate localities, or another war will come, and a war which will result not in unity but as I believe in division, and a permanent division, of this great country into discordant fragments.

Mr. MORRILL. Mr. President, I am altogether too anxious to reach a vote to consume any great amount of time. If I had such an opinion of my speeches that I thought they were good enough to read here for the fifth or sixth time I could consume a great deal more time. If I were to read one in ten of the letters that I get I could also prolong this debate indefinitely.

Mr. President, the Senator from North Carolina [Mr. VANCE] is horrified at the idea of bringing any Canadian labor here to compete with that of the universal Yankee nation; and in order to prove that, he is ready to strike down the labor of this country so that there will be no inducement for the laborers from Canada or anywhere else to come here in order to do better. But I do not mean to pursue the line of most of the speeches that have been made here, from which I should not have been able to ascertain what subject was under debate.

Mr. President, I desire as earnestly as a man can desire that manufactures should be introduced into every one of our States, South, West, and North; but the proposition made here will disappoint me in the astuteness of Southern gentlemen if they should sustain it. I desire to ask them, to begin with, upon what principle they can justify a vote reducing this item to 10 per cent. or placing it upon the free-list? Is it for revenue only, or is it for protection? Let me say that Southern gentlemen are not forced to take any position as supplicants for subsidies in their behalf. They enjoy from their natural position relative to the great cotton product the power to compete against all others successfully in its manufacture. They have cheaper labor, they have the raw material right at their doors, and the manufacturer down there now can make double the profits that can be made in Rhode Island or any New England State. All that is necessary for them to do is to make it safe for life and property to go there, to make it safe for capital to go there, to make it so that free speech and a free press and free votes shall be tolerated there with as much security as they can be in any other part of the country.

Then, Mr. President, let me say one thing in relation to the suggestion of the Senator from Kentucky about the robbery of $69,000,000 from the South. For every $69,000,000 that was taken from the South more than $690,000,000 was taken from the North. Who is responsible for that? Senators know as well as I do. I say nothing as to the policy of that tax upon the raw material. In the future history of this country I have no doubt it will be asserted and be again the policy of the Southern States themselves. They can enjoy an entire monopoly of the manufacture of cotton by simply doing what was done during the war; that is, putting an internal tax of 1 cent a pound upon it and allowing a drawback on the manufactured article to the same extent per pound. In this way they would at once be able to master the trade throughout the world, and instead of sending three-fourths of their cotton across the ocean unmanufactured, as they do now, they would send it all doubled in price.

But I desire to return to the subject that is before us, and I wish to say that there could be no more fatal stab at the future growth of manufactures in the South than to become dependent on foreign nations for their machinery. It should be planted to grow up at home, as will be done as soon as it is wanted. There is no question but what it requires skilled labor in the manufacture of machinery; but if you are to have such as you need at a moment's notice it must be at your doors; and wherever you establish iron founderies the day will not be distant before you will have machine shops. There is as much capacity in the South for invention, for useful appliances in relation to machinery as there is in the North; only give them an opportunity for display.

The inventive genius of the American people has made very many inventions in relation to machinery. Some of them are protected by patents, but they are all essential, all useful in this manufacture. If you go abroad for your machinery, whenever anything breaks or is worn out you have got to send abroad for the displaced piece that is necessary for repairs. That would cause a loss of time. But if you have these articles at your own doors, instead of being a month or six weeks in replacing any broken article it would be done promptly and at once.

If this amendment were to pass and receive the sanction of Congress, as I have no idea that it possibly can, it would certainly break up those establishments in the North, and they would be entirely dependent upon simply the repairs of existing machinery, and when that machinery was worn out there would be no further employment of our machine-shops.

But, Mr. President, I do not feel that it is possible for gentlemen representing the South to strike so suicidal a blow at their budding prosperity. If they mean at all, as they seem anxious to do, to introduce manufactures, they must be willing to supply the foundation for them.

Mr. BAYARD. Mr. President, it was upon my motion that the proposed tax of 45 per cent. ad valorem was proposed to be lowered to 30 per cent., and then upon the suggestion of the Senator from Rhode Island and the Senator from Ohio it was agreed to at 35. Under the new arrangement of the tariff generally and as to the charge upon packages and transportation there is a reduction of taxation as compared with the existing law. In fixing that rate of taxation I endeavored, as I have endeavored throughout this discussion, to ascertain and to maintain the fair proportion of the labor involved in the manufacture in order to give it its fair share of revenue taxation on the general rule of the proposed tariff law, that it should keep its fair proportionate place; and I believe that fair proportionate place in our schedule of duties is secured by a ratio of 35 per cent. ad valorem on this unenumerated and very composite class of manufactures.

When the Senator from Mississippi and the Senator from North Carolina rise here and tell us the truths and the facts connected with the condition of their people, there is no one in the Senate, I am sure, who feels more sympathetically for them in that appeal than I do; and yet what should govern me, and what must govern me in such a decision?

The States of this Union are equal States, and there should be no legislation favor granted to one or another because of the exigency of the time which they have passed. I remember well when the great city of Chicago was visited by a conflagration; I remember well when the city of Boston was visited by a terrible conflagration, and an appeal was made here to every man whose heart was softened by the sorrows of his countrymen to admit duty-free articles for rebuilding those two great cities of our land; but I felt then that it was local, special class legislation; that it was opening the door to a principle perfectly fatal to that uniformity which should be the very basis of American legislation; and so, disregarding my feeling of sympathy for those sufferers among my countrymen, I refused to vote that articles intended to rebuild Chicago in her distress, or to rebuild Boston in her distress, should come in under a different rate of duty from that which was imposed upon the people all over the country.

And so, recognizing the condition of the Southern people, recognizing the devastation of their property, for which I have mourned as sincerely as any man born in their territory, I will agree that they shall have the equality before the law to secure which was the main object of my coming into public life; not inequality in an advantage, not control over others, but their fair share in the benefits and burdens of this Union of States; and now that it is asked, because of their distress incident to war, that legislation should be adopted peculiarly favorable to them, I can not vote for it. I ask for them equality and I always have asked for it, but nothing more. I ask that the same law of taxation and the same ratio of taxation shall rest upon them as rests upon their more favored neighbors of the North, neither more nor less. I do not believe in governmental favor; I do not believe in the doctrine of governmental interposition. I believe the best boon to a man or to a country is to have its faculties left free to exert themselves for their own self-preservation and their own advancement. It is the great law of health, physical, mental, and moral, that pervades the universe; and why shall you say that it shall not touch the political affairs of men and government in their struggle for advancement? I believe to-day that we have industrial interests in this country which are languid, which are depressed, simply because they have not been called upon to exert themselves in the struggle and competition for advancement.

I see my friend from New Jersey, and I recognize in his State an interesting and important industry, that of glass-making and glass-blowing. To-day the tax upon that commodity is far beyond the average ratio of our tax in the tariff, and yet it can not be said that the industry is particularly successful. On the contrary, it languishes, and they have come here and obtained an increase of taxation upon the rest of their fellow-countrymen in order to make up for something which they have been unable hitherto to secure. What was that? They found themselves secured behind a barrier of taxation that completely annihilated all efforts to compete with them by foreign labor. It has made them inert; it has made them lazy, so to speak. They have not availed themselves of modern improvement; they have not kept abreast of the march of modern discovery, invention, and ingenuity, and the result is that their labor is disordered. Five dollars per day paid and yet a man suffered to work under the laws of the labor union but five days in the week, and to draw from each crucible of glass only a certain and given amount of the product; sometimes even $12 a day paid for labor and that labor forbidden to exert itself for more than a number of days in the week limited, using money even to prevent persons learning this well-paid and skillful avocation. And in the face of this great duty what are the facts?

In Germany, not aided by this tax, but stimulated by the sense of self-preservation and the necessity of cheapening production, invention has come to the aid of that people, and by a process called the Siemens process the cost of producing glass-ware and glass bottles has been re-

duced more than one-half, and as a consequence—I learn this from personal conversation with a most estimable and excellent citizen of New Jersey whom I have known for many years—he found the very market which he was accustomed to supply for the great chemical and grocery establishments in New York cut out from him by the supply of a better class of bottles at a lower rate.

What made it? He told me when he went to that famous grocery firm of Park & Tilford, to whom he was accustomed to supply bottles by the thousand gross periodically and regularly through the year, he was asked, "Can you supply us such an article as this at such a price?" And he said, "I can not." The answer was, "The foreigner can." What made the foreigner able to do that, where the crude material is as plentiful as the ocean itself, for it is the sand of the ocean that supplies it? As to heat, as to combustion, this country is filled with coal and there is no question on that subject. What was it? It was the ingenuity of the chemist; it was the invention that is born of necessity that has forced the German manufacturer to avail himself of discovery which his American neighbor not having felt the necessity for has failed to avail himself of. Senators, laws can not countervail human necessity or the capacity of human invention. What we ought to ask and what I think is the true American idea is a fair field and no favor, and it is the doctrine of manhood in any department of life, and it is the doctrine of manhood whether you apply it to commerce, to manufactures, or to any human pursuit.

Mr. President, there were phrases of my respected and venerable friend from Vermont that I regretted to hear. Why should he say of the South that it has not free speech, free press, and free labor? Have they not them all free? They have them as free as you ever had them in Vermont. There is no pretext, and there can be none, for such an assertion; and no man who has gone through that country but knows it and will dare deny the fact. Take the papers that reach you and see whether language can be employed more freely than in the press of that country and with absolute impunity. Take the language of the stump, take the language of the hustings, and where will you find more infuriated combats of words than you will find there on subjects touching elections? I wish it were not so; but I mean to say that the very bitterness and extremity of invective prove to you how idle and absurd is the suggestion that there is not absolute and unlimited free speech in the South just as much as in the North.

Everywhere in this country the man who speaks against the will of the majority does it at the cost of temporary popularity; everywhere it is so; everywhere you will find that sentiment will be represented, and that if a man gives his true opinions forth and they are those of the minority he must remain in private life. I do not object to it; it must be so; but let us not have the suggestion when this question of political economy is raised, or the question of the wisdom of taxation is raised, that our friends of the South, our brethren of the South, are to be taunted with that which does not exist and which I submit to my friend from Vermont it is not proper to suggest exists there.

Mr. MORGAN. Will the Senator from Delaware allow me to make one other suggestion in that connection to the Senator from Vermont? The Senator from Vermont referred to the freedom of the ballot in the South. I undertake to say that there is no community in the South where the ballot is denied to all classes of people as it is in the District of Columbia, and has been for many years, when the Republican party have had the power in both Houses of Congress to allow the white people and the black people to vote; but because the negroes must vote if the white people do, both classes are disfranchised and have been for many years in the District of Columbia.

Mr. BAYARD. It was not my object to suggest recrimination on this subject. I say frankly, when I hear that there is any portion of my countrymen deprived of their fair share of human right, I regret it; but I hold that this Chamber ought not to be a scene of mutual denunciation. I have no pleasure in finding out sore spots and weak points in any portion of this country, and I do not believe that the strength of our Government or the wisdom of our laws is advanced at all by anything that savors of recrimination between us, who are the representatives of our States and of their people; and since I have been in this Chamber, and so long as I shall be in this Chamber, I shall speak just as respectfully of any other community as I do of the one where I was born, and where I expect to be buried.

Therefore it is that while I believe there will be inequality of human fortune that we can not remedy, there will be cases of distress in every civilized community, I do not care what your form of government is, monarchical or republican, there will be classes of the community less well protected, less well off than others; there will be cases of individual distress, and it is not fair or just to cite exceptions as proof of a rule. Now, we are considering the broad subject of general taxation. Taxation is a burden. Color it by what word you may, conceal it under what forms you please, a tax is a tax, and a tax is money taken from some man's pocket for some purpose. It diminishes his individual property to that extent.

That power under any form of government can only be limited by the discretion of the governing power. It is just as arbitrary, and just as excessive in a republic as it can be in a monarchy. I say that we who are charged with that great power ought to have but one theory and but one object in view, and that is that the burden should be laid equally and justly upon all, and not harshly or favorably upon any. I have denied, and ever shall deny, the right of any class or of any section or of any few to control this great, general, supervising, sovereign power of taxation.

We must consider every tax as a whole. In raising it we must consider every man to be affected by it; and his poverty or his wealth is not a proper subject for us to consider. We can not control these inequalities of fortune, but we can lay down a principle which shall make the benefits, or if you please the burdens of the Government, come, as Andrew Jackson said, like the dews of heaven itself, equally upon the just and the unjust, upon the rich and upon the poor, upon the communities which by any accident or any cause have been successful and those which have not been.

Now, the question simply is, in laying this tax upon all, upon the North and the South, the East and the West, does it bear its fair proportion to the scale of taxation which this tariff law proposes? Does it, or not? That is the question. Now, to answer that, consider if you please the tax on the crude materials of which these composite manufactures are made; consider that you have put a tax on them and then you have advanced all these materials by a great deal of labor, so that the value of the labor far exceeds the value of the original materials to which the labor was applied. And can you adopt the doctrine of protection to American labor under the forms of revenue? Can you adopt the doctrine that you will tax to a greater degree that upon which no American labor has been bestowed, and a less degree that on which the greater amount of American labor has been employed? I think not. What is covered by this class of unenumerated articles of course it is impossible to say, for negatives never can be proven; but we know there has been great particularity in selecting the leading and more than the leading, nearly all the detailed articles of manufacture of metals, so that the number to be affected by this schedule is infinitely less than those which have been particularized and which this clause therefore does not affect.

I say, there being articles of composite manufacture in which labor, and American labor, has given a different value to it, the tax of 35 per cent. with the present restriction as to not taxing the cost of the packages and the inland transportation to the port of shipment places it in a fair proportional ratio to the rest of the system. I think the Senator from Maine overlooked the fact that all the articles which come to men's minds naturally in considering commerce have been subjected to a tax and duly enumerated in the preceding part of the law. This is only for those that may have been overlooked, a drag-net to catch those which have not been already enumerated; and therefore, having secured what the Senate believes to be a fair rate of taxation on all that precedes, I submit with due respect that 35 per cent. ad valorem is a fair proportion for that which is here provided for.

Mr. GEORGE. Mr. President, the debate has taken a wider range than I anticipated when I offered the amendment which is under consideration. I was in earnest in offering the amendment; I believed that its adoption was essential to the welfare and the prosperity of the people that confide, in part, their interests on this floor to my care. I believe also that its adoption was necessary to the proper and fair equation of the benefits of the tariff legislation.

When I looked over the list of the articles taxed and the articles not taxed, when I looked at the range of the duties, and when I considered the interests in Mississippi, I found not one that was favored by this bill; I found its main industry cruelly butchered by this bill. Engaged, as we are, almost exclusively in the raising of cotton, I found that everything which went to aid us in the production of our crop was the subject of high taxation in this bill; I found that the iron and steel out of which our agricultural implements were manufactured were taxed onerously. I found that under this clause which we are now considering, and which I propose to amend, the agricultural implements themselves were highly taxed; I found that every article, every tool, every implement used by the farmer in the production of his crops had been made the subject of a protective duty—not a revenue duty, but a duty leveled and graded and fixed for the purpose of protecting labor and capital outside of the State of Mississippi. I found that, on the average, all that we consume in Mississippi, whether used in the production of our crops or whether used for the comfort and convenience of our people, had all been heavily taxed, not for the purpose of raising revenue, but for the purpose of securing an advantage to other sections of the Union.

I have made no complaint of this so far; I have steadily voted for reductions whenever amendments of that kind were offered; I have made no complaint, because I believed that complaint was unavailing.

But, sir, I saw that a new industry was necessary in Mississippi to the full development of our prosperity and welfare; I saw that we were large producers of cotton that needed but to be manufactured by the side of the cotton-field in order to treble the wealth of my State; I saw a large unemployed population in that State, unfitted for agricultural labor, ready to be employed in these factories if they should be erected. I saw, furthermore, that from causes over which we now have no control, from the desolation of war and from the equal desolation of the quasi-peace that followed war, we were without the capital necessary to compete with our

more fortunate friends of the North. And then, sir, when the only thing on which taxation can be adjusted in this bill so as to encourage and foster enterprise and industry in Mississippi came up for consideration, I asked not, as the Senator from Delaware very erroneously supposes, for exceptional advantages; I asked for no law applicable to Mississippi alone; I did not ask, as the example he mentioned here as a justification for his course asked, to allow machinery to be admitted alone in the State of Mississippi. The bills for the admission of building materials in Boston and in Chicago were bills especially for the benefit of those cities; they had no application to the country at large.

This amendment, if adopted, will apply equally to all sections of this country. I know that the Constitution of the United States prohibits any favoritism, any difference between the imports into one State and those into another.

But, sir, when we are taxed as I have shown in every instance; when we are taxed upon all we work with, in all we eat, in all we drink, in all we wear, in all we enjoy as comforts, or necessaries, for the protection of capital and labor in other sections of the Union, I thought we had a right to ask that the very means, the instruments with which we desire to employ our labor, should come in at an exceptionally low rate of duty.

Sir, I asked in my first speech to-day this to be answered—and no man has attempted to answer it, because it can not be answered—why allow the raw material to come in free, why allow the raw material to come in at a low rate of duty, and decline to allow the instrument by which the raw material can be worked to come in free or at the same rate of duty? The raw material is worthless without the machinery; the machinery is worthless without the raw material. Both combined are necessary in order to the production of a useful manufacture. Why is it, then, that raw material in every instance, I believe, has either been admitted free of duty under the tariff, or taxed only an exceptionally low rate of duty, and when we, having the raw material but not having machinery, come to ask to have machinery imported at a low rate of duty objection is made?

It is very well to say, as the Senator from Delaware says, that this country ought all to be equal, the rights of the people in every section ought to be respected. That is exactly what I say, but I say also that under this bill, when you tax Mississippi in all that she eats, in all that she consumes, and give her no protection in any single instance, that is not just, that is not equal, that is not fair.

Now, sir, if the Senator from Delaware and the other Senators who oppose this amendment will go into the framing of a bill for revenue purposes only, not making provision for the benefit of this industry or that industry, for this State or for that State, then, sir, I will be content to receive for my State that which the other States receive. But that is not the character of this bill. Every advocate of the bill, from the beginning down to the present moment of its consideration for nearly three weeks, has put his advocacy of it upon the ground that it protects his particular industry.

Sir, the industries of Mississippi, the industries of South Carolina, and North Carolina, and of Georgia, and the industries of the other Southern States are as much entitled to protection as the industries of Rhode Island or Massachusetts, and no more. I do not want any more. I want a fair chance for people of Mississippi in the race of life; that is all I want. They have not this fair chance under this bill, and when they ask for a fair division of the advantages and benefits secured by the tariff system they are said to be sectional, to be local. I disavow it.

I have listened with pleasure to the statements made by the Senators from the North as to the prosperity and the comfort and independence and well being and intelligence of their laboring population. I have been glad to hear that over $200,000,000 in the State of Massachusetts alone is in the savings banks, deposited by the laboring classes. But when I look at the laborers of my own State, I find not a dollar actually in a savings bank, and why? Gentlemen will say "you are not energetic, you are lazy." I believe it was intimated by the Senator from Delaware that there ought to be something more of energy or ingenuity; that that was the way to work up.

Mr. BAYARD. Is the Senator so mistaken? Is he going out of his way to find things that do not exist in what I said?

Mr. GEORGE. No, sir; I am not.

Mr. BAYARD. Then he should make no such reference to my remarks.

Mr. GEORGE. What did the Senator say about producing industry, greater energy and care, referring to human processes and inventions?

Mr. BAYARD. I did in respect to that particular matter, but the Senator has seemed to enlarge upon it and made a local application of it which I hold to be exceedingly improper.

Mr. GEORGE. I do not think it is improper. I do not want to misrepresent the Senator.

But, Mr. President, we have some rights that even a protective Congress ought to respect. I point to our industry. Gentlemen here have alluded to the industries in their States; they have asked for the raising of the tariff in order that they might be made more prosperous. I point to the industries in my State, and I say that in the main they are prostrate; I say that in the main the laborer, owing to the low price of his product and owing in a large degree to the high price of all that he consumes, caused by this protective tariff, finds it difficult at the end of the year to make both ends meet. I should like to have the savings banks in Mississippi. I should like the colored people and the white people of Mississippi to have savings to deposit in the banks; but under the system which has been in operation now for twenty years, and which is proposed to be continued by this bill, I see but little chance for it.

I see that they are competing with the lowest paid labor on the face of God's earth in the production of their great crop. I see that there is no protection furnished to them or can be by a protective tariff. Then what can Congress do? They can do nothing but decrease the cost of production; that is all. They can decrease the cost of production; they can take the tax off the implements with which the laborer toils and raises this unremunerative crop. I ask you to do it. The answer is, "You are sectional, your interest is local, you ask for something for your section which is not granted to others." Let us see. Every factory in New England, every one in Pennsylvania, every one in the North and West is protected, and how is it protected? I want to call the attention of the Senate and of the country to this great fact: you can not impart value to nothing by a mere law; you can not create value by a mere law; you can not put money in the pocket of the manufacturer; you can not increase the wages of operatives unless you take that money from somebody else and put it there. The mere fiat of Congress does no good. Unless they can sell their goods for more than they can sell them without the law, the law is of no value.

Oh, but, it is said, we can not manufacture cotton unless the machine-shops are side by side with the factories. Then, sir, how can we ever start? Does anybody suppose that there will be a shop for the manufacture of textile-fabric machinery raised in the South until there shall be first a factory there to make the textile fabrics? Who will establish in Mississippi or in Alabama or Texas a shop for the manufacture of machinery when there is nobody there who wants to use it.

Again, it is said that we can not have manufacturing prosperity in Mississippi as long as we build isolated factories, as the Senator from North Carolina said they were built in that State. Then, sir, we can never start. How can you have a Lowell? Can you build it all in a day? Can you put up a dozen factories and 10,000 houses and fill them with a population of 50,000 people at the first start in manufacturing? No, sir; you have to commence just in the way that the Senator from North Carolina said his people were commencing, with small factories, with 2,000 spindles, with 3,000 spindles to the factory. It is said we can not have our machinery because we have to commence in this humble way. Then we never shall have it. I wonder if Lowell and Manchester and the other manufacturing cities of the North started into existence with all the manufacturing facilities that they have now. I think not.

Mr. President, some allusion has been made of rather a sectional character, some remarks have been made of that nature. I choose not to reply to them. I promised myself when I took my seat on this floor that I never would say anything, if I knew it, which would tend to rekindle the bitterness of the past and renew sectional strife. I do not feel called upon to do it now. If ungenerous flings have been made at my section, I let them pass by for the present.

And now, Mr. President, I want to call the attention of Senators to the proposition of the amendment as a proposition for the agricultural interest, as a proposition to allow the laboring men of this country, the mechanics of this country to have their tools, their implements of work and labor admitted free of duty. I have heard no man answer what I said on these subjects. The debate, so far as it has assailed my amendment, has been entirely confined to machinery. I call attention to that fact.

Mr. President, begging pardon for having trespassed so much on the time of the Senate, I ask Senators on both sides of this Chamber to give the propositions contained in the amendment a fair consideration; I ask them not to reject a proposition which will give so much of good to the section from which I come, because it may produce a local and temporary inconvenience to a small portion of their own people.

Mr. HOAR. Mr. President, I do not wish to enter at this hour of the day into a general debate on the question of protection, or go into any very considerable discussion of the reasons for or against the present amendment, but I wish to state to my honorable friend from Mississippi, and to my friend from North Carolina, very briefly the views which will govern me in voting against this proposition.

I believe, if I know myself, that there is scarcely a public object which I have more at heart than I have the establishment of a variety of manufacturing industries at the South; I hope I am big enough to be an American Senator, to vote upon this question with regard to the general interest and not to the local interest which I represent; but if I am mistaken in that I believe it is for the interest of my people, using the phrase which is used by other Senators here about their own States—I believe it is for the interest of the people of Massachusetts to-day, more than any other one thing, to have a variety of manufacturing industries established all over this country, wherever there is motive power, either in the shape of water or of coal.

We want a rich and prosperous West and South with whom to deal. We want men to take part with us in the government of this country who have the same interest and opinions we have, and we can well afford

to give you one or ten of our most prosperous and profitable pursuits to get in return the great advantage of similarity of interests and opinions which their establishment among you will give us. And therefore I agree, although the manufacture of cotton machinery is one of the most important and interesting industries of New England, and especially of the State of Massachusetts, that we could afford to give it up if thereby we should contribute substantially to causing the South to send her cotton abroad or send it to us in the shape of thread or yarn or cloth, instead of sending it as she does now as a pure and simple raw material.

But the method proposed by these gentlemen, I affirm in the light of all manufacturing experience, is destructive and not promotive of the very end which they have in view. You can not more certainly postpone or prevent the establishment of cotton manufacture in Mississippi or the Carolinas or Alabama or Georgia than by striking down the machine-building interests and skill of this country. The machine-shop and the manufacture of textile fabrics are inseparable. You can not find an instance upon earth—I do not mean that there is not a factory run for three years in Mississippi somewhere, where its machinery is new—but you can not find on earth an example of the successful establishment of cotton or woolen manufacture without machine-shops by its side.

The Senator from Mississippi implores protection for Mississippi and for its labor, and he ought to have it. Now, what does Mississippi want to do? She has got her vast water-power, he says; she has got her material in cotton upon her own fields, and she has got her laborers ready to be employed at low, or at any rate reasonable, rates of wages. He says she has not got any capital. But there never was a time on this earth, there never was a time in the history of this country, when she could get capital as easily as she can get it now. When Samuel Slater started the cotton manufacture at Webster, Massachusetts, and at Providence, Rhode Island, money brought 10 per cent. on an average over this country, and for such enterprises as his the person who risked it expected to get a return of 12 or 14 or 16 per cent. The average rate of perfectly secured capital to-day in this country is 2.86 per cent., and American capital is seeking South America and Mexico, and going and seeking employment all over the face of the continent; and let any man in Mississippi hold out a prospect of a return of 5 or 6 per cent. and he will be inundated with offers of capital if the prospect is certain.

Then, is not the way to build up cotton manufacturing in Mississippi with all its disadvantages just what was the way that built it up in New England with all its disadvantages? And we had to carry our cotton across a continent to be spun, send it back again across a continent to be sold, borrowing money at 12, 14, or 16 per cent. to carry on our manufacturing on streams which for three or four months in the year were frozen. If we wanted the aid or the supplement of coal it had to be taken from Pennsylvania or the Middle States, somewhere without railroads and without steam. And what did we do? Secured by protection two things—first, equality in the American market by protecting the fabric we had to sell; next, the creation of machine-shops of skilled labor. As Blackstone says, the arts and sciences are of a sociable disposition, and they will not flourish except in the neighborhood of each other. You build up in Mississippi or in South Carolina a cotton factory and you go to England for your machinery, and what do you get?

In the first place, English machinery is old-fashioned, it is not equal to that which we build in our Yankee machine-shops to-day. A large purchaser of English machinery a little while ago put into his contracts with the English machine-builder a clause that the machinery to be constructed should be equal to the best American machinery. You go there, and you are going to get a second-rate article in point of its adaptation to the new wants, in respect of ingenuity. In the next place if a single piece of it gets out of order, your mill must stop, and you have to send 3,000 miles for the necessary part, or 3,000 miles for the builder to send a foreman over a continent to you, and you have got to pay him for that. The idea of a successful cotton manufactory with its machine-shops 3,000 or 4,000 miles off is utterly preposterous.

What does the Senator from Mississippi propose to do in starting for the South his cotton manufacture? He proposes to banish from the American continent every workingman or every employer, and shut up on the American continent every workshop which can keep his machinery in decent running order, because the steel of which cotton machinery is made is high-tempered crucible steel, which has under the clause in the bill we have passed upon a protection of between 50 and 60 per cent. ad valorem, as I reckoned, with the aid of some of the most skillful gentlemen about me. Now, you propose to say that the American builders of cotton machinery shall buy that steel, and pay a duty of 50 to 60 per cent. ad valorem, making it up into cotton machinery in competition with the foreign builder, who brings in his entire cotton machine, the advantage of labor also being on his side, as 35 per cent. is to 100 per cent., on a protective duty of 10 per cent. only. I think that is the amendment of my honorable friend.

Mr. GEORGE. That is right.

Mr. HOAR. That is what he calls protecting Mississippi. Mississippi is protected by everything in this bill which protects anybody. The mere fact that an industry exists in Massachusetts to-day and does not exist in Mississippi, if Mississippi has the advantages for building it up in the future, does not make this protective policy any the less a protection of her, does it? You want your cotton-manufacturing establishment at your own doors, as you should, and we have taken the result of the experience of men who have established under much greater difficulties than you a successful cotton manufacture, and extend that policy over your heads. Go to work and see. It is all you have got to do. You are protected and ready. The English competitor and every other competitor is kept away from your doors. If I were a Senator from Mississippi I would not turn my back on the lessons of a successful experience, but I would take—I will not undertake to go into any discussion of why it is—that cotton manufacture that has grown up in Massachusetts. I agree with my friend from the South that it is a pity; I think it is a foul shame to the statesmanship of America that the leather should be taken from Texas and carried across the continent to Lynn and worked up into boots and shoes and carried back again to Texas to be sold to men who walk over the very plains on which the cattle were raised. I think it is a disgrace that the cotton of Mississippi should be taken either to Old England or to New England to be spun into thread or woven into cloth.

There are some things you have got to have. You can not have any system of intelligent manufacture; you can not have any system of profitable agriculture; you can not have any equality with anybody unless you, in the foundation of all, have a common-school system which sends into the mills a race of educated, skillful American workmen. Establish your manufacturing system in Mississippi to-day, and it will not be three years before the men who come out of the common schools of New Hampshire and Massachusetts will have inventions and schemes which will make the cotton manufacture of to-day old-fashioned, and you will fall behind in the race.

My friends, we will protect your manufacture, we will give you every advantage that we have had, and we will take hold with you, and by grants from the public Treasury, if you will accept them, we will aid by generous gifts in building up your common-school system, and then your manufacturing system which you long for will grow up and prosper to the common advantage and the common glory both of North and South.

Mr. VANCE. Mr. President, when I introduced this proposition this morning as a substitute for the amendment of the Senator from Mississippi I had no idea of exciting this long, protracted discussion, nor had I any idea of bringing down upon my head or upon the heads of those who have advocated the same view that I have taken so many animadversions as to the character of the legislation proposed. It has been called sectional legislation; it has been called class legislation. Perhaps it is; but it struck me that it was a good time to do something for my people.

I have been told again and again that the only road to prosperity in this country is a high tariff and manufactures established thereunder. I have been told again and again that the only reason why the people of the State in which I live are poorer than those in other sections of the country was because we had neglected manufactures. Knowing that we had the raw material for the manufacture of one great and almost universally consumed staple, and that we had the natural advantages for its proper manufacture, I thought that in this way I could do some good for those people by asking some aid in the establishment of manufactures.

I have seen again and again high taxes levied upon the people to be paid to the manufacturers of certain articles in the North and East. Inasmuch as my people could not be helped in that way I thought I would ask that they be helped by a remission of taxation, but it seems that that proposition met with instant opposition, and while it was not at all class legislation to levy a tax out of the pockets of 49,999,999 men, women, and children to put into the pockets of one man, whenever a proposition was made to remit a certain amount of taxation to put into the pockets of the people of the United States who saw proper to avail themselves of it, it then became class legislation; it became sectional.

I deny it, Mr. President. I say that there is not a word or a line of sectionalism or class legislation in the proposition which I have offered. It is as universal as the atmosphere. Every American citizen could import free machinery as well as those in the South. I contend that it is in direct conformity to the example set us by the Congress of the United States when they legislated that those who would engage in the manufacture of beet sugar should have their implements and machinery free. I contend that it is in direct conformity to the example set by this Congress when they legislated that all the material for making and repairing ships should come in free of duty; in direct conformity with the example set us by this Congress and its predecessors of allowing a drawback of the duty imposed on salt for all who would engage in the fisheries on the coast of Newfoundland.

Where is the difference, except that one is necessarily local, because it is hardly expected that a man living on the Gulf would go to the coast of Newfoundland to catch fish; but every man in all the States, and in every portion of the States where there is water-power, can establish a cotton factory and can take the benefit of this provision to obtain free machinery if he will.

I deny that there is anything sectional or in the nature of class legislation in regard to it. When I have seen in the predecessors of this Con-

gress, almost ever since the Government was founded, a tax levied upon the people for the benefit of a State or a community in a State, or a town or a number of men living in a town, or a company of men or a single man, as we yesterday levied a tax upon the American people for the benefit of one single man, the owner of a nickel mine in Pennsylvania, when I have seen all that and then am not permitted to ask that the Government will refrain from collecting duties upon such articles as my section of the country would desire in the erection of a cotton factory, I confess I am at the end of my lot; I can not understand it.

I did hope that this amendment would be passed. I did not propose it as any legislative scheme or trick for the purpose of making a record on any one; but I have offered it in good faith. Of course I can not expect it to pass when leading Senators on my side of the Chamber oppose it, and oppose it properly from their point of view, but at the same time I thought it was my duty to offer it and I have done so, and at the proper time whenever it is in order I shall ask the Senate to vote upon it.

I beg pardon of the Senate for having consumed so much of their time, though I think I have consumed less than any other man who has engaged in this debate.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. JONAS] to the amendment of the Senator from Mississippi [Mr. GEORGE].

Mr. JONAS. Mr. President, when I offered the amendment this morning I was under the impression that the amendment of the Senator from Mississippi proposed to reduce the duty to 25 per cent. I think myself that 10 per cent. ad valorem is too low. Believing that we were engaged in the work of the reduction of taxation as well as the reduction of revenue, and looking at the present tariff and at the proposed reduction, I could not but think that this was a fair and proper amendment. The Committee on Finance came into the Senate with a recommendation to maintain the present duty on machinery of which steel should be a component part at 45 per cent. ad valorem. It has been reduced to 35 per cent.; but 35 per cent. is not such a reduction as has been made on other schedules, and as is proposed to be made on a schedule in which I feel somewhat interested.

The greatest burden upon the sugar-planter is the cost of machinery. Machinery of a more or less expensive quality is necessary to any one engaged in that business, for the purpose of extracting the sugar from the cane and preparing it for the market. The duties at present are prohibitory on such machinery. I believe the reduction made last night will leave those duties still prohibitory.

If a great reduction is to be made in the duty upon this product, the largest reduction which is proposed to be made upon the present tariff, I desire at least to test the sense of the Senate as to whether they propose to allow the sugar planters to purchase their machinery in the markets of the world, and whether they propose to reduce the tariff upon their product so as to deprive them of all profit in its production, as I think I shall be able to show, and at the same time refuse to reduce the duty upon articles which are to them of prime necessity and upon which the duty is at present prohibitory.

I propose to amend the amendment which I offered by substituting "25 per cent." instead of "10 per cent." in the fourth line.

Mr. GEORGE. I ask the Senator from Louisiana to offer his amendment as an independent proposition, so that I may have a direct vote upon mine,

Mr. JONAS. To accommodate the Senator from Mississippi I will offer mine afterward as an independent proposition.

Mr. GEORGE. If the Senate is ready to take the vote I desire to modify my amendment by simply dividing it into three separate amendments so as to take a vote on each, not changing it in the least.

Mr. HARRIS. The Senator can ask for a division of the question without any change.

Mr. GEORGE. It would require some repetition to do that. I prefer the course I have suggested.

Mr. HOAR. I call for the yeas and nays on the amendment.

Mr. GEORGE. The first question will relate alone to machinery for the manufacture of cotton and woolen goods.

The PRESIDENT *pro tempore*. Does the Chair understand that the Senator from Mississippi withdraws the amendment he offered before?

Mr. GEORGE. Yes, sir; to offer it in separate provisos.

The PRESIDENT *pro tempore*. The amendment as now offered will be reported.

The ACTING SECRETARY. It is proposed to add, at the end of the metal schedule, after line 846, the following proviso:

Provided, That the duty on machinery for the manufacture of cotton or woolen goods, or goods composed of hemp, jute, or ramie shall be 10 per cent. ad valorem.

The PRESIDENT *pro tempore*. On agreeing to this amendment the yeas and nays are demanded by the Senator from Massachusetts.

Mr. HOAR. I withdraw the call.

Mr. GEORGE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. SAULSBURY. Mr. President, before the vote is taken I desire to say that I shall vote against the proposition of the Senator from Mississippi. I am opposed to all special legislation for particular interests. There is no more hardship upon the manufacturers of sugar or of cotton or of wool paying a duty upon the machinery employed in their occupation than there is in the agricultural interests of this country paying a duty upon the machinery which they have to use. I have no data upon which to base the opinion, but I express the opinion that the agricultural interests of this country to-day in the aggregate employ more machinery than any manufacturing industry in the country.

Mr. WILLIAMS. More than all put together.

Mr. SAULSBURY. I am not sure that they do not employ more machinery than all the manufacturing industries of the country. I see no necessity, therefore, for granting any special favor to any portion of the country unless there is to be a general benefit by relieving all machinery engaged in all occupations.

Mr. GEORGE. If the Senator will allow me to interrupt him, I will state that a part of my amendment is to reduce the duty on all agricultural implements 10 per cent.

Mr. SAULSBURY. To that I am opposed. If I have any interest in this country it is in agriculture. I was raised upon a farm, and I have been all my life somewhat connected with agricultural pursuits; but I am opposed to relieving an industry with which I am identified from its fair and just proportion of the burdens of this Government.

We are engaged to-day in adjusting the revenues for this country, and my view of the matter is that every interest in the country should bear its just proportion of the burdens of the Government. I am therefore opposed to granting any special favor to any interest. I am opposed to protection for protection's sake simply, because it is giving to a class of the people of this country a benefit which is not given to others. It makes it a burden upon other people to grant special protection to any interest. I am not opposed to that incidental protection which will arise to a manufacturing interest by laying a proper revenue to support the Government, and I say now that a fair adjustment of the revenue laws of this country and of the rates of duties will afford ample protection to every manufacturing interest in the country.

We have heard that this is for the benefit of labor. I have as much sympathy with the laborer of this country as any man in the Senate. I sympathize with the laborers of the manufacturing districts of this country. I have no question that they earn their bread by the sweat of their brow. I have seen some of those manufacturing establishments and their surroundings, and the operatives there from time to time living in great discomfort, while the capitalists who engaged in manufactures live in their marble palaces and ride in their coaches driven by liveried servants. I sympathize with the laborers in the manufacturing districts of this country as much as any gentleman in New England or any other portion of the country does, and I would go as far to serve them if I could do it with perfect justice to every other interest; but I have seen other laborers than those engaged in manufacturing. I have seen the mechanic in his shop, the smith at his anvil, the cobbler at his bench, the tenant farmer, the tiller of the soil who works from early morn until late at night. They, too, are laborers and are entitled to as much protection as the man who works his machinery in a manufacturing establishment; and I would not burden them in order to grant relief to the laborers engaged in any other occupation.

This talk about the protection of labor is, in my opinion, a delusion. We all know that every employer of labor procures the labor as cheaply as he can. His interest requires it. Until you elevate humanity far above its present level you will find that man in every occupation of life will seek to promote his own interest and mete out to his employé only that portion of his earnings which is requisite to secure his labor and services.

I shall vote against all these special favors to any class or community, whether it be the sugar growers and manufacturers, the raisers and manufacturers of cotton, or of wool, or anything else. Let all stand upon an equality. Let us levy a tax here for the purpose of raising revenue for the country, and make the burdens of the people as light as possible.

I believe that the highest duty of American statesmanship to-day is to make the burdens of government as light as possible upon the people. The relief of the people from the burdens of taxation, as far as the exigencies of the Government require it, is a very important question. We have had more important questions to consider, but this is a very important question. However, a few years ago, and since I came to the Senate, we had questions far transcending this in importance; we had questions affecting personal liberty and the right of the people to self-government. They outrode this in interest, far transcending any mere material interest. They have happily passed away. We have had other financial measures here. We have had the resumption of specie payments, the restoration of silver to the coins of the country, and many important questions. They, too, have been settled. The question which addresses itself now to the Senate is a question affecting the material prosperity and interest of the people. No question is more important than a proper adjustment of the tariff. We ought to raise just the amount of revenue which the Government needs and no more. I hold that we have no right under any grant of power contained in the Constitution to levy a single dollar except for the purposes of government.

In levying that tariff, in adjusting that revenue, if incidental protection arises to the manufacturing interests and they are thereby encouraged, I say well and good. I desire to see every manufacturing

interest in this country prosper, but I wish to see it prosper alone by the incidental protection which the proper adjustment of revenue rates will afford. When we depart from that principle, when we seek to adjust the revenue for the purpose of granting special favors to any class of the community, it is unjust to the interests of the people of this country.

So far as I am concerned I would never give by my voice or my vote consent to special favors to any class of the community, whether it be manufacturing, agricultural, or mechanical. I shall seek by my vote to do justice to all interests and to grant special favors to none.

The PRESIDENT *pro tempore*. The roll will be called on agreeing to the first amendment of the Senator from Mississippi [Mr. GEORGE].

The Principal Legislative Clerk proceeded to call the roll.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. HARRIS (when Mr. JACKSON'S name was called). I desire to say that my colleague [Mr. JACKSON] is paired with the Senator from Wisconsin [Mr. CAMERON]. If my colleague were here, he would vote "yea."

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON].

The roll-call was concluded.

Mr. HAMPTON. My colleague [Mr. BUTLER] is paired with the Senator from Iowa [Mr. MCDILL]. I do not know how my colleague would vote.

Mr. MORGAN. I am paired with the Senator from New York [Mr. LAPHAM]. If he were here, I should vote "nay."

Mr. DAVIS, of West Virginia. I am paired with the Senator from Minnesota [Mr. WINDOM], but believing that he would vote as I do, I vote "nay."

The result was announced—yeas 14, nays 39; as follows:

YEAS—14.

Barrow,	Grover,	Maxey,	Vest,
Coke,	Harris,	Pugh,	Walker.
Farley,	Jones of Florida,	Ransom,	
George,	Kellogg,	Vance,	

NAYS—39.

Aldrich,	Conger,	Hawley,	Morrill,
Allison,	Davis of Ill.,	Hill,	Platt,
Anthony,	Davis of W. Va.,	Hoar,	Plumb,
Bayard,	Dawes,	Jonas,	Rollins,
Beck,	Frye,	Jones of Nevada,	Saulsbury,
Blair,	Gorman,	Logan,	Sewell,
Call,	Groome,	McMillan,	Sherman,
Camden,	Hale,	McPherson,	Voorhees,
Chilcott,	Hampton,	Miller of Cal.,	Williams.
Cockrell,	Harrison,	Miller of N. Y.,	

ABSENT—23.

Butler,	Ferry,	Lapham,	Saunders,
Brown,	Garland,	McDill,	Sawyer,
Cameron of Pa.,	Ingalls,	Mahone,	Slater,
Cameron of Wis.,	Jackson,	Mitchell,	Van Wyck,
Edmunds,	Johnston,	Morgan,	Windom.
Fair,	Lamar,	Pendleton,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The second amendment of the Senator from Mississippi [Mr. GEORGE] will be reported.

The ACTING SECRETARY. It is proposed to add at the end of the metal schedule, after line 846, the following proviso:

Provided, That the duty on all tools of mechanics suited for use by manual labor, shall be 10 per cent. ad valorem.

Mr. DAVIS, of West Virginia. I ask whether that would not include all tools for almost every purpose?

Mr. GEORGE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, I merely want to state the principle that will guide me in all my votes throughout this entire tariff discussion. I am for putting the tax at the lowest point that will yield the most revenue. I think that is the principle that should govern every Democrat and every revenue-tariff man. I think the amendment proposes to put it below that point, and as I am as much opposed to doing that as I am to putting it above, I shall vote against the proposition, as I did against the one just voted on.

The PRESIDENT *pro tempore*. The roll will be called on agreeing to the amendment.

The Principal Legislative Clerk proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM].

Mr. SLATER (when his name was called). On this question I am paired with the Senator from Nebraska [Mr. VAN WYCK]. If he were here, I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 14, nays 37; as follows:

YEAS—14.

Barrow,	George,	Maxey,	Vest,
Coke,	Grover,	Pugh,	Walker.
Farley,	Harris,	Ransom,	
Garland,	Jonas,	Vance,	

NAYS—37.

Aldrich,	Cockrell,	Harrison,	Platt,
Allison,	Conger,	Hawley,	Plumb,
Anthony,	Davis of Ill.,	Hill,	Rollins,
Bayard,	Davis of W. Va.,	Hoar,	Saulsbury,
Beck,	Dawes,	Logan,	Sherman,
Blair,	Edmunds,	McMillan,	Voorhees,
Call,	Frye,	McPherson,	Williams.
Camden,	Groome,	Miller of Cal.,	
Cameron of Pa.,	Hale,	Miller of N. Y.,	
Chilcott,	Hampton,	Morrill,	

ABSENT—25.

Brown,	Jackson,	McDill,	Sewell,
Butler,	Johnston,	Mahone,	Slater,
Cameron of Wis.,	Jones of Florida,	Mitchell,	Van Wyck,
Fair,	Jones of Nevada,	Morgan,	Windom.
Ferry,	Kellogg,	Pendleton,	
Gorman,	Lamar,	Saunders,	
Ingalls,	Lapham,	Sawyer,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The Senator from Mississippi [Mr. GEORGE] offers a third amendment, which will be reported.

The ACTING SECRETARY. It is proposed to add at the end of the metal schedule, after line 846, the following proviso:

Provided, That the duty on all agricultural implements shall be 10 per cent. ad valorem.

Mr. GEORGE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BECK. Mr. President, I only desire to say that while I am willing to vote for all reasonable reductions I propose to vote for something like a uniform rate of taxation, and not to make exceptional cases, however popular it may be to vote for the lowest rate. Much has been said about free-traders. I am not a free-trader. There may be free-traders in the Senate, likely there are, but I know of no mode of collecting taxes under the Constitution of the United States so unjust and unequal as would have to be done under free trade.

I have looked over the statistics of population and wealth of the States. As you know, Mr. President, and as we all know, if we do not collect our money by internal revenue or by import duties direct taxes have to be levied according to the population as settled by the enumeration taken at the preceding census. I have that table before me. It is a long one, and I do not care to put it into the RECORD, but it illustrates what I mean. The State of Alabama, as shown by the census, has a population of 1,265,000 people. She has property assessed, according to the assessment, at $121,000,000. The State of Rhode Island has a population of about 265,000 people, with an assessed valuation of property of $255,000,000. Levying, as we are compelled under the Federal Constitution, a direct tax, if we do not collect by tariff duties and by internal-revenue taxes, every man in the State of Alabama, in proportion to the property that he owns and has assessed, would pay ten times as much as every man living in the State of Rhode Island. There is no system of tariff taxation half so unequal or half so unjust as would be inflicted upon the State of Alabama by direct taxation.

Therefore, all this talk about direct taxation is to my mind not only absurd, but absolutely unjust to the poorer States of the South; and I propose to raise whatever revenue is necessary to maintain this Government by taxation through a tariff or through internal revenue which will not bring about the results which free trade would necessarily bring about. This effort to bring articles down to 10 per cent. it is well-known will not raise the revenue necessary to support this Government, and I shall steadily vote against all such propositions.

The PRESIDENT *pro tempore*. The roll will be called on agreeing to the amendment of the Senator from Mississippi [Mr. GEORGE].

The Principal Legislative Clerk proceeded to call the roll and Mr. ALDRICH answered to his name.

Mr. WILLIAMS. In addition to what my colleague has said, I wish to make one remark. I do not think the amendment is a matter of any consequence any way, because we never import one single agricultural implement into this country. We now beat the world in the manufacture of agricultural implements, and we always will beat the world, with or without any tariff. I oppose the amendment, because is a departure from the general principles of taxation.

Mr. VANCE. I suggest to the Senator from Kentucky if we never bring any in we shall get no revenue from a tariff; and if we beat the world, why not reduce the duty?

Mr. WILLIAMS. I say it is a matter of no consequence. The committee has reported it at 20 per cent., I believe. It hurts nobody; it never will hurt anybody. I, as a farmer, know that fact. I do not believe we ever shall import into this country one single agricultural implement.

Mr. ALLISON. We export millions of dollars' worth of agricultural implements every year.

Mr. VANCE. Then no revenue is received from the duty, and there is no use to put upon it a high duty that secures nothing.

The PRESIDENT *pro tempore*. This debate is out of order, for there was a response to the roll-call before the Senator from Kentucky rose.

Mr. WILLIAMS. I will say that in the interior of Russia, 2,000 miles in the heart of the country from St. Petersburg, in Asia and Africa and all around the Mediterranean, I have seen everywhere agricult-

ural implements that had been manufactured in this country, and I have never seen a foreign agricultural implement in my country in my life.

The PRESIDENT *pro tempore*. The Senator from Rhode Island responded to his name before the Senator from Kentucky rose, but the Chair could not possibly make him understand that he was out of order.

Mr. RANSOM. The Senator from Kentucky spoke by unanimous consent.

The Principal Legislative Clerk resumed the call of the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM].

The roll-call was concluded.

Mr. MITCHELL. I am paired on all these questions with the Senator from Virginia [Mr. JOHNSTON].

Mr. HARRIS. I desire to announce once for all for the day that my colleague [Mr. JACKSON] is paired with the Senator from Wisconsin [Mr. CAMERON].

The result was announced—yeas 15, nays 36; as follows:

YEAS—15.

Barrow,	Garland,	Jones of Florida,	Vance,
Cockrell,	George,	Maxey,	Vest,
Coke,	Harris,	Pugh,	Walker.
Farley,	Jonas,	Ransom,	

NAYS—36.

Aldrich,	Conger,	Hampton,	Miller of Cal.,
Allison,	Davis of Ill.,	Harrison,	Miller of N. Y.,
Anthony,	Davis of W. Va.,	Hawley,	Morrill,
Bayard,	Dawes,	Hill,	Platt,
Beck,	Edmunds,	Hoar,	Plumb,
Blair,	Frye,	Jones of Nevada,	Rollins,
Call,	Gorman,	Logan,	Saulsbury,
Camden,	Groome,	McMillan,	Voorhees,
Cameron of Pa.,	Hale,	McPherson,	Williams.

ABSENT—25.

Brown,	Ingalls,	Mahone,	Sherman,
Butler,	Jackson,	Mitchell,	Slater,
Cameron of Wis.,	Johnston,	Morgan,	Van Wyck,
Chilcott,	Kellogg,	Pendleton,	Windom.
Fair,	Lamar,	Saunders,	
Ferry,	Lapham,	Sawyer,	
Grover,	McDill,	Sewell,	

So the amendment was rejected.

Mr. JONAS. I now renew my amendment. At the end of line 846 I move to add:

Provided, That machinery for the extraction and manufacture of sugar from sugar-cane or sorghum shall be charged a duty of 25 per cent. ad valorem.

Mr. ROLLINS. Let the amendment be read which I proposed to that some time since, adding the words "and sugar."

The PRESIDENT *pro tempore*. The Chair does not understand what the Senator from New Hampshire proposed.

Mr. ROLLINS. I propose to add the words "and sugar" after "sorghum." Perhaps the Senator from Louisiana will agree to this modification?

Mr. JONAS. I will not agree to anything of the kind. The sugar schedule has not been reached.

Mr. ROLLINS. This is a proper place to reach it, and this will dispose of the question and save a good deal of discussion hereafter.

Mr. JONAS. At the request of the Senator from Mississippi I withdrew my amendment for a few minutes. I ask that the vote be now taken on my amendment.

Mr. ROLLINS. Let my amendment be reported.

The ACTING SECRETARY. After the word "sorghum" it is proposed to insert "and sugar;" so as to read:

Provided, That machinery for the extraction and manufacture of sugar from sugar-cane or sorghum and sugar shall be charged a duty of 25 per cent. ad valorem.

Mr. ALDRICH. I suggest to the Senator from New Hampshire that he put the word "sugar" before the word "machinery;" so as to read "sugar and machinery."

Mr. ROLLINS. Very well.

The PRESIDENT *pro tempore*. The amendment to the amendment will be reported as modified.

The ACTING SECRETARY. It is proposed to insert after the word "that" the words "sugar, and;" so as to read:

Provided, That sugar, and the machinery for the extraction and manufacture of sugar from sugar-cane or sorghum, shall be charged a duty of 25 per cent. ad valorem.

Mr. MORRILL. I had hoped that after the decided vote of the Senate on the amendments of the Senator from Mississippi no further amendment of this character would be presented. Let me say that every experiment of this kind that we have made has proved a failure. If any machinery for the manufacture of sorghum is ever invented and brought out so as to be useful, it will be in this country, and not be imported from abroad.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from New Hampshire [Mr. ROLLINS] to the amendment of the Senator from Louisiana [Mr. JONAS].

Mr. JONAS. My amendment is the one I gave notice of some time ago. I offered it this morning as an amendment to the amendment of the Senator from Mississippi for the purpose of reducing the duty on sugar machinery. It belongs properly to the iron and metal schedule, which we are now considering. Whether it will be adopted by the Senate or not, I certainly have a right to offer it and the right to ask for a vote on it. The amendment offered by the Senator from New Hampshire is obtrusive, out of place, and has no relation whatever to the schedule or to the subject which we are considering. If, when the proper time arrives, the Senate shall be pleased to put sugar at 25 per cent. ad valorem, it will be in their power to do so. I presume the Senator from New Hampshire has a right to move the amendment; but I trust the Senate will possess their souls in patience and permit the metal schedule to be finished first. I ask for a vote on the amendment I have offered.

Mr. ALLISON. I ask that the whole amendment may be reported again as it will stand if adopted.

Mr. EDMUNDS. First the amendment, and then the amendment to the amendment.

The ACTING SECRETARY. The amendment of Mr. JONAS is to add after line 846 the following proviso:

Provided, That machinery for the extraction and manufacture of sugar from sugar-cane or sorghum shall be charged a duty of 25 per cent. ad valorem.

It is proposed to amend the amendment so as to read:

Provided, That sugar and machinery for the extraction and manufacture of sugar from sugar-cane or sorghum shall be charged a duty of 25 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to the amendment. [Putting the question.] The noes appear to have it.

Mr. ROLLINS. I ask for the yeas and nays. ["No!" "No!"]

Mr. HOAR. I think the Senator from Louisiana ought to have a right to test the sense of the Senate on his amendment. It is very obvious, from the previous votes of the Senate, that there will not be more than ten or fifteen Senators who will favor the amendment of the Senator from Louisiana; but if he desires to have a record on that question simply, I think he ought to have it. I am in favor of allowing him to have a vote on his own amendment.

Mr. ROLLINS. So am I in favor of it, but I think I have a right to suggest an amendment without the censure of the Senator from Massachusetts.

Mr. HOAR. I did not make any censure.

Mr. DAWES. I hope the Senator from New Hampshire will withdraw the amendment to the amendment.

Mr. FRYE and others. It was voted down.

Mr. HARRIS. What is the pending question?

The PRESIDENT *pro tempore*. Does the Senator from New Hampshire insist on calling for the yeas and nays? The Chair announced the vote, and unless the Senator calls for the yeas and nays the amendment to the amendment is lost.

Several SENATORS. Let it go.

Mr. ROLLINS. Very well.

The PRESIDENT *pro tempore*. The amendment to the amendment is lost. The question recurs now on the amendment of the Senator from Louisiana [Mr. JONAS].

Mr. SAULSBURY. I should like to ask the Senator from Louisiana what is the present duty on sugar machinery, as I am not posted on that subject?

Mr. JONAS. The duty fixed last night is 35 per cent.

The amendment was rejected.

The PRESIDENT *pro tempore*. The Senator from North Carolina [Mr. VANCE] has an amendment to offer.

Mr. VANCE. Discouraged as I am by the result of the vote upon the amendments of the Senator from Mississippi and the Senator from Louisiana, I am induced to modify my amendment by striking out the word "ten" and inserting the word "three," and I will ask the vote of the Senate upon it as modified.

The PRESIDENT *pro tempore*. The amendment will be read as modified.

The ACTING SECRETARY. At the end of line 846 it is proposed to add:

For the period of three years from and after the passage of this act the importation of all kinds of machinery to be used exclusively in the manufacture of cotton or woolen goods shall be free of all duty, under such regulation as the Secretary of the Treasury shall prescribe.

Mr. VANCE. I will modify the amendment further by striking out the words "or woolen goods," so as to apply it simply to cotton goods, fixing a term of only three years.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina as modified.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM].

Mr. VANCE (when Mr. RANSOM'S name was called). My colleague [Mr. RANSOM] is paired with the Senator from Minnesota [Mr. MCMILLAN].

Mr. SLATER (when his name was called). I wish to state that I am paired with the Senator from Nebraska [Mr. VAN WYCK].

The roll-call was concluded.

Mr. MITCHELL. I am paired with the Senator from Virginia [Mr. JOHNSTON]. The Senator from New York [Mr. MILLER] is paired with the Senator from Maryland [Mr. GROOME].

The PRESIDENT *pro tempore*. The Senator from Maryland has voted.

Mr. GROOME. I am paired with the Senator from New York [Mr. MILLER]; but I was so sure that he would vote the way I would that I voted "nay" without hesitation.

Mr. MITCHELL. He asked me to announce the pair.

Mr. GROOME. Does the Senator think the Senator from New York would vote "yea" on this proposition?

Mr. MITCHELL. Oh, no.

Mr. GROOME. Then I will let my vote stand.

Mr. MITCHELL. My colleague [Mr. CAMERON, of Pennsylvania] is paired with the Senator from Alabama [Mr. PUGH].

Mr. HARRIS (after having voted in the affirmative). I have been during my absence paired with the Senator from Michigan [Mr. FERRY]. Yesterday the Senator from Florida [Mr. JONES] was absent and I transferred the pair to the Senator from Florida, but I see that the Senator from Florida has voted upon this roll-call. I therefore withdraw my vote, keeping the pair with the Senator from Michigan [Mr. FERRY].

The result was announced—yeas 8, nays 34; as follows:

YEAS—8.

Barrow,	Garland,	Jonas,	Vance,
Coke,	George,	Jones of Florida,	Walker.

NAYS—34.

Allison,	Conger,	Hampton,	Miller of Cal.,
Anthony,	Davis of Ill.,	Harrison,	Morrill,
Bayard,	Davis of W. Va.,	Hawley,	Platt,
Beck,	Dawes,	Hill,	Rollins,
Blair,	Edmunds,	Hoar,	Saulsbury,
Call,	Frye,	Jones of Nevada,	Voorhees,
Camden,	Gorman,	Logan,	Williams.
Chilcott,	Groome,	McPherson,	
Cockrell,	Hale,	Maxey,	

ABSENT—34.

Aldrich,	Harris,	Mahone,	Sawyer,
Brown,	Ingalls,	Miller of N. Y.,	Sewell,
Butler,	Jackson,	Mitchell,	Sherman,
Cameron of Pa.,	Johnston,	Morgan,	Slater,
Cameron of Wis.,	Kellogg,	Pendleton,	Van Wyck,
Fair,	Lamar,	Plumb,	Vest,
Farley,	Lapham,	Pugh,	Windom.
Ferry,	McDill,	Ransom,	
Grover,	McMillan,	Saunders,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. Are there further amendments to the metal schedule? The Chair hearing none, the sugar schedule—Schedule E—will be next taken up, the wooden schedule having been considered.

Mr. MORRILL. I ask to present an amendment to the sugar schedule as a substitute for the one in the bill. It is the amendment which I submitted several days ago and had printed.

Mr. McPHERSON. Do I understand that the chairman of the Finance Committee offers an amendment proposed by the committee?

Mr. MORRILL. It was agreed to by, I think, a majority of the committee.

The PRESIDENT *pro tempore*. The amendment of the Senator from Vermont will be reported.

The ACTING SECRETARY. It is proposed to insert the following as Schedule E:

SCHEDULE E.—SUGAR.

All sugars not above No. 13 Dutch standard in color shall pay a duty on their polariscopic test as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane-juice or of beet-juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above seventy-five degrees, shall pay a duty of 1.25 cents per pound, and for every additional degree or fraction of a degree shown by the polariscopic test they shall pay five-hundredths of a cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color, and pay duty as follows, namely:

All sugar above No. 13 and not above No. 16 Dutch standard, 2.65 cents per pound.

All sugar above No. 16 and not above No. 20 Dutch standard, 3.15 cents per pound.

All sugars above No. 20 Dutch standard, 3.65 cents per pound.

Molasses testing not above fifty-six degrees by the polariscope shall pay a duty of 4 cents per gallon; molasses testing above fifty-six degrees shall pay a duty of 8 cents per gallon.

Mr. MORRILL. This covers the whole sugar schedule down to line 914.

Mr. SAULSBURY. I should like to have the Senator from Vermont explain what reduction is proposed over the present tariff on sugar.

Mr. ALDRICH. I desire to offer an amendment.

Mr. McPHERSON. I desire to offer as a substitute——

The PRESIDENT *pro tempore*. The Senator from Rhode Island has the floor.

Mr. ALDRICH. I desire to offer an amendment to the committee amendment, as I was not able to agree with a majority of the committee as to what rates should be fixed. I wish to consult the convenience of the chairman of the committee about whether the amendment shall be offered now.

The PRESIDENT *pro tempore*. The amendment must be offered now.

Mr. ALDRICH. Then I move to strike out the word "five" where it occurs in line 11 of the amendment and to insert "four;" so as to read:

They shall pay four-hundredths of a cent per pound additional.

If that shall carry, then I propose to change the rates of duty above No. 13 to correspond to this amendment.

The PRESIDENT *pro tempore*. The other amendment had better be moved now.

Mr. ALDRICH. The other amendment I thought could wait. That will depend on the vote on this amendment.

Mr. ROLLINS. What does the Senator propose to offer?

Mr. ALDRICH. I propose to reduce the rate about thirty-hundredths of a cent.

Mr. McPHERSON. I desire to offer as an amendment to the amendment offered by the chairman of the committee the pure, simple schedule as reported by the Tariff Commission.

The PRESIDENT *pro tempore*. The amendment of the Senator from New Jersey can be read now. It will be in order after action on the amendment of the Senator from Rhode Island.

Mr. McPHERSON. I will send it to the desk and ask that it be read.

Mr. SAULSBURY. I was going to suggest to the Senator from Vermont, inasmuch as this is a very important schedule to be considered and his amendment is an entire new classification and new rates of duties from those in the bill, and other amendments have already been offered, would it not be proper for him to move an adjournment to-night, so that these amendments may be printed and we may have time to consider them?

The PRESIDENT *pro tempore*. The amendment of the Senator from Vermont is in print. It was printed January 20.

Mr. ALLISON. It is easily understood. There is no particular change in the classification.

The PRESIDENT *pro tempore*. The Secretary will read the substitute proposed by the Senator from New Jersey [Mr. McPHERSON].

Mr. LOGAN. If the Senator from New Jersey will allow me, and I beg his pardon for interrupting him, I have refrained all day for the reason that I did not want to interrupt the proceedings, but I wish to present some petitions on this very subject. I dislike to hold them until after the subject is passed upon, and I wish to present them now and let them lie on the table.

The PRESIDENT *pro tempore*. If there is no objection the petitions will be received. The Chair hears none.

Mr. LOGAN. I present a petition of citizens of Chicago, Illinois; a petition of citizens of Noble, Illinois; a petition of citizens of Benton, Illinois; a petition of citizens of Mackinaw, Illinois; a petition of citizens of Marine, Illinois; a petition of citizens of Cordova, Illinois; a petition of citizens of Galva, Illinois; a petition of citizens of Quincy, Illinois; a petition of citizens of Monticello, Illinois; a petition of citizens of Cairo, Illinois; a petition of citizens of Le Mont, Illinois; a petition of citizens of Turner, Illinois; a petition of citizens of Martinsville, Illinois; a petition of citizens of Woodstock, Illinois; a petition of citizens of Bridgeport, Illinois; a petition of citizens of Rockton, Illinois; and a petition of citizens of Carpenterville, Illinois, all numerously signed, praying for a reduction of the tariff on sugar. I ask that the petitions lie on the table.

The PRESIDENT *pro tempore*. They will lie on the table. The Secretary will read the substitute proposed by the Senator from New Jersey [Mr. McPHERSON].

Mr. KELLOGG. The amendment proposed by the Senator from New Jersey has been printed. It was printed weeks ago. I call attention to that fact in reply to the suggestion made by the Senator from Delaware [Mr. SAULSBURY] that he would like to see the amendments in print. I understand that the Senator from New Jersey proposes the schedule recommended by the Tariff Commission.

Mr. McPHERSON. Yes; every Senator has seen it a hundred times here. It is simply restoring the schedule of the Tariff Commission.

Mr. ALLISON. It is printed in the Tariff Commission's report.

The PRESIDENT *pro tempore*. The substitute proposed by the Senator from New Jersey will be read at the desk, at the Senator's request.

The Acting Secretary read as follows:

SCHEDULE E.—SUGAR.

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic test as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice, or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty of 1.50 cents per pound, and for every additional degree or fraction of a degree shown by the polariscope test, they shall pay five hundredths of a cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color, and pay duty as follows, namely:

All sugars above No. 13 and not above No. 16 Dutch standard, 3½ cents per pound.

All sugar above No. 16 and not above No. 20 Dutch standard, 3.75 cents per pound.

All sugars above No. 20 Dutch standard, 4¼ cents per pound.

Molasses testing not above 56° by the polariscope, shall pay a duty of 5¼ cents per gallon. Molasses testing above 56°, shall pay a duty of 10 cents per gallon.

Sugar candy, not colored, 5 cents per pound.

All other confectionery, not specially enumerated or provided for in this act, made wholly or in part of sugar, and on sugars after being refined, when tinctured, colored, or in any way adulterated, valued at 30 cents per pound or less, 10 cents per pound.

Confectionery valued above 30 cents per pound, or when sold by the box, package, or otherwise than by the pound, 50 per cent. ad valorem.

Mr. McPHERSON. Mr. President, I believe the sugar schedule proposed by the Tariff Commission to be better than any one I have seen since we have undertaken to remodel their work. It fixes the standard at No. 13 and fixes the duty at 1½ cents per pound. Their determination was reached after a very thorough and careful investigation of the whole question. It seems to me to be equitable and at the same time to be the best. The standard of 13 is now the official standard and represents the condition of the sugar between its raw and manufactured states as accurately and as clearly as any standard can do.

With respect to the sugar industry I wish to say that to my mind if there is an infant industry in this country it is the sugar industry. I have heard so much said about infant industries in the last three or four days that I have come to know what one is. When the vast corn-fields of our country are becoming every year more and more utilized in converting their products into sugar, as is now being done, and making an excellent quality of sugar, when the growth of sorghum-cane and the manufacture of sugar has become so great an enterprise, it does seem to me to be exactly the wrong time to undertake to disturb or meddle with this great interest, to say nothing of the cane industry in the Southern States, which always has and always should have a certain measure of protection.

My own State of New Jersey is to-day offering a bounty of $1 per ton upon the sorghum-cane and paying 1 cent per pound upon sugar manufactured from that cane. The result has been that thousands of acres of land heretofore utilized and available for no other purpose have been made into sorghum plantations; and the sorghum is being cultivated in New Jersey with a great deal of profit to the people of that State. I prophesy that the time is not very far distant when from corn that is grown upon our immense Western prairies and from the growth and the manufacture of sorghum we shall be supplying the world with sugar; that we shall be exporting it. Therefore I wish to foster and protect this industry as much as it needs it to-day, so that we may become exporters instead of importers of the article.

Mr. FRYE. Will the Senator from New Jersey kindly state what the ad valorem duty is under the amendment which he offers?

Mr. McPHERSON. I do not know that I can do so exactly. It is a reduction from the present rate and makes a difference of about $1,000,000, as I understand from the estimates that have been furnished me; yet I have not verified the estimates. I understand it makes a reduction of about $1,000,000 in the present tariff, while the bill as reported by the chairman of the Finance Committee makes a reduction of six million or seven million dollars as I understand.

Mr. KELLOGG. More than that—nearly $11,000,000.

Mr. SAULSBURY. I should like to inquire of the Senator from New Jersey whether the proposed reduction will not inure to the benefit of the refiners of sugar. Up to No. 13, as I understand, all grades of sugar must necessarily go to the refiners for the purpose of being prepared for consumption in the country. If you reduce upon these varieties the duty upon sugar, will not the refiners be the special recipients of the advantage of that reduction? As I understand, until you reach No. 13 sugar is not in a condition to be used in the common consumption of life.

My idea is that the reduction ought to be in that grade of sugar which goes upon the table of every person in the country, and not upon the lower grades of sugar, the benefit of which will inure especially, as I understand, to the refiners. We collected last year I believe $17,000,000 revenue upon sugar, and I would like to see the duty upon that article which is necessary to the comfort of every family reduced; but it seems to me that unless you reduce it upon the higher grades of sugar, those above No. 13, the great consuming body of the people of this country will not receive any advantage from it. It is true if the refiners shall have some reduction in the lower grades they may afford to sell their article at a lower rate, but we all know enough of humanity to know that where a man has a monopoly of a business he is going to exact just the rates and charges which his interest suggests.

Mr. MORGAN. Mr. President, as this is a peculiarly Southern industry, belonging by the necessities of the situation to the extreme South, and as I intend to vote for a reduction upon the tariff on sugar, I desire to state my reasons.

I recognize that there is a certain degree of responsibility to which every Southern man will be held who makes a departure from the prevailing opinion that Southern industries ought to be protected whether the Northern industries are protected or not, and that there is something properly sectional in our divisions upon questions of this kind.

Our leading industries are no longer infants. If there are some that are undeveloped, as silk and ramie, and borax, zinc, and nitrates in the Western hills and plains, let us encourage them up to the highest revenue standard of taxation on the imported productions. But we have covered and occupied nearly all the ground that human industry and genius can find for enterprise. Our industries are no longer in an infantile stage. They are in vigorous development.

We can not keep out foreign pauper labor by raising the price here. They will seek the market and supply the demand. We can not keep out foreign capital by giving extraordinary profits to money in the protected industries. They will enter the field and reap the harvest prepared for ourselves. We can not give to the producer of raw material a higher or better market at home than he can get abroad for his productions by levying a high tariff upon what he gets in exchange for them, and by compelling him to have the products he has for sale priced in the foreign market.

We can not produce low prices in manufactures by high rates of tariff duty, and we can not afford to buy high-priced manufactures with low-priced productions of raw material.

A high protective policy clogs and renders heavy and dull even the monopolized home market, for men will buy sparingly even of necessities when famine prices prevail. It destroys all hope of competition abroad, and thus compels the 10,000,000 of protected manufacturing people to seek their support entirely from the remaining 40,000,000 of the producing classes. The foreign markets stand invitingly open to our manufacturers, and what they most need now is what young birds need when their mothers push them out of their nests, to compel them to use their wings in search of a living. If a thousand men pay a profit of $100 each to a manufacturing capitalist he loses nothing, and they gain if he makes his $100,000 per annum out of 2,000 men instead of 1,000. And to spread the boundaries of his trade and enlarge the number of his customers always enables the manufacturer to reduce his prices. The banker, manufacturer, railroad king, carrier, or merchant, who has the widest field of commerce under his control can always give better rates to his customers than one who is cramped by a narrower field.

Great Britain and France can afford to expend hundreds of millions in subsidizing their ships, because it gives them a wider field of commerce and brings more and cheaper goods from other countries. It is the expansion of the market that yields the profit to her people and so enriches them that they can easily bear the burden of heavy excise duties. We confine our people to the home market, and take from the numerous poor to aggrandize the few rich people.

We now approach the discussion of the tariff on sugar. That is the pending question. I will not now enter into the details of that tariff, as to the rate of duty that it should bear, except to illustrate the points of difference between the protection and the revenue-tariff men on certain important questions. Sugar is a home product and manufacture. The weight of the cane and its perishable character compel its manufacture on the plantations where it is grown. It is grown and cut by manual labor, and is manufactured by machinery. In the higher grades an article is produced of the best merchantable quality ready packed for market. In the lower grades the production requires skill and machinery to refine it and prepare it for market. It is easily capable of adulteration, and in this result the interests of the planter and the adulterator are about the same. It finds its way to market without any practical check as to this adulteration. The adulterations are serious frauds on the consumer, as to the intrinsic value of the commodity, and are dangerous to the health, especially of children. Sugar is grown only on a small fringe of land on the extreme Southern border, and is a local and sectional product inviting for and against it local and sectional prejudices.

Its only home competitors are beets and sorghum, and all of these together do not supply more than a tenth of the quantity needed for home consumption. In these various conditions and qualities sugar presents a test more complete than any other production or manufacture of the principles on which Congress should act in levying duties. I will enumerate the reasons why it should bear a low duty, and then the opposing reasons for its bearing a high duty, to ascertain which plan would be just:

1. It is an article of universal necessity, even more so to those who are in infancy or childhood, and those who are infirm, than to other classes.

2. It has become indispensable in medicine, and in food and drink for the sick.

3. While it is a necessity to all classes of the people, to the poor it is the richest of luxuries.

4. It is the most equable subject through whose agency taxes can be ratably apportioned to every human being, though salt, being used for more purposes than sugar, in arts, manufactures, agriculture, the preservation of food, and in caring for animals, has the widest field of usefulness.

5. Cane-sugar is richer than the sugar of beets or sorghum, and therefore, the same rate of specific duty applied to all would put the cane-sugar under stronger protection than the others.

6. It invites adulteration in proportion as the price of it is raised.

7. As a product of the soil it is confined to a mere patch on the surface of the country.

8. It is a plantation product and not a farm product, and attracts no population that is not engaged in its production or manufacture.

9. It requires large capital for its production and manufacture, and the most ignorant labor is on an equal footing with the most skilled, in the largest part of the employment it gives. It furnishes no occupation to the ordinary farmer, and but little employment to any but the strongest and roughest labor.

10. No amount of bounty or protection to cane-sugar would much increase the area of its production, or ever increase the supply so as to

meet one-half of the home demand. All these facts argue strongly against sugar as a commodity for high protection. What facts represent the other other side of the question?

1. A tax on sugar reaches every human being with an approximation to equality of the burden of taxation.

2. It is a home industry.

3. By decreasing the importation one-tenth it furnishes that much competition with which to lower the prices of imported sugars.

4. It furnishes a modicum of employment to the American free laborer; but in direct competition with foreign labor, some of it cooly, some of it peon labor and some of it slave.

5. It puts a large proportion of capital in use and at risk for the production of sugar, and this capital has in part been invested on faith of the protection given under existing laws.

6. At the present rate of duty it yields nearly $50,000,000 of revenue.

Will the protectionist say that this article yields too much revenue, and that to make the tax higher would reduce the revenue and give to this industry a better control of the home market? Will the advocates of a tariff for revenne say that the tax should be lowered and that thereby the revenue would be increased by increased consumption and the commodity cheapened? Will the consumer say that the price should be reduced? Will the refiner say that revenue should be decreased on the lower grades and increased on the higher to encourage his industry? Will the producer be willing to yield the prices secured by protection to the demands of any of these classes? It is plain that whatever is done to change the existing laws must be done either by combination with the producer or by force against his will. He is the only satisfied person in any class, and he will contend for the *status quo*. In this strife of conflicting interests one of two remedies must be adopted if any change is made, namely, a ratable reduction of the tax on sugar as compared with the necessities for revenue, and with the relative value of the production as compared with the value of the whole sum of our productions that are taxed, or else a repeal of all duties on sugar and a bonus to the sugar-producer to enable him to make a profit in competition with all other sugar-growing countries.

This is one case at least in which high duties produce high prices, open the door to fraud in the revenue and for the adulteration of food and medicine, cause the levying of excessive revenue on the classes least able to bear the burden, all for the sake of protecting a small class whose productions are confined by nature to a particular locality, and the giving of bounty to the enriching of the few. It is a case like many others in this bill, where a high rate of duty on the protected industry transfers the burden of taxation from the rich and luxurious in an unjust measure to those whose daily bread is won by daily labor. It violates the principles of sound political economy, and equally violates the spirit of our Constitution.

I would not injure the sugar-planters. I would much prefer to vote them a bounty, as we used to do the fisheries of the East and now bestow upon them by giving them a drawback on salt.

The sugar-planters and the wool-growers should take an even chance with the cotton-planters and the grain-growers, and be satisfied with it. Still I am willing to vote them bounties if they can not live without subsidy, because they grow native food that is indispensable to the people and is in competition with the productions of all tropical countries. I am not willing to vote a tax on sugar that gives 300,000 men a profit of 2 or 3 cents a pound on what they produce at the expense of 2 or 3 cents a pound on the consumption of sugar by 50,000,000 of people.

We should begin to legislate for our people with reference to the present and the future, and not with reference to their condition thirty years ago. Principles are always the same. Justice is not the sentiment of a day or hour; it is unfailing in its laws, and always equal in their application. Let us apply the principles that should control the tax on sugar to other industries whose products take rank as common necessities, for the sake of justice.

We have been working for a century to achieve our industrial independence of all nations, and we have achieved it Not only do we make almost everything that is necessary to comfort, but nearly all that contributes to the demands of elegance and luxury which is within the reach of the ingenuity and skill of the mechanic and artisan. Indeed, we have done much more than this. We have created factories adapted to the working of every species of raw material, whose productive capacity is far in excess of the demands of our people. Our supply of manufactures is in excess of the home demand, so that we must look to other countries for a market for our surplus, or else we must from time to time arrest production until the surplus has been consumed by the home market.

All of this great work has been accomplished by means of bounties that have been supplied to manufacturing industries by our other industries employed in the production of raw material, such as cotton, corn, and wheat and the other cereals, and hay and grass and the animals fed upon them, mines in which the precious and the baser metals have been produced. The forests and fisheries and the earnings of vessels engaged in commerce have also contributed to these bounties. It is not safe to say, perhaps, that without these bounties the manufacturing industries could not have been built up into their present strength and power, but it is certainly true that with the aid of these bounties they have risen much more rapidly and have become more diversified and have attained to more enormous wealth than they could have done without such assistance.

The cost to the producers of the raw material whose productions have furnished the actual measure of the capacity of the country for the support of its inhabitants and the civilization of its people and of its progress in wealth and power has far exceeded all the money it has taken to build all of these factories and to pay for all that they have expended in labor and materials.

In return for what the producers of raw material have contributed to these bounties they have got but little if anything of benefit to their industries. They have contributed everything and have nothing in return that counts for money or prosperity. Nature has been their foster-mother and they have been compelled to rely alone on her care.

The raw materials which they furnish, such as cotton, flax, wool, iron ore, and other minerals, timber or wood, to be converted into fabrics, after they have sold them they purchase again at the price for which they sold these productions, and, added to that, the price of their manufacture, including the pay of operatives, the wear and tear of machinery, interest on the capital invested in the factories, insurance, transportation, and the bounty fixed by law in the name of protection. It does not lessen the cost of the manufactured article to the consumer whether the bounty the law compels him to pay is all taken by the owner of the factory or is divided between him and his operatives. We are looking at the interests and the rights of the producers of raw materials now, and will consider the interests and rights of operatives a little later. We will look at the largest and most influential class first. They vastly outnumber all the operatives and mill-owners, and have in the aggregate vastly more property than they have. They have more voting power also, and have the rights of a majority to direct the legislation of a free republic. We their representatives must see to it that they are not ignored in this important measure of bounty-yielding taxation.

What do the producers of the raw material get to offset the bounties they pay to the other class?

They get a market nearer home for so much of their productions as they are not required to consume in living. That is certainly a convenience and a saving of transportation, provided the farmer lives near enough to the factory to make the market it affords available to him.

If his means of transportation to the factory is by his own teams, a radius of twenty-five miles would be as far as the beneficial effect would inure to his advantage. That is a small matter. If he has steam transportation to the factory he is certain to have it also to some place of considerable commerce, and will not need the factory market for his own benefit. But who fixes the price of his productions in either of these markets? It is not fixed by law, and must therefore be fixed by the relative extent of the demand and the supply. When he goes to the factory to exchange his product for farming tools, shoes, blankets, woolen or cotton clothing, nails, trace-chains, sugar, or molasses, salt, crockery-ware, hardware, pots, ovens, or cooking stoves, or drugs and medicines, he must deal with a man whose minimum prices for goods are fixed by law, and above that by demand and supply. While the price of his raw material is only fixed by demand and supply, he must buy his supplies under the protective system and pay a bounty for the privilege, while he must sell his raw material under the laws of free trade, without bounty, without the assistance of a law to fix the price of what he sells, and even without a voice in fixing the price. Just here it is well worth the time even of this august body to consider the actual situation. Our tariff system has a free-trade side and also a protective side. It is purely free trade as to all exports, and, if this bill is passed, it will be simply a system of protection as to all imports that are not on the free-list. In this bill the plea for revenue is lost in the clamorous demand for bounty.

We are the only people in the world who have denied to our Government the power to levy duties on exports. This is the construction of our Constitution that is almost universally conceded. I do not accept that theory, believing that the power is not only given expressly in the Constitution, but that it is an indispensable power in all governments that have the right to hold treaty and commercial relations with other powers.

That question, however, is not up for consideration now, as we do not tax any description of exports and nobody seems to think of doing this. All nations can take our productions without duty, and this is free trade to that extent in its simplest form. In grain, spirits, provisions, cattle, petroleum, cotton, timber, and lumber, we have an immense surplus which we export. We first supply the home market and then export the residue. If an export duty could be imposed on such articles we could compel the consumers in our own country to pay for them the price of the export duty added to the price for which they would sell in foreign markets. In that case the laws of the United States would fix so much of the price in the home market as would equal the export duty and the laws of supply and demand would fix the other part of the price.

That would be a protective duty that would compel the consumer to pay to the producer the market price of such commodities in the foreign markets with the export duty added.

That would be a protective export tariff which would work in the same way exactly in favor of the producer that the present import tariff operates to protect the manufacturer.

But we have no export tariff, and consequently no intervening law, agency, or power to fix the prices of our productions, whether consumed at home or sent to other countries. The prices of our exports are left to be regulated only by the demand and supply. A large home consumption would decrease the amount of surplus to be shipped abroad, and to that extent would tend to increase prices. But prices will at last seek the common level of all the open markets in reach of our exports when we produce a surplus. In those markets no other law or rule has any effect only the law of demand and supply. However else we would have it, the fact is that, as to us, and as to Europe, Asia, Africa, South America, India, China, Japan, Mexico, Australia, and Canada, London or Liverpool is the great mart of commerce; the clearing-house of the world. The exported surplus of the nations of the earth is valued by British merchants, and these prices fix those of the home markets in all countries where they are not fixed by home laws.

A rise or fall in England of a penny or a farthing per pound in the price of anything we export produces the same rise and fall of the entire crop or production here, if there is no law here to fix the price.

To illustrate, a farthing per pound decline in cotton or a shilling a quarter in grain in England compels a decline here to a corresponding figure in the home prices; while a decline in England of a cent per yard or pound in cotton goods would only effect the price of the surplus of the same article we may have for exportation in all cases where we have fixed the import duty at a specific sum. Our market would be held up by the specific duty to the cost of production in England or on the continent, with the import duty added, until it was fully supplied, and then the surplus would depend for its price on the law of demand and supply; and the price as to that would be settled in foreign countries and not in the United States.

How can it be possible that the whole people of the United States can have a just, equal, and permanent prosperity when the value of the productions of 40,000,000 of them is fixed in foreign markets by the laws of demand and supply, and the value of the productions of 10,000,000 of them is fixed in the United States by laws enacted by Congress.

If the cost of producing any article of common necessity in England is $1 and we add a bounty of $1 as a specific duty to any American who will make it here, the price will be $2 for that article in this country until our necessities are fully supplied. If more of that article is produced than our necessities compel us to buy, the surplus will remain here to be sold at a reduced price or it will be shipped to some foreign market. Why should there be a surplus under such circumstances? Will there be a surplus? Unless the manufacturers should make a miscalculation as to the quantity required to supply the home demand, how else could there reasonably be a surplus?

There is sometimes such a surplus, but what becomes of it? If it is shipped to a cheaper market where there is a demand for it, this is done only because the owner can not afford to hold it; and he prefers to pocket the loss that his mistake in overproduction has caused him to make, and profit in future by his costly experience. He has, however, another resource, to which he commonly resorts, that is far more advantageous to him, but it is ruinous to the welfare and even to the peace of the country: which is to shut up his factory, or run it on shortened time or reduced expense for wages, and wait until the necessities of the people force them again into the market as buyers.

In one way or another, and sooner or later, he gets his $2 for the article, $1 of which is cost and $1 is bounty. Statesmen can not afford to argue or act upon the argument that men will not demand and ultimately take the full measure of the advantages secured to them by the laws. If the law gives them the power to make $1 clear profit on an article of manufacture that it costs them $1 to produce, they will do it. It is no answer to this vicious method of giving subsidies that the eagerness of men to grasp the bounty will create competition and thereby reduce the price. It may or it may not so happen. The vice of such legislation rests in the opportunity it gives to men to oppress others, and this vice is not cured if the fact should turn out to be that the actual oppression was less than ought reasonably to have been expected under such legislation. Why should we offer such temptations to the power of money; to the power of money in the hands of combined and associated capitalists who by great talents and daring have been able to heap up treasures of vast amount; to the power of money in the hands of corporations that are rapidly reinaugurating all the evils of entailments and of rights in perpetuity, with all the dangerous accessories of the old feudal system? In how many cases it has occurred I can not tell (perhaps no one man knows in how many cases), but that it has occurred no man can deny, that immense mills, in which thousands of people were employed, have been leased by capitalists in the United States and shut up for the purpose of keeping down the competition that the advocates of subsidy, miscalled protection, tell us must result from the bounties they give to manufacturers. In the hands of corporations this power of combination is practically without limit. It has pooled the earnings of railroads in order that the stronger should support the weaker, so as to deprive the people of all advantage from competition. It has cut down rates to destroy the competition of rival lines of railroads, and has starved the employés of railroads to save dividends to stockholders, and then caused them to be shot down if they, following the evil example, also combined to prevent others from depriving them of their monopoly in winning bread. This power of combination of capital has raised the price of sugar 2 cents on the pound on the Pacific coast. It now shuts out the people from their right to enjoy "the progress of science and useful arts," under the protection given in the Constitution to inventors, by buying up inventions in telegraphy and in processes of making steel and in processes for making wire for fences and in processes for extracting phosphorus from iron. All this is done to keep down competition and to enable the manufacturers to gather enormous bounties under the tariff by keeping up prices to the cost of production, with the full rate of the duty added. Instead of competition placing a limit on their gains secured to them by tariff laws, they use the power of associated capital to destroy competition. And they do it. However we may theorize as to this matter, the fact is that when we put the home market in the control of any class through subsidies or bounties fixed by law they will find a way, in spite of competition, to realize all that you grant to them.

We may flatter or deceive ourselves with pet aphorisms such as "high duties make low prices," and attempt to prove them by asserting that high duties increase competition, but the common sense of mankind rejects such absurdities and quotes the facts to refute them that are developed in every man's daily experience.

I recall attention to the fact that we are the only nation in the world that denies to itself the power to protect its producers by an export tax on our productions.

We are the only country that compels its producers of raw materials to accept at home the prices that were fixed abroad upon every crop and all else that we produce in excess of home consumption. We are the only Government which compels 40,000,000 of its people to sell the fruits of their toil in unprotected markets abroad, and to purchase what the other 10,000,000 make in a protected market at home. While we compel our producers of raw materials to accept free trade in the sale of their productions, we give bounties to those who manufacture such material and compel the producers to buy from them.

I have referred to this curious inequality in our constitutional powers of taxation (if it really exists as almost everybody says it does) to draw attention to the care and caution with which we should proceed in laying the burdens of taxation upon the shoulders of those whom we have no constitutional power to protect. I estimate them as four-fifths of our population. They, with their families, employés, and dependents, their assistants in the workshops, in commerce by land and sea, in the educating and ministering classes, and in the consumers of their food at their own boards, are full 40,000,000. In common justice, in the sentiment of mere humanity, to say nothing of our duty to those whose voting power might certainly demand justice for themselves, whose military power is the true defense of the nation, whose moral power is the ever-present disinfectant of corruption in society and government, we should see to it that no unnecessary burdens are laid upon them. When we see that the only help we can give them is a mere mitigation of the burdens of taxation, and that we can not protect them by laying burdens on others to increase the gains or profits of their industries, the solemn duty of the just legislator compels him to look carefully into their condition, and lay upon them as lightly as possible the tyrannical hand of taxation. Forced loans, impressments, unequal exactions upon some and bounties to others, are not hinted at as being within those "just powers of government" that "are derived from the consent of the governed." The consent of the burden-bearers is not to be presumed in favor of unjust exactions upon them.

That all classes and all interests should bear a just part of the burdens of taxation none will deny. That a large part, if not all the revenues to be derived from taxation should be raised by means of duties on imports few will question. That such duties must yield protection and bounty to the articles on which they are laid, if they are produced or manufactured here, is inevitable, and none are found to regret it. That in the selection of dutiable articles we should prefer those that we can manufacture here, so as to afford them protection, seems to be almost universally conceded. But when we come to the next step in the enumeration of our powers, rights, and duties, we find the minds of our legislators aroused with angry dissensions.

The selfishness of personal or local interest comes in and demands that the amount of the duty to be laid on the selected article shall be sufficient to pay him a bounty for his industry in manufactures by which he can expel all similar foreign productions from the country.

And the reply that, if this is done, the article selected for taxation will yield no revenue to the Government, is no answer to him and does not check his demand for subsidy.

Here is where we separate into parties on this question, the Republicans demanding a subsidy for the American manufacture which will keep it in a prosperous state, although the tax that yields the subsidy shall yield no revenue; the Democrats, on the other hand, demand a rate of taxation that will yield a just proportion of revenue as compared with all other articles, and according to that rate will yield a just rate of protection to the American manufacture.

The distinguishing lines of division between the two parties that are most obvious and important occur on that part of the subject which relates to prohibitory duties.

The Democrats contend that the sole constitutional purpose of granting to Congress the power to tax commerce was to raise revenue, and a tax that is so high as to prevent revenue from being raised under it, instead of executing the constitutional power, defeats it. The power of Congress being limited only by its discretion as to the amount of duty that may be fixed, a prohibitory tax may not be void for the excess of the burden, but it is wrong and immoral as a willful abuse of power. In no constitutional sense was the power of taxation given to Congress for any other purpose than to raise revenue, and a tariff that prohibits revenue must be without constitutional warrant. A tariff that sacrifices revenue for the purpose of depressing an American industry would be unpatriotic, unjust, and violative of the intent and spirit of the Constitution, such as prohibitory duty on tin or tinned metal to prevent the export of fruits, &c., in tinned cans. So a tariff laid for the purpose of building up any American industry at the expense of another American industry and at the expense of revenue would be unjust, and equally violative of the spirit of the Constitution.

Yet it is impossible to levy any tax on imports that will not to some extent produce this effect of encouraging one industry and depressing another. A tariff that brings revenue, if levied on articles grown or manufactured in the United States must necessarily expose such productions to a degree of rivalry and competition with those of foreign production. If competition is prohibited revenue is impossible. The intent of the Constitution in permitting Congress to resort to this indirect method of taxation is as much to secure the fair and equal benefits of this competition to the consumer in the modification of the cost of the article on which he is to pay the tax as it is to give encouragement to American productions. If this right is taken from the consumer, and instead of it a bounty or monopoly is given to the producer, the equity of the system is destroyed.

A just tariff invites the consumer to pay taxes by using foreign productions at a cost rate that is consistent with his ability and duty of contributing to the support of the Government; while an unjust tariff, that raises the cost of what his tastes or necessities compel him to buy above the rate which is the just measure of his duty to support the Government, forces from him a contribution no part of which goes to the Government, but only as a bounty or subsidy to a favored class or a favored industry.

This is not constitutional legislation in the sense of a proper and faithful discharge of duty by Congress to all people alike. I have never supposed that any tariff could be levied with absolute justice to all the people of the United States, but I do believe that all gross injustice can be avoided. Instead of avoiding gross injustice, we purposely inflict it in the existing law, and even more conspicuously in this bill. Is it impossible that American statemanship can devise a tariff law on a basis of principle which will be a reasonable approximation to justice to the people of all clases? Are we not equal to that duty?

We know the amount of all our productions, of all our consumption, of all our exports and imports, and their value. We know the sum of money that is needed for the support of the Government each year. With these data will it be said that we can not ascertain the ad valorem rate of duty on our imports that will yield the desired amount of revenue? Or will it be said that we can not state the ad valorem rate of the specific of duty we should impose if we must have specific instead of ad valorem duties?

When such a rate of duty is thus fixed let that be the guide in taxing each article selected for taxation, and if there are special reasons why a special industry requires a higher or lower rate of duty let that be the subject of a special provision, or, what would be better, of a separate law.

A tariff constructed on this basis would be a tariff for revenue, and if the word "only," which has been so weighty in party politics, were added to this definition, it would neither enlarge nor restrict its signification.

A tariff levied in this way and on a basis of principle would command the respect of the American people, and they would when occasion required willingly consent to change the rate in favor of an industry that needed greater help, or in favor of laborers who were struggling with adversities, or in favor of infant industries which were not in fact perishing from senility, but instead starving for the want of nourishing udders.

How fearfully this bill contrasts with the just plan of a uniform rate of duty and how little hold it has in the public confidence is at once a source of public mortification and alarm. This bill has no principle that is common to all its provisions except that protection must be given to the favored interests whether they pay anything to the revenues or not. If protection is given, that is enough; if no revenue is received, it is no matter. The purpose of the bill is to deprive the consumer of all benefit of competition in prices with articles of foreign production. This is boldly avowed.

If prices of manufactures decline in foreign markets and drag down with them the prices of all the productions of raw material exported from the United States, this proposed tariff law will still hold up the prices of our protected manufactures against all foreign competition to the extent of the duty added to the cost of production where the duty is specific. It is a decree that the home prices shall not sink below the foreign price added to a duty of so many cents per yard or pound, or whatever the measure is that is applied to the article imported. Hostility to all competition is the real sentiment of this bounty bill, which its authors know will be destroyed when foreign competition is shut out. They claim the right to monopolize the home market. They call it control; it is in fact monopoly: If by reason of home competition prices sink to the point of actual competition with foreign manufactures, they still have the advantage of the duty, and if that is specific they can make the market price here in spite of the competition. Their further resource is to shorten production until prices are recovered, or to lower their prices until the period of depression is passed, and then resume when the foreigners leave the field.

To gain the approval of the people to this process by which they are robbed the protectionists proclaim their hostility to foreign competition for the sake of American independence and for the sake of the dignity and comfort of American labor. Thus patriotism and charity are made to cover with their mantles the arm of robbery and the hand of stealth. Suppose it could be provided by law, as it is in our navigation laws, that the factories entitled to the protection of the American Government should be owned and operated only and entirely by American citizens, how many of them would have to haul down their imaginary bunting which flaunts the false motto at the head of their speeches, "Americans must make the goods of America." Suppose that we could possibly enact into a law the demand of the labor unions for an import license tax on skilled laborers who come from abroad, and declare that none but permanent American citizens should enjoy the advantages of American protection, what would the charity-loving American manufacturers do for pauper labor to work their mills when the high-priced American operatives had waxed fat with accumulated reserves in the treasuries of the labor unions and refused to work except at their own prices? If Congress could cut off the philanthropic American manufacturers from the chance of employing European pauper labor to come over the sea and work their mills whenever they could make a profit by so doing, we should develop a marvel of earnest and eloquent protestation and argument against the destruction of their favorite doctrine of free trade in labor. They demand with bold, unblushing audacity that they shall have free trade in labor in order to keep down the price of labor with the aid of foreign competition, and free trade in raw material and provisions in order to keep down the price of feeding laborers by aid of the competition of foreign markets; and with equal audacity they demand high protective duties to keep down foreign competition as to their manufactures, so that prices shall be kept up. There never was so mere a sham that has received such decorous and dignified support and such unchecked currency among thinking men as the pretense that protection is needed for our manufactures in order to secure American labor against competition with the pauper labor of Europe.

Nothing is more under the control of the prices in the markets or more under the influence of the laws of supply and demand than human labor.

These laws by which labor is thus commanded and controlled apply to all classes, grades, conditions, and qualities of people in every civilized country. Ten vacant pulpits in New York will draw fifty applications for places from eminent clergymen. The death of ten leading doctors or lawyers in Washington would cause fifty lawyers and doctors to come here seeking to fill their places. The death of a hundred Treasury clerks, by the sinking of a boat on a summer excursion, would bring five hundred applicants for the places, some from Oregon, some from Maine, some from Florida, and possibly some from Ohio or Pennsylvania. They would come to earn wages, just as men go to the marshes of tropical Panama to build canals and railroads, to Leadville and Virginia City to work the mines, to Mexico to build railroads, to the frozen seas to fish for seals and whales, to the South to pick cotton, and to the West to gather the harvests, all for better wages and more to live upon. Labor will not be pauperized while remunerative fields are in reach. Free trade in labor is universal, except between China and the United States and China and Australia, and it explores the whole world for remunerative employment.

If it were true that labor in the United States is paid better wages than in Europe, and that the condition of the laborer here is one of independence, comfort, and prosperity, while it is enslaved, degraded, and pauperized in Europe, it would seek this country with as unerring instinct as the wild fowl seeks the countries where nature has provided for them supplies of food.

More than this, as their skill is not pauperized along with their bodies, the manufacturers who want them for their skill would seek them out and bring them here and would soon restore their famished bodies with our cheap food in our unprotected granaries. This is the only land where free-trade food and free-trade labor can meet on an equal footing and to mutual advantage, and they will meet whenever labor wants better and cheaper food than it can get elsewhere. It is only nine days' journey to Europe, and steerage passage is only $30. In a month's time the manufacturer can get back the advance he may make to the pauper laborer for passage-money out of his labor and skill. The

laborer can be secured for a year or two or three, under contract, by which a part of his pay is kept back as security for his serving out the full time.

With such facilities to secure skilled labor at low prices it will require an immense strain on his national pride and patriotism, and on his affection for the American high-fed and well-clad laborer to prevent the manufacturer from taking the European pauper under the secure and benign protection of a high American tariff. Do these pretenders suppose that the American tax-payers will accept such folly as this as a sufficient excuse for laws that cause them to pay hundreds of millions in bounties annually to enrich them? What excuse remains, then, for the palpable inequalities of the burdens of taxation in this bill?

Sir, I apply these principles to Southern as well as to Northern industries. If they are true in the South they are true all over the country. Sugar is an article that bears an unjust share of the tax burden to the disadvantage of the whole country, and if that fact does increase the gains of a most worthy class of Southern producers and manufacturers they should not claim it at the expense of principle. I will vote them a subsidy, as such, if they need it, and the public would profit by it, rather than abuse the taxing power to give them aid.

The PRESIDING OFFICER (Mr. ANTHONY in the chair). The question is on the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH] to the amendment proposed by the Senator from Vermont [Mr. MORRILL].

Mr. JONAS. Mr. President, before the Senate proceeds to vote upon the sugar schedule proposed by the Finance Committee, I desire to say a few words in behalf of nearly half a million of my constituents.

Mr. SAULSBURY. The Senator from Louisiana represents the great sugar interest of this country. He is more interested than anybody else in the Senate. I think it is fair to him, and fair to his constituents that he should not be forced to deliver his argument on the subject at this late hour of the night, when everybody is exhausted. I therefore move that the Senate do now adjourn.

Mr. MORRILL. I hope the Senator will not make that motion. We have only passed the proviso to the last schedule to-day; and until we get through with the next schedule I shall be unwilling to adjourn.

Mr. SAULSBURY. We have been in session now nine hours, and some of us attended committee meetings at 10 o'clock. I understand the Senator from Louisiana is quite unwell. It is unfair to him, representing a district of country in which the sugar interest is a large and controlling interest, to force him to speak at this hour of the night.

The PRESIDING OFFICER (at 7 o'clock and 40 minutes p. m.). It is moved that the Senate adjourn.

Mr. MORRILL called for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. FRYE (when his name was called). I am paired to-day with some Senator, I do not feel certain with whom; I think though it was the Senator from Ohio [Mr. PENDLETON]. I have been voting steadily all day, forgetting entirely the pair; but I see the Senator from Ohio is here.

Mr. PENDLETON. Go on with your speech.

Mr. FRYE. There has been no vote, however, which would have been affected if the pair had been maintained. I am very sorry, indeed, it should have so happened. I was just going to announce my pair with the Senator from Ohio. Does the Senator want the pair to continue?

Mr. PENDLETON. We will confer about it.

Mr. FRYE. I was paired with somebody, and I do not remember positively whom. I do not vote yet.

Mr. PENDLETON. It was I, and I will confer with you about it.

Mr. HOAR (when Mr. HAMPTON's name was called). The Senator from South Carolina [Mr. HAMPTON] asked me to pair with him on a certain particular vote which he anticipated on the sugar question. He did not say anything about pairing on any general matter like that of adjournment, but I will withhold my vote, unless my vote should be required to make a quorum.

Mr. HARRIS (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY] upon all political questions. I have just come in and I do not know whether the Senate is dividing that way or not.

The PRESIDING OFFICER. The motion is to adjourn.

Mr. HARRIS. I withhold my vote for the present.

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM] upon all questions except the question of adjournment or when my vote shall be necessary to constitute a quorum. I therefore vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM].

The roll-call was concluded.

Mr. HOAR. I vote to make a quorum.

The result was announced—yeas 14, nays 26; as follows:

YEAS—14.

Barrow,	Garland,	Maxey,	Vest,
Call,	George,	Pugh,	Walker.
Coke,	Jones of Florida,	Saulsbury,	
Farley,	McPherson,	Vance,	

NAYS—26.

Aldrich,	Cockrell,	Hawley,	Miller of N. Y.,
Allison,	Conger,	Hoar,	Morrill,
Anthony,	Dawes,	Ingalls,	Platt,
Bayard,	Edmunds,	Logan,	Rollins,
Beck,	Gorman,	McDill,	Sherman.
Blair,	Groome,	McMillan,	
Chilcott,	Harrison,	Miller of Cal.,	

ABSENT—36.

Brown,	Frye,	Jones of Nev.,	Ransom,
Butler,	Grover,	Kellogg,	Saunders,
Camden,	Hale,	Lamar,	Sawyer,
Cameron of Pa.,	Hampton,	Lapham,	Sewell,
Cameron of Wis.,	Harris,	Mahone,	Slater,
Davis of Ill.,	Hill,	Mitchell,	Van Wyck,
Davis of W. Va.,	Jackson,	Morgan,	Voorhees,
Fair,	Johnston,	Pendleton,	Williams,
Ferry,	Jonas,	Plumb,	Windom.

So the Senate refused to adjourn.

Mr. JONAS. Mr. President, I am very much obliged to the Senator from Delaware [Mr. SAULSBURY] for the courtesy which prompted him to make the motion. I had no hope of its success. I did not suppose it would be granted in courtesy to myself, or that an interest paying $50,000,000 of duty would be given any time for consideration, not even the time accorded to glass, which occupied, I think, two or three days, and the schedule of wood occupied two days, and the schedule of iron and other metals has occupied the Senate for a week.

Mr. President, before the Senate proceeds to vote upon the sugar schedules proposed by the Finance Committee, I desire to say a few words in behalf of nearly half a million of my constituents who are engaged in or dependent for a living upon the cultivation of sugar.

I apologize to the majority of the Committee on Finance, who are so anxious to drive this measure through, for delaying even for a few moments the passage of their bill, which proposes to reduce taxation in the usual manner by tempering the burden to the manufacturer and laying it upon the producer of raw material.

I do not believe that it is the desire of the Finance Committee or the intention of the majority of the Senate to reduce the tariff on manufactured articles below the recommendations of the Tariff Commission. In many cases I believe they have recommended an increase over those rates or have permitted the passage of amendments making such increase.

We were told by the chairman of the Finance Committee and his leading associate [Mr. SHERMAN] that it was the desire of their committee to conform as nearly as possible to the recommendations of the commission. They have both eulogized the energy, ability, and honesty displayed by the commission, and have frequently referred to the evidence taken before them to sustain such of their recommendations as are embodied in the bill now before us.

But, Mr. President, so far as the sugar schedules are concerned, little or no attention has been paid to the recommendations of the commission.

The evidence taken by them on this subject goes for naught, and the Finance Committee, without new evidence, without calling representatives of this interest before them, have substituted their knowledge (Heaven knows whence derived) for that of the commission, and have largely reduced the already largely reduced schedules which they reported.

I will not say that they have done this because sugar culture is a Southern interest, as sugar is now raised throughout the North and West, and promises in those sections a largely increased annual production, but I fear that it has been stricken down and singled out for sacrifice because it is an agricultural interest, and such interests receive but little consideration when tariffs are framed with so-called protection to American labor as their object rather than as an incident.

The statement of Mr. Goodwin, of Connecticut, was read here the other day at the request of the Senator from Alabama [Mr. MORGAN]. He was, I believe, the only farmer (except two or three sugar planters) who appeared before the commission. He says very truly:

> About three-fifths of our people are engaged in agriculture, one-fifth in trade and commerce, and one-fifth in manufacturing, and there must be "something rotten in Denmark" with its government, inspired and controlled by one-fifth of its people.

This one-fifth is now as always controlling the legislation of Congress. It has shaped and is urging the passage of this bill. It controlled the deliberations and recommendations of the Tariff Commission, and it has left its representatives on that commission on guard at this Capitol to watch that its behests are heeded.

In the discussion of every schedule and every amendment the interests of the manufacturers are advanced and the claims of American labor brought to our attention as if this Government was established alone for the protection of manufacturing interests and as though the workmen and laborers engaged in manufacturing were the only laborers in America whose interests were worthy of consideration.

The Tariff Commission went through the country taking the testimony of manufacturers. Occasionally they gave hearing to an importer or dealer; but they paid no attention to and asked not for the opinions of the millions who follow the plow and cultivate the soil and who produce by their labor the enormous crops which constitute the real wealth and exports of this country. These are regarded as mere consumers, and as such not entitled to protection and to but little consideration.

Thanks to the boundless fertility of our soil they can compete successfully with the serf and pauper labor of Europe in the cultivation of wheat and corn and with the slave and cooly labor of India and Egypt in the cultivation of cotton. They export largely and should have a surplus of profit. This they are not permitted to spend in the cheapest markets of the world for the articles which they require, but they are compelled by our tariff laws to make a contribution of it to the support of "American labor"—not the labor of the field, but that of the furnace, loom, and machine-shop.

Sugar planting is purely an agricultural occupation. Every man making sugar cultivates the cane, and labor in the field consumes fully nine months of every year.

It is no monopoly; it is open to every farmer, large and small. There are nearly 1,200 sugar-planters in Louisiana. In that State sugar cultivation employs over $90,000,000 of capital, and is the exclusive support of about 400,000 people.

In this connection I beg leave to read some extracts from a pamphlet issued by the committee representing Louisiana sugar-planters, who recently visited the Capitol.

They state the facts forcibly which I desire to bring to the attention of the Senate. This committee say:

Sugar is the chief production of the State of Louisiana. Over one-half of its capital is employed therein, and over one-half of its people are engaged in it and are supported by it. It employs over ninety millions of capital, and is the almost exclusive support of 400,000 people.

In 1860 Louisiana produced half the sugar consumed in the United States. The war crushed the industry practically out of existence, and in 1864 but 5,000 tons were produced. The plantations were destroyed, the sugar-houses were burned, the levees were gone, the labor system was changed from slave to free, and financial ruin was general. Across the Gulf, Cuba was producing the chief supply for the American market—we, in fact, taking about 80 per cent. of all she produces.

Stimulated by the duty of 3 cents placed upon low grades of sugars, Louisiana, in 1864, began anew the production of sugar with free labor. This reorganization of our industry was supremely difficult. Its peculiar perplexity, the enormous amount of human labor involved in it, and the systematic and prompt work demanded of it, made success at times seem almost impossible, but it was accomplished, and evidences of prosperity again became visible. The crop rose from 5,000 tons in 1864 to 9,000 in 1865, 20,000 in 1866, and 75,000 in 1870. New sugar-houses and other plantation buildings were erected, the cultivation was extended and made more thorough, the demand for mules, implements, and machinery was largely increased, and a season of prosperity began to dawn upon us.

In 1870 the duties on the lower grades of sugar were reduced to an average of 2 cents per pound, *i. e.*, not above No. 7 to 1½ cents, not above No. 10 to 2 cents, not above No. 13 to 2½ cents. Louisiana interests were not respected, no voice was lifted to defend them, and they were ruthlessly sacrificed. This reduction of 1 cent per pound was more than our industry on the free-labor basis could bear, and there followed, in consequence, a series of disasters. The crop of 75,000 tons in 1870 fell to 64,000 tons in 1871, to 54,000 tons in 1872, and to 45,000 tons in 1873. During the years 1871, 1872, and 1873 two-thirds of the sugar-commission houses in New Orleans became bankrupt, and the value of plantation property fell one-half. The ownership of plantation property and commercial relations there with injured commercial credit, and general financial ruin seemed imminent.

Louisiana sugars were produced with free labor at good wages, and could not compete successfully with the slave-grown sugars of Cuba, and the slave, cooly, Chinese and peon labor of the tropics, without fair protection against the same. The results of the war were accepted without a murmur, the old laborers were employed as freedmen at the highest wages paid anywhere for agricultural work, when, in 1870, came this crushing blow, a reduction of 1 cent per pound in the duties on sugar and all the resulting disasters just named. The freedman of Louisiana found his greatest enemy in the slave across the Gulf, and the freedman's industry was perishing.

The duties on all sugars above No. 13 have been practically prohibitory since 1870. The value of Louisiana sugars has been fixed since then by the cost of foreign sugars of the same strength, regardless of color. In 1875 Congress advanced the duties on sugar 25 per cent. Above No. 13 the duties continued practically prohibitory. Below No. 13 the duties now stood at 2$\frac{5}{8}$ for not above No. 7, 2$\frac{7}{8}$ for not above No. 10, and 2$\frac{1}{8}$ for not above No. 13, being an average of 2$\frac{1}{4}$ cents, and an advance of $\frac{1}{4}$ cent over the law of 1870. Under the law of 1875 the Government is now collecting an average of about 2.48 cents per pound on all sugars imported, and Louisiana sugars of all grades have brought and are now bringing just 2$\frac{1}{4}$ cents per pound more than Cuban sugars of corresponding strength, in bond, in New York, and present quotations show exactly that relation on all grades. We have therefore no protection except such as is given us on the lower grades, and hence our vital interest therein.

The destructive effect on the Louisiana sugar industry resulting from the average reduction of 1 cent on all sugars not above No. 13 by the law of 1870 was stopped by the law of 1875, which advanced the average rate $\frac{1}{4}$ cent, and a new development was established, the crop reaching 110,000 tons in 1880, and about 125,000 tons in 1882.

And I suppose the crop of this year not yet reported will be fully one-third larger.

This has, however, been disappointing. The domestic sugar industry was one in which Americans formerly took great pride. The value of foreign sugars consumed in the United States reaching about one hundred millions of dollars, Louisiana was expected by its production to retain that treasure within our borders, and by the sale of its produce to the other States, and by the purchase from them of equivalent supplies, to develop an interstate trade of two hundred millions of dollars.

All this can yet be accomplished, and wise legislation will hasten that result. We are not now protected by the existing duties to the extent of the cost of our free American labor over that of the low forms of labor used in the tropics.

By American energy, American invention, and American machinery, we hope to overcome this disadvantage, if the duties be not reduced. The frequent agitation of the sugar tariff and the resulting insecurity of the capital invested in sugar production have prevented that development of our industry that we might fairly have expected. We have millions of acres of land, the most fertile in the world, and peculiarly adapted to the production of sugar. This delta of the Mississippi, built of the alluvium of its great valley, is the Holland of the New World, and should rival Holland in its enormous wealth and prosperity. The culture of sugar in Louisiana is as legitimate as that of any other crop in the Union. An average yield of sugar-cane per acre equal to the average of subtropical countries can readily be obtained. Our canes may be slightly less sweet, but we harvest a crop every year, whereas in the tropics it requires from twelve to eighteen months for their plant canes to grow and ripen. We have occasional frosts and floods. The latter shall hereafter be better guarded against by our own efforts and by those of the General Government, as is now contemplated, and the danger from the former will be reduced to a minimum by the increase of capital and resulting increase of facilities in the industry. We would make the positive statement that there is not a leading crop produced in the United States that averages greater certainty of a fair crop, so far as quantity is concerned, than the sugar crop. The short grain crops in the West in 1881 sustain this statement.

In considering the sugar industry of Louisiana, the most important factor therein will be found to be human labor.

There is no other crop, and scarcely any other leading article in the country, of which the value of the finished produce includes so great a proportion of human labor.

The crop of the season just ending will bring about $25,000,000. Of this, about 70 per cent., or some seventeen millions, has been spent for human labor and is the chief support of about 400,000 people. The supplies that these seventeen millions paid for come almost entirely from the other States, and thus contribute largely to the support of two or three hundred thousand more people. The gravity of the case is thus seen. Destroy us by ceasing to protect us against slave and other low-grade labor, and you will peril the subsistence, stop the progress, and endanger the support of some 700,000 people.

We believe we are fairly entitled to protection against the slave, cooly, Chinese, peon, and other degraded labor of Cuba and the tropics. We employ chiefly the freedmen of Louisiana, most of whom have returned to their old homes. Their children are growing up and, contrary to general belief, are generally making good workers. The intelligence of the race is increasing, schools are being established, better clothing is worn, and better food is consumed. The civilization of the race is rapidly rising. This is because of their large and certain pay in the sugar industry. Cripple that industry, and you will destroy the most active agent now at work in the South in bettering the condition of the colored race.

The Cuban planter, as a rule, pays for the Chinese labor he controls $4 per month or $48 per year, and the estimated cost of feeding the Chinaman on rice and jerked beef is 10 cents per day or $36 per year. Other incidental expenses will make a total of not exceeding $100 per year. Under their present laws they pay their slave laborers the same. In Jamaica, Santa Cruz, Barbadoes, and the other West India Islands, the standard wages for free laborers is 25 cents per day. In Demerara where cooly labor is largely employed, the usual cost is about 16 cents per day and rations. As against all these the standard wages in Louisiana for first-class field laborers is from 85 cents to $1.25 per day; for second class 75 to 85 cents; for special work such as ditching, building levees, &c., $1.25 to $1.50; for sugar-house work, $1.25 to $2.50, and extra for night work: and there is furnished the laborer a comfortable house, garden, and firewood. During the harvest season, which continues about ten weeks or seventy days, the laborer may at his option earn 50 to 75 cents for working half the night. There is always plenty of work to do, and his employment is constant. Forty-two weeks of ordinary labor, equal to two hundred and fifty-two days or $252; ten weeks harvest season, or seventy days, is $70, and seventy half nights, at his option, at 65 cents is $45, or a total of $367 that the unskilled laborer may earn, and thousands of them do it, and this is over three and one-half times the cost of the same labor in Cuba. Mechanics and other skilled laborers are paid much higher rates.

The Louisiana crop of sugar averages about fully fair, and has sold during this season for about 5$\frac{1}{2}$ cents. This has been an exceptionally favorable season, and some profit has been made at this figure; but during the past five years the cost of its production has averaged fully 5$\frac{1}{2}$ cents. A careful analysis of our expenses develops the fact that the cost of production is composed of 70 per cent. human labor and 30 per cent. supplies, such as feed, oil, coal, tools, implements, and machinery. With the average cost of production of 5$\frac{1}{2}$ cents, 70 per cent. thereof would show 3.85 cents per pound invested in human labor, and, as we have shown before, our free labor costs us three and a half times as much as the slave and other labor of Cuba and the tropics, the Cuban would pay but two-sevenths of this 3.85 cents per pound expended in human labor, and five-sevenths of it, or 2$\frac{3}{4}$ cents per pound, is the excess we pay, as compared with their slave and semi-slave labor. The government is now collecting a shade under 2$\frac{1}{4}$ cents on the foreign sugars imported, and hence we now get less protection by one-fourth cent per pound than the excess of the cost of our free American labor over the cost of the slave and semi-slave labor of Cuba and the tropics. The report of the Tariff Commission recommends a schedule of duties on sugar that will average but 2$\frac{1}{4}$ cents per pound, placing us then at a disadvantage of one-fourth cent per pound, as compared with those using slave labor; and we therefore protest against any further reduction. The Senate bill, beginning at 1$\frac{1}{2}$ cents, would give but 2 cents per pound average duties, and would be the equivalent of the law of 1870, under which we experienced such great disaster. The history of tariff legislation on sugar before the war shows that at no time, except under the operation of the Robert J. Walker tariff, has the duty on sugar been as low as now.

The general good of the whole country demands that careful consideration should be given to the bearing that the sugar industry of Louisiana has upon the other States of the Union. Those engaged in the production of sugar-cane are engaged therein to the almost entire exclusion of all other crops, experience having shown this to be the most successful course to follow, the lands being ill-adapted to other culture. Therefore, all supplies of every kind used in the industry come from the other States. All of the flour, meal, corn, oats, meats, furniture, dry goods, clothing, boots and shoes, horses, mules, machinery, implements, tools, oils, belting, hardware, wooden-ware, and coal, come from the other States; and the entire country seeks Louisiana as a market.

In the year now ending this trade, with the other States based upon our sugar crop, will amount to $50,000,000, the sale of our crop of sugar and molasses to them, twenty-five millions, and our purchase from them of that quantity of supplies. To develop such trade Great Britain has ever used subsidies, protection, and her navy. She has protected her home market for herself until production was so cheapened that protection became useless. Her animus is seen in the fact that it is but a very few years since she repealed her law prohibiting the exportation of linen machinery. Certainly this Government should protect this existing fifty millions—and prospective two hundred millions—of trade arising from the sugar industry of Louisiana.

All this will apply equally to the sugar lands of Texas, of Florida, and of Southern Georgia. In all those States a beginning has been made. Texas has made considerable progress, and offers an enormous area of excellent sugar lands not nearly so well adapted to any other culture. Florida was engaged considerably in the sugar culture before the war, and is now again resuming it. A little has been done in Georgia for many years, and in time the sugar industry can be made a leading one in all these States, and with 100,000,000 of people the United States can make all her sugar at home.

The sorghum interest of the West is developing and producing an enormous quantity of molasses and some sugar, and bidding fairly to become a leading source of sugar supply. Adverse legislation would cripple it as it would us.

As we are such enormous consumers of manufactured articles we have additional claims upon the Government for protection. We have $10,000,000 invested in machinery alone, and it is demanding constant renewal and increase, particularly as new methods supersede the old. We are enormous consumers of Pittsburgh coal. We do not complain of the tariff that excludes us from buying the cheaper foreign machinery, coal, dry goods, &c. We say let us encourage production of these goods in the other States of the Union, they taking our produce which they can not produce themselves and we taking theirs. But we do ask that should you conclude to diminish the present insufficient protection on sugar that you will open to us the foreign markets for those articles we consume by reducing also the duty thereon.

And now, as in duty bound, the sugar planters of Louisiana for themselves and

their entire population dependent upon that industry, whose interests are identified with ours, do protest against any greater reduction in the tariff than that fixed by the Tariff Commission, which already places us at a great disadvantage as against those using slave and semi-slave labor.

Further, we desire to enforce the necessity of using the polariscope, and the classing of all sugars below No. 13 according to their saccharine strength.

The domestic sugar industry is agricultural as well as mechanical, and should, therefore, have more consideration in the matter of incidental protection than an industry purely mechanical.

JOHN DYMOND, H. C. WARMOTH,
EDWARD J. GAY, F. M. AMES,
Committee.

WASHINGTON, *January* 12, 1883.

Of the total amount of sugar imported in the last year, Mr. President, we imported from Brazil 231,453,343 pounds, worth $8,143,959; we imported from Cuba 1,056,903,678 pounds, valued at $51,282,815, and we imported from the Hawaiian Islands free of duty, under the reciprocity treaty, 106,181,858 pounds, to the value of $6,918,683.

I will not fatigue the Senate by reading a statement as to the countries from which our imports of sugar come, but they come from where slave, cooly, and Chinese labor is brought in competition with the labor of the State of Louisiana.

I do not believe, Mr. President, that there is any popular demand for the destruction of the sugar-growing interest in Louisiana.

There is a demand for a reduction of taxation. There is a demand for the reduction of prohibitory duties on articles of prime necessity, so as to permit healthy competition and thus to cheapen prices to the consumer.

The only demands I have seen for the complete abolition of the duty on sugar have come from the ultra-protection organs on the one hand and the free-trade importers of raw material on the other.

The sugar tariff is not prohibitory, at least on the raw grades. On the contrary, it is one of our largest sources of revenue. We import over six-sevenths of the amount consumed, and the tariff therefore affords six dollars of revenue to one of protection. The sugars imported are all such as come in competition with our sugar-planters.

The duty on refined sugars is prohibitory, and I have no doubt will continue so after the passage of this bill. There must of course be protection for the laborers employed in the sugar refineries, even if none should be given to those who labor in the cane-fields and produce the raw sugar.

As I have said, nearly 400,000 people in Louisiana are dependent upon the culture of sugar for a living. I see by the census report that there are only fifty-three sugar refineries in the country, and that they employ but 6,206 hands. The whole amount of capital engaged in the business is $27,797,500, while $90,000,000 is employed in the cultivation of sugar in Louisiana.

For the three months ending September 30, 1882, the importations of sugar were as follows: Brown sugar, 461,347,756 pounds, valued at $20,378,337; refined sugar, 4,305 pounds, valued at $307. This brown sugar was doubtless nearly all below No. 13 Dutch standard.

But brown sugar is now very little used in this country. All that is imported and most of that which is produced passes through the process of refining.

The refining interest has become the controlling interest in the sugar market, and the refiners are the chief purchasers, and fix the price of the commodity; with the protection which they receive they have a monopoly of the American trade in refined sugars. Their only interest is to cheapen the raw material, not for the benefit of the consumer, but in order to allow a larger margin of profit, all of course for the benefit of "American labor."

I received this week the following letter from Boston refiners:

BOSTON, *January*, 18, 1883.

DEAR SIR: In consequence of the statement circulated in Washington that the Eastern refiners have joined with the Louisiana planters in asking for a high rate of duty on sugar, we, the undersigned, representing the entire refining interest in this city, and paying to Government from $6,000,000 to $7,000,000 per annum in duties, hereby emphatically declare that we have entered into no such agreement, and that we earnestly urge a large reduction in the duty on the article.

STANDARD SUGAR REFINERY,
By J. B. THOMAS, *President.*
BOSTON SUGAR MANUFACTURING COMPANY,
By N. P. HOUSTON, *President.*
CONTINENTAL SUGAR REFINERY,
By EDWARD WHITNEY, *President.*
NOAH SPAULDING & CO.,
For ROSCOE SUGAR REFINERY.
BAY STATE SUGAR REFINING COMPANY,
By F. G. TURNER, *Treasurer.*

Hon. B. F. JONAS,
United States Senator from Louisiana, Washington.

There was no occasion for this notification. I do not know that any one has ever accused these gentlemen of having a regard for other interests than their own.

I have been informed, on the contrary, that the machine petitions which have been filed at the other end of the Capitol were forwarded by these Boston refiners to all parts of the country for signature.

We know how easily signatures are obtained to petitions, and that they afford but small evidence of the course of public sentiment.

It is somewhat remarkable that in this letter there is no statement that they favor a reduction in the duty for the purpose of cheapening sugar. It simply says that, as refiners, they favor a large reduction in the duty on the article.

If sugar is dear in this country it is because of the cost of refining. If you would cheapen sugar, reduce the duty on the higher grades and permit the importation of refined sugars.

Pass the amendment offered by my colleague, to fix the duty on all sugars at 2½ cents a pound, and we will cheerfully accept it. The sugar-planter can afford to have the price of sugar thus cheapened, but will the refiner consent to it?

You will be told that you are destroying a great industry, yet that industry is urging you to destroy the sugar farmer; and it is that industry and not the farmer who stands in the way of cheap sugar.

My friend, Mr. BECK, in his remarks on Friday took occasion to allude to the high price of sugar and to make the following comparison (an old one, by the way) with England. He said:

Let me again illustrate for a moment. Take sugar. I do not care about reducing sugar more than other things in proportion, but I desire to reduce sugar in the same proportion. I have in my hand a paper relative to the sugar tax which shows that the people of England consume on an average sixty-five pounds of sugar a year per capita, while the people of this country only consume forty-five pounds of sugar per year per capita. If the people of this country could get their sugar as cheap they would consume as much as the people of England—more, I believe, as we consume and waste more than any other people of anything we can get at a reasonable price.

England gets her sugar at 6¾ cents a pound; we pay 9¾; sixty-five pounds per head at 3 cents a pound is $1.95 to each person. The average family of this country—I see my friend from Mississippi [Mr. GEORGE], who knows all about families and agriculture and sugar-raising, is smiling; he agrees with me I observe—the average family is about five. If we could get sugar as cheap as England and consume the same amount, each family of five would gain $1.95 for each member, or $9.75 for the family.

Now, if we pay 9¾ cents a pound (which I very much doubt) it is an exceptional price. It is no fault of the Louisiana planters that it is paid, and they receive no such price. The average price of Louisiana sugars this season has been 5½ cents a pound.

I clip from the New Orleans papers of the 25th January the market reports for that day, which are as follows:

SUGAR—Receipts to-day, 959 hogsheads, 306 barrels. The market is quiet but firm for all descriptions, but the demand is mostly for open kettle sugars for refining purposes, of which there is a good supply.

There is about the usual volume of local business. We quote as follows:

Inferior to common open kettle, 4 to 5c.; good common to fair, 5¼ to 5¾c.; good fair to fully fair, 5¾ to 5¾c.; prime to strictly prime, 6 to 6¼c.; strictly prime to choice, 6¼ to 6¾c.

Choice white clarified, 7⅛ to 8c.; prime white clarified, 7⅛c.; good white clarified, 7⅛c.; choice yellow clarified, 7⅛c.; prime yellow clarified, 7⅛c.; gray yellow clarified, 6¾c.; choice seconds, 6¼c.; prime seconds, 6¼ to 6¾c.

Showing that the price of the best sugar in the market, a sugar fully equal in quality and saccharine strength to the best refined, was under 8 cents. As it may be said that these are the market quotations at the place of production, I give the quotations in Boston of the same date, showing that even in that market not even the highest grades of refined sugar bring the price mentioned by the Senator from Kentucky. Now, let me read the Boston quotations:

SUGAR.—The market for refining grades is steady and prices are unchanged. We quote at 6¼ to 6¾c. for inferior to common; 7 to 7⅛c. for fair to good refining; 7⅛c. for prime refining; 7⅛ to 7⅛c. for centrifugal, 92° to 96° test; 6¼ for manila extra superior; 6¼ to 6¾c. for Iloilos, and 7⅛ to 7⅛ for Java, D. S. Nos. 9 and 12. Refining goods are steady, with a fair demand at quotations: Standard cube, 9⅛c. per lb.; powdered, 9¼c.; granulated, 8⅛c.; confectioners' A, 8⅛c.; standard A, 8⅛c.; Belmont A, 8⅛c.; extra yellow C, 7⅛ to 8⅛c.; golden yellows, 7⅛ to 7⅛c.; yellow, 6 to 7c. per lb.; grocers' card, 3⅛c. for granulated.

The common people of England consume also a large amount of moist or brown sugar of ordinary quality and price, imported from the East and West Indies.

In the light of past experience I hazard nothing in predicting that your proposed reduction will not cheapen sugar to the consumer. If met with no corresponding export duty by Spain and Brazil it will cheapen sugar to the refiner. It will break down the great agricultural interest of Louisiana, and will impoverish nearly one-half of her population; but what matters it, provided it cheapens the raw material for the manufacturer and increases his profit? Besides it will decrease the revenue from ten to twelve millions of dollars, and to that extent save other and more favored interests from reduction.

We were for several days, Mr. President, considering the schedules of china, pottery, earthen-ware, and glass-ware, and the struggle has been not to decrease the duties on those necessary articles, but to prevent an increase.

The proposed reduction on other schedules is more apparent than real, and in many cases the duty when reduced remains prohibitory.

The sugar planters expected to bear their proportion, in a general reduction of the tariff. They had prepared themselves to submit to the reduction proposed by the Tariff Commission, although they felt that it would affect their industry most injuriously, but they had no reason to expect that it would be supplemented by an amendment so destructive as that recommended by the Finance Committee.

If this latter schedule is adopted I can not vote for the bill. I consider it to be unjust, unequal, and oppressive; in the interest of a small class of manufacturers, and destructive to the prosperity and even to the existence of an industry by which nearly one-half of the people of my State gain their livelihood.

It is an honest industry—the oldest in the world—the cultivation of the soil. The people engaged in it are farmers and laborers, freemen and American citizens.

Their labor is brought into competition with the labor of Chinamen, coolies, and slaves, men who are half fed, half paid, half civilized, and without ambition or hope for the future, and who serve foreign slave-owners and taskmasters.

You are asked by your votes to take away the only protection which we have against this unfair and unequal competition. Do so if you think proper, but cease in the future to prate of your devotion to the interests of American labor on the one side, or of your sympathy with the farmer and agriculturist on the other.

Mr. SHERMAN. I wish to say but a few words in respect to the sugar tax, because it is a very simple problem and every Senator can vote as he thinks right under all the circumstances. I, for one, would not make one rule in regard to the raising of sugar in Louisiana and another rule in regard to any other product anywhere else. There are a few facts in regard to the sugar matter necessary to be brought before the Senate, and they are very simple and plain.

The present duty on sugar is abnormally high, higher in proportion than on any other article upon the tariff list. The reason of that is that in 1875 when the sinking fund was impaired it became necessary suddenly to raise a considerable sum of additional revenue; and it was believed that it could be more easily levied upon this article of sugar, which is of universal consumption, than upon any other; and consequently by the act of 1875, 25 per cent. additional duty was levied upon sugar in all its forms. The result is that the present duty on sugar reduced to an ad valorem rate is 56½ per cent. The tables show that the average of the duty now on all the grades is 56½ per cent. The duty added by the act of 1875 was equivalent to 11½ per cent. of the value of the article or 25 per cent. of the amount of the duty. The normal rate of duty on sugar fixed at a time when the whole tariff was revised, was put at 45 per cent. ad valorem. Therefore when we are considering the question of reduction, we must take 45 per cent. as about the average rate applied on sugar together with all other articles. The rates of duty set out in the Revised Statutes place the lowest rate of duty on sugar at $1.75 a hundred pounds, and on the different grades advancing the rate as the value of the sugar advances. So that normally we have to treat the duty on sugar as $1.75 per hundred pounds on the lower grades, advancing in grade according to the value of the sugar.

When the Tariff Commission undertook to investigate this subject they had to deal with two things—first, the amount of reduction that ought to be made on sugar itself, and next, the mode of dealing with sugar as to the mode of testing its quality, its value. They very properly adopted a new mode of testing the value of the sugar by using the polariscope for all degrees under No. 13 Dutch standard. There appeared to be no controversy about this, and there is no controversy here.

Then the question is what rate sugar ought to bear. After this special and peculiar duty that was levied upon it in 1875 had been removed, after that had been repealed, and the rate was reduced to 45 per cent., what could sugar bear and yet give to sugar the same fair protection that is given to other matters? The Tariff Commision concluded that on the whole it would be a fair reduction to reduce it one-fourth of a cent a pound all round, which reduces it about 6 per cent. or to about 38½ or 39 per cent. That was the report of the Tariff Commission.

We remember that 38½ per cent. on a necessary of life which enters into every family and every household seems to be a very large rate. I myself would have been perfectly content to have left this sugar protected by a duty of 38½ per cent., which would be $1.50 a hundred pounds, or 1½ cents a pound, but that is higher than the ordinary rate on that class of articles in the tariff list. As a rule all raw articles which enter into ordinary consumption, and the articles which are the base of other industries, can scarcely be said upon the revised list to range higher than 30 to 35 per cent. on unmanufactured articles. In the advanced stage they range, I believe, higher. The Committee on Finance, after considerable discussion and hesitation, proposed to reduce this a quarter of a cent lower, and now the rate in the sugar paragraph is about 32 per cent. as near as I can make it out. The ad valorem rate would be about equivalent to 32 per cent.

Now, whether we shall have 1½ cents as the basis of the tariff schedule on sugar or 1¼ every Senator must decide for himself. I shall be perfectly content myself with either and do not think any great injustice is done to any interest if the rate is maintained at 1½ cents per pound and on the higher grade at a higher rate or at 1¼. That is a vote which every Senator must give for himself.

The whole case, therefore, is a very simple one. If Senators think that on the whole 38½ per cent. is a fair average rate on sugar, they will commence at $1.50 a hundred pounds. If they think on the other hand that 32 per cent. is a sufficient rate of duty to protect the labor employed in raising and cultivating sugar, they will as a matter of course fix it at 1¼ cents a pound, as recommended by the Committee on Finance.

I have been asked by Senators to explain something about the effect of the adoption of the polariscope.

Mr. MAXEY. Before the Senator goes to that, I should like to ask a question. Thirty-two per cent. is the lowest rate. What would the tax be on loaf-sugar and granulated high sugar in ordinary use?

Mr. SHERMAN. About the same rate running through. The Senator will see that the present tariff is almost an ad valorem tariff, rising according to the increased value of the article; that is upon the Dutch standard as it was honestly administered and as by the polariscope it would be. Therefore the rate on sugar of the higher grades would range from 32 to 34 or 35 per cent., and on the ordinary lower grades about the same the advance of rate would be about equivalent to the advance in value.

In respect to the application of the polariscope, that is a simple means of testing the value of the sugar. The old Dutch standard has been found to be easily evaded and easily avoided by the admixture of foreign materials or by burning a little sugar. It is sought to avoid that by the polariscope, and according to the testimony before the Tariff Commission all the merchants and all the trade were in favor of a change of the mode of testing the value. That was concurred in by common consent. It is proposed now to test the value of this sugar not by the Dutch standard up to No. 13, but by the polariscope. According to the normal manufacture of sugars 75° by the polariscope would indicate No. 7 Dutch standard. It is supposed that about 91° by the polariscope would be equivalent to No. 13 Dutch standard, and therefore No. 13 was taken as the proper grade, dividing the refined sugar from the coarse or crude sugars, and 75 per cent. was considered the lowest grade of sugar at which the lowest rate should be applied. Seventy-five per cent., as tested by the polariscope, is about equivalent to No. 7 Dutch standard in the old normal way.

Then for every degree of the polariscope, advancing at the rate of five-hundredths of a cent, it would make No. 13 Dutch standard, according to the report of the Committee on Finance, pay exactly 2 cents a pound. So the duty proposed by the Committee on Finance is equivalent to at least 32 per cent. ad valorem, and as you advance in grade you increase from 1¼ up to 2 cents a pound. That is the present proposition. Above that the Senate will see that the committee have reduced the rates proposed by the Tariff Commission, because we wish to allow the people of this country if they choose to consume the ordinary brown sugar of commerce to have the full benefit of the reduced rate. No doubt some sugar will be imported at about No. 13 Dutch standard, or about the test of 91 by the polariscope, and it will be introduced into ordinary consumption; but generally sugars will be refined and reduced to a more perfect grade; and the higher the grade and standard, the rate of duty is advanced according to the grade of value just about the same rate in proportion.

The Committee on Finance reduced the tariff proposed by the Tariff Commission all around one-fourth of a cent per pound on all below No. 13 Dutch standard, and about one-half of a cent a pound on the higher grades above No. 13 Dutch standard.

Mr. KELLOGG. May I inquire of the Senator from Ohio if the Senate Committee on Finance, by the amendment offered by the chairman of the committee to-night, does not propose to increase the rate of duty on all sugar above No. 16 and above No. 20?

Mr. SHERMAN. It reduces the rate in almost every case.

Mr. KELLOGG. I ask if the committee amendment offered by the Senator from Vermont to-night does not increase the rate prescribed by the Senate bill as reported?

Mr. SHERMAN. I do not know about the Senate bill; I do not remember what that was.

Mr. KELLOGG. That is precisely what I want the Senate to understand—whether the Committee on Finance are coming into the Senate now with an amendment in the interest of the refiners since the original bill was reported.

Mr. SHERMAN. I have not the bill before me, but here is the amendment of the Senator from Vermont. The proposition of the Tariff Commission is to commence at $1.50 per hundred and advance at the rate of five-hundredths of a cent a pound by the polariscope degree. The report of the commission, however, proposes to put on the grade of No. 13 Dutch standard up to No. 16 Dutch standard 3½ cents a pound. The Committee on Finance propose to reduce that to 2.65 cents. The Tariff Commission propose to put on the grade of No. 16 to No. 20, 3.75 cents. The Finance Committee propose to reduce it to 3.15.

Mr. KELLOGG. But the bill reported by the Committee on Finance——

Mr. SHERMAN. That is not material, because this amendment is the report of the committee.

Mr. KELLOGG. Of a majority, I understand.

Mr. SHERMAN. Sugar above No. 20 Dutch standard, according to the Tariff Commission, is placed at 4½ cents a pound; the committee propose 3.65 cents. The bill put it at less, probably. It is to be perceived that the Committee on Finance have proposed a much greater reduction on the higher grades of sugar than the Tariff Commission did.

I think this is all the statement necessary to be made about the matter. It is a question that each Senator must determine for himself as to what degree of protection under all the circumstances should be given to sugar in this country. I for one am willing to give to that interest in Louisiana the same degree of protection as I would to any interest in Ohio or anywhere else. I think in the administration of tariff laws we must be fair and just to all sections of the country, and not apply to the interests that are produced in our own States a different rule from what we apply to an interest produced in any other State.

I regard the sugar interest, the production of sugar, a purely agricultural production, as entitled to just as much protection on the labor necessary to produce it as any other branch of industry in proportion to its cost. I shall apply the same rule to it, and I think, on the whole, that the sugar interest will be very well protected, according to the fair average contained in this bill, if it is protected at the rate of 32 per cent. or on the basis of 1¼ cents a pound on the ordinary grades.

We have had a long debate this afternoon about the rate of duty on

the highest branch of manufacture, that is, perfected machinery, which may be said to be the very highest form of human manufacture. Nothing can be more beautiful, nothing can be more difficult, nothing more complex than the manufacture of fine machinery; and yet we place on machinery a duty of 35 per cent. ad valorem. The duty which is now proposed by the Finance Committee on this raw article, which is simple in its production, easily produced, is 32 per cent. ad valorem. If Senators think that is not enough let them advance the rate to 1½ cents a pound, which is equivalent to 38½ per cent. ad valorem. I think myself that the report now made by the Committee on Finance in the amendment presented by its chairman is a fair and just rate of taxation on this article, is not oppressive or harsh, but treats that interest precisely as all the other interests affected by this bill are treated. I shall vote for it, but I shall not be at all discontented if the rate is advanced one-fourth of a cent per pound if the majority of the Senate shall think proper.

Mr. ALDRICH. Mr. President, I have proposed the pending amendment, as I am in favor of a greater reduction of the duty on sugar than that proposed by the Committee on Finance. Sugar is a prime necessity in every family in the United States. The consumption is equal to forty-five pounds for every person in the country, and the cost of sugar to many families exceeds the cost of bread. Senators have concurred in expressing a desire to reduce the cost of living to the operative and workingman, for the purpose of reducing the cost of manufactured articles to consumers throughout the land. With this in view, with a revenue conceded to be greatly in excess of the needs of the country, and when a general reduction of tariff rates is proposed, we should certainly reduce materially the duty on this article.

There was imported into this country last year, according to the report of the Bureau of Statistics, 1,913,396,455 pounds of sugar.

Mr. KELLOGG. Of what grade?

Mr. ALDRICH. Almost entirely below No. 13 Dutch standard in color. The Tariff Commission bill and the report of the Finance Committee both propose to levy duties hereafter by the test of saccharine strength and abandon the color test on all sugars below No. 13 Dutch standard in color. It is agreed that No. 13 is the dividing point between raw sugar or sugar that must be refined and sugar that can be used for family purposes without refining. All my statements of averages will apply to sugar below No. 13.

Mr. KELLOGG. Will the Senator have the kindness to state to the Senate how much sugar was imported into this country above No. 13?

Mr. ALDRICH. Ninety-nine and seventy-nine hundredths per cent. of all the sugar imported into this country last year was below No. 13 Dutch standard.

Mr. KELLOGG. I asked for that above.

Mr. ALDRICH. Twenty-one hundredths of 1 per cent.

Mr. KELLOGG. Now I ask the Senator to state to the Senate what grade of sugar is grown by the planter in Louisiana and by the planter of any other State where sugar is grown in this country?

Mr. ALDRICH. I presume most of the sugars raised in Louisiana are below No. 13.

Mr. KELLOGG. Precisely. Now I ask if nine-tenths of the sugar below No. 13 does not go into the hands of the refiners and if nineteen-twentieths of the sugar consumed on his table and the tables of all the people of the North does not come from the refineries, above No. 13?

Mr. ALDRICH. I think a large proportion of it does.

Mr. KELLOGG. If that be so, I ask the Senator as a member of the Committee on Finance why the committee come in since the original bill was reported with an amendment proposing to increase the duty and making it practically prohibitory on all above No. 13 Dutch standard in the interest of the refiners? It is prohibitory now.

Mr. ALDRICH. I do not understand that the Committee on Finance have made any such recommendation.

Mr. KELLOGG. They have.

Mr. ALDRICH. As I understand their recommendation, it was to decrease the duties on sugars below No. 13. The bill as reported from the committee——

Mr. KELLOGG. The Senator will pardon me. The amendment offered by the Senator from Vermont proposes to change the Senate bill thus:

All sugars above No. 16 and not above No. 20 Dutch standard, 3.15 cents per pound.

The Senate bill as originally reported was 3 cents per pound.

Mr. ALDRICH. The Senator is right.

Mr. KELLOGG. And—

All sugars above No. 20 Dutch standard, 3.65 cents per pound.

When the original Senate bill was 3½ cents per pound, and then it was prohibitory.

Mr. ALDRICH. As I dissented from the views of the Finance Committee upon this question, and am now offering an amendment in opposition to their proposition, perhaps the Senator had better obtain his answer from some member of the committee who voted with the majority.

Mr. KELLOGG. The Senator adheres to the original frame of the bill?

Mr. ALDRICH. I beg pardon, I do not adhere to it; and I stated distinctly that if my amendment was adopted in the first part of this section I should then offer an amendment reducing the duties on sugar above No. 13 to a proportionate rate.

Mr. KELLOGG. But if it is a proportionate rate it is still to the disadvantage of the planter, because the refiner can take the sugar that comes in at 1½ cents a pound and increase it to the grade that pays 2½.

Mr. ALDRICH. The Senator and myself might not agree about this. I should prefer, however, not to continue this discussion, but to proceed with my statement.

I have stated the amount of imports last year. This sugar paid an average rate of duty of 2.45 cents a pound, and the total amount of duty collected was $46,711,795.14. To what extent the revenue from this important source will be reduced by the pending propositions is a question which must be accurately answered to enable Senators to vote intelligently. As I differ so widely with the Senator from Ohio [Mr. SHERMAN] as to the effect of the committee bill, I feel obliged to state with considerable care and somewhat in detail the facts upon which I base my opinion.

It should be constantly borne in mind that each of the bills proposes an entirely new method for fixing the rate of duty on all sugar below No. 13.

Having provided for the abolition of the color test below No. 13, any attempts to consider the relations of color and saccharine strength will prove misleading and confusing. There is but one test to be considered, and that has no dependence upon or relation to color.

I shall take last year's importations as the basis of my estimate of reduction. There were imported 1,913,396,455 pounds, paying a total duty of $46,711,725.14, or an average of 2.45 cents per pound.

This duty was collected under a color standard without regard to saccharine strength or polariscope test. Hence it will be seen that no comparison can possibly be made between the color standard under the existing law and the polariscope tests which are proposed under the new system; and the only way the effect of either of the plans proposed can be ascertained is by a comparison of the average rate of duty of each with that imposed by existing law.

Inasmuch as it is proposed in all the plans under discussion to levy the duty on sugars below No. 13 Dutch standard solely on their polariscopic test, we can only arrive at the average rate of duty by first finding out the average test by the polariscope on all such sugars.

How, then, shall we find out what will be the average rate of duty under the new system? I answer it can only be found by first ascertaining what is the average test by the polariscope of imported sugars of this class.

This average is estimated by importers, merchants, refiners, and others having a knowledge of the matter at about 90°. Their judgment is confirmed by the actual tests made by the agent of the Treasury Department.

As this is the point upon which the whole controversy turns, I will with the consent of the Senate, in order to confirm the statement which I have made that 90° of saccharine strength is the average test of sugars imported, submit and have printed in the RECORD a number of papers bearing upon the subject.

I submit first a statement from the Treasury Department showing that the average test of all centrifugal sugars imported into New York during the year 1881 was 94.38°.

TREASURY DEPARTMENT, *December* 29, 1882.

SIR: In compliance with your verbal request of a few days since, I send you herewith a copy of a letter from the appraiser at New York, of the 28th instant, in which he states that the average test of saccharine strength of vacuum-pan sugars below No. 13 Dutch standard imported at that port for the calendar year ending December 31, 1881, was 94.38 per cent.

I also transmit a tabular statement showing the tests of vacuum-pan and muscovado sugars made at Philadelphia, which gives the saccharine strength of various samples tested and the number belonging to each.

Very respectfully,

H. B. JAMES,
Chief of Customs Division.

Hon. N. W. ALDRICH, *United States Senate.*

P. S.—Inclosed is a statement which shows that the average on six hundred and forty-three cargoes below No. 10 Dutch standard in color at the port of Philadelphia was 88.17°.

PORT OF NEW YORK, APPRAISER'S OFFICE,
December 28, 1882.

SIR: In reply to your telegram of this date, requesting information as to the average test of the saccharine strength of the vacuum-pan sugars below No. 13 Dutch standard imported for any one year in which tests were made, I have the honor to report that an examination of the records of this office for the calendar year ending December 31, 1881, shows that the average direct polarization test of the sugars in question was 94.38.

The calendar year of 1881, has been chosen because it was the last full year during which the polariscope was in use. I may add that the sugars imported during the year 1881 were for the most part sugars grading from 7 to 10.

Very respectfully,

J. Q. HOWARD, *Appraiser.*

Hon. H. F. FRENCH,
Assistant Secretary of the Treasury.

And that the average of six hundred and forty-three cargoes muscovado sugars all below No. 10 Dutch standard in color received in Philadelphia was 88.17°.

I submit a further statement from the Department showing the percentage of centrifugal and muscovado sugars imported last year. The average shown by these statements on all sugars imported is 90.6°.

CUSTOM HOUSE, NEW YORK, COLLECTOR'S OFFICE,
January 4, 1883.

SIR: In reply to your telegram of the 2d instant, relative to importations of muscovado and vacuum-pan sugars during the year ended December 31, 1882, I

have the honor to state that there were imported at this port of muscovado sugars 806,000,000 pounds, of vacuum-pan sugars 504,000,000 pounds.

Very respectfully, your obedient servant,

W. H. ROBERTSON, *Collector.*

HON. CHARLES J. FOLGER,
Secretary of the Treasury, Washington, D. C.

I next submit a paper carefully prepared by Mr. S. E. Chamberlin, a special agent of the Treasury Department, the gentleman I believe upon whom the Senator from Ohio when Secretary of the Treasury depended for his facts and statements in his prosecution of sugar importers for alleged frauds upon the revenue. This gentleman shows by elaborate calculations that the average test on sugars which came into this country for the year ending June 30, 1882, was 90½° of saccharine strength. This gentleman also estimates the total reduction based on same importations by the Tariff Commission bill at $2,196,157.27, or about 7 per cent. instead of 20 per cent. as now claimed by the Senator from Ohio.

Mr. ALLISON. What would that leave the duty, 50 per cent. ad valorem?

Mr. ALDRICH. Fifty per cent. ad valorem.

Mr. ALLISON. Under the Tariff Commission report?

Mr. ALDRICH. Yes, sir. I would again remind the Senator that all of these statements are in relation to sugar below the No. 13 Dutch standard in color. The letter of Mr. Chamberlin is as follows:

OFFICE OF SPECIAL AGENT TREASURY DEPARTMENT.
Baltimore, Md., January 10, 1883.

DEAR SIR: In compliance with your request I herewith submit my views as to the practical application of the proposed tariff on sugar recommended by Tariff Commission compared with the working of the present one in the collection of duty upon sugar now imported into the United States.

After a careful review of the whole matter I have reached the following as my conclusions: The tariff as recommended by this commission proposes that upon all sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay duty per pound of 1¼ cents, and for every additional degree or fraction of degree shown by polariscopic test they shall pay per pound additional five-hundredths of a cent per pound; on all sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color, and pay duty as follows:

All sugars above No. 13, and not above 16 Dutch standard, 3¾ cents per pound. All sugars above No. 16, and not above No. 20, Dutch standard, 3¾ cents per pound. All sugars above No. 20, Dutch standard, 4¼ cents per pound.

Comparing the above proposed tariff as applied to the importation of melada, which now pays a duty of 1¼ cents per pound and 25 per cent. additional duty, amounting to .01875 per pound, with the entire importations for the fiscal year ending June 30, 1882, 11,967,379 pounds, upon which there was collected in duties, $224,386.36, I obtained the following results: First, the character of melada now imported into the United States, I feel safe in saying, will show an average polarization test of not less than 78°. This average test, obtained from many analyses made under my supervision, is a fair one to base an estimate of its saccharine strength upon. At 78° test, under the proposed tariff we have a duty of .01650 per pound, which would amount in duty upon the entire importations for the fiscal year to $197,461.75, showing a reduction in favor of the new tariff of $26,926.61.

In order to fairly demonstrate the application of the proposed tariff compared with the workings of the present one, I have examined the character of sugars now imported into the United States from all countries, both as to their color by the Dutch standard and their polariscopic test. This I have been able to do particularly in regard to those imported from Cuba, and this island has sent to this country since the 1st of January to the 30th day of November, 1882, 479,348 tons of sugar, 93.30 per cent. of her entire production. The sales of these sugars are noted each week in the principal markets, Havana and Matanzas, and give the kind of sugar, color by Dutch standard, and polarization of each lot sold.

From this data I have been able to ascertain that about four-fifths were centrifugal sugars below No. 10 Dutch standard in color, showing an average polarization of more than 95°, and the balance muscovado and molasses sugars polarization test of nearly 88°. Thus showing an average test upon these sugars of 93° of polarization, which under the proposed tariff would be .0240 per pound upon the entire amount, which equals more than 60 per cent. of the entire importations into the United States from all sources during the fiscal year ending June 30, 1882, which was:

Not above No. 7 Dutch standard, 404,020,013 pounds at 1¼ cents and 25 per cent., $8,837,937.78.

Above No. 7 and not above No. 10 Dutch standard, 1,252,536,536 pounds at 2 cents and 25 per cent., $31,313,413.40.

Above No. 10 and not above No. 13 Dutch standard, 127,521,419 pounds at 2½ cents and 25 per cent., $3,586,539.89.

Above No. 13 and not above No. 16 Dutch standard, 3,383,413 pounds at 2¾ cents and 25 per cent., $116,304.89.

Above No. 16 and not above No. 20 Dutch standard, 39,875 pounds at 3¾ cents and 25 per cent., $1,619.92.

Above No. 20 Dutch standard, 219,997 pounds at 4 cents and 25 per cent., $10,999.85.

Total number pounds, 1,787,721,253.

Total duties, $43,866,815.73.

Average duty per pound on the entire importations, ——.

The above calculations are the exact number of pounds and classification of all the sugars upon which duties were received during the fiscal year, and they show that 99.79 per cent. of the entire importations were classified as below No. 13 Dutch standard in color.

To further establish the average polarization test of sugars from all sources imported into this country, I submit tests made under my supervision at the United States laboratory in New York, of a large number of samples of Muscovado sugars imported during the year 1881, into the port of New York:

Countries.	Color by Dutch standard.	Average test.
Demerara	Below No. 7 to No. 11	80.88
Porto Rico	Below No. 7 to No. 12	86.15
Barbadoes	Below No. 7 to No. 13	85.64
Batavia	8 to No. 12	89.90
Martinique	9 to No. 10	88.55
Iloilo	Below No. 7 to No. 12	86.99

Average test below No. 13 Dutch standard, 86.40.

The following is a table furnished Mr. TUCKER, of the Committee of Ways and Means, House of Representatives, by Mr. T. A. Havemeyer (one of the principal refiners and importers of this country), January, 1880, giving the polarization test of sugars from the principal sugar-producing countries in the world:

Place of production.	Commercial designation.	Color by Dutch standard.	Polariscopic test.
Cuba	Centrifugals	No. 7 to No. 10	96
Cuba	Muscovadoes	No. 7 to No. 10	88
Cuba	Melada		76
Barbadoes	Muscovadoes	No. 7	86
Demerara	Centrifugals	No. 7 to No. 10	96
Java	Clayed	No. 10 to No. 13	96
Philippine Islands	Iloilo	Below 7 to No. 10	84
Philippine Islands	Manila	Below No. 7	82
Bahia	Browns	No. 7	83
Pernambuco	American unclayed	No. 7 to No. 10	86

Average test of muscovadoes below No. 13, 86.42; centrifugals, 95¼.

Of the entire importations of Demerara centrifugal sugar into the port of Baltimore for one year ending February 28, 1882 (which comprised almost the entire importations), the average polarization test was above 95°, and the muscovado and molasses sugars showed an average polarization of 87.97°, and all were below No. 13 Dutch standard in color.

Estimating the amount of centrifugal sugars imported during the fiscal year ending June 30, 1882, at one-half of the entire importations, 893,860,626½ pounds, at an average of 95° test, would be under the proposed tariff of .0250 per pound	$22,346,515 63
893,860,626½ pounds other kinds at 86°, at a rate of .0205 per pound	18,324,142 38
Showing whole amount of duty	40,670,658 01
Total reduction on all importations in favor of the proposed tariff on sugar	3,196,157 27
On melada	26,926 61
Total reduction compared with fiscal year 1882	3,223,083 88

It will be fair to presume that under the tariff as now proposed almost the entire sugar importations of this country will be below No. 13 Dutch standard in color, for unless some provision is made against the introducing of artificially colored sugar, sugars of over 99 per cent. of saccharine strength can be imported, paying a duty of .0275 cents, as below No. 13 Dutch standard against grocers' grades or natural sugars, from No. 13 to 20 Dutch standard that will have to pay at the rate of .0325 and .0375 cents per pound, and the condition of the sugar trade remain pretty much as it is now, in the hands of a few refiners, and the consumers in the country pay toll to these for almost every pound used.

Cuba, that now produces, in round numbers, 500,000 tons of the 800,000 tons annually imported into the United States from all sources, now exacts an export duty of $8.19 a ton, or at the rate of one-third of a cent a pound, on all the sugars exported from that island to our country.

Very respectfully, yours,

S. E. CHAMBERLIN, *Special Agent.*

I now submit a statement prepared carefully by Skiddy, Minford & Co., the largest sugar-brokers in this country, gentlemen whose thorough and complete knowledge of the subject will not be questioned by any Senator, in which they state the whole amount of sugar importations from all sources, giving the amount in detail in tons, and stating the average test of importations from all the various countries. A calculation based on this statement shows an average test of 89.87° on the importations into the city of New York. Another computation based on sugar imported into the four principal ports of the United States—New York, Philadelphia, Boston, and Baltimore—shows an average test of 89.89°.

NEW YORK, *January* 20, 1883.

DEAR SIR: In reply to yours asking for a careful estimate of the polariscope tests of the sugars imported into the port of New York and other ports of the United States during the year 1882, we give you below a statement in detail of importations into New York, and the average test of same, based upon actual sales in the market. We are not quite sure as to the percentage of centrifugal sugar from Cuba, but our estimate of these is below rather than above the actual imports. We think the tests given below are also a fair basis for average importations into all ports of the United States:

Importations from—	Tons.	Grades.	Average test.
			Degrees.
Cuba	186,000	Centrifugal	95
Do	160,000	Muscovado and molasses.	88
Porto Rico	2,000	Centrifugal	94¼
Do	8,000	Muscovado	88
Demerara	20,000	Centrifugal	94
Do	4,000	Muscovado	87
Barbadoes	6,200	....do	87
Saint Croix	2,000	....do	88¼
French Islands	16,790	....do	86¼
British West Indies	19,300	....do	88¼
Other West India ports, Peru, and Mexico.	16,450	....do	86¼
Brazil	70,490	Muscovado and clayed.	87
Manila	45,380		83–84
China	4,560		83
Java	1,850	Seconds	89
Other East Indies	6,667	....do	83
Of beet-root	5,100	Centrifugals	92

Yours, very truly,

SKIDDY, MINFORD & CO.

Table of importations in port of New York during 1882, and average test of same as per later of Skiddy, Minford & Co.:

Importations from—			
Cuba:			
Centrifugal	186,000×95	=	17,670,000
Muscovado	160,000×88	=	14,080,000
Porto Rico:			
Centrifugal	2,000×94½	=	189,000
Muscovado	8,000×88	=	704,000
Demerara:			
Centrifugal	20,000×94	=	1,880,000
Muscovado	4,000×87	=	348,000
Barbadoes, muscovado	6,200×87	=	539,400
Saint Croix, muscovado	2,000×88½	=	177,000
French Islands, muscovado	16,700×86½	=	1,452,335
British West Indies, muscovado	19,300×88½	=	1,708,000
Other West India ports, Peru and Mexico, muscovado	16,450×86½	=	1,422,920
Brazil, muscovado and clayed	70,490×87	=	6,132,630
Manilla, ——	45,380×83½	=	3,789,230
China, ——	4,560×83	=	378,480
Java, seconds	1,850×89	=	164,650
Other East Indies, seconds	6,667×83	=	553,361
Of beet root, centrifugals	5,100×92	=	469,200
	574,787×89.87	=	51,658,206

Total importations into the four principal ports of the United States as per statistical table of Messrs. Willet & Hamlen, on basis of tests furnished by Messrs. Skiddy, Minford & Co.:

Importations from—			
Cuba:	*Deg.**		
Centrifugal	271,000×95	=	25,745,000
Muscovado	231,410×88	=	20,364,080
British West Indies	23,701×88½	=	2,442,440
Trinidad	8,538×86½	=	738,537
French West Indies	28,649×86½	=	2,478,138
Porto Rico:			
Centrifugal	6,938×94½	=	655,641
Muscovado	27,755×88	=	2,378,138
St. Croix	1,537×88½	=	136,024
Demerara:			
Centrifugal	5,753×87	=	500,511
Muscovado	28,766×94	=	2,703,004
Central America, Balize sur Mexico	3,950×86½	=	341,675
Hayti and San Domingo	12,017×86½	=	1,039,470
Brazil	81,029×87	=	7,049,553
Peru	860×86½	=	74,390
Europe	7,204×92	=	662,768
Philippine Islands	75,634×83½	=	6,315,439
Java	5,422×89	=	482,558
China, Singapore, sundries	13,992×83	=	1,161,336
	834,155×89.89	=	74,988,102

I submit next an estimate made by a well-known firm of sugar brokers in Boston, who have given very careful attention to the subject, and they also state the importation from each country, &c., with the average test in each case, and they make the average on all 90°, or within eleven hundredths of the estimate made by Skiddy, Minford & Co., in New York.

Sugar import into the United States one year to December 31, 1882.

	Tons.	*Degrees.*
Cuba	500,000	92
British West India Islands	24,000	88
French West India Islands	29,000	88
Puerto Rico	35,000	90
Demerara	35,000	91
Surinam	2,000	86
Hayti and San Domingo	12,000	87
Brazil	81,000	86
Europe	7,000	94
Philippine Islands	75,000	83
Java	5,000	95
Trinidad	9,000	89
China	4,000	89
Sundries	15,000	87
	833,000	†90
Portland	9,000	
New Orleans	13,000	
New Haven	4,000	
San Francisco	1,000	
	27,000	
Total paying duty	860,000	
Estimated loss by custom-house weight, say, 4½ per cent	40,000	
	820,000	

Which is equal to 1,836,800,000 pounds.
Actual custom-house returns one year to June 30, 1882, 1,799,688,632 pounds.

WILLETT, HAMLIN & CO.

BOSTON, *January* 25, 1883.

I next call attention to an authority which I think will not be questioned even by the Senator from Louisiana [Mr. JONAS]. I call attention to the paper which he has read entitled "Destruction of the sugar industry of Louisiana by the reduction of duty on low-grade sugars," and signed by "John Dymond, Edward J. Gay, H. C. Warmoth, and F. M. Ames, committee," in which they say, and I hope the Senator from Ohio will give his attention to this, because this committee confirms entirely the opinion of the other gentlemen to whom I have alluded:

> The Senate bill, beginning at 1½ cents, would give but 2 cents per pound average duties, and would be the equivalent of the law of 1870, under which we experienced such great disaster.

They admit that 90° is the average saccharine strength of the sugars imported. This it will be noticed is a statement of a committee of sugar-planters.

Mr. JONAS. If the Senator will permit me, I gave those figures. Nobody denies it.

Mr. ALDRICH. The authority, then, of the Senator from Louisiana is added——

Mr. SHERMAN. I do not doubt it at all.

Mr. JONAS. Nobody is disputing that point.

Mr. SHERMAN. Nobody disputes that point. I have no doubt that is true.

Mr. ALDRICH. It is conceded, then.

Mr. SHERMAN. Let me say further that all of the figures are based upon the importations of the last year and the year before, when it is known that the sugars were reduced by foreign matter by processes of refining so as to make a higher grade of sugar, say No. 13, about 8 or 9 Dutch standard to bring it in at a low rate of duty. I do not wish to introduce that subject now; but I say that for four or five years the tariff duties have been evaded and avoided. The Supreme Court said that in a legal way they had been evaded and avoided, so that the grades of sugar which would by saccharine strength test No. 13 Dutch standard in the old honest way of manufacturing sugar were reduced by an artificial process to Nos. 8, 9, and 10. So the great body of sugar was imported for a number of years at a grade from 9 to 10; nearly all of it was imported at the grade of 9 or 10 when its saccharine strength indicated 90°, or the normal grade of No. 13 Dutch standard. There is no difference between us as to that fact.

Mr. ALDRICH. The statement which I have made, then, as to the average test of sugars is conceded by all parties. As to the subsequent distinction now made by the Senator from Ohio, I will say that hereafter we are to consider only saccharine strength, and I do not suppose the Senator from Ohio or any other Senator will say that there have been any frauds on the revenue by changing the saccharine strength of sugar. I do not know of any method by which an importer or a refiner can increase artificially the saccharine strength of sugar. That sugars have been imported at from 7 to 10 which should have paid a duty at above No. 13 I have no doubt. But that question is not now before the Senate.

Mr. SAULSBURY. Allow me to ask a question for information. The Senator seems to be very intelligent on the subject of sugar, and I should like to hear his views upon certain other points. I understand his amendment reduces the amendment of the Senator from Vermont to certain degrees. I want first to ask what effect that would have upon the sugar-growing interest of Louisiana, and, second, whether the reduction of the rate of duty on the lower grades of sugar would in any way affect the consumers of sugar; whether it would benefit the consumers of sugar who have to use that which is above No. 13?

Mr. ALDRICH. If the Senator will be patient I shall reach both those points in due time. It being conceded that the average saccharine strength of sugar is 90° and that the average duty under the Senate bill is 2 cents a pound, Senators can see at once, the present average duty being 2.45 cents per pound, just what reduction is made by the Senate bill. It is, in other words, from 2.45 cents to 2 cents a pound, or 45 cents a hundred pounds.

Mr. JONAS. The present duty is 2.48 cents.

Mr. ALDRICH. Two and forty-five hundredths cents according to the Bureau of Statistics, and I take their reports in all of my calculations in regard to weight, &c. Now, under the Tariff Commission bill the average rate of duty on the basis of 90° average would be 2.25 cents. Their plan provides a duty of 1½ cents at 75° and five-hundredths of a cent additional for each additional degree. The reduction would be the difference between 2.45 and 2.25. This is a matter of simple arithmetic; nothing can be plainer.

The effect of proposed changes adopting the method which I have pointed out, and which is conceded to be accurate by the gentlemen who have spoken on the subject, would be as follows: The present duties collected amount to $46,711,795.14. Under the report of the Tariff Commission at an average rate of duty of 2¼ cents per pound the duty collected would be $43,051,420.24, or a reduction of $3,660,374.90. The estimate of Mr. Chamberlin is $3,176,000. His statement was based upon a smaller number of pounds of sugar, being the number of pounds that were returned by the special agent of the Treasury Department, varying to some extent from the number of pounds returned by the Bureau of Statistics.

This reduction is about 7 per cent., instead of 21.70, as represented by the Tariff Commission, and 28.80, as stated by the Senator from Ohio. The reduction by the Senate bill is from $46,711,795.14 to $38,267,929.10, or a reduction of $8,443,866.04, a reduction of 18 per cent. from the present rate. The reduction proposed by the amendment which I have offered of 1¼ cents and four-hundredths, which is equivalent to an average of 1.85 cents, or a reduction of sixty-hundredths from the present rate, would be $11,413,960.13, or a reduction of 24 per cent. One and a quarter cents a pound and three-hundredths, as proposed by an amendment which I think will be offered by the Senator from Maine [Mr. FRYE], would make a reduction of $14,184,055.41, or a reduction of 30 per cent.

Mr. KELLOGG. Will the Senator state the amount of the reduction proposed by the entire bill?

* Average. † Average test.

Mr. ALDRICH. I am not discussing anything but sugar. If the Senator will allow me, I propose to restrict the discussion so far as I am concerned to sugar. If the Senator from Louisiana wants to discuss the rest of the bill, I have no objection.

Mr. SHERMAN. The Senator from Rhode Island takes four-hundredths additional instead of five-hundredths.

Mr. ALDRICH. I take four-hundredths, using the same machinery, instead of five-hundredths, as proposed by the committee.

Mr. KELLOGG. For all increased under No. 13?

Mr. ALDRICH. Another reason why I am in favor of reducing the increase of rate per degree from five-hundredths to four-hundredths is that five-hundredths does not produce an equitable ad valorem rate upon each of the various grades of sugar that are imported; and to prove that I will submit a statement which has been carefully prepared by a gentleman familiar with the subject.

This statement shows the present market values, duty paid, in the New York market at the present time of the various grades of raw sugars:

East India, low grade, 80°, 6 cents.
East India, average, 82°, 6.25 cents.
Brazils, Bahia, 84°, 6.38 cents.
Brazils, Pernams, 87°, 6.75 cents.
French Islands, average, 86°, 6.62 cents.
Cuba, muscovado, 89°, 7 cents.
Cuba, centrifugals, 95°, 7.75 cents.

These values are based upon intrinsic worth of the sugars. A change in the tariff will not change their relative values. A reduction in duty will merely reduce the market value so much on each.

I repeat, this valuation represents the intrinsic value of each grade of sugars to the refiners for refining purposes.

This relative difference in values is a constant difference, and would remain practically unchanged without regard to the market value of sugar; that is, whether the price was 6 cents or 9 cents per pound. Importers and refiners estimate the value of each degree of saccharine strength in sugar at about one-tenth of a cent. Some estimate it at eleven-hundredths of a cent, others at twelve-hundredths of a cent, but the usual estimate is about one-tenth of a cent per pound on all grades, and this is confirmed by the market reports.

If we assume one-tenth of a cent as the average value of a degree of saccharine strength we shall adopt such a rate of duty as will bear equitably on each degree throughout the scale, a rate which will not increase or decrease more rapidly than the changes of value of the sugar, but which shall follow them with even pace, a rate which shall show an equal ad valorem rate on sugars of all grades.

It will be noticed that the plan of 1¼ cents for 75° and three-hundredths of a cent additional is even a little nearer mathematically correct than four-hundredths, the amendment which I have offered; but I have felt somewhat instructed by what was understood to be the wish of the Senate at its last session that the 25 per cent. additional, which was imposed in 1875, should be taken off in any revision of the tariff which should take place.

The effect of the plan of the Finance Committee is as follows:

Table showing effect of 1¼ cents for 75° and five-hundredths of a cent per degree above: average duty would be 2 cents, a reduction of only forty-five hundredths.

Duty paid, value would be—	Duty at 1¼ for 75° and .05°.	Value in bond.	Per cent. ad valorem.
80° test 5.50	1.50	4	37.05
82° test 5.75	1.60	4.15	38.55
84° test 5.88	1.70	4.18	40.67
87° test 6.25	1.85	4.40	42.05
89° test 6.12	1.80	4.32	41.67
89° test 6.50	1.95	4.55	42.86
95° test 7.25	2.25	5	45

The amendment which I have suggested affects these various grades as follows:

Table showing ad valorem principle on values in bond at duty of 1¼ cents for 75° test and .04 per degree. Average duty would be 1.85—reduction of 60 cents per 100 pounds, or three-fifths of a cent per pound.

Duty paid, value would be—	Duty at 1¼ for 75° and .04°.	Value in bond.	Per cent. ad valorem.
80° test 5.40	1.49	3.91	38.18
82° test 5.65	1.57	4.08	38.50
84° test 5.78	1.61	4.12	39.08
86° test 6.02	1.69	4.28	39.50
87° test 6.15	1.73	4.37	39.59
89° test 6.40	1.81	4.54	39.87
95° test 7.15	2.05	5.10	40.70

I also submit a statement showing the effect of the amendment to be offered by the Senator from Maine:

Table showing ad valorem principle on values in bond at duty of 1¼ cents for 75° test and three-hundredths of a cent per degree: average duty would be 1.70—reduction of seventy-five hundredths of a cent per one hundred pounds—three-fourths of a cent per pound.

Duty paid, value would be—	Duty at 1¼ for 75° and .03.	Value in bond.	Per cent. ad valorem.
80° test, 5.25	1.40	3.85	36.36
82° test, 5.50	1.46	4.04	36.14
84° test, 5.62	1.52	4.10	37.07
87° test, 6	1.61	4.39	36.67
86° test, 5.87	1.58	4.29	36.83
89° test, 6.25	1.67	4.58	36.46
95° test, 7	1.85	4.15	35.92

There is another fact which perhaps ought to be taken into consideration. The amendment which I have offered is a little in favor of the low-grade sugars and of the refiners using the low-grade sugars. If I should change my amendment to three-hundredths it would be a little in favor of the refiners of high-grade sugars. If any advantage is to be given, possibly it ought to be given to the manufacturers and refiners of low-grade sugars.

Mr. KELLOGG. Why?

Mr. ALDRICH. They claim to have a more expensive plant and that they are obliged to use a larger amount of labor in refining. I do not know to what extent its consideration should apply; perhaps to some extent.

I desire to call the attention of the Senate to the fact that after the reduction of 24 per cent. proposed by my amendment you still have an ad valorem duty on the present value in bond in New York of 40 per cent. If the value at the place of production was taken instead of the value at New York, this percentage would be increased to about 42 per cent.

I repeat that after the reduction which I have suggested the sugar-planters of Louisiana will be protected to the extent of 42 per cent., a higher rate than that accorded to the manufacturing interests of the country by the bill which we now have under consideration. The sugar-planting interest in Louisiana prospered more than at any other time with a duty of 24 per cent. ad valorem.

Mr. KELLOGG. When was that?

Mr. ALDRICH. In 1857, 1858, and 1859.

Mr. KELLOGG. I ask the Senator if at any time since the foundation of the Government the tariff was so low as it is to-day except under Robert J. Walker's schedule?

Mr. ALDRICH. Certainly it was.

Mr. KELLOGG. When?

Mr. ALDRICH. In the tariff of 1857 it was 24 per cent., and under the Robert J. Walker tariff it was 30 per cent. It was reduced in 1857. There never was a time when the sugar-planting interest of Louisiana was as prosperous as from 1857 until the breaking out of the war.

Mr. KELLOGG. I ask the Senator if at that time the sugar-planter did not use and depend entirely upon slave labor, the kind of labor in Cuba that you want to put the freemen of Louisiana against now. In Cuba those slaves receive 20 cents a day, as against the $1.25 paid by Louisiana planters.

Mr. ALDRICH. I will place the duty of 42 per cent. ad valorem against the duty of 24 per cent. ad valorem at the time to which I have alluded.

Mr. KELLOGG. Then sugar was raised by slave labor entirely.

Mr. JONAS. If the Senator from Rhode Island will permit me, I will state that at that time the great source of profit to the sugar planter as well as any other slave-owner was in the increase of the slaves. There was very little profit in sugar-planting, but there was a great deal in the increase of the slaves.

Mr. KELLOGG. I may suggest to the Senator that prices are very low now, and that makes the ad valorem high, and that must be taken into account.

Mr. ALDRICH. I regret these constant interruptions. I have been endeavoring to hold the floor under rather trying circumstances and to explain a matter which is not very simple. It is rather an intricate question, and I hope that I shall be allowed to go on and finish my remarks without further interruption.

Now, I want to say just a word more about the statement of the Senator from Ohio as to the amount of reduction by the Senate bill. I understood the Senator to say that the present rate of duty is 56 per cent. ad valorem.

Mr. SHERMAN. The tables show the present rate of duty to be 56½ per cent.

Mr. ALDRICH. And that the proposal of the Finance Committee was 32?

Mr. SHERMAN. Yes.

Mr. ALDRICH. That is a difference of 24 per cent. The average price of sugars imported last year was 4.40 cents a pound.

Mr. SHERMAN. I will give the Senator the exact official figures. The present rates of duty on the low grades we are talking about range 56.69, 58.38, 54.27, and 57.12 per cent. I have made an average of 56½. The act of 1875 imposed 25 per cent. additional on the value of the article, which is equivalent to 11½ per cent. increase of duty. If you repeal that it would leave the duty 45 per cent. If you then take the duty as proposed by the Tariff Commission it would be 38½ per cent.; if you take the duty proposed by the Finance Committee it would be 32 per cent. These are the exact figures as shown by the returns of the last year or two.

Mr. ALDRICH. As shown by the Senator's computation of these returns. I think we can determine whether they are correct or not. He says in the first place that the present rate is 56 per cent. We will assume that statement to be correct, and that the committee's report would be 32 per cent. duty. That is a difference of 24 per cent. on the cost of the sugars. The average cost of sugars last year on which these computations are based was 4.40 cents per pound, and 24 per cent. on this sum is about 1.10 cents a pound.

Mr. SHERMAN. The average price of the lower grade of sugars of which I speak—I am speaking only of those below No. 13 Dutch standard——

Mr. ALDRICH. So am I.

Mr. SHERMAN. The price was 3.50 cents.

Mr. ALDRICH. I beg the Senator's pardon.

Mr. SHERMAN. Here it is. The Senator can look at it. It is right before us here.

Mr. CAMERON, of Pennsylvania. Mr. President, may I say a word?

The PRESIDING OFFICER (Mr. HAWLEY in the chair). Does the Senator from Rhode Island yield to an interruption?

Mr. ALDRICH. I prefer not to be interrupted. I will put in the RECORD an official statement from the Bureau of Statistics showing that the average price of these sugars was 4.40 cents. It can be found on page 64 of the statement No. 26 recently issued by the bureau. Now, I say 24 per cent. of that average is 1.1 cents a pound. Let us see where we shall reach if this is true. The present average duty is 2.45 cents. Reducing from 2.45, 1.1 cents a pound brings it down to 1.35 cents per pound, which would make the average saccharine strength 77°. This is sufficient to show the inaccuracy of this statement as the average is conceded by the Senator himself to be in the neighborhood of 90.

Mr. SHERMAN. I only admitted that under the fraudulent devices practiced by the importers and refiners they did reduce the grade for importation.

Mr. ALDRICH. But does the Senator pretend to say that the saccharine strength of sugars was changed by these devices?

Mr. SHERMAN. No, I do not say that; but the saccharine strength of sugar No. 13, which, by the normal mode of manufacture would be 91, was reduced by them to the grade of sugar whose normal strength would be about 78 or 79.

Mr. ALDRICH. It still has the same saccharine strength whether the color is 7 or 10 or 13.

Mr. SHERMAN. Those figures are based on the returns of importations.

Mr. ALDRICH. These figures are based on the returns of importations, and they show the average cost of sugar imported into this country last year of 4.4 cents per pound by the statement which I will put in the RECORD from the Bureau of Statistics.

Mr. MORRILL. Mr. President, I shall detain the Senate but a very few moments. In dealing with this question, so far as I am concerned, I desire to deal with it as fairly as possible, and I know that there is an expectation that there will be a substantial reduction in the rate now existing upon sugar.

So far as the statements of the Senator from Rhode Island are concerned, he is really entitled to a great deal of credit for the accuracy and care with which he has investigated the subject, but if he supposes one-tenth of a cent is just the same upon sugar, whether it is high or low, he is mistaken. In years of scarcity, when the sugar is reduced, and years of plenty when it is increased, there would be a very sensible difference between sugar costing 4 cents or 6.

Now, I desire merely to call the attention of the Senate to what the Committee on Finance propose practically to do, and that is in the first place in relation to the sugar of the lowest grade, that is below 75° by the polariscope test, that is now at 1⅞ cents a pound. The Tariff Commission propose 1½ cents, and the Committee on Finance propose 1¼ for that. Then above that the committee propose an increase at the rate of five hundredths of a cent per pound by the polariscope test. As I understand it, the larger part of the sugars that come in here test a little above 90, some say 91, some say 92 or 93, and some even as high as 94, but it is certainly above 90; but placing it at 90, that sugar at the present time bears the rate of 2½ cents per pound. Under the amendment proposed by the Committee on Finance it will be 2 cents per pound.

Then when you go above 13 and test it by the Dutch standard the present rate upon sugars between 13 and 16 Dutch standard is 3.7 cents per pound, and what the Tariff Commission propose is 3⅛. The Committee on Finance propose 2.65 cents per pound, which will be seen to be a reduction of over half a cent a pound on the raw sugars.

Then on sugar between 16 and 20 the present rate is 4⅛ cents a pound. The Tariff Commission propose 3⅛, the Committee on Finance propose 3.15 cents per pound.

Then above No. 20 Dutch standard the present rate is 5 cents. The Tariff Commission propose 4¼ cents; the Finance Committee propose 4 cents.

I will say in relation to these sugars that they will, as a matter of necessity, be of very high grades and be refined in this country. There are very few of them imported, but we have made a greater reduction upon the finer sugars than we have on the others. In all cases it is over a half cent per pound, and in some a full cent a pound.

Then when it comes to molasses testing not above 56° the rate is now 6¼ cents a gallon. The Tariff Commission propose 5½ cents per gallon; the Finance Committee propose 4 cents. Above that it now pays 10 cents a gallon. The Tariff Commission propose 10 cents again and the Committee on Finance 8 cents.

Mr. President, I think that is as large a reduction as we ought to make upon this article on account of our revenue. We have made several very radical and severe reductions in our progress through this bill, and there will be in many instances a larger loss of revenue than what has been perhaps expected, and it strikes me that we have taken off as much from sugar in proportion as we have from other articles in the measure proposed by the Committee on Finance.

I say frankly that I do not wish to discourage the production of sugar in this country. In a matter of so great consequence and such consumption, surely we ought to produce the whole of it, and I am willing for a little longer to give some strong encouragement for its production, and especially for its production from sorghum cane, as I have a very considerable amount of faith that it is to be increased largely from that source.

Mr. DAVIS, of West Virginia. May I ask the Senator a question?

Mr. MORRILL. Certainly.

Mr. DAVIS, of West Virginia. If the Finance Committee amendments are adopted, about how much will the revenue from sugar be reduced?

Mr. MORRILL. I have not had time to make the calculation.

Mr. KELLOGG. About $11,000,000.

Mr. DAVIS, of West Virginia. If the proposition of the Tariff Commission is adopted, how much will it reduce the revenue from sugar?

Mr. ALLISON. About $3,000,000.

Mr. MORRILL. It strikes me that the proposition that is made by the Finance Committee is a fair one, and I hope it will be accepted. It may not be as mathematically correct to-day as the proposition of the Senator from Rhode Island, but it is possible that it will be more correct in a year hence; we can not tell.

Mr. ALDRICH. One word in answer to the suggestion of the honorable chairman of the Finance Committee. He says that the present duty on sugars below No. 7 is 2.18¾ cents a pound, and that the Finance Committee propose to commence at 75° with 1¼ cents per pound. That is true, therein showing perhaps an apparent reduction of nearly a cent a pound; but the trouble is that there are no sugars that come to this country and there are no sugars made that are only 75° except some tank bottoms or molasses sugars which do not come within the purview of this bill properly. Out of six hundred and forty-three cargoes of Muscovado sugars—I have the report here—imported into Philadelphia in 1881 only three cargoes were below 80 per cent. and the average of the Muscovado sugars, made by the old open-kettle process, was 88°. So you can understand that where there might be an apparent reduction there is no real reduction, because you carry it down to a scale five, six, or eight or ten and one-half degrees below where any sugars come in.

Mr. INGALLS. Mr. President, the account between the producer of Louisiana and the refineries of New York has been very thoroughly stated. Let us look for a moment at the other column in the ledger.

The annual consumption of sugar in this country is about 1,000,000 tons. Of that amount the production of Louisiana has not for many years until the present exceeded 80,000 tons. I believe that from 1870 down till the last year the annual value of the sugar crop of Louisiana was about $12,500,000. The last year on account of a favorable crop it reached the amount of $20,000,000. The Senator from Rhode Island has stated to us in his very elaborate and interesting résumé of this subject, that the amount of duty that was paid by the people on the importation in excess of the production last year was about $47,000,000. Therefore we paid in duties $27,000,000 more than the entire value of the sugar crop of Louisiana; so that the Government could have afforded to have purchased at a cash valuation the entire amount of sugar that was raised in Louisiana and dumped it into the Gulf of Mexico and had $27,000,000 left.

Mr. DAVIS, of West Virginia. But it would have had no revenue. What would become of the $47,000,000?

Mr. INGALLS. We should have had $27,000,000 of revenue left.

Mr. DAVIS, of West Virginia. How?

Mr. INGALLS. We should have had $27,000,000 left that was paid by the people. Certainly you got $47,000,000 for the purpose of protecting an industry the entire gross value of which was $20,000,000.

Mr. SHERMAN. The Senator from Kansas will allow me to say that the law of 1875 was purely a revenue measure; it had no connection with the subject of protection at all.

Mr. INGALLS. I understand that; but this duty is now asked upon the sole ground that it protects the sugar industry of Louisiana. There has been no ground upon which an argument has been advanced except upon the fact that here was an industry confined to a single State that required to be protected.

Mr. MORRILL. I beg the Senator's pardon. I insisted that we could hardly spare the revenue; that we could not make any further reduction of revenue than what had been proposed.

Mr. INGALLS. The Senator himself did not claim that this was a fiscal duty. It is not a tariff for revenue only. That was an incidental remark made by him apologetically after the contest that had arisen between him and the Senator from Rhode Island as to the comparative merits of the two schemes proposed by these two Senators. Now, it appears to me that the speech which has been made by the Senator from Rhode Island is the strongest free-trade speech that I have heard made in the Senate on either side during this debate. The Senator from Vermont stated that he also desired to protect the growing industry in the manufacture of sugar from the sorghum-cane. That is undoubtedly a consideration. The question of the manufacture of sugar from the sorghum-cane is no longer experimental; but during the last year, as a result of all the experiments that had been tried and all the money that had been expended, there was produced from sorghum about 13,000,000 gallons of molasses, a little in excess of half a million pounds of sugar, and that in the face of a consumption of more than 90 per cent. above all that could be produced either from the sugar-cane or from the sugar-beet or from the sorghum.

I believe that this whole subject in the aspect in which it has been presented is one that can not be maintained upon any theory of reasonable protection or of fiscal imposition, and while I shall vote for a reasonable duty upon sugar in compliance with the request of the Senators from that State, I desire to say that in my opinion as a financial proposition the Government could much better afford to put sugar upon the free-list and offer a bounty, if a bounty must be offered, so much for every hogshead or ton of sugar that shall be produced and every gallon of molasses.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The question is on the amendment of the Senator from Rhode Island [Mr. ALDRICH].

Mr. KELLOGG. I should like to inquire what the pending amendment is?

The PRESIDING OFFICER. It will be read.

The ACTING SECRETARY. In line 11 of the proposed amendment of the Committee on Finance it is proposed to strike out "five" and insert "four;" so as to read "four one-hundredths of a cent per pound additional."

Mr. KELLOGG addressed the Senate. [See Appendix.]

Mr. McPHERSON. What is the question now before the Senate?

The PRESIDING OFFICER. Upon the first of the series of amendments offered by the Senator from Rhode Island [Mr. ALDRICH].

Mr. McPHERSON. The Senator from Rhode Island proposes to amend the amendment offered by the Senator from Vermont [Mr. MORRILL].

The PRESIDING OFFICER. Precisely.

Mr. McPHERSON. I wish to say that when that amendment is completed in a manner satisfactory to both those Senators and to the Senate, such of them as vote upon it, I then shall move to substitute my amendment for it, which is simply to restore the schedule as prepared by the Tariff Commission, which is neither so high as to be prohibitory nor so low as to prevent production. It seems to me that is the only fair and reasonable explanation of this whole matter that we have. I shall ask when the amendment is prepared and ready, to have my amendment substituted in lieu of it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island to the amendment of the Senator from Vermont.

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. I desire to ask the Senator from Rhode Island a question. Does his amendment reduce the duty on sugar as proposed by the committee?

Mr. ALDRICH. It reduces it just about $3,000,000.

Mr. FRYE. And leaves the duty how much ad valorem?

Mr. ALDRICH. And leave the duty 40 per cent. ad valorem tariff.

Mr. GEORGE. I desire to say simply that I do not know anything about polariscopic tests, but I am in favor of cheap sugar; I am in favor of reducing the duty on sugar, and I shall vote for every amendment offered which reduces the duties on sugar.

Mr. FRYE. Mr. President, before the question is put I desire to say a few words. I am in favor of the amendment offered by the Senator from Rhode Island, but in favor more of an amendment which I propose to offer to that one when it shall be in order making the rate 1.25 cents per pound and three-hundredths of a cent additional for polariscopic degrees. That the Senator from Rhode Island himself stated was perfectly fair and is according to a truer ad valorem. It is over 38 per cent. ad valorem too, a heavier duty ad valorem than there is upon machinery levied in this bill to-day and there is none on the raw material at all; while here the sugar itself is a raw material.

Mr. President, there are three parties to this controversy, the people, the Government, and the planter.

Mr. KELLOGG. And the refiner.

Mr. FRYE. No; the refiner does not care anything about it. I have not seen one that does care about the duties.

First, as to the people. I made some inquiries, and I was very much surprised to learn what proportion of cost sugar is in a family. I do not believe one Senator out of ten can guess what the sugar costs in proportion to bread. Bread is the staff of life. Everybody uses it, everybody must use it. Does the Senator from Texas [Mr. COKE] suppose that the bread in his family costs him more than his sugar? It does not. His sugar costs more than his bread. The best place in the world to find out about that is to go into a factory boarding-house, for the factory boarding-house keepers keep exactly the expense of everything that goes into the house and exactly the cost of everything that goes out. Furthermore, the factory boarding-house keeper does not waste any sugar. He does not have the cake that the Senator from Texas has in his family. He lives plainly, lives well; but he wastes no sugar. I submit the following statement from my city:

Boarding-houses.	Number of boarders.	Price per week.	Value flour.	Value sugar and molasses.
S. S. Ashworth	11	$4 75	$26	$29
Susan Rice	16	4 50	36	42
John Yeaton	12	4 50	28	34
R. A. Wing	65	2 75	108	109
Cottle & Ginn	58	3 00	180	206
F. A. Conant	50	2 50	108	97
C. E. Hilton	60	2 50	132	124
L. C. Dunham	100	3 00	216	264
Totals	372	*3 43½	834	905

*Average price of board.

Mr. MORGAN. I notice an article in the Princeton Review, written by Mr. David A. Wells, in the November number, 1880. He puts down the consumption of sugar as follows:

In respect to per capita consumption of sugar, Great Britain, however, leads, and for the year 1877 retained for home consumption, out of the total sugar by her imported, an amount equivalent to 64.9 pounds for each man, woman, and child of her population; while in the United States the present annual consumption is probably about 38 pounds per capita.

Mr. FRYE. I was simply showing that we pay more for our sugar, every man, woman, and child in this country, than we pay for flour.

Mr. JONAS. Does the Senator from Maine expect us to regard the statistics of his town, a factory town, as applying to the whole country?

Mr. FRYE. I take the statistics of a factory town, of boarding-house keepers, where the board is from $2.50 to $4 a week, as affording a criterion of economy as close and careful as can be found in the country.

Mr. JONAS. The Senator would have to give us the bill of fare in the boarding-houses, so that we could know how they live and what they eat.

Mr. FRYE. I want to go one step further and talk about the planters a moment, the suffering planters. It was stated in the testimony before the Committee on Ways and Means last year—

In many parishes in Louisiana sugar plantations readily produce more than a ton of sugar to the acre, besides molasses; in the crop year 1877-'78 there are reported products per acre from Louisiana sugar plantations as follows: 3,000 pounds, 2,880 pounds, 2,855 pounds, 2,700 pounds, 2,634 pounds, 2,650 pounds—

And so on.

Total cost of cane, planting, and cultivating fifty acres—

As given by M. Schlatre, an authority in Louisiana—

Total cost of cane, planting, and cultivating fifty acres	$2,413 50
Expenses to convert the cane into one hundred hogsheads sugar	3,000 00
	5,413 50
Cost per acre when producing two hogsheads sugar	108 27
Yield of fifty acres of cane in sugar and molasses; one hundred hogsheads sugar (1,100 pounds to the hogshead), at 8 cents per pound	8,800 00
One hundred and fifty hogsheads molasses, at $18 per hogshead	2,700 00
Cistern bottoms	300 00
Total value of product	11,800 00
Total cost of production	5,413 50
Net profit from fifty acres	6,386 50
Cost per acre, $108.27; yield per acre, $236; net profit per acre	127 73

Mr. SAULSBURY. Allow me now to make a remark in reference to the person who made that statement.

Mr. FRYE. Certainly.

Mr. SAULSBURY. Some years ago I visited a sugar plantation below New Orleans and I inquired of the gentleman in charge, who was the administrator of the former owner of the plantation, the cost of running his plantation. He told me that his machinery cost him about $75,000 and it cost him $30,000 to run his plantation, and he had to run it because there was no person he could rent it to capable or able to run it. I asked him the profit, for he was then engaged in the manufacture of sugar. I asked him the result of his crop, and he told me about $44,000. The expenses of his labor, &c., being $30,000, he was left the difference between $30,000 and $44,000 as the profit upon a plantation which had sold a few years before for $350,000.

Mr. FRYE. Well, Mr. President, I am giving what was testified to before our committee, $127 profit to an acre. The average profit in this country for cultivated acres is not $40 to the acre. This is the testimony given by Henry A. Brown.

Mr. JONAS. A representative of the refining interest.

Mr. FRYE. He did not represent any refining interest that I ever heard of. I think he represented the Treasury Department at the time when he was giving the testimony.

Mr. MORGAN. Farmers do not make over $10 an acre generally.

Mr. FRYE. Here is a profit to the Louisiana farmer of $127 an acre, while the people paying the tax really pay 10 per cent. more on the sugar than they do for the bread they eat. It strikes me that some slight consideration should be given to that party to the suit.

Now, I come to the question, so far as the Government is concerned. It put on 25 per cent. in 1875 merely, as the law itself reads, to meet an exigency in the Treasury. That exigency did not last six months, and that 25 per cent. should have been repealed at the end of six months, but it is standing there unrepealed to-day.

Now, sir, I believe that 35 per cent. is enough protection for any industry in the United States where nothing but labor is protected against. To that I would add protection to an extent equivalent to the duty on the raw material. This is labor alone, and in my judgment 35 per cent. is ample; but if that is not ample as against labor, then the climate itself is against us, nature is against us, and we might as well give it up first as last.

I propose after this amendment has been acted upon, and it is in order, to offer an amendment reducing this duty to 38 per cent. I am willing to accept the polariscope with 1.25 cents and three-hundredths addition. While I know that the polariscope is harsh and cruel to an honest importer or an honest refiner, while I know it works injustice, while I know the Senate of the United States last session decided against its use, yet under the polariscope to-day one single degree may make a difference of 31 cents duty on $100 and change profit to loss; but under this bill it can make a difference of only 5 cents at the committee's bill, only 4 cents at the amendment of the Senator from Rhode Island, and only 3 cents at my amendment. Therefore the polariscope is not so full of danger to the refiner as it was when made a law by the Secretary of the Treasury, as 30 or 31 cents jumped from a degree or from color standard to color standard 7 to 10 and 10 to 13. I am willing to consent to the use of the polariscope at the 1.25 cents a pound and three-hundredths additional on every degree from 75 up, though no such degree as 75 is imported

But if this amendment shall be rejected I then propose to offer an amendment providing for an ad valorem tariff of 25 per cent. on raw sugars, 35 per cent. on refined sugars, and 20 per cent. on molasses. There is no earthly difficulty in collecting that duty. There are no frauds then on the Treasury. Every man knows what the duty is, and the Senate can see to-day that no Senator knows what the reduction is under the proposed bill before the Senate, one asserting five millions, another eight millions, another sixteen millions on the same reduction. No man knows what the ad valorem rate is under this bill, one asserting one thing, another another, another another; but under the ad valorem tariff every man in the country outside of the Senate as well as in it knows just what the reduction in duty has been, knows just exactly what is to be collected, knows just what the Government will get, and knows just what the Government will lose.

Mr. McPHERSON. How do you apply the ad valorem?

Mr. FRYE. I understand that the value of sugar determined by saccharine strength is to-day just as well settled as the value of a lump of coal.

Mr. McPHERSON. When you determine it by the polariscope?

Mr. FRYE. When a cargo of sugar was brought in under an ad valorem tariff, I would let the Treasury Department find out what was the value of that cargo, how much saccharine strength that sugar had, in any way it pleased, by the polariscope, by chemistry, or in any other way, simply finding out what the degree of saccharine strength was; and the moment they find that out they could tell the price of that sugar upon the saccharine strength in every market in the wide world without the slightest mistake.

Mr. McPHERSON. I can see, then, no particular difference there between a specific tariff and an ad valorem, provided the same regulations, and the same system be adopted to enable the Treasury Department to ascertain how the duty should be fixed and how much should be fixed. It could be determined by valuation by the Department either before or after the duty was laid.

Mr. FRYE. Now, can the Senator understand this: Here is No. 7 and it pays so much; here is one degree above No. 7 which stretches it up to No. 10, and one degree makes it, instead of No. 7, No. 10. The difference in duty between 7 and 10 is about 31 cents per hundred. That is, the polariscope in the hands of anybody jumping one single degree changes the duty on the product 31 cents; but on the ad valorem principle, if we simply find the saccharine strength all the importer would be obliged to pay for would be the exact saccharine strength.

Mr. McPHERSON. I understand the Senator's reason, but at the same time I do not understand the utility of it. I do understand the purpose of changing the bill from a specific to an ad valorem duty even under his own explanation; but I do not see where any advantage is to be gained by it to anybody.

Mr. FRYE. I can not explain that to the satisfaction of a Senator who adopts and believes in the report made by the Tariff Commission on this sugar schedule; but if the Senator had been here the other day and had heard the Senator from Kentucky [Mr. BECK] read the letters written by one of the members of the Tariff Commission from Louisiana having in charge the whole sugar schedule he would not have then so much confidence in the report of the Tariff Commission on sugar as he has now.

Mr. JONAS. Does the Senator know that Mr. Kenner had in charge the whole sugar schedule in the Tariff Commission?

Mr. FRYE. I will not say how I know it.

Mr. JONAS. Then I take it the Senator does not know it. I take it for granted that Mr. Kenner did not have charge of any schedule which belonged to the whole commission.

Mr. McPHERSON. I confess, being necessarily absent from the Senate for several days, that many things may have transpired here of which I know nothing. The fact of any letters having been written by any member of the Tariff Commission about this subject is certainly news to me. I have heard of letters, but not on this subject.

Mr. KELLOGG. To the remarks of the Senator from Maine, delivered so vehemently, in regard to the amount per capita paid by the people of this country——

Mr. FRYE. I did not say a word about per capita.

Mr. KELLOGG. He spoke of the cost of sugar to every individual being more than that of his flour. The fact is that the great value of sugar consumed in this country of foreign importation is little less than $100,000,000, and it is about $20,000,000 or $25,000,000 for the crop of Louisiana or the amount produced in Louisiana. Take that $125,000,000 and divide it by the 50,000,000 population of this country, and you will get the amount per capita. It would be between $2 and $3 a head.

The PRESIDING OFFICER (Mr. ANTHONY in the chair). The question is on the amendment of the Senator from Rhode Island [Mr. ALDRICH] to the amendment of the Senator from Vermont [Mr. MORRILL], upon which the yeas and nays have been ordered.

Mr. ALLISON. I do not wish to debate this question, but I want to understand thoroughly the proposition of the Senator from Rhode Island. The committee's report proposes a minimum duty of 1¼ cents a pound on the polariscope test of 75° and then five-hundredths of a cent on each degree running up above that. Now, if five cents on the hundred pounds is the proper relation between the 1¼ cents at 75°, that is what we should vote for. That will depend, as I understand it, upon the question of the average price of sugar on the ascending scale; as, for example, if a sugar testing 80° polariscope is one price, what is the increase of price of a sugar testing 81°? I ask any Senator who is familiar with the details of this question to tell me.

Mr. ALDRICH. It is almost universally conceded, I think quite so, that the difference is one-tenth of a cent per pound.

Mr. ALLISON. Very well. Now, at the rate of 1¼ cents a pound, what is the ad valorem duty upon the price of sugar testing 75°?

Mr. ALDRICH. As I said, there is no sugar testing 75°.

Mr. ALLISON. Take 80°.

Mr. ALDRICH. Under my amendment the average duty is about 40 per cent. ad valorem upon the price in New York, equal to about 42 per cent. on the foreign valuation.

Mr. ALLISON. If that be true, then, four-hundredths it seems to me is nearer than five-hundredths, because I find in looking at the Tariff Commission report a scale that the Senator from New Jersey says he intends to propose, that they begin with a cent and a half and then run five-hundredths. If that was the correct scale at 1½ cents, it seems to me some other scale ought to be adopted when we accept a minimum of 1¼. Otherwise there will be an inducement—how much of an inducement I do not know—to import sugars at one scale of the polariscope rather than another. Am I right in that?

Mr. ALDRICH. I think the Senator is entirely right.

Mr. ALLISON. So that it seems to me that if we begin at 1¼ we should favor a different rate of duty upon the ascending scale of the polariscope than we should if we commenced at 1½. I am a little confused by the statement made by the Senator from Maine [Mr. FRYE] wherein he says that three-hundredths is the true test as between the ad valorem at 1¼ and the ascending scale up to No. 13.

Mr. SHERMAN. I think the refiner would a great deal rather have one-tenth of 1 per cent. so that he would get all up to No. 13 at the very lowest possible rate of duty.

Mr. ALDRICH. The only letter which I have received from a refiner was a letter which I think was shown to the Senator from Ohio and now in the possession of the Senator from Pennsylvania, in which he was very strenuous to have five-hundredths of a cent advance. I saw that letter from a refiner in Philadelphia, and I suppose the Senator from Ohio saw it.

Mr. ALLISON. The Senator from Ohio is more familiar with this than I am, and I ask him is the matter of five-hundredths as related to four-hundredths a matter that affects the importation, or is it simply a rate which the refiner must pay whatever the scale is on the polariscope? In other words, should we not fix a proper relation between 1¼ cents a pound and the ascending scale of the polariscope, whether it be five-hundredths or four-hundredths.

Mr. SHERMAN. As I understand, No. 13 is the dividing line between refined sugar and unrefined sugar. I know nothing about the details of this matter except as I gather them from what I learn by experience; and as I understand the refiner is naturally interested in having the duty on all sugars below No. 13 Dutch standard as low as possible, so that he may purchase them cheaply; they do not enter into common consumption. His natural interest is to have the rate of duty as low as possible on all under No. 13, and to have it as high as possible on all sugars above No. 13; and as four-hundredths of a cent per degree is less than five-hundredths his interests would naturally be in favor of it on the lower grades. But I take it when we appointed a commission and they have agreed and reported to us the rate of five-hundredths, that must be about the increased value of the sugar as it advances according to the degrees of the polariscope.

Mr. ALLISON. But it is the report of the commission which confuses me, because they have fixed on 1½ cents a pound as the minimum and then they have the ascending scale of five-hundredths of a cent.

Mr. SHERMAN. Whether on the lower grades the duty shall commence at 1¼ or 1½ cents is a question that has no relation to and no connection with the scale of advance.

Mr. ALLISON. Then why not make it six-hundredths?

Mr. SHERMAN. Because that may be too great.

Mr. ALLISON. Then there is some relation.

Mr. SHERMAN. On this question I have no knowledge whatever, and I can not gainsay the statement made by the Senator from Rhode Island that 10 cents on the hundred is about the difference in the value of sugar by the degree of the polariscope. I do not know anything about that. He spoke of its being 10, 11, or 12. I should think that might be easily ascertained by application to the Treasury Department or by reference to the market value of the sugar as shown by the prices-current.

Mr. MORRILL. It does not make any difference whether you begin at 75 or not.

Mr. SHERMAN. That does not make any difference.

Mr. ALDRICH. The Senator from Ohio will see at once that if sugar was worth 3 cents per pound and the rate of duty was 1¼ cents it would be 50 per cent. ad valorem; if it was 1¼ it would be a trifle over 40 per cent. ad valorem. The same scale ought to hold all the way through.

Mr. ALLISON. That is what I am trying to understand.

Mr. ALDRICH. That seems very simple to me.

Mr. ALLISON. Why want to put in No. 90 polariscope test at the same rate of duty as 80 polariscope test?

Mr. FRYE. Does not 1.25 cents and three-hundredths per degree come nearer to that than any other figures?

Mr. ALDRICH. A trifle nearer by a mathematical demonstration; but I explained that before.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island [Mr. ALDRICH] to the amendment of the Senator from Vermont [Mr. MORRILL].

Mr. MORGAN. Let that amendment be reported.

The PRESIDING OFFICER. It will be read.

The ACTING SECRETARY. In line 11 of the amendment it is moved to strike out "five" and insert "four;" so as to read:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane-juice or of beet-juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty of 1.25 cents per pound, and for every additional degree or fraction of a degree shown by the polariscopic test they shall pay four-hundredths of a cent per pound additional.

Mr. MORGAN. I should like to know what I have to vote upon here, as well as I can according to my feeble capacity. It is very late at night to get at an understanding of anything so obscure and intricate as the polariscope test appears to me. The polariscope test, it seems, is to be applied to the ascertainment of the saccharine strength of sugar in connection with the Dutch standard. The Dutch standard has been denounced by the Senator from Ohio [Mr. SHERMAN], no doubt justly, as being the best agency for the perpetration of fraud ever invented in connection with any tariff for the collection of customs. That valuable agency for the perpetration of fraud, however, is to be retained, and it is now to be patched out, it appears, by the addition to it of a polariscope.

Now, sir, if there is any Senator on the other side of the Chamber who can get up in this body and describe what I have never seen, and what I dare say not one Senator in every fifteen in the body has ever seen, a polariscope, so as to give us the exact means by which a wonderful and delicate instrument discovers the precise saccharine strength of sugar and molasses, I should be very much obliged to him for that sort of information. It is necessary, so far as I am concerned, that I should know something about it before I vote upon it, for I know nothing at all about it but what I have heard from Senators. I know that the law excuses no man's ignorance even upon a question of this kind, but I must make a confession of ignorance upon this subject, and in doing so I am for once in the Senate in a very large majority. I revel in the thought that I am in a majority on this occasion, for I do not believe that there is a Senator on this floor, not even excepting the honorable Senator from Rhode Island——

Mr. ALDRICH. I have a letter here from Professor Henry, late president of the Smithsonian Institution, on the subject, explaining very carefully the details, which I will give the Senator with pleasure to read.

Mr. MORGAN. Are there diagrams attached to it, so that I shall know what it looks like?

Mr. MORRILL. It could not be demonstrated unless we had the instrument here.

Mr. MORGAN. I supposed we were compelled to have the instrument in order to understand it. I had no idea that the reading of the letter would convey to me any accurate information about it unless I had something to look at. Do I understand, if the Senator from Rhode Island will allow me a further exposition of my ignorance about it, that it is an instrument that has first to be adjusted by bringing two hemispheres to a focus. Am I right about that? It is done by a little screw nicely adjusted. The man looks into it, and he ascertains by screwing the machine around exactly when he gets it on a balance, and then there is another part of that instrument that records the amount of the saccharine strength corresponding. That is the idea, is it? I am approaching it.

Now, Mr. President, I want to know when this honorable and able and excellent gentleman who manages the polariscope happens to make a mistake, either because a ten-dollar bill is given him and put into the wrong side of his pantaloons pocket, purposely or otherwise, or when he happens to make a mistake through color-blindness or from ignorance, or from the nervousness of his finger when he is testing this little screw in order to get the hemispheres into a focus—I want to know what machinery has been devised in this bill or by the advocates of the polariscope whereby this man's infirmities may be provided for. Who is to watch the polariscope man while he watches the machine and the machine makes a register of the saccharine strength of the sugar or molasses?

It seems to me that if you want to find opportunities for introducing fraud into the saccharine value or the intrinsic value of sirups or sugars you cannot get a better machine than that which has been described, which is stated in this letter which has not as yet been read, and which I will have read in order that the world may be informed of Professor Henry's opinion of the polariscope, what it is, and what it consists of.

Now we have the Dutch standard which the Senator from Ohio has condemned on every occasion here as being utterly fraudulent. The Senator from Ohio was so offended with the Dutch standard that, notwithstanding the law put it down positively in the statute that that should be the test of the value of sugars and molasses imported into this country, while he was Secretary of the Treasury he violated that law and set it aside. The Senator shakes his head, by which I suppose he means that the Supreme Court violated the law in deciding that he was wrong about it. That color test I understand was set aside and the polariscope test was substituted by the honorable Secretary of the Treasury, and thereupon the merchants complained that they had had to pay according to the polariscope test large sums of duties which they otherwise would not have had to pay. Thereupon they sued the Government of the United States and got judgment in millions of dollars for reclamations against the Treasury Department, besides costs and legal expenses I suppose, for the strong, earnest, and no doubt faithful and honest condemnation which the honorable Secretary felt bound to give in his judgment as an officer upon the Dutch standard test.

If it is worthy of the condemnation which the Senator from Ohio thinks it is worthy of, then it ought never to have a place in this bill; it ought not to be allowed to come in here as a possible instrumentality of fraud. There is no use of putting the Dutch standard test in here when the Dutch standard test is simply one that may be evaded by the coloring or discoloring of sugar when passing through the evaporation pan by mixing it with dark molasses or any other similar substance. Where is the use of loading this bill and loading the revenues of this country with a test that is abominably fraudulent?

But how do you help the Dutch standard by putting the polariscope in connection with it? The Dutch standard failed when you under-

took to apply that test, and the most that the polariscope could do, I suppose, would be, first, to ascertain the saccharine value of the sugar and then correct the errors of the Dutch standard. That is putting more upon the polariscope than I think it ought to bear. You ought to give the polariscope a fair chance to perform its own functions in the way that its inventor designed that it should.

Mr. President, if there was ever a system of revenue collection that was exposed to all manner of fraud it seems to be this which is contrived in this bill. Now, why not after all come down to the old Walker tariff standard, which worked so well and about which people had so little complaint to make, by a 30 per cent. ad valorem duty, and go on to collect the revenue upon these goods upon the hypothesis that there are left some honest men in commerce? When I was a boy my father and the members of his family were merchants. They were men who in that day and time were connected with the mercantile community in this country; and it was the boast of every merchant in the land that there was an elevation about mercantile honor that was scarcely approximated by the honor of any other profession whatsoever. In that day and time a merchant was a man of faith, a man of integrity and uprightness, and his word was taken the world over for what he said; his word was said to be "as good as his bond," and his word was as good as his oath. Now, I expect that in Boston, Philadelphia, Baltimore, New York, Chicago, Saint Louis, Cincinnati, and all the great commercial centers of this country there are to-day to be found large numbers of men, indeed the great majority, who are just as honorable as they were ever before. They are the sons of honorable men, and their mercantile profession requires of them that they shall maintain honor and integrity in all their dealings and transactions.

Now, we have statutes which have stood upon the statute-books and borne the test of time and scrutiny for year after year, to provide against frauds upon the revenue through the ad valorem system. Our statutes need no amendment; the laws appear to be as perfect as human wisdom can devise in respect of the exclusion of all opportunity for fraud under the ad valorem system. Men swear to their invoices; the consuls certify to them; and when there is any distrust cast upon an invoice you have got inspecting officers; or, if you do not like that, take the French system of arbitration. Let the board of trade of New York, for instance, appoint a number of arbitrators.

Mr. INGALLS. A civil-service commission?

Mr. MORGAN. That is a proper sort of civil service for the promotion and propagation of honesty in places where it was suspected that it already existed.

Now, take a board of arbitration as they do in France, appointed by the board of trade in the city of New York, of the most eminent merchants they have got, and when the importer has a question raised with him by the custom-house officer, let him select his arbitrator out of that number; let the Government select its arbitrator also, and let them go and value or revalue the invoice of goods, where fraud is suspected, and then if they can not agree let them select an umpire, and let the three together settle the question. That is the French system.

Mr. President, does not a system of that kind furnish absolute security, or at least a more perfect security than a polariscope and a Dutch standard combined for the value of a cargo of sugar that is imported from Cuba? You have got every guarantee there, and if we adopt the ad valorem standard we shall get rid of all this quarrel and bicker between the refiners and the producers. Then the refiners will not want sugars below No. 13 Dutch standard taxed at such a rate, and above No. 13 at such a rate, and then we shall not find that the producer is in conflict with the refiner, as we find to-night in respect of how the tariff ought to be levied. If I have got to follow anybody in his claims in this case as to what the tax should be above 13 and what it should be below 13 I will go with the producer, not with the man who takes the article after it is produced and manufactures it merely for profit or for gain.

We have got another crowd to contend with about this. We have got the glucose manufactures. Glucose-men can make an article that tastes as sweet to the tongue as sugar or molasses perhaps, but does not possess its saccharine qualities, for 2 or 3 cents a pound cheaper than you can possibly make sugar of the same grade. Glucose is used for the purpose of putting a high color upon sugar and to improve the color of molasses and sirup. There is an article that is made out of potatoes, out of corn and starch, by an admixture of sulphuric acid. That is the common process. There may be some other processes; there are a great variety of processes by which it is made. That is the article which is now used by brewers in this country, and they actually, instead of making their beer with malt, make it of glucose, until a man, after he has drunk three or four glasses, has got a lining in his mouth just as if he had taken collodion on the inside of his mouth.

Mr. MORRILL. Will the Senator from Alabama yield to me? It has reached a point quite as late and a little later than I proposed to have the Senate sit.

Mr. MORGAN. I yield with the greatest possible delight. That is what I have been exactly trying to get the Senate to do. [Laughter.]

Mr. MORRILL. I move that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 10 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January* 30, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

HEIRS OF RUDOLPH LESCHOT.

Mr. YOUNG, by unanimous consent, from the Committee on Patents, reported back with a favorable recommendation the bill (H. R. 7194) for the extension of letters-patent to the heirs of Rudolph Leschot, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

PURCHASE OF STEAM-LAUNCHES.

Mr. REAGAN. I ask unanimous consent to take from the Speaker's table for present consideration the joint resolution (S. 126) providing for the purchase of steam-launches for use in the harbors of Galveston, Texas, and Mobile, Alabama. By the act of 7th August last an appropriation of $16,000 was made——

The SPEAKER. The joint resolution will be read, after which objections, if any, will be in order.

The joint resolution was read.

Mr. REAGAN. If the House will allow me to give a brief explanation——

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. VAN VOORHIS. I object.

R. G. FROST AND G. SESSINGHAUS.

Mr. CALKINS, by unanimous consent, introduced a bill (H. R. 7470) for the relief of R. Graham Frost and Gustavus Sessinghaus; which was read a first and second time, referred to the Committee on Elections, and ordered to be printed.

IMPROVEMENT OF NAPA RIVER.

Mr. ROSECRANS. I ask unanimous consent to present a concurrent resolution of the senate and assembly of the State of California in reference to the improvement of the navigable portion of Napa River, that it may be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the concurrent resolution was referred to the Committee on Commerce, and was ordered to be printed in the RECORD. It is as follows:

Senate concurrent resolution No. 4, relative to requesting Congress to make an appropriation for the improvement of the navigable portion of Napa River from the head of navigation at Napa City to Mare Island.

Whereas a large and growing commerce now exists between Napa City and adjacent country, including the principal mining, agricultural, and commercial interests of Lake County, and San Francisco, the commercial center of this State; and

Whereas the said interests are dependent upon the navigation of Napa River to secure cheap, safe, and regular transportation of all kinds of mineral, vinicultural, and agricultural products of said sections, and of all kinds of merchandise between the said city of San Francisco and said country, and as a means of securing competition in the rates of freight with the great railroad system of California; and

Whereas the navigation of said river, between the head of navigation thereof at Napa City, in Napa County, and Mare Island, in Solano County, is now dangerous, irregular, and uncertain, because of snags, bars of sediment, and other obstructions existing therein:

Resolved by the senate (the assembly concurring), That the Senators and Representatives of the State of California in the Congress of the United States be, and they are hereby, requested to use all honorable means to procure an appropriation from the Congress of the United States of the sum of $20,000 to be expended in the proper dredging and removal of sediment, snags, and other obstructions from the said Napa River, and for straightening the channel of said river and making the same safe and susceptible of easy navigation from a point in said river opposite the Vernon Mills, at Napa City, to Mare Island, opposite Vallejo, in Solano County.

Resolved, That his excellency the governor of California be, and he is hereby, requested to forward a copy of these resolutions to each of the Senators and Representatives in Congress from this State.

R. F. DEL VALLE,
President of the Senate pro tempore.
H. M. LA RUE,
Speaker of the Assembly.

Attest:

THOS. L. THOMPSON,
Secretary of State.

EXHIBITION AT AMSTERDAM IN 1883.

Mr. CANDLER. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the joint resolution (S. 52) authorizing the Government of the United States to accept the invitation of the Government of the Netherlands to take part in a general colonial and export trade exhibition to be held in Amsterdam in 1883, and that the same be referred to the Committee on Appropriations.

Mr. ATKINS. I desire to make a parliamentary inquiry. Would the effect of what the gentleman from Massachusetts asks be to make this a special order?

The SPEAKER. It would give the joint resolution no special rights. It simply sends the subject to the Committee on Appropriations.

There being no objection, the Committee of the Whole House on the

state of the Union was discharged from the further consideration of the joint resolution, and it was referred to the Committee on Appropriations.

WILLIAM G. BUDLONG.

Mr. SPOONER. I ask unanimous consent to report from the Committee on Patents with a favorable recommendation the bill (S. 375) for the relief of William G. Budlong. I ask for the present consideration of the bill. It is identical with a House bill favorably reported from the Committee on Patents.

Mr. ANDERSON. Let the bill be read.

Mr. HOBLITZELL. I call for the regular order.

The SPEAKER. The regular order being demanded, the bill is not before the House for consideration. In the absence of objection, it will be referred to the Committee of the Whole House on Private Claims.

Mr. SPOONER. If there be no objection I desire to withdraw the report.

There was no objection.

POST-OFFICE APPROPRIATION BILL.

Mr. CASWELL. I desire to present a privileged report from the Committee on Appropriations. I am instructed by that committee to report back the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, with amendments of the Senate; and I ask the House now to proceed to consider the Senate amendments. I ask the Clerk to read the report. It is very short.

Mr. PAGE. I think the amendments ought to be printed, that the House may vote understandingly upon them.

Mr. CASWELL. The amendments have been printed for nearly a week. I think it will occupy but little time to act upon the report.

The SPEAKER. The Clerk will read the report.

Mr. ANDERSON. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. I wish to inquire if there is a detailed statement accompanying the report?

The SPEAKER. This is not a conference report and does not require a detailed statement to accompany it.

Mr. KELLEY. I make no objection to the reading of the report, but for the present I must interpose an objection to its consideration.

Mr. ANDERSON. That is right.

Mr. CASWELL. It will require but a very few moments of time. I am anxious to get the bill to a committee of conference.

The Clerk read the report, as follows:

The Committee on Appropriations report that they recommend concurrence in amendments of the Senate numbered 1, 7, 8, 9, and 10. They recommend non-concurrence in the amendments numbered 2, 3, 4, 5, 6, and 11.

The SPEAKER. The Clerk will read the amendments.

The first amendment of the Senate was read, as follows:

Page 2, line 2, after the word "hundred" insert "and seventy-five."

Mr. CASWELL. That is an increase in the sum appropriated by the House, and the Committee on Appropriations recommend non-concurrence.

Mr. HOLMAN. We can not understand what the amendment is unless the text is read.

Mr. CASWELL. If the House will give attention there will be no difficulty at all in ascertaining what are the amendments. The amendment just read by the Clerk is simply an increase of the sum allowed for post-office clerks.

Mr. HOLMAN. Let the clause be read as it would stand if amended.

The Clerk read as follows:

For compensation to clerks in post-offices, $4,775,000.

Mr. BERRY. How much is the increase proposed by the amendment?

Mr. CASWELL. It is $75,000; but I will state further that with that increase the total amount will be $75,000 less than the estimate of the Department.

The SPEAKER. Is a separate vote asked on this amendment?

Mr. HOLMAN. I ask for a separate vote.

The SPEAKER. The Committee on Appropriations recommend non-concurrence in the amendment just read.

The question was taken; and upon a division there were—ayes 49, noes 22.

So (no further count being called for) the amendment was concurred in.

The second amendment was read, as follows:

Page 3, strike out all after the word "terminal" to the end of the paragraph, as follows:

"*Provided*, That for the better accomplishment of the objects of the acts authorizing the construction of the railroad hereinafter referred to, and the better to secure to the Government the use and benefit of the same, the acts authorizing the building and construction of those railroads which have received, in addition to land grants, Government aid by the loan or guarantee of bonds by the United States, and all other acts, parts of acts, and provisions having relation thereto, are hereby so altered, amended, and modified that hereafter the compensation paid or allowed for the carrying and transportation of the United States mails by such railroad companies, or their assigns or successors, shall be fixed by the Postmaster-General at a rate not exceeding that fixed by him or allowed by law to other railway companies of the same class to which the United States have furnished aid by grant of land, right of way, or otherwise.

The Committee on Appropriations recommended non-concurrence in the amendment, and it was non-concurred in.

Amendment No. 3 was to insert the following on page 3 of the bill:

For necessary and special facilities on trunk lines, $185,000.

The Committee on Appropriations recommend non-concurrence in the amendment.

Mr. HOLMAN. I ask for a vote on that, by way of instruction to the committee of conference.

The SPEAKER. The Chair was proposing to put the question so that it would be a unanimous vote.

Mr. HOLMAN. That is what I desire, but this nominal concurrence or non-concurrence will not mean that.

The SPEAKER. Nobody objects to non-concurring in the amendment.

Mr. HOLMAN. I ask a division, so that there may be a direct expression of the House on the item.

The question was taken upon non-concurring; and upon a division there were—ayes 71, noes 5.

So (no further count being called for) the amendment was non-concurred in.

Amendment No. 4 was to insert, after the word "hundred," the words "and twenty-five," on page 5, line 4; so that the clause would read:

For inland transportation by steamboat routes, $625,000.

The Committee on Appropriations recommended non-concurrence in the amendment.

The amendment was non-concurred in.

Amendment No. 5 was to strike out, on page 6, the word "January," and to insert the word "July;" and amendment No. 6, to strike out the word "eighty-four" and insert the word "eighty-three;" so that the clause would read:

And upon all matter of the first class, as defined by chapter 180 of the laws of Congress approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and by that act declared subject to postage at the rate of 3 cents for each half ounce or fraction thereof, postage shall be charged, on and after the 1st day of July, A. D. 1883, at the rate of 2 cents for each half ounce or fraction thereof.

The Committee on Appropriations recommended non-concurrence, and the amendments were non-concurred in.

Mr. CASWELL. The amendments of the Senate numbered 7, 8, 9, and 10 are merely verbal amendments to improve the text of the bill.

Amendment No. 7 was to insert the word "and" after "envelopes;" and No. 8 was to insert the words "and letter-sheets" after the words "newspaper-wrappers;" so that the clause would read as follows:

For pay of agent and assistants, to distribute stamped envelopes, newspaper-wrappers, and letter-sheets, and expenses of agency, $16,000.

The Committee on Appropriations recommended concurrence, and the amendments were accordingly concurred in.

Amendment No. 9 was, on page 7, to strike out the words "then that;" and amendment No. 10 was to strike out in the same paragraph the words "be and the same;" so that the paragraph would read as follows:

SEC. 2. That if the revenue of the Post-Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenues of said Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply the said deficiencies in the revenue of the Post-Office Department for the year ending June 30, 1884.

The Committee on Appropriations recommended concurrence, and the amendments were accordingly concurred in.

Amendment number 11 was, in section 3 of the bill, to strike out the following:

And make report to the next session of Congress, on or before the first day of said session, what is the reasonable value of cars, and car space, and transportation of the mails, and of all persons connected with the mails, and what difference there is between the cost of the transportation of freight for private persons and the cost of the transportation of the mails.

And in lieu thereof insert the following:

And for that purpose may designate not to exceed three competent officers of the Post-Office Department, experienced in matters relating to the transportation of mails on railroad routes, and the system of compensating for the same, as a commission, to so aid him that he may devise and report to Congress, in December next, with the data upon which it is based, a more complete system of ganging the rates of pay for carrying the mails on railroad routes, in order to secure the better protection of the interests of the Government, and the allowance of just rates of compensation for the service required; and shall further report as to the advisability of establishing a general system of fast-mail service, over which railroad routes, if any, it should be so established, with a full and detailed statement of the advantages and the estimated cost of said service; and if the extension or inauguration of a general system is, in the opinion of the Postmaster-General, inadvisable, then he shall report the reason for continuing the contracts now in force for that service; and he is authorized to expend, not to exceed $10,000, out of the appropriation for the transportation of mails, for actual and necessary expenses involved, which sum shall be immediately available.

The Committee on Appropriations recommended non-concurrence, and the amendment was accordingly non-concurred in.

Mr. CASWELL moved to reconsider the several votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MARY SPRANDELL.

Mr. PETTIBONE, by unanimous consent, introduced a bill (H. R. 7471) for the relief of Mrs. Mary Sprandell; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

JOHN D. BRIDGES.

Mr. McCOID, by unanimous consent, introduced a bill (H. R. 7472) for the relief of John D. Bridges; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BUILDINGS AT FORT D. A. RUSSELL, WYOMING TERRITORY.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting plans and estimates for the construction and repair of public buildings at Fort D. A. Russell, Wyoming Territory; which was referred to the Committee on Appropriations, and ordered to be printed.

ELIZABETH DAVIS.

Mr. CURTIN, by unanimous consent, introduced a bill (H. R. 7473) granting a pension to Elizabeth Davis; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ORDER OF BUSINESS.

Mr. KELLEY. I am about to move that the House resolve itself into Committee of the Whole.

The SPEAKER. The regular order is the call of committees for reports.

Mr. KELLEY. Then I move to dispense with the morning hour for the call of committees for reports.

The motion was agreed to (two-thirds voting in favor thereof).

TARIFF.

Mr. KELLEY. I propose to move that the House now resolve itself into Committee of the Whole for the further consideration of the tariff bill. Before doing so I move that all debate on the pending paragraph, beginning with line 152 of the printed bill, and upon all amendments thereto, be limited to thirty minutes.

Mr. CARLISLE. I believe that according to the rules the limit of debate can apply only to amendments now pending.

The SPEAKER. The paragraph referred to has been under consideration in Committee of the Whole.

Mr. KELLEY. The paragraph was under consideration last evening and was amended.

Mr. HASKELL. And an amendment to it is now pending.

Mr. KELLEY. The word "or" was changed to the word "and," and another amendment was offered, which is now pending.

Mr. CARLISLE. Certainly; and I do not dispute the right of the gentleman to make the motion that debate shall be limited on the amendments now pending. But the point I make is that debate can not be limited on amendments not yet offered.

Mr. ROBINSON, of Massachusetts. There is no question about that, it seems to me. If my friend from Kentucky will read the clause of the rule bearing on this subject, and will also recall the unvarying practice since that rule was adopted, he must acknowledge that it has been the practice of the House to limit debate upon pending amendments and all other amendments that may be offered, and when such an order is made there can, after the expiration of the time fixed in the order, be no debate upon any amendment.

Mr. CARLISLE. How can we do that in the face of the rule which provides that there shall be allowed five minutes' debate in favor of each amendment offered and five minutes' debate against it?

Mr. ROBINSON, of Massachusetts. We do it under the express authority of the rule, which distinctly says we may do it, and further says that the rule shall not preclude the consideration of other amendments which may be offered without debate. My friend from Kentucky is doubtless thinking of the language of the old rule.

Mr. CARLISLE. If the gentleman is correct I had forgotten the provision of the new rule.

The SPEAKER. The practice has been uniform to limit debate upon a paragraph and the pending amendments and amendments to be offered. The question is upon the motion of the gentleman from Pennsylvania [Mr. KELLEY].

Mr. THOMPSON, of Kentucky. I ask that the rule be read for the information of the House.

The SPEAKER. The Clerk will read paragraph 6 of Rule XXIII.

The Clerk read as follows:

> The House may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph to a bill, close all debate upon such section or paragraph, or, at its election, upon the pending amendments only; but this shall not preclude further amendment, to be decided without debate.

Mr. CARLISLE. I see that I was mistaken in regard to the provision of the new rule.

The question being taken on the motion of Mr. KELLEY that all debate upon the pending paragraph and all amendments thereto be limited to thirty minutes, it was agreed to; there being—ayes 87, noes 39.

Mr. KELLEY moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. KELLEY. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair, and resumed the consideration of the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes.

Mr. KELLEY. I desire to make a point of order on the amendment submitted last evening by the gentleman from New York [Mr. COX].

Mr. COX, of New York. The gentleman has already closed debate on that amendment, upon the ground that it was pending. It is too late to make a point of order.

Mr. KELLEY. The amendment was submitted last evening and was not read. Besides, debate is not yet closed; there are thirty minutes remaining for debate.

The CHAIRMAN. By order of the House all debate upon section 2502 and all amendments thereto is limited to thirty minutes. The question pending at the time the committee rose last evening was a proposed amendment of the gentleman from New York [Mr. COX], which has not been read. The Clerk will read it.

Mr. KELLEY. Before the reading I give notice of the point of order.

The Clerk read as follows:

> At the end of section 2502 add the following:
> "*Provided*, That any vessel not constructed or equipped in the United States may, from and after the passage of this act, be registered in any collection district of the United States upon the oath of her owner that such vessel has been purchased in good faith by any citizen or corporation of the United States, or of any State, to be employed in commerce between the United States and any foreign port or ports, and upon the payment of an impost duty of 10 per cent. ad valorem: *And provided further*, That no vessel built or purchased abroad shall ever be admitted to the coastwise trade of the United States."

Mr. KELLEY. I make two points of order against this amendment: first, that it is not germane to the section under consideration; secondly, that it is not germane to the bill. It is an attempt to amend title 48 of the Revised Statutes, while our bill relates exclusively to title 33. The bill under consideration is for revising the impost duties; title 48, to which this amendment relates, is for the regulation of commerce and navigation. The proper place for this proposition as an amendment to the existing statute would be section 4152, title 48.

As to the pending section, it is a section imposing a discriminating duty of 10 per cent. ad valorem in addition to the duties imposed by law on all goods, wares, and merchandise which shall be imported on vessels not of the United States; but this discriminating duty is not to apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

It affects only such country or countries as may make like discrimination against us, of which I understood from the gentleman yesterday but one remains, which is Spain, and which under the influence of this section is at length ready to treat as other countries have done for the right to enter our ports.

Mr. McKINLEY. I desire to make an additional point of order. I am informed this amendment is already embodied in a bill now pending before this House. The gentleman from New York will know about that.

Mr. COX, of New York. It is not.

Mr. McKINLEY. I am so informed.

Mr. COX, of New York. I am not aware of it. There was an amendment of this kind proposed to a bill, but it was thoroughly beaten and that bill is now in the Senate without this amendment upon it.

The CHAIRMAN. The Chair will hear the gentleman from New York on the point of order.

Mr. COX, of New York. Mr. Chairman, I make the point against the gentleman from Pennsylvania that it is now too late for him to make the point of order against my amendment, for the reason that this matter was pending when we adjourned last evening.

Mr. KELLEY. It was not read.

Mr. COX, of New York. But the gentleman from Pennsylvania prevented it.

Mr. KELLEY. It was not read.

Mr. COX, of New York. No matter. The gentleman from Pennsylvania is estopped, because he cut off the reading of it. Let me read from the RECORD:

> Mr. COX, of New York. I offer the amendment which I send to the desk.
> Mr. KELLEY. Pending that I move that the committee do now rise.

Mr. KELLEY. My language would have been more precise, perhaps, if I had said pending the reading thereof, for it was not read.

Mr. COX, of New York. We all understand perfectly this amendment was pending when the House adjourned last evening.

But the gentleman from Pennsylvania makes the point of order that it is not germane—not germane to the section. No matter for that—is it germane to the bill?

Mr. KELLEY. No.

Mr. COX, of New York. What is the title of the bill? It is a bill "to impose duties upon foreign imports, and for other purposes," and any part of the bill is a proper place for any matter which imposes or perfects our import duties.

Here is a matter about ships—providing 10 per cent. discrimination against goods brought in certain bottoms. This undertakes to give a liberty to some extent by changing the tariff duties as to ships. Why should it not be in order? Where is there a place if it be not on a bill of this nature? Gentlemen can not say it should not come in here. It is exactly the place where shipping is concerned. And I repeat, conceding all the points made by my friend from Pennsylvania to be well taken, he is entirely too late in making them.

Mr. DINGLEY. Will the gentleman from New York allow me to ask him a question?

Mr. COX, of New York. Certainly.

Mr. DINGLEY. Does not the gentleman's amendment propose a change in the registry laws? The registry laws now provide that no vessel other than one built in the United States shall have an American registry. Does not your bill change that law?

Mr. COX, of New York. There is a bill of that kind pending in committee—several of them; but there is no bill pending now allowing vessels to come in here by paying any duty, ad valorem or otherwise. This is a new idea.

Mr. DINGLEY. But the gentleman from New York is aware that a vessel may be imported to-day; that it may be admitted on the payment of duty on its component materials. There is no law to prevent it. But, sir, the registry law does not provide for the registry of any vessel not constructed in the United States. In this amendment, then, the gentleman is attempting to amend the registry law, and not the laws in reference to duties on imports.

Mr. COX, of New York. In amending the registry law we may have a change of tariff here and there. The gentleman himself, I think, has done it in his bill in many respects.

But here is a bill to impose duties upon imports and for other purposes. It goes right to the tariff, and although it does affect an important matter, the registry law, nevertheless it is a bill allowing our people to buy ships abroad on paying a percentage, just as they buy a horse, a bull, or a carriage abroad.

Mr. DINGLEY. Is there anything now which forbids the importation of a foreign-built ship? Can it not be brought in by payment of duty on its component parts? But the registry law forbids the granting of a register to any vessel not constructed in the United States.

Mr. COX, of New York. If you are permitted to buy you ought to be permitted to use it.

Mr. DINGLEY. It is a change of the law, as it is an amendment of the registry law.

Mr. KASSON. Let the amendment be again reported.

The amendment was again read.

Mr. KASSON. I think, Mr. Chairman, the first response of the gentleman from New York he will himself hardly insist on, namely, that the point of order must be made on the announcement that he is going to offer an amendment.

Mr. COX, of New York. I have duly offered the amendment.

Mr. KASSON. Offered it!

Mr. COX, of New York. The House has taken my view of the amendment, as it has closed debate on it.

Mr. KASSON. But it was not read, and certainly it is time to make the point of order when the issue is made here. Until it was read there is nothing to which the point of order could apply. The first time the House has been notified of the fact it was not in order was on its reading, and that first reading was this morning.

Secondly, the very form of the amendment itself indicates that its object is not to levy a duty, but that its object is to change the registry laws of the United States, with limitations upon the coastwise trade. Now, I am perfectly free to admit that if the gentleman chooses, at a proper place in the bill, to make a motion that the following clause be inserted:

On foreign-built ships, 10 per cent—

or anything else which is a proposition for duty simply, and where that is palpably the object of the amendment, it would be in order and legitimate. But the attempt to change the registration laws—the navigation laws—of the United States, to which the imposition of duty is merely an incidental matter, is unquestionably not germane to this bill, and is liable to the point of order.

Mr. HAMMOND, of Georgia. Mr. Chairman, under the sixth clause of Rule XXIII debate was limited. The language of that rule is:

The House may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph to a bill, close all debate upon such section or paragraph, or, at its election, upon the pending amendments only; but this shall not preclude further amendment, to be decided without debate.

The gentleman from Pennsylvania [Mr. KELLEY] moved to limit debate on the pending amendment to this section. The only amendment is that of the gentleman from New York, proposed yesterday immediately after the reading of the section.

Mr. RYAN. The motion of the gentleman from Pennsylvania was on all amendments—those not yet offered being embraced also.

Mr. HAMMOND, of Georgia. Did not the gentleman from Pennsylvania say upon the pending amendment and those that may be offered?

Mr. VALENTINE. His motion was to close debate upon the section and amendments.

Mr. HAMMOND, of Georgia. Did not the gentleman from Massachusetts [Mr. ROBINSON] in his contest with the gentleman from Kentucky [Mr. CARLISLE] upon the point of order say the limitation of debate would apply not only to the pending amendment but to those which may be proposed hereafter? Have my ears forgotten their office?

Mr. KELLEY. I never spoke of the pending amendment.

Mr. KASSON. I submit to the gentleman from Georgia——

Mr. HAMMOND, of Georgia. The gentleman from Pennsylvania entered a motion yesterday, pending the amendment of the gentleman from New York [Mr. COX], to adjourn; and this morning he admitted that he ought to have said on yesterday something that he did not say in order to make his action consistent.

Mr. KELLEY. I made no such admission. I said my meaning would have been more precisely expressed if I had said, "Pending the reading of that amendment, I move to adjourn."

Mr. HAMMOND, of Georgia. In other words, if he had said something that he did not say he would have meant something that he did not mean.

Mr. KASSON. I submit to the gentleman from Georgia that the admission of the gentleman from Pennsylvania can not take away the right of the committee to make the point of order upon this amendment.

Mr. HAMMOND, of Georgia. I thank the gentleman from Iowa for coming to my assistance and agreeing with me that the admission was made by the gentleman from Pennsylvania.

Having made that progress, I now proceed.

Mr. KELLEY. That is denied expressly and explicitly.

Mr. HAMMOND, of Georgia. What would be the effect of the order limiting debate upon the proposed amendment when the point of order is made against it? What would be the effect of a ruling sustaining the point of order? An agreement is made that we shall limit debate to thirty minutes upon the pending amendment. Immediately upon that agreement having been consummated the point of order is made, and they take thirty minutes—the time allowed for the debate—to discuss the point of order.

Mr. ROBINSON, of Massachusetts. That does not come out of the time allowed for the debate upon the section and amendments.

Mr. HAMMOND, of Georgia. It does not?

Mr. ROBINSON, of Massachusetts. No; it does not affect the time allowed for debate.

Mr. HAMMOND, of Georgia. Then I was mistaken, and that remark was unjust.

But as to the amendment being germane to the pending proposition, Rule XVI, section 7, provides:

And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

That is all. It need not be germane to the bill; it need not be germane to the paragraph. If it is on the "subject" it is germane. This is no appropriation bill, where there are other and stricter limits enforced. It is a bill to raise revenue, so called; a bill to prevent revenue in fact. If the view of the gentleman from Ohio taken the other day is correct, it is a bill to regulate commerce; and certainly if it is a bill to regulate commerce it covers navigation. But whether it is a bill to regulate commerce or a bill to raise revenue, any amendment that proposes to allow any article from a foreign country to be entered at our ports and levy a duty upon it is upon the "subject" of that bill; and the mere fact that you declare when that duty is levied that a registration shall follow does not take it logically out of the conclusion that it is germane, being upon the same "subject." We may, by virtue of this revenue bill, to-day indirectly repeal various sections of law upon other subjects. In point of fact, we do by nearly every section we embody in the bill repeal some other law. But the only test for the consideration of the chairman of this committee in ruling upon the point of order is this: Is the amendment pertinent to the subject-matter of this bill? If it is, the only honest way to get rid of it is to vote it down. It can not be ruled out of order.

Mr. ROBINSON, of Massachusetts. I desire to be heard only for a moment, and simply upon one branch of this point of order. Is it made too late? If not I presume it is perfectly good, for that is scarcely susceptible of argument. Now, I say it is not too late, and that it was made in time, and for the obvious reason that this question should not go off upon any mere catch. The committee ought to pass upon the point of order if it comes in reasonable time, and the only question——

The CHAIRMAN. The Chair would interrupt the gentleman from Massachusetts to say that he is perfectly satisfied as to that point.

Mr. ROBINSON, of Massachusetts. Then I will detain the Chair no longer.

Mr. SPEER. I am glad to learn the Chair has no doubt upon that point; and I think one word, and but one word, will satisfy the Chair there is no doubt upon the other point.

This is an amendment to admit foreign-built ships free to American registry. That is substantially the object of it, and it is offered to a bill relating to duties on imports. There is no question that a ship may be imported now without this amendment. It can not, however, be run without this amendment. This amendment, therefore, does not relate to the importing but to the running of the ship after it is imported, and, therefore, clearly it is not germane to an import bill.

The CHAIRMAN. Upon the point made by the gentleman from New York [Mr. COX] that the point of order comes too late, the Chair desires to state that pending the amendment, or the offer of the amendment by the gentleman from New York yesterday, the gentleman from Pennsylvania [Mr. KELLEY] moved that the committee rise, that motion taking precedence of a motion to amend; it has been so held repeatedly. That being the case, it was the duty of the Chair to put the question that the committee rise. The amendment offered by the gentleman from New York was not read, and it was not open to the point of order until read. And hence, the point of order having been made this morning, the Chair decides that it was in time.

Upon the other point that the amendment is not germane, the Chair asks the Clerk to read from the Congressional Globe, proceedings of May 17, 1872.

The Clerk read as follows:

The amendment of Mr. HOLMAN was agreed to; there being—ayes 63, noes not counted.

Mr. COX. I move further to amend the amendment of the gentleman from Maine [Mr. LYNCH] by adding the following:

"*Provided further*, That from and after the 1st day of July next the act entitled 'An act concerning the registering and recording of ships and vessels,' approved December 31, 1792, and all acts and parts of acts supplementary thereto, be, and the same are hereby, repealed, so far as to admit to registry foreign-built vessels of wood or iron, the property of a citizen or citizens of the United States, if the same be purchased in good faith by such citizen or citizens."

Mr. LYNCH. I raise the point of order that the amendment is not germane. It proposes simply a repeal of the navigation law, and has no reference to the tariff.

The CHAIRMAN. The Chair sustains the point of order. The amendment of the gentleman from New York [Mr. COX] is not germane to the pending amendment.

Mr. KELLEY. I move as an amendment to the amendment of the gentleman from Maine [Mr. LYNCH] to insert before the first proviso, the following:

"And an allowance shall be made upon all articles produced in the United States, actually used in the building of such ships after the passage of this act, equal to the duties imposed by law upon like foreign articles imported into this country; and shall be paid from any money in the Treasury not otherwise appropriated."

The amendment of Mr. KELLEY was not agreed to; there being—ayes 25, noes not counted.

The question then recurring on the amendment of Mr. LYNCH as amended, it was agreed to.

Mr. COX. I offer the following amendment:

"Add the following:

"'*And provided further*, That from and after the 1st of July next, the act entitled "An act concerning the registering and recording of ships and vessels," approved December 31, 1792, and all acts and parts of acts supplementary thereto, be, and the same are hereby, repealed so far as to admit to register foreign-built vessels of wood or iron the property of a citizen or citizens of the United States, if the same be purchased in good faith by such citizen or citizens.'"

Mr. HALE. I rise to a point of order on that amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. COX. That is intended——

Mr. LYNCH. I object to debate.

Mr. COX, of New York. Now, will the Chair please to intimate what the amendment of Mr. LYNCH was to which I offered an amendment? For there the Chair decided simply, as I understand it, that the amendment to the amendment was not in order.

The CHAIRMAN. While perhaps the question raised here is not on all fours with the question presented there, the Chair is clearly of opinion that this provision is not germane to the pending section, and so rules.

Mr. COX, of New York. Will the Chair allow me to observe, with all respect to the Chair, there is no analogy between the amendment I offered then and this one, for the reason that this amendment allows ships to come in on paying a duty of 10 per cent. ad valorem. I made no such proposition in the amendment which the Chair has caused to be read.

The CHAIRMAN. The Chair only decides that the proposed amendment is not germane to this section. The Clerk will read.

The Clerk read as follows:

SEC. 2503. There shall be levied, collected, and paid upon all articles imported from foreign countries and mentioned in the schedules herein contained the rates of duty which are, by the schedules, respectively prescribed, namely:

SCHEDULE A.—CHEMICAL PRODUCTS.

Glue, 20 per cent. ad valorem.

Mr. SPRINGER. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 168 strike out "20" and insert "15;" so that it will read:
"Glue, 15 per cent. ad valorem."

Mr. COX, of New York. If the gentleman from Illinois [Mr. SPRINGER] will permit me, I desire to say that I intended, after the suggestion of the Chair, to offer my amendment as a new section.

Several MEMBERS. Too late.

Mr. COX, of New York. Perhaps it is too late. The Chair has been very polite, more so than some gentlemen on that side. I stepped back to get my bill to offer this as an independent section.

The CHAIRMAN. The Chair will recognize the gentleman from New York at some point in the bill to offer it, but not to this section. The gentleman from Illinois [Mr. SPRINGER] is entitled to the floor.

Mr. SPRINGER. When the bill was brought before this House for the appointment of the Tariff Commission, the opposition to it grew out of the belief that the commission would not throw any light upon this subject and that Congress would proceed with the discussion of the question with the same information as it had before. But when the commission brought in its report on the first day of the session, and when that report went to the press before the contents of the schedules were known, there was a general rejoicing over the country from the fact that the Tariff Commission had recommended as the sense of that commission that there should be a genuine reduction of tariff rates. That commission stated as follows in its report:

Entertaining these views, the commission has sought to present a scheme of tariff duties in which substantial reduction should be the distinguishing feature. The average reduction in rates, including that from the enlargement of the free-list and the abolition of the duties on charges and commissions, at which the commission has aimed, is not less——

Mr. KELLEY. I am sorry to interrupt the gentleman from Illinois, but I beg to remind him that general debate closed on Saturday evening.

Mr. SPRINGER. I am in general debate now with particular reference to this clause. The commission in their report say:

The average reduction in rates, including that from the enlargement of the free-list and the abolition of the duties on charges and commissions, at which the commission has aimed, is not less on the average than 20 per cent., and it is the opinion of the commission that the reduction will reach 25 per cent. The reduction, slight in some cases, in others not attempted, is in many cases from 40 to 50 per cent.

This being the recommendation of the commission, I looked in the bill to find the schedule corresponding with it. I find there is no reduction whatever proposed on glue; and therefore I desire that there shall be the reduction on that and other articles which the commission recommended.

It will be seen by reference to Census Bulletin No. 304 that the whole value of the amount of the products of glue for the census year was $4,324,000. A duty of 20 per cent. ad valorem, representing the increased value of this product to the consumers of the country, would be $864,000. I find also that the whole sum paid for wages to those engaged in the manufacture of glue was $600,000. In other words, the Government paid a subsidy to the glue manufacturers of $264,000 more than the amount of wages paid to the employés in that industry.

I also find that the whole burden imposed on the people by reason of this tax amounted during that year to $947,000, of which the Government received in duties, as this table shows, only $82,000. That is a burden imposed upon the people of nearly $1,000,000, of which the Government received $82,000 and the manufacturers received by way of bounty $864,000.

This item shows the great enormity of this protective system, and how necessary it is that the people should have the relief which was promised by the commission.

[Here the hammer fell.]

The question was taken upon the amendment of Mr. SPRINGER; and it was not agreed to upon a division—ayes 44, noes 88.

Mr. SPRINGER. I now move to strike out the clause, so as to put the item of glue on the free-list. I desire to call the attention of the House to one of the recommendations of the President in his late annual message to Congress.

Mr. KELLEY. Will the gentleman permit an inquiry?

Mr. SPRINGER. I will.

Mr. KELLEY. Is not all American glue made from the horns, hoofs, and other refuse of American cattle?

Mr. SPRINGER. Oh, yes.

Mr. KELLEY. And is not the rate of duty now imposed one which permitted nearly half a million dollars' worth of importations of glue?

Mr. CARLISLE. Is not all the stock used by glue manufacturers made free by this bill?

Mr. KELLEY. Not that which grows in Texas, Illinois, and other cattle-raising States.

Mr. SPRINGER. I hope this interruption will not be taken out of my time.

I now desire to call the attention of the majority of this House to the recommendations submitted to Congress in the last annual message of the President of the United States. And when I take the recommendation of the President I can not be accused of hostility to any American industry, for he is professedly a protectionist and ought to represent the majority on this floor. The President said:

Without entering into minute detail, which under present circumstances is quite unnecessary, I recommend an enlargement of the free-list so as to include within it the numerous articles which yield inconsiderable revenue, a simplification of the complex and inconsistent schedule of duties upon certain manufactures, practically those of cotton, iron, and steel, and a substantial reduction of the duties upon those articles, and upon sugar, molasses, silk, wool, and woolen goods.

This recommendation of the President should not be disregarded by this House. It is exceedingly important, and I ask members of the majority here whether they propose to disregard the plainest recommendations of their own President? Now, by way of recapitulation I will state that the President recommends this: first, "an enlargement of the free-list so as to include within it the numerous articles which yield inconsiderable revenue."

Now, if gentlemen will look at this bill they will find in it still carried for taxation articles which last year yielded only 20 cents of revenue. This item of glue which I have moved to strike out yielded but $82,000, which is an inconsiderable revenue compared with the $400,000,000 which the Government of the United States receives annually.

The President also recommends "a simplification of the complex and inconsistent schedule of duties upon certain manufactures," upon all the articles contained in the schedules mentioned by him. Now, these recommendations have not been followed out, notwithstanding the President further said—and I desire to call particular attention to it:

It is one of the tritest maxims of political economy that all taxes are burdensome, however wisely and prudently imposed.

This bill seems to have gone on the supposition that all taxes are a benefit to the people, and that the more you tax the people the richer they will get. The President, on the contrary, lays down the true doctrine of taxation, that "all taxes, however wisely or prudently imposed, are burdensome on the people."

Now, this bill is a burden to the people. Perhaps some of these taxes may be considered as wisely laid, but they are unnecessary because they will yield but an inconsiderable revenue. We do not need the revenue obtained from the duties on many of these articles. The President further stated that the surplus in the Treasury on the 30th of June, 1882, amounted to more than $145,000,000.

[Here the hammer fell.]

The question was then taken upon the motion of Mr. SPRINGER to strike out the clause; and it was not agreed to.

The Clerk read as follows:

Beeswax, 20 per cent. ad valorem.

Provided, That when imported beeswax shall be exported bleached there shall be allowed a rebate equal to the amount of duty paid upon the importation of the crude beeswax, under regulations to be established by the Secretary of the Treasury.

Mr. KASSON. To perfect the proviso just read, the word "rebate" should be changed to "drawback."

The CHAIRMAN. Is there objection to the proposed amendment? The Chair hears none; and the change will be made.

Mr. WHEELER. I move to amend by striking out the paragraph just read. While beeswax is an article which the committee may not have regarded as of great importance, one purpose that I have in view in offering this amendment is to show the

INCONSISTENCIES OF THIS BILL.

The reports submitted to us by the Committee on Ways and Means show that during the year ending June 30, 1882, but 6,400 pounds of this article, valued at $1,198, were imported, and that but $237 was collected during that year upon the importation of beeswax.

I learn from the last quarterly report of the Bureau of Statistics that during three months ending September 30, 1882, 36,620 pounds of the article were exported from the United States to foreign countries, and supposing this to be the uniform rate of export, and my examination of other reports on this subject tends to show that such is the case, will some member of the committee inform me what interest is subserved by this duty of 20 per cent.?

According to the statistics of the Treasury Department, we exported 146,404 pounds a year and imported but 6,400 pounds. As gentlemen on the other side of the House have cautioned us to avoid legislation which might invite retaliatory laws from those foreign countries with which we have commercial relations, let me with great respect ask the committee if the statistics I have quoted justify us in laying import duty upon beeswax? If the gentlemen on the other side of the House are correct in these statements, that we must not invite retaliatory legislation, and I concur with them most heartily in that view, then certainly it is not good judgment to have a tariff tax upon an article of which we export twenty-four times as much as we import.

If other countries should follow our lead in this matter, it would cost our exporters $24 to every dollar which by this law we put into the Treasury, and I am informed that already retaliatory legislation of this character has been commenced. There is another article of export to which I made reference on yesterday. It is cotton-seed oil, upon which there is an import duty of 30 cents a gallon. There were but five gallons imported during the year ending June 30, 1882, and the import duty tax yielded last year only $1.50. By imposing this duty we justify Italy in imposing a tariff duty upon the cotton-seed oil that we export to that country, and I see by the report of the Tariff Commission that nine-tenths of the cotton-seed oil made in the United States is exported to Marseilles, Trieste, and other Mediterranean ports.

Now, again, comes the question of

RETALIATORY TARIFF.

I am informed that after we enacted the law taxing the importation of raw cotton-seed oil into our ports the Government of Italy retaliated and laid a tariff tax on all cotton-seed oil which we ship to her ports, and as a consequence materially impeded our trade with that country.

The report of the Bureau of Statistics, issued by the Treasury Department, aids us again in this investigation. By it I see that during the last three months of 1881 we exported 61,334 gallons of cotton-seed oil, but owing to the tariff tax imposed by Italy, and perhaps by other countries, our exports for the same period during 1882 were only 36,124 gallons. And during the eleven months ending November 30, 1881, 1,477,963 gallons were exported, while for the same period of 1882 but 588,645 gallons were exported.

If there was any other reason for the falling off in export than the one I have mentioned I would be thankful for information upon the subject.

We all know that our manufacture in 1882 far exceeded that of the previous year, and yet the Bureau of Statistics informs us that our exports fell off to about one-third what they were the preceding year.

It is my hope, Mr. Chairman, that many of the clauses in the bill were inserted through inadvertence, and that an investigation will secure all necessary and proper changes. It is my hope that such is the case regarding

IRON COTTON-TIES.

I was amazed at the statement of the gentleman from Ohio [Mr. MCKINLEY] to the effect that Southern planters get more for cotton-ties than they pay for them.

As the gentleman represents the district in which Youngstown is situated and to which Pittsburgh is adjacent, his want of information upon that subject was not at all anticipated by me. My surprise was enhanced, too, for the reason that his classic features and intellectual expression had led me to believe he was fully informed upon every subject.

But omitting all information which I expected he would have obtained from his home associations, his opportunity to learn fully the facts were ample and easily attained.

Had this gentleman looked to the evidence before the Tariff Commission he would have discovered his error. On pages 306, 794, 1288, and other pages he will find positive evidence that cotton is sold in the great cotton market of the world, Liverpool, with the ties and bagging off. They deduct 6 per cent., thirty pounds, and the allowance is made for that deduction when the cotton is purchased in markets where tare is considered in the price and not in the weight. In Liverpool a five-hundred-pound bale of cotton is sold for 10 cents per pound, thirty pounds deducted, and $47 is paid for the bale of cotton. The same bale sold gross would go for about 9 cents, and the planter would get but $45 for it.

The evidence before the commission was positive that the planter got nothing for the bagging and ties. It is a dead loss to him, and that dead loss consumes most of his profits.

Mr. MCKINLEY. Will the gentleman give me the names of the witnesses from Youngstown and Pittsburgh?

Mr. WHEELER. I will give you the name of Mr. Weeks, of Pittsburgh, whom I recollect particularly as having stated that there was a deduction of 6 per cent. in Liverpool. I will give the exact language of some of the witnesses before the tariff committee. Page 306, Tariff Commission report, Mr. Ranlett testifies:

By Commissioner AMBLER:

Question. Is not the price of cotton in this country fixed by the price of cotton in Liverpool?

Answer. Of course. * * *

Q. I am speaking of Liverpool; do they not strip the cotton, taking off ties and bagging, and weigh it?

A. American cotton is bought in America by agents of English houses in Liverpool. The Liverpool merchants have a knowledge of the way cotton is sold in this country, so that when they give an order for 1,000 bales they know it means with the bagging and ties around it (gross weight), and they calculate so much for the packing and pay so much less.

Q. So that in Liverpool they pay for the cotton they get, and although apparently they pay for the bagging and ties, yet in regulating the price here they allow for the bagging and ties?

A. Yes, sir; and the American producer loses it.

Then on page 794 we have the witness I referred to, Mr. Weeks, from Pittsburgh, who demanded a million dollars a year from Southern planters to enrich himself and his friends. Even this witness contradicts the statements of the gentleman from Ohio [Mr. MCKINLEY]. He testifies as follows:

Question. Do you not know that the cotton when it reaches the Liverpool and Manchester markets is stripped entirely naked before it is sold?

Answer. That may be. I understand there is an allowance of 6 per cent. for tare made in Liverpool on the cotton, and that is largely the cost of the bagging.

Q. And do they not include the iron at all?

A. That may be true, but my point is this: That with the cotton-ties on the bale of cotton is worth more than it is with them off.

Q. If they buy the cotton in Europe and strip it naked, when the cotton buyer here ships it is there not an allowance made for the bagging and ties?

A. Yes, sir; there is an allowance of 6 per cent.

In corroboration of all this Mr. English said, page 1288:

For commercial convenience we weigh a bale of cotton here and pay for the gross weight. When that cotton is landed in Liverpool and sold 6 per cent. is deducted for the tare just as 10 per cent. is deducted for tare on New Orleans sugar. We regulate that matter here, not by taking this 6 per cent. off as they do on the other side, but in the price of cotton. Therefore, the cotton-planter does not get any allowance for the weight of the cotton-tie and the bagging as has been stated.

* * * * * * *

Q. The 6 per cent. that is deducted in Liverpool is the tare on the ties and bagging?

A. Yes, sir.

Q. So that in fact the cotton is sold in Liverpool net by its actual weight in cotton?

A. Yes, sir; the same as sugar or anything else.

Mr. Chairman, it will take 80,000,000 pounds cotton-ties to bale our crop of 1882.

This bill proposes that before we pack a single bale we must pay a bounty of $1,120,000 to manufacturers or to the Government as duty. Less than $120,000 will go to the Treasury and more than a round million will go from the pockets of the poor cotton-maker into the vaults of nabobs of Youngstown and Pittsburgh and other manufacturing localities. Not an extra cent will go to the laborers.

I will inform the gentleman from Ohio [Mr. McKINLEY] and all his side of the House that this illustrates the utter hypocrisy of the cry that protective tariff benefits American labor.

The entire consumption of iron cotton-ties in America can not exceed 35,000 tons, the manufacture of which gives constant employment to about one hundred men.

I assert that this hundred men will not get increased pay after the passage of this bill; but even if their employers should call them up and say, "Here, my good fellows, the tariff bill has passed and we will get double pay for our iron-ties, and we will give you an increase in your wages of 10 cents a day"—even if they should do this, which they will not do, what would be the result? One million dollars taken from the laborer in the cotton-field, $3,000 given to laborers in cotton-tie mills, and $997,000 given to the aristocrats who are here applauding the great speech of the gentleman from Ohio [Mr. McKINLEY]. And, Mr. Chairman, the above is a better divide than the American factory laborer gets in this or any other protected industry; and this is a good estimate and illustration of all this

INSINCERE TALK

about benefiting American laborers by taxation upon imports. [Applause and laughter, and cries of "Vote!"]

Mr. Chairman, I have put the facts even stronger for the bill than was justified by the evidence before the commission.

I will read 2261. Mr. Edgerley says:

> There are only ten mills in the United States which make cotton-ties, and they employ only a small proportion of the total number of workers in iron. I call special attention to that fact. It has been stated that the necessity for increasing the tariff is that it will benefit an enormous number of people employed in the manufacture of these ties in this country. That is a fallacy. The entire consumption of the United States is never more than 30,000 tons, which would only occupy 300 men, making 1 ton a day, 100 days.

Even take the prices of iron last year, the committee admits that the tax imposed by the bill is 81.64 per cent. ad valorem.

Now take the price of iron as it was in 1851 and the tax would be 150 per cent., and estimating at the probable future average price of iron, the proposed tax would be over or at least 100 per cent.

The meaning of this tax is this: that when the planters next fall purchase their cotton-ties they must buy and pay for the necessary 35,000 tons, and then before they will be allowed to ship one single tie from the Youngstown or Pittsburgh factories they must also pay the same price for another 35,000 tons. They get nothing whatever for the second 35,000 tons, although they pay for it, except the poor privilege of shipping off their own property.

The price they pay for the second 35,000 tons, which they do not get, is a bounty exacted from the cotton producers of the South to make millionaires of the rich iron men of the North.

I ask that we amend that section so that the House can vote intelligently on this item. I want them to know what they are doing, and I want the cotton-growers to know what regard is had for their rights and interests. Let it be amended to read as follows:

> A bill to promote the general welfare of the owners of certain iron manufactories, situated in Youngstown, Ohio, and in Pittsburgh and Philadelphia, Pennsylvania, and thus to enforce the preamble to the Constitution of the United States.
>
> Whereas it is the duty of the Government to promote the general welfare of all persons who prove themselves worthy thereof; and
>
> Whereas it has been made known to us that certain persons unworthy of welfare are engaged in producing an article called cotton; and
>
> Whereas certain persons within our realm who deserve our special aid and care are engaged in manufacturing iron bands which are necessary to the packing for market of this article called cotton: Therefore,
>
> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That before the producers of cotton shall be allowed the means to ship or dispose of said cotton they must first purchase the iron wherewith to pack the same from those whose welfare it is our duty and pleasure to protect, for which iron they must pay a fair valuation, and in addition thereto these cotton producers must pay $1,000,000 each year to maintain the welfare of the beneficiaries of this act.

Another way to put the question is this: When a planter pays for two bundles he gets one; when he pays for ten bundles he gets five. We regard this as too severe. For sixteen years with the tax 35 per cent. we, without a murmur, paid for four bundles and got a little less than three; but when you come to say you shall not have iron ties unless you pay

TWO FOR ONE,

are we not justified in appealing for justice and denouncing the enormity? And here, Mr. Chairman, in the name of God and the American people, I denounce the measure as undemocratic, unjust, un-Christian, and un-American. Yes, Mr. Chairman, in the name of a constituency who have elected me twice to the same Congress, I denounce three-fourths of the clauses of this bill as a tissue of oppressions, as a climatical abomination of iniquities.

With regard to the portion of the bill contained in lines 733, 734, and 735, which fixes the tariff on cotton-ties, I will make the following assertions:

First. The duty proposed is an absolute prohibition.

Second. That the protection given to American manufacture by this tax when increased by the freight tax amounts, even at present prices, to 100 per cent., namely: Cotton-ties at £7 ($34.06) per ton, $34.02; proposed duty, 1.4, $31.36; freight across ocean, $3.13; making $34.49. We therefore see that the proposed duty and freight tax exceed the original cost; and if iron should reach the price of 1851 the proposed duty would be a protection to American manufacturers of 150 per cent.

Third. The proposed tax, instead of raising a revenue of $608,037.81, as estimated by the Committee on Ways and Means, would bring no net revenue whatever to the Treasury; as the House will observe that the evidence before the commission shows that with the proposed duty importation will be effectually suspended.

Fourth. That the burden placed upon Southern cotton-planters and laborers in Southern cotton-fields would substantially all go to enhance the profits of mill-owners, and scarcely a dollar would go to laborers in iron-mills.

Mr. SPRINGER. Mr. Chairman, I move an amendment to strike out the proviso of the pending paragraph. I submit this motion for the purpose of making a remark in favor of the amendment submitted by the gentleman from Alabama [Mr. WHEELER]. This item of beeswax yields what the President of the United States calls an inconsiderable revenue—$239.60—hardly enough to pay the expenses of bookkeeping and the inspection required to see whether any beeswax slips through the fingers of the custom-house officers.

Now, for a great Government like ours to be engaged with all its powers in searching the pockets of men and women coming into this country to see whether they have a piece of beeswax to wax the threads with which they sew their clothing is, it seems to me, a small business. Beeswax is to be taxed for the benefit of somebody, I do not understand whom.

This is a raw material. It enters into the manufacture of all our clothing. The sewing women of the country have to buy it for the purpose of waxing their thread. It is also used for making the candles used in the churches to light these people on the other side from the dark places in which they now sit to something more real and substantial. They not only put a tax on the sewing women; they put a tax upon the gospel light; and as a friend here remarks, a tax upon the Christmas tree, the little tapers on which cheer the hearts of our Sunday-school scholars. Everything is taxed by these gentlemen; nothing is free. [Here the hammer fell.] I withdraw my amendment.

The question being taken on the amendment of Mr. WHEELER, it was not agreed to, there being—ayes 33, noes 96.

The Clerk read as follows:

> Glycerine, brown or yellow, of the specific gravity of 1.250 of a temperature of 60° Fahrenheit, not purified by refining or distilling, 2 cents per pound.

Mr. RANDALL. I move to amend by inserting after the word "glycerine" the word "crude," which is a more proper definition of the article; and also to add after the word "thousandths" the words "or less;" so as to cover glycerine of less specific gravity than 1.25.

The CHAIRMAN. Is there objection to the amendment proposed by the gentleman from Pennsylvania [Mr. RANDALL]? The Chair hears none.

Mr. CARLISLE. I move to amend by striking out "2 cents per pound" and inserting "25 per cent. ad valorem." And I propose to follow that up with a similar proposition in relation to refined glycerine.

Mr. RANDALL. Two cents is a reduction of the existing law.

Mr. CARLISLE. That is not certain. The existing law is 30 per cent. ad valorem.

Mr. RANDALL. This is less than 25.

Mr. CARLISLE. I see no reason why we should change an ad valorem to a specific rate in this instance. In the next paragraph the proposition is to put a specific duty of 5 cents a pound on refined glycerine.

Mr. KELLEY. I think we were advised that 30 per cent. yielded about 7 cents per pound.

Mr. CARLISLE. Why have a question of that sort? Why present in this bill a question of that sort when we can simplify the whole matter by preserving the ad valorem rate of the present law and simply reducing it from 30 to 25 per cent.?

Mr. HASKELL. I ask the gentleman from Kentucky to permit me to state that I have here figures of an importer of this article. He writes that the duty fixed by the committee is 50 per cent. reduction of the present rate. What the gentleman offers is an advance. Crude glycerine is worth 5 cents per pound.

Mr. CARLISLE. Why object, then, to my motion to make an ad valorem rate instead of a specific rate? The specific rate has this disadvantage: If the price falls the duty goes up, and it may go up to 50 or 60 or 70 per cent. ad valorem. But if you put the rate at 25 per cent. ad valorem you always know what you are paying on the article.

Mr. TUCKER. Permit me to ask the gentleman from Kansas a question. What do I understand you to say was the price?

Mr. HASKELL. Thirty per cent. ad valorem under the present law on glycerine is equal to 5 cents per pound. The committee fixes the

rate at 2 cents per pound. The amendment of the gentleman from Kentucky is a radical increase of rate over that proposed by the committee.

Mr. TUCKER. What is the price of crude glycerine according to the gentleman's information?

Mr. HASKELL. I do not exactly know.

Mr. RANDALL. Sixteen cents.

Mr. HASKELL. I have the declaration of an importer of this article that the present rate of 30 per cent. ad valorem amounts to 5 cents per pound. With slight computation gentlemen can figure out the cost of the article for themselves. It can be done in a little while.

Mr. RANDALL. I can tell the gentleman that it is about 16 cents.

Mr. TUCKER. I merely state, for the information of the House, that if they will look to the tabular statement presented by the Committee on Ways and Means they will find the importation has been in rates on crude and refined, and it does not distinguish between the two, but the unit of value of the whole amount imported is 16 cents. But whether that is crude or refined, as I have already stated, does not appear.

Mr. HASKELL. Nothing but crude has been imported. No refined glycerine has been imported under the existing law. The price is 16 cents. The present rate is 30 per cent. ad valorem, which is 5 cents per pound. The committee fixed it at 2 cents. Here is the letter of an importer of glycerine explaining the whole matter.

Mr. ROSECRANS. I rise to debate the amendment of the gentleman from Kentucky, and at the proper time to move to amend the rate on refined glycerine by reducing it from 5 cents per pound to 2 cents. My proposition is to fix the rate on glycerine, crude and refined, at 2 cents per pound. Glycerine is a by-product, and is used mostly in the manufacture of high-grade explosives, which go under the general name of giant-powder. Glycerines are worth from 15 to 18 cents a pound.

Now, there is but little what is called crude glycerine wanted in this country for anything. I doubt whether any of it is imported except to evade paying the tariff on that which is fit for manufacturing powder, worth, as I have said, from 16 to 18 cents per pound.

Mr. RANDALL. One thousand five hundred tons of it are manufactured in this country.

Mr. ROSECRANS. As I have stated, glycerine is useful in the manufacture of high-grade explosives. It is required to be at or over 28° Baumé when used for explosives. The difference in color is simply due to the chemicals used in the manufacturing process from which results the production. I believe the distinction between crude and refined glycerine ought to disappear from our tariff.

Glycerine is not manufactured as a direct process. It is a by-product in the manufacture of stearic acid for making what is commonly known as star candles. It is used largely in making high-grade explosives for mining and engineering works, in manufacturing, in the arts, and in pharmacy. But for these the ordinary consumption is of comparatively very small quantities. As I have said, the principal use of glycerine is in high-grade explosives.

This consumption fixes the price and the quality of all that is made, except that for medicinal and officinal purposes, and for putting up plug tobacco. For these latter purposes, and that used as a solvent for a great many chemicals, it must be specially pure, but the quantity is not large enough to control the market. For this reason, I repeat to this House, that as a general rule there is no substantial necessity for a distinction of duties between crude and refined; because the great mass on the market is, substantially, that used in powder making. I think we should fix but a single rate. I move that this be 2 cents a pound.

[Here the hammer fell.]

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Kentucky.

The amendment was not agreed to.

The Clerk read as follows:

Fish-glue or isinglass, 30 per cent. ad valorem.

Mr. ROSECRANS. What has become of the amendment which I submitted?

Mr. CARLISLE. The gentleman from California offered an amendment in reference to refined glycerine which I did not hear the Clerk read.

Mr. KELLEY. I was going to propose to the gentleman from Kentucky [Mr. CARLISLE], with his consent, that lines 181 and 182 be transposed.

Mr. CARLISLE. That is correct; it should be done.

Mr. KELLEY. That brings the two items of glycerine immediately together, where they should be.

The CHAIRMAN. Without objection this transposition will be made.

There was no objection.

Mr. SPRINGER. Now I move to strike out the line just read:

Fish-glue or isinglass, 30 per cent. ad valorem.

Mr. KELLEY. We have now transposed them, and line 181 will refer to refined glycerine.

The CHAIRMAN. The Clerk will read line 181 as transposed.

The Clerk read as follows:

Glycerine, refined, 5 cents per pound.

Mr. ROSECRANS. I now move to amend this line by striking out "5" and inserting "2."

In addition to what I have already stated I wish to add simply this, that the use of giant powder is very large throughout the whole of the United States, but in the mining regions it is universal. I suppose that there is no mining business going on where blasting is required that giant powder is not used. Now, we have 2 cents a pound to protect the by-product of the manufacture, and I ask the attention of my colleagues on the floor to this statement—that it is a by-product in the manufacture of candles. If we protect them to the extent of 2 cents a pound I think we shall have done all that is necessary. And I know that the industries which are obliged to consume this article are large and important and I think deserving of attention on the part of this committee.

Mr. KASSON. Do I understand my friend from California to move to amend by making the duty 2 cents a pound in place of 5 on refined glycerine?

Mr. ROSECRANS. Yes, sir.

Mr. KASSON. I presume that my friend has observed that that is the rate fixed by the bill on the crude glycerine.

Mr. ROSECRANS. Yes, sir; and I have stated to the committee as a matter of fact, within my personal knowledge, that the distinction between refined and crude glycerine is not worth attending to here as a practical thing, because the quantity of crude glycerine produced and imported now would not be worthy of attention from this House. No producer can afford to send it to the market if it will not do for giant powder; and the difference between refined glycerine and crude is not sufficient to warrant the difference that this bill proposes in the rate of duty upon them.

Mr. KASSON. But I think the gentleman from California will agree that there should be a difference between a crude article and one that is advanced in manufacture.

Mr. ROSECRANS. I think in this case, as I have said, the difference is so small and insignificant and crude glycerine is so insignificant in comparison to the refined that I think 2 cents is sufficient to protect the by-product.

Mr. KELLEY. The gentleman has spoken, as well as I can hear, almost exclusively with reference to the use of glycerine in high explosives, such as giant powder. Now, sir, there is scarcely an element that enters more largely into the more delicate medicinal preparations than glycerine.

The gentleman says the difference between refined and crude glycerine is very slight. There are the two [exhibiting two samples of crude and refined glycerine], and this, the refined, constitutes the main importation into this country.

Mr. ROSECRANS. Will the gentleman allow me a moment? I said that the quantity of crude glycerine that is produced and sent to market is so small practically that it is not worth attention on this floor; that no producer can afford to produce that dark colored glycerine and send it to this market in competition with the refined.

Mr. KELLEY. Now, sir, the Committee on Ways and Means not only listened to interested parties but it had the highest ability that the Treasury could send to us as advisers. The distinguished gentleman who inspects drugs and chemicals at the Boston custom-house; the gentleman that makes up our volume of home consumption imports and exports statistics, and Mr. Dunlap, another trusted calculator of the Treasury Department. They tell us that the imports are mainly of crude glycerine and that the refining is done in this country; that the rate of duty being the same on both crude and refined, the foreigners would send in the crude instead of expending the labor necessary to refine it. Now let us put both at the same duty, and what is the effect? The effect will be that our refiners will be ruined, for the same reason that now leads to the importation of crude would then lead to the exclusive importation of the refined. Therefore I hope the proposition will be voted down.

Mr. HEWITT, of Alabama. I move to strike out the last word. The crude glycerine is worth about 16 cents a pound. Two cents a pound duty is about 12 per cent. ad valorem. The refined is worth from 30 to 50 cents a pound, and a duty of 5 cents a pound would make the ad valorem rate about 12½ per cent., and if we want to get any revenue from glycerine we had better not reduce the rate. Certainly, 12½ per cent. ad valorem is low enough.

I withdraw the *pro forma* amendment.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from California.

The amendment was not agreed to.

Mr. SPRINGER. I now move to strike out of line 181, which was transposed, the following words:

Fish-glue or isinglass, 30 per cent. ad valorem.

I see the Tariff Commission——

The CHAIRMAN. The gentleman from Illinois offers an amendment which he will send to the desk.

Mr. SPRINGER. The Tariff Commission recommended that it be placed on the free-list.

Mr. KELLEY. No, sir; the Tariff Commission recommended 10 cents a pound, which the Committee on Ways and Means adopted.

Mr. SPRINGER. I do not see in their schedule any statement to that effect.

The CHAIRMAN. The Chair understands the gentleman from Illinois [Mr. SPRINGER] moves to strike out that line.

Mr. SPRINGER. Yes, sir. I see in the schedule opposite this article nothing in the column showing the rates recommended by the commission.

Mr. HASKELL. What article?

Mr. SPRINGER. Fish-glue or isinglass.

Mr. KELLEY. I was speaking of phosphorus.

Mr. HASKELL. It comes in now under "preparations of gelatine" at the same rate as in this bill. The rate here is the same as under the present law. All are included under gelatine.

Mr. SPRINGER. That is the reason I suppose why it is reported here as yielding no revenue. It is reported in this table as having produced no revenue. It was for that reason I desire to strike out the line, so as to put the article on the free-list.

It is said that this bill is to protect the infant industries of the country. I read in Webster's Dictionary, under the word isinglass, that mention of its manufacture is made by Pliny; and Pliny wrote in the first century of the Christian era.

Mr. HASKELL. Let me tell the honorable gentleman from Illinois that the isinglass he is referring to, a micaceous formation, is one thing, and this fish-glue, made from fish-sounds, an edible preparation, is quite another thing. It is a recent discovery, something which Mr. Pliny never heard of.

Mr. SPRINGER. Does the gentleman from Kansas understand me to refer to the mica used in the manufacture of stoves?

Mr. HASKELL. I understood the gentleman to refer to isinglass, respecting which a very distinguished gentleman of ancient times, Pliny, wrote.

Mr. SPRINGER. I did not refer to the mica used in manufacturing stoves, but to the isinglass, respecting which I find this language in Webster:

A semi-transparent, whitish form of gelatine, chiefly prepared from the sounds or air-bladders of various species of sturgeon found in the rivers of Western Russia. Its manufacture is mentioned by Pliny. Cheaper forms of gelatine are not infrequently so called.

Either, then, the gentleman from Kansas or Webster is mistaken. Perhaps it is Mr. Webster, or perhaps Pliny; but it may be the gentleman from Kansas, although I hardly think he could be mistaken about anything in the tariff.

Mr. HASKELL. This item refers to an article made of fish sounds, an edible preparation made in a particular way; and whatever gelatine or isinglass proper may have been in the ancient times to which the gentleman from Illinois has referred, this article is of recent origin in the United States.

Mr. CARLISLE. There is put in the free-list in this bill all the stock that enters into the manufacture of this article, and I do not see why the article itself should not be there as well.

Mr. KELLEY. We have not put labor in free.

Mr. CARLISLE. You can bring all the labor here free that you desire.

Mr. SPRINGER. This is the same gelatine mentioned by Pliny 2,000 years ago. Not being an infant industry and not yielding any revenue to the country, I move to strike the article out.

The question being taken on striking out the line, the Chair stated that the "noes" seemed to have it.

Mr. SPRINGER. I call for a division. I think the majority are in favor of this.

The committee divided; and there were—ayes 53, noes 93.

So the motion to strike out was not agreed to.

The Clerk read line 183, as follows:

Phosphorus, 10 cents per pound.

Mr. KELLEY. The letter "s" should follow the word "soap." The word should be in the plural.

The CHAIRMAN. If there be no objection that correction will be made.

There was no objection.

Mr. SPRINGER. I move to strike out the line:

Phosphorus, 10 cents per pound.

Mr. KELLEY. We have passed that.

Mr. SPRINGER. Oh, no; the Clerk had just read that line when the gentleman from Pennsylvania rose.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois on that item.

Mr. SPRINGER. I move to strike out that line. According to this report this article yields no revenue to the Government.

Mr. HASKELL. It yielded $14,000 of revenue in the last year.

Mr. SPRINGER. It is not so stated in this paper.

Mr. HASKELL. That may be; but that is the fact.

Mr. SPRINGER. I find on re-examining the table that the gentleman from Kansas is correct in stating this item did yield a revenue; but the table is wrong in not having put the amount on the right line in the column. It did yield $14,000 of revenue. But that being an inconsiderable item I think it would be as well to put the article on the free-list.

I again call the attention of gentlemen to the recommendation of the President that the free-list should be enlarged by putting on it articles that yield an inconsiderable amount of revenue. This yields but $14,000, and ought to be put on the free-list in accordance with the recommendation of the President.

There seems to me nothing more confusing than to have two orthree thousand items of articles coming in from foreign countries to be taxed. It causes an immense custom-house force to be employed to inspect articles coming into this country. It requires a large number of books to enter those articles coming in from day to day. Can gentlemen form any idea of the amount of book-keeping required to keep an account of these little items—the amount of inspection and all that sort of thing?

The book-keeping and other expenses of the Government in the collection of this amount costs more than the revenue received. This duty does not protect any industry, and I think that, as the President recommends, it should be put on the free-list.

I began by moving to strike off glue, because there was but an inconsiderable revenue derived from it, and the Tariff Commission has recommended a reduction of the duty. I propose to ask gentlemen to go with me and the President in cutting off the items which produce but an inconsiderable amount of revenue, and in that way to improve the bill.

[Here the hammer fell.]

The motion of Mr. SPRINGER to strike out was not agreed to.

The Clerk read as follows:

Soaps, hard and soft, all which are not otherwise specially enumerated or provided for in this act, and castile soap, 2 cents per pound.

Fancy, perfumed, and all descriptions of toilet soaps, 15 cents per pound.

Sponges——

Mr. COX, of New York. I move to amend, in line 186 of the bill, by striking out "2 cents per pound" and inserting in lieu thereof "10 per cent. ad valorem," as the rate of duty on soap.

Mr. KELLEY. That has been passed and the Clerk had begun the reading of the clause in relation to "sponges."

The CHAIRMAN. It is true that the clause has been passed, but the gentleman from New York [Mr. COX] was trying to get the ear of the Chair.

Mr. COX, of New York. That is true. I rose, Mr. Chairman, to address you on the question of soap. Soap is an important element, a great motor in civilization. I am glad to see the gentlemen on the other side of the House giving me their very careful attention. [Laughter.]

Mr. HASKELL. It is a new thing for the Democracy to clamor for cheap soap.

Mr. COX, of New York. The gentleman from Kansas [Mr. HASKELL] would perhaps like to have soap taxed very highly, with the view of limiting the sale and use of it in this country. Now, I am in favor of the largest liberty in the use of soap. [Laughter.]

A MEMBER. Soft soap?

Mr. COX, of New York. I do not care whether it is hard soap or soft soap, or this peculiar kind of elegant French soap which by this bill is taxed even lower than your common soap. But there is one kind of soap I would like to see under a prohibition.

A MEMBER. Soft soap?

Mr. COX, of New York. No, it is not soft soap. I mean that kind of soap which was used to carry Indiana in politics.

Mr. KELLEY. In the form of "mules." [Laughter.]

Mr. COX, of New York. I am not making any party remarks. I do not say which party used it. Gentlemen on the other side seem to think it was some reproach to them. I do not say that the Republicans used it, though I might quote your President on that subject, but I will not do it.

Now, it seems to me that after putting a duty of from 25 to 30 per cent. on glycerine, which is a constituent part of soap, if we do not consent to put soap on the free-list we might let it come in under the lowest duty ad valorem. Now, what is soap, technically and carefully considered?

Mr. KELLEY. Will the gentleman from New York [Mr. COX] right there, while he is speaking of a lower ad valorem rate of duty, permit me to state a fact?

Mr. COX, of New York. I do not give way.

Mr. KELLEY. The present ad valorem duty on soaps embraced in this line is 45 per cent.; and we reduce it to 30 per cent.

Mr. COX, of New York. I have never given way to the gentleman; I seldom do give way.

Mr. KELLEY. Well, I have put the statement in.

Mr. COX, of New York. The gentleman in conducting the debate on this bill seems to be following a sort of autocratic mode of his own. Now, gentlemen on this side of the House ought at least to have a little liberty in the five-minute debate; the last election gave us that right. [Laughter.] I have only five minutes on soap.

Sir, give me the man who will give us soap cheaply, and I do not care who writes the songs of the people [great laughter] or who makes the laws of the people. I am in favor of the old Mohammedan doctrine that cleanliness is next to godliness.

When you see a man like my friend from Pennsylvania, covered all over with the smoke of the fiery furnaces of Pennsylvania; when you see men on that side of the House who desire again and again to be

cleansed and purified, so that they may stand up before the people pure and refined, is it not about time that we made soap cheap to everybody?

Give me soap free or give me death [great laughter]—with a preference for the former. If we are to have any sort of tariff made here in the interest of reform, then let us have soap free. If you do not want to protect your little alkali men in Philadelphia; if you do not want to protect all the various fatty substances which the chemist says enter into the constituent parts of soap; if you want to represent your own constituency and make them pure, here is the opportunity. Either put soap on the free-list, or at least make soft soap, hard soap, and common soap as easily reached as your fancy odorous soap that comes into this country from France.

The CHAIRMAN. The time of the gentleman has expired.

Many MEMBERS. Vote! Vote!

The question was taken upon the amendment of Mr. COX, of New York; and it was not agreed to.

Mr. SPRINGER. I move to amend by striking out "2 cents per pound" and inserting "20 per cent. ad valorem."

I see from the census bulletin to which I have already referred that the soap and candle establishments in this country amount in number to six hundred and twenty-nine, and that the product of these factories during the last census year was $26,552,627. The duty during that time upon this article was at the rate of 45 per cent. ad valorem. This was the tax paid by the American people upon the article of soap. It yielded a revenue of less than $100,000. Twenty-five per cent. ad valorem on $26,000,000 would give about $6,000,000 as the amount which the people were taxed by reason of the imposition of this duty. The people are taxed $6,000,000 a year upon soap as a subsidy to the manufacturers, while the Government gets as revenue the pitiful sum of $100,000.

Mr. KELLEY. What is the gentleman giving us? What soap is he talking about?

Mr. SPRINGER. I am giving the gentleman facts—something to which it seems this committee is a stranger. If gentlemen will look at the census bulletin——

Mr. HASKELL. What line of the bill is the gentleman referring to?

Mr. SPRINGER. Let the Clerk read the line; I am not keeping tally for the getleman.

The Clerk read the amendment, as follows:

In line 186 strike out "2 cents per pound" and insert "20 per cent. ad valorem."

Mr. SPRINGER. The rate of duty proposed in this bill amounts to about 31 per cent. I move to make it 20 per cent., which is something like the rate recommended by the Tariff Commission. Gentlemen on the other side promised that we should have in their bill a reduction of 25 per cent. upon these articles. Now we ask that the schedule shall correspond with the "thundering in the index." We ask that we shall have some relief upon some of these items. We have struck nothing as yet in which the reduction to the people amounts to anything. There is a difference between reducing rates and reducing burdens. We desire a reduction of the burdens upon the people. This bill does not afford it in any part that we have yet reached. Here is an item which yields less than $100,000 of revenue annually, an article on account of which the people pay $6,000,000 of tribute.

The question being taken on the amendment of Mr. SPRINGER, it was not agreed to; there being—ayes 43, noes 79.

Mr. SPRINGER. I am amazed. [Laughter.]

The Clerk read as follows:

Fancy, perfumed, and all descriptions of toilet soaps, 15 cents per pound.

Mr. SPRINGER. I move to amend by striking out "15 cents per pound" and inserting "20 per cent. ad valorem."

Mr. HASKELL. That is an advance on the average rate.

Mr. SPRINGER. The rate proposed in this bill, as I understand, amounts to about 30 per cent.

The amendment of Mr. SPRINGER was not agreed to.

Mr. HEWITT, of Alabama. I move to amend by striking out "15 cents per pound" and inserting "30 per cent. ad valorem." Mr. Chairman, I make this motion in good faith, because I am in favor of this Congress passing some bill upon this subject. Thirty per cent. ad valorem is about equivalent upon an average to 15 cents per pound. Of these fancy soaps there are nearly two hundred varieties, varying in price from 25 cents a pound up to $2 or $3 a pound. The duty of 15 cents a pound would be prohibitory upon the lower grades of these fancy soaps. It seems to me that in all cases where there is such a variety in the articles and such a difference in prices an ad valorem duty would be better than a specific duty. I have therefore offered this amendment in good faith. I will add the statement, which I think I have a right to make, that this amendment has been adopted by a vote of the Senate after full discussion.

The amendment of Mr. HEWITT, of Alabama, was not agreed to.

The Clerk read as follows:

Sponges, 20 per cent. ad valorem.

Mr. WHEELER. Mr. Chairmaan, I move to amend by striking out the line just read. It has been stated on the other side of the House that we must have specific duties to prevent undervaluation and fraud. The distinguished gentleman from Ohio [Mr. MCKINLEY] gave us a long lecture on this subject last Saturday. We went to great expense to create a tariff commission. They worked hard all summer. They took an immense amount of evidence, and here we have it printed in two large volumes.

It is elaborate enough and voluminous enough to make a very respectable contested-election case.

I have examined the volumes and I find but one paragraph of evidence upon the subject of sponges.

Opposed as we are to specific duties, we must admit that a committee so partial to them might have regarded this evidence as pointedly indicating this as a special case where specific duties were warranted.

The evidence I refer to which explains what sponges are, and the difficulties encountered in collecting duties thereon, is expressed in these words:

A crude substance: the sponge trade is chiefly in the hands of the Hebrews, and is very largely undervalued at the custom-house.

I do not concur with regard to the implied reflection upon the integrity of Hebrews. My experience and observation long since taught me that all the virtue and morality is not confined to people of other religions. The Hebrews I have had the good fortune to meet are most exemplary as citizens, industrious, and honest in their business relations. I have never seen a Jew drunkard, a Jew beggar, or a Jew thief. There is much in them to admire, particularly in their charity toward each other. And it is very possible that a close investigation would show that somebody besides Jews has undervalued these articles; but with this undisputed evidence of undervaluation before the commission and before the Committee on Ways and Means, they seem for the moment to forget their arguments against ad valorem tax and adopt that character of duty in a case where it should certainly be specific. I simply refer to this to show the inconsistencies of the present bill and to demonstrate that the great efforts of the Tariff Commission have not done us much good.

Mr. DAVIDSON. I rise to oppose the amendment. I know not whether I will agree with my friend from Alabama in reference to cotton-ties or not, but I disagree with him on the question of sponges, and I hope the committee will vote his proposition down.

Mr. HASKELL. I wish to say a word concerning this article of sponges. Several times honorable gentlemen on the other side have made remarks to show the inconsistency of the committee, and all that sort of stuff. I wish to say on sponges there is not enough of wisdom in all humanity to make a specific rate that will work on sponges.

Mr. WHEELER. For that reason why not put it on the free-list?

Mr. HASKELL. Some of them are almost valueless and some of them are worth over a dollar a pound, and between these extreme rates no specific rate can be levied at all. The only thing which could be done is to put them at this ad valorem rate.

Mr. WHEELER'S amendment was disagreed to.

The Clerk read as follows:

Sumac, one-half of 1 cent per pound.

Mr. HERBERT. In line 190 I move to strike out "one-half of 1 cent per pound" and in lieu thereof to insert "three-tenths of 1 cent per pound."

Mr. Chairman, this item of sumac is more important than it would seem to be at first blush. The proposition of the committee is to increase it about 150 per cent. over the present tax on sumac. The purpose is to catch votes in Virginia, which gentlemen seem to think they will need to enable them to sustain their high tariff. Sumac is used in dyeing and principally in tanning goat-skins.

Mr. ROBINSON, of Massachusetts. Does my friend from Alabama mean to insinuate that the Virginia members can be bought on such a trifling matter as that?

Mr. HERBERT. I have not time to go into that.

Mr. WHEELER. That was the argument of the other side of the House last winter.

Mr. HERBERT. I have not time now to go into that.

Mr. ROBINSON, of Massachusetts. I will withdraw my interruption.

Mr. HERBERT. Sumac is used principally in tanning goat-skins. Manufacturers of sumac came before the committee—before the commission first—and asked an increase of duty on sumac to prevent the importation of the foreign article. So it was increased from 10 per cent. ad valorem, at which it is now, and where it yields a revenue of $46,441, up to one-half of 1 cent per pound, which it is estimated by the statisticians will yield a revenue of $87,437, being an increase of nearly 100 per cent.

Yet further to favor that industry an increase was asked on tanned goat-skins, and it will be seen by gentlemen looking further on in the bill that the committee have recommended an increase of from 10 to 25 per cent. on that article. Now, the revenue on tanned goat-skins is at present $131,850. This increase by the committee in these two items will be practically prohibitory, so that we shall lose $46,000 revenue, or nearly that—entirely that if it be prohibitory on sumac, and we shall lose $87,000 on tanned goat-skins.

What is the result? The farmer has to compete with the foreigner who brings in goat-skins untanned because that is the shape in which the

goat-skins arrive and leave the hand of the farmer. Untanned goat-skins are brought in free to compete with him, but the tanner is not allowed to compete with the farmer, and the sumac-gatherer is not allowed to compete with the farmer. Both of them have the benefit, and the effect of that tax is to add to the price of morocco leather, or leather out of which the common ladies' shoes are made. So that when a farmer comes to buy a pair of Sunday shoes for his wife or daughter he has to pay an increased tribute under this bill; first, to the sumac-gatherer, which helps the tariff men, and secondly, to the tanner, which also helps them, and lastly, the revenues are decreased $150,000.

[Here the hammer fell.]

The committee divided; and there were—ayes 35, noes 63.

So Mr. HERBERT's amendment was rejected.

Mr. RANDALL. After the word "sumac," I move to insert the word "ground." It makes the text clear. It is the proper definition. When sumac is sent to market it always comes in that condition, and therefore the proper phrase is "sumac, ground."

The amendment was agreed to.

The Clerk read as follows:

Sumac, extract of, 20 per cent. ad valorem.

Mr. ANDERSON. I see by the table——

The CHAIRMAN. What is the gentleman's amendment?

Mr. ANDERSON. I move to make the rate the same as it is under the present law.

If I understand these tables, Mr. Chairman——

The CHAIRMAN. The Chair has not been able to get the amendment of the gentleman.

Mr. ANDERSON. My motion is to strike out "twenty," in line 191, and insert "ten;" so as to make it conform to the present law.

I make that motion for the purpose of obtaining some little information upon the subject. As I understand these tables under the present law the equivalent duty on this article is 10 per cent. ad valorem. By the proposition embodied in the House bill it is 18.96 per cent. In other words I would like to inquire two things: first, as to whether the Tariff Commission recommended in their report to put this article on the free-list, and secondly, whether the Committee on Ways and Means have increased the rate of duty?

Mr. HASKELL. Sumac, extract of, is 20 per cent. ad valorem under the present law.

Mr. ANDERSON. I withdraw the amendment.

The Clerk read as follows:

Acid, acetic, acetous, or pyroligneous acid, not exceeding the specific gravity of 1.047, 2 cents per pound; exceeding the specific gravity of 1.047, 10 cents per pound.

Mr. TOWNSHEND, of Illinois. I move that this paragraph be stricken from the bill, and that these articles be placed upon the free-list.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Illinois.

The Clerk read as follows:

Strike out lines 192, 193, 194, 195, and 196, and place the articles enumerated therein upon the free-list.

Mr. TOWNSHEND, of Illinois. Mr. Chairman, the statement furnished to us from the Treasury Department shows that of these acids those not exceeding the specific gravity of 1.047 realized to the Treasury last year in the shape of revenue $176. The same authority estimates that after the reduction made by the Tariff Commission to 2 cents a pound the Treasury will only realize in revenue for the coming year $70.40.

On the acids embraced in this clause which exceed the specific gravity of 1.047 the estimates are that there will be realized in the shape of revenue only 20 cents next year. Now, it is plainly to be seen that this is simply a prohibitory statute. It is not protection, as the term is ordinarily understood; it is prohibition in its worst form.

Gentlemen upon the other side of the House have frequently insisted during the course of this debate that the object of the tariff was, first, to furnish protection to American labor; and next that it should be a system which would realize sufficient revenues for the support of the Government. I believe, Mr. Chairman, in the light of facts which are apparent all through this bill, that the pretense is wholly without foundation and that there is no truth in it.

In the second item embodied in this paragraph there is no revenue to be realized, as I have said, and I assert here without fear of contradiction that there is in this instance no purpose to raise revenue. What is the object of such a prohibitory tax? These acids, I understand, are used in making dyes for cotton goods.

I can not see how you are protecting American labor engaged in manufacturing when you are hampering the introduction into this country and enhancing the cost of the crude materials which enter into the manufactures of such of our important industries as the manufactures of cotton goods. This bill in reality will prove to be an injury and oppression to the American laborer. It must be evident to all who study this bill that the claim so often made here that this revision is intended merely as a protection to the laborers in the industries of the country is false. The census statistics compiled during the last year upon examination will disclose the fact that during 1880 there was found to be invested in manufacturing enterprises of all kinds in the United States $2,790,272,660 of capital.

It will be further discovered by reference to the tables accompanying the census that there was paid out in the shape of wages the sum of $967,953,795; there was paid for material used in the different manufactures something over $3,000,000,000, and the value of the product was in excess of $5,000,000,000. I have made an estimate from these different tables and have discovered that the percentage of the profit to capital invested in all manufactures during that year was 70.7 per cent., and that the income on labor was only 29.3 per cent. Your bill, then, is made for the purpose of enabling capital to realize 70.7 per cent. profit and made to realize only 29.3 per cent. for labor.

When, Mr. Chairman, the bill of 1842 was under consideration in Congress in 1846, and the effort was being made to reduce the taxation there, a famous, able, and courageous man representing the State of Pennsylvania, David Wilmot, declared on the floor of the House that protection was an abomination. What would that great Pennsylvanian say of this bill if he were present at this time?

Mr. KELLEY. He lived to stump his State for protection every year throughout a series of years after that.

Mr. TOWNSHEND, of Illinois. I have but five minutes, and hope the gentleman will not take it from me.

I would that we had the voices of such Pennsylvanians to-day to denounce the iniquities that you propose to perpetrate upon the country under the present so-called tariff bill. Mr. Chairman, I trust I may be permitted to quote the language of that great Pennsylvanian, David Wilmot, in Congress, on the occasion to which I have referred. He said in reference to that tariff bill that he "believed it to be unjust and oppressive, inflicting heavy burdens upon the interests of the country for the purpose of building up a monopoly or privileged class in the land." He believed it to be "a bill of abominations, in violation of the genius of our institutions, of the provisions of our Constitution, and fatally subversive of the rights and liberties of the people." He was in favor of "a revenue tariff, of an equal, just, and constitutional tariff, which would grant equal protection to all, exclusive privileges to none."

I would to God, Mr. Chairman, that the Pennsylvanians here to-day had the courage and the patriotic convictions that David Wilmot had in 1846.

Mr. RANDALL. I desire to speak to the paragraph. These two articles first mentioned here, all three in fact, are made principally from wood. Formerly they were made from whisky. The reduction, taking the equivalent ad valorem, is in the first case from 25 per cent. to 10 per cent., and in the other from 60 per cent. to 20 per cent.; a very large reduction.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BRIGGS having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed with amendments, in which the concurrence of the House was requested, the joint resolution (H. Res. 323) making appropriations for continuing the work of the Tenth Census.

The Committee of the Whole resumed its session.

TARIFF.

Mr. HASKELL. I desire to say a word on this item, because it furnishes a good illustration of the wise policy of the committee. We have reduced the duty from 5 cents per pound to 2 cents, and from 30 cents per pound to 10 cents per pound. It is the acid used in the reduction of lead, and we have put the rate at what it is in the bill for the purpose of making the business thoroughly competitive.

Mr. TOWNSHEND, of Illinois. Its use is in dyeing, not in manufacturing.

Mr. HASKELL. The gentleman is mistaken.

Mr. TOWNSHEND, of Illinois. I am quoting from good authority—Mr. ALDRICH, of Rhode Island.

Mr. HASKELL. It is used in the manufacture of dyes, but its great consumption is in the corroding of leads. And we have got here a rate which will enable the tide-water industries to import the article if the prices at home are found to be too high. We have made this great reduction in the interest of competition.

Mr. TOWNSHEND, of Illinois. Why, then, do the Treasury officials say that only 20 cents will be realized from this article next year?

Mr. HASKELL. Because they went on the basis of the importation under the old rate of 30 cents per pound.

Mr. TOWNSHEND, of Illinois. But that rate is changed and they give 20 cents as the amount of importation under the new rate.

Mr. HASKELL. The gentleman from Illinois ought to know that these estimates are based on the importations of last year. They have been stated to be unfair and this very item shows they are unfair; because in reducing the rate from 30 cents a pound to 10 cents a pound the duty ceases to be prohibitory and imports will be allowed.

Mr. SPRINGER. I am glad to hear the gentleman say that in this case the rates have been reduced from being prohibitory so as to allow importation.

Mr. TOWNSHEND, of Illinois. The table estimates what I have

mentioned as the importation under the reduced tariff proposed by the committee.

Mr. HASKELL. The gentleman does not seem to understand the estimates of the expert at all. If the same importations should continue the next year as last year, the expert says the result would be so and so; but the expert does not say what will be the amount of duty received under this bill. That is, it has not come into his method of making his estimates that in reducing the duty from the prohibitory rate of 30 cents to a revenue rate of 10 cents there would be undoubtedly importation. So that this item which has been made the occasion of a severe criticism of the committee is really illustrative in every line of it of that policy which the committee has followed wherever it found a prohibitory rate, to lower it in the interest of competition.

Mr. SPRINGER rose.

Mr. KELLEY. Will the gentleman from Illinois allow me one moment before he proceeds? I want to say to his colleague [Mr. TOWNSHEND] that I have here the tariff of 1846, for the defense of which he so eulogized Wilmot, who, like myself at that time, had scales on his eyes and was a free-trader. And I wish to say that that tariff put a higher duty on these acids than we now propose to put on them. According to the gentleman from Illinois, what was all right then is all wrong now.

Mr. TOWNSHEND, of Illinois. Mr. Wilmot said that same bill of 1846 was a bill of abominations, and I am satisfied if he were here now he would say the same thing of this bill.

Mr. KELLEY. That was the bill of 1842. You eulogized him for approving your free-trade bill of 1846, which put higher duties on these articles than the committee now proposes.

Mr. SPRINGER. I thank the Committee on Ways and Means for putting one line in this bill that seems to follow the recommendations of the Tariff Commission and responds to the demands of the people for a revenue tariff. They have taken an article from the prohibitory list, to-wit: acids, of which only 3,000 pounds were imported last year under one head and 2 pounds under the other, and put such rates upon it that it may yield revenue.

The committee are to be commended for its wisdom here, and the only thing I regret is that the wisdom has only been apparent in two lines of the bill up to this point, while the rule has been the other way on all the other articles.

I am also much obliged to the gentleman from Kansas [Mr. HASKELL] for the statement that this estimate as to the amount of reductions under this bill is delusive and unreliable. The Treasury stated under these items there would be with the same importations as last year $70.40 of revenue in one case and 20 cents of revenue in the other, an inconsiderable revenue not worth the collection. But the gentleman from Kansas reminds us that when you have reduced the rate you have raised the revenue, and therefore we may expect a large sum of money under this tax in the next fiscal year after this law goes into effect.

That is the admission of a fact which gentlemen on this side of the House have been trying to beat into the minds of our colleagues on the other side ever since this tariff discussion began; that is, that a reduction of rates which are now prohibitory and above the revenue standard will increase the revenues of the Government.

If there is any reduction of rates proposed by this bill, instead of reducing the revenues of the Government it will, as the gentleman from Kansas has just stated, increase the revenues. Therefore, wherein this bill is right it will increase the revenues of the Government, and wherein it is wrong it will increase the subsidies to manufacturers. I therefore ask gentlemen to reverse their policy, the rule of this bill, and make the exception the rule, and we will then have a good revenue tariff.

I withdraw my *pro forma* amendment and will support the motion of my colleague [Mr. TOWNSHEND].

Mr. ROSECRANS. Has the time for debate expired upon the pending amendment?

The CHAIRMAN. It has.

Mr. ROSECRANS. Then I will move to strike out the last word. In looking over four pages of this tariff bill I have found twenty-one articles on the dutiable list, the highest revenue produced from any of them being $768, and the most of them yielding little or nothing in the way of revenue. In regard to the article now under consideration I notice it is estimated that the rate here proposed will yield a revenue of 20 cents.

I did feel disposed to submit to this House the propriety of striking from the list of dutiable articles all those which are not fairly estimated to yield a thousand dollars a year of revenue. But I find that those who are skilled in supplying the information upon which the Committee on Ways and Means is obliged to act have shown various ways in which such a course would not be advisable; that perhaps such a rule as that might strike some article which ought not to be stricken from the dutiable list. I hesitate, therefore, whether or not to submit such a proposition.

I intended to submit the very motion which has been made by the honorable gentleman from Illinois [Mr. TOWNSHEND]. I suggest to the House to consider whether or not it may not be better to strike from the dutiable list in this tariff bill all articles that will not yield a revenue of $1,000 a year. I do not make the motion, but I suggest it to the committee. In this particular case I believe the article should be stricken from the dutiable list.

Mr. SPRINGER. That is what the President has recommended.

Mr. BUCKNER. Allow me to say to the gentleman from California [Mr. ROSECRANS] that the Secretary of the Treasury some years ago recommended that all articles should be stricken from the dutiable list which did not yield a revenue of $10,000 a year.

Mr. ROSECRANS. I withdraw my *pro forma* amendment.

The question was taken upon the motion of Mr. TOWNSHEND, of Illinois, to strike out the pending paragraph, and it was not agreed to.

The Clerk read as follows:

Acid, citric, 10 cents per pound.
Acid, tartaric, 10 cents per pound.

Mr. CARLISLE. Here is another item which yields very little revenue; last year but $1.27. I move to strike out the clause "Acid, tartaric, 10 cents per pound."

I desire simply to say that this article now yields a revenue of $1.27; and should this bill become a law and there should be the same importations under it as under the present law, this article would yield a yearly revenue of but 85 cents.

Mr. KELLEY. But we propose to reduce the duty on this article 33 per cent.

Mr. CARLISLE. What difference will that make?

Mr. KELLEY. And under the general doctrine that with lower duties we will obtain more revenue, we will under the proposed duty get more revenue from this article.

Mr. CARLISLE. Why retain a long list of articles which yield but a few dollars or cents each of revenue? Why not simplify the tariff laws of the country by putting all such articles on the free-list?

Mr. SPRINGER. Will the gentleman from Pennsylvania [Mr. KELLEY] state to the committee whether this reduction of the rate of duty will increase the revenue?

Mr. KELLEY. I believe it will; but I can not tell what will be the condition of the weather on any day next year.

Mr. SPRINGER. Is not that the effect of reducing prohibitory rates of duty, to increase the revenues of the Government?

Mr. KASSON. The question is whether this proposed duty will not be equally prohibitory.

Mr. SPRINGER. I am asking the gentleman from Pennsylvania the question.

Mr. KELLEY. A reduction of duties which are now prohibitory to a rate which will permit importations will increase revenue.

Mr. SPRINGER. Yes.

Mr. KELLEY. That is an inflexible law.

Mr. SPRINGER. Certainly.

Mr. HASKELL. As is the axiom that two and two make four.

Mr. KELLEY. I believe that by reducing the rate of duty on this article 33 per cent. we will give a chance for competitive importations; but I think it would be dangerous to put the article on the free-list.

Mr. MORRISON. If my colleague [Mr. SPRINGER] will allow me, I will ask the gentleman from Pennsylvania [Mr. KELLEY] if the object of reducing the rate of duty on this article or any other was to invite importations?

Mr. KELLEY. I do not know that it was; I can not speak for you.

Mr. HASKELL. Allow me to make just a statement to illustrate what my friend from Illinois [Mr. SPRINGER] is driving at. He scolds us if we do not reduce rates of duties, and says that we are leaving burdens on the people. And then when we do reduce the rates, precisely as he asks us to do, he stands up in holy horror and says that the reduction of the rates will increase the revenues of the Government, and they do not want to increase the burdens of the people.

Mr. SPRINGER. Allow me a single word in answer to the gentleman from Kansas [Mr. HASKELL]. The gentleman says that I complain of the reduction of the rates of duty so as to produce increased revenue. I do not complain of that. I am perfectly willing to make this tariff a revenue tariff, and to put on the free-list a sufficient number of articles to reduce the revenue to be derived under this tariff to the amount needed by the Government. That is what I am in favor of. We can not do that by rates which are prohibitory, or which amount to prohibition, on the principle of high protection to home industry.

Mr. SPARKS. Mr. Chairman——

The CHAIRMAN. Does the gentleman rise to oppose the amendment?

Mr. HAMMOND, of Georgia. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAMMOND, of Georgia. The estimated income from this article, under the proposed rate of duty, is 85 cents. Now, I want to know if I should pay that sum now, will that stop the debate and get this item out of the bill? [Laughter.]

Mr. SPARKS. Mr. Chairman, I desire to say that this is a reduction of taxes just such as I tried to depict yesterday when I made a few remarks on this bill. This item is a fair exemplar of the spirit and intent of the whole bill. This item is a palpable cheat and a fraud upon the people of the country. That there is proposed here a reduction of duty from 15 cents to 10 cents per pound on this article is an unquestioned fact. But you will perceive, sir, that it is made upon an article the rev-

enues from which amounted to the enormous sum of $1.27 for the last fiscal year. The reduction leaves it in such shape that for the next year it is estimated to amount to 85 cents. Now, sir, let these reformers of the tariff go before the people and tell them that we are reducing taxes; that we have reduced the tax on the whole importation of tartaric acid from $1.27 to 85 cents per annum. And this sort of a sham is to be paraded before the tax-payers of this country as a "tariff reform."

Will they not be delighted when they learn that the 54,000,000 people of this country, instead of paying the aggregate sum of $1.27 upon the importation of tartaric acid, upon the recommendation of this junketing Tariff Commission and by a bill matured and brought into Congress by the Committee on Ways and Means of this House they will hereafter have to pay only 85 cents? Sir, I feel that this 54,000,000 of people should in great humility and with much thankfulness express to the committee and to the House their great obligations for this reduction. I hope, however, that they will pause long enough in doing so to give me some little consideration for trying in my humble way to expose this most egregious "sham."

The question being taken on the amendment of Mr. CARLISLE, it was not agreed to.

The Clerk read as follows:

Camphor, refined, 5 cents per pound.

Mr. TOWNSHEND, of Illinois. I desire to offer an amendment to strike out the line last read.

Mr. TUCKER. Allow me to make a suggestion in the interest of all parties. The Clerk reads very fast and sometimes in these short items passes so rapidly from one to another that members have not time to get in their amendments. Would it not be well for the Clerk, after reading a line or paragraph, to pause for a moment to see whether any one desires to offer an amendment?

The CHAIRMAN. The Chair will not take advantage of any haste in the reading of the bill.

Mr. TOWNSHEND, of Illinois. I move to amend by striking out the line last read. Mr. Chairman, the amount of refined camphor imported into the United States last year was eleven pounds; the value of that import was $5, and the amount of revenue derived from it 55 cents. The Committee on Ways and Means and the Tariff Commission have not proposed any change whatever in this rate of duty. Therefore it was an easy task for the Treasury official to estimate, as he has done in this table, the amount of revenue which will be realized next year at 55 cents.

Mr. Chairman, this is one of the best illustrations of the effect of the present bill in enabling men to become rich by law at the expense of those who dig their money out of the soil or earn it in the sweat of their brow. In my judgment no good excuse can be given by this committee for continuing this rate of duty, when the fact stares them squarely in the face that there will not be any greater amount of revenue derived from it the coming year than was derived the last year, as the existing rate of duty is continued. It is purely and simply a prohibitory tax. The bill virtually says to the American people you shall not buy this article from any person except the few favored individuals engaged in its manufacture in this country.

The manufacturers engaged in the manufacture of this article are demanding at the hands of Congress that we shall enrich them by legislation—that we shall vote them bounty out of the pockets of people who earn their money by honest labor. This is all I wanted to say in regard to this article. I hope the committee will strike out this item and place it in the free-list.

Mr. HEPBURN. Mr. Chairman, I wish to call the attention of the House to the sincerity of the gentleman who has last spoken. I remember that he has been the eulogist of the tariff of 1846.

Mr. TOWNSHEND, of Illinois. I was not. I was quoting David Wilmot.

Mr. HEPBURN. The gentleman was eulogizing David Wilmot for eulogizing that tariff.

Mr. TOWNSHEND, of Illinois. No, sir; he did not eulogize the tariff of 1846.

Mr. HEPBURN. Let me call the gentleman's attention to the fact——

Mr. TOWNSHEND, of Illinois. Will the gentleman allow me one word?

Mr. HEPBURN. No, sir; not now. At the last session of Congress, upon a proposition of the gentleman from Texas declaring that the tariff of 1846 was the proper one to be adopted by this House, the gentleman from Illinois voted "ay."

Now, in that tariff of 1846 which the gentleman eulogized and which he declared was the proper one for this country to adopt, I find that this same article so constantly in use by the poor (the champion of whom the gentleman is) was taxed 9 cents a pound or 40 per cent. [laughter], while this bill reduces the tax nearly 100 per cent. I simply call the attention of the House to the consistency of the gentleman in thus declaring himself so earnestly in favor of the poor. [Laughter and applause.]

Mr. TOWNSHEND, of Illinois. Mr. Chairman, I move to amend the amendment by striking out the last word. My friend from Iowa [Mr. HEPBURN] was mistaken in saying that I had eulogized the tariff of 1846. I was simply calling attention to the fact that Pennsylvania at that day had a brave, truthful representative, who in scathing language denounced the doctrine of protection as an abomination when discussing the tariff of 1846.

But while on my feet I will say to my friend that there are many things in the tariff of 1846 which I do heartily approve. I think it was a vast improvement over the tariff of 1842, and was a much better tariff than the present or the one embraced in this bill. The tariff of 1846 contained some provisions which were not wise; but it was in the main right. It was mainly a revenue tariff, and without injuring any legitimate manufacturing interest increased the revenues of the Government enormously. The operation and effect of the protective tariff of 1842 and the revenue tariff of 1846 illustrated the difference between the two systems and the great advantage of the latter to the masses and the country.

Mr. BUCK. The tariff of 1846 ruined nearly every woolen manufacturer in Connecticut. I name especially the Thompson Carpet Manufactory of Thompsonville, and the woolen manufactory of Rockville.

Mr. TOWNSHEND, of Illinois. I do not know what the effect of the tariff of 1846 was upon the few individuals engaged in the manufactures mentioned, the few bloated aristocrats engaged in woolen manufacture in Connecticut. [Laughter and applause.] I know it brought relief to the homes of the poor and the laboring classes of the country.

I also know that the tariff of 1846 brought an era of prosperity to the industries that never previously existed at any period under a protective tariff. Now, all I wish to say to my friend is——

[Here the hammer fell.]

The CHAIRMAN. Does the gentleman withdraw his *pro forma* amendment to the amendment?

Mr. TOWNSHEND, of Illinois. I do.

The amendment of Mr. TOWNSHEND, of Illinois, was then disagreed to.

The Clerk read as follows:

Castor beans or seeds, 50 cents per bushel of fifty pounds.

Mr. COX, of New York. I move to add at the end, after the word "pounds," the following words:

Provided, The same shall not exceed 39 per cent. ad valorem.

It seems, sir, these castor-beans are used in this country for the purpose of making—what gentlemen on the other side of the House will at once understand—making castor-oil. [Laughter.] It is in fact what may be properly termed an infant industry. [Renewed laughter.] Scarcely any member of this House, even my venerable friend from Pennsylvania, but will recall something of those early days when he was compelled, irrespective of duties, specific or otherwise, to take the pure castor-oil which is expressed in this country between heated plates of Pennsylvania iron from the bean.

Mr. KELLEY. I do not remember as they used senna and manna in my family. [Laughter.]

Mr. COX, of New York. The gentleman does not perhaps remember it or perhaps never underwent that sort of purgation. I made a speech a moment ago in favor of soap. Now, soap only takes care of the outside of the platter. The gentleman from Pennsylvania perhaps got something internal and got it no doubt free of duty. [Laughter.]

But to come back to the matter seriously. Here we have castor beans or seeds, 50 cents per bushel of fifty pounds. There are only eight establishments making this oil, only one hundred and eighty-seven persons, males, engaged in it, and one child. I have the reports here—and only $474,000 of money invested in it.

Mr. KELLEY. Not more people than that engaged in raising castor-beans?

Mr. COX, of New York. In making castor-oil.

Mr. KELLEY. You are talking about beans.

Mr. COX, of New York. I am talking of both, for one is the product of the other. You see by these tables there is no importation of beans.

Mr. KELLEY. One is the product of the other, for without castor-beans there would be no castor-oil.

Mr. COX, of New York. I will do my own process of ratiocination.

Mr. KELLEY. That word knocks me. [Laughter.]

Mr. COX, of New York. If I do not connect the oil with the bean then my remarks will go for nothing. I will make the "concatenation" accordingly. [Laughter.]

Mr. Chairman, just look at it. Our castor-beans imported last year amounted to 47,000 bushels—$18,000 worth—on which the duty collected was $28,000. It is estimated now we shall have $23,000 revenue from it. The tax on it is 50 cents a bushel now, over 48 per cent. ad valorem. It appears on the castor-bean there has been a reduction from last year, that is from the present tariff I mean; a small reduction of 58 per cent. to 48 per cent.; and I should like to know from this committee, from these gentlemen who have these castor-beans raised in their own districts, why it is that they raise this tariff above the estimates of the commission. They did it and they have never given any reason for it. They are thoroughly dumb.

Mr. KELLEY. You are using such large words you ought not to challenge me.

Mr. COX, of New York. You are using such large ad valorems I must use words in comparison with them. [Laughter.] The gentleman can give no reason why they have raised it above the estimates of the Tariff Commission. When we come to find it out perhaps ten to one but what we will find it is done in favor of some infant industry in Kansas and Pennsylvania, or somewhere else in connection with this matter. They raise beans out there, and the beans make oil, and there is a little joker in connection with this business somewhere. [Laughter.] If the object of this bill is as I think it is, or if the result of the bill is to make all our duties which are raised or produced in this country scarcer and harder they succeed by these high tariffs.

What is the tariff on this castor-oil? I do not mean the bean; on the bean it is 40 per cent. What is the tariff on castor-oil now? Why, sir, it is 128 per cent., and yet they now propose to get it up higher and beyond what the commission had recommended.

[Here the hammer fell.]

Mr. SPRINGER. I move to strike out the last word. I ask the chairman of the committee why on this item the committee concluded to raise the rate from 20 to 50 cents a bushel? Thirty was the rate recommended by the Tariff Commission, a body which was created for the purpose of representing all of the industries of the country, and I had supposed all of them had a representative on it, but it seems that the castor-bean was omitted from the members of that committee and they have asked for a rate here of 30 cents a bushel as the rate of tax on the bean. Now, the gentlemen composing the Committee on Ways and Means have raised it to 50 cents a bushel, and I wish to know whether there is any reason for it. That is all. [Cries of "Vote!"]

Mr. RANDALL. I think I can answer that.

Mr. SPRINGER. That is right.

Mr. RANDALL. This is a Western interest, and I voted in the committee at the instance, as I understood, of an Illinois manufacturer.

Mr. SPRINGER. Well I can speak for Illinois. I can tell the gentlemen that Illinois does not want any protection on beans. If it was put into the tariff on the assumed wish of the State of Illinois it had just as well be taken off.

Mr. HASKELL. I will speak for that item. This is a matter of considerable importance, and if I can have the attention of the committee for a moment I think they will agree with me. In the entire Mississippi Valley the castor-bean crop—taking in the States of Illinois, Nebraska, Missouri, Arkansas and Kansas—is one of the most valuable crops raised to the Western farmer, valuable in that the product comes into market at the season it does, and furnishing labor to women and children in picking the pods as it does. And more than that, it is better than the old fashioned clover crop for improving some of the soils of our prairie lands throughout the West. Now the commission rate fixed upon this article was regarded by the farmers who raise this product, and other persons affected indirectly or in any manner connected with this industry, as too low a rate.

Mr. BUCKNER. Let me ask the gentleman from Kansas whether the Tariff Commission report shows in any form that any farmer asked a higher rate of duty?

Mr. HASKELL. I do not know that any farmer appeared before the committee or the commission.

Mr. COX, of New York. But the manufacturers did.

Mr. HASKELL. But I do know that until the tariff was placed upon this article none of these beans were raised in this country to any extent. I know that when the tariff was placed upon it it sprang up as one of the valuable agricultural products of the West. I know it has reduced the price of the oil about one-half by the protection we gave to the crude material.

I voted in the committee to increase the duty on it in this particular item because I believed, since we were to have a protective tariff bill, that a crop as valuable as I know this to be ought to receive the same care that every other item in the bill will receive. I want to say further, that on my own motion in the committee the present tariff rate on the beans and oil was reduced 20 per cent.—the average reduction made by the bill.

Now, I hope in justice and fairness, that this great agricultural product, so valuable to the Mississippi Valley, will not be singled out for invidious amendments.

The CHAIRMAN. Debate upon the pending amendment is exhausted.

Mr. SPRINGER. I withdraw the *pro forma* amendment.

Mr. SPARKS. Mr. Chairman, I renew the amendment. I wish at this stage of the discussion and on this item of reduction of the import duties on this agricultural product to say a word in behalf of the 11,000,000 of producers of the Mississippi Valley.

I am quite reasonably supposed to be authorized to speak in behalf of agricultural products. I represent a constituency entirely devoted to farming pursuits, an intelligent, thrifty population, who in the main are the owners and proprietors of the acres they cultivate, and in a region of country which for variety of products and fertility of soil has no superior on earth.

Sir, this bill is paraded here as one in the interests of the people of this whole country and fair in its provisions as to all. It is pretended to be based upon the theory of "protection" of the labor and industries of the whole people.

Let us examine it and see how this pretension is sustained as to that vast and indispensable agricultural industry of that great interior valley to which I have alluded.

I will take as an example the single State of Illinois, which, as will be seen on examination of the census statistics of 1880, on simply three of its varied cereal products was for the year preceding (1879) as follows:

	Bushels.
Corn	325,792,481
Wheat	51,110,502
Oats	63,189,200

to which the product of hay, 2,595,530 tons, makes an aggregate of productions for a single year absolutely bewildering in its vastness.

And yet this great industry, of which the exhibit I have just given is but a mere fraction, has no part or lot in the grand "protective" policy so lauded and paraded as the basis of this pretentious, discriminative bill.

No, sir; the millions of agricultural producers and the great body of the laboring men of this country have no share in discriminating legislation such as is proposed by this bill, except to be cheated and deluded by its advocates, to bear the burdens it imposes, and to pay the bounties to the favored monopolists in the interests of whom it was notoriously concocted.

Talk about legislative "protection" of home industries!

Take the vast corn crops of the West, the wheat crops, the oats crops, the hay crops, and the scores of other productions, running into billions in bushels and millions in tons; take the immense beef production, and the pork and bacon and lard products of that great region, enough to feed empires, and tell me upon which or any of them you propose to apply the lauded "protective" policy with which this iniquitous bill so abundantly abounds.

I will answer my own question, sir, and tell you, in the face of a cheated people, upon none of them.

And I will tell you more, sir; you can not by legislative enactments, imposing duties on imports with "protective" provisions in them, protect any of these products. And the intelligent legislator who pretends to do so knows that he attempts a delusion; and he also knows that when, by "protective" legislation he subsidizes by rich bounties the manufacturing industries, he not only builds up and fosters monopoly but accomplishes that end by a robbery of the agricultural, producing, and other labor industries of the country.

[Here the hammer fell.]

The CHAIRMAN. The Chair understands the *pro forma* amendment to be withdrawn.

Mr. SPARKS. I withdraw the *pro forma* amendment.

Mr. THOMAS. I renew the amendment which has just been withdrawn.

When Congress attempts to protect the agricultural interests of this country, we are met by the free-traders with a howl of ridicule. They make their campaigns through the country, going before the agricultural people, howling in their ears at every cross-road and from every stump that the legislation of this country is all in the interests of the manufacturer with nothing for the farmer.

When the Committee on Ways and Means bring in a provision here which fosters an industry and an interest which is quite respectable in the State that I come from, we see the Representatives, three in number, Democratic Representatives, representatives of cheap labor, representatives of the idea that labor is dishonorable and ought to be degraded, rise to their feet and howl in ridicule. Angry and chagrined that the protection given in this bill is not entirely destroyed, they hope to accomplish that result by ridiculing the reduction which has been made. However small the production of this article may be, I should like to see it protected substantially. I should like to see these industries encouraged. And I speak for that part of Illinois, that Egyptian district, sir, that believes in a protective tariff, that is in favor of having the agricultural interest protected and built up and their rights recognized by the legislation of this country.

And when the gentleman from the Sangamon district [Mr. SPRINGER] rises in his place and complacently proposes to speak for Illinois, I would suggest to him that it might be well for him to wait until the Legislature of the State of Illinois spreads his jurisdiction over a greater territory than is embraced within its present limits before he speaks so volubly for Illinois in the interest of free trade and cheap labor.

Mr. SPRINGER. I move to strike out the last word.

The CHAIRMAN. That is not necessary.

Mr. VALENTINE. I make the point of order that this is the second time the gentleman from Illinois [Mr. SPRINGER] has made a motion to strike out the last word.

Mr. SPRINGER. But I did not make any remark with regard to the gentleman from Nebraska.

Mr. VALENTINE. I do with regard to the gentleman from Illinois. I ask the Chair to rule upon the point I have made.

Mr. SPRINGER. I do not suppose the Chair needs prompting in his recognitions.

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] is entitled to the floor and will proceed.

Mr. SPRINGER. My colleague [Mr. THOMAS] has claimed that I

have no right to speak for the people of Illinois with regard to protection and free trade, but claims the right himself to speak for that State and to say the people of that State are in favor of a protective tariff.

Mr. THOMAS. I speak for my own district, while you claimed to speak for Illinois.

Mr. SPRINGER. He speaks for his own district I hope and not for mine. My district gave me nearly 4,500 majority.

Mr. THOMAS. The district of my colleague produces corn; corn produces whisky, and whisky produces Democrats. Hence his majority. [Laughter.]

Mr. ATHERTON. I would like to know if the gentleman from Maine ever heard that anecdote before.

Mr. SPRINGER. My colleague borrowed it from the gentleman from Maine some time ago, and gets it off now as if it was an original proposition.

The gentleman says whisky produces Democrats where I live. Something produced a great many Democrats at last election; and it made gentlemen on the other side very uncomfortable when they came to the polls and recorded their votes. They thought, some of them, that there had been an overproduction of whisky. The fact is it was an overproduction of Democrats which disturbed the gentlemen on that side.

Mr. THOMAS. There has been an increase of whisky. There is now before Congress a complaint of an overproduction of whisky.

Mr. SPRINGER. That is what is the matter. There has been an overproduction both of whisky and Democrats [laughter on the Republican side] to suit the gentleman's party. There were entirely more Democrats at the polls than was comfortable to my friends on the other side. My friend from Ohio [Mr. MCKINLEY] came into the House last year with a bill known as the McKinley bill, which was for the purpose of increasing the burdens on the laboring people of the country. He championed that bill, made a protective speech, went before his constituents having 3,500 majority to go upon, according to the figures of the last Presidential election, and when the returns came in he had to go scouting around in the back precincts for 8 majority which his opponent got. The same sort of thing was witnessed all over the West and everywhere where this question was discussed and pronounced upon by the people. The people have pronounced against this idea of protecting the farmers of the country by taxing them. That is the theory of this bill, that the more the people are taxed the more they are protected.

Mr. WHITE. Will the gentleman allow me?

Mr. SPRINGER. I can not yield to the gentleman. I have not said anything about the bonded period.

Mr. WHITE. I want to say one word in defense of the gentleman from Ohio [Mr. MCKINLEY].

Mr. SPRINGER. The gentleman can speak after I have got through.

Mr. WHITE. I only wish to say that the gentleman from Ohio [Mr. MCKINLEY] was on the committee that reported the bonded-extension bill.

Mr. SPRINGER. I knew the gentleman from Kentucky was going to say something about the bonded period.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. SPRINGER] has expired.

Mr. COX, of New York. I desire to move a *bona fide* amendment, to strike out the word "fifty," in line 200, and insert the word "thirty," the rate proposed by the Tariff Commission; so that it will read:

Castor beans or seeds, 30 cents per bushel of fifty pounds.

I would not have made that motion if the Committee on Ways and Means had given a good reason for increasing the rate of duty in this case above the rate proposed by the Tariff Commission, which was 30 cents a bushel. It is about time we settled on some rate in reference to all of these items from which a small amount of revenue is derived, and for which there is such a great necessity in this country.

I do not know why this discussion has occurred in reference to whisky on a little item about castor-oil. It seems to me utterly irrelevant; there is no connection at all between them; no connection between them any more than there is between Democrats and whisky. [Laughter.] No gentleman here, speaking seriously as I am now, will hesitate to tell the House and the country, if he is honest, that there is more whisky consumed in States which give a Republican majority, as was proven not long since by Mr. VEST in the Senate, than is consumed in States giving a Democratic majority. I do not know how that is; I thought it was otherwise until the facts came out.

The truth is the Republican party drinks a great deal of whisky clandestinely that we do not know anything about. [Laughter.] That is the case in Maine, where the Democrats march up to it and boldly take it. And I notice that when the Democrats pay for it the Republicans come in for their share.

Mr. REED. When my friend from New York takes it it does not remain clandestine very long. [Great laughter.]

Mr. COX, of New York. It has its effect. [Laughter.] It enables me sometimes to see things I can not otherwise see. [Renewed laughter.] I can see double; I can see a quorum sometimes in this House when it does not exist, especially where the gentleman from Maine appears divided up into three or four ordinary persons. [Continued laughter.]

But what I want, in all seriousness, is a vote in this House whether, at the instance of a manufacturer, as the gentleman from Pennsylvania said, we will protect this castor-bean and castor-oil business, which runs only eight establishments, and pay no attention to the many consumers of castor-oil.

Gentlemen will remember that, as I said at the outset, there are a great number of small people in this country, not counting the one who now addresses you. [Laughter.] Look at the census and you will learn exactly how much castor-oil may be needed in this country. It is in the interest of the infantry, not to speak of the older people, to have castor-oil cheap. [Laughter.]

When the gentleman from Kansas said that the tariff had made castor-oil cheaper and cheaper, he gave no facts to substantiate his assertion. It is not true that the tariff has reduced the price of that article.

Mr. HASKELL. It is true that when a tariff duty was put on the castor-bean and home production commenced, castor-oil commenced going down. [Great laughter.]

Mr. COX, of New York. It did, did it? [Renewed laughter.] I am glad that the Committee on Ways and Means have reduced the tax on sugar so as to follow castor-oil.

The CHAIRMAN. The time of the gentleman has expired. Does he withdraw his last amendment?

Mr. COX, of New York. I do not; I want a vote on it.

The CHAIRMAN. The vote will be taken upon the first amendment offered by the gentleman from New York [Mr. COX], which will be read by the Clerk.

The amendment was read, as follows:

Add to the clause relating to "castor beans or seeds" the following:
"*Provided*, The same shall not exceed 30 per cent. ad valorem."

The question was taken on the amendment; and it was not agreed to.

The question recurred on the amendment of Mr. COX, of New York, to strike out "50" and insert "30;" so that the clause would read:

Castor beans or seeds, 30 cents per bushel of fifty pounds.

The question was taken upon the amendment; and upon a division there were—ayes 67, noes 93.

Before the result of the vote was announced,

Mr. COX, of New York, called for tellers.

Tellers were ordered; and Mr. COX, of New York, and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported that there were—ayes 90, noes 95.

So the amendment was not agreed to.

The Clerk read the following:

Castor-oil, 80 cents per gallon.

Mr. MCMILLIN. I move to amend the clause just read by striking out "80" and inserting "40." I find upon a comparison of the schedules with regard to castor-oil that under the proposed duty the estimated revenue to be derived from castor-oil will be $728,88. Therefore the rate proposed in this bill will amount virtually to an exclusion of that article from importation.

I wish to call the attention of this Committee of the Whole to one or two inconsistencies, or at least what seem to me to be very great improprieties, in this bill. I want to call attention to the fact that many things which may be deemed essentials of life, which enter into every-day consumption, are placed upon schedules at a very high rate of duty, while others that could be dispensed with or are absolutely vicious are placed on a lower schedule.

Heretofore the tariff rate on the article of castor-oil has been 127.98 per cent. ad valorem. What has it been on champagne? Castor-oil, that is in every-day use, according to the past rate of duty, pays 127 per cent. ad valorem; and according to the rate proposed to this House by the Committee on Ways and Means it will pay 100 per cent. Yet champagne, to make you drunk, pays only 46 per cent. and a fraction.

Now, what further? I find that ginger ale, that at least might be as readily dispensed with as this commodity, pays a duty of only 20 per cent. Gentlemen claim that they are in favor of the masses, that they are in favor of laboring men.

What duty does your laboring man pay for his diamonds and his pearls and everything in the way of jewelry which is a luxury? He pays only 10 per cent. Yet it is proposed to put this article at a duty of 102 per cent.

I would suggest to the chairman of the Committee on Ways and Means, and to his colleagues on that committee, that last year they urged that the Tariff Commission would enable this House to ascertain what the Committee on Ways and Means could not tell us. Now, the Tariff Commission has proposed a reduction to 80 per cent. of the duty on this article; yet the Committee on Ways and Means by their action say that the commission did not know what it was talking about, and they propose to increase the duty recommended by the commission so as to make it over 100 per cent.

These are the things which abound all through the bill. These are peculiarities which make the bill an abomination in many respects. This clamor that you are in favor of the masses is not founded in truth;

else why put champagne, an intoxicant, on a schedule of only 48 per cent. and yet put this on a schedule of 102?

[Here the hammer fell.]

Mr. BELFORD. Mr. Chairman, there are some features of this debate that have offered me some amusement. I observe that when we reach the words "acid, acetic and acetous," the distinguished gentleman from the Springfield district of Illinois [Mr. SPRINGER] rises in his place and makes a number of acid-ulous remarks. When we reach castor-beans and castor-oil we have a flood-tide of eloquence from the distinguished gentleman from New York [Mr. COX] and the distinguished gentleman from Tennessee [Mr. MCMILLIN]. [Laughter.]

Mr. KELLEY. A diarrhea of words.

Mr. BELFORD. We have spent two days in the consideration of the items of this bill, and we have reached the ninth page. The bill contains one hundred and forty pages. It is a bill that has been carefully, deliberately, and wisely considered week after week and month after month by the Committee on Ways and Means. If we are to make no greater progress in the future than we have in the past this Congress will have adjourned before we shall reach the last paragraph of the bill. Now, I say in the interest of public justice, in the interest of the great mass of the American people who are suffering by virtue of the fact that the national Treasury is burdened to-day with a surplus revenue of $150,000,000 taken out of the channels of trade and business, it is our solemn duty to proceed with the consideration of this bill.

But the point I desire to make is that the amendments offered to the bill do not in the main come from members of the Committee on Ways and Means; they do not come from gentlemen who for weeks and months have studied this question. The people will not be befooled by any attempted eloquence on this floor. There are enormities touching the Bessemer-steel tariff; are you going to reform them? There are robberies touching the sugar tariff; are you going to reform them? Are you haggling on one side of this House or the other to prevent any revision of the tariff under the silly notion that you are going to bamboozle and humbug the people of this country any longer?

At the last session I voted against the creation of the Tariff Commission, because I believed it to be in the interest of delay. I want to vote for the tariff bill this session, because I want to see the enormous burdens under which the people of this country are laboring relieved and diminished. Let us proceed, then, with the consideration of this bill without eternally and everlastingly offering amendments about castor-oil, or tartaric acid, or pyroligneous acid, or anything of that sort. [Laughter.]

Mr. COX, of New York. Mr. Chairman, the gentleman from the Golden State, the gentleman who represents the Rocky Mountains, or some elevated plateau from which he looks down on mankind in general—the gentleman whose head stands up to catch the first rays of the morning and the last rays of sunset at evening—undertakes to lecture intelligent members of this House. [Laughter.]

The gentleman the other day had a little success in making some amusement. It is a great pity he did not rest on his laurels. I say to him that all his talk just now is what the French would call mere *persiflage*. Why do I say it? Because we are now in the last month of this Congress—a Republican Congress, with ample power to have taken off this great burden from the people. They had all of last session in which to do it. They are responsible for not doing it. And now when they bring in a bill almost at the last moment, and when gentlemen like myself move to place an article at the rate where the commission left it—a motion which I have made in the interest of the consumers, not in the interest of a few manufacturers—the gentleman undertakes to read us a lesson because we endeavor in this way to analyze this bill from time to time. Why, sir, does not the gentleman know that this committee through nearly the whole of this schedule has changed the schedule of the commission? This very item is changed. Then look at dextrine, on which there is an increase of 10 per cent. over the present rate, the proposed duty being 2½ cents per pound, which is equivalent to 58 per cent. For what object is such a duty proposed? To keep out foreign potatoes up in Maine, as we will show when we come to that question.

These various changes are dictated entirely by the protectionists; yet we can not offer an amendment to reduce these rates to those proposed by the commission without having the eloquent gentleman from the Rocky Mountains lecture us. Where does he get the right to lecture gentlemen on this side who study these questions critically? In what school of chemistry, in what school of economy was he ever educated that he should talk to men who desire only to cut down these burdens of the people? I have here a statement showing how the Committee on Ways and Means has increased the rates on these chemicals above the rates proposed by the commission:

In the first schedule of the bill, relating to chemical products, the committee have followed pretty closely in the steps of the commission. Some changes, however, have been made. The duty on castor-beans is advanced from the commission's rate of 30 cents a bushel to 50 cents, which, though less than the present rate, is still 40 per cent., and too high. On dextrine an increase is made over the present rate, 10 per cent., which is also the commission's rate, to 2½ cents per pound, equivalent to about 55 per cent. The importation is about a million and three-quarters pounds, and the increase in the revenue would be some $37,000. The change is dictated solely by extreme protectionist ideas, and is indefensible. Licorice paste is taxed under the commission bill at 6 cents per pound; the committee tax it at 7½ cents, for what reason it is difficult to say. Linseed-oil was reduced by the commission from 30 cents per gallon to 25 cents; the committee restore the present rate, which is about 50 per cent., and is extravagant. The committee revive taxation of quinine, 10 per cent., which the commission had placed on the free-list. The committee reduce the duty on artificial mineral waters; but tax the natural waters 3 cents per quart, apparently to encourage nature in producing them.

Chromate of potash, now taxed 4 cents a pound, is reduced to 3½ cents by the committee. This is equivalent to about 33 per cent., and is for the benefit of a Maryland manufacturer. The duty on white lead, dry and in oil, which the commission reduced to 2 cents and 2½ cents per pound, is restored by the committee to 3 cents per pound, or over 54 per cent. It is a tax which increases the cost of living. Aniline dyes are advanced from 40 per cent., the commission's rate, to 35 cents a pound and 20 per cent., or about 47 per cent. on last year's prices. This is a compound duty and vicious. Logwood extracts and such others as are unenumerated are taxed 10 per cent. At present they are free and no tax upon them can be defended from any point of view. Tannic acid and tannin, which the commission reduced to 50 cents per pound, are advanced to 80 cents, equal to some 211 per cent. This is practically prohibitory. Against these advances there is to be noted a decrease in the duty on caustic soda from 1½ cents per pound, the present rate, and 1 cent, the commission's rate, to three-quarters of a cent, equal to about 33 per cent., as against 66 per cent. now; on ultramarine from 44½ per cent. to 37 per cent., and on water-colors from 35 per cent. to 25 per cent.

The gentleman says that members of the Committee on Ways and Means have not moved these amendments. They are waiting to move their amendments in the proper place and at the proper time. No amendment have I offered here that has not had the vote of gentlemen on the committee on this side of the House, who speak not for particular interests, not for special manufacturing establishments here and there. We are standing here hour after hour and day after day in the interest of the whole people; not in behalf of one county or one district in any State, but in behalf of the people of the United States. We hope before we get through to make some impression on this House that we may send a fairer bill to the Senate, which on this question has proved much more liberal and just than the members on the other side represented by the gentleman from the Rocky Mountains.

Mr. SKINNER. Mr. Chairman, my colleague from New York [Mr. COX] has given the gentleman from Colorado [Mr. BELFORD] a charming lecture (my colleague is always charming), charging him with an attempt to lecture the other side of this House upon its methods and duties. Speaking of lectures reminds me that it was only yesterday that my colleague rose in his place and gave this side of the House a criticism upon somebody's failure to pass laws reducing taxes.

In speaking of the burdens of the people at that time, and how anxious he was to remove them, he caused to be read and printed liberal extracts from the President's message recommending a reduction of the revenues and certain reforms of the tariff. He also caused to be read extracts from the report of the Secretary of the Treasury touching the same matter. He seemed alarmed at the surplus lying in the Treasury, and the substance of his "lecture" was that we had failed to relieve the burdens of the people by removing the source of that surplus.

Mr. Chairman, during the last session of Congress the most important bill that came before us for consideration had for its object a repeal of many of the internal-revenue taxes. It was debated long and earnestly and we all understood its provisions; that it was the first step toward legislation demanded upon all sides. Its objects were to repeal:

First. The stamp tax on bank checks, drafts, orders, and vouchers.

Second. The tax on the capital and deposits of banks and bankers.

Third. The tax on the capital and deposits of national banks.

Fourth. The tax on matches, perfumery, medical preparations, &c.

Fifth. Reduction of tax on dealers in and manufacturers and peddlers of leaf-tobacco and cigars.

Sixth. Reduction of the tax on cigars.

The total reduction involved in the bill was nearly $24,000,000.

On the 27th of June last that bill was put upon its final passage. Did my colleague vote then as he talks to-day? Not at all. He lectures us to-day because such a bill did not become a law, and on that occasion he voted squarely against the bill.

The gentleman from Illinois [Mr. SPRINGER], who began to-day in lecturing us in much the same manner, also voted against that measure, the most important of all tax measures yet considered, and nearly all of his party associates followed him. I desire the House and the country to know exactly who opposed the passage of that bill, and to which party belongs the credit for having passed it through the House. Its progress was stopped in the Senate, but not by Republican opposition.

The CHAIRMAN. There being no objection, the *pro forma* amendment is withdrawn.

Mr. SPARKS. What is the amendment now pending?

The CHAIRMAN. It is the amendment of the gentleman from Tennessee [Mr. MCMILLIN].

Mr. SPARKS. Let it be read.

Mr. MCMILLIN's amendment was again read.

Mr. SPARKS. I move to strike out the last word. Mr. Chairman, we are now discussing, I believe, the clause imposing a duty on castor-oil. My colleagues from the Springfield and Cairo districts, who disagree on this subject, have indulged in a little by-play about corn whisky. So far as corn whisky is concerned I am quite sure it will never hurt me, and if it should become harmful to either of my colleagues I may sympathize with them, but I do not propose to take part in their fight over it. Neither do I propose to discuss the question as to how many votes my colleague from the Cairo district [Mr. THOMAS] got in the last elec-

tion, nor the number of votes which the gentleman from Ohio [Mr. McKINLEY] got at that election in his district. I am very sure that if I had lived in either of those districts I should have voted against each of them. They are gentlemen, however, for whom I have much respect.

But I rise, sir, to reply to the speech delivered by my colleague from the Cairo district [Mr. THOMAS]. He said, if I understood him correctly, that this bill is favorable to the interests of his people. Now, I want him to tell the committee (for I pretend to represent his section as well as my own and the balance of our State, and the whole country to the extent of my ability) where by any legislative act since he has been in Congress the interests of the agricultural classes have been protected by tariff laws imposing "protective" duties on imported goods. I am quite sure he will fail to make his connections on that line, without it is on some two-penny item which turns out to be a cheat rather than a protection. That is precisely what I am finding fault with. Whenever there is a particle of legislation which remotely tends in the direction of benefiting the people engaged in agriculture you always find it amounts to three picayunes and no more. [Laughter and applause.] Something of that sort is even feebly attempted in some of the clauses of the sham legislation which is loosely thrown together in this bill. But there is no substantial legislation here in the interests of the agricultural classes of the country, and we all know it.

Now, Mr. Chairman, I am the advocate of a constitutional tariff formulated on the basis of getting revenue for the Treasury to meet the legitimate demands of the Government. I wish to see it put up fairly for the whole country, in the interests of the whole people, with favoritism to none and doing injustice to none. I do not wish to see one section of the country "protected" by the imposition of tariff rates, creating monopoly, and another section ground to the earth with the burdens which that monopoly is thus empowered to impose upon it. To illustrate, there is limitless protection to all manufacturing industries; but there is no protection, sir, for the 326,000,000 of bushels of corn; there is no protection for the eighty to one hundred million bushels of wheat, or for the sixty or seventy million bushels of oats raised annually in my State, nor for the billions of bushels of these products, with the boundless beef and pork and bacon, and other food supplies of the Mississippi Valley. The 11,000,000 people of that valley are crying out against this injustice, and they are not fairly represented when those whom they have sent here to represent their interests advocate this unjust discrimination against them.

[Here the hammer fell.]

Mr. SPEER. I renew the *pro forma* amendment. I wish to say to the gentleman from Illinois there are many ways in which this system of protection protects the farmer. I will give one instance in reference to the rice-planters of Georgia and the Carolinas. Before the war rice was worth $2 a hundred. When the war came our whole system of labor was disorganized and the rice interest was swept out of existence. After the war, before the interest was built up by protection, the price of rice per hundred in this country was from $12 to $14. The tariff had its beneficial effect on that interest, and what is the consequence? Our rice interest is built up again, from 160,000 to 200,000 people are engaged in profitable occupation, an agricultural occupation, and rice, instead of being from $12 to $14 per hundred, what it was when that interest was destroyed by the absence of a tariff, is now only $4.25 to $4.50 a hundred.

Again, sir, protection benefits the farmer by relieving him from direct taxation. Four hundred millions of dollars per annum must be raised—and even more than that—for the support of this Government. If it is not to be raised from customs duties it must be raised from internal taxation. An immense amount of this is now raised by the injurious system of internal-revenue taxes under which the country is suffering. The people recognize the burden of that tax. But suppose, in addition to the fact that the Federal tax-collector, as now, goes into the districts among the people and collects the tax on whisky and tobacco, that when he goes to the homes of the farming people he may also tax directly the stock, the implements, the land, the grain, and other products of the country by direct taxes in order to raise the money necessary to carry on the Government. Then will the farmer thank the gentlemen who denounced protection in the tariff as a cheat, as a swindle, and who would bring them under this system of direct taxation?

No, Mr. Chairman, the easiest and the best way of collecting the revenues of this country is by a tariff; and that tariff can be arranged so as not only to collect the revenues but to give protection to the best interests of the country.

Mr. McMILLIN. Will the gentleman allow me a question?

Mr. SPEER. I have but five minutes; and the gentleman and those who with him have been obstructing the bill have, it seems, ample time for debate, which they take without any sort of regard to the interests of the country. [Applause on the Republican side.]

Mr. McMILLIN. I wish to ask the gentleman——

Mr. SPEER. I decline to yield to the gentleman. He understands the parliamentary proprieties when I refuse to yield as well as I do.

Mr. McMILLIN. You are afraid to discuss the items of the bill; you dare not discuss them.

Mr. SPEER. If I have any further time remaining I will use it, Mr. Chairman, in saying simply that the tariff protects the farmer when it enables the capitalist to put his money into vast enterprises which cheapen the commodities the farmer must buy, as well as afford a market for his products. Take for instance this item of Bessemer steel, about which so much has been said. What has been the history of that industry? At one time, when the tariff duties were first put upon it, it was selling at $130 a ton. Now it is in the market abundantly at $38 per ton. Who will say that the tariff, then, did not benefit the farmers of this country? That steel enters into the agricultural and other interests of this country to an enormous extent. The people understand all of this. They know the revenue must be raised. Mr. Chairman, there is one who sprang from the people and who has spoken upon this subject. From the people he has grown to be, first, the governor of the State of Georgia, then chief-justice of Georgia, and then a Senator from Georgia; and what does he say upon this subject?

You can not succeed in a Presidential campaign if the people of this country——

Mr. CARLISLE. I think if we are going to introduce into this discussion what has been said in the Senate that there will be no end of it. I therefore make the point of order now.

Mr. SPEER. Does the gentleman from Kentucky desire to deprive this House——

The CHAIRMAN. The Chair does not understand that the gentleman was quoting the language of any gentleman in the Senate.

Mr. CARLISLE. I understand the gentleman to be reading from the official record of the debates in the Senate. I have no objection whatever if the same privilege will be allowed on both sides. I only desire now to make the question in this the first instance where this has been done, because if this reading is allowed in this case we shall claim the same privilege hereafter.

Mr. SPARKS. It is prohibited by the rules. They would have to be changed. If it is conceded that the privilege shall be general, by consent the gentleman might be allowed to proceed.

Mr. SPEER. Then, Mr. Chairman, I will simply say that I will not quote the language of Senator BROWN as such, but I will make it my own.

You can not succeed in a Presidential campaign if the people of this country are satisfied that you are antagonistic in your feelings and your actions to American production and American labor, and that you are willing to put foreign productions and foreign labor in a condition of preference to home production and home labor. There are too many laborers interested in this question for any party to succeed upon such a platform.

[Here the hammer fell.]

Mr. KELLEY. I now move that the committee rise for the purpose of limiting debate upon this section.

The committee divided; and there were—ayes 106, noes 23.

So the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union having had under consideration the tariff bill had come to no resolution thereon.

Mr. KELLEY. Mr. Speaker, I move that when the House next resolves itself into Committee of the Whole all debate on line 202 and all amendments thereto be limited to one minute.

The motion was agreed to.

Mr. KELLEY moved to reconsider the vote by which the motion to limit debate was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. KELLEY. I now move that the House resolve itself into Committee of the Whole for the further consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair.

The CHAIRMAN. By order of the House all debate upon line 202, and all amendments, has been limited to one minute.

Mr. CARLISLE. I believe, Mr. Chairman, the gentleman from Pennsylvania, in charge of the bill, concedes the one minute allowed for discussion to me. I desire to state simply in reference to this matter that the Tariff Commission reported a rate of duty on castor-oil of 50 cents a gallon.

The Committee on Ways and Means recommends in this bill an increase of that duty to 80 cents, which is a reduction from $1 a gallon, the rate fixed by the present law, but is still equivalent to over 102 per cent. ad valorem.

Now, every gentleman here knows that much the largest proportion of this castor-oil is used for lubricating purposes, and every man interested in the use of machinery is largely interested in reducing the duties on this article. It would tend to cheapen the processes of manufacture. I submit there can be no sound reason given why a duty of over 102 per cent. ad valorem should be retained on that article and that the amendment proposed by the gentleman from Tennessee ought to be adopted, which will still leave it over 50 per cent. ad valorem.

The CHAIRMAN. The question is on the amendment of the gentleman from Tennessee [Mr. McMILLIN], which the Clerk will again report.

The Clerk read as follows:

In line 202 strike out the word "eighty" and insert in lieu thereof the word "forty;" so that it will read:

"Castor oil, 40 cents per gallon."

The question being taken on agreeing to the amendment, there were—ayes 80, noes 100.

Mr. MCMILLIN. Let us have tellers.

Tellers were ordered; and Mr. MCMILLIN and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 83, noes 111.

So the amendment was not agreed to.

Mr. SCALES. I move to amend by striking out "80" and inserting "50," that being the rate recommended by the Tariff Commission.

The question being taken on the amendment, there were—ayes 80, noes 88.

Mr. SCALES. I call for tellers.

Tellers were ordered; and Mr. HASKELL and Mr. SCALES were appointed.

The committee again divided; and the tellers reported—ayes 86, noes 93.

So the amendment was not agreed to.

Mr. WHEELER. I move to amend by striking out "80" and substituting "60."

Mr. HASKELL. I ask unanimous consent that the rate be fixed at 70 cents. We will agree to that.

Mr. WHEELER. I accept the gentleman's amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama [Mr. WHEELER] as modified, to strike out the word "eighty," in line 202, and insert the word "seventy."

The amendment was agreed to.

The Clerk read line 203, as follows:

Cream of tartar, 6 cents per pound.

Mr. SPRINGER. I move to strike out line 203.

I offer this amendment from the fact that the President of the United States has recommended that all items yielding inconsiderable revenue should be placed upon the free-list.

Mr. NEAL. Say that again.

Mr. SPRINGER. I shall have to state it a good many times before gentlemen on the other side believe it or feel it or understand it even.

Of this article there was an importation last year of seventy-seven pounds, which yielded $20 of revenue to the Government. The committee's bill proposes to reduce the tariff on this article from 10 cents per pound to 6 cents per pound, the equivalent ad valorem rates being 38 per cent. and 23 per cent. If the importations are the same in the fiscal year after this goes into effect as in the last fiscal year the revenue produced will be $4.64. If it were not for the fact that this yields an inconsiderable revenue I would not have moved to put it on the free-list, because the committee in this inconsiderable item have acted the part of wisdom, so far as principle is concerned, by reducing the tariff to something like a revenue basis; and they are to be commended even in little things for adopting a correct principle. But what I complain of is that the application of those correct principles is to matters of no consequence whatever. Here is an article that yields only under the proposed law $4.64 a year; and I submit that is no relief to the tax-burdened people of this country. I hope the article will be put on the free-list, and I have therefore moved my amendment.

The question being taken on Mr. SPRINGER's motion to strike out line 203, it was not agreed to.

The Clerk read lines 204 and 205, as follows:

Dextrine, burnt starch, gum substitute, or British gum, 2½ cents per pound.

Mr. HEWITT, of Alabama. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out "2½ cents per pound" and insert "10 per cent. ad valorem."

Mr. HEWITT, of Alabama. I offer this amendment simply to make an inquiry. I desire to know why the duty on this particular article has been increased about 500 per cent? I would like to know the reason why that has been done. This particular starch is worth about 4½ cents per pound and has had a duty of 10 per cent. ad valorem heretofore.

Mr. KELLEY. I do not want to interrupt the gentleman, but if he asks a question expecting an answer, I will reply.

Mr. HEWITT, of Alabama. In one moment. A duty of 2½ cents per pound is equivalent to about 54 per cent. ad valorem. Now, unless there is some reason why this increase of rate should be made, I think we had better leave it as it has been heretofore and as the commission has recommended.

The question being taken on the amendment of Mr. HEWITT, of Alabama, it was not agreed to.

Mr. SPRINGER. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out "2½ cents per pound" and insert "20 per cent. ad valorem."

Mr. SPRINGER. There may be some reason for increasing the duties on this particular article. The committee have not given us those reasons.

Mr. KELLEY. I desire to say that the Treasury Department through the Secretary of the Treasury invited the attention of the Committee on Ways and Means to the fact that dextrine was being imported to such an extent as to greatly impair the legitimate revenues from starch of different kinds and asked us to provide a remedy. With a duty of 10 per cent. on dextrine the duties imposed by law on the various grades of starch were evaded to the loss of the Treasury and the loss of legitimate importers as well as manufacturers.

Mr. TUCKER. Will my friend from Pennsylvania say whether the Secretary of the Treasury recommended 2½ cents per pound as the duty on dextrine?

Mr. KELLEY. The committee recommended that the duty on dextrine should be adjusted to the duty on starch and made no suggestion of any modification of the duties on starch. He subsequently sent an elaborate communication to the committee on the subject of the roots from which starch was produced in the Sandwich Islands and elsewhere and requested us to classify them so that when not prepared for food they, too, should pay starch duties as dextrine does, and we modified the law again in compliance with his wise suggestions.

Mr. SPRINGER. After that digression I desire to state to the gentleman from Pennsylvania that the statement of the Secretary of the Treasury from which he quotes that there is so large an importation of this article as to interfere with the revenues of the Government is not borne out by the facts. Here is a table of the amount of this article of dextrine imported during the last fiscal year. It seems that there was imported last year 1,763,354 pounds, at a valuation of $81,151. A duty of 10 per cent. ad valorem, according to the present law, on that amount produced a revenue of $8,115. And it is estimated that if the duty shall be increased as here proposed, and there should be the same amount of importation of the article, the revenue will be $44,000. But the fact will be that there will be no revenue with this proposed increase, for it will be practically prohibitory and we will lose the $8,000 of revenue which we now have.

In whose interest is this proposed increase of duty? Let the New York Times, a Republican paper, state.

Mr. ERRETT. That is not a Republican paper; that is a free-trade paper.

Mr. SPRINGER. In an editorial in that paper, to which I call the attention of gentlemen, is this statement:

The change is dictated solely by extreme protectionist ideas, and is indefensible.

That is the authority of a Republican newspaper, the New York Times, which I commend to gentlemen on the other side of the House. Therefore I have made the motion to change the proposed duty to 20 per cent. ad valorem. I do not think the duty should be increased at all from the present rate; but I made that motion more for the purpose of calling the attention of the committee to the fact that we now have a legitimate revenue on this article which we should adhere to, instead of which the committee are departing from that rule so as to make this a prohibitory rate of duty. I withdraw my amendment.

Mr. HERBERT. I desire to give some reasons why this amendment should be adopted.

The CHAIRMAN. The amendment has been withdrawn by the gentleman from Illinois [Mr. SPRINGER].

Mr. HERBERT. I renew the amendment. I desire to call the attention of the committee to the testimony on this question which was given before the Tariff Commission. On page 713 will be found the testimony of Mr. A. E. Denison, of Boston. He states at the outset of his remarks that the purpose of his appearing as attorney for the starch manufacturers is to ask that the duty on potato starch shall be increased from 1 cent per pound and 20 per cent. ad valorem, the present rate, to 2 cents per pound specific duty.

It is true that dextrine is not exactly the same thing as potato starch. But the gentleman from Pennsylvania [Mr. KELLEY] says that the purpose of this increase of duty is to prevent the dangerous competition of dextrine with potato starch.

Now, I propose to show by the evidence of this gentleman that the proposed duty will absolutely prevent all competition of dextrine with potato starch; will prevent all importation of the article. He asked that there be placed on potato starch a duty of 2 cents per pound.

On page 715 of the testimony before the Tariff Commission, Mr. Denison gives the average price of potato starch for the past five years in the Boston and New York markets, as found by a careful compilation of prices by a large and well-known manufacturing house, was $4\frac{5}{16}$ cents per pound. Members of this committee can see at once that a duty of 2½ cents put on the article of dextrine will result in absolutely preventing it from being imported, as was the purpose of the attorney of these manufacturing companies, and from coming into competition with potato starch at all.

On this article of dextrine there has been derived to the Government a revenue of $8,000. The purpose of this bill, as I say in regard to this item, and as we shall have occasion to illustrate frequently as we go on, is to prevent revenue from coming into the Treasury. That will be the result of the proposition of the committee to put a duty of 2½ cents per pound on dextrine. It will prevent it from coming into competition with potato starch, the price of which for the last five years in Boston has averaged only $4\frac{5}{16}$ cents per pound.

Starch is used by all the people of this country, by 55,000,000 of

people in their laundries; and it is also used in manufactures. It is an article of common use. Yet such an article as dextrine is to be prohibited from coming into the country for the benefit of manufacturers.

That is the principle on which this bill is framed—to aid manufacturers. Probably not more than half a million of people, all told, are dependent on manufactures. It is for their benefit that the other fifty-four and a half millions of people are to be taxed and the revenue of the Government to be cut down, and this competition prohibited in order that this high-protective theory may be fastened on the country.

Mr. SPRINGER. There are only 3,000 persons in the United States engaged in this particular manufacture.

Mr. COX, of New York. I desire to ask the gentleman from Alabama one question. Do I understand him to say that this dextrine comes into competition with potato starch?

Mr. HERBERT. It does, as stated in the testimony of Mr. Denison, and as just now stated on the floor by the gentleman from Pennsylvania; and the purpose of this increase of the rate of duty is to prevent that competition.

Mr. COX, of New York. Then, according to my friend, the object of this increase of duty is to keep out dextrine and prevent its coming into this country in competition with potato starch. Then I suppose they do not want even potatoes to come into this country.

Mr. FLOWER. No; and they tax them 15 cents a bushel.

Mr. COX, of New York. So that there is a tax of 15 cents a bushel on potatoes, not counting the salt.

Mr. FLOWER. Yes; and there was collected on potatoes last year a duty of $1,318,000.

Mr. COX, of New York. Over a million and a quarter of dollars of revenue was collected on potatoes last year. Whom does that come from? When you want votes you will find that it comes from the Irish people; and a great many of them vote.

The object of all measures of this kind is not to help the workingman in regard to his shelter or the instruments of his trade or even his daily food, because you tax his potatoes 15 cents a bushel, the object being to keep out foreign potatoes, which might otherwise be used in the manufacture of starch. Thus you tax not only every man, woman, and child who eats potatoes, but you tax all the washerwomen. Why? Because, sir, the farmers in a particular part of the country want to have the monopoly of the potato supply. They have found out that potatoes are coming into this country from abroad. I believe that potatoes last year were worth in New York a dollar a bushel or more. When beef was 30 cents a pound, men, women, and children were taxed 15 cents a bushel on potatoes. In Boston it costs at least $1.25 to buy a bushel of potatoes coming from abroad.

A MEMBER. This is in the interest of the farmers.

Mr. COX, of New York. No farmer ever appeared before your committee in behalf of a mere "tub to the whale" like this. You can not fool the farmers any more upon the tariff.

Mr. STEELE. The farmers know that they have friends here.

Mr. COX, of New York. They found out who their friends were when they voted last year. I want to show the duplicity or the ambiguity of this business, in which you undertake to protect the farmers on their potatoes, and at the same time to protect the starch manufacturers, who require potatoes to make their starch.

[Here the hammer fell.]

The amendment was not agreed to.

The Clerk read as follows:

Glucose or grape sugar, 25 per cent. ad valorem.

Mr. KELLEY. At the suggestion of a majority of the Committee on Ways and Means, and concurring in opinion with them, I move to amend this paragraph by striking out in line 206 the word "five," so that the duty shall stand at 20 per cent.

Glucose, among other purposes, is used as a substitute for sugar; it is used for sirup; it enters largely into confectioneries; it is used by brewers and in other branches of manufacture.

The amendment was adopted.

The Clerk read as follows:

Indigo, extracts of, and carmined, 10 per cent. ad valorem.

Mr. ROSECRANS. I move to amend by striking out this paragraph, my object being to place these articles on the free-list. As I have already stated in the course of the general debate, I shall be glad to cooperate with members of the House in perfecting this tariff bill in such a way that it may serve the chief purposes for which a tariff bill is proposed: first, to raise revenue, and, secondly, in doing this to adopt such methods as may incidently benefit any branch of domestic labor or industry.

Now, I have taken from this list of chemicals in Schedule A the names of thirty articles and have added up the estimated annual revenues expected under the present bill from those articles. The total product in the way of revenue according to this estimate, if my figures are correct, is $6,964.84. Indigo and extracts thereof constitute the eighth article on the list; and there are twenty-three following it. I am not desirous to weary the House by taking a vote separately on each of these items; but I now appeal to members to say whether it is not reasonable and right to strike from the list of articles which are to be taxed those which are estimated to produce so small an income as on the average—$224 apiece. The time which has been lost to-day in discussing these several items will amount to more than the income upon them. I do not see why the duty should be continued on these articles yielding so small an amount of revenue. I do not see any money in it; I do not see any good for the people in it.

A MEMBER. Has not the gentleman just given a strong reason why the question should not be discussed?

Mr. ROSECRANS. Yes, sir; and if the Committee of the Whole will only consent to strike out these items I shall be glad. That is what I want.

I offer that as another attempt to get the opinion of this majority in favor of striking out those articles which yield so small an income. In other words, Mr. Chairman, I wish to see them go upon the free-list because they ought to be there.

Mr. KASSON. In a word I will give the reason to my honorable friend from California for many of these things. The reason must be duplicated all through the bill, but if gentlemen will bear in mind the object to be accomplished it will save repeating. It is that the policy of the bill is to introduce the raw material wherever practicable in this country, so that our own work-people may do the finishing and advanced product. As in this case, the raw material, indigo, is on the free-list. This is an advanced product in the form of color effected by labor, and a slight difference of 10 per cent. is given in favor of our own workshops and our own laborers doing the work which otherwise would be done abroad. This distinction you will find, so far at least as I have agreed to the bill, running all through it.

It is a proper distinction which no gentleman, I think, on either side of the House disputes as a principle. This is to give our own people a slight margin, as in this case, to induce the doing of the work in our own country.

Mr. KELLEY. If my friend from California will permit me, I will say to him that we imported last year about 2,000,000 pounds of indigo, extract of, and carmine, and that under a duty of 10 per cent. and 20 per cent. ad valorem. Now the report of the committee is 10 per cent., remitting the 20 per cent. ad valorem.

Mr. SPRINGER. There is no 20 per cent. ad valorem in my table.

Mr. KELLEY. The present law is 10 per cent. and 20 per cent.

Mr. SPRINGER. I do not see 20 per cent.

Mr. KELLEY. It is on carmine 20 per cent. I was misled by the figures. Ten per cent. on extract and 20 per cent. on carmine.

Mr. SPRINGER. That is right.

Mr. KELLEY. Now we put the whole duty at 10 per cent. That is the correct statement. It is a reduction.

Mr. SPRINGER. I wish to ask whether this article is not used largely in the manufacture of woolen goods?

Mr. KASSON. It is.

Mr. SPRINGER. As a coloring matter.

Mr. KASSON. And therefore the duty is put low because it approaches raw material.

Mr. HAMMOND, of Georgia. To help the manufacturers.

Mr. SPRINGER. I presented only one petition from my constituents in favor of putting anything on the free-list, and that was from a manufacturer of woolen goods to put dye-stuffs on the free-list.

Mr. KASSON. When we reach that part of the bill I will state the theory and then let us test the theory.

Mr. SPRINGER. It is a part of the same system. I wish to begin at the beginning, so that we may have free dye-stuffs in the manufacture of woolen goods. The manufacturers want it, the people want it, and the children cry for it. [Laughter.] Why will not the gentleman give it to them?

[Here the hammer fell.]

Mr. TUCKER. I move to strike out the last word. Will my friend from Iowa or Pennsylvania tell me whether there are any manufacturing establishments in this country of this extract of indigo?

Mr. KELLEY. I presume it is made in many quarters of the country.

Mr. TUCKER. I am not aware of any.

Mr. CHACE. There are eight or ten of them.

Mr. TUCKER. Where are they situated?

Mr. CHACE. One in Philadelphia, one in Chester, two in Connecticut, and perhaps three in New York, and others I can not now recall.

Mr. KELLEY. I venture to say there are some in Missouri, because kindred industries are pursued there.

Mr. TUCKER. I think it right all these dye-stuffs should be reduced in duty, in order that it may cheapen woolens and cottons consumed by the people of the country.

Mr. KELLEY. Indigo is on the free-list, and the advanced forms of it we propose to put at 10 per cent., the same rate we put on other extracts such as the gentleman from Virginia is familiar with. [Laughter.]

Mr. TUCKER. "Still harping on my daughter." [Laughter.]

The CHAIRMAN. There being no objection, the *pro forma* amendment will be considered as withdrawn.

Mr. ROSECRANS'S amendment was rejected.

The Clerk read as follows:

Iodine, resublimed, 40 cents per pound.

Mr. WHEELER. I move to strike out the entire line imposing a duty of 40 cents per pound on iodine. I desire to say, Mr. Chairman, first in reply to the gentleman from Georgia [Mr. SPEER], who addressed this committee a few moments ago, that I do not desire to obstruct this House in the progress of considering this measure.

I desire to say here and now that I shall not offer any amendment to this bill for the purpose of delaying or hindering its consideration. I fully appreciate that there is much requiring our attention between now and the close of this session, and I for one, will cheerfully sit in this Hall day and night until the work is accomplished, and I feel that I may say the same in behalf of all the members on this side of the House who are physically able to endure the fatigue incident to night sessions.

But Mr. Chairman, the measure now before the House is one of great importance. It is to determine the amount and character of taxation which is to affect the interests of people for many years. Certainly such a measure should not be hastily passed upon. Certainly no one on the other side of this House desires to fasten this law upon the country without carefully considering it in every phase, and without using our best endeavors to secure such modifications as appear necessary to promote the best interests of all our people. I do not want to see any industry suffer.

I want to see prosperity in every portion of our fair land. I want to see

EVERY INTEREST PROSPER IN THE HIGHEST DEGREE POSSIBLE.

I believe and always have believed that the prosperity of one section of our country is necessary to the highest and best prosperity of all other sections. I always believed that the growth and prosperity of one industry hastened the growth and enhanced the prosperity of other industries. To attain the ends indicated gentlemen on this side of the House have proposed several amendments, all of which seemed to us most eminently necessary and proper. All of the amendments proposed have been printed in the RECORD. The few remarks explaining the proposed amendments which we have been permitted to make are also printed and form part of the record of two days' proceedings of the American Congress.

If there is any lack of wisdom in the amendments and modifications proposed, the people of our country, whose servants we are proud to be, will place the censure where it properly belongs. [Cries of "Vote!"] I think you had better cry "Vote," because it is the only way you can keep from the country the wrongs being committed on them by some of the clauses of the bill. [Cries of "Vote!" "Vote!" on the Republican side.]

Mr. Chairman, I assert that the evidence before this commission, which has been put before this House, shows that when witnesses were examined before the commission, their recommendations were that medicines and materials to make medicines, similar to the articles now being considered, should be placed upon the free-list, and the reason is that they all enter into the manufacture of the medicines which our people use throughout this land.

Every one of the 50,000,000 people of this country are taxed too much by this high tariff upon articles which afford little or no revenue to the Government. This article gives a revenue, according to the calculation of the Tariff Commission, if the present bill is passed, of $6 a year only. The same line of articles all the way through are taxed a high percentage, ranging all the way from

ONE TO THREE HUNDRED PER CENT.,

and it makes every laboring man pay for the medicines necessary for his family from one to two or three hundred per cent. more than they ought to cost him. This is a very small matter to you gentlemen, but take a man whose wages range from three to four or five or six dollars a week and then impose a tax on him of $15 a year for the medicine that his family requires and you make it bear very unjustly and heavily upon him.

Mr. KASSON. Does the gentleman from Alabama observe that this is already reduced; that the rate is reduced one-half here?

Mr. WHEELER. Yes, sir; but your commission recommends that it be placed upon the free-list.

Mr. KASSON. I only desired the gentleman to observe that a reduction has been made here.

Mr. WHEELER. So I have already stated.

Mr. SPRINGER. I move to strike out the last word.

Under the present law there was imported into this country of iodine during the year 1882 fifteen pounds, as shown by this table.

Mr. REED. Why don't the gentleman have the whole table printed as a part of his remarks?

Mr. SPRINGER. And the rate of duty is 40 per cent. ad valorem under the present law. Under the new law as proposed it is 21 per cent. The amount of revenue which would be received if the imports were the same under this modification of the tariff would be $6 for the fiscal year after this goes into effect.

Mr. BROWNE. What does the President say about it?

Mr. SPRINGER. I will answer the gentleman. The President says upon this and other items of a similar character—and I call the attention of the gentleman and his side of the House also to the fact—that all of these items which yield inconsiderable revenues should be placed upon the free-list. Now, here is one which we have before us that yields a very inconsiderable revenue, and you may put a tax upon it high or low and the revenue will be inconsiderable under any circumstances. It is not worth the book-keeping necessary; it is not worth the inspection which is required; and there is, as far as I am able to observe, only one reason why the committee left it here on the dutiable list, and that is for the purpose of a general average.

The Committee on Ways and Means say they have reduced the burdens upon the country so much per cent. on all of the articles enumerated in the tariff. How do they get at that calculation? You take all of the items of this bill of which slight reductions have been made, and you will find that they are generally upon articles of which very little is imported, and then they strike an average and tell us that so much is saved to the people of the country in that direction; and this little item is put in here for the purpose of showing a sort of general reduction. But it does not amount to anything. It affords no relief. This article should come in free, and I want gentlemen on the other side to take it off the dutiable list and place it where it ought to be, on the free-list. I withdraw the *pro forma* amendment.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Alabama, to strike out line 210.

The amendment was not agreed to.

The Clerk read as follows:

Lemon-juice and lime-juice, 10 per cent. ad valorem.

Mr. TOWNSHEND, of Illinois. I move to strike out line 211 for the purpose of making an inquiry of the gentleman in charge of the bill as to the reasons which influenced the Committee on Ways and Means in overruling the report of the Tariff Commission, which recommends that these articles be placed upon the free-list. The Committee on Ways and Means have restored it to the same rate that it was taxed under the old law. [Cries of "Vote!" "Vote!" from the Republican side.] If you think you can make progress by howling "Vote!" I want gentlemen to understand that they are mistaken. I do not desire to postpone action on the bill; but we are entitled to some consideration in this matter; and gentlemen need not expect to railroad a bill of this importance through without consideration. I have made an amendment for the purpose of getting information; and we are entitled to the information which we seek in order to act properly upon these various items of the bill.

Mr. KELLEY. The gentleman from Illinois has asked for information. Lemon and lime juice came in as unenumerated articles at 20 per cent., and the commission has provided no rate for them or suggests none. It is one of the cases which they omitted. There were probably one hundred articles omitted by them, and this, I believe, was one of them.

Now, lemon and lime juice are very much required for chemistry, and it is within my own knowledge that one chemical house in Philadelphia has sent into Florida, and that section of the country in which lemons and limes can be produced, the apparatus for producing these elements of citric acid at home for use in their various productions, costing them many thousands of dollars. I met some of them engaged in that business while I was in Florida, and we believed that they were entitled to a duty of 10 per cent. on these Southern productions.

Mr. TOWNSHEND, of Illinois. I want to say, Mr. Chairman, that I made the motion simply for information, and having received it, and learning from the gentleman from Pennsylvania that the rate of duty is very small, and as it is intended to encourage agricultural productions in this country, I withdraw the amendment.

Mr. HEPBURN. I move to amend by striking out the last word.

I make the motion that I may inform the gentleman from Illinois [Mr. TOWNSHEND] that the rate proposed in this bill is precisely the same as in the tariff of 1846 that he was prepared to vote for last session.

Mr. TOWNSHEND, of Illinois. The gentleman from Iowa [Mr. HEPBURN] represents an agricultural district. He represents consumers, as I do. I represent an agricultural district, and because I represent an agricultural district I am opposed to monopolies; and I am opposed to what is called a protective tariff, that is to enrich and protect a few at the expense of the many.

Now, Mr. Chairman, you heard a voice this morning from Pennsylvania, and I had the pleasure of quoting the remarks of a very eminent Pennsylvania statesman. I want now, for the benefit of my agricultural friend from Iowa, to call attention to a voice from Massachusetts, from the great, the greatest man that Massachusetts ever produced—Daniel Webster.

Mr. BRIGGS. Oh, he was a product of New Hampshire.

Mr. TOWNSHEND, of Illinois. Hear his voice on protection. In 1820 Webster wrote a resolution, and I have it here *verbatim*, and will read it for the information of the House. It was a resolution that he drafted in Faneuil Hall, and here is its language:

They can not perceive how the farming interest can be benefited by a law which increases the price of everything which they have to buy and diminishes the price on everything which they have to sell.

And the same words are applicable to this bill. You talk about protecting the farmer by putting a little tariff on corn, when the fact is known we are shipping abroad corn at the rate of hundreds of millions

every year. You talk of putting a tariff on wheat. Does anybody know of any wheat being shipped into this country, while hundreds of millions of bushels are being shipped annually abroad?

The market of the farmers of the district of the gentleman from Iowa is fixed in Liverpool, and the farmer he represents on this floor is forced into competition with the half-starved and half-naked laborers of India and Austria and the serfs of Russia. And yet he stands upon this floor imposing upon the producing classes of his district a tariff from 10 per cent. to nearly 800 per cent., and claims, notwithstanding, he is properly representing that constituency. I hope he will remember the words of Webster.

Mr. WAIT. I will trespass but a moment upon the attention of the committee. Let me say a word in reply to the gentleman from Illinois, who claims that a protective tariff is injurious to the interests of the farmers of this country. Under a protective tariff, which has built up the great manufacturing and mechanical industries of Connecticut, the market value of every article which is produced by the farmers of the State has doubled, trebled, and in some instances increased fourfold. The farmers of my State, and the same I think may be said in regard to the farmers of every State where these great industries have been built up, have now admirable markets for the products of their farms, markets which did not exist forty years ago, and all the articles of dress and articles that are deemed luxuries are now produced at prices to bring them within the reach of not only those of our people engaged in agricultural pursuits, but within the reach of our laboring classes. To strike down a protective tariff is to strike a vital blow to the interests of our farmers and our laboring classes.

Mr. BRIGGS. Mr. Chairman, I do not rise for the purpose of prolonging the discussion upon this provision of the bill now under consideration. The distinguished gentleman from Illinois [Mr. TOWNSHEND] seems to be terribly at fault in relation to the provisions of the tariffs of 1842 and 1846, and of a great many other subjects upon which he has attempted to enlighten the House. But I simply rise for the purpose of saying to him that Daniel Webster was not a production of Massachusetts, as the gentleman asserted, but of the Granite State. [Laughter.]

The *pro forma* amendment was withdrawn.

The Clerk read lines 212 and 213, as follows:

Licorice, paste or roll, 7½ cents per pound; licorice-juice, 3 cents per pound.

Mr. CABELL. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 212 strike out "7½ cents" and insert "6 cents," and in line 213 strike out "3 cents" and insert "1½ cents."

Mr. CABELL. Mr. Chairman, I offer that amendment with the hope that it will commend itself to the favor of the House. A large amount of mass and stick-licorice is imported into the United States from foreign countries upon which a duty of 10 cents per pound is paid the Government. About three-fourths of this licorice, I think, is used in the manufacture of tobacco; the rest is consumed in preparations of medicine and confections.

The effect of the law as it now stands is to impose a double tax upon all licorice used in the manufacture of tobacco; first, in the way of the 10 cents tariff duty upon the importation of the licorice, and then the 16 cents internal tax upon tobacco, aggregating 26 cents per pound upon every pound of licorice used in the manufacture of tobacco.

Not only is this an onerous tax but it is a discriminating tax as well. The manufacturers of plug-tobacco use the stick and paste licorice; the manufacturers of "fine-cut" use the powdered licorice-root, which is imported free of duty. To enable the plug manufacturers to in any degree cope with the "fine-cut" manufacturers of whom I have spoken, they have to use an inferior article—licorice made in this country of licorice-root which has been subjected to a long sea voyage and become deteriorated and damaged by that voyage, or are compelled to use cheap substitutes which injure the quality and flavor of the tobacco and its reputation not only in this country but in the markets of the world.

It is important, Mr. Chairman, that this tax should be reduced. Four years ago, if I remember rightly, the Ways and Means Committee adopted a report reducing the tariff on licorice to 5 cents a pound. The Tariff Commission, having before it only three witnesses on whose testimony to base a judgment, placed the tax at 6 cents a pound, precisely what I have placed it at in my amendment. Not a manufacturer of tobacco nor a man who was interested in lowering tariff duties upon licorice in any of its forms was called before that Tariff Commission; but every man who appeared before the commission was interested in some way in keeping up the tax, and yet with that testimony only of interested parties before them the commission reported the tax at 6 cents. But the Ways and Means Committee in its wisdom has seen fit to raise the figures of the commission by a cent and a half a pound.

I think this article of licorice ought to be imported free for a number of good reasons. Nevertheless, hoping for the adoption of my amendment, I have concluded to adopt the report and recommendation of the Tariff Commission.

Because of this tax upon licorice the tobacco trade has suffered greatly, not only in the advantage given thereby to foreign manufacturers, but also for the reason, with others, that it has stimulated and built up large manufactories in Canada, Australia and elsewhere, run with American tobaccos. In short, by reason of this tax our own have not equal chance with foreign manufacturers.

It is surprising, Mr. Chairman, that this tax should be continued with its effects so manifestly injurious to American interests, but it is stranger still that the American Congress should, in respect to this subject, have been for several years legislating for the protection not of its own but of foreign manufacturers. We have for years been giving by this tax to foreigners an advantage of 10 cents a pound over the tobacco manufacturers of the United States.

I know that we have in this body many extreme protectionists, but I had never supposed that the most intense advocates of the protective system would be willing to look beyond seas and insist upon protecting foreigners as against Americans. Yet that is precisely what we are doing by this licorice tax.

The modification of this tax in the manner indicated in my amendment would go far toward putting our own on an equal footing with foreign manufacturers, and would result in greatly increasing our exports, cheapening the manufacture of tobacco, thereby increasing consumption, stimulating production, and adding to the Government's revenue. I hope the amendment will be adopted.

Mr. HASKELL. I desire to say a word or two in reply to my friend from Virginia [Mr. CABELL]. I would like to have the ear of the House on this matter, for it is a peculiar case; and I would like the attention of those who represent the people who grow tobacco and who manufacture it.

The rate of duty on licorice-paste in the bill is increased about 25 per cent. above the recommendation of the Tariff Commission, and very largely on the representation of the tobacco manufacturers themselves, who purchase this licorice-paste from manufacturers of the paste, and who have presented long petitions to us asking that the duty on licorice-paste may be kept up in order that they may be exempt from the foreign monopoly now controlled, under a few Turkish firmans, by a few manufacturers abroad.

Mr. SCALES. Will the gentleman name one firm who recommended that?

Mr. HASKELL. I have in the committee-room a list of fifteen or twenty manufacturers; and I have a list here of five or six of them, referring to papers which I do not find here, but the other members of the Committee on Ways and Means will bear me out in that statement.

Mr. SCALES. Will the gentleman name one of them?

Mr. HASKELL. The Lorillards, for instance.

Mr. SCALES. The Lorillards are a monopoly, and they make this paste for themselves.

Mr. HASKELL. They are buyers of this licorice-paste from a Connecticut house, and so stated over their own signature. And besides the Lorillards there were several other manufacturers.

At the time the duty of 10 per cent. was placed on licorice-paste it was selling in the United States at 24 cents per pound. To-day, owing to American competition, which started immediately on the imposition of the protective duty, the price has been reduced to 14 cents per pound. And these buyers of the product ask us to keep this duty on licorice so that they may not be remanded to the monopoly prices which existed before the duty was imposed.

While I have not here a full list of all the manufacturers of tobacco who have asked for the retention of this duty, I have a list of at least fifty manufacturers who use dye-stuffs, and they ask that the duty may be retained on dye-stuffs, notwithstanding they are purchasers of those articles, because they say that under the duty imposed the American manufacture of those articles has reduced the price, and they want the duty continued in order that American competition may be kept up.

While I have not the names of these tobacco-men just at hand, I am sure they will accept this statement of the purchasers of dye-stuffs as to the effect of this duty on the price of the article, because it goes on all fours with it. That is pretty conclusive evidence of the reason for the action of the committee.

Mr. SCALES. I move to strike out the last word. I think the gentleman from Kansas [Mr. HASKELL], though he may not so intend, produces an unfair impression on this House when he attempts to get us to believe that the tobacco manufacturers of this country are in favor of this increased tax on licorice; that is, an increase over and above the duty recommended by the Tariff Commission.

The very firm which he mentions, Lorillard & Co., of New York, is a monopoly. It is a very large establishment. It imports the licorice-root and makes its own paste. Licorice-root is admitted free, and that establishment can very well afford to insist that the duty shall be kept on licorice-paste.

Mr. HASKELL. Here is a list of twenty manufacturers.

Mr. SCALES. And I venture to say that in that list of twenty, there is not the name of one of the smaller manufacturers of the country, of which there are some seven thousand or more.

Mr. HASKELL. They all would petition for it.

Mr. SCALES. They all petition for it?

Mr. HASKELL. They all would if they had the chance.

Mr. SCALES. I represent a tobacco interest in my own State; I myself represent from fifty to one hundred tobacco factories; and I know

that every factory in my district would be in favor of reducing the tax on licorice, because it will cheapen that article to them. They want to cheapen the material which they use in the manufacture of tobacco, and to do that of course they would like to have the tax taken off licorice.

I call the attention of gentlemen on the other side, and especially of the distinguished chairman of the Committee on Ways and Means, to this subject. He is more responsible for the tobacco agitation in the country now than any other man. I was glad that he agitated the subject; I want the tobacco tax reduced or removed. That gentleman sounded the alarm in the North. We believed he was in earnest, and we desired to have the tobacco tax abolished.

But what has been done? At an early day in this session my friend from Pennsylvania [Mr. KELLEY] reported a bill here abolishing the tax on tobacco. Yet that same gentleman has refused to give us one moment of time for considering that bill. Now, when we ask him, as he has refused to allow us to consider that bill, to allow a reduction of the duty upon the articles that go into the manufacture of tobacco, I hope he will consider it favorably. I hope he will give the subject his favorable consideration, and at least consent to reduce the duty to the rate recommended by the Tariff Commission.

The Tariff Commission, appointed for the purpose of considering questions of this kind, has said that this article ought to pay 6 cents on the pound. My friend from Virginia has already told you that when it goes into the tobacco at 6 cents you make it pay 22 cents to the Government. Is that right, is it fair, is it just to the tobacco interest, since you deny it any other reduction?

Mr. BUCK. I wish to say a single word in reply to the suggestion of the gentleman from North Carolina [Mr. SCALES] in regard to the wishes of the manufacturers of plug-tobacco whom he says he represents. I hold in my hand a petition from eighteen tobacco manufacturers in various parts of the country, including two in the State of Virginia. In their petition these manufacturers say:

We have reason to fear the abolition of the duty would increase the cost to us, instead of diminishing it, by crippling the American manufacturers, whose competition between themselves, as also with the foreign manufacturers, is the reason of its reduced price.

Mr. TUCKER. Will the gentleman allow me to interrupt him a moment?

Mr. BUCK. Yes, sir.

Mr. TUCKER. Is not that a printed petition?

Mr. BUCK. It has appended to it the names of C. A. Jackson & Co., of Petersburgh, Virginia, and Lawrence Lottier, of Richmond, Virginia, whom I presume the gentleman knows very well.

Mr. TUCKER. That is a printed petition, is it not?

Mr. BUCK. In reply to the suggestion that it is a printed petition, I will say that a printed petition is the only kind the Committee on Ways and Means would receive in regard to this matter.

Mr. HASKELL. Why, the gentleman's speech will be printed, but he would not like to have it discredited because it is in type.

Mr. TUCKER. I did not say the petition was to be discredited because in print; I simply asked the question.

Mr. BUCK. I do not yield any further. I wish to say that this industry does not include among its members any very large corporations, any large firms or any "bloated bondholders." There are innumerable companies—I might almost say innumerable individuals—engaged in this industry; and the competition which has grown up among American manufacturers has reduced the price of this article 33⅓ per cent. since the duty was first placed on it. Therefore while the general reduction in this bill may be assumed at about 17½ per cent., a reduction to 7½ cents a pound on this article is equal to a reduction of 25 per cent., which I think is as great a reduction as the House ought to adopt in regard to this industry.

With reference to putting licorice-paste into plug-tobacco, I wish to suggest, borrowing the argument of my friend from Ohio [Mr. MCKINLEY] in regard to cotton-ties, that licorice-paste, on which the duty is now 10 cents a pound, goes into the plug-tobacco and is sold by those who deal in the tobacco for the price which they charge for the tobacco. Therefore I say it is just that we should not make the 40 per cent. reduction which has been suggested by the Tariff Commission. I incorporate as a part of my remarks the petition to which I have referred.

The undersigned, manufacturers of plug-tobacco, respectfully represent that licorice-paste is made almost exclusively for the manufacture of plug-tobacco; that the price of licorice-paste or mass of American manufacture (which comprises more than four-fifths of all consumed in this country) is much less than before the present duty was imposed, proving that the consumer has not suffered from the imposition of the duty; that the price of foreign-made licorice has also been reduced, and that we have reason to fear the abolition of the duty would increase the cost to us, instead of diminishing it, by crippling the American manufacturers, whose competition between themselves, as also with the foreign manufacturers, is the reason of its reduced price. This home competition checked, the few foreign manufacturers could, and probably would, combine to advance the price to that obtained before American competition cheapened it.

We, therefore, as the parties chiefly interested, being buyers and consumers of more than half of all the licorice-paste or mass used in the United States, do respectfully petition your honorable body to retain the present duty of 10 cents per pound, which yielded to the Treasury for the year ending June 30, 1879, the sum of $81,538.70, being well assured that the abolition of the duty and the consequent loss of revenue to the Government would afford no equivalent gain to ourselves or to any class of our citizens, while it would injure and possibly destroy the American manufacture of licorice-paste, and force us into a sole dependence upon the foreign manufacture, instead of our having, as at present, the option between a home and foreign source of supply, the advantage of an active competition, and the attendant results of reduced prices and improved production.

We desire in this connection to remonstrate against any rebate, drawback, or other allowances on licorice used in the manufacture of tobacco, whether for export or domestic use, believing such a measure would inevitably lead to gross frauds upon the revenue, place us at the mercy of unscrupulous manufacturers, and, as the use of licorice in tobacco is an American specialty, be of little or no avail in facilitating the exportation of tobacco. Official statements filed with the Committee on Ways and Means show that the Canadian export of manufactured tobacco through a series of years has averaged less than 500,000 pounds annually, less than 50,000 pounds of which went outside of British territory, and that Canada levies an impost duty on licorice, also a revenue tax on tobacco. The extravagant statements in regard to Canadian competition in the manufacture of tobacco are therefore scarcely worthy of serious consideration, although they have been made the pretext for demanding free licorice, or a rebate on licorice entering into tobacco.

May 14, 1880.

P. LORILLARD & Co., Jersey City, New Jersey.
BUCHANAN & LYALL, 101 Wall street, New York.
DRUMMOND TOBACCO COMPANY, Alton, Illinois.
GEM CITY TOBACCO WORKS, Quincy, Illinois.
JOEL H. HARRIS'S SONS, Quincy, Illinois.
LIGGETT & MYERS TOBACCO COMPANY, Saint Louis, Missouri.
DAUSMAN TOBACCO COMPANY, Saint Louis, Missouri.
RYAN & CUMMISKEY, Saint Louis, Missouri.
MAJOR & MACKEY TOBACCO COMPANY, Clarksville, Missouri.
PFINGST, DOERHOEFER & Co., Louisville, Kentucky.
DRUMMOND TOBACCO COMPANY, Saint Louis, Missouri.
GEORGE BROWN, Hannibal, Missouri.
C. A. JACKSON & Co., Petersburgh, Virginia.
LAWRENCE LOTTIER, Richmond, Virginia.
PRICE & LOGAN, Jonesburgh, Missouri.
J. G. MYERS, Louisiana, Missouri.
W. P. BOONE, Clarksville, Missouri.
SPENCE BROS. & Co., Cincinnati, Ohio.

Mr. SCALES. I withdraw the *pro forma* amendment.

Mr. BUCKNER. I renew it. I happen to have the honor to represent quite a number of tobacco manufacturers—not manufacturers of the proportions of a Lorillard—not very wealthy men, but still a numerous class and entitled to consideration here. In addition to this, I have had the misfortune to be a manufacturer of tobacco, so that I ought to have some knowledge on this subject.

Now, sir, it is perfectly natural that the large manufacturers of tobacco should desire a large duty on this article, just as Mr. Lorillard and several others of these gentlemen have been besieging the committee year after year not to reduce the tax on tobacco.

Unfortunately the manufacture of tobacco, like that of whisky, is one of the greatest monopolies in the country; but not half so bad as the monopoly which the gentleman from Connecticut [Mr. BUCK] represents. Sir, the duty on licorice before 1861 was 3 cents a pound. Up to that time there was no manufacture of licorice-paste in this country. This duty of 10 cents a pound was imposed to establish what was then an "infant industry" but now an adult—21 years of age. During this time it has had the benefit of the premium on gold which existed up to seven or eight years ago. Thus this manufacture has grown to large proportions.

Why, sir, what is the cost of the original article? Licorice-root in the countries from which it is imported costs about 2 mills per pound—2.7 mills. Yet the manufacturers of this country have been paying from 15 cents for an inferior article up to 28 cents.

It happens none of these manufacturers appear here to speak on this subject.

Mr. BUCK. Has not the price of licorice-paste been decreased 33⅓ per cent. since the duty was put on it?

Mr. BUCKNER. If you compare it now with the former inflated prices of this country perhaps it has, but I do not admit there has been any such reduction in price as the gentleman suggests. To-day the price, according to the valuation last year of licorice-paste in Europe, in Turkey, in Sicily, is 12 cents. It is worth that now. According to a statement in the Tariff Commission an article can be manufactured here that will compete with the foreign product. What my constituents want, and what the constituents of other gentlemen want, is competition from abroad and not to build up here the manufacture of an inferior article at a heavy taxation. The Stamford article is made up of sugar and inferior materials and is sold as pure licorice when in fact it is nothing of the sort. They may have improved it.

Before taking my seat I wish to call attention to a paragraph in the report of the Tariff commission. It is to be found in the testimony of John D. Dix. It will be seen, from what he says, that the American article is inferior. The commission recommended the duty should be 6 cents. I understand during this Congress the agent of five or six manufacturers of licorice-paste in this country has been here to keep the duty up. Although the commission recommended that the duty should be 6 cents, it is proposed by the committee to increase it to 7½. I ask the extract from the testimony of Mr. Dix be read.

The Clerk read as follows:

Licorice-root, licorice extract, and paste. This is an important article, or used to be, in the drug trade. It is not now, except in the tobacco manufacture, where it is a very important article as a flavor. We put upon the root 1 cent, and upon the paste 5 cents a pound. In 1864, or some time since 1862, the duty was made two cents a pound on licorice, and on the paste, or extract, 10 cents a pound. Now the root is free and the paste is 10 cents a pound. This is one of those articles that it seems utterly unnatural to manufacture in this country, but fortunes are being made by it. To draw a raw material of such low cost from abroad and manufacture it here is not a natural process, and ought not to be sustained by a

heavy protective duty. The root comes largely from Smyrna and from Spain, and a little from Sicily. The cost of bringing the root in that form should be very great compared with the cost of bringing the extract from those countries. The tariff on that is altogether out of character, it strikes me, upon any reasonable basis whatever. Tobacco manufacturers have said that they can buy their paste more cheaply now than in other times. I do not know whether it is true or not. I certainly know that the paste they buy is not so good as it formerly was, and that children in these days hardly know what licorice is.

The CHAIRMAN. The gentleman's time has expired.

Mr. BUCKNER. I withdraw my *pro forma* amendment.

Mr. TUCKER. I renew the *pro forma* amendment. I desire to state only one or two facts which appear by the tabular statement to which reference has been made so often in this debate. The price or unit of value of foreign licorice paste or rolls is 12½ cents. I gather that from the fact that the rate is 78 per cent. ad valorem, which is equal to a 10-cent specific duty, and the calculation shows it costs 12½ cents a pound. You put 7½ cents a pound on that and you make the foreign licorice paste and rolls cost 20 cents a pound to the consumer here.

My friend from Kansas thinks the domestic paste and rolls can be made for—how much? Fourteen cents, I understood him to say. If there was no duty on this we could get it for 12½ cents a pound, but with the duty on it we have to pay 20 cents a pound for foreign licorice paste and rolls.

Mr. Chairman, there is another fact not mentioned by either of my friends in this discussion, and that is this, that the Lorillards make what is called fine-cut tobacco, and with the fine-cut tobacco they use the licorice-root which is cut up with the fine-cut tobacco. They get that licorice-root free of duty.

The maker of plug-tobacco gets licorice-paste and pays under the present law 10 cents, and will under the bill pay 7½ cents. So between the maker of fine-cut tobacco and the maker of plug-tobacco there is an advantage in favor of the maker of the plug of 7½ cents, the cost of the licorice. I do not wonder, therefore, the New York manufacturers who make the fine-cut tobacco are willing to keep up the duty on licorice paste and rolls used only by plug-tobacco manufacturers in Virginia and elsewhere, while they get the licorice they use in the fine-cut tobacco free of duty. I think, therefore, in the interest of the manufacturers of tobacco this duty should be reduced to 6 cents per pound. Six cents per pound would be 45 per cent. ad valorem. If that is not enough for the protection of any American interest I think it ought not to be bolstered further. The Tariff Commission recommended 6 cents per pound, but the Committee on Ways and Means wants 7½ cents. I am in favor of what the commission proposes.

[Here the hammer fell.]

Mr. TOWNSEND, of Ohio. Mr. Chairman, I happen to know something about this tobacco question as connected with the manufacture of licorice. I will not deal with theories but facts. There is an amount of licorice used in this country for other purposes than that of tobacco, and it should not be considered entirely from the standpoint of its use with tobacco. In point of fact, the tobacco manufacturers make money out of licorice, and they mean to do it. The licorice they buy at the rate of 12 and 14 cents they sell to the consumers and wholesale jobbers at from 30 to 40 cents a pound, according to the quality. They get paid for every pound of licorice contained in the tobacco, just as if it was so much tobacco. The great trouble is to keep them from putting too much licorice in their tobacco, because they make more money on that than on the tobacco. That is the fact about it. I happen to know a great many manufacturers of tobacco. I have received letters from twenty-five of them asking that the duty on licorice be retained at 10 cents per pound. They want a steady market and no interruption.

[Here the hammer fell.]

The CHAIRMAN. If there be no objection the *pro forma* amendment will be withdrawn.

Mr. CABELL. I move to strike out the last word.

Mr. Chairman, I must take issue with the gentleman from New Hampshire, the gentleman from Connecticut, and other gentlemen who say that the manufacturers of tobacco are not only not hampered and injured by this tax upon licorice, but that they actually make money by the application of licorice to the tobacco they put up. They are entirely mistaken about that.

The substitution of your poor domestic licorice for good imported licorice entails upon the manufacturers of tobacco in two or three ways, which might be mentioned if time afforded, a much greater loss than is compensated for by the sale of the licorice as so much tobacco. Besides, upon certain grades of tobacco between the internal tax and tariff tax upon the combination, nothing is left for the price of the tobacco and the labor bestowed upon it. Not only so, but the Southern manufacturers I say are compelled by reason of the import duty to use licorice of an inferior or bad quality, such as they would not use if they could avoid it.

Licorice, I repeat, made from the root imported duty free by two or three licorice manufacturers, to whose success in business the tobacconists and the consumers of the country are made to pay unwilling tribute. The stuff that these licorice-men make could hardly be improved by them, considering that their stock is injured, if not ruined, by the sea voyage to which it must be subjected, for no licorice-root is raised in this country; therefore the imported licorice is far preferable to the domestic, and is always used by the tobacco manufacturer when his means and opportunities enable him to do so.

In fact rather than use this domestic licorice many manufacturers of tobacco use cheap substitutes for it, such as molasses, low grades of sugar, and other compounds, which of course injure the character and quality of the tobacco thus dealt with and compels its sale in our own and foreign markets at cheap rates ruinous to the seller, but in fact dear to the buyer. It is therefore to escape these difficulties and others which might be named that we ask this reduction of duty upon licorice. For years the three or four licorice manufacturers of this country have been allowed to dominate this trade, to impose burdens upon the tobacco interests, and to deprive the Government of much revenue which under proper rates it should and would have collected.

Will not the tax of 6 cents per pound recommended by the Tariff Commission and proposed by my amendment prove sufficient to protect—to satisfy the greed of the few men who have enjoyed the monopoly of this licorice business for some twenty or more years? Is Congress willing to allow these men to exclude other traders from the market who will offer a better article at a lower rate to manufacturers who have already been required for years to enrich others at their expense?

Mr. Chairman, by reducing this tax to the rate I have recommended Congress will be doing no wrong to the licorice manufacturer, but on the contrary a great good to the tobacco trade and the Government. Six cents per pound tax, added to the costs of transporting licorice from foreign countries, will more than protect the industry; but a 7½-cent per pound tax, if adopted, will prove almost as prohibitory in its character as the present rate of 10 cents.

I withdraw the *pro forma* amendment.

The CHAIRMAN. The question is upon agreeing to the amendment proposed by the gentleman from Virginia, to strike out in line 212 "7½ cents" and insert "6 cents."

The committee divided; and there were—ayes 52, noes 93.

Mr. CABELL. I demand tellers.

Tellers were ordered.

Mr. CABELL and Mr. HASKELL were appointed tellers.

The committee again divided; and the tellers reported—ayes 60, noes 91.

So the amendment was not agreed to.

The Clerk read as follows:

Licorice-juice, 3 cents per pound.

Mr. SPARKS. I move to strike out this line, 213. I see, Mr. Chairman, on examining the tables brought in here that on that article of licorice-juice there is a reduction of 2 cents per pound; the rate per pound now existing is 5 cents, and it is proposed to be reduced to 3 cents. I see also from the table that there was no revenue collected under the 5-cent rate and there is no revenue estimated to be collected under the reduced rate, and it simply shows, sir, that, as I have already taken occasion to remark several times, there is an effort on many of these items to show to the country that a reduction is being made, when the men who propose to do this thing know very well themselves that there is no reduction. Why keep this item in the schedule? Why reduce the 5-cent per pound rate to 3 cents when the 5 cents has produced no revenue; and you can not estimate that your 3-cent per pound rate will produce any, unless somebody is to be deceived, unless the country is to be hoodwinked into the belief that there is really an effort to reduce the taxes? I repeat, why keep this item in the dutiable list at all?

Mr. BUCKNER. Let me say to the gentleman from Illinois that there has been no importation of licorice-juice at all. None has come in, and there never was any.

Mr. SPARKS. Very well; that is what I gather from the table here; and why is it proposed to be kept in? I think, Mr. Chairman, it is kept here for the purpose of indicating to the country or attempting to go to the country with the idea that here is a reduction of tariff rates. There is none in this case, because there is no revenue derived from it.

Mr. HASKELL. Because the importation all came in under another head—under the general head; that is all.

Mr. SPARKS. But in this item there is none even estimated to be received under the reduced rates.

Mr. HASKELL. Because, as I have said, it came in under a different head.

Mr. SPARKS. But in the future you do not estimate that anything will be derived. Why not strike it out?

Mr. KELLEY. It came in formerly at 5 cents a pound, and we propose to reduce it to 3.

Mr. SPARKS. But I call the attention of the gentleman to this point, that here is an item of licorice-juice embodied in this table, bearing a rate of duty at 5 cents a pound, that has heretofore paid no revenue. Now you propose to reduce it to 3 cents a pound, and you do not even estimate that there will be any revenue at that rate.

Mr. HASKELL. How can we estimate upon an article that there are no statistics of duty upon?

Mr. TUCKER. Will the gentleman allow me to interrupt him, and I will show him that there is?

Mr. HASKELL. Well, where is it?

Mr. TUCKER. If the gentleman from Kansas will look at something else than his own table and will admit that all knowledge is not

absorbed in himself, if he will look at the statement of imported merchandise published by the Treasury Department, he will find that licorice-juice was imported at 5 cents a pound, but that there was an importation of only 2,440 pounds, with a duty collected of $122.

Mr. HASKELL. That is what I was trying to say. It is under another form and under another head.

Mr. TUCKER. It is singular the gentleman was trying to say that when he said just the reverse.

Mr. SPARKS. I do not yield to all these gentlemen.

I see in the table the present tariff on licorice-juice is 5 cents a pound; that is what this table tells me. I see the rate is reduced from 5 cents to 3 cents; that is what this table tells me. I see there was no revenue derived from the 5-cent per pound duty. I see there is none estimated by the friends of this bill to be derived from the 3-cent duty. Now, why keep it here unless it is kept here to blind the eyes of somebody and make somebody believe you are reducing taxation, when you know it is a cheat?

The question being taken on the motion to strike out line 213, it was not agreed to.

The Clerk read lines 214 and 215, as follows:

Oil of bay leaves, essential, $2.50 per pound.

Mr. ROSECRANS. I move to strike out the item just read.

My reason for making this motion is that according to the reports of the Treasury Department we imported only 1,920 ounces, of the value of $496, on which we collected $960, at the rate of 50 cents an ounce. The present bill proposes to change that to $2.50 per pound. This proposition makes the tariff equivalent to 80.65 per cent. and produces a revenue of only $300. For that reason, that the article produces no amount of revenue worth having, I propose to strike it out.

Mr. KELLEY. The proposition is to reduce the rate on oil of bay leaves from 50 cents an ounce to $2.50 a pound. It is one of the largest reductions either by the commission or by the committee. The gentleman from California seems to confuse the two rates as though they both related to the pound.

Mr. TOWNSHEND, of Illinois. He wants the article on the free-list.

Mr. BUCKNER. He says because you get no revenue from the article, why do you keep this duty on it?

The question being taken on the motion of Mr. ROSECRANS to strike out lines 214 and 215, it was not agreed to.

The Clerk read line 216, as follows:

Oil of rum or rum essence, 50 cents per pound.

Mr. HAZELTON. I move to strike out the last word for the purpose of asking a question of the Committee on Ways and Means. It is in this way that we who do not belong to that distinguished committee gain information in regard to these various items. Now, in this great conglomeration I find the oil of rum or rum essence has a duty of 50 cents per ounce. I have some little idea of what this essence of rum is used for; but at the same time I desire the chairman of the Committee on Ways and Means to inform us where this industry exists, what this article is manufactured for, and what benefit it is to the American people.

Mr. TOWNSHEND, of Illinois. It is not to drink.

Mr. HAZELTON. I ask for information and in good faith.

Mr. KELLEY. It is an adulterator used for coloring——

Mr. RANDALL. If the chairman of the committee will allow me I can answer the question.

Mr. KELLEY. I yield to my colleague.

Mr. RANDALL. This is an essence used to make false rum. It is an artificial preparation and is mixed with alcohol to make rum instead of having rum made out of molasses. It is a vicious production and ought to be prohibited.

Mr. HAZELTON. Does it make good rum?

Mr. RANDALL. I do not know; perhaps you can answer.

Mr. KELLEY. You get it in your rum-punches. I understand, however, it is good for purposes of ablution.

Mr. TOWNSHEND, of Illinois. I desire to ask the chairman of the committee a question. I notice the present tariff on this article is 50 cents per ounce. The Tariff Commission put the article on the free-list; the Committee on Ways and Means have restored it to the old rate. The table shows no revenue whatever derived from it.

Mr. KELLEY. The Tariff Commission omitted it, but it would probably have come in in one of the unenumerated classes.

Mr. TOWNSHEND, of Illinois. As the table shows no revenue whatever derived from it, I wish to know why the rate is kept up?

Mr. KELLEY. It is a thing to be barred out. It is a counterfeit, an ingredient used in making counterfeit rum and other things requiring the rum flavor. It is just one of those things which it would be wise to prohibit.

Mr. TOWNSHEND, of Illinois. Adulterators?

Mr. KELLEY. Yes, sir.

Mr. TOWNSHEND, of Illinois. I thought my friend from Pennsylvania said the gentleman from Wisconsin usually got it in his rum-punches.

Mr. WHEELER. I think the distinguished chairman of the Committee on Ways and Means is mistaken in saying this is an article which is used in adulterating. The evidence he had before him shows it is an article used for making medicines, an article absolutely essential for making medicines. This and the article preceding it are taxed 193 per cent. And I say this Congress has no right to tax anything used by the laboring people of our country 193 per cent.

The *pro forma* amendment was withdrawn.

Mr. SPRINGER. I move to strike out the item.

There is a great diversity of opinion about this article, and I would like to know whether this is to be on the prohibitory list or not. Gentlemen on the other side say this article is a fraud and this rate is imposed for the purpose of preventing importation. The evidence referred to by the gentleman from Alabama [Mr. WHEELER] is to the effect that it is a useful article in the preparation of medicines. I want to have some light. If we are to discredit this article, I want to know that it is an article which ought to be discredited. [Cries of "Vote!" "Vote!"] As long as gentlemen make such a noise they will not hear what I say, and they will never understand this bill until they listen to somebody who does understand it. Here are two members of the Committee on Ways and Means making statements as to a certain tax in this bill. The chairman of the committee says the article is a fraud and that the tax is imposed upon it to keep it out of the country. But the evidence before the commission is that it is a useful article used in the preparation of medicine.

Now, what am I to do? I do not know what this is, and no one can give me light upon it, and I am compelled to vote in the dark. If it is a fraud, then it belongs in the bill, is in its right place, and should be kept in. I therefore withdraw my amendment.

The Clerk read the following:

Oil, croton, 50 cents a pound.
Oil, flaxseed or linseed, 30 cents per gallon, seven and one-half pounds' weight to be estimated as a gallon.
Oil, cotton-seed, 30 cents per gallon.

Mr. WHEELER. I move to strike out the words "oil, cotton-seed, 30 cents per gallon." I do so because the revenue obtained from that article last year was only $1.50, and it cost at least $500 to collect that dollar and a half. In addition to that, cotton-seed oil is a substance employed in many articles which the laboring people of the country use. [Cries of "Vote!" "Vote!"] Oh, yes, you can cry "Vote!" but it is the laboring people of the country you will be asking votes of one of these days.

Mr. SPRINGER. That is so.

Mr. SPARKS. I demand order. If this is to degenerate into a mob we ought to know it. We were not allowed any general debate, and now I suppose we are to be cut off the five-minute debate in this way.

Mr. KELLEY. I will ask the gentleman from Alabama [Mr. WHEELER] to yield to me for a moment, when the committee comes to order.

Mr. WHEELER. I will with pleasure.

Mr. KELLEY. By some accident the duty on cotton-oil was reduced or dropped. We heard from the cotton-growing country that a great wrong had been done. Now, if gentlemen on the other side of the House generally say that they desire to have cotton-oil made free I will yield to their wishes.

Mr. TOWNSHEND, of Illinois. Croton-oil.

Mr. KELLEY. No; cotton-seed oil.

Mr. TOWNSHEND, of Illinois. It is the clause above that.

Mr. KELLEY. No; cotton-seed oil is what the gentleman from Alabama [Mr. WHEELER] refers to.

Mr. TOWNSHEND, of Illinois. We have not got to that yet; it is croton oil.

Mr. KELLEY. It was on cotton-seed oil that the dollar and a half was collected.

Mr. CARLISLE. That is what we are talking about now.

Mr. KELLEY. I want to retain the duty on that article; but if the representatives of the cotton-growing section and the cotton-oil-producing section want it to be put on the free-list——

Mr. BLANCHARD. We do not ask that.

Mr. KELLEY. Very well.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama [Mr. WHEELER], to strike out line 220.

Mr. WHEELER. On the statement of the chairman of the Committee on Ways and Means [Mr. KELLEY], I will withdraw that motion.

The Clerk read as follows:

Hemp seed and rape seed oil, 10 cents per gallon.
Soda and potassa, tartrate of, or rochelle salts, 5 cents per pound.
Strychnia, or strychnine, and all salts thereof, 50 cents per ounce.

Mr. ROSECRANS. I move to strike out lines 224 and 225 of the bill, relating to strychnine. This is one more attempt to obtain the sense of the Committee of the Whole on the propriety of striking out from the dutiable list those articles which yield but a very small revenue.

By way of apology for selecting this article of strychnine for my motion, I will say that we on the Pacific coast are consumers of that article to a pretty large extent. It is used in poisoning animals, squirrels, moles and gophers.

According to the report of the Treasury Department, which this

House has ordered to be printed, salts of strychnia were imported into this country last year to the amount of twenty-three and one-half ounces, of the value of $21, paying a duty of $35.25; at the rate of from one $1 to $1.50 per ounce. It is proposed in this bill to reduce the duty to 50 cents an ounce. That is a great reduction, and the revenue under that rate, estimating the importations to be the same as last year, will be $11 and a fraction a year.

Mr. SPRINGER. Mr. Chairman——

The CHAIRMAN. Does the gentleman rise to oppose the amendment?

Mr. SPRINGER. I support the motion to strike out, and therefore I will move a *pro forma* amendment, to strike out the last word. I desire to call attention——

Mr. KELLEY. I desire to hear what the gentleman from Illinois [Mr. SPRINGER] has to say. I have received so much instruction from him to-day that I desire to hear what he may now have to say, and that I can not do with the present confusion in the Hall.

Mr. SPRINGER. That is what I would like myself.

Mr. KELLEY. I want to learn what the President of the United States said in his message [laughter], and I hope I may be permitted to hear the gentleman.

Mr. SPRINGER. Let us have order, and I will tell you what the President said.

Mr. BAYNE. Do you represent the President?

Mr. SPRINGER. I do in this.

The CHAIRMAN. The gentleman will suspend until the committee comes to order. [After a pause.] The gentleman will now proceed.

Mr. SPRINGER. The gentleman from Pennsylvania, the chairman of the Committee on Ways and Means [Mr. KELLEY], asks whether the President recommends this amendment. I think he did, judging from his language, which I will now read, and which I again commend to the majority of this House:

> Without entering into minute detail, which under present circumstances is quite unnecessary, I recommend an enlargement of the free-list so as to include within it the numerous articles which yield inconsiderable revenue.

The President of the United States was himself for a time a collector of revenue; he was the collector of the great port of New York, and has had some experience in this matter. It is true that while he was collector the man who occupied the Presidential office and was himself the monumental fraud of the century accused the one who is now President of being a dishonest collector. But I never believed it; I am glad to say that I did not believe the witness.

The present President of the United States has had some experience in regard to this matter. He knows that it costs the Government a large amount for bookkeeping and other expenses in collecting the revenue on these articles which yield but an inconsiderable amount. As the gentleman from Alabama [Mr. WHEELER] remarked, on this article of cotton-seed oil we probably receive a revenue of about a dollar and a half, and it costs $500 to collect it.

The object of keeping this article in the dutiable list in this bill is to enable the gentlemen on the other side, on the principle of general average, to show that the amount of duties on so many items is reduced from what it is under the existing law, and therefore to claim that they have reduced the burdens of the people.

But you will always observe, as I have, that where they bring in their reductions it is upon some utterly insignificant item, which ought to be on the free-list at any rate. But wherever the duty really affects the tax-burdened people of the country they have either increased it or left it at the old rate. In this item there is a decrease from 167 per cent. to 55 per cent.; but is there any relief to the people in that decrease? Not a particle. Yet gentlemen are claiming that they are reducing taxation to the tax-burdened people 50 or 75 per cent. The fraud of the whole thing is apparent. [Here the hammer fell.] I withdraw my *pro forma* amendment.

The question being taken on the amendment of Mr. ROSECRANS, it was not agreed to.

The Clerk read as follows:

> Acidulated phosphate of lime, ammoniated or otherwise, $3 per ton.

Mr. BEACH. I move to strike out this paragraph.

Mr. KELLEY. In order to perfect the phraseology of the paragraph, I move to amend by inserting, after the word "lime," the words "for fertilizing purposes."

The amendment was agreed to.

Mr. BEACH. I rose for the purpose of inquiring of the chairman of the Committee on Ways and Means [Mr. KELLEY] whether acidulated phosphate of lime is used for any other than fertilizing purposes?

Mr. KELLEY. Yes, sir. It is used, for instance, in Horsford's Acid Phosphate—one of our most popular medicines—popular not only with the people but with the faculty. It is used again, in connection with cod-liver oil and such things, in making emulsions for pulmonary disorders. The object of my amendment was that the rate here named might not be construed to apply to these medicinal preparations. I hope I have answered the gentleman satisfactorily.

Mr. ANDERSON. I move to amend by striking out the pending paragraph. My object is to inquire of the chairman of the Ways and Means Committee whether this article is not now admitted free.

Mr. KELLEY. If the gentleman will turn to line 2109 on page 86 of this bill, lines 1981 to 1988, and lines 2076 to 2111, he will find that crude phosphate and almost every form of crude fertilizers are on the free-list. But here is a highly medicated fertilizer which, by the application of sulphuric acid, is now manufactured in immense quantities near the phosphate beds of South Carolina; is largely manufactured in Maryland and other Southern States and to some extent in the Northern and Western States. But this manufacture involves first the production or purchase of sulphuric acid and sulphate of ammonia, and then their preparation and combination with the phosphates which so largely abound in the South.

Mr. ANDERSON. Is this article imported by the ton for medicinal purposes?

Mr. KELLEY. Not at all. I said that when imported for medicinal purposes we did not desire the article to come in under this provision.

Mr. ANDERSON. In your schedule it is rated for duty by the ton.

Mr. KELLEY. For fertilizing purposes; but when you come to medicinal preparations——

Mr. BEACH. Why not strike it out entirely?

Mr. KELLEY. Because in that way you would destroy the manufacture of this form of fertilizers in the Carolinas, in Maryland, and in probably twenty States of the Union.

Mr. CARLISLE. Is it not a fact that these phosphates of South Carolina are now carried in their crude state across the ocean, manufactured there, brought back and sold to the farmers in this country cheaper than they can be made here at home?

Mr. KELLEY. Because in England they have the sulphuric acid and the sulphate of ammonia as by-products from manufactures which are profitable without them. That is a good reason why we should protect our manufacturers. I ask gentlemen from South Carolina whether this manufacture is not carried on largely in that State near the phosphate fields——

Mr. AIKEN rose.

Mr. RANDALL. Will my colleague yield to me a moment?

Mr. KELLEY. Yes, sir.

Mr. RANDALL. If my memory is correct, this duty of $3 a ton was justified, if there is a justification for it, on the ground that upon lead which is used in the vessels employed in the preparation of this acidulated phosphate of lime, there is a duty of 2 cents a pound; and thus by reason of the duty on lead the American manufacturer is at a disadvantage as compared with the English manufacturer.

Mr. TOWNSHEND, of Illinois. The farmer who uses it, where does his advantage come in?

Mr. KELLEY. He gets a cheap fertilizer.

Mr. HERBERT. When I introduced this article the other day I said that a substance had been put on the taxable list which heretofore had been free. The gentleman from Pennsylvania quibbled because this had never been put actually on the free-list, technically. The substance of my point was that this fertilizer which heretofore had not been taxed the committee now propose to tax. That fact is now admitted I understand.

Mr. KELLEY. What is that which is admitted? The gentleman seems to be referring to me, but in the great confusion which prevails in the Hall I can not hear what he is saying.

Mr. HERBERT. This does not come out of my time? If it does not I am willing to yield to the gentleman from Pennsylvania.

Mr. KELLEY. The acidulated phosphate never appeared in the list before.

Mr. HERBERT. This acidulated phosphate has been introduced free of duty, according to the testimony in the Tariff Commission, to the extent at least of 100,000 tons, because the phosphate could be exported from South Carolina and manufactured and imported into the country more cheaply than it could be manufactured for here to-day. The proposition is to put these fertilizers on the free-list, where they have not heretofore been; if not technically, substantially. The question is whether you, for the benefit of these manufacturers in Boston, Charleston, Augusta, and elsewhere who have petitioned for it, shall tax the farmer on his fertilizer.

Mr. CARLISLE. My information is that the stock of the manufacturing establishments sought to be protected by this bill is worth a hundred per cent. above par.

Mr. HERBERT. Whatever it is, whether above or below par, they entered into the manufacture of these fertilizers when there was no duty. Now, in order to protect them against foreign competition they ask this Congress to impose a burden on the farmer. That is the bare, naked question.

[Here the hammer fell.]

Mr. ANDERSON. I wish to suggest a few reasons why I am in favor of striking out this item, and any other item affecting the production of fertilizers.

The first reason, Mr. Chairman, is that every doctrine must have a limit. The doctrine of mercy, certainly as pure and genuine a one as we can think of, yet in its application reaches a limit. I think the doctrine of protection, admitting all that is claimed for it, must somewhere reach a limit. Now, for one I propose to draw that limit, so far as this schedule is concerned, right here.

Gentlemen may differ in opinion as to the effect of the tariff. I am willing to try the experiment of letting the American farmer have any benefit which may come from competition in the matter of fertilizers.

The second reason I wish to suggest is this: While we are all admirable men, while we have unlimited brains and sagacity, yet we do not constitute the whole of either the Republican or Democratic parties of the United States. I wish to suggest in my opinion the recommendations made by the President of the United States in respect to these insignificant articles more fairly represents the true wish of the mass of the Republican voters in this country than anything we have had from this side of the House. Do not mistake this atmosphere in this Hall or this Capitol, redolent with your lobby—do not mistake that as the pure, free air of American thought. [Applause.] And it may be just as well, when the Ways and Means Committee seem to have taken a fine-tooth comb and gone through the entire possibilities of these articles, raked up insignificant, miserable things to put in this bill—it may be just as well to stop and take a full breath and see whether we are not going too fast. [Applause.] Now, when you strike fertilizers, when you strike agriculture, I propose to stop. [Applause.]

Mr. HASKELL. Why did not my colleague think of all that when he proposed to reduce the tariff to a starvation point on castor-beans?

Mr. ANDERSON. No, not on castor-beans, but on the manufacture of castor-oil.

The CHAIRMAN rapped to order.

Mr. KELLEY rose.

Mr. HAMMOND, of Georgia. I move that the committee do now rise.

Mr. ANDERSON. I withdraw the *pro forma* amendment, but insist on my amendment to strike out.

Mr. KELLEY. In the course of his remarks just now——

Mr. HAMMOND, of Georgia. I have moved the committee to rise.

The CHAIRMAN. The gentleman from Pennsylvania has been recognized.

Mr. HAMMOND, of Georgia. I desire to know whether I did not make the motion to rise before the gentleman from Pennsylvania was recognized.

The CHAIRMAN. The Chair recognized the gentleman from Pennsylvania, who offered a *pro forma* amendment, and the gentleman from Georgia can not take him off the floor by a motion to rise.

Mr. HAMMOND, of Georgia. I ask whether you did that before I made my motion that the committee rise?

The CHAIRMAN. The Chair certainly did. The gentleman from Pennsylvania addressed the Chair before the gentleman from Georgia rose.

Mr. BEACH. I rise to a parliamentary inquiry. I desire to know what has become of my motion to strike out lines 228 and 229?

Mr. KELLEY. I believe I have the floor, even against the parliamentary inquiry.

The CHAIRMAN. The Chair understood the gentleman from New York to withdraw the motion, and it has been renewed by the gentleman from Kansas.

Mr. KELLEY. I desire in connection with the heated remarks just made by the gentleman from Kansas to call attention to some of the paragraphs in the free-list in refutation of his assertion that we were taxing natural fertilizers. In line 1981 and other lines we have put on the free-list:

Bones, crude, burned, calcined, ground, or steamed, but not otherwise manufactured.

Bone-dust and bone-ash for manufacture of phosphates and fertilizers.

Carbon, animal, fit for fertilizing only.

Guano and other animal manures; manures unmanufactured and substances expressly for manure.

Mr. BEACH. Will the gentleman yield for an inquiry?

Mr. KELLEY. Not just now.

Mr. HERBERT. What line does the gentleman read from?

Mr. KELLEY. I was reading from lines 1981 to 1988, inclusive.

I turn now to line 2076:

Wood ashes, and lye of, and beet-root ashes—

Still on the free-list. Line 2109:

Phosphates, crude or native for fertilizing purpose. Plaster of Paris or sulphate of lime, unground.

There are other general provisions in the like direction, of crude elements of manure and some advanced by manufacture on the free-list. But when you come to elements that are acidulated at great cost of labor and money, and ammoniated, the case is different. Then you are asked not only to give the farmer the benefit of all the crude phosphates or elements of manure, but to strike down the American manufacturers of sulphuric acid, its application to these manures, and the sulphate of ammonia and adulterations thereof. I say when you come to these articles the case is very different, and I hope the committee will permit the duty on the acidulated article to be maintained.

Mr. AIKEN. Mr. Chairman, the question was asked a while ago of members of the House from South Carolina whether there were any large manufactories of phosphates to be used as fertilizers in the city of Charleston.

Mr. KELLEY. Not in the city of Charleston, but near Charleston, on the Cooper and Ashley Rivers.

Mr. AIKEN. They are within ten miles of the city. There have been more than $5,000,000 invested in the preparation of these phosphates. These companies manufacture their own sulphuric acid, and they do not ask any reduction whatever upon the existing rates. They can manufacture their sulphuric acid at less than 2 cents a pound. They sell their phosphates acidulated or ammoniated at an immense profit. The result of it has been that they have accumulated vast fortunes in the business. To-day the stock of some of those companies can not be bought at any price. I have known from my own personal knowledge $200 to be offered for a share, when the par value was only $100, and it was refused. There is none of it in the market to be had at any price. They are close corporations, and no man knows the extent of the dividends they declare.

Mr. DUNN. Has not that industry grown up without protection?

Mr. AIKEN. Yes, sir, entirely so. They do not need protection. They are amply protected as they are, because it is a grand monopoly. It is the farmers who want protection from them. [Applause.] Millions of money are spent by the farmers of the South every year for these phosphates. They sell the crude phosphates at $9 a ton. When they are ground and treated with sulphuric acid they are sold at $16 a ton. If they are ammoniated they are sold at $30 a ton.

I have to-day in my possession a price-list received from one of these companies proposing to sell me phosphates at $30 a ton for ammoniated, which I do not believe cost them $20 a ton to manufacture. I have a similar proposition for acidulated phosphates at $16 a ton, which can not cost them over $12 to manufacture. They need no protection. They do not ask any. It is, as I have said, the farmers of the country who use these phosphates who are in need of the protection. I trust that the committee will have some relief to offer the agriculturist and not grant so much protection to the manufacturer.

The CHAIRMAN. The Chair understands the *pro forma* amendment to be withdrawn.

Mr. HASKELL. I renew it.

In reply to what has been said by my colleague I desire to say simply this: That the Ways and Means Committee instead of raking over the entire bill to find articles to put on the dutiable list, have acted just the reverse of that, and have added over thirty largely on this schedule to the free-list, and have put this article of phosphates among other things on that list. It was the special care of that committee to hunt up all these crude materials which are largely used by the farmers as fertilizers and to reduce the rates on them to the very lowest possible point. We found ammoniated phosphates of lime dutiable now under the general clause at 20 per cent. We knew that there were large industries in the South which were developed under that rate of duty. We presumed that there would be a multiplication of these industries along the streams where these beds of phosphates were found, and therefore reduced the price of the articles that enter into the manufacture of these fertilizers to the lowest figure so as to give to the people a valuable fertilizer at a low price. We tried to leave this industry in this country just as we found it without any desire whatever to hamper or impair it in any manner. On the contrary we have sought in every possible way to favor our agricultural interests in this connection as in all others.

Now, the gentleman from South Carolina says that these companies do not desire any protection. I say to him that the Committee on Ways and Means have simply been trying to deal out fair and exact justice in the matter with a view to relieve every agricultural industry and everywhere to show it marked favor in caring for its products and reducing its expenses on fertilizers. I do not think, therefore, that there can be any charge with any justice of a desire on the part of the committee to militate against the agricultural interests, and I am entirely willing to see this go upon the free-list unless there is somebody on that side of the House who is interested in retaining it here.

Mr. TOWNSHEND, of Illinois. We do not want any protection on this side.

The question being taken on Mr. ANDERSON's motion to strike out the paragraph as amended, it was agreed to.

Mr. HAMMOND, of Georgia. It is now half past 5 o'clock; we have been sitting here since 11 o'clock; and I move that the committee rise.

Mr. KELLEY. I ask that that motion may be voted down and that we sit till 6 o'clock.

The question being taken on the motion of Mr. HAMMOND, of Georgia, there were—ayes 47, noes 88.

Mr. HAMMOND, of Georgia. No quorum.

The CHAIRMAN. It is not necessary to have a quorum on this motion.

Mr. SPARKS. I call for tellers.

Mr. HAMMOND, of Georgia. I want to know if I am mistaken about the point of order. I understand when the Committee of the Whole finds itself without a quorum it is obliged to rise.

The CHAIRMAN. The Chair only determines the question that on a motion to rise a quorum is not necessary any more than on a motion to adjourn. The gentleman from Illinois calls for tellers.

Mr. HASKELL. Let us sit till 6 o'clock.

On the question of ordering tellers there were ayes 26.

So (the affirmative not being one-fifth of a quorum) tellers were not ordered.

The Clerk read lines 230, 231, and 232, as follows:

Alumina, alum, patent alum, alum substitute, sulphate of alumina, and aluminous cake and alum in crystals or ground, 60 cents per hundred pounds.

Mr. HAMMOND, of Georgia. I move to strike out the line last read.

Mr. HASKELL. Which line?

Mr. HAMMOND, of Georgia. I move to strike out the line last read. I do not know what it was and I do not care what it was.

The Clerk read the line proposed to be stricken out, as follows:

Ground, 60 cents per hundred pounds.

The question being taken on the motion to strike out, there were—ayes 4, noes 77.

Mr. HAMMOND, of Georgia. No quorum.

The CHAIRMAN. The gentleman from Georgia having made the point that a quorum has not voted, the Chair will order tellers, and appoints the gentleman from Georgia, Mr. HAMMOND, and the gentleman from Kansas, Mr. HASKELL, to act as tellers.

The committee again divided; and the tellers reported there were—ayes 3, noes 84.

Mr. KELLEY. I think we had better have a call of the House.

Mr. HAMMOND, of Georgia. We can not have that till the committee rises. I make the point that a quorum has not voted.

Mr. ROBINSON, of Massachusetts. A quorum not having voted, but one thing is in order and that is a call of the roll.

The CHAIRMAN. Does the gentleman from Georgia still insist on the point of order that a quorum has not voted?

Mr. HAMMOND, of Georgia. I do.

The CHAIRMAN. The Clerk will call the roll.

The roll was called; and the following-named gentlemen failed to answer:

Atherton,	Dunnell,	Leedom,	Scoville,
Atkins,	Ermentrout,	Le Fevre,	Scranton,
Barbour,	Farwell, Chas. B.	Lindsey,	Sherwin,
Belmont,	Ford,	Lord,	Shultz,
Beltzhoover,	Frost,	Mackey,	Simonton,
Black,	Fulkerson,	Martin,	Smith, A. Herr
Blackburn,	Garrison,	Mason,	Smith, Dietrich C.
Bland,	Geddes,	Matson,	Spaulding,
Bliss,	George,	McClure,	Speer,
Bragg,	Gibson,	McCoid,	Stockslager,
Browne,	Godshalk,	McLane, Robt. M.	Talbott,
Buckner,	Guenther,	McMillin,	Taylor, Ezra B.
Burrows, Jos. H.	Gunter,	Mills,	Thompson, W. G.
Butterworth,	Hall,	Money,	Tyler,
Caldwell,	Hammond, John	Moore,	Updegraff,
Calkins,	Harmer,	Morse,	Urner,
Camp,	Harris, Benj. W.	Mosgrove,	Van Voorhis,
Cassidy,	Harris, Henry S.	Moulton,	Wadsworth,
Caswell,	Hatch,	Murch,	Wait,
Colerick,	Haseltine,	Mutchler,	Washburn,
Cornell,	Heilman,	Neal,	Watson,
Covington,	Herndon,	Nolan,	Webber,
Cox, Samuel S.	Hewitt, Abram S.	Oates,	Wellborn
Cox, William R.	Hill,	Pacheco,	White,
Crowley,	Hoblitzell,	Paul,	Whitthorne,
Culberson,	Hoge,	Phelps,	Williams, Chas. G.
Curtin,	Hubbell,	Phister,	Williams, Thomas
Cutts,	Hutchins,	Pound,	Wilson
Darrall,	Jones, Geo. W.	Reagan,	Wise, Morgan R.
Davidson,	Jones, James K.	Richardson, D. P.	Wood, Benjamin
Davis, Lowndes H.	Joyce,	Richardson, J. S.	Wood, Walter A.
Deering,	Kenna,	Robertson,	Young.
Deuster,	Knott,	Robinson, Jas. S.	
Dezendorf,	Ladd,	Robinson, Wm. E.	
Dowd,	Latham,	Ryan,	

Mr. ANDERSON. I would like to state that my colleague, Mr. RYAN, has been very sick and is not able to be present.

Mr. KASSON. That is not in order.

The committee rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, had found itself without a quorum, whereupon he had caused the roll to be called, and he now reported the names of the absentees to the House.

Mr. KASSON. I move that there be a call of the House.

Mr. HOOKER. Pending that I move the House do now adjourn.

Mr. HAMMOND, of Georgia. I desire to inquire of the Chair whether the call of the roll has disclosed the presence of a quorum.

The SPEAKER. The call of the roll shows that a quorum is present. The names of the absentees will be entered on the Journal, and a quorum having appeared on the call, the committee, in accordance with the rule, will resume its sitting without further order of the House.

The Committee of the Whole resumed its session.

The CHAIRMAN. The question recurs on the motion of the gentleman from Georgia [Mr. HAMMOND], to strike out line 232.

Mr. HAMMOND, of Georgia. The committee before it rose was dividing by tellers on that motion.

The CHAIRMAN. The Chair again puts the question.

The committee divided; and there were—ayes 9, noes 90.

Mr. HAMMOND, of Georgia. No quorum.

The CHAIRMAN. The point being made that a quorum has not voted, the gentleman from Kansas, Mr. HASKELL, and the gentleman from Georgia, Mr. HAMMOND, will take their places as tellers.

The committee again divided; and the tellers reported that there were—ayes 4, noes 69.

Mr. HOUSE. I would like to inquire of the gentleman from Pennsylvania, the chairman of the Committee on Ways and Means [Mr. KELLEY], how much longer he proposes to keep the House in session?

The CHAIRMAN. The committee is now dividing. A quorum has not yet voted. The tellers will continue the count, and members are requested to vote on one side or the other, as there is evidently a quorum present in the Hall.

The tellers resumed the count, and reported that there were—ayes 5, noes 76.

Mr. HAMMOND, of Georgia. No quorum has voted.

The CHAIRMAN. The committee having found itself without a quorum, it becomes the duty of the Chair under the rule to direct the Clerk to call the roll of members.

The Clerk called the roll, and the following members failed to answer to their names:

Aiken,	Dowd,	Ladd,	Ross,
Atherton,	Dunnell,	Latham,	Ryan,
Atkins,	Ermentrout,	Leedom,	Scoville,
Barbour,	Farwell, Chas. B.	Lindsey,	Scranton,
Belford,	Fisher,	Lord,	Sherwin,
Belmont,	Ford,	Mackey,	Shultz,
Beltzhoover,	Frost,	Martin,	Simonton,
Black,	Fulkerson,	Mason,	Smith, A. Herr
Blackburn,	Garrison,	Matson,	Smith, Dietrich C.
Blanchard,	Geddes,	McClure,	Spaulding,
Bland,	George,	McCoid,	Speer,
Bliss,	Gibson,	McLane,	Stockslager,
Bowman,	Godshalk,	McMillin,	Stone,
Bragg,	Guenther,	Mills,	Talbott,
Browne,	Gunter,	Money,	Taylor, Ezra B.
Buckner,	Hammond, John	Moore,	Thompson, Wm. G.
Burrows, Jos. H.	Harmer,	Morse,	Tyler,
Butterworth,	Harris, Benj. W.	Mosgrove,	Updegraff,
Caldwell,	Harris, Henry S.	Moulton,	Urner,
Calkins,	Hatch,	Muldrow,	Van Aernam,
Camp,	Hazelton,	Murch,	Van Voorhis,
Cassidy,	Heilman,	Mutchler,	Wadsworth,
Caswell,	Herndon,	Neal,	Wait,
Clardy,	Hewitt, Abram S.	Nolan,	Washburn,
Colerick,	Hill,	Oates,	Watson,
Cornell,	Hoblitzell,	Pacheco,	Webber,
Covington,	Hoge,	Paul,	Wellborn,
Cox, Samuel S.	Hooker,	Payson,	White,
Cox, William R.	Horr,	Phelps,	Whitthorne,
Crowley,	Hubbell,	Phister,	Williams, Chas. G.
Culberson,	Hutchins,	Pound,	Williams, Thomas
Curtin,	Jadwin,	Reagan,	Wilson,
Cutts,	Jones, Geo. W.	Rice, Theron M.	Wise, George D.
Darrall,	Jones, James K.	Rice, Wm. W.	Wise, Morgan R.
Davidson,	Joyce,	Richardson, D. P.	Wood, Benjamin
Davis, Lowndes H.	Kenna,	Richardson, J. S.	Wood, Walter A.
Deering,	Ketcham,	Robertson,	Young.
Deuster,	Knott,	Robinson, Jas. S.	
Dezendorf,	Lacey,	Robinson, Wm. E.	

The committee rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 7313) to impose duties on foreign imports, and for other purposes, finding itself without a quorum voting, he had directed the roll of members to be called, and under the rule now reported the names of the absentees to the House.

The SPEAKER. The names of those members not responding when their names were called will be entered on the Journal.

Mr. HAMMOND, of Georgia. I will ask if upon the call of the roll there appeared to be a quorum?

The SPEAKER. On the call of the roll 137 members answered to their names.

Mr. HAMMOND, of Georgia. That is not a quorum.

Mr. KASSON. I move that there be a call of the House.

Mr. KELLEY. I had hoped that we could have worked on to-day until 6 o'clock; that seemed to be the desire of a majority of the House, and I hope that to-morrow we will work until that hour. It is very evident that the other side will not allow any progress in legislation.

Mr. SPRINGER. That is not so.

Mr. SINGLETON, of Illinois. How is it on your side?

Mr. KELLEY. The roll of members has been called twice. I therefore move that the House do now adjourn.

Mr. TUCKER. One word.

Many MEMBERS. Regular order!

The SPEAKER. The regular order is the motion to adjourn.

The question was taken by a *viva voce* vote; and the Speaker announced that the ayes appeared to have it.

Mr. SINGLETON, of Illinois. I call for a division.

The House divided; and there were—ayes 91, noes 9.

So the motion was agreed to; and accordingly (at 6 o'clock and 20 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAYNE: The petition of Thomas Cluss, superintendent medi-

cal department of Western Pennsylvania, and others, recommending a duty of 10 per cent. on quinine—to the Committee on Ways and Means.

By Mr. BINGHAM: The petition of the Philadelphia Maritime Exchange, protesting against the proposed transfer of the signal meteorological service—to the Committee on Commerce.

By Mr. BREWER: The petition of the East Trenton Pottery Company and others, manufacturers of Trenton, New Jersey, protesting against a reduction of the duty on clay products—to the Committee on Ways and Means.

By Mr. CASWELL: The petition of John Bascom and 50 others, of Madison, Wisconsin, for the continuance of the immigrant inspection service—to the Select Committee on the Public Health.

Also, the petition of S. G. Roper and 70 others, citizens of Watertown, Wisconsin, for a reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. W. R. COX: The petition of dealers in tobacco at Henderson, North Carolina, for reduction of the tax on tobacco and for a rebate—to the same committee.

By Mr. CULLEN: The petition of William Adam and 23 others, citizens of Joliet, Illinois, asking that lumber be placed on the free-list—to the same committee.

By Mr. CURTIN: The petition of Elizabeth E. Davis, for a pension—to the Committee on Invalid Pensions.

By Mr. DEERING: The petition of citizens of Alden, Iowa, asking that lumber and other products be placed on the free-list—to the Committee on Ways and Means.

Also, the petition of 45 citizens of Iowa Falls, and of 45 citizens of Plainfield, Iowa, for a reduction of the duty on sugar—to the same committee.

By Mr. DINGLEY: The petition of soldiers of the Aroostook war, for a pension—to the Committee on Pensions.

By Mr. DWIGHT: The petition of the Cigar-makers' Union of Binghamton, New York, relative to the duty on cigars—to the Committee on Ways and Means.

By Mr. ERRETT: The petition of the cigar-makers of Pittsburgh, Pennsylvania, for the repeal of the tax on cigars—to the same committee.

By Mr. GROUT: The petition of the Cigar Manufacturing Union of Brattleborough, Vermont, relative to the tax on cigars—to the same committee.

By Mr. JACOBS: The petition of Philander Bowditch and 65 others, of Oxford, New York, for reduction of duty on sugar—to the same committee.

By Mr. J. H. McLEAN: The petition of George A. Conrad and others, for the construction of a pier connecting the Des Moines Rapids Canal, on the Mississippi River, with the pivot pier of the Keokuk and Hamilton bridge—to the Committee on Commerce.

By Mr. MOREY: Paper relating to the claim of A. C. Morgan—to the Committee on Military Affairs.

By Mr. MOSGROVE: The petition of W. H. Lord and 18 others, of Craigsville, Pennsylvania, for a reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. PEELLE: Papers relating to the claim of Mrs. M. T. Brown for compensation for use and damage to Washington and Alexandria Turnpike Company—to the Committee on War Claims.

By Mr. SPOONER: The petition of J. D. Richardson, of Newport, Rhode Island, and 25 others, manufacturers and dealers in tobacco, for rebate in case a reduction is made on the tax on tobacco, &c.—to the Committee on Ways and Means.

The following petitions, praying that Congress will not adopt any lower rate of duties on foreign manufactured products than that recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. BAYNE: Of J. H. Mason and 41 employés of the Leggett Spring and Axle Company, of Pittsburgh, Pennsylvania.

By Mr. BELTZHOOVER: Of C. W. Ahl & Son and 60 employés of the Carlisle Iron Works, situated at Boiling Springs, Pennsylvania.

By Mr. CAMPBELL: Of workingmen employed by J. King McLanahan, at Rodman and Ore Hill, Blair County, and of employés of the Blair Iron and Coal Company, of Hollidaysburgh, Pennsylvania.

By Mr. HARMER: Of the Arkwright Club of New England, employing 100,000 persons and $100,000,000 capital.

By Mr. E. B. TAYLOR: Of David Langley and 82 others, of the Falcon Iron and Nail Company, of Niles, Ohio.

By Mr. J. D. TAYLOR: Of Elijah Cartwright and 109 others, employés of the iron works of Sharp & Daniels, of Steubenville, Ohio.

The following petitions, remonstrating against the proposed transfer of the revenue marine to the Navy Department, were presented and referred to the Committee on Commerce:

By Mr. BELMONT: Of merchants, owners, masters, and pilots of vessels of Sayville, Suffok County; of merchants, masters, and pilots of Westhampton, Suffolk County; of merchants, owners, and pilots of Rockaway Beach, Queens County; and of merchants, owners, masters, and pilots of Patchogue, Suffolk County, New York.

By Mr. BINGHAM: Of resolutions of the Vessel Owners' and Captains' Association of Philadelphia, Pennsylvania.

By Mr. CANDLER: Of the Boston Marine Society.

By Mr. S. S. COX: Of Sutton & Co. and 57 others, ship-owners and ship-masters of New York city, and of merchants of Brooklyn and New York.

By Mr. HARMER: Of 69 shipping firms, vessel-owners, ship-masters, and business men of Philadelphia, Pennsylvania.

By Mr. ROBESON: Of keepers and surfmen of life-saving stations No. 27 to 40 inclusive, of New Jersey, and of 72 merchants, vessel-owners, ship-masters, and business men, of Camden, New Jersey.

By Mr. STONE: Of keepers and crews of life-saving stations Nos. 1 and 2 of second district, and of citizens of Newburyport, Massachusetts.

By Mr. WEBBER: Of merchants, owners, and masters of vessels, and of keepers and surfmen of life-saving station No. 9, Grand Huron, Michigan.

SENATE.

WEDNESDAY, *January* 31, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of the Navy, transmitting, in compliance with a resolution of the 24th instant, a report of the test of the Gatling machine-guns made at the Washington navy-yard; which, on motion of Mr. HAWLEY, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a resolution of the Legislature of South Carolina, in favor of maintaining the quarantine station at Sapelo, on the coast of Georgia; which was referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

He also presented a memorial of the board of health and other public bodies of Georgia, Florida, and South Carolina, in favor of a national refuge quarantine station at Sapelo Sound, on Blackbeard's Island, and of the National Board of Health being maintained; which was referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

Mr. PENDLETON presented a joint resolution of the Legislature of Ohio, favoring the passage of House bill No. 1410, to increase the pensions of soldiers having lost in the line of duty one arm, one hand, one leg, or one foot; which was ordered to lie on the table.

Mr. SHERMAN presented five petitions of citizens of Ohio, numerously signed, praying the passage of a tariff bill founded on the Tariff Commission report; which were ordered to lie on the table.

Mr. DAWES presented three petitions, numerously signed by dealers and consumers of sugar in Massachusetts, asking for a reduction of the rate of duty upon that article; which were ordered to lie on the table.

Mr. MILLER, of California, presented a concurrent resolution of the Legislature of California, in favor of an appropriation for the improvement of Napa River in California; which was referred to the Committee on Commerce.

Mr. ALDRICH presented twenty-four petitions of citizens of Rhode Island, Wisconsin, Minnesota, Nebraska, Delaware, Missouri, West Virginia, New Jersey, Pennsylvania, Connecticut, and Ohio, praying for a material reduction in the rates of duty on sugar; which were ordered to lie on the table.

Mr. McDILL presented two petitions of citizens of Iowa, praying for a reduction of the duty on sugar; which were ordered to lie on the table.

Mr. BUTLER presented resolutions of the State board of health of South Carolina, in favor of the establishment of a quarantine station at Sapelo Sound; which were referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

Mr. McPHERSON presented a petition of the employés of James R. Thompson & Co., Jersey City Steel Works, at Jersey City, New Jersey; a petition of employés of the Passaic Rolling-Mill Company, at Paterson, New Jersey, and a petition of the employés of the Adirondack Steel Works, Andrew Williams proprietor, at Jersey City, New Jersey, praying that no lower rates of duties be imposed on any foreign manufactured products than are recommended by the Tariff Commission; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. MILLER, of California, from the Committee on Foreign Relations, to whom was recommitted the bill (S. 550) to incorporate the Maritime Canal Company of Nicaragua, reported it with amendments, and submitted a report thereon, which was ordered to be printed.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (H. R. 4997) to authorize a United States commissioner to take acknowledgments of the transfer of the bonds of the United

States, submitted an adverse report thereon, which was ordered to be printed; and the bill was postponed indefinitely.

Mr. EDMUNDS. I am instructed by the Committee on Foreign Relations to whom was referred the bill (S. 742) to repeal an act entitled "An act to carry into effect a convention between the United States of America and His Majesty the King of the Hawaiian Islands, signed on the 30th day of January, 1875," approved on the 15th day of August, 1876, to report the same back, and ask to be discharged from its consideration, and that it be referred to the Committee on Finance that the Senate has decided is best enabled to consider our foreign relations with that particular part of the world, if not with all the rest.

The Committee on Foreign Relations was discharged from the further consideration of the bill, and it was referred to the Committee on Finance.

Mr. EDMUNDS, from the Committee on Foreign Relations, to whom was referred the joint resolution (S. R. 20) as to giving notice to terminate the convention of June 3, 1875, with His Majesty the King of the Hawaiian Islands, asked to be discharged from its further consideration, and that it be referred to the Committee on Finance; which was agreed to.

Mr. PENDLETON, from the Committee on Foreign Relations, reported an amendment intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

BILL INTRODUCED.

Mr. HAWLEY asked and, by unanimous consent, obtained leave to introduce a bill (S. 2440) for the retirement of Brevet Major-General Rufus Ingalls, Quartermaster-General, United States Army, with the rank of major-general; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BUTLER and Mr. HARRIS submitted amendments intended to be proposed by them respectively to the bill (H. R. 7077) making appropriations for the support of the Army for the fiscal year ending June 30, 1884, and for other purposes; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. GROOME and Mr. HAWLEY submitted amendments intended to be proposed by them respectively to the bill (H. R. 7314) making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes; which were referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had concurred in the amendments of the Senate to the joint resolution (H. Res. 323) making appropriations for continuing the work of the Tenth Census.

POST-OFFICE APPROPRIATION BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes.

On motion of Mr. PLUMB, it was

Resolved, That the Senate insist on its amendments to the said bill disagreed to by the House of Representatives, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore* appointed Mr. PLUMB, Mr. ALLISON, and Mr. BECK.

INDUSTRIAL AND COTTON CENTENNIAL EXPOSITION.

Mr. GARLAND. I wish to ask the Senate to take up at this time Senate bill 2412, which is unanimously reported from the Committee on Agriculture. It will not take exceeding fifteen minutes, and I hope the Senator from Vermont will consent to its consideration. The necessity for action now is in order to get the bill through the two Houses, that preparation may be made for the holding of the exposition in 1884. If it is deferred until next December, as a matter of course there will be no time to make the necessary preparations.

Mr. MORRILL. I see no objection to the bill, and if discussion does not arise I shall not object to its consideration.

Mr. GARLAND. I do not think there will be discussion. It is a unanimous report from the Committee on Agriculture. If it takes fifteen minutes I shall not urge it further to-day.

Mr. BLAIR. I reserve the right to object, if I have that right, in case it leads to discussion.

Mr. GARLAND. It came from a committee of which the Senator is a member. If it leads to much discussion I shall withdraw it.

Mr. BLAIR. I have been waiting three days to get the gentleman who has charge of the tariff bill to allow me to get a vote of thanks passed.

Mr. HOAR. Let the title of the bill be reported for information.

The ACTING SECRETARY. A bill (S. 2412) to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884.

Mr. GARLAND. I will state to the Senator from Massachusetts——

Mr. HOAR. I do not make objection. I merely wanted to know what the bill was.

Mr. BLAIR. I reserve the right to object.

The PRESIDENT *pro tempore*. The bill will be read for information.

The bill was read; and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. MORRILL. I desire to call the attention of the Senator from Arkansas to one part of the bill which provides that there shall be an invitation given to foreign nations by the President of the United States. The question arises whether we can give such an invitation without assuming some responsibility as to the expense. I know that in a recent case of that kind where the President of the United States was so authorized it was afterward held that we ought to pay the expenses. I refer to the celebration at Yorktown, where representatives of two foreign nations were invited here. I do not see why it would not be just as well for the president of this world's exposition to give these invitations as it would be to have the President of the United States issue them, which might involve the contingency that Congress would feel bound to make some appropriation for the expenses.

Mr. GARLAND. I am perfectly willing to accept the suggestion. The clause as it is was put in for the reason that it would give it more of an international character to let the invitations come from the President of the United States. If the Senator from Vermont prefers his suggestion I shall not object.

Mr. MORRILL. I prefer it, because I do not wish to involve the idea that under any contingency the United States is to be called upon to defray any bills for this exposition.

Mr. GARLAND. The Senator will bear in mind that there is a provision that there shall be no expense on the part of the United States.

Mr. MORRILL. That is merely applicable to the salaries of the persons appointed to attend to the matter.

Mr. GARLAND. I am willing to accept an amendment such as the Senator suggests.

Mr. MORRILL. Let the Senator draw it himself.

Mr. GARLAND. There are one or two verbal amendments that I wish to make.

The PRESIDENT *pro tempore*. The bill is before the Senate as in Committee of the Whole.

Mr. GARLAND. The second section reads:

That the President of the United States shall, upon the recommendation of the executive committee, &c.

On reflection I think it better to strike out "shall" and insert "may." I find on examining the precedents heretofore that the language is "may." I move that amendment.

The amendment was agreed to.

Mr. GARLAND. In line 6 of section 2, after the word "located," I move to insert "may;" so as to read:

And upon the recommendation of the majority of subscribers to the enterprise in the city where it may be located, may appoint seven United States commissioners, who, together, shall constitute a board of management of said world's industrial and cotton centennial exposition.

The amendment was agreed to.

Mr. GARLAND. In section 3, line 1, I move to strike out "shall" and insert "may;" so as to read:

That the President of the United States may, on the recommendation of the governors of the various States and Territories of the Union, appoint one commissioner and one alternate commissioner for each State and Territory.

The amendment was agreed to.

Mr. GARLAND. In section 8, line 9, after the word "same," I move to insert "and a copy of this act."

The act had better accompany the invitation.

The amendment was agreed to.

Mr. GARLAND. Now, as it is necessary that the preamble should go with this bill, one or two corrections should be made in that. I would strike out, in line 2 of the preamble, from the word "of," inclusive, down to the word "anniversary," because there is some little controversy as to the matter of fact there stated of 1784 being the first year of perfect peace. I move to strike out, commencing with the word "of" in the second line, to the word "anniversary" in the fourth line, as follows:

Of the first year of perfect peace of the United States after the treaty of peace of the war of independence, and also for celebrating the one hundredth anniversary.

The amendment was agreed to.

Mr. GARLAND. Then on line 3, page 2, of the preamble I move to strike out the word "that" and insert "who."

The amendment was agreed to.

Mr. GARLAND. Now I call the attention of the Senator from Vermont to the suggestion he made. Would he insert that "the board of managers shall communicate?"

Mr. MORRILL. Say "the president of the exhibition and the board of managers shall communicate."

Mr. GARLAND. Very well; but I would suggest that it would

have to be through the office of the Secretary of State at last in order to give it the necessary impress of a national character.

Mr. MORRILL. I only desire to avoid any implication that the Government of the United States assumes any responsibility for this, and therefore I think neither the President of the United States nor the Secretary of State ought to be the officer to communicate these invitations.

Mr. GARLAND. In the several precedents that has been the course pursued, to make the President give the invitations. I have collected all the precedents; but I am perfectly willing to accept the language of the Senator from Vermont and I will incorporate it in an amendment presently.

Mr. INGALLS. I was so unfortunate as not to be in the Chamber when this bill was read. May I ask from what committee it came?

Mr. GARLAND. It came from the Committee on Agriculture, a unanimous report.

Mr. INGALLS. Was it reported this morning?

Mr. GARLAND. No, sir; it was reported on the 25th of January. This is the third day I have made an effort to get it up. The necessity for action now, I will state to the Senator from Kansas, is that if we do not get the act through at this session of Congress it will be almost unnecessary to attempt it at the next session, because great preparations have to be made for the exposition in 1884.

Mr. INGALLS. The design is to secure an exposition for the exhibition of cotton products?

Mr. GARLAND. Cotton products; but at the same time it is designed also to include the arts, manufactures, and products of the mine and soil.

Mr. INGALLS. Where is it to be held?

Mr. GARLAND. That is to be determined by the board of managers of the cotton association.

Mr. INGALLS. What agency has the United States in the matter under the bill?

Mr. GARLAND. Nothing only to appoint commissioners to act in conjunction with the board of managers of the Cotton-Planters' Association. It is no expense to the Government at all. No appropriation is to be made.

Mr. INGALLS. I understood from an intimation made by the Senator from Vermont that under the precedents it was possible that the United States might incur some pecuniary liability in connection with this exposition.

Mr. GARLAND. If the Senator from Kansas will look at section 7 he will see—

That no compensation for services shall be paid to the commissioners or other officers provided by this act from the Treasury of the United States; and the United States shall not be liable for any of the expenses attending such exhibition, or by reason of the same.

I think that is broad enough to exclude all liability of the Government. I am willing to accept the language suggested by the Senator from Vermont that the communication to the foreign powers shall be by the president and board of managers of the Cotton-Planters' Association.

Mr. INGALLS. Does the Senator from Arkansas think that the preamble is essential to this bill?

Mr. GARLAND. I think it is. In all the cases I have before me a preamble has been inserted, and I have the acts running back for years. The preamble simply gives the reason why this exposition is to be held.

I have put the suggestion of the Senator from Vermont in the form of an amendment. In line 7 of section 8, after the word "and," I move to strike out "he" and insert "the president and board of managers of the Cotton-Planters' Association;" so as to read:

And the president and board of managers of the Cotton-Planters' Association shall communicate to the diplomatic representatives of all nations copies of the same, together with such regulations as may be adopted by said board of management, for publication in their respective countries.

The amendment was agreed to.

Mr. INGALLS. I should like to hear the preamble read.

The Acting Secretary read as follows:

Whereas it is desirable to encourage for celebration the one hundredth anniversary of the production, manufacture, and commerce of cotton by holding in the year 1884, in some city of the Union to be selected by the executive committee of the National Cotton-Planters' Association of America, an institution for the public welfare, incorporated under the laws of Mississippi, a world's industrial and cotton centennial exposition, to be held under the joint auspices of the United States, the said National Cotton-Planters' Association of America, and of the city in which it may be located, and in which cotton in all its conditions of culture and manufacture will be the chief exhibit, but which is designed also to include all arts, manufactures, and products of the soil and mine; and

Whereas such an exhibition should be national and international in its character, in which the people of this country and other parts of the world who are interested in the subject should participate, it should have the sanction of the Congress of the United States: Therefore,

Mr. BLAIR. I see that this bill was introduced on the 23d of January, and referred to the Committee on Agriculture, and the Senator from Arkansas says that it comes back from that committee with a unanimous report. I am a member of that committee. It has had only one meeting during the session of which I have received any notice, which is the one to which the Senator refers, and for my own part I was not able to attend. I have never had any knowledge whatever of the bill. I do not wish to oppose the bill. I wish to say, however, that it has never received my personal examination, and I do not desire to be held responsible for it in any sense as a member of the committee. It seems to have been introduced, referred, and reported without any possibility of consideration by any member of the committee except on the day the meeting was held, just about the time the bill was introduced.

Mr. INGALLS. I observe a very singular limitation of the power of the President in section 2—

That the President of the United States shall, upon the recommendation of the executive committee of the National Cotton Planters' Association of America, appoint six United States commissioners.

Mr. GARLAND. The word "shall" has been struck out and the word "may" has been inserted, and it is carried through in several succeeding sections. In line 6 of the same section, after the word "located," the word "may" is inserted; and in line 1 of section 3 "shall" is stricken out and "may" inserted.

Mr. INGALLS. And in line 1 of section 4?

Mr. GARLAND. That, if the Senator will notice, corresponds with the others. If they are appointed at all, they shall be appointed in order to make the corporation complete within the year. That of course is qualified by the preceding sections.

Mr. BLAIR. I do not know but that attention may have been called to section 8. Does the Senator think that section is important? It seems to constitute the President and the Government a pretty important agency in the opening and launching of this exposition, and to require official diplomatic communication to the representatives of all nations in such a way that by the world at large certainly the American Government will be made responsible for whatever this exposition may happen to be. I can not help thinking that this is a more important bill than the Senate may perhaps imagine.

The PRESIDENT *pro tempore*. The amendment suggested by the Senator from Vermont [Mr. MORRILL] covers the point of that clause.

Mr. BLAIR. I thought his amendment applied to section 9. I call attention to section 8:

That whenever the President shall be informed by the said board of management that provision has been made for suitable buildings, or the erection of the same, for the purposes of said exposition, the President shall, through the Department of State, make proclamation of the same, setting forth the time at which the exhibition will open, and the place at which it will be held, and he shall communicate to the diplomatic representatives of all nations copies of the same, together with such regulations as may be adopted by said board of management, for publication in their respective countries.

Whatever else there may be of a like character scattered through the bill, I can not say; but I wish again to say that the bill was introduced on the 23d of January, a meeting of the committee was called instantly, and the bill reported. For my own part, as a member of the committee I disclaim all knowledge of or responsibility for it.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read a third time, and passed.

The preamble was agreed to.

THANKS TO JOHN F. SLATER.

Mr. BLAIR. I now ask unanimous consent to take up the resolutions of thanks to Mr. Slater, to which I have called the attention of the Senate several times, saying that if it leads to debate I shall withdraw it. I ask of the Senator from Vermont that he will allow this to be done without objection.

Mr. MORRILL. If there will absolutely be no debate I shall not object, but still I am very anxious to go on with the revenue bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 109) presenting the thanks of Congress to John F. Slater.

The first section proposes to present the thanks of Congress to John F. Slater, of Connecticut, for his great beneficence in giving the large sum of $1,000,000 for the purpose of "uplifting the lately emancipated population of the Southern States and their posterity, by conferring on them the blessings of Christian education."

The second section makes it the duty of the President to cause a gold medal to be struck, with suitable devices and inscriptions, which, together with a copy of the resolution, shall be presented to Mr. Slater in the name of the people of the United States.

The Committee on Education and Labor reported the joint resolution with an amendment to strike out section 2.

Mr. BLAIR. This resolution was introduced by the honorable Senator from Georgia [Mr. BROWN], who is not now in his seat, at the last session. It was considered by the committee, and it was thought judicious by the committee that the second section, which provides for the coining of a medal, should be stricken out, and it was designed that it should be reported with that amendment. By some accident it failed to be so reported. I find, however, upon an examination of the precedent in the case of Mr. Peabody, that he received a vote of thanks of Congress for his benefaction made for a similar purpose, and a gold medal

was also struck off. I received this note from the Librarian of Congress in response to an inquiry which I made of him.

The acknowledgment of Congress for his $2,000,000 gift for the cause of education in the South was in the shape of a costly and elegant gold medal inscribed:

"The people of the United States to George Peabody, in acknowledgment of his beneficent promotion of universal education."

Also, a resolution of thanks, March 16, 1867 (15 Statutes at Large, 20).

If there be no objection from any one I would ask that the resolution be considered without the amendment. I think had the committee understood that the precedents in like cases involved the striking of medals, as is also proposed in the bill just passed with reference to the exposition which is to be held, they would have reported in favor of this section as well as the rest of the resolution.

The benefaction is by a wealthy gentleman of Connecticut. He gives $1,000,000 for the promotion of common schools, the industrial and Christian education of the colored people of the South. The honorable Senator from Georgia who is not now in his seat, in response to a very general feeling among his colored constituents, introduced this resolution. He is not with us, but he left the matter in the care of the chairman of the committee.

I ought to state further that, by the provisions of the donation, Ex-President Hayes, the Chief-Justice of the United States, and not less than nine, and there may be twelve, trustees, all of whom have been designated and are men of the highest character, are to administer upon this fund for the present, and their successors for all future time. The interest annually is to be appropriated for the purposes specified.

Mr. McPHERSON. May I inquire of the Senator from New Hampshire if there are any precedents for this other than the one he has mentioned? I think he mentioned the Peabody case.

Mr. BLAIR. There have been other precedents, and I asked Mr. Smith to look them up. He said there were quite a large number involving substantially the same principle, but I have not received them; and I suppose it is hardly worth while in a subject-matter of this kind as long as here is a recent precedent in the case of Mr. Peabody, to waste much time either in hunting precedents or in provoking discussion.

Mr. McPHERSON. Let me inquire where this is to end? A gentleman possessing one-tenth part of the wealth that this gentleman I suppose possesses—for he is able it seems to part with a million dollars for educational purposes—giving $10,000 would be just as much entitled to the thanks of Congress, because his contribution is just as great in proportion to his means. Even the woman who gives her mite, who gives her dollar or fraction of a dollar, is just as much entitled to the thanks of Congress as a gentleman who is abundantly able to contribute $10,000 to any purpose whatever.

I recognize the benefaction; I recognize that this gentleman is entitled to a great deal of credit; I make no doubt that the poor colored people of the South will be very thankful, and no doubt they have taken measures to express their thanks to this honorable and sympathetic gentleman for what he has done; but at the same time I must protest against the extension of this practice. It has been the practice of Congress to express by a vote of thanks the feeling of the nation for our great military and naval heroes on account of some extraordinary service performed in war in defense of the Government. This, however, is a most extraordinary proceeding. I recognize the precedence of Mr. Peabody, because it is well known that Mr. Peabody as a benefactor to the educational interests of the world stands alone.

Mr. BLAIR. I will simply say that since I have been in Congress myself the thanks of the Government have been extended to a correspondent of the New York Herald for his discoveries in Central Africa, very honorable to himself and to the country and to human kind. So the thanks of Congress have been extended in the way I have already shown to Mr. Peabody, a man very much wealthier than Mr. Slater, and who gave two millions where Mr. Slater has given one.

The Senator seems to be troubled lest this thing will never end. I do not apprehend that there will be much difficulty of our being embarrassed in returning the thanks of Congress to those who contribute a million dollars for the public good, especially who contribute for so important a specific purpose as the education of our colored population. The resolution came as a spontaneous tribute from a Southern member in response to the very general desire of his constituents. I am in charge of it for the reason I have stated. I do not feel like making an argument on a subject like this, and if the Senate see fit to reject the resolution, I am acquit.

Mr. McPHERSON. In reply to the honorable Senator let me say one word more with respect to the case he has mentioned. He refers, I suppose, to Mr. Stanley. I think there is no man in this country entitled to more consideration or the gratitude of the people more than Mr. Stanley for his discoveries in Africa. Like the military or naval hero I have mentioned, he took his life in his hand and went into that wild and barren wilderness for the purpose of making discoveries; and those discoveries have been of vital benefit to the people not only of this country but of the world. I recognize the New York Herald itself as entitled to a great deal of consideration for the progressive spirit it manifested in sending out Stanley and furnishing the means by which these discoveries were made. For a great discoverer, a great inventor, a great military or naval hero who has accomplished so much for his country and the world I have no objection to a vote of thanks. I certainly have not any objection to have the opportunity personally of thanking this distinguished benefactor for what he has done for the poor colored people; but I do object to dragging every case of this character before the Congress of the United States and making it a cause of special thanks and special record.

Mr. BLAIR. I wish merely to add that the vote of thanks to the correspondent of the New York Herald was the result of a resolution which I introduced into the other House myself. I was laughed at when I introduced it, but gradually it grew upon the common sense of the House of Representatives and it was reported by the Committee on Foreign Affairs and was passed unanimously; and I think went through here without any opposition whatever in the Senate. I had the honor of originating that idea and of being laughed at when I originated it. The Senator rises and passes very just encomiums upon Mr. Stanley and upon the beneficence, the enterprise, and the honor which the New York Herald has done to America and to mankind by its action in that regard.

Mr. MORRILL. If this is to lead to further debate I shall insist upon taking up the revenue bill.

Mr. BLAIR. I have the floor, Mr. President, I think.

The PRESIDENT *pro tempore*. The Senator from New Hampshire has the floor. The Senator from Vermont can object when the floor is yielded.

Mr. BLAIR. Now, having the floor and having said all I wish to say, I ask for a vote on the resolution.

Mr. PLUMB. That is very clever on the part of the Senator from New Hampshire.

Mr. BARROW. I trust that the Senator from New Jersey will withdraw his opposition to this resolution of my colleague upon one single consideration. This benefaction of Mr. Slater is confined exclusively to the colored people of the South, a class, as every one knows, deserving of the sympathy of all, and who are less able to provide for themselves in this way than other races. When we have set the precedent of returning thanks to those who have conferred similar benefactions upon our own race, it seems to me that it would make an invidious distinction that we ought not to make if we were to refuse to do a similar thing for one who has benefited those less able than we are.

Mr. MORRILL. There can not be the slightest objection to the passage of this bill except the consumption of time. When an individual is willing to give more money than the Government itself is willing to give I think we can afford to make an offering of mere thanks.

Mr. BARROW. I think so too.

Mr. PLUMB. In the first place, I regard the practice, even in the cases which have been cited, as being essentially vicious. In the next place, this is the more vicious because this is a commendation of an individual for the proper disposition we think he has made of his wealth, which after all is nothing but a trust. When we come to that, I have no doubt we shall find many more conspicuous cases more deserving of the thanks of Congress than this is; and besides that, this is as the Senator from Vermont very plainly indicates by his remark, an implied condemnation of the Government itself for not having done what this patriotic individual now rushes into the breach to do, and does only because, I suppose, the Government, as he thinks, has not done its full duty. I am not willing to place upon record any such vote as that. I think that this gentleman has done what he believed he ought to do with the accumulations of a lifetime, or a portion of them, and in so doing I have no doubt he has been governed by a very honorable ambition to serve his race, or to serve humanity; but it is not, as I said before, any more conspicuous than cases that are occurring every single day of the year; and for Congress to go into this business and commend people who dispose of large sums of money which they have accumulated in place of taking the case in their way to commend people who have done more for humanity, more to dignify and elevate mankind, than this man has ever done, or ever can do, with all his money put together, it occurs to me is getting into pretty small business.

Mr. MORGAN. Mr. President, I appreciate the liberality of Mr. Slater, and he received from the Southern people their heartfelt thanks for his generosity toward this class of our population.

The Senator from Georgia spoke of some invidious distinction. It brought to my mind the fact there are some other gentlemen who have bestowed great benefactions upon the Southern people as to whom our silence on an occasion of this kind might be considered as being invidious. Commodore Vanderbilt gave to the people of the South a million dollars himself, and since that time the bestowment has been increased, I believe, by $500,000 for the founding of a magnificent university in the city of Nashville, Tennessee.

Mr. INGALLS. Is that in operation now?

Mr. MORGAN. In beautiful operation. That, however, without being limited to the use of the white people, I believe, is under the protection of white men. I do not know whether colored people are excluded or not.

Mr. INGALLS. A white man is just as good as a black man.

Mr. MORGAN. I am not prepared to say. Being an interested party I should hardly be a fair judge. Mr. Scott, Tom Scott, the great railway king, made a very liberal and bountiful donation, I understand,

to some of the colleges in Virginia. Commodore Vanderbilt also gave large sums of money in that same direction. Other gentlemen, to whom we feel very grateful for their kindness to white and black, have made large bestowments.

I will not seek to amend the joint resolution. I am in sympathy with the Senator from Kansas [Mr. PLUMB] upon the practice. I think the Senate of the United States has intrusted to it higher duties and more important matters than to be rendering acknowledgments of thanks to men who do what they conceive to be best to be done and right to be done with their own property. There is no heroism in a man giving a million dollars out of his estate to educate the poor if he has got eight million or ten million dollars and does not know what else to do with it. I do not refer to Mr. Stanley's case as a parallel, because that man exposed his life and exhibited wonderful fortitude as well as great ability in the exploration of Africa. Mr. Peabody's was, perhaps, an exceptional case. He was anyhow a great man, and entitled perhaps to receive the confidence and thanks also of the entire people of the United States for his generosity as well as for his ability in the accumulation of the money which he bestowed. I shall not vote against the joint resolution; I shall ask the privilege of not voting at all, preserving my own views about the propriety of such legislation, but I thought it was my duty to make mention of these other facts to show that the people of the South have great respect and affection for all the men who have bestowed liberal donations for the benefit of our part of the country.

Mr. VOORHEES. I suppose it depends a good deal upon what section of the country a man comes from as to what notice shall be taken of benefactions of this kind. A citizen of Indiana, who has already given $300,000 to the cause of education in one of the universities of that State, has provided that in the event of his death a million more shall be given for the endowment of that institution of learning. That is Mr. Washington C. De Pauw. We are not asking for any thanks of Congress here. We have had great trouble in getting naked, scant justice for his industrial enterprise on this floor, but he has seen the million dollars of the Connecticut man and gone him $300,000 better.

The PRESIDENT *pro tempore*. The question is on the second section of the joint resolution.

Mr. MORRILL. I understand that was not reported from the committee.

The PRESIDENT *pro tempore*. It was intended as an amendment to strike out the section. Will the Senate agree to the amendment of the committee to strike out the second section?

Mr. BLAIR. I wish to state just how that is. The question really is on the joint resolution. The committee proposed to amend by striking out the second section. By a mistake of mine it was not reported as amended, and I asked that the question might be taken upon the entire joint resolution if no member of the committee objected, because on examining the precedent case of Mr. Peabody I found that a medal was then given. There was no amendment reported from the committee.

The PRESIDENT *pro tempore*. But the Senator says that the committee reported to strike out the second section. That is the report of the committee, and the question is on agreeing to the amendment striking out the second section.

Mr. BLAIR. There was no amendment reported. There is no motion to amend the bill.

The PRESIDENT *pro tempore*. That is what the Senator from New Hampshire says was agreed to by the committee.

Mr. BLAIR. I beg the Chair's pardon. I should like to be understood on that question now as a point of order. I say that the committee recommended the reporting of the joint resolution with the second section stricken out, but by accident I failed so to report it. Since I have seen the precedents I find that Mr. Peabody received a medal, and I asked that the question might be taken upon the report as it actually was made unless some member of the committee objected, in which case I should move to amend by striking out the second section.

Mr. ALLISON. I should like to hear the second section read.

Mr. MORRILL. I object to the second section. If the Senator from New Hampshire will be content with the first section of the joint resolution I have no objection whatever to it, but we have consumed quite enough time on this unimportant matter.

Mr. INGALLS. Let the second section be read.

The Acting Secretary read as follows:

SEC. 2. That it shall be the duty of the President to cause a gold medal to be struck, with suitable devices and inscriptions, which, together with a copy of this resolution, shall be presented to Mr. Slater in the name of the people of the United States.

Mr. INGALLS. What is the objection to giving this man a medal if he wants it?

Mr. BLAIR. He has not asked for it.

Mr. HAWLEY. I am sorry I was not here to hear all of this debate. Mr. Slater has nothing to say or do with any of this matter. He dedicated a million dollars, and perhaps will dedicate more, to general education under a most admirable trust. It was proposed, in accordance with a precedent in another case, to offer him a vote of thanks. There can be nobody in the whole country who will be more mortified that any discussion should arise upon this question than Mr. Slater. If it is not worth while to say "thank you" to a gentleman who dedicates this, not to a university named after himself or anything of that sort, but for a great general purpose, I hope the whole thing will be withdrawn.

The PRESIDENT *pro tempore*. The joint resolution is before the Senate and open to amendment, being now stated to be reported without amendment, although the Senator from New Hampshire says it was intended to be reported back with an amendment.

Mr. INGALLS. That includes the second section, giving a medal?

The PRESIDENT *pro tempore*. Yes; it includes both the first and second sections.

Mr. INGALLS. I understand the Senator from Connecticut to say that Mr. Slater does not desire a medal, but only requests a resolution of thanks.

Mr. HAWLEY. I made no such offensive remark. I would not reflect upon a gentleman in that way, because I try to be a gentleman myself. Mr. Slater has nothing whatever to do with this. He has done a noble deed, and if the Senate chooses to pass a resolution of thanks, undoubtedly it will be a great pleasure to him, but he and none of his friends asked this action in his behalf.

Mr. MORRILL. I desire to know whether the vote will be upon both sections?

The PRESIDENT *pro tempore*. On both sections.

Mr. MORRILL. Then I move to strike out the second section.

Mr. ANTHONY. Is it proposed to strike out the second section, granting a medal?

Mr. BLAIR. It is.

Mr. ANTHONY. A medal was granted in the case of Mr. Peabody, was it not?

Mr. BLAIR. It was.

Mr. ANTHONY. I hope it will be granted in this case. I think such a deed as that should receive some recognition.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Vermont striking out the second section.

The amendment was rejected; there being on a division—ayes 18, noes 21.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

The PRESIDENT *pro tempore*. The question is, Shall the joint resolution pass?

The joint resolution was passed; there being on a division—ayes 26, noes 13.

The PRESIDENT *pro tempore*. The title will be changed by adding "and for other purposes," as the Senate has provided in the second section for a gold medal and the title simply reads "presenting the thanks of Congress."

Mr. INGALLS. I do not know that the title will depend upon the will of the Presiding Officer. Unless there is some motion made to amend the title I suggest that it stand as reported.

The PRESIDENT *pro tempore*. Just as the Senate chooses upon the subject. The title reads: "A joint resolution presenting the thanks of Congress to John F. Slater," and the second section provides for giving him a gold medal.

Mr. ANTHONY. I move to amend the title according to the suggestion of the Chair.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Rhode Island to amend the title by adding "and for other purposes."

Mr. INGALLS. Let the title be read as proposed to be amended.

The ACTING SECRETARY. "A joint resolution presenting the thanks of Congress to John F. Slater, and for other purposes."

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to the title.

The amendment to the title was agreed to.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. Res. 323) making appropriations for continuing the work of the Tenth Census; and it was thereupon signed by the President *pro tempore*.

INTERNAL-REVENUE AND TARIFF DUTIES.

Mr. MORRILL. I now move to postpone the Calendar for the purpose of taking up the revenue bill.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none. Will the Senate consider the revenue bill? The Chair hears no objection.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation, the pending question being on the amendment proposed by Mr. ALDRICH to the amendment of Mr. MORRILL.

Mr. VOORHEES. Mr. President, the amendment reported by the Finance Committee fixing the duty on sugars makes a very serious departure from the rates recommended by the Tariff Commission for all sugars below No. 13 Dutch standard. On all such sugars, testing by the polariscope not above 75°, the bill of the Tariff Commission says

that the duty shall be 1.50 cents per pound, and for every additional degree or fraction of a degree shown by the polariscope test, five-hundredths of a cent per pound additional. The report of the Tariff Commission, page 23, states that—

The rate of reduction in the schedule proposed by them is 21.70 per cent. on all sugars below No. 13 Dutch standard, as tested by the polariscope, and 10 per cent. on all sugars above No. 13, or an average of 14.25 on the whole schedule.

It is understood that the general plan of this schedule was accepted by the commission as a compromise of conflicting interests. It gives, as the commission inform us, a large reduction of the duty on low-grade sugars, such as are required by the refiners for their uses in manufacture; it has been acquiesced in by the American planters who produce these low-grade sugars, and it is satisfactory also to the general public so far as I know. In the plan of the commission a moderate reduction of this duty is recognized, and I think it is generally approved. Petitions manufactured by a lobby or by claim agents do not indicate a public sentiment. They deceive no one. In 1879, speaking of the sugar tariff now in force, General Garfield, then a member of the House of Representatives, declared:

I believe the correctness of the principle of the present law is not called in question anywhere. Although the aggregate rate of duty is high, consumers are not complaining; for the sugar used by our people is cheaper to-day than it has been during any previous period of our history. In 1869 the average price in the United States of all grades of sugar was 15 cents a pound; in 1878 the average price was 9 cents a pound. A dollar will to-day buy more sweetening than it would have bought at any previous period in our history. A day's work even, will buy more sweetening to-day than it would have bought ten years ago. Therefore the consumers of sugar in this country are not complaining that the rate of tax is too high.

Sir, I agree in the general proposition as stated by General Garfield, who had made this subject a study, and I can not see why the compromise and reduced rates of the Tariff Commission should not be adhered to.

But the proposition of the committee on which we are required to vote reduces the duty below even the reduction of the Tariff Commission. It imposes on sugars not above No. 13, and testing not above 75°, a duty of 1¼ cents per pound. Seemingly, this reduction is made in the interest of the people, but in fact it is not. These sugars are raw sugars—sugars not fit for use or consumption at the table until they are refined. They all go to the refiner, and not to the grocer or the consumer. The sugars of consumption—those which are used whether by the rich or by the poor—are excluded at your custom-house by the high rates of the present tariff, and they are to remain excluded by the scale of duties proposed in the schedule of the committee on grades above No. 13. I suppose no one will pretend for a moment that refined or consumable sugars are to be let in under the bill of the committee in any considerable quantity to compete with the products of the American refiner.

The proposition for reduction on the raw sugars below No. 13 is, therefore, one made in the interest of the refiner altogether. You give him a wider margin for his profit. He can charge about as much for sugars of consumption as he has done heretofore. The revenue is to be reduced probably some twelve to fifteen millions of dollars, but the people at large are not to reap the benefit. The refiner's profit indeed is largely enhanced, but to accomplish this result you destroy, as I am informed and believe, the sugar-producing interest of this country, and consign three or four hundred thousand people of both races to ruin and despair. At the same time you extinguish all hope whatever of making the United States (which in 1860 produced half the sugar we consumed) self-reliant for this great article of food supply. You increase your importations from countries where, if I remember aright, the balance of trade is already against us, and whose poorly paid or slave laborers, as the case may be, decline to take the products of our varied industries.

You turn your back on the freedman of the South, and pour your rich bounty into the lap of the Cuban slave-holder. We destroy those of our own race, whose wants are the wants of a civilized and progressive people, trading and exchanging their products with every portion of the Union, and then carry our gold a thousand miles to buy of the stranger what might be raised and has been raised in richest profusion at our own doors. Is this a wise statesmanship? I think not.

The true issue is one that can not be evaded. It is not merely whether the American laborer shall be degraded to the level of the pauper labor of Europe; but, in this instance, it is also whether the free negro laborer of the South shall be sacrificed to swell the profits of the Cuban slave-holder and the eastern sugar refiner, characters that I am told are sometimes blended in the same firm, if not in the same individual. The principal element of cost in the production of sugar is human labor; of your American crop 70 per cent. is paid out for the labor of black men. His condition is comfortable and is improving. Let us compare his wages with those of other sugar-producing countries. The Cuban planter pays for Chinese or for slave labor $4 per month or $48 per year.

The rice and jerked beef required for laborers' food in Cuba is $36 per year. Other expenses swell the total to $100 per year. In Jamaica the usual wages for free labor is 25 cents per day. In Demerara, where cooly labor predominates, the cost is about 16 cents a day and rations. The laborer in all these countries has the lowest possible standard of food, clothing, dwellings, and all that goes to make up comfort, and with such wages and conditions of course there can be no substantial progress. Comparing this wretched scale of living—and remember that all this means cheap tropical sugars—with Louisiana, poor and exhausted as she is by war, pestilence, reconstruction, and devastating floods, what do we find? First-class field laborers get from 85 cents to $1.25 per day; second-class, 75 to 85 cents; for ditching, building levees, they get $1.25 to $1.50; for sugar-house work, $1.25 to $2.50, and extra for night work at times of special exigency during the harvest season.

The laborer has a comfortable house, garden, and fire-wood. Even the unskilled laborer may get $367 per annum. This is more than three times the wages paid in Cuba for like work. I obtain these figures from gentlemen of high character familiar with the subject, and their statements of facts are not disputed. I do not propose to go further into detail on this branch of the subject. The conclusions are obvious to the mind of any one. More than two-thirds of the cost of producing sugar is in human labor, and the reason why the sugars of Louisiana cost more than those of Cuba is because the laborer with us is fairly paid for his work, and in Cuba he is ground to the earth. The duty of the present tariff on low-grade sugars about equals the advantage obtained by the Cuban planter in his cheap slave or Chinese laborer.

The question is therefore exceedingly simple. Do you propose to bring down the wages in Louisiana to the level of the slave and the cooly in Cuba? Do you think that the freedman is getting too much in Louisiana for his work and exposure? Sir, neither planter nor freedman can compete with the degraded labor of Cuba and the tropics, and if this policy is to prevail the negro must quit the sugar country and go where he can obtain a fair remuneration for his toil with some hope of reasonable advancement. The fiat of this bill is not that "the Chinese must go," but that the negro must go. You propose to organize by legislation a new exodus of hundreds of thousands of black men, women, and children; leaving homes once happy, scenes and associations endeared to them by many ties, going to hunt new homes, without capital or credit, to acquire new industries, to experience probably rebuffs and insult from pretended friends, to swell the ranks of American pauperism—a long procession of human misery and despair.

These, sir, will be some of the laurels which we will gather in our work of tariff revision if the policy proposed is carried out.

But, sir, whether the subject be looked at from a standpoint of levying a tariff for revenue, or for revenue and protection both, this policy is indefensible, and I shall vote against it.

First, let us look at it from the ground of those who hold that the tariff should be levied for revenue purposes solely, without any reference whatever to protection. There are around me those who honestly and ably maintain this theory. One of the great authorities of this free-trade school, Adam Smith, says that—

every tax ought to be so contrived as both to take out and to keep out of the people as little as possible over and above what it brings into the public treasury of the state.

In accordance with this high authority the distinguished Senator from Texas [Mr. COKE], in a speech of 8th February last, defended the duties on sugar, rice, and wool. Said he:

But it is said there is protection in the tariff for the farmer's sugar, rice, and wool. This is true, but in an extremely limited sense, for the great bulk of the farmers raise neither of these commodities, and are as heavily taxed for their use as any other class; but there is one mitigating feature about the duty on these articles which does not exist in ninety-nine out of every hundred duty-paying articles on the tariff list—all three of these articles bring large revenues into the National Treasury.

The duty on sugar, as official figures show, produces more than one-fourth of all the revenue derived under the tariff. The duty on sugar is strictly a revenue duty, as its productiveness to the Treasury shows. There are six pounds of sugar imported from abroad which pay duty into the Treasury to one pound raised in the United States. The Government receives $6 of revenue to $1 received under the tariff by the producer of sugar in the United States. * * * Wool and the manufactures thereof yielded under the tariff for 1880 $27,285,624.78. Of this amount official returns show that unmanufactured wool produced $17,913,666.18. Unmanufactured wool pays into the Treasury more revenue by upward of seven millions of dollars than all the manufactures composed wholly or partially of wool imported from abroad. Next to sugar it is the best revenue-paying import on the tariff list, considering the quantity and value of importation.

After speaking of rice, the Senator further says:

To summarize the results of tariff duties on these three agricultural products and compare them with the same on manufactures, the duties on sugar pay into the Treasury $6 to every $1 they give to the producer. The duties on unmanufactured or raw wool pay into the Treasury $1, and to the producer $2.50. The duties on rice pay into the Treasury $1, and to the producer $2.35; while the duties on manufactures pay into the Treasury $1, and into the pocket of the manufacturer $6.50.

The Senator from Texas is high authority in his school of political economy, and I commend his views to all those who share his well-known ideas. The position he takes is the same as that of Hon. Horatio C. Burchard, the present Director of the Mint, one of the most painstaking and careful of all our public men. Speaking in the Forty-third Congress on this subject Mr. Burchard says:

Another item is sugar. Our importation of sugar for the last fiscal year was 1,645,000,000 pounds, and of molasses 47,000,000 gallons. According to the census returns there was produced in the United States in 1870, 87,000 hogsheads of sugar only. The duty collected last year was $85,000,000, which would give us $8,700,000 if we increase the duty one-fourth and the consumption continues as large as it has been.

The same remark in some respects can be applied to this tax that is applied to the tax on tea and coffee. It is not entirely revenue, but it is almost all revenue.

More than nine-tenths of all sugar and molasses consumed in this country is imported from foreign countries.

These two eminent authorities would suffice for me in giving the revenue-tariff-only doctrine, but it may be well to fortify them with a name that has been especially conspicuous in the discussion of this question. I refer to that eminent doctrinaire and voluminous pamphleteer, Hon. David A. Wells, of Connecticut. I do not propose, however, to cite his recent utterances, for I am not certain that his conclusions may not have been modified by considerations of personal interests that ought never to enter into the region of pure and abstract speculation. I prefer, in citing Mr. Wells's opinions, to go to the pure fountain of his unbiased judgment rather than to the stream after it has become tawny and discolored by foreign admixture. His early utterances did not go to the refiner for manipulation. I quote his opinions when Commissioner of Internal Revenue, a sworn officer of the United States, and when, as we may fairly presume, he would have spurned a pecuniary inducement to enunciate views in behalf of a particular interest. His official report of January, 1869, prepared after he had been several years in office and had devoted years of labor and the resources of an ingenious mind to the study of the great question of the proper mode of raising the public revenues, contains the following:

A TARIFF IS A TAX.

In entering upon the proposed analysis, it is important that one fact in the nature of an axiom, but too often overlooked in the discussion of this subject in the United States, should be kept clearly in view, and that is, that a tariff on imports is, under all circumstances, a tax, which is paid wholly or in part by the consumer. If the tariff be imposed solely for revenue, then the consideration of most importance in connection with it is one mainly of comparison, namely, to determine whether the tax in question is superior or inferior to other taxes in respect to economy of administration, equality of assessment, and productiveness of collection. To this theoretical economists would undoubtedly return a negative answer and would support their conclusions by the experience of the densely populated manufacturing nations of the Old World, where the inhabited area is limited, the distribution of wealth most unequal, and law, through the maintenance of the police and standing army, not easily evaded.

In the United States, on the contrary, where the area is continental, the population sparse, wealth more equally distributed, and the carrying out of laws is made dependent on public opinion rather than on the representatives of force, all experience tends to establish the fact that objectionable as may be in many respects a high tariff, we have thus far been able to devise no other system of taxation which brings to itself so much of certainty in its results and equality in its apportionments. An illustration of this is afforded in the case of the customs duties upon the three articles of tea, sugar, and coffee, which at present approximate to an aggregate of about $50,000,000 per annum. These duties are assessed mainly at five or six ports of the country, and being wholly specific are collected without delay and with little trouble.

It is not probable that the revenue derived from them is evaded to any great extent through smuggling, while undervaluation is practically impossible. Being, furthermore, of almost universal consumption, the duties levied on them are very uniformly distributed, and fall upon the consumer in small amounts at any one time, while as they can not be considered as necessaries of life in a sense so absolute as breadstuffs and clothing, the payment of the tax through their use is in a great measure voluntary. Through these circumstances, therefore, the conditions of effectiveness, economy, and equality as regards collection and apportionment are most perfectly secured.

It is hardly necessary to strengthen these observations, but Mr. Wells does so by appending a table showing that the revenue from sugar then yielded $30,000,000 per annum, and that the amount of tax per year to each consumer was only 78 cents per annum! Well might he inquire "if there was any article on the whole list which produced so great a return with so little discomfort and so little an enhancement of the cost of general production?"

Mr. Wells was so enamored of this sugar tax that in his fourth annual report he put sugar down for $33,000,000 in a projected tariff favored by him and estimated to produce $144,000,000 per annum. He makes many suggestions for a revision of the customs duties, but none for a reduction of the duty upon sugar.

It may sound presumptuous to some, but I have higher authority even than Mr. Wells for the proposition that sugar is a revenue article. The test of a revenue duty, I imagine, is the fact that it yields revenue. The table of imported merchandise entered for consumption into the United States prepared by the Treasury Department, being part of the annual report of commerce and navigation for the fiscal year ending June 30, 1882, shows that during the year 1881 there was collected from sugar the sum of $45,933,045.09, and for the year 1882 $46,711,795.14.

I think, sir, I have demonstrated that any advocate of a tariff merely for revenue is illogical and inconsistent when he proposes to reduce this duty unless he can demonstrate that the true revenue point has been exceeded and the importation thereby diminished. No man, however, asserts this proposition, and if he did the official figures I have given would confute him. No, sir. The result of the proposed legislation will be to lop off the revenue to the extent of twelve or fifteen millions of dollars, and, as I have already stated, not for the benefit of the consumer but to give a larger margin of profit to the proprietors of the great sugar refineries, and to stimulate the slave-grown sugar of Cuba and quicken anew the lash under which that sugar is produced. It is for this purpose that we are to cut off a revenue duty that is a source of unparalleled strength to the national Treasury, and which has proved in the past a pillar of the national credit when our financiers were looking with deepest anxiety to the sources of revenue.

It seems to me that I have shown no man claiming to be for revenue only can vote for this reduction. I come now to the protectionists—to that class who hold that in framing the tariff for revenue necessary to support the Government the duties should be so adjusted as to give incidental protection to the great industries of the nation. This bill as reported by the committee is in most of its schedules framed on this theory. This is the policy adopted in respect to the manufactures of metals in all their multiplied varieties and adaptations to human wants, to cotton, woolen, and silk goods, to earthen and glass ware, to hemp, jute, and flax goods, and to the general list of articles manufactured in the United States. In all those schedules we propose to guard the American laborer and to see to it that he is not driven out of the field by the pauper labor of Europe.

Now, how have you applied this principle to the question of sugar production? I admit your care in the bill for the Eastern refiner. He is well taken care of in the bill. All rude jostling and competition with him is shut out by duties that are absolutely prohibitory. His large margin of profit has been extended by reducing heavily the price he pays for his raw material. We are about to open a back door from his establishment to the plantations of Cuba, of Demarara, and Jamaica; to the fertile domain of Claus Spreckels in the far-off Pacific, and to the sugar product of the almond-eyed denizens of the Flowery Kingdom. But let us see how many people in this country we are benefiting by such legislation, and on how many we are inflicting ruin. Census bulletin No. 304 gives us the number of our sugar-refining establishments. There are but forty-nine of them all told. The capital employed is $27,433,500. The total amount paid in wages for the year is $2,875,032. The value of materials is put at $144,698,499. The value of products is $155,484,915. Deducting the value of materials and wages paid from the value of product, we have a profit for the refiners of $7,911,384 on a capital employed of $27,433,500, or nearly 29 per cent.! Is not this enough? Why should we give them more? Is their business so unprosperous that to make these magnates comfortable, sleek, and fat you must destroy a state and break down the revenue?

Sir, we all know that the additional and needless profit we now propose to give these refiners is not going into the pockets of the operatives whom they employ. They are to get the same wages as heretofore and will have to pay quite as much for the sugar they are engaged in refining for consumption when they come to buy it for the breakfast table. Their sugar will not be sweetened by any advance of their wages, as the amount paid them will be determined by the general condition of the labor market. But even if we were simple enough to conceive that they were to derive some slight benefit from this large bounty to the refiners, the number to be thus benefited is not large. The same bulletin to which I refer gives the total number of operatives at less than 6,000. There are only 5,832.

Turn now to the sugar-producing industry which is to be destroyed by this legislation. Sugar is the chief production of the State of Louisiana. Over one-half of its capital is employed therein, and over one-half of its people are engaged in it or are supported by it. It employs over ninety millions of capital and is the almost exclusive support of 400,000 people. All these people are to be crushed and ruined to benefit not the 5,832 operatives in the sugar refineries, but to swell the fortunes of the proprietors of some forty-nine establishments; to enable them to build more costly villas and mansions; to add house to house and lands to land; to maintain a brigade of lobbyists here to pay doctrinaires and publicists, and to overwhelm Congress and its committees with a varied diet of dinners and pamphlets. Sir, my sympathies do not go to this class of persons. They are rich enough not only to dispense with sympathy from any quarter, but to feel sympathy for the people they propose in their avarice to destroy.

Turn to the sugar-planting interest. Their numbers are vastly greater than the refiners. They outnumber them by hundreds to one. If there be anything in the doctrine of protection they are entitled to its benefits. We can not exclude them by this bill unless we propose deliberately to make a sectional tariff and a sectional crusade against interests which are outside the sunshine of our favor. These planters are not prosperous. They are not rich enough to quit their homes and build villas at Newport or maintain lobbies at Washington city. Many of them are poor and are living from hand to mouth. The war destroyed the sugar industry of Louisiana. The hostile tariff of 1870 checked its revival. The great flood of 1882 swept over the levees and inundated the fairest, richest portion of the sugar parishes of the State. These people are just now rallying from their misfortunes, and this is the time of all others that their interests should be liberally cared for. For my part I can not consent to deal them another and fatal blow, not in the interest of the general public, not to benefit the public revenue, but to enlarge the profits of the refiner and to benefit the Cuban slave-holder and develop his markets!

This is not my idea of protecting American industry. It is not just. It is not legislating for the general welfare thus to single out this special industry for ruin—to curse Louisiana while our hands are raised in blessings for all other sections. Nor is the country in which the American sugar is produced adapted to the growth of corn or wheat or cotton. If, therefore, this industry is to be crushed by the free admission of raw sugars from Cuba and other states the people of that country must abandon their homes. We will make a desert and call it peace. Whom do we strike? The planter, ruined by the war, his slaves emancipated, his capital gone, struggling amid floods and new conditions of labor and trial to make a support for himself and his family, running his plantation, with its costly plant and machinery, on borrowed money and paying heavy interest. Yes, we strike this class

to the earth, and if the object be to perpetuate evil passions and work fresh injuries on the unfortunate that object will be accomplished.

But this is not all. The labor by which the sugar of Louisiana is grown is almost exclusively negro labor. Probably not less than 300,000 blacks are dependent on this crop for their wages and support. The supplies for these laborers come largely from the Upper Mississippi Valley. These negroes whom we would drive from their homes by the admission of the products of slave, cooly, Chinese, and peon Mexican labor, were born on the soil whence they are to be exiled. They are contented and prosperous. If they have a great care or trouble it is because they have heard their employers express a fear that Congress would involve them all in one common ruin. These colored people are as well paid as in any part of the South. Their condition is one of advance and improvement. They are at peace with their employers. Some are themselves planters. Their future is in your hands. You can, if you please, deprive them of their bread and remand them to vagabondage and other temptations of poverty, and then try to balance the account with humanity by saying that you gave them the ballot. If after all professions of special friendship this is to be your action, history with her inexorable pen will not fail to record the cruelty and the hypocrisy of the proceeding.

Whether, therefore, I look at this subject with the eyes of those who uphold the doctrine of a tariff only for revenue, or as the advocate of a reasonable incidental protection to American labor, or from the standpoint of our humanity and the immutable dogmas of the divine sentiment of justice, I shall oppose by my vote any policy which is calculated to cripple and destroy the sugar-producing interests of the country, while it impoverishes the revenue and confers not the slightest benefit upon the tax-payers of the nation.

Mr. BECK. Mr. President, I do not propose to discuss the sugar schedule, but the Senator from Indiana [Mr. VOORHEES], who is a member of the Committee on Finance as well as myself, either misunderstands the effect of the bill as reported by the Finance Committee or I am greatly mistaken in regard to it. As I desire to be very careful to act and vote intelligently on this important question I will state the effect of the proposition of the committee as I understand it, and then ask the Senator from Indiana what authority there is for saying that the proposition of the committee is in the interest of the sugar refiners, or what reason there is for the assertion that they will receive any benefits from the proposition reported by the Finance Committee that they would not receive much more largely from the provision recommended by the Tariff Commission, and to ask him if they do not receive now under existing law far greater advantages than the Finance Committee propose to allow them to retain.

All through the argument made by the Senator he has made serious attacks upon the proposition reported by the Finance Committee, because he alleged it to be in the interest of the sugar-refiners. That fact I dispute. I will state the reasons why. If I am wrong the facts will show for themselves.

The Finance Committee propose to levy a tax of $1.25 per hundred pounds upon all sugars tested by the polariscope up to 75°, which is the very lowest grade, and five-hundredths of a cent upon each degree from that point to No. 13; in other words, $1.25 at the rate of 75°, $1.50 at 80°, $1.75 at 85°, $2 at 90°, $2.25 at 95°, and $2.50 for pure sugar at 100°. The interest of the refiner begins in having protection on the grades from 13 up to 16 particularly, for it will be observed that all the importations above 16 last year amounted to only 54,000 pounds and the revenue collected from 16 to 20 was $253.79, and above 20 $4,140, while the large importations were of the lower grades, running up to the amount that produced as revenue over $47,000,000. I need not encumber the RECORD with the tables; these are substantially the facts. The higher grades may have been prohibitory, but I do not care to look into that now, as I wish to be brief.

The committee propose to charge the refiner $2.65 on the grades from 13 to 16, $3.15 from 16 to 20, and $3.65 from No. 20 upward. In other words the proposition is to apply the polariscope test, and if sugar shall show a saccharine strength of 100° the importer would have to pay $2.50 on it. Now, Louisiana is only interested in sugar below No. 13. All that we allow the refiner from 13 to 16 is the difference between $2.50 and $2.65, or 15 cents, on sugar of 100° which the Senator from Indiana knows is almost starvation to him. If it only reaches 95° polariscopic test, $2.25 is the tax. Two dollars and sixty-five cents is the amount allowed up to No. 16, and on that we allow the refiner only 40 cents. At 90 he will have to pay $2, and from 13 to 16 we allow him 65 cents. That is the proposition of the committee; that is all that the refiner makes on these grades below 13 under it. The average strength of the sugar imported is somewhere between 90° and 95°, say 93°.

Mr. JONAS. If the Senator will permit me to interrupt him a moment, I ask him if that is the amendment of the Committee on Finance?

Mr. BECK. That is the amendment of the committee.

Mr. JONAS. It is an amendment offered by the Senator from Vermont, a member of the Committee on Finance, and when I asked him last night whether it came from the Committee on Finance he said he believed it was recommended by a majority of the members of that committee. It is not the amendment of the Committee on Finance; it is a proposed amendment of the Senator from Vermont.

Mr. BECK. I desire to say that after a good deal of consideration, running through weeks, the amendment reported by the Senator from Vermont was agreed to by a majority of the committee. I appeal to the members of the committee to say if I am not correct.

Mr. ALLISON. That is a correct statement.

Mr. BECK. The Senator from Rhode Island [Mr. ALDRICH] knows that it was.

Mr. ALDRICH. It certainly was reported by a majority of the committee.

Mr. BECK. Five members of the committee I know agreed to it.

Mr. ALDRICH. It was reported by a majority of the committee.

Mr. COCKRELL. That is the committee.

Mr. BECK. I did not say that the Senator from Rhode Island agreed to it, or that the Senator from Indiana agreed to it, but it was reported by the committee.

Mr. BAYARD. In confirmation of what the Senator from Kentucky says I will state that the schedule at first was made to apply to a polariscopic test as high as No. 16 of the Dutch standard. That was the first proposition. Then it was discovered that between 13 and 16 there was virtually a discrimination against the latter class of the production, and therefore the change was made; and I will say that it was made after a great deal of exceedingly careful examination by the committee, and made, as I understand it, very largely in the interest of the native growers of sugar.

Mr. BECK. That is the way I understand it, and that is the reason why I am on the floor now to insist that the Senator from Indiana is mistaken when he believes that the amendment as reported by the chairman of the committee is in the interest of the sugar-refiners anything like as much as the present law or the proposition of the Tariff Commission.

Mr. VOORHEES. The Senator from Kentucky will not do me the injustice to convey the impression that I at any time as a member of the committee manifested any satisfaction with the proposed arrangement in regard to sugar.

Mr. BECK. No, I think not; I do not think you ever did.

Mr. VOORHEES. No, I did not; and I have since the matter was reported here given it as much study as I could to reach the conclusion which I have stated.

Mr. BECK. It is a very difficult subject to understand. I desire to say to the Senator from Indiana that I think he is mistaken; but if he is not, then I am. If I am, I will vote with him. I think that the bill as reported by the Finance Committee is more in the interest of the producers and less favorable to the refiners than either the present condition of things or the bill of the Tariff Commission if any reduction has to be made. I have shown the effect of the committee's bill in a few words. Now, what does the Tariff Commission propose? One dollar and fifty cents on low-grade sugar of 75°, and five-hundredths of 1 per cent. on each degree of saccharine strength above that. Let us see how that operates. It would be $1.75 at 80°, $2 at 85°, $2.25 at 90°, $2.50 at 95°, $2.75 at 100°. At the highest rate on sugar absolutely pure, the saccharine strength reaching 100°, the refiners being allowed by the Tariff Commission protection of 3¼ on grades from 13 to 16, they would receive 50 cents advance for cleansing or refining sugar under the proposition of the Tariff Commission, while they would receive only 15 cents for the same operation under the bill as reported by the Committee on Finance. Calling it 95° they would receive 75 cents at a tax of 3¼ cents as proposed by the Tariff Commission on grades that they operate in on sugar, with 95° saccharine strength, as against 40 cents proposed by the Finance Committee. At 90° it would cost them 2¼ cents, and they are protected by a tax of 3¼ up to 16, and thus obtain a discrimination in their favor $1 for what the committee propose to allow them 65 cents.

In view of these facts I ask how can it be possible that the proposition of the Finance Committee is more favorable to the refiner than the bill of the Tariff Commission, when, as I have shown, at 90° of the polariscope, allowing them 3¼ cents, as recommended by the Tariff Commission, they receive the difference of $1, at 95° of 75 cents, and up to 100°, the highest saccharine strength, 50 cents; whereas under our bill at the same rates they would receive for their operation as refiners only 15 cents, 40 cents, and 65 cents.

Therefore, as I understand this question, the people of Louisiana, having only an interest in grades of sugar below 13, are interested in making the refiner pay as nearly as is right, indeed as nearly as possible for their product what he sells his product for. If we leave him only a margin of 15 cents, 40 cents, and 65 cents as against the Tariff Commission proposition of 50 cents, 75 cents, and $1, the amendment is largely in favor of the Louisiana planter over the proposition contained in the Tariff Commission bill.

How is it as compared with the existing law? Up to 13, the highest rate now paid is 2 1/8 cents, and above 13 and not above 16, 3 7/16; above 16, 4.1; above 20, 5 cents a pound; all more favorable to the refiner than the proposition made by the Finance Committee, rates on the higher grades ranging from 61 and 65 to 74½ per cent., so that in any aspect of it the proposition of the Finance Committee is more favorable to the home producer of sugar than either the present law or the report of the Tariff Commission. If I am wrong I desire to be corrected, always assuming that we propose to reduce the tariff tax on sugar in proportion to other things.

I have stated the facts and figures upon which I base my calculation and reach my conclusions. I do not propose to argue this question. Others understand it better. I can not study everything, but these are the conclusions that I have arrived at after as careful consideration as I could give the subject, from the facts which I have laid before the Senate, which each Senator can test for himself. I have no doubt of their correctness. Therefore the suggestion that the committee was making propositions in the interest of the refiners is clearly a mistake, or I am in a very grave error.

I judge from the very able speech made last night (which is not in the RECORD this morning unfortunately) by the Senator from Rhode Island [Mr. ALDRICH] that he does not agree with the Senator from Indiana that the bill of the Finance Committee is more favorable to the refiners than the Tariff Commission bill or the existing law. I see he bows acquiescence to my statement. The Senator from Indiana will find when he makes a calculation that the Finance Committee have carefully endeavored to guard against what he thinks they have done; they were not working in the interest of the refiner. On the contrary, it is very doubtful whether, if we so far cut down all possibility of margin of profit to the refiners of this country, we will not drive the refining of sugar either to England or Canada. I do not think we will. I would not arrange our taxation so as to do that, but if there is any danger resulting from our action it is in that direction and not in the direction of having given them too large a profit. It is only because I believe the bulk of the sugars come in between 90 and 95 degrees, and do not run up as high as 100 or above 95, that I can see how the refiners can at the rates we have proposed make a reasonable profit for their work and maintain the important business they are now carrying on against foreign competition.

I intend to vote for the proposition of the Finance Committee, first because it is in the interest of the planter rather than of the refiner, because it reduces the profits of the refiner down to the narrowest limit, and yet, at the same time, in my judgment, with the facilities he has for refining, enables him to refine in this country without having the sugar we need sent abroad to be refined.

I desire to give the difference between what the Tariff Commission proposes and what the present law gives to the producers of the lower grades of sugar in Louisiana for another reason. It costs them more to get their sugar to the New York market than it does the people of Cuba. That may seem strange, but it is a fact. Of course the refiner buys the sugar according to its value in New York. He cares nothing about where it comes from or what it costs the producer to get it there; he pays for it delivered at the wharf in New York. The English, German, French, Spanish, and all the other ships in the world trade to Cuba, and carry from Cuba to New York at low rates, frequently very low. They are all excluded by our navigation laws, which pretend to protect our coastwise trade, from taking a cargo at New Orleans to be landed in New York. None but an American ship authorized to engage in the coastwise trade can load at the port of New Orleans and unload at the port of New York; and with that obstacle in his way the producer in Louisiana has often to pay double the prices to transport his sugar to New York over what the producer in Cuba has to pay to lay his sugar down in the New York market. Of course protection to ships owned in New England must be maintained, no matter who suffers.

Therefore, in making this arrangement, narrowing down the profits of the refiner and giving the Louisiana planter such benefits as are possible to give him, I make a calculation of the increased cost to him by reason of the monopoly of the coastwise trade in getting his sugar to New York, because, as I said, the sugar-refiner makes no other calculation except to look at two classes of sugar when laid on the wharf in New York, and he cares nothing what it costs the producers to deliver it there. That condition of things is a great disadvantage to the Louisiana planter.

As to the propriety of reducing the duty at all I desire only to say that we increased it I think very improperly, unnecessarily, 25 per cent. in 1875. We are seeking to reduce everything, and I hope we will reduce everything that has a higher rate of duty than 30 or 40 per cent. upon it now. Sugar pays nearly $50,000,000. The total revenues of the country are about $200,000,000, varying a little more or less from year to year. Sugar, therefore, produces nearly one-fourth of the revenue. We seek to cut down in all, say, $50,000,000 on customs instead of $75,000,000 as we ought, but say $50,000,000. If so, $10,000,000 is about the fair amount of tax to be reduced on sugar, as it is about the fair proportion of revenue that it now brings in; and as we are seeking to reduce $50,000,000, I hardly think that $10,000,000 on a necessary article like this and cheapening it to all the people of the world is more than a reasonable reduction, and we hope to be able to give to the people of Louisiana cheaper material, cheaper blankets, cheaper cotton goods, and many things cheaper that they are compelled to use, to compensate them for some of the reductions that they will have to bear.

These were the views that influenced me in voting for the proposition of the Finance Committee, and without discussing the merits of the question any further I thought it was incumbent on me to state what I think is the effect of the amendment as reported by the committee, so that if I am mistaken some gentleman can show wherein, and I shall be ready to change my vote at any moment, because I desire to do absolute justice to the people of Louisiana and at the same time not to frame a bill in the interests of the refiners, as the Senator from Indiana thinks we have, and yet not to so frame the law as to injure the business of the refiners, which I regard as a very important one and one which ought not to be broken down and transferred to any other country. I will not do anything looking in that direction if I know it.

Mr. KELLOGG. Mr. President, I see the Senator from Indiana [Mr. VOORHEES] in the Chamber, and I should like his attention a moment, and also the attention of the Senator from Kentucky [Mr. BECK]. I understand the Senator from Kentucky to state, and state, I believe, correctly, that the difference between the bill as originally reported and the amendment proposed by the Senator from Vermont with the concurrence, as I understand, of a bare majority of the Committee on Finance, and the proposition of the Tariff Commission to be this: The present duty is 2.48, practically 2½ cents per pound on all sugar below No. 13 Dutch standard. It is the grade of sugar below No. 13 Dutch standard that the planters of Louisiana are more especially, indeed I may say exclusively, interested in. The Tariff Commission proposes, practically, 2½ cents per pound. That is what it amounts to. This is conceded, I believe. The Senate committee propose to begin at 1½ cents, and at the outside the duty proposed by them by the polariscopic test, all will admit, can not exceed if it equals 2 cents a pound for sugar below No. 13. That is also admitted, I believe. Thus the committee propose to cut down the present duty one-half cent per pound, while the Tariff Commission proposes to cut it down one-fourth cent per pound.

It is said, however, that the amendment proposed by the Senator from Vermont changing the schedule proposed by the committee as to sugar above No. 16 Dutch standard is to prevent a discrimination that would otherwise exist in the bill against the refiner and in favor of the producer. The only change proposed by the amendment is in regard to sugar above No. 16 Dutch standard and not above No. 20 from 3 cents, as proposed by the Senate bill, to 3.15 cents per pound, as proposed by the amendment of the Finance Committee, and on all sugars above No. 20 Dutch standard 3.65 cents per pound proposed by the committee amendment as against 3½ cents a pound proposed by the Senate bill. Suppose that it be true that to prevent a discrimination this increase is suggested, and ought to be adopted, then it puts the producer upon the same level with the refiner; that is to say, it reduces the present tariff pro rata, leaves the refiner under the committee bill and the amendment of the Senator from Vermont in precisely the same relation that it leaves the planter. So far as the present tariff is concerned it reduces both equally.

Now, sir, what was the effect of the old tariff? The practical effect was that during the year 1882 there were imported into this country of sugar above No. 7 and not above No. 10 1,305,991,759 pounds; above No. 10 and not above No. 13, 119,982,153 pounds, an aggregate almost of one and one-half billions pounds. Now, sir, see the amount of sugar imported into this country that comes in competition with the sugar produced by the refiner and the sugar that goes upon the table of every Senator, the sugar that is sold in all the markets of the country for general consumption. Above Nos. 16 and 20 all refined loaf, lump, crushed, powdered, and granulated sugar, 50,432 pounds, and 4,075 pounds, making 54,569 pounds of sugar, the total amount imported into this country, as against nearly one and one-half billions pounds imported of sugar under 13 Dutch standard. Keep in view that most of the sugar under No. 13 goes into the hands of the refiner.

Now, sir, does not every one know that the old rate of duty is practically prohibitory as to refined sugars? The old rate of duty discriminated against the producer and in favor of the refiner to that extent, as I stated last night. The Senators from California know it to be a fact to-day that sugar comes duty free from the Sandwich Islands into San Francisco and the Pacific Slope; and to show the power that the refiner has in manipulating the sugar interest, that sugar comes in at a low rate all below No. 13 and goes into the hands of the refiner; and so great is the potency of that power upon the Pacific Slope that yesterday sugar was selling at from 10 to 11 cents a pound that sells in the New York market at, say, from 9 to 10 cents per pound.

Mr. ALDRICH. What kind of sugar is that?

Mr. KELLOGG. I had yesterday one of the San Francisco papers showing that the same class of sugar coming from the refinery sold in San Francisco higher by a cent or a cent and a half a pound than the same kind of sugar sold in New York. That sugar comes from the Sandwich Islands free to the Pacific slope. Is not that so?

Mr. ALDRICH. I do not think the Senator's figures about the market price in New York are correct. I presume the other statement is correct.

Mr. KELLOGG. I will make practically the same statement again and see if the Senator will admit it. I say that the rate of sugar per pound sold yesterday or to-day, or that will sell to-morrow in New York is from 1 to 1½ cents less than in San Francisco. Is that true?

Mr. ALDRICH. I think it is.

Mr. KELLOGG. Still, in New York sugar comes in under a duty of from 1¼ to 2½ cents a pound and goes into the refineries, while it comes in free of duty from the Sandwich Islands. So to reduce the tariff on the low grade of sugar does not cheapen the sugar. Why? Because it is not that class of sugar that goes upon your tables.

If you want cheap sugar, then reduce the duty on the article that the refiner turns out, if you are compelled to buy in competition with the

refiners of other countries, and do not put the producer in Louisiana, the colored laborer in Louisiana, against the slave or cooly labor of the thirty-one West India Islands and dependencies. If you are going to discriminate in favor of one or the other, then discriminate in favor of the producer against the refiner, and put the American refiner against the refiner of the West India Islands, and not the producer of Louisiana against the producer of the West India Islands backed by his horde of coolies and slaves to whom he pays only a shilling or 20 cents a day for labor and maintenance, when the Louisiana planter pays from 85 cents to $1.25 per day for labor and maintenance.

Do not discriminate against the producer and in favor of the West India planter when there is a practical prohibition upon the sale of American articles in those islands and dependencies. Why, sir, you can not find $50,000 worth of American merchandise or supplies to-day in those islands, no matter what it may be, liquor, staves, pork, flour, meal, machinery, clothing, bacon, oils, whatever you please, anything going from this country to any of the West India Islands, where they grow sugar to compete with the producer of Louisiana, while the producer of Louisiana, as I showed last night, will expend this year many millions in purchasing machinery from New York, Pennsylvania, and from Ohio, and mules from Kentucky, and pork, corn, and agricultural implements from the Northwestern States, making a trade of millions, exchanging a crop this year of over twenty millions by transferring it or a large proportion of it in exchange for domestic supplies.

I wish to say to my Republican friends that I picked up a very influential Republican paper this morning, and my eye fell first upon a leading editorial predicated upon what I am about to read, namely, a plank of the national platform upon which we went to the people at the last Presidential election, and upon which we elected our President and Vice-President:

> We affirm the belief, avowed in 1876, that the duties levied for the purpose of revenue should so discriminate as to favor American labor.

Sir, you propose to discriminate so as to favor cooly or slave labor on the one hand and the refining interest, that is a mere monopoly, on the other.

Let me show you something else. I took pains to go into the Secretary's office, and with some effort I succeeded in procuring and analyzing to some extent the various petitions that have been offered in this body for the past eight or ten days in regard to the matter of reducing the duty on sugar, and I believe that what is true of the petitions offered in the Senate is true as to the petitions offered in the House. Here are a few samples, all the same heading and printed in the same type. I will read one of them:

> The undersigned, believing, as consumers, that the article of sugar is through us made to pay a much larger portion of the revenue from tariff than is just, hereby earnestly petition for a material reduction in the duty on said article.

Here are petitions from four States, taken promiscuously, with precisely the same type and heading, and in every instance—and I took pains to inquire of members of the House and of Senators—headed by large dealers of sugar, in the interest of refiners. I venture to say that you can not find a petition on our table that is not headed by these sugar dealers. I have not been able to find one, and the Secretary told me these were all that had been presented in the Senate, including those presented by the Senator from Illinois [Mr. LOGAN] last night.

I sent to the House and inquired of Mr. ALDRICH, one of the members from Chicago, and he tells me that the house of S. Raymond, heading the petition from Chicago, is one of the largest sugar dealers in Chicago; they head the paper, and some of the signatures are written by the same ink. This holds good as to all the others. Here are Mason & Co., of Michigan. If the Senator from Michigan [Mr. CONGER] will inspect this petition he will see the name. I am told that several petitions are headed by the largest merchants and sugar dealers in the town from which the petition comes.

These petitions, of which I have bundles here, are all drawn in the same manner and are of the same size. They are sent here from different States, as though they came spontaneously from the people. Putting these petitions side by side with the following letter from Boston, addressed to the delegation from Louisiana, shows clearly the origin of this movement to be with the refiners, who desire to reduce the rate of duty on low grades of sugar.

BOSTON, *January* 18, 1883.

DEAR SIR: In consequence of the statement circulated in Washington that the Eastern refiners have joined with the Louisiana planters in asking for a high rate of duty on sugar, we, the undersigned, representing the entire refining interest in this city, and paying to Government from $6,000,000 to $7,000,000 per annum in duties, hereby emphatically declare that we have entered into no such agreement, and that we earnestly urge a large reduction in the duty on the article.

STANDARD SUGAR REFINERY,
By J. B. THOMAS, *President.*
BOSTON SUGAR REFINING COMPANY,
By N. P. HAMLEN, *President.*
CONTINENTAL SUGAR REFINERY,
By EDWARD WHITNEY, *President.*
REVERE SUGAR REFINERY,
By NASH, SPAULDING & CO.
BAY STATE SUGAR REFINING COMPANY,
By F. G. TURNER, *Treasurer.*

To Hon. W. P. KELLOGG,
United States Senator from Louisiana, Washington.

Senators will recollect the document sent here by the refiners and placed upon the table of every member of the Senate, and I doubt not every member of the House, containing a letter from one of the Tariff Commissioners. It is printed, as Senators will see, on fine paper in large, clear type. It says:

> The people by petitions covering tens of thousands of names, demand a reduction. This demand must be granted.

There it is in great capitals, and the petitions referred to are those that come in here with the same heading and the same paper, emanating from the same source, all of the same size, and in every instance headed by large dealers in refined sugars in such cities as Chicago, and these petitioners talk about being actuated by a desire to serve the consumers.

If it be true that ninety-eight hundredths, or thereabout, of all the sugar imported into this country during the last ten years or more is below No. 13 Dutch standard, and all that is produced in this country, sugar that we are interested in, being below No. 13 Dutch standard, which brings to the planter an average price of 5½ cents only per pound, and if only two-hundredths of all the sugar imported into this country is of that class of sugar which comes from refiners and goes upon your table, I ask you where the discrimination is? The Committee on Finance, as the Senator from Kentucky says, have reduced the tariff side by side as to the sugar below No. 13 Dutch standard and that which the refiner produces, and leave the refiner and the producer side by side as they were before, with each a reduced tariff. I assert, and there is not a man in the Senate who can deny it successfully, that the duty imposed by the bill, especially by the amendment proposed by the Senator from Vermont, is still practically, even under the reduction proposed by the Finance Committee, a prohibitory duty on all that class of sugar which is produced by the refiner.

The reduction proposed, while it works a hardship to the home producer, does not injure but rather benefits the refiner.

I do not desire especially to make war upon the refiner, but I do not propose to sit quietly and see them urge a reduction of duty upon a class of sugar produced by home agricultural labor while the duty on other sugars still remains practically prohibitory.

Mr. SHERMAN. The statement made by the Senator from Louisiana just now is an extraordinary one. He complains that the Finance Committee have not given to the sugar producers a fair degree of protection, and have discriminated in favor of the refiner.

Mr. KELLOGG. I do not say that; I simply say they do not give us a degree of fair protection in proportion to the general reduction. I say there has always been a discrimination, and you keep up the discrimination, in favor of the refiners, as shown by the fact that there is no importation of that article which comes in competition with the refiners, that which goes upon our tables, while there is a large consumption, ninety-nine hundredths, nearly, of all that comes being below No. 13 Dutch standard.

Mr. SHERMAN. I again repeat that the Senator from Louisiana charges the Committee on Appropriations with making a discrimination in the application of the doctrine of protection in favor of the sugar refiners as against the sugar producers. The Senator from Indiana [Mr. VOORHEES] charges that the committee of which he is a member unduly favored the refiners in this proposition of the committee. My friend from Rhode Island [Mr. ALDRICH] on the other hand complains that in the proposition we have made we have done injustice to the higher grades at the sacrifice of the lower grades, and that we have made the advance in the rate too high by a fraction which has already been named.

Mr. President, this is a matter of as simple figures as can be got from a table in arithmetic. We propose on the lowest grade of sugar known, measured by the polariscope at 75, and under No. 7 Dutch standard, a rate of 1½ cents a pound. No man can deny that that is a protective tariff to the extent of 32 per cent. My friend from Rhode Island insists that it is 40 per cent. Is not 40 per cent. enough to protect a raw product like sugar? I say it is only 32 per cent., but I come to the computation by a different mode of calculation. Suppose it to be 32 or suppose it to be 40, is not that enough? If it is not enough, then let Senators show that it is less than the ordinary protection extended to other like articles; let them propose to raise it, say, to 35, preserving all the time specific duties so as to avoid fraud, and I shall vote with them with the greatest pleasure.

Indeed, I wish to give to the sugar producers of this country the same measure of justice, the same measure of protection that I give to the producers of iron, steel, and other things, in Ohio. I wish to give to the labor employed in this industry in Louisiana that protection which I would give to any other labor in any other part of our country, so that the people engaged in this production can give to the labor employed reasonable and fair wages, not tested by the wages paid in other lands but tested by our American ideas of fair wages. That is the only rule I know to go by. I say tested by that rule the Committee on Finance have been right.

As to the controversy between the refiner and producer, that is again a simple matter of figures. On the lowest grade we fix the duty at 1½ cents a pound, and on No 13 we fix it at 2 cents, the gradations rising at five-hundredths of a cent per degree by the polariscope. When it reaches 91 at 13 Dutch standard the tax becomes 2 cents a pound, or $2 on a hundred pounds. That is a slow and gradual advance, as we un-

derstand, in degree according to the increased value of the sugar from grade to grade.

If that is not correct, it is a simple matter of figures and that is the only question between the Senator from Rhode Island and me. He says that the proper proportion of increase is four-hundredths, I say it is five-hundredths. The Senate can decide that matter very easily by a vote, and I shall acquiesce. If his amendment is adopted, then No. 13 Dutch standard will come in at 1.85 cents, if I compute correctly. If the committee amendment prevails, No. 13 Dutch standard will be at 2 to 2.05 cents, according to the degree of saccharine strength tested by the polariscope. That is a question that the Senate might easily decide without debating very long about. The question is between a gradation up to 1.85 or a gradation up to 2.05, the Finance Committee proposing the gradation a little more than the Senator from Rhode Island.

Now, as to the refiner; it is said that we discriminate against the refiner. If there is any doubt upon this question I think the doubt is that we have discriminated against the refiner, because when we come to fix the next grade of tax at No. 16 Dutch standard of color the duty is 2.65 cents. That is only a difference of about 60 cents on the hundred pounds between No. 13 Dutch standard, which must be refined, and all the lower grades, which must be refined in order to be used in the common American family, and the higher numbers. We only allow a duty of 60 cents a hundred pounds for the difference. At first I had some doubt about whether that was enough to give to the refiner the same character of discrimination, the same protection to his labor in advancing the value of these grades up to the increased rate of No. 16, but upon full examination it was believed by the Committee on Finance of the Senate that that was a just rate, and so we fixed it in justice to the refiner. It does not interfere with the production of our home producer, because his grade is mostly under No. 13 Dutch standard.

But we have fixed this rate with a view that the brown sugars of Cuba and other countries where the centrifugal process is used may be brought into this country without going through the refinery, and be brought on to the ordinary table of the consumer. That was the idea, to make a healthy competition between the improved process for the manufacturer of sugar in foreign countries and the production of our refineries, and therefore we have reduced the rates on the higher grades of sugar. I was surprised when I heard the Senator from Indiana, a member of the Finance Committee, say that we had not made a corresponding reduction. Why, sir, this proposition which I hold in my hand makes a reduction on No. 16 to No. 20 Dutch standard of 91 cents on the hundred pounds, and on sugars above No. 20 Dutch standard $1.35 per hundred pounds reduction from the present rate.

If the Senate think they can from the examination they are able to give to this question make a more careful gradation of these specific duties than we have done, let them try it and I shall be perfectly content with what they do.

Something was said last night by the Senator from Alabama [Mr. MORGAN] and the Senator from Maine [Mr. FRYE] about the polariscope. I hold in my hand extracts from the testimony taken before the Tariff Commission, not of officers of the Government, because they for a long time have been known to be in favor of the polariscope test, but of importers and refiners, the very men whose devious ways, as I thought, reduced the income of the Government $3,000,000 a year. I have the testimony of the ablest and strongest and most influential of these men as to the best mode of testing the saccharine strength of sugar. Here is the testimony of Danford Knowlton, who is a very well-known gentleman:

Question. You mentioned a certain order of Secretary Sherman; were you an importer of sugar when that order was in force at the custom-house?
Answer. Yes, sir.
Q. They have a good many sugars tested by the polariscope?
A. Yes, sir.
Q. The merchants have them tested by the polariscope after they have been tested by the custom-house?
A. Yes, sir; they do.
Q. Are those tests about the same?
A. I am much obliged to you for asking that question, because I wish to exonerate the officers of the Government so far as I can. In all our experience (and I have been an importer of sugar since 1852) under the order of Mr. Sherman, our test has never varied from that of the custom-house more than one-half of a point.
Q. You mean that your test corresponded with the test of the Government officers always within one-half of one point?
A. Yes. We found them invariably as correct as any tests made by merchants, and there is no reason why the Government can not have as good employés as the merchants, and I am very happy to bear testimony to those gentlemen for their fidelity so far as I know them. Two or three instances have occurred in which I asked them to retest, but that has been caused simply from their getting a sample a little too good, not taking an average sample, and so their test exceeded ours a little. In those instances we have asked them to retest, and very frequently they have found ours was correct and have corrected their return.

Where there was a variance as to the sample furnished Mr. Gustav Schwab says:

I would like to call the attention of the Commission to the fact that the use of the polariscope is the very best known means of determining the qualities of sugar. It is acknowledged to be very accurate indeed. The differences which have occurred between the importer and the Government in the result of the analyses by the polariscope are caused by the sampling.
Question. Do you accept the polariscope as being as nearly complete and perfect an instrument as can be made to test the value of sugar, provided the same sample can be used in both instances by the Government and by the importer?
Answer. Yes, sir.
Q. What does the trade generally use in testing the value of sugars?
A. The first thing is to have the sample drawn and tested by the polariscope, by some recognized chemist connected with these brokers' offices, who does nothing else but examine sugars.
Q. Do you not think that an instrument in use (as you admit the polariscope is) as a tester of sugars between the buyer and seller all over the civilized world is an instrument that could well be adopted by the Government?
A. Yes, sir; as an instrument, certainly. I think it a safe instrument to adopt.

Here is John Dymond, also engaged in the same business:

In the matter of classing sugars for the levying duties thereon, it is an undisputed fact admitted by all those who import, refine, or sell sugars, that all sugars imported for refining, are, without exception, bought and sold on their polariscope test as the chief means of determining their value.

This man, a refiner, says that all who buy or sell deal on the basis of the polariscope test.

Again, all sugars sold for consumption, whether refined or plantation sugars, are invariably sold on their color. Thus two general methods of determining values are now resorted to, the one for sugars to be refined, the other for sugars going into consumption. As at present practically no sugars below No. 13 Dutch standard in color go into direct consumption, we would respectfully suggest that in classing sugars for the levying of duties thereon, you class all sugars not above No. 13 Dutch standard in color by the polariscope, with regard to the percentage of cane sugar they contain, and that you class all sugars above No. 13 Dutch Standard in color by the Dutch standard of color.

That is the very rule which has been adopted. Then again he says:

Aside from the universal commercial use of the polariscope in this country, it is the means adopted by the French Government for determining the duties or taxes on sugar there. It is used throughout Europe in determining the condition and value of beet-juice, while the beets are growing, and in every process in their subsequent manufacture. It is now largely used in Louisiana for the same purpose, *i. e.*, to determine the condition of the sugar-cane, and the condition and value of cane-juice at each stage of its manufacture into sugar, and to determine the condition of sugar-cane in respect to its value for the preservation for seed. The use of the polariscope in the sugar industry is now universal in all civilized countries, and is universally recognized as the best commercial test of the intrinsic value of sugars.

We were reminded by the Senator from Maine last night that the Senate voted just exactly the opposite last session. That only tends to show whether the Senate is most to be relied upon or the universal custom of merchants on this question of the polariscope.

I will read further. I see here the testimony of Mr. H. O. Havemeyer, who is well known as probably the largest of all the refiners of sugar. He says:

All difficulty will be obviated if the Government in framing legislation will take lessons from the methods employed under similar circumstances by those engaged in the business, who have been taught by experience. Sugars differ in quality and value. Dealers have been compelled to find a convenient, practical, and reliable test for determining quality. The course invariably pursued and with sure results is, for sugars above No. 13 Dutch Standard, to apply the color test, and for all other sugars to use the polariscope.
Question. In importing sugars, how do you test them?
Answer. By the polariscope.
Q. Do you use that test exclusively?
A. Almost exclusively. Color has some weight with us in the purchase of sugar.
Q. Is there any reason, so far as you know, why the Government should not use the polariscope in making its test of sugar?
A. No, sir; I know of no reason why it should not. In fact our experience in regard to Government tests by the polariscope, during Secretary Sherman's administration of the Treasury Department, established to our satisfaction the fact of its ability to determine the saccharine strength of sugar.
Q. When the Government test by the polariscope was applied to your sugar did it vary materially from your own test of the same sugar?
A. No, sir.
Q. Did it vary at all?
A. Well, perhaps sometimes, one-half of 1 per cent., and then a resampling generally resulted in an approximate test.
Q. Is not the polariscope generally used in England in determining the true value of sugars?
A. Yes, sir.
Q. Is it not also used in determining their value in France?
A. Yes, sir; and in Germany, Russia, and Austria.
Q. And even in Holland, where the Dutch standard was established?
A. Yes, sir.
Q. Does not the Government of France use the polariscope as a proper test of the value of sugars in levying its duties and allowing the drawback?
A. Yes, sir; I believe it does.

Here is also the testimony of E. D. Morgan & Co., Mr. Morgan having been formerly a member of this body:

We have read the statement of Danford Knowlton, esq., made to the commission in regard to sugar, and we beg to say that we concur in the views expressed by him as to the best method for the collection of revenue on sugars, namely, by the use of the polariscope; and we would add that we have found the Government test (under Secretary Sherman's circular order) of our importations were almost identically the same as those made by our own testers.
The existing tariff works great injustice to the great mass of the sugar producers of the world, inasmuch as it discriminates against all low grades and in favor of the higher grades. The use of the polariscope, as suggested by Mr. Knowlton, would place all grades of sugar on a parity, and would greatly benefit consumers and refiners, and at the same time would incidentally afford better protection to the producers of sugar in this country.

I have read these extracts in order to show that the polariscope test as a test for all sugars up to No. 13 Dutch standard is one of those remarkable and peculiar instruments like the barometer, the thermometer, and many other instruments of science which have been brought into practical use and are applied day by day, and yet if you ask the philosophy of them no man in the Senate can tell what it is. The Senator from Alabama last night wanted us to describe this instrument.

Mr. MORGAN. Allow me to ask a question. If the polariscope is a good test up to No. 13 Dutch standard, why is it not an equally good test above that?

Mr. SHERMAN. I intended to answer that. Sugar when it ap-

proaches No. 13 Dutch standard approaches nearly as high a saccharine strength as when it is refined. The chief value of it beyond this grade is in its appearance, its quality for table use because of the taste and extravagance of our people. The brown sugar of No. 13 or 14 Dutch standard, made by the centrifugal process in Cuba or in our own country, is strong, good sugar for table use; but the American people want white sugar. They do not buy sugar beyond certain grades for its saccharine strength, but for its color, its appearance, its grade, its quality. There is the difference. Up to No. 13 Dutch standard the polariscope is an invariable test. Above that the market value is regulated by color, and we simply in this bill follow the market value.

Mr. MORGAN. How does the Senator determine in his proposed amendment whether sugars are above or below No. 13 Dutch standard?

Mr. SHERMAN. By the color test?

Mr. MORGAN. Does the Senator think the color test is an honest, fair test?

Mr. SHERMAN. Above No. 13, yes.

Mr. MORGAN. How do you find out whether sugar is up to 13 or above it by that test if it is not honest below it?

Mr. SHERMAN. It is very easy to tell the difference.

Mr. MORGAN. By the eye?

Mr. SHERMAN. By the eye and also by the polariscope test. If the Senator could see these various grades in bottles he could see exactly the dividing line, as everybody else can. I suppose the Senator from Louisiana knows far more about it than I do.

Mr. JONAS. If the Senator will permit me, I will ask him whether it is not possible to discolor or artificially color sugars above No. 13?

Mr. SHERMAN. Upon that very point I was myself in favor of raising the polariscope test up to No. 16.

Mr. JONAS. That was the first report.

Mr. SHERMAN. Yes, we first reported it so, but we became satisfied from the statements of men engaged in the business, and from the statements of our officers, that the true dividing line was No. 13, and we changed it after full reflection and without a division among ourselves after hearing the various arguments pro and con.

I say, then, Mr. President, that this subject has been carefully examined by the Committee on Finance, and I hope their action will be agreed to, as I believe it is absolutely just and right.

Mr. KELLOGG. Now, Mr. President, I should like the attention of Senators for a moment. The Senator from Ohio started out in his remarks by saying that the Senator from Indiana, a member of the Committee on Finance, and myself had made an unjust criticism upon the action of the Committee on Finance in this, that they asserted that there had been a discrimination made in favor of the refiner against the producer. Now, figures will not lie. Under the present rate of duty—and I ask the attention now of the Senator from Rhode Island and the Senator from Ohio—under the present tariff on certain lower grades, or rather on sirups, meladas, &c., the duty amounts to $1\frac{7}{8}$ cents per pound.

Mr. SHERMAN. No; there is the error with which the Senator commences. The present rate of duty on the very lowest grade of sugar is $2\frac{3}{16}$ cents per pound.

Mr. KELLOGG. I am speaking now of tank-bottom, of sirup, and sugar-cane juice, melada, &c.

Mr. SHERMAN. That is tank-bottom.

Mr. KELLOGG. Of course. Now, I ask whether I am right in saying that the duty is $1\frac{7}{8}$ cents per pound?

Mr. SHERMAN. Yes, sir.

Mr. KELLOGG. Which is equivalent to 56.69 per cent. ad valorem.

Mr. SHERMAN. So it is computed.

Mr. KELLOGG. Then on Dutch standard in color not above No. 7 the duty is $2\frac{3}{16}$ cents per pound, or equivalent to 58.38 per cent. ad valorem. Is that right?

Mr. SHERMAN. Yes.

Mr. KELLOGG. On the next grade the duty is $2\frac{1}{2}$ cents per pound, or 54.27 per cent. ad valorem, and on the next, above No. 10 and not above No. 13, it is 3 cents. It is the duties on not above No. 7 and not above No. 10 and above No. 10 and not above No. 13 that specially concern the Louisiana planter. The one is equivalent to 54.27 ad valorem, and the other is 57.12.

Now pass on to the grade of sugars that the refiners are interested in. There was imported last year a little over 54,000 pounds, on which the duty is $3\frac{7}{16}$ cents per pound, equivalent to 74.54 per cent. ad valorem; that is, on all sugars above No. 13 (the line of demarkation) and not above No. 16, and on all sugars above No. 16 and not above No. 20 Dutch standard, the present rate of duty is $4\frac{1}{16}$ cents per pound, which is equivalent to an ad valorem of 65.23 per cent. The next rate of duty above No. 20 Dutch standard, including refined, loaf, lump, crushed, powdered, and granulated sugar, such as are used on the tables of the people generally throughout the country, is 5 cents per pound, or equivalent to an ad valorem of 60.91 per cent.

Now, sir, here there is a discrimination certainly in favor of the refiner. The committee are so anxious not to discriminate against the refiner that they come into the Senate with an amendment increasing the duty on refined sugar over the Senate bill. They are anxious to do nothing that may tend to bring misfortune to these capitalists, these refiners, by discriminating a hair's breadth in favor of the honest laborers of the South, the tillers of the soil, and against these capitalists and refiners. They are so particular that they go into their room and incubate and bring in solemnly another amendment looking to a change in the interest of refiners alone.

Let us see how they leave it and what it was before they brought in that amendment. Let us see the proposed tariff. They have not computed it and they do not agree, but it would amount, say, to about 45 per cent. ad valorem upon sugar below No. 13 Dutch standard. Now, let us see what it is to refiners. Without the addition proposed by this amendment it amounts to 70.48 per cent. on all sugar above No. 13 and not above 16; and on all sugar above 13 and not above 16, 60.20 per cent; on all sugar above No. 16 and not above No. 20 Dutch standard, 51.77 per cent.; on all sugars above No. 20 Dutch standard the duty is in every instance 5 cents. The equivalent ad valorem rate is 60.91.

Now, sir, notice the difference between the ad valorem equivalent of 45 for sugar below No. 13 and of 65.23, 74.54, or even 60.91, the ad valorem equivalent in the interest of the refiner, and still they propose to give still further discrimination in favor of the refiner.

If the Senator from Rhode Island, who says I am not correct in my statement, will set me right, I shall be much obliged to him.

Mr. ALDRICH. I think I can set the Senator right in a few minutes. He is criticising the report of the Tariff Commission.

Mr. KELLOGG. Of course I am, but the discrimination is proportionately the same. I take the present rate of duty and ad valorem equivalent as to sugar below No. 13 and above 16, and 20, or refined sugar and that as proposed by the Tariff Commission, and you have only to reduce the duty and ad valorem equivalent in each case to show the same proportionate discrimination in favor of the refiner.

Mr. ALDRICH. The report of the Bureau of Statistics from which the Senator has read makes the unit of value of sugars from No. 13 to 16, 4.61 cents a pound; it makes the same unit of value of sugars from No. 7 to No. 10, evidently an error probably occurring in this way that these sugars were parts of cargoes imported as below No. 10 in color, and when they came here they were found by the custom-house officer to be above No. 13 in color; but the invoice value was not changed. That is the reason for the large percentage shown on sugar from 13 to 16.

Now, let us see exactly what the Finance Committee have reported in favor of. The Senator seems to have some confusion in his mind. That report shows a reduction of forty-five hundredths of a cent a pound on sugars below No. 13 Dutch standard in color. It proposes a reduction on from No. 13 to No. 16 of ninety-one hundredths of a cent a pound, or nearly twice as great a reduction on sugars from 13 to 16 as upon sugars below 13. It proposes from 16 to 20 a reduction of ninety-one hundredths of a cent, and above No. 20 of 1.25 cents, the reduction being twice as large in that case and three times as large in the other case as upon the sugars below No. 13 Dutch standard.

The PRESIDING OFFICER (Mr. GARLAND in the chair). The question is on the amendment of the Senator from Rhode Island [Mr. ALDRICH] to the amendment of the Senator from Vermont [Mr. MORRILL], upon which the yeas and nays have been ordered. The amendment will be reported.

The ACTING SECRETARY. In line 11 of the amendment it is proposed to strike out "five" and insert "four," so as to read "four one-hundredths of a cent per pound additional."

Mr. MORRILL. A single word. I trust that we shall not adopt this. We shall be all out at sea and every other provision in the bill in relation to sugars will have to be changed. I think the Committee on Finance have done justice to the Government and to the interests involved in the subject by the proposition we have made. I trust, therefore, that no amendment to it will be accepted.

Mr. ALDRICH. I will very briefly restate the reasons why I think this amendment should be adopted. If it is adopted it still leaves an ad valorem duty upon sugar of 42 per cent.

Mr. MORRILL. Not on the foreign valuation.

Mr. ALDRICH. On the foreign valuation 42 per cent., and at least 40 per cent. on the home valuation. If the proposition of the Committee on Finance is adopted it will still leave a duty on sugar of about 45 or 46 per cent. ad valorem—a larger rate of duties than the gentlemen on the other side have been willing so far to give to the highest class of manufactured articles. We have a redundant revenue——

Mr. KELLOGG. What is the rate as to pottery, glass-ware, &c.? What is the average rate?

Mr. ALDRICH. The average in that schedule is about that rate.

Mr. KELLOGG. Sixty per cent.?

Mr. ALDRICH. That is an exceptional article in the bill. We have a redundant revenue. There has been from the other side of the Chamber and from this side a constant cry for a reduction of taxation. The gentlemen on the other side have reminded us that the verdict of the people at the elections last fall was in favor of a reduction of taxation. It is conceded on all hands that our revenue is very much too large. Now, where is there an article in the whole dutiable list that we can reduce so well upon as sugar, an article which is used in every family in this

land? Only one-tenth of the amount consumed is produced in this country. You are obliged to pay duties upon nine-tenths of the consumption. I do not ask that this reduction shall be greater than upon other similar articles. I do not ask that the sugar duty shall be reduced below the average upon manufactured articles, which I submit should be entitled to a greater amount of protection than sugar.

Mr. HALE. Will the Senator allow me to ask him a question just there?

Mr. ALDRICH. Certainly.

Mr. HALE. I do not know but that the Senator has already stated it, but if so I have not heard it. What does he believe will be the reduction in the revenue if his amendment be adopted?

Mr. ALDRICH. It will be about 24 per cent. from the present revenue.

Mr. HALE. In amount?

Mr. ALDRICH. In amount, $11,413,960.

Mr. HALE. And what by the schedule as reported by the committee?

Mr. ALDRICH. Eight million four hundred and forty-three thousand dollars.

Mr. MORGAN. Is that under the amendment offered by the Senator from Vermont?

Mr. ALDRICH. Eight million four hundred and forty-three thousand dollars by the committee amendment, and $11,413,960 by my amendment.

Mr. MORRILL. I must say that I do not agree with the Senator from Rhode Island in relation to the estimate of the reduction effected by the amendment proposed by the committee.

Mr. MORGAN. What is the ad valorem percentage under the amendment offered by the Senator from Vermont?

Mr. ALDRICH. About 46 per cent.

Mr. MORGAN. I understood that was the amendment of the Senator from Rhode Island.

Mr. ALDRICH. No; 42 is mine.

Mr. SAULSBURY. Allow me to ask the Senator from Rhode Island whether, while he proposes by his amendment to reduce the rate of percentage and also to reduce the amount of revenue derived from sugar, that reduction will affect at all the price of sugar that enters into the ordinary consumption of the people?

Mr. ALDRICH. Most certainly it will. There can be no question whatever about that. Every mill of reduction that is made in this bill will go to the benefit of the people of this country.

Mr. SAULSBURY. Will not the refiners still have the monopoly of the market for the sugar that goes upon the table? Is there any such reduction proposed in any quarter as will reduce the price of the grades above No. 13?

Mr. ALDRICH. I will say in response to the inquiry of the Senator from Delaware that there is no monopoly in sugar refining. There can be no monopoly. The business at the present time is conducted by a small number of refiners. Why? Because the profits have been so small that the number has been constantly reduced. While I do not consider myself called upon to enter upon a special defense of the sugar refiners, I want to say that the price to-day of granulated sugar in New York is 8.56 or 8⅝ cents a pound. If you deduct from that the estimate of the Treasury Department of the equivalent for the duties paid, the estimate being used as the basis of drawbacks which are allowed for sugars exported of 3.18 cents, we have a price of granulated sugar in this country of 5.36 cents a pound, which is lower than the price in any country in the world.

Mr. KELLOGG. That is what the refiner gets it for.

Mr. ALDRICH. That is what the price would be if we had free sugar. That price is three-eighths of a cent lower than in any country in the world. I think it due to the sugar refiners to say that these low prices have been produced by home competition. There has been a great deal of unnecessary criticism, it seems to me, of the refiners. They are doing a legitimate business in a legitimate way, and they are entitled to fair treatment at least at the hands of the Senate of the United States.

Mr. JONAS. Before the vote is taken I wish to call the attention of Senators to the fact that the amendment of the Senator from Rhode Island is intended to operate only upon the low grade of sugars below No. 13, that grade of sugars to which it is proposed to apply the polariscope. On that grade of sugars, such sugars as are produced in this country and such sugars as have been and will be imported into this country, he proposes to reduce the additional duty from five-hundredths to four-hundredths of a cent a pound. He proposes no corresponding reduction on the other end of the line, and this amendment, if adopted, falls altogether on the producer, and not upon the refiner.

Mr. ALDRICH. If the Senator will allow me I will now offer the amendment which I intended to offer if this amendment should be adopted, reducing the rate on from No. 13 to 16 to 2.45 cents, from 10 to 20 to 2.75 cents, and on above 20 to 3.10 cents, or an average reduction of more than one and a half cents a pound on grades above 13, when I propose to reduce about sixty-hundredths of a cent on the grades below.

Mr. JONAS. It is well enough to consider the amendment which is proposed.

Mr. ALDRICH. I offer this now, with the consent of the Senate, as a part of the other amendment.

Mr. KELLOGG. You can not do that.

The PRESIDING OFFICER. The amendment can be read for information.

Mr. ALDRICH. I suppose I can change my own amendment, can I not, before the vote is taken?

The PRESIDING OFFICER. Yes, sir.

Mr. ALDRICH. Then I move, in reference to No. 13 and No. 16, in line 16, to strike out "2.65" and insert "2.45;" in line 18 to strike out "3.15" and insert "2.75," as between No. 16 and No. 20; and in line 19, to strike out "3.65" and insert "3.10," for all above No. 20, which is a very much larger reduction than has been proposed at any time on this grade of sugar. I make it all one amendment.

The PRESIDING OFFICER. The Secretary will now report the amendment to the amendment as modified by the Senator from Rhode Island.

The ACTING SECRETARY. In line 11 it is proposed to strike out "five" and insert "four;" in line 16 to strike out "sixty-five" and insert "forty-five;" in line 18 to strike out "3.15" and insert "2.75;" and in line 19 to strike out "sixty-five hundredths" and insert "ten-hundredths;" so as to read:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane-juice or of beet-juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty of 1.25 cents per pound, and for every additional degree or fraction of a degree shown by the polariscopic test they shall pay four-hundredths of a cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color, and pay duty as follows, namely;

All sugar above No. 13 and not above No. 16 Dutch standard, 2.45 cents per pound.

All sugar above No. 16 and not above No. 20 Dutch standard, 2.75 cents per pound.

All sugars above No. 20 Dutch standard, 3.10 cents per pound.

Mr. BLAIR. I wish to ask the Senator from Rhode Island a question in regard to the operation of his amendment as amended. It now applies to the low grades and high grades alike. He proposes a reduction upon both. The proposition of the committee is a reduction upon both. Now, comparing the two propositions, I wish to ask him which, upon the whole, most reduces the high-grade sugars to the consumer?

Mr. ALDRICH. My amendment reduces the high-grade sugars more than any proposition which has been made from any source.

Mr. BLAIR. Treating both as entire propositions?

Mr. ALDRICH. Yes, sir.

Mr. SAULSBURY. I should like to ask the Senator from Rhode Island, who seems to have a good deal of information on this subject, what he supposes will be the effect upon the importations of sugar of the high grades if his amendment is adopted, whether we shall then be able to import in any large quantities the refined sugars?

Mr. ALDRICH. I think we shall be able to import some sugars above No. 13, the duty on which I propose to reduce from the present rates 1.11 cents a pound on the first grade, 1.13 cents on the second grade, and 1.90 cents, or a reduction of nearly 2 cents a pound, on sugar above No. 20.

Mr. SAULSBURY. I suggest to the Senator whether he had not better amend his proposition and put his figures so that in all probability there will be some importation. When I ask the question he says he thinks there will be some importation. That implies that he does not think there will be much importation, if his amendment is adopted, of the higher grades of sugar. What I am aiming at is to get those grades of sugar which everybody uses in this country brought in so that we can have some competition between the foreign sugars and the sugars that come from our own refineries, because I am fully convinced that if we are restricted to the tender mercies of the refiners, they having complete control of this market, sugars will be kept up high. What I want is some competition that will compel the refiners of sugar to reduce their prices so that everybody who has to use sugar may have some benefit from this legislation.

Mr. FRYE. Will the Senator please inform the Senate why it is if these refiners are so powerful that sugar has gone down to 8⅝ cents a pound now?

Mr. SAULSBURY. I do not know why it has gone down. I suppose competition between refiners has some effect upon it. Perhaps the production has been great. The refiners may have been able to buy sugar at a lower rate, which enabled them to put down the price. I do not know much about the sugar question, but I know this: That according to the tables, and according to every statement made here, the refined sugars, the sugars above No. 13, are not imported in any considerable quantity, and I know enough about humanity to know that when our own people have a complete monopoly of a trade in this country they keep up the price to the very highest line that they can.

Mr. HOAR. I should like to ask the Senator a question. Is not now this business of refining sugar a business in which the profit is brought down almost to a hair's breadth.

Mr. SAULSBURY. I really do not know, and I know very little about the business of refining sugar.

Mr. FRYE. One-eighth of a cent a pound.

Mr. HOAR. The Senator certainly does use language according to which he implies that these men are tyrants.

Mr. SAULSBURY. I did not mean to say any such thing.

Mr. HOAR. He spoke of the people being exposed to their tender mercies.

Mr. SAULSBURY. I know personally nothing of any refiners. I am not acquainted with any refiners. They may be perfectly honest men, but we all know that there are many honest men in the country who always seek to command the very best price for their products that they can get.

Mr. HOAR. But has the Senator any information which leads him to know that there is any possible margin of profit now existing in the sugar-refineries of this country which foreign competition could reduce and still leave the sugar interest here?

Mr. SAULSBURY. I have but very little information on the subject. I go on the general principle that where the refiners in this country monopolize the markets of the country they can fix the price of their merchandise. For instance, if in any business—I do not care what it is—if a gentleman engaged in any business whatever has a monopoly of the market he can fix his own price. What I want is to have some competition from abroad, so that it will not be in the power of these refiners, if they are so disposed, to put an undue price upon the sugars which they refine.

Mr. WILLIAMS. I observe that the difference between the raw sugar and the refined sugar is but as two to one. Then the refiner gets as much for refining the sugar as the planter for producing it. I can not believe that the simple process of purifying sugar after it is produced from the cane is anything like the cost of the production.

Mr. KELLOGG. If the Senator from Kentucky will permit me I wish to call his attention to this fact: the system of refining is to take the dirty matter imported as tank-bottoms, melada, cane-juice, &c., bring it in at the lowest rate of duty, and by a process of refining turn it into refined sugar and put it upon the market at 8 or 9 cents per pound.

Mr. WILLIAMS. It strikes me as very strange that the refiners should get more for refining the raw material than the planter gets for producing it, and hence it strikes me that the effect of this is to compel all sugar to go through our own American refineries before it gets to the consumer. They are very few in number, and it is possible for that combination to establish a complete monopoly and put up the price to what they please.

Mr. KELLOGG. As I have stated two or three times, a strong argument is furnished by the fact that on the Pacific slope sugar that comes in free of duty is 9 cents per pound.

Mr. JONAS. The amendment last offered by the Senator from Rhode Island of course conforms more nearly than the first amendment to the statement made by him; but I contend that it will not have the effect of cheapening or causing the importation of refined sugar at all, or of the class of sugar to which his last amendment refers. Indeed, the Senator with frankness answered that he thought it would have the effect of allowing some of these sugars to be imported. Now, let us look at the statistics. There were imported last year of sugar not above No. 7, which is the lowest quality, 485,476,825 pounds; above No. 7 and not above No. 10, 1,305,991,757 pounds; above No. 10 and not above No. 13, which is a brown sugar, the importations were small, amounting to only 119,982,153 pounds, and the importations of refined sugar amounted only to 50,432 pounds.

The amendment of the Senator from Rhode Island reduces the duty on raw sugars materially below the report of the Committee on Finance, and it reduces the duty on refined sugars correspondingly; but the importations will be, as they have been in the past, of the grade of low sugars such as can be imported and most profitably employed by the refiners.

I here assert that if his amendment shall be adopted the importation will still be in a large measure almost exclusively from the sugars between No. 7 and No. 10; the refiners will still control the importation; they will not import fine sugars at all, I believe, when they can import lower sugars more fit for their use at a lower rate; and the amendment offered by the Senator does not permit the importation of refined sugars such as are used by the people of this country.

Mr. ALDRICH. I understand both Senators from Louisiana favor the report of the Tariff Commission.

Mr. JONAS. I will say frankly to the Senator from Rhode Island that I have been prepared to support the report of the Tariff Commission as a choice of evils. I have never favored it, and was opposed to it from the first moment I saw it on our tables.

Mr. ALDRICH. The Senator from Louisiana on this side of the Chamber [Mr. KELLOGG] has offered an amendment to substitute the Tariff Commission's report for the report of the Committee on Finance.

Mr. JONAS. I am supporting that amendment, but I do not favor it as a matter of choice.

Mr. ALDRICH. My amendment proposes to reduce the duties on sugars above No. 13 20 cents per hundred pounds below the rate fixed by the Tariff Commission, and it proposes to reduce the duties on sugars above No. 13 fully 1 cent a pound——

Mr. JONAS. None of those sugars will be imported; the duty remains practically prohibitory.

Mr. ALDRICH. While my amendment proposes to reduce the duty on sugar below No. 13 60 cents on the hundred pounds below the present rate, it proposes to reduce the duty on sugars above No. 13 1.87 cents a pound under the present tariff, or a reduction three times as great on sugars above 13 as below 13.

Mr. JONAS. I ask if that last reduction will permit the importation of refined sugars?

Mr. ALDRICH. I have already said that I thought it would to some extent. I do not want an amendment adopted that will transfer the sugar-refining business of this country to Canada or England; and if the Senators expect me to offer an amendment of that kind they will be disappointed. I have no intention of offering such an amendment.

Mr. KELLOGG. Do you want to transfer the producing interest to the West India Islands?

Mr. ALDRICH. I want to transfer the producing interest, if it can not live here at 42 per cent. protection, to some place where it can.

Mr. KELLOGG. Then why are you not willing to reduce the duties on refined sugar so that if the refiners can not sell to the Senator from Illinois or to you for 5 cents instead of 8, you may go somewhere where you can obtain it for that?

Mr. ALDRICH. I do not want a prohibitory rate of duty on grade sugar. I have not proposed any. I have only proposed as near as I could a specific rate on sugar above No. 13 equivalent to 40 per cent. ad valorem. I propose a much lower rate than the Senator from Louisiana has himself proposed.

Mr. KELLOGG. I do not wish to be misunderstood. I desire the Senator from Rhode Island and other Senators to understand that it is not that we desire to accept the rate of the Tariff Commission as a matter of preference, but as a *dernier ressort*. We think it is too low. The present rate of tariff we think is low enough. We can barely subsist upon that. Owing to improved machinery and a better organized system of labor, a better system of cultivating land and greater economy, we hope to be able to maintain our present status under the tariff proposed by the Tariff Commission, which is a reduction of a quarter of a cent a pound, and it will be as much as we can do. But the Senator proposes to reduce it to 2 cents, and then he says, because we propose to accept the rate proposed by the Tariff Commission, that we are in favor of the Tariff Commission report. We take it as a matter of necessity.

Then the Senator says the Tariff Commission proposed to reduce the rates on fine sugar as much as on ours. Very well; but reducing ours a quarter of a cent greatly injures us, while reducing that of the refiners a quarter makes no difference to them, because the Senator knows, and I think as a candid man he will admit, that it will not make a particle of difference as to refined sugar being imported, because there will not be any imported under the proposed rate of duty. While we are injured, the refiner is not injured to any considerable extent, but he is able to hold the market in his hands absolutely and grind the producer and the consumer between the upper and nether mill-stone.

I have referred to the case of California; and why is it that these gentlemen are pouring in petitions upon us? Why are they sending us letters? Why do they want to have the duty reduced? They are willing to stand a reduction themselves of one-fourth of a cent or one-half of a cent if they can only get down the rate on Louisiana sugar. Why? Because they know that when they run it down they prostrate the Louisiana producer, and they look to the importation of the product of slave labor under a reduced rate of tariff, knowing that the more sugar they bring in under the lower rate the better for them. They can bring in the low grades, turn them into refined sugar, and compete against the world even upon the rate of duty proposed by the Finance Committee or by the amendment of the Senator from Rhode Island.

The duty as proposed on refined sugar is practically prohibition. There will be no more imported than there was last year, when about 54,000 pounds came in, against nearly a billion and a half pounds of that which was below No. 13, or of the same class as is produced by the Louisiana planter.

Mr. BAYARD. Mr. President, this question of the sugar duties is exceedingly intricate; it is exceedingly important, and there are many obscurities connected with the subject which are very difficult to solve with entire satisfaction. Those who are engaged in refining sugars differ among themselves; as to those who are engaged in producing sugars, the variations are still greater; but one thing is certain, that our duty is to so arrange this matter that justice shall be done to both, and also to the consumer and to the Government, whose revenues we are providing for.

There has been, I may say, a great deal of ability expended upon this subject. A great deal of research and accuracy has been shown in the course of this debate by different gentlemen who have examined the subject; a great deal of information has been given to the public on each side of this question. About a year ago there was published by a man eminent in this country for his character and his capacity a résumé of this entire sugar question, and a statement was then made from what I will call the importers' and refiners' standpoint, which shows that they have progressed in their demands a little since that statement was made. It was called "the Boston plan," being first a deduction

from the various schemes and plans for obtaining a true basis for the calculation of sugar duties, and then a fair scale of duties upon that plan.

This plan, which originated with a committee of the Boston trade, and has been indorsed by nearly every prominent importer and refiner of sugars in that city, as well as by a full meeting of the importers and refiners of sugar held in New York, April 18, 1878, proposes to make the test of the polariscope the sole basis for classifying and assessing the duties on all raw sugars the grades of which are not above No. 13 Dutch standard, it being assumed that all sugars below No. 13 in color must be refined before being fit for consumption.

I may pause here and say that is an accepted fact all around, and it is the basis of the conclusion of the Committee on Finance, speaking through their organ, the chairman of that committee.

Now, to go on with the Boston plan:

It commences in the first instance with a duty of 1.75 cents per pound on all sugars not above No. 13 Dutch standard in color and testing by the polariscope not above 75° in saccharine strength.

This proposition is to test the sugar by color up to No. 13, but also by the polariscope above 75° of saccharine strength, not at 1.75 cents, as here stated, but at 1.25 now, a reduction of one-half of a cent per pound, and for every additional degree or fraction of degree, says the proposition now before the Senate, shown by the polariscope test above 75° they shall pay five-hundredths of a cent per pound additional.

The Boston plan says:

On all sugars testing by the polariscope above 75° in saccharine strength it is further proposed to levy a uniform increase of tariff of five one-hundredths of a cent per pound (equivalent to 5 cents per one hundred pounds) for each degree up to 99°; and arranged in the form of a table the specific rates of duty according to this system, for each degree of saccharine strength between 75 and 99, would appear as follows.

Then follows the calculation of the degrees of saccharine strength apportioned to that rate of duty. This was then the Boston plan; this was then the plan of the importers and the refiners. I merely wish to say now that the proposition of the Committee on Finance is to them infinitely more favorable than that which they settled upon for themselves. It is between this conflict of opinion upon one side and the other that there must be a fair middle ground, which for myself—and I believe I speak for every member of the committee—we were very desirous to reach. It is my judgment, hearing all sides of this question, holding myself as open as a judge would upon the bench to decide the case entirely according to the weight of testimony and the equity of interest, that the proposition of the Senate Finance Committee is about as fair and about as safe as any medium that we can reach. With that view I shall vote against the amendment of the Senator from Rhode Island. I shall vote to sustain the proposition of the committee, and I commend to the friends of the refiners and importing trade that there is here an advance beyond their own proposition made with great care and distinctness in the statement submitted about one year ago.

Mr. ALDRICH. Justice to the Boston refiners requires me to say that in a paper which I hold in my hand they distinctively say that the proposition embodied in the report of the Tariff Commission was submitted to them by the agent of the Sugar Planters' Association of Louisiana, and by them unanimously rejected, and they disavow any authority from any source to use their name in connection with the plan which is now promoted in their behalf.

Mr. ALLISON. Mr. President, the Senator from Delaware [Mr. BAYARD] has alluded to the suggestions made by the Boston refiners in 1878.

Mr. BAYARD. No, this was submitted long subsequent to that, but in giving the history of the Boston plan reference was made to what was done in 1878.

Mr. ALLISON. The real point at that time, as I understand, was the use of the polariscope as a means of testing the value of sugar. In 1878, instead of having a surplus revenue we were having a greatly diminished revenue from imports. In 1875, 1876, 1877, and 1878 we had no surplus revenue, and of course it was not in contemplation at that time to reduce taxes. The rate of duty there proposed beginning at $1.75 per hundred pounds would not diminish the sugar duties one dollar to-day. Therefore I take it for granted that those who made that schedule in 1878 were making it not with a view of diminishing the revenue, but for the purpose of acquiring a more just method of collecting the duties upon sugar.

Mr. HOAR. Thereby increasing the revenue.

Mr. ALLISON. Possibly thereby increasing it. I think, beginning at 1.75 cents a pound, that plan would actually increase the revenues from sugar beyond what they are this year. Now, the present opportunity is for the reduction of taxes; and while I feel a desire to do whatever I can to promote the interests of sugar-planting in this country where it is possible to produce sugar, while I am unwilling also to shut down or strike down the sugar-refiners in this country for the benefit of refiners in other countries, yet, representing neither producers nor refiners, but representing an interest which requires, as we all represent an interest which requires, the reduction of taxation, I feel myself compelled to vote for a measure of reduction with reference to sugar that will reduce the price of sugar to the consumers.

My inclination is, notwithstanding the statements made by the Sentor from Delaware and the chairman of the Committee on Finance, to support the amendment of the Senator from Rhode Island, although I did agree to the proposition made by the Finance Committee, which I regard as a fair and just proposition. But the proposition of the Committee on Finance is for a substantial reduction of the revenues derived from sugar, and therefore it is in the interest of the reduction of taxation; and while it may bear hard on my friends in Louisiana, I do not see how it is possible for us to take into account absolutely that question and increase the prices of consumption to all people in this country. The area in which sugar can be produced is naturally a limited area, and I have the opinion that the reduction proposed here will not operate so harshly upon Louisiana as her Senators anticipate. They may have for a year or two no increase of their production; but I think the production of sugar will go on in this country even with a reduced rate of duty, as the consumption is constantly increasing in every civilized country of the globe. Great Britain is increasing her consumption of sugar; all the civilized nations of the world are increasing their consumption, and we shall increase our consumption, and the Louisiana planter will take his chances with that increase of consumption in furnishing a portion of the total production of sugar to the people of the United States.

So, Mr. President, while I think the amendment of the Senator from Rhode Island is not very material, yet my inclination has rather been to vote for it because it is a greater reduction than that proposed by the Finance Committee.

Mr. CALL. Mr. President, admitted facts bear with them a great deal more force than the mere declarations of opinion. There is a fact in this case which carries a great deal of force with it which can not be ignored, and that fact is that of about 2,000,000,000 of pounds of sugar in this country last year that were imported there were only 52,000 pounds of sugar above the low grades and suitable for table use that were imported from foreign countries. What does that signify? The Senator from Rhode Island says to the country that it does not mean that there is a monopoly controlling $80,000,000 of the consumption of this people. Why not? For some reason a few men, with an importation of 2,000,000,000 of pounds of sugar, amounting to $80,000,000, with 52,000 pounds of the refined qualities imported, control that entire supply without competition. Now, a question arises whether the industry of a whole State, of an entire people, antagonistic to the men controlling this great monopoly of $80,000,000, shall be considered, or the interests of these few men.

Why, Mr. President, what signifies it to talk of a reduction of a cent or 1½ cents? The question is, can this industry in Louisiana live and prosper consistently with the interests of the consumers of this country on the rate of duty proposed? Can the markets of the world be open to these men who control these $80,000,000 of consumption and manufacture these two billions pounds, on terms that are not protective of the interests of the people engaged in the production in the State of Louisiana and other Southern States, or Northern States that are capable of producing sugar. The Senators from Louisiana, with statistics which can not be denied, exhibit the fact that the reduction of this duty will be injurious in a high degree, and possibly fatal, to the interests of the production in this country of the raw material. That ought to be a determining consideration. It assuredly will be so in regard to my vote. If the system of protection is to be maintained, and this bill proposes to maintain it, it is idle to talk of a system of duties which will allow a particular industry in this country engaged in the manufacture of raw sugar, controlling by the returns of last year the entire importation and manufacture, themselves without competition, to open the markets of the world in competition with this industry in the State of Louisiana. It is idle to talk of a protective theory which shall admit of such an exception as this, and shall strike down the industry of a large portion of the people and a large section of the country.

The people are not benefited by this reduction. A few individuals have the opportunity to combine so as to regulate and keep up the price of sugar. The great combinations in commerce and exchange, in wheat and corn, show the possibilities and opportunities of combination between a few men, and that with their concentrated capital they can control the price of any of the commodities, corn, wheat, sugar, and fix the price to the great mass of the people, the consumers. Under this system it may be that you may not relieve the people and give them sugar at a low price by reducing the duty. I see some of my honorable friends smiling, but when they come not to bold assertion, but step by step examine in the light of reason the principles of economic law which do not rest on declamation, but on a plain series of deductions from ascertained facts, they will see that the proposition I have stated can not be denied. The power of combination controls the price to the consumer. It is an artificial and an arbitrary one to a great extent, and the day is coming when some new and more enlightened application of law than we have yet reached must stay the hand of exaction in commerce and exchange upon the consumption of the country.

But, Mr. President, I merely wish to say that, representing a portion of the country in which this interest is now being developed, I am opposed to any rash and inconsiderate legislation which may strike down a large and valuable producing interest in this country without bringing to the people relief in the cheapness of the price of sugar but may increase it by destroying the production of sugar in the United States. After years of protection, developing the production of sugar and in-

ducing the investment of large amounts of money and labor in it, it would not be right to legislate either with indifference to it or so as suddenly to deprive it of the protection which it has had for the last few years.

Below the standard No. 13 the duty on sugar is protective of the people who produce sugar, but the increase of price does not become onerous to the consumer, as will appear from the fact that 40, 50, or 60 per cent. on sugar costing from 3 to 5½ cents would not make the price very great. Below this standard of 13 the duty is a revenue duty, and the protection incidental; above 13 it is very largely a protective duty and not a revenue duty, and practically excludes all foreign refined sugar, and in effect gives to those engaged in the refining of sugar the power of fixing the price for the consumer.

Mr. DAWES. Mr. President, I do not profess to understand this question very thoroughly, but as far as I do understand it the case in my mind is like this: The argument is directed against the refiner, and yet those who make it propose to vote for the Tariff Commission schedule, which is the highest of them all in the duty it imposes upon sugar above No. 13. I do not quite understand that. The amendment of the Senator from Rhode Island proposes the lowest duty yet proposed upon sugars above No. 13, and yet our friends from Louisiana say that while they do not like the proposition of the Tariff Commission they are forced to go for it. How are they forced to go for that proposition which proposes to put the highest duty upon sugar above No. 13? I do not quite see. If they say that it is because the proposition of the Senator from Rhode Island puts a lower duty upon that below 13, so low that they are willing to take the absolute prohibitory duty above 13 in order to get also a higher duty below 13 (and I think that is the reasoning in their minds), then they are willing to shut out all competition with the refiner in this country, against whom all their argument is made. They are willing to make the refiner in this country absolutely omnipotent in the market on all sugars above No. 13, in order to get the duties which they claim they ought to have on sugar below 13.

Now, how much duty ought they to have below 13? And let us see whether it is wise to make the duty above 13 prohibitory in order to get a duty below 13 as high as the gentlemen claim? The proposition of the Senator from Rhode Island is to give them a duty on all sugar below 13 of from 40 to 42 per cent. How much do they ask? How much do they desire? Let us know mathematically that they want more than that; or will they say that the Senator from Rhode Island is mistaken in his calculation and that they will not get 40 or 42 per cent. under his amendment? Which is it? If they say they must have more than 42 per cent., then let us reason with them on that point, and let us ascertain whether it be wise to put a duty of more than 42 per cent. upon sugar in order to make certain its production in the limited sphere in which it can be produced in this country; whether the whole consumption of sugar in this country shall be affected beyond what it would be at that rate of 42 per cent., and for the benefit of their locality, and of the country indirectly, as everything that benefits their locality must indirectly benefit the whole country, by putting it above that.

I have not heard any Senator, when he talks mathematically, if I may use that form of expression, when he begins to say how much per cent. he must have, who is willing to say he wants more than 42 per cent. Then is the Senator from Rhode Island mistaken, and does his proposition not give that? I have not heard any suggestion of that kind. I have heard no reasoning that leads me to the conclusion that the calculation into which he has entered is fallacious. I come, therefore, to the conclusion that it is worth while to bring down the duty above No. 13 to the lowest proposition pending in the Senate, that is, the one offered by the Senator from Rhode Island; and until I can ascertain one of two things, either that there is not 40 or 42 per cent. protection in the duties proposed under 13 or that higher than 40 or 42 per cent. is absolutely necessary, I am led really to the conclusion that it is wise to support the rate proposed on sugar under 13.

I am in this as I am in every other proposition connected with the tariff, desirous only of making up the difference in conditions of production in this country with the conditions of productions abroad. All the rest will be taken care of in this country by the energy and thrift and enterprise of our people, and that will command the market at home and in due time abroad upon every production that we are capable of producing in this country if we can have a fair start. If our friends in Louisiana and in the adjacent States where sugar can be raised can show that that is not an even start, I will go with them for more.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island [Mr. ALDRICH] to the amendment of the Senator from Vermont [Mr. MORRILL], upon which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. CAMERON, of Wisconsin (when his name was called). I am paired with the Senator from Tennessee [Mr. JACKSON]. He is absent on account of illness.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "nay"

Mr. HARRIS (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY], but my colleague [Mr. JACKSON] is detained at home by indisposition, and I transfer the pair to my colleague and shall vote "nay." I make the announcement for the day that my colleague is paired.

Mr. ALDRICH. The pair of the Senator from Wisconsin [Mr. CAMERON] has just been announced with the Senator's colleague.

Mr. HARRIS. Then if the Senator from Wisconsin is here he may be at liberty to vote. I vote "nay."

Mr. GARLAND (when Mr. WALKER'S name was called). My colleague [Mr. WALKER] is paired with the Senator from Colorado [Mr. HILL].

The roll-call was concluded.

Mr. ALLISON. On this vote I am paired with the Senator from Indiana [Mr. VOORHEES]. If he were here, I should vote "yea."

Mr. CAMERON, of Wisconsin. I vote "yea."

Mr. McMILLAN. My colleague [Mr. WINDOM] is paired with the Senator from West Virginia [Mr. DAVIS].

The result was announced—yeas 21, nays 32; as follows:

YEAS—21.

Aldrich,	Dawes,	Ingalls,	Platt,
Anthony,	Frye,	Logan,	Rollins,
Blair,	Hale,	McDill,	Van Wyck.
Cameron of Wis.,	Harrison,	McMillan,	
Conger,	Hawley,	Miller of Cal.,	
Davis of Ill.,	Hoar,	Miller of N. Y.,	

NAYS—32.

Bayard,	Farley,	Kellogg,	Pugh,
Beck,	Grover,	Lamar,	Ransom,
Butler,	Hampton,	McPherson,	Sawyer,
Call,	Harris,	Maxey,	Sewell,
Camden,	Johnston,	Mitchell,	Sherman,
Cameron of Pa.,	Jonas,	Morgan,	Slater,
Chilcott,	Jones of Florida,	Morrill,	Vance,
Coke,	Jones of Nevada,	Pendleton,	Williams.

ABSENT—23.

Allison,	Fair,	Hill,	Saunders,
Barrow,	Ferry,	Jackson,	Vest,
Brown,	Garland,	Lapham,	Voorhees,
Cockrell,	George,	Mahone,	Walker,
Davis of W. Va.,	Gorman,	Plumb,	Windom.
Edmunds,	Groome,	Saulsbury,	

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Vermont [Mr. MORRILL].

Mr. FRYE. Mr. President——

Mr. DAVIS, of Illinois. I thought the Senator from New Jersey [Mr. McPHERSON] offered an amendment.

The PRESIDING OFFICER. That was a substitute for the amendment offered by the Senator from Vermont, and the latter can be perfected first.

Mr. FRYE. Mine is really in the nature of a substitute for the most of this schedule. I move to strike out all after line 892 down to and including line 914, and to insert in lieu thereof the following:

In lieu of the duties and rates of duties now imposed on melada, concentrated melada, tank-bottoms, sirup of sugar-cane juice, concentrated molasses, and sugar imported from foreign countries, there shall be levied, collected, and paid the following duties and rates of duties, that is to say: On all melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, concentrated molasses, and on all sugars not above No. 13 Dutch standard in color, 25 per cent. ad valorem; on all sugars above No. 13 Dutch standard in color, 35 per cent. ad valorem; on molasses, 20 per cent. ad valorem: *Provided*, That the Secretary of the Treasury shall, by regulation, prescribe and require that samples from packages of molasses, melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, and concentrated molasses shall be taken by the proper officers in such manner as to ascertain the true value of such articles, and that samples of sugars shall be taken by said officers in such manner as to ascertain the true color and value of such sugars.

The provisions of this section shall take effect on the passage of this bill, and the duties therein provided for shall be collected on all such goods which may be in the public stores or bonded warehouses at that time, instead of the duties now imposed thereupon by law.

Mr. McPHERSON. May I inquire of the Senator from Maine if he offers this as a substitute for the amendment offered by the Senator from Vermont [Mr. MORRILL]?

Mr. FRYE. I offer it as a substitute for all between lines 893 and 914, a substitute really for the sugar schedule.

Mr. McPHERSON. I call for the reading now of the substitute which I offered for the amendment of the Senator from Vermont, which I think is in advance of the amendment offered by the Senator from Maine.

The PRESIDING OFFICER. The amendment of the Senator from Vermont is the one pending, and to that the Senator from New Jersey offered an amendment in the nature of a substitute. The first question will be upon the amendment offered by the Senator from New Jersey. The amendment proposed by the Senator from Maine will come up after that is disposed of.

The Secretary will report the amendment of the Senator from New Jersey [Mr. McPHERSON].

The ACTING SECRETARY. In lieu of Mr. MORRILL'S amendment it is proposed to insert:

SCHEDULE E.—*Sugar.*

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic test, as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank-bottoms, sirups

of cane-juice or of beet-juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty of 1.50 cents per pound, and for every additional degree or fraction of a degree shown by the polariscope test, they shall pay five-hundredths of a cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color, and pay duty as follows, namely:

All sugars above No. 13 and not above No. 16 Dutch standard, 3¼ cents per pound. All sugar above No. 16 and not above No. 20 Dutch standard, 3.75 cents per pound. All sugars above No. 20 Dutch standard, 4¼ cents per pound.

Molasses testing not above 56° by the polariscope shall pay a duty of 5¼ cents per gallon. Molasses testing above 56° shall pay a duty of 10 cents per gallon.

Sugar candy, not colored, 5 cents per pound.

All other confectionery, not specially enumerated or provided for in this act, made wholly or in part of sugar, and on sugars after being refined, when tinctured, colored, or in any way adulterated, valued at 30 cents per pound or less, 10 cents per pound.

Confectionery valued above 30 cents per pound, or when sold by the box, package, or otherwise than by the pound, 50 per cent. ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey [Mr. MCPHERSON] as a substitute to that offered by the Senator from Vermont [Mr. MORRILL].

Mr. MORRILL. I do not think it is necessary to discuss this question. I merely ask for a vote, and will not even ask for the yeas and nays. This is much higher than anything else proposed.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey as a substitute for the amendment of the Senator from Vermont.

The amendment to the amendment was rejected.

Mr. FRYE. At the request of several Senators I have changed the rate of duty in my amendment to 40 per cent. ad valorem on all sugars, and on molasses to 25 per cent. ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine as modified to the amendment of the Senator from Vermont.

Mr. FRYE. Mr. President, I desire to say a very few words touching my amendment. The Senator from Florida [Mr. CALL] said he saw a Senator smile, and I confess I smiled, because sitting where I was, and looking on the Democratic side of this Chamber, I saw every Democrat prepared to vote for a duty higher than 42 per cent. on sugar. The proposition made by the Senator from Rhode Island [Mr. ALDRICH] was to put sugar at 42 per cent. The proposition made by the committee is nearly 46 per cent. The Senator from New Jersey [Mr. MCPHERSON] proposed over 50 per cent. Where are the Senators from Texas who have been fighting here for three weeks against even 35 per cent. on manufactured goods?

Mr. COKE. Will the Senator allow me to answer?

Mr. FRYE. Yes, sir.

Mr. COKE. So far as I know I believe that the duty on sugar is the only strictly revenue duty on the present tariff list.

Mr. FRYE. That is one answer.

Mr. COKE. As an advocate of a tariff for revenue only I would be compelled to sustain a high duty on sugar. It pays $50,000,000 into the national Treasury; it pays one-fourth of the entire revenue collected under the tariff. For every $10——

Mr. FRYE. The Senator will pardon me—not too long.

Mr. COKE. I shall take but a moment. For every $10 paid by the people for sugar nine of it go into the national Treasury; while, on the other hand, for every $10 paid for any other kind of manufacture about eight of it go into the pockets of the manufacturers and $2 only go into the national Treasury.

Mr. FRYE. Mr. President——

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. COKE. This is all I have to say about sugar.

I desire to inform the Senator from Maine that I vote protection to no industry, to no avocation, to nobody. I believe the constitutional power of Congress extends only to raising revenue to support the Government. I would not protect the Louisiana planter any sooner than I would the Maine lumberman. If I vote what he conceives to be a high duty on sugar, and to put lumber on the free-list, it is because sugar brings a heavy revenue into the Treasury, while lumber does not. I know no legal or moral right in Congress to tax all the people of this country to put money into the pockets of a few favorites, while it is a duty incumbent upon Congress to raise revenue to support the Government.

Mr. MAXEY. If the Senator from Maine will allow me——

Mr. FRYE. No, I will not yield to another speech.

Mr. MAXEY. I do not propose to make a speech, but I propose to answer the Senator's question. The Senator has assumed that because I voted against the amendment of the Senator from Rhode Island I am for a higher tariff. I took the statement made by the Senator from Ohio last night in regard to what the committee bill would be, and I prefer his judgment on that subject to the judgment of the Senator from Maine; and that is less than what the Senator from Maine proposes.

Mr. FRYE. I have not heard the voice of the free-trader from North Carolina [Mr. VANCE] raised during this debate. It is as silent as the grave. I have not heard the Senator from Kentucky [Mr. BECK]——

Mr. BECK. If the Senator from Maine will allow me, the Senator from Texas [Mr. COKE] made my speech a moment ago, and I could not improve it if I were to talk for a week.

Mr. FRYE. I have not heard the Senator from Kentucky make his speech on the tariff during the debate on this schedule. I have not heard him denounce monopolies; I have not heard him declare that this tariff is a miserable robber, a pirate, and a thief; and yet it is the highest rate of duty in the whole range of duties, and that he says he proposes to vote for.

Mr. BECK. I am not required to say as much now as I was last year, because last summer when the Senator from Maine was clamoring here on this floor for protection, and protection only, I had to talk to him; but last fall, and when he went into the newspapers and was for revenue with incidental protection, I had so far instructed him that it was not necessary for me to argue with him further.

Mr. FRYE. The amazing spectacle is exhibited here of the Senator from Louisiana [Mr. JONAS] voting on every proposition to cut down the rates of duties, and voting "yea" on the proposition to raise this duty.

Mr. JONAS. I have voted to bring the rates of duty down to the revenue standard.

Mr. FRYE. Mr. President, I propose from this time forward to insist that these Senators shall reply when I am through and not while I am talking.

The PRESIDENT *pro tempore*. The Senator from Maine is entitled to the floor.

Mr. JONAS. Then the Senator from Maine should not bring me before the Senate as he has done on two occasions.

Mr. FRYE. I say the Senator from Louisiana did not vote "nay" when the proposition was made in the Senate to cut down the duty on lumber and put it on the free-list, and there are ten men making lumber in this country where there is one man making sugar.

Mr. JONAS. Will the Senator allow me to answer him now?

Mr. FRYE. No, I will not. I say that the Senators on that side of the Chamber voted every one of them to put lumber on the free-list when there are ten times more men manufacturing lumber to-day in this country (and I do not mean making anything out of lumber; I mean manufacturing lumber itself) than are making sugar; there are more men than are raising cotton; there are more men than are manufacturing iron and steel; there are more men than are manufacturing cotton goods; there are more men than are manufacturing woolen goods, and yet every Senator on that side of the Chamber voted to put lumber on the free-list, utterly disregarding these laboring men.

Mr. CAMERON, of Wisconsin. Except the Senator from Mississippi [Mr. GEORGE].

Mr. FRYE. I except the Senator from Mississippi with delight. He was the one who voted against it. This is claimed to be a proposition for the protection of the laboring men of Louisiana, and as the Senators say, colored men. Oh, how tender we have become to colored men, and how anxious we are to protect them. To protect colored men in Louisiana there must be a duty of at least 50 per cent. on sugar, and every Democrat is voting against the proposition of the Senator from Rhode Island, voting for a duty higher than 42 per cent. on sugar. The Senator from Louisiana knows and the Senator from Texas knows that the people themselves pay every single dollar of this duty of near $50,000,000. Senators know that on manufactured articles competition in this country reduces from time to time the price, but on sugar there is no such reduction for there is no competition in this country to produce a reduction, and the whole tariff duty is simply added to the price of the sugar.

On the list which I hold in my hand, on one page of metals are needles, cutlery, and so on, running through a page; the duties are fixed at 35 per cent. ad valorem. The duties on the raw material, making those articles, are more than 40 per cent., and yet when amendments were offered to cut down the duty from 35 per cent. Senators on that side voted to cut it down, and here is sugar used by everybody, and simply because Louisiana raises it every Senator on that side—I have no right to judge in that way, but I state the fact—every Senator on that side votes to keep it above 42 per cent.

Mr. COCKRELL. For the purpose of raising revenue.

Mr. FRYE. Ah! "for the purpose of raising revenue." Last year under the tariff there were $80,000,000 raised from luxuries alone; nothing but luxuries, touching no poor man, and $50,000,000 raised from the people on this necessity. I recognize the cry for "revenue only," and I take it that the people of this country will recognize it too. "Revenue only;" take it out of the people. Why do you not put it on coffee and on tea and thus have a tariff "for revenue only?"

It has been urged here that there is a mistake in figures; that no man can tell whether the sugar duty is 20, 30, 40, or 50 per cent. It is said that the Senator from Rhode Island has made a mistake. I know that the Senator's figures are absolutely correct. It was said by the chairman of the committee when he presented the bill that the reduction in the duties on sugar by the bill recommended by the committee was some $15,000,000, and he admits that he made a mistake of over $7,000,000. I say no Senator can tell what the reduction is under the various bills unless it is the Senator from Rhode Island, who has figured the thing with great care.

Under an ad valorem tariff there is not a Senator who does not know what he is voting for. Again, when you have passed your ad valorem tariff bill, there is not a man in the United States who can not tell just

what your reduction is from such a figure to such a figure; he is not blinded by these degrees and these schedules.

To obviate any question about the refiners which the Senator from Louisiana [Mr. KELLOGG] on the Republican side has so persisted in to-day, over and over again persisted in, and the same Senator voted to put machinery on the free-list—machinery when its raw material is taxed under this tariff 50 per cent., and the Senator from Louisiana, in the interest of Louisiana, voted to put it on the free-list or make it 10 per cent.—to obviate all objections raised by Senators touching the refiners I have accepted the proposition to put the duty at 40 per cent. ad valorem upon all sugars, no matter what they are, under 13 or under 17, above 13 or up to 20. Then every man can tell what he is voting for, and can understand the proposition he is considering.

It may be said that there is opportunity for fraud. The cry of fraud in the sugar business has been sweeping over this land for five years. That there were frauds I have no manner of question. Under the Dutch standard of color there would inevitably be frauds. Under the polariscope with the degrees arranged as under the Dutch standard of color there would be frauds too. But under an ad valorem tariff, as the business of this country is conducted to-day, the opportunity of fraud is reduced to the minimum. Ninety-nine hundredths of all the sugar used in this country this year will be ordered by the cable from abroad. It does not come as it used to come, sent from Cuba, from Demerara, to agents in New York and Boston commercial houses to sell. Then I admit that there could be fraud, because they could underinvoice; but the cargoes are ordered by cable to-day almost universally, a cargo of sugar containing so many degrees of saccharine strength. When that cargo arrives in New York the custom-house officers can determine almost with absolute correctness in any manner they please, by polariscope, by chemical analysis, by tests or samples of any kind, the saccharine strength. When the saccharine strength has been found the worth of that cargo of sugar is just as well settled as the worth and value of an ounce of gold or an ounce of silver. There will always be frauds, but I believe there is less opportunity for fraud under an ad valorem tariff than any other that can be devised.

Sir, I do not believe myself in a 40 per cent. duty. I do not believe that any industry in this country ought to be maintained by a tax on the public where it requires more than 35 per cent. to equalize labor, and then an equivalent duty for raw material, if a duty is placed upon that. I have been talked about as being a high protectionist. I am not a high protectionist. I am in favor of protecting American labor, but I am not in favor of fighting nature and climate and soil and everything else in order to build up an industry in this country which can not thrive without taxing the rest of the people more than $40,000,000 a year to protect and cause to thrive that single industry. I am willing to give the laborer of Louisiana the same protection I demand for the laborer of Maine or New Hampshire or any other State in the Union, no more and no less. I believe 35 per cent. is ample, with our increase of skill and our better machinery, to protect American labor against any labor in the world. All that I ask in a tariff is to make that provision for labor. Then, as I say, if there is a duty on the raw material going into the manufactured article, add to the 35 per cent. an equivalent duty for that and nothing more. It may be that the Senator from Kentucky has reformed me, but I am not aware that in the Senate or anywhere else I have ever declared myself a high protectionist. I declared myself in favor of protection *per se*. I stand by that declaration that I made. I am in favor of protecting American labor against the cheap labor of Europe in any industry that we can carry on in this Republic of ours.

The Senator from Kentucky a day or two ago, when the proposition was only a 35 per cent. tariff, made a furious speech, in which he read data from consuls and others touching the wages paid in Europe, and declared that they were nearly as high as the wages in America. I do not believe that the Senator from Kentucky indorses those statements himself. I do not believe that there is an intelligent man in this country who does not know that the wages in Europe are from 50 to 80 per cent. less than they are in America. The Senator from Kentucky read from consular reports. Here is an article, "Female labor in the Black Country," taken from the London Standard, published in England last December, which gives an account of labor in the Black Country in England, where the women earn fron 5 to 6 shillings a week, working all night, night after night. I do not propose to read it, but I will ask the consent of the Senate to print it as a part of my speech.

Mr. BECK. Who is it by?

Mr. FRYE. It is an editorial from the London Standard.

Mr. BECK. Does the Senator know who wrote it?

Mr. FRYE. I do not know.

Mr. COCKRELL. It is published by Robert P. Porter in his letter, is it not?

Mr. FRYE. No, sir, it is not. It is an article the Senator has never seen. It is not by the emissary that we protectionists have sent over into England, as the Senator from Kentucky said, to write up bad labor and bad pay in Europe.

FEMALE LABOR IN THE BLACK COUNTRY, ENGLAND.

Thousands of females, old and young, mothers and daughters, with little children by their side, toil by day and night in one part of the Black Country. The female nail-workers in East Worcestershire and on the border-land of South Staffordshire district work during the day with all the restless ardor of industrious men; and very often they labor on during the long late hours of the night and almost to the break of day. In years gone by there have been published exaggerated sketches of Black Country life—idealized champagne-loving colliers and puddlers, whose ambition soared to the height of fabulously-priced piano-fortes; but this statement of the industrial hardships which the female toilers in the Midlands have to endure is a simple narrative of truth and conveys its own moral. It is a moral, too, which is a reproach on the working life of this country and calls earnestly for legislative interference. The locality in which this female labor is carried on is within seven or eight miles of Birmingham. It is comprised within an area of fifteen miles of dull and dismal black country scenery.

The houses, if they deserve to be dignified with the word, are wretched in construction; in many instances they are more like hovels than human dwelling places; they seem to be devoid of all those ordinary conveniences which are to be seen in houses occupied by a better class of work-people; they certainly shelter, and that is all, the toilers who for a few short hours rest within their ricketty walls. That many of these residences accommodate the families who have to live in them is only stating the simple truth. In nine cases out of ten there is only one room below and two above; and in ninety-nine cases out of a hundred they are inhabited by large families. How they manage to exist at all in some of these houses is a problem which may well exercise the ingenuity of some social philosophers to solve. This is a gloomy picture by day; but it is far worse by night. Nearly the whole district is literally as well as socially in the dark. Occasionally lurid bands of light tinge the distant horizon with a purple glow (they come in fitful flashes from some distant iron-works), but there is no other mode of lighting, except, perhaps, in the liquor vaults and in the shops in the few leading thoroughfares, where the competitive exigencies of business demand the luxury of gas. In all other parts of the district the Old World system of tallow-candle and oil-lamp artificial light has not been superseded.

About 24,000 people are engaged in this dismal part of Great Britain in making nails and rivets. It would not be so much a matter for surprise, even for the lowness of the wages that they earn, if they were all men and youths who are engaged in the industry—one of the very worst paid in any part of the country. But it so happens—and here arises the social degradation of the traffic—that there are at least 16,000 females engaged day after day in the occupation. They are not all mature women either; daughters work by the side of mothers—daughters who in their tender years ought to be either at home, if they have any home, or in bed, instead of working their weary arms in shaping in the still, small hours of the morning molten iron into the form of nails for the benefit of what are called the "foggers." Here is a picture of what may be seen any night in this district, except, perhaps, Saturday night: In the middle of a shed which adjoins a squalid-looking house there is a whole family at work in the production of these nails; father, mother, sons, and daughters—daughters, too, very young in years, but with that sad look of premature age which is always to be noticed in the faces of child workers.

The gaiety of youth, its freshness and its gentleness, seem to be crushed out of them. In the center of the shed, with its raftered ceiling—a bleak and wretched building, through the walls of which the wind readily finds its way—there is a "hearth" fed by "gledes" or breezes. Probably there is a girl or woman blowing at the bellows, while the strips of iron from which the nails are made become molten. Or, to take an actual case witnessed by the writer a few nights since, close upon midnight: In one of these forges was a mother and several children. The mother was a woman probably 40 years of age; her youngest daughter, a flaxen-haired girl with a sweet and winsome face, was certainly not more than 12 years of age. By the side of the hearth there was what is technically called the "Oliver," a barrel-like construction, on the top of which is fixed the stamp of the particular pattern and size of the nail required to be made. The workmen and workwomen, by means of a wooden treadle—an industrial tread-mill it ought more strictly to be called—shoot out the nails from the slot in which they are fixed. They have previously hammered the top of the incandescent metal, with masculine firmness, so as to form the head of the nail. The women and the girls seem to work with more vigor than the men—very often, indeed, they support their husbands and their fathers, who may have fallen into drunken habits; in other cases this nail making is the means of supplementing the husband's wages.

But what do the nail-makers earn a week? may naturally be asked. The remuneration they receive is incredibly small. It is no unusual thing—on the contrary, it is rather the usual custom—for a family of three or four persons, after working something like fourteen hours a day, to earn £1 in a week. But out of this money there has to be deducted 1*s.* 3*d.* for carriage to convey the nails to the "gaffers," as they are termed in the district; then there is allowance to be made for fuel and the repairing of the machinery, which reduces the £1 to about 16*s.* 9*d.* for three people—for three people who have commenced to work every morning at half past 7 or 8, and who have worked on through all the weary day, with no substantial food, until late at night. Who is it that reaps the benefit of all this terribly hard work? Certainly not the laborers; for it is a well-known fact that they rarely taste meat from one week's end to the other. In the expressive but simple language of one poor work-woman, this is how they fare: "When the bread comes hot from the bake-house oven on Saturday we eat it like ravening wolves."

The "foggers" or "Tommy shop" men live lives of contentment, profit, and rest, at the expense of the poor nail-workers. The "fogger" is an intermediate agent between the worker of nails and the buyer. Out of the bone and sinew of these poor people he makes a very fine living, and he does not work. He has a huckster's shop attached to his dwelling; he supplies, at the beginning of the week, the nail-workers with their sixty-pound bundles of iron, and when they return the bundles of iron in the marketable shape of nails—out of which he makes at least 20 per cent. profit—if they do not buy his high-priced provisions they get no more work from him. These are the men who, by cutting down the workmen's wages to starvation point, are at the root of the evil.

In cases where the laborers can deal directly with the nail masters the evil is not so pronounced; but even then the payment is miserably low. But when these poor people come into contact with the "fogger" they are dealing with a hard taskmaster. He even "tricks" the work-people when they bring in the nails to be scaled; he does a sort of ingenious "odd trick" with the heavier nails by weighing them among the short-weighted nails. Considering that out of a bundle of sixty pound weight of iron there will have to be produced nearly twelve thousand nails, each nail separately forged and hammered, it is cruelly unjust for the "fogger" to resort to such practices. The "fogger" is also in the habit, besides enforcing the "truck" system, of dealing out to some of his customers inferior bundles of iron; and these have very often to be exchanged for better iron at a loss of sixpence or sevenpence a bundle. It may appear strange, but it is an indisputable fact, that two young women, after working more than sixty hours a week, earn less than 4*s.* 6*d.*; and out of this pittance in many cases they have to keep three or four children.

If they offend the "fogger," they sometimes starve; and hence it is that so many scenes of misery—misery so deep and dreadful that the most graphic pen can but faintly convey its depths of sorrow—are witnessed. Women within a few days of their confinement have been known to work in the agony of exhaustion, in order to earn a few pence at the "hearth," not the "hearth" of home, but the hearth of the "forge;" they have been known to return to work in a day or two after childbirth, emaciated in constitution, weak and weary for the want of simple nourishment. Their children, ragged and ill-fed, have had to lead miserable and wretched lives, with no hope before them but a life of

wickedness and vice. If one asks these wretched people if they ever see a factory-act inspector, the answer is "No;" if they are asked if they ever see a school-board officer, the reply is, but rarely. The work in many cases is done at home, and it is, therefore, urged that the factory act is, to a large extent, inoperative. But should this be permitted? Above all, ought these poor people to be left to the mercy of the "fogger," who robs them of the fruits of their toil, and thrives upon their wretchedness and misery?

Why can not the Senator from Kentucky begin to be eloquent over this 48 per cent. on sugar, when the people of this country pay every dollar of it, instead of wasting his eloquence on a 35 per cent. ad valorem upon a manufactured article where the raw material is even more protected than by 35 per cent.?

Mr. President, I was serious in offering this amendment. I proposed it at 25 per cent. and 35 per cent. Some Senators thought that was too low. I do not. The people of this country expect a reduction of the duty on sugar and they will hold this Congress to a reduction of duty on sugar, and unless the price of sugar goes down after this tariff bill is passed this Congress will be held to be in fault and in neglect of its duty. I would vote for 25 per cent. on No. 13 and under and for 35 per cent. over 13, but I have changed it to 40 per cent. ad valorem right through, and I hope that it may receive some votes on that side of the Chamber where they are in favor of low duties and opposed to protection.

Mr. MORRILL. Mr. President, I trust that no amendment abandoning specifics will be pressed here by a friend of a protective tariff and especially on an article of this kind, where the value of it is so very different whether it comes from India, Brazil, Cuba, or the Hawaiian Islands.

But I merely rose for the purpose of disabusing the minds of the Senate as to the amount of the duties now levied upon sugar and the amount proposed to be levied by the amendment of the Committee on Finance. The average rate of duties upon sugars, as the Senator from Ohio stated yesterday, is now 56 per cent. To show how mistaken the Senator from Maine is in representing that we have not proposed to reduce the duty, I call the attention of the Senate to the fact that the present rate of duties upon sugar of 75° and below is $1\frac{7}{8}$ cents a pound. We have taken off one-third of that, that is to say, we reduced it from $\$1.87\frac{1}{2}$ a hundred pounds to $\$1.25$. That will leave it so that the rate of duty upon it will not be over 37 per cent.

Mr. MAXEY. I wish to call the attention of the Senator from Vermont for a moment to that point. The Senator from Ohio, who is always accurate in figures, in reply to a question which I asked him, stated on that very point that the duty on the lowest grade according to his calculation under the committee's bill would be about 32 per cent., and that it would be about the same ratio for the higher rates.

Mr. SHERMAN. I say on the whole, taking the average through from the crudest form of sugar, what is called black sugar, up to 13 Dutch standard, the rate proposed by the committee on Finance is 32 per cent.

Mr. MAXEY. Precisely; and that is a complete answer to the cavalry onslaught made by the Senator from Maine.

Mr. FRYE. Does not the Senator from Texas see that the members of the Finance Committee, the chairman [Mr. MORRILL], the Senator from Ohio [Mr. SHERMAN], and the Senator from Rhode Island [Mr. ALDRICH] differ from 32 to 42 per cent. on that very question? Now, where is your information?

Mr. MAXEY. That is no answer to the charge the Senator makes. The Senator from Maine makes a statement to suit himself, and when I call on the ablest men in figures in this Chamber, the chairman of the committee and the Senator from Ohio, he disputes their figures.

Mr. FRYE. They differ five degrees themselves.

Mr. MAXEY. They are better authority than the Senator from Maine.

Mr. MORRILL. There is no need of any disagreement anywhere. The present duty is $1\frac{7}{8}$ cents a pound. We propose to make it 1.25. Now, the Senator may make his figures as he sees fit.

Mr. FRYE. I take the average and make my figures.

Mr. MORRILL. Then, above that we reduce the duty upon sugars between No. 13 and No. 16 from 3.42 cents per pound to 2.65, so that there is a great and substantial reduction. Then again, upon sugars between 16 and 20 we reduce the duty from 4.06 cents a pound to 3.15. Then, on the other, we reduce it from 5 cents to 3.65; that is $1.35 a hundred. So without wrangling at all about what the percentage may be, it is obvious that we make a very great and substantial reduction in the duties to be imposed upon sugar; on the first grade $62\frac{1}{2}$ cents a hundred; on the next, 91 cents, and on the other, $1.40.

Mr. SHERMAN. I want to give the figures again.

Mr. FRYE. After the Senator has done that I want the Senator from Rhode Island to give his figures. We have spent more time than the whole committee gave to these figures.

Mr. SHERMAN. The Senator from Maine has said that the rate of duty proposed by the Committee on Finance is 46 per cent. He said last year when we were discussing about the polariscope that nobody believed in the polariscope, and I read to-day the evidence that everybody is for it. The Senator does not intend to misrepresent, I know.

Mr. FRYE. Does the Senator from Ohio remember what he said about the reductions in that same debate, and that I produced the Canadian tariff to show that the reductions were still left? I ask if I was wilder than the Senator in my statement?

Mr. SHERMAN. Let us see. The Senator says that the present rate proposed by the Committee on Finance is 46 per cent. That was said so loud that everybody could hear.

Mr. MAXEY. If the Senator will pardon me a moment. Upon that statement the Senator from Maine makes a charge that those of us who vote against his amendment are voting for a higher tariff than he proposes to give, which is untrue in point of fact.

Mr. SHERMAN. The Senator from Vermont very properly took the lowest grade, not of sugar but of cane-bottoms, black stuff that is not graded as sugar. It is called in commerce tank-bottoms, sirup of sugar, cane-juice, melada, and concentrated molasses, which is now $1\frac{7}{8}$ cents a pound, and it is reduced to $1\frac{1}{4}$. But the next three grades comprise ninety-nine hundredths of all the sugar imported, those between Nos. 7 and 13 Dutch standard. Under the present law not above No. 7 Dutch standard of sugar pays $2\frac{3}{16}$ cents a pound. That is now reduced below No. 7 to $1\frac{1}{4}$ cents a pound. Do you tell me that a reduction from $2\frac{3}{16}$ down to $1\frac{1}{4}$ is not more than a reduction from 56 per cent. down to 46 per cent? It is admitted on all hands that the average rate of duty on sugar now is 56 per cent. Here the figures are. I took the average. I did not take the lowest nor the highest, but I took the average, and it is 56 per cent. We have reduced it on the lower grade of sugar from $2\frac{3}{16}$ to $1\frac{1}{4}$ cents a pound. The next grade is No. 7, and not above No. 10, which includes an importation of 1,300,000 pounds of sugar. The present law fixes it at $2\frac{1}{2}$ cents per pound; we fix it at $1\frac{1}{4}$ cents per pound, with an addition rated by the polariscope of five-hundredths of a cent for a degree, so that when it reaches as high as No. 13, which is the highest grade of the class of sugars tested by the polariscope, it is only 2 cents a pound. The next grade of sugar under the present law is $2\frac{1}{16}$ cents per pound. That is up to No. 13 standard, nearly 3 cents a pound. We have reduced that to 2 cents a pound or less, because if No. 13 Dutch standard tests by the polariscope 91—my friend says it tests sometimes 95, but taking the average at 91—then there are sixteen grades by the polariscope. Five times 16 are 80; eighty-hundredths added to $1.25 make $2.05 per hundred pounds, so that in that great mass of sugar we propose to reduce the duty from $2\frac{1}{16}$ cents to 2.05 per pound.

To say it is only a reduction from 56 to 46 per cent. is an exaggeration. I have computed it by these simple figures. If there is any fallacy in them I should like to have it pointed out. The average rate now is 56 per cent. One-fifth of that was imposed by the act of July, 1875. That act is repealed by this tariff bill, so that the 25 per cent. addition imposed for revenue only in 1875 is repealed. There is a reduction of one-fifth of the whole tax, and that alone reduces it without any reference to any other grade one-fifth, or down to 45 per cent. If the taxes were levied according to the rates proposed in the Revised Statutes, the rate of duty would be 45 per cent.; but we have here reduced it below that. The Tariff Commission proposed to reduce it one-fourth of a cent a pound all round below that, but the Finance Committee have reduced it one-half a cent a pound on all articles and grades of sugar below No. 13. Do you say that that is not a substantial reduction, which I have worked out here in figures which can not be controverted? According to the Tariff Commission the rate would have been $38\frac{1}{2}$ per cent.; according to the Finance Committee it is 32 per cent.

The objection I have to the proposition of the Senator from Maine (and I am sorry that he has presented it) is that he introduces an ad valorem rate of duty on an article that is subject to great variations in market value; that is, subject to great variation as to the quality of sugar coming from different countries of the world, an uncertain and unstable standard above all others in the world. Sugar is the last article which should be taxed by an ad valorem rate, because of the absolute difficulty on every cargo of sugar of ascertaining its market value. It is very difficult to do it, especially now, when the duty can be made specific on the saccharine strength, which can be tested by an instrument as accurate as the thermometer, as accurate as the barometer, as accurate as any instrument that has been devised by man—an instrument used by all the civilized nations of the world, an instrument used by Holland itself, which invented the Dutch standard. When we can apply that test to this mass of sugar, why should we not do it and levy specific duties based upon that test? If there ever was an article upon which specific duties ought to be placed it is the article of sugar, and it is proposed on this side of the Chamber to change the specific mode of taxation on pounds and hundreds of pounds and hundreds of thousands and millions of pounds to an ad valorem rate. Every cargo of sugar would open the door to fraud; every specimen produced would open the door to fraud. Therefore we have abandoned that mode of assessing it and propose to levy it by a specific tax.

I think that our friends from Louisiana are greatly mistaken when they are complaining of a reduction. We have to reduce the duty on sugar; it is demanded by the common judgment of this country. We give them still on this raw product of agricultural industry 32 per cent. My friend from Rhode Island proposes to make it 40 per cent., but if

it is 40 it is too high; 32 per cent. is the rate, and that 32 per cent. by a specific duty can be equalized and based upon the relative value of the different grades of sugar according to the market.

It seems to me that is a fair settlement of the matter. The Senator from Maine proposes to throw it open. If we now propose 40 per cent. ourselves as an ad valorem duty on sugars, what can we say when the gentlemen on the other side propose a duty of 40 per cent. upon everything else on this tariff list? How can we answer that? We can not do it. We must be consistent with ourselves. We must be fair and just to all, and we can only be so by observing the general system of our tariff laws, by maintaining reasonable specific duties, by making a fair reduction on all branches of industry. It bears more heavily, I admit, upon sugar than upon any other article in the list, for there is no other article on the list that is so severely reduced. It is admitted on all hands that the reduction will amount to near $14,000,000 a year. I believe that under the circumstances it can be justified and sustained. The present rate is abnormally high, put merely for revenue purposes. When we give to this industrial interest 32 per cent. we give to it more than we do on the lower grades of any other industry in the land. I am not willing to go any further than that, nor am I willing to impair the fair and just protection given by this specific duty on our home industry.

Mr. ALDRICH. Mr. President, I dislike to find myself differing so widely from Senators with the experience and ability of the Senator from Ohio and the Senator from Vermont, and if I did not believe that I was clearly right and that they were wrong I should not venture to take the time of the Senate to restate briefly my position and the reasons why I hold it.

I stated yesterday that the average cost of the sugar imported into this country last year in bond at the place of production was 4.40 cents a pound; and I propose to base the calculation which I shall make upon the importations of last year.

The committee of sugar-planters, consisting of Dymond, Gay, Warmoth, and Ames, stated in their paper which has been presented to the Senate that the bill of the Finance Committee fixes 2 cents a pound average duties on sugar. I stated yesterday that the average saccharine test of sugars imported into this country was 90°. That statement was confirmed by the Senator from Ohio; it was confirmed by a list of authorities which no man can question; and I reiterate the statement without fear of successful contradiction from any quarter. This would make the average rate 2 cents under the committee's bill, and I ask if any Senator can deny the proposition?

Mr. SHERMAN. I will answer, if it will not interrupt the Senator.

Mr. ALDRICH. Not at all.

Mr. SHERMAN. The Senator asks us to assume two disputed propositions. First, that 4.40 was the average.

Mr. ALDRICH. Who disputes it?

Mr. SHERMAN. It is a disputed proposition. The Senator affirms it. According to the tables we have here the present rate of duty is only 56 per cent., and here we have the invoices and values from an official of the Treasury Department. The Senator says the Bureau of Statistics furnished an average. We have not the elements to analyze that average.

Mr. ALDRICH. You have it before you.

Mr. SHERMAN. We can only take the figures as they are given, and I say they give us not only the average but the specifics of rate of duty upon every item under the present law. Then the Senator also takes for granted another proposition that is disputed. He says I agreed to it. I simply said that I did not know anything to the contrary. He says that all the grades now introduced into this country below No. 13 average 90° by the polariscope. How do we know that? Where do you find it?

Mr. ALDRICH. You will find it in the table submitted by me yesterday and printed in the RECORD.

Mr. SHERMAN. That only shows that during the time when sugars were artificially colored they were brought in here, and those sugars thus artificially colored no doubt did show a higher saccharine strength than they would show according to their normal condition. Therefore, upon a statement based upon what I call a fraudulent or an evasive mode of importation the Senator bases his figures, and upon those figures he now proposes to disprove the statements made by the Treasury Department as to the present rate of duty fixed by law. He asks us to assume two disputed propositions, and upon them bases an estimate.

Mr. ALDRICH. As the Senator has injected a speech into my statement, I hope now he will allow me to retain the floor until I have finished my remarks.

Mr. SHERMAN. I am sorry to have disturbed the Senator.

Mr. ALDRICH. I say the paper which now lies before the Senator from which he has read confirms my statement that the average cost at the place of production of sugar imported into this country last year was 4.4 cents a pound. I say further, that the bill would levy a duty upon those same sugars of 2 cents a pound. That is conceded by the statement of the committee of the sugar-planters of Louisiana, it is confirmed by the statements which I submitted yesterday from the Treasury Department from leading sugar-brokers, from leading importers and refiners having knowledge of this matter, and it was yesterday admitted by the Senator from Ohio himself.

If he sees fit to withdraw the admission which he made yesterday, all right. What percentage is 2 cents a pound of 4.40? That is a very easy problem in mathematics. It does not require any great amount of knowledge of the sugar question or of the polariscope, or of any other question involved in this discussion. Two cents is 45½ per cent. of 4.4 cents, and your bill imposes a duty upon sugar of 45½ per cent., and no amount of denial will change the fact. I place my reputation as a man of sense upon the statement.

Now, what does the Senator from Ohio say in response to that? He says that sugars now paying 2.1875, being sugars below No. 7 Dutch standard in color, will pay under the bill 1.25. What is the fact as stated by me yesterday? One and twenty-five hundredths is the duty levied upon 75° of saccharine strength. I said yesterday, and I desire to repeat, that no such sugars are brought into this country or can be brought into this country. The larger amount of sugars of the lower grades are imported from the West Indies, from the Philippine Islands, of an average test of 80° to 84°. Instead of 1¼ cents a pound we should have, according to the bill of the Finance Committee, to pay 1.65 or 1.70. The average of all open-kettle muscovado sugars is about 88°, as I stated yesterday, and these sugars, instead of paying 1¼, as the Senator would have us believe, would pay under the bill of the committee 1.90.

Let me state another fact which I did not state yesterday, and which every person engaged in the business of sugar importing or having any knowledge of it will admit at once. A large portion of the sugars imported are now imported between No. 7 and No. 10 in color, and pay a duty of not over 2½ cents a pound. Those sugars are largely centrifugal. Five-thirteenths of the sugars imported last year were centrifugal sugars testing at least 95 on the average. Hardly any of those sugars paid over 2½ cents a pound. They tested in color below No. 19, and they paid not over 2.50. The average rate has been stated by persons conversant with this matter at 2.45. These centrifugal sugars would pay under the bill of the Finance Committee 2.25 instead of 2.50 or 2.45, as is now the average, and you will only have a reduction of less than 4 per cent. on the large amounts of centrifugal sugar imported.

Mr. BECK. I desire to ask the Senator for the purpose of information, that statement being correct and the average being 95——

Mr. ALDRICH. Ninety; it is 95 for centrifugal sugars.

Mr. BECK. On those centrifugal sugars which come in so largely, the tax proposed being 2.25 on that class and the tax on the refined sugar up to 16 being 2.65, I ask whether there is serious difficulty on the part of the refiners in making the character of sugar they desire between 13 and 16 with so slight a difference as forty-hundredths of a cent a pound between the 95 sugar which pays 2.25 cents and the refined at 2.65? Is not that the real difficulty that the Senator has with the Senator from Maine and others?

Mr. ALDRICH. I do not understand the Senator.

Mr. BECK. The Senator is not contending that there is too small a margin allowed to the refiner at 2.65 up to 16 when he has to pay 2.25 for the sugar at 95°?

Mr. ALDRICH. If the Senator will allow me, I am not discussing what the rates should be above No. 13. I have made no allusion to what the rate should be above No. 13. The question now in controversy is the ad valorem rate fixed by the bill for sugars below 13. I see no possible connection between the two subjects. I said yesterday, and I have now reiterated, that the bill as proposed by a majority of the Committee on Finance imposes a rate of 45½ per cent. on all sugars below No. 13 Dutch standard in color, and if the bill passes and becomes a law I shall appeal to the facts as they shall appear a year hence to bear me out.

Mr. BECK. What I desire to ascertain from the Senator from Rhode Island seems to me to be the real difficulty that the Senator from Maine, the Senator from Rhode Island, and all those gentlemen have in regard to the proposition as reported by the Finance Committee known as the Morrill amendment. The Senator from Rhode Island stated a moment ago that the centrifugal sugars reached 95 and we imposed a tax of 2¼ cents a pound, whereas the bill only allows refiners 2.65 up to No. 16, leaving the margin between 2.25 and 2.65 as the only increase of duty upon these improved sugars, and it is the refiner who is endeavoring to get clear of the bill as reported by the Finance Committee and not the consumer; and these efforts, so far as I can understand them, are all in the interest of the refiner; whether they are so intended or not it is difficult for me to say.

DEATH OF REPRESENTATIVE ORTH.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, transmitted to the Senate the resolutions adopted by that body in relation to the death of GODLOVE S. ORTH, late a member of the House from the State of Indiana.

Mr. HARRISON. I ask the Chair to lay the resolutions of the House before the Senate.

The PRESIDING OFFICER. The Senator from Indiana asks that the resolutions just received from the House of Representatives be laid

before the Senate. If there be no objection such will be the order, and the resolutions will be read.

The Principal Legislative Clerk read the resolutions, as follows:

Resolved, That the business of the House be suspended that suitable honors may be paid the memory of Hon. GODLOVE S. ORTH, late a Representative from Indiana.

Resolved, That in the death of Mr. ORTH the country has sustained the loss of a safe counselor, a patriotic citizen, and an able and faithful public servant.

Resolved, That as a further mark of respect for his memory the House at the conclusion of these ceremonies shall adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. HARRISON. I submit resolutions for action.

The PRESIDING OFFICER. The resolutions will be read.

The resolutions were read, as follows:

Resolved, That the Senate has received with profound sorrow the announcement of the death of Hon. GODLOVE S. ORTH, late a member of the House of Representatives from the State of Indiana, and tenders to the family and kindred of the deceased the assurance of sympathy in their sad bereavement.

Resolved, That the business of the Senate be now suspended that opportunity may be given for fitting tribute to the memory of the deceased and to his eminent public and private virtues, and that as a further mark of respect the Senate at the conclusion of such remarks shall adjourn.

Mr. HARRISON. Mr. President, GODLOVE S. ORTH, of Indiana, a member of this Congress from the ninth district of that State, departed this life at his home in La Fayette, Indiana, on the 16th day of December, 1882. Mr. ORTH was born near Lebanon, Pennsylvania, on the 22d day of April, 1817, and was at the time of his death in his sixty-sixth year. His parents were of German stock, and he always spoke with pride of those homely but sturdy qualities of his ancestors which made them so conspicuously useful and influential as citizens of his native State. He was educated at Pennsylvania College, Gettysburgh, Pennsylvania, and during his course there was a fellow-student of Ex-Governor Conrad Baker, of Indiana.

The college friendship formed between these two conspicuous Indianians was maintained unbroken through life. After finishing his literary course Mr. ORTH devoted himself to the study of the law, spending some time in the law office of Hon. Thaddeus Stevens, for whom he always retained an affectionate admiration. The influence of Mr. Stevens upon the character of his young pupil can be plainly traced in that sympathy with the weak and oppressed which marked Mr. ORTH's life and speeches. Having finished his legal studies, he was admitted to the bar in Pennsylvania, and at once removed to La Fayette, Indiana, where the remaineder of his life was spent.

He arrived at La Fayette in 1839, and began at once the practice of his profession, to which he brought good acquirements, industry, energy, and rather conspicuous powers as an advocate. He very soon entered into political life, and the practice of his profession was necessarily much interrupted by the public duties to which he was repeatedly called by his neighbors.

In 1843, only four years after his removal to La Fayette, he was elected to the State senate as a Whig. That he served his constituency with fidelity is evidenced by the fact that he was twice afterward returned by them.

In 1845, when only 28 years of age, he was, after a very spirited and protracted contest, chosen president of the senate.

In the year 1848 Mr. ORTH was a Presidential elector on the Taylor and Fillmore ticket, and took an active and effective part in that exciting campaign. He was a member of the peace congress which assembled at Washington in 1861, being one of the five delegates from the State of Indiana.

In 1862 he entered the military service of his country and was placed in command of the United States ram Hornet, assigned to duty on the Ohio River, where he rendered valuable, if not conspicuous service.

In the year 1862 Mr. ORTH was first elected to the Congress of the United States. That campaign in Indiana will always be a memorable one. The first great impulse of patriotic enthusiasm had somewhat abated before a succession of disasters to the national armies, and a great deal of discontent had begun to manifest itself against the administration of Mr. Lincoln. Of the eleven Congressmen to which the State of Indiana was then entitled only four were chosen who were in sympathy with the Administration, and of these Mr. ORTH was one. He was at once brought into contact with the most exciting and momentous issues which have ever engaged the attention of the national Congress, and was not slow to lift his voice in emphatic and courageous utterances in favor of what he believed to be for the honor and perpetuity of the Government.

He had faith to believe that this seeming ebb in the patriotic resolution of our people to maintain the Government would be followed by a flow which would lift the tide of patriotism and courage higher than before. His first speech in the House was upon a resolution for the expulsion of a member from Ohio who was charged with the utterance of treasonable sentiments. Mr. ORTH was successively elected by the people of his district to the Thirty-eighth, Thirty-ninth, Fortieth, and Forty-first Congresses, and to the Forty-third Congress from the State at large, having been nominated by the State convention of his party.

He was during the Forty-third Congress chairman of the Committee on Foreign Relations, and did some very valuable work for the better organization of our consular service. Under his lead a systematic organization of the consular offices was arranged and the salaries, which before had been irregular, were adjusted upon the basis of the responsibilities and duties of the respective offices.

During his period of service Congress was called upon, not only to provide for carrying the war to a successful issue, but after it had ended to consider the more difficult and delicate subject of reconstruction. Mr. ORTH soon came to be recognized as an influential and valuable member of the House. He was not a frequent speaker, but was always listened to by his associates with interest and attention and never failed to make interesting contributions of suggestion and information to the discussions in which he engaged.

In 1875 Mr. ORTH was appointed by General Grant minister to Austria. He went to his post, entered upon his duties, and remained in their discharge for about one year. In the spring of 1876 he was unanimously nominated by his party as its candidate for governor, being then still at his post in Austria. He resigned his position and came home to enter upon the campaign to which his political friends had called him. Early in that campaign accusations were made against him in relation to the Venezuela treaty and claims.

While indignantly denouncing the accusations as slanderous and untrue, he was finally led to believe that the interests of his party would be subserved by his withdrawal from his candidacy for governor, and in the midst of the campaign, by a letter to the chairman of the State central committee, he announced his withdrawal. He was not willing that a possible defeat should be attributed to him, and so made this personal sacrifice in the interest of party harmony and success.

In the year 1878 he sought and obtained a nomination from his own people, those who knew him best, to the Forty-sixth Congress. This nomination was tendered by his friends, and accepted by him, as an expression of their continued confidence in his integrity and patriotism, and he was elected by a good majority.

Very soon after taking his seat in this Congress Mr. ORTH, rising to a question of privilege and referring to the accusations which had been made against him, said:

Mr. Speaker, this is the first time in a service of nearly twelve years that I have asked the attention of the House to a matter personal to myself. The explanation which I am about to make is due to my friends, and especially to my immediate constituents, who have for so long a period favored me with their unwavering confidence and support. These friendships and this confidence are to me beyond all price, and shall ever be regarded as among the most cherished memories of my life. To some it may seem that this explanation should not have been deferred so long, but it was so deferred in the hope, now a reality, that I could make it in this Hall, where it can most properly be made, for the reason that here the chief matters causing it had their origin.

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Mr. Speaker, would you believe it, in view of the clamor which prevailed against me during this investigation, that while the "campaign document" is full of direct and incidental allusions to me, referring to me time and again by name, the report presented to the House mentions my name but once or twice incidentally, and nowhere makes the least charge against me personally, or any allusion or insinuation affecting my integrity or calling in question in any manner any of my acts in connection with this entire transaction. The presentation of this report to the House was followed by a repeal of the act of February, 1873, which the committee in their report to the House say, "was wholly unnecessary as the treaty provides that the awards * * * shall be final and conclusive," and the whole matter remitted to the Executive.

Continuing he said:

As already mentioned, Indiana is politically a doubtful State. By both parties it was then regarded as the pivotal State in the Union. The result of her election in October would in all probability have been decisive of her Presidential vote in November, and that vote with equal probability might have decided the Presidential election.

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On mature reflection it seemed to me but one course could be adopted, and that was to remain no longer in a position when by so remaining I endangered the success of my party, to whose principles I am attached, of whose history I am proud, and whose continued triumphs are paramount to the wishes or interests of any single individual.

Mr. ORTH was again elected to the Forty-seventh Congress and was renominated by his party for election to the Forty-eighth Congress. These repeated expressions of confidence by those who had known him from his boyhood and had watched his whole public career show that he was trusted and loved by those who knew him best.

In his family relations the kindness which he manifested everywhere became a very tender affection. His home was the abode of reciprocal and self-denying service. Those who entered it always found an atmosphere of peace. In his public life he was industrious and faithful to the trusts he had undertaken. As a speaker he was earnest in manner, clear in statement, and enforced his views with courage and directness.

Mr. ORTH's health began to show symptoms of decay during the protracted session of Congress last summer, though he was not thought, either by himself or his friends, to be seriously sick. After the close of the session he spent some weeks at Berkeley Springs under the impression that he was suffering from malaria. His health, however, continued to grow worse, and he returned to his home in Indiana.

He was a man of great kindness of heart; his sympathy with men was large and wide. He had not only a kindly face and a cordial greeting, but was ready and prompt in helpful deeds. He took a great interest in young men, and by hopeful counsel and substantial aid did much to advance the fortunes of many who came to him for help.

His genial manner gave him ready access to the people in his political campaigns, and made him a formidable competitor. Until the campaign

of 1882 he had never been defeated before the people, though he had been a candidate many times for State and national offices. This defeat was undoubtedly owing in large part to the fact that the disease of which he afterward died had so far enfeebled him that it was impossible for him to appear before his constituents in debate. Indeed, he was able to attend but few of the public meetings held in his district.

The excitement of the political campaign, from the active pursuit of which his health debarred him, must have worn upon his spirits. It was a new experience for this veteran to be a looker on. He was wont to be in the thickest of the fight. His friends carried on his campaign for him with great spirit, and tried to make up by their efforts for the absence of their leader, but it was of no avail; Mr. ORTH suffered his first defeat before the people, and at the same time faced that enemy to whom we must all succumb. He found the circle of his intercourse, which had been so wide, first limited to his home and then to the narrow confines of a room into which only those who were of his own household could enter.

In this narrow field, narrow as measured by a rule, but wide in its interests and affections, the final struggle was enacted. Slowly the life currents ebbed; but while the bodily strength failed the spirit was strong. He drew the members of his own family close about him, and when the arms would no longer draw them to the breast upon which they had trustfully leaned so long he wrapped them in the softer folds of his kindly spirit.

He entered the dark valley in the faith that there was light and life beyond. As its shadows deepened he said: "I know that I am in God's hands, not only every hour but every moment, and they are good hands; yes, they are good hands." And so this active and useful life was ended. A multitude of sorrowing friends followed him to the grave; the city with whose life and growth he had been so long identified mourned him, and the circle of sorrow widened till it touched the margins of the State and nation he had served so long and so well.

Mr. FRYE. I am sorry, Mr. President, that I am compelled to bring to this occasion no adequate preparation. Perhaps the business of the last fortnight might serve to excuse me, and yet I do not feel at liberty to allow this opportunity to pass without a few words in memory of one whom I esteemed as a warm personal friend.

Mr. President, our lives here are not easy; all our ways are not ways of pleasantness, nor are all our paths paths of peace. We have much labor, many disappointments, many baffled hopes, many ambitions that never can be realized, much criticism, just and unjust, and sometimes heavy weariness of body and of spirit; and yet there are grand compensations, and one of the purest is the delightful acquaintanceships made and the enduring friendships contracted.

It seems to me, sir, that, as a rule, to know a man well is to love him well. The Senator from Georgia [Mr. BROWN] the other day in speaking to the memory of his dead colleague said that in early days, when comparatively unknown to each other, they were enemies, but in the later days, serving in the Congress of the United States together, knowing each other better, they were warm, earnest friends.

Sir, in these halls of Congress it seems to me as nowhere else in the world do men learn to know each other well. There are antagonisms, I know; there is ardent, earnest, and sometimes angry debate; there is agreement and disagreement; and yet these very processes only reveal the noblest qualities and the grandest powers there are in men. These very antagonisms are but pathways to esteem.

Sir, the North and South came out from that terrible rebellion with a new respect for each other which made in the future a closer union possible, ay probable, than there ever existed before that war.

And yet now and then there comes a face which demands at sight our confidence and no man dreams of dishonoring the demand. Such a face had Mr. ORTH. I was serving in the earlier days of my public life in the House of Representatives. In those days, humiliated by a sense of utter nothingnesss, I was at one time compelled to address the House in defense of a report I had made. As I was taking my seat, humiliated by the chasm between what I had hoped and what I had realized, a warm hand grasped mine and a rich, mellow voice said to me, "Young man, that was a first-rate speech." That hand and that voice were Mr. ORTH's. I see him now as I saw him then, white-haired, a fresh, ruddy face, a kindly blue eye, a gracious, courteous bearing; and, sir, it was not assumed for that occasion. It was the impulse of a great, warm heart. I sat in the next seat to Mr. ORTH for two years and knew him intimately for two years succeeding. I never heard him utter one harsh, one sensorious word about political friend or political foe during my whole service.

Sir, Mr. ORTH was peculiarly a social man; he had a mind well stored by reading, by study, by extensive travel, and by large experience in public life. He had a warm and affectionate heart. He had unusual conversational powers, and I seldom have met a more delightful companion than he.

He was not a weak man. I heard his defense, which the Senator from his own State has read here in the presence of the Senate. I knew that he was laboring under a sense of grave injustice, of almost insufferable wrong, and he showed his strength and his power in his moderation, and the House recognized it as a defense perfect, full, and complete.

Sir, Mr. ORTH was a man of strong convictions, of very decided opinions. He hated slavery; he loved his country with an intense feeling, and believing that his party was the destroyer of the one and the savior of the other he was a zealous, earnest, active Republican, but broad enough to be just.

I was a year ago near his own home, and made inquiry about him. I found, and was not surprised to find, that Mr. ORTH was well beloved in his city and in his State. I found that he was a good citizen; he was a kind, generous neighbor; he was a loving, tender father; he was a true, affectionate husband. God temper this to that widow and those children.

Mr. President, I say nothing of the public life of this distinguished man, nothing of his achievements, of his successes, or of his defeats. The distinguished Senator from his State has covered that ground thoroughly. I only speak of these homely virtues. And, sir, in that silent land whither he has gone may they not be the jewels after all? In that land "who shall be greatest?"

Mr. President, eulogists say that these should be lessons to us, to the living. Lessons! Ah, sir, how swiftly they come! Hardly time for a recess between. Since I have served in the House of Representatives and in the United States Senate, sixty-nine members of the House and twenty-four Senators have joined "the innumerable caravan" and crossed "the covered bridge." Henry Wilson, just before he died, said to a friend, "Eighty Senators who have served with me have preceded me to the silent land." Said Hannibal Hamlin, in eulogizing Mr. Wilson, "Since I have served in the United States Senate and been its presiding officer, one hundred and thirty-one Senators serving with me have gone beyond the veil." Lessons! Ah, sir, we must be dull scholars indeed if we learn nothing from them. Said a distinguished Senator in this place a few days since, in speculating upon the life beyond the veil, "Who knows?" I know, sir; any man may know. There is a chart absolute in its certainty, a guide perfect in His fidelity. In these lessons God speaks, and—

> To the dead He sayeth: Arise!
> To the living: Follow me!
> And that voice still soundeth on
> From the centuries that are gone,
> To the centuries that shall be!

Mr. VOORHEES. Mr. President, it was the custom of former ages for a man's nearest kindred to speak his eulogium when dead. It is not so now. His associates in the affairs of church or state sit in judgment on his memory. The member of the bar whose pleadings and briefs are over is spoken of by those with whom he has contended; the memory of the disciple of the church who falls to rest is cared for by one who shared his life and his belief; and so here in the Halls of Congress we commemorate each other as we pass away.

I knew Mr. ORTH from the earliest years of my manhood. He belonged to a strong, vigorous, energetic class of men. He took a prominent rank in the politics of Indiana while yet a young man. There was a warmth and enthusiasm in his nature which accomplished much in his public career. He was a good neighbor and an obliging friend. He stood well with those who knew him best. He always outran the strength of his party in his own home. No better evidence of a well-spent life can any man have than this.

Mr. ORTH served in the Legislature of Indiana, many years in Congress, and some time abroad in the foreign service. He discharged all his duties in every station with ability. He never fell short of the expectations of his friends. Mr. ORTH was a partisan, but of a nature so genial and kind that his warm personal friendships embraced men of all parties.

I might dwell upon the associates with whom he entered life in Indiana, whose influence he experienced, and nearly all of whom have preceded him to the grave; but the time and the occasion do not permit. He sleeps at the beautiful city of La Fayette with a strong band of comrades who have gone before him. Some day the pen of the historian and the tongue of the orator will embalm the names of the pioneer thinkers and workers of the Wabash Valley, and among them will be found that of GODLOVE S. ORTH. He was one of a brilliant and intellectual fraternity, a fraternity at the bar and in politics which has left an enduring influence on the history of the State of his adoption.

I saw Mr. ORTH not long before his death. He was aware of his failing powers, but spoke of the future, whatever it had in store, with cheerfulness and courage. Those who stood beside him at the last moment have informed me that his very last expression was one of happiness. Peace to his memory! In the grave all divisions are buried, and over that grave his friends and those who loved him will mourn while the days and the weeks and the years go by.

Sir, in recognition of the sad event which we this day commemorate, I move the adoption of the resolutions.

The PRESIDING OFFICER. The question is on the resolutions.

The resolutions were agreed to unanimously; and (at 4 o'clock and 36 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 31, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday was read and approved.

SUGAR IN WAREHOUSES.

Mr. KASSON. I ask consent of the House this morning to take up a brief bill, known as the sugar warehousing bill, introduced originally by the gentleman from Illinois [Mr. TOWNSHEND], and that it be passed at this time.

Mr. GIBSON. I object.

Mr. KASSON. I will state that it has been reported unanimously from the Committee on Ways and Means.

Mr. FLOWER. Let it be read.

Mr. GIBSON. I object to the bill.

The SPEAKER. Objection being made, the bill is not before the House.

G. MILSOM, H. SPENDELOW, AND G. V. WATSON.

Mr. SHELLEY. I ask unanimous consent that the bill (H. R. 3885) for the relief of George Milsom, Henry Spendelow, and George V. Watson, now on the Private Calendar, be taken from the Calendar and recommitted to the Committee on Patents.

There was no objection, and it was ordered accordingly.

HOUR OF DAILY ADJOURNMENT.

Mr. REED. The Committee on the Rules, to which was referred a resolution in reference to the hour at which the daily sessions of the House shall terminate, has directed me to report a substitute therefor, which I ask the Clerk to read.

The Clerk read as follows:

Resolved, That commencing with to-day daily sessions shall not expire earlier than 6 p. m. for the remainder of the session: *Provided, however*, That the Speaker may in his discretion entertain one motion each day to adjourn before that time.

The SPEAKER. What action does the gentleman desire on this resolution?

Mr. REED. I desire to have it adopted, if there is no objection on the other side.

Mr. HAMMOND, of Georgia. Under the rules it must lie over one day.

Mr. REED. It must unquestionably, if the gentleman makes that point.

Mr. HAMMOND, of Georgia. I do make it.

The SPEAKER. It will lie over as unfinished business.

CLARA WIBLE.

Mr. MATSON, by unanimous consent, reported back from the Committee on Invalid Pensions without amendment the bill (H. R. 3267) granting a pension to Clara Wible; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ALASKA.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting a copy of a resolution of the Board of Trade of Portland, Oregon, in regard to Alaskan matters; which was referred to the Committee on the Territories, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. VALENTINE, until Monday next, on account of important business.

To Mr. PAUL, for four days from February 1.

COMPENDIUM OF CENSUS.

Mr. HERBERT, by unanimous consent, introduced a joint resolution (H. Res. 330) requiring the Public Printer to transmit to Congress as soon as may be five hundred unbound copies of the Compendium of the Census, for the use of members; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

CENSUS.

Mr. CASWELL. I ask unanimous consent that we take from the Speaker's table, for the purpose of acting on the amendments of the Senate, joint resolution (H. Res. 323) making appropriations for continuing the work of the Tenth Census. This matter will take but a moment.

There being no objection, the joint resolution was taken from the Speaker's table, and the House proceeded to the consideration of the Senate amendments, which were read, as follows:

In line 1 strike out "two" and insert "one;" so as to read: "the sum of $100,000."

Strike out all after the word "bureau," in line 4, down to and including "first," in line 7, and insert "for the fiscal year ending June 30."

Mr. CASWELL. I move concurrence in these amendments.

The amendments were concurred in.

Mr. CASWELL moved to consider the vote by which the amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE FROM OMAHA TO COUNCIL BLUFFS.

Mr. VALENTINE, by unanimous consent, introduced a bill (H. R. 7474) to authorize the construction of a bridge across the Missouri River directly between the cities of Omaha, in the State of Nebraska, and Council Bluffs, in the State of Iowa, and to establish the same as a post-road; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

THE PRINTING OF AGRICULTURAL REPORT.

Mr. VALENTINE also, by unanimous consent, introduced a joint resolution (H. Res. 331) for the printing of the Agricultural Report for the year 1883; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

ORDER OF BUSINESS.

Mr. KELLEY. I move that the morning hour for the call of committees be dispensed with.

The motion was agreed to (two-thirds voting in favor thereof).

SUPERINTENDENT'S RESIDENCE, NAVAL ACADEMY.

Mr. SHALLENBERGER, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation the following resolution; which was read, considered, and adopted:

Resolved, That the Secretary of the Navy is hereby requested to inform the House, at his earliest convenience, when, by whom, and for what reasons the old mansion at the Naval Academy, long used and occupied by the superintendent as a residence, was condemned and torn down and other foundations laid for a new building on the same site; also to state the total estimated cost of new building, if one is proposed, including furniture and fixtures, and to specify the items of appropriations under which expenditures therefor have been made and estimates submitted to Congress.

Mr. SHALLENBERGER moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TARIFF.

Mr. KELLEY. I move that the House resolve itself into Committee of the Whole to resume consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair, and resumed the consideration of the bill (H. R. 7313) to impose duties on foreign imports, and for other purposes.

The pending paragraph was the following:

Alumina, alum, patent alum, alum substitute, sulphate of alumina, and aluminous cake and alum in crystals or ground, 60 cents per hundred pounds.

The CHAIRMAN. When the committee rose last evening the pending question was on the motion of the gentleman from Georgia [Mr. HAMMOND] to strike out line 232.

Mr. HAMMOND. I withdraw that motion, as the gentleman from Kentucky [Mr. CARLISLE] desires to offer an amendment to the same line.

Mr. CARLISLE. I move to amend by striking out in line 232 the word "sixty" and inserting "thirty," so as to make the duty 30 cents per hundred pounds, which will be nearly 25 per cent. ad valorem.

This article is used to a large extent in manufactures, and I think the specific rate I propose, which is equivalent to 25 per cent. ad valorem, is ample.

A MEMBER. Had not the gentleman better make it 40 cents?

Mr. CARLISLE. I am willing to make it 40.

Mr. RANDALL. What is that equivalent to?

Mr. CARLISLE. Thirty cents per hundred pounds would be equivalent to 25 per cent ad valorem.

Mr. RANDALL. Then 40 cents is an intermediate rate.

Mr. CARLISLE. I will take a vote, Mr. Chairman, first on 30.

Mr. RANDALL. Make it 40.

The CHAIRMAN. The question first before the committee is on the amendment of the gentleman from Kentucky.

The amendment was rejected.

Mr. CARLISLE. I move to strike out "sixty" and insert "forty."

Mr. KELLEY. I desire to say under the existing duty the price of alum has been much cheapened, and it has been shown that while bleaching powders and other articles entering, for instance, into the manufacture of paper, which were on the free-list, had increased in price, alum, the one protected article of the number, had not only not increased but had diminished. And I can not see any reason for reducing the existing duty on that article.

Mr. CARLISLE. If it be a fact, and I am not going to question the accuracy of the gentleman's statement, that the price of alum has fallen since the imposition of the duty of 60 cents per one hundred pounds, then it follows inevitably that 60 cents per one hundred pounds is a much greater ad valorem rate on the value of the article than its first price. So in every instance where the price of an article subject to a specific rate is less now than it was when it was imposed, it is the duty of this House, if it intends to preserve the same equivalent ad valorem rate,

to reduce the specific rate. And it is in view of that fact I make the motion to impose 40 cents, which in my judgment will be a much cheaper equivalent ad valorem rate than 60 cents was when Congress put it on this article.

Mr. KELLEY. There are large importations under the existing duty, and the price has not risen; and I hope the proposed amendment will be voted down.

Mr. CARLISLE. Let us have a division on this.

The committee divided; and there were—ayes 42, noes 54.

Mr. RANDALL. I suggest 50 cents.

Mr. MILLS. Let us have tellers.

Mr. CARLISLE. Some gentlemen desire a vote by tellers on this.

The CHAIRMAN. Does the gentleman make the point of order that no quorum has voted?

Mr. CARLISLE. I dislike to make the point of order that there is no quorom, but this is a meritorious amendment, in my judgment, and I must do so in order to get a further division of the committee.

The CHAIRMAN. The point of order having been made that no quorum has voted, the Chair will appoint Mr. CARLISLE and Mr. HASKELL as tellers.

The committee again divided; and the tellers reported there were—ayes 65, noes 62.

So the amendment was agreed to.

The Clerk read as follows:

Quinia and cinchonidia, sulphate and salts of, 10 per cent. ad valorem.

Mr. TUCKER and Mr. FLOWER rose and moved to strike out the words just read.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia, on the committee.

Mr. TUCKER. My motion is to strike out the words "quinia and cinchonidia, sulphate and salts of, 10 per cent. ad valorem;" and I yield the floor to the gentleman from New York.

Mr. FLOWER. Mr. Chairman, on Friday last I asked the gentleman from Iowa [Mr. KASSON], a distinguished member of the Committee on Ways and Means, this question, and I read from the CONGRESSIONAL RECORD:

Mr. FLOWER. If you do not need the money you collect on quinine why then do you collect it?

Mr. KASSON. We have to collect money on something.

Mr. FLOWER. Why?

Mr. KASSON. For revenue. On your suggestion we do not need any duty on sugar, and take it all off. We do not need it on cigars and tobacco, and take it all off.

I asked that question, Mr. Chairman, knowing that the Tariff Commission had allowed quinine to come into this country free, and that it had been coming into this country free since 1879; and I asked the gentleman from Iowa [Mr. KASSON], a member of the Committee on Ways and Means, the question to find out the reason for taxing quinine, and I learn it was for the same reason we taxed sugar and tobacco. I know there is a tax on sugar and tobacco, and I am willing to pay it, but I did not know we were framing a bill to raise more revenue. I supposed it was to reduce revenue, and if there be any good reason why quinine should be taxed I wanted the honorable gentleman frankly to tell me what it was. I did not know but the ingredients which entered into the manufacture of quinine had something to do with this tax, and that the six gentlemen who manufacture quinine in this country might want some protection on account of those articles which entered into its manufacture.

I want to take the side of the men who did not appear before the commission, the men suffering from fever, and to protect them a little. This tariff bill protects everybody except the sick man, and I want to protect him; and that is the reason why I have moved to strike out the lines which the Clerk has read: "quinia and cinchonidia, sulphate and salts of, 10 per cent. ad valorem."

If the honorable gentleman from Iowa has any reason to give why this tax should not come off, I should like to hear it now.

Mr. KASSON rose, but yielded the floor to Mr. KELLEY.

Mr. KELLEY. Mr. Chairman, there are many reasons why the duty should be retained on quinia and cinchonidia. They are manufactured articles; they are articles the production of which consume dutiable and taxable goods. They are in their purity as essential to the health of the American people as any medicines known to that people. A pure supply of the product is an important element in excluding adulterated foreign quinine and cinchonidia.

Mr. DUNN. Will the gentleman allow me a question in this connection?

Mr. KELLEY. No; not in the five minutes. I am going to ask that the Clerk read a letter from one of the leading dealers in drugs and medicines in the city of Saint Louis, Kansas City, and other places, giving the reason why this duty may be maintained and showing that it can not possibly fall upon the retail consumer because prices can not be adjusted under our system of coinage and the quantities of duty affected on the foreign purchase of this article.

The Clerk read as follows:

SAINT LOUIS, MO., *January* 25, 1883.

SIR: You are of course thoroughly familiar with the various views on the question relative to the duty on quinine, and as the matter seems now before Congress for action, we take the liberty as your constituents to give you our opinions in the premises. The writer of this has been in the drug business very nearly thirty-five years—seventeen years in the retail business in Fort Wayne, Indiana, and since 1865 in this city as a jobber—and we believe that it is not only unjust to the manufacturers of quinine in this country to have this article placed on the free-list, but it is also an injury to the parties dealing in this staple. The only argument in favor of free quinine used by its advocates is that the poor fever-stricken patients are paying a blood tax to the monopolists (American manufacturers). Now, this is a most fallacious theory as we know from our extensive experience. An ounce of quinine weighs 455 grains. The article is generally bought in quantities by the consumers, of 20, 30, or 60 grains. The prices charged are either 1 cent per grain or 1½ cents per grain, and these prices have rated, and rate to-day all over the country, no matter whether the retail druggists paid $2 or $3 per ounce; and the price is the same to-day when they pay $1.75 per ounce. While we are always glad to see the retailers make a good profit, we believe it will not impose a burden upon him if he has to pay 20 cents more per ounce, and it will act as a governor to keep prices more uniform. While quinine has never been a profitable article for the jobber it has been less so since July 1, 1879, when it became free.

Cinchonidia: This article has been used as a substitute for quinine, being a by-product in the manufacture of this article, and is sometimes called "the poor man's quinine." It was not known until some ten years ago by the trade, and its introduction is almost entirely due to the efforts of Powers & Weightman, of Philadelphia. It is a great acquisition in materia medica as an anti-periodic and in colds. This article now pays a duty of 40 per cent., but we understand efforts are being made to place it on the free-list. This would surely be very unfair if not an outrage. We beg to suggest that you kindly use your influence to have Congress pass an act placing 10 per cent. on quinine and all salts of quinine, including the sulphates, and 25 per cent. on cinchonidia and all salts of cinchonidia, including the sulphate.

We inclose a circular which will give you some additional points, and, with the highest regards, we are,

Your obedient servants,

MEYER BROS. & CO.

Hon. GEORGE G. VEST,
Senator, Washington, D. C.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McKENZIE. I move to strike out the last word.

I desire, Mr. Chairman, to give notice to the committee that at the proper time, if the amendment proposed by the gentleman from Virginia shall pass, I will move to insert on the free-list "quinia and cinchonidia, sulphate and salts of," so that it may not come in under the unenumerated clauses at an average rate of duty of 25 per cent. ad valorem, but shall be entirely upon the free-list.

Mr. Chairman, in the consideration of this question it seems to me that no argument whatever is necessary to demonstrate the importance of retaining these articles upon the free-list. No bill was passed by the Forty-sixth Congress that met with such unanimous praise and commendation on the part of the great body of the American people as the bill putting the salts and sulphates of quinine and cinchonidia on the free-list.

There are two questions that suggest themselves to us in this connection: One is, has the passage of that bill stopped or retarded in any manner the manufacture of these salts in this country; and the next is, has the passage of that bill cheapened these salts and sulphates to the people of this country. The answers to these questions are very simple. So far from retarding the manufacture, I have in my hand tables showing that since the passage of that act on June 30, 1879, which was the date of the passage of the bill, up to the present time, there has been not only no decrease in the manufacture but there has been an increase, two establishments having sprung into existence since that time, while the prices have steadily declined. With reference to the question as to whether these articles have been cheapened by the passage of that bill, I desire to call the attention of the committee to the table prepared by Mr. J. S. Moore, who probably has as much general information upon the subject of the tariff as any other citizen in this country, the chairman of the Ways and Means Committee always excepted. [Laughter]. From January, 1879, to June 30, 1879, the price of taxed quinine as shown by these tables was $3.63 per ounce. From July 1, 1879, to December 31, 1879, after the free-quinine bill had gone into operation, the price was $3.29 per ounce, making a saving to the people of 34 cents per ounce. In 1877 taxed quinine sold at $3.76 per ounce, and in the year 1880 free quinine sold at $3.03 per ounce, a saving of 73 cents.

In the year 1878 taxed quinine sold for $3.52 an ounce, and in 1881 free quinine sold for $2.47½ per ounce, showing the immense saving of $1.08½ per ounce under the operations of the free-quinine bill. Or take it in this way: the average price of quinine from January 1, 1877, to July, 1879, was $3.64½ per ounce, and during the two and a half years from July, 1879, to December, 1881, the average price of free quinine was $2.86 per ounce, or a reduction of 78½ cents per ounce.

Now, I have tried every imaginable way to find out exactly what amount of quinine was consumed in the United States, and the very best approximate estimate that I have been able to reach is that it amounts to some 2,000,000 of ounces per annum. The saving, therefore, which resulted from the passage of this free-quinine bill is over $1,500,000 a year to the people of this country; and taking it for the three years since the passage of this bill, the saving to the American people has been over $4,500,000.

I ask the honorable chairman of the Committee on Ways and Means if in the literature of petitions that have crowded his committee-room—that audience chamber of protection—a single, solitary consumer of quinine, white or black, male or female, "including Indians not taxed" [laughter], has ever asked that august body to restore 1 cent of duty

on that drug? I guarantee that there is not one, and I defy the gentleman from Pennsylvania to exhibit a single instance where any cry has ever come up for the reimposition of the tax on quinine, unless it came from the jobber, manufacturer, or dealer in some form, who is interested in keeping this tax upon the people.

In all this bad bill of 140 pages, which is cumulative in its wickedness and progressive in its devilment, the proposition to restore the duty on quinine is the climacteric and *ultima Thule* of its meanness. [Laughter.] No bill has ever emanated from the Committee on Ways and Means, a committee whose name should be changed by resolution of this House to that of the "friends of the poor" [laughter]—no proposition has ever emanated from that committee which compares with this either in its aggregated or segregated iniquity. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. HOUSE rose and yielded his time to Mr. MCKENZIE.

Mr. MCKENZIE. Mr. Chairman——

Mr. KELLEY. I rise to a question of order. I believe the rule is that speeches shall alternate for and against a proposition.

Mr. MCKENZIE. I do not think it is worthy of the honorable chairman of the Committee on Ways and Means, who has occupied so much of the valuable time of this House and the world at large [laughter], to object to my proceeding.

The CHAIRMAN. The gentleman from Kentucky [Mr. MCKENZIE] is entitled to the floor and will proceed.

Mr. MCKENZIE. I thank the gentleman from Tennessee for his courtesy. In all its dreary pages this 140-page bill is unredeemed by a single feature which looks to the benefit of either the Government of the United States or the people themselves except such as are manufacturers, jobbers, or monopolists, and I defy the gentleman from Pennsylvania [Mr. KELLEY] to show such a feature if it exist.

The ague-stricken people of this country will call this Congress accursed if the tax on this drug is restored. They pronounced your party unworthy of confidence last November. They demanded reform in our tariff system, and it comes with ill grace from you after having been repudiated at the polls to reinstate a tax for which not one single solitary voter in America has petitioned except those who have a direct pecuniary interest in its imposition.

You had as well attempt to lay a tax on air and God's sun-light, which I honestly believe you would do if a single citizen or firm in the city of Philadelphia were engaged in the manufacture of either. [Laughter.] I desire to ask this honorable Committee on Ways and Means if they are willing to go on record as championing a bill which looks to the relief from taxation of all "proprietary medicines," preparations that have caused more wry faces and more pained viscera than all other preparations known to human ingenuity in the matter of physical torture; and as still insisting upon the reimposition of a tax upon quinine, which "brings healing on its wings" to every bed of sickness in the land?

By the way, I got a circular-letter this morning from Rosengarten & Sons, telling me of the outrageous injustice being done to the industry they are following. They threatened us in 1879, when the bill was passed taking the tax off this drug, with the stoppage of their factory. But they are running still, and two additional factories have been started since the removal of the duty. Now, Mr. Chairman, the case before the House stands thus. Powers & Weightman against the sick people of the United States; Rosengarten & Sons against the fever hospitals. The majority of the Ways and Means Committee appear for the plaintiff, and I desire, Mr. Chairman, to have my name entered as attorney for the defense. [Applause.]

I realize that numbers and ability are arrayed against me, but, poor advocate as I am, I feel that my cause is so just I can plead it successfully before that great jury to whom you last appealed and who brought in a verdict of guilty without the recommendation of mercy. [Laughter and applause.]

You may defeat this amendment here; you may fail to strike these two lines out of this infamous bill; but we will appeal it to the American people, and I have no sort of doubt as to the result. If you reenact this tax you lend yourselves to the spread of malarial fever; and I want every man as he passes between the tellers here who desires to promote the establishment of pest-houses and fever hospitals, who wants to add rack and pain to beds of sickness, who wants to appear as the confederate of death, to record himself in favor of the restoration of the duty on quinine. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. MCKENZIE. I sincerely hope the House in its kindness will give me five minutes more.

Mr. KELLEY. I move that the gentleman have leave to print.

A MEMBER. It is too good to print without being listened to.

Mr. KELLEY. I desire to say if we throw open these questions for general debate in committee there will be no controlling the legislation of the House. I object to any extension of time in the Committee of the Whole. I have no objection to the gentleman printing his remarks.

Mr. MCKENZIE. I make an appeal to the gentleman from Pennsylvania. I am going out of Congress but desire to be heard now on behalf of the tax-payers of the country; and this is probably the last despairing appeal I shall ever make to the stony-hearted gentlemen on that side of the House. [Laughter.]

The CHAIRMAN. The Chair will state the question. The gentleman from Kentucky asks unanimous consent that he may be allowed five minutes more.

Mr. BRUMM. I object.

Mr. REAGAN. I move to strike out the last word.

The CHAIRMAN. Debate on the pending amendment is exhausted. Does the gentleman from Kentucky withdraw the *pro forma* amendment?

Mr. MCKENZIE. Yes, sir.

Mr. REAGAN. I renew it, and yield my time to the gentleman from Kentucky [Mr. MCKENZIE].

Mr. MCKENZIE. Mr. Chairman, I thank the gentleman from Texas. The Committee on Ways and Means——

Mr. MILLER. I rise to a point of order. I desire to know under what rule this debate is going on.

The CHAIRMAN. What point of order does the gentleman make?

Mr. MILLER. I make the point of order that a *pro forma* amendment can not be debated, and that debate is limited to five minutes on either side. I ask the Chair to have paragraph 5 of Rule XXIII read.

The CHAIRMAN. It has been the universal custom to allow debate on *pro forma* amendments.

Mr. MILLER. I object, and ask to have the Chair rule on the point of order. I ask the Clerk to read the rule which I send to the desk.

Mr. HASKELL. Will the gentleman from Pennsylvania allow me to say a word?

Mr. MILLER. After the rule is read.

The CHAIRMAN. The gentleman from Pennsylvania objects to debate on *pro forma* amendments, and asks that paragraph 5 of Rule XXIII be read.

The Clerk read as follows:

When general debate is closed by order of the House, any member shall be allowed five minutes to explain any amendment he may offer, after which the member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon; but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment; and neither an amendment nor an amendment to an amendment shall be withdrawn by the mover thereof unless by the unanimous consent of the committee.

Mr. HASKELL. Let me say a word, for I think it may be of some service to our friends on both sides of the House. However desirable it may be to cut off *pro forma* amendments and debate thereon, if my friend from Pennsylvania [Mr. MILLER] will think a moment he will see that this bill is so peculiar in its nature, almost every line of it being a separate and distinct item, that all a member has to do in order to get an opportunity to speak for five minutes is to move some substantial amendment of the rate of duty proposed. Therefore, it will amount to the same thing precisely as what is technically termed a *pro forma* amendment.

Therefore, I believe it is best not to raise any point of order on *pro forma* amendments or to attempt to get a fine ruling of the Chair on the *pro forma* idea, and so attempt to hold men closely to the rule as to confining them in argument to the subject-matter of the amendment, for the simple reason that all a member has to do when checked on that line is to move some substantial amendment by way of changing the rate of duty proposed. That is the reason why members of the Committee on Ways and Means have made no objection to such amendments.

Mr. MILLER. I shall insist upon the Chair ruling on this question of order. Unless some such action is taken this bill will not have passed this Committee of the Whole before the 4th day of March next.

Yesterday I observed that amendment after amendment was offered to each line of this bill as we reached it, and often, too, by persons who did not seem to understand even the form or substance of the amendments they were offering. The propriety of taxing beeswax, soap, and castor-oil was discussed at length, and the time of the House taken up, as though the people of this country would be crushed by such legislation.

If it was the intention of the opponents of this bill to offer and discuss amendments which were germane I would not raise this point of order. But when I observe that such amendments are offered for the sole purpose of retarding the progress of the bill, for the sole purpose of preventing the action of the Committee of the Whole upon it, then I raise this point of order and I ask the Chair to rule on it.

Mr. ATKINS. Mr. Chairman——

The CHAIRMAN. The Chair is prepared to rule on the point of order.

Mr. ATKINS. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ATKINS. I desire to inquire if the gentleman from Kentucky [Mr. MCKENZIE] did not withdraw his amendment by unanimous consent; and if the gentleman from Texas [Mr. REAGAN] did not thereupon renew it and yield the time, to which he was entitled under the rule, to the gentleman from Kentucky? If so, is not the gentleman from Kentucky in order?

The CHAIRMAN. The Chair understands that what the gentleman from Tennessee [Mr. ATKINS] states is the fact. The gentleman from Kentucky [Mr. MCKENZIE] withdrew his *pro forma* amendment, and the gentleman from Texas [Mr. REAGAN] then took the floor, renewed the amendment and yielded his time to the gentleman from Kentucky. The Chair therefore rules that the gentleman from Kentucky is in order, and will proceed.

Mr. KCKENZIE. All these irrelevant remarks which have been made on a point of order are somewhat damaging to the continuity of my speech. [Laughter.]

Mr. MILLER. I rise to a parliamentary inquiry.

Mr. MCKENZIE. I decline to yield to the solemn gentleman from Pennsylvania [Mr. MILLER].

The CHAIRMAN. The gentleman from Kentucky declines to yield, and will proceed.

Mr. MCKENZIE. The remarks of the cool-headed, mild-mannered, unfrenzied gentleman from Pennsylvania [Mr. MILLER] have added great solemnity to these proceedings, and I therefore proceed with my remarks with great misgivings.

I want to call the attention of the House to the fact that last year, as members will possibly recollect, I objected to the delegation of the powers of the Committee on Ways and Means to that association of middle aged and highly unprejudiced specialists known as the Tariff Commission. [Laughter.] I did not then believe that the Tariff Commission had any more ability to revise our system of revenue than had the Committee on Ways and Means. But after reading the bill reported by that committee, and comparing it with the report of the Tariff Commission and its recommendations, I desire publicly to retract every utterance I made on that occasion. [Laughter.]

Now, look at the free-list of this bill; it is full of goodness and wisdom and benevolence. I see here, and thank God for it, that the Committee on Ways and Means have put "blood" on the free-list. [Laughter.] Sir, if you were to levy a tax of only 1 cent a gallon on all the blood which you have extracted, through the means of your infamous tariff, from the American people, you could pay the national debt in twelve months and have a large surplus in the Federal Treasury. Considering the enormous amount that you have heretofore extracted, you need not levy any prohibitory duties on it, nor need you permit it to come in free. It is already a drug in the market.

Then I find that the committee has put "bone-dust" on the free-list. My God, gentlemen, you are manufacturing bone-dust in pauper graveyards whenever you propose to tax quinine, and you are making it very fast. [Laughter.]

You have put "musk and civet" on the free-list. Now, when I come to contemplate this bill, looking at it in its altitude and its pulchritude, in its concavity and its convexity, in its obliquity and its iniquity, I feel like exclaiming with old King Lear when contemplating the ingratitude of his daughters, "Give me an ounce of civet, good apothecary, to sweeten my imagination." [Laughter.]

You have exempted "ipecac" from duty. Ah, gentlemen, you need not put that on the free-list to create nausea enough in the stomachs of the American people to lead them to spew your party out in 1884. [Laughter.]

And you have put "leeches" on the free-list. That I suppose is for the purpose of exempting the protected "barons" and the Committee on Ways and Means. [Laughter.]

Then you have put upon the free-list an article called "divi-divi." What that is God Almighty and a few protected individuals only know. I presume it is meant to protect these "barons," and to suggest that the Committee on Ways and Means wants a double quantity of whatever "divy" is. [Laughter.]

You have put diamonds on the free-list. Now, gentlemen, if there is anything on the face of the earth that grinds the poor people of this land into the very dirt, it is the tax on diamonds. [Laughter.]

You have put "joss sticks" on the free-list. Still ministering to the spiritual wants of the Chinese. [Laughter.] You are willing that the heathern within our borders may burn incense to his unknown god free from taxation while the humble American worshiper is taxed 25 per cent. upon the Bible which points his way to heaven. [Applause.] I saw a lot of you at the Chinese minister's the other night; and while you may despise his civilization you manifested a very high appreciation of his punch. [Laughter.] Asiatic civilization when it comes to the matter of "cheap labor" does not suit the average Republican; but the terrapin and champagne *frappé* of the "heathen Chinee," I am forced to conclude, met with the unqualified approbation of gentlemen on the other side of the House. [Laughter.]

You have also put on the free-list "junk, old, not otherwise provided for." This was done for the protection of the Ways and Means Committee. They are fast growing old; and thank God an indignant people will shortly relegate them to the shades of private life. They may stray out of this country some time, and if they ever come back they will have to come in under the head of "old junk, not otherwise provided for." [Great laughter and applause.] I am glad you put this on the free-list, because it will save you from undergoing inquisitorial processes in a Democratic custom-house. [Laughter.]

[Here the hammer fell.]

Mr. MCLEAN, of Missouri, obtained the floor.

Mr. MCKENZIE. I desire five minutes more. [Cries of "Go on!"]

Mr. MCLEAN, of Missouri. I will allow the gentleman from Kentucky [Mr. MCKENZIE] to occupy five minutes more.

Mr. KELLEY. Mr. Chairman, I insist that both sides have a right to be heard.

Mr. COBB. They will be.

The CHAIRMAN. The Chair has recognized the gentleman from Missouri [Mr. MCLEAN], who will proceed for five minutes.

Mr. KELLEY. I hold that the gentleman has no right to yield under the rules.

Mr. MCLEAN, of Missouri. In regard to this matter of quinine I wish to say that the poor are not affected by this 10 per cent. duty. To prove this I wish to have read two letters from men who are engaged largely in business and know what they are talking about.

Mr. CHACE. What branch of business?

Mr. MCLEAN, of Missouri. They are large wholesale druggists in Saint Louis.

Mr. CHACE. Not manufacturers?

Mr. MCLEAN, of Missouri. Not manufacturers, either of them.

Mr. CHACE. Those are men we want to hear.

The Clerk proceeded to read the following letters:

OFFICE OF RICHARDSON & CO.,
Saint Louis, January 26, 1883.

DEAR SIR: In view of the approaching legislation affecting chemicals, &c., in the proposed revision of the tariff, we desire to call your attention more particularly to the articles sulphate of quinine and sulphate of cinchonidia and their salts. We would particularly urge that a duty of 10 per cent. on the former and 25 per cent. on the latter shall be enacted, as there is no doubt but what our American manufacturers are clearly entitled to this protection. They have suffered a great deal within the last twelve months from foreign competition, and this competition can not be possibly overcome by a less protection than that above mentioned. This is an industry that should not be lost to the country, and one which must eventually cause suffering if it should be.

We inclose you an article by Mr. A. H. Jones, which will give some facts worthy of notice. The largest manufactory of quinine was formerly located in Philadelphia; it is now located in Milan, Italy. The imports of quinine in 1879 were 228,000 ounces, and in 1882, 795,000 ounces. If our American manufacturers had been able to compete with a free tariff against foreign manufactures, we feel assured that they would not have allowed this large increase to take place.

We shall be glad if this matter will interest you sufficiently to give it that attention which it requires, and we trust also that your interest may be for the protection of our American manufacturers to the extent above indicated on these important articles.

Yours truly,

RICHARDSON & CO.

Hon. Dr. J. H. MCLEAN,
House of Representatives United States, Washington, D. C.

SAINT LOUIS, *January 26, 1883.*

DEAR SIR: Allow us to call your attention to the bill soon to come before the House in regard to the duty on quinine and cinchonidia. We believe that a 10 per cent. duty on quinine and the present duty of 25 per cent. on cinchonidia and their salts are no injury to the consumer and only just to the manufacturers in this country.

We believe that putting them on the free-list will eventually destroy the manufacture of them in this country, and we shall be at the mercy of European manufacturers and prices will be higher than with a duty to protect our home manufactures. Also, in case of a war with any European power our supply will be cut off and we will be great sufferers without it. We ask your influence to maintain the duty of 25 per cent. on cinchonidia and its salts and have a duty of 10 per cent. placed on quinine.

Respectfully,

GEORGE K. HOPKINS & CO.

Hon. J. H. MCLEAN,
House of Representatives, Washington city.

[During the reading of the foregoing letters, when the five minutes of Mr. MCLEAN, of Missouri, had expired, he obtained leave that the letters be published entire in the RECORD.]

The CHAIRMAN. Debate on the pending amendment is exhausted.

Mr. REAGAN. I withdraw it.

Mr. BLANCHARD. I renew it. Mr. Chairman, the paragraph now under consideration, imposing a duty of 10 per cent. upon quinine, is one of the many inconsistencies to be found in this bill. The advocates of the bill admit that the measure is an effort on their part to decrease the revenues of the Government; yet we find that this duty of 10 per cent. imposed on quinine will, according to the estimate submitted with the bill, yield to the Government an annual revenue in round numbers of $155,000.

Now, this article of quinine is a prime necessity. With us in the South it is particularly so. Down there, where malarial chills and fevers are indigenous and where they are popularly supposed to be most prevalent, it is almost as much a necessity with us as the food which goes alike into the palaces of the rich and the hovels of the poor for the sustaining of life and the giving of health and strength.

I desire to submit a few figures and facts in connection with this matter of quinine and its importation into the United States. First, however, let me state that this bill takes off all duty upon cinchona bark and all other barks from which quinine is manufactured; but it takes quinine from the free-list, where it has been since 1879, and puts it back upon the dutiable list. The evidence taken before the Tariff Commission shows that there are but 4,000,000 ounces of quinine manufactured annually in the world; and of these 4,000,000 ounces the United States alone consume 1,600,000 ounces—more than one-third of the whole manufacture. The testimony taken before the commission fur-

ther shows that of the 1,600,000 ounces consumed in the United States 800,000 ounces are manufactured in this country. There are in the United States only five quinine manufactories; and only five hundred persons are employed in its manufacture. This is the testimony of Dr. Robbins, himself a manufacturer of quinine in New York, who testified before the Tariff Commission.

I repeat that all the barks from which quinine is made are in this bill put on the free-list. Until the 1st of January of the present year there was a duty of 10 per cent. upon cinchona bark imported from the East Indies; but cinchona bark imported from South America, from which the greatest quantity comes, has been four years, and for aught I know longer than that, on the free-list. Since the 1st of January all these barks have been free; and this bill continues them on the free-list while at the same time it imposes a duty of 10 per cent. on the manufactured article.

Now, sir, as to price (and I desire to controvert the statements read in the paper which the gentleman from Pennsylvania [Mr. KELLEY] sent up to the Clerk's desk to be read and the paper which the gentleman from Missouri [Mr. MCLEAN] sent up to be read), I have studied the testimony taken before the Tariff Commission with respect to this article, and the result of that study is, that before quinine was placed on the free-list it was worth per ounce from $3 to $4, and that since it has been on the free-list, with the exception——

The CHAIRMAN. The gentleman's time has expired.

Mr. BLANCHARD. I desire but a few minutes more.

Mr. KELLEY. I ask that the gentleman from Louisiana have leave to print.

Mr. COX, of New York. He does not ask leave to print.

The CHAIRMAN. The gentleman's time has expired.

Mr. KELLEY. I have in twenty-one years never seen the time extended in Committee of the Whole. I have seen one gentleman make twelve five-minute speeches, but the opposite side was allowed to be heard to the extent of five minutes between each two. And I can not consent to abandon so wholesome a rule here where we meet for the discussion of the price and the details of revenue bills. I mean no discourtesy to the gentleman, but I do mean to insist so far as I can on the maintenance of one of the most wholesome of parliamentary rules.

I desire to say, as a protectionist, there should be a duty on this manufacture as upon all others. It is a manufacture requiring a most expensive plant. Its vases of platinum can not be produced in this country and can not be repaired here, and they must keep a supply on hand for use for transportation and return and for absence in foreign workshops. They must keep large stocks of bark and solvents, all of which are taxed or dutiable, until recently, since the 1st of January, for until then that which came from the best fields, those of India and Java, paid 10 per cent. duty. That was abolished in accordance with the treaty with the Netherlands.

Now, sir, we have neither a protective tariff nor a revenue tariff on quinine or cinchonidia or their ingredients. The bark that was in the country to be manufactured, as is shown by our commercial reports, has been exported because with all their costly plant the American manufacturer would not consume it.

Now, what we are entitled to is revenue from these articles or their elements, and if it be true that the protective principle develops the production and reduces the price of other commodities, the law is equally true as to these important drugs.

All that is said in general about cheapening these vital drugs I assent to; but I say to gentlemen on this side their whole theory in reference to protection, as has been said on the other side, is a sham, a snare, and a delusion, or moderate protection will give you pure quinine and cinchonidia and keep down its price.

I say to gentlemen on that side of the House who prate of a revenue tariff that we are entitled to some revenue from these costly and important drugs. The letters from druggists already read hold that this duty distributes over four hundred and thirty-five grains to the ounce, can not be felt by the consumers, and it is merely transferring the guarantee, so the manufacturer may have a chance in his own market, for the retailer who buys at whatever price he can buy sells at the same rate, because no coin will measure the reduction of duty.

Sir, prices have fluctuated in this country always with the price throughout the commercial world. Quinine has been at $4 in London and at $2, and our market has always gone up and down with it, and the repeal of the duty, so long as the remaining duty on cinchonidia enabled our manufacturers to produce some, has been kept down.

The CHAIRMAN. Debate on the present amendment is exhausted.

Mr. BLANCHARD. I withdraw it.

Mr. COX, of New York. I renew it; and I merely desire to say if this amendment places——

Mr. VAN VOORHIS. Can the amendment be withdrawn except by unanimous consent?

The CHAIRMAN. It can not.

Mr. VAN VOORHIS. I objected as well as I could.

The CHAIRMAN. The Chair heard no objection, and the Chair has recognized the gentleman from New York.

Mr. COX, of New York. I should like to make an amendment if this amendment is voted down to make it 5 per cent.

Mr. BLANCHARD. But suppose it is not?

Mr. COX, of New York. I presume the House will understand the argument already made by my friend from Kentucky [Mr. MCKENZIE] and the figures presented by my friend from Louisiana [Mr. BLANCHARD], and the House will remember what ought to be remembered by every single member of Congress, that this proposition practically places quinine just where it was before our reform on that subject. I now yield to the gentleman from Louisiana [Mr. BLANCHARD].

Mr. BLANCHARD. I thank my friend from New York. Now, Mr. Chairman, continuing the statement I was about to make when interrupted by the gentleman from Pennsylvania, I state that the testimony taken before the Tariff Commission shows that prior to 1879, at which time quinine was placed on the free-list, it was worth from $3 to $4 an ounce, and that after that time, with the exception of a short period following the placing of quinine on the free-list, it was worth only $2 an ounce.

But I will state further that until the duty upon quinine was repealed, or it was placed upon the free-list, the article was worth at retail 2 cents a grain and sold at that rate throughout the country. Now, however, since the tariff duty has been removed the evidence taken before the Tariff Commission shows that the consumer can obtain it for 1½ cents per grain, being a difference of 25 per cent. in his favor. Now, Mr. Chairman, in further rebuttal of the statements made in the letters which the gentleman from Pennsylvania and the gentleman from Missouri sent up to be read from the desk, I desire to read from some of the testimony which was taken before the Tariff Commission, and presumably under oath, while the statements contained in the letters to which I have referred were *ex parte* statements and made without the sanction of an oath. I infer that this testimony was taken under oath, at all events it was taken under the official sanction of a committee authorized by Congress, and I will read from that testimony and desire to call the attention of the Representatives on that side (the Republican side) from the great State of Illinois, and especially the gentlemen who represent on that side the city of Chicago, to what I am about to read, because the testimony is chiefly from druggists in that city.

I find embodied in the statement of Mr. Robert H. Cowdery, made before that commission, he representing the druggists' association of the city of Chicago, and whose testimony is found on page 942 of the first volume of the evidence taken before the Tariff Commission, on the point as to whether consumers of quinine have been benefited or not by the repeal of the duty on that article, the following:

I have copied several letters which I have received and which I will read.

Mr. William Dale, of Chicago, says:

"I can see no reason why the tax on quinine should be reimposed. The consumer does not want it, the retail pharmacist does not desire it, and the only persons known to favor its reimposition are the manufacturers, and they only for their own gain, not ours. After considering the great fortunes made by the manufacturers on quinine with the tax on, I am not in favor of again taxing quinine in order that they may make a still greater profit. I fail to see where the injustice is in having quinine duty free. My customers get their quinine 25 per cent. cheaper now than when quinine was taxed for the benefit of the manufacturer, and at my customers' expense."

Dr. Dyche, of the firm of D. R. Dyche & Co., says:

"I am in favor of keeping quinine duty free. The price has been materially reduced to the consumer, and no one who understands what he is talking of would make statements to the contrary were he properly informed. This reduced price to the consumer is directly due to the reduced price to us, as compared to the price when the duty was on. I see no injustice in not retaxing quinine. I do see an injustice to the whole nation when quinine is taxed."

U. Gray Bartlett, professor of chemistry, doing business on the corner of Indiana avenue and Twenty-second street, says:

"I stamp all such statements as false, as far as I am concerned. I sell quinine 25 per cent. less than when the duty was on in 1879. The attempted reimposition of the tax I would regard as a fraud on the community."

J. H. Wilson, retail dealer, doing business at Michigan avenue and Twenty-second street, says:

"I have sold quinine 25 per cent. less than my price in 1879, when the tax was on, and have done so since it touched $1.90. I have not raised it since this advance of 50 and 60 cents an ounce. I regard it an injustice to raise the price when we have just made our prices uniform to the consumer."

I will not, Mr. Chairman, weary the committee further with reading from the testimony, but will say that to the same effect as the above are the statements of Mr. Forsyth, of Forsyth & Co.; of Manville & Foote; of Peter Van Schaach, of Van Schaach, Stevenson & Co.; of O. F. Fuller, of the firm of Fuller & Fuller; and many others, all showing a reduction of 25 per cent. to the consumer as the result of the removal of the duty on quinine in 1879.

[Here the hammer fell.]

Mr. BINGHAM. Mr. Chairman, I desire to say only a few words on this subject, and in reply to the remarks made and the figures submitted by the gentleman from Louisiana, as well as in response to the figures submitted by the gentleman from Kentucky [Mr. MCKENZIE]. Both refer to the present price of quinine as the resultant of the relief of duty imposition since the year 1879. The statement is not substantiated by the facts. The schedule of prices at which quinine has sold in the American market exhibits the quotation of $1.18 (for large packages) an ounce in 1859 and 1860, when the duty upon quinine was double the amount proposed in this bill, and from 1860 the price has changed almost every month, like any other product, manufacture, or commodity in the American market. Therefore the mere fact of the imposition of duty or the relief of duty upon the foreign product had no effect whatever, when quinine

came into competition with quinine in the trade centers of the world, as an element affecting its price in our own market. Quinine of necessity varied just as the crude elements or materials entering into the perfection of the drug varied in price, and supply and demand held their inexorable relations.

In response to the gentleman from Kentucky I desire to state that he has failed to inform the committee that the price of quinine has advanced in the markets of the world. That while quinine in 1877 rated in the American market at $3.76 an ounce and in the London market at $4 an ounce, variations in its price have run from that day to this, not only in the American market but in every market; and to-day in London quinine is quoted at $2 or a little less per ounce, and in the American market at $1.75 per ounce. The gentleman has emphasized the changes in the American market and leaves the inference that here alone it is cheaper, because of the act of 1879 allowing its importation duty free.

But such is not the fact. When the drug was cheap with us it was correspondingly cheap elsewhere. When high with us it was high elsewhere. The marking free under our tariff schedule has in nowise reduced either the wholesale or retail price.

I will submit for the information of the House the following, and ask the gentleman from Louisiana and the gentleman from Kentucky to explain the proposition on their basis of duty imposed as the forerunner of high prices, and free quinine as the basis of low prices:

In 1860 quinine sold in the American market at $1.18 per ounce; quinine and the barks were dutiable. In 1867 quinine sold here at $2; the bark was dutiable at 20 per cent. and quinine was dutiable 45 per cent. and premium on gold at 32 per cent. In 1880 quinine was admitted free; its price, however, ruled in the market at $3.06 per ounce. In 1879 quinine in London sold as high as 13 shillings and 6 pence and as low as 10 shillings and 3 pence; in 1880 as high as 12 shillings and 8 pence and as low as 11 shillings; in 1881 as high as 12 shillings and as low as 8 shillings; in 1882 from 9 to 10 shillings; and in 1883, 8 shillings. If the gentleman can adjust these variable prices upon his proposition that our duty rate caused them, I will yield the question. But I assert that quinine is cheaper to-day than at other periods, because either the crude elements are cheaper or the market figure is fixed because the supply exceeds the demand.

Let us not forget, Mr. Chairman, that there are but fifteen manufactories of this drug in the world, and under the fostering care of protection we have in this country five of these great establishments. In passing, I would remark that under the tariff of 1846, so often and so affectionately referred to by the other side as the model Democratic tariff, quinine was 20 per cent., and the barks were protected. Our five great establishments stand to-day as the monuments of a well-fostered system of protection, capable of supplying the American market with the finest quality of the drug, equipped with skilled workmen and managed by men who by study and experience are masters of their profession.

These five establishments can largely supply the American market, and this market is the largest consuming market in the world. Of the 4,000,000 ounces of total product the American market consumes 1,600,000. But a few years ago we had the largest manufactory of quinine in the world. The act of 1879 making quinine free passed, and the great establishment is limited in its production, and to-day the great house in the manufacture of the drug is located in Milan, Italy. We have fostered this industry until it is almost able to stand alone and compete with other countries. This bill recommends but 10 per cent. duty. The gentleman's amendment would strike out this small protection, and by so doing strike down a manufacture that has grown and developed and been fostered for sixty years under our generous laws, and thus destroy and throw aside all that has been gained. Under the protection given, cinchonidia—now 40 per cent., but by the bill fixed at 10 per cent.—is included in the gentleman's amendment to wipe out. In consequence of this limited protection upon cinchonidia the five American houses have been enabled to run about half time or half capacity. If the amendment prevails I announce with regret that every American manufactory will be compelled to close.

Is it wise policy, is it far-seeing statesmanship, to destroy a home supply for the world's greatest market, with all the knowledge gained during our civil war, not only as to the efficacy of this drug but of its absolute necessity, and depend upon either England, France, Italy, or Germany? Even if we do not manufacture to full capacity or fully supply our home demand, should we not protect and foster to the limited extent of 10 per cent. our fully equipped and completed establishments? Can we afford to depend upon a foreign supply when we know by sad experience the absolute necessity our climate and diseases imperatively demand? I have but time to suggest the thought. I shall not elaborate it. I grant the correctness of the gentleman's statement, that the bark is now admitted free, but do not admit the sequence that our manufactories should be able to produce without protection. The bark is only one of the elements of quinine.

Our manufactories are largely taxed in other ways, adding materially to the cost of the drug. A large part of the material that enters into the building and equipping of the factories, duties on all that they use, eat, and wear. The same taxes and wages that are paid by other manufacturers, taxes upon the crude materials, such as soda-ash, fusel oil, and alcohol, in fact everything that enters into our policy of protection to home industry, that has given us our land of plenty and peace, with a Treasury rich and able to meet every obligation and a people contented and happy. Only 10 per cent. is recommended by the committee. No man can claim that it is a prohibitory tax. It is scarcely protection; it is best stated by the word "compensatory protection." Why strike at this great industry and foster hundreds of others? With a little help it will soon control every market; deprive it of the 10 per cent. and you become dependent upon a foreign supply that when you most require it can demand any price and you will have to pay it.

England, ever wise in making a foreign market for her industries, as early as 1855 sent explorations to South America to get seeds and cuttings of the cinchona plant in order to cultivate it.

Markham's Cinchona recites the thrilling history of his efforts to accomplish the work and the final success of his undertakings. He began plantations in the Neilgherry Hills, on the southwest extremity of India, the first experiment, and carried them on at an expense of over $1,500,000, until the result has proved an unqualified success; but not only has the government the satisfaction of seeing the yearly sales of cultivated cinchona barks from their plantations, amounting to thousands of pounds sterling, but in addition, the fact is announced that already every dollar of their expenditure has been repaid actually and with interest, and millions of trees have been planted not only on the main land, but the Island of Ceylon, by private enterprise, is reaping immensely large sums from the plantations from cuttings and seeds furnished by the government.

And now the English Government is stimulating the introduction of the tree into Jamaica, and the Dutch Government has immense plantations in the Island of Java which are very successful. Truly does this illustrate not only the wisdom of their policy from a commercial standpoint, but in addition the serious importance they consider the certain source of the valuable medicine so indispensable now to humanity, and with what practical steps they have been identified to prove their interest. Ten per cent. is now asked, but if the committee's recommendation stands these five manufactories now so well established may live, but can not either grow or develop. If you take it from them they will be, after sixty years of protection, destroyed.

I do not consider it necessary to discuss the question that a 10 per cent. duty upon quinine can make any difference in the price paid by the purchaser in the retail form. Sufficient has been said in the testimony before the commission as well as by the letters read from the Clerk's desk in the time of the gentleman from Missouri. I ask the House to gravely consider the importance of maintaining this industry, not only from a commercial standpoint, but as an indispensable medicament that becomes as necessary during conditions of war as either a military or naval armament.

The CHAIRMAN. Debate on the pending amendment is exhausted.

The *pro forma* amendment was withdrawn.

Mr. KELLEY. I move that the committee now rise, that we may go into the House for the purpose of limiting debate on this paragraph.

Mr. CARLISLE. I hope the gentleman from Pennsylvania will allow some member of the committee on Ways and Means on this side to occupy a few minutes on this question.

Mr. KELLEY. I withdraw my motion, and will renew it after the gentleman from Kentucky shall have been heard.

Mr. CARLISLE. I move to strike out the last word.

I shall not undertake to reply to all that has been said by the two gentlemen from Pennsylvania who have just addressed the committee, but I desire to call the attention of the committee again to the fact that everything which enters into the manufacture of this article is free except soda ash and alcohol. And when we attempted the other day to give to the manufacturers free alcohol for use in the arts the point of order was made against the amendment by the gentleman from Pennsylvania himself, and it was ruled out by the Chair. The bark is already free under an act passed at the last session. The gentleman from Pennsylvania tells us, however, that the platinum from which their retorts and vases are made can not be produced in this country.

Mr. KELLEY. Or manufactured.

Mr. CARLISLE. Or manufactured in this country or repaired in this country. But if the gentleman will turn to the bill he has reported he will find platinum and vases and retorts for use for chemical purposes are all made free.

Mr. KELLEY. I did not mean to controvert that proposition. I was speaking of the question of capital involved.

Mr. CARLISLE. These articles are all made free for the benefit of these manufacturers; and if the gentleman's argument in support of a tariff for revenue be sound—and I admit it is—these articles should be put, according to his theory as expressed this morning, upon the dutiable list, in order that the Government may derive some revenue from them, because they are not produced in this country and every dollar of tax paid upon them would go into the Treasury.

Mr. KELLEY. My friend will pardon me. I was not stating my argument, but was stating the argument of that side of the House.

Mr. CARLISLE. But for the benefit of these manufacturers we have put them on the free-list. I repeat that everything is free except soda-

ash and alcohol. I ask the gentleman if it is not a fact that the manufacturers of quinine can use the same alcohol over and over again; that after having used it once as a solvent it is subjected to a process by which the alcohol is recovered and used again and again in the manufacture of quinine? But notwithstanding this, I am willing to give them free alcohol. I am willing now to permit them and all other manufacturers who use alcohol in the arts to withdraw it from bonded warehouses without the payment of tax and use it free, and I regret that my friend from Pennsylvania does not agree with me on that subject.

Mr. COX, of New York. I desire to ask the gentleman from Kentucky a question. Who asks for this tax? What manufacturers, whether located in New York or anywhere else? I want to know.

Mr. CARLISLE. So far as I know all the manufacturers of quinine ask for this.

Mr. COX, of New York. How many are there?

Mr. CARLISLE. Five, as I understand it.

Mr. VAN VOORHIS. And there are only fifteen in the whole world?

Mr. TUCKER rose.

Mr. KELLEY. Remarking that the alcohol which evaporates can not be recovered, I move that the committee do now rise for the purpose of asking the House to limit debate.

Mr. CARLISLE. Does the gentleman from Pennsylvania dispute my statement that the alcohol can be recovered?

Mr. KELLEY. What evaporates can not, and that is a large percentage.

The motion of Mr. KELLEY was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, had come to no resolution thereon.

Mr. KELLEY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of resuming the consideration of the tariff bill; and pending that, I move that all debate on lines 243 and 244, and all amendments thereto, be limited to ten minutes.

Mr. TOWNSHEND, of Illinois. I move to amend by making the limit thirty minutes.

The question being taken on the amendment, there were—ayes 61, noes 101.

So the amendment was not agreed to.

Mr. SPRINGER. I move to amend by making the limit twenty minutes. I think that will be fair.

Mr. ROBESON. Gentlemen have already had thirty minutes on that side.

Mr. SPRINGER. Twenty minutes on this blood tax is not too much.

The question being taken on Mr. SPRINGER's amendment, there were—ayes 42, noes 106.

Before the result of the vote was announced,

Mr. SPRINGER called for tellers.

Tellers were not ordered; there being but 13 in the affirmative, not one-fifth of a quorum.

So the amendment was not agreed to.

The motion of Mr. KELLEY to limit debate was then agreed to.

Mr. KELLEY moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. KELLEY. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BURROWS, of Michigan, in the chair.

The CHAIRMAN. The House is now in Committee of the Whole, and resumes the consideration of the bill to impose duties upon foreign imports and for other purposes. By order of the House all debate upon the pending paragraph and amendments thereto has been limited to ten minutes.

Mr. TOWNSHEND, of Illinois. I move to strike out the last word. The advocates of protection have in this instance abandoned their usual grounds in support of a protective tariff. Heretofore they have urged the plausible pretext that it is maintained for the purpose of benefiting American labor. This morning they put forth no argument in the interest of labor, but solely in the interest of five manufacturing establishments in this country which they seek to enrich at the expense of the American laborer as well as all others.

When this question came up before the Forty-sixth Congress there were forty bills or more pending to put quinine on the free-list, one of the first being introduced by myself. And when the vote was finally taken on the proposition the majority in each House of Congress was more than two-thirds in favor of the bill.

When the question was presented to the Tariff Commission, after giving a hearing to these very parties now petitioning for a restoration of the duty on quinine that commission unanimously reported to Congress that it was not an industry that needed any protection and decided that the article should remain on the free-list.

If we analyze all the arguments that have been advanced on the other side of this House the fact stands out prominently that they are all simply and purely in favor of re-establishing a monopoly of the most obnoxious character. What do they seek to do by this tariff? They are seeking to put a tax on the unfortunate victims of malarial diseases for which there is no absolute specific except quinine, in order to enrich five manufacturing establishments in Philadelphia and New York.

I feel it my duty, representing thousands of people who are yearly afflicted by malarial diseases, to say a word in their behalf and enter my protest against this unjust tax.

I wish that in this Committee of the Whole there was an opportunity to call the yeas and nays on this proposition, so that I might see uncovered those gentlemen on this floor who fail in their duty to the people by passing between the tellers and voting against this proposition. They are thereby enabled to conceal from their constituents their favoritism for these monopolists.

This is a most vicious tax; it is a most inhuman tax; it is the cruelest of all the taxes upon this list. It is nothing more nor less than a tax on the sick and unfortunate victims of fever and other diseases throughout this land for which quinine is a remedy and the only accepted specific.

[Here the hammer fell.]

Mr. MCCOOK. I have no disposition, of course, to prolong this discussion. But in answer to an inquiry made by my colleague [Mr. COX] as to who ask for the imposition of this tax I send to the Clerk's desk and ask to have read a letter from a gentleman in the same district in which my colleague [Mr. COX] lives (and also like him one of my constituents), asking the restoration of this tax. He presents the matter so much better than I can that I ask that his letter be read as a portion of my remarks.

The Clerk read as follows:

NEW YORK, *January* 25, 1883.

DEAR GENERAL: I take the liberty of addressing you a few lines relative to the tariff bill as prepared by the "House committee," particularly that portion of it referring to sulphate quinine and sulphate cinchonidia.

Being one of the largest dealers in these articles in this market, we are in a position to speak intelligently on the subject.

Viewing the case from an impartial standpoint (having nothing to gain or lose should the articles go on the free-list or a duty be imposed), I believe "a duty of 10 per cent. on quinia and all salts of quinia, including the sulphate, and a duty of 25 per cent. on cinchonidia and all salts of cinchonidia, including the sulphate," to be just and equitable and absolutely necessary for the protection of these industries in this country. The duty asked for is light and only sufficient to put the American manufacturers in a position to compete with the foreign makers, who are enabled to procure the crude materials necessary for manufacturing these articles in the markets abroad under more favorable conditions than our American manufacturers.

In the Senate bill sulphate quinine and sulphate cinchonidia are both proposed to be made free.

In the House bill both are noted for 10 per cent. duty.

The business of this country has been seriously interfered with by the removal of the duty. The American product is about one-half of what it amounted to before the article of quinine was made free.

The importation of sulphate quinine for the year ending June 30, 1879, was 228,348 ounces; June 30, 1880, was 416,908 ounces; June 30, 1881, was 408,851 ounces; June 30, 1882, was 794,495 ounces. Of course this amount of foreign quinine took the place of the same quantity that could have been made here had it not been admitted free of duty.

The importations of cinchona bark in Europe and the United States also show the effect of this legislation:

Year.	Europe.	United States.
	Packages.	*Packages.*
1872	32,016	34,473
1874	36,950	42,720
1881	141,812	31,400

The increase from 32,016 in Europe to 141,812 is a remarkable showing, while here it has fallen off.

The largest quinine manufactory is now in Milan, Italy. Formerly it was in Philadelphia. If both quinine and cinchonidia should be placed on the free-list we would look for a suspension of the business in this country. Therefore, knowing your sentiments (as expressed upon the platform and to the writer in personal conversation) on this most important matter of the tariff, I do not hesitate to ask you to cast your vote and influence in favor of a duty of 10 per cent. on quinine and 25 per cent. on cinchonidia, particularly as all other American industries are protected and the manufacturers of these articles have been made martyrs to the hue and cry for free trade. I remain, with kind regards, as ever,

Yours, very truly,

ANDREW B. ROGERS, JR.

Hon. ANSON G. MCCOOK.

The CHAIRMAN. Debate upon the pending amendment has been exhausted.

Mr. TOWNSHEND, of Illinois. I withdraw the *pro forma* amendment.

The CHAIRMAN. By order of the House the time for debate upon the pending paragraph and all amendments thereto has expired.

Mr. COX, of New York. What is the pending amendment?

The CHAIRMAN. It is the motion of the gentleman from Virginia [Mr. TUCKER], to strike out the lines which will be read by the Clerk.

The Clerk read as follows:

Quinia and cinchonidia, sulphate and salts of, 10 per cent. ad valorem.

Mr. COX, of New York. I want that voted out. If I can not get it out I will move an amendment.

The question was taken on the motion to strike out; and upon a division there were—ayes 108, noes 57. [Applause.]

So the motion to strike out was agreed to.

The Clerk read the following:

Natural and imitation mineral waters and all wholly artificial mineral waters containing not more than one quart each, 3 cents per bottle or jug; containing more than one quart or fraction thereof, 3 cents additional for each bottle or jug.

Mr. KELLEY. I am instructed by the Committee on Ways and Means to move as a substitute for the paragraph just read that which I send to the Clerk's desk.

The Clerk read as follows:

Imitation mineral waters and all artificial mineral waters shall pay upon bottles or jugs containing not more than one quart each, 3 cents per bottle or jug; containing more than one quart, 3 cents for each additional quart or fraction thereof.

Mr. TOWNSHEND, of Illinois. Does that amendment confine the tax to the bottle and take it off the water entirely?

Mr. KELLEY. It is a duty on imitation and artificial mineral waters.

Mr. KASSON. As I stated the other day, it is intended to put all natural mineral waters on the free-list. To effect that purpose the chairman of the Committee on Ways and Means proposes this amendment, which, as I understand it, leaves the tax on artificial and imitation mineral waters at the rate proposed.

Mr. TUCKER. Will the gentleman allow me to ask him a question?

Mr. KASSON. Certainly.

Mr. TUCKER. Does the three-cents-a-bottle duty proposed in this amendment include the duty which is levied in another portion of the bill on bottles?

Mr. KASSON. It ought not to be an additional duty.

Mr. TUCKER. Would it not be better that the amendment now offered should include all the duty, as well that on the bottle as that on the water in the bottle?

Mr. KASSON. That is what I understand to be the intention of the committee. If it is not clear, it ought to be clear.

Mr. KELLEY. The substitute which I have submitted from the committee places a duty upon bottles or jugs containing artificial mineral water.

Mr. TUCKER. The duty named in the amendment is 3 cents a bottle?

Mr. KELLEY. Yes, sir.

Mr. TUCKER. I understand that the duty on the bottle alone, if it came in without any contents, would be about 1½ cents.

Mr. KELLEY. I do not so understand.

Mr. CARLISLE. A cent and a half a pound.

Mr. KELLEY. The understanding in committee seemed to be that it was about this rate. These bottles generally weigh more than a pound—some of them more than two pounds.

Mr. TUCKER. I have a paper before me stating the weight of one dozen quart bottles as 16.5 pounds.

Mr. KASSON. The chairman of our committee will allow me to say that I had prepared, in accordance as I supposed with the order of the committee—and it was upon my motion, as the gentleman will remember, that the committee acted—an amendment to read as follows:

All imitations of natural waters, and all artificial mineral waters in bottles or jugs containing not more than one quart each, 3 cents for each bottle or jug; containing more than one quart, 3 cents additional for each bottle or jug.

Then there should be a clause somewhere to make this include the tax upon the bottles.

Mr. TUCKER. Let the gentleman add a clause to that effect.

Mr. KASSON. I will add the words "which shall include the duty upon the bottle."

Mr. HAMMOND, of Georgia. The amendment offered by the gentleman from Pennsylvania taxes the bottle, not the water.

Mr. KASSON. It struck me in that way.

Mr. KELLEY. The gentleman from Iowa intimates that this is my own amendment, not an amendment of the committee. It was furnished to me by the clerk of the committee from the committee's minutes. It is the committee's proposition.

Mr. TOWNSHEND, of Illinois. Let it be again read.

The Clerk again read the amendment.

Mr. HAMMOND, of Georgia. I move to amend the amendment of the gentleman from Pennsylvania by adding "and upon such bottle or jug there shall be no other duty imposed."

Mr. KASSON and Mr. HASKELL. That is right.

Mr. KELLEY. On behalf of the committee I accept that amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. KELLEY] as modified by the acceptance of the amendment of the gentleman from Georgia.

Mr. TOWNSHEND, of Illinois. Now, Mr. Chairman, as a substitute for the amendment of the gentleman from Pennsylvania I move to strike out the words "natural and," allowing the remainder of the section to stand.

Mr. HASKELL. Those words are struck out by the pending amendment.

Mr. KELLEY. My amendment leaves out all natural waters.

Mr. TOWNSHEND, of Illinois. I will explain the object of my amendment. My purpose is to leave both the natural water and the bottle which contains it free of duty. I do not see any excuse for taxing either. The bottle will not come into competition with bottles made in this country, because the foreign bottle has to come in with the water.

Mr. KELLEY. That question will arise in proper time when reached in the course of this bill. The pending amendment does not include natural waters.

Mr. TOWNSHEND, of Illinois. I understood the gentleman's amendment to embrace the bottle containing natural water.

Mr. KELLEY. Not at all; it carefully excludes it.

Mr. TOWNSHEND, of Illinois. Then I withdraw my amendment.

The question being taken upon the amendment of Mr. KELLEY as modified, it was agreed to.

Mr. THOMPSON, of Kentucky. I move to amend the paragraph as now amended by striking out "3 cents per bottle" and inserting "1½ cents per pound."

A MEMBER. We can not weigh all these bottles?

Mr. THOMPSON, of Kentucky. One of them can be weighed; and if they are all alike, you can calculate the weight of all the bottles in the package.

Mr. HASKELL. They are not all alike.

Mr. THOMPSON, of Kentucky. They are not all different, are they?

The CHAIRMAN. Will the gentleman state his amendment again?

Mr. THOMPSON, of Kentucky. It is to strike out "3 cents per bottle" and insert "1½ cents a pound."

Mr. ROBESON. Would not that impose a higher tax in proportion upon the jug which is worth nothing and is not manufactured in this country, than on the bottle which is worth something and the manufacture of which employs a great many workmen?

Mr. THOMPSON, of Kentucky. I think not. It imposes a uniform tax on all these bottles. As I understand the fact, the bottles in which mineral water is imported are all resold and reused. I do not see any reason why there should be two rates of duty on these bottles.

Mr. KASSON. I wish to say, Mr. Chairman, that the higher reason which ought to control our action on that amendment is this: Neither the gentleman from Kentucky nor myself want to give an advantage to artificial and imitation waters over the genuine natural waters. We have had a petition, signed by the best medical talent in the United States, hundreds in number, asking that natural mineral waters should be admitted free of duty. We wish to make a distinction between natural and artificial mineral waters, and this does not make too much of a distinction.

Mr. THOMPSON, of Kentucky. I do not see how this makes a distinction between the two.

Mr. BRIGGS. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. BRIGGS. As I understand, this proposes to strike out something just inserted.

The CHAIRMAN. It does.

Mr. BRIGGS. I make the point of order that it is not admissible.

The CHAIRMAN. The point is made too late, and the gentleman from Kentucky will proceed with his remarks.

Mr. THOMPSON, of Kentucky. I do not see how a tax of 3 cents still levied on these mineral waters which are made artificially will accomplish the purpose stated by the gentleman, as the others, I understand from him, are brought in free, and there is no tax either on the bottles or upon the waters; that is, upon the natural mineral waters imported into this country.

Mr. KASSON. In other parts of the bill, unless changed, there will be the same tax of 1½ cents the gentleman proposes.

Mr. THOMPSON, of Kentucky. On natural waters?

Mr. KELLEY. That will be in order when it is reached in its turn. The gentleman is raising a question in advance of its proper order about natural mineral waters and the bottles. We will come to it in order if the gentleman will allow us discussion on this.

Mr. THOMPSON, of Kentucky. I ask for a vote on my amendment.

The amendment was rejected.

Mr. HARDY. I offer an amendment, to come in as a substitute for the amendment just adopted, and my object in offering it is to give a clear description of just exactly what is intended.

Mr. KELLEY. We object, on the point of order that the clerk had proceeded to read the next paragraph, and further amendment is not in order.

Mr. RANDALL. Do not object until the amendment has been read.

Mr. HARDY. I claimed the floor at once.

Mr. KELLEY. Reserving the point of order, I will let the amendment be read.

Mr. BRIGGS. I object to the discussion until it has been read from the Clerk's desk.

The Clerk read as follows:

Mineral waters impregnated with carbonic acid or other minerals by artificial means, 3 cents per bottle or jug; bottles containing more than one quart or fraction thereof, 3 cents for each quart or additional fraction thereof.

Mr. HARDY. It is a definition of what are artificial and what are

imitation mineral waters. I ask the Committee on Ways and Means to accept it.

Mr. KELLEY. I am not authorized to accept such an amendment.

Mr. HARDY. I withdraw the amendment.

The Clerk read as follows:

Barium, baryta, or burytes, crude and sulphate and carbonate of, unmanufactured, one-fifth of 1 cent per pound.

Mr. KASSON. I move to strike out that clause, and desire the judgment of the committee. This is a raw material.

Mr. RANDALL. Before the lines are struck out I move to strike out the word "barium."

Mr. CARLISLE. It is of course in order to perfect the paragraph before the vote is taken on the motion to strike out.

Mr. RANDALL. Certainly.

Mr. TUCKER. The word "barium" was inserted at the instance of the chemical expert we had before the committee, who spoke of all the other articles which follow in the same paragraph as salts or oxides of barytes, and that barium was the proper heading of the whole section.

Mr. RANDALL. Notwithstanding the information given to the committee by the chemical expert, I am advised that the word is used improperly and unnecessarily as a descriptive word, and that information came to me from practical manufacturing chemists.

Mr. TUCKER. I have no objection to that.

Mr. RANDALL. That is all. I am not conversant myself in chemistry, but I am advised it is proper to take that out.

Mr. TUCKER. I will say to the gentleman and to the committee what is chemically true of barium is that it is a metal, just as iron is a metal.

Mr. RANDALL. But it is never used as here.

Mr. TUCKER. But when you come to the iron schedule you put at the head "iron," and then say "oxides and sulphates of." This is merely intended to say that barium is to be followed by these other articles which are composed of barium as a metallic base.

Mr. KASSON. I wish to say the definition of barium is a metallic base of baryta.

Mr. RANDALL. Yes, sir.

Mr. KASSON. And baryta or barytes is but one of the simple earths. My principle, as I have frequently stated, is to favor the raw material; this is very common and is the basis of many other things. I think there is no objection to this going on the free-list. There may be a question as to the advanced form. [Cries of "Vote!" "Vote!"]

Mr. RANDALL. My amendment should be voted on first, to strike out "barium." All the others are used to adulterate white-lead paint.

Mr. KASSON. If I understand the motion of the gentleman from Pennsylvania, it is only to strike out the word "barium."

Mr. RANDALL. That is all; and I make the motion because I think it ought not to be there.

Mr. KASSON. I give way for that motion.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Pennsylvania, in line 251, to strike out the word "barium."

The amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment proposed by the gentleman from Iowa.

Mr. McKINLEY. I trust the motion of the gentleman from Iowa will not prevail. This, Mr. Chairman, is an important product in the State of Virginia.

Mr. MARSH. What is the motion pending?

The CHAIRMAN. The motion pending is the motion proposed by the gentleman from Iowa to strike out, which has been read twice.

Mr. MARSH. Can it not be again reported?

The CHAIRMAN. The Clerk will report the pending amendment.

The amendment was again reported.

Mr. BRIGGS. Has it not been debated already under the rule?

The CHAIRMAN. It has not. The gentleman from Ohio is recognized.

Mr. McKINLEY. I was proceeding to say, Mr. Chairman, that I trust the motion of the gentleman from Iowa will be voted down, for the reason that this is a valuable product in the State of Virginia; and the duty which we have put upon this material is only in proper relation with the duty on materials of like character. It is but a fair duty when contrasted with other crude materials. I think we ought to stand by this bill and by its symmetry; and for that reason I hope the proposition of the gentleman from Iowa will not be accepted by the committee.

The CHAIRMAN. Debate is exhausted.

Mr. KELLEY. I desire to say in addition that it is a reduction from one-half cent a pound to one-fifth of a cent a pound, and I do not think the duty ought to be removed entirely.

The CHAIRMAN. The question is upon agreeing to the motion of the gentleman from Iowa, to strike out lines 251 and 252.

Mr. TUCKER. I move to strike out the last word.

The gentleman from Ohio [Mr. McKINLEY] has referred to this article as an industry of importance in the State of Virginia. Barytes is an earth, it is true, and is a raw material, just like iron ore and all the ores of copper are raw materials, none of which I find on the free-list in this bill. Barytes is mined for in the earth, and as a crude material is prepared for the market in Virginia as well as in other parts of the country. The present rate of duty, as appears here from the tabulated statement furnished by the Treasury Department, is one-half a cent per pound. I proposed in committee, when it was proposed there to reduce it to one-third of a cent—I proposed to reduce it to one-fifth of a cent. I said that was sufficient; that our people would be content with one-fifth of a cent a pound, that is to say, two-tenths of a cent per pound, while it is under the present tariff system five-tenths of a cent. Under the present rate of duty it pays an ad valorem rate of 72 per cent., and I propose to make it two-fifths of the present rate of duty.

Now, Mr. Chairman, as you are reducing all protective duties, I am perfectly willing to do so, and, as I said, that every industry in Virginia shall bear equally in the reduction which every other industry in all other parts of the country must bear. This two-fifths of a cent per pound duty, as I said, is sufficient in my judgment for that industry in our State. That brings the duty down and below 30 per cent., while at present it is, as I have said, over 70 ad valorem.

Mr. KASSON. Does the gentleman from Virginia affirm that this industry in Virginia needs protection?

Mr. TUCKER. I do not affirm it.

Mr. KASSON. Then if it needs no protection why does the gentleman ask for it?

Mr. ROBESON. Let me ask the gentleman from Virginia if it does not employ Virginia labor to mine it?

Mr. TUCKER. It does.

Mr. ROBESON. And they are paid for that labor?

Mr. TUCKER. They are.

Mr. ROBESON. If it is imported and sold in the markets of this country it is produced by some other labor?

Mr. TUCKER. Yes; produced by pauper labor.

Mr. ROBESON. And in that case it is not produced by the labor of Virginia and they receive no wages from its production?

Mr. TUCKER. Undoubtedly so.

Mr. ROBESON. Then I go for Virginia labor all the time and I favor its protection.

Mr. HORR. Mr. Chairman, I think the gentleman from Iowa, if he will give me his attention a moment, has not given this subject much thought or investigation. This barytes, I wish to say to this committee, is an element in the industries of this country with which I am somewhat familiar. I have seen thousands of tons of it, and have been engaged in its mining and manufacture myself. It is not an interest that is local in Virginia, but it is largely manufactured in Missouri. There are enormous enterprises there which make it by the thousands of tons per month. It is an article that needs protection simply because it is mined in Spain at little expense and is sent to this country as ballast and comes in free, and consequently comes in competition with the mines of Virginia, Missouri, and other places. It is used in cheapening paints. It has been also used in large quantities for other manufactures.

A MEMBER. It is used, then, for fraudulent purposes.

Mr. HORR. It may be also used more or less in perpetrating frauds. It is a white, tasteless substance when first mined, as white as snow, and in its crude form it costs very nearly as much as in its refined form, because it involves but very little expense to manufacture it, the expense of manufacturing being very slight, as it is merely ground up and washed; and if persons claim protection, I think my friend from Virginia would find there is as much reason for protection for this as in the case of the metals.

Mr. TUCKER. I withdraw the *pro forma* amendment.

The question being taken on Mr. KASSON'S amendment, it was not agreed to.

The Clerk read lines 255 to 258, as follows:

Barium, chloride of, 20 per cent. ad valorem.

Barium, all salts of, fit for medicinal use, and not otherwise enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. RANDALL. I move to strike out the lines just read. I am advised those four lines should go out and that the articles named should be remitted to the general class of 25 per cent. ad valorem.

The amendment was not agreed to.

The Clerk read line 259, as follows:

Refined borax, 5 cents per pound.

Mr. ROSECRANS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add the following:

"And all other salts, compounds, and products used in manufacturing or the arts, 8 cents for each pound of anhydrous borax theoretically obtained therefrom."

Mr. ROSECRANS. I desire to state to the committee that the object of that amendment is to make the tariff on borax and the products from which that salt is obtained conformable to principle and to chemistry. In the first place, I would state that this salt—refined borax—is largely used by blacksmiths, steel-workers, and manufacturers of glazed earthenware of the finer sorts, and also for the preservation of meats, so that its use is widely diffused over the country.

A second fact that I wish to state is that the trade in or supply of that salt since 1842 has been mainly in the hands of one large firm in the city of New York, and that that firm has managed the tariff so as to keep the control of the market up to the time when borax produced in the Pacific States began to appear in the New York markets; that is to say in the year 1873.

A third fact that I wish to state is that since that time the production of borax on the Pacific coast, mainly from the arid alkaline plains in Southeastern California, Nevada, and Utah, is made in this way. The crude salt is taken from the ground, lixiviated, concentrated, and crystalized. Those are the sources from which the salt is produced.

Among the deposits found on our coast there are a few where the salt though impure and crude is very rich; and those few spots afford this salt at a moderate price. But the average cost of producing it from those plains amounts to about 7¾ cents a pound. Before the Committee on Ways and Means the firm in New York which has monopolized the trade stated that at the time of the appearance of that salt in New York the market price was 33 cents a pound.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE. I rise to offer a substitute.

Mr. ROSECRANS. I should like to have a few moments more.

Mr. PAGE. I will say to my colleague [Mr. ROSECRANS] we have the same object in view but I am afraid his amendment is not specific enough, and I desire to offer an amendment which provides a specific duty. I send it to the Clerk's desk to be read.

The Clerk read as follows:

Strike out line 259 and insert as follows:
"Pure boracic acid, 7 cents per pound; commercial boracic acid, 6 cents per pound; refined borax, 5 cents per pound; borate of lime, 5 cents per pound; crude borax, 5 cents per pound."

Mr. PAGE. I think the Committee on Ways and Means ought to accept this amendment. There is no reason, in my judgment, that can be given why boracic acid should be put upon the free-list. It is known to the committee that out of one pound of boracic acid one and a half pounds or more of refined borax can be produced. Therefore with this duty there is no protection at all to this industry; and I can not conceive how the Committee on Ways and Means of this House overlooked this fact. I more than half believe it was done by mistake. When they have given protection as they ought to many industries that use borax it seems strange that an industry like this, confined as it is almost exclusively to the Pacific coast, should not have the protection of a duty that will at least protect it. It seems to me that the committee ought to accept this, and I believe this House will.

I am a protectionist; I have always acted with the protectionists of this House; I speak for a people that demand protection for their borax and for the labor expended upon it. And I believe that while you protect other industries that use this material 50 and 60 per cent.—to which I have no objection but will give it my support—you ought at the same time to protect an industry which has grown up within the last few years on the Pacific coast.

Mr. RANDALL. I ask the gentleman from California whether the rate of duty he proposes would not be actually more than protection; whether it would not be prohibitory?

Mr. PAGE. I think not.

Mr. RANDALL. I did not know; I merely asked the question for information.

Mr. PAGE. I want to say to the gentleman from Pennsylvania [Mr. KELLEY] that if you admit boracic acid free you give no protection to refined borax. I only ask a sufficient rate to protect that industry, and I appeal to the American House of Representatives, which is always in favor of protecting every infant industry and the labor of the country, to put this on a par with other articles that are protected in this bill.

California or the Pacific coast produced nearly 4,000,000 pounds of borax during the past year. And it is said that you can make one and seven-tenths of a pound of refined borax out of a pound of boracic acid.

I do not know how that is done. My colleague [Mr. ROSECRANS] knows better than I do; but it is a fact, as was well demonstrated before the Committee on Ways and Means.

[Here the hammer fell.]

Mr. HASKELL and Mr. BERRY rose.

Mr. HASKELL. I move to strike out the last word.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BERRY] on the right of the Chair.

Mr. HASKELL. I would like to know, after two speeches have been made in favor of this proposition, if this side of the House can not be recognized for a moment to say a word against it?

The CHAIRMAN. The Chair understood the gentleman from California on the left of the Chair [Mr. PAGE] to speak against the amendment of his colleague [Mr. ROSECRANS]. The Chair will recognize the gentleman from Kansas next.

Mr. BERRY. All I wish to say is this: It is well known to this House that I am not a protectionist. But human nature is human nature, and whenever the hog is to be cut up and divided around we on the Pacific coast desire a piece of the hog, some of the pork. [Laughter.]

Now, here is absolutely an infant industry. On the Pacific coast is found the crude material, and it has been difficult to manufacture the refined article from it even with a duty of 10 cents a pound. Practically we have had no duty, because, as has been stated here, of the admission free of the boracic acid from which refined borax is produced. That acid costs absolutely nothing; it comes from the bowels of the earth; and all that it costs to lay it down in this country is the expense of handling and transportation.

On the Pacific coast much of our country is absolutely worthless for any purpose except the production of the crude material from which borax is manufactured. It yields that substance in large quantities. If we had cheap labor and good facilities for transportation we would require no protection. But it is known to this House that labor in California receives higher compensation than in any other part of the country.

If it is the desire of gentlemen on this floor to protect American labor, here is an opportunity to do it. If you will place on this article a tariff duty such as you are placing on other articles, we will ask no further protection. But until that is done we can not compete with other countries in the manufacture of refined borax.

In arranging your tariff we desire that you shall not overlook the Pacific coast, as has been done heretofore on almost every occasion. We demand at the hands of this House equal rights, nothing more.

Mr. HASKELL. I hope gentlemen on the other side will give me a moment's attention. I believe the gentleman from California [Mr. ROSECRANS] will admit that boracic acid is now free.

Mr. ROSECRANS. It has been free since 1873.

Mr. HASKELL. And that the amendment offered by the gentleman from California [Mr. PAGE] proposes to put a duty of 8 cents a pound on boracic acid.

Mr. ROSECRANS. On anhydrite of borax.

Mr. HASKELL. Refined borax in the United States is to-day worth about 12 cents a pound.

Mr. ROSECRANS. Thirteen cents a pound.

Mr. HASKELL. And the amendment proposes a duty of 8 cents a pound on an article which is now free.

Mr. BERRY. I want the gentleman to understand that I do not advocate that amendment.

Mr. HASKELL. I want merely to have the thing understood, to see if I was right about this matter. The only borax beds in the United States are to be found in California and Nevada: Teel's Lake, in Nevada, and one or two places in California where the crude residuum is scraped up from the beds of lakes and springs.

Mr. ROSECRANS. And also in Utah.

Mr. HASKELL. I think my friend from California [Mr. ROSECRANS] was urging yesterday that all crude materials yielding but little revenue should be put on the free-list.

Mr. ROSECRANS. If the gentleman will allow me, I did not say any such thing.

Mr. HASKELL. Now, I want to go as far as anybody in perfecting this bill.

Mr. ROSECRANS. All I wanted was to put on the free-list articles that did not produce any revenue.

Mr. HASKELL. I desire to ask this question: a duty of 8 cents a pound on boracic acid, the crude material found in the western parts of this country, would be prohibitory, would it not?

Mr. ROSECRANS. No, sir.

Mr. HASKELL. It would be about 75 per cent. ad valorem, and it looks to me as if it might possibly be prohibitory.

Mr. ROSECRANS. Not by any means.

Mr. HASKELL. I will offer one further suggestion, because I am a protectionist, and I am talking to gentlemen who when their ox is gored are very sensitive.

If you do not put such a rate of duty on this article as will permit its importation, then you will find the country in this condition: the only sources of supply of the crude material which we have in this country are in California and Nevada. From our manufactories in the East and the Mississippi Valley run the great monopoly lines of railroads to the country of the gentleman from California.

Therefore, if a duty is placed on this article so that the people of the Eastern part of the country can not import it at all it would be a serious blow to industries located on Eastern tidewaters, because it will be impossible for them to transport the crude material across the country on account of the high rate of freight.

Now, in adjusting this matter, in closing I desire to say simply that I will leave the whole thing to the considerate judgment of the House. All I ask is that my free-trade friends on the other side of the House who are clamorous for a prohibitory duty on this article shall consent to have such a rate of duty fixed upon it that importation will be possible and competition may be established. If that is done I will not say a word in opposition to it.

Mr. BERRY. Let me ask the gentleman a question? Will not your protection cheapen the article?

Mr. HASKELL. Yes, sir, if you——

Mr. BERRY. And have you not competition in transportation by the route around the Horn and that across the country? [Here the hammer fell.] I withdraw the *pro forma* amendment.

Mr. PAGE. I renew it. I do not wish to detain the committee;

but will only state that since borax was discovered on the Pacific coast the price of English borax has been reduced from 30 to 15 cents per pound, and the price of boracic acid has also been reduced. This American industry ought to be protected. We only desire enough duty to protect those who are engaged in this industry in the United States.

Mr. ROSECRANS. I rise to oppose the *pro forma* amendment of my colleague. I wish to explain the difficulties which appear to exist with regard to the introduction of free boracic acid. Let me say, as I said in the beginning, that the successive Committees of Ways and Means since 1842 have been managed by the men who have this trade in their hands, so as to enrich themselves without bringing revenue to the Government. I call attention to the fact that in 1873 they had so managed that borax was selling for 33 cents a pound; and all the blacksmith shops in the United States were consumers, as well as all persons engaged in the manufacture of fine pottery. It is even used as a detergent in making soap liquids. When California borax came into the market what did the men controlling this interest do? They had boracic acid put on the free-list, and borax taxed 10 cents a pound. What for? To exclude borax and to enable those who had control of the European market for boracic acid to manufacture refined borax in this country and keep up the price as high as they could. Did they succeed in keeping it up to the price at which it was held before the introduction of California borax? No, they did not; because California borax came into competition; but having in their hands free boracic acid, the crude article of which the gentleman from Kansas speaks, they were enabled to destroy our industries and tax our people at their free will.

I wish to refer to a statement before me showing the duty on these articles under the various tariffs from 1842. The duty imposed on boracic acid by the tariff of 1842 was 5 per cent. Then the gentleman who now manages this business made his advent into this country. Refined borax under that tariff was free. The duty on borate of lime was 25 per cent. ad valorem. In 1846 Congress determined to put a 20 per cent. leveler on the tariff. Then, boracic acid being taxed 20 per cent., refined borax was taxed 25 per cent., and borate of lime 20 per cent. In 1857 there was a reduction in the tariff. The rate on boracic acid was then fixed at 4 per cent. and on refined borax at 30 per cent. Thus the refined borax was excluded, and the control of this article was continued in the same hands. The duty on borate of lime under the tariff of 1857 was 12 per cent. By the tariff of 1861 the duty on boracic acid was 10 per cent., on refined borax 3 cents a pound, and on borate of lime 10 per cent. These rates continued up to 1867, when there was another change, all these changes being for the purpose of enabling this one large monopoly to control the market. From 1867 to the present time 10 cents a pound duty has been charged on all refined borax imported into this country. What is the consequence? Last year the whole revenue obtained from the importation of refined borax was less than $500. In the mean time this firm has been importing boracic acid free, thus forestalling the markets of Europe——

[Here the hammer fell.]

Mr. PAGE. I withdraw my *pro forma* amendment.

The question being taken on the amendment of Mr. ROSECRANS, it was not agreed to.

Mr. PAGE. I offer the amendment which I send to the desk.

The Clerk read as follows;

At the end of line 259 add:

"Pure boracic acid, 5 cents per pound; commercial boracic acid, 5 cents per pound; borate of lime, 5 cents per pound; crude borax, 5 cents per pound."

Mr. KELLEY. On commercial or crude boracic acid the duty should be lower than on the pure. I suggest that the gentleman modify his amendment by naming 3 cents instead of 5 as the duty on commercial boracic acid.

Mr. HASKELL. And the same rate on borate of lime.

Mr. PAGE. I modify my amendment by adopting the suggestions of the gentleman from Pennsylvania [Mr. KELLEY] and the gentleman from Kansas [Mr. HASKELL].

Mr. KASSON. Mr. Chairman, I am not prepared to vote for this large addition to our dutiable articles. I wish to say to my friend from California that the information before the Committee on Ways and Means—certainly that which came to me—was that California has most remarkable natural facilities for the production of these articles; that their beds compare favorably with the best beds in the world. From a statement I recollect very distinctly the profits of this concern were said to be enormous under existing conditions and would remain enormous under such arrangements as we effect by the bill. If the gentleman from California says that concern is not making reasonable profits in California, and that it needs protection in order to continue the industry in California with reasonable profit, then a new basis for our action will be presented.

Mr. ROSECRANS. The only information before the committee was a letter of Phizer & Co., in New York, the very men who hold the monopoly and have held it for forty years.

Mr. KASSON. I do not remember that.

Mr. HASKELL. Let me say about the monopoly, that boracic acid comes from Italy.

Mr. ROSECRANS. And these people have the monopoly of it.

Mr. HASKELL. Any man can import it who chooses to go into the business; and simply because there is only one in the business does not prove to my mind that there is any monopoly, especially when any other person can import it who chooses to do so.

Mr. BERRY. I wish to say a word in addition, and that is this, that this company not only, as I understand it, hold the control, but have a lease of the Italian product. Now here in our country is a crude material that costs nothing except for labor, and those gentlemen on the other side of the House who claim this bill is for the protection of labor should agree to what we ask, especially when it is no more than will give us sufficient protection in order that we may take up from the earth this raw material and manufacture it into a merchantable commodity. The material itself costs nothing, and only transportation and labor are required to bring it as a commercial commodity into the market.

I say it is a case of pure protection to labor, and I wish to see whether gentlemen who are so loud in their profession of a desire to protect labor will in this instance break down this monopoly so as to enable our infant industries on the Pacific coast to have a small portion of this "hog." [Applause on the Republican side.]

Mr. STEELE. Did not the gentleman from California at the last session of Congress come in here and ask us to protect his people from so much cheap labor? [Laughter.]

Mr. BERRY. We do not want slave labor in this country. That day has passed. We are in favor of freemen.

Mr. STEELE. If you get the protection you ask in this instance for your infant industry in California, will you then vote for the bill?

Mr. BERRY. If you take out of it some of the rascalities and infamies which it now contains, I may perhaps do so.

Mr. STEELE. In other words, you want the bill made just to suit you and not to suit anybody else, or you will vote against it. [Laughter and applause.]

Mr. ROSECRANS. I wish to offer an amendment to the amendment of the gentleman from Pennsylvania, offered a moment ago.

The CHAIRMAN. The pending amendment is the amendment offered by the gentleman's colleague [Mr. PAGE].

Mr. ROSECRANS. I will move, then, an amendment to come in as a substitute.

The CHAIRMAN. The amendment will again be read.

The amendment was again read.

Mr. PAGE. Now let the Clerk read what will come in as a substitute.

The Clerk read as follows:

Boracic acid, 6 cents per pound.
Commercial boracic acid, 5 cents per pound.
Refined borax, 3 cents per pound.
Borate of lime, 4 cents per pound.
Crude borax, 4 cents per pound.

Mr. ROSECRANS. I should like to have the attention of the gentleman from Pennsylvania. The only reason I have for wanting his particular attention is that it arranges the different salts of borax which come into the market and which we want to use in their chemical order. I ask his favorable attention to the amendment, for the other is crude and unfair. I object to it especially for the reason, first, that it is not made to express and be in accord with the chemical order of these different salts of borax.

Mr. KELLEY. I have no amendment pending.

The CHAIRMAN. The pending amendment is that offered by the gentleman's colleague.

Mr. ROSECRANS. I have the same objection to the amendment. I thought it was offered by the gentleman from Pennsylvania.

The question recurred on Mr. PAGE'S amendment.

The committee divided; and there were—ayes 56, noes 37.

Mr. ROSECRANS'S substitute was rejected.

The Clerk read as follows:

Cement, Roman, Portland, and all others, ground and unground, 20 per cent. ad valorem.

Mr. CARLISLE. I move to strike out "20" and insert "10" per cent. ad valorem. I know of no reason why this article should be taxed at 20 per cent. It is an article of universal necessity and in general use, and unless the gentlemen on the other side of the House on the Committee on Ways and Means can give some good reason for retaining this rate of duty I think it should be reduced. Cement is an article used for building, as everybody knows.

Mr. KELLEY. The present rate is 20.

Mr. CARLISLE. I know that.

The CHAIRMAN. The question is upon agreeing to the amendment proposed by the gentleman from Kentucky.

The amendment was not agreed to.

Mr. SPRINGER. I move to amend by striking out "20" in this line and inserting "15."

Mr. KELLEY. There is a verbal correction in the line just passed, line 256, which I desire to make. The word "baryta" should be substituted for "barium" in this line, as there are no salts of barium, but there are of baryta.

The CHAIRMAN. Without objection the verbal amendment proposed by the gentleman from Pennsylvania [Mr. KELLEY] will be considered as agreed to.

There was no objection.

Mr. SPRINGER. I now offer the amendment which I suggested, to strike out "20," in line 261, and insert "15."

Mr. HASKELL. I would like to inquire of the gentleman from Illinois if he wants to increase the duty 5 cents on the amendment of the gentleman from Kentucky?

Mr. SPRINGER. That amendment was lost. The committee voted down the amendment proposed by the gentleman from Kentucky, and now I propose to insert "15" as the rate of duty upon cement, instead of 20 per cent., as proposed by this bill.

The CHAIRMAN. Does the gentleman desire to be heard upon the amendment?

Mr. SPRINGER. Only a word. I need not refer the gentleman to what the President has said upon this subject [laughter], but I can refer him to what he said upon another subject, a sort of a general point in connection with the tariff, and which I commend to his prayerful attention. The President said in a recent message communicated to the House:

It is one of the tritest maxims of political economy that all taxes are burdensome, however wisely or prudently imposed.

The Tariff Commission stated in its report that a general reduction of duties would be made all along the line, averaging from 20 to 25 per cent. That was recommended by them, as I understand it. I have looked, Mr. Chairman, in vain for that general reduction. Here is an item which seems to me that the language used by the Tariff Commission very properly applies to, and where we have a right to ask the Representatives of the people that the wise recommendation of the Tariff Commission shall be carried out. A reduction here to 15 per cent. ad valorem would be about a reduction equal to the 25 per cent. recommended by the Tariff Commission, and which it was conceded in that report we ought to have.

Further than that, Mr. Chairman, I call the attention of this committee to the fact that while cement is a manufactured article to some extent, yet it is practically in the nature of a raw material. It is the material used by mechanics and farmers in constructing their houses, wells, cisterns, &c., to a large extent, and should be made as free as possible in order that their homes, the shelter which is required by the people of this country in the winter time, and especially the laboring people who are little able to pay for expensive houses, should be made as cheap to them as possible.

It is one article that enters very largely into general consumption and nearly all classes of the laboring people of this country, especially those who are engaged in building, are concerned with. It is therefore, I say, a matter of justice and equity that it should be made as cheap as possible to the people of the United States.

[Here the hammer fell.]

The CHAIRMAN. The question is upon the amendment of the gentleman from Illinois.

The committee divided; and there were—ayes 44, noes 76.

So the amendment was not agreed to.

The Clerk read as follows:

Whiting and Paris white, dry, three-quarters of 1 cent per pound; ground in oil, 1 cent per pound.

Mr. CARLISLE. I move to strike out "three-quarters," in line 262, and insert "one-quarter;" and I propose to follow that with the proposition to strike out "one," in line 263, and to insert "one-half."

This, it seems to me, is a most extraordinary rate of duty proposed by the Committee on Ways and Means to be imposed upon this article, which is in very general use throughout the country, and is an article of absolute necessity to farmers who desire to preserve their fences and buildings from worms or from the weather. One hundred and ninety-three and one half per cent. ad valorem is proposed by this bill to be imposed upon Paris white, an article, I repeat, of the greatest necessity to every farmer in the country who proposes to paint his fences or his farm building. I do not think that this committee, when its attention is called to the fact that this high rate of duty is imposed, will sustain it.

Mr. THOMPSON, of Kentucky. I would like to have read for the information——

The CHAIRMAN. Does the gentleman rise to oppose the amendment?

Mr. THOMPSON, of Kentucky. No; I rise to favor it. I ask my colleague, as he has not exhausted his time, to yield to me.

Mr. CARLISLE. I will do so, simply repeating that every manufactured agricultural implement, such as wagons and all articles of that kind, must use this in paint, as well as the farmer who would preserve his buildings and fences. I yield the remainder of my time to my colleague.

Mr. THOMPSON, of Kentucky. I would like to have read, in the little time I have, the evidence taken before the Tariff Commission on this subject. I will read it myself:

Paris white is made from English cliffstone, which is admitted free of duty. It costs in England 36s. per ton, or 39 cents per 100 pounds, the duty on which is $1 per 100 pounds, or a protection of 256 per cent. It is used very largely by manufacturers of wall-paper, oil-cloths, in whitening ceilings, &c. The consumption of Paris white amounts to many thousand tons per annum. The quantity imported for the eleven months named, including whiting, amounted to only 1,619 tons, of the value of $14,146, on which the Government received in duty $36,249.25. As the article of cliffstone, from which this is manufactured, is not found in this country, and the manufacture of it here employs but very few people, we would suggest that the duty be fixed at not over 25 per cent.

Whiting costs in England 20s. per ton, or 21 cents per 100 pounds, the duty on which is 1 cent per pound, or a protection of 476 per cent. It is an article of almost universal consumption, being used extensively by the wall-paper manufacturers, in the manufacture of putty, oil-cloths, and a variety of manufactures. It is made from English chalk, a substance which is not found in this country, and admitted free of duty. We are not aware of any having been imported for some time, although as the articles of Paris white and whiting are classed together in statistics, being very similar, it is difficult to state positively. We would suggest that the duty be fixed at 25 per cent.

Mr. HASKELL. If the gentleman will allow me, the duty in this bill is upon the ground and prepared whiting.

Mr. CARLISLE. And upon the dry.

Mr. HASKELL. Yes, but that is ground.

Mr. CARLISLE. It imposes the duty upon the dry whiting as well as that which is ground in oil.

Mr. HASKELL. Yes, but the dry is also ground from the cliffstone; the only difference is that one is ground in oil and the other is not.

Mr. THOMPSON, of Kentucky. Here is the language of the experts in reference to it.

Mr. HASKELL. I know about the manufacture of it as well as the expert. It is ground into a flour, and that ground product is what we put in the bill; and the cost of it after it is ground is 1¼ cents per pound. There is no 200 per cent. about it.

Mr. THOMPSON, of Kentucky. The plain whiting costs in England 21 cents per hundred pounds, the duty on which at 1 cent is a protection of 476 per cent.

Mr. HASKELL. That is the crude.

Mr. THOMPSON, of Kentucky. It is the crude I am speaking of.

Mr. HASKELL. The gentleman will find the crude is higher priced than that.

Mr. THOMPSON, of Kentucky. Now here is the expert on whose testimony this action must be built, suggesting that the duty be fixed at 25 per cent. instead of 476 per cent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLEY. The committee's bill makes a reduction from the present tariff on whiting from 1 cent per pound to three-fourths of a cent per pound; and on "ground in oil" from 2 cents per pound to 1 cent per pound. I think the reduction is as great as ought to be made.

Mr. CARLISLE. Does the gentleman think that a rate equivalent to 193 per cent. ad valorem ought to be imposed on this article? That is what the committee still leave on it.

Mr. KELLEY. If the gentleman will accept a duty of one-half cent and leave the "ground in oil" to stand as it is I am willing to make that proposition.

Mr. CARLISLE. I want a vote on my proposition first.

The question being taken on Mr. CARLISLE's amendment, to strike out, in line 262, "three-fourths of 1 cent" and insert "one-fourth of 1 cent," there were—ayes 43, noes 73.

Mr. CARLISLE. I call for tellers. A quorum has not voted.

The CHAIRMAN. The Chair appoints as tellers the gentleman from Kansas, Mr. HASKELL, and the gentleman from Kentucky, Mr. CARLISLE.

The committee again divided; and the tellers reported there were—ayes 74, noes 79.

So the amendment was not agreed to.

Mr. KASSON. I move now to strike out "three-fourths" and insert "one-half;" so that it will read:

Whiting and Paris white, dry, one-half of 1 cent per pound.

The amendment was agreed to.

Mr. CARLISLE. I now move to amend line 263 by striking out "1 cent" and inserting "three-fourths of 1 cent;" so that it will read:

Ground in oil, three-fourths of 1 cent per pound.

Mr. KELLEY. That is too great a reduction; it affects the duty on the oil as well as the material of the whiting. It is a proposed reduction from 2 cents to three-fourths of a cent on an article on which we have laid a high duty for the oil. I am willing to see it brought down in comparison with the other items to 1 cent, and then the putty—and it may give gentlemen some information to remark that putty is simply whiting ground in oil—should be put at the same rate, 1 cent. I hope the amendment of the gentleman from Kentucky will be voted down, and that "ground in oil" will be kept at 1 cent, and that putty will also be kept at 1 cent.

Mr. CARLISLE. My proposal is to reduce the 1-cent rate proposed by the committee to three-fourths of 1 cent. And if the information furnished to us by the statistician is correct, three-fourths of 1 cent will be equivalent to 129 per cent. ad valorem. It would be 193 per cent. at 1 cent per pound.

Mr. KELLEY. Does he include the value of the oil?

Mr. CARLISLE. Of course he includes the value of the oil in the article because he estimates the whole value of the article ground in oil.

Mr. ANDERSON. If I understand correctly this is a material not found in this country.

Mr. HASKELL. After it is prepared it is practically putty.

Mr. ANDERSON. But the crude material is not in this country. It is found in England. It is there ground or it is ground here. You

propose, even under the amendment of the gentleman from Kentucky, to place a protection of 129 per cent. in favor of having it ground here instead of there; and you do not have the material here at all.

Mr. KELLEY. That percentage is based on the whiting, not the oil.

Mr. ANDERSON. That is what I am talking about.

Mr. KELLEY. Whiting, crude?

Mr. ANDERSON. I am talking about whiting, crude. I propose to say what I wish to say in my own way; and what I say is, there ought to be some reasonable limit somewhere to this percentage of protection. When you have got up to 100 per cent. you have got mighty good protection. An industry that can not take care of itself at 100 per cent. protection ought to wait a while.

Mr. KELLEY. That is the calculation, leaving the element of chief cost out.

Mr. CARLISLE. When the statistician estimates the value of the "ground in oil" the oil is an element of value which enters into the calculation.

Mr. ERRETT. There could be no percentage calculated, because there were no imports.

Mr. CARLISLE. Then the rate is absolutely prohibitory.

The question being taken on Mr. CARLISLE'S amendment, it was not agreed to.

Mr. THOMPSON, of Kentucky. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 263 strike out "1 cent per pound" and insert "30 per cent. ad valorem;" so that it will read:
"Ground in oil, 30 per cent. ad valorem."

The CHAIRMAN. Does the gentlman from Kentucky desire to be heard on his amendment?

Mr. THOMPSON, of Kentucky. No, sir.

Mr. HEWITT, of Alabama. I propose to speak to the amendment for a moment. I wish to inquire of the gentleman from Kentucky where he proposes to insert the 30 per cent. ad valorem?

Mr. THOMPSON, of Kentucky. After the words "ground in oil."

Mr. HEWITT, of Alabama. A rate of 1 cent per pound is only 33 per cent. ad valorem.

Mr. THOMPSON, of Kentucky. No, sir; it is a rate of 129 per cent.

Mr. HEWITT, of Alabama. I am obliged to the gentleman for the information he has given on this subject. I rose more particularly to call attention not only to this but to the preceding line. My opinion is an ad valorem duty should have been laid in the preceding line on whiting and Paris white, for the reason there is such a large difference between the prices of the two. Paris white is worth almost double what whiting is worth. In England Paris white is worth 39 cents per hundred pounds, while whiting is worth but 21 cents per hundred pounds. In this country Paris white is worth from 90 to 130 cents per hundred pounds, while whiting is worth from 50 to 60 cents per hundred pounds; so that one is worth almost double the other.

If a specific duty of three-fourths of 1 cent per pound is laid upon these articles it will be almost prohibitory upon whiting, while Paris white may be admitted under it. It seems to me that in all such cases, in order that equality of taxation may be provided, instead of imposing a specific duty we should have an ad valorem duty.

[Here the hammer fell.]

Mr. HASKELL. Just a word. The rate of duty proposed to be placed on this article is not especially for the protection of the whiting manufacturer. The duty proposed on whiting ground in oil amounts to only 7½ cents per gallon on the oil used in the manufacture. Unless some provision of this sort is made which will at once help the whiting men who are in that business you will open up the whole oil question, for the mixture of the whiting with the oil does not amount to much.

Mr. THOMPSON, of Kentucky. Is not the average rate of duty on oil 30 per cent.?

Mr. HASKELL. The average rate of duty on oil may be what you please; but you will not find in this bill an oil rate of less than 12 cents per gallon. A gentleman on the other side of the House moved to make the duty on cotton-seed oil 30 cents a gallon. With this rate of duty on whiting mixed with oil, the duty on the oil will be about 7 cents a gallon. It is intended to prevent cheating in oil, rather than to protect the whiting.

The question was taken on the amendment; and it was not agreed to.

Mr. KELLEY. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7313) to impose duties upon imports, and for other purposes, and had come to no resolution thereon.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a joint resolution of the following title; when the Speaker signed the same:

Joint resolution (H. Res. 323) making appropriations for continuing the work of the Tenth Census.

IN MEMORY OF HON. J. W. SHACKELFORD.

Mr. VANCE. I ask unanimous consent that the hour of 3 o'clock p. m. on Saturday, the 17th day of February, be fixed as the time for paying due respect to the memory and character of Hon. John W. Shackelford, late a member of this House.

There was no objection, and it was ordered accordingly.

MEMORIAL ADDRESS ON HON. GODLOVE S. ORTH.

Mr. BROWNE. Mr. Speaker, a few days ago I announced the death of my late colleague, Mr. ORTH, and gave notice that at an early day the House would be asked to suspend its business that the friends and associates of the deceased might pay appropriate tribute to his virtues as a Representative and a citizen. The time for these ceremonies has arrived and I offer for consideration the resolutions I now send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the business of this House be suspended that suitable honors may be paid the memory of Hon. GODLOVE S. ORTH, late a Representative from Indiana.

Resolved, That in the death of Mr. ORTH the country has sustained the loss of a safe counsellor, a patriotic citizen, and an able and faithful public servant.

Resolved, That as a further mark of respect for his memory the House at the conclusion of these ceremonies shall adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

The resolutions were unanimously adopted.

Mr. BROWNE. Death, says Horace, makes no nice distinctions, but approaches all with equal step and knocks alike at the door of the hovel and the portals of the palace. During this Congress it has entered this hall, and its shadow has fallen upon O'Connor and Allen, Hawk and Lowe, Updegraff, Shackelford, and ORTH, and blended their lives here with that brighter life on the other shore. Death preaches an impressive sermon to the human soul. In the memorable words of Burke, "It feelingly teaches us what shadows we are and what shadows we pursue." However short a man's life may be there gathers about it always something of love and sympathy, and when it is gone some fond hope and bright ambition perishes. No man has lived without making some impression, for good or ill, upon his generation, and no one is wholly dead whose memory or whose example inspires the humblest to higher purposes or more noble resolves. The dead leave their work behind them as an example and a warning, to be judged by what has been accomplished, by the spirit that inspired it, and the temptations and dangers that environed it.

The career of one who saw long and honorable service in this House is now completed. It was a life full of generous deeds. Let us, like the angel of the Koran, as we stand over the dead man, speak of the good deeds he sent before him.

GODLOVE S. ORTH was born near Lebanon, in the State of Pennsylvania, April 22, 1817. He was a descendant from a Moravian family which emigrated from one of the palatinates of the old German Empire to the colony of Pennsylvania about the year 1725, under the auspices of Count Zinzendorff, the celebrated missionary. His grandfather, Balthazel Orth, was an ardent patriot in the Revolution, acted as provost-marshal for his district, and drafted members of his own family for service in the colonial army. The Hessian prisoners captured at Trenton were by the orders of Washington put into his custody, and he imprisoned them in the old stone church of the Moravians still standing at Lebanon. His ancestry lie in the adjacent church-yard, now awaiting some Old Mortality with his chisel to reproduce the epitaphs on their moss-covered tombstones.

Mr. ORTH, after securing such an education as could be obtained in the common schools of his native State, took an irregular course of instruction at the Pennsylvania College at Gettysburgh. He located there, read law in the office of Hon. James Cooper, and was admitted to the bar in March, 1839. The great West was developing very rapidly at this time, and to an enterprising and ambitious young man it was an inviting field. He was attracted by the activities and opportunities of that growing section, and soon after his admission to the bar crossed the Alleghanies and found a home by the beautiful Wabash, at La Fayette, where he continued to reside until "the wheels of his weary life stood still." Here he at once entered upon the practice of law, and young as he was, by his learning and integrity soon won a lucrative business and a place in the front rank of the profession. He took an active part in the famous and exciting campaign of 1840, and secured at a bound a position of prominence in Indiana politics.

In 1843 the Whigs of Tippecanoe County nominated him as their candidate for the State senate, and although the county was Democratic he was triumphantly elected. Though one of the youngest, he was one of the ablest of the senate, and so well did he perform his part that before the close of the term he was chosen president of that body by a most complimentary vote. He thus became acting lieutenant-governor. He remained in the senate from 1843 to 1850, and was, during a portion of this period, chairman of the committee on the judiciary, a position tendered him by a Democratic presiding officer as an evidence of the high estimate placed upon his integrity and learning by his political opponents. In 1848 he was a candidate for Presidential elector on the Taylor and Fillmore ticket, and took an active part in the memorable campaign of that year.

For ten years subsequent to the close of his service in the State senate he devoted himself almost exclusively to his profession. He did not again appear in public life until the slave power revolted against national authority and proclaimed its purpose to forcibly destroy the Union. After several of the discontented States had mustered for battle, when either a compromise or peaceful separation or war seemed inevitable, the General Assembly of Virginia invited all the States to a peace conference to meet at Washington on the 4th of February, 1861. The object of this meeting, as announced by Virginia, was to adjust, if possible, the pending struggle by an amendment of the Constitution giving further security to the rights of the people of the slave-holding States. Indiana promptly responded to this kindly invitation, and Mr. ORTH was appointed by Governor Morton one of its five commissioners to this peace congress. His associates were Caleb B. Smith, Pleasant A. Hackleman, E. W. H. Ellis, and Thomas C. Slaughter—names now canonized in the hearts of our people. Not one of these men is now living, all of them having died before Mr. ORTH. One who reviews today the proceedings of that notable conference will be surprised at the shortness of the roll of its survivors. Tyler and Fessenden, Morrell and Reverdy Johnson, Chase and Wadsworth, and almost all the distinguished men who met in that extraordinary assembly have passed away.

Mr. ORTH was more a listener than a talker or an actor in that congress. He soon became convinced that an honorable adjustment was hopeless; that the malcontents who inaugurated the rebellion would accept but separation or terms that would bind for all time the free States to the juggernaut of the slave-masters. To such conditions he knew his people would never submit. He believed, moreover, that the Constitution as it was, correctly interpreted and honestly enforced, gave ample protection to the institutions of the South. Although anti-slavery in his sympathies and sternly opposed to what he believed to be the encroachments of slavery, he stood for the enforcement of law, and was one of those who, if the law demanded it, "would have given Shylock a verdict for the pound of flesh although he had to take it from his own bosom."

When the peace congress adjourned Mr. ORTH was convinced that war could not long be averted, and upon his return home he addressed his people on the situation, forecasting with remarkable accuracy the future of the country. He pointed out to them the imminence of the danger confronting them and exhorted them to meet it with a courage that neither sacrifice nor suffering could subdue or dishearten.

The war opened, and from its beginning he championed the cause of the nation with all the zeal and enthusiasm of his nature. In every phase of that fearful conflict—in victory, in defeat—he gave the Union his active support, and from the first gun at Charleston Harbor until the surrender at Appomattox he insisted that a vigorous and aggressive war policy was the price of peace and union.

Mr. ORTH had but a brief experience in the military service. When in the summer of 1862 Indiana was threatened with an invasion on its southern border he responded to the call of the governor, and putting himself at the head of a company of his fellow-citizens reported for duty. He was sent to the Ohio River and put in command of the ram Hornet. He continued on duty until the emergency that called him into the service was over when he returned to his civil pursuits.

He was elected a Representative in Congress in October, 1862, and first took his seat here on the 4th of March following. He was returned by his district to the Thirty-ninth, Fortieth, Forty-first, by the State at large to the Forty-third, and again by his district to the Forty-sixth and Forty-seventh Congresses, having at the time of his death seen fourteen years of service as the trusted representative of a most intelligent constituency. No man could command the confidence of such a constituency and hold it long and unwaveringly without possessing real merit.

His services here began in the most eventful epoch in our history. The Republic was in the agonies of a most cruel civil war. Its expenses were enormous, and the generosity of its expenditure of money was only paralleled by the profligacy with which a heroic soldiery poured out their blood. Taxation seemed to have reached its uttermost limit, and yet our revenues fell far below the demands of the times.

The Treasury was empty, our finances in disorder, but the war went on, increasing in magnitude and intensifying in bitterness, until the coolest and wisest dared not predict its duration, its results to our civilization or our democratic system of government. The friends of the Union were divided in their counsels, and some began to lose hope of success. Gloom overshadowed every household. There was sadness and sorrow about every hearth-stone. "Every shore had its tale of blood and its record of suffering."

The dead lay on every hillside and in every valley, by the waters of the Ohio and under the shade of the magnolia and the cedar of the South. The roar of hostile guns mingled with the moans of the dying and the agonizing sobs of bereaved sisters and mothers. It was under such sad surroundings Mr. ORTH assumed the duties of Representative. That he conscientiously and fearlessly did the work assigned him is a part of the record of those troublous times.

After the war he had to grapple the new and perplexing questions of reconstruction, and here, too, he proved himself equal to each occasion, never forgetting the cause of freedom and ever having an eye to the glory of his country.

He served on several of the most important committees of the House, and among them the Committee on Freedmen, the Committee on Private Land Claims, the Committee on Ways and Means, the Committee on Reform in the Civil Service, and the Committee on Foreign Affairs. He brought to the discharge of his committee work an intelligent industry which won for him the respect and confidence of his associates and a position of influence in the House. While on the Freedmen's Committee he matured and reported several measures for the protection of that large and friendless multitude which the war was daily transforming from chattels into men. As a member of the Committee on Foreign Affairs he was, when that question was before the country, opposed to according belligerent rights to Cuba, and on behalf of a minority of the committee presented a report embodying his views, which was sustained by the House and indorsed by the country.

During the discussion which followed he said:

I yield to no gentleman on the floor of this House in expressions of sympathy for any people who, suffering from oppression, are fighting for independence. It is an American sentiment that all men should be free. These generous impulses are part of our nature; they are among the earliest impressions of our childhood; we receive them in lineal descent from our Revolutionary ancestors; they are the proud heritage of every American. But personal sympathy must not be permitted to influence official action in derogation of the just rights of others. If my sympathy could give the Cubans independence and separate nationality they should have it before the going down of the sun. But, sir, when I am asked to entangle the Government in a controversy in which we have everything to lose and nothing to gain, I can not do it, I dare not do it, and I have the fullest confidence that this House will not do it.

Mr. ORTH advocated every advance movement of his party. He was in the fullest sympathy with the emancipation policy of Lincoln and recorded his vote for the amendment abolishing slavery. He also zealously supported the fourteenth amendment and followed these measures to their logical conclusion by aiding to put the ballot into the hands of the newly made freeman. On the subject of human rights his views were radical. He hated oppression and was intolerant of what he regarded caste legislation. He combated the anti-Chinese legislation of this Congress because he thought it an attack on liberty.

Among his last speeches in this House was an earnest and eloquent protest against this measure. He said:

The proposed legislation is based on race and color, is in derogation of justice and right, subverts the time-honored traditions of the fathers, tramples alike upon treaties and statutes, strikes at the fundamental principles of republicanism, and seeks to rob our nation of the brightest jewels in its coronet of glory.

* * * * * * *

From the landing at Plymouth Rock, from the settlement at Jamestown, down through all our varied history, our people have placed themselves on God's word and announced their belief that He had "made of one blood all nations of men to dwell on all the face of the earth." This is the foundation-stone upon which our people have erected the grandest structure of human government known to man's history.

The first political document promulgated by the feeble Colonies in vindication of their action formulated this faith into the declaration that "all men are created equal," endowed with certain inalienable rights, among which is "the pursuit of happiness," and from which followed as an inevitable corollary the doctrine of expatriation, which is the right of man to go wheresoever his tastes, his judgment, or his interest might lead him.

Upon this old gospel of liberty and equality he placed himself at the beginning of his political life and he adhered to it in his last utterances. He wrote in his creed the philosophy of Hugo:

Liberty! Equality! Fraternity! There is nothing to add—nothing to retrench. They are the three steps of the supreme ladder. Liberty is right; equality is fact; fraternity is duty. All the man is there.

Upon the adjournment of the Forty-third Congress President Grant tendered him the position of United States minister to Vienna, which he accepted. While abroad he was chosen by the almost unanimous voice of the Republican party its candidate for governor of Indiana. He resigned his mission in compliance with the request of his friends to make the race for that office. During the canvass he withdrew from the ticket because of local opposition to his candidacy which he was induced to believe would imperil the success of his party. His long term of service, his party prominence, his aggressive character, his uncompromising devotion to principle, and his firm adherence to his convictions made him a conspicuous mark for his enemies. Eminence in any walk in life, and especially in politics, invites criticism and censure. He lives to little purpose who is without foes. It is unfortunate that in our political warfare we are apt to justify the assassination of private character if it promotes partisan success. If party ends require it we too often remorselessly murder a good man's name. But the fame of him of whom I speak is safe from defamation now. He is beyond the reach of reproach. After a third of a century of public life, after ample opportunities for amassing wealth, Mr. ORTH died comparatively poor. If he had faults, venality was not one of them. His frugal, temperate, and unostentatious habits, his disregard of wealth, vindicate his character from such an imputation and rebuke those who calumniated it.

It was my good fortune to know Mr. ORTH somewhat intimately for a score of years. He was of a sunny nature, and had a cheerful word, a genial smile, and a hearty greeting for all. No man ever had friends more devoted and self-sacrificing than he. He had a personal magnetism which attracted men and held them. They stood by him in every vicissitude of his fortune. No assault upon his record or his honor weakened their faith or caused them to falter in their friendship. It was thought that at times he was unduly sensitive and too quick to suspect offense; but if this was a weakness it arose from "that chastity of honor that felt a stain as a wound." No life is wholly faultless; his had its

frailties; but when the account of its deeds here is made up there will be found a large balance on the heavenward side. He was self-reliant, and prosecuted his work with an energy that deserved success if it did not always achieve it. As a thinker and a speaker he was aggressive but tolerant; urging his point with the zeal of an enthusiast, he freely accorded honesty of purpose and conviction to those who combated his opinions. His language was simple, his manner earnest, his illustrations well chosen. There was no attempt at display—no straining after effect. He sometimes festooned his thought with an apt quotation and gave point to his logic by an appropriate anecdote. A man of convictions and integrity of purpose, before forming an opinion he examined the facts and only accepted conclusions after trying the foundations upon which they were made to rest.

But I can not further trace his personal or social traits or his public career. Imperfect as my sketch has been, I must leave it, knowing that all my omissions will be supplied by others.

Mr. ORTH was in declining health for some time before his death. At the close of the last session of this Congress he visited Berkeley Springs, hoping by rest and recreation to regain his wasted strength and be ready for the labors of this session. He did not find the relief he sought, but returned home an invalid. Notwithstanding his feeble and broken condition, his party friends again tendered him the Congressional nomination. He accepted the race and attempted to make a canvass, but disease had so impaired his health that he was unable to address the people, and he did little more than appear at a few of the political meetings held in his district. I saw him for the last time at the close of the campaign. It was apparent then that the end was near. Within a few months disease had made sad inroads upon the vigor of both his body and mind. He was making a manful struggle to rally his decaying energies, but the brightness of his life was fading away and the gloom of the evening fast gathering about him. Within a brief month, at his old home, with friends and family about him, death closed the scene, tender hands bore his remains to the church-yard and laid them forever away. He sleeps now all regardless of life's struggles or its storms.

While his countrymen linger around his grave their aspirations will ascend to Heaven that a kind Providence may grant our beloved country many more such men.

These are his words spoken at the bier of Thaddeus Stevens. I repeat them, and here by his new-made grave express the hope that the future of our free and prosperous Republic may be blessed with many such men as GODLOVE S. ORTH. Now—

Let us breathe a prayer above his sod
And leave him to his rest—and God.

Mr. WILSON. Mr. Speaker, we have all been shocked and pained at the mortality among members of the two branches of Congress. During the present session seven members of this House have been swept away by the fell destroyer.

And on yesterday I was informed by the Librarian of Congress that since the 4th day of March, 1871, of those who were then members of either one or the other branch, or who had been since that time, twenty-two Senators have died, and sixty-nine members of this House have been called to lie down in the cold, damp grave, apart from earth, to sleep that sleep that knows no waking. How forcibly we are impressed with the words of Watts:

Prince, this clay must be your bed,
In spite of all your towers;
The tall, the wise, the reverend head
Must lie as low as ours.

I desire, Mr. Speaker, with the preparation of only a few hours, as a colleague on the Committee on Foreign Affairs of the lamented GODLOVE S. ORTH, to submit a few remarks on his life and character.

On the 16th of December last he departed this life and wound up a long, eventful, and honorable career. We now pause for a time to do honor to his memory. In your time, Mr. Speaker, and in mine, few men have filled so many positions of prominence and trust as he whom we now mourn. I can not better recount the public services rendered by him to this country than by reading from the Congressional Directory a statement which was published during his life and presumably by his consent:

GODLOVE S. ORTH, of La Fayette, was born near Lebanon, Pennsylvania, April 22, 1817; was educated at Gettysburgh College, Pennsylvania; studied law, and commenced to practice in Indiana; was a member of the State senate of Indiana in 1843, '44, '45, '46, '47, and '48, serving one year as president of that body; was a Presidential elector in 1848; was a member of the peace conference in 1861; served as captain of a company of volunteers during the war for the suppression of the rebellion; was elected to the Thirty-eighth, Thirty-ninth, Fortieth, Forty-first, and Forty-third Congresses; upon the adjournment of the Forty-third Congress he was appointed United States minister to Vienna; and was elected to the Forty-sixth and Forty-seventh Congresses.

He gave to his State six years' service in its senate; and if he had lived to the 4th of March next, he would have served fourteen years in this House. He also served in the peace congress of 1861 and in the volunteer military service of the late war; and for several years he represented his Government as minister to Vienna.

I submit, Mr. Speaker, that no man could have been so often honored, and retained for so many years in high positions, who did not possess noble qualities of head and heart. His associates and acquaintances on this floor will, I am sure, gladly unite with me in testifying to his ability and to his warm-hearted, genial, and generous nature.

I have said that he was a man of ability. His long-continued public service in various positions, the duties of which he discharged with honor to himself and benefit to his country, marked him as a man of ability. His career at the bar, even in his youth, was a brilliant and a successful one. I need not remind members around me of the high rank he took here with us; of the various chairmanships of important committees that he filled from time to time; the various important committee reports which he prepared and presented; of the various able speeches he made during his membership here. In addition to all this, Mr. Speaker, be it said that GODLOVE S. ORTH lived and died an honest man. But once during his eventful career, extending as it did over a period of nearly forty years, are we told by those who knew him longest and best, was his character assailed or his integrity impeached.

In the year 1876 Indiana was regarded as politically a doubtful State. It was regarded as an important factor, if not the deciding factor, in the Presidential election of that year. Each of the great political parties was organizing for the campaign. Each aimed to put forward its strongest and most available man as a candidate for governor. The Democratic party nominated as its candidate the lamented James D. Williams, once a prominent and popular member of this House; and the Republican party, passing by its scores of distinguished men, nominated GODLOVE S. ORTH, and recalled him from his foreign mission. Scarcely had he returned to his home, having resigned his position abroad, when rumor, oftentimes a lying jade, cast suspicion upon him, and asserted that he had fallen from duty's path and violated the rules of propriety by accepting a fee to prosecute certain claims—at a time, too, when he was a member of Congress and when those claims were undergoing investigation by Congress. A due regard for his memory prompts me now and here to say, in view of all the lights upon that subject, that this rumor was without foundation. It took the wings of the wind and flew to all parts of the country; and notwithstanding the fact that no witness, then or since, has ever been found to verify it and no record ever produced to sustain it, the only course left for Mr. ORTH to pursue in the political frenzy of the hour was to retire from the contest, to wait and watch and bide his time for vindication. He returned to his home and retired to private life; he returned to the people by whom he had often been honored, to the people who had passed in review the deeds of his life—the people who had watched him from boyhood to the time when the white flakes of age settled upon his brow—he returned to the people in whose breast there was a deep-seated conviction that GODLOVE S. ORTH was an honest man. They believed he had been wantonly pursued and persecuted. They remembered the fidelity with which he so long and so ably served them and served his country in various prominent positions. They remembered the dark hours of 1861, when the country was filled and startled with rumors of war, and how he exerted himself through the medium of the peace congress of that year to avert the horrors of war.

Failing in that effort he returned to his home, headed a military company in the volunteer service, and went forth to fight for his country, her liberty and her laws. Their admiration for the man and confidence in his integrity and his innocence inspired them with a determination to set him right before the world. This they did by electing him to the Forty-sixth Congress and re-electing him by a largely increased majority to the Forty-seventh Congress. Thus, Mr. Speaker, was his brow during his life wreathed with vindication and victory. Of the accusation against him and the manner in which his constituents repudiated and crushed it out, it may be well said—

Truth crushed to earth shall rise again;
The eternal years of God are hers;
But Error, wounded, writhes with pain,
And dies among his worshipers.

His life on earth is ended. His friends and country are left to mourn his loss. But though death has deprived them of his services, it has not taken away the result of his labor. Life leaves the body, and the body is borne to the ground from which it sprang. Fruits fall to the earth and decay, but never a fruit that did not leave its seed, and never a life that did not leave its example. The sun of man's life goes down, but the star of his example remains fixed in the firmament.

Mr. ORTH's career is ended, and his friends point with pride to his record, the record of a scholar, a statesman, and a patriot.

Oh God! It is a fearful thing
To see the human soul take wing,
In any shape, in any mood.

Mr. CALKINS. Mr. Speaker, in the few remarks I am about to submit upon the life and character of my dead colleague, I shall omit any extended reference to his public career, which has been so fitly epitomized by my colleague [Mr. BROWNE]. At the time of his death there were few men better known in the State of Indiana than Mr. ORTH. He began his public career quite young, and passed with amazing rapidity through many grades of political life. He never attained the full measure of his ambition; but his aspirations were not higher than his merit deserved. That he did not entirely succeed is not a fault, for he was always willing to make personal sacrifices that the principles for which he struggled might obtain. He was personally popular, and held

his friendships with a firm grasp. His public speeches were earnest and sincere; and his manner unostentatious and attractive. His language was fluent and well chosen, and his zeal was fervid and impressive. He was bold in expression, plausible in argument, and pathetic in appeal. He never apologized for public action, nor took refuge in silence from public assault. He never placated an enemy at the expense of a friend, nor did he resort to doubtful expediencies at the sacrifice of principle.

The basis of his political action was that of absolute justice, and his motto was "that it were better to fail in the right than to succeed in the wrong." Politically he was a thorough disciplinarian, and his remarkable success in that field was largely attributable to the solid phalanxes of his personal fairness.

He had enemies in his own political party, as all men of decided views and large individuality must have, but he possessed the skill of maintaining them in line without driving them from the party of their choice. He maintained his party leadership in his own Congressional district for a quarter of a century, and when he died was serving his seventh term in this House.

He did not escape harsh criticism; but he lived to place his triumphant vindication in the permanent records of his country which he served so long and faithfully.

As a citizen he had the respect of those who knew him best, without regard to party affiliations. As a neighbor he was obliging and as a friend he was firm and true.

His rank as a lawyer when he left the bar to enter politics was fully up to the standard of the best lawyers of the State. He was generous and charitable, and gave for the love of giving and not for the love of praise. He was gentle in disposition, and anxious to add to the "sum of human joy." He did good deeds from choice and not for personal advantage. He had a kind word for all, and was best pleased when making others happy. He had strong religious convictions, but they were not hampered by narrow constructions or uncharitable dogmatisms. The best trait of his character was found in his domestic relations; he was a loving husband and a kind, indulgent father.

His public career was remarkable, and fitly illustrates many of the rare qualities which he possessed. While in health he never was defeated for a popular office at the hands of the people. When first a State senator he was one of its youngest members and was chosen presiding officer. In this field he first won his reputation as a skillful parliamentarian, and often on the floor proved himself a quick and ready debater.

He was appointed one of the peace commission in 1861. He performed the delicate and arduous duties of that place with signal ability. His heroic devotion to the doctrine of an inseparable union of these United States, without further compromises, did much to secure the line of policy which the Administration afterward adopted. He was in thorough sympathy with Governor Morton in the arming and equipping of troops, and supported the vigorous prosecution of the war for the suppression of the rebellion. He never doubted the righteousness of the Union cause, nor despaired of final victory for our arms. He was not disheartened at reverses, nor did he flag in his zeal for the Union in the darkest hour of the rebellion.

He gave to his country his services as a volunteer and risked his life for its preservation. His services in this House during the war were one continued line of devotion to his country, and all his public acts bespoke his sympathy and love for the volunteer soldier.

His long service in this House bears testimony to his ability as a statesman. He did not often speak in debate, but when he did he commanded attention from his fellow-members. He distinguished himself while at the head of the Committee on Foreign Relations; he familiarized himself with our foreign policy, and was the author of a bill to perfect our consular and diplomatic system. He mastered the details of this department and was recognized authority on all questions affecting it. He was thoroughly American in sentiment, and was imbued with the idea of the equality of all civilized people before the law. He despised caste and took no pleasure in the shallow pretenses of foreign courts; and when he represented our country at the court of Vienna he was ambitious to represent the model republic in the simplicity of pure democracy, without being offensive, and all who knew him in that position will bear testimony to his signal triumph in that direction.

While at the head of the Committee on Foreign Affairs he became possessed of many of the secrets of the unwritten history of this country which happened during that time. His version of the acquisition of the Territory of Alaska by this country was new and interesting. I am not able to recite it with sufficient accuracy to venture to give it here. I have no doubt that when the history of the lives of Mr. Seward and Mr. Sumner are rewritten in all their details the purchase of Alaska by this country will not be an uninteresting chapter, especially if the true reason is given as understood by Mr. ORTH. I regret that the occasion did not arise while Mr. ORTH was living, which would have given him the opportunity to state his version of this matter.

Mr. ORTH was my friend. I have known him from my childhood. From his lips I have received many words of encouragement. He was in full sympathy with the men who toil and labor. He began life himself in poverty and knew what it was to succeed in spite of it. He appreciated the burdens which honest toil demands and rejoiced at the success which triumphed over it. He was a lover of liberty, a friend of the oppressed, and an advocate of universal freedom.

His last sickness was painful; but he bore the tedious approach of death with patience and resignation. He looked death in the face without a shudder and calmly awaited its triumph. When the cold waters were gathering about him and the power of speech was fading away he clasped the hands of those dear to him and whispered, "Happy." Thus peacefully he passed away; and he is as far from us to-day as the patriarchs and those who perished before the flood.

As one of the members of the committee of this House I attended his funeral at his home in La Fayette, Indiana. The day was inclement, but the multitude of people from his own neighborhood as well as from all the principal points in his old Congressional district, and delegations from different parts of the State, could not be deterred from paying this last tribute of respect to his memory. All that is mortal of our dead colleague lies in the beautiful cemetery adjoining the city where he lived so long and whose people he loved so well. The verdure of spring will decorate his grave. Loving hands will strew flowers there. These will fade and wither, but the monuments he has erected by his public acts will survive forever.

Mr. ROBINSON, of New York. Again the dusky wing of death darkens the floors of this House. Another distinguished soldier has fallen in life's battle. To-day a nation pauses to pay respect to the funeral procession. As it passes I bow my head in reverence and join the weeping throng in the mournful miserere for the dead.

I have not risen to deliver a eulogy on the deceased statesman, nor shall I attempt to sketch the honorable steps by which he ascended to fame. That has been and will be done more appropriately and thoroughly by his colleagues and friends in this House and in the Senate. I have risen simply to say a word or two that may appropriately come from me in the general sorrow for his untimely death.

Mr. ORTH and I first met in the Fortieth Congress, which assembled here in its first session on the 4th of March, 1867. He had long filled a distinguished position in his adopted State, as he afterward filled places of trust and honor in national affairs, both at home and abroad.

He had been a member of the Thirty-eighth and Thirty-ninth Congresses, and at the commencement of his Congressional career just twenty years ago he was appointed a member of the Committee on Foreign Affairs, a position which he still occupied at the time of his death. He and I served together on that committee in the Fortieth Congress, and on the great question so thoroughly discussed and so satisfactorily settled in and by that Congress his views and mine were entirely harmonious. Those who desire to see the rights of American citizens traveling abroad warmly and vigorously vindicated in an enlarged and American view, have only to refer to his speeches during that Congress. How few of the members of this House in that Fortieth Congress do we now find on this floor? Only eleven. A dozen have been transferred to the Senate; one became President, another Vice-President, several have become governors of their several States, others in the Cabinet and in foreign service, and oh, how many have passed to the shadowy shore whose mists form an impenetrable veil to the human eye!

At the last session of this Congress he was one of those who delivered eulogies on the deceased Senator Carpenter of Wisconsin, and I remember the solemn tones of his voice as he repeated the graphic sentence of Edmund Burke on a similar occasion, and so soon to be applied to himself:

> What shadows we are, and what shadows we pursue!

It so happened that in the discussion of questions coming before this House during the last session Mr. ORTH and I had some differences approaching personalities, and had it not been for his forgiving nature, superior in that respect to mine, they might have permanently estranged us from each other. Had it even been so that we had separated at the close of the last session in anger, I think I should still have claimed the privilege which I now implore of uniting with his friends and admirers in paying this justly deserved tribute to his memory. But that generous nature which governed all his actions did not allow me to separate from him with hostile feelings.

At a public meeting held in this city, composed of those who deeply sympathized with me in my course in this House and who thought that he and I did not differ so widely in sentiment upon the subject which we discussed with such apparent warmth, he preceded me in some remarks in which, though we had not for some days spoken to each other, he referred to me so kindly, and, on concluding his speech, so cordially tendered me his hand that we forgot our differences and were afterward warmer friends than ever.

We parted for our several homes, hoping to meet again in the present session to indulge in our renewed intercourse of friendship. I hoped again to grasp his generous hand, the parting pressure of which I still feel, warm with the pulsations of his noble heart. Alas! that hand is cold in the icy grasp of death and the pulses of that kindly heart have ceased to throb forever. I see in his saddened house a mournful family group, a bereaved wife and weeping children, and I mingle my tears of sympathy and sorrow with theirs in the darkened circle of their distant home.

Mr. HOLMAN. Mr. Speaker, it has been the custom of the two Houses of Congress from the foundation of the Government whenever death has closed the career of one of its number, to suspend for the time the course of legislation, consider his public record, and pay a tribute to his memory—a custom not only beautiful in the expression of humane and kindly sympathy, but an instinctive admonition to the living.

The public career of GODLOVE S. ORTH, who so recently moved in our midst eager in the affairs of government, was one of more than ordinary duration and embraced the most important epoch of the great State in which most of his life was passed. Nearly forty years ago Mr. ORTH entered the Legislature of Indiana as a senator at an age when he was barely eligible to the trust. Indiana was then almost a frontier State. The restless tide of emigration, it is true, had invaded with intrepid steps the pathless forests and prairies stretching far westward from the Wabash, but the early settlements of Indiana (except the old post of Vincennes) were on her southern and southeastern borders and moved slowly and painfully northward and northwestwardly through interminable and unbroken forests.

When Mr. ORTH, buoyant with youth and hope, fixed his home on the Wabash, the population of Indiana, from the Ohio to the lake, was but little more than half a million. The last of the Indian tribes which for centuries had roamed the unshorn fields from the Miami to the Wabash had but recently cast their last glance on the graves of their fathers and sadly turned their faces to the West. The wealth of the State was a self-reliant people, fertile lands, the fruits of the earth, and flocks and herds; the pioneer's cabin, whose master was more independent and more hospitable than a king, was still the landmark of every landscape; the scattered settlers on the lands, and even in towns and villages, each the independent owner of a freehold, gloried in their equal condition, even in material wealth. Such were the people who, pleased with his sturdy and manly bearing, chose young ORTH to represent them in their senate.

In those days there was little accumulated wealth in Indiana; the whole people were employed in agricultural pursuits. Yet with the eagerness of young and vigorous communities for rapid development the State had already incurred a debt the burden of which very greatly exceeded her available resources or the tax-paying ability of her people to advance a system of internal improvements, resulting in the inevitable failure. This premature enterprise terminated in a great debt with no compensating result. It was premature, for agriculture, the natural employment of a free people and of all pursuits the most ennobling, diffuses and equalizes wealth, promising slow but solid advancement, while the artificial agencies which centralize wealth develop resources with accelerated force. These agencies were as yet undeveloped in Indiana.

The people were eager to maintain the public credit, but the treasury was exhausted, and temporary expedients only resulted in the hopeless disorder of the finances of the State and the discontent and despondency of the people. At this time Mr. ORTH entered the senate of Indiana. He co-operated earnestly and effectually with older members of the house and senate, with Pennington and his associates, gentlemen of long experience (for it had been the policy of the people to keep their most trusted public servants long in their employment). Gradually the State arose from her despondency, and before Mr. ORTH left the senate the public debt had been honorably adjusted, its payment assured without oppression to the people, measures provided which were destined to place Indiana in the front rank of States in the endowment and excellency of her system of common schools—the true university of state—and the forces inaugurated which have placed Indiana in her now commanding station in the Union. Mr. ORTH was identified with all the great measures of that important period and bore an honorable part in their success.

Mr. ORTH was a Whig; he was essentially and constitutionally a Whig, an admirer of Hamilton, a disciple of Henry Clay. He was a Whig in the sense in which that term and that of Democracy most clearly express the two theories of Government, which have struggled in all the past and will in the future for mastery in this Republic. In the later years of the Whig party Indiana furnished many of its ablest and most devoted leaders. While Mr. ORTH was not at any time the recognized leader of the Whig party of the State, he stood firmly in its front rank. He was the co-worker, associate, and friend of the great Whigs of Indiana from the time he entered the senate until that party was merged for the time on the great incidental issue of slavery in the Republican party. The Whig party of Indiana, in its representative men, was never so great as in the years of its decline. During this period Nicholas McCarty, Oliver H. Smith, Albert S. White, Joseph G. Marshall, George H. Dunn, Pleasant A. Hackleman, James Rariden, John A. Matson, Henry S. Lane, George G. Dunn, Samuel W. Parker, David Wallace, John D. Defrees, and Samuel Bigger, the last of the Whig governors of the State, were the Whig leaders of Indiana. All these were the associates and co-workers of GODLOVE S. ORTH; most of them men of national reputations; two of them, the foremost of them all, never in public employment, and one of them almost the peer of Henry Clay in the brilliancy of his eloquence. I mention only the great Whig leaders of Indiana, associates and friends of Mr. ORTH, who are now no more. A few equally eminent still survive. All of them became members of the Republican party. No period of the State and no party in the State has produced men more eminent for their virtues than the Whig leaders I have named.

Mr. ORTH was a staunch partisan and true to his political friends. While in no sense an anti-slavery leader, he did not hesitate to co-operate with the body of his political associates in the movements which ultimately formed the Republican party, and he became one of its founders; was one of its truest and most trusted leaders from its organization to the time of his death, and represented his district as a Republican in this Chamber for seven terms, the longest period, with two exceptions, in the history of the State. He entered Congress during the war, and, fully impressed with the belief that the abolition of slavery was indispensable to the public safety, he supported earnestly the amendments to the Constitution and all the measures looking to the elevation of the freedmen.

As a member of this House, Mr. ORTH, while not active in the current business, was attentive, careful, and prudent generally, and on party questions always co-operating with the body of his political friends. While not at any time the leader of his party in the House, he was at all times one of its representative men and influential in its counsels. In debate his commanding and dignified presence, deep and pleasant voice, and earnestness of manner arrested attention. His style, if not brilliant or impassioned, was persuasive, earnest, and forcible. He was not the master of superior analytical power, but was clear and lucid in the statement and generalization of the matter of debate. His speeches were carefully prepared, logical in arrangement, and elevated in sentiment.

I think Mr. ORTH was not a severe student. His was not the patient and self-denying industry that questioned the ages for the secrets of the origin and institutions of government. He lived in the generation of which he was a part; he loved the society of men, studied the living age, and kept abreast with its current history, and was well informed on all questions of our domestic and foreign policy.

But the social qualities of Mr. ORTH charmed me more than his talents and intellectual culture. Who that knew him and enjoyed his friendship will ever forget his clear, kindly eye, the cheerful and honest smile that lit up his strong German face, and his warm and manly greeting? In social intercourse Mr. ORTH was amiable, confiding, and cordial. He felt no distrust and was incapable of deception. His temper was joyful, generous, and hopeful. In the society of his friends his spirits were buoyant, even at times overflowing with good humor and pleasantry, but never coarse or inconsiderate of the feelings of others, and his language as chaste as that of a refined woman. He was a man of kind and generous sympathies, gentle and considerate; while easily aroused by a sense of injustice, and aggressive in defense, he was incapable of harboring a spirit of resentment or revenge. The very amiability of his disposition at times seemed to detract from the strength of his character and made him vacillate under the importunities of his friends.

Political differences and partisan feuds did not impair his social relations, and through all his service here he numbered his friends alike on both sides of this Chamber.

During the last summer, while the party contest was pending in which his political friends were struggling to secure a quorum of the House, he came to my seat with the request that I should pair with him on the pending measure and vote in his stead to make a quorum. A growing tumor, he said, required absence and medical attention. Of course I promptly yielded to his request. I thought then that I saw in his face and voice an expression of sadness. Perhaps even then the voice of the shoreless ocean he was so soon to sail had fallen upon his ear.

GODLOVE S. ORTH, after a service in public life, State and national, prolonged beyond the usual experience of our country, is dead; a voice that has so often filled this Chamber is forever silent; a heart that has throbbed with high ambition and generous emotions for so many years is forever still; a hand so warm and true in its grasp of friendship is dust and ashes. But he still lives; all of our friend that commanded our love or inspired our admiration lives in memory, survives in the realm of the infinite and the immortal. I had known him more than thirty years and had served with him many years in this Chamber, and with the record of his public services before me, differing as we had always on the leading measures of government, I am rejoiced that I can say, in the severity of truth, "that record is one of faithful public service, unmarred by a stain of dishonor, beneficial to his country, of high honor to himself."

Mr. DEUSTER. Mr. Speaker, in the ceaseless war of the fell destroyer, Death, upon humanity, another useful life has run its course long before, in our expectations, its bright period of earthly existence should have been completed.

The fine qualities of our late distinguished colleague, GODLOVE S. ORTH, have been fitly extolled by the eloquent gentlemen who have preceded me. I can essay to add but little to the well-chosen words of their eulogistic remarks, and nothing that the merits of our deceased fellow-member did not surpass far beyond the value of a mere tribute of praise.

Long prominent in public life as he had been, more than usual interest naturally attached itself to his personal acquaintance, and I therefore carefully studied the man long before our mere acquaintance, formed during the Forty-sixth Congress, ripened into the intimacy of our friendship during the present Congress. What I had seen of him before had impressed me so favorably that, upon our being brought more closely together by our service upon the Committee on Foreign Affairs, we became much attached to each other, and I had many opportunities for admiring his practical sense, his ready conceptions of a subject in all its bearings, and the faithful attention he gave to the matters placed in his experienced care. He especially placed me under personal obligations by the warm interest he took in a measure I had introduced and which is now pending before this Congress in regard to our treaty relations with Germany. He readily accepted a place upon the sub-committee which took the measure in charge, and met me frequently at home or in the committee-room to discuss this subject with all the warmth and zeal of the patriot, the cool calculation of the diplomatist, and the discernment of the statesman. Even the last work of this sub-committee bears the imprint of his genial mind, the draft of the substitute finally agreed upon being in his handwriting—a document which I shall ever treasure for its hallowed reminiscences.

GODLOVE S. ORTH was not a man easily overlooked or readily forgotten. The loss of no man in this House or its predecessor has been more deeply felt or so generally regretted. He had distinguished himself in the field, in the civil service, in the arena of forensic skill. His death has called forth expressions of sympathy and regret, not only in his own State but in the press of the whole country. To no one would it behoove us more to pay that sacred tribute—homage to the dead—than to our late associate, who closed in our midst a career of usefulness such as few can attain to during the same period of life, closed, too, while still in the prime and vigor of manhood, in the midst of life and usefulness, ripe in honors, but not in years.

His place may be filled, but will it be filled so well as he has done? His voice is silent; but the mind that caused its utterances has left its stamp upon the history of the day. He is no longer with us; but GODLOVE S. ORTH will be remembered until they who so remember him must needs ask remembrance of the future for themselves.

There is a deep, sad lesson conveyed by this solemn hour to us, the living, who see in the course of a few years so many manly bearers of illustrious names disappear from the sphere of activity in which they have filled important places. It teaches us that with the master-minds who grasped great subjects and helped to build the greatness of a nation must perish also, by the unrelenting hand of grim Death, all that vast experience, the gems of thought, the priceless knowledge, the illimitable reasoning power which carried their possessors above a multitude that stood willingly aside, into the foremost ranks of the men of the day.

Is such loss not deeply deplorable when we remember how all these qualities might have asserted themselves, as they should, during a far longer period of usefulness than that vouchsafed to many of our best men?

When the bright luster of an active mind has been dimmed by old age, we feel that nature claims its rights after the zenith of capacity has been reached; but we stand with awe in the presence of death when its icy touch silences lips that have pleaded so recently with the impassioned eloquence of strong manhood, or when its withering breath fells to the bier a man who but yesterday seemed busied in ceaseless activity.

GODLOVE S. ORTH, too, has been called from the scene of his earthly labors long before his friends, his constituents, and his country could reap the fullest advantages of his patriotism, his sagacity, his devotion. He has been removed from our midst in the maturity of his powers and abilities, with unmeasured opportunities still before him. But he has left behind him the traces of a strong mind imprinted upon important acts of legislation, upon national history itself. Mere words of acknowledgment will not do him justice. He has justly earned a warm place in the hearts of his friends, the gratitude of his State, and the respect of the country. May his memory ever be cherished.

Mr. BELTZHOOVER. Mr. Speaker——

> To our graves we walk
> In the thick footsteps of departed men.

Seven times during the brief period of its existence this great legislative body has been halted in its deliberations by the inexorable messenger of Death. The brilliant and eloquent O'Connor fell first on the very threshold of the present term. Then Mr. Allen, the distinguished business Representative from the metropolis of the Mississippi Valley, was stricken down. Then the gallant soldier, Mr. Hawk, who carried ever with him the silent testimonial of his service and sacrifice for his country, was summoned suddenly away. Then Colonel Lowe, after a long struggle and brief fruition of the honors of his place here, heard "the inaudible and noiseless footstep" at his door. Then Mr. Updegraff died just as he had taken with great toil and endeavor a new lease upon that "habitation giddy and unsure which is built upon the public mind."

Then the venerable statesman Mr. ORTH, whose memory we are convened to honor on this occasion, departed full of years and honors. And last the young and kind and genial Mr. Shackelford, in the very prime of a promising manhood, was rudely taken from his country's service and the sweet companionship of his family and his friends. No previous Congress in all the long years of our national history has had such a death-roll. With admonishing frequency the supreme and solemn problem which all the ages have striven in vain to solve has been thrust upon us. In all times and in all lands it has been the most earnest and imperishable desire of the human mind to peer beyond the sable curtain of the tomb, which never outward swings. In one unbroken caravan the myriads of mankind from creation's dawn have gone out into the mysterious night of death. No single traveler has ever yet returned; nay, more, from none of the countless millions has ever yet come back a sign or token. There is no mystery like death. There is no theme so sublime and grand as immortality. It has been the fondest dream of humanity in every age and clime, and among all classes and conditions of men, from the philosopher in the pristine days of the academy to the rudest bushman in the wilds of the jungle. When Sarpedon, the son of Jove, was slain before the walls of Troy, the greatest poet of all time, in his matchless epic, says:

> Apollo, with divine ambrosia all his limbs
> Anointing, clothed him in immortal robes.
> To two swift bearers gave him then in charge,
> Sleep and Death, twin brothers.

The learning and philosophy and revelation of three thousand years have given to the yearning world no more light than that which greeted the doubly darkened vision of the "blind old bard of Scio's rocky isle." Is it sleep or death? As we stand on the echoless shore and watch the bark of life go out and sink below the vision line of that silent, tideless sea, we can not say whether it is death or sleep whose silken hands have seized our parting friend. We can not know whether it is an ending forever or a resting between the feverish toil of life and the dawning of the work-day of eternity.

But with all its marvelous drapery in the thought and poetry and song of all the ages of the past there never was a time when there was so much indifference to death as now. Is it because after centuries of fruitless struggle with the inscrutable theme men have dropped it in despair and stand mute and resigned before the unknown and unknowable? Is it because the superstitious fear of death has faded before the brightening dawn of reason? Is it because of faith in a religion which points its promises beyond the tomb? We do not know. From whichever cause, it is clear that with the release from the ancient terror of death, either through philosophy or stoicism or faith, mankind have been infinitely the gainers. The great English philosopher says: "Men fear death as children hate to go into the dark." This is the whole reason of the subject. It is a childish, ignorant fear, unworthy of manhood and knowledge.

The more we know the less we fear, whether our knowledge be based on the cold confidence of reason or the silent submission to the inevitable or the triumphant trust of the enthusiast in faith. The basest tyrant that ever enslaved mankind is the superstitious fear of death. It has been the stock in trade on which the priesthood have lived and prospered in all times. It has been the foundation-stone on which all the countless cruelties and crimes and follies of all religions have been built. With relief from this unmanly and unreasonable dread of death humanity has turned its face toward life and its duties. The curse of all generations has been the neglect of the present for the future, the disregard of the demands of the hour and the frittering away of the narrow span of time here for the shadowy speculations on eternity.

Because men have come to a practical belief on this subject the world has sprung from the slavish toils of the past, with its priestcraft and prejudices, into the grand development of human life and thought. The ideal of this age is the enjoyment of the blessings of life and the acquisition of the means to secure them. The object of life is to live, and not to die. The Pauline precept that "no man liveth to himself" contains the grand fundamental declaration of the only unselfish purpose of existence, and embodies the substance of all the faith which is believed to-day, the faith which builds up and creates and increases human enjoyment—the religion of humanity.

The Platonic school, centuries before Paul was born, proclaimed the same great basic fact of all the faith which humanity and intelligence will ever honestly accept. This is the spirit and belief in which the statesman whom we honor to-day worked out the problem of life. To enforce and illustrate the efforts and results of his life's struggles we have referred to the marvelous changes which have followed in the wake of the world's revolutions in thought and morals and society and government.

GODLOVE STONER ORTH was born on the 22d day of April, 1817, near Lebanon, Pennsylvania. He entered Pennsylvania College, at Gettysburgh, in 1834, and remained until 1837. He was the orator of his society in 1836 and its disputant in 1837. He read law and was admitted to the bar at Gettysburgh in 1839. He subsequently removed to La Fayette, Indiana, where he practiced his profession and made his life's home. He was a member of the State senate of Indiana from 1843 to 1849, serving a part of the time as speaker and *ex officio* as lieutenant-

governor of the State. He was a member of the Thirty-eighth, Thirty-ninth, Fortieth, Forty-first, Forty-third, Forty-sixth, and Forty-seventh Congresses. He was a member of the peace conference of 1861, and one of the most trusted advisers of Mr. Lincoln through the war of the rebellion. He was minister to the court of Vienna in 1875–'76. He was captain of Company G, Seventy-sixth Regiment Indiana Volunteers. He received the degree of LL. D. from his *alma mater* in 1874. He died on the 16th day of December, 1882, in the sixty-fifth year of his age.

His life was one unceasing struggle with adverse fate, but was crowned with corresponding victories, and friendly hands can frame no more eloquent eulogy than to record the lessons which his career teaches. He was born among a quiet, industrious, frugal, farmer people. His ancestors had few opportunities for intellectual culture, and he himself had but little means and less encouragement to procure an education. He spent his early years in an atmosphere from which he could draw no inspiration or incentive to the higher and nobler aims of life. By the force of his own inherent genius and character he came up from the depths and fought his way unaided and alone to success and fame. No one can adequately understand and appreciate the obstacles which surround and bar the progress of a young man born of unlettered ancestors in an unprogressive rural district.

The sordid battle for subsistence which is waged for generations among such a people constrains their lives to the narrowest views of the ends of being. The struggle is to live, and, this achieved, the consummation of human endeavor is reached. The great satirist, Juvenal, says: "They do not easily rise whose abilities are repressed by poverty at home." From such unpropitious beginnings Mr. ORTH rose slowly and steadily, single-handed in his contest with untoward fate, until he conquered an honorable place among men. The law of compensation, which never fails in any of the arrangements of nature, contributed to help as unfavorable circumstances hindered him. He inherited in his humbleness of birth some things which were wonderful auxiliaries in his conflict with the world.

He got from his sturdy ancestors a strong and enduring frame, a clear, healthy brain, a persistent and unconquerable industry, and that rare and invaluable possession, great good common sense. He had a comprehensive and analytical intellect and a sound judgment. He was a vigorous and incisive speaker and formidable debater. He was a progressive and practical statesman and a capable and conservative legislator. Very few public men were as powerful before the people on the stump or in the forum. Very few of his compeers were more fully imbued with the utilitarian spirit of the times or applied themselves with more energy and intelligence to fairly meet the demands of the country on the great questions in which the people are most vitally interested. He was a cool, courageous, manly man. He knew his rights and fearlessly maintained them, as the records of the last session clearly show.

In the very zenith of his career he learned the melancholy lesson that "virtue itself 'scapes not calumnious strokes." He was the object of one of those malicious assaults which disgrace the politics of all countries, and particularly of this. This malevolent slander thwarted the pursuit of his promising career just at the critical moment when the future was fullest of hope. He utterly silenced his maligners when an opportunity came, but the poisoned shaft had done its wicked work. It served to lose the golden chance which, like the current, when it once goes by never returns. It left the dead statesman unscathed and clear, but it was an unhappy proof of the power of calumny in party politics in a free government. "Censure is the tax a man pays to the public for being eminent." But if there is one crime more dark and infamous than another it is the stabbing of fair and spotless reputation. On the tomb of myriads of worthy men, thus maimed and ruined in the midst of their fondest dreams of fame, could be appropriately written:

> A falcon towering in his pride of place,
> Was by a mousing owl hawked at and killed.

But it is better to have deserved success and failed than to have won the victor's crown by fraud and crime. It is the sublimest article in the faith of humanity that as the world grows wiser the shams and frauds of its hero worship will perish with the superstitions of its dying mythology, and men will then be accorded credit for what they do and not for what they were ignorantly supposed to have done. In those better days which are already breaking on the horizon of the years to come there will be an impartial and unerring forum in which the judgments of passion and prejudice and malevolence will be reversed forever. With the growth of the world's wisdom there will be a new measure of success which will give to duty done credit for the weight of calumny and contumely and malice through which a man fearlessly fought the unseen battle of life. To that serene and certain day the dead statesman whose life and services we commemorate can safely trust his fame.

In the beautiful lines of Catullus—

> Qui nunc it per iter tenebricosum
> Illuc unde negant redire quemquam.

He is now traveling the darksome path to that land from which they say no one ever returns. Whether the dark and silent journey will end in cold obstruction and oblivious death, or whether he will wake from his dreamless sleep in the glorious morning of another world, we do not know. We can only fondly hope and trust that the inexorable fate which cuts the thread of mortal life may hold—

> The golden key
> Which ope's the palace of eternity.

Mr. PEIRCE. Mr. Speaker, it is the common lot of all to die. We know that from this fate there is no escape. It is absolutely inevitable. We may look for it and see its near approach and yet are never ready to receive the grim messenger, no matter at what hour or in what guise he may appear.

> Leaves have their time to fall,
> And flowers to wither at the north wind's breath,
> And stars to set; but all,
> Thou hast all seasons for thine own, O Death!

Death lays his icy hands on our children, young, loving, and promising, and our hearts are wrung with grief. We can not understand the mystery of their death. We see the full-grown man, in all the pride of his strength and usefulness, called from life to death, and such a dispensation seems inscrutable and marvelous.

Three-score years pass by and with them have come usefulness and honors and troops of friends, but the grim messenger calls his victim home, and in our weakness we cry out against the divine economy that makes it possible, and say that more years should be added for the enjoyment of all these achievements. Inevitable as death is, our natures always revolt at its arbitrary power. Death loves a shining mark, and we this day mourn the loss of a friend, a lawyer, a statesman, and a patriot.

Living in a stirring age, it was his fortune to serve his country at a time that called for the exercise of statesmanship and patriotism of the highest order. Few men have seen more public service, and few men have been more honored.

I need not now and here trace his steps at length from early life through all the struggles of boyhood and manhood until he achieved his final success. That has already been done by my colleague [Mr. BROWNE]. But it is a matter of absorbing interest that he had the iron will and nerve in 1839 to leave his home in Pennsylvania and seek a then far-off State, with slender means and among strangers, to win for himself a home and fame. The will and the courage that prompted him to this were sure signs of ultimate success. With all our present railroad facilities it is now hard to realize the undertaking of a journey to a new State requiring weeks in its accomplishment. He selected La Fayette for his home and lived there until his death, a period of forty-three years, and for that city he always had the greatest pride and affection. Engaging in the practice of the law at a bar composed of men notably and conspicuously able in their profession, he soon won his way to the front ranks and kept it until he entered the broader field of politics. In the practice of the law and in politics his life was full of struggles and antagonisms, and yet he won and held in the highest degree the confidence and respect of all with whom he came in contact.

It has always seemed to me that one of the most striking elements of his character was to be found in the courage of his convictions. His judgment was formed after mature and deliberate reflection, and once formed he stood by it firmly and immovably. He was never a time-server, and his record is full of instances illustrating this element of his character. I will give but one. When the issue was made upon the currency question very many of the leading men of his party were inclined to go with what seemed to be the ruling passion of the hour, and in their anxiety to catch the popular breeze sailed far away from the record of the party. The effect of these leaders so acting was demoralizing in the extreme.

Mr. ORTH had voted for the resumption act and for all the leading features of the financial policy of his party. That policy was on trial. Many thought it a mistake, and evil effects from it were prophesied freely on every hand; but well do I remember his heroism at that hour. In my city, where he was always a favorite, he was greeted with an audience that any man might be proud to face; and when he came to discuss that policy of his party how well do I remember him! With that serious, deliberate, and determined manner that always attracted and convinced, he said: "I voted for the resumption act. I believe I did right, and I should do so again." When he had finished his argument the doubting and hesitating were won completely over to him, and from that time on there was no doubt in their minds of the propriety and value of that legislation. Subsequent events have shown the wisdom of his action and the value of his services in breasting the storm of opposition and remaining steadfast to correct doctrines. Such spirits are the salvation of all parties.

Mr. ORTH possessed a kind and sympathetic heart. His hand and heart were open to every appeal and no one was ever turned away. He was especially kind and tender in looking after the interests of the needy, and when his great heart ceased to beat, and distinguished men and high officials of the State and nation were gathering to pay their last sad tribute of respect, there came also very many humble men to drop their tears. While the public were being admitted to look for the last time upon that kindly face many old friends and neighbors wept bitterly. Among those who came was an old German soldier, in whose claim for pension Mr. ORTH had especially interested himself. Crip-

pled with wounds received in honorable service under the old flag, decrepit from age, almost too feeble to walk unassisted, and braving the dangers of very bad weather, the old man had dragged himself into the house. In his hand he carried a small sprig of evergreen. Entering the room containing the remains, his eyes fell upon that face he knew and loved so well. Taking those cold hands in his and kissing them over and over again, he gave way to his grief and wept bitterly. Looking up through his tears he exclaimed: "He was kinder than a father to me! Oh, what shall I do now that he is gone!" Laying the evergreen inside the casket, he said: "I am so poor, this is the only offering I can bring to him who was so good to me." He begged that the evergreen might be buried with his friend, and turned again and again to look upon that silent face until led away by the attendants. What higher and better tribute could be paid to his goodness and greatness than this. He had been over and over elected to the highest legislative body on earth; he had been high in the counsels of the men who controlled the destinies of his people in the hours of their deepest gloom; he enjoyed the confidence of Presidents and Cabinet officers, of judges and Senators, and members of the House to which he belonged; he had represented our country at the court of one of the richest and most powerful countries of Europe, and yet he never lost the affection of the humblest of his friends at home. They were among the very first to give evidence of their appreciation of his virtues and to mourn his loss.

The life of a public man is in some respects most undesirable. He may have lived beyond reproach, but too often his entrance into politics makes him the mark for all the shafts of envy and malice. It seems impossible for any public man to receive perfectly fair treatment; and it would be difficult to find any one in public life who had not at some time been treated in such a way as to have the iron enter his soul. Mr. ORTH was in public life when public excitement ran high and at a time when partisan feeling was intense, and in the contests through which he passed he knew some of the bitterness and rancor of party strife. And yet he so pursued the even tenor of an upright way that he retained the respect and esteem of those who were most active in the opposing ranks. More than once did he allude with feelings of evident delight and satisfaction to the fact of the entire delegation from his State in Congress uniting in recommending and in urging his appointment to a foreign mission. And no one was more prompt and ready to do justice to others than he. He could not and would not consent to see any one unjustly assailed, and he would not stand by and hear a false accusation made for any mere temporary partisan purpose. At one time an estrangement came between himself and another very prominent gentleman of the opposite party, and for several years their social relations were interrupted. In a party of gentlemen one day he heard the integrity of this gentleman assailed. With flashing eye and indignant mien he came to his rescue and said: "I have known him for years. He is my political enemy and I am not on terms of personal intimacy with him; but I know him to be an honest and incorruptible man, and I will not silently allow his good name to be impeached." The incident came to the ears of the gentleman, and brought him to Mr. ORTH at once for a reconciliation, which followed, and always afterward they enjoyed each other's friendship and confidence.

No reference to the character of Mr. ORTH would do him justice that did not greatly emphasize his habit of industry. He believed that now was the time for the discharge of every duty, and faithfully he followed that belief. Upon receipt of a letter, no matter from whom it might come, he seemed impatient until its answer should be speeding on its way. He believed that anything worth doing at all was worth doing well, and he gave his whole attention to every matter engaging his mind. Every detail received full consideration, and the amount of work he accomplished seemed almost marvelous. As a legislator he labored not alone for general results, but it was his ambition to make every law perfect in all its details.

Mr. ORTH was passionately fond of his family circle, and here the best qualities of the heart were most apparent. He believed in the sanctity of home, and that the man who was true in his family relations could not be untrue to the honor of the nation. While he fully appreciated the honors of public life and was deeply sensible of all he had won, yet he believed they were only valuable as they come home to heighten the enjoyment of that little circle that gathered about his hearth-stone. All hopes, all honors, all aspirations, led him back to the charmed circle. Devoted, tender, and true, his loss has fallen upon that little circle with crushing force.

Mr. ORTH'S nature contained a deep religious vein. Without obtruding it upon others' attention he always maintained the highest respect for religion and religious institutions. The opinion of good people always afforded him the liveliest satisfaction, and he constantly had in view the desire to so conduct himself as to bring no reproach upon himself and to merit high opinion of good men. In one of my familiar conversations with him, which were always appreciated by me, he said to me, "A member of Congress can not be too circumspect in his conduct here. He should remember that every night pious people are kneeling down and praying for him." Our friend is gone, and those who enjoyed his confidence and friendship, who loved him for his estimable qualities and so profited by his wisdom and experience, sincerely mourn his loss. But he is not lost to us. He is still with us in a bright and enduring example. He has left to the country the legacy of a well-spent life. To the youth of the country he leaves an example of industry, of perseverance, of honesty, of patriotism, and of success, to inspire them with lofty and ambitious purposes.

Mr. DAVIS, of Illinois. Mr. Speaker, in the midst of an active service, where personal cares and requirements press upon us, where our duties and responsibilities are so great that we become aggressive and headstrong in their performance and observance; in a life upon this floor, where seemingly the hours are altogether too short and the day itself but a brief hour; where strong men grapple in debate at times almost as fiercely as warriors do in battle; where the skill and adroitness of the one is only counteracted by the logic, the eloquence, and the activity of the other; where time appears to be the great desideratum and men are taught that an hour lost or diverted is almost a calamity; while thus thoroughly engaged and absorbed in these activities, oblivious apparently to matters of graver concern, we have been brought to a halt by the command of the immortal Speaker of Mankind, and reminded and admonished in the most forcible and impressive manner that we are but mortal.

How suddenly and how frequently this terrible command has been given this House is a sad remembrance to us all.

It is our custom, and as I believe an eminently proper one, that we of our own motion should stop in the activities of this Chamber, and laying aside all thought of pressing duty devote an hour to the memory and honor of those of our members who have been called hence to a higher life, to a higher sphere of action, and to the lesson which it teaches.

This hour we devote to-day to the memory of our departed friend and member, GODLOVE S. ORTH, of Indiana; and I would not that this hour should pass without rising in my place and saying a word in testimony and to the memory and to the honor of this grand old man. Old not in years, old not in appearance or in physical and mental power, but old and grand in the service of his country; a diplomat, a soldier, and a statesman, for a period of upward of forty years almost continuously he served his State and his country well.

His colleagues upon this floor, with exact data of his public service, having intimate relations and full knowledge of his public life and personal character, have spoken eloquently and in excellent taste of his great worth. I speak of him, and only briefly, as we knew him here in recent years, and as a warm friend and as a true man.

Mr. ORTH was prominent in this body as one of its leaders, both in counsel and in debate. His great experience, his thorough familiarity with the history of his country and the necessities of its people; his quick perception; his cultured mind, where were stored the treasures of a long and active public life; his steadfast adherence to the principles of his political faith, rendered him invaluable in this legislative assembly, in the preparation and in the enactment of wise and beneficial laws in the interest of the people and the country. He was specially adapted to this service in which he took great pride and labored industriously.

As a debater Mr. ORTH took high rank. Never was challenge in debate sent him which he did not instantly accept, and from a mind of remarkable resources and of great activity he supported his position with such an array of facts and illustrations, so tersely put, with argument so logical and eloquent, with an earnestness of manner, aggressive yet courteous and convincing, which carried conviction to the minds of all that he was honest in his belief and that he had the courage of his own convictions.

He was a statesman in the broader sense; he gave his energy, his great talents, and the best efforts of his mind to matters of national concern and in the interest of the general public. He was too broad for selfishness, too great to become useless through envy or jealousy, and the undermining or tearing down of another's position by secret methods for his own advancement was beneath him. He would extend the same candor to an opponent which he would expect for himself, and, taking an advanced and manly position, not obtruding, yet courageous in the consciousness of his own ability to sustain himself and the cause which he advocated by merit alone.

Mr. ORTH was strong and aggressive in his own belief, yet sensitive as a child, and warm, exceedingly warm, in his friendships.

I shall not forget how this grand old man, with his forty years of experience in public life resting so gracefully upon him and lighting up as with a halo his charming countenance, greeted me for the first time as I entered this Hall, a new and young member of this body; with that smile which was characteristic of him and which had become a part of his very nature—warm, cordial, and dignified, with outstretched hands grasping both of mine in his he bade me welcome to public life, its duties and its responsibilities. With great delicacy he pointed out the various methods of successful legislation, and gave in kindest manner such information as he thought would be of immediate service, so valuable to a new and so often unthought of by an old member. The acquaintance thus formed ripened into a warm and generous friendship, which continued uninterruptedly until "his light of life went out."

Mr. ORTH was a true man in the best acceptation of that term, true to his own manhood, true to his own convictions, true to his family, true to all the requirements of his position in life, true to the end to the duties imposed upon him by an exacting and discriminating public.

Mr. ORTH was an American proud of his country, its free institutions, and of the unexampled progress of its people. When presented as the representative of this nation at court in Vienna, he addressed the foreign sovereign in the native tongue of the realm so perfectly that the Emperor immediately inquired what part of the empire he claimed as his nativity. True to his country and proud of its citizenship, thanking the Emperor for his compliment, he answered, "I am, sir, an American citizen, as my fathers before me have been for one hundred years."

The every act of this man in a long and useful public life, in his personal characteristics, the voice, the gesture, the expression, evidenced to all his thorough equipment for his service, the absolute sincerity of his motives, and the secret of his success in the brilliant career just closed.

We bow in reverential attitude to-day and mourn the loss of this distinguished member. We commemorate his virtues and pay tribute to his great achievements.

In this sad affliction we feel grateful in the consolation we have that his race is better that he lived; that it was well that such a life had been led and such an example left.

By his death this House loses one of its old and most honored members; Indiana one of her great men; the nation one of its safest counselors; the people a friend and benefactor.

Mr. DE MOTTE. Mr. Speaker, for the eighth time the shadow of death has fallen upon this House. Mr. Wood, of New York; Mr. O'Connor, of South Carolina; Mr. Allen, of Missouri; Mr. Hawk, of Illinois; Mr. Lowe, of Alabama; Mr. Updegraff, of Ohio; Mr. ORTH, of Indiana, and Mr. Shackelford, of North Carolina, have successively been stricken down while discharging the high trust committed to them by the people. There is no time, from babyhood to hoary age, when the appearance of death does not seem to us inopportune. There are no circumstances under which it is not appalling. It has been wisely ordered that we may not know the time appointed for us to die. The vast book of nature, that unfailing storehouse of knowledge, the Book divine, with its prophecies, its proverbs, and its promises, give no formula by which we may calculate the days allotted us.

We have met to-day to honor the memory of one of the oldest, most experienced, and ablest of our number; one who for many years had served the people of his State in this Chamber and in other places of dignity and responsibility. Ripe in years, vigorous in mind, wise in counsel, sincerely devoted to the service of his country and his race, we deeply deplore his loss.

GODLOVE S. ORTH was the last but one of a brilliant company of young men, who at about the same time became prominent in the politics of Indiana.

That political pentecost, the campaign of 1840, gave tongues of fire to these gifted young men. With an earnestness and power before that unknown in political discussion; with the fervor of the religious devotee, their eloquence, at the recollection of which the eyes of the survivors of that memorable campaign still kindle with enthusiasm, was irresistible in rallying the people to the support of General Harrison.

Most gifted of these and of nearly the same age were George H. Proffit, Joseph G. Marshall, George G. Dunn, Samuel W. Parker, E. W. McGaughey, Henry S. Lane, GODLOVE S. ORTH, and Richard W. Thompson. I say with the pride of a native Indianian no State in this Union, no community of people anywhere of equal numbers ever produced in one generation a more brilliant company.

Proffit was twice elected to Congress, and by the able manner in which he discharged his duties secured the fullest confidence of his constituents. In the strength of his manhood he passed away with the generation preceding this.

Marshall, estimated by those now living who knew him as the most talented and scholarly of them all, after having been the candidate of his party for governor of his State, died before 1850, beloved and honored by the people.

E. W. McGaughey was a boy in stature and in personal appearance, but a giant in intellect. Genial, witty, logical, and happy in the use of language, he was formidable upon the stump and at the bar. He was dearly beloved by his party friends, and they rallied around "Little Ned," as they familiarly called him, with an enthusiasm rarely equaled. A Whig, he was twice elected to Congress from a pronounced Democratic district. His was not a nature to endure defeat, so when defeat came he turned from the associations of his youth to a new field of labor. On his way to the then newly-discovered El Dorado on the Pacific coast, while crossing the Isthmus of Panama, he was stricken by a malignant fever, and with the roaring of the two great oceans for his requiem he died.

George G. Dunn was twice elected to Congress. Before arriving at middle age, in the midst of his usefulness and in the enjoyment of the fullest confidence of the people, he was gathered to his fathers.

Samuel W. Parker was also twice elected to Congress, and died more than a quarter of a century ago, honored by the people of the whole State.

It was given to three only of these gifted men to approach the limit of life assigned by the psalmist.

Henry S. Lane, "the Henry Clay of Indiana," as he was sometimes appropriately called, while perhaps least ambitious for official positions, was most highly honored with them. The people of Indiana withheld from him nothing they had to bestow. He was elected to the Legislature, a member of Congress, the governor of his State, and United States Senator, in all of which positions he stood shoulder to shoulder with the ablest of his associates. Retiring from the Senate in 1867, he spent the remainder of his days in quiet usefulness in the beautiful little city which had been his home for almost half a century. Less than two years ago he went to his rest, honored and beloved by all.

The second of the trio to enter the valley and shadow was GODLOVE S. ORTH, in honor of whom this august body has set apart this hour.

He was the youngest of the brilliant company of 1840. Less gifted by nature, perhaps, than some of his companions, he made recompense therefor by unremitting study and honest, conscientious devotion to the letter as well as the spirit of the work he had in hand. Elected to the senate of his State when but twenty-five years of age, he immediately became so necessary to that body and took such high rank as a legislator and parliamentarian that after two years service he was elected president of the senate. From that time until the day of his death he was a trusted party leader. Skilled in the rare faculty of estimating his fellow-men correctly, he was an efficient organizer. Mild mannered yet plain spoken, always sincere and able to impress his associates with that sincerity, he was a peacemaker and a promoter of harmony. Deliberate, cautious, yielding when preparing for the struggles of public life, he was quick, obstinate, and aggressive when those struggles were upon him. In my judgment but few men of his disposition and habits of mind could assume his proportions in an emergency.

For forty years, with here and there an exceptional year, the people who knew him best have kept him in positions of responsibility and honor, in all of which he so demeaned himself as to command their love and confidence.

I doubt not I will be pardoned for turning for one moment from the honored dead to the honored living. Hail to thee, Dick Thompson, last of the brilliant company of 1840; peer of thy coadjutors in all things and superior to them in many! May the time be far distant when thy voice, to which the people of thy State have for forty years so eagerly turned for counsel, encouragement, and inspiration, shall be stilled in death.

The labors of GODLOVE S. ORTH are ended.

"The record of a noble life is that life's best eulogy; the history of the deeds of worthy men their most lasting epitaph."

What Mr. ORTH has accomplished for his country and his fellow-men is our inheritance.

I can make no better wish for my State nor for the nation than that their destiny for the future may be controlled by men so able, so patriotic, so wise, so good as he.

Mr. FORD. Mr. Speaker, it was my good fortune to be somewhat intimately associated with Mr. ORTH in the Forty-sixth and first session of the Forty-seventh Congress. Sitting at his side, I had rare opportunity of knowing and learning to esteem a thoroughly representative American statesman. Mr. ORTH was kind and considerate, and although a man of varied experience, a citizen who had represented his Government abroad with great ability and was not less conspicuous as a legislator in the councils of his country, he was yet unpretending, indulgent, and generous. Mr. Speaker, Mr. ORTH was proud of his country and devoted to the republican form of government. He had seen the degradation of the millions affected by the pernicious system inseparable from monarchy, and realized the full force of that great truth, "the people can best govern themselves."

He was a sincere, ardent believer in the dignity of American citizenship, and would proclaim it with as much fervor in the presence of kings as when addressing an audience in the State of Indiana. Naturalized citizens appreciate his fidelity and revere his memory; and I shall take leave to add the preamble and resolution adopted at a meeting of Irish-American citizens as a tribute to the worth of an estimable, distinguished American citizen:

CLAN-NA-GAEL HALL,
Washington, D. C., January 10, 1883.

At the regular meeting of the Clan-na-Gael Association held on this date, the following preamble and resolution were passed unanimously:

Whereas we have learned of the death of the late Hon. G. S. ORTH, ex-minister to Vienna, and chairman of the sub-committee of Foreign Affairs, charged with the duty of inquiring into the cases of the American citizens imprisoned by the British in Ireland; and

Whereas Hon. Mr. ORTH, as Representative and citizen, manifested a sincere sympathy for the Irish people and those who served and suffered for them, and faithfully and efficiently performed his duty as chairman of the sub-committee above referred to: Therefore,

Be it resolved, That we, as American citizens of Irish birth or origin, express our deep and heartfelt regret at his death and the consequent loss to his family of a devoted and affectionate husband and father, to the Republic of one of its purest, noblest, and ablest Representatives and citizens, and to the Irish people of a faithful, earnest, and practical friend.

It was ordered that a copy of the above be filed with the records of the association, and that copies be forwarded to Mrs. Orth and to the Speaker of the House of Representatives.

On behalf of the Clan-na-Gael.

ED. MEAGHER CONDON,
JAMES DILLON,
JAMES BELLEW,
Committee on Resolutions.

Mr. DOXEY. Mr. Speaker, by those who were fellow-members, co-laborers, and the political associates of my lamented predecessor have his virtues been praised and his talents appropriately applauded. With tongues whose brilliancy has awakened these chambers in the presence of him of whom we would this day speak, and whose eloquence and wisdom have attracted his attention and his admiration, has his life been reviewed. All this has been said so beautifully and by words laden with such pure love that I feel all has been said that need be said.

A monument typical of the personal and political character of this distinguished statesman and patriot has been built here by friends this day; but I, as his successor to a seat in this House, and for many years his constituent and admirer, can not permit this last opportunity to pass to cast upon the mound beneath which slumbers his memory a rosebud, a leaf, some simple emblem to mark the appreciation in which I held him while living and the sorrow I feel at his loss.

He has gone from among us, and the chair he occupied will never be filled by one more pure in nature, more lofty and courageous in his actions, more kind and gentle in his every word. He won the hearts of those he chanced to meet wherever he went. He was frank, he was honest, he was plain. None loved him better than those who knew him best. In his own home city, where his daily walks were most conspicuous, was he held in highest esteem.

There was no secrecy in his private life. He was the soul of truth. History can reveal nothing which will detract from the purity of his life and character.

His politeness was one of his most prominent characteristics. It was of the genuine type, that which springs from the true goodness of heart, that politeness which ever seeks to contribute to the happiness of others and which avoids all that could give pain. He studiously avoided personal bitterness. He could discuss a political question with an opponent who differed most widely with him, without for a moment losing his temper.

But GODLOVE S. ORTH is dead. That tongue which once by its wisdom and eloquence stirred the souls of those about me here to-day now lies cold and speechless beneath the sod. But in history it will speak forever. The seat he so well filled on this floor has been taken by another. The various positions he held in the organization of this Congress are occupied by other men. The daily routine moves forward as when he was among you. Apparently there is no gap left here by his demise; but there is a vacancy, not only in the ability of this Congress, but in the heart of every one who knew him.

He has crossed the dark river. To the summons has he responded, and gone to join the innumerable caravan that moves to the mysterious realms. His death was as peaceful as his life. He went not like a slave at night, but sustained and soothed by an unfaltering trust wrapped the drapery of his couch about him and has lain down to peaceful dreams.

The resolutions were adopted; and accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. HARMER: Memorial of the Philadelphia Maritime Exchange, protesting against the transfer of the United States Signal Service to the Department of the Interior—to the Committee on Commerce.

By Mr. KELLEY: The petition of 70 ship-owners, shipping-merchants, and ship-brokers, protesting against the adoption of section 13 of bill H. R. 7061, known as the shipping bill—to the same committee.

By Mr. PEELLE: The petition of George C. Thacher, Thomas Fortune, and 40 others, citizens of Shelbyville, Indiana, for a material reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. RANDALL: The petition of the Grand Temple of Honor of Pennsylvania, for an amendment to the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. RITCHIE: The petition of Foss Post No. 14, Grand Army of the Republic, of Toledo, Ohio, relative to bill H. R. 7361—to the Committee on Military Affairs.

By Mr. SKINNER: The petition of 27 citizens of Watertown, New York, for a reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. W. G. THOMPSON: The petition of J. R. Gitchell and 52 others, citizens of Walker, Linn County, Iowa, for a reduction of the duty on sugar—to the same committee.

By Mr. VANCE: The petition of W. G. Buchanan and others, for a mail-route from Bakersville to Burnsville via Ledger, North Carolina—to the Committee on the Post-Office and Post-Roads.

By Mr. WHITTHORNE: The petition of Mrs. Mary McCraw, for a pension—to the Committee on Invalid Pensions.

The following petitions, praying that Congress will not adopt any lower rate of duties on foreign manufactured products than that recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. BARR: Of 122 employés of Lebanon Furnace, Lebanon, and of 79 employés of Central Iron Works, of Harrisburgh, Pennsylvania.

By Mr. BRUMM: Of John Ralston and 103 others, and of James McCue and 327 others, of Pottsville, Pennsylvania.

By Mr. KELLEY: Of 70 shipping firms, masters, owners of vessels, and others, and of resolutions adopted by the board of wardens of the port of Philadelphia, Pennsylvania.

By Mr. MUTCHLER: Of 135 employés of Ferndale Mills, of Ferndale, Lehigh County, and of 216 employés of the Coplay Iron Company, of Coplay, Lehigh County, Pennsylvania.

By Mr. TALBOTT: Of John B. Stricker and others, employés of George P. Whittaker & Co., Principio Furnace, Maryland.

By Mr. WARD: Of employés of Springton Forge, Chester County, Pennsylvania.

The following petitions, remonstrating against the proposed transfer of the revenue marine to the Navy Department, were presented and referred to the Committee on Commerce:

By Mr. CURTIN: Of citizens of Clearfield and Centre Counties, Pennsylvania.

By Mr. HARMER: Of the Vessel-Owners and Captains' Association of Philadelphia, Pennsylvania.

By Mr. RANDALL: Of 29 stevedores and masters of Philadelphia, Pennsylvania.

By Mr. SKINNER: Of keeper and surfmen of life-saving station No. 1, Ellisburgh, New York.

SENATE.

THURSDAY, *February* 1, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

CREDENTIALS.

Mr. MAHONE presented the credentials of Harrison Holt Riddleberger, chosen by the Legislature of Virginia a Senator from that State for the term beginning March 4, 1883; which were read and ordered to be filed.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Navy, transmitting a list of vessels stricken from the Navy Register in pursuance of the act of August 5, 1882; which was referred to the Committee on Naval Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a joint resolution of the Thirty-third General Assembly of the State of Illinois on the subject of the Yellowstone National Park; which was read, as follows:

Preamble and joint resolutions of the Thirty-third General Assembly of the State of Illinois.

Whereas the people of the State of Illinois, having a common interest in our National Park, and the maintaining of the same free to all the people of the earth visiting this region of matchless wonders and grandeurs, and learning that a company of capitalists are trying to secure a lease of said park, with exclusive rights therein; and

Whereas the attention of Congress being called to said transaction by the report of Lieutenant-General Sheridan, made to the War Department November 1, 1882, and Senator VEST having reported a bill from committee to the Senate of the United States making rules and regulations for the better government of said park: Therefore,

Be it resolved by the senate and house of representatives (concurring herein), That this General Assembly, acting on behalf of the people of this State, respectfully request that our Senators and Representatives in Congress use all honorable means to secure the passage of a law that will give to the people visiting said park the right of viewing the wonders therein contained free from the extortion of monopolists or hinderance from any source whatever, so far as may be consistent with the necessary protection of the scenery and objects of curiosity and the protection of the game and fish therein contained.

Resolved, That we hereby tender to Lieutenant-General Sheridan and Senator VEST the thanks of the people of this State for their timely and earnest efforts in the preventing of said park from passing into the exclusive possession of said company, to be used by them as a cattle-ranch and for the extorting of money from tourists visiting said park.

Resolved, That the secretary of state be, and he is hereby, requested to forward copies of these resolutions to our Senators and Representatives in Congress, and a copy of each to Lieutenant-General Sheridan and Senator VEST.

Adopted by the Senate January 16, 1883.

WM. J. CAMPBELL,
President of the Senate.
L. F. WATSON, *Secretary.*

Concurred in by the House of Representatives January 18, 1883.

LORIN C. COLLINS, JR.,
Speaker of the House of Representatives.
JOHN A. REEVE, *Clerk.*

UNITED STATES OF AMERICA,
State of Illinois, ss:

I, Henry D. Dement, secretary of state of the State of Illinois, do hereby certify that the foregoing is a true copy of a preamble and joint resolution adopted by the Thirty-third General Assembly of the State of Illinois, and filed in this office January 25, A. D. 1883.

In witness whereof I hereunto set my hand and affix the great seal of State. Done at Springfield, the 25th day of January, in the year of our Lord 1883.

[SEAL.] HENRY D. DEMENT,
Secretary of State.

Mr. GARLAND. As there has been a bill reported from the Committee on Territories on that subject, I believe the proper disposition to make of the joint resolution would be to lay it on the table. I make that motion.

The motion was agreed to.

The PRESIDENT *pro tempore* presented a joint resolution of the Legislature of Illinois upon the subject of the Hennepin Canal; which was read and referred to the Committee on Commerce, as follows:

Joint resolution.

Whereas a bill is now pending in Congress providing for constructing a canal from the Illinois River, at or near Hennepin, to the Mississippi River, at or above Rock Island; and

Whereas the people of the State of Illinois have voted to cede the Illinois and Michigan Canal to the United States: Therefore,

Resolved by the house of representatives (the senate concurring), That our Senators in Congress be, and are hereby, instructed, and our Representatives requested, to vote for and use their influence to procure the passage of said bill known as the "Hennepin Canal bill," and to secure the acceptance by the United States of said Illinois and Michigan Canal.

Resolved, That the governor be, and is hereby, requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Mr. GORMAN presented the petition of D. C. Gilman, president, and the professors and officers of the Johns Hopkins University of Baltimore, Maryland, praying Congress to pass an act providing for the appointment of a commission of scientific men who shall have charge of the construction of the Naval Observatory in the District of Columbia; which was referred to the Committee on Naval Affairs.

Mr. LAPHAM presented the petition of the Grand Lodge of Good Templars of New York, officially signed, representing 2,400 members, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BLAIR. I present the petition of N. Wayt and 26 citizens of Staunton, Virginia; the petition of F. B. Eberhardt and 47 citizens of Ascension, Louisiana; the petition of Paul C. Lawton and 45 citizens of Darien, McIntosh County, Georgia; the petition of Duke Davis and 26 citizens of Wilmington, New Hanover County, North Carolina; the petition of A. W. Calvin and 50 citizens of Charlotte, Mecklenberg County, North Carolina; the petition of Alfred C. Davis and 46 citizens of Greensborough, Guilford County, North Carolina; the petition of B. T. Washington and 41 other citizens of Alabama; the petition of Amarinthia Harrison and 45 other citizens of Alabama; the petition of Russell J. Sparm and 21 citizens of Sumter, Sumter County, South Carolina; the petition of R. F. Greaves and 50 citizens of Hilton Head, Beaufort County, South Carolina; the petition of E. C. Edes and 34 citizens of Aiken, South Carolina; the petition of J. C. Price and 75 other citizens of Salisbury, Rowan County, North Carolina; the petition of Thomas Gray and 18 other citizens of Norfolk, Virginia; the petition of A. H. Irving and 43 other citizens of Charleston, West Virginia; the petition of William T. Rodenbach and 60 other citizens of Aiken, South Carolina; the petition of A. R. Fletcher and 83 other citizens of Jacksonville, Virginia; the petition of A. H. Fantleroy and 58 other citizens of Hampton, Elizabeth City County, Virginia; the petition of N. D. Hawkins and 18 other citizens of Bedford County, Virginia; the petition of C. C. Voorhees and 36 other citizens of Washington County, Virginia; the petition of Henry Crockett and 26 other citizens of Nelson County, Virginia; the petition of Charles Coffy and 42 other citizens of Nelson County, Virginia; the petition of Moses Blackstock and 36 other citizens of Lunenburgh County, Virginia; the petition of William Milligan and 19 other citizens of Woodbury, Gloucester County, New Jersey; the petition of J. H. Washington and 105 other citizens of Malden, Kanawha County, West Virginia; and the petition of Governor George Sheldon, Chief-Justice Axtell, and 76 other citizens of Santa Fé, New Mexico, all of them praying for the passage of the bill pending in the Senate granting national aid to the common schools of the country, and praying for prompt and efficient measures to avert the dangers resulting from illiteracy, setting forth at considerable length the subject-matter to which allusion is made. These petitions all came to me in one package and I should have handed them to the Senators from the several States named so that they might present them but I was not aware that they were from so many States until I opened the package just now. I move that the petitions lie on the table.

The motion was agreed to.

Mr. SHERMAN presented a petition of workingmen, employés of the Union Iron Company, Mower and Washington Furnace, Ohio, praying that no lower rate of duties will be imposed on articles of foreign manufacture than those recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. INGALLS presented the memorial of citizens of Brown and Rondell Counties, in the Territory of Dakota, protesting against the proposed division of that Territory, and asking that it may be admitted into the Union as a State with its present boundaries; which was ordered to lie on the table.

Mr. HALE presented the memorial of John N. Gardner and 28 other merchants, owners and masters of vessels, of Maine, protesting against a transfer of the United States Marine-Hospital Service, the revenue-cutter service, and the Life-Saving Service from the Treasury Department to the Navy Department; which was referred to the Committee on Commerce.

He also presented the petition of Alpheus T. Palmer, of Bangor, Maine, late first lieutenant Ninth Regiment of Infantry, United States Army, praying to be restored to the retired-list; which was referred to the Committee on Military Affairs.

Mr. MAHONE presented the following petitions of citizens of Virginia, praying for national aid to common schools; which were ordered to lie on the table:

Petition of S. C. Carter and 41 certain other citizens of Staunton, Virginia, praying national aid to common schools.

The like petition of Charles Dillard and 18 certain other citizens of Nansemond County, Virginia.

The like petition of Henderson Lee and 86 certain other citizens of Prince Edward County, Virginia.

The like petition of John D. Blackwell and 38 certain other citizens of Danville, Virginia.

The like petition of Peter Spencer and 53 certain other citizens of Nelson County, Virginia.

The like petition of C. L. Tyack and 33 certain other citizens of Danville, Virginia.

The like petition of A. H. H. Stewart and 61 certain other citizens of Staunton, Virginia.

The like petition of T. N. Brunnx and 22 certain other citizens of Hampton, Virginia.

The like petition of John H. Robinson and 44 certain other citizens of Hampton, Virginia.

The like petition of James Johnson and 22 certain other citizens of Southampton County, Virginia.

The like petition of Isaac E. Harrison, of Jacksonville, Virginia.

The like petition of D. C. Kisers and 53 certain other citizens of Roanoke, Virginia.

The like petition of A. J. Reynolds and 32 certain other citizens of Franklin, Virginia.

The like petition of William Wood and 35 certain other citizens of Clarksville, Virginia.

The like petition of James A. Dyson and 98 certain other citizens of Birch Creek, Halifax County, Virginia.

The like petition of David H. Evans and 54 certain other citizens of Lexington, Virginia.

The like petition of E. W. White and 18 certain other citizens of Lexington, Virginia.

The like petition of James H. Turner and 95 certain other citizens of Salem, Roanoke County, Virginia.

The like petition of Sally A. Carper and 108 certain other citizens of Salem, Roanoke County, Virginia.

The like petition of Jordan Thompson and 21 certain other citizens of Suffolk, Virginia.

The like petition of R. H. Tymes and 44 certain other citizens of Nansemond County, Virginia.

The like petition of Julia E. Gray and 33 certain other citizens of Norfolk, Virginia.

The like petition of Richard Smith and 31 certain other citizens of Lynchburgh.

The like petition of John H. Fowlkes and 89 certain other citizens of Nottoway County, Virginia.

The like petition of R. O. Martin and 48 certain other citizens of Pittsylvania County, Virginia.

The like petition of Benjamin Johnson and 30 certain other citizens of Alleghany County, Virginia.

The like petition of Robert Doe and 43 certain other citizens of Southampton County, Virginia.

The like petition of W. B. Weaver and 22 certain other citizens of Gloucester County, Virginia.

The like petition of Winnifred S. Inge and 20 certain other citizens of Catawba, Halifax County, Virginia.

The like petition of J. M. O'Brien and 41 certain other citizens of Lynchburgh, Virginia.

The like petition of John H. Carter and 40 certain other citizens of Eastville, Northampton County, Virginia.

The like petition of Rev. Benjamin Daniel and 58 certain other citizens of Virginia.

Mr. VEST presented resolutions adopted by the Dillon Grange of Phelps County, Missouri, in favor of creating the office of secretary of agriculture; which were ordered to lie on the table.

He also presented a petition of members of the Kent County Sportsman's Club, of Grand Rapids, Michigan, praying for the enactment of such laws as may be necessary to secure the enlargement of the National Yellowstone Park; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BLAIR. By direction of the Committee on Pensions I beg leave to report back the bill (H. R. 2877) for the relief of William M. Meredith without amendment.

Mr. JACKSON. In behalf of the minority of the committee I submit their views in that case.

Mr. BLAIR. I am directed by the Committee on Pensions, to whom was referred the bill (S. 2367) granting a pension to Fannie S. Beaumont, widow of Admiral Beaumont, to report it without amendment.

Mr. JACKSON. In that case I also present the views of the minority of the Committee on Pensions.

The reports, with the views of the minority, were ordered to be printed.

Mr. VANCE, from the Committee on the District of Columbia, to whom the subject was referred, reported a bill (S. 2441) for the better security of persons and greater facility of transportation on street railroads within the District of Columbia; which was read twice by its title.

Mr. HILL. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 7327) to establish certain post-routes, to report it with amendments, and with the recommendation that it be passed. I have already given notice that I shall ask to have the bill called up to-morrow morning, as it is important that certain of the routes should be in existence in time for the letting of the spring contracts.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

BILLS INTRODUCED.

Mr. MAHONE asked and, by unanimous consent, obtained leave to introduce a bill (S. 2442) to remove the political disabilities of J. R. Waddy, of Virginia; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PLUMB (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2443) to correct section 4 of the act entitled "An act to relieve certain soldiers of the late war from the charge of desertion," approved August 7, 1882; which was read twice by its title.

Mr. PLUMB. I desire to say, in offering the bill, that it designs to accomplish an object which I very much indorse. At the last session an act was passed for the relief of certain persons charged with desertion, but in its passage in the Senate it was so amended as to leave the law precisely where it was before the act was passed. I call the special attention of the Military Committee to the subject and to this bill, it having been the subject of a great deal of discussion heretofore and great and widespread interest. I move the reference of the bill to the Committee on Military Affairs.

The motion was agreed to.

Mr. GORMAN (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2444) to amend an act entitled "An act to incorporate the Mutual Fire Insurance Company of the District of Columbia," approved January 10, 1855; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SHERMAN asked and, by unanimous consent, obtained leave to introduce a bill (S. 2445) to amend section 2603 of the Revised Statutes of the United States, fixing the boundary of the collection district of Sandusky; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GORMAN. At the request of the Senator from New Jersey [Mr. McPHERSON], who is necessarily absent from the Senate to-day, I ask leave to introduce a joint resolution.

By unanimous consent, leave was granted to introduce a joint resolution (S. R. 130) to amend the Constitution of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MORRILL asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. 131) concerning the suspension of the coinage of silver bullion; which was read twice by its title, and referred to the Committee on Finance.

WITHDRAWAL OF PAPERS.

On motion of Mr. GEORGE, it was

Ordered, That the draft of Thomas F. Meagher, used in evidence in the claim of Charles L. Dahler, referred to in Senate Report No. 924, be allowed to be withdrawn by the claimant or his attorney, the Secretary keeping copy of the same.

SUGAR IMPORTATIONS.

Mr. SHERMAN. I submit the following resolution, and ask for its present consideration:

Resolved, That the Secretary of the Treasury is hereby directed to inform the Senate:

First. The average saccharine strength of sugar imported into the United States during the fiscal year ending July 1, 1882, and below No. 7 Dutch standard as tested by the polariscope.

Second. The same information as to sugar of No. 13 Dutch standard.

Third. The average saccharine strength of all such sugars below No. 13 Dutch standard.

Fourth. What degree of saccharine strength in sugar should be established as the lowest grade for the assessment of duties.

Fifth. What fraction of a cent of duty should be added for each degree of saccharine strength to maintain as near as may be the same relative ad valorem rate on the different grades of sugar up to and including No. 13 Dutch standard.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SHERMAN. We have no official statement of the Treasury Department in regard to these matters, about which we had a dispute yesterday.

The resolution was agreed to.

CONVICT LABOR ON PUBLIC WORKS.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of providing by law that the United States shall not employ any convict labor in public works, and that no person contracting with the United States shall employ such labor in executing such contract.

The PRESIDENT *pro tempore*. If there be no further "concurrent or other resolutions"——

Mr. HOAR. Before passing from the resolution which I just offered, the chairman of the Committee on Education and Labor [Mr. BLAIR] makes the very proper suggestion that the inquiry ought to be made by that committee. I therefore ask unanimous consent to reconsider the adoption of the resolution and substitute "the Committee on Education and Labor" for "the Committee on the Judiciary."

The PRESIDENT *pro tempore*. Is there objection to the reconsideration? The Chair hears none, and the motion to reconsider is agreed to. The Senator from Massachusetts modifies the resolution so as to direct the inquiry to be made by the Committee on Education and Labor. If there be no objection that modification is made, and the resolution as modified is agreed to.

M. P. JONES.

Mr. BLAIR. I move that the bill (S. 52) for the relief of M. P. Jones, which was favorably reported by the Committee on Public Lands one year ago to-day, be recommitted to the committee for further consideration, as there is new evidence in the case.

The motion was agreed to.

INTERNAL-REVENUE AND TARIFF DUTIES.

The PRESIDENT *pro tempore*. If there be no further morning business the morning hour is closed.

Mr. MORRILL. I move that the revenue bill be taken up.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Calendar be postponed. Is there objection? The Chair hears none. He also asks that the revenue bill be taken up now for consideration. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation, the pending question being on the amendment of Mr. FRYE.

Mr. BECK. I desire to ask the Senator from Vermont this morning before we begin if he can tell us to what hour he expects us to sit to-night, so that Senators may in advance make preparations to be here, and that we may not have any unseemly difficulty about adjourning.

Mr. MORRILL. I expect that we shall sit till late in the evening. I can not tell what progress we may make, but I expect to have a late session.

Mr. BECK. When the Senate adjourned last night I had yielded to receive resolutions from the House. I had risen to say a few words in regard to the suggestion of 40 per cent. ad valorem on sugar by the Senator from Maine, and to say that, in my opinion, the rate fixed by the committee was better for the producer than the ad valorem rate all through; and that the proposition made by the Senator from Maine is more in the interest of the refiners than the proposition of the committee; and I do not desire to vote in such a way as to give them any advantage over the producer, if I am right in that. I desired then to say a few words in that regard, but I do not want to delay a vote now; and while I intended last night to say something, I rise this morning to yield the floor and to say that I desire the vote to be taken without any further delay so far as I am concerned.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Maine [Mr. FRYE].

Mr. BECK. Let it be read.

The ACTING SECRETARY. It is proposed to strike out all after line 892, down to and including line 914, and to insert:

In lieu of the duties and rates of duties now imposed on melada, concentrated melada, tank-bottoms, sirup of sugar-cane juice, concentrated molasses, and sugar imported from foreign countries, there shall be levied, collected, and paid the following duties and rates of duties, that is to say: On all melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, concentrated molasses, and on all sugars, 40 per cent. ad valorem; on molasses, 25 per cent. ad valorem: *Provided*, That the Secretary of the Treasury shall, by regulation, prescribe and require that samples from packages of molasses, melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, and concentrated molasses shall be taken by the proper officers in such manner as to ascertain the true value of such articles, and that samples of sugars shall be taken by said officers in such manner as to ascertain the true color and value of such sugars.

The provisions of this section shall take effect on the passage of this bill, and the duties therein provided for shall be collected on all such goods which may be in the public stores or bonded warehouses at that time, instead of the duties now imposed thereupon by law.

Mr. MORGAN. The amendment of the Senator from Maine introduces one very important provision, which is that it gives the Secretary of the Treasury the right to resort to the Dutch standard or to the polariscope, or to the invoices that are protected now by oaths and other provisions of statutory requirement, or to any other means by which the actual value of the sugar which may be imported shall be ascertained.

I have been very much instructed by the debate on this question; not that I was before the debate occurred at all proficient in the intricate matters which have been presented in it, but it has been so clear and so full that we all, I think, must have derived a great deal of information from it. At the same time there is a remarkable diversity of opinion among gentlemen on this floor, and especially among the members of the committee, in respect of the amount of protection that will be given by the three proposed arrangements—one of the Tariff Commission, an-

other of the bill as amended by the Committee on Finance, and the other the proposition offered by the Senator from Maine.

Gentlemen who profess to have very great experience in this matter have come to quite various conclusions as to the ad valorem rate of duty that would be imposed under these three different systems; also as to the amount of revenue that will be derived, and also as to the price of the article after it shall have been produced as refined.

I must say that I have been more instructed, and I think more completely instructed, by the opinions expressed by the Senator from Rhode Island [Mr. ALDRICH] than by any of the honorable Senators who have discussed this question, and I dare say that in his past experience he must have had the advantage of personal contact with and observation of the different questions that he has discussed here, and upon which he has informed us so clearly and so definitely. When I am compelled to select between the opinions of gentlemen, all of whom I know to be sincere and able, I must take the opinions of those who are the best informed, who have had the best opportunities of making accurate statements upon questions of this kind.

I shall therefore assume in what I have to say that the propositions of the Senator from Rhode Island are more nearly correct than those of any other Senator as to the amount of ad valorem duty in the several classifications that will be realized on the importation of sugar. While I do not concur with him in his project to make a discrimination commencing with No. 13 Dutch standard and discriminating above and below that for the purpose he seems to have of giving a special protection to the refining industry, still I concur with him that the rate which is presented in the amendment of the Senator from Maine will be a lower rate, taking it ad valorem on the whole mass of sugars used in this country, than any other rate that has been proposed.

It may be considered strange that a Southern man should want a lower rate upon sugars, but I hold to the doctrine that the first class to be looked at in this country in reference to an article of prime necessity that enters into the consumption of every household in this land is the great consuming class of the country. While we are legislating to raise revenue and have an abundance of subjects out of which we can raise revenue, when we can raise revenue apparently without injustice to the prosperity of any set of people or any industry in this land upon such a vast number of articles, it seems to me to be our duty when we make discriminations to take into consideration first of all those people who have the largest necessity for the consumption of the article that is to be taxed. I would do that in reference to salt, sugar, or any other article of universal necessity through the country.

It was once thought that sugar was an article of luxury merely. We now know that it is a luxury to the poor as well as a necessity. To the rich it is a necessity, and it has almost ceased to be a luxury. It is an article of universal consumption, one in which every family in this land is interested. We have in round numbers 50,000,000 people, according to the last census, and in round numbers we raise $50,000,000 revenue on this item of taxation. That is a dollar per capita. That is an enormous tax upon any article of domestic consumption, and it is particularly burdensome and heavy when we find that it is on an article that is so very attractive to the poor as well as the rich, and more so to those who labor and those who are poor than to those who enjoy other kindred or greater luxuries. A dollar per capita tax is too much upon this article. The number of 50,000,000 people includes all the Indians and Esquimaux we have in Alaska, all the Indians in the Western country, the frontiersmen, and the negro population of the country. It includes very many thousands and hundreds of thousands of people who, if they use sugar at all, are compelled by their poverty to use it very sparingly. So that when we come to bring down the per capita tax to the persons who actually use sugar as an article of daily consumption I suppose we might strike off a fourth of the number. Then we should increase the burden of the tax per capita to $1.25. The ordinary laboring man, with a family of ten persons, his wife and himself and eight children, can not afford to pay that as a duty to the Government of the United States upon his sugar any more than he can upon his salt or upon his flour or upon any other article of necessary consumption. In the very nature of things it is too heavy, and there ought to be no favors shown to any industry in this country, wherever it may be located, whatever may be the peculiarities of its demands upon public consideration, which would sustain that industry in claiming for itself protection by laying such an enormous burden upon all classes of this country.

Therefore, sir, I am in favor of its reduction; and while I do not represent any distinctly sugar-producing interest, my own State does produce largely of sirups of very fine quality; and in some portions they produce sugar, all that they need for consumption. They are self-sustaining in the southern part of Alabama on the subject of sugar production and the production of an excellent article of sirup.

I am prepared, although it is a small concession, to yield a part of our interest in protection to the people of the United States in deference to a right which I consider that they have under a constitutional construction of our tariff laws to enjoy the benefit of competition with other countries. A tariff that raises revenue must be a tariff, according to the Constitution, that invites the importation of goods. A tariff that prohibits is a tariff that destroys revenue. It is no longer a tariff, but a mere prohibition. Therefore, sir, I think that the great laboring classes of this country are entitled to the benefit, to some extent, of the reduction of prices that shall be produced on sugar in consequence of the competition with foreign countries in its production. It is a just, fair, and equitable principle, and for one I am not disposed to abandon it.

I believe that a 40 per cent. ad valorem tax upon sugars of all kinds and qualities would yield to us more revenue than we now have; I believe that it would be more faithfully collected; I believe that it would break down a controversy which seems to exist here between a home production and a home manufacture, something that ought not to occur if we can avoid it.

I have no doubt that a 40 per cent. ad valorem tax would reduce the prices, but I am not convinced that it reduces them sufficiently. I think a 35 per cent. ad valorem tax would yield a better revenue and reduce the prices, equalize the burdens of taxation upon all classes of our country, and is after all a better standard of ad valorem tax than 40 per cent., and I shall therefore move it at a proper time.

Mr. GEORGE. Will the Senator from Alabama allow me? I understand the amendment offered by the committee, as explained by the Senator from Ohio, when reduced to an ad valorem, is 32 per cent.

Mr. MORGAN. That is a conjecture of the Senator from Ohio. I find a difference between him and the Senator from Rhode Island, and also between him and the Senator from Vermont. We have no certainty about it. I stated at the outset of my remarks that so far as I am personally concerned I place more reliance on the figures presented by the Senator from Rhode Island [Mr. ALDRICH] than by any other gentleman, because I thought he had a better understanding of the subject and had treated it more critically than any other.

Suppose, sir, that the suggestion of the Senator from Ohio to which the Senator from Mississippi has called my attention should be correct, and that the general average of the ad valorem tax under his method of taxation should be as low as 32 per cent., there are still difficulties in this matter to be arranged; there are still controversies to be settled. There is a fierce debate going on here now in regard to a controversy between the refiners and producers on this question. I regret very much to say that letters have been read in the Senate of the United States from one of the commission, who is also a Southern man, which I will not again read, for it is not pleasant reading to me at all, which show a distinct combination between the producers of sugar in Louisiana, the Sugar Planters' Association, and the manufacturers of glucose at the North for the purpose of adulterating this article and forcing upon the market a fraud, whereby glucose would be protected as much as sugar is and sugar as much as glucose is, and by this adulteration allow sugar that is low in grade and dirty, and the impurities in it, to be varnished up and coated until it shall have the appearance of being a refined sugar. The sugar-makers of Louisiana, by manipulating their sugars, may derive for their sugars which have in fact a lower grade of saccharine strength, or are a lower grade because of the mixtures with impure materials, the advantage of the high grade of taxation imposed by the amendment of the Finance Committee above No. 13 Dutch standard in color.

Mr. JONAS. Will the Senator permit me to interrupt him?

Mr. MORGAN. Yes, sir.

Mr. JONAS. I desire to know how the Senator from Alabama can hold the planters of Louisiana responsible for any statements made by Mr. Kenner or any other member of the Tariff Commission in his correspondence. There is nothing in the letter of Mr. Kenner heretofore read here and to which the Senator refers in which he in any way commits the sugar-planters of Louisiana, or shows that he had any authority to represent them or their interests. I deny that they entered into any combination whatsoever; I deny that Mr. Kenner made any such bargain for them, or that he was authorized to make any.

Now, Mr. President, I am not responsible for Mr. Kenner. As is well known here, I voted against the creation of the Tariff Commission and opposed it at every step. I am not responsible for the creation of that commission or for the action of any man upon it. I am aware that a letter has been put in evidence here written by Mr. Kenner to the Sugar-Planters' Association, asking them to furnish means and assistance to send an able representative to speak for the planters of Louisiana before the Tariff Commission. He advised the raising of sufficient money to defray the expenses of one of these planters to appear as a witness before the Tariff Commission to testify in behalf of the sugar-producing interest, which Mr. Kenner and the other members of the Tariff Commission were bound to hear as well as all the other productive interests of the country. The sum raised was $325 for the sole purpose of paying the expenses of Mr. Dymond, who was the witness who appeared before the commission.

I am aware and every other Senator is aware that the Tariff Commission did not limit themselves to the purposes for which they were created. They seem to have acted in the interest of particular manufacturing or producing interests with which they were connected. I am unable to see that Mr. Kenner did so any more than any other member of the commission. We have had a statement that Mr. Hayes has remained in Washington and had appeared before the Committee of Ways and Means urging the increase of duties on wools and woolen goods, which he himself is interested in. We have had Mr. Oliver, of

Pennsylvania, before the Finance Committee of the Senate explaining the steel and iron schedule and urging an increase in various features of that schedule or at least the maintenance of the rates proposed by the Tariff Commission. I suppose Mr. Kenner did the same thing. I suppose Mr. Kenner looked out for the interest in which he was engaged; but I deny that Mr. Kenner made any bargain at all to bind the sugar-planters of Louisiana. I deny that he has ever asserted that he had the authority to do so. I deny that he had any authority to do so.

Mr. MORGAN. Mr. President, it was not my purpose to arraign the sugar-planters of Louisiana; to hold them responsible for what Mr. Kenner had said or done. I did not intend to enter into that branch of the subject. At the same time I never have doubted, and I have not any doubt yet, that he was in effect their representative. He was put upon the commission to represent a special industry—sugar. He did represent it in a very remarkable and peculiar way. He wrote letters to different persons of influence whom he thought might be able to control the action of certain other persons upon this question and he made a distinct proposition to the glucose manufacturers to assist them in the adulteration of this article by uniting with them to put on a heavy tax upon the high grades of sugar to color up the low grades of Louisiana sugar by glucose. I am glad that the honorable Senator from Louisiana has the authority to deny on the part of the Louisiana planters any participation on their part in the knowledge of this proceeding. At the same time the course pursued here carries out Kenner's recommendation, and it is that course which I assail and the evil effects that it will produce as they are disclosed in the very project that Mr. Kenner formed, this powerful combination, for it was nothing else——

Mr. JONAS. I will say to my friend that the sugar-planters of Louisiana manufacture raw material, what is sold in the markets. If it is purchased and used by manufacturers or refiners, that is a matter beyond their control. They are not engaged in the manufacture of glucose; they produce a raw material which has its own market value according to its grade and its saccharine strength.

Mr. MORGAN. Will the Senator from Louisiana say to the Senate that the sugar-producers of Louisiana do not use glucose in coloring up their sugars so as to give them a higher and brighter color?

Mr. JONAS. I do say it.

Mr. MORGAN. You deny it on their behalf?

Mr. JONAS. I do.

Mr. MORGAN. Then the Senator is at issue with the gentleman in New York from whom I will read presently and who has been for thirty years in the business of sugar-refining, and who charges it on them directly. Mr. Fuller says, in his speech recently made in New York, that—

The high duty on raw sugars encourages adulteration by the use of glucose. Under the present duty raw sugars are worth from 6¼ to 7¼ cents per pound. In the West, where it is chiefly made, glucose is worth but from 3 to 5 cents per pound. It can be mixed with all soft sugars, such as are largely sold in the West, to the extent of 10 to 25 per cent. without being detected, except by the most accurate chemical analysis. Indeed, glucose improves the appearance of yellow sugar, and, so far from being detected by the polariscopic test, tends to increase the apparent percentage of sweet in the samples submitted to such test. Glucose may not be a poison itself, but the person who buys sugar does not desire to pay full price for an article having from one-fifth to one-tenth of the saccharine substance which pure sugar contains. That this article is being used extensively to adulterate sugar in the West is proved by the large number of glucose factories which have been built there during the past six years. So long as the prices of raw sugars can be maintained at 6¼ to 7¼ cents per pound, the making of glucose at from 3 to 5 cents per pound to adulterate them will be a valuable business. The Planters' Association, whose profits are in high sugars, and the glucose manufacturers, whose gains are in adulteration, can "pool their issues," and labor together to prevent a low tariff and low sugars. As the prices of the raw sugar more nearly approximate the cost of glucose, adulteration will decrease, and the people will not only get better but cheaper sugars. This can be brought about by a lower duty on raw sugars.

Mr. JONAS. They are sugar-planters, not refiners.

Mr. MORGAN. Are there sugar-refiners in Louisiana?

Mr. JONAS. There are.

Mr. MORGAN. Very good. Now, inasmuch as the Senator has taken issue with me in regard to Mr. Kenner's conduct, and the responsibility of the sugar-planters for it——

Mr. JONAS. The Senator will understand me, I am not defending Mr. Kenner. But Mr. Kenner was not representing the sugar-planters of Louisiana, at least not in any official capacity.

Mr. MORGAN. That is the truth of it. The Senator is in such a condition that to defend the interest which he represents on this floor he is obliged to condemn the man who, acting as a judge, was trying to benefit it by a combination with men to adulterate the sugar. I regret that any man from the South has ever been put in a position of that kind; but it is one of the proofs of the evils which must follow from giving the opportunity that is furnished to men to make combinations of this kind to enrich themselves at the expense of the country. What Senator here feels safe in legislating in such a way as to open the door of fraud to men, whether they are good or whether they are bad, who may enrich themselves by availing themselves of such advantages?

I am speaking of the principle of our legislation and of the frauds that may be produced by it. I cite this instance to show that a combination was effected by a man who was on the commission as a judge, honored with the confidence of the American people and of the Senate of the United States by a confirmation here, and who, when he got into his place, had so little respect for himself or his country as to engage in making a direct proposition for the adulteration of an article of food that little children and sick people must live upon. Sir, if he had poured poison into the waters that they drink, the act could scarcely have been less defensible.

Referring to our short and pleasant conversation at Kaaterskill Mountain—

This letter was written by Mr. Kenner to a manufacturer at Buffalo, New York—

I beg to address you and amplify somewhat my views, which I think you will respond to in full. The identity of interests between the business in which you are engaged and the sugar interest of Louisiana may not at first sight be apparent to any one without some thought and reflection as to the character of the two industries. I think I can show you clearly that there is a perfect identification; that your interest is our interest and that our interest is yours. It is certainly to your interest that the prejudice which exists in the minds of a great many persons as to the character of your manufactured article should be removed. Many think that the article is itself impure and made unhealthy by the use of chemicals.

In that case I dare say the many are right—

Many think and assert that it is only called sugar in name. Any recognition on the part of the sugar interest of the country as to the value and healthy ingredients used by you must remove in great measure this prejudice.

"Sugar in name." What does the polariscope say about it, this delicate instrument of science which throws the polarized light to the right and to the left according as whether the water through which it passes is intermixed with the actual saccharine matter of sugar-cane or whether it is intermixed with some chemical production? What does the polariscope say about it? The polariscope detects the fraud and throws the light on the wrong side, but it does it only in the hands of the most scientific operator. The polariscope fails in the hands of an ordinary man, even though he may be called an expert, to disclose this thing. So the merchants of New York say; and men of experience say this about it. Mr. Kenner proceeds:

Many think that the article is itself impure and made unhealthy by the use of chemicals. Many think and assert that it is only called sugar in name. Any recognition on the part of the sugar interest of the country as to the value and healthy ingredients used by you must remove in great measure this prejudice. The mere fact of our mentioning your interest in public as identical with ours creates a prestige in its favor.

This will not be true hereafter when glucose is mentioned in connection with the Tariff Commission and with this honorable judge who thinks that he can cast such a halo of reputation around glucose as an article that may be substituted for sugar. That recommendation will no longer be available either to the glucose men or to the men who want to color up dirty, inferior sugars and put them on the market as sugars in fact and not in name.

You are thus placed on the sugar plane, which is a matter of great interest to you.

It occurred to me that there was a humor in that idea, a sort of subacid of irony in it that almost made the fraud palatable which was attempted to be perpetrated.

Mr. Kenner proceeds:

If I understood you aright in our conversation, you said that seven-eighths of the liquid made by you was used in improving molasses. Of course in that case you are making a cheaper article than we can do. Any mixture of the kind must increase the value of what you make. If the basis of the mixture is high in price the ingredients added by you must also be high in price. Any legislation, therefore, which improves the value of our product must necessarily redound to your benefit. If our article is worth 5 cents a pound, or 60 cents a gallon, and your article is added thereto, it brings all that you put in it to the same point of value. If, on the contrary, our article should be worth only 2½ cents a pound, or 30 cents a gallon, your article added to the same would only be worth one-half what it would be if added to a 60-cent gallon basis. This you can readily understand. Therefore it is clearly your interest that our article should bring a remunerative price.

There was a distinct proposition for a combination between two of the producing interests of this country for the purpose of defrauding the entire community. That is the fact about it. There is no whitewashing or getting over that proposition—a distinct overture on the part of one of these commissioners, representing the sugar industry, to defraud the whole country by raising glucose in copartnership and in companionship with sugar to any rate of taxation that the sugar interest might demand.

Now, sir, am I to be held here as a Southern man to the duty of voting a high rate of taxation upon sugar to protect a Southern industry when I know and it is avowed that one of the very objects of that protection is to raise the price of this inferior article, costing 2 or 3 cents a pound less than the other? Senators can take their own course about this; I shall not do it. I dislike to detain the Senate——

Mr. BECK. Will the Senator from Alabama devise some way by which adulteration can be prevented?

Mr. MORGAN. I will state to the Senator from Kentucky that I prepared with all the care I was able an amendment to this bill for the purpose of punishing the intermixture of sugar and glucose and putting it upon the market under a fictitious color. There is doubt about the power of Congress to do it or protect the country against any other adulteration of food or medicine. I know that we have one precedent, that of producing a higher color upon whisky before the tax is paid upon it. That, however, seems to be doubted in reference to the propriety of its enactment by the Congress of the United States. While I believe that we have got that power, some of the ablest jurists in this body differ with me about it. I have had the honor to confer with the Senator from Vermont [Mr. EDMUNDS], the Senator from Arkansas [Mr. GAR-

LAND], and the Senator from Delaware [Mr. BAYARD], all of whom are members of the Judiciary Committee, and they expressed so much doubt about it that I was afraid to venture to bring forward the proposition.

Mr. BECK. I thought that on the question of oleomargarine the power existed in Congress to require the producers to brand and tell what it was and not sell it for butter; and why may we not require the branding of sugar so as to prevent people from being imposed upon by buying one thing when they supposed they were buying another?

Mr. MORGAN. We have not enacted such a law.

Mr. BECK. I think it passed the House and was before our committee.

Mr. MORGAN. I think we have not as yet enacted a law to compel even the labeling of oleomargarine. The subject is in doubt. But on the other proposition there can be no doubt that if it is beyond the reach of our power to punish men for this adulteration, it is not beyond our reach and it is not beyond our duty to prevent the glucose men having the opportunity of riding the tariff up to the highest mark of protection above No. 13 Dutch standard, so as to derive the benefit, by means of a fraud, which we undertake to give to honest producers of sorghum and of cane-sugar and of beet-sugar in this country.

There is another letter with which the Senate is familiar, but I will refer to it for a moment.

LONG BRANCH, N. J., *August* 10, 1882.

DEAR SIR: Our friend has arrived and is busily engaged under my direction in seeing certain parties in New York and preparing certain combinations in case of necessity. He will be of the greatest possible service in all these matters. I regret very much that you have succeeded so slightly in providing the sinews of war. I beg you will see all the parties and say to them that if his stay here terminates before the object is accomplished it will be a cause of regret to us all. There are certain things which I can't look after. Circumstances forbid me ostensibly appearing in the matter at all. Consequently without some such assistance I lose half my efficiency and chance of success. I beg you will see all of them again and urgently insist on the amount appropriated so far being increased. Use this letter with discretion, but do not hesitate to show it to any one who is equally interested in our success.

Yours, truly,

DUNCAN F. KENNER.

Mr. MAXEY. Will the Senator from Alabama permit me to interrupt him a moment? While I go as far as any mortal man in condemning the course of Mr. Kenner, I ask the Senator if a careful examination of the scheme of the Tariff Commission does not show that every other of these special industries was guarded just about as closely as Mr. Kenner guarded that? It was practically a "pooling of issues" by the men who represented special industries.

Mr. MORGAN. That is very true, and for that reason I can not give any confidence to the opinion of the Tariff Commission. I have no confidence in their judgment or their recommendations. They have made no impression on me except to cause me to look more narrowly into what they recommend.

Mr. MAXEY. I will only say the other members of the commission held the same hand that Mr. Kenner held.

Mr. MORGAN. As to glucose being a deleterious article of food I am not prepared to say. I do not claim to be a scientific man, and do not ask the Senate of the United States to attach the slightest importance to an opinion I should express on this question; but I do say that among learned men as well as among the commonalty, among professional men as well as among the laity, the opinion does prevail, and very extensively prevail, that glucose is a dangerous article of food. I have had eminent physicians tell me so; I have consulted their books of medical practice and they are wary of it as an article of food. They would like to see it discouraged; they bring many complaints against it. They may be true or not; but glucose in this country is largely made of corn, potatoes, and starch treated with sulphuric acid.

Mr. PLUMB. I think that the Senator from Alabama is certainly mistaken as to the weight of medical testimony being of the kind he states it to be. I certainly am otherwise informed. I understand that the very best medical authority is to the effect that glucose in any possible use that could be made of it is entirely harmless.

Mr. MORGAN. I was not giving the weight of medical authority; I was merely stating an opinion that prevails largely in medical circles as well as in other circles, that glucose is a dangerous article of food according to its process of manufacture here—that is to say, of sulphuric acid, starch, potatoes, and corn. Whether it is or not I am not prepared to say.

Why does Mr. Kenner tell this large manufacturer in Buffalo that his article is under suspicion, and in order to get it out of the range of suspicion he must attach it to sugar? Sugar can carry him whether he can carry himself or not.

But, Mr. President, I speak now without reference to its being an adulterated article of food, dangerous to the young and the infirm. I speak only in reference to the cheapness of its production, that it is not a natural product. It is a chemical product, produced by chemical agencies entirely. It is said that honey is made of glucose largely, and I have no doubt of it; but in the process of extraction it would be a comparatively harmless article. It is made of grapes and other ripe fruits, and in that form and made of such substances no doubt it is not deleterious; but when you widen out the chemical production and make it of substances of various kinds—and a learned physician has told me that it is made out of scraps of leather brought into the country for such purposes—then the question of its being a dangerous article or not becomes one of serious debate. No gentleman on this floor can claim that it is not, any more than I can claim that it is upon scientific testimony; but I venture the assertion that the powers of this Government, if it possesses such powers, will be brought into heavy requisition within a short time to protect the people of this country against the adulterations of food and beer by glucose.

Enough for that, sir. There is the opportunity for adulteration, there is the opportunity for fraud, there is the opportunity for brightening up molasses and brightening up sugar so as to raise them above No. 13 Dutch standard, and no Senator here I think will say that the polariscope itself even is an infallible test of the presence of glucose in sugar or molasses.

But, Mr. President, I rose for a different purpose to that; I rose to thank the Senator from Maine [Mr. FRYE] for the fair, manly, and bold way, and the able manner also, in which he vindicated yesterday the doctrine of an ad valorem rate of duties in this country as being the proper doctrine upon which to base taxation. That doctrine has been assailed time and again, but never with success. It is the fairest plan, it is the safest, it is the truest, it is the most unvarying to legitimate industry, and through a series of fifty or one hundred years it can be followed with absolute safety and with an approximation to justice as near as any tax ever was or perhaps ever will be.

The tariff of 1846, which was drawn by that eminent statesman and financier, Robert J. Walker, and who by his almost unaided exertions started it, moved the minds of the country to a recognition of the truth of every proposition that he advanced, is all contained in a very brief statute; and, sir, it is the triumph of taxation under the tariff powers of the Government of the United States. No man will ever improve upon it, and none will ever break it down, because it contains the correct doctrine. Here it is:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of December next, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied collected, and paid, on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following rates of duty—that is to say:

On goods, wares, and merchandise mentioned in Schedule A, a duty of 100 per cent. ad valorem.

On goods, wares, and merchandise mentioned in Schedule B, a duty of 40 per cent. ad valorem.

On goods, wares, and merchandise mentioned in Schedule C, a duty of 30 per cent. ad valorem.

On goods, wares, and merchandise mentioned in Schedule D, a duty of 25 per cent. ad valorem.

On goods, wares, and merchandise mentioned in Schedule E, a duty of 20 per cent. ad valorem.

On goods, wares, and merchandise mentioned in Schedule F, a duty of 15 per cent. ad valorem.

On goods, wares, and merchandise mentioned in Schedule G, a duty of 10 per cent. ad valorem.

On goods, wares, and merchandise mentioned in Schedule H, a duty of 5 per cent. ad valorem.

That is the whole of it except the machinery of collection. What have you got to do under a tariff of that kind? Nothing but to arrange the articles in schedules, to determine as we determine here in every case what is the proper ad valorem duty. There has not been a controversy in the Senate during this long debate upon this bill in which the question has not been asked, and asked frequently, what is the ad valorem rate of duty upon this article that you propose to tax? The question is always made and always answered by Senators of all shades of opinion, while the Senate have been fixing specific rates of duty, when they wanted to know the amount of burden that it put upon the country, the amount of revenue that it would yield, the comparative justice or injustice, equality or inequality of any and every article which has been under debate in this bill, the Senate itself thus paying homage to this principle by the continual inquiry which is pressed upon the attention of the body. All through the debate the question is asked, what is the ad valorem duty upon this article?

That, sir, I repeat is the only scientific tariff that was ever enacted in the United States; and when you depart from it, it makes no difference in how great or how slight a degree, you so far depart from the true science of American taxation under our Constitution.

Now, sir, I intend to read something from Robert J. Walker in defense of his own plan. It is not usual that an American Senator can rise in his place and say with perfect confidence that he would take a *post factum* argument of the author of a bill in favor of its workings and in favor of its principles without question of its being true, fair, just, proper; but this man was an American statesman, and the older this country grows and the wiser its statesmen become in experience, the more the name of Robert J. Walker will stand in the very first rank of men of eminent ability as the man who first and really best understood the proper financial system of this Government in connection with tariff taxation. I ask the secretary to read parts of this letter of Robert J. Walker which I have marked in the document before me. This letter was written on the 30th of November, 1867, after the country had passed through a distressing and devastating war, after it had been compelled to change its system of tariff taxation to conform its revenue to the exigencies of that war; and while this new system was in

full force, and while it was contributing a large amount of money to the payment of our national debt, and while it seemed to be an object which was indispensable in the legislation of this country, Mr. Walker wrote this letter in which he vindicated, as I think, completely all that he had said about this principle.

The Acting Secretary read as follows:

A tariff for revenue, as experience has shown, instead of depressing improves all industrial pursuits, including manufactures, and vastly augments the wealth of the country. Under the tariff of 1846, as shown by the census, our wealth increased from 1850 to 1860, 126.45 per cent.; whereas from 1840 to 1850 the increase was only 64 per cent.; from 1830 to 1840, 42 per cent., and from 1820 to 1830, 41 per cent. So, also, from 1850 to 1860 our agricultural products increased 95 per cent., and our manufactures 87 per cent., being in both cases nearly double any preceding ratio of increase. So, also, our exports, imports, and revenue nearly tripled in the same period of time, and our domestic trade rose nearly in the same ratio. This augmented ratio is not the result of increase of population, which from 1850 to 1860 was less than 36 per cent. The Irish famine was supposed by my opponents to account for the increase the first year, although the decreased price paid abroad that year for our cotton nearly equaled the additional sum paid by England for our breadstuffs and provisions. But the next year and the next, before any gold had reached here from California, our exports and revenues went on augmenting in a corresponding ratio, rising in eight years from $22,000,000 under the tariff of 1842 to $64,000,000 under the tariff of 1846. But if it were true that we could thus wonderfully prosper under a revenue tariff after the gold discoveries, why not continue the system? These discoveries, however, produced no effect whatever until after the fiscal year ending on the 30th June, 1849.

The truth is, however, after that date these wonderful results as to imports, exports, and revenue, must be attributed in a very slight degree to these gold discoveries, for the following reasons: First, the rate of increase during the first three years of the operation of the tariff of 1846 down to the 30th of June, 1849, before any of this gold had reached here, was greater than the rate of increase at any succeeding period. The reason of this greater ratio of increase from 1846 to 1849 was that when the shackles of our commerce and industry, including the immense indirect taxation imposed by the tariff of 1842, were suddenly removed by the reduced tariff of 1846, the country sprung forward at a bound unprecedented in the history of the world; second, the great political economists of Europe have published, at various periods, and especially in 1863, authentic tables, giving the exact facts, from the prices current of all articles throughout the world, during the several years since the gold discoveries.

Mr. MORGAN. Reading further from the same letter, Mr. Walker says:

There is another insuperable objection to the specific system, namely, that it unnecessarily and invariably taxes labor vastly more than capital, and the poor in a much greater proportion than the rich, upon the goods consumed. Under the system of specific duties of so much per pound, or yard, or gallon, &c., the specific duty is the same. The rich, who purchase the costly article bearing only the same specific duty, pay, in proportion to value, less than one-half what is paid by the poor, who purchase a cheaper and less costly article. If we take all the costly articles purchased by the rich bearing under the present tariff the same specific duty as the inferior article bought by the poor, we will find the difference against them exceeds $20,000,000 a year. Such is the immense additional tax exacted from labor under the system of specific duties.

I read from Mr. Walker his confirmed opinions upon his résumé of his own tariff after he had had some twenty years of observation; and I think I can say that every American statesman will accord to Mr. Walker both an enlightened and an honest opinion upon the matters he discusses. I for one appeal to his opinion with as much confidence as I could to the opinion of any man who has ever occupied a place on the floor of the Senate of the United States upon a question of this kind.

It was intimated by the honorable Senator from Indiana [Mr. VOORHEES] yesterday in some remarks which he submitted to the Senate that a very distinguished writer on the tariff, whom I have had the pleasure of meeting in Washington recently, was here really as the counsel of certain protected industries, of the sugar refiners, and that he desired such measures to be adopted as would redound to the advantage of the sugar refiners. I have not attempted to quote the language of the Senator's remarks, nor do I wish to place him in any position of hostility or antagonism to this distinguished gentleman, but I think from what I know about the gentleman that his presence here, his attempts to enlighten the Senate and House and their committees on questions of this kind, have more respect and regard for the proper adjustment of a tariff system which shall be equal to all parts of the country than to the advocacy of the claims of any particular interest. He may desire to prevent hostile legislation to certain classes; but I do not think that he could be influenced at all to recommend anything that he thought would be unjust to the great tax-paying body of the people, though it might favor those who had offered him fees for representing them.

In an article in the Princeton Review, the date of which I have forgotten—it was some time ago though—this learned and able gentleman discussed the sugar tariff with remarkable ability. He went through all the different projects that are presented in this discussion here. He went through the plan of the Boston merchants; he went through the demand of the refiners for high special rates of duties upon the classes of goods that they manufacture above 13 Dutch standard; he discussed the effect upon the sugar-planters of low rates of duties upon sugars below 13 Dutch standard, and so on. After he had gone through these different systems and had shown in what respect some of them were advantageous and others disadvantageous, some were right and some were wrong, he concludes by the following statement of his opinion:

Now, how to modify the tariff and at the same time afford all the revenue and protection which the Government and Louisiana respectively demand is the problem under consideration, and in respect to which there is little agreement. But in view of all the facts, the best, the simplest, and the most equitable course would seem to be to adopt the exclusively ad valorem system in the assessment of duties on imported sugars; that is, fix on the rate of duty it is desirable to impose—40, 50, 60, or, if need be, 100 per cent.—and then apply it impartially to the value of all sugars, from whatever countries imported; the Secretary of the Treasury being at the same time empowered to determine values by the use of all such agencies as he may deem expedient. The only objection that can be made to this course is embodied in the assertion that the Government can not accurately determine the value of sugars. But a sufficient answer to this would seem to be found in the following statements of facts:

The sugar business is an enormous and close business, and thousands and millions of pounds constantly change hands at so small a margin of profit that for buyers or sellers to make a mistake in valuation to the extent of an eighth or even a sixteenth of a cent per pound would often be destructive of all profit. But such mistakes are not made, and the system of valuation of sugars as between merchants runs with the evenness of clock-work. To assert now that the Government can not successfully adopt the every-day practice of the merchants is simply to assert that honesty and ability in the public service of the United States are unattainable. To such or any other tariff there should also be added for the sake of encouragement of exports suitable provisions for manufacturing in bond or the payment of drawbacks corresponding to the duties collected on the raw materials entering into such exports.

I will very gladly vote such drawbacks; but the Senator from Maine has embodied the whole of these views, except the last suggestion, in his amendment. He has freed the collection of sugars from every embarrassment, giving to the Secretary of the Treasury the unlimited right of regulation, so as to adopt any method that he thinks is best for the security of the welfare of the Government, and of honesty in dealing with this subject of the importation of sugar.

Sir, it astounds me to think that argument must be made in this day of civilization and enlightenment that the Government of the United States can not trust its own agents to price sugar, and above all, that it can not trust the merchants who are engaged in importation. Gentlemen, in order to vamp up and sustain arguments in favor of specific rates of duty, and also in favor of polariscopes and Dutch standards, mere machinery for the ascertainment of the value of sugar, will tell you that the importing merchants are not to be trusted; they commit frauds; they make combinations with each other. Sir, it is a disgrace to the age in which we live, if men engaged in these high enterprises are not to be trusted in dealing with their own Government or their fellow-men. Has it come to this, that the mercantile honor of this country has sunk so low that it is to be made an argument against the system of ad valorem duties? The merchant goes abroad and buys his cargo of sugar and pays for it what he thinks it worth in the market. What he pays for it, if honestly and fairly invoiced when it comes to New York or wherever it may be, is the price. If he has made a fair deal and a profit on his deal, the Government does not seek to take it away.

The consul in Havana or wherever it may be that he ships the sugar from inspects the invoice to see whether or not there is a fraud under your laws. He is a sworn officer, and not being allowed to engage in commerce, he is supposed to be impartial. Your inspectors, if you accept the Senator's amendment, when the sugars reach the wharves in New York can go and inspect the entire cargo; they can see whether the sugar is sanded or whether it is colored, whether it is done in the last process of boiling in the evaporating pans or by chemical agents; they can take the polariscope and determine the test of its saccharine strength; they can take the Dutch standard and see what it would bring out in the color; they can resort to all matters and manners of inspection and investigation to get to the truth. Then we have access to boards of arbitration; we have access to the courts of the country, and is it possible that all the balance of the commerce of the world can be regulated safely by laws as to inspection, by penalties, imprisonment, and disgrace, and that this one kind of importing can not be so regulated?

Sir, the argument does not amount to the weight of a hair when it is compared with the confessions which the committee themselves have distributed throughout the length and breadth of this bill. This committee, upon articles where classifications vary and where the numerous descriptions of articles may be brought in under the same general denomination, have put on ad valorem duties for the whole mass, and in some cases they take the same article—as they did in regard to sugar in their first report—and in the very line in the bill which requires ad valorem duties to be put upon one classification they put specific duties upon another.

Now let me ask the Senate in all candor how Senators who have reported this bill can argue before the world that the ad valorem system is entirely untrustworthy when they have loaded the bill with that system wherever it was convenient to do it, and have deliberately brought before the consideration of this body a measure in which ad valorem duties figure so conspicuously, they knowing at the time that it was an uncertain and an unjust measure of duty? I am astonished that Senators will venture to inveigh against the ad valorem system after they have adopted it in a great number of cases in the measurement of the rights of the Government and of the importer in this very bill. They may convince themselves by a procedure of this kind, but I must say that they will never convince anybody else. There is as much proof in this bill itself in favor of ad valorem rates of taxation as there is in favor of specific rates. The ad valorem duty is never departed from in the whole of this bill except for the mere purpose of giving a special advantage to a special industry. Specific duties are the peculiar weapon of protection. They are used in this bill as they are used everywhere else for the purpose of compelling the people to pay the rigid price of so much a pound or so much a yard for goods that are manufactured here notwithstanding the foreign markets which control the price everywhere else in the

world may drop down below that, and would otherwise, on an ad valorem system, furnish us the advantage of a depression in price.

We have been trying, or at least I have, to get some idea about this polariscope. It has been a sort of *pons asinorum* to me ever since it got into this debate; and while I pay the most profound tribute to scientific discovery and know that a thoroughly educated chemist can take this nice contrivance and can separate between "the north and northwest side of a hair," or can separate the intangible and impalpable elements by which we are surrounded into constituents and divided parts, yet it does require that sort of a man to manage a polariscope. How many of that kind have we got at our command in the United States? You might as well put me to the handling of a mariner's compass with the expectation that I should be able to navigate a ship, when I never had my hand on the helm, as to put any man you will select, not a chemist, not really an expert, in charge of a polariscope to find out the exact saccharine strength of the whole of a cargo of sugar by melting down one little lump of it.

Let us see how it is. A sampler goes to a cargo or package and draws his sample where he pleases. Who watches the sampler? Nobody. You want to know how much of purity or impurity there is in the sugar. Who can tell out of which hogshead in a cargo he will take his sample? Nobody. Who can tell out of what part of the hogshead he will take his sample? Nobody can tell. How do you know that the balance of that cargo averages with the sample that he brings to the man who works it and tests it with the polariscope? You can not find it out. Opportunity for fraud and mistake occurs everywhere. If you submit sugars to the test of the Dutch standard you have got first to ascertain whether a man has an eye for color. Who are competent for judges? We find men so frequently color blind even that we have them now put upon trial by expert oculists to see whether they are competent to run railway trains. A man's appreciation of color differs from another almost as wide as the tastes of the tongue do. You first get a man to sample and then he or some one else looks at it through a Dutch standard, or else you take your sample before the engineer of the polariscope. Now, let us see what he does with it, for that is an interesting matter. I again read from an argument made in New York by a gentleman, Mr. Lawson Fuller, who says that he has had thirty years' experience as a refiner. He made an open speech to the people assembled, the ladies and gentlemen assembled, and exposed himself to open and public criticism, and I have not yet seen that anybody has denied what he said about it.

And what is the process of polarizing sugars? It is this—

Perhaps the Senate, if it is in the humor for hearing anything at all, at least those of us who are not so well informed about it, might as well give attention to the process of polarizing sugar to see how reliable a test the polarization of a little scrap of sugar not as big as the end of a man's finger would be of a hogshead or of a cargo—

Take 26.048 grammes of sugar crystals; dissolve that infinitesimal quantity in one hundred cubic centimeters of water; and to the solution thus obtained acetate of lead sufficient to precipitate; filter through prepared bone-dust to clarify; fill a glass tube two hundred millimeters in length with the solution and place the same in the polariscope; turn on the light, look through and adjust the instrument until both hemispheres present to the eye precisely the same shade of color.

Suppose that the engineer of the polariscope is color-blind, a little off in his judgment of colors, how much of a mistake do you think that man could make in ascertaining when these two hemispheres came exactly to the same line of color? It is the Dutch standard as practiced in the polariscope. That is all that it is. You have to determine when two parts of the same instrument present exactly the same shade of color. It is the Dutch standard brought into machinery. That is the whole of it.

Turn on the light, look through and adjust the instrument until both hemispheres present to the eye precisely the same shade of color.

There is the Dutch standard again determining between 13 and 14 or 12 and 13, by the use of this machine to aid in the elaboration and in the scientific perfection of the Dutch standard.

Mr. MAXEY. Will the Senator permit me? What more objection on account of color-blindness is there to the use of the polariscope than the Dutch standard?

Mr. MORGAN. Not a bit; just the same thing.

Mr. MAXEY. Then what test would you go upon?

Mr. MORGAN. The ad valorem duty, which prices the article what it is worth; put it upon the market value. We have the judgment of the market as to what the article is worth, and particularly when, as Mr. Wells says, hundreds of millions of dollars of transactions occur continually in sugar with the regularity of clock-work, because the merchant is capable of understanding the value. Let us go a little further with the gentleman whose speech I have been quoting. He says:

The test is then perfected, and the result will be found registered on the scale attached to the instrument, which can be read through a magnifying tube, 100° representing entirely pure sugar crystals in solution.

This, then, is the instrument—the delicate and sensitive instrument—which Congress is now asked by a few men to adopt in combination with the Dutch standard for testing imported raw sugars in order to levy duty thereon. For that purpose the Dutch standard for determining the grade is bad enough, but the use of the polariscope will make matters infinitely worse and furnish a vehicle for the safe practice of fraud indiscriminately upon the revenue, the importer, the buyer, and the consumer, at the option of the operators and their instigators. With all the frauds and abuses practiced under the present system, not one of these evils is even sought to be remedied by the recommendations of the commission. On the contrary, every truly objectionable feature of the present tariff is retained, and superadded thereto the process of mystification by the use of the polariscope. Had the object of the commission been to devise some scheme whereby frauds upon the revenue could be practiced without fear of detection, and the whole sugar trade of the country placed in the hands of a few unscrupulous refiners and those acting with them in Louisiana, this proposition could hardly be improved upon.

There are other and very important reasons why the polariscope should not be used. The first one is to be found in the fact that no two tests, however conscientiously made, ever bring out exactly the same degree of strength; and the very men who are now urging the adoption of this instrument, and the Government officials themselves, admit its inaccuracy by testifying that nothing short of chemical analysis is entirely reliable. And, again, it is a notorious fact that the most perfect polariscope possible or conceivable does not supply intelligence, capability, or honesty to the operator. Furthermore, with the introduction of the polariscope it will simply be impossible for any one purchasing sugars in the producing countries to import them into this with any certainty whatever as to the rate of duty the custom-house would levy upon them. The fabulous amount of raw sugar annually imported into the United States, and upon which an average duty of $45,000,000 is paid to the revenues, entitles those engaged in that trade to be fairly and justly treated by Congress. It would be not only unfair and unjust but tyrannical on the part of the Government to subject the merchants doing business in this great food staple to the uncertainties of a vicious tariff by which they would be embarrassed in their transactions and rendered liable to serious losses.

It is well known that the margin of profit in the honest importation of sugars has been reduced to a minimum, and the changes in markets, by reason of telegraphic communication, are very frequent and important. The business of importing sugar is a precarious one at best, and if in addition the tariff is so framed as to render the duty arbitrary, the business at once becomes one of great risk except to those who have extraordinary facilities and privileges, such as I have already described, and as are enjoyed by some of our heaviest refiners who are extensive importers and whose raw sugars, whether bought in foreign markets or afloat, go at once to their own private docks, which are close to and in fact connected with their refineries, meeting there only, as before stated, a sampler and a weighmaster from the custom-house, both underpaid officials, removed from the scrutiny of all third parties. If such a tariff as the one recommended by the commission, and which was suggested to them by some unscrupulous monopolists, were to be adopted, it would not be long before the 50,000,000 consumers of this country would find themselves shut up to three or four refining establishments for their entire sugar supply, and the Government would have to look to the same monopoly for its revenue of $45,000,000 on imported sugars. It will be in the power of these gentlemen of varied accomplishments to give to the people just such sugars as they see fit, of such quality as they may choose, and at such price as their greed may dictate.

So delicate an instrument as the polariscope may be a valuable aid for scientific investigations; but for testing imported raw sugars for the purpose of ascertaining the duty thereon it would be simply impossible to devise any other method whereby the Government could be defrauded with such perfect ease and safety as through the mysterious means that this instrument would afford. For instance, according to the plan proposed by the Tariff Commission, sugars testing 75° by the polariscope would pay a duty of 1¼ cents per pound; for every additional degree five-hundredths of a cent more. So that sugars testing 80° would pay 1¼ cents. How easily a sampler and tester could make a difference of three or four degrees on the sample taken from a cargo of raw sugar. The work of the sampler is all important; he can take his samples from just where he pleases or he can accept any samples furnished him for the purpose. The making of the sample concludes the whole operation; the sugars are "dumped" into the refineries and all evidence of the transaction completely wiped out. Four degrees would make 20 cents on every 100 pounds imported; and, carrying the calculation a little further, it would amount to $3.20 per hogshead. A refiner melting 1,000 hogsheads per day, as many of them do, particularly those who have the dock facilities referred to, could have an advantage over a competitor of $3,200 per day or $1,168,000 per year.

* * * * * * *

Four years ago Mr. SHERMAN said, in his report to Congress:

"It is imperative that some change in the mode of collecting duties on sugar should be made, and it is preferred, as stated in my last report, that the duty should be at one rate on all grades of sugar up to a point which will exclude temptation either to color sugar for the purpose of reducing the duty or to commit fraud by means of sampling and classification. The duties are dependent upon the fidelity of the sampler, one of the lowest paid officers in the public service."

I agree with Mr. Fuller. I am not for confining our revenue officers to the Dutch standard or the polariscope as the only test of value. The Senator from Ohio has demonstrated the frauds under the Dutch standard. I am not for confining them to the Dutch standard as determined by the polariscope, for that is what the polariscope does, determines the concurrence of two hemispheres reflecting exactly the same shade of color; it must depend on the eye of the man to discern this concurrence. I am not for confining them to the invoice that comes from abroad with the consul's certificate. I am not for confining them to the inspectors that may await the arrival of the cargo, and all of the persons that the Government provides for the purpose of preventing frauds. I am for opening the door on behalf of the Government, under regulations to be prescribed by the Secretary of the Treasury, to every means of determining what is right between the importer and the Government, and such is the amendment of the Senator from Maine. If we narrow the Government down to a particular method, as seems to be so anxiously required by Senators on this floor, we put it in the power of manipulators, by the adoption of one single method of detection, to discard all others, and so the truth may be butchered in the investigation of the subject, and *stare decisis* and *res adjudicata* will be pleaded upon you. Let the truth be what it may, it is silenced by the report of a fellow with his eye at the end of a polariscope, and possibly a bribe in his hand, who judges for himself and for all the balance of the world the particular shade of color that brings it above or below No. 13 Dutch standard. Who, besides himself, knows what he saw in the instrument, whether a coincidence of shades of color or some other coincidence?

What is the fact about the importations by the refiners as stated in the remarks of this gentleman in New York, and if they were not true they would not have been stated, or certainly they would have been

contradicted—what are the facts? The refiners import their sugars. They have enormous tanks where they put hundreds of hogsheads a day of sugar for its storage until it can be melted down. These refineries and these tanks, these receptacles of this vast amount of sugar are right along the piers where the sugar lands. A Government inspector is sent there with his polariscope, or he is sent there with his Dutch standard samples to make a test. A sampler is sent along; the sampler draws the sample, and the man holding the polariscope or the man who is the expert to judge of the Dutch standard test is there for the purpose of determining the value of the sugar by either test. No Government official is there but these; the other parties present are the importers and the refiners, and only they and their employés. The cargo is inspected by inspecting a hogshead here and a hogshead there. Samples from these hogsheads are taken by the sampler from one place or another in the hogshead to suit his convenience or his rascality as the case may be.

Immediately upon the verdict being rendered, execution issues, heads are knocked out of the hogsheads; they are dumped into one vast mass, and after that there is no detection, no further examination can be made as to what revenue that cargo ought to have brought, the matter is carried through in such a hurry, in darkness, and in silence. The Government of the United States is represented in this assessment by a man who as the Secretary of the Treasury lamented and complained is an underpaid employé, and therefore a man subject to temptation, and we are told now that we must take the polariscope test below 13 and the Dutch standard test above 13, as settled by such a man, and we must take nothing else. We must have these inspectors, and we must run the gauntlet of chances of fraud in this business as we have heretofore. When they tell us that we have lost as much as five million of revenue in consequence of frauds upon the sugar importation we must take all this and all these chances rather than to avail ourselves of all the chances that a wise and prudent Secretary of the Treasury might think it was necessary to adopt from time to time in order to detect frauds.

Sir, I plant myself upon the proposition that there is honor enough among commercial men in this country to protect their Government against fraud. When you open the doors of the penitentiary to a man who commits perjury; when you subject the whole cargo of a ship to confiscation for an undervaluation of a single hogshead of sugar; when you have got your consul watching the export in the foreign port; when you have got your inspectors looking on here; when in the open day these inspections take place, and the competing importers are there also for the purpose of seeing whether any other man engaged in the same business is not getting an advantage over them by undervaluation in his invoice; when you have got all these you have some chance for security. But, sir, shall we discard all this because we do not want the ad valorem system except to apply to about one-half of the bill? It is too bad a system to apply to the whole bill, but it is good enough for one-half!

Mr. President, I repeat what I have said, the only scientific tariff law that was ever written in the United States was the tariff law written by Robert J. Walker. He has vindicated it by the experience of this country which he has set forth in his letter a part of which I have read in the Senate to-day. It is not necessary for me to go over the ground that he has been over, or for any man, I think, to try to break it down.

Sir, the doctrine of ad valorem duties of taxation is the true doctrine in this country, and if we will adhere to it upon this item of sugar importation, and put the rate at a fair one as compared with the tax that we have put upon all other industries in this land, we shall have an honest and just and fair assessment and collection of taxes. Thirty-five per cent. ad volorem, in my opinion, would be about a fair tax for sugar to bear, that being its proportion of the burden of taxation and the revenue which we have laid upon the rest of the commodities at large in this land.

Mr. FRYE. Mr. President, I am not going to make a speech. I am a little mortified that I talked so much yesterday. My original amendment provided 25 per cent. ad valorem on sugars not above 13, and 35 per cent. on sugars over 13. When my amendment was offered yesterday I was persuaded by some Senators to make the duty 40 per cent. without any distinction between 13 and under or over. I do not like to stand sponsor for an amendment which is unjust in itself. With 40 per cent., one duty on all sugar, the refiner has no duty upon his work at all, and the planter has 40 per cent. Clearly a measure of that kind passed would kill the refiner. I withdraw that amendment, and instead of it I offer an amendment making all sugar not above 13 35 per cent. ad valorem; all over 13, 45 per cent. ad valorem. I am inclined to think that 25 per cent. was an injustice to Louisiana, and I have no desire to do her an injustice. I am willing to ask for what I asked for before, which is 35 per cent. as an equivalent for the difference in labor, and then 10 per cent. additional surely is small enough for the refiner, for that is all the protection, if you call it protection, that he would get under this amendment—35 per cent. on the raw sugars, 45 per cent. on the refined sugars. I believe that is entirely right, and it is the lowest rate of duty that has yet been offered. I withdraw my original amendment and offer this in its place.

The PRESIDENT *pro tempore*. The Secretary will report the amendment as modified.

The ACTING SECRETARY. It is proposed to strike out all after line 892 down to and including line 923, and to insert in lieu thereof the following:

In lieu of the duties and rates of duties now imposed on melada, concentrated melada, tank-bottoms, sirup of sugar-cane juice, concentrated molasses, and sugar imported from foreign countries, there shall be levied, collected, and paid the following duties and rates of duties, that is to say: On all melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, concentrated molasses, and on all sugars not above No. 13 Dutch standard in color, 35 per cent. ad valorem; on all sugars above No. 13 Dutch standard in color, 45 per cent. ad valorem; on molasses, 25 per cent. ad valorem: *Provided*, That the Secretary of the Treasury shall, by regulation, prescribe and require that samples from packages of molasses, melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, and concentrated molasses shall be taken by the proper officers in such manner as to ascertain the true value of such articles, and that samples of sugars shall be taken by said officers in such manner as to ascertain the true color and value of such sugars.

The provisions of this section shall take effect on the passage of this act, and the duties therein provided for shall be collected on all such goods which may be in the public stores or bonded warehouses at that time, instead of the duties now imposed thereupon by law.

Mr. MORRILL. Mr. President, I do not like to reply in the same language to every proposition that has been made here, and yet the same propositions are constantly recurring and admit of but a single answer. The duties upon sugar have been levied at a specific rate for more than twenty years. There is no article that more strongly justifies specific duties than the article of sugar. If this article is to be estimated upon an ad valorem duty both the polariscope and Dutch standard tests must be applied, for upon some of the sugars the color is the test, and upon others the polariscope is the test.

I desire to call the attention of the Senator from Maine [Mr. FRYE] to a communication addressed by him and his colleague to the Committee on Finance in relation to the duties upon potato starch. Those Senators asked that we should retain the duties upon potato starch at the same rate they now are. The value of imported potato starch abroad is $2.80 per hundred pounds, and the present rate of duty is 1 cent per pound and 20 per cent. ad valorem, which, when added together, it will be seen that 1 cent a pound is 36 per cent., and the additional 20 per cent. makes 56 per cent., the duty on starch. I think that they are entitled to that. It is an agricultural product; it is very much depressed, and so far as I am concerned I shall be quite ready to grant it; but it is much higher than the Senator proposes on the agricultural product of sugar.

Now, I trust that we may have a vote. When the Tariff Commission was organized it was asserted that it was not intended that there should be time enough for action upon their report at the present session. The commission made their report, embodying a large amount of material for argument on both sides of the question, and they have made, as I think, a fair report. If Senators persist here in speaking against time and in offering numberless amendments the only result will be that the Senate will be in fault for not acting upon a measure where ample time for a decent and appropriate consideration has been given.

Mr. ROLLINS. I wish to ask the Senator from Vermont if the amendment proposed by the Senator from Maine leaves the question of testing the quality of sugar where it now is under existing law?

Mr. MORRILL. No; it puts the duty at an ad valorem rate, and both tests must be applied in order to ascertain the actual value.

Mr. ROLLINS. Does it not provide for a test the same as the bill recommended by the committee?

Mr. MORRILL. It does not.

Mr. FRYE. It allows all the tests that they wish to use, everything that the Treasury Department wants to apply. Under my amendment they can use any test they please.

Mr. ROLLINS. It would make a very great difference with me if the Treasury Department could not apply the test which I deem it very desirable should be applied.

Mr. MORRILL. It leaves the Treasury Department to "go as you please." It does not apply any test whatever.

Mr. ROLLINS. The amendment of the Senator from Maine, as I understand it, proposes to tax all sugars not above No. 13 Dutch standard at 35 per cent. ad valorem. The Senator from Ohio [Mr. SHERMAN] estimates, as he stated in his remarks a few days since, that the bill reported by the committee would fix the duty at 32 per cent., which would be 3 per cent. lower than the rate of duty fixed by the Senator from Maine in his proposition.

Mr. FRYE. The Senator from Ohio will not stick to that, I know, because the average rate of duty on sugar now under existing law is 56 per cent., and if the Senator from Ohio is correct in stating that the bill reduces it to 32 per cent. it makes a reduction of at least $20,000,000; and no Senator on the Finance Committee has pretended that the schedule reduces the revenue $20,000,000.

Mr. ROLLINS. I should like to get at the facts in the case, so that I may vote intelligently on this question. If the bill which the committee have reported merely reduces the duty upon sugar to 32 per cent., I desire to understand it and to vote accordingly.

Mr. SHERMAN. Will the Senator allow me to state it?

Mr. ROLLINS. I will give way to the Senator from Ohio.

Mr. SHERMAN. I say again that the computation I submitted to the Senate the other day is exactly correct. The real diffictlty is that it is impossible to tell what the polariscopic test will be when applied to the Dutch standard. The bill recommended by the Tariff Commission and the bill reported by the Committee on Finance are based upon the idea that 75° by the polariscopic test is the equivalent of No. 7 Dutch standard. That is the whole basis of the Tariff Commission report; they say so in their report. The Senator from Rhode Island, however, insists and produces documents——

Mr. ALDRICH. I wish the Senator would call attention to the place in the report.

Mr. SHERMAN. Let me proceed.

Mr. ALDRICH. All right.

Mr. SHERMAN. The Senator from Rhode Island insists and produces documents tending to prove that 75° by the polariscope is not the equivalent of No. 7 Dutch standard, and that by tests which have been made from time to time by persons engaged in the business a much higher rate of saccharine strength is shown in No. 7 to No. 13 Dutch standard, he claiming that the average rate, as shown by Mr. Chamberlin and others, is 86°. Upon that we have no official information. I have this morning sent to the Treasury Department, by a resolution of the Senate, to ascertain officially any information they may have upon that subject, and I believe it will be reported to us that they have no such information, because no such polariscopic tests have been applied by the Government except in disputed cases of invoices, where the Government officers alleged that sugar has been artificially colored. We have those tests made by the polariscope, and only those. Consequently we have no official basis upon which we can tell exactly the effect of applying the polariscope to all the different grades of sugar.

Mr. DAWES. Let me inquire of the Senator, does the color of the sugar affect the polariscopic test?

Mr. SHERMAN. Not at all; but we never have applied the polariscope in Government transactions except to ascertain whether there has been an artificial derangement.

Mr. DAWES. To ascertain the saccharine strength of the sugar?

Mr. SHERMAN. Yes.

Mr. FRYE. Will the Senator from Ohio allow me to ask him a question?

Mr. SHERMAN. Certainly.

Mr. FRYE. I ask the Senator from Ohio if he believes that the bill reported by the committee reduces the duty on sugars from 56 per cent. to 32 per cent.?

Mr. SHERMAN. I say that by the computations as based upon the Tariff Commission report it does, because the Committee on Finance propose a repeal of the 25 per cent. additional duty imposed by the act of 1875, and then we reduce below the lowest grade as fixed by the old law fully one-fourth of one cent besides.

The whole difficulty in this matter, upon which I have not the slightest feeling and only desire to inform the Senate of the facts, is that we do not know and have no official information to tell us whether the basis of the Tariff Commission is correct that 75° by the polariscope is an equivalent of No. 7 Dutch standard. If we had that with certainty then we could compute this matter absolutely to the smallest fraction. The Tariff Commission base their report and all these proportions are based upon the idea that No. 7 Dutch standard is the equivalent of 75° of the polariscopic test, and they also say that to advance that tax at the rate of five-hundredths of a cent for every additional degree of the polariscope would make a fair ad valorem rate upon sugar; and that is the principle upon which this bill is founded.

Mr. MORRILL. Let me suggest to the Senator from Ohio that we throw off the 25 per cent. to begin with, and if we throw off even 4 per cent. more it would make his estimate right. His estimate of 32 per cent. is 24 per cent. less than the present rate.

Mr. FRYE. Does the chairman of the committee state that it is a reduction to 32 per cent.?

Mr. MORRILL. I have not made any accurate calculation.

Mr. ROLLINS. I suggest to the Senator from Ohio that I think I am entitled to the floor.

The PRESIDENT *pro tempore* The Senator from Ohio has the floor.

Mr. SHERMAN. I have, I think, said all I desire to say. I believe that I feel, as every one else dealing with this question does, that it is a matter upon which we have no official guide or information, because if the basis of the report of the Tariff Commission is impaired in the slightest degree, and if we have been acting upon a wrong idea that the old color test by the Dutch standard can not be measured by the polariscopic test in the way proposed, that is that No. 7 of the one is equivalent to 75° of the other, and that sugars ought in their normal state to advance by certain proportions, that these rates advance in relative proportions up to No. 90 or something of that kind, we have no safe test to go upon. But I do say the bill as proposed by the Committee on Finance is a very large reduction of the present rate; and I say further that rather than vote for an ad valorem duty on this article I would vote for any rate of specific duty that any one would name, whether 1 cent, 1¼ cents, or 1½ cents.

Mr. ROLLINS. I desire to say that I very much prefer a specific duty upon sugar, but I want to know what the tariff proposed by the committee means. Does it mean 45 per cent., as it is claimed by the Senator from Rhode Island, if I did not misunderstand him, or does it mean 32 per cent.? There is a wide margin of difference. The doctors disagree; the men learned in this matter disagree. There has been an immense amount of investigation had with reference to the duty upon sugar and the tests that have been applied to sugar. These gentlemen come here with this wide margin of difference and ask us, who are not so learned with reference to sugar, to decide the question. As I understood the Senator from Vermont he undertook to reconcile the differences between the Senator from Ohio and the Senator from Rhode Island by saying that we added at one time a war tax of 25 per cent. The tax then was 44 per cent., was it not?

Mr. SHERMAN. Forty-five per cent.

Mr. ROLLINS. Twenty-five per cent. added made it 56 per cent. Now, the Senator from Vermont suggests that if we take off that 25 per cent. and the further reduction of the tariff in accordance with the suggestion of the Senator from Ohio, we shall have reduced the tariff to 32 per cent. What I desire to accomplish is to ascertain the real fact in the case, and, if it is possible, to know what the bill of the committee really will do. It is represented in the newspapers and elsewhere that there will be scarcely any reduction of the duty to be collected upon sugar if the bill as proposed by the Tariff Commission is adopted; and it has been suggested also that there will be probably not more than $3,000,000 reduction of the tariff collected from sugar if the bill of the committee is adopted. I want to say for one that I am in favor of a larger reduction than that. I am willing to accord to our friends in Louisiana a fair protective duty, if that term is not offensive to them, upon sugar, though I confess I would much rather have free sugar. The Senator from Maine proposes 35 per cent. in his amendment, which is 3 per cent. more than the duty proposed by the committee, as we are told. I do not propose to occupy the time of the Senate in discussing this matter, but I want if possible to get at the real facts.

Mr. ALDRICH. Mr. President, in my remarks to the Senate night before last I promised to insert in the RECORD a statement from the Chief of the Bureau of Statistics as to the actual value of the sugar imported into this country during the last fiscal year. I found that I had mislaid the letter, and therefore was unable to put it in the RECORD; but I have this morning received the following from the Chief, which I will read:

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
Washington, D. C., February 1, 1882.

SIR: In answer to your note of this date inquiring as to the average value per pound of all sugar below No. 13 Dutch standard imported into the United States during the year ended June 30, 1882, I have the honor to inform you that the import value per pound was 4.4 cents.

Very respectfully, yours,

JOSEPH NIMMO, JR.,
Chief of Bureau.

Hon. N. W. ALDRICH,
Senator, United States, Washington, D. C.

This letter confirms the statement then made by me and repeated yesterday.

In answer to the statements now made by the Senator from Ohio, that 75° saccharine strength is equivalent to No. 7 Dutch standard, I will say that I have never heard the claim made before by anybody. I can not find any such statement in the report of the Tariff Commission, and I have just read it carefully.

If it be true, as stated by the Senator from Ohio, and I think this statement was confirmed by the distinguished Senator from Texas [Mr. MAXEY] yesterday, that the bill reduces the ad valorem duty from 56 per cent. to 24 per cent., let us ascertain what the resulting reduction in revenue would be.

The value of all the sugar imported last year was $84,355,545.58. If that had paid an ad valorem duty of 32 per cent. the receipts would have been $26,993,744.48 (the actual receipts were $46,711,795.14), and the bill of the committee as now interpreted by the Senator from Ohio will result in a reduction in revenue of $19,718,020.60, five millions more than the statement made by the chairman of the committee in opening the discussion on this bill, and which the Senator himself has admitted was not correct, and a number of millions in excess of any estimate which has been made on this floor by any Senator, whether on the committee or not. I can not think that the Senator from Ohio himself will adhere to his figures.

Mr. ROLLINS. Will the Senator allow me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. ROLLINS. How much does the Senator from Rhode Island estimate that the bill of the Finance Committee would reduce the revenue upon sugar?

Mr. ALDRICH. Eight million four hundred and thirty-three thousand dollars. I have not the exact figures. They will be found in the RECORD.

Mr. FRYE. What will be the ad valorem duty?

Mr. ALDRICH. The ad valorem duty remaining will be 45½ per cent.

In further confirmation of the statements I have made on this subject I desire to submit another statement, not theoretical, but copies of actual invoices of sugars that have been imported into this country during the present year from Cuba. They are exact copies of the actual

invoices. They can be verified on oath if necessary by members of the most reputable firms of importers in this country, that of Nash, Spaulding & Co., of Boston, Massachusetts. I will not read the invoices, but I will state that they show that if imported under the committee's bill, 1¼ and 5, these sugars would have paid an average duty on the first invoice of 47½ per cent.——

Mr. KELLOGG. What sugars?

Mr. ALDRICH. Centrifugal sugars from Cuba.

Mr. KELLOGG. Refined sugars?

Mr. ALDRICH. No, sir; not refined.

Mr. KELLOGG. Brown?

Mr. ALDRICH. Certainly.

Mr. ALLISON. Sugars below No. 13?

Mr. ALDRICH. Below No. 13 in color, all of them. The second invoice shows a duty under the committee's bill of 46¼ per cent.; the third invoice a duty of 46½ per cent. By my amendment, these same invoices would show an ad valorem duty of 42 per cent. on the first, 42 per cent. on the second, and 44 per cent. on the third.

Mr. KELLOGG. What would be the rate upon sugars above No. 13?

Mr. ALDRICH. I wish the Senator from Louisiana would allow me to make my statement in my own way. I have not discussed and will not now discuss the effect upon sugars above No. 13. The controversy between the Senator from Ohio and myself is entirely confined to sugars below No. 13 Dutch standard. I submit the statements for publication in the RECORD:

Invoice of sugar shipped by Heidegger & Co. on board the American brig L. Staples, Storer, master, bound to Boston by order and for account and risk of whom it may concern, and consigned to Messrs. Nash, Spaulding & Co., of said city.

585 hhds. sugar, whg. net 925,207 lbs., at 5c. cy., cost and fr't..... $46,760 35
Less freight to Boston, at $3¾ per hhd., $2,193.75 ..... 44,566 60

E. & O. E.

(Signed) HEIDEGGER & CO.

MATANZAS, *December* 29, 1882.
Dutiable pounds 943,056; average test, 95.5°.

Duty would be, at 1.25 for 75° and 4c. for each degree above, 21°×4=84+1.25=.02.09×943,056=$19,709.87, or 44 per cent. on the cost.

At 1¼ and 5c., 2.25, 47½ per cent. on the cost.

Invoice of 100 *hhds. sugar shipped by Ricardo P. Kohly & Co. on board the American bark Edward Waite, bound to Boston by order, for account and risk of whom it may concern, and consigned to order.*

K 1/16—100 h. centrifugal sugar, Armonia, gross..... 166,961 lbs.
190 lbs. tare per h..... 19,000 lbs.

Net ..... 147,961 lbs.

At 5c. c. and f..... $7,398 05
Less freight, $3¾ per hhd., $325 ..... 7,073 05

(Signed) RICARDO P. KOHLY & CO.

HAVANA, *December* 11, 1882.
Dutiable pounds, 145,196; average test, 95°.

At 1.25 for 75° and 4c. for each degree duty would be $2,976.51, or 42 per cent.

Committee's bill, 1.25 and 5c.=46½ per cent.

Invoice of 610 *hhds. centrifugal sugars shipped by F. Bollmann, as agent for Messrs. Ricardo P. Kohly & Co., Havana, on board the American schooner Edward Waite, Lee, master, bound for Boston, for account and risk of whom it may concern, and consigned to order.*

B 8/16—610 hhds., Favorito, w'g gross ..... 989,565 lbs.
Tare ..... 118,748 lbs.

Net..... 870,817 lbs.

At 5c. c. and f..... $43,540 85
Less freight at $3¾, $1,982.50, including all charges and com., U. S. cy.. 41,558 35

(Signed) F. BOLLMAN.

CARDENAS, *December* 16, 1882.
Dutiable pounds, 859,744; average test, 95°.

At 1.25 for 75° and 4c. for each degree above, duty would be 42 per cent.

At 1.25 for 75° and 5c. for each degree above, duty would be 46½ per cent.

Mr. KELLOGG. Mr. President, I only desire to say a few words in regard to the amendment offered by the Senator from Maine. The Senator from Maine proposes an amendment that in fact reduces the ad valorem duty 25 per cent.

Mr. FRYE. Thirty-five per cent.

Mr. KELLOGG. Twenty-five yesterday, and 35 per cent. as to sugar above 13 to-day. He amends his amendment offered yesterday by increasing the ad valorem duty on sugar below No. 13 to 35 per cent., and that above to 45 per cent., on the ground, as he says, that he finds it will discriminate to the injury of the refiners, when only yesterday from his seat in reply to me he said that he did not care anything about the refiners; that the refiners had no sort of interest in this matter of duty. He said that he had never seen or heard of a refiner who cared a cent about the duty, that the refiners did not care for anything, only one-eighth of 1 cent profit. He thought it was all right to bring the ad valorem duty down to 25 per cent. yesterday, but he has been converted since yesterday, I will not say by the refiners, but by his notion as to what interest the refiner has. The refiners' team pulls it up 10 per cent., and of course as a matter of necessity to be consistent it must pull our duty up 10 per cent. Hence the amendment of to-day.

Let us see how it is with other portions of this bill. I will take one schedule for illustration, and I want the attention of the Senator from Ohio and the Senator from Rhode Island, both members of the Finance Committee. I will not go over the question of free labor against slave labor, and the interest of the producer against the refiner, because I went over it yesterday; but it is proposed to strike down this agricultural interest, solely and entirely confined to this country and the people of this country, and directly involving the interests of 400,000 people and over 30,000 laborers by reducing the ad valorem duty to 35 per cent., and that by gentlemen who stand upon a national platform which says where there is a discrimination it shall be in favor of American labor. These same gentlemen have voted against the other side persistently a tariff of from 55 to 60 per cent. throughout the bill, except in regard to a portion of the metal schedule. [Mr. CAMERON, of Wisconsin, rose.] I understand all about lumber.

Mr. CAMERON, of Wisconsin. I do not want to say anything about lumber. I want to inquire of the Senator from Louisiana whether he agrees with the Senator from Texas [Mr. COKE], who said that the purpose in levying a duty upon sugar was not to protect the American laborer, was not to protect the producers of sugar, but was merely for the purpose of revenue?

Mr. KELLOGG. I can understand the position taken by the Senator from Texas. As I understand him, holding the views that he does, differing from the views entertained by a majority of Senators and by the Senators in the aggregate, I think, upon this side, he holds that the revenue from sugar is the largest, that it is the easiest obtained, at less expense to the Government, and he gave us his views in full yesterday. I do not share those views except so far as obtaining revenue cheaply is considered, but I think it is just and right to discriminate in favor of the agricultural interests of the country as the manufacturing interests, the growing of sugar or any other commodity or product or staple, and I have voted accordingly. That is why I voted as I did in regard to the schedule to which I am about to call attention as an illustration.

Take Schedule B, including pottery and glass. The question came before the Senate upon the amendment offered, I think, by the Senator from Kentucky [Mr. BECK], and the Senate refused to reduce the rates of the tariff upon china, porcelain, and stone-ware as provided by the bill reported to the Senate. The duty is from 55 to 65 per cent., according to the estimate of the Tariff Commission, and this is the protection that the bill gives to this interest. It gives just about the same protection to glass and glass-ware as the present duties give if you make allowance for the repeal of the tax on the charges. I am aware that the committee say they propose a repeal of the tax on the charges. I will not go into that, but it is a very small item when you come to analyze it.

On cut and ornamented glass, which includes the great mass of glass-ware used on the tables of the middle classes, the present duty is 40 per cent. ad valorem, and the bill provides for 45 per cent. duty, less the taxes on the charges.

Take common window-glass, not exceeding 10 by 15 inches, the old tariff is 1½ cents per pound. The Senate bill makes no change.

I believe there was an amendment offered to reduce it on the other side, I am not sure but it was voted down with the usual persistency and the usual consistency, as manifested in this proposition to reduce the duty on a product of Louisiana, an agricultural industry, grown by home labor, to 25 and 35 per cent., while they voted up small panes of window-glass as high as it has ever been, or higher.

Mr. ROLLINS. I wish the Senator would state as he goes along how the Louisiana Senators voted on those various items. That would add something to our information.

Mr. MILLER, of New York. Will the Senator allow me to correct him? The duty upon window-glass was put down by a vote of the Senate from the report of the commission.

Mr. KELLOGG. I am speaking of the bill.

Mr. MILLER, of New York. The Senator stated that the duty on window-glass was fixed by the Senate as recommended by the commission. It was reduced one-fourth of a cent a pound.

Mr. KELLOGG. That left it at 59.72 per cent. That is 15 per cent. above what the Senator from Maine proposes on sugar, and I will guarantee if you will look at the RECORD you will find that he voted against that proposition. I am not sure. On window-glass not exceeding 16 by 24 inches the duty is 2 cents a pound, or 74.16 per cent.; and not exceeding 24 by 30 inches the duty is 2½ cents, or 82.33 per cent. Above that it is 3 cents, or 84.78 per cent. That Senators voted, and still they are carping at this question of Louisiana sugar produced by black labor. The imports of glass of this character in 1882 were about 50,000,000 pounds. This class embraces all the common window-glass for ordinary dwellings, and any one can see at a glance that the rates are extortionately high.

On the other hand, under the head of "Glass manufactures not otherwise enumerated," as polished window-glass, which now pays a little less than 41 per cent., it is proposed by the bill to place a tax of 45 per

cent., and so I might go through the bill. That shows the consistency of gentlemen. Here I have sat day after day and voted with my friends on this side, including the Senator from Maine, for the kind of tariff that I have stated here as to this one single schedule, and it will apply with but few exceptions to most of the articles enumerated in the bill except lumber, and they are groaning night and day and agonizing and sending up a cry from one end of the country to the other where they are interested in lumber, asking us to review and reverse our action of the other day, and pleading to Senators who voted the other way to vote in favor of imposing a duty upon lumber as provided by the bill. I do not think the duty is too much. I voted with the Senator from Maine the other day. If you will look at the RECORD you will see that I voted persistently if not consistently, and I am willing to vote again to put the tax upon lumber as fixed by the committee; but I do not think it is right for the Senator from Maine to pursue the course he has taken for any reason. I do not suppose he is actuated by the idea that he can retaliate because my colleague and some of my Democratic friends voted in favor of putting lumber on the free-list by pitching into sugar and striking down the black laborers of Louisiana who vote the Republican ticket in the face of that provision of the national platform upon which we all stand on this side of the Chamber that says when there is a discrimination and when there is a tariff imposed it shall always be first in favor of the American laborer.

Mr. HOAR. I should like to ask the Senator from Louisiana a single question, with his permission.

Mr. KELLOGG. Certainly.

Mr. HOAR. What in his judgment is a just ad valorem protection for the sugar which is raised by his constituents?

Mr. KELLOGG. I will tell you frankly. I went over that ground the night before last pretty fully, and I think I can state it in a moment. The present tariff is 2½ cents a pound on the grade of sugar that we are interested in. The Tariff Commission proposes 2½, the committee bill proposes practically 2. That is the whole thing in a nutshell. However, the people who best understand the subject in Louisiana believe that the least duty that will suffice to give them the degree of protection they need to enable them to compete successfully with the foreign producer or importer is 2½ cents a pound, reducing the present rate one-quarter of a cent., which would give, as we think, about 54 or 55 per cent. ad valorem.

Mr. HOAR. May I ask the Senator a further question? Does he expect by that 55 per cent. ad valorem protection which he asks to diminish the price of sugar immediately by reason of an increased facility and skill in production, or an extended production, or does he think that the addition to the price of all the sugar in this country is to be a permanent addition?

Mr. KELLOGG. I do not think the Senator was in the Chamber yesterday when I stated that owing to improvements in machinery and a better cultivation of the land, secured by modern knowledge, &c., in fertilizing the land, and the better system of labor, that is more in vogue and increasing beneficially every year, and more systematic and more economical, the planter can succeed now with the 2½ cents duty, and soon with 2 cents, and perhaps with less.

I think it is a popular idea that you must reduce the tariff on sugar below No. 13 in order to secure the lowest cost to the consumer, because the consumer (as I explained yesterday, and I wish the Senate would bear this in mind and keep in view of the fact that it has not been successfully contradicted or met) purchases that commodity which comes from the refiner, and on that commodity the duty is practically prohibitory, so that last year there were only between 50,000 and 60,000 pounds that came in from abroad to compete with the American refiner—the sugar which goes upon your tables and which is used generally by the consumers throughout the country, against 150,000,000 pounds of sugar below No. 13 and generally No. 7, or including No. 7 and below it, that come in from abroad that was imported and went into the hands of the refiners, and going through their hands made the commodity that you purchase and use upon your tables. I showed that plainly yesterday. I challenge the Senator from Rhode Island to look at the price in California, and I made it so plain that he who runs may read. There is one single statement that to-day in San Francisco the sugar that is used upon the tables of the people of that city costs from 9 to 10 cents per pound, while the sugar from which it is made in its crude state comes here free from the Sandwich Islands and goes into the hands of the refiners at a cost of 2 or 3 cents per pound.

Mr. JONAS. Will my colleague permit me in support of what he has said to read an opinion of David A. Wells, who has been quoted extensively this morning?

Mr. KELLOGG. I wish you would.

Mr. JONAS. David A. Wells in his report on the assessment and collection of duties on imported sugars says:

> The evidence seems to be incontrovertible that, so far as the mere process or art is concerned, sugars can now be refined in the United States to any degree of purity cheaper than in any other country. The claim, therefore, that through any modification of the tariff, or in the event of the abolition of all duties, sugars suited to the wants of the masses can be sold at a cheaper rate, absolutely or comparatively, than they now are in the United States, rests upon no good and sufficient foundation.

An admission that the control of the market is in the hands of the refining interest.

Mr. KELLOGG. I have endeavored to answer the questions asked me by the Senator from Massachusetts. I repeat that 2½ cents, with the improved machinery now used upon the plantations and in the sugar-houses of Louisiana and the improved system of labor, is as low a rate as the planter can subsist upon. I want to press home again in reply to the other question asked by the Senator from Massachusetts, how do we expect to cheapen sugar, the fact that we can not cheapen sugar by reducing the rate of duty on sugar below 13 Dutch standard. You may search the records for the last ten years and you will see that whenever sugar is cheap it is just at that time of the year when the Louisiana crop, ranging from 80,000 to 100,000 tons, is thrown upon the markets. None of this sugar goes to California, for, as I have stated, the refiners there with an iron grasp hold the markets in their hands and levy tribute upon every class of society. So do the refiners of the North, except when the crop comes into competition and tempers the market. We raised nearly one-half of the sugars consumed in this country in 1859 and 1860. With the sorghum that is growing up if the industry is fostered as it ought to be by a judicious tariff it will far exceed the present product, amounting this year to $25,000,000 in value as against the eighty-odd million dollars of value of importations that the Senator from Alabama [Mr. MORGAN] stated. I think he is mistaken, for I think the value of importation last year from foreign countries was between $90,000,000 and $100,000,000. In a decade of years at least we shall be able to furnish the whole country with a staple grown here for home consumption, but you can not do it by reducing the tariff on the low grade of sugar.

Mr. ALLISON. Before the Senator sits down I should like to ask him a question. He states that 2½ cents is the lowest possible duty that the Louisiana labor can endure. If that be true it must be because 2½ cents a pound would be added to the price of sugar.

Mr. KELLOGG. It is.

Mr. ALLISON. Then if we reduce the duty below 2½ cents, would not that have the effect of reducing the price of sugar per pound?

Mr. KELLOGG. No.

Mr. ALLISON. Why not?

Mr. KELLOGG. Because you may bring sugar in at the lowest price, paying 1⅞ or 2 1/16 cents a pound; and that is the lowest duty on sugar, is it not?

Mr. ALLISON. At present.

Mr. KELLOGG. Wipe out the sugar-planter of Louisiana for the moment and you will not reduce the value to the consumer of sugar, because that low grade of sugar, coming in at a low rate of duty, goes into the hands of the refiner, and the refiner controls the market absolutely.

Mr. ALLISON. But I can not quite get to understand the Senator from Louisiana. If we reduce the rate of duty upon sugar he says it will not reduce the price of sugar. That is what he says in one breath, and then he says in the other if we do not keep the duty on sugar at 2½ cents a pound the Louisiana planter will be lost. I can not understand that.

Mr. KELLOGG. The price of our average sugar is about 5½ cents a pound. The average price paid for refined sugar is 8½ and 9 cents per pound. You can not expect sugar at less than 5 or 5½ cents a pound. If you will put us upon the same footing with the refiner and not discriminate in favor of the refiner by reducing the duty on the lower grades and reduce it on the higher, we shall come into the market and maintain our industry and at the same time put on your tables a sugar worth 5½ cents a pound.

Mr. ALLISON. In other words, become the refiners yourselves.

Mr. KELLOGG. Becoming the refiners ourselves. We can afford to do it. We have refineries growing up all over the country, but we can not get all this vast and expensive and complicated machinery to go down from the North when we cut down the industry and confine it to a few refiners in the North. Does any Senator fail to understand it? In other words, is there any Senator who doubts, is he so blind that he can not see that this raid upon the Louisiana planters has been organized systematically, as shown by your petitions, by the letters sent to you by the refiners, and when the Senator from Maine tells us within the last twenty-four hours that the refiners do not care a cent about the duty; that they are not interested in it, do not care a sou marqué; and still comes in here to-day and in deference to their behests, or if not to their behests to their interests, increases his amendment 10 per cent. ad valorem, which shows that they have considerable interest, and if you will look upon your schedule of duties and imports you will see that there are only 50,000 pounds now imported in the last year of all the sugar that is refined, that is handled by the refiners and sold by the refiners, and all of the vast quantity sold in this country, amounting to millions upon millions and tens of millions, which comes from the refiner at 8½ and 9 cents a pounds, and that 1,500,000,000 pounds are imported of that grade of sugar of No. 7 and below No. 7?

Finally, I want to know, and I have asked that question twenty times, if there is one member of the Committee on Finance who will stand up here and say that the duty on refined sugar is not absolutely prohibitory? If he admits that he gives away his whole case, whoever he is.

Mr. BLAIR. Do I understand that the proposition is to reduce the tariff more largely upon the refined sugar than upon crude, the product

of the Louisiana planter? I do not see any relief to the consumer. If the American refiner now has the control of the American market there is no way to bring in competition against him but by reducing the tariff upon the high sugars so that the foreign refiner may sell here as against him. The only way that there can be any ultimate good, if the tariff is not reduced upon refined sugars, is under the operation of the existing tariff, which I suppose to be largely profitable either to the American refiner, or by competition between American establishments, which will reduce the price of the refined sugar here in the same way that the cotton manufacturers by their competition have reduced the price of cottons manufactured in this country from 60 cents down to 5 cents. The point in my mind, what I should like to know in regard to it, is what reduction upon the tariff on refined sugars is necessary in order that we may enable the foreign refiner to compete with the American refiner? How much reduction should there be upon the refined sugar?

Mr. KELLOGG. I will state to the Senator the way to test it, and I ask the attention of Senators especially on the other side. The way to settle this is just to put a rate of duty at 2½ cents per pound, if you please, upon all kinds of sugar below No. 13, above No. 13 and not below No. 16, and above No. 16 and not below No. 20, and on all above No. 20. That is easy. Say that every pound of sugar that comes into this country shall pay so much specific duty, and then you can do away with your polariscopic test, your ad valorem, all this complication of two hemispheres that the Senator from Alabama talks about, and then that will solve the great question as to whether the Louisiana planter is right, and it will solve it very quickly as to the refiner, how it puts down the article that goes upon your table, and in which the consumer is interested, while it will leave the Louisiana planter to live, if not to thrive; to subsist, if not to derive a profit.

Mr. BLAIR. What evidence is there that the American refiner makes anything more than a reasonable profit? It is already admitted that the American refiner can refine more cheaply than any other refiner in the world. If he makes only a living profit, why should there be any reduction of the tariff upon either the crude or the refined sugar? What is the fact as to the American refiner making a reasonable profit?

Mr. KELLOGG. Of course I will not endeavor to go into that question. It is an interminable question.

Mr. BLAIR. The whole question is right there. No man who believes in a protective tariff proposes to destroy any American industry. The refining industry is an American industry, just as much as the original production by the planter. The planter says he can not endure a reduction of any consequence.

If the refiner says, and establishes the truth of the statement, that he can not endure a reduction without the destruction of his industry, then you ought not to reduce the tariff at all, either as to the planter or as to the refiner; we should leave the law as it is, or we should add to the tariff on sugar. The whole thing is just in this one question of fact, it seems to me: First, as to the producer, the planter, does he make more than he ought to? Second, does the refiner make more than he ought to? Those are questions of fact, and upon those questions the committee and everybody else are as much at sea as though they were dealing with original chaos. I do think somebody who has had an opportunity of investigating this question as a matter of fact ought to make known to the Senate whether the refiner is accumulating an undue advantage out of his business, or whether the planter is doing so; and if neither is getting more than a fair profit upon his capital and upon his labor, for which he is obliged to pay, we ought, it seems to me, not only to leave the tariff where it is, but we ought to add to it. Those are questions of fact I should like to be informed upon.

Mr. KELLOGG. As I said, that is an interminable question. I am not going to inquire here whether Mr. Spreckels, of California, is a poor man or a rich one; whether the refiner makes any money here or on the Pacific coast; whether the Havemeyers, covering an acre of ground nearly with their works built up at Brooklyn, are poor men or rich men; or whether the Boston refiners are making money or not, because if they are not making money of course they would not be building them, they would not be adding immensely to their possessions, they would not be doing an immense monopolizing business, they would not be building palatial residences and warehouses and refineries that cost a million and a half or two million dollars, as I think the Senator from Ohio will admit is a fact. But of course they are very poor men, and Spreckels to-day is compelled to ride in a horse-car and borrow tickets to get from here to Willard's Hotel, or wherever he stops. Everybody knows that. Now, if the Senator is really in earnest and wants to go into the question of whether these refiners are making money I will go into it; but I call attention to the fact that the Senator from Maine said yesterday that the refiner did not ask any odds on this question of duty.

Mr. BLAIR. I did not expect to get into a debate on this matter, but I was in pursuit of information. I have nothing to do with Mr. Spreckels. I understand he has a monopoly. He is on the Pacific coast; and the Atlantic coast refiners and Mr. Spreckels are in no way connected with each other, because between them intervenes this extensive transportation that protects him and makes him a millionaire. The question we are dealing with is as to the profits of the American refiners generally, those who are subject to the operation of the existing tariff in the Mississippi Valley, in the South, in the North, and on the Atlantic coast. Are they making more than a reasonable profit on their capital? That is what I think is the essential point in this whole discussion, and upon this question of fact somebody ought to know something.

Mr. KELLOGG. Mr. President, having said what I have said in regard to the Havemeyers and Spreckels, and these people, I do not propose to go into that matter further.

This is a plain proposition. If the sugar that is made for 9 cents can be reduced to 5 cents or 3½ to 4 cents a pound, will the Senator from Maine or any other Senator stand before the country and say that, whether a few refiners get rich or grow poor, there shall be a prohibitory tariff on the articles they use that will keep up their sugar to 9 cents when the removal of the high duty will reduce it to 4 cents? That is a plain, practical proposition. If they do not make money on melada and tank-bottoms, that come in here at 1⅛ cents a pound, which they make into clarified sugar; and if they do not make money on the lowest grade of sugar No. 7, and under, paying $2\frac{3}{8}$ cents per pound duty, when after it goes through their hands they get three times as much for it, then it is their fault. That is a plain proposition.

Moreover I will make here to-day a proposition in the interest of the producer, and agree to stand by it, to put the tariff at 2½ cents on every pound of sugar that comes in irrespective of the grade, quality, or character; that will bring them face to face with the question, and if they will not agree to that it shows that they are making money, will it not? Will any Senator dispute the proposition that under such a tariff as that sugar will go on your tables at 4½ or 5 cents less per pound? If that be so, we will take the proposition, abide by it, and be glad to get it. That will protect our home product, while it will bring our refiners of the finer grades of sugar face to face with the refiners of Cuba and other foreign countries, just as you propose to march up our brawny laborers in the South, well-clothed and well-housed and receiving from 85 cents to $1.25 per day for their wages, face to face with coolies and slaves who wear breech-cloths and live on 5 cents per day and are paid not over a shilling a day.

Mr. BLAIR. On that question I should like to ask the Senator does he know whether the colored laborer on the Southern cane plantations receives 85 cents to $1.25 in money, or whether the planter pays him from that material which he himself buys and sells?

Mr. KELLOGG. I will tell the Senator cheerfully. I am glad he has asked the question. I have the exact schedule from some of the planters.

Mr. BLAIR. If the Senator is looking the matter up, the question would be more exactly pertinent if I were to inquire whether the colored laborer receives his pay, from whatever source it comes, whether from the planters or middle men, in money?

Mr. KELLOGG. He does.

Mr. BLAIR. That is the point.

Mr. KELLOGG. He receives cash. The system is this: The planter gives to the laborer money, or a check on which he goes to the store of the planter; there are stores on every plantation or adjacent thereto; and the laborer gets his commodities for these checks the same as though he had cash. The sugar-planter of Louisiana pays for the cultivation of the crop on an average per hand per day $1; for hoe-hands, 85 cents. During the harvest season cane-cutters are paid $1 and for special work, such as ditch-building, levees, &c., $1.25 to $1.50; sugar-house work, $1.25 to $2.50. The sugar-house men get 75 cents extra for what is called their extra duty or a watch of six hours, so that practically they get $2.50 a day during the grinding season. This does not include rations. The planter provides the laborer a comfortable house, garden, and fuel. Some planters pay cane-cutters $1.25 per day and 75 cents extra for night-work as I have stated.

Mr. BLAIR. What is the season during which they are employed?

Mr. KELLOGG. I am glad the Senator has brought that question up, because it gives just the opportunity I want:

The Cuban planter, as a rule, pays for the Chinese labor he controls $4 per month or $48 per year—

I read from an address by some of the planters in Louisiana. The facts can not be disputed—

and the estimated cost of feeding the Chinamen on rice and jerked beef is 10 cents per day or $36 per year. Other incidental expenses will make a total of not exceeding $100 per year. Under their present laws they pay their slave laborers the same. In Jamaica, Santa Cruz, Barbadoes, and the other West India Islands, the standard wages for free laborers is 25 cents per day. In Demerara, where cooly labor is largely employed, the usual cost is about 16 cents per day and rations. As against all these the standard wages in Louisiana for first-class field laborers is from 85 cents to $1.25 per day; for second class 75 to 85 cents; for special work, such as ditching, building levees, &c., $1.25 to $1.50; for sugar-house work, $1.25 to $2.50, and extra for night work; and there is furnished the laborer a comfortable house, garden, and firewood. During the harvest season, which continues about ten weeks or seventy days, the laborer may at his option earn 50 to 75 cents for working half the night. There is always plenty of work to do, and his employment is constant. Forty-two weeks of ordinary labor, equal to two hundred and fifty-two days or $252; ten weeks harvest season, or seventy days, is $70, and seventy half nights, at his option, at 65 cents is $45, or a total of $367 that the unskilled laborer may earn, and thousands of them do it, and this is over three and one-half times the cost of the same labor in Cuba. Mechanics and other skilled laborers are paid much higher rates.

Mr. BLAIR. I notice that the Senator is reading from a printed document. He himself knows whether it is true. Does he indorse it?

Mr. KELLOGG. I do. This is signed by a number of sugar-plant-

ers. It was read by my colleague the other day and made a part of his speech. This same information I have in manuscript, and also in a statement given me by Governor Warmoth as to what he paid upon his plantation; and Edward J. Gay, John Dymond, and F. M. Ames join in the same statement. I have heard the statement from Governor Warmoth's own lips, and I know what we pay upon our plantations in Iberia Parish.

One point I want to call the attention of the Senator from Massachusetts to:

A careful analysis of our expenses develops the fact that the cost of production is composed of 70 per cent. human labor and 30 per cent. supplies—such as feed, oil, coal, tools, implements, and machinery. With the average cost of production of 5¼ cents, 70 per cent. thereof would show 3.85 cents per pound invested in human labor, and as we have shown before, our free labor costs us three and a half times as much as the slave and other labor of Cuba and the tropics, the Cuban would pay but two-sevenths of this 3.85 cents per pound expended in human labor, and five-sevenths of it, or 2¾ cents per pound, is the excess we pay, as compared with their slave and semi-slave labor.

Now notice:

The Government is now collecting a shade under 2¼ cents on the foreign sugars imported—

It is really 2.48 exactly. I said in reply to a question of the Senator from Massachusetts that it was 2½—

and hence we now get less protection by one-fourth cent per pound than the excess of the cost of our free American labor over the cost of the slave and semi-slave labor of Cuba and the tropics. The report of the Tariff Commission recommends a schedule of duties on sugar that will average but 2¼ cents per pound, placing us then at a disadvantage of one-fourth cent per pound, as compared with those using slave labor; and we therefore protest against any further reduction. The Senate bill, beginning at 1¼ cents, would give but 2 cents per pound average duties and would be the equivalent of the law of 1870, under which we experienced such great disaster.

I think the crop then fell down to 65,000 tons, while it increased in 1881 to 110,000 tons, and this year to 120,000 or thereabout, or a crop nearly $25,000,000 in value, against less than half that under the tariff of 1870.

I rose for no other purpose in this instance than to call the attention of the Senate to the manner in which it had voted in regard to certain schedules, and I instanced this only by way of illustration. I might have gone through the whole bill. I ask Senators to again turn their attention and hereafter to examine for themselves my statement and verify it as to whether the tariff as left by the bill after it has passed the scrutiny and the votes upon the different amendments during the past fifteen or twenty days, while the bill has been under consideration, does not in most instances give a greater proportionate rate of ad valorem duty than is proposed either by the amendment of the Senator from Maine or by the committee amendment as to sugar. The industry of sugar, I take it, has as much claim, in all respects and in every point of view, as any manufacturing interest in the hands of a few local corporations or manufacturers.

Mr. ALLISON. May I ask the Senator from Louisiana if he regards an ad valorem duty of 35 per cent. as a less rate of duty than the specific rate proposed in the committee's amendment?

Mr. KELLOGG. Please repeat the question.

Mr. ALLISON. Does the Senator regard the 35 per cent. ad valorem suggested by the Senator from Maine as a lower rate of duty than the specific duty proposed by the Finance Committee?

Mr. KELLOGG. Oh, yes. Thirty-five per cent. is below the committee's bill. I should say the Senate bill would give 40 to 45 per cent. ad valorem. The Senator from Maine proposes a reduction to 35 per cent. That reduction would just ruin the Louisiana planter and completely prostrate the industry. If the Louisiana planter, with his expensive machinery and the high price he pays for supplies to the Northwest and for transportation by steamboat or by railroad, as the case may be, growing his staple as he does under most disadvantageous, embarrassing, expensive, and exacting circumstances, is to be mulcted in this manner and put under the hammer of revenue revision and reform by cutting down his ad valorem protection or duty to 35 per cent., as last proposed by the Senator from Maine, what shall be said of the manufacture of window-glass and of all those articles of manufacture that I have been over—and I could go over many more, and point out in the different schedules of the bill—where you protect the man who has all the advantages of cheap labor in the North, and of cheap transportation, and of every facility in the way of not only cheap transportation, but all things around him calculated to make his labor profitable and to cheapen the cost of production of his manufactured article, when it is proposed to give from 60 to 75 per cent. ad valorem protection?

In one case it is proposed to give to a few corporations in Providence, Rhode Island, if you please, or in Boston or in New York or in Brooklyn or in Philadelphia, 60 or 65 per cent. protection, employing a great many men, whether naturalized citizens or others makes no difference; while here, to a limited extent, in a locality comprising one-half the State of Louisiana, sugar is raised by brawny laborers who with all their multitudinous interests are citizens, men who participate at the ballot-box, and generally, I am glad to say, vote the Republican ticket. That proposition is made on this side, and I am sorry to say that the majority of my Republican friends yesterday put themselves on record against my black cohorts, against our friends in the South.

Mr. MILLER, of New York. Did they carry the State?

Mr. KELLOGG. They did carry a portion of the State, and have a Representative from that district.

Mr. MILLER, of New York. Have they possession?

Mr. KELLOGG. They will have possession, God willing. You propose to stamp them out, to grind them in the dust; and while you are doing it you have 60 or 75 per cent. on your manufacturers who turn out window-glass, small panes of glass, and who produce crockery-ware that goes upon the tables of the middle classes.

Mr. BECK. Will the Senator from Louisiana allow me to ask him a question?

The PRESIDENT *pro tempore*. Does the Senator from Louisiana yield to the Senator from Kentucky?

Mr. KELLOGG. Certainly.

Mr. BECK. I only desire to obtain information. The proposition being 35 per cent. as made now by the Senator from Maine, is that more or less protection to the Louisiana planter than the bill of the Senate committee?

Mr. KELLOGG. Less.

Mr. BECK. About what does the Senator from Louisiana consider that the Senate Finance Committee's proposition is ad valorem?

Mr. KELLOGG. I should think about 45 per cent. I should think that if the proposition made of cutting down the present tariff one quarter of a cent a pound, leaving it, instead of 2½, as it is, I think, now, 2¼ cents a pound, it would give about 55 or 60 per cent. ad valorem duty, about what is given now on window-glass, crockery-ware, and the general average of this bill. If you give us 2¼ cents, which the Tariff Commission proposed, which is all we can carry, it would be just about the average here, except on a few articles in the metal schedule. Of course I do not take into account lumber, for that is a matter for consideration hereafter.

Mr. BLAIR. I should like to ask the Senator on this matter of labor what proportion of the Southern sugar-planters are white and what are colored; and will he state to us, so far as he can, the number of laborers employed upon the plantations, and whether the laborers are exclusively white or colored? Give us some idea as to whether these Southern plantations bear really any analogy to the manufactories of the North?

Mr. KELLOGG. That is what I am trying to do.

Mr. BLAIR. I should like to have the Senator explain all that.

Mr. JONAS. Will the Senator from New Hampshire permit me to ask him a question?

Mr. BLAIR. Certainly.

Mr. JONAS. I should like to know of the Senator whether a colored laborer bears analogy to a white laborer?

Mr. BLAIR. That is the question I was asking.

Mr. JONAS. The Senator's question seemed to me to lead to the inference that there was a difference between a white man when employed as a laborer, and a colored man. The labor employed in the cultivation of sugar is nearly all colored.

Mr. BLAIR. That is the question I was asking the other Senator from Louisiana, and he was about to answer it.

Mr. JONAS. I thought the question of the Senator from New Hampshire as put implied that a colored laborer was not as good as a white laborer.

Mr. BLAIR. I should be glad to have a full presentation of that aspect of the question.

Mr. KELLOGG. In order to show the greatness of this interest as compared with the manufacturing interest that turns out window-panes and crockery at a few places in this country, I want to state in reply to the Senator from New Hampshire, while I am replying to the question whether our labor is white labor or colored labor, that we employ ninety millions of capital in Louisiana alone.

Mr. BLAIR. Is the capital owned by colored people?

Mr. KELLOGG. Some. There are ten millions of that in machinery alone, that was paid for machinery made at Cincinnati and at Reading and at West Point and New York and Philadelphia, and some in Boston, I believe. This industry supports almost exclusively 400,000 people. About two-thirds of those people, and probably more, are colored, formerly slaves. We have 1,200 large plantations, and they run through in area over a third or nearly one-half of the State, and we probably have, at a rough calculation, about 30,000 men, and a proportionate number of women and children, who go into the cane fields and into the sugar-houses and work, making, in all probability, sixty or seventy thousand people, engaged absolutely as laborers, and indirectly 400,000 people dependent on this industry for support.

Mr. BLAIR. My question was how much of the capital is owned by white men and how much by colored men? What are these laborers, white or colored?

Mr. KELLOGG. I am coming to that.

Mr. BLAIR. I thought the Senator was sitting down.

Mr. KELLOGG. Oh, no. As to the other branch of the inquiry, I wish I had the statistics before me—I have them in another place—in regard to the facilities for education afforded to the freedmen of the South, and I intended to use them at another time in advocacy of a resolution on the Calendar, and that I offered last session, calling for an expression of the Senate in favor of educational facilities to be afforded

by national aid to the South—I now state from memory, not having those statistics before me, that we have a larger proportion of colored people in Louisiana who, free before the war and made free by the war, own property, real or personal, than any other four or five States of the South. We have a more peaceable and quiet population, less turbulent at elections or at any other time, and perhaps by reason of this peculiar industry, because of the peculiar nature of this sugar industry, it is so sensitive that the laborer can not be tampered with. There is no disposition to tamper with him.

There are few sugar planters comparatively to cotton planters. They own large plantations, work a large number of hands; two or three hundred is not unusual for a large sugar planter. All these black people are acquiring property with scarce an exception, and with scarce an exception the white people are affording them every possible facility to acquire property, and the black man in Louisiana in the sugar districts understands just as well as the Senator from New Hampshire does the necessity and the advantage of acquiring property, real and personal. It is a common thing to hear them discuss at their meetings the way they pay 5 cents or 10 cents tax where the planter pays $10; they say the 10 cents is worth as much to them as the planter's hundred or thousand dollars to him, and they are coming as property owners and tax-payers to see to it that no improper men are put over them as officers to extort from them unjust taxes. The planter is working in perfect harmony and accord with the colored man in that portion of Louisiana especially to-day, and each one respects the rights of the other. I should say there is not a colored man in Louisiana working on a plantation in the sugar region who does not own his holding, or scarcely any, except a few shiftless, drunken fellows, and he owns his household furniture and lives in a respectable cabin, it may be afforded by the planter. The aggregate amount of wealth I should say would be somewhere from eight to nine millions owned by the colored people and upon which they pay taxes.

Mr. BLAIR. Now, we have listened to the Senator from Louisiana, who has given us, I doubt not, a faithful statement of the natural, the inevitable, and the real influence upon the Southern colored laborer of the doctrine of protection as applied to the sugar interest. He has drawn, let me say, a very truthful picture in complete analogy with the same effect on the white laborer at the North. I think our friends from the South on the other side of the Chamber, who are continually speaking to us of the degrading, belittling effect of this doctrine of protection and of the system of factory labor which we have at the North, might then ask themselves if this is true which the Senator has just stated in regard to the colored race; whether they can believe that the same institutions and the same principles operating upon the Anglo-Saxon, the white man of the North, would be likely to produce any different effect, when right there among themselves they see the most complete possible reply in an existing institution, in an existing matter of fact among themselves, to all the arguments which border upon blackguardism with which they assail Northern industry.

Mr. BECK. I rose yesterday afternoon just before the adjournment and asked some questions of the Senator from Maine and others about their objections to the Finance Committee's sugar amendment. I am entirely satisfied the more I hear that the effort to get away from that proposition is simply on the part of the refiners, because it is doing better for the planters of Louisiana than any proposition that was made, unless perhaps the proposition of the Senator from Alabama might do as well, or the coalition or partnership or whatever it may be for a while of the ad valorem rate of the Senator from Maine. When the Senator from Maine withdrew his first proposition, which the Senator from Alabama thought was right, and demanded 28.6 per cent. more protection for the refiners than he was willing to allow the Louisiana planter, I knew that was where it would come.

The Senator from Louisiana admits that the Senate committee's proposition, while lower than he thinks it ought to be for the protection of the lower grades of sugars with the limitations placed upon the higher grades of sugar by it, is better than anything else that has been proposed.

Look at the Senator from Maine's amendment for example. What is it? If a thousand pounds of sugar No. 13 worth 4 cents a pound come in, they are worth $40, and pay $14 duty at 35 per cent. ad valorem. If a thousand pounds of sugar worth 8 cents and being over No. 16, which the refiners have to deal with, are imported, that cargo is of course worth $80, and at 35 per cent. duty it pays $28. But he is not quite content with that. He says that if the higher grade of sugar is imported it must pay 45 per cent. or he must have $36 protection on every one hundred pounds of sugar that comes in.

The Senator from Maine understands and the refiners all understand it perfectly, for they are the best informed men as to the value of these things. They have the duty now absolutely prohibitory, because all the sugar imported is of the lower grades, under the grade that they have to deal with and against which they ask protection. Altogether the imports of the higher grades amounted to less than $92,000 in value out of $84,000,000. The importation of the grades from No. 13 to No. 16 and from No. 16 to No. 20 all told amounted to less than $92,000 in value, and paid duty at the rate of 74.54 per cent., 65.23, and 60.91 per cent., being really an absolute prohibition. It is conceded that these men can work as cheap as any men in the world, that they can excel men in all other countries, and to show what they are doing they exported last year of refined sugars 13,761,069 pounds, and collected back, as was averred in the Treasury Department, a much higher rate of drawback than they paid as duty on the original sugar that they imported.

They not only need no protection but they actually draw out of the Treasury for every cent they import quite as much as they pay, and the Treasury Department charges a great deal more, as the books show 13,761,069 pounds of their product exported, and yet the Senator from Maine demands that they shall have 28.6 per cent. more protection on the duty, by making it 45 per cent. instead of 35 per cent., than he is willing to allow the Louisiana planter. And he is the great champion of the reduction of taxation! He taunted us all yesterday that we were willing to put on this enormous tariff. Why is he seeking to put the tariff 28.6 per cent. of the duty, being the proportion ten bears to thirty-five, in favor of men who are the richest men in this country, who have a monopoly now of all the grades from No. 13 up and have had it for years? And yet he is going to give them 45 per cent. ad valorem as against 35 per cent. which he is willing to allow the planter. That is his proposition, and that is the proposition the Senate is called to vote upon. Senators, the more I look at it—while I do not pretend to have the accurate knowledge that other gentlemen have—the better I am satisfied that the proposition reported by the committee is the very best that the Louisiana man can get, and it is better for the consumer.

Mr. GEORGE. Why better for the consumer?

Mr. BECK. It is better for the consumer because we have cut down and virtually destroyed the existing monopoly on the part of our refiners and allowed foreign refiners to compete with them and make them sell their sugars cheaper than they are doing now, and cheaper than any other proposition before the Senate will compel them to do; and as nine-tenths of the sugar consumed in the country is sugar that has passed through the hands of the refiner, the lower we bring down his product the sharper we make the competition between foreign refiners and American refiners, the cheaper the Senator from Mississippi and myself will get the sugar we eat. That is what is the trouble now with the refiners and with some gentlemen on the other side. They do not care for the Louisiana planter or producer; they desire to keep up the prohibition as against any competition with the refiners, and let them charge what they please for the sugars we consume. There is where the great fortunes have been made.

Mr. VOORHEES. Let me ask the Senator from Kentucky whether it is not a fact that all the planting interests in Louisiana take a different view of this subject from that which he entertains?

Mr. BECK. I think the planting interests of Louisiana represented by the Senators take the same view as I do, except that I favor a lower rate.

Mr. JONAS. I take the same view.

Mr. BECK. And so does the other Senator from Louisiana.

Mr. VOORHEES. Then what is this discussion about? I must have misunderstood the Senator from Louisiana.

Mr. BECK. The Senator from Indiana studied it no doubt as carefully as he could, and so did I, in committee, and I think we both changed our minds more than once in the progress of the argument; I know I did; but at last, after hearing a good deal and thinking a good deal, I have come to the conclusion that the proposition made by the committee is the best for these people. We begin with 1¼ cents a pound at 75° of the polariscope.

Mr. JONAS. If the Senator from Kentucky will permit me to interrupt him a moment, I did not intend to say, as the Senator from Indiana seems to have understood, that the planting interest is satisfied with the rate in the Senate bill. I meant to say that they preferred it infinitely to the proposition of the Senator from Maine.

Mr. VOORHEES. As a matter of course I was astounded by the answer of the Senator from Louisiana. I thought I did not understand it. I am very glad he has made the correction.

Mr. JONAS. I meant that they agreed with the Senator from Kentucky, that the proposition of the Senator from Maine would place the market, practically, under the control of the refining interest, and the only mode of cheapening the price of sugar is to permit competition with the refiners of this country.

Mr. VOORHEES. I have understood further (and I have acted upon that idea) that the planting interest of Louisiana prefers the bill reported by the commission to that which is known as the amendment offered by the Finance Committee.

Mr. JONAS. Yes, sir.

Mr. VOORHEES. It was to that question that I spoke. I had no reference to the amendment offered by the Senator from Maine.

Mr. JONAS. I misunderstood the Senator.

Mr. VOORHEES. I thought there was a misunderstanding.

Mr. BECK. The Senators from Louisiana prefer the Tariff Commission report so far as it applies to sugar below No. 13, but as to the Tariff Commission's rate for the refiners on sugars over No. 13, I think they do not approve it, but they agree that the Senate bill is a better restriction upon the refiners than the Tariff Commission bill. There is where the Senator from Indiana, I think, makes a mistake as to the grades

above No. 13, where the Tariff Commission allows the refiner a much larger protection in proportion than the Senate committee has allowed him. He failed to make that distinction yesterday, to which I called his attention then.

Mr. VOORHEES. I regard the duties on the grades above No. 13 as virtually prohibitory. I have not been satisfied with them. I thought it was a measure largely in the interest of the refiner. The remarks I made yesterday were addressed mainly to the low grades and in the interest of the planters.

Mr. BECK. I think the mistake the Senator made yesterday was in supposing that the Senate bill was more in the interest of the refiners than the Tariff Commission's report. A comparison will show that he was mistaken there.

Mr. GEORGE. I wish to ask the Senator from Kentucky a question. By the proposition of the Finance Committee does he mean the amendment or the bill?

Mr. BECK. The amendment is the proposition of the Finance Committee.

Mr. MORGAN. The amendment offered by the Senator from Vermont on behalf of the committee levies a specific duty. If the Senator from Kentucky could get the equivalent of those rates in an ad valorem tax, would he or would he not prefer that?

Mr. BECK. If I can get something in that shape, so as to separate the two interests of the producer and the refiner and keep the refiner from getting too much advantage over the producer, then I would prefer the duties to be ad valorem; but I can not do it.

Mr. MORGAN. Why can not that be done under an ad valorem rate as well as it can be done under a specific rate?

Mr. BECK. It can not for this reason, according to my idea: If you give the American refiner no advantage at all over the foreign refiner he can not refine in this country, if there is anything in the idea that you pay more here for labor or anything else.

Mr. MORGAN. If that is so why not divide the sugars into different schedules or classifications, as the Senator from Maine has done, and give the American refiner the advantage over the foreign refiner?

Mr. BECK. The Senate committee propose to give a percentage over the foreign refiner as low as we think it is safe to go and still have competition.

Mr. MORGAN. I do not speak now of changing the rates the committee propose; I am speaking of changing those rates to the corresponding ad valorem rates; why can not that be done?

Mr. BECK. I do not know whether it can or not. If it can I see no objection to it. The Senator must see how difficult a subject it is to handle.

Mr. MORGAN. Can the Senator from Kentucky see any reason why that can not be done? The Senator from Kentucky and other Senators have already stated to the Senate what the ad valorem duty is.

Mr. BECK. I have not, for I do not know.

Mr. MORGAN. If the Senator does not know how much that is, who does?

Mr. BECK. I have spent a good deal of time and thought on this sugar schedule.

Mr. MORGAN. I believe the Senator said he had changed his opinion frequently about it.

Mr. BECK. I have.

Mr. MORGAN. I want to get on a basis that we shall have an understanding of what we are doing.

Mr. BECK. All I can say now is that, as far as I have been able to study it, the proper relation is named by the committee amendment nearer than anything I have been able to ascertain, and I was about to say when the Senator called me off for a moment that the Louisiana people are not hurt quite as badly as they think they are. The polariscope test of 75°, beginning at 1¼ cents a pound, is a test that they care nothing about. Eighty per cent. is really as low as they are interested in. If we had begun at 80 per cent. and called it 1½ cents, it would have been precisely what they asked us to do at 75° and sugar below No. 7. All good sugar is 80 per cent. tested by the polariscope, and very little comes in under 80. The bulk of what is imported even under No. 7 is from 80 to 84°, so that as their sugars all range from 85 up to 93, and we have the rate placed up to 2 cents a pound at 95, they are going to be less injured than they think. We have kept down the refiner in our amendment to quite a low rate on the higher grades of sugar.

The refiner buys sugar in Cuba, in South America; he gets it hauled to New York by foreign vessels at nearly half a cent a pound cheaper than the Louisiana man can get his sugar to market. That difference in ocean hauling inures against the Louisiana planter because the refiner pays less. The refiner has another advantage over the foreign exporter of sugar. His sugar comes from Cuba and South America, and he can get it at a lower rate than it can be hauled to England and brought thence to this country. He has that much advantage over his foreign competitor, and I see no reason on earth for giving him the 10 per cent. asked for by the Senator from Maine, nor for giving him the same proportion on the higher grades that we put on the lower grades.

Taking it all in all—though of course I may be in error about it—not desiring to injure the refiner, but desiring to keep up that great business here and desiring to give the Louisiana planter in the arrangement of the matter such advantage as I properly can, I do trust the report of the committee will be adhered to.

The committee have examined and reported it; we have come back into the Senate with this bill and we must make some progress. It is all open to amendment in the Senate, and if we find that we have made any mistake in adopting the amendment offered by the committee, at the end of a week when we get through the bill in Committee of the Whole and come back into the Senate we can correct it. I can change my mind and vote for whatever is best. In my judgment the best thing we can do now is to stand by the report of the committee.

Mr. INGALLS. I understand the Senator from Kentucky to speak with approval of the amendment offered by the committee?

Mr. BECK. I do.

Mr. INGALLS. Has he stated or will he state what, in his judgment, is the ad valorem duty upon sugar that would be equivalent to the specific rate provided for by the amendment?

Mr. BECK. I have discussed that with various members of the committee, and find that those who profess to be accurately informed differ about it.

Mr. INGALLS. I want the Senator's opinion.

Mr. BECK. When the Senator from Ohio [Mr. SHERMAN], who was long Secretary of the Treasury, and who ought to be well informed, placed it at 32 per cent., I thought that he was too low.

Mr. INGALLS. I understand his attitude.

Mr. BECK. When the Senator from Rhode Island [Mr. ALDRICH], who is more accurately informed than any of us in regard to the subject, placed it at 45 per cent., I thought he placed it too high, and in conversation with some gentlemen who have asked me the best calculation I can make I have replied somewhere about 40 per cent. I may be wrong about it, it may be 42, but I do not believe it is under 40.

Allow me to tell the Senator the difficulty we had in getting at it. He is aware of the frauds, if you call them such, which have been perpetrated for years under the Dutch standard by discoloring and making sugars of the saccharine strength of 95° come under Dutch standard No. 7, and by putting in impurities that could be expelled and a very high saccharine strength developed. The Supreme Court of the United States decided they had a right to do that in the process of manufacture. There has been a long contest between the Treasury Department and the importers about this. It is because of this character of manufacture, this discoloration, this attempting to bring in as low-grade sugars the sugars of high saccharine strength, that much of the confusion has been created as to the true ad valorem, because sugars have come in with far less values than they appeared to have.

Mr. BUTLER. May I ask a question right there? Does not the ad valorem system of taxation encourage that fraud?

Mr. BECK. I think not. Of course it may do so a little more than a specific rate; but I do not see why it should if the polariscope process is made the test, as the Senator from Ohio thinks it will, and as I believe merchants all over the country and foreign governments think it should be. I have no reason to think that it will, because it is said, notwithstanding the remarks of the Senator from Alabama [Mr. MORGAN], that it operates very well in foreign countries and among the merchants in this country who buy and sell by it.

Mr. INGALLS. What does the Senator think the ad valorem rate would be under the scale reported by the Tariff Commission?

Mr. BECK. That is a calculation easily made. We report 1¼ and they report 1½ cents.

Mr. INGALLS. The Tariff Commission in the schedule they report very studiously avoided saying what they think it would be; they declined to state either the equivalent ad valorem or the reduction of the revenues.

Mr. BECK. I will say to the Senator from Kansas that on matters of that sort, while I do not follow him implicitly, and think he is quite too much in the interest of sugar, whenever I want accurate information I go at once to the Senator from Rhode Island [Mr. ALDRICH], who is on the committee and who has spent a great deal of time and given a very great deal of intelligent labor to a thorough understanding of this question.

Mr. BUTLER. In view of all this confusion which seems to befog everybody, for everybody who has spoken on this question seems to be as much befogged as those who have not paid much attention to it, I should like to ask the gentleman from Kentucky if he can answer the question, in view of this confusion, in view of these complications and intricacies resulting from the use of the Dutch standard and the polariscope and different numbers and different classifications, why would it not be practicable to say that for all sugars that come through the custom-house we impose a tax of 2¼ or 2½ cents a pound without regard to classification?

Mr. BECK. That would exclude all the lower grades of sugars altogether and cut off the trade with countries where the trade is very important. That is worse than anything.

Mr. MORGAN. That would transfer the refining to foreign countries.

Mr. BUTLER. I do not know what would be the operation of it, but I do know that it would simplify matters very much.

Mr. MORGAN. The principle of the amendment offered by the

Senator from Maine is precisely the same principle that is found in the Finance Committee's amendment; that is to say, it discriminates between sugars above and below No. 13 Dutch standard. The only difference between the Senator from Maine and the committee is that he selects a different rate per cent. ad valorem from what they seem to have selected, and he selects a different manner of ascertaining what the rate shall be. The Senators of the committee, all of them, differ about this matter. As was said by the Senator from South Carolina, they are all in a fog. They seem to be in the condition of the man who, in some classic work—I suppose it was a religious book, I do not know—is described as having had a dream, and as he passed on down, fancying that he was in a future state of existence, he came to a broad road where the paths crossed, and on one branch of the road was written "Hades" and on the other was written "Perdition." He looked up and did not like the appearance of either of these roads and the places to which they led, and he said to himself, "I expect I shall take to the woods." So the committee have on this occasion, not knowing where each of these roads would lead, and each one contending that the road that the other one followed would lead to destruction, have taken to the woods. I have never seen a committee in such a state of confusion about their opinions as they are on this subject. I do not know but what the Senator from Maine's offer will satisfy the Senate, for it is a much plainer proposition than any that has been stated yet. Whether you discriminate in favor or against sugars above or below 13 Dutch standard the ad valorem system is the true one to adopt.

Mr. ALDRICH. Just a few words, and I am sure I shall not be heard again on the sugar question. There is confusion likely to arise from the statement made that we have repealed the 25 per cent. additional duty put on by the act of 1875. We have, it is true, but we have repealed all laws in relation to the collection of duties on sugar, and we propose a substitute in place of those acts, an entirely new schedule, the effect of which must be judged by the schedule itself. We have no more repealed the 25 per cent. additional duty than the duty before the 25 per cent. was put on. We propose to substitute a new tariff schedule for the one in existence before this bill goes into effect.

In regard to the statement made by the Senator from Ohio that it was understood that 75° of saccharine strength was equivalent to No. 7 Dutch standard, I desire to read very briefly from a statement submitted to the Committee on Ways and Means in June, 1878:

I inclose a statement of tests made at Philadelphia of all the sugars imported at that port during the month of March last, by which it will be seen that sugars below No. 7 Dutch standard ranged in saccharine strength from 80° to 98°, and sugars above No. 7 and not above No. 10 ranged from 86° to 98.6°.

Then he goes on:

To that end I submit a draft of an act by which it is proposed to levy on sugars under No. 7 Dutch standard in color, which shall test 87° and not over 92° in saccharine strength by the polariscope, the duty chargeable on sugar between Nos. 7 and 10, and on sugars ranging between Nos. 7 and 10 of the Dutch standard, which shall test above 99°, the duty appropriate to sugar between 10 and 13.

Recognizing the principle that sugars below 83 were the true No. 7 Dutch standard in color, while those above should be classified as from 7 to 10. This statement is signed by "John Sherman, Secretary," showing that in 1878 he had not found out that 75° of saccharine strength was equivalent to No. 7 Dutch standard. He submits with this statement a report directed to himself, made by Professor Joseph Henry, president of the National Academy of Sciences, containing a statement and analysis of the Dutch standards themselves, which had been furnished to him from the Treasury Department, and this analysis shows that No. 7 contains a percentage of 88° of saccharine strength. He also transmits, at the same time, a table showing that of 101 samples of not above No. 7 Dutch standard in color the average saccharine strength was 87.45. Of these the true indications were given as follows:

Two samples were from 80 to 81.
Two samples were from 81 to 82.

It may be said by the Senator, in answer to this, that some of these sugars were colored; that there were frauds in connection with some of these samples which were tested. That could not apply to all of them, certainly.

Mr. BUTLER. May I ask the Senator from Rhode Island what is the fact to-day as to the lowest rate of specific duty now?

Mr. ALDRICH. The present duty on tank-bottoms and melada, and things of that sort, is 1.87 cents a pound.

Mr. BUTLER. I am speaking of sugar.

Mr. ALDRICH. It is 2.1875 cents.

Mr. KELLOGG. Two and three-sixteenths cents.

Mr. BUTLER. I understand the Senator from Kentucky, in reply to my questions a while ago, to say that a specific duty generally of 2¼ or 2½ cents a pound would exclude all the cheaper sugars. That does not seem to be so.

Mr. ALDRICH. I think if the same rate was applied to the lowest grades as on the higher it would have that tendency. The Senator from Ohio may say that certain of those sugars were artificially colored. That would not apply certainly to the Dutch standard sent to the Treasury Department, and it would not apply to all the cargoes which were sent. He practically admits by the statement which he has given that all sugars below No. 7 belong to that grade.

Mr. KELLOGG. I do not like to have the Senator from Rhode Island leave the subject that the Senator from South Carolina has broached to him. I understood the Senator from Kentucky to say a short time ago that it will not do to have the same rate of duty applied to all these sugars, because it will let in the cheap sugars at the same rate as the dear ones. But the lowest rate now is on brown sugar, Dutch standard No. 7, $2\frac{3}{16}$ cents per pound. What, as I understand, these philanthropic gentlemen that I see around me, especially the Senator from New Hampshire, are after is to get sugar down cheap to the consumer. If you can get within $8,000,000 as much revenue at 2¼ cents, which will be one-fourth of a cent less than is now paid under the present tariff, why not put it down to that, making it all pay a uniform rate of 2¼ cents? In that way you will get within seven or eight millions as much revenue as you get now, and collect it cheaper, easier, and more directly, and avoid all frauds, and you will reduce the value of sugar one-half immediately to the consumer.

Mr. BLAIR. I will tell the Senator why. That would ruin the refiners.

Mr. KELLOGG. Oh, there is the cat in the meal exactly. It will ruin the refiners; it will ruin the gentlemen we have been talking about!

Mr. FRYE. Are the refiners as worthy of consideration as the sugar-planters?

Mr. KELLOGG. No.

Mr. BUTLER. I should like to see it demonstrated, how it would ruin the refiners, because I have not yet understood how putting a general duty of 2¼ cents per pound specific on all sugar would ruin the refiners. I should like some Senator to explain how it would ruin them.

Mr. HOAR. I suppose that if sugar which is the raw material for the costly and expensive process of refining was imported at precisely the same rate of duty with sugar which had gone through that costly and expensive process, that process would hereafter be conducted where it could be conducted the cheapest; to wit, where they had the labor of foreign countries, and not our labor.

Mr. BUTLER. But I understand that now on sugar that comes in here they pay $2\frac{3}{16}$ cents per pound on the lowest grade.

Mr. HOAR. But the proposition of the Senator from South Carolina is to have all grades pay the same duty?

Mr. BUTLER. Yes.

Mr. MORRILL. In that case they would bring in all sugar refined; that would be worth a quarter or a half cent more per pound. None of it would be brought in from Brazil or the East Indies, but all would be that which had been through the centrifugal or some other refining process.

Mr. KELLOGG. I want the Senator from South Carolina to understand that the tariff proposed by the Committee on Finance in regard to these higher grades of sugar, refined sugars as they are called, is prohibitory. As I have stated a number of times, only 50,000 pounds of these grades came in last year against nearly 2,000,000,000 pounds of the kinds that affect us.

If gentlemen want to help the consumer, let them do it by multiplying refineries by a kind of tariff that will give due protection to the Louisiana planters, and induce our brethren of the North to go down there and put their machinery and refineries on the plantations, and develop those millions of acres lying there, rich and luxurious, in that salubrious climate, and then you will have enough sugar grown here immediately to cheapen it to the consumer and supply all the United States, and not in the hands of a few monopolists in New York and Brooklyn. I see these gentlemen are beginning to squirm.

Mr. SHERMAN. My friend from Rhode Island seems to be determined to place me in a somewhat inconsistent position; while the very paper which he read shows that I have always maintained the same position. When acting as an executive officer endeavoring to enforce the law as it stood when it was being evaded by open and palpable fraud day by day, it seems that I submitted to the House of Representatives four or five years ago the evidence of that fraud. I submitted samples of No. 7 Dutch standard of sugar varying in saccharine strength from 80 per cent. to 97 per cent. I here say:

To show the disadvantage of depending entirely on the color standard, I inclose a statement of tests made at Philadelphia of all the sugars imported at that port during the month of March last, by which it will be seen that sugars below No. 7 Dutch standard ranged in saccharine strength from 80 to 98.

I showed, therefore, that sugars of the very highest grade, nearly equal to the highest refined sugars possibly, containing 98° of saccharine strength, were admitted at the lowest possible grade, and I appealed to the House of Representatives to aid me in applying some other test in order to enforce the law; but the power of the refiners at that time was so great, or some influence hostile to this necessary legislation was so strong, that it was impossible to pass the law which was desired.

Now, sir, if it be true, as the Senator from Rhode Island insists, that 75° is too low a rate for No. 7 Dutch standard, why does he not propose to commence at No. 80? If No. 7 Dutch standard is equivalent to 80° polariscopic test, let the amendment be made there and then you will have at least a fair commencement, and I have no objection to such a proposition.

Mr. President, this whole effort over the sugar tariff for the last five

or six years has been a struggle by interested parties to get an advantage. I do not care at what rate you fix this duty provided you make it certain. If you apply the polariscope test, as now all parties are in favor of, let us apply the polariscope test at such a rate that it can not be evaded or avoided. If 75° is too low, it ought to be 80; but you will find the same resistance to that as is now made. This thing is certain, that the proposed rate of duty, even according to the statement of the Senator from Rhode Island, goes at least to the extent of the 25 per cent. additional; because if you take the average rate by the polariscope of all degrees between Nos. 7 and 13 at 86, which is 11° in advance of 75, it would make the duty on sugar 1½ cents a pound; and that is a reduction at least to the extent of the 25 per cent. imposed by the act of 1875.

This is the substance of the proposition now submitted by the Committee on Finance, although, as I think, it will go far below that, because I think if you apply the polariscopic test to all the sugars imported, when they are imported hereafter without any motive for fraud you will find that about 75° or 80° is the true and accurate test at No. 7 Dutch standard. But when you undertake to apply all the devices that have been heretofore resorted to to raise the grade of sugars and yet lower the rate, as a matter of course you have probably a higher degree of saccharine strength as the average than future importations will show.

Now, in regard to the proposition of the Senator from Louisiana, and which seems to have fallen under the favor of the Senator from South Carolina, what is the effect of that? Put one uniform duty on sugar and no sugar will come into this country except such as is fit to put on the tables of the rich and other classes alike. You will have the same rate of duty, 2½ cents a pound, upon the poorest sugars worth 3 cents in the market as upon the higher grades of sugar worth 7 cents in the market; that is the sugar of the poor will be taxed at 70 or 80 per cent. and the sugar of the rich about 30 per cent. That would be the effect of it, and the result would be that every refiner in this country would necessarily go out of the country in order to refine that sugar for domestic use.

It has been supposed, and seems to have been intimated from time to time, that I was hostile to the refiners because I sought to enforce the law against them in former times. I am not. I would not strike down that industry of refining, which employs profitably a large capital in this country. It is a valuable industry, and although I believe they have heretofore been guided too much by selfish interests, yet I would not seek to impair that interest or destroy it. I would put upon all the grades of sugar a substantial ad valorem rate and a very large reduction upon the present basis.

Now, nothing that can be said will hereafter tempt me to say any more about this sugar question, which I think has been exhausted almost by this debate.

Mr. COCKRELL. I simply rise to ask my friend, the chairman of the committee, in charge of the bill, if he does not think now after two days' discussion our Republican friends could be induced to let us have a vote on some of these measures?

Mr. MORRILL. I hope so.

The PRESIDING OFFICER (Mr. HARRISON in the chair). The question is on the amendment proposed by the Senator from Maine [Mr. FRYE].

Mr. MORGAN. I ask for a division of the question.

The PRESIDING OFFICER. The Secretary will report the amendment.

The Acting Secretary read as follows:

In lieu of the duties and rates of duties now imposed on melada, concentrated melada, tank-bottoms, sirup of sugar-cane juice, concentrated molasses, and sugar imported from foreign countries, there shall be levied, collected, and paid the following duties and rates of duties, that is to say: On all melada, concentrated melada, syrup of sugar-cane juice, tank-bottoms, concentrated molasses, and on all sugars not above No. 13 Dutch standard in color, 35 per cent. ad valorem.

Mr. MORGAN. That is the first question.

Mr. HOAR. That question is not divisible; it is a striking out of the entire duty and the substituting of a certain other schedule. You can not divide that question by striking out the one duty and substituting half the other schedule. That is not anybody's proposition. It is not two distinct propositions coupled. The Senator can move to amend the amendment by striking out part of it and inserting something else, but it is not divisible.

Mr. MORGAN. What I desire was to have a separate vote; whether it could be done by an amendment to the amendment or by a division of the question I was not quite sure.

The PRESIDING OFFICER. In the opinion of the Chair the proposition is not divisible.

Mr. GEORGE. Does the Senator from Alabama offer an amendment so that we can vote on distinct propositions? If the Senator does not offer an amendment, I move to amend the amendment by striking out——

The PRESIDING OFFICER. The Chair would say to the Senator from Mississippi that there is already an amendment in the second degree pending. In the opinion of the Chair a further amendment is not now in order. The question is on the amendment of the Senator from Maine.

Mr. MORRILL. I do not suppose there is the slightest danger of this passing, but all the verbiage in the front part of this amendment is entirely useless. It would only be necessary to mention the articles and the rate. Then in relation to the conclusion of it, it would be objectionable to pass a law and have it go into effect immediately, because the Treasury Department have got to give their instructions and provide their instruments, and it ought not to go into operation until the 1st of April instead of immediately.

Mr. GEORGE. Before the vote is taken, I desire simply to say this: I am in favor of an ad valorem duty on sugar and I am in favor of that duty being uniform, the same on the lower and on the higher grades, and I am in favor of fixing it at about 30 or 32 per cent. I can not offer that amendment now, and as this amendment does not conform to these views I shall vote against it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maine [Mr. FRYE].

The amendment was rejected.

The PRESIDING OFFICER. The question next is on the amendment offered by the Senator from Vermont [Mr. MORRILL], from the Committee on Finance.

Mr. MORGAN called for the yeas and nays, and they were ordered.

Mr. GEORGE. Is it in order to now move an amendment?

The PRESIDING OFFICER. It is in order now to amend the amendment.

Mr. GEORGE. I move the first amendment offered by the Senator from Maine, with the rate reduced from 40 to 35 per cent. ad valorem:

In lieu of the duties and rates of duties now imposed on melada, concentrated melada, tank-bottoms, sirup of sugar-cane juice, concentrated molasses, and sugar imported from foreign countries, there shall be levied, collected, and paid the following duties and rates of duties, that is to say: On all melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, concentrated molasses, and on all sugars, 35 per cent. ad valorem; on molasses, 25 per cent. ad valorem: *Provided*, That the Secretary of the Treasury shall, by regulation, prescribe and require that samples from packages of molasses, melada, concentrated melada, sirup of sugar-cane juice, tank-bottoms, and concentrated molasses shall be taken by the proper officers in such manner as to ascertain the true value of such articles, and that samples of sugars shall be taken by said officers in such manner as to ascertain the true color and value of such sugars.

The provisions of this section shall take effect——

Mr. FRYE. The Senator had better drop out those last five lines, to obviate the objection raised by the Senator from Vermont. I do not agree to the objection. I believe fully in the provision there; but the Senator does not want to encounter in his amendment the objection. So those last lines had better be stricken out.

Mr. GEORGE. I will leave them out, stopping with the words "value of such sugars."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi [Mr. GEORGE].

Mr. MORGAN called for the yeas and nays, and they were ordered.

Mr. MAXEY. I should like before the vote is taken some one better acquainted with the subject than I am to give some reason why sugar should be placed at 35 per cent. and molasses at 25 per cent. Why should not articles of different values bear the same ad valorem rate? I suppose there is some reason which does not appear to me.

Mr. FRYE. The duty has always been less on molasses than on sugar.

Mr. MAXEY. That may be; but that does not give the reason. Why are two articles of almost universal consumption, the value of which is easily ascertained, taxed at a different percentage?

Mr. FRYE. Molasses is imported here for the purpose of making the low sugar itself. Raw sugar is made from molasses. It is still lower than melada

Mr. MAXEY. Still I do not see that that is a reason for a different rate of duty.

Mr. GEORGE. I ask leave to modify the amendment so as to put molasses at 35 per cent., so as to make sugar and molasses——

The PRESIDING OFFICER. The Chair hears no objection to that modification.

Mr. FRYE. That would be an increase of the duty on molasses. I would not increase it; I would leave it as it is. It is not objectionable at all.

Mr. GEORGE. Well, let it go.

The PRESIDING OFFICER. The amendment will stand as first reported. The question is on the amendment of the Senator from Mississippi [Mr. GEORGE], on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BUTLER (when his name was called). On this question I am paired with the Senator from Illinois [Mr. DAVIS]. As I am not quite certain how he would vote I withhold my vote. He asked me to pair generally with him.

Mr. GROVER (when his name was called). I am paired with the Senator from Nebraska [Mr. VAN WYCK]. I am not certain how he would vote, but if he were present I should vote "nay."

Mr. HARRIS (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY]. If the Senator from Michigan were present, I should vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM]. If he were here, I should vote "yea."

Mr. ROLLINS (when Mr. VOORHEES's name was called). The Senator from Indiana [Mr. VOORHEES] is paired with the Senator from Illinois [Mr. LOGAN].

The roll-call was concluded.

Mr. HARRIS. I am informed, since I announced my pair a moment since, that the Senator from New Jersey [Mr. MCPHERSON] is absent without a pair. I will transfer my pair with the Senator from Michigan [Mr. FERRY] to the Senator from New Jersey [Mr. MCPHERSON], and record my vote "nay."

Mr. DAVIS, of West Virginia. I am paired with the Senator from Minnesota [Mr. WINDOM], but believing that he would vote as I do, I vote "nay."

Mr. ROLLINS. I announce the pair of the Senator from Pennsylvania [Mr. MITCHELL] with the Senator from Virginia [Mr. JOHNSTON].

The result was announced—yeas 12, nays 43; as follows:

YEAS—12.

Conger,	Hale,	Maxey,	Vance,
Frye,	Ingalls,	Plumb,	Vest,
George,	Jackson,	Rollins,	Walker.

NAYS—43.

Allison,	Davis of W. Va.,	Hill,	Pendleton,
Anthony,	Dawes,	Hoar,	Platt,
Barrow,	Edmunds,	Jonas,	Pugh,
Bayard,	Farley,	Jones of Florida,	Ransom,
Beck,	Garland,	Kellogg,	Saulsbury,
Blair,	Gorman,	Lamar,	Sawyer,
Call,	Groome,	McDill,	Sewell,
Cameron of Wis.,	Hampton,	McMillan,	Sherman,
Chilcott,	Harris,	Miller of Cal.,	Slater,
Cockrell,	Harrison,	Miller of N. Y.,	Williams.
Coke,	Hawley,	Morrill,	

ABSENT—21.

Aldrich,	Fair,	Logan,	Van Wyck,
Brown,	Ferry,	McPherson,	Voorhees,
Butler,	Grover,	Mahone,	Windom.
Camden,	Johnston,	Mitchell,	
Cameron of Pa.,	Jones of Nevada,	Morgan,	
Davis of Ill.,	Lapham,	Saunders,	

So the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment offered by the Senator from Vermont [Mr. MORRILL] from the Committee on Finance.

Mr. KELLOGG. I move to amend the amendment offered by the Senator from Vermont in line 8 by striking out the word "one" and inserting "two;" and striking out in lines 9, 10, and 11, the following words:

And for every additional degree or fraction of a degree shown by the polariscopic test, they shall pay five-hundredths of a cent per pound additional.

So that the amendment will read:

All sugars not above No. 13 Dutch standard in color, all tank-bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty of 2.25 cents per pound.

Which will be one-fourth of a cent less than the existing rate of duty, and which will give about 50 per cent., perhaps a little less, 48 or 50 per cent. ad valorem protection to the planter. The Senator from Kentucky says he thinks the proposition embraced in the committee amendment will give about 40 per cent. I think he is about right. This will be from 45 to 48 per cent. I want to say that our people think that is the lowest they can bear in the way of reduction. It is one-fourth of a cent a pound less than the committee proposes.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana [Mr. KELLOGG] to the amendment of the Senator from Vermont [Mr. MORRILL].

Mr. KELLOGG. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORRILL. A single word. So far as this amendment is concerned it makes a specific rate for all sugars below No. 13 Dutch standard, and of course will exclude entirely everything but such sugars as are already fit for the table, as 13 Dutch standard is, and it will entirely destroy our trade with Brazil and other countries from which we obtain sugars at the very low rate of 3 or 4 cents a pound and bring in here sugars worth 6 or 7.

Mr. KELLOGG. One word——

Mr. GEORGE. I wish to ask the Senator from Louisiana a question. Does his amendment reduce the rate proposed in the amendment of the Senator from Vermont?

Mr. KELLOGG. No, sir; it increases it just in this proportion: one-fourth of a cent on the pound. The present tariff is 2½ cents. It compels us to submit to a reduction to 2¼ instead of 2 cents, as proposed by the Senator from Vermont. I am sure the Senator from Vermont does not wish to do me and those I represent an injustice by any such process of reasoning as that sought to be conveyed to the Senate. I do not pretend to say that if the whole of the amendment of the Senator from Vermont is left as it would be left if this amendment of mine were adopted it would not work to some extent the result he points out, but not to the extent he says.

I am looking after a particular interest, the producing interest of this country, not only the sugar interest of Louisiana but the sorghum interest, and I want the Senate to understand that what I desire is to give the planter or producer of Louisiana and throughout the country, the home producer, a little more protection than this bill gives. If my amendment should carry, and we should have the protection that we think we ought to have, the least that will suffice us and permit us to live, one-quarter of a cent more than the committee amendment, then the Senator from Vermont, representing as he does—I do not care whether he does or not—the refining interest or other interest can move an amendment to make the bill conform in other grades to this. The appeal I make to the Senate and especially to the other side is that so far as concerns the Southern interest and the interest of the country in sorghum aside from the Louisiana interest, they give this additional quarter of a cent for the grade below No. 13, which is all the sugar we are interested in. After that let the refiners take care of themselves. I do not say I will not vote against them. My amendment is an addition only to sugar below No. 13.

Mr. DAWES. An addition to what?

Mr. KELLOGG. An addition to the rate prescribed by the committee's proposition. The committee's proposition is 2 cents. I propose to make it definitely 2¼ cents. We know it is 2¼ cents now. I say give us 2¼. It is the least our people say they can do with.

Mr. MORRILL. I merely desire to say that it is over 50 per cent. on this class of sugars.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana [Mr. KELLOGG] to the amendment of the Senator from Vermont [Mr. MORRILL].

The Principal Legislative Clerk proceeded to call the roll.

Mr. BUTLER (when his name was called). On this question I am paired with the Senator from Illinois [Mr. DAVIS]. Not knowing how he would vote, I shall withhold my vote.

Mr. GROVER (when his name was called). I am paired with the Senator from Nebraska [Mr. VAN WYCK]. If he were present, I should vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM]. If not paired, I should vote "nay."

The roll-call was concluded.

Mr. ROLLINS. The Senator from Indiana [Mr. VOORHEES] and the Senator from Illinois [Mr. LOGAN] are paired. The Senator from Pennsylvania [Mr. MITCHELL] and the Senator from Virginia [Mr. JOHNSTON] are paired.

The result was announced—yea 1, nays 53; as follows:

YEA—1.

Kellogg.

NAYS—53.

Aldrich,	Davis of W. Va.,	Ingalls,	Pugh,
Allison,	Dawes,	Jackson,	Ransom,
Anthony,	Edmunds,	Jonas,	Rollins,
Barrow,	Frye,	Jones of Florida,	Saulsbury,
Bayard,	Garland,	Lamar,	Sawyer,
Beck,	George,	McDill,	Sewell,
Blair,	Gorman,	McMillan,	Sherman,
Call,	Groome,	Maxey,	Slater,
Camden,	Hale,	Miller of Cal.,	Vance,
Cameron of Wis.,	Hampton,	Miller of N. Y.,	Vest,
Chilcott,	Harris,	Morrill,	Williams.
Cockrell,	Harrison,	Pendleton,	
Coke,	Hawley,	Platt,	
Conger,	Hoar,	Plumb,	

ABSENT—22.

Brown,	Ferry,	Logan,	Van Wyck,
Butler,	Grover,	McPherson,	Voorhees,
Cameron of Pa.,	Hill,	Mahone,	Walker,
Davis of Ill.,	Johnston,	Mitchell,	Windom.
Fair,	Jones of Nevada,	Morgan,	
Farley,	Lapham,	Saunders,	

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Vermont [Mr. MORRILL].

Mr. KELLOGG. Nothing can probably illustrate the misunderstanding in regard to this matter better than the vote just taken, if I am correctly informed. I am told that on the other side Senators supposed I was offering an amendment providing for 2.25 cents per pound duty on all grades of sugar. I do not know how true it is, but one Senator has told me so. What I offered was this: I held in my hand the Morrill amendment, and I proposed to amend the Morrill amendment, which is pending before the Senate, by striking out certain words which would leave the Morrill amendment precisely in all respects as it is, but if my amendment carried it would have given to the Louisiana planter the same tariff he has got now, less one-fourth of 1 cent a pound; that is all.

Mr. President, I now propose to amend the Morrill amendment so as to read in line 8:

Shall pay a duty of 1.50 cents per pound, and for every additional degree or fraction of a degree shown by the polariscopic test, they shall pay five-hundredths of a cent per pound additional.

The practical effect of which will be to say that instead of 1.25 cents per pound, and for every additional degree five-hundredths of a cent, the duty shall be 1.50, and every additional degree shown by the polariscopic test five-hundredths additional. That will give us for the sugar that we make below No. 13 Dutch standard, 2¼ cents duty, or about 50 per cent. ad valorem or a little less.

Mr. JONES, of Florida. Has the Senator considered what effect his proposition will have upon the revenue of the Treasury?

Mr. KELLOGG. Certainly. How can it have any different effect upon the revenue than to diminish it as to No. 13? I do not propose to confine my amendments to that. I am looking now to our interest, that below No. 13. The Senate can perfect it if this amendment carries. To-day the duty is 2½ cents, and I propose by this to make it 2¼ cents. As to the other grades, when we reach them I propose to amend them. This first clause of the Morrill amendment applies to grades below No. 13. If my amendment there carries, then we can amend that above No. 13 to No. 16 Dutch standard in the same proportion, and above No. 16 to No. 20 in the same proportion, and above 20 in the same proportion, and then you will have a reduction of from five to six million dollars in the revenue as against eight or nine millions that the committee proposed, or as the Senator stated in his opening speech when he reported the bill, from twelve to fifteen millions, which is nearly half the amount proposed by way of reduction in the entire bill. So that nearly all was to fall on the sugar-planter. What I ask of the Senate is to simply give the planting interest the same protection that we have now on the sugar that we grow, less by one-fourth of a cent a pound than the present rate of duty.

I think I have made myself understood now. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The ACTING SECRETARY. In line 8 of the amendment of the Senator from Vermont it is proposed to strike out "twenty-five" and insert "fifty;" so as to make the clause read:

All sugars not above No. 13 Dutch standard in color, all tank-bottoms, sirups of cane-juice or of beet-juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty of 1¼ cents per pound, and for every additional degree or fraction of a degree shown by the polariscopic test, they shall pay five-hundredths of a cent per pound additional.

Mr. MORRILL. I hoped when the Senator found himself voting entirely alone that he would have discovered that it was the sense of the Senate to pass the amendment reported by the Committee on Finance, and would have allowed us to make some progress.

Now, the proposition which he has made again does not very much differ from the one he first made, but it will impose a duty of 1 cent more a pound upon the sugar when we reach the polariscopic test of 95 and will increase it three-fourths of a cent, making 2¼ cents at 90°. Of course the Senate wants some reduction of the tariff on sugar, and therefore I think there is no possible hope, as my friend will find, of passing upon his amendment so as to obtain this very large increase.

Mr. KELLOGG. I would not insist on this were it not that I believe it to be a duty that I owe to those whom I represent. When the Senator from Vermont says it is no reduction, he knows that it is a reduction of one-fourth of a cent per pound on the existing tariff all the way through. I want the Senate to understand that all we ask is a compromise between the bill and the existing tariff, not giving the planters all they ask in the way of protection. The planters say that they can not subsist well upon less than the present tariff; that the industry is not paying; that they can subsist barely upon 2¼ cents. It is a reduction of one-fourth of a cent that I propose now on the existing tariff.

I will withdraw the amendment in order to end this matter, and will offer an amendment that will cover the whole thing, that runs through every grade in the same way, and will reduce the revenue about six or seven million dollars.

The PRESIDING OFFICER. The Senator from Louisiana withdraws his amendment and offers in lieu of it an amendment which will be reported.

The ACTING SECRETARY. It is proposed to strike out all after line 892 down to and including line 923, and to insert:

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscope test as follows, namely:

All sugars not above No. 13 Dutch standard in color, all tank-bottoms, sirups of cane-juice or of beet-juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, shall pay a duty 1.50 cents per pound; and for every additional degree or fraction of a degree shown by the polariscope test, they shall pay five-hundredths of a cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color, and pay duty as follows, namely:

All sugar above No. 13 and not above No. 16 Dutch standard, 3¾ cents per pound; all sugars above No. 16 and not above No. 20 Dutch standard 3.75 cents per pound; all sugars above No. 20 Dutch standard, 4½ cents per pound.

Molasses testing not above 56° by the polariscope shall pay a duty of 5½ cents per gallon; molasses testing above 56° shall pay a duty of 10 cents per gallon.

Sugar candy, not colored, 5 cents per pound.

All other confectionery, not specially enumerated or provided for in this act, made wholly or in part of sugar, and on sugars after being refined, when tinctured, colored, or in any way adulterated, valued at 30 cents per pound or less, 10 cents per pound.

Confectionery, valued above 30 cents per pound, or when sold by the box, package, or otherwise than by the pound, 50 per cent. ad valorem.

Mr. KELLOGG. I wish to state to the Senate that this proposition is the same all the way through. No one can complain that it will be reducing the revenue more than six or seven million dollars. I think that will not be disputed. It will not reduce the revenue to the extent of twelve or fifteen million dollars or one-half the whole reduction proposed by the bill. It will reduce the tariff on the product that is grown in this country by the Louisiana planter, and by the sorghum interest, one-fourth of a cent a pound and it will reduce the tariff upon all grades of sugar in the same proportion. It is just a compromise of one-half between what is proposed by the bill and what the existing tariff is. I want to have an extract read from one of the leading journals of the United States, the New York Tribune, which has just fallen under my observation.

Mr. ROLLINS. I wish to inquire if this is not the provision of the Tariff Commission bill?

Mr. KELLOGG. Substantially.

The PRESIDENT *pro tempore*. The paper will be read.

The Acting Secretary read as follows:

There is evidently growing a feeling at Washington which ought to be encouraged. The Senate Committee on Finance has reported a tariff bill which does not meet the approval of the Senate, for changes of some importance have already been made by a majority. The Ways and Means Committee of the House has also reported a bill which has not even the approval of a majority of that committee. Each committee has endeavored to improve on the work of the commission, one by increasing and the other by decreasing the reduction of duties. The net result is that each committee seems likely to be opposed by a majority of the body to which it reports; and in either House the report of the commission seems to be stronger than the report of its own committee. Under these circumstances some members are saying: "We can pass the commission's bill, but probably can not pass any other. Is not this better than to leave the question to the next Congress?"

In several instances where rates widely differing from those of the commission have been proposed in one House or the other the consultation with members of the commission has resulted in a restoration of the commission's rates. This indicates that the examination which the commission had time to give, with the aid of eminent experts in each branch, was more thorough and in results more reliable than the examination made by either committee in the rare intervals between the press of legislative business. It is not a reflection upon either committee to suppose that this is so. Their time has been limited. Very few of the members, it is probable, have been able to read the report made and testimony taken by the commission. But it is an evidence that the commission's work is on the whole safer and wiser than any substitute yet offered. If they have given more time to the subject and under better advantages there is all the more reason for trusting that their report may be the one which members of Congress can safely adopt.

This being the fact, why shall not some member of the House propose at the outset to substitute the bill of the commission precisely as it came from that body for the House bill and all its amendments? Why shall not some Senator do the same thing in the Senate? The ground of compromise is there. The House committee wants higher duties and the Senate committee lower duties. But the people want an intelligent revision of the tariff. It is the prevailing opinion outside of Washington that the bill proposed by the commission is on the whole more just as a compromise and more safe as an adjustment than any other bill that has been proposed in either House. Upon a direct vote many members would feel under obligation to accept the commission's bill rather than none, because they know that the country wants action on this subject. Can the Republican members do a wiser thing?

Mr. CONGER. I ask the Senator is this the Tariff Commission proposition?

Mr. KELLOGG. Yes, it is substantially the provision of the Tariff Commission bill.

Mr. ROLLINS. That has been voted down once.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. KELLOGG].

Mr. KELLOGG. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Illinois [Mr. DAVIS]. I do not know how he would vote, and therefore I shall decline to vote.

Mr. GARLAND (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "nay."

Mr. GROVER (when his name was called). I am paired, and I make the announcement for the day, with the Senator from Nebraska [Mr. VAN WYCK].

Mr. HILL (when his name was called). I am paired on this question with the Senator from Arkansas [Mr. WALKER].

The roll-call having been concluded, the result was announced—yeas 2, nays 45; as follows:

YEAS—2.

Jonas,		Kellogg.	

NAYS—45.

Allison,	Davis of W. Va.,	Jackson,	Pugh,
Anthony,	Dawes,	Jones of Florida,	Ransom,
Bayard,	Frye,	Lamar,	Rollins,
Beck,	George,	McDill,	Saulsbury,
Blair,	Gorman,	McMillan,	Sawyer,
Call,	Groome,	Maxey,	Sherman,
Camden,	Hampton,	Miller of Cal.,	Slater,
Cameron of Wis.,	Harris,	Miller of N. Y.,	Vest,
Chilcott,	Harrison,	Morgan,	Williams.
Cockrell,	Hawley,	Morrill,	
Coke,	Hoar,	Platt,	
Conger,	Ingalls,	Plumb,	

ABSENT—29.

Aldrich,	Farley,	Lapham,	Vance,
Barrow,	Ferry,	Logan,	Van Wyck,
Brown,	Garland,	McPherson,	Voorhees,
Butler,	Grover,	Mahone,	Walker,
Cameron of Pa.,	Hale,	Mitchell,	Windom.
Davis of Ill.,	Hill,	Pendleton,	
Edmunds,	Johnston,	Saunders,	
Fair,	Jones of Nevada,	Sewell,	

So the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Vermont [Mr. MORRILL].

The amendment was agreed to.

Mr. MORRILL. I suppose there is no controversy about candy, and so on, so that we have practically reached the end of the sugar schedule.

The PRESIDING OFFICER. The Chair will inquire of the Senator from Vermont whether the whole schedule has been read and is to be treated as passed.

Mr. SHERMAN. It has been all read except one line.

Mr. MORRILL. At the end of the schedule, after line 24 of the amendment just adopted, I move to add the following proviso:

Provided, That the provision of Schedule E in this act shall take effect from and after April 1, 1883.

Mr. FRYE. I ask the attention of the chairman of the committee. I have a telegram which I have just received, and I have received similar telegrams from nearly all the refiners. It reads:

We ask that you use your influence to have any change in the sugar tariff go into effect immediately. It is of the highest importance, and should find no opposition.

The Senator proposes to fix the date April 1. Will he please say why the provision ought not to go into effect immediately on its passage?

Mr. MORRILL. It is not probable that the bill will pass until about March 1 in both Houses, if it passes at all, and it will require some little time for the Treasury Department to make rules and regulations and to procure polariscopic instruments for all the collector's offices. I have received ever so many similar telegrams heretofore.

Mr. FRYE. That seems to me to be a satisfactory reason, but I wanted it given. Now I ask the Senator from Vermont what the objection is to adding to the amendment the words "and shall apply to goods then in the storehouses and in bond?"

Mr. MORRILL. That will come in as a general provision of the whole bill before we get through.

Mr. FRYE. Is there such a general provision in the bill?

Mr. MORRILL. If not there will be one presented.

Mr. FRYE. I thought there was not, for I looked over the bill and could not find it. If it is not in, then it will be in?

Mr. MORRILL. Yes.

Mr. JONAS. I desire to ask the chairman of the committee why there should be an exception made in this schedule from the general provision of the bill? Section 5 provides—

That from and after the 1st day of July, 1883, the following sections shall constitute title 33 of the Revised Statutes of the United States.

I ask the Senator why the sugar schedule should be excepted, and why the date provided in section 5 should be changed as to it? A large part of the Louisiana crop for this year has not yet been marketed, and if a time should be fixed before the planters will be ready to ship the crop to market it would be ruinous to their production.

Mr. MORRILL. It is done for the reason that it would stop the business among all importers as well as refiners, and large dealers in the country and every man engaged in the business. It would utterly prostrate the business, and it is necessary, therefore, that this should go into effect as speedily as possible in order that the business may continue.

Mr. JONAS. I can not see why it should prostrate or injure the interest of importers. If they know that this prospective tariff is to take effect in July they can make their importations with regard to the change in the tariff. They will have full notice to prepare themselves fully if the time is fixed three or four months ahead, and every contract can be made with full notice and information as to what is the proposed change in the tariff and when it is to take effect. But the committee now propose to change it so as to take effect immediately, which would have a most injurious effect upon our crop, as a large portion of it has not been shipped to market, and is yet in the warehouses and storehouses and on the plantations. I can not see any justice or equity in it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont. [Putting the question.] In the opinion of the Chair, the noes seem to have it.

Mr. MORRILL. I am sure that the Senate could not have understood the motion. I ask for the yeas and nays upon it, because I am sure that it is not understood. This will give us the benefit of the reduction on the 1st of April.

Mr. COCKRELL. We can not hear one solitary word and do not know what is going on.

The PRESIDING OFFICER. Senators will please be in order.

Mr. MORRILL. This I say will give us the benefit of whatever reduction is made on sugars on the 1st of April instead of on the 1st of July, and unless some such provision as this should be incorporated in the bill parties having sugar on hand or desiring to import hereafter before the 1st of July can not continue their business.

Mr. BECK. I have never heard of this before, and I think there is a good deal of force in what the Senator from Louisiana [Mr. JONAS] says. What harm would there be in giving notice that this amendment will be offered when the bill is reported to the Senate, so that both sides can be heard instead of pressing it to a vote now when there seems to be a controversy about the facts?

Mr. BAYARD. I suggest to the Senator from Vermont that he offer his amendment in the Senate.

Mr. MORRILL. I will adopt the suggestion of the Senator from Kentucky and withdraw it now, giving notice that I shall offer it when the bill reaches the Senate.

Mr. BAYARD. It will be heard in the Senate, and by that time we can learn more in regard to it.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. KELLOGG. I move to add at the end of the schedule the following proviso:

Provided, That there shall be an additional duty equal to 25 per cent. of the duties imposed by this schedule collected on sugar and all products named in this schedule imported from countries where such products are produced by slave labor.

On that I ask for the yeas and nays.

Mr. MORRILL. Our treaties with Brazil are operative, and they of course make the proposition inadmissible.

Mr. KELLOGG. I did not understand the Senator. The amendment applies to Cuba.

Mr. HOAR. I suppose the amendment is directed at Spain.

Mr. KELLOGG. At Cuba.

Mr. HOAR. Chiefly at Cuba. I have not verified it by an examination, but I believe undoubtedly we have a treaty provision with Spain which entitles Spain to have her goods admitted on the footing of the most favored nation, and we can not therefore, by undertaking to select a particular kind of labor, consistently with those treaties make a provision which excludes the product of Spain or of any particular province or colony or dependency of Spain by a mere circumlocution describing the kind of labor without a violation of our treaty. Otherwise I should think there was a great deal to be said in favor of a provision of that kind; but whenever we enter upon that policy we must carry it out. Are we to exclude the sugar grown by the slave labor of Cuba and admit the tropical fruits or other products of the same labor?

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana [Mr. KELLOGG], on which the yeas and nays are demanded.

The yeas and nays were ordered.

Mr. KELLOGG. I simply want to say that I do not think the objection holds as to Cuba or Spain. It will not interfere with any treaty, I think. I have been advised upon that point somewhat. Moreover, I want the Senate, and the Senator from Massachusetts especially, to understand that a large proportion of the sugar that comes into this country is grown in Cuba by slave labor. Last year over $51,000,000 worth was imported from Cuba alone and the West India Islands, and nearly $9,000,000 worth from other countries exclusively grown by slave labor, making $60,000,000 out of the $81,000,000 worth imported into this country. As to Brazil, the amendment does not apply, because there is a different class of labor. As to St. Thomas, Bermuda, Demerara, and other islands it does not apply, because there is cooly labor; neither does it apply to China.

I want to bring the Senator right down to the question whether he is willing to put an additional duty upon the product grown by slave labor in Cuba; and it does not interfere with any treaty arrangement, any treaty of reciprocity or otherwise, as I am advised. I want to know if he is willing to vote to discriminate in favor of free labor against slave labor.

Mr. MORRILL. I merely desire to say that it is clearly in conflict with our treaties with other nations, and it would be nugatory if we passed it.

Mr. KELLOGG. I will modify my amendment by inserting the words "imported from Cuba and other Spanish dependencies." I will do that at least after a vote has been taken on the amendment now before the Senate. I will take a vote on the pending question first.

The PRESIDING OFFICER. Does the Senator from Louisiana modify his amendment?

Mr. KELLOGG. I will modify it by striking out the words "25 per cent." and inserting "10 per cent.;" so as to read:

Provided, That there shall be an additional duty equal to 10 per cent. of the duties imposed by this schedule collected on sugar and all products named in this schedule imported from countries where such products are produced by slave labor.

Mr. SHERMAN. If the Senator wanted to really meet the difficulty that has grown up in our foreign relations he ought to strike at a different discrimination against us. The great fear I have in regard to the sugar tax is that the very moment it is proclaimed that the duty on sugar has been reduced, in Cuba the export duty will be increased. There is now levied upon the 500,000 tons, about 1,000,000,000 pounds, an export duty by Spain which I think is $7 and some cents per ton. If we are to make a discrimination between nations we ought to make a discrimination against those who levy an export duty upon their productions entering into our consumption. A general provision of that kind might be made without violating our treaties, because it would apply to all countries; but to designate countries that still hold slaves would be a discrimination and a plain and palpable violation of the general principles of international law for which we have always contended, and in all the treaties we make with foreign nations we have a provision against such discriminations.

I hope, therefore, that this discrimination will not be adopted; but I am not sure but what it would be wise for Congress to add to the bill, when the proper time arrives, that where any country levies an export tax the reduction of duties proposed by the bill shall not apply to that country, and even such a provision might be subject to grave difficulty.

Mr. MAXEY. I will ask the Senator if it was not the case when we took the tax off of coffee that those countries from which we import coffee put an export duty upon that article?

Mr. SHERMAN. According to the historical account of the times, the very moment Congress repealed the duty upon coffee Brazil raised the export tax to the precise extent that we took off the duty.

Mr. MAXEY. That is precisely as I understood it.

Mr. SHERMAN. The result was that our people did not get any benefit from the repeal of the duty on coffee until some years afterward, when competition in the production of coffee reduced the export duty.

Mr. DAWES. I do not think the amendment would reach what the Senator from Louisiana is after, for those countries which the Senator suggests may have an export duty and slave labor both; so they have the advantage of us in both particulars. This would relieve it from the export inequality, but would not relieve it from the inequality growing out of slave labor. It would not reach what the Senator from Louisiana is after.

Mr. CONGER. I understand that in one of the countries where slave labor produces sugar, Cuba, to speak it right out, there is already a very large discriminating duty against all the products of our own country, a free-labor country, taken there.

Mr. KELLOGG. It is prohibitory now.

Mr. CONGER. As I was about to say—the Senator anticipated me—it is prohibitory now; it is $5 a barrel on flour and a still larger amount on pork, I understand.

Mr. KELLOGG. It is $3.50 on pork.

Mr. CONGER. I have not the exact list here. On lumber and a great many of the productions of this country which are sent to Cuba there is a duty discriminating against our labor and against our productions.

I am willing to vote for a reasonable excess of duty in behalf of free labor, and I am willing to vote for a discriminating duty against any country that makes a discrimination against the products of this country and in favor of another, as Cuba does continually, and although lying right along our borders it has almost entirely shut out the products of American labor and American skill by these strong, intense discriminating duties.

Whether this is the way to reach it or not I do not know; but if any Senator will point out a way in which by my vote I may vote in favor of the products of free labor in any part of the world, and that I may vote against a country that applies a discriminating duty in favor of other countries against my own, I am ready to vote for it.

Mr. KELLOGG. I do not want the Senate to misunderstand this question. I want Senators to vote understandingly. All this matter of reciprocity treaties and treaty obligations goes for nothing, I take it.

Mr. HOAR. I do not find that we have any such treaty with Spain.

Mr. KELLOGG. No, we have not, I am assured. Let us bring it right down to Cuba and let us understand it. Cuba grows considerably more than one-half the sugar that comes to this country to compete with the product of free labor. As to our exportations the duty imposed by the Spanish authorities in Cuba and all their dependencies upon everything grown in America is prohibitory. You can not in the last five years find $50,000 worth of domestic goods manufactured or grown in America sold in the thirty-one West India Islands and the dependencies. In the British Islands the duty is absolutely exclusive. They have built a Chinese wall as it were around them; and they have done it to such an extent in Cuba that you can not get a barrel of flour or a stove across from the utmost point of land that projects into the Gulf of Mexico from the State of Florida, sixty or ninety miles. You can not even cross that little channel of ninety miles with a barrel of flour so absolutely prohibitory is the duty. Therefore all the talk about exportation goes for nothing.

I want my Republican friends to face the country on this question. There is no treaty obligation, there is no export, there is nothing. It is a simple question whether we propose to vote 10 per cent. in favor of free labor against slave labor, whether it interferes with the interest of the refiner or any other interest.

Mr. MORRILL. This is a grave question and I ask the Senator from Louisiana to postpone it until the bill comes into the Senate. I have looked at the treaties. I do not find "the most favored nation" clause in the older treaties with Spain, and I do not think there has been any recent one, but at the same time I do not wish to do anything to bite our own noses off, to use a slang phrase. I therefore suggest to the Senator from Louisiana to let us fairly consider this matter and have time to think of it.

Mr. KELLOGG. I should like to have a vote, and then if it should be necessary we might reconsider it afterward. I assure the Senator he will find no such treaty, as I have stated there is none; and the question is not surrounded with any of the difficulties suggested.

Mr. MORGAN. Mr. President, this question does not depend upon the existence or non-existence of the favored-nation clause in our treaties; it depends upon positive agreement, positive stipulation in all our treaties with the civilized nations of the world except Spain, that we will not discriminate against them in our tariff levies. Our goods are admitted into all the foreign countries without discriminating against us except Spain, and we have a reciprocal agreement that we would not discriminate against them. It extends also to transportation. Our vessels are not to be protected by our laws in a differential or a discriminating provision in their favor unless it may be in cases where our vessels are discriminated against by some other foreign country.

Of course Cuba from which we receive products of slave labor could be included by name, or Spain could be included by name with all of her provinces in any discrimination we see proper to impose upon slave labor, or any other reason that we may assign for a discriminating duty against Spain; but we can not include Brazil in that, for we have this reciprocal engagement with Brazil and they have got slave labor.

The Senator's amendment is too broad. We have either got to abandon our treaties entirely or repeal them by act of Congress, as they would be repealed by this act if it passes both Houses and becomes a law. If the Senator desires to discriminate against slave labor, let him confine his discriminations to those countries where slave labor produces sugar, but I suggest he might as well enlarge it to apply to peon labor and cooly labor, and all other forms of labor where there is coercion upon a man to labor without much question as to whom he is laboring for. Although peonage has been abolished in Mexico as a matter of law, it exists as a matter of fact there, and those peons belong as much to the man who holds himself over them as the slaves of old belonged to us, for the time that is fixed until he can get out of it, and that he is not permitted to do.

I do not care to argue the question about discriminating between free and slave labor except that I suppose while the negro in my State is hoeing corn and cotton and making sugar he would like to know that there is some cheaper labor than his down in Cuba making sugar cheaper, for the negro in my country likes sugar about as well as anywhere else, and it would be to his andvantage to have the sugar he has to buy made by slave labor. I do not think the negroes generally there want to contribute anything in the price of sugar to compelling Spain to abolish slavery.

The amendment is too broad as it stands. It is unconstitutional if the treaties are the supreme law of the land.

Mr. MAXEY. If the purpose of the Senator from Louisiana is to strike at those countries which recognize slavery, it seems to me that it ought to be by a proposition of prohibition and not of tolerance. Looking at it from that standpoint, the fact of the existence of these treaties as law would not make a particle of difference, because a treaty can be superseded by a law just as a law can be superseded by a treaty. That is his standpoint. From my standpoint, however, we have nothing to do with the products of any country outside of the United States, so that whether the sugar was made by slave labor or free labor is a matter with which we have no concern. If we treat with them we should treat with them upon fair terms; but we can dispose of the matter very effectually in the way of a law right here, the same as we could if there was no treaty at all.

Mr. INGALLS. Without expressing any opinion as to what my ultimate action might be upon this amendment, I will venture to suggest in response to the Senator from Texas [Mr. MAXEY] that I presume the action of the Senator from Louisiana is not prompted by any moral repugnance to the system of slave labor or by any desire to express the disapprobation of America for the conduct of Spain in tolerating the existence of negro slavery. Having failed in his other efforts to obtain what he deems to be the necessary protection for the growing of sugar in Louisiana, he proposes now to add a discrimination of 10 per cent. against the product of slave labor in Cuba. This may be right or it may be wrong; but I desire that the Senate shall not be misled by the sentimental aspect of it. The effect, as I suppose, would be not that slavery would be abolished in Cuba, not that the importation of sugar would cease, but that those who consumed sugar would be compelled to pay 10 per cent. additional for that which was grown in Cuba by slave labor.

Mr. MAXEY. If the Senator will pardon me, I fully agree with his view of the question. I stated very distinctly that so far as I am concerned it made no difference to me. That would be the effect no doubt.

Mr. INGALLS. The North have already made considerable sacrifice for the purpose of the abolition of slavery in this country, and I might be willing to increase those sacrifices still further by imposing this additional burden upon the people of my State, who consume sugar very largely. I conceive, however, with due respect to the constitutional authorities which have been invoked, that there is no objection, so far as treaty stipulations are concerned, to the adoption of this amendment. I hope the Senator from Louisiana will not withdraw it. I should be very glad to have the sincerity of those who have weighed against a reduction of the tax upon sugar because it did not already afford as they said a sufficient protection to the free labor of Louisiana against the slave labor of Cuba tested and see whether they mean that or whether they mean something else.

Mr. GEORGE. As the object of the Senator from Louisiana, if it be to discriminate against slave labor, would be as well accomplished

by providing for a reduction of the present rates of duty where the sugar and molasses are introduced from countries in which slave labor is prohibited, I suppose that the amendment which I now send to the desk as a substitute for his will at least meet that aspect of the case. I want cheap sugar. I have therefore prepared an amendment which will reduce the rates of duty provided for in this schedule in favor of those countries in which slavery is not allowed.

The PRESIDING OFFICER. The amendment of the Senator from Mississippi will be reported.

The ACTING SECRETARY. It is proposed to substitute for Mr. KELLOGG's amendment the following proviso:

Provided, That the duties herein laid shall be reduced 10 per cent. on all products specified in this schedule of countries in which slavery is not allowed.

Mr. MORRILL. "On all sugars," the Senator should say.

Mr. HARRIS. It applies to all products mentioned in the sugar schedule. It is confined to that schedule.

Mr. SAULSBURY. The only effect of that would be to reduce the duty upon the low grades of sugar. I understand the committee have already placed the duty on low grades of sugar so that the Senators from Louisiana are apprehensive that it will affect seriously their production. I should like to have a reduction upon the higher grades of sugar. I am not so particular about the lower grades. If we had any importations of refined sugars from Cuba, Brazil, or anywhere else, I would vote to reduce them. I would be glad to have the duty upon sugars between 13 and 20 reduced to 2 cents a pound; but the effect of the amendment will simply be to reduce it upon the lowest grades of sugar, and it will inure exclusively to the benefit of the refiners and not of the consumers in the country. I shall vote against it as I shall vote against the amendment of the Senator from Louisiana.

With reference to the question as to whether sugar is grown by slave labor or free labor I have no concern about that. It is none of my business as to how people produce their sugar in Brazil or Cuba. If we can attend to the affairs of our own country without extending the beneficence of our protection to Cuba, Brazil, and other countries, we shall have about as much as we can do. It is no business of mine whether sugar is grown by slave labor or by free labor in Cuba or Brazil. My business is to buy it as cheaply as I can, and to vote for those measures which will give to the consumers of sugars in this country the cheapest article they can procure.

Mr. MORGAN. The Senator from Mississippi I suppose does not want to bring us into disrepute with the Government of Brazil as a treaty-breaking power for the purpose of gratifying some American sentiment against an institution that she is trying to get rid of, and some time will get rid of when she desires to do it. The Brazilian Government has in her senate, and has had for the last thirty or forty years, negroes, native-born, who were once slaves and afterward became freemen. She has had a gradual system of emancipation going on there, and is ridding herself of that institution in a way that is much less injurious perhaps than the way we adopted. We are an impassioned sort of people, and we jump into conclusions. The Brazilian Government seems to be a little more collected and cool than we are in disposing of their domestic institutions with which they are not satisfied. They are not satisfied that Portugal in the early days of the colonization of Brazil captured negroes in Africa and forced them upon them. We are not satisfied now, any of us, in the North or in the South, that the British Government, our American and English ancestors both, captured slaves in Africa and forced them upon us.

We are complicated with questions, social, moral, political, and industrial, of a most dangerous and difficult character, one of which presents itself here to-day in the question whether a negro who has been made free by our laws shall work in competition with a negro who is held in slavery in Brazil or Cuba. We have got a treaty with Brazil, and I claim that the honor of this country is involved in that treaty, and that treaty pledges us that we will make no discrimination against her products in favor of any other country in the world. We have a treaty with England also, and the English islands of the West Indies produce large amounts of sugar that come here. The Brazilian people raise quantities of sugar that are imported into the United States. We say to Great Britain, "Not having any slavery in your colonies"—and yet, sir, that is a remark that would be a pretty broad one when we come to the moral fact rather than the actual, literal fact—"not having any actual slavery according to law in your colonies now, but having had it heretofore, and being the prime author of the slavery on this continent to-day, we will exempt your sugar."

Mr. MORRILL. Will the Senator from Alabama allow me to suggest to him also that these sugars might be easily transferred from one island or country to another, and then brought here, and thus be exempted from such a provision as is proposed?

Mr. MORGAN. How would you ever trace them? More than that, it is a discrimination in favor of Great Britain against Brazil. If I have got to discriminate at all in tariff laws I will discriminate against Great Britain and in favor of Brazil. Brazil is an American government, and although it is a monarchy in style and in name it is one of the best governments in this world. There is not a wiser statesman at the head of any government in the universe to-day than Dom Pedro. We are friendly with those people; they are cordial with us. They live upon our continent; they form an integer of the great Christian families of the world, which sweep now from Greenland to Patagonia; they belong to our system of civilization; and I shall not give any vote here to gratify any sentiment, political or otherwise, which will place us in the position of unnecessary and unwise hostility to Brazil, which position we have to reach by the violation of the express stipulations of a positive treaty.

Mr. JONES, of Florida. Mr. President, I think I may be pardoned for saying a few words on this amendment, inasmuch as I have avoided consuming any of the time of the Senate on the tariff bill. I do think it is utterly inconsistent with that degree of dignity which is due from one independent State to another to adopt a proposition which is leveled against the municipal establishments of a friendly State. If there is anything that ought to be held more sacred than another between independent States it is the distinct integrity and independence that characterize them as members of the family of nations.

This country shares in none of the responsibility, moral or otherwise, resting upon Spain or upon Brazil or any other of the nations of the earth for the municipal establishments that prevail there, and we as a great and leading Republic have no right to go before the world with a provision in our law directed against a friendly power because of the peculiarity of her local or municipal institutions.

Those who know me know very well that I have nothing in sympathy with the institutions of slavery as they exist in South America or in the West India Islands; but I say without hesitation that it is unbecoming the Senate of the United States to adopt an amendment discriminating against any of those countries because of the description of labor that is employed in the products that it is designed to tax. We should treat Spain and the provinces of South America just as we treat Great Britain, independent of all moral sentiment and upon that broad principle of equality that should prevail in the intercourse between independent states.

Mr. GEORGE. Mr. President, I think the Senator from Alabama and the Senator from Florida do not perceive the scope of my amendment. I offered the amendment as a substitute for the amendment proposed by the Senator from Louisiana, so that the Senate might express its opinion upon this question. If it determines to discriminate against sugar and the products of the cane because they are raised in slave countries, I desire to test the sense of the Senate whether it will make that discrimination by raising the duties provided for or by reducing the duties. I prefer, if we make the discrimination, to do it by reducing the duties. I do not commit myself in offering the amendment as a substitute for the amendment of the Senator from Louisiana to the proposition to make a discrimination to all. I only say that if the discrimination is to be made, as I believe the tax on sugar is already too high, we should make it by a reduction instead of by an increase.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi [Mr. GEORGE] to the amendment of the Senator from Louisiana [Mr. KELLOGG].

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Louisiana [Mr. KELLOGG].

The amendment was rejected.

Mr. MORGAN. I move to add at the end of the sugar schedule:

The adulteration of sugar, molasses, sirup, or any product of sugar used for food, for the purpose of giving the same a fictitious color by mixing with it glucose or grape sugar is prohibited; and if any person shall for such purpose so adulterate sugar, molasses, sirup, or any product of sugar used for food, contrary to the provisions of this act, or shall knowingly sell or offer for sale any such article so adulterated, he shall be subject to indictment, and on conviction shall be fined not less than $50 and not more than $500 for each barrel or package so adulterated or knowingly sold or offered for sale, and may be imprisoned by the court not more than six months.

I do not desire to ask the action of the Senate on the amendment at present. I prefer to have it printed and let the Senate consider it. I wish to call attention, however, to section 3252 of the Revised Statutes upon the subject of the adulteration of whisky before the tax is paid for the purpose or by means of increasing the color. I merely desire to call attention to it so that Senators can look at it in connection with the proposed amendment. It is an intricate and difficult question, and one that I am not prepared to say I am entirely satisfied with myself.

The PRESIDING OFFICER. The Chair understands that the Senator from Alabama does not ask present action on the amendment.

Mr. MORGAN. I merely ask that it be printed. I will offer it when the bill comes into the Senate.

The PRESIDING OFFICER. The amendment will be printed.

Mr. SHERMAN. I desire to submit an amendment which I may possibly offer hereafter. I simply ask to have it printed.

The PRESIDING OFFICER. The amendment will be printed.

Mr. HOAR. I wish to express my protest at this purpose being carried much further. Of course when a bill is in the Senate it is in another debatable and amendable stage, but neither we nor the country, who desire to know what is going on here or what is likely to be done and desire to be heard in regard to these great business interests, can know anything about what is going to be done in that final stage of the bill even when the bill is thoroughly considered in committee after days and days if there is to be a new presentation and debate and discussion of the whole subject. That certainly would be fatal to the bill. I am not

speaking of what the Senator from Ohio has just given notice of, because he is a member of the committee, and the committee must necessarily have some such matters to present at that time. I do not, therefore, mean it even as a criticism on the Senator's amendment, but I hope that any matter of substance which any Senator desires to have considered by this body will be presented when we are dealing with the bill as in Committee of the Whole, and not be postponed, for such a course would be utterly fatal to the measure.

Mr. SHERMAN. My purpose in submitting the amendment I now present, which could be put in better in another part of the bill, is with a view of giving notice of it, and to have it considered by the Committee on Finance, to whom I desire to have it referred.

The PRESIDING OFFICER. No further amendment being offered to the schedule, the reading of the bill will be resumed.

Mr. INGALLS. Has the proposed amendment of the Senator from Ohio been read?

The PRESIDING OFFICER. It has not.

Mr. INGALLS. I should like to hear it.

The PRESIDING OFFICER. It will be reported.

The Acting Secretary read as follows:

Provided, That an additional duty of 10 per cent. ad valorem shall be levied, collected, and paid upon the articles named in this schedule when an export duty is levied upon such articles by the country of their production.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

Mr. BECK. Before that is done I wish to say I was endeavoring to write an amendment which I have not perfected, but I desire to give notice, to save time, that when the proprosed amendment of the Senator from Alabama [Mr. MORGAN] is acted upon I shall seek to amend it by providing in substance that any persons mixing glucose with sugar shall mark or brand the package containing such mixture, stating the proportions of each contained therein, and shall make it a misdemeanor for any person to sell as sugar any such mixture without advising the purchaser of the facts relative to it—not to prevent it from being done, but to require the seller to advise the purchaser of the facts in reference to it instead of making it a penalty to mix it.

Mr. INGALLS. There seems to be a very elaborate and persistent attempt on the part of the Senator from Kentucky and the Senator from Alabama to cast some aspersion upon glucose, an innocent product that is manufactured from the starch of corn and potatoes. One Senator this morning endeavored to intimate that the mixing of glucose with any other product was an adulteration, from the fact that it was alleged to be poisonous. I beg to say in behalf of a very important and growing industry in this country that those allegations are without foundation; that glucose is an innocent natural product; that it can not exist with any poisonous admixture without being totally destroyed, and that it is simply a product that has a lower per cent. of sugar than the juice of other saccharine growth. I have noticed in the papers, I suppose very largely in the interest of those who manufacture and refine cane sugar, an attempt to throw some unjust suspicion upon the product of the corn and the potato for the purpose of convincing the country that it is poisonous and unfit to be consumed.

Mr. BECK. Mr. President——

Mr. SHERMAN. There is no question before the Senate, I understand.

The PRESIDING OFFICER. There is no question before the Senate.

Mr. BECK. Allow me to state why I propose to offer the amendment. I agree, so far as I am advised in regard to it, with the Senator from Kansas that there is nothing deleterious in glucose and that it is a matter that may properly be compounded with sugar if persons desire to buy that sort of compound. All I seek to do is to provide that a person who thinks he is buying sugar with the highest saccharine strength in it shall not be imposed upon and buy a substance that he can not tell from sugar of the highest saccharine strength, but that when a compound is made containing glucose he shall be advised of it; that the package shall be so branded and the vender shall tell him, just as we do in regard to oleomargarine. I have a prejudice against it; but if anybody wants to eat oleomargarine, let him do so.

Mr. INGALLS. Or drink watered whisky or watered milk?

Mr. BECK. Yes; anything of that sort; but I desire the person who buys it to know what he is buying. My amendment looks to that end, and only to that end. If our corn, of which we are producing such quantities, can be used as glucose and persons desire to use it in that form it may be the means of using up our surplus product in that regard and may be very valuable. All I desire in the amendment is to so arrange it that the person buying the article shall know the fact.

The PRESIDING OFFICER. The reading of the schedule will be proceeded with.

Mr. MORGAN. The bill is before the Senate, is it not?

The PRESIDING OFFICER. It is.

Mr. MORGAN. I hope the little discussion that has taken place on that part of the bill here which relates to sugar and glucose will call the attention of scientific gentlemen to the facts in the case, and let them determine for us and inform us whether these suspicions that are so largely entertained are just or unjust. I am not willing to buy glucose either in the form of sirup or sugar on the recommendation of the Senator from Kansas or the Senator from Kentucky. I prefer to have somebody else who has scientific knowledge of this question to decide it for me. I have not shown any particular disposition, I think, to encourage the sugar interest at the expense of glucose or at the expense of the country. I have merely desired, if the allegations that are made against this article be true, that the adulteration shall not be allowed to go on if we have the power to check it, which I have very great doubts about.

The Senator from Kansas mistakes me if he thinks that I wish to break down this industry. I do not know but I prefer the amendment of the Senator from Kentucky, so that if the dealer will keep his glucose in packages and sell it as such he can have all the advantage that he wants out of it, and let the cane-sugar men and beet-sugar men, if you please, keep their packages separate, so that we will know at least what we are buying.

The PRESIDING OFFICER. The reading of Schedule F will be proceeded with.

The Acting Secretary read the paragraph from line 925 to line 928, as follows:

Cigars, cigarettes, and cheroots of all kinds, $3 per pound; but paper cigars and cigarettes, including wrappers, shall be subject to the same duties as are herein imposed upon cigars.

Mr. MILLER, of New York. I move to amend, in line 925, by striking out "3" and inserting "4" after the word "kinds;" so as to read "$4 per pound."

Mr. ALLISON. The committee have an amendment.

Mr. BECK. I desire to amend that amendment.

The PRESIDING OFFICER. The Senator from New York has the floor. Does he yield?

Mr. BECK. I desire to offer an amendment to the amendment, not to take the Senator from the floor, and that is to strike out "$3 per pound" and to insert "$2.50 per pound and 25 per cent. ad valorem." I will give the reasons for it when I have the floor.

Mr. MILLER, of New York. Will the Senator from Kentucky state what is the difference between that rate ad valorem and a $4 per pound rate?

Mr. BECK. The cigars weigh by the pound. One hundred cigars may be worth $10 or one hundred cigars may be worth $50. Under the proposition of the bill they are all to pay $3 a pound, and precisely the same rate. I propose to make the rate so much per pound and so much ad valorem, so that the higher priced cigars shall pay a proportionately higher rate. If the Senator will make the calculation he will observe that by my proposition higher priced cigars are made to pay a higher rate of duty, which I think they ought to do, instead of a uniform rate between the highest and lowest.

Mr. BAYARD. I suggest to the Senator do not put two duties upon the same article. One great attempt in this tariff measure is to simplify the duties. Have an ad valorem or a specific duty but do not put both duties upon the same article. The Senator can reach what he desires by an ad valorem rate alone, but if we are to have a specific duty and then to have also an ad valorem duty it would be simply repeating one of the evil features of the present law.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. The Senator from New York is entitled to the floor.

Mr. MILLER, of New York. The Cigar Manufacturers' Association have protested against the rate fixed in the bill of $3 per pound, because it is a large reduction from the present duty, and also for the reason that the duty upon imported tobacco, if the schedule should pass, would be somewhat increased. They insist by arguments which I think are sound that the duty should not be less than the present rate, which is $2.50 per pound and 25 per cent. ad valorem; but they recommend that if the Senate should desire to have only one duty, either a specific or an ad valorem, that it shall be made at least $4 per pound, and they state that $4 per pound is substantially the present rate or the equivalent of $2.50 per pound with 25 per cent. ad valorem added.

I do not desire to take up any time in discussing this question, but I am surprised to find that it has been proposed to reduce the duty so largely upon articles entirely of luxury, for we must admit that the imported cigars, chiefly the Havana cigars, are used only by the rich people in this country. From the information I have received I am led to believe that under this proposed rate of duty the manufacture of cigars in this country, at all events the higher and medium grades, would entirely cease; that it could not be carried on under the rate proposed here.

As to whether we should have a rate of $2.50 per pound with 25 per cent. ad valorem added, as the Senator from Kentucky suggests, or whether we should have $4 per pound specific, is a question which may be fairly left to the judgment of the Senate. I confess that I feel myself largely controlled by the judgment of the Finance Committee on this subject, unless the Finance Committee should happen to be divided upon the question, as they have been upon nearly every one that has been presented to the Senate so far in the discussion of this bill.

Mr. SHERMAN. I was trying to inform the Senator what the Finance Committee propose to do in this matter, and we have all agreed upon it.

Mr. MILLER, of New York. I supposed we had their proposition in the bill before us.

Mr. SHERMAN. Not exactly. The schedule in regard to tobacco, like many other provisions of the bill, was necessarily read over and carefully revised more than once. When the first reading of the bill was had in committee we had not before us the statistical information which enabled us to judge of the effect of the proposed amendment, the general purpose being to leave the tobacco provisions very much as they are in the old law. It was proposed, however, to raise the duty on tobacco in the first clause of the schedule to $3 a pound instead of $2.50, supposing that it would be better to have a specific duty and only one kind of duty, and thus avoid the ad valorem duty. But after an examination, and for the reason stated that the price of the valuable high-priced cigars, &c., varied so much that it was necessary to keep up the combined duty, the committee came to the conclusion that we would propose to re-enact the old law, and I have now the bill before me as it was agreed upon in committee; the Senator from Vermont being absent, I have taken his copy.

The PRESIDING OFFICER. Does the Senator from Ohio propose an amendment?

Mr. SHERMAN. I do. I propose to strike out "$3" and insert the language of the old law, "$2.50 per pound and 25 per cent. ad valorem.

The PRESIDING OFFICER. The Chair thinks that is precisely the amendment offered by the Senator from Kentucky.

Mr. BECK. It is the amendment I have proposed, but I am glad that the Senator from Ohio is presenting it. The chairman is absent. I have no right to state it, but my recollection is that after very full discussion the Committee on Ways and Means of the House have adopted this same proposition, and I think it a very great improvement.

Mr. SHERMAN. I wish to state further in regard to this, and my recollection corresponds with a memorandum I hold before me, that we agreed upon a second examination of this question to take what is proposed in regard to tobacco in the leaf from the bill in the House, and when that paragraph is reached I shall propose a different phraseology than what is contained in the schedule.

The PRESIDING OFFICER. Does the Senator from New York insist on his amendment?

Mr. MILLER, of New York. I desire to receive further information from the Finance Committee before deciding upon that point. I discover that in the next clause below the committee have raised the duty upon imported tobacco very largely, and as this tobacco is a kind which is used by cigar manufacturers in this country in mixing with American tobacco in the manufacture of a high grade of cigars, it will be seen of course that if we return to the old duty upon cigars it will not be as high in proportion as it has been, because the committee propose to raise the duty upon the imported tobacco.

Mr. BECK. If the Senator will allow me, I will say (the chairman of the committee will be in in a few moments, I hope) that when we come to the next paragraph there will be quite an important modification offered to that, which I think will be satisfactory to the Senator from New York.

Mr. MILLER, of New York. Of course I can not say whether it will be satisfactory. I take the items as they are presented, and we are to pass on this one first.

Mr. BECK. But I thought the Senator was speaking of the second paragraph.

Mr. ALLISON. It is very easy to state to the Senate what modification is proposed by the committee there.

Mr. BECK. The second paragraph not being yet reached I do not care to suggest it, because the chairman is absent.

Mr. SHERMAN. We can propose but one at a time.

The PRESIDING OFFICER. Does the Senator from New York insist on his amendment?

Mr. MILLER, of New York. I must insist upon it, unless I can have permission to go back to this question after we have fixed the duty upon imported tobacco which occurs in the next paragraph. The Finance Committee do not seem to be disposed to even tell us in advance what they will propose in regard to this question. I merely desire to reduce the duty on imported tobacco from that found in the bill. I am in favor of a high rate of duty on all these luxuries.

Mr. SHERMAN. I have no objection to letting the Senator go back because perhaps his request is reasonable.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent to come back to this question after passing on to the next paragraph. The Chair hears no objection, and it is so ordered. Does the Senator from New York withdraw his amendment?

Mr. MILLER, of New York. I am informed by a Senator having much better knowledge of parliamentary rules than myself that if we now consider this paragraph and pass upon it by striking out and inserting it will not then be in order to go back and amend that. Perhaps we had better pass over the paragraph entirely and not touch it until we have taken up the paragraph from line 929 to line 932, and leave the action entirely open on the first paragraph until action has been had upon the second.

Mr. SHERMAN. I have no objection to letting the Senator have it just as he pleases in regard to taking it up.

The PRESIDING OFFICER. The second paragraph of the schedule will be read.

The next paragraph, from line 929 to line 932, was read, as follows:

Tobacco of all descriptions, unmanufactured, including stemmed and seed-leaf tobacco, valued at 40 cents per pound or over, 75 cents per pound; valued at less than 40 cents per pound, 35 cents per pound.

Mr. SHERMAN. I move in the place of the lines read to insert:

Tobacco in leaf unmanufactured and not stemmed, used exclusively for wrappers, 75 cents per pound; all other tobacco in leaf unmanufactured and not stemmed, 35 cents per pound.

Mr. BECK. I think the Senator from Ohio will find that a modification of that was intended to accomplish what he desires. Both the Senators from Connecticut are very well informed as to the changes desired, and I hope they will submit the amendment that I had in my hand, but which they have now, and they know more about it than I do.

Mr. HAWLEY. I have the amendment the Senator from Kentucky refers to. It is to this effect:

Tobacco in leaf, unmanufactured and not stemmed, when the greater portion of the bale, box, or other package is suitable for wrappers, 75 cents per pound upon the whole contents of said bale, box, or other package.

I have other amendments covering this subject generally.

All other tobacco in leaf, unmanufactured and not stemmed, 35 cents per pound.

That is the present duty on that.

Tobacco in leaf, unmanufactured but stemmed, $1 per pound.

That is a change—

Tobacco stems, 15 cents per pound.

That is no change from the present law.

Tobacco, manufactured, of all descriptions not specially enumerated or provided for in this act, 40 cents per pound.

Those provisions correspond in general with what was referred to as the House bill—I suppose I may refer to it—with the exception of the paragraph saying:

Tobacco in leaf, unmanufactured but stemmed, $1 per pound,

Tobacco in leaf, unmanufactured and not stemmed, when the greater portion of the bale, box, or other package, is suitable for wrappers, 75 cents per pound upon the whole contents of said bale, box, or other package.

This is intended to reach the new kind of Sumatra tobacco and is in accordance with the provisions recommended by the Committee on Finance in the clause between lines 929 and 933, inclusive, and is agreed upon by farmers and importers as better suited to reach that end and less liable to misconstruction and evasion. It makes it a purely specific duty. The Finance Committee reported:

Tobacco, of all descriptions, unmanufactured, including stemmed and seed-leaf tobacco, valued at 40 cents per pound or over, 75 cents per pound; valued at less than 40 cents per pound, 35 cents per pound.

We propose that that kind suitable for wrappers shall be 75 cents a pound. That simplifies it.

Mr. JONES, of Florida. Is not that a new classification, "exclusively for wrappers?"

Mr. HAWLEY. It is.

Mr. JONES, of Florida. Does the Senator say that will relate only to Sumatra tobacco?

Mr. HAWLEY. It is meant for that.

Mr. JONES, of Florida. It will exclude the Havana wrapper just as well.

Mr. HAWLEY. No; I do not intend by the amendment, nor do those gentlemen covering a very large interest all over the country who desire this amendment, intend to aim specifically at the tobacco of any one country. I do not think that would be fair and according to our treaties.

Mr. WILLIAMS. They raise no wrappers in Havana at all.

Mr. HAWLEY. There is tobacco there that may be used for wrappers. We have cigars from there, both wrapper and filler; but if we should say "Sumatra tobacco" or specify "Cuban tobacco" we should come in conflict with treaties, perhaps, but when we say all tobacco used for wrappers we can meet the desired degree of protection and revenue that is aimed at.

Mr. BECK. Some time before the Senator from Connecticut makes his speech, or after he does, if he does not call for it, I hope he will have a brief statement made by Mr. Hammerstein before the commission read. He explains the whole matter and brings up all the difficulties, and each Senator can understand the matter as soon as that is read.

Mr. HAWLEY. I will refer to that before I sit down.

Mr. SHERMAN. In order to enable the Senator from Connecticut to present his amendment in the way that he desires I will modify the amendment of the Committee on Finance by striking out from line 929 to and including line 936, and inserting in lieu thereof the marked paragraph I send to the desk, and then this amendment will be open to the modification the Senator from Connecticut wishes to propose.

The PRESIDING OFFICER. The amendment of the Senator from Ohio will be read as modified.

The PRINCIPAL LEGISLATIVE CLERK. It is proposed to strike out from line 929 to line 936, inclusive, and in lieu thereof to insert:

Tobacco in leaf, unmanufactured and not stemmed, used exclusively for wrappers, 75 cents per pound.

All other tobacco in leaf, unmanufactured and not stemmed, 35 cents per pound.

Tobacco stems, 15 cents per pound.

Tobacco, manufactured, of all descriptions, and stemmed tobacco, not specially enumerated or provided for in this act, 40 cents per pound.

Mr. HAWLEY. It would have been simpler if the Senator from Ohio were willing that I should offer these paragraphs as a bodily substitute for what he has offered. I will offer them one at a time if he desires.

Mr. SHERMAN. I think the Senator had better offer them one at a time, because some I will agree to and some I may not.

Mr. HAWLEY. I will move——

Mr. ALLISON. I should like to hear the whole scheme of the Senator from Connecticut read that we may know exactly what is proposed.

Mr. HAWLEY. If the Senator has before him the House bill and will look at line 1042 he will see the changes. My amendment is to strike out the words "used exclusively for wrappers" in the amendment of the Senator from Ohio and insert:

When the greater portion of the bale, box, or other package is suitable for wrappers, 75 cents per pound upon the whole contents of said bale, box, or other package.

So as to read:

Tobacco in leaf, unmanufactured, and not stemmed, when the greater portion of the bale, box, or other package is suitable for wrappers, 75 cents per pound upon the whole contents of said bale, box, or other package.

Does the Senator from Iowa desire me to read further?

Mr. ALLISON. I do.

Mr. HAWLEY—

All other tobacco in leaf, unmanufactured, and not stemmed, 35 cents per pound.

There I agree with the Senator from Ohio and the existing law. I beg the attention of the Senator from Iowa. Then I bring in a new provision:

Tobacco in leaf, unmanufactured, but stemmed, $1 per pound.

And I stop to explain the reason of that. In the first paragraph it is proposed all around to put a duty of 75 cents per pound upon certain wrapper tobacco.

Mr. ALLISON. Has the Senator read all his amendment?

Mr. HAWLEY. Not quite. I was explaining this paragraph as I went along, showing why this duty of $1 per pound is proposed on tobacco in the leaf, unmanufactured but stemmed. The first paragraph aims to put 75 cents per pound duty upon certain tobacco exclusively for wrappers. Unless you change this paragraph just read they will take that same tobacco and take the stem out of it, which really doubles the value of it, and can afford to pay the 75 cents per pound. It is in order to prevent an evasion of the first paragraph. It will be nothing more than a fair duty on it. It goes through a considerable process of manufacture by taking the stems out carefully, which reduces the weight perhaps by a half, but doubles the value. Next, my amendment includes—

Tobacco stems, 15 cents per pound—

Which is no change from the present duty. Next—

Tobacco, manufactured, of all descriptions not specially enumerated or provided for in this act, 40 cents per pound.

I strike out the words "and stemmed tobacco" from the amendment of the Senator from Ohio, because the stemmed tobacco has just been provided for in my amendment as I have explained.

Mr. SHERMAN. Raising stemmed tobacco from 40 cents to a dollar.

Mr. HAWLEY. Yes, because there will be an easy evasion of your 75-cents-a-pound provision in the first paragraph. If you look on the printed scheme the changes are comparatively slight from the amendment offered by the Senator from Ohio.

Mr. ALLISON. I call the attention of the Senator from Connecticut to the difference between his suggestion and the amendment proposed by the Senator from Ohio. The provision here for tobacco suitable for wrappers was intended to cover a special class of tobacco. I do not quite see the effect of the modification suggested by the Senator from Connecticut by which he proposes to put stemmed tobacco at $1 a pound. I wish him to state, if he can, a little more clearly to my understanding, for I do not yet understand why it is that it is necessary to put a dollar a pound upon the stemmed tobacco, and if so, why it should not be done in connection with the provision for wrappers, so that we may know that it is intended to apply only to wrappers, and not to all classes of tobacco.

Mr. HAWLEY. The clause is this:

Tobacco in leaf, unmanufactured but stemmed, $1 per pound.

It is partially manufactured. The gentleman desires to know more clearly, I understand him to say, the reason for that provision. I call his attention to the first paragraph proposed, which imposes 75 cents a pound duty upon tobacco in leaf not stemmed, exclusively for wrappers. Unless he adds the two lines which we have just been discussing, putting a dollar a pound on the stemmed, the very same people will take that tobacco, take the stems out of it, double it in actual value, and evade your 75 cents duty.

Mr. ALLISON. Then I suggest to the Senator from Connecticut that instead of proposing that additional duty he strike out "and not stemmed;" so that it will read:

Tobacco, unmanufactured, used exclusively for wrappers.

Or, if he chooses to put in any additional phraseology there, "stemmed or unstemmed," that we may understand this provision. We have had a great deal of trouble about this tobacco question, and there have been a great many opinions about it. This exact provision that is now proposed by the Senator from Ohio is what the tobacco people agreed to after a long conversation with the Committee on Finance in reference to this question.

Mr. HAWLEY. Yes; I do not vary from that. I make no variation from it except on account of a subsequent discovery by both farmers and importers on consultation, hastily telegraphed here to-day, fearing this evasion that I spoke of; but I do not see at present why I may not accept the suggestion of the Senator from Iowa and say "stemmed or unstemmed."

Mr. ALLISON. I trust that will be put in.

Mr. HAWLEY. I beg pardon; I see my mistake. If I say "stemmed or unstemmed" it makes a very great difference; none of it will ever come in unstemmed with the same duty, although it is as much a pound.

Mr. ALLISON. Does the Senator want a higher duty than 75 cents a pound on tobacco used for wrappers?

Mr. HAWLEY. I do; but it has been doubled in value by taking out all the heavy parts and leaving all that is really valuable.

Mr. ALLISON. But the tobacco the Senator is speaking of now comes in at 40 cents a pound. These people represent to us that the Sumatra tobacco comes into competition with the wrappers made in New York and Pennsylvania and elsewhere. We said to them, in order to cover that Sumatra tobacco, we will give you a duty of 75 cents per pound. Tobacco, stemmed, now is only 50 cents a pound. So, certainly all they can expect would be to have this tobacco used for wrappers, stemmed or unstemmed, come in at 75 cents a pound. That is a large increase.

Mr. WILLIAMS. Our own tobacco that is used now for cigar wrappers pays a tax under the internal-revenue laws of 16 cents a pound, and one-third of it comes out in stems, which you must add to that tax.

Mr. HAWLEY. If one-third weight comes out, considering the labor, it is really about doubled in value.

Mr. WILLIAMS. Certainly. There are two kinds of wrappers, one for plug or chewing tobacco and the other for cigars. I would suggest to the Senator from Connecticut that possibly he had better modify the amendment so as to confine it to cigars. I concur with the Senator from Connecticut that tobacco ought to be put at 75 cents per pound. I know that it is coming in competition with the tobacco of our own country. There are two sorts of wrappers. The Sumatra wrapper comes in competition with your fine Connecticut seed-leaf. There is no wrapper that comes in competition with our Kentucky plug wrapper at all. I am for putting this schedule as high upon all foreign tobaccos as they will bear. I see now that we get some $6,000,000 revenue from them; and the question with me simply is how much duty they will bear. If the committee will tell me that by putting it higher we shall get less duty I shall be opposed to it; but I am for putting them up to the highest notch.

A man in this country can not take a drink of American whisky, be it the Cincinnati bust-head or the North Carolina pine-top, however distilled, without paying 200 per cent. on it. He can not smoke a Connecticut seed-leaf cigar, nor a Pennsylvania stoga, nor a Kentucky cigar without paying 200 per cent. internal-revenue tax upon it. Why should we put the foreign tobacco lower than our own? Give the advantage to our own producers and our own manufacturers. I am for putting this duty to the very highest notch it will bear.

Mr. SHERMAN. After we have carefully considered in committee a question of this kind and conformed to the wishes of the cigar manufacturers and others engaged in this business and have met a particular difficulty in the existing laws of which they complain and the only one, I do not think it is wise for the Senate unless it has fuller information to change the duty so greatly as to advance the rate on this stemmed tobacco from 40 cents up to $1 per pound. If it is intended to include only the Sumatra tobacco, then it is very easily done under the first clause which advances leaf-tobacco intended only for wrappers up to 75 cents per pound, and that was as much as was desired by any one that it ought to be, whether it is stemmed or unstemmed, because that is an enormous duty. It is a large increase of the duty over the present law.

It was not the purpose of the Finance Committee to lower the duties on tobacco. I know we did it in respect to the first clause by making a larger specific duty instead of a compound duty, but that position we reversed. We provided for the particular case pointed out by the cigar-makers by providing a higher duty on Sumatra tobacco, but instead of describing it by the country of its production we describe it by the uses for which it is employed and put it at 75 cents per pound. It seemed to me that was all that was desired. Now, because we put upon this Sumatra tobacco 75 cents per pound upon that which is not stemmed, it is proposed that we shall insert another rate still higher on that which is stemmed.

Now, sir, if you strike out the words "tobacco in leaf used exclusively for wrappers," leaving out the words "unmanufactured and not stemmed" 75 cents per pound, you cover the whole ground. This has been carefully considered by both Houses.

That is all I can say, and I think there it ought to stand, unless some very strong reason is given for this increase.

Mr. PLATT. I desire to make an explanation in the line of what the Senator from Ohio is saying.

It takes five or six pounds of American seed-leaf tobacco to wrap as many cigars as a pound of Sumatra tobacco will wrap. If you put 75 cents a pound on Sumatra tobacco you will about equalize the two tobaccos, the Sumatra and the American tobacco. But mind, you put that 75 cents a pound on the tobacco with the stems in it. Now what will the Sumatra people do? They will take the stems out, making the pound of tobacco with the stems out wrap a great many more cigars than the pound of tobacco with the stems in will. So we shall have no tobacco with the stems in imported; it will all be imported without stems, and the wrapping capacity of it increased until it will still supersede the American tobacco. I think that makes it clear.

Mr. BECK. The Senators from Ohio and Iowa state correctly the view taken by the Committee on Finance in regard to this question. When we first considered it the language we used was that now proposed by the Senator from Ohio:

Tobacco in leaf, unmanufactured and not stemmed, used exclusively for wrappers, 75 cents per pound.

The men who are raising tobacco and the men who are manufacturing tobacco, after a very full consultation, came to members of the committee, I know they came to me, and said, as I thought properly, that that language would not accomplish the object they desired "used exclusively for wrappers;" that there was no way of ascertaining in advance at the custom-house whether it would be used exclusively for wrappers or not, and there would be no way of tracing it after it passed the custom-house as to whether it would be so used or not. Therefore they stated that in order to reach anything like a proper adjustment the language ought to be changed, and these words used now proposed by the Senator from Connecticut [Mr. HAWLEY], after the word "stems:"

When the greater portion of the bale, box, or other package is suitable for wrappers, 75 cents per pound upon the whole contents of said bale, box, or package.

That will enable the custom-house officers to determine whether it is suitable for wrappers and then fix the duty, because when it once passes the custom-house that is the end of it. Hence the modification of the language, and the necessity for it grew out of a condition of things that did not exist until within the last few years, but which was stated very well by Mr. Oscar Hammerstein before the committee and the Tariff Commission. I believe the shortest way to reach a conclusion would be that all or at least a portion of his statement should be read, and then each Senator could see for himself what has caused the necessity for the changes now proposed to be made.

Our own people are now paying 16 cents a pound internal-revenue tax, and the men of the Lancaster valley, in Pennsylvania, and the men of the Connecticut valley, and the men in Ohio, have been raising tobacco for use as wrappers, and $47,000,000 in one form or another in the shape of internal revenue has been paid by tobacco, and by a condition of things which they can not control, and which could not be foreseen, the sale of wrappers by our growers is absolutely stopped by the growth of an island in the Indian Ocean owned by the Dutch, the island of Sumatra, not because the tobacco is more valuable but because it is more beautiful in appearance, almost as fine as silk. It was brought before the committee and examined, and the facts are undisputed. One pound of the Sumatra tobacco will go as far as four or five pounds of ours. The statement of Mr. Hammerstein will show exactly the condition of things and justify the action taken by the committee as to the change in the language which is proposed. I ask the Secretary to be kind enough to read it.

Mr. RANSOM. I should like to ask the Senator from Kentucky a question if I can have the attention of the Senator from Connecticut. If I understand the proposition of the Senator from Connecticut, it is, as the proposition of the Senator from Kentucky is, to place a duty of 75 cents on this tobacco which is suitable for wrappers which is not stemmed.

Mr. HAWLEY. Precisely.

Mr. RANSOM. Then the Senator from Connecticut, if I comprehend him, goes further than the amendment of the Senator from Kentucky, and proposes to place a duty of $1 a pound on that stemmed character of tobacco when it is stemmed.

Mr. HAWLEY. Precisely.

Mr. BECK. The reason will be given in the statement I have sent to the desk. After that is read I will explain.

Mr. RANSOM. Then the Senator from Kentucky agrees with the Senator from Connecticut in the propriety of his amendment fixing a dollar on the stemmed tobacco?

Mr. BECK. I do; and the reason will be given in the reading of the statement I have sent to the desk.

Mr. JONES, of Florida. Before that is read I wish to ask the Senator from Kentucky a question.

Mr. BECK. Allow this to be read first.

The PRESIDING OFFICER. The Senator from Kentucky declines to yield.

Mr. BECK. I believe each Senator will know more about it when that article is read.

The Acting Secretary read as follows:

Mr. Oscar Hammerstein, of New York, editor of the United States Tobacco Journal, made the following statement:

I desire to engage the attention of the commission for a few moments while I speak upon a most important subject. The leaf-tobacco trade of the country has been brought to a standstill during the past six months, owing to the continually increasing importation of Sumatra tobacco. This tobacco first made its appearance in the United States about two years ago. It had never been used before, and it sprung into favor, first gradually and then very rapidly, so much so that its importation has become enormously great, and the tobacco-culture industry of this country is threatened with almost entire destruction. I do not give you this merely as my opinion, but I have the facts to prove it. The American tobacco trade is utterly at a standstill, owing to this continued importation. The tobacco is imported in large quantities, because of its superiority to our home tobacco. The importation of this tobacco began to assume importance in July, 1880. At that time the importation amounted to about 12,000 pounds per month, while during the month of July, 1882, it amounted to 147,224 pounds—a most enormous increase.

It might be well for me to state here that four pounds of Sumatra tobacco is considered equal to an average of about twelve pounds of home tobacco. If a manufacturer of cigars uses four pounds of Sumatra tobacco, he can cover 1,000 cigars with it as well as if he used twelve pounds of the tobacco raised in this country, in Pennsylvania, Connecticut, Ohio, and other States. The cost of Sumatra tobacco in the market averages from $1 to $1.20 per pound. Four pounds of Sumatra tobacco at $1.20 makes $4.80. Twelve pounds of tobacco raised in this country, at 50 cents a pound, amounts to $6, so that, in point of fact, the tobacco raised in Sumatra is a great deal cheaper than the tobacco raised in this country. Besides that, it is equal to the finest Havana tobacco; indeed it is a great deal better than Havana tobacco for wrapping purposes. A cigar wrapped with Sumatra tobacco, since it has become known, will bring ten times as high a price as a cigar wrapped with tobacco grown in this country.

Now let me show you the amount this country loses on the sale of tobacco. Up to about two years ago our exportation of home tobacco was 50,000 to 60,000 pounds a year. Other countries formerly in the habit of using our tobacco began to use these fine qualities of Sumatra tobacco and stopped buying ours. The exportation of seed-leaf tobacco has almost entirely ceased. At this time of the year formerly the market was always bare of old tobacco. This year we have the stock of nearly 20,000 cases on hand, and the new tobacco which was raised last year is lying almost entirely neglected by the manufacturers of cigars in this country on account of their preferring to use the Sumatra tobacco. The increase in the importation of this tobacco is continuing steadily. In the fiscal year ended 1881 the importation only amounted to 179,602 pounds, but in the fiscal year ended 1882 it amounted to 774,715 pounds, an increase of several thousand per cent. In no month since the importation of this tobacco began has there been anything like the amount imported that there was during the last month, the importation reaching 147,000 pounds.

There are about fifty packers of tobacco in this country who buy tobacco from the farmers, and of this number about fifteen of them represent firms in Antwerp, Amsterdam, and other European cities; and, while they formerly bought American tobaccos, they seem to have come to the conclusion that the tobaccos grown here are not of much value, so far as the making of good cigars is concerned, compared with the Sumatra tobacco.

There is another thing I would like to draw your attention to. The Sumatra tobacco pays the additional duty of 10 per cent. which is imposed on all goods brought from west of the Cape of Good Hope. Congress at its last session abolished that 10 per cent. duty, and the result is, in effect, to offer a premium on the importation of Sumatra tobacco. The reduction of this 10 per cent. duty alone has aided very much in deciding manufacturers to import this tobacco. Instead of raising the duty, for some mysterious reason—I suppose Congress was not sufficiently informed, otherwise it would not have been done—they reduce the duty and open the doors for still greater importation, and as a result the destruction of the culture of home tobacco.

I have put in the schedule handed me a statement in figures, and if any of the members of the commission desire to interrogate me I am perfectly willing to answer their questions. I have stated in the schedule that the additional duty on Sumatra tobacco should be at least 35 cents per pound and 50 per cent. ad valorem, or a full duty of $1 a pound. That would be the very lowest estimate, because even then it would only make it come up to the present cost of tobacco in this country. In my judgment, there should be a still higher increase than 50 per cent. I have explained the matter as fully as I can in the schedule which you gave me. I could not, of course, state what the Government would receive in the way of additional duty on account of the increased importation.

It is impossible to predicate the exact amount of increase in value of imports of Sumatra and other East India tobaccos, since the importations first began to attract attention about July, 1880. Since that time there has been a steady and rapid increase in the amount of Sumatra tobacco imported. It has been estimated that the East India product can be worked advantageously as a wrapper for cigars in the proportion of four pounds per thousand cigars, as against twelve to twenty pounds of American tobacco required to make a thousand cigars. The amount of American tobacco required to manufacture 1,000 cigars varies from twelve to twenty pounds, while the quality of Sumatra tobacco is so fine that the manufacturer does not require over four pounds of it to make 1,000 cigars. It is all leaf. When a manufacturer buys American tobacco he never knows whether it will take twelve or twenty pounds to make 1,000 cigars, but in the case of Sumatra tobacco he knows exactly how far it will go.

Mr. BECK. What has been read enables Senators to understand what it is. This is the effect of it as the committee was advised: We are paying, as I observed a while ago, a tax of 16 cents a pound on all manufactured tobacco in this country, and the men of Pennsylvania, Connecticut, and Ohio particularly raise the tobacco out of which wrappers are made. While we raise in Kentucky a great proportion of all the tobacco raised in the United States, I believe we raise no wrappers for cigars. My colleague knows more about this than I do, and he will correct me if the fact is otherwise. This tobacco was coming in. Mr. Hammerstein was wrong, I am told, in saying it is better than our tobacco. It is not as good, but it is as fine as silk, very beautiful, makes a finer wrapper than Havana tobacco, and one pound of it will go as far as three or four pounds of ours. The importation of this tobacco has absolutely closed up the market for our manufactured tobacco in Pennsylvania, Ohio, Connecticut, and wherever wrappers are made.

The product of tobacco in Sumatra is a monopoly belonging to the Government of Holland. The Dutch own it, and they can make it any price they please. Therefore if we desired to keep up our own product we had to guard against this importation.

Mr. Hammerstein is again mistaken in complaining that Congress had reduced the duty 10 per cent. by taking off the discriminating duty.

We have a treaty with Holland, which was agreed to in 1874, whereby the products of her dominions were to have the same rights in our markets as those of the most favored nation; and last year we repealed the discriminating duty upon the demand of the Government of Holland, making it general and absolute for everything coming east of the Cape of Good Hope, which was not looking to this tobacco or anything else except carrying out the treaty obligations with Holland that we should remove a discrimination which was applicable to her and which applied to the tobacco of which I have been speaking. Therefore we are confronted with this question: Shall we stop our home market or shall we make a general arrangement intended, I admit so far as I am concerned, to reach the Sumatra tobacco? It being impossible to name it because of our treaty obligations with Holland, it being impossible to make any discrimination except in the general way of providing that that character of tobacco which is imported and is suitable for wrappers shall pay something like a reasonable price, shall we not do it and thus prevent our own people and their market from being destroyed?

Mr. JONES, of Florida. Everything has been mentioned in connection with this tariff except its legitimate object, and that is revenue for the support of the Government. It does not astonish me that the Senator goes on to speak about the necessity of protecting the farmers and planters; but I wish to know whether the proposed increase of duty on the importation is to add to the revenue of the Treasury?

Mr. BECK. It will diminish the revenue of the Treasury. The small amount of revenue that we receive at the rate of 35 per cent. ad valorem now has been no sort of compensation for the destruction of the internal-revenue tax which we were collecting from the tobacco of Pennsylvania, Connecticut, and Ohio, which is now in the barns and has been for two years We have a double interest here. When we make our own people, from a product which they raise, pay 16 cents a pound, we surely ought not to allow their goods to be destroyed for the sake of the small revenue which may be derived from the products of a foreign government, who can sell it as low as they please, for the government at Amsterdam can sell the Sumatra tobacco at any price they like. They have the monopoly of it and they are working it to suit themselves.

I propose, even if there is some inconsistency in it, when we impose a tax of 16 cents a pound on the tobacco raised in this country, that the men who have raised it shall not, because Holland or any other country sees fit to send us in a wrapper that will drive them out of the market, have their product rot in their barns or their markets closed when they are bringing us in in one form or another $47,000,000 of revenue at the present rate of internal taxation.

Mr. JONES, of Florida. It only shows how difficult it is to make this system accommodate itself to all the various interests involved whenever a departure takes place from the true principle of taxation. The Senator from Kentucky, notwithstanding his constant and persistent and energetic efforts in behalf of a revenue tariff, has gone for a tariff framed to keep out commodities that were coming in competition with one that is produced in his own State. I am not an advocate of that description of tariff, for I do not believe there is any power in this Government to levy it. I think it is undemocratic, unconstitutional, and unwise. When it is asserted that a tax is to be levied not for revenue but in order to keep out a commodity that is in competition with a home product, then we surrender the whole principle that lies at the foundation of our tariff. I am willing to give incidental protection when it is not made the object.

I have been at a loss to discover the necessity for this change in this tariff from 40 to 75 cents a pound. If the necessities of the Treasury required this thing to be done, I would yield and support the proposition; but when the Senator from Kentucky says the necessities of the Treasury are not involved, my principle does not require me to support the proposition.

The adoption of that proposition would have the effect of destroying a very large interest in my State by the direct hand of the Government, intended to affect another class of people. For instance, it is the purpose of this amendment to get rid of a description of tobacco made in one of the provinces of the Dutch, and finding themselves unable to reach the thing by a specific action they undertake to incorporate a general provision into this bill which will have the effect of raising the duty from 40 to 75 cents a pound upon every description of tobacco coming from abroad that is used in the manufacture of cigars as wrappers.

Mr. PLATT. It applies to wrapper-leaf only.

Mr. JONES, of Florida. I understand that. In my State they manufacture a Havana cigar entirely, the wrapper and all, out of the tobacco, and the interests there are very large and important, just as much so as the interest in Pennsylvania to the farmer there, except that in the one case it only involves a question of adding to the profit now derived by the agriculturist, while in the other case it would operate almost to the destruction of the interest. With the present internal revenue that they have to pay on the manufactured goods in my State, with this enhanced duty and no corresponding rebate in the internal revenue, it would operate as a destruction of those established interests through the power of this Government, not for the purpose of raising revenue, but in order to add additional profit to some agricultural production.

Mr. WILLIAMS. Let me say to the Senator that the percentage of tax under the internal-revenue laws upon our own tobacco is just about the same as this amendment proposes to put upon the foreign tobacco; and why a preference should be given to the foreigner over our own people I can not understand.

Mr. JONES, of Florida. The present existing internal-revenue system has been made to go hand in hand with our system of internal duties, and on the subject of the manufacture of cigars the external duty has been made, as we know, to correspond with the tariff levied on the raw material entering into those manufactures; and here you propose to keep up the heavy duty now levied upon the manufactured article, the cigars, for instance, at Key West, where there is a very large interest, and you increase the duty from 40 to 75 cents on the raw material, making it almost prohibitory upon the introduction of the tobacco into the manufactures now established in my State.

I have no objection, if the interests of Connecticut or Pennsylvania require that Sumatra tobacco shall be excluded, that a prohibitory tariff not necessary to the revenue shall be passed, and that those who believe in that kind of thing should do it; but when you come to strike down an established industry in one part of the Union in order to build up another under this revenue which it was intended should have a uniform operation, it does not conform to my ideas of the exercise of that power of taxation which the framers of the Constitution intended to be exercised here.

Mr. BECK. I am glad the Senator from Florida has struck a great constitutional question here on which he can exercise his genius, as I know he is very apt to do whenever such questions are up; but when he says I am inconsistent in making the suggestion I have made of raising taxes on these matters, I desire him to understand that tobacco is one of the agricultural products upon which the Government has deemed fit to lay its hand, and to say that the producers of it shall not sell a pound of it to anybody, even as leaf-tobacco, unless to a licensed dealer, and it has charged $500 for a man obtaining a license to deal in leaf-tobacco and provided that he shall not sell a pound of it unless he pays 16 cents a pound tax to the Government on all that he manufactures. While imposing that tax upon an agricultural product that brings in one form and another $47,000,000 into the Treasury of the United States, when we discover that the existing rates of duty upon this class of leaf-tobacco grown in Sumatra is of such a character as to destroy that interest in the United States that pays $47,000,000, does the Senator say we shall not protect it, and that it is inconsistent and unconstitutional to do it?

It seems to me that involves the highest absurdity. If there was no tax on tobacco here, and we were then imposing high duties on an article we did not raise, there might be something in the objection; but when we have said that our tobacco must be taxed, when it is a thing we derive our revenues from, having prohibited the man who raises it from selling it unless he pays the tax, we have a right to say that the tobacco which we can not sell without paying a tax upon shall not be destroyed either by the Dutch, by the Sumatra tobacco, or anything else.

We put a tax on whisky and we put a corresponding duty of $2 a gallon upon all whisky that comes from abroad. Does the Senator say we had no right to do that, or will he come in and claim now that if whisky had been allowed to come in at 50 cents a gallon from abroad and we had put up our own tax to a dollar a gallon, we should still allow whisky to come from abroad at 50 cents a gallon and destroy the interest from which we were raising a dollar a gallon at home? Certainly not.

Mr. RANSOM. My friend from Florida insists that the Government can tax tobacco made by our own people, and then can not tax the tobacco imported here from abroad.

Mr. BECK. I think the Senator from Florida got a little bit off, because he was thinking about the Cubans who have come here and settled at Key West, clever men, good citizens, who are making very good Key West cigars. We are not interfering with them, nor are we interfering seriously with Havana tobacco. Nine-tenths of that is used for fillers. I expect they are raising very good tobacco in Florida, and are getting wrappers from Connecticut and Pennsylvania. Those men are doing good work, and they are not going to be hurt by this provision.

This new thing which we are guarding against has sprung up, as the testimony shows, within the last two years, and it is bringing destruction to an article which is yielding us a great revenue. We thought it was best that the internal revenue of the country should be guarded, and the men who were producing this large amount of revenue, whether they live in Florida or elsewhere, should not be destroyed.

I assure the Senator from Florida that his operatives at Key West, who are a very deserving people, will in my judgment not be injured. If I thought they would be I should be very reluctant to vote for the proposition.

Mr. DAWES. Will the Senator state what would be the equivalent ad valorem of the rate here proposed?

Mr. BECK. Did the Senator hear the statement read by the Secretary?

Mr. DAWES. No.

Mr. BECK. I will hand it to the Senator. The rate now is 35 cents, which was an ample protection on ordinary tobacco of the same qual-

ity; but they have now found that a wrapper raised in Sumatra, an island owned by Holland, four pounds of which will go as far as twelve pounds of American tobacco, and which is almost as fine as silk, is being brought here, and while it is not better and not so good as our own tobacco, it is so beautiful that it is destroying the sale of the crop of Pennsylvania, Connecticut, and Ohio for the last two years. We thought under these circumstances 35 per cent. was not high enough, and therefore we have proposed an increase. That is the whole case.

Mr. HAWLEY. I think I can perhaps aid in smoothing the passage of this measure a little by changing the form of the amendment. The Senator from Iowa has criticised this paragraph:

Tobacco in leaf, unmanufactured but stemmed, $1 per pound.

I propose to omit that, to put the substance of it with the first paragraph, where it belongs, as it refers to the wrapper tobacco. I should be glad to have the attention of the Senator from Kentucky. I propose to incorporate two of these paragraphs in one, both the paragraphs that refer to the wrapper tobacco, in this form:

Tobacco in leaf, unmanufactured, when the greater portion of the bale, box, or other package is suitable for wrappers, if not stemmed, 75 cents per pound upon the whole contents of said bale, box, or other package; if stemmed, $1 per pound.

Mr. BECK. I think that is right.

Mr. HAWLEY. That makes it entirely clear, but the $1 a pound provision applies to the same tobacco that the 75 cents would apply to. The reason of that has been stated so often here that it seems to me impossible to misunderstand it. This same tobacco which you tax at 75 cents by consent of the committee we do not propose to increase the duty upon at all in equity or in reality; but to say that if it comes stemmed, that is to say doubled nearly in value, it shall pay 25 cents more duty or a dollar a pound. I ask leave to substitute this.

The PRESIDENT *pro tempore*. The Senator can do that as there has been no action taken on the amendment.

Mr. HAWLEY. I then change my amendment and put the one in my hand in place of the first and third paragraphs of the amendment I originally offered.

Mr. ALLISON. I wish to say a word or two on this question. I yielded reluctantly to this tax of 75 cents a pound on tobacco for wrappers. The original provision was inserted so as to cover all tobacco valued at over 40 cents a pound, and it was said that would include Sumatra tobacco; but afterward the Committee on Finance examined more carefully this provision and found that as we had originally reported it it was not consistent with the remainder of the bill in this, that it would include a large portion of the tobacco imported from Cuba.

There are one or two things which I want to call attention to, that there may be no confusion about this matter; and the first is that the Senator from Kentucky nearest me [Mr. WILLIAMS] is wholly mistaken when he supposes that this has the slightest relation to the internal taxes on tobacco. The kind of tobacco that we put 75 cents a pound upon in this bill is not taxed at all in the United States; it is as free as the air we breathe; so that this tax of 75 cents a pound is entirely outside of and beyond any question relating to our internal taxation.

Mr. WILLIAMS. Is there not a corresponding wrapper tax in this country?

Mr. ALLISON. Not in the slightest degree. Unmanufactured tobacco has no internal-revenue tax upon it at all.

Mr. WILLIAMS. We have one tax for plug-tobacco and one for cigars, and is not this tobacco taxed in the cigars?

Mr. ALLISON. Undoubtedly; and is not this tax in the cigar also? Therefore I say that the producer of American tobacco stands upon a par with this importation, the one paying no tax and the other paying a tax of 75 cents a pound as proposed by the Finance Committee. It is said we must do this in order to protect the growers of tobacco.

Mr. WILLIAMS. One moment. Everybody knows that there is not one-fourth of the tobacco raised fit for wrappers; it has to go for other uses.

Mr. ALLISON. Undoubtedly everybody knows that who knows anything about tobacco.

Mr. WILLIAMS. All of it has to be sold on the market and it pays a tax as manufactured tobacco unless it is used for cigars.

Mr. ALLISON. Undoubtedly when manufactured, but not before. All this foreign imported tobacco pays a tax.

Mr. WILLIAMS. I can remember the day when one county in Kentucky—Mason County—exported to Havana nearly one-half the wrappers she used. Connecticut then and Pennsylvania took that market away from that portion of my State, and they went to raising wrapper tobacco. Now the Sumatra tobacco is taking the market away from Connecticut, and I feel like standing by her.

Mr. ALLISON. The Senator from Kentucky need not be under any apprehension that the same kind of tobacco pays an internal-revenue tax in this country. That is not true.

I did want to say a word or two to my friends from Pennsylvania and Connecticut, for whose benefit and in whose interest this whole duty relating to wrappers has been inserted in this bill. They are the people who produce the tobacco which is largely used in the manufacture of American cigars in this country. In the first place it does not affect their market a hair. It is all a matter of imagination on their part. In 1881 we imported 500,000 pounds of Sumatra tobacco and 740,000 pounds they say last year. I have not looked at that. Is it correct?

Mr. PLATT. More; about 900,000 pounds.

Mr. ALLISON. Nine hundred thousand pounds. The paper read said 740,000 pounds. How many cigars will these wrappers cover? About 200,000,000 cigars. How many were made last year? Three billions and more. This Sumatra tobacco did not cover the increase of production of cigars between 1881 and 1882. I find that we made 358,000,000 more cigars in this country in 1882 than we did in 1881; yet if you cover all these cigars with Sumatra wrappers they only amount to 200,000,000 cigars per annum. Therefore it cuts no figure whatever; and in another sense it cuts no figure. What is the value of your Connecticut tobacco and Pennsylvania tobacco for wrappers? It does not exceed from 25 to 30 cents a pound.

Mr. HAWLEY. The gentleman is mistaken. I can show him whole fields which sell for 50 cents a pound.

Mr. ALLISON. That is just what I wanted the Senator to say. The average of this tobacco does not exceed what I stated, 25 or 30 cents a pound, and the tobacco that is used in this country for wrappers that sell for 25 and 30 cents does not come in competition at all with the Sumatra tobacco. It is only that portion of the tobacco raised in the Connecticut Valley and in Pennsylvania which sells from 60 to 75 cents a pound that comes in competition, and that is the very smallest portion of the tobacco. But to cover the largest possible desire that these people could have we agreed that this tobacco should pay 75 cents a pound. The amendment of the Senator from Connecticut at first proposed that the stemmed tobacco should pay a dollar a pound. He has modified it. That dollar a pound would cover nine-tenths of the tobacco that is imported into the United States from Cuba for manufacturing purposes. As originally proposed by the Senator it would cover nine-tenths of all the tobacco imported from Cuba. He modifies his amendment so as to make it apply to those packages the greater portion of which are suitable for wrappers. That is a new phraseology which I confess I do not understand fully, but if I understood it correctly it will cover practically a great portion of that tobacco which comes into this country from Cuba. The Cuban tobacco is suitable for wrappers, and it is largely used for wrappers.

Mr. WILLIAMS. I will say to the Senator that he is misinformed on that subject.

Mr. ALLISON. I may be.

Mr. WILLIAMS. Cuban tobacco is always unfit for wrappers. Cuba always gets her wrappers from other countries. Her tobacco leaves are smaller, there are too many ribs and bones in them to make wrappers of them. As I said just now, they used to get them all from Mason County, Kentucky, until Connecticut and Pennsylvania got to raising a seed that was better than our Mason County tobacco and supplanted it. Now, a wrapper must be a large leaf; there must be wide interstices between the ribs of the leaf, and the Cuban leaf is so small that it is wholly unfit for wrappers.

Mr. ALLISON. The Senator may be entirely right. I only know that my information is derived from tobacco manufacturers who spent some hours with me and with other gentlemen of the Committee on Finance to whom was assigned a little discussion of this question, and they stated to me that they used Cuban tobacco for wrappers in this country, and that Cuban tobacco was suitable for wrappers.

Now, I submit to the Senators who ask this legislation in the interest of the people who produce tobacco fit for wrappers only that they do not disarrange all the tobacco-manufacturing and cigar-manufacturing interests of this country by this new proposition that comes in here now for the first time, and I heard of it for the first time on the floor of the Senate when it was made by the Senator from Connecticut. I believe that it is detrimental to the people who make three thousand millions of cigars in the United States, and who comprise 480,000 laborers in the United States.

If the Senate will pardon me one word more, I think 75 cents is enough per pound for the men who can sell every acre of land they own which produces this tobacco for from four to five hundred dollars an acre, and they propose here a duty, as the Senator from Ohio says, of 200 or 300 per cent.

Mr. PLATT. How is that? The Sumatra tobacco costs about $1.25 a pound.

Mr. ALLISON. I am told that it costs from 85 cents to a dollar, or a little over, a pound, and this tobacco comes in here at this rate when the greater portion of the package is of this character of tobacco. Suppose 51 per cent. of the tobacco in a package is suitable for wrappers from Cuba; then the whole package is doubled up to 75 cents a pound, and if stemmed to a dollar a pound, by the suggestion of the Senator from Connecticut.

Mr. SHERMAN. My friend speaks about the duty on this tobacco being excessively high. We struck out the valuation at 40 cents per pound because it was said that some of this tobacco might fall within that range.

Mr. ALLISON. At their request?

Mr. SHERMAN. We struck that out because it was a clause of limitation.

Mr. BECK. Allow me a word. When the matter was first presented

to us the Senator from Ohio and the Senator from Iowa stated the exact effects of our action, and we believed we had done all that we could do for these men; but I do not know whether it was in the committee or outside of the committee, because men having large interests come to us all wherever they can find us. The representation was made to me by gentlemen from Pennsylvania and from Connecticut, and I presume from Ohio, that the language "used exclusively for wrappers" would not do, and suggested the language now proposed by the Senator from Connecticut, which seemed to me to do precisely what we desired to do, and to do it in an efficient way. Therefore I fell into the view they presented.

Mr. ALLISON. I am not combating the modification of the language suggested by the Senator from Connecticut with reference to the description of the tobacco, but I am only showing that by that description we extend very largely what we intended to extend originally. What I am protesting against now is that we are to put upon this tobacco $1 per pound, as suggested by the Senator from Connecticut.

Mr. RANSOM. May I ask my friend from Iowa a question? His statement on this matter is so very clear that I want some more information upon it. If I understand the Senator from Iowa he does not object materially to the duty of 75 cents on this tobacco that is unstemmed. If I comprehend, as I think I do, the Senator from Connecticut, he says that this tobacco which is stemmed has had one-third of the material which is useless for manufacture taken out, and a pound of stemmed tobacco will go 25 per cent. at least further.

Mr. HAWLEY. Much more.

Mr. RANSOM. Thirty-three and one-third per cent. further perhaps as fillers than the unstemmed tobacco would.

Mr. ALLISON. I understand all that.

Mr. RANSOM. Then if the duty of 75 cents on the unstemmed tobacco is right, it does seem to me that the duty of a dollar on the stemmed tobacco is right also.

Mr. ALLISON. That is a very good conclusion of my friend from North Carolina, but it is not my purpose and never was the purpose of the committee to make a distinction between stemmed and unstemmed tobacco, because that has never been made in our tariff laws. All the Cuban tobacco that comes in, whether stemmed or unstemmed, pays the same rate of duty to-day; it pays 50 cents a pound; and I take it the Cubans are not as bright as they usually have the reputation of being if they would put in unstemmed tobacco when they could put in stemmed tobacco at the same rate.

So it is perfectly apparent to my mind that all the tobacco which comes in from Cuba is stemmed tobacco and not unstemmed. Therefore when we attach a dollar a pound to this tobacco we are virtually raising the price as compared with our present importation 100 per cent., or doubling the duty. If there is any constitutional requirement or any revenue requirement that will at this moment justify such conduct on the part of the Senate, I am willing to yield to it; but I can not see it.

Mr. JONES, of Florida. On that point allow me to ask the Senator a question. Is this the only instance in which the tax is raised on the raw material in the interest of our domestic manufactures under this tariff?

Mr. ALLISON. If there are others I do not know an instance. I desire to say that although it was reasonably evident to the committee that there would be a reduction upon American manufactures of tobacco, when the committee finally concluded the schedule here we did not reduce the duty at all upon any article of manufactured tobacco.

Mr. JONES, of Florida. The Senator from Kentucky made allusion to the large taxes paid by the producers of tobacco.

Mr. ALLISON. They have no relation to this question at all, because the same tobacco is absolutely free of tax in the United States.

Mr. JONES, of Florida. The manufacturers of cigars pay large taxes.

Mr. ALLISON. So they do on this very tobacco which is imported. They are obliged to pay the internal duty on tobacco after they pay this dollar a pound import duty.

Mr. MILLER, of New York. I wish to put a question to the Senator from Iowa. I understood him to say that in the present rates of duty on tobacco there was no difference whether it was stemmed or unstemmed. Did I so understand him?

Mr. ALLISON. Yes, sir.

Mr. MILLER, of New York. If the Senator will look at the present law he will see that—

> Tobacco in leaf, unmanufactured and not stemmed: 35 cents per pound.
> Tobacco stems: 15 cents per pound.
> Tobacco manufactures, of all descriptions, and stemmed tobacco not otherwise provided for: 50 cents per pound.

A difference of 15 cents a pound.

Mr. ALLISON. Yes, there is a difference of 15 cents a pound between leaf-tobacco and stemmed tobacco.

Mr. HAWLEY. Forty-two per cent. increase for the stemming. All I ask here is 25.

Mr. MILLER, of New York. If you reduce the increase of the Senator from Connecticut to the ad valorem it would not be so much.

Mr. ALLISON. But what I complain of is that when these Pennsylvania and Connecticut growers, who have a monopoly of the growing of this kind of tobacco by reason of their climate, came to us and asked us for 75 cents a pound protection against an importation of only 500,000 pounds of tobacco as compared with the millions that they produce, and when we gave it to them, they now come in and ask for a dollar. I say that that is going beyond any reasonable justification on the part of the committee with reference to an increase of duty.

Mr. HAWLEY. Mr. President, the Senator from Iowa says that the importation of Sumatra tobacco makes no difference to any of our people. I will read on that point a petition which has been very heavily signed in behalf of a change of this duty:

To the Senate and House of Representatives of the United States of America in Congress assembled:

The undersigned, your petitioners, citizens of and tobacco-growers in the town of ——, State of ——, respectfully represent that the tobacco interest of this country is fast being ruined through the importation of a foreign tobacco which is known as Sumatra tobacco. Sumatra tobacco is grown upon the island of Sumatra, in the East Indies, under the direction of a Dutch syndicate, whose headquarters are at Amsterdam, Holland. Cooly labor is employed to cultivate the tobacco, and the cost of its production is nominally small. The Sumatra tobacco, while lacking quality, is of handsome appearance, and merely as regards appearance has been found to be admirably adapted for the wrapping of cigars.

Its importation into this country was especially noticeable in August, 1882, when the quantity brought into the port of New York alone amounted to 197,656 pounds, against 147,224 pounds in July, and 179,602 pounds during the whole year ending June 30, 1880, showing an alarming rate of increase. As the Sumatra tobacco leaf is exceedingly uniform and clear, regular in color and free from large stems, it can be worked very advantageously, and it is demonstrable that one pound of it will go at least as far for the purpose of wrapping cigars as three pounds of domestic seed-leaf. In some cases it is equal to four pounds of the latter. The quantity imported into New York, therefore, during last August means the displacement in the tobacco market of three to four times that quantity of domestic leaf-tobacco.

The Government now imposes a specific duty of 35 cents a pound and 10 per cent. ad valorem under the law, which fixes that additional rate upon commodities brought from east of the Cape of Good Hope, but which law ceases in January, 1883. After next January the sole import duty upon Sumatra tobacco will be 35 cents per pound. Your petitioners aver that this amount of duty is not sufficient to protect their interests. Already the farmers and growers of tobacco have great difficulty in marketing their crops, being undersold and crowded out by the cheaper Sumatra leaf. The importation of the Sumatra tobacco is enormously increasing every month. The American growers of tobacco feel that they should be placed upon an equal footing with their foreign competitor, which does not obtain in the present rate of import duty. They therefore petition your honorable body to so increase the import duty that the tariff shall be prohibitive, or at least restrictive, and suggest that the increase shall be fixed at not less than $1 per pound upon all tobaccos grown on other than North American soil.

This petition was written before last January. That duty of 10 per cent. has passed away, and the duty now upon Sumatra tobacco is 35 cents a pound, which they fear is not sufficient to protect their interest. The Senator from Iowa may trust the producers of tobacco as any other industry in this country to know just when they are in danger. They are not likely to be deceived in that respect.

Again, the Senator was mistaken, as my friend from New York has shown, in saying that there is no example of an increase of duty by reason of tobacco being stemmed. He is altogether mistaken there. The makers of our tariffs hitherto have perfectly well understood that when you took out the heavy and coarse stems you not only made it to some extent a manufactured tobacco, but you added very greatly to the value per pound of that tobacco; and the existing tariff increases the duty 42 per cent. upon the stemmed tobacco. So the Senator was wrong there also.

Mr. ALLISON. I have made a memorandum of it.

Mr. HAWLEY. Now I call attention, I think, to his inconsistency. He was perfectly willing and the Finance Committee was perfectly willing and did propose in its own bill to give this duty of 75 cents on tobacco for wrappers; it said "exclusively for wrappers," and we suggested "suitable for wrappers" and they accepted that in a moment.

Now, we take them at their word as being entirely willing to give us a duty of 75 cents a pound on that kind of tobacco, and we do not ask them to make the 42 per cent. difference in that which they have made between stemmed and unstemmed in the present law. We only ask them to go up 33 per cent. from 75 cents to a dollar. They were entirely satisfied to give us everything we wanted. The little additional amendment that we suggest is really in no respects different from their own. We take the 75 cents, but we suggest to them that their 75 cents a pound will be utterly evaded by simply stemming the tobacco, which they have recognized by their previous legislation as giving 42 per cent. additional value, and we say put on 25 cents a pound for that and if it comes in stemmed let it pay a dollar. That is all the change we make in what they freely and cheerfully offered themselves, and not so great a change as the law has hitherto made in similar cases.

Mr. CALL. Mr. President, the Senator from Iowa has stated the facts as to the use of Sumatra tobacco compared with the entire supply, the quantity of cigars it will cover compared with the entire number of cigars manufactured in this country. If the facts he stated be true—and they are unquestionably true—the increase of this duty is neither demanded for the protection of any industry in this country, nor for securing to it a reasonable profit, nor for the revenue, nor for any other conceivable reason except to give an enormous and unreasonable compensation to the growers. Why, then, should not the duty be reduced? The supply of tobacco is not equal to the demand for this purpose. The consumption of cigars is rapidly increasing, as shown by the Senator from Iowa in the statement of facts which he has made here.

No kind of reason is given for this increase. It can not be said that

the supply of this species of tobacco is inadequate to the demand. It can not be denied that the demand is greater than the supply and that it is increasing every year. It can not be denied that it is a very small portion of the entire quantity required, a very small fraction. It is not necessary for the revenue; and for what purpose, then, and upon what argument can it be demanded? If the facts stated by the Senator from Iowa are true in regard to the number of cigars manufactured in this country and the quantity of tobacco required in that manufacture, and the proportion which this importation from Sumatra bears to the whole, there is no room left for argument.

Now, the State of Florida is well adapted to the production of tobacco. Perhaps some day it will be a great staple there; but there is a great industry in that State chiefly in the manufacture of cigars, the fillers, not the wrappers, the latter being imported from Cuba in large proportion. This increase of duty will affect an interest which is a very large interest and pays a very large tax to the Government. I shall therefore vote against the amendment and in favor of the proposition of the Finance Committee.

Mr. PLATT. Mr. President, a single word with reference to the effect of allowing Sumatra tobacco to come in as it is now coming upon the production of the wrapper leaf-tobacco in this country. It has been stated here that this production was confined to Connecticut and to Pennsylvania. Such is not the case. There are various other portions of the United States in which it is largely produced. I have been told that a single county in the State of New York produces more than the entire State of Connecticut of this kind of tobacco. The Senator from Iowa says that there is not enough of the Sumatra tobacco to make any perceptible difference or produce any perceptible result upon the crop in this country. This importation of Sumatra tobacco is only of about two and one-half years' standing. It has been increasing rapidly since the first package of twenty-five pounds was imported into this country. Last fiscal year, the second year of its importation, the amount had reached over 700,000 pounds.

From July onward during this fiscal year it has increased still more rapidly than at any period of its importation. In fact, its importation under the present rate of duty will only be limited by the capacity of the island to produce the tobacco, and it can produce every pound that is needed to wrap cigars in this country with the black labor of men and women as low as 5 cents, averaging from 5 to 15 cents a day.

The case is simply this: This tobacco-raising industry has got to cease under the present rate of duty. How long it will take to entirely destroy it we may not be able to exactly foresee. It will not be long. If the increase of importation continues as it has steadily since it began, it will very soon supersede the American tobacco.

Mr. ALLISON. Do I understand the Senator from Connecticut to say that this Sumatra tobacco will be equal to the consumption of tobacco in the United States?

Mr. PLATT. Equal to the consumption of tobacco for wrappers, and that is all it is used for. The leaf goes three or four times as far. It can supplant and is supplanting the American tobacco, and the extent to which it will supplant it is limited only by the capacity for the production of it in the island where it is grown, and that island can produce it to an unlimited extent. It can produce more than the United States produces, and is constantly increasing its production and sending it here.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Connecticut [Mr. HAWLEY] to the amendment of the Senator from Ohio [Mr. SHERMAN].

Mr. COCKRELL. Is it on the whole amendment or the first clause?

Mr. HAWLEY. The first paragraph.

Mr. ALLISON. It is that part which makes the increase to $1 a pound.

Mr. COCKRELL. I am in favor of some provisions of the amendment, but not all.

Mr. HAWLEY. This is the amendment of the Committee on Finance, except that where the tobacco is stemmed it shall pay 25 cents more.

The question being put, there were on a division—ayes 15, noes 8; no quorum voting.

Mr. MORRILL. I move a call of the Senate.

Mr. ALLISON. I call for the yeas and nays. Senators are taking their lunch in different rooms. There is a quorum about.

The PRESIDENT *pro tempore*. The yeas and nays are asked for.

The yeas and nays were ordered.

The PRESIDENT *pro tempore*. The amendment will be read so that it may be understood.

The Acting Secretary read the first clause of the amendment of Mr. HAWLEY, as follows:

Tobacco in leaf, unmanufactured, when the greater portion of the bale, box, or package is suitable for wrappers, if not stemmed, 75 cents per pound upon the whole contents of said bale, box, or package; if stemmed, $1 per pound.

Mr. JONES, of Florida. I understand that when this system of reducing taxes was entered upon it had some well-defined purpose. In every question that we know of except this, reduction has been the order. This is made an exception. This is an increase of taxation, not for the purpose of raising revenue for the Government, because nobody pretends that revenue is the object of this provision. I supposed that my friend from Kentucky, animated by that broad, constitutional view that has always distinguished him in his action upon revenue and tariff questions, would not have made this an exception.

Now, if the Treasury wants money and wants it from this source, let us understand that and vote intelligently; but if we are going to raise the tax upon a given import in order to secure a monopoly to a domestic establishment, let us understand that that is the position of my friend from Kentucky.

With respect to the sugar interest, it was stated here the other day very intelligently that while there was a decrease in the amount of duty levied under existing law that article carried into the Treasury of the United States a large revenue that was necessary for the support of this Government and the many expenditures that are devolved upon it from year to year, and I supported it. I was not for high protection because I did that. I was not for departing from the rule which I understood was to control in this system of reform, the reduction of the burdens of the people. I understood when it was determined to go into this system of reduction that regard was to be had to the reduction of taxes on the raw material entering into the manufactures of the country. But here we find an attempt, to do what? To exclude by prohibition a raw material which enters largely into a manufacturing interest, and thus increase the cost of the manufactured article to the consumer. Why not tax the manufactured article if the revenue is necessary? But it is not pretended in any quarter that revenue is to be derived in this way.

It will affect very materially an interest in my own State, I admit, but on principle I argue against it, and I have not heard a single argument here to-day which would justify this great increase of duty upon this raw material. I understand it to be the policy of the Finance Committee to reduce the taxes upon all raw materials and to increase the taxes where necessary upon articles manufactured which enter into the luxuries of life. That principle is being departed from here. I shall vote against the proposition.

The Principal Legislative Clerk proceeded to call the roll.

Mr. HAMPTON (when his name was called). I am paired with the Senator from New Hampshire [Mr. ROLLINS]. I would vote "nay" if he were here.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. LAPHAM]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. DAWES. My colleague [Mr. HOAR] was paired with the Senator from Oregon [Mr. SLATER]; but the Senator from Oregon [Mr. SLATER] has transferred that pair to the Senator from Indiana [Mr. HARRISON]. I do not know to whom he has transferred the pair of my colleague.

The PRESIDENT *pro tempore*. The Senator from Oregon has voted.

Mr. SLATER. The pair has been transferred to the Senator from Tennessee [Mr. JACKSON].

Mr. SHERMAN. I am paired with the Senator from Louisiana [Mr. JONAS]; but I am allowed to vote on this question if there be any doubt about a quorum. I vote "nay."

Mr. VEST (after having voted in the negative). I withdraw my vote. I have a general pair with the Senator from Kansas [Mr. PLUMB].

Mr. HAMPTON. Has a quorum voted?

The PRESIDENT *pro tempore*. Not yet.

Mr. SLATER. I am paired with the Senator from Indiana [Mr. HARRISON], but as we would vote the same way on this question I record my vote.

Mr. BLAIR (after having voted in the affirmative). I am paired with the Senator from Georgia [Mr. BARROW], reserving the right to vote if it is necessary to make a quorum. I withdraw my vote.

The PRESIDENT *pro tempore*. The vote lacks two of a quorum.

Mr. BLAIR. Then I vote "yea."

Mr. HAMPTON I reserved the right to vote to make a quorum. My colleague [Mr. BUTLER] is paired with the Senator from Pennsylvania [Mr. CAMERON].

The PRESIDENT *pro tempore*. Does any other Senator wish to vote?

Mr. BECK. Is it in order to move that the Senate adjourn? I do not believe in a quorum going a begging.

Mr. SHERMAN. There are Senators below taking lunch. I will send for them.

Mr. BECK. I move that the Senate adjourn.

Mr. COCKRELL. I raise the point of order that that is not in order.

The PRESIDENT *pro tempore*. Not during the roll-call.

Mr. BECK. I asked a question.

The PRESIDENT *pro tempore*. The Chair can not receive a motion for adjournment during a roll-call.

Mr. BECK. It is not in order to call on Senators to vote. I insist we shall have a quorum present and unpaired if we are to do business.

Mr. SHERMAN. There are gentlemen all around who have not voted; some of them are dining.

Mr. BECK. I know; but they ought to be in their seats.

Mr. CAMERON, of Wisconsin. I vote "yea."

The result was announced—yeas 18, nays 21; as follows:

YEAS—18.

Aldrich,	Chilcott,	Gorman,	Platt,
Beck,	Conger,	Hawley,	Sawyer,
Blair,	Davis of W. Va.,	Jones of Nevada,	Williams.
Camden,	Dawes,	Lapham,	
Cameron of Wis.,	Frye,	Miller of N. Y.,	

NAYS—21.

Allison,	Davis of Ill.,	Jones of Florida,	Sherman,
Anthony,	Edmunds,	McDill,	Slater,
Bayard,	George,	Maxey,	Vance.
Call,	Groome,	Morgan,	
Cockrell,	Hampton,	Morrill,	
Coke,	Harris,	Sewell,	

ABSENT—37.

Barrow,	Harrison,	McMillan,	Saulsbury,
Brown,	Hill,	McPherson,	Saunders,
Butler,	Hoar,	Mahone,	Van Wyck,
Cameron of Pa.,	Ingalls,	Miller of Cal.,	Vest,
Fair,	Jackson,	Mitchell,	Voorhees,
Farley,	Johnston,	Pendleton,	Walker,
Ferry,	Jonas,	Plumb,	Windom.
Garland,	Kellogg,	Pugh,	
Grover,	Lamar,	Ransom,	
Hale,	Logan,	Rollins,	

So the amendment to the amendment was rejected.

The PRESIDENT *pro tempore*. The other portion of the amendment of the Senator from Connecticut [Mr. HAWLEY] now comes up.

Mr. SHERMAN. In order to avoid the objection made by the Senator from Connecticut——

The PRESIDENT *pro tempore*. A portion of the amendment has not been voted on as yet.

Mr. SHERMAN. I believe there is no objection to that. Let it be read.

The Acting Secretary read as follows:

All other tobacco in the leaf, unmanufactured and not stemmed, 35 cents per pound.

Tobacco stems, 15 cents per pound.

Tobacco, manufactured, of all descriptions, not specially enumerated or provided for in this act, 40 cents per pound.

The amendment to the amendment was agreed to.

Mr. SHERMAN. Now, in the first line of the amendment "and not stemmed" I think should be stricken out.

Mr. EDMUNDS. In the amendment just adopted?

Mr. SHERMAN. No; in the committee amendment.

Mr. HAWLEY. That is the amendment which I endeavored to amend.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Ohio as amended.

Mr. HAWLEY. What is it proposed now to do?

Mr. SHERMAN. I propose to have it read.

Tobacco in leaf, unmanufactured, when the greater portion of the bale, box, &c.

Adopting the language of the Senator from Connecticut, and striking out the words "but not stemmed," because there is a tax on tobacco not stemmed and yet no tax on the tobacco stemmed.

The PRESIDENT *pro tempore*. The amendment as modified will be read.

The Acting Secretary read as follows:

Tobacco in leaf, unmanufactured, when the greater portion of the bale, box, or other package is suitable for wrappers, 75 cents per pound upon the whole contents of said bale, box, or other package.

Mr. EDMUNDS. Was not that amendment just agreed to?

Mr. HAWLEY. No, not quite. There is a material difference. I believe the proposition, according to the Senator from Ohio, is that it shall pay 75 cents whether stemmed or unstemmed.

Mr. SHERMAN. No. The only objection to the amendment of the Senator from Connecticut was to the portion increasing the duty.

Mr. JONES, of Florida. Let me ask the Senator from Ohio the amount of revenue he thinks this change in the law will yield; or will it have the effect of prohibiting the importation altogether?

Mr. SHERMAN. I presume it will limit the importation considerably.

Mr. JONES, of Florida. It will cut down the importation?

Mr. SHERMAN. I think so. I do not know positively; I can not say.

Mr. HAWLEY. I give it as my opinion hastily, without of course mature consideration, for we have not the time or the materials for it, that as this tobacco is called worth about a dollar or over that a pound and the duty is but 75 cents on it, I think there will continue to be an importation of it, especially as one pound of it will wrap as much as three to four pounds of any American tobacco, and even at $1 or 75 cents duty it will then supersede some kind of American leaf-tobacco. I think there will be some importation; but if none of it comes in there will be as much duty collected as before.

Mr. ALLISON. There is no doubt of the fact that there will be importations of this tobacco, because the American tobacco is not so valuable for wrapping cigars.

Mr. HAWLEY. That is a mistake. The American tobacco is admirably suited for it, and makes a fine wrapper.

Mr. ALLISON. Then I withdraw that.

Mr. HAWLEY. But this tobacco is so especially thin and light that one pound will go as far as three or four of ours.

Mr. ALLISON. I know there is some sensitiveness in regard to the character of tobacco raised in the Connecticut Valley.

Mr. HAWLEY. It is also raised in New York, New Jersey, Pennsylvania, and other States.

Mr. ALLISON. There is no doubt of the fact that there will be importations of tobacco under this provision, because no foreign tobacco can come in for wrappers at all unless it pays 75 cents a pound.

Mr. JONES, of Florida. From any quarter?

Mr. ALLISON. From any quarter.

Mr. CALL. I ask the Senator from Ohio if this is not an increase practically of the duty on tobacco over that reported by the committee?

Mr. SHERMAN. The report of the Committee on Finance raises this kind of tobacco from 40 cents to 75 cents per pound.

Mr. CALL. Is not this amendment an increase upon the duty reported by the committee?

Mr. SHERMAN. No, sir; the change of phraseology is, I think, an improvement.

Mr. CALL. It does not increase the duty?

Mr. SHERMAN. No, sir; the change, as I understand it, is instead of saying that it shall be tobacco in leaf which is used exclusively for wrappers, that it is tobacco in leaf suitable for use for wrappers.

Mr. EDMUNDS. Making the phraseology much clearer.

Mr. SHERMAN. I see no objection. I think the phraseology is improved.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Ohio as amended.

The amendment as amended was agreed to.

The PRESIDENT *pro tempore*. The reading of the bill will proceed.

Mr. MILLER, of New York. The understanding was that when the clause just disposed of was acted on we should return to the first clause of the schedule, which was not acted on.

The PRESIDENT *pro tempore*. The question is on the first clause.

Mr. MILLER, of New York. It was read and I moved an amendment, and with the consent of the Senator from Kentucky I will accept his proposition with a modification, so that it shall read, instead of "three dollars per pound," "two dollars and a half per pound and 30 per cent ad. valorem." The present rate is two dollars and a half a pound and 25 per cent. ad valorem. I think that the cigar manufacturers, laboring men of this country, are entitled to this addition of 5 per cent. in the ad valorem to make up for what we have just added to the raw material, changing it from 40 cents to 75 cents per pound. Under the law as it now stands they are just able to get along. Now we have added to the cost of the kind of tobacco which is to be used for the wrappers 35 cents a pound by increasing the duty from 40 to 75 cents. I think the slight addition of 5 per cent. ad valorem will just about cover that and leave the ratio between the cigar and the raw tobacco about the same as it stands now. The proposition then will be to make the duty two dollars and a half and 30 per cent. ad valorem.

The PRESIDENT *pro tempore*. There is no ad valorem duty mentioned here.

Mr. MILLER, of New York. I move to strike out "$3 per pound" and insert "$2.50;" and after that to add "and 30 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment is, in lines 925 and 926, to strike out "$3" and insert "$2.50 per pound and 30 per cent. ad valorem."

Mr. MILLER, of New York. The present rate is $2.50 and 25 per cent. ad valorem.

Mr. BECK. I made the proposition for $2.50 a pound and 25 per cent. ad valorem, which upon all the arguments we have had before us seemed to me right, to make the higher class pay something more.

Mr. SHERMAN. That is all that the gentlemen interested in the domestic production of cigars asked for, that the old duty should remain. This is merely putting it up without any reason whatever.

Mr. MILLER, of New York. I do not know by what authority the Senator from Ohio makes that statement, but I am authorized to say that the laboring men, the men who do the work of manufacturing cigars, are not satisfied with that rate. I desire to ask the Senator from Kentucky if he does not think it just and right that we should add at least 5 per cent. to the ad valorem duty in consideration of the large increase we have just made to the duty upon the imported wrapper?

Mr. BECK. I think if the amendment of the Senator from Connecticut had prevailed 30 per cent. would not be too much. I thought it would prevail. It not having carried, 25 per cent. ad valorem and $2.50 a pound is what I think is right. If the other provision had been carried I would have agreed with the Senator from New York, I think.

Mr. MILLER, of New York. I do not understand by what process of reasoning the Senator arrives at the idea that after we have raised the duty upon wrappers from 40 cents a pound to 75 cents there should not be any increase in the duty upon the manufactured article. I am going on the proposition that the present schedule has been right, and

that the ratio between the duty on the imported raw tobacco and upon the manufactured cigars was just. If that be correct, then I insist that some slight addition must be made to the duty upon the manufactured cigar, and I have here an amendment prepared by the workmen themselves who are engaged in the manufacture of cigars in which they state distinctly that the present rate, two dollars and a half a pound and 25 per cent. ad valorem, will be sufficient and satisfactory to them provided that the duty upon the raw material is not at all raised, but if it is that they desire and feel that they have a right to ask a proportional increase upon the manufactured cigar.

Though I do not like to take up the time of the Senate, rather than let this be passed without proper consideration, unless the Finance Committee can see the justice of my amendment and consent to this slight addition, I shall desire to lay the argument of the laborers themselves before the Senate and have it read by the Secretary. It seems to me that after having given 40 cents additional upon the raw material, this small addition of 5 per cent. should be granted without any contest.

Mr. ALLISON. This duty was put upon imported tobacco when we had an internal tax of 24 cents a pound and 32 cents a pound on the domestic product. Now, it is contemplated in this very bill to reduce domestic tobacco to 12 cents a pound. Surely, with all these changes of internal-revenue tax in the direction of reduction, these people can not expect an increase of duty upon the imported article.

Mr. MILLER, of New York. I do not see what that has to do with the question.

Mr. ALLISON. It has everything to do with it.

Mr. MILLER, of New York. We are dealing now with imported tobacco.

Mr. ALLISON. Does not the Senator see that if we reduce the internal tax upon manufactured tobacco it does affect the price of cigars imported?

Mr. BECK. The amendment relative to Sumatra tobacco seems to me more in the nature of a prohibition indirectly than of increased duty. So the present relation is not changed.

Mr. MILLER, of New York. I will send to the Secretary's desk and ask to have read the argument of the laborers themselves who manufacture cigars. We have just given a large increase of duty to the growers of the tobacco.

The PRESIDENT *pro tempore*. The Senator from New York asks to have a paper read as part of his speech.

Mr. BAYARD. Does the Senator want the whole of that circular read?

Mr. MILLER, of New York. I have marked the portions which I desire to have read, only two or three pages.

Mr. CAMERON, of Wisconsin. Would not the Senator from New York be satisfied to have it appear in the RECORD to-morrow morning and allow us to vote now?

Mr. MILLER, of New York. There seems to be objection to the reading of it. I supposed that a number of Senators on this side, from the arguments I have heard heretofore, had some regard to the laboring men of this country. If the Secretary will return it I will read such portions as I may think wise.

The PRESIDENT *pro tempore*. The Senator has a right to read it, or it can be read at the desk.

Mr. MILLER, of New York. I will read myself such portions as I think proper to present. The laboring men interested in the industry of manufacturing cigars in this country present here a memorial, and while I have not the statistics before me I desire now to refer briefly to the speech that was made by the honorable Senator from Iowa [Mr. ALLISON] a few moments ago. If I remember correctly—if I do not state it correctly he will see that I am put right—he stated that there were 400,000 laboring men engaged in the manufacture of cigars in the United States. Is that correct?

Mr. ALLISON. Four hundred and eighty thousand.

Mr. MILLER, of New York. Four hundred and eighty thousand? He might make it even 500,000 in round numbers. It seems to me that their interests in this matter are worthy of some consideration. In the statement of these workingmen which I present a comparison is made of the cost of labor in this country and in Cuba where the same grades of cigars are made which this duty affects. I will not trouble the Senate to read that portion of it for the reason that we have heard about the condition of labor in Cuba and in this country, and have had it fully discussed on the sugar question, so that it is familiar to the whole Senate. Therefore it is not necessary to go over that. They simply insist that free men in the United States can not compete on equal terms with the African slaves and Chinese coolies in Cuba, and therefore they ask for this protection to their industry. They set forth fully what the cost of this duty is to the manufacturer of cigars, which it is not necessary to trouble the Senate with. The recapitulation of the whole matter is this: Speaking then of the proposition of the Finance Committee to reduce the duty to $3 per pound, which has now been changed, they say:

First. It is not necessary to decrease the tax upon articles of luxury while there are so many articles of prime necessity to the people upon which duties are maintained, the duty on which is not in any sense protective to any class.

Second. That there is only one equitable way of laying imposts upon imported cigars that will reach the higher grades in a proper ratio, but by the system as employed under the tariff now in force, namely, by both weight and ad valorem.

Third. It should not be less than at present, namely, $2.50 per pound and 25 per cent. ad valorem, but if it be deemed necessary, in order to simplify the tariff, to abolish the compound duty upon cigars the specific duty should be not less than $4 per pound.

In another portion of their statement they say they will be satisfied with that rate of duty provided the duty upon imported tobacco is not increased. They have some consideration for the grower of tobacco, it seems.

Fourth. We do not ask a reduction upon raw material (Havana leaf) unless the duty upon cigars be lowered, recognizing, as we do, that that duty protects the American farmer who raises tobacco, and stimulates him to greater exertion in improving the quality of his crops; moreover, we believe he is as much entitled to "protection" as the sugar or rice planter, the owner of the copper mines of Michigan, the lead mines of the West, or the iron of Pennsylvania.

Fifth. We ask that a reasonable and just tariff law be speedily passed in order that we may not be further embarrassed by agitation of the subject, and that the wants of American citizens be considered rather than those of a country in which human beings are mere chattels and are bought and sold like pigs or cattle.

Sixth. We ask that the laws be so changed in the matter of the customs stamp upon imported cigars, and the "caution notice" and "brand" upon the domestic-made article, that each may be sold upon its merits.

We ask nothing from the Government but fair play, an open field and no favors. With wise legislation this already important branch of American manufacture could by native thrift and energy be so increased that we could hold (as we ought to be enabled to) the entire American market to ourselves, and so enlarge the business as to benefit to no small degree the farmers of Connecticut, Massachusetts, Pennsylvania, and New York, but the great West also, for the reason that the before-mentioned States could not then raise sufficient wrappers to supply the market, and the West (which already shows a marked improvement in the quality of its leaf) would be called upon to supply the deficiency; but reduce the duty as you propose and you will turn our markets over to Cuba—

I desire the special attention of the Senate to this passage—

and you will turn our markets over to Cuba, destroy the cigar-making industry, and cripple the farmers.

All of which is respectfully submitted.

Signed by a committee of the cigar manufacturers of the United States. There are in the city of New York alone seven hundred and sixty-one cigar factories, with an aggregate capital of $6,000,000, employing about 17,000 persons in one city alone, the wages of which amount to more than $6,000,000 annually, and the total value of the product to over $18,000,000 annually.

Now, I desire to ask the chairman of the Finance Committee what was the value of the cigars imported into this country last year?

Mr. ALLISON. Value of cigars?

Mr. MILLER, of New York. I have asked a question of the chairman of the Finance Committee or the Senator from Ohio who seems to have this matter entirely in charge; and I hope if we are to go on with this bill indefinitely from 11 o'clock in the morning until 12 o'clock at night that the gentlemen who have the bill in charge and who know all about it and who have given so much attention to it will at least give us their presence in the Senate in order that we may receive the information which the other Senators do not possess.

Mr. ALLISON. The amount is $2,898,173.99.

Mr. MILLER, of New York. I thank the Senator from Iowa for giving me the information which I now obtain from one of those who have this particular bill in charge. It seems, then, that with the present rate of duty as it now stands, only 40 cents a pound on this kind of tobacco we have just been considering, the American manufacturers scattered all over the country in every city, and in every little village and hamlet, looking after the whole trade, attending to the wants of the people in regard to the matter of cigars and cigarettes, were not able to keep out the foreign product at all, and a valuation of more than $2,000,000 was imported last year.

If that be true, I say this increased duty upon this peculiar kind of tobacco if it be not offset by a somewhat proportionate increase of duty on cigars, instead of increasing the manufacture in this country will rapidly decrease it, and we shall be sending our money abroad to pay for labor in Cuba and the West India Islands instead of maintaining our home industries as we should. If the Senate is willing to raise the duty on the raw tobacco from 40 cents a pound to 75 cents, why not give a corresponding increase on the manufactured article?

I consented to that increase and was willing it should be done, and the gentlemen who present this memorial to the Senate are willing that it should be done, simply asking that a proportionate increase shall be given to their industry of the manufacture of cigars. And as the cigars manufactured of this kind of tobacco are purely and solely a luxury, no man need pay the tax unless he wants to, and no man, as the Senator from Minnesota suggests, can pay it unless he is a rich man. No man ever heard of a laboring man smoking a Havana cigar or a cigar covered with this wonderful Sumatra tobacco of which we have heard; it is not possible that it should be done. Therefore I do ask of the Senate that they will do justice in this matter not only to the producer of the tobacco but also to the poor laboring men who are to be found, as I have already said, in every town and hamlet in the country.

Mr. MAXEY. The question, I think, is one of revenue entirely, for the reason that the quality of cigars imported under this clause is not produced in the United States. There is no article of tobacco raised in the United States that will make a cigar of the quality of the Havana cigar. Therefore it does not come in competition with the American cigar. It is hence a question of revenue, and of revenue only, in my judgment.

Mr. MILLER, of New York. Will the Senator allow me a moment,

as that statement is so remarkable. The Senator from Florida can tell the Senator from Kentucky that Havana cigars are made in the State of Florida, and it will not do to say that after we have raised from 40 to 75 cents a pound the duty on Havana tobacco used for wrappers we shall not have a proportional duty upon the imported cigar. The only question is whether the tobacco shall come in and the cigar be made here, or whether we shall adjust these duties in such a way that, instead of bringing in the raw tobacco, we shall bring in all the manufactured cigars.

Mr. MAXEY. This item says:

Cigars, cigarettes, and cheroots of all kinds, $3 per pound.

In the manufacture of these cigars there is about one-third lost in stems and clippings, leaving about fourteen pounds of net tobacco in a thousand cigars. That at $3 per pound would be $42 tax on a thousand cigars, a pretty heavy tax. But suppose the proposition of the Senator from New York obtains, then at $2.50 a pound on these 14 pounds of tobacco the tax on a thousand cigars would be $35.

Take the lowest article of cigars imported from Havana that I know anything about, cigars costing say $60 a thousand, 25 per cent. would be $15 tariff. That would be, added to the $35, a tax of $50 on a package of a thousand cigars, costing at first cost only $60. That is a pretty heavy tax. But the point I make is that this character of cigars, as admitted by the Senator from New York, which is imported is not the kind of cigars which is used by the laboring men and the poorer class of people. They are used by the class of men who are able to smoke that kind of cigars.

If we put a prohibitory tax upon that the effect would be simply to exclude all of them and thereby lose this great revenue of over $2,000,000 that we now get into the Treasury from that source. It does not benefit these home manufacturers, because they are engaged in the manufacture of an article which does not come in competition with that revenue article which brings a large and appreciable revenue to our Treasury.

So I think that the tax should be laid in such a manner that we should get a reasonably fair revenue from it, and not a prohibitory tax to help anybody. What we are trying now to do, or what we ought to try to do, is to help the Treasury and reduce the taxes upon the great body of the people. If we can do this by collecting two or three millions per annum in the shape of revenue from those who are able to pay that for these luxuries, it is relieving the people of that much tax and it enables us to reduce the taxes on the articles people need to that extent. So I believe that the tariff should be laid with a view to revenue on this article.

Three dollars a pound does not seem to me a fair way of taxing the article. Why? Because we know that the cigars which we import range from $60 up to $100 and $150 a thousand, and probably more are imported into the country at a cost of $100 a thousand than there are at $60. So I believe as far as the $2.50 per pound, which would raise $35 on any article of cigars, is concerned, that is probably not too much; a tax ought to be put according to the value of the article introduced, but I conceive that an additional tax of 30 per cent. ad valorem is too high a tax.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New York [Mr. MILLER].

Mr. HARRIS. I move to amend the amendment by inserting 25 per cent. ad valorem in lieu of 30 per cent., so as to make the law what it was before.

Mr. SHERMAN. The amendment was first proposed by the Senator from Kentucky or myself, from the Committee on Finance, to make the rate $2.50 a pound and 25 per cent. ad valorem, and the amendment of the Senator from New York is an amendment to the amendment.

The PRESIDENT *pro tempore*. The Chair informs the Senator that the Senator from New York moved his amendment first.

Mr. MILLER, of New York. Several amendments were proposed to this paragraph when it was first read. Then it was agreed that it should be passed over until we should have settled upon a rate of duty upon the raw material and then go back to it, and I supposed in doing so that all that had been done with the paragraph had fallen. When it was brought up again I moved my original amendment to make the duty $2.50 a pound and 30 per cent. ad valorem, and that is the pending question. That is my understanding of the present condition of the matter.

Mr. SHERMAN. I know when the clause was first read I myself, on behalf of the Committee on Finance, proposed $2.50 a pound and 25 per cent. ad valorem. The Senator from Kentucky had himself proposed the amendment.

Mr. BECK. That is right.

Mr. HARRIS. I understood the Senator from Kentucky to make the suggestion but not to move the amendment.

The PRESIDENT *pro tempore*. But the Senator from New York insists that he has now the right, having moved the amendment and the other was dropped.

Mr. SHERMAN. The other was not dropped; it simply went over at his request.

Mr. BECK. The Senator from Ohio was out at the moment and, as the Senator from Tennessee very well said, I suggested what ought to be done. Just at that moment the Senator from Ohio came in and moved the amendment.

Mr. MORRILL. I supposed it would be in order for the committee's amendment to come in first.

The PRESIDENT *pro tempore*. That would depend entirely upon which was first moved.

Mr. SHERMAN. I will say that the Senator from New York agrees entirely with me that when the paragraph was first read I said the Committee on Finance had changed its recommendation in that particular.

The PRESIDENT *pro tempore*. The Chair does not see that it is a matter of any particular moment. The Chair is inclined to hold that the amendment of the Senator from New York is an amendment to the amendment of the Senator from Ohio; but it makes no difference.

Mr. HARRIS. I understand the question now. The Senator from Ohio proposes to amend by making the duty $2.50 specific per pound with 25 per cent. ad valorem added. The Senator from New York moves to amend the amendment by making the ad valorem duty 30 per cent., retaining the specific duty proposed by the Senator from Ohio.

The PRESIDENT *pro tempore*. That is it.

Mr. SHERMAN. Then the question will be taken, of course, first on the amendment of the Senator from New York to my amendment.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New York making the ad valorem duty 30 per cent.

Mr. MILLER, of New York. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT *pro tempore*. The Secretary will call the roll on agreeing to the amendment of the Senator from New York making the ad valorem duty 30 per cent. in addition to $2.50 per pound.

The Principal Legislative Clerk proceeded to call the roll.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND]. I may vote by and by if there is no quorum.

Mr. MCMILLAN (when his name was called). I am paired with the Senator from Mississippi [Mr. LAMAR], unless it be necessary that I should vote to constitute a quorum. If he were here, I should vote "yea."

Mr. SLATER (when his name was called). On this question I am paired with the Senator from Indiana [Mr. HARRISON]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. DAWES. My colleague [Mr. HOAR] is paired, I understand, with the Senator from Tennessee [Mr. JACKSON], the pair of the Senator from Oregon [Mr. SLATER] having been transferred.

Mr. HAMPTON. I announce for the rest of the night that I am paired with the Senator from New Hampshire [Mr. ROLLINS].

Mr. BARROW. I was requested to announce that the Senator from Tennessee [Mr. JACKSON], who is detained from the Senate by indisposition, is paired with the Senator from Massachusetts [Mr. HOAR].

The result was announced—yeas 18, nays 24; as follows:

YEAS—18.

Anthony,	Conger,	Lapham,	Sawyer,
Blair,	Davis of W. Va.,	Miller of Cal.,	Sewell,
Camden,	Dawes,	Miller of N. Y.,	Williams.
Cameron of Wis.,	Frye,	Platt,	
Chilcott,	Hawley,	Ransom,	

NAYS—24.

Aldrich,	Call,	Gorman,	McDill,
Allison,	Cockrell,	Groome,	Maxey,
Barrow,	Coke,	Hale,	Morgan,
Bayard,	Davis of Ill.,	Harris,	Morrill,
Beck,	Edmunds,	Jonas,	Pugh,
Butler,	George,	Jones of Florida,	Sherman.

ABSENT—34.

Brown,	Hill,	McMillan,	Slater,
Cameron of Pa.,	Hoar,	McPherson,	Vance,
Fair,	Ingalls,	Mahone,	Van Wyck,
Farley,	Jackson,	Mitchell,	Vest,
Ferry,	Johnston,	Pendleton,	Voorhees,
Garland,	Jones of Nevada,	Plumb,	Walker,
Grover,	Kellogg,	Rollins,	Windom.
Hampton,	Lamar,	Saulsbury,	
Harrison,	Logan,	Saunders,	

So the amendment to the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs on agreeing to the amendment of the Senator from Ohio fixing the rate at $2.50 a pound and 25 per cent. ad valorem.

The amendment was agreed to.

The remaining items of Schedule F, from line 937 to line 941, were read, as follows:

Snuff and snuff-flour, manufactured of tobacco, ground, dry or damp, and pickled, scented, or otherwise, of all descriptions, 50 cents per pound.

Tobacco, unmanufactured, not specially enumerated or provided for in this act, 30 per cent. ad valorem.

Line 943 was read, as follows:

Animals, live, 20 per cent. ad valorem.

Mr. BAYARD. I think it is about the time, as we are proposing to

live cheaply in this country and to assist labor, that animals which have been chiefly introduced for the purpose of assisting labor should be allowed to be brought in for the benefit of the people of this country without the payment of the tax heretofore imposed.

The entire revenue upon dutiable animals for the year ending June 30, 1882, was less than $1,000,000. All that was paid on cattle was $130,000; on hogs, $6,000; on horses there was paid $572,000; on sheep there was paid $195,000; and on all others about $9,000.

Not to speak disrespectfully of our own species, the importation of laboring men, women, and children is free. We invite them to this country for the purpose of availing ourselves of their labor, and a great deal is said of cheap labor and of the impossibility of Americans competing from some cause or other with labor in other lands. I believe the chief reason for that, if it exists, is that the cost of living in this country is made higher by the entirely superfluous and obstructive taxes which are laid upon imports. Therefore it is that I hope this feature of animal taxation, 20 per cent. ad valorem, may be now abolished. I shall move to strike out line 943, with the intention of moving hereafter to place it upon the free-list.

To tax human food ought to be the last resort of a government. Everything that shall permit men at least to live in order that they may labor should be encouraged. I hope this tax of $1,000,000 may be saved to the American people, because it seems to me that the subject upon which it is laid ought to be freely introduced into this country for their benefit.

We have constantly in the course of our laws illustrations of the policy of aiding by bounties and otherwise the creation of new material for human support, and why you should with one hand lay a tax to prohibit that which by the other you give a bounty to create is something which I can not precisely understand. I hope that the importation of live animals for the use of the American people may no longer be prohibited by a tax upon their importation. I move, therefore, to strike out line 943, which taxes live animals at 20 per cent. ad valorem.

Mr. MORRILL. I trust that this will not be done. I think that we are not quite prepared to obliterate the line which separates the Canadian Dominion from the United States. I am not myself in favor of allowing horses, cattle, and sheep that are pastured on lands that are not in value over one-fourth part of what they are on this side of the line to come in here and compete with ours.

The Senator from Delaware perhaps believes that this would be no inconsiderable boon to the people of the United States. I should regard it as one of the greatest opportunities for competition with American industry and American farmers that could possibly be opened. I trust that without any long argument as to statistics upon the subject it will be voted down at once, for I can conceive of no heavier blow to be struck against the farming and the agricultural interests than this would be.

Mr. HALE. Mr. President, the revenue derived from the duty upon live animals is one of the most easily collected of any that comes into the Treasury. All along the borders of the Canadian Dominion are our custom-houses, with their officials, and they will remain there; and every animal that comes in, the horse or the steer or the sheep, has its duty collected upon it, adding not a dollar to the expense of the Government in the revenue department.

There is another thing that will follow if this duty should be struck down, which now protects our farmers, our stock-raisers, all along the New England and New York line and the raisers of stock in the West and in the South. It would follow inevitably if this duty of 20 per cent. ad valorem was taken off, that it would simply be added to the price that the New Brunswick or the Canadian stock-grower would ask.

Mr. MORRILL. And all the way to Manitoba.

Mr. HALE. Clear along to the Pacific coast; I include that in what I call the Canadian frontier. No horse, ox, steer, or sheep would be brought over our border line to our people 1 cent cheaper on account of that. I agree with the chairman of the committee, that if there is any one case where revenue should be maintained, if we are to maintain a tariff upon any article, this is certainly one of the strongest instances that can be found.

Mr. BAYARD. There certainly must be something very mysterious about these advances of the tariff. There is something certainly very obscure in them. How a man engaged in farming in this country, engaged in the production of the cereal grains, shall be injured by procuring the labor, or in this case what may be called the live machinery for the making of his crops, at a cheaper rate, is more than I can see.

To the north of the Saint Lawrence River there is a country comparatively sterile, with a harsh, unyielding climate, far inferior in everything that produces vegetable wealth to our own. What can there be between the northern and the southern border of the Saint Lawrence that renders the race of men inhabiting the southern border unable to compete with those upon the northern side? Has the bounty of Heaven been less to those upon the southern than the northern border? I think not.

It seems to me that those men in Canada have to face natural disadvantages that are spared to our people. Is it that the institutions of their government are more favorable to industry than ours? I scarcely think that any of us republicans who boast so much of the freedom of our institutions admit that. We believe that we give a great boon to humanity when we invite them to come to live under these free republican institutions. Then what can be the reason? Where is the mystery? The same sun shines over all and the same breezes blow over all; yet for some cause or other there must be a tax, and there must be an obstruction of commerce and exchanges between the people that this river divides devised for some reason or other. I can not understand it.

In the connection of the bill with a tax upon live animals you have a tax upon beef and upon pork, and you have a tax upon hams and bacon, upon cheese, upon butter and the substitutes therefor, upon lard, upon wheat, upon rye and barley, and barley malt, and Indian corn and the like. What are the animals of labor for but the production in these very things which you are taxing?

I confess that it seems to me most marvelous that there should be this continued interruption of the natural exchanges of humanity, of the natural beneficence of commerce. Each exchanging to the other its own superfluities, gaining by its exchange, each blessed by the exchange, and yet man will raise an arbitrary law unnecessarily to prevent it. I am perfectly clear that it is a calculable problem that more is lost five times over to the people of the United States by the duties laid upon live animals than is gained by the revenue which the Treasury receives by the tax imposed upon them. Why should not the principle of exchange take place where it can in this way and between these people?

However, it is not worth while to pursue the theory of the wisdom of free exchange between people where each is to be benefited by the exchange, and I shall content myself, therefore, by asking for a vote upon the proposition I have made.

Mr. SEWELL. What would the Senator do with the duty on wool? What would prevent the Canadian farmer from raising wool in his country and driving it across and doing the shearing on our side?

Mr. BAYARD. I think the Senator has been unfortunate in the selection of his topic. I always thought and I think now that the tax upon raw wool is an absolute absurdity for the American people to impose; and I believe before this bill is through with it will be fairly shown to the Senate that the tax upon wool has never benefited the American wool-grower; that it never has given the advance in price which the logic of the Senator and his party supposed it would give. I think there are men in the Senate now who will tell you of their sales of wool when there was no tariff placed upon it at a far higher rate than they can obtain for it to-day in the United States.

Mr. DAWES. That is because of the home competition.

Mr. BAYARD. But the fact is you can not touch this subject at any one point without discovering that you are traveling in what I called the other day a perfectly vicious circle. Each tax seems to justify the other; the one that precedes justifies the one that follows; the one that follows that demands again its share, until the people, the consumer in the end who is to pay them all, is borne down beneath their weight. When you find yourselves tied up in your home market by overproduction and you ask for relief, what is it? Stop labor and cease production, for you can not go abroad; you have overweighted and overhandicapped your horse and you can not put him in the race with others outside of this country, because he would be beaten almost before he started.

Mr. LAPHAM. Will the honorable Senator allow me to ask him a question? What becomes of the provision for beef, pork, and hams, if Canadians can drive their animals in here and butcher them on this side?

Mr. BAYARD. I have no doubt at all in regard to beef, pork, hams, and bacon; if you allow the animals to come in free, the people that bring you horses and bring you cattle for sale will take from you the products of your farms. I believe every farmer, even on the border of Canada, would be benefited by being allowed to buy his horses from the other side.

Mr. FRYE. If the Senator pleases, they have as high a duty against us as this is against them.

Mr. BAYARD. I do not know what they may have been taught by the evil example of the United States.

Mr. RANSOM. I ask the chairman of the committee if animals imported for breeding purposes are not on the free-list?

Mr. MORRILL. They are.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Delaware [Mr. BAYARD], to strike out line 943, fixing a duty of 20 per cent. ad valorem on live animals.

Mr. BAYARD. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. BUTLER (after having voted in the affirmative). At the time I voted I forgot that I am paired with the Senator from Pennsylvania [Mr. CAMERON]. I withdraw my vote.

Mr. DAVIS, of West Virginia. I am paired with the Senator from Minnesota [Mr. WINDOM.]

Mr. SLATER. I am paired with the Senator from Indiana [Mr. HARRISON]. If he were here, I should vote "yea."

Mr. McMILLAN. I am paired with the Senator from Mississippi [Mr. LAMAR]. If he were here, I should vote "nay."

Mr. WILLIAMS. I am paired with the Senator from Nevada [Mr. JONES]. He is not here, and not knowing how he would vote——

Mr. MILLER, of California. How would you vote?

Mr. WILLIAMS. I would vote "nay," because this would have an effect only upon cattle——

Mr. MORGAN. I object to debate.

Mr. WILLIAMS. And to-day we can——

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. WILLIAMS. Then I vote "nay."

The result was announced—yeas 14, nays 28; as follows:

YEAS—14.

Barrow,	Camden,	Harris,	Pugh,
Bayard,	Cockrell,	Jonas,	Vest.
Beck,	Coke,	Morgan,	
Call,	Farley,	Pendleton,	

NAYS—28.

Aldrich,	Davis of Ill.,	Ingalls,	Platt,
Allison,	Dawes,	Lapham,	Ransom,
Anthony,	Frye,	McDill,	Sawyer,
Blair,	George,	Maxey,	Sewell,
Cameron of Wis.,	Gorman,	Miller of Cal.,	Sherman,
Chilcott,	Hale,	Miller of N. Y.,	Vance,
Conger,	Hawley,	Morrill,	Williams.

ABSENT—34.

Brown,	Grover,	Kellogg,	Saulsbury,
Butler,	Hampton,	Lamar,	Saunders,
Cameron of Pa.,	Harrison,	Logan,	Slater,
Davis of W. Va.,	Hill,	McMillan,	Van Wyck,
Edmunds,	Hoar,	McPherson,	Voorhees,
Fair,	Jackson,	Mahone,	Walker,
Ferry,	Johnston,	Mitchell,	Windom.
Garland,	Jones of Florida,	Plumb,	
Groome,	Jones of Nevada,	Rollins,	

So the amendment was rejected.

Line 944 was read, as follows:

Beef and pork, 1 cent per pound.

Mr. BAYARD. I move to strike that line from the schedule. I propose, so far as my motions and my votes can prevail, to make living cheaper in this country. It seems to me a simple absurdity to be taxing food that is to come into the United States. Looking at the amount of revenue produced by this item, I find that the Government gained from July 1, 1881, to June 30, 1882, not upon beef and pork, because that is a new schedule of duty, but upon bacon and hams, the mighty sum of $1,483; upon beef it gained the mighty sum of $3,214; upon butter it gained $100,000. What are such taxes as these upon fifty millions of people but mere obstructions to the friendly and natural intercourse with those upon the border with whom they ought to have friendly and natural relations? I therefore move that line 944 be stricken out.

Mr. MORRILL. I merely desire to say that this has been the law for a great many years; and unless we mean to obliterate the difference, the advantage, between life in the United States and in contiguous countries it ought to be retained.

Mr. BAYARD. The longer it has been here the worse it is, and the sooner it goes off the better.

Mr. BECK. Mr. President, I shall vote for the amendment of the Senator from Delaware upon all this class of articles. There has been so much said about what has been done in committee that I will say I endeavored to have the same thing done in committee. The idea of keeping a tax on beef, pork, ham, bacon, cheese, butter, lard, wheat, rye, barley, Indian corn, oats, corn-meal, oat-meal, rye flour, and wheat flour has been maintained no doubt for many years for the very purposes, we have heard it said on this floor by gentlemen who are seeking protection for their manufactures, for their iron, their steel, and other things, that they are protecting the farmer as well, when there is not a single item in all this list that is not absolutely a false pretense. You can not protect the American farmer, because he is a large exporter of all these articles.

I hold in my hand the statement of exports, and while beef and pork are not mentioned bacon is. I find "bacon" in one line and "hams" in another. We exported of bacon 428,481,482 pounds of the value of $42,124,602, and yet we are laying a protective tariff on beef, pork, ham, and bacon to keep anybody from bringing any in here, while our product is so large that we have to stock the markets of the world. Lard, too, I see has a duty of 2 cents a pound. Let us see how that is. We exported last year 250,367,740 pounds of lard of the value of $28,975,902.

Mr. BUTLER. Exported it?

Mr. BECK. Yes, exported it. We sent to foreign countries over $28,975,000 worth, nearly $29,000,000 worth, and we exported of cheese to the value of $14,058,975. In other words, the products of this country embraced in the list now before us, beef, pork, bacon, hams, cheese, butter, lard, wheat, corn, oats, and other things, have constituted a very large proportion of the exports we have sent abroad to feed the world.

Mr. MAXEY. I will ask the Senator if there is not a large amount of foreign cheese imported, Cheshire cheese and German cheese of various kinds, that yields a revenue?

Mr. BECK. Yes; when you come to the question of cheese. I was illustrating it in a general way. We are not voting upon that item now.

Mr. MAXEY. The Senator was commenting upon that item.

Mr. BECK. We get in, for example, Schweizer and those things, and men eat them, and I think we ought to tax them when we come to them. But what I want the Senator from Texas to understand is not so much the quest on of the amount of revenue as it is the foolish pretense that the farmer is protected in his lard, in his bacon, in his wheat, in his corn, and in his oats as well as others are protected in their manufactures.

Mr. MAXEY. I will agree with the Senator from Kentucky about that, and those articles which pay no tariff of course we should keep on the free-list; but as to cheese we import pine-apple cheese, Cheshire cheese, and German cheeses. I do not know the names of them, and they are imported by a class of people who are perfectly able to pay for them and who ought to pay for them, and we should not reduce the tax on those.

Mr. BECK. I believe when we come to the article of cheese, especially Limburger and Schweizer, I shall endeavor to keep them out.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware [Mr. BAYARD], to strike out line 944.

Mr. GEORGE. Can a division be had upon that?

The PRESIDENT *pro tempore*. The amendment can be amended.

Mr. GEORGE. I should like to have a vote upon the two articles separately. I am for striking out one and not the other.

The PRESIDENT *pro tempore*. If the Senator would move to strike out "pork" or "beef" that question would be first put because the motion of the Senator from Delaware is to strike out the whole line.

Mr. GEORGE. Then I move to strike out the words "and pork," so as to read:

Beef, 1 cent per pound.

The PRESIDENT *pro tempore*. The question on the amendment of the Senator from Mississippi precedes that of the Senator from Delaware, it being an amendment to the amendment. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the Senator from Delaware, to strike out the line 944.

Mr. WILLIAMS. Mr. President, I wish to state why I voted against striking out the tax on live animals, as I could not when I came to vote give my reasons, but will now do so in connection with the other subjects proposed to be stricken out.

I opposed that proposition because the principal country interested in free trade in live animals is Canada, lying on our borders for a thousand or twelve hundred or more miles, and Canada forbids the introduction of any domestic animals from the United States into Canada. I have now on the Calendar a bill introduced by myself to retaliate upon Canada, and to prevent the introduction of live animals there from this country.

Mr. BAYARD. That is called "biting off your own nose to spite your face."

Mr. WILLIAMS. No, sir; Canada is now sending a large number of horses into our country, and we can not carry any there. She sends every year to Chicago and to other cities in Illinois and Ohio hundreds of valuable cattle to be sold there, and yet she forbids her own people from buying our cattle and taking them into market. I give this as a reason why I voted against the amendment of the Senator from Delaware. I could not consistently introduce a bill to prohibit cattle from Canada coming into this country and then vote to strike out this clause of 20 per cent. ad valorem on live animals introduced from other countries, which would admit Canadian stock into this country free.

I do not believe that the farmers of the country are to be benefited at all by this tax upon wheat, rye, oats, Indian corn, and corn-meal. That is all flummery. Nobody will ever import any of these things to this country. It is a tub thrown to the whale; it is a make-believe to the farmers to make them believe that they do come under the protective policy of this country, when they receive no benefit of it.

Who is going to import bacon into this country? Did anybody ever do it? There might have been a few Westphalian hams brought here to be used on the tables of the rich and sumptuous, but not brought here for the common people, for they are luxuries. Suppose a dearth should occur in this country, are we going to enact corn laws? Last year we collected a million and a half dollars from potatoes imported into this country from the Bermudas, Scotland, and Ireland. I would prefer to see all breadstuffs free. Why should we charge a tax upon breadstuffs brought into this country from abroad when we can raise enough to feed the whole world?

Mr. HAWLEY. We collected a million and a half dollars from rice last year.

Mr. WILLIAMS. We have not come to the rice item yet.

Mr. FRYE. When we do the whole Democratic side will vote for 5 cents per pound, 85 per cent. ad valorem.

Mr. WILLIAMS. I do not know how the Democrats are going to vote. "Sufficient unto the day is the evil thereof." I am speaking of corn, lard, flour, butter, wheat, rye, oats, and oat-meal. There are a thousand such items here.

Do you suppose you can deceive the farmers of this country into the belief that they are sharing equally in your protective policy, a policy gotten up for the benefit of manufacturers, not of producers? The farm-

ers need no protection. All we want is an open field and fair play. We want opportunities to reach the market of the world. With the improved machinery of the present age we are able to produce in this country an unlimited amount, not only sufficient to feed our own people, but we can feed 400,000,000 people of the foreign nations if we have transportation to the seaboard and can trade freely with them. There is no doubt about that. We scorn the protection you offer us here upon our wheat, our hogs, and our cattle; it amounts to nothing at all.

Is anybody going to carry fat cattle or hogs into Kentucky or Ohio or Indiana from any foreign country? Will anybody bring wheat to California? Will anybody bring cotton to Louisiana and Mississippi? Will anybody bring turpentine to North Carolina? Will anybody bring whisky to Kentucky? Will anybody bring terrapins to North Carolina? It is all nonsense. We had as well strike this whole tax upon provisions out. For one hundred years the conflict in England was against the corn laws, and the necessities of the kingdom at last prevailed, and provisions were all made free, and they ought to be made free in this country. Is not that true? I have the country on my side; there is no doubt about that.

I as a farmer scorn the protection you offer me on my products in this bill, when you expect me to vote with you for your high protection on your manufactures, and deceive the country people into the belief that the farmers are receiving benefits from this system, which I say is contrary to the genius and spirit of our institutions.

I say that no man ought to invest his capital in any industry that demands protection from the Government; it ought never to be done. Why should we want to produce and manufacture all the articles that are made in any of the workshops of the world? We ought to encourage and foster such industries as are adapted to the natural circumstances and conditions which surround us, and as sensible and wise men we ought to exchange our more valuable labor for the products of the less valuable labor of other nations of the earth. We have machinery to-day upon our farms as well as in the mills, and with a fair open market in the world there is no limit to our production. We can produce in this country by the aid of machinery per diem per head of our operatives twenty times or thirty times as much as can be produced in some of the nations of the world. There is no doubt that labor is cheaper in the older and more densely-populated countries than in our new country, spread over this vast extent. There is no doubt that labor is cheaper abroad than it is here, but shall we therefore attempt to introduce all the industries of the world? Shall we import their labor into this country? Why not exchange our labor for theirs?

In China, the greatest of all the cotton countries of the world, with 600,000,000 people, using more cotton cloth than all the world besides, and producing more cotton, it takes one man thirty days to make eighteen yards of cotton cloth to clothe a Chinaman for a single year. Here, with the aid of our powerful machinery, one man can do it in half a day. Why not, then, as sensible men exchange one day of our intelligent labor, aided by machinery, for sixty days of the Chinaman's labor? Is not that sense; is not that business; is not that common sense?

Why do you want to bring to this country all the industries of the world? Why do you want to import the labor of the world here? Let it stay where it is and let us supply them from our abundant stores. Let us foster and encourage all the industries that are adapted to our condition, and let us profit by our advantages in the superiority and intelligence of our own people, our laborers, and the advantages that we have in the way of machinery, and exchange the products of our high-priced labor for the products of their low-priced labor at the rate of sixty to one. That is sense, and that is business.

Mr. MORRILL. Mr. President, I had no idea that this would be seriously pressed as a question before the Senate of the United States. I do not think any party on this or the other side of the Chamber will want to record themselves in favor of the policy that has been enunciated by some here to-night. There are five or six million people on the other side and an area that is unlimited as to its future development that may come in competition with the United States. At the present time the value of capital there is much less than it is here on this side. The question is whether we shall put ourselves on a par with these Kanucks, as the Canadians are sometimes called, in raising cattle and raising pease and beans, and barley, and sheep, and so on?

There is no sort of doubt but what the large quantities that come in from there reduce the home market. It is perhaps their only outlet. We do not impose any higher duties upon these articles than they impose upon ours. In some places they have to take some of these articles from us, and in a large proportion of the country their articles have to come here. I desire simply to present a few of the facts in relation to these articles.

Last year we imported $852,000 worth of cattle. Of hogs we did not import a very large number; but of horses we imported $2,862,497 worth; and of sheep $975,051 worth. On these we collected a legitimate and proper duty, a low duty, merely a revenue duty of 20 per cent. Then when you come to breadstuffs, take barley—we imported of barley last year $10,888,628 worth. That is no small sum. Of barley malt we imported $1,099,203 worth. We even imported Indian corn, corn-meal, and buckwheat. Of oats we imported $765,000 worth or 1,810,000 bushels; of oat-meal, 467,000—and odd pounds.

Take pease and beans, mainly pease. We imported of those articles $1,287,000 worth, and we imported $239,000 worth of flour. Anybody who will read the advertisement of the Canadian Railway through to the Pacific will perceive that they reach and spread out before the world a region that is amply sufficient, as they claim, to compete with all the world for wheat.

Under these circumstances to claim that this is not a protection to the agriculturists, to the farmers of this country, I think will not be believed by a farmer who takes a newspaper and makes up his own judgment for himself.

Mr. COCKRELL. I should like to ask the Senator from Vermont how he can consider this a protection to wheat when we have a large surplus of wheat over and above supplying our own market which has to go out of our country and find a foreign market?

Mr. MORRILL. Does not the Senator perceive that if there are added to the 50,000,000 people here 5,000,000 or 10,000,000 more to enter into the same kind of business, it will and does compete? If he does not perceive it I can not explain it to him.

Mr. COCKRELL. During the past fiscal year we exported 95,000,000 bushels of wheat, aggregating $112,929,718. That was in wheat. In flour we exported 5,915,686 barrels, valued at $36,375,055. Besides, we exported large quantities of pork, bread, biscuit, Indian corn, Indian-corn meal, oats, rye, rye flour, and other small grain and pulse. The total exports of breadstuffs amounted to $182,670,528. We have to compete with markets of the world. We will have to do so in the future. A tariff can benefit nobody in the United States, except it be to tax individual citizen farmers along the Canadian line and the Mexican line. In the case of a scarcity of corn there they might be able to buy cheaper across the line.

Mr. MORRILL. This would be merely a largess to the whole Canadian Dominion and would enable them to paint at our expense their house with white lead and linseed oil.

Mr. MAXEY. Mr. President, I am voting on these articles strictly with a view of raising revenue. The revenue from live animals last year was $953,386.02. It is a mistake to suppose that all that was fine stock, blooded stock. That is not true.

Mr. MORRILL. That is admitted free.

Mr. MAXEY. Thousands of cattle are brought across the Rio Grande into Texas of the common kind of stock, and the men who buy those stock are just as well able to pay the tariff upon them as the poor man who digs with his spade is able to pay the tariff on the woolen shirt he wears on his back. It raises that much revenue.

Take the article of cheese. There was a tariff of $189,772.77 raised upon that article. It is that much going into the Treasury and it reduces the tax upon that class of articles that the poorer class of people, including myself, use. Then take rye and barley. I take it they must be used in making whisky. I do not know what else. There was collected $1,834,545.92 from those articles. Can we afford to be giving up our revenue upon all these things and still talk about reducing the tariff in the interest of the poor man?

I vote for these items to remain where they are, because they are articles which pay a reasonable revenue, none higher than 20 per cent., and thereby aid in reducing the revenue upon such articles as the poorer class of the people of this country absolutely need. I think it is fair; it is just. Suppose a man raises cattle and cattle are brought in by anybody else to open out a new ranch, the man who brings them in, if he can buy them cheaper in Mexico than he can buy them in the United States, ought to pay a tariff for revenue, just the same as the man who goes to Liverpool and buys goods there and brings them to the custom-house at New York and passes them through there to sell to our people.

Mr. MORGAN. I should like to ask the Senator from Texas how much ad valorem duty he thinks Mexican beef would bear in the State of Texas?

Mr. MAXEY. I am not talking about Mexican beef; I am speaking of live animals which bring nine hundred and fifty-three thousand and odd dollars revenue. The beef is a mere trifle, and I shall vote against it. I shall vote against hams and bacon. Beef is only $3,547, hams $1,483. Those mere trifling articles are thrown in there for good account, and amount to nothing, against all of which I will vote, because they do not yield revenue, and it is on the principle of revenue that I am voting.

Mr. MORGAN. I agree with the Senator from Texas upon the doctrine of a tariff for revenue, but I merely desire to know what amount of taxation he thought would be needed upon live animals or upon beef to give the proper standard of revenue for beef imported from Mexico into Texas, and for consumption in Texas.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware to strike out line 944.

Mr. MORRILL. I ask for the yeas and nays. ["No," "No."]

Mr. BECK. I desire the yeas and nays on that amendment.

The yeas and nays were ordered.

Mr. BECK. The Senator from Vermont has stated what he is endeavoring to make the country understand, and has no doubt, because of his very high position and great reputation as a financier and as the father of this bill and all its adjuncts, and I suppose he will continue to father it, no matter how much it is added to, that he is really

protecting the American farmer by this tariff that he is imposing upon those things, and he avows to-night that it is amazing that everybody can not see that in a high protective tariff the American farmer is coming in for his share of the advantage.

If there is one thing that is absolutely clear, it is that wherever the American farmer raises articles such as wheat, beef, pork, and other provisions, and has to send them to the markets of the world, he has to sell them in an absolutely open market unprotected, and the only benefit which can be suggested to anybody is along about Burlington, Vermont, and on the long Canadian line, where some Canadian farmer may drive a few hogs over in his wagon and sell them for a cent or two a pound lower perhaps than his friends would like to take; but as to any general benefit it does not reach ten miles beyond the Canadian line; it can not.

I desire to say in addition to that, for the benefit of the Senator from Ohio, the late Secretary of the Treasury, that when he was Secretary of the Treasury he sent to Congress a report carefully prepared, even at a time when revenue was scarce and when he sought to reimpose a duty upon tea and coffee, a revenue article, in order to keep up the revenue, and he begged us to take off the tariff upon all that class of things which brought in less than $10,000 revenue because the cost of collection exceeded greatly in proportion the amount collected from it.

Here is a little article that brings in only $4,547.29, and now when we have abundant revenue, with over $81,000,000 surplus in six months, beginning the 1st day of July, 1882, and ending the 1st day of January, 1883; when we have paid according to the statistics this year thirteen and one-half millions I believe, or somewhere over $13,000,000 a month, when we do not need to pay an average of more than $26,000,000 a year, and can not pay more than that until our bonds mature in 1907—and why in the name of common sense do we have any sort of pretense that we are helping anybody here by a duty upon beef and pork when we are exporting, as was stated a few moments ago, by the millions all over the world?

Now, tell the people the truth. It does not protect anybody except a few along the line, and that does not reach far, only as far as the Canadian farmer can drive his wagon and go back in a day. There is nothing in it. I would not have said what I do now but for the fact that the Senator from Vermont rose solemnly and in his place as chairman of the Committee on Finance announced that he was giving this protection to the American farmer as a compensation for the 40, 50, and 60 per cent. that he was taking from him on his trace-chains, on his wire fence, on his cotton-ties, on the ten thousand things that he needs, the blankets under which he sleeps, the cotton goods his children have to wear, and every item in this great schedule where five dollars go into the pockets of the manufacturer for one that reaches the Treasury. This is a poor compensation that is held up to the world as being a sufficient inducement to the American farmer to allow all of those taxes to be levied, not for revenue, but for protection, upon the ground that he, too, is protected because you put this duty upon the beef and pork and lard that he produces.

Mr. JONES, of Florida. Mr. President, I said awhile ago that since this bill has been under discussion the public revenue has been mentioned only incidentally, and the Senator from Kentucky and the Senator from Vermont and every other Senator who has taken the floor has argued the measure as one for protection to the varied interests of this country. Nobody has got up to show how much money was to be derived from any particular duty, what were the necessities of the Government with respect to revenue; but all this debate has turned upon the question of protecting special and particular interests, and it would seem to the country that the entire object of this measure is not to raise money to meet the expenses of the Government, but it is here for the purpose of protecting particular industries.

Mr. BECK. The Senator must know we have agreed that we are going to reduce duties.

Mr. JONES, of Florida. I should like to know if this is a bill for revenue or for protection?

Mr. BECK. It is a bill for protection so far as the Senator from Vermont is concerned; it is a bill to reduce revenue and to remove things of this sort as far as I am concerned.

Mr. MORRILL. I beg that the Senator from Kentucky will only speak for himself.

Mr. BECK. That is right; I will.

Mr. JONES, of Florida. When the question of a certain tax was before the Senate I desired to know how much revenue was to be derived from that tax to the Treasury. The Senator from Kentucky, well informed and instructed as a revenue reformer, got on his feet and said that there were some interests in one or two States here that needed protection and that it was necessary to use the taxing power of the Government to keep out a commodity that was competing with theirs; it was to be used for that purpose. That is not to be denied.

Mr. BECK. Will the Senator be kind enough not to misrepresent me?

Mr. JONES, of Florida. Not at all. There is no man who would be further from it than I.

Mr. BECK. I know that I said that we were imposing a tax upon manufactured tobacco that brought us in $47,000,000 a year, and if we were not imposing that tax upon it then we could look to revenue alone on foreign tobacco; but we had to protect an article that we were imposing such burdens upon and not require men to raise tobacco, and then collect $47,000,000 internal revenue from it and allow them to be destroyed. That made a complicated condition that other things did not have.

Mr. JONES, of Florida. I see that there is a very large sum of money necessary to be raised to meet the expenses of this great Government, and I for one am anxious that it shall be distributed as equally and as equitably as possible upon the various products that are brought in here from abroad. If you are not going to raise it upon apples, because, as the Senator from Kentucky says, there is no protection needed, upon what are you going to raise it? Are you going to center it all upon one duty? I think that the principle of distribution ought to prevail, and that $150,000,000 or $100,000,000 to be raised by indirect taxation ought to be distributed as nearly as possible upon the various articles, whether agricultural, manufacturing, or mechanical, that are brought in here from abroad.

I see no injustice whatever in levying a tax upon the agricultural products of foreign countries brought into the United States, especially after the Senator from Kentucky has told the country and the Senate that they do not compete in the least with our domestic productions. If I thought that the levying of an external tax on an agricultural product would enhance the cost of the domestic article to the consumer I might be inclined to vote against putting any tax upon the product that comes from abroad; but after he has admitted that our abundance is such and the Senator from Kentucky behind me, his colleague [Mr. WILLIAMS], has said that we have a granary here capable of supplying the whole world, surely no injury can result to any consumer in the United States by levying a tax which produces a revenue to the Treasury and at the same time does not increase the cost of the article to the consumer.

I say if there ever was a case that was strongly presented affording a proper subject for the levying of external duties it is this case of articles produced on foreign soil, and if our entire revenue could be collected from the agricultural products of foreign countries, and the levy of that tax would not result in increasing the cost of living to our own people, I would be content to levy the entire tax on those products. We know that this tax does not increase the cost of the articles to the American citizen anywhere in the land; and inasmuch as it brings money into the Treasury, why object to it?

But this whole argument proceeded upon the idea from the beginning of this debate to this moment that special interests in the country were all that needed protection, and that little or no attention was to be given to the subject of revenue. I have waited time and again for the Senator from Vermont, who has the bill in charge, thinking that when he would rise in his place he would point out to the Senate and the country how much revenue would be derived from the levying of a particular tax upon a particular commodity.

Mr. MORRILL. If the Senator will permit me, when I was last up I claimed that this was simply a revenue duty; and it is a little queer when it is objected that the tax of the protective tariff comes out of our own people that when we get up items where clearly the tax is paid entirely by foreigners they should be objected to.

Now, I want to say (if the Senator desires the information he seems to seek) that on these articles it is proposed to strike down $7,152,747 of revenue.

Mr. JONES, of Florida. I am not willing to do that.

Mr. MORRILL. Provisions, $2,046,000; breadstuffs, $4,152,000; and animals, $953,000. Now, it is proposed to strike down seven millions of revenue and over upon articles where confessedly every dollar must be paid by foreigners.

Mr. BECK. Will the Senator from Vermont tell us where he gets that seven million? I can not find it.

Mr. MORRILL. I have just read it. Provisions, $2,046,000; breadstuffs, $4,152,000; animals, $953,000.

Mr. BECK. We are now dealing with beef and pork, which is $3,547.

Mr. MORRILL. I have not included that at all.

Mr. BECK. I thought not. I desire to say to the Senator and to others that we are paying to employés along the Canadian line to watch the men who bring in the beef, and the pork, and the lard, and the little things that yield no revenue, $10 for every dollar that goes into the Treasury.

Mr. JONES, of Florida. Does that apply to agricultural products exclusively?

Mr. BECK. Not altogether.

Mr. HALE. Does the Senator from Kentucky suppose that any decrease would follow of the custom-house force along the Dominion line whatever result we may reach here upon this article? Does he suppose it would be reduced a single man?

Mr. BECK. I say to the Senator from Maine that along his own coast—Castine I believe is one, and there are eight or ten others I could name—there are custom-houses that expend from forty to eighty thousand dollars a year and the income is about four hundred, and where a single watchman would do just as well.

Mr. HALE. I am glad the Senator has mentioned that. Does he not know——

Mr. BECK. I have no idea that so long as the present condition of things exists we shall have any reduction of force.

Mr. HALE. Does not the Senator know that that whole cordon of custom-houses from the New Brunswick line all along through Portland and Boston and till you come to the great ports where the revenue is collected are simply in the nature of watchfulness to prevent smuggling, and that their value is in no way to be estimated by the amount collected; that they send the whole duties to be collected at the large ports, and that if you do not have a strong custom-house force there hundreds upon hundreds of miles will be a hot-bed of smuggling, and that your duties would be decreased at Boston and New York and Baltimore tenfold and a hundred-fold over the bagatelle that you would save by the reduction of that force? Does not the Senator know that as long as we have a system of revenue vast as ours is along the seacoast and the Dominion frontier there must be these custom-houses to protect the revenue, and that the fact that nothing comes in is no argument whatever? It is sent elsewhere.

Mr. BECK. I know this, Mr. President, and I have a great notion as we are talking about this——

Mr. HALE. I suppose the Senator is going to read that old worn statement of the list of custom-houses where there is but little duty collected, and if I have said anything it is that that is no argument at all. That has nothing or but little to do with the question. Abolish these custom-houses, turn out their officers, save a few paltry thousands to the Government, and throw open a sea-coast of 500 miles and a land frontier of 3,500 miles, and then let the Senator see how the revenues would fall off in the great ports where we collect our customs duties. Let him try that experiment one year and he would be the first man to call for a renewal of that force.

Mr. BECK. I did not bring up this debate, but I was asked the question if I thought there could be a reduction of a single officer provided we struck off these little duties which are bringing in $3,000; and while we export many millions of lard, which is an item we shall come to soon, we imported last year only $386.18 worth of lard, which paid a duty of $58.88. When we attempt to cut down the rate on these unnecessary articles on which so many pretenses are made, we are told, "If you stop the watchmen you have to take care of the Canadian farmer, and let him drive over with a pig in his wagon or a keg of lard—you will still need as many officers as you have now."

I am asked if I think there will be any diminution of officers. I say no, I do not think there will under the present management. When I asked the Senator from Maine why the custom-houses along the coast were kept up, he tells you, "Well, they guard things." Why, sir, all the machinery of a custom-house is kept up when a good watchman would be worth just as much as all the machinery of those custom-houses where we have collectors and in some cases naval officers and appraisers and a bureau when there is not a dollar brought into the port, and one watchman there at night would be worth all of them together.

Mr. HALE. Does the Senator find an instance of that paraphernalia of office including appraisers and officers that have to do simply with the collection of revenue where there is no revenue collected? I do not know of any such case.

Mr. BECK. We shall see in a moment. I happened to pick up a book that contains a good many things.

Mr. HALE. I know there are none such down my way.

Mr. BECK. Wait a minute. I think I shall find a good many. I find for example——

Mr. HALE. I want to know where the appraiser is, because I think an appraiser has to do with the valuing of merchandise and the collection of duties upon it, and where there are no duties collected there ought not to be an appraiser.

Mr. MORRILL. May I suggest to the Senator from Kentucky that this debate would be just as appropriate on any other bill?

Mr. BECK. I will not go into that. I know this is the fact, and I will take pains to show it in the morning, that taking the custom-houses along the coast of Maine, the amount of money paid out to the employés, perhaps outside of one port, is more than three times the amount of duties collected.

Mr. HALE. I do not know but that it is five times the amount.

Mr. BECK. I think it is, and there are men employed there and paid high salaries, four and five at a place, where one man would be enough to be employed.

Mr. HALE. Let me tell the Senator a little something about that. I ought to know something about the coast of Maine.

Mr. BECK. I think so.

Mr. HALE. It is four hundred miles in extent. There are indentations and bays with lines that make up in some cases a hundred miles through the center of the State, making in all a line of over 2,500 miles in length, and there is hardly a mile of that where, if there were no safeguards, and if this custom-house force was not maintained, smuggling of every kind might not be carried on with impunity. The whole coast would be a line of smuggling-laden goods, and I tell the Senator that there is not one man in the whole extent of the official force in those custom-houses who is not engaged either in the detection or prevention of smuggling, or in the papering of vessels and the care and control of the issuing of the papers to the commerce of the United States carried on from those ports.

The Senator can not go there and point out a sinecure anywhere; he cannot go there and find an overpaid official anywhere. There is no one single instance of an inordinate and swollen salary. The fees have run down so that the collectors get a little paltry sum of a few hundred dollars each, and their deputies are engaged working more hours a day than he or I work here, as hard as this Senate has worked during this session. If the Senator will go there and see the operation of this line of official force there, he will revolutionize his opinions and will not come in with statements of this kind. I know something about the matter.

Mr. BECK. The statements I have made were called out by the suggestion of the Senator from Maine that there will be no reduction of the force even if all these things are placed on the free-list. I have said that the amount of money paid to the men on the coast of Maine and along the Canadian line was very greatly out of proportion to the amount of duties collected, and that all we wanted was a police force instead of a custom-house with all its machinery. I thought for the moment that I had a book in my possession showing it all, but I will pledge myself to-morrow to bring the list, opening to the Senator all the country and showing him the amount of duties collected. I believe, instead of making any statement of my own, I will bring a statement made by the distinguished Senator from Massachusetts [Mr. DAWES], when he was chairman of the Committee on Ways and Means of the House of Representatives, to illustrate the truth of what I say.

The reason I desire to strike off this list of articles beef, pork, ham, bacon, lard, butter, oats, corn-meal, and so on, is to remove a great deal of the duties which are put upon these gentlemen who are paid better salaries than the Senator thinks they are receiving. If these things are placed on the free-list their duties will be less onerous than they are now, and a smaller number can perform them.

I am acting, as I said a while ago, upon the suggestion of the Senator from Ohio [Mr. SHERMAN], who, as Secretary of the Treasury at a time when revenue was scarce, and he was seeking to add new articles to taxation, urged upon Congress that everything ought to be taken off the dutiable list which brought in less than $10,000, because of the enormous expense of collection in proportion to the amount received; and the little item we are now considering only brings in $3,547.29, and lard, which we shall reach in a few minutes, brings in $58.88. I suppose neither of them pays one-tenth part of the salaries of the employés who are kept along those long lines to guard against their being brought in. They do not extend ten miles in the country, and are brought in perhaps in wagons. That may have some little effect somewhere; and it is being used to make the people believe that the farmers of the country are protected by this tariff.

Mr. HAWLEY. Mr. President, putting upon the free-list the articles that bring a light revenue would not reach the end the Senator aims at, for the goods that would come through those unguarded lines would be the silks and other valuable goods, from which the desire is to get a high duty.

Mr. BECK. I do not propose to withdraw all supervision.

Mr. HAWLEY. I am ready to make an illustration that I have made once before. If by any misfortune the Senator from Kentucky should ever happen to run a circus, he would act doubtless upon his present doctrine and station a man only at the door he had duly provided; and after he would stay there about an hour he would go in and find the circus full of boys who had got in without paying.

Mr. BECK. The Senator from Connecticut may have learned that business from his friend Barnum, which I do not understand.

Mr. HAWLEY. The Senator would learn it in one night.

Mr. CALL. I shall vote for the amendment of the Senator from Delaware. I think it would be very hard to find an argument to demonstrate the propriety of making dear necessary articles of subsistence to the great masses of the people. Protection must not work the starvation of a large portion of the people or deprive them of the necessary means of comfort. There can be no general prosperity to result from that.

These articles of subsistence imported from Canada must more or less cheapen the supply to the great mass of the consumers in those States which lie along the line, and for the reason that the necessary articles of subsistence ought to be made cheap to the great mass of the people; and that no obstacles in the way of that result should be interposed by public legislation I shall vote for the amendment.

Mr. CONGER. If that be the feeling of other gentlemen on that side or this side of the House, that articles necessary for consumption by the people of the United States should come in free of duty, perhaps I might agree with them, and the protection that comes to the farmers of the Northwest might be equalized by taking off the duties on other products raised in other parts of the United States. The duty upon fresh beef and pork is 1 cent a pound. The beef or pork itself is worth 3 or 4 cents a pound. The duty is 20 per cent. ad valorem. That just makes the difference between the value of that market to the Michigan, the New York, or the Ohio or Maine farmer, and the Canadian.

All along the line of the lumber States there are, as I have said be-

fore, hundreds of thousands of dollars of provisions brought from the nearest place where they can be had cheapest, and from Canada they can be brought by the Saint Clair River and Lake Huron into the lumber woods of Michigan just as cheap as they can be brought from Ohio, Indiana, or Illinois. This duty gives to the American farmers the market for probably several million dollars' worth of beef and pork along the whole line of the boundary. Take it off and the Canadian has the market.

But I want to say a word to the Senator from Florida and to the Senate about applying this principle. If by taking off a duty you can give to the consumer provisions cheaper, he says he will vote for it. I find here that of the article of rice we exported last year 143,189 pounds. The Senator from Kentucky says if we export the article there is no protection needed. We exported 143,189 pounds of rice, and yet we have a protective duty on rice higher than on any and all others, double, treble the duty on all productions of the farmers of the West and Northwest.

Who rises here to ask for the removal of that excessive duty on rice? The percentage of duty on cleaned rice under the present law is 111.56 per cent. The farmers all over the United States, the people of the United States generally, aside from flour and wheat and some other things of that kind, use more rice among all the families of the poor and middle classes and among the rich than almost any other foreign production; and on the demand of men who would put the produce of the Northern farmer on the free-list our farmers have to pay 111.56 per cent. duty on cleaned rice. On uncleaned rice the duty is 123.80 per cent., on an article of common consumption all over this country.

Now, I want the farmers of the United States to know what portion of the people and what party would throw open to the competition of the foreign producer their wheat, their rye, their cattle, their beef, their pork, all the products of their farms, remove even their little 15 to 20 per cent. protection, and at the same time when we come to it (and I shall give them the opportunity to try if I can when we come to rice) vote for 123 per cent. duty on rice, a common food of the whole country, and for a high duty on the sugar used in every family. None is so poor but can buy some sugar, and we have already, even in the attempt at reduction, left still a high duty upon sugar, a protection of the Southern planter. I want the farmers of the United States to know that the Southern representatives of sugar-growing, that the representatives of the tobacco-growing interest stand here on this floor and repeat over in one year five hundred and thirty-seven times in the year the same statement that the farmers ought not to be protected on this class of provisions.

I may not be exact as to the Senator from Kentucky. The best list I could keep of his attacks upon the farmers, checking down as he went along the same speech and adding a notch each time it was repeated here substantially, shows one hundred and thirty-seven times since I have been in the Senate. If it were not true that I am generally here in the Senate, I should have probably thought I had got down only about half the times when the Senator from Kentucky had repeated this speech; and yet he stands here to protect rice, to protect tobacco, to protect whisky. Sir, the spirit of the Senator from Kentucky—he is gone now—the spirits and the spirit are stirred up to boiling heat.

Mr. BECK. Here I am.

Mr. CONGER. I am glad he is here. He was intrenched a moment ago behind a desk and I did not see him. [Laughter.] I say he is from day to day and from year to year a representative of the whisky interest of Kentucky, and he has attacked every agricultural product of every portion of the United States except whisky, rice, sugar and tobacco.

Mr. FRYE. He is sound on sugar.

Mr. WILLIAMS. I would like to know from the Senator from Michigan what protection whisky gets? Whisky is taxed higher than any commodity in the world and tobacco is taxed higher than any other except whisky in the whole United States. It has no protection.

Mr. CONGER. I have a statement here on which the gentleman relies.

Mr. WILLIAMS. Everybody is trying to consume some of both. [Laughter.]

Mr. CONGER. I have a statement here that whisky is taxed a higher price than any agricultural production in this land. The tax on whisky is $2 a gallon; I mean the customs duty, the tariff duty. The internal revenue is only 90 cents.

Mr. WILLIAMS. Does the Senator from Michigan think anybody will attempt to import whisky into the United States when we have got now on hand more than we can consume in four years, with all the efforts of the North to help us drink it up? Does he imagine that that duty amounts to protection at all? It is a protection that does not protect.

Mr. CONGER. Ah, it is prohibitory. The Kentuckian stands like the angel by the Garden of Eden with his flaming sword protecting whisky. [Laughter.] There he stands, sir. I will venture to say——

Mr. WILLIAMS. I will ask the Senator——

Mr. CONGER. The gentleman is interrupting my remarks. I am going to finish this sentence if it takes me all night. There he will stand guarding whisky, and under the influence of his protection for whisky—in the tariff bill, I mean, not the tax on it of a paltry 90 cents when it is protected against the outside world by $2 a gallon—there he will stand protecting whisky, and in order to withdraw attention from any attack upon whisky the Senator from Kentucky is attacking right and left every other industry in the country. If anybody approaches whisky, tobacco, rice—any of these Southern productions, the Senator from Kentucky [Mr. BECK], with that inborn ingenuity and perseverance and desire for exploration which he brought across the ocean with him in his younger days, looks around to see whom he can attack and whom he can put on the defense, and he attacks potatoes and he attacks beef and he turns to the list to show how little importation there has been of beef and pork.

Why, sir, throw off on any of these articles the protection, and from all Canada that raises millions of dollars' worth of these products to export somewhere that now go to the foreign market, they could slip across our rivers and lakes and sell their products near at home in our markets; and there would be a showing of such sales now but for this protection.

Sir, I have thought sometimes that the Senator from Kentucky, whose State raises so many cattle for beef for sale as live animals, so many horses, both for the race-course and for the road, so many sheep for their wool and for their meat, so much hemp which requires a market—I have thought sometimes if the people of Kentucky had any reflection about them, if they had not got a kind of blind idolatry of their Senator—of both Senators, I might say, one on the whisky and the other on the tobacco question; if they did not think through all Kentucky that their Senators can not make a mistake and can not let their interests suffer—I have thought, perhaps, the people of Kentucky would inquire, "When we raise so many cattle, why do you not protect them?" "Here are millions in value of cattle brought into the United States that compete with ours. Why do you not protect us?"

Oh, the farmers there are not organized, they do not work together. The tobacco-men work together; they have a voice that can be heard. The Senator from Kentucky dare not put even cotton in his ears when the great voice from Kentucky demands that whisky shall be protected and that tobacco shall be protected; but the farmers of Kentucky are like the farmers of Michigan and Illinois. [Mr. WILLIAMS rose.] I sometimes desire——

The PRESIDING OFFICER (Mr. EDMUNDS in the chair). Does the Senator from Michigan yield to the Senator from Kentucky? The Senator from Kentucky will address the Chair and wait until he understands whether the Senator from Michigan will yield.

Mr. CONGER. I want to know what the Senator wants?

Mr. WILLIAMS. Will the Senator allow me to ask him how, in what manner, by any sort of taxation we get, either tobacco or whisky is protected, for they are two products and two of the principal products of my State?

Mr. CONGER. There is a book that tells better than I can. I will say to the Senator——

Mr. WILLIAMS. Both are taxed—whisky 400 per cent. of its cost and tobacco 200 per cent. of its cost.

Mr. CONGER. I have no time to read all the book.

Mr. WILLIAMS. How can the Senator say they are protected?

The PRESIDING OFFICER. The Senator from Michigan declines to yield further.

Mr. CONGER. Here is a book that tells the imports and exports, the taxes and per cent. It is Miscellaneous Document of the Senate No. 18, Forty-seventh Congress, second session. I commend it to the careful attention of gentlemen who are making inquiries.

There is a tax on manufactured tobacco, on the sale of manufactured tobacco, on all the processes by which tobacco can be taxed if imported from foreign countries to come into the market to compete with Connecticut tobacco or New York tobacco, a far greater per cent. than any of the agricultural products which it is proposed to strike out of this bill.

There is another industry in Kentucky used all over this country in the shape of rope. Twenty-five dollars a ton is the protection that we give to Kentucky hemp. Why protect hemp made away in the interior of Kentucky surrounded by a cordon of loyal States? It would look as if Kentucky could sleep there in peace with its hemp protected by distance from shore and by the expense of transportation. Propose to reduce the duty on hemp, and you would see an exhibition as I have in the House on a former occasion of my friend from Kentucky becoming rampant in his opposition to such an attack upon the industries of the loyal State of Kentucky.

Pretty soon we shall come to rice, and these gentlemen who live in the region where rice is grown, along the Gulf coast and the South Atlantic, will vote for a high duty on that while they vote to put the productions of the farmers of my State on the free-list because those are consumed all over the country. I want to see just how they will take a little proposition to put rice on the free-list, what reasons they will conjure up to meet such a proposition. I expect we shall hear of that before we get through. I propose to test these different things as we go along. We have lived long enough, we of the North representing farmers have lived long enough and yielded to the inexorable demands of Southern planters and rice-growers and tobacco-growers and whisky manufacturers, and let them have their protective duties, thinking they would give a little share of protection to the industries of the farmers of the North.

If that can come let us cut down by an even rule, reduce all by a fair proportion, and I will not complain and those I represent will not; but when they find such exorbitant duties for the protection of the production of some of the Southern States they will wonder how it is that their representatives can not see that their people have a right to a little protection, or why we do not protest against the exorbitant protection of the productions of the South.

Now I have said a word or two on this subject. I have hardly got interested in it myself, but we are coming on down to some things, and my views of the policy of protection upon them will depend somewhat upon the protection of the interests in which my people are greatly concerned. There are a few of these things to which I can refer as I have referred. Whisky $2 a gallon tariff protection. Oh, you can protect whisky in all its forms and varieties, and the Senators from Kentucky never complain that the custom-houses on any of her lines of sea-coast or boundary are preventing the introduction of whisky by smuggling.

I have been and am still for a fair protection upon all industries, share and share alike, and thus I have voted; but when I am convinced that other gentlemen insist upon putting on the free-list articles which our people believe should have at least this much protection, I trust to their judgment, and will reduce their articles to the same standard if I can.

Mr. MORRILL. Now, Mr. President, I trust we may have a vote.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Delaware [Mr. BAYARD], to strike out line 944, upon which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. Not knowing how he would vote, I shall withhold my vote.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Arkansas [Mr. GARLAND].

Mr. PUGH (when Mr. MORGAN'S name was called). My colleague [Mr. MORGAN] is paired with the Senator from New York [Mr. LAPHAM].

Mr. CAMERON, of Wisconsin (when Mr. ROLLINS'S name was called). The Senator from New Hampshire [Mr. ROLLINS] is paired with the Senator from South Carolina [Mr. HAMPTON].

Mr. SLATER (when his name was called). I am paired with the Senator from Indiana [Mr. HARRISON].

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. EDMUNDS. I vote to make a quorum.

Mr. McMILLAN (after having voted in the negative). I withdraw my vote. I am paired with the Senator from Mississippi [Mr. LAMAR]. I responded to the call of my name by mistake. I shall not vote unless it is necessary to constitute a quorum.

The PRESIDING OFFICER. It is necessary at present to constitute a quorum.

Mr. DAWES. My colleague [Mr. HOAR] is paired for the evening with the Senator from Tennessee [Mr. JACKSON].

Mr. MILLER, of New York. I am paired generally with the Senator from Maryland [Mr. GROOME], but on this question I have no doubt he would vote "nay," and I therefore vote "nay."

Mr. WILLIAMS. I am paired for the evening with the Senator from Nevada [Mr. JONES]. I withhold my vote, not knowing how he would vote.

Mr. McMILLAN. I vote to make a quorum.

The result was announced—yeas 11, nays 28; as follows:

YEAS—11.

Barrow,	Cockrell,	George,	Pugh,
Bayard,	Coke,	Harris,	Vance.
Beck,	Farley,	Maxey,	

NAYS—28.

Allison,	Davis of Ill.,	Hawley,	Miller of N. Y.,
Anthony,	Davis of W. Va.,	Ingalls,	Morrill,
Blair,	Dawes,	Jonas,	Platt,
Camden,	Edmunds,	Jones of Florida,	Ransom,
Cameron of Wis.,	Frye,	McDill,	Sawyer,
Chilcott,	Gorman,	McMillan,	Sewell,
Conger,	Hale,	Miller of Cal.,	Sherman.

ABSENT—38.

Aldrich,	Hampton,	Logan,	Slater,
Brown,	Harrison,	McPherson,	Van Wyck,
Butler,	Hill,	Mahone,	Vest,
Call,	Hoar,	Mitchell,	Voorhees,
Cameron of Pa.,	Jackson,	Morgan,	Walker,
Fair,	Johnston,	Pendleton,	Williams,
Ferry,	Jones of Nevada,	Plumb,	Windom.
Garland,	Kellogg,	Rollins,	
Groome,	Lamar,	Saulsbury,	
Grover,	Lapham,	Saunders,	

So the amendment was rejected.

The Acting Secretary continued the reading.

The items from line 945 to line 958, inclusive, were read, as follows:

Hams and bacon, 2 cents per pound; cheese, 4 cents per pound; butter, and substitutes therefor, 4 cents per pound; lard, 2 cents per pound; wheat, 20 cents per bushel; rye and barley, 10 cents per bushel; barley, pearled, patent, or hulled, one-half cent per pound; barley, malt, per bushel of thirty-four pounds, 20 cents; Indian corn or maize, 10 cents per bushel; oats, 10 cents per bushel; corn-meal, 10 cents per bushel of forty-eight pounds; oat-meal, one-half cent per pound; rye flour, one-half cent per pound; wheat flour, 20 per cent. ad valorem.

The item in lines 959, 960, and 961 was read, as follows:

Potato or corn starch, 1 cent per pound; rice starch, 2½ cents per pound; other starch, 2½ cents per pound.

Mr. HALE. I have just been called away and am obliged to go, and I ask unanimous consent that this subject-matter of potato or corn starch and other starch may be passed for the present, to be taken up when I return. I hope the chairman or any Senator will have no objection to that.

Mr. MORRILL. I will not object.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that lines 959, 960, and 961 be passed over without prejudice for the time being, to be taken up later. Is there objection?

Mr. HALE. I will ask that they be called up as soon as I return from the station.

Mr. BECK. Would it not do as well to reserve the amendment in the Senate?

Mr. HALE. I would prefer that this should be brought up in Committee of the Whole, not to take very much time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine? The Chair hears none.

The items in lines 962, 963, and 964 were read, as follows:

Rice, cleaned, 2½ cents per pound; uncleaned, 1½ cent per pound.
Paddy, 1½ cents per pound.

The item in lines 965 and 966 was read, as follows:

Rice-flour and granulated rice-meal, 20 per cent. ad valorem.

Mr. BECK. The word "granulated," I think, should come out.

Mr. MORRILL. From the information I have received I agree with the Senator from Kentucky, and I have no objection to striking out that word.

The PRESIDING OFFICER. It is moved to strike out the word "granulated."

The amendment was agreed to.

The items from line 967 to line 1002, inclusive, were read, as follows:

Hay, $2 per ton.
Honey, 20 cents per gallon.
Hops, 8 cents per pound.
Milk, preserved or condensed, 20 per cent. ad valorem.
Fish:
Mackerel, 1 cent per pound.
Herrings, pickled or salted, one-half of 1 cent per pound.
Salmon, pickled, 1 cent per pound; other fish pickled in barrels, 1 cent per pound.
Foreign-caught fish, imported otherwise than in barrels or half barrels, whether fresh, smoked, dried, salted, or pickled, not specially enumerated or provided for in this act, 50 cents per hundred pounds.
Anchovies and sardines, packed in oil or otherwise, in tin boxes measuring not more than five inches long, four inches wide, and three and one-half inches deep, 10 cents per whole box; in half boxes, measuring not more than five inches long, four inches wide, and one and five-eighths deep, 5 cents each; in quarter boxes, measuring not more than four inches and three-quarters long, three and one-half inches wide, and one and a quarter deep, 2½ cents each; when imported in any other form, 40 per cent. ad valorem.
Fish preserved in oil, except anchovies and sardines, 30 per cent. ad valorem.
Salmon and all other fish, prepared or preserved, and preserved meats of all kinds, not specially enumerated or provided for in this act, 25 per cent. ad valorem.
Pickles and sauces, of all kinds, not otherwise specially enumerated or provided for in this act, 35 per cent. ad valorem.
Potatoes, 15 cents per bushel of sixty pounds.
Vegetables, in their natural state, or in salt or brine, not specially enumerated or provided for in this act, 10 per cent. ad valorem.

Lines 1003 and 1004 were read, as follows:

Chicory root, ground or unground, burnt or prepared, 2 cents per pound.

Mr. BECK. That ought to be on the free-list, I think. I ask the chairman if it is not so.

Mr. MORRILL. Oh, no. As long as we have a duty upon coffee we ought to have this.

Mr. BECK. Let it go.

The items from line 1005 to line 1015, inclusive, were read, as follows:

Vinegar, 7½ cents per gallon. The standard for vinegar shall be taken to be that strength which requires thirty-five grains of bi-carbonate of potash to neutralize one ounce Troy of vinegar, and all import duties that may by law be imposed on vinegar imported from foreign countries shall be collected according to this standard.
Acorns and dandelion root, raw or prepared, and all other articles used or intended to be used as coffee, or as substitutes therefor, not specially enumerated or provided for in this act, 2 cents per pound.

Line 1016 was read, as follows:

Chocolate, prepared or unprepared, 2 cents per pound.

Mr. DAWES. I move to strike out the words "prepared or unprepared." There is no such thing as uprepared chocolate.

The PRESIDING OFFICER. The Senator from Massachusetts moves to strike out in line 1016 the words "prepared or unprepared."

The amendment was agreed to.

The item in line 1017 was read, as follows:

Cocoa, prepared or manufactured, 2 cents per pound.

Mr. VANCE. I should like to ask why that should not pay a greater per cent. than 6. Six per cent. protection is what this duty amounts to, on something not grown in this country, and it is used, I believe,

not at all by the great mass of the people. It is used only by the rich. I move to make the duty 5 cents a pound.

Mr. MORRILL. I trust not.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina to strike out "2" and insert "5" in line 1017.

Mr. MORRILL. This is an article that takes the place of tea and coffee now free. It is a very low rate, but still it ought to be something, as it is prepared.

Mr. VANCE. So chocolate takes the place of tea and coffee and is more universally used, a hundred to one, than is cocoa. Chocolate pays 82 per cent. I do not see any propriety in giving those things which are used by a very few people a very low rate of duty and those which are in common and universal use a very high rate. I move to make this duty 5 cents per pound.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina.

The amendment was rejected.

The items from line 1018 to line 1045, inclusive, were read, as follows:

Fruits:
Currants, Zante or other, 1 cent per pound.
Dates, plums, and prunes, 1 cent per pound.
Figs, 2 cents per pound.
Oranges, in boxes of capacity not exceeding two and one-half cubic feet, 25 cents per box; in one-half boxes, capacity not exceeding one and one-fourth cubic feet, 13 cents per half box; in bulk, $1.60 per 1,000; in barrels, capacity not exceeding that of the one-hundred-and-ninety-six-pounds flour-barrel, 55 cents per barrel.
Lemons, in boxes of capacity not exceeding two and one-half cubic feet, 30 cents per box; in one-half boxes, capacity not exceeding one and one-fourth cubic feet, 16 cents per half box; in bulk, $2 per 1,000.
Lemons and oranges, in packages not specially enumerated or provided for in this act, 20 per cent. ad valorem.
Limes and grapes, 20 per cent. ad valorem.
Raisins, 2 cents per pound.
Fruits, preserved in their own juices, and fruit-juice, 20 per cent. ad valorem.
Sweetmeats and jellies of all kinds, 35 per cent. ad valorem.
Nuts:
Almonds, 5 cents per pound; shelled, 7½ cents per pound; filberts and walnuts of all kinds, 3 cents per pound.

Lines 1046 and 1047 were read, as follows:

Peanuts or ground beans, 1 cent per pound; shelled, 1½ cents per pound.

Mr. CAMERON, of Wisconsin. I think the reading had better be suspended for a moment to allow the junior Senator from North Carolina [Mr. VANCE] to move to amend by striking out lines 1046 and 1047. [Laughter.]

The Acting Secretary read lines 1048 to 1076 inclusive, as follows:

Nuts of all kinds, shelled or unshelled, not specially enumerated or provided for in this act, 2 cents per pound.
Mustard, ground or preserved, in bottles or otherwise, 10 cents per pound.

SCHEDULE H.—*Liquors.*

Champagne and all other sparkling wines, in bottles containing each not more than one quart, and more than one pint, $6 per dozen bottles; containing not more than one pint each, and more than one-half pint, $3 per dozen bottles; containing one-half pint each, or less, $1.50 per dozen bottles; in bottles containing more than one quart each, in addition to $6 per dozen bottles, at the rate of $2 per gallon on the quantity in excess of one quart per bottle.
Still wines, in casks, 40 cents per gallon; in bottles, $1.60 per case of one dozen bottles containing each not more than one quart and more than one pint, or twenty-four bottles containing not more than one pint; and any excess beyond these quantities found in such bottles shall be subject to a duty of 5 cents per pint or fractional part thereof; but no separate or additional duties shall be collected on the bottles: *Provided*, That any wines imported containing more than 24 per cent. of alcohol shall be forfeited to the United States: *Provided further*, That there shall be no allowance for breakage, leakage, or damage on wines, liquors, cordials, or distilled spirits.
Vermuth, the same duty as on still wines.

Mr. BECK. There is a change there which perhaps it might be well enough to call attention to:

Provided further, That there shall be no allowance for breakage, leakage, or damage on wines, liquors, cordials, or distilled spirits.

Under the present law there is an allowance of 5 per cent. which is said to be ascertained by an experience of fifteen years or twenty years to be the proper amount.

And all such bottles, except as specially enumerated or provided for in this act, shall pay an additional duty of 3 cents for each bottle.

A new provision. It occurred to me that in order to maintain the present law we either ought to allow a leakage or breakage of 5 per cent., as now allowed by law, or we ought not to make the charge for the bottles. Perhaps they are about the same. I think we intended to preserve this schedule about what it is, and I think we had either better strike out this proviso or not make any special charge for the bottles.

Mr. MORRILL. I should not differ with the Senator from Kentucky, but I hope he will allow us to go through with this schedule as it stands, and we shall have a conference about this matter to see what is the best way to have it fixed, and offer the amendment in the Senate if any amendment should be deemed necessary.

Mr. BECK. Very well.

Mr. MILLER, of New York. One moment before proceeding beyond the section in regard to still wines. I desire to ask the consent of the chairman of the committee that before the bill shall pass out of Committee of the Whole into the Senate I may have permission to offer an amendment to that section if I shall upon examination think it wise to do so. I am informed, but not sufficiently informed to move an amendment at this time, that this duty is so arranged that it will lead to the discontinuance of the bottling of these still wines in this country entirely, and that they will be imported in bottles instead of in the cask. I may be mistaken in regard to it; I desire to examine the question, and if the chairman will consent that before the bill shall be reported to the Senate I may offer an amendment, I shall be gratified.

Mr. MORRILL. I will not object, with the consent of the Senate, that this may be open to amendment by the Senator from New York.

The PRESIDING OFFICER. The Senator from New York asks consent to be enabled to move hereafter, when the schedule shall be gone through with, any amendment he may think of in regard to still wines. The Chair understands under the general principles of our rules it would be his right to do so, unless some understanding has been come to about it.

Mr. MILLER, of New York. There has been an understanding.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none.

The items from line 1078 to line 1094, inclusive, were read, as follows:

Wines, brandy, and other spirituous liquors imported in bottles, shall be packed in packages containing not less than one dozen bottles in each package; and all such bottles, except as specially enumerated or provided for in this act, shall pay an additional duty of 3 cents for each bottle.
Brandy, and other spirits manufactured or distilled from grain or other materials and not specially enumerated or provided for in this act, $2 per proof-gallon; each and every gauge or wine-gallon of measurement shall be counted as at least one proof-gallon; and the standard for determining the proof of brandy and other spirits or liquors of any kind imported shall be the same as that which is defined in the laws relating to internal revenue; but any brandy or other spirituous liquors imported in casks of less capacity than fourteen gallons shall be forfeited to the United States.

The item in lines 1095, 1096, 1097, and 1098 was read, as follows:

On all compounds or preparations of which distilled spirits is a component part of chief value, not specially enumerated or provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits.

The PRESIDING OFFICER. In line 1096 "is" will be changed to "are"—"are a component part"—if there be no objection.

Mr. MORRILL. That ought to be done.

The PRESIDING OFFICER. The change will be made.

The items from line 1099 to line 1119, inclusive, were read, as follows:

Cordials, liquors, arrack, absinthe, kirschwasser, ratafia, and other similar spirituous beverages or bitters, containing spirits, and not specially enumerated or provided for in this act, $2 per proof-gallon.
No lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and other spirituous beverages than that fixed by law for the description of first proof; but it shall be increased in proportion for any greater strength than the strength of first proof; and all imitations of brandy or spirits or wines imported by any names whatever, shall be subject to the highest rate of duty provided for the genuine articles respectively intended to be represented, and in no case less than $1 per gallon.
Bay-rum, or bay-water, whether distilled or compounded, $1 per gallon of first proof, and in proportion for any greater strength than first proof.
Ale, porter, and beer, in bottles, or jugs of glass, stone, or earthen-ware, 35 cents per gallon; otherwise than in bottles, or jugs of glass, stone, or earthenware, 20 cents per gallon.

Mr. MORRILL. Thanking Senators who are here for their very patient attention, I move that the Senate do now adjourn.

Mr. COCKRELL. I was in hope we should make more progress than this.

Several SENATORS. Go on!

The question being put, there were on a division—ayes 17, noes 9; and (at 9 o'clock and 35 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February* 1, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

WAR CLAIMS.

Mr. HOUK, by unanimous consent, from the Committee on War Claims, reported back with amendments the bill (H. R. 7321) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department; which were referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BULLETINS OF THE BUREAU OF ETHNOLOGY.

Mr. SINGLETON, of Mississippi, submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed at the Government Printing Office 3,000 copies each of the bulletins of the bureau of ethnology of the Smithsonian Institution, Nos. 1 to 12 inclusive, with the necessary illustrations for the use of the bureau of ethnology.

PENSIONS.

Mr. HARDENBERGH (by request), by unanimous consent, introduced a bill (H. R. 7475) granting a bounty to certain soldiers and sailors of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PRINTING OF AGRICULTURAL REPORT.

Mr. CARPENTER, by unanimous consent, introduced joint resolution (H. Res. 332) ordering the printing of the annual report of the Commissioner of Agriculture; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

MUTUAL FIRE INSURANCE COMPANY, DISTRICT OF COLUMBIA.

Mr. TOWNSHEND, of Illinois (by request), by unanimous consent, introduced a bill (H. R. 7476) to amend an act entitled "An act to incorporate the Mutual Fire Insurance Company of the District of Columbia," approved January 10, 1855; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ALFRED S. SHELLER.

Mr. CURTIN, by unanimous consent, introduced a bill (H. R. 7477) for the relief of Alfred S. Sheller; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

VESSELS STRICKEN FROM NAVY REGISTER.

The SPEAKER, by unanimous consent, laid before the House a communication from the Secretary of the Navy, reporting lists of vessels stricken from the Navy Register, under the provisions of the naval appropriation act approved August 5, 1882; which was referred to the Committee on Naval Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. WASHBURN. I move by unanimous consent to take from the House Calendar a joint resolution for present consideration.

Mr. KELLEY. I must object to taking up any bill for present consideration.

MORNING HOUR DISPENSED WITH.

The SPEAKER. The first business is the morning hour for the call of committees for reports.

Mr. KELLEY. I move that the morning hour be dispensed with for to-day.

The SPEAKER. That requires a two-thirds vote.

The morning hour was dispensed with (two-thirds voting in favor thereof).

DAILY SESSIONS UNTIL 6 O'CLOCK.

Mr. KELLEY. I desire to say to the House before going into Committee of the Whole we may be able to sit until 6 o'clock each day until this bill is disposed of. Such will be my aim, and I think gentlemen having notice in advance can easily arrange their affairs so we may be able without inconvenience to sit each day until that hour.

Mr. BUCKNER. Let us meet at 10 o'clock in the morning.

Mr. KELLEY. That breaks up the committee business. I should be glad to hear from my friends on the other side of the House whether or not, in view of the work before us, they regard this as an unreasonable request.

Mr. MORRISON. Speaking for myself, and for some at least of those who agree with me in the consideration of the pending bill, I want to say I do not think it is an unreasonable request at this late day of the session to sit until 6 o'clock each day. I myself would prefer that than to have night sessions, which otherwise would be inevitable.

Mr. CARLISLE. It will be satisfactory to this side of the House.

TARIFF.

Mr. KELLEY. With that understanding, then, I now move that the House resolve itself into Committee of the Whole to resume consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. BURROWS, of Michigan, in the chair) and resumed the consideration of the bill (H. R. 7313) to impose duties on foreign imports, and for other purposes.

The Clerk read as follows:

Acids, carbolic, benzoic, and pyrogaelic, 10 per cent. ad valorem.

Mr. ELLIS. I move to strike out from line 269 "carbolic acid" and that the same be added to the free-list.

I do not want, Mr. Chairman, to take up the time of the committee unnecessarily, but I do desire to say in support of my motion that carbolic acid is used as a disinfectant in immense quantities by the Southern cities which are subject to visitations of yellow fever. I think the State board of health of Louisiana, which is composed of some of its best citizens and its very highest medical talent, has demonstrated that yellow fever is an import and does not originate with us, and has succeeded in destroying it by disinfecting it by the use of carbolic acid even after it has been introduced.

It is used also in our Southern cities where the situation of the soil will not permit any underground sewerage. It is used by all our cities as a disinfectant for sanitary purposes. It is used by our sanitary associations and by all our citizens, and the proposed tax is a tax absolutely on our salubrity.

I feel very deeply interested in this, because New Orleans is the gateway to the Mississippi Valley and is the guardian of the health of that valley, and I ask, inasmuch as very inconsiderable revenue is produced from this article, only about $4,222 I believe, and the rate remains the same, this article be made just as cheap as possible to our people, who consume it in immense quantities. I hope my motion will prevail and that carbolic acid will be placed on the free-list.

Mr. KELLEY. I am not prepared, Mr. Chairman, to consent to the arrangement suggested by the gentleman from Louisiana. The carbolic acid is as important as a disinfectant in the Northern States as in the South, except in the brief season when the yellow-fever may prevail as an epidemic in that region. It is equally useful in every case as a municipal agent in connection with health where disease results from insufficient sewerage or drainage or other kindred causes, or from the want of personal care, cleanliness, and ventilation. There were 140,000 pounds imported during the year 1882.

Mr. HASKELL. One hundred and seventy-eight thousand pounds.

Mr. KELLEY. I am informed by the gentleman from Kansas that the importations were 178,000 pounds in 1882. I would like at least to institute inquiries of a generous character, not from parties in interest, as to the importance of the retention of this duty before it is stricken down. I therefore ask leave to recur to this line, as I am disposed to consent to the proposition of the gentleman if I find that it can be done with propriety. But if that duty of 10 per cent. is of importance to the maintenance of our chief source of supply for this modern, indeed I may say this quite recent sanitary agent, I should be unwilling to strike it down. I therefore ask that we may pass over this informally and recur to it hereafter.

Mr. ELLIS. I assent to that proposition, and hope it will meet the approval of the committee.

The CHAIRMAN. Is there objection to the proposition of the gentleman from Pennsylvania, that this item be informally passed over, to be recurred to hereafter?

There was no objection.

The Clerk read as follows:

Acid, gallic, 50 cents per pound.
Antimony, tartrate of, or tartar emetic, 10 cents per pound.
Antimony, all salts of, fit for medicinal use, not otherwise provided for in this act, 25 per cent ad valorem.
Chromic acid, 15 per cent. ad valorem.
Chromate and bi-chromate of potash, 3½ cents per pound.
Cobalt, oxide of, 20 per cent. ad valorem.
Copper, sulphate of, or blue vitriol, 3 cents per pound.
Iron, sulphate of, or copperas, one-quarter of 1 cent per pound.

Mr. CARLISLE. I move to strike out lines 280 and 281 and put this article, sulphate of iron, or copperas, on the free-list.

The CHAIRMAN. The Clerk will read the pending amendment.

The Clerk read as follows:

Strike out lines 280 and 281: Iron, sulphate of, or copperas, one-quarter of 1 cent per pound.

Mr. CARLISLE. This is an article used in dyeing, and I think there is no reason why it should remain on the dutiable list. The entire revenue to be collected from it during the next year after this bill shall go into operation will be $58.79, and I think it is very unwise as a general thing to retain upon this dutiable list this great mass of trash, if I may so denominate it, that has been carried on the tariff bill for years through every revision that has been made, simply because it has been found on the preceding list. I think all such articles as a rule should be stricken off. The time has come when we should get rid of them and simplify the tariff list as much as possible.

For that reason and for the reason that it is a dye-stuff I think we ought to strike it out and put it upon the free-list; and I therefore make that motion.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BRIGGS having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a bill and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

A bill (S. 2412) to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884; and

A joint resolution (S. 109) presenting the thanks of Congress to John F. Slater, and for other purposes.

The message further announced that the Senate insisted upon its amendments to the bill of the House 7049, making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, disagreed to by the House of Representatives, and asked a conference of the two Houses on the disagreeing votes thereon; and further that the Senate had appointed Messrs. PLUMB, ALLISON, and BECK managers at said conference on the part of the Senate.

TARIFF.

The Committee of the Whole resumed its session.

Mr. KELLEY. Mr. Chairman, the Committee on Ways and Means, recognizing the importance of putting all elements of manufacture at as low a rate as possible, reduced the duty on this item to which the gentleman from Kentucky refers 50 per cent., or from one-half a cent a pound to one-quarter of a cent a pound. I am not at all sure that this should not be put upon the free-list. It has been suggested that it is

brought in as ballast. This is misinformation, the article being mistaken for another which does come in in that shape, because the whole of the importation in 1882 would not have made a considerable portion of a cargo for a large steamer. I think some ten tons only came in during that year.

But I wish, Mr. Chairman, to take this occasion to say that the rule that because an article yields but little duty is not a reason why it should be free, although suggested by the President and so frequently indorsed by the gentleman from Illinois [Mr. SPRINGER], who eloquently appealed to us the other day to go "with me and the President." Picket lines should not be stricken from the system of warfare because picket lines never fight great battles. They have their use and so have many of these duties precisely the use of a picket line in military affairs in our economic affairs. Witness the case of the gentleman from Alabama [Mr. WHEELER], who came forward gallantly and proposed to put cotton-seed oil on the free-list because it yielded but $150 duty, and probably cost $550 to collect it. But when representatives of his own and other cotton States suggested that they could not well meet their constituents if that was done he subsided and has not led the other side since then. And, as it is with the $150 collected on cotton-seed oil——

Mr. ROBINSON, of Massachusetts. It was only $1.50.

Mr. KELLEY. I am informed that it was only $1.50 collected on that article. I took the figures of the gentleman from Alabama, but it seems that he was as much mistaken in his figures as in his other point.

I am ready, however, that this should go upon the free-list. [Cries of "Vote!" "Vote!"]

Mr. WHEELER addressed the Chair.

The CHAIRMAN. Debate upon the pending amendment is exhausted. The question is on agreeing to the amendment suggested by the gentleman from Kentucky.

The amendment was agreed to.

The Clerk read as follows:

Acetate of lead, brown, 4 cents per pound.

Mr. TUCKER. I move to amend, sir, by striking out the word "four" in this line and inserting "three." According to the returns or tables presented here by the Committee on Ways and Means there is none of this article imported under the present rate of duty, which is prohibitory. The Tariff Commission propose to reduce the duty from 5 cents to 3 cents a pound. The Committee on Ways and Means recommend in this bill a duty of 4 cents a pound. I propose now to amend by reducing the rate to that suggested by the Tariff Commission.

Now, the acetate of lead, brown and white, is much used in paints, and it is very important, looking to the widespread use of that article, that the duty on it should be as low as can possibly be made.

I do not know what the ad valorem equivalent of either of these rates is, for we have nothing in our returns which shows what was the unit of value, the present duty being, as I understand, entirely prohibitory.

Mr. KASSON. Will the gentleman from Virginia allow me to ask him a question?

Mr. TUCKER. Yes, sir.

Mr. KASSON. I ask the gentleman if the best disposition of this matter would not be to ask consent to return to these products of lead after action has been had on lead itself? I had intended to ask that that course be taken.

Mr. TUCKER. I think we had better fix this now.

Mr. KASSON. I desire in any case, when we reach lead itself, to ask to be permitted to return to this item, because it is important we should keep up the proper relations between any material and its products.

Mr. TUCKER. It will be proper to keep that in view when we come to the article of lead, on which we have raised the rate very much above what the commission recommended.

Mr. KASSON. If we reduce the rate on lead, then it would be proper to reduce it pro rata here.

Mr. TUCKER. I think it would be better to begin by making a reduction here.

Mr. HASKELL. If we touch these rates on the products of lead we have to change the rates on lead ore and pig-lead. The commission recommended this change on the products of lead because they had recommended a reduction on the ore and pig-lead. The committee restore the rates on the ore and pig-lead and these products of pig-lead for the reason and the showing that all our silver in all our Western Territories, or nine-tenths of it, comes out to-day mixed in galena with the lead. And if we reduce the rate on pig-lead, which is so intimately associated with our silver products, it was in evidence before the committee that perhaps 50 per cent. of the mines in Colorado, in New Mexico, in Utah, and in Nevada would be utterly unable to proceed in their silver production.

We found this matter of pig-lead was intimately associated with the production of silver. Our committee was flooded with circulars from the owners of every silver mine in the mining States, from the smelting interests, and from the experts in valuable ore, insisting that we should protect the crude lead of this country, not only as an industry valuable in itself but as an industry directly associated with our great silver products.

In the States of Missouri and Kansas alone there is to-day a population of 30,000 people directly dependent on this lead industry. We are increasing the product every year. We are in control of the American market. The prices are not high, and the reduction recommended by the commission would have closed up work in the mines in Kansas and in Missouri beyond all question.

I made a most accurate and careful computation on their rates. I was aided by men entirely familiar with the industry in Missouri, and I found that the commission's rate was destructive of the entire mining interest there, as well as reaching out through all the western territory, seriously crippling silver production. It was in that view and from that standpoint as a great economical and wise measure, further reaching than mere lead production, that the duty on pig-lead was retained at the present rate. There has been no advance in the duty. It is held at the present rate, and I urge upon the careful attention of this committee not only the importance of the lead industry by itself, but the importance of legislating conservatively upon a matter that lies at the very root of the silver-producing interest of this country. Our committee received representations upon the subject from every silver-mining locality.

The CHAIRMAN. Debate is exhausted on the pending amendment.

Mr. KASSON. I move to strike out the last word.

Mr. TUCKER. Will the gentleman from Iowa [Mr. KASSON] allow me in his time to ask the gentleman from Kansas [Mr. HASKELL] a question?

Mr. KASSON. I yield, that the gentleman may ask a question.

Mr. TUCKER. I would like to ask my friend from Kansas what is the unit of value in this case?

Mr. HASKELL. It is now about 5½ or 6 cents. On the pig-lead it is 5½ or 6 cents. On the acetate it is 15 or 16 cents.

Mr. TUCKER. On the acetate, white, 15 or 16 cents?

Mr. HASKELL. The acetate of lead, white, goes higher than that. Some of it is for medicinal purposes of a refined character.

Mr. TUCKER. What is the value of acetate of lead, brown?

Mr. HASKELL. I can not give the figure at this moment.

Mr. BRIGGS. I rise to a question of order. I understand this amendment has been debated for ten minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. KASSON] offers an amendment to the amendment, to strike out the last word.

Mr. KASSON. I do that for the purpose of calling the attention of gentlemen on both sides of the House to a mode of facilitating action on this subject. It is admitted by gentlemen on both sides that there must be a certain relation between the duty on the raw material and the duty on the various products included in lines 282 to 289 of this bill. Now, we simply waste time in attempting to adjust the matter here and bringing on a debate before we get to the substratum on which all should rest.

I desire to ask the chairman of the Committee on Ways and Means [Mr. KELLEY] if it is not better for us to reserve the lines 282 to 289, both inclusive, to be considered hereafter in case a change is made in the rate of duty on lead itself?

Mr. KELLEY. I object to that.

Mr. KASSON. If the chairman objects, then let the debate run on.

Mr. KELLEY. I object to assuming that the rate will be changed.

Mr. KASSON. It is precisely what the gentleman did in regard to carbolic acid.

Mr. KELLEY. That was for the purpose of obtaining information. The information on this subject we already have before us.

Mr. KASSON. I withdraw my *pro forma* amendment.

Mr. HORR. I renew it. It has occurred to me that the whole question of the duty on lead might as well be settled here as anywhere. I trust the House will not cut this duty down.

I dislike to occupy the attention of the committee; but my experience for years in mining and smelting this article enables me to speak from actual experience in reference to this industry in the United States. It has been struggling against great odds for the last twenty years. The lead mines of the Old World have been able to reduce the production of lead in this country and at times to almost jeopardize the great mining interests, in the State of Missouri especially.

My friend from Illinois [Mr. TOWNSHEND] is always making speeches in behalf of the laboring millions. If he understood this question he would for once speak on the side of this duty.

The miners of Missouri who have worked in this industry for the last twenty years have worked at anything but remunerative rates. The mines there are owned and worked by small companies, or by individual laborers. This industry in the State of Missouri is one of the largest in that State. The tariff duty to-day is not sufficient to enable those men to accumulate wealth to any great extent. This duty is entirely in the interest of the men who dig the ore.

Mr. CARLISLE. Will the gentleman permit me to ask him a question?

Mr. HORR. Certainly.

Mr. CARLISLE. Is it not a fact that the people engaged in mining lead in the States of Missouri and Michigan make larger profits than the people engaged in raising wheat, corn, and other agricultural products in those States? And if not so, then why do the people in those

States leave agricultural pursuits and engage in a more unprofitable business?

Mr. HORR. I will tell the gentleman frankly. In the State of Missouri I kept careful estimates of this matter for six years and I know that the men who mine lead in that State do not average $1 a day for their work. The gentleman from Kentucky asks me why these men remain in that business. I can not answer him except that it is from this fact: Every now and then a man will strike a bunch or pocket and make $400 to $500 in a week. And the human mind is so constituted that when you give an element of chance to any business people will hang to it even in rags.

Mr. CARLISLE. Does the gentleman think it good policy to encourage them in that course?

Mr. HORR. It is the only way you will ever get these mines developed.

Mr. ROBESON. Permit me to ask the gentleman from Kentucky [Mr. CARLISLE] whether the experience of civilization does not show that that country is most prosperous and powerful which multiplies its kinds of labor? And whether the experience of the world has ever taught any lesson more plainly than that a purely agricultural people is a dependent and unprosperous people?

Mr. CARLISLE. The experience of the world has developed the fact that that country will never be prosperous whose people engage in unprofitable pursuits.

Mr. ROBESON. I admit all that; but is it not the policy of every country to make profitable every pursuit that can be so made?

Mr. CARLISLE. Yes; but you do not propose to make this pursuit profitable of itself. You propose to compel the consumers to bear the loss of an unprofitable business which those engaged in the business would otherwise bear themselves.

Mr. HORR. My experience has been that that State and that country is most prosperous which develops every one of its possible industries.

The State of Missouri is covered with large lead mines. The La Motte mine, which was worked during the French war in the last century, is worked to-day.

The men in the State of Missouri who are engaged in this business are hard-working, industrious people. They mine on a small royalty; each man as a rule mines for himself. I say that we will mistake our duty here if we reduce the tariff on this article and so strike down this great industry in the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HORR. I withdraw my *pro forma* amendment.

Mr. KASSON. I renew the amendment. When I rose before it was solely for the purpose of facilitating the consideration of the bill. But it seems to be determined to precipitate debate upon a very important question before we reach the very foundation for the consideration of the question. I am therefore forced to say now what I should otherwise have said on arriving at the main question.

It is useless to claim that we should reduce the duty on the numerous products from a raw material if properly adjusted before readjusting the duty on the raw material, for this duty renders the duty on its products indispensable. I admit that if you keep up the duty on the raw material you must keep it at a reasonable rate—substantially these figures—upon its products. But it is not necessary, it is not right, to keep up the high duty on lead ore and pig-lead because of the poorer mines which furnish only a small part of the national product. I am a protectionist, sir, for the national interests, but not for any private interest. I wish to maintain the industries upon which our independence of foreign countries rests and upon which our great resources and employment of home labor depend. But you are not proceeding upon the principle of national protection when you say that we must base our rate of duty upon the poorest enterprise which the country can show and make that profitable. This is bounty for individuals. I am for protection, not as bounty for bad enterprises in individual cases, but to keep my country alive and keep it prosperous, and keep our money at home instead of sending it abroad.

We have lead mines that are rich—none richer in the world—producing abundantly for national wants and national interests. We ought not to take the best either as a standard, no more than take the lowest, but to take that average which sustains the interests of our country in prosperous activity. The commission has so fixed the duty on lead that the average interests of the country are protected; and I beg that those of us who are for protection of the nation, not the protection of individuals alone, may not be crowded to the wall upon this question of protection. We are willing to go to the utmost length to protect the national interests; but I repeat that where the average interest is protected we are not willing to go to the length of making a bad investment a good one at the public expense. [Applause.]

Now, sir, this is one of those cases. I say that the lead mines of this country on the average are amply protected at the commission rates. I know there are some mines where it is claimed (and I do not deny the truth of the claim) that the owners may barely make the business profitable at present rates. But when a higher rate of duty is asked for that reason, I say it does not rest on that just principle of protection which the Republican party defends. I ask that the rate proposed by the commission, which has been considered carefully, adopted carefully, and recommended carefully to the House, may be the rate upon this raw material. If it be, then it is admitted on both sides you may reduce proportionately the rates upon these products.

Mr. BELFORD. Mr. Chairman, I do not agree fully with the sentiments expressed by the gentleman from Iowa [Mr. KASSON].

Mr. CARLISLE. Mr. Chairman, we can not hear the gentleman. This is a very important question, lying at the very threshold of this discussion.

The CHAIRMAN. The gentleman from Colorado [Mr. BELFORD] will suspend his remarks until the committee comes to order.

Mr. BELFORD (after a pause). Mr. Chairman, as I said a moment ago, I do not agree fully with the sentiments expressed by the gentleman from Iowa. He says it is not the object of this Congress to protect individual interests, but to protect national interests. But of what do these national interests consist except of a combination of individual interests? Pennsylvania asks me to protect her pig-iron; New Jersey asks me to protect her silk interests; Connecticut asks me to protect her cutlery manufactures; Vermont wants me to vote to protect her wool; Louisiana to protect her sugar. It is the combination of these several great interests that constitutes the interest of the whole nation and contributes to its prosperity.

I stand on this floor for the protection of lead. As the gentleman from Pennsylvania fights for the protection of pig-iron or the gentleman from New York for the protection of salt, I say that you have no right to ask me to vote for the protection of those interests which are so wholesome and vital to the welfare of these several States, and then strike down an interest which is paramount and pre-eminent in my own. What is the condition of things in Colorado? We have, as the gentleman from Iowa says, large and rich mines; but it is an undisputable fact that if you reduce the tariff on lead 1 cent per pound you will close every mine in the Leadville district—a district that turns into the financial channels of this country over $18,000,000 a year.

I say that is the testimony of every miner in that region. It is the testimony of every smelter. And why is it so? Because those mines runs low in silver and the profit of working them is derived from the smelting of the lead. If you reduce it 1 cent a pound in the State of Colorado you take $20 a ton from the value of the ore, and it becomes utterly impossible to work your mines, because you can not pay to the smelter the cost of smelting your ores. Therefore I say I am opposed to any legislation that will reduce the tariff on lead. I say, while I will vote for the protection of all other interests, I ask gentlemen on both sides of this House to consider with care and deliberation the vast importance of the tariff which protects this great industry.

[Here the hammer fell.]

Mr. HORR rose.

The CHAIRMAN. Debate is exhausted on the pending amendment.

Mr. KASSON. I withdraw my *pro forma* amendment.

Objection was made.

The question was taken; and the *pro forma* amendment was rejected.

Mr. HORR. I move to strike out the last two words. I do not do it for the purpose of detaining the House, but I can not permit the remarks of the gentleman from Iowa [Mr. KASSON] made here to this House to go by without entering my solemn protest against a theory which will strike down the bulk of the real interests of this nation.

Now I speak more to-day in behalf of the State of Missouri, because I know more about her lead interests than those of any other State.

The gentleman forgets that in this country one great difficulty with this lead question is that they export the ore from here to the Old World, where they have facilities for getting the silver out of it, and then flood it back upon us, and in that way also injure our market.

Now this is a peculiar industry in the State of Missouri. It is not the industry of rich men there, although the Saint Jo mine and the Granby and the Joplin are mines of large wealth; but the great bulk of lead in that State is made by men who dig the ore and take it to their little furnaces. Two thousand dollars will build a smelting furnace with all its appurtenances in which they can make a wagon-load of lead every day. There are in that State, scattered all over the southern portions of it, mines which enable the workingmen of the mine to eke out sometimes a comfortable existence, but there are always enough there for a living. They are struggling against fate almost at times. To-day lead is only remunerative enough to enable them to work those mines at all.

I do not care anything about the rich mines of Nevada. The men I am talking for are these men who own these works and who produce their millions of pounds of this metal every year. They need our care and our protection, and I appeal to you, gentlemen, on both sides of the House not to permit the notions of the gentleman from Iowa to strike down this industry. Our country needs to stand by it. We are prosperous only as we build up every enterprise it is possible to build up in this country, this among the rest.

[Here the hammer fell.]

Mr. KELLEY. I ask to know what amendment is pending with the view of ascertaining——

Mr. HORR. I withdraw the *pro forma* amendment.

Mr. TUCKER. I hope the gentleman from Pennsylvania will not close debate on this important point.

Mr. KELLEY. I want to find out what substantial amendment is pending.

Mr. TUCKER. There is an important amendment pending to reduce the duty on acetate of lead.

The CHAIRMAN. The pending amendment is to strike out 4 cents and insert 3 cents.

Mr. TUCKER. It lies at the foundation of the whole thing, because if we get back to this under my motion it will reduce all the duties on lead.

Mr. HERBERT rose.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama on the pending amendment.

Mr. HERBERT. Mr. Chairman, the question is on reducing the duty imposed by the Ways and Means Committee on acetate of lead from 4 to 3 cents per pound. It is to put it at the rate which was recommended by the Tariff Commission, and adopted also, as I understand, by the Senate.

We understand this question depends on another one, namely, the tariff to be placed on lead. The other day when we had up the question of tax or no tax on acidulated phosphates we were told that the question all depended on the tax or tariff on lead. So we find a complete mesh-work, every thread of this mesh, every link of the chain, depending on another.

The testimony before the Tariff Commission shows that this article is taxed 150 per cent., and that that tax is absolutely prohibitory; that this article largely enters in one shape or another into nearly all our manufactures. So that when we come to discuss one single item composed in great part of lead that great question comes up, and in the course of it, as the gentleman from New Jersey stated, as a natural consequence of his policy, an agricultural people always must be poor.

So they must, Mr. Chairman. If they are to have a chain of duties, one after another, hanging around their necks all the time, it follows as a natural logical consequence that the agriculturists of this country, with all of its wealth, with all of its resources, with its fertile soil, with the rain and with the sunshine, with the immense crops we produce, must always remain poor, unless we can break the link of this chain somewhere that binds them to poverty. I think we ought to try to do it right here. It seems to me that this is a question in which all of the people of this country are concerned. Compare the miners who are interested here—their interests with the interests of the whole people who, in one form or another, are the consumers of lead. The gentleman from Michigan said he did not plead for the great lead mines of Nevada, Missouri, and Colorado, but that he pleads for the poor men who are working the little mines; that they are able to eke out simply a miserable existence under the present tariff.

[Here the hammer fell.]

The CHAIRMAN. Debate upon the pending amendment is exhausted.

Mr. HORR. I withdraw the *pro forma* amendment.

Mr. ROBESON. I renew it.

I stated, as a principle, that no nation depending wholly upon agriculture for the development of her resources and the employment of her people had ever been other than weak and dependent, except for the mere purposes of defense. I repeat that proposition as one which will never be denied by statesmen, and which is the result of the observation of every student of political history. It was the remark of a wise and philosophic state man that while some small reasoners contend that to encourage the wants of a people is a mistake of political economy, that it is a virtue to decrease and almost a crime to increase them, yet that nation is most powerful and influential in the history of the world which encourages the wants of its people, and thereby encourages the enterprise and ingenuity of its laboring communities. Here are found the true sources of national wealth, influence, and power.

My principle is just the opposite of the principle entertained and championed by the gentleman from Virginia and my friend from Kentucky. They seem to believe in striking down all the struggling industries of the people, till the labor of the country, deprived of the stimulus and the markets, is reduced to the level of competing industries, mere employment upon one industry, dependent for all its supplies and most of its necessities upon foreign capital and manufacture. I believe in building up every individual enterprise in this country. I believe in encouraging, sustaining, and protecting them. I would not strike them down as my friend from Iowa suggests, if I do not misunderstand him, because it is simply——

Mr. KASSON. Will the gentleman permit me?

Mr. ROBESON. In a moment. He says, if I do not mistake him, that he would protect the great industries of this country. Now, I believe with the gentleman from Colorado that the great industries of this country are made up of the innumerable small industries of the people which pour into and supply the great stream of its development; that this stream depends for its depth and volume upon the tribute of a thousand rills which find their native springs in the home industries of the people——

Mr. KASSON. Will the gentleman now allow me to say, that he may not misunderstand me, what I said was that in adjusting the rate of duty upon the protective principle that adjustment should be made to protect the national production, and should neither be based upon the lowest nor the highest——

Mr. ROBESON. I agree to that as a general principle; but lead is a national production, and it enters into the production of another great national production—that is, silver. But what I was protesting against is the tendency which I see manifested here. I would not strike at an industry merely because it is small and struggling and merely because it does not produce large revenue. I do not believe the great industries as a class need so much protection as those which are feebler; to confine our protection to those interests which are carried on only with the largest means and out of the largest resources. That is the policy which makes the rich richer and the poor poorer; and I believe it is true patriotism as well as true political philosophy to build up individual industries and enterprise, to encourage individual labor, so that by giving to the individual workman the chance of accumulation and the inspiration of ambition, you lift up the whole substratum of society, make a free government safe, lasting, and progressive. [Here the hammer fell.] And I want to say to the friends of this principle on this side of the House who believe in encouraging American industry that you must stand by your principle in detail or you will lose it as a system. When the enemies of the right principle associate themselves for an attack, friends of that principle must stand together on picket-line and fight in concert, else they and their interest "will fall, one by one, the miserable victims of a despicable struggle."

Mr. TOWNSHEND, of Illinois. Is there no limit to the time of the gentleman from New Jersey?

Mr. ROBESON. Yes; I am done.

Mr. TOWNSHEND, of Illinois. Mr. Chairman, the gentleman from New Jersey in the course of his remarks has flagrantly misrepresented the position of this side of the House upon the tariff question, and I have no doubt that he has also particularly misrepresented the views of the gentleman from Kentucky and the gentleman from Virginia for the purpose of provoking further discussion on this feature of the bill. For myself I desire to say that I am not now a free-trader, for the reason that owing to the present necessities of the Government for more revenue than can be properly raised by means of internal revenue, I know such a system would be impracticable unless direct taxation is resorted to. I want to say further that I am as familiar with the views of members of this side as the gentleman from New Jersey can hope to be, and I tell him no one holds a seat here who is now an absolute free-trader under the present circumstances. Therefore the flippant manner in which gentlemen accuse this side of the House of being free-traders and desiring the destruction of industries has no foundation whatever.

I am not a protectionist. I am opposed to protection for the sake of protection, because, sir, I look upon it as legalized robbery; I look upon it as a scheme to filch from the pockets of one class in order to enrich another, and the class which is most extensively represented by the gentleman from New Jersey.

Mr. Chairman, my position is, and I doubt not it is the position of nine-tenths of those on this side, that we favor a revenue tariff; but we are in favor of so adjusting the tariff as to afford such incidental protection to the feeble industries that most need stimulation and encouragement. That is substantially the position of this side of the House.

I rose, however, for another purpose. I can see as good reason for levying the duty on lead at the rate fixed by this bill as there is for placing the duty as it does on copper, on nickel, and on iron. If you should reduce the duty on lead you should likewise reduce the duty on the other articles mentioned.

There is another article to which I want to call attention. The Committee on Ways and Means have put a duty upon all the metals except quicksilver. I am amazed to see, with their professed friendship for labor, that they propose to strike down the interest of some 2,000 laborers engaged in the production of quicksilver in California and the 5,000 persons dependent upon that labor. I have been advised of some ten mines in California; there are perhaps others in the country. In these mines there is invested over $30,000,000. I am also informed that there is not a mine now running which is not losing money. The largest mine in the world is the old Almaden mine of Spain. It is owned by the Rothschilds. And if our American mines are crushed out the Spanish mines will furnish all that will be used in this country. Why are the advocates of protection so anxious to keep out of the country other foreign products and yet open the door to the Rothschilds's quicksilver? If you place this article on the free-list, and leave the duty on copper, iron, and on nickel, I would like the committee to give a good reason for doing so. I am opposed to the protection of quicksilver for the sake of protection, as well as anything else; but I insist, while you are protecting industries, you shall treat them all fairly. I believe in fair play all round. As we are compelled to collect duties on imports, why not subject quicksilver as well as the other metals to taxation?

Quicksilver is used in smelting silver and gold, and is entitled to the benefit which flows from protection as well as these other metals. I have risen chiefly for the purpose of asking some member of the Committee on Ways and Means to explain why they put quicksilver on the free-list and leave the tariff on the other metals?

The CHAIRMAN. Debate on the amendment to the amendment is exhausted.

Mr. ROBESON. I withdraw it.

Mr. KELLEY. I renew the *pro forma* amendment.

On the subject of quicksilver it is sufficient for me to say, "Sufficient unto the day is the evil thereof." When that item is reached in its order I shall not hesitate to express my convictions.

I desire to call the attention of the House to the real amendment, which is to the item "acetate of lead, brown, 4 cents per pound." The duty is now 5 cents. The committee resolved to reduce it to 4 cents per pound, a reduction of 20 per cent.

Mr. ANDERSON. What does the commission recommend?

Mr. KELLEY. The commission have recommended 1½ cents per pound on pig-lead. On this article, acetate of lead, brown, they recommended 3 cents per pound. The committee have restored the duty on lead to 2 cents and raised the rates on acetate of lead, brown and white, and the other products of lead proportionately, and only proportionately.

Now I come back to the question of lead. Before we made lead dutiable at a protective rate we imported most of our consumption. We exported our ores from Colorado, Utah, and elsewhere to Swansea, in order to have the lead and the silver and the copper separated. Not so now. Protection has encouraged enterprise, capital, and skill; and in the year 1881, out of a consumption of 120,000 tons of lead, 117,000 tons were of our own production; not as before of our own production at the mine, but imported as foreign lead, because we had been unable to smelt the ores and separate them.

How is it now, sir? I passed part of the summer in Colorado and in the neighboring States. There are smelting-establishments now in Colorado as perfect, if not more perfect, than any at Swansea or elsewhere in the world, producing absolutely perfect work. Down in the very heart of Colorado at Pueblo is a smelting-works presided over by a graduate of Harvard and its scientific school, where they not only produce the pig-lead, but are supplying the people of our mining regions with sheet-lead, with shot, with lead-pipe, and saving to them the expense of exporting the ore to England and importing the lead from England to the Atlantic coast.

There are also the Argentine Works at Kansas city, the great works in Missouri, to which I was taken. And everywhere the men in charge of these great industries, as well as the miners of Leadville and other sections in which argentiferous galena is produced, implored me to stand by the 2-cent rate of duty on lead as a determining factor of the value not only of these smelting-works but of the mines from which silver was produced, but was produced as a secondary product, lead being the chief product. I therefore ask the Committee of the Whole to stand by that line and all that follow it relating to the products of lead.

Mr. TUCKER. I desire to say a word or two upon my own amendment after all that has been said on the other side. Before I proceed to do that I wish to make one remark in reply to the gentleman from New Jersey [Mr. ROBESON].

The principle which we advocate is not that which he has attributed to us. We are not in favor of striking down struggling industries. I have already said that, revenue-tariff man as I am, I am only for such a reduction of the present high rates of protective duties as will not destroy the struggling industries of the country, but will limit the enormous profits they are making at the expense of the consuming classes.

The gentleman said something about his being in favor of protection as a means of building up the industries of the country and that we were opposed to that. The whole doctrine that we maintain is just this: if there is an industry that is profitless without governmental help, and the Government gives it help, it can only become profitable at the expense of the consuming classes; and while the producer is protected and makes a profit he makes it out of the profits of other people engaged in other industries, and the result is that the great mass of national industries is not at all increased in their profits.

The doctrine which we maintain is that if you can build up a profitable industry, one which will sustain itself and make profits fairly without doing so at the expense of other people, then we say God speed.

Mr. ROBESON. And at the same time——

Mr. TUCKER. I can not be interrupted now. On this matter of lead the Tariff Commission proposes to reduce the duty on the metal, lead, which lays at the foundation of the acetates of lead, in this way: the present rate of duty on lead ore is 1½ cents per pound, and the Tariff Commission proposes a duty of 1 cent per pound. The Committee on Ways and Means propose to retain the present rate of duty of 1½ cents per pound. Now, that rate of duty of 1½ cents per pound is equivalent to 65 per cent. ad valorem on the crude ore.

The present rate of duty on lead ore and lead dross is 65 per cent. ad valorem, and the Committee on Ways and Means propose to keep the duty at that rate. If you cut it down to 1 cent per pound, as the Tariff Commission proposes, the duty would still be 40 per cent. ad valorem. On lead in pigs, bars, &c., the duty is now 2 cents and 1½ cents per pound. The Tariff Commission proposes a duty of 1½ cents per pound, and the Committee on Ways and Means propose to keep it at 2 cents per pound. That is at the rate of 60 per cent. ad valorem.

Mr. HORR. Will the gentleman permit me right here?

Mr. TUCKER. Certainly.

Mr. HORR. Allow me to suggest to the gentleman that lead ore contains 87 per cent. of lead—is almost as heavy as lead itself.

Mr. TUCKER. That may be; but I am referring to the tables to show the rate of duty ad valorem which the committee proposes to retain on lead ore. We on this side propose to reduce the rate to 40 per cent. ad valorem instead of 65 per cent.

As I understand acetate of lead, brown, is valued at about 5 cents a pound; and the present rate of duty on that article is 5 cents per pound or 100 per cent. ad valorem. The Committee on Ways and Means propose to reduce it to 4 cents a pound, which will be 80 per cent. ad valorem. I propose to reduce it to 3 cents a pound, which will be 60 per cent. ad valorem. In Heaven's name is not 40 per cent. ad valorem on lead ore and dross sufficient? and is not 60 per cent. ad valorem on acetate of lead, brown, which enters into all the paints used by the people, a sufficient rate of duty?

Mr. HERBERT. If the gentleman will permit me, I will say that Mr. Dix, who testified before the Tariff Commission, stated that the present rate of duty was 150 per cent. ad valorem.

Mr. TUCKER. So I am within the mark.

Mr. HERBERT. Three cents per pound would be equivalent to 90 per cent. ad valorem.

Mr. TUCKER. If you will look at this whole industry of lead, to which gentlemen have referred, you will find that the manufacturers of lead in bars, sheets, &c., according to the returns of the census, actually made 40 per cent. profit on the capital engaged in the manufacture, deducting the price of the ore and the wages paid for labor, which left nearly 40 per cent. profit. Now, why should we keep up that high rate of duty?

[Here the hammer fell.]

Mr. HASKELL. Mr. Chairman——

Many MEMBERS. Vote! Vote!

Mr. HASKELL. I am willing that a vote should be taken now.

Mr. KELLEY. I withdraw my *pro forma* amendment, and desire the vote taken on the main question.

The question was upon the amendment of Mr. TUCKER, in line 282, to strike out "4" and insert "3;" so that the clause would read:

Acetate of lead, brown, 3 cents per pound.

The question was taken; and upon a division there were—ayes 69, noes 92.

Before the result of the vote was announced,

Mr. TUCKER called for tellers.

Tellers were ordered; and Mr. TUCKER and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported that there were—ayes 80, noes 96.

So the amendment was not agreed to.

The Clerk read the following:

Acetate of lead, white, 6 cents per pound.

Mr. MORRISON. I move to amend the clause just read by striking out "six," the rate proposed by the Committee on Ways and Means, and inserting "five," the rate proposed by the Tariff Commission. Of course, if my amendment should prevail it will involve the necessity of changing the rate on lead from the rate fixed by the Committee on Ways and Means to that proposed by the Tariff Commission.

The discussion upon this subject has disclosed to the House the true character of this bill. The gentleman from Iowa [Mr. KASSON] supports the proposition for a reduction of the rates of duty on this article, and urges it with an argument akin to that advanced by many of the men who made the earlier history of our country, and who are claimed to have been protectionists. He advocates it on the ground of what used to be called by some Democrats and is still called by some Democrats "incidental protection;" that protection which results from laying on our competitors a tax for revenue or for any other purpose, and which I have said was formerly called by its advocates "incidental protection."

It was called by Mr. Garfield a tariff for revenue, with such just discrimination as would give our own people the advantage. That is not the tariff proposed by this bill. This bill discloses the purpose of the protectionists of the present day not to be content with incidental protection. They are not content with that protection which comes of natural advantages, increased by the cost of importation from abroad and by rates of revenue. Protection as represented here will only be satisfied with that advantage which comes not from our skill, our intelligence, and, as I have said, our natural advantages, re-enforced with a tax on our competitors for revenue, but insist on that advantage which comes from law. That which they can not obtain by skill and enterprise, natural advantages, and duties for revenue, these gentlemen propose to take by law under this bill and keep. That is the protection which this bill demands, and which such gentlemen as Mr. MCKINLEY, of Ohio, and those who support the bill in its spirit and purpose demand, and which these gentlemen intend to have or to have no bill at all; a protection more exacting than that which we have to-day is what they will have before they consent to any change in the present law.

The gentleman from New Jersey [Mr. ROBESON] has said substantially that a nation will be always poor if it depends upon agriculture. Agriculture has made and is making our country prosperous and great, and our agriculturists are not poor; they can only be made so by such

legislation as he proposes, taxing them to support employments and industries which are unprofitable. He assumes, too, that whoever will not give and does not favor his degree of protection does favor a reduction in the wages of labor, and that nothing but his rates of duty will save from speedy destruction all our manufacturing industries. A gentleman so intelligent as the gentleman from New Jersey can not but know that the rates of wages are regulated by the profits of agriculture and the wages it affords; when he reduces these by taxing agriculture to support other and it may be unprofitable industries he decreases and does not add to the rates of wages regulated by them. [Applause.]

Neither can it be true, Mr. Chairman, that any harm can or will come to any legitimate industry by a moderate reduction of our enormous taxation which is the purpose of the amendment I propose as well as amendments proposing reductions made by other gentlemen.

Mr. KELLEY. I will say to the committee that the whole argument on this subject was made on the former line, except that we here reduce the rate from 10 cents in the existing law to 6. I hope the amendment will be voted down, and I call for a vote.

Mr. ANDERSON rose.

The CHAIRMAN. Debate is exhausted.

Mr. ANDERSON. I move to strike out the last word. I do so for the purpose of saying that I concur with the object sought by the gentleman from Iowa [Mr. KASSON]. I understand that there is quite a difference between protection and prohibition, and on the one side between a reasonable, just, discriminating protectionist and on the other hand a prohibition "sharp."

The Tariff Commission, who have examined this subject quite as carefully as the Ways and Means Committee, have fixed the rate on lead at 40 per cent. I have no doubt that this rate would give such protection as is needed to lead along the water ways and in the great plains of the continent. But it is now sought to raise the rate to 65 per cent., I believe. Why? In order to be able to transport your lead from the heart of the continent and the crown of the Rocky Mountains to tide water.

I wish now to suggest this instance as a fair illustration of the generalizations which are poured into this House. We had from the gentleman from New Jersey the generalization of "protection." We concur in the grand idea of protection; but in this case, when you apply that generalization to lead, whom do you mean to protect? The owner of the mine, the bonanza silver kings? We all of us believe in the generalization of a protection of American labor; but when you come to apply it in this instance you find it to be railroad companies which transport the Colorado lead. Are you aiming to protect the man who works at low wages, who earns his bread by his daily labor, the American laboring man, in behalf of whom all our sympathies are enlisted? Who are the laborers to be protected in this case? The railroad kings who control the transportation lines across the continent.

It is just as well to analyze these questions a little, and not be carried away by great generalizations. In this instance, in place of the idea of "protection," substitute your bonanza king; and do not be bamboozled with the great idea of "labor," as but another name for the Union Pacific Railway.

I stand with the commission on this point. I hold that as the committee exercised its judgment in discriminating whether the rate should be 40, 50, or 60 per cent., so every man on this floor has the right to discriminate; and I rest my judgment upon the rates fixed by the Tariff Commission, believing that commission to have given as full examination to the question and to have reached in all probability as fair a conclusion as gentlemen who address us on this floor.

[Here the hammer fell.]

Mr. HASKELL. Mr. Chairman, I have a word to say when it is charged on this floor that this protective rate on lead is in the interest of "bonanza kings." I represent personally in my district an industry with which I am as familiar as with agriculture; and I live upon a farm. I represent 20,000 people, dependent upon this rate—not "bonanza kings," but men in the plain garb of the laboring man, who last fall gathered about the stand and looked me in the face to the number of 2,000 in Cherokee and Crawford counties, and urged me, if I believed in the protection of American labor, to care for the interests of Missouri and Kansas, where 50,000 people live upon the lead interest of that section. These mines in Kansas and Missouri are not owned by "bonanza kings." Every miner there gets every dollar that the lead yields. No giant corporation hires him. If he finds a big lump of lead the profit is his. It is the poor man's profit, the miner's profit; and since any sane man can see that we are to have a protective bill if anything, I propose to stand here in defense of the workingmen, the poor workingmen of my district whose votes sent me here to plead their cause.

Mr. ANDERSON. I wish to say just one word.

The CHAIRMAN. Debate on the present amendment is exhausted.

Mr. ANDERSON. I withdraw the *pro forma* amendment and then renew it.

The CHAIRMAN. The gentleman will proceed.

Mr. ANDERSON. I want to say just one word, and it is this: I concur in protecting labor. I have no doubt in my mind whatever that the rate fixed by the commission of 40 per cent. will protect the lead interest of Missouri and of Kansas.

Mr. HASKELL. They say it will not.

Mr. ANDERSON. I have the floor now.

Mr. HASKELL. I know as much about it as the commission.

Mr. ANDERSON. That may be, but the strong probability is the commission is correct, and for this reason: One great element in the cost of lead or its price is the cost of transportation, and in that portion of the continent you are near water ways, as are also the mines of the Superior region. I have no doubt in the world that 40 per cent. is sufficient. If it is not I would be willing to make it sufficient. But the question here is, not whether 40 per cent. is sufficient or not, but it is between 40 per cent., which I believe to be sufficient for the interest this side of the Rocky Mountains, and on the other hand 65 per cent., to make, as the gentleman from Colorado [Mr. BELFORD] tells us, the poor silver mines of Colorado profitable, or in other words to put on a rate that will enable them to take their lead from the top of the Rocky Mountains to tide water, and then come to the miner of Kansas and tell him and the farmer of Kansas that such rate was necessary to give that protection to the summit of the Rocky Mountains, with all its golden glory and purple, in order that he might make wages when everybody knows he can make them fairly and squarely at 40 per cent. Now that is the issue. That is the difference between Kansas and Colorado.

Mr. BELFORD. Mr. Chairman, my distinguished friend from Kansas [Mr. ANDERSON] has joined the free-trade party. I hail his departure with sorrow, and I have no doubt my distinguished friend from Missouri will hail his incoming with joy. He says this tariff on lead is made for the benefit of bonanza kings of Colorado. I would like to ask the gentleman from Kansas to whom he sells his corn and his wheat and his cattle and his poultry except to the miners of my State? These mines which he alleges are owned by bonanza kings give employment in one town to 40,000 people, and those people buy the corn and consume the wheat and use the oats and feast on the poultry that are produced in the State of Kansas. And I desire, for the benefit of his people as well as for the benefit of my own, to protect the great interests of the Western country.

I wish to call the attention of this House to the product of lead during the last few years. In 1876 we produced 57,000 tons; in 1877, 73,000 tons; in 1878, 81,000 tons; in 1879, 85,000 tons; in 1880, 94,000 tons; in 1881, 120,000 tons, and in 1882, 120,000 tons.

Does the gentleman stop to consider how many men are employed in the production of this lead? Does he stop to consider how many empty hands are filled with the benefits of labor by this employment? He claims to represent the great agricultural interests of Kansas; and I tell him if the mines in the Rocky Mountains were stopped there would be a poor market for the products of the agriculturists of Kansas.

You may denounce the owners of these mines as bonanza kings. They are not corporations, but individuals. I own some of these mines myself, and I can not be charged with being a bonanza king. I have paid out money instead of receiving it, and I stand up to defend the interest as I stand up to defend the interests of Pennsylvania, as I stand up to defend the interests of New Jersey, Connecticut, Michigan, or Missouri. Strike this down and I say you should strike down iron and copper and cutlery and zinc and sugar. This Congress represents the mutual interests of this great nation. If Louisiana reaches out her hands and claims protection, Colorado has the same right. If Pennsylvania stands here and demands her interests shall be protected, then Colorado, young as she is and with but a single member on this floor, has an equal right. All this talk about protecting the great agricultural interests of Kansas against the transcendent and overwhelming interests of this great people in my judgment savors somewhat of humbuggery.

[Here the hammer fell.]

Mr. KELLEY. I move the committee rise for the purpose of closing debate on that portion of the bill included between lines 283 and 289.

Mr. TUCKER. That can not be done.

Mr. COX, of New York. I rose for the purpose of moving an amendment.

Mr. SPRINGER. I rise to a question of order.

Mr. BLOUNT. I desire to make a parliamentary inquiry, whether the motion of the gentleman from Pennsylvania does not include a part of the bill not under consideration?

The CHAIRMAN. The only question which the Chair can take notice of is the motion that the committee rise.

Mr. KELLEY. I insist on my motion that the committee rise.

The committee divided; and there were—ayes 112, noes 74.

So the motion was agreed to.

The committee accordingly rose; and Mr. ROBINSON, of Massachusetts, having taken the chair as Speaker *pro tempore*, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7313) to impose duties upon imports and for other purposes, and had come to no resolution thereon.

Mr. KELLEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the tariff bill, and pending that I move that all debate on line 283 and all amendments thereto be limited to one minute.

Mr. COX, of New York. Is that debatable?

The SPEAKER *pro tempore*. It is not debatable; the Chair will state the question. The first question is on agreeing to the motion of the gentleman from Pennsylvania to limit all debate upon line 283 and all amendments thereto to one minute.

The motion was agreed to.

Mr. KELLEY moved to reconsider the vote by which the debate was limited; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. KELLEY. I now move that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair.

The CHAIRMAN. By order of the House all debate upon line 283 and all amendments thereto is limited to one minute.

Mr. KELLEY. Let us have the question.

The CHAIRMAN. The question is upon agreeing to the amendment proposed by the gentleman from Illinois, to strike out in this line the word "six" and insert "five."

The question was taken.

Mr. MORRISON. I demand a division.

The committee divided, and there were—ayes 75, noes 93.

So the amendment was not agreed to.

The Clerk read as follows:

Acetate of lead, white, fit for medicinal use, 10 cents per pound.

Mr. KELLEY. I move on behalf of the committee——

Mr. RANDALL. Before that let me suggest that I was out when line 269 was reached. I desire to suggest a verbal correction.

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that this line has been passed over informally by consent, to be returned to hereafter.

Mr. RANDALL. Very well.

Mr. KELLEY. I move, on behalf of the Committee on Ways and Means, to strike out line 284 just read.

The motion was agreed to.

The Clerk read as follows:

White lead, when dry or in pulp, 3 cents per pound.

Mr. COX, of New York. I move to strike out "3" and insert "1½" in this line 285.

Mr. ANDERSON. Is that the commission's rate?

Mr. COX, of New York. I do not know; I will answer before I sit down. The Committee on Ways and Means in this case propose about 54 per cent. on this particular item—54½ per cent. It is used for the purpose of painting and used by everybody, poor and rich, as a part of the expense of everybody's rent or ownership of property. It is a part of the expense of every bit of shelter we have in America. It belongs to the cost of our houses, of our mills, of our fences, and everything else in which wood-work of any kind is to be preserved or embellished by coating it with paint. There is no reason why we should not have in this country all these natural resources which are so bountifully supplied to us here at a low rate, and especially those natural resources which enter into everybody's consumption. They should be free or come in at the lowest possible rate if we would help the people.

I think any bill of this character that is not based upon the principle of helping the main body of our people—the laboring people—either runs to prohibition or restriction; and all restriction on labor in the shape of taxes is prohibition to that extent. Every man who votes for restriction, who votes for taxation in any form, I care not in what form you produce it, votes to burden labor. We might as well here, while quarreling about what will help this State or Territory, we might as well come down to a general proposition which is larger than all these little details, come down to a principle that is comprehensive in itself and that will go to the whole body of the people, and not to any locality. The gentleman from Colorado [Mr. BELFORD], whose State would not consume the agricultural product of one county in Kansas, gave us to-day a little breath—or rather not to us, but to the other side—as to the legitimate fruit of this sort of tariff legislation, this cut-throat policy. He said to New England, Pennsylvania, and all other parts of the country that need protection that you have to give us protection now in the West on our mineral resources, or we will pay you back on woolen goods, cottons, and other Eastern manufactures when we come to reach that part of the bill.

Now, Mr. Chairman, let us go back to the old doctrine learned in the school of honest economy and see what is the true principle for us to adopt in such a case. I will read it from Bastiat. It is the fourteenth chapter of his Sophisms of the Protectionists; and with that good sentence, if there is time enough left to me, placed upon the record, and which I commend to my friend from Pennsylvania, I will close my five minutes' debate. I will ask the Clerk to read this.

The Clerk read as follows:

What is restriction?
A partial prohibition.
What is prohibition?
An absolute restriction.
So that what is said of one is true of the other?
Yes; comparatively. They bear the same relation to each other that the arc of the circle does to the circle.
Then if prohibition is bad, restriction can not be good?
No more than the arc can be straight if the circle is curved.
What is the common name for restriction and prohibition?
Protection.
What is the definite effect of protection?
To require from men *harder labor for the same result.*

Mr. COX, of New York. That will do. That is a good place to stop.

The CHAIRMAN. The question is upon agreeing to the amendment of the gentleman from New York.

Mr. HASKELL. I simply ask, Mr. Chairman, in response to the "sophisms" of Bastiat, to send up and have read an extract from the sound wisdom of General Jackson in 1824.

Mr. COX, of New York. That was when we had a tariff of from 10 to 15 per cent.

Mr. HASKELL. Read what that old patriarch left of wisdom on this subject.

Mr. COX, of New York. That was a low tariff, while this is a tariff of 50 per cent.

The Clerk read as follows:

During the pendency in Congress of the tariff bill of 1824 General Jackson, in a letter to Dr. Colman, dated Washington, April 28, 1824, said:

"Where has the American farmer a market for his surplus products? Except for cotton he has neither a foreign nor a home market. Does not this clearly prove, when there is no market either at home or abroad, that there is too much labor employed in agriculture, and that the channels of labor should be multiplied? Common sense at once points out the remedy. Draw from agriculture the superabundant labor, employ it in mechanism and manufactures, thereby creating a home market for your breadstuffs and distributing labor to a most profitable account, and benefits to the country will result.

"Take from agriculture in the United States 600,000 men, women, and children and you at once give a home market for more breadstuffs than all Europe now furnishes us.

"In short, sir, we have been too long subject to the policy of the British merchants. It is time we should become a little more Americanized, and instead of feeding the paupers and laborers of Europe, feed our own, or else in a short time by continuing our present policy we shall all be paupers ourselves."

Mr. HASKELL. It was the free-trade policy to which Jackson referred in the concluding paragraph of that extract as ruining the country.

Mr. ROBESON. Hurrah for Jackson!

Mr. BLAND. I move to strike out the last word. I send to the Clerk's desk to have read, in order to show the results of our protective policy on labor, a portion of the testimony taken before the Tariff Commission.

Mr. DINGLEY. Whose testimony?

Mr. BLAND. That will appear from the reading.

The Clerk read as follows from page 1877 of the testimony taken before the Tariff Commission:

FRANK PURCELL ET AL.

NEW YORK, *October* 7, 1882.

Mr. Frank Purcell, of New York city, representing the Independent Labor party, addressed the commission as follows:

GENTLEMEN: At a regular meeting of our organization held on Thursday evening last, it was resolved that the following address be presented to your body expressive of the wants and wishes of the working classes upon the question of protection to American labor:

"First. We call the attention of your honorable body to the facts that over 450,000 men, women, and children are employed in the various manufacturing industries of this city and dependent for the means of life upon the welfare and protection of those industries; that the yearly market value of this labor and these products is over $1,000,000,000, nearly double the value of the whole exports of the United States.

"Second. That owing to two causes, an influx of cheap goods and cheap labor, the employés are underpaid and overworked. The average hours of labor are ten per day, and the rate of wages $3 to $5 per week for females and $5 to $9 per week for males, an amount insufficient to provide decent homes, food, and clothing, and productive of want and ignorance, the source of all evil and the parent of all crime. The men, overworked, seek relief and pleasure in the rum-shop; the women, underpaid, are driven to prostitution to keep up a decent appearance or gratify the tastes created by our system of equality and education, and our children are neglected and underfed, roam the streets, a terror and a disgrace to our community."

Mr. BLAND. I desire to call attention to the state of things so graphically described by a representative of the labor interest as created under a protective tariff to a greater extent than ever existed before. The Tariff Commission called before them experts whose testimony shows that the workmen are not paid sufficiently for their labor notwithstanding our high protective policy. And if they are not paid the proper value of their labor the inference to be drawn is that these monopolies have swallowed up what the laborers ought to have received.

They call upon Congress for relief. They are taught to look to this Congress and to the Government as a parent to take care of them. Now, suppose we find it impossible to do it; suppose our protective tariffs fail to do it; can we expect they will refrain from the torch of incendiarism so as to retaliate upon their employers and the Government who failed to take care of them? If we teach the laborers of this country that it is the duty of Congress and of the Government to take care of them they will turn upon a government that refuses to interpose sufficient protection. If it be indeed the duty of Congress to take care of the laborers of the country, let us vote bread to them instead of putting money in the hands of monopolists who will enslave them.

Mr. PAGE. I take the floor for the purpose of having read what the gentleman from Missouri [Mr. BLAND] directed the Clerk to omit in

the reading a few moments ago. That will complete what the gentleman from Missouri desired to have put before the House.

The Clerk read as follows:

"We also ask your honorable body to recommend measures to prevent the false and fraudulent importation of cheap labor to this country by railroad, land, and mine agents, to the injury of our working classes and the peril of our institutions."

Mr. BLAND. That is just what the other side voted against on the Chinese bill.

The Clerk continued the reading, as follows:

"Therefore we ask of your body a report advocating an increase of the tariff to the amount required to allow our manufacturers to compete with the manufacturers of Europe and to pay to these employés a fair and just rate of wages, which would be, in our opinion, an increase of 100 per cent. over our present rate."

Mr. PAGE. I withdraw the *pro forma* amendment.

Mr. SPRINGER. I move to amend the amendment of the gentleman from New York [Mr. COX] by striking out "1½" and substituting "2;" so that it will read:

White lead, when dry or in pulp, 2 cents per pound.

This is the rate proposed by the Tariff Commission.

Mr. COX, of New York. I will accept that.

Mr. RANNEY. Now read what the President said.

Mr. SPRINGER. The bill proposes the rate now provided by existing law; it makes no change. The Tariff Commission proposed a change reducing the rate from 3 cents per pound to 2 cents per pound. I propose to stand by the rate recommended by the Tariff Commission.

Now, if gentlemen will refer to a portion of the Tariff Commission's report they will see that the commission promised a reduction of from 20 to 25 per cent., and on some things a reduction of as much as 45 per cent. I trust the committee will not insist on raising the rates proposed by the Tariff Commission.

Gentlemen on the other side have assumed in their advocacy of high protective tariffs on unimportant industries that they are advocating the interests of American labor. I quite agree with the proposition submitted by the honorable gentleman from Iowa [Mr. KASSON] that it is not in the interest of national labor to make profitable little industries which are otherwise unprofitable.

Mr. KASSON. Does not my friend go further with the gentleman from Iowa and agree that protection should be based on the maintenance of the average of national enterprises and interests?

Mr. SPRINGER. I will state to the gentleman from Iowa if he will bring in a bill and his friends will support a bill which will give incidental protection to American manufacturers which will enable them to compete successfully with the manufacturers of the world, I will vote for it.

Mr. REED. What does the gentleman mean by incidental protection? Does he mean accidental protection?

Mr. SPRINGER. I mean a protection which necessarily results from imposing a tariff for revenue.

Mr. KASSON. And high enough to protect.

Mr. SPRINGER. The gentleman will have no controversy with me on that subject. This bill does not do that; it does not pretend to do it. It is for the purpose of trying to make those enterprises profitable which by nature and nature's laws are unprofitable. And in order to do that they are levying a tribute upon all the labor of the country. They claim that they represent in this matter the American workingmen. The honorable gentleman from Ohio [Mr. MCKINLEY] stated the other day that he represented the workingmen. I say those who advocate these high protective duties do not represent the workingmen of this country.

I hold in my hand a report of the proceedings of the federation of organized trades and labor unions of the United States and Canada, which assembled in Cleveland, Ohio, in November last. That congress represented all the trades assemblies in the United States. In its platform up to that time was the following proposition:

That we recommend to the Congress of the United States the adoption of such laws as shall give to every American industry full protection from the cheap labor of foreign countries.

Mr. Foster, one of the delegates, moved to strike that clause from the platform. He made a speech in favor of that motion and it was carried by a vote of 17 to 1.

Mr. KELLEY. Of 17 to 1?

Mr. SPRINGER. Yes, sir.

Mr. KELLEY. That was a very numerous representation of the workingmen of the United States.

Mr. SPRINGER. That was a congress of organized labor, representing all the trades unions and labor organizations in the United States and Canada.

Mr. KELLEY. I understand that it was a mere conference between eighteen men.

Mr. SPRINGER. I will show the gentleman what kind of a conference it was.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. I am sorry my time has expired.

The CHAIRMAN. The Chair regrets it. [Laughter.]

Mr. ROBINSON, of Massachusetts. The House is under obligation to the gentleman from Missouri [Mr. BLAND] for opening the volumes of the testimony before the commission and calling attention to the address of the Independent Labor party. As he had but five minutes, and there was lack of time for him to present all that was of value in that address, it was kindly supplied at the end of his time by the gentleman from California [Mr. PAGE]. In the five minutes allowed to me I desire to have read a paragraph from the same address, in order that we may have the conclusion of the whole matter. I will state that the address is from the Independent Labor party of New York.

Mr. REED. One indorsed by the gentleman from Missouri [Mr. BLAND].

Mr. ROBINSON, of Massachusetts. Yes, indorsed by the gentleman from Missouri. I ask the Clerk to read what I have marked.

The Clerk read as follows:

We ask you to adopt this policy, not as a question of revenue or taxation, but on the ground of principle and duty. As statesmen and lovers of your country and its people, lay down the principle that it is the first duty of governments to protect its own people, and that the basis of all prosperity is productive and diversified industry, and trust to the intelligence and honesty of our people for indorsement for your belief.

We ask you, what care we for a government or its revenues, or what benefit it would be to our class, if by a free-trade policy our industries were destroyed and we were idle tramps upon the streets? No; pay us for our labor and employ our own people at fair and living wages, and we will cheerfully pay our share of the taxes needed to support our Government. If so employed we will consume the farmers' product, now forced to seek a foreign market through our inability to buy food and clothing for our families, and with home markets, home production, exchange, and consumption, we will be a happy, free, and prosperous people.

Mr. MCKINLEY. Will the gentleman from Massachusetts [Mr. ROBINSON] yield to me?

Mr. ROBINSON, of Massachusetts. I will do so, if I have any time remaining.

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. BLAND. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLAND. Having offered the amendment, am I not entitled to close the debate upon it?

The CHAIRMAN. The gentleman from Massachusetts [Mr. ROBINSON] has two minutes of his time remaining, which he yields to the gentleman from Ohio [Mr. MCKINLEY].

Mr. MCKINLEY. I am obliged to the gentleman from Massachusetts for yielding to me the remainder of his time. In this connection I desire to have read by the Clerk the statement before the Tariff Commission of Mr. Matthew O'Doherty, of Louisville, Kentucky, representing the Irish-American Republican Club, which he said was composed almost exclusively of workingmen.

The Clerk read as follows:

MR. PRESIDENT AND MEMBERS OF THE TARIFF COMMISSION: I will state that the club or organization that I represent is not a manufacturing company, as you can see from its name. It is composed almost exclusively of workingmen, and the only reason we have for offering these suggestions is this: That we have had experience both here and in countries where free trade prevails.

We, the committee appointed from the Irish Republican Club of this city, in pursuance of the instructions given us, and with a view of rendering you, and through you our common country, all the aid we can afford in the investigation of the all-important question of tariff, respectfully beg leave to submit that many, if not all of us, know by actual experience the effect which free trade and what is called protective tariff have upon the social condition of the masses of the people in countries where one or other of these systems prevails. With this experience to guide us we would be false to our duty as citizens of this Republic did we fail to declare ourselves unalterably in favor of high protective tariff. We submit the following as the result of our experience and observation:

First. That the essential fact to be remembered in considering the present tariff laws, and lying at their very base, is that the social condition of the masses of European workingmen is far inferior to that of American workingmen.

Second. That free trade, or any material reduction of the present tariff, would necessarily force American workingmen into competition with European workingmen, and that such competition could only be successfully maintained by forcing American workingmen into the social degradation of their European competitors. This, in our opinion, would mean the enslavement of American labor, the pauperizing of American workingmen, the transfer of the children of American workingmen from the school to the factory, and of their wives and daughters from their homes to the workshop; all of which would result in dividing the people of this country into two classes—paupers and aristocrats—and make a mockery of the maxim which declares ours to be a "government of the people and for the people."

The CHAIRMAN. The time for debate upon the amendment has been exhausted.

Mr. CARLISLE. I desire to say a few words on the merits of the amendment offered by the gentleman from Illinois [Mr. SPRINGER], and therefore move to strike out the last word in order to obtain the opportunity to do so.

This bill proposes to impose a duty on white lead when dry or in pulp of 3 cents per pound. The Tariff Commission recommended a duty of 2 cents per pound upon this article. According to the statistics furnished us a duty of 3 cents per pound, as proposed by the bill, is equivalent to 54½ per cent. ad valorem; but it is really equivalent to much more than that, because under the present law white lead ground in oil is imported under the same clause and at the same rate of duty as this article, and the average value per unit of quantity is therefore given on both articles instead of on one only. White lead ground in oil is a much more valuable article than white lead dry or in pulp, and consequently the specific rate when the values of the two articles are combined appears to be a much less ad valorem rate than if the value of this article had been stated separately.

I desire to call the attention of the committee to the fact that the bill

now before it proposes to impose precisely the same specific duty on white lead dry as upon white lead ground in oil, which is an article of very much more value; 3 cents per pound on each one of those articles.

The gentleman has said that this is necessary in order to maintain the present wages of American laborers. Yet it is shown by the statistics of the Census Bureau that during the census year the value of the whole product of lead, including bars, pig, sheet, and shot, was $5,600,671, and while there were five hundred and seventy-one laborers employed in that industry their entire wages amounted to only $316,563, or less than 6 per cent. upon the value of the product.

That does not include the cost of the labor employed in mining the lead ore; and I presume no gentleman here will say that these acetates are made from the ore; they are made from the pig or bar lead.

Mr. KELLEY. That also involves labor.

Mr. CARLISLE. Certainly; but the whole value of all the material consumed in the production of this $5,600,000 worth of pig, bars, sheet, and shot was only a little over $4,000,000, which includes, of course, not only the value of all the ore mined and used, but the value of all the other articles besides.

Now, it is proposed to impose a duty of 55 per cent. ad valorem upon this necessary article, to protect less than six hundred laborers, whose wages under the present tariff of 3 cents a pound do not amount to 6 per cent. of the product. I will go as far as any gentleman on the other side of the House to protect the American laborer whenever it can be done without doing injustice to the American consumer; but when gentlemen ask me to compel every man who uses paints in the preservation of his buildings or his fences to pay tribute to less than six hundred men engaged in this employment, they are requiring me to go too far. I would not strike down any industry of this country; and the rate of duty which we propose to have adopted in this bill will not, in my judgment, affect injuriously a single one of them.

If gentlemen will go back to the time when this duty of 3 cents per pound was imposed on this article they will find that it was a less equivalent ad valorem rate than the 2 cents now proposed by the amendment. They tell us constantly that the price of the article has been reduced, and at the same time they insist that we shall maintain upon it the same specific rate of duty, thereby increasing, of course, the equivalent ad valorem in every such instance.

[Here the hammer fell.]

Mr. KELLEY. Mr. Chairman, I want to touch this question of ad valorem. The gentleman says that the duty of 3 cents a pound when it was imposed was a lower rate ad valorem than the duty now proposed. But why has this change of relation occurred? Because under the duty the price of the article has been cheapened. That is the whole of it.

Mr. CARLISLE. Is not the gentleman willing to accept the same ad valorem rate under which, as he argues, this industry has prospered?

Mr. KELLEY. No, sir. The present duty has stimulated production and reduced the price. I want that low price retained.

Let us take another case. Gentlemen will tell us when we reach that question that the duty on rice is over 100 per cent. So it is. When it was imposed it was 25 per cent. Why this change of relation? Because when the duty was imposed rice was bringing from 16 to 17 cents a pound; but with an adequately protective duty the rice planters of Georgia and the Carolinas have extended their fields, so that now they give us rice at 4 cents a pound, but under the terrible ad valorem duty of 100 per cent. Now, I would rather pay this ad valorem duty and buy my rice at 4 cents a pound than pay 25 per cent. ad valorem and at the same time pay 17 cents a pound for my rice.

Apply the same argument to that *bête noire* of gentlemen on the other side—Bessemer rails. They tell us that we now have on these an ad valorem duty as they compute it of 60, 70, or 80 per cent. What was the ad valorem when that duty of $28 a ton was imposed? It was about 25 per cent; and we were paying in the neighborhood of $140 a ton for Bessemer rails. We have knocked off the one hundred and buy them now for $40 a ton. Thus the ad valorem duty has greatly increased. But I had rather buy Bessemer rails—if I were rich enough to buy such things or to belong to a company that does buy them—I would rather buy Bessemer rails at $40 a ton under an ad valorem duty of 80 per cent. than pay $140 a ton under the low ad valorem of 25 per cent. The whole doctrine of ad valorem is specious. It is not a fair system of measuring. Look at prices and see what the effect of the duty has been. Now, we have brought down the article under present consideration so low in price that the gentleman from Kentucky finds the ad valorem duty a great burden.

[Here the hammer fell.]

Mr. CARLISLE. I withdraw the *pro forma* amendment.

Mr. MILLS. I renew it. Mr. Chairman, I have heard this same old argument repeated over and over by my friend from Pennsylvania [Mr. KELLEY] and by almost every friend of protection who has talked on this subject, the argument that by enforced high prices in this country you produce low prices. The gentleman has talked about the duty on rice and the duty on steel rails. He infers that the duty imposed upon rice has brought down the price. He argues in the same way in regard to steel rails. He says that when the duty was imposed on steel rails the price was away up and now it is away down. That is true; and it is true also that rice has fallen since you put the duty on it. But the low price of rice and the low price of steel rails are just as much to be attributed to the effects of the last comet that came across the heavens as to the protective tariff. The gentleman leaves out of view the direct question which stands before his eyes: What was the price of steel rails in England, and what is it to-day?

Mr. KELLEY. Why, we could not buy them in England laid down on our wharves, ready for payment of duty, for $120 a ton.

Mr. MILLS. They were lower in England than in this country, and have been every day to this time. Steel rails are to-day in London worth $22 per ton; and they are worth here about $40. Why does not the duty bring down the price of steel rails here to the English price?

Mr. KELLEY. We can now produce more Bessemer rails than England and Scotland can.

Mr. MILLS. Why do you not produce them for the same cheap price?

Mr. ROBESON. Because of the higher price of labor in this country.

Mr. MILLS. You want to make our people contribute to the wealth of the bonanza steel-rail producers. I will say in reply to my friend from New Jersey [Mr. ROBESON] that it is not the laboring man of this country who gets the benefit of this duty; it is the man who employs him.

So with the argument about rice. We have a high duty ad valorem on rice. As I argued the other day, you impose a specific duty, and when the article falls in price the duty proportionally increases. You have to-day a duty of 100 per cent. on rice; and you say that because rice is not worth as much now as when the duty was put on it the tariff has lowered the price. But, sir, it is the immense rice fields of foreign countries whose products have come into the market and brought down the price.

I will yield the balance of my time to the gentleman from Missouri.

Mr. KELLEY. I wish to close debate on this paragraph.

Mr. BLAND. I can not say what I desire in the minute remaining of the time of the gentleman from Kansas, and therefore ask to be recognized in my own right. If the gentleman from Texas will withdraw his *pro forma* amendment I will move to strike out the last two words.

Mr. MILLS. I will withdraw the *pro forma* amendment.

Mr. BLAND. I move to strike out the last two words. Now, Mr. Chairman, I had an extract read from the address of the Independent Labor party addressed to the Tariff Commission in order to show that the protective policy does not answer the demands made upon it by the laborers of the country. As the gentleman from Massachusetts has read a further extract referring to the laborers of Europe, I wish to read now the complaint made by the laborers of New York before the Tariff Commission, to see whether they are in a better condition than laborers of Europe:

> The average hours of labor are ten per day, and the rate of wages $3 to $5 per week for females and $5 to $9 per week for males, an amount insufficient to provide decent homes, food, and clothing, and productive of want and ignorance—the source of all evil and the parent of all crime. The men, overworked, seek relief and pleasure in the rum shop; the women, underpaid, are driven to prostitution to keep up a decent appearance, or gratify the tastes created by our system of equality and education; and our children are neglected and underfed, roam the streets, a terror and a disgrace to our community.
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> Therefore we ask of your body a report advocating an increase of the tariff to the amount required to allow our manufacturers to compete with the manufacturers of Europe and to pay to these employés a fair and just rate of wages, which would be, in our opinion, an increase of 100 per cent. over our present rate.

I want to know now, if this be the result under the highest protective tariff which ever existed in this country, is it not an argument against the policy of protection? Does it not show, Mr. Chairman, that protection does not protect? Notwithstanding the high tariff which we have heretofore had, they still complain of the lowness of the wages which they receive, and ask for further protection to the extent of 100 per cent., so as to prohibit all importations. And they ask further, in one part of this paper, that we shall prohibit exportation of our agricultural products in order to give them food. Let me quote what they say in another part:

> The farmers' product now forced to seek a foreign market through our inability to buy food and clothing for our families, and with home markets, home production, exchange, and consumption we will be a happy, free, and prosperous people.

And that is the result under your high protective system. And this occurs right under the eye of the gentleman from New Jersey [Mr. ROBESON] and in his own neighborhood.

Now if, as gentlemen upon this floor say, protection really does protect labor, why should these laborers come here and demand an increased protection of 100 per cent.? Hence my argument has been this protective system is a cheat and a fraud. They have been led to look to Congress for protection, and should we refuse to give them what they demand they might destroy you with the torch of red-handed communism. Then you have only yourselves to blame. It is nothing less than communism you are teaching them to-day when you say that it is the duty of Congress to take care of them. When you say that and they find you have been taking care of the manufacturers and enriching millionaires, while you have left them to starve, and they appeal to Congress for protection, if you refuse to give them that 100 per cent. which they ask in their official capacity, then if they turn on your millionaires and destroy their property

you have no one to censure except the fraud and cheat of the protective system which you taught them.

[Here the hammer fell.]

Mr. KELLEY. I move that the committee rise for the purpose of closing debate.

The motion was agreed to.

The committee accordingly rose; and Mr. ROBINSON, of Massachusetts, having taken the chair as Speaker *pro tempore*, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, and had come to no resolution thereon.

Mr. KELLEY. I move that the House resolve itself into Committee of the Whole House for the purpose of further considering the tariff bill; and pending that motion I move that debate on line 285 and all amendments thereto be limited to one-half minute.

Mr. COX, of New York. Oh, make it three-quarters.

Mr. KELLEY'S motion was agreed to.

Mr. KELLEY. I now move the House resolve itself into committee.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair.

The CHAIRMAN. Debate on the pending paragraph and all amendments thereto by order of the House has been limited to one-half minute. The pending question is on the amendment of the gentleman from New York [Mr. COX].

The committee divided; and there were—ayes 37, noes 73.

Mr. COX, of New York, demanded tellers.

Tellers were ordered; and Mr. COX, of New York, and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported there were—ayes 65, noes 82.

So the amendment of Mr. COX, of New York, was disagreed to.

The Clerk read as follows:

When ground or mixed in oil, 3 cents per pound.

Mr. WILLIS. I move to strike out "3" and in lieu thereof to insert "2½." And I do that, Mr. Chairman, because it is right—because the Tariff Commission selected by this House for the purpose of making a critical examination into this question has reported 2½ cents as the proper rate; I do it because of the great value of this article in the trades and industries of the country, all of which will be more elaborately shown by gentlemen around me, who I am informed will support this amendment. I make this motion for the further purpose of calling the attention of the committee to the proceedings of a meeting in my own city which were read a few moments ago by a member of the Ways and Means Committee, the honorable gentleman from Ohio [Mr. MCKINLEY].

The proceedings to which I refer purport to be those of the "Irish-American Republican Club" in the city of Louisville, in which they express profound concern at the probability of American labor in this country being stricken to the ground unless the present tariff duties are continued. The reading of those resolutions provoked considerable applause on that side of the House.

Sir, I recognize most fully the right of the workingmen of this country to be heard on this floor. It is, I regret to say, but seldom that they exercise that right—the right to be heard in advocacy of their own interests. Our corridors and committee-rooms have been crowded for months by the paid attorneys and representatives of protected interests urging amendments upon this bill still further increasing the onerous, unequal, and unjust burdens under which we are now groaning. We have listened from day to day during the sessions of this Congress to the advocates and defenders of great monopolies which pay their 40 and 60 per cent. dividend per annum.

When, therefore, the gentleman from Ohio [Mr. MCKINLEY] declared that he had a message from laboring men, and especially from the laboring men of my own city, I came to the front to hear that message. Who are these "laboring men" that insist upon supporting the present high tariff upon the necessaries of life—a tariff which makes the rich richer and the poor poorer? Who was their spokesman and representative before this Tariff Commission? Was he some hard-fisted, horny-handed workingman, earning his bread in the sweat of his brow? Was he some hardy, swarthy son of toil who was moved in behalf of his suffering brethren to come before that august body of peripatetics? Instead of such a person I find him to be a sleek, well-fed, and successful young lawyer of the Louisville bar, Mr. Matthew O. Doherty. Mr. Doherty is a very intelligent lawyer, a clever gentleman, and a very active Republican politician, but I hardly should recognize him in the rôle of "workingman." And who compose the "club" for whom he assumes to speak? He tells us here that there are "one hundred and fifty members," but he does not say that even these are all "workingmen," nor will he so state. Some of the most active and enthusiastic members of these one hundred and fifty are Federal employés, gaugers, storekeepers, clerks in the post-office, &c.; and while these gentlemen are fully entitled at all times to express their views on the "tariff" or any other subject, they are no more authorized to speak for the great body of "workingmen" of Louisville than were the three tailors of Tooley street to speak for the British nation when they met and published their memorable resolutions beginning "We, the people of England."

As to the "resolutions" I can not say from personal knowledge how many members of the "club" attended when they were passed. The newspapers, however, state that only a small per cent. of the one hundred and fifty—a mere handful—were present.

The great body of our workingmen—Irish, German, and American—would not indorse the action of this Republican club. They are active Democrats. They do not believe that the mission of the Democratic party is to destroy, to overthrow all the great industries of the country. They favor a tariff, but it is a tariff for revenue which they want. They ask for a simplification of the present tariff laws. They demand a readjustment of the present tariff duties so that the burdens of taxation may be taken from the necessaries and placed upon the luxuries of life. They want such a reform of taxation that they may share in increased wages some of the enormous profits which now swell the coffers of the few to the robbery of the many. They have learned by sad experience what the gentleman from Virginia [Mr. TUCKER] has so well expressed in this debate, that the great and important question with them is not "How high are our wages?" but "How many things can we buy with our wages?" If shoes and clothing and all the necessaries of life are made high by the present tariff of what consequence is it to the laboring man how high his wages may be? At the end of the year he will have nothing. How much richer is he made by receiving $4 a day in one hand if with the other he must pay out the whole of that amount or even more because of the high prices which prevail?

Sir, the warmest friends and supporters I have had are the workingmen of my district. They know that I have always been true to their interests; they know that upon the questions of Chinese immigration, the eight-hour law, and all similar propositions, I have been their advocate, friend, and defender; they know that I am and ever have been ready to hear and to heed their demands. But I do not recognize this Republican club as the representative of Louisville workingmen, nor was I willing that its claim, its declarations should go unchallenged upon this floor.

[Here the hammer fell.]

Mr. KELLEY. I move that the committee do now rise.

Mr. CHACE. I would like to have read in this connection an extract from a Democratic paper of Kentucky in reply to what the gentleman has just said.

Mr. RANDALL. That can be determined when we get into the House.

Mr. KELLEY. It may be read in my time.

Mr. CHACE. Then I ask to have this read.

The Clerk read as follows:

[From The Louisville Post, Democratic.]

THE FREE-TRADE CRANKS.

There are some cranks and bigots who wish to go to extremes, and reduce the tariff at once to a revenue basis. This would close our manufactories, stop the development of our mining interests, shut up our workshops, and drive out of employment millions of workingmen who depend upon their daily work for their daily bread. We should have bankrupts by the millions instead of by the hundreds. We should have riots that could not be suppressed by any military force at the command of the Government. The whole country would be thrown into confusion and deluged with blood. No man's property would be safe, with a starving population thronging our streets. The picture is true to the letter, and no one but a lunatic or a cold-blooded adventurer can contemplate it with other feelings than dismay and horror. But it will never be realized, because there are not enough cranks in Congress or out of it to bring about such havoc and ruin. No living man in this country will ever see an American Congress passing a tariff law for revenue only.

Mr. CHACE. That is a Democratic paper.

Mr. WILLIS. Is that the whole of the article?

Mr. CHACE. I say that is from a Democratic paper.

Mr. WILLIS. I asked the gentleman if that is the whole of the article?

Mr. CHACE. That is all I find; I think that is enough.

Mr. COX, of New York. That is garbling.

Mr. CHACE. The whole article is there as I found it.

Mr. COX, of New York. I am surprised that my Quaker friend would garble a thing of that kind.

Mr. CHACE. No, it is not garbling; it is Democratic doctrine.

Mr. KELLEY. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. ROBINSON, of Massachusetts, reported that the Committee of the Whole House on the state of the Union having had under consideration the tariff bill, had come to no resolution thereon.

Mr. KELLEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union to further consider the tariff bill, and pending that motion move that all debate on this line under consideration, 286, and all amendments thereto be limited to ten minutes. I make the motion to allow ten minutes' debate in order that the gentleman from Kansas [Mr. ANDERSON] may have an opportunity of speaking in behalf of his side of the question.

The motion of Mr. KELLEY to limit the debate to ten minutes was agreed to.

Mr. KELLEY. I now move that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

The House according resolved itself into Committee of the Whole House on the state of the Union, Mr. ROBINSON, of Massachusetts, in the chair.

The CHAIRMAN. By order of the House all debate upon line 286 and all amendments thereto is limited to ten minutes.

Mr. ANDERSON. Mr. Chairman, I am very much obliged to my friend from Pennsylvania for the opportunity he has given me of calling the attention of this committee to one of the cardinal rights of every American citizen, and what I conceive to be a bright jewel in the Republican crown—that is, the right of free thought, of free opinion, and of free action.

Now, a short time since, and I have been unable to get the floor until this time, my friend from Colorado [Mr. BELFORD] undertook to criticise me and to read me out of the Republican party and to have me welcomed into the Democratic fold. I desire, Mr. Chairman, in response to the remarks of the gentleman, to say that I stand here squarely upon the Republican platform, and I shall read it—that of 1880:

We reaffirm the belief avowed in 1876 that the duties levied for the purposes of revenue should so discriminate as to favor American labor.

The platform of 1876 was this:

The revenue necessary for current expenditures and the obligations of the public debt must be largely derived from duties upon importations, which, so far as possible, should be adjusted to promote the interest of American labor and advance the prosperity—

Now of what?

of the *whole* country.

And I also stand by the platform of principles adopted by the Republican party in 1872, in the following words:

And that revenue, except so much as may be derived from the tax upon tobacco and liquor—

And I stand firmly on that principle now—

should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and to promote industry, prosperity and the growth of the *whole country*.

Now, every gentleman here knows that men of different political creeds are voting together upon this tariff question. Every one knows that the distinguished gentleman from Pensylvania [Mr. RANDALL], the Ex-Speaker of this House, who certainly is a fair type of Democracy, is voting with you high-tariff men. I do not believe there is a solitary Democratic member on this floor from Pennsylvania who is not voting with you. Now, have they turned Republicans? Not much. [Mr. BRUMM rose.] I can not yield in my five minutes. And there is my Greenback friend from Pennsylvania [Mr. BRUMM], who is also voting for your altitudinous church-steeple tariff.

The whole point in issue here is whether a man has the right to discriminate between a duty as fixed by the commission at 40 per cent. and the higher duty proposed by the committee without being a Democrat; or, on the other hand, whether he may be a Republican even if he does not go to the top of Pike's Peak at 65 per cent. on lead.

White lead is used by the masses all over the country. There is not a farmer who does not use it. There is no house on which it is not used. It is one of those things that are broadened and ramified all through your industries, and are universally used by the common people.

And I just give notice that I shall claim for myself the right to do my own thinking, acting, and voting as I believe honestly and squarely for the true interest of the people whom I represent; that I shall do so as a Republican, and that it is not in the power of any man to rule me out of the Republican party or to welcome the Pennsylvania Democrats and my Greenback friend into the Republican party unless they have a thorough political regeneration. In other words, this is a question that affects from its very nature different sections differently; and that man who, as agent of his people, seeks to represent their true interest, will differ in his opinion as to details with some other gentleman when the interests represented by him are different. That I propose to do, and in this matter of white lead I am in favor of making a reduction of the duty just as I am in reference to all those things that are largely used by the people.

[Here the hammer fell.]

Mr. BRUMM and Mr. KELLEY rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KELLEY] is recognized.

Mr. KELLEY. The gentleman from Kansas in his altitudinous mood forgets to use cold figures correctly. He started with 68 per cent. on lead ore and he keeps it all the way through; and now when we are considering "white lead ground in oil" it is still 68 per cent., irrespective of the duty on the amount of oil.

Mr. ANDERSON. Will my friend from Pennsylvania allow me to correct him? I was speaking in reply to the gentleman from Colorado [Mr. BELFORD] on the lead question.

Mr. KELLEY. I am speaking on the business before the House.

Mr. ANDERSON. You were not awhile ago when discussing Bessemer steel.

Mr. KELLEY. I am speaking on the business before the House. We have fixed 3 cents as the appropriate duty on lower grades of this article, and now, when we put it in oil, on which there is a duty, and what is a large agricultural product, he goes, because his people produce flaxseed and linseed oil, for putting this down. I can not see the reason for striking at the Kansas farmer in that way, and I hope the rate will be maintained.

Mr. BRUMM. I had thought I would not say a word while this bill was under consideration. I am one of those who believe that almost every man on the floor of this House has made up his mind how he is going to vote, and that all the discussion that has been held heretofore has not changed the opinion of one man. And I would not say a word were it not for the fact that my friend from Kansas [Mr. ANDERSON] has stated that which will leave a false impression upon the people of Pennsylvania; and that is, that because the Democratic members from Pennsylvania voted with us on these questions therefore they are read out of the Democratic party.

I say that the Democratic members from Pennsylvania have not voted with us on these questions. I have noticed them, every man—Mr. RANDALL, Mr. MUTCHLER, our Greenback-Democratic friend, and the rest of them passing through between the tellers with the Democratic free-traders in every instance. I notice when they began to filibuster the night before last our Democratic friends from Pennsylvania either sat quietly in their seats or voted with the Democratic free-traders on every issue they raised in this House.

They go through the State of Pennsylvania crying for a protective tariff, the highest tariff imaginable; and when it comes to the details of this bill I find them to a man standing shoulder to shoulder with the Democratic free-traders. I can not, therefore, permit the assertion of the gentleman from Kansas [Mr. ANDERSON] to go uncontradicted. I say that the company they keep tells me what they are. And when my friend from Iowa [Mr. KASSON] and my friend from Kansas [Mr. ANDERSON], claiming to be on general principles protectionists, and yet, not in this instance of lead alone, not in the instance of quinine alone, not on any specific article, but on every article I find them picking flaws and finding fault with the report of the committee, then, sir, I doubt their protection quality; I can not understand how they can claim to be consistent protectionists. [Applause.]

I say that now is the time for the friends of this bill to take it up and not find fault with trifles, not to quibble, not to consume the time of the House for the purpose of trying to answer the ridiculous propositions of the free-traders on the other side of the House.

[Here the hammer fell.]

Mr. RANDALL. Mr. Chairman——

The CHAIRMAN. The time fixed for debate upon the pending paragraph has expired.

Mr. RANDALL. I would like an opportunity to say a word, and therefore move to strike out the last word.

The CHAIRMAN. That would not allow any debate upon it. The gentleman will have an opportunity later.

The question recurred upon the amendment of Mr. CARLISLE to strike out the word "three" in line 286, and to insert in lieu thereof the words "two and one-half;" so that it would read:

[White lead.] When ground or mixed in oil, 3 cents per pound.

The amendment was not agreed to.

The Clerk read the following:

Litharge, 3 cents per pound.

Mr. KELLEY. I desire to submit an amendment, but do not propose to make any speech upon it.

The Clerk read the amendment, as follows:

After the word "litharge" insert the words "orange mineral, red lead, and nitrate of lead;" so that the clause will read:

"Litharge, orange mineral, red lead, and nitrate of lead, 3 cents per pound."

Mr. KELLEY. These articles all appear in different lines at the same rate of duty. I propose by my amendment to put them all in one line, and if that is agreed to I shall then move to strike out the other lines in which they occur. I now yield to my colleague [Mr. RANDALL].

Mr. RANDALL. In view of what has been said here to-day it may not be inappropriate for me to say a word or two. I stand here in my own representative capacity, and I speak in my own representative capacity.

I desire to say to the House that I recognize the fact that there can not be free trade between nations where the wages of labor vary. And, in so far as this tariff is concerned, I desire to say that I wish to make it so that it will cover the gap between foreign labor and the labor of the United States. I do not believe we need to go much further, as I am at present advised.

Having taken care of our own labor which comes into competition with foreign labor, we can then remit the manufacturer to the advantages of distance, freight, and the inconvenience of transportation. I believe that will be adequate to cover the difference in the rates of interest between this country and others and to afford an ample profit and proper interest upon the amount of the plant in this country.

If gentlemen would only adhere to that distinction between the price of labor abroad and labor in this country, we would not need to make

this tariff question a political question, for it would be settled, as it should be, upon a business basis.

In regard to the three propositions which have been presented, that of the Senate, that of the Committee on Ways and Means of this House, and that of the Tariff Commission, I say deliberately, after careful study, that I consider the bill of the Tariff Commission far preferable to the bill of the Committee on Ways and Means. [Applause on the Democratic side.] I shall accordingly, on this item, as I shall in nearly every instance, vote for the rate of duty which the Tariff Commission has proposed in preference to the rate which the Committee on Ways and Means of this House have adopted. I will say, however, that the Senate bill, as I have read it, in my opinion is in some marked degree preferable to either of the other propositions.

Having said this, I will tell gentlemen that my deliberate object is to so make this tariff as to give incidental protection and nothing more to the people of my State.

Mr. COX, of New York. In relation to this question I beg to say one thing: The great bulk of gentlemen on the Democratic side of this House, I believe I can say truly, consider that protection, incidental or otherwise, is nothing but incidental robbery. And the only difference between incidental protection and your regular protection is that the one is highway robbery and the other is burglary. [Laughter and applause.]

Gentlemen say to us here that they will vote for high tariff duties in order to keep up wages and pay the interest on the money invested. Where is it in our Constitution that you find a clause allowing the Congress of the United States, either directly or indirectly, to fix the wages of the people? Where will you find any warrant in our Constitution for the purpose of giving to one set of men in one industry peculiar protection at the expense of the whole people?

The gentleman from Kansas [Mr. ANDERSON] a moment ago read his Republican platform, and read it rightly; it is for protection. The Democratic platform is not for protection, never was and never can be so tortured; it is for revenue only.

When the gentleman from Pennsylvania known as the Greenback Republican [Mr. BRUMM] talks about our being in favor of free trade he does not represent correctly any man on this side of the Chamber. No man ever favored absolute utopian free trade. Every man on this side of the Chamber, of course, is for freedom, and of course is for trade; but as for what is known as free trade, never.

We are for that kind of freedom in trade that will take the shackles from industry and pay for a frugal administration of the Government of this country. That is our position, and we can not be driven from it by any man on this side or by any recusant on that side.

And I would say to the gentleman from Pennsylvania [Mr. KELLEY], since this disorder has broken out in his ranks, that it is about time for him to withdraw his forces, reorganize them, and discipline them a little bit.

So I have voted and so I expect to vote to the end.

Mr. KELLEY. What disorder does the gentleman refer to?

Mr. COX, of New York. Have a caucus again and discipline your members.

Mr. KELLEY. What members need discipline?

Mr. COX, of New York. The gentleman from Iowa [Mr. KASSON], the gentleman from Kansas [Mr. ANDERSON], and others. [Laughter.]

Mr. KELLEY. You can not think that they need discipline, for you and your friends applauded them to-day.

Mr. COX, of New York. I love to see an independent man, especially when he is leaning toward the right. I hope many things from the gentleman from Kansas [Mr. ANDERSON], for he commenced life right; he was a minister of the gospel of peace and good will. [Laughter.] I hope for nothing from the gentleman from Pennsylvania [Mr. KELLEY], either in this world or the world to come. [Laughter.]

The CHAIRMAN. Debate is exhausted.

Mr. CALKINS. I move to strike out the last word. Mr. Chairman, I did not expect to enter into a debate on the tariff question under the five-minute rule; but I think that probably a word or two would not be out of place here in view of the disagreement which seems to have been gotten up in the House with reference to free trade, incidental protection, and high or altitudinous protection. We have had two speeches on the Democratic side—one from our friend the Ex-Speaker of the House [Mr. RANDALL], who says he is in favor of incidental protection——

A MEMBER. The next Speaker.

Mr. CALKINS. It is suggested to me that I should say "next Speaker of the House." I do not make any prophecies on that subject. It does not belong to this side of the House.

But I was saying we have had these three different views presented. Now, the fact that my friend from New York [Mr. COX] says he considers incidental protection "incidental robbery" does not concern this side at all. He and my friend the Ex-Speaker can fix that up for themselves. The fact exists that on this side of the House all Republicans agree that the gap which the gentleman from Pennsylvania so well put between the price of labor in Europe and the price of labor in this country should be closed by a bill of this kind. We on this side all agree to that, every one of us. You do not all agree to it on the other side; for notwithstanding the protest of my friend from New York [Mr. COX], there are some of you who dream of the utopia of absolute free trade. You can not agree upon that question.

Now, for my part, speaking as a politician, I would rather see you defeat this bill than not. You can not pass a tariff bill, my friends on that side of the House. You can not do it. If a tariff bill is ever passed it must be passed by a Republican Congress; and I serve notice on you now.

Mr. COX, of New York. We could pass a better bill than this.

Mr. CALKINS. I do not believe you can pass any tariff bill. During the six years you had control of the House, and a part of that time you had a majority of 60, yes 80, you tried to pass a tariff bill, but your bill died "a bornin." [Laughter.]

Mr. BROWNE. They made quinine free.

Mr. CALKINS. Yes, you put quinine on the free-list. That is all you did for the tariff during your six years service in this House. That is as far as you will ever get.

Now, if gentlemen desire to pass this bill there is only one way to do so; and that is to vote, not talk. Therefore I sit down. [Laughter.]

Mr. SKINNER. Mr. Chairman, if I understood my colleague from New York [Mr. COX] correctly in alluding to the other side of the House, he said "The Democratic party is not a free-trade party; there is not a free-trader here." Did I understand him correctly?

Mr. COX, of New York. I said we were for a tariff for revenue only. Everybody knows that we are all for that on our side, except a few.

Mr. SKINNER. I would like to ask my colleague whether he did use the expression that the Republican party is a party of protection, and the Democretic party a party of tariff for revenue only—not for free trade. If I heard him correctly that was his expression.

Several MEMBERS. That is correct.

Mr. SKINNER. Now, on the first day of April, 1870, James A. Garfield made a tariff speech in this House, in the course of which he said:

In this House are about sixty Democrats, a great majority of whom are declared free-traders.

Mr. WOOD (interrupting). I beg the gentleman's pardon. I do not know a single free-trader as such on this side of the House.

Mr. COX. Here is one.

Mr. MUNGEN. Here is another.

[Laughter and applause.]

Mr. COX, of New York. I repeat exactly what I said then. When talking free-trade I have, in some twenty or thirty speeches made here since I have been a member, always qualified it by the statement that I was for freedom of trade, taking off the shackles from industry but always raising revenue for the Government. No other expression ever passed my lips as to the mode of collecting our revenue. If you are not for freedom of trade, what are you for? For slavery? Are you against trade? Would you keep on these restrictions? Would you keep down labor? If you are not for free trade, you are for slavery of trade. I am for free trade and an honest administration of the Government with revenues raised by imposts and not directly.

Mr. SKINNER. I am glad I have given my colleague an opportunity to set himself right.

Mr. COX, of New York. I have made this statement a dozen times. I did not need the opportunity. Every time this matter comes up I explain it the same way.

Mr. CALKINS. I withdraw the *pro forma* amendment.

Mr. DAVIS, of Illinois. I renew it. I only desire to call the attention of the gentleman from New York [Mr. COX], who asks for freedom in trade, to what a tariff for revenue, the tariff of 1846, meant in the estimation of the press of this country at that time. I will read first from the Springfield Republican of 1846:

We understand that the Carpet Company of Thompsonville, Connecticut, yesterday reduced the wages of their workmen 25 per cent., in view of the effect which the new tariff will immediately have upon their business. Weavers who have received 24 to 24½ cents a yard will now get but eighteen for the same work.

Mr. SPRINGER. That is a Republican paper.

Mr. DAVIS, of Illinois. I have some others which I think will satisfy the gentleman before I get through. I will read next from the Philadelphia United States Gazette:

It is stated that the wages of the laborers in the mining districts of this State will be reduced one-half when the new tariff comes into operation, in order that something like a competition with the coal mines of Pictou and elsewhere may be maintained.

Here is what the Cumberland (Maryland) Civilian says:

We regret to learn that the Lonaconing Company has suspended operations and discharged the hands.

And now we come to the Baltimore American:

A reduction of the prices of labor is one of the inevitable effects of the repeal of the American tariff act of 1842, and the substitution of McKay's British tariff bill. The latter deliberately takes away the sure protection to American labor which the act of 1842 had so happily and wisely thrown around it, and the hard-handed industry of our country is left to sustain itself as it can against the half-fed labor of Europe. * * * We further learn that, in view of the condition of things, and the clouded prospects ahead, the proprietors of all the iron works in and about Baltimore have reduced the wages of their workmen 25 per cent. These works give employment to about 2,000 men, whose labor, literally the sweat of the brow, is thus reduced in value by the reckless folly of the party in power.

Mr. SPRINGER. Let me ask my colleague a question?

Mr. DAVIS, of Illinois. Certainly.

Mr. SPRINGER. What is the cause of the great reduction of wages all over the country?

Mr. ROBESON. The threatened supremacy of the Democratic party. [Laughter.]

Mr. SPRINGER. No; that is not the reason of it, because it occurred long before there was any threatened supremacy of the Democratic party. [Cries of "Vote!"]

Mr. DAVIS, of Illinois. I wish to call the attention of my colleague to the wonderful prosperity of his own State, the State of Illinois, that State which in the last twenty-five years has made greater progress in manufacturing industries and in farming industries than any other State in the Union, and the people of that State, the farmers, mechanics, and all, are to-day in the most prosperous condition of any people in the world. That State stands first in agriculture and fourth in manufactures, and its chief city the third in manufacturing industries. There was a time when our corn had to be sold at 8 cents per bushel and was burned as fuel; but since that time that great State has risen rapidly, developed the great resources of the State, and you can not account for it unless you admit that an important factor was the munificent and wise administration, State and national, of the Republican party and the protective tariff which it supported. [Applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. SPRINGER. You have not yet answered my question why wages have been so largely reduced under the protective system.

The CHAIRMAN. The gentleman's time has expired.

Mr. TUCKER. I rise to oppose the amendment of the gentleman from Pennsylvania. I do not propose to follow the gentleman in the wide discussion which debate on this paragraph has taken upon the general principles of tariff legislation, having already expressed my views very fully on that subject, and I know the House will excuse me from going into it. I object to the amendment of the gentleman from Pennsylvania for the reason that the very articles he proposes now to put into one class have been purposely kept separate by the Tariff Commission and by the Committee on Ways and Means. If you will look at the tabular statement of the value attached to these articles you will find the unit of value of these articles is very different.

In the article of litharge at 3 cents a pound the ad valorem rate of duty is nearly 75 per cent.; on orange mineral and red lead at 3 cents per pound duty the rate is 71 per cent., while on nitrate of lead at 3 cents per pound the rate is but 48 per cent. ad valorem. Now, I propose in reference to litharge, if the motion of the gentleman from Pennsylvania to consolidate these three sections is voted down and we come to a vote upon the mere rates to be prescribed—I propose to strike out the word "three" and insert "two." We have already reduced the rates on these other articles to about 50 to 54 per cent. on the other salts of lead, while this article at the present rate proposed here is, as I have said, nearly 75 per cent. If you bring it down to 2 cents a pound, it will bring the ad valorem rate down to about the rate of the other articles we have passed over. I ask my friend from Pennsylvania to withdraw his motion so that we may have a direct vote upon the rates prescribed on each one of these articles, so as to get the ad valorem rates somewhere nearly equal to each other.

Mr. KELLEY. Mr. Chairman, I proposed this amendment for the sake of cutting off as much debate as possible by consolidating the articles. I really want to get the bill through.

Mr. TUCKER. The gentleman has himself consumed as much time in the discussion of the bill as any other gentleman upon the floor. There is no desire to delay, and I ask him to withdraw his motion in order that we may have a direct vote, with a view, if possible, to equalizing these rates.

Mr. KELLEY. I must decline to withdraw the motion. The articles under the present tariff are rated at 3 cents a pound. They are kindred articles and are rated at 3 cents by the committee. Nitrate of lead was put at 3 cents by the commission.

Mr. RANDALL. If the gentleman's object is to get on with the bill I do not think that there is really any disposition to delay on this side of the House other than is necessary for a fair understanding and consideration of these different sections. In this instance, putting these three together, the values of which are different, you confuse the rates by attempting to equalize them. They are articles on which the rates should be very different. The purpose for which they are used is different.

Mr. TUCKER. And if the gentleman from Pennsylvania will permit me to interrupt him, you will see that the Tariff Commission has put the rates there at 2½ and 3 cents.

Mr. KELLEY. Yes.

Mr. TUCKER. Now, I propose to put the rate of duty on litharge at 2 cents, so as to make it about equal to the duty on the nitrate of lead and thereby equalize the ad valorem rates on all of them.

Mr. KELLEY. The Committee on Ways and Means that framed the present tariff bill, that is, the bill under which the revenues are now collected, the Committee of the Whole House that considered it and the House that adopted it, put all of these at the same rate; and the present Committee on Ways and Means, after considering the whole subject and the recommendations of the Tariff Commission, have reaffirmed that method of imposing the duty. From that time down to the present revision every Committee on Ways and Means, every Committee of the Whole, and every Congress has permitted these rates to stand as they were originally fixed, and now the gentleman from Virginia asks that it shall not be allowed to stand, but that we shall make a change. I object to it and can not withdraw the motion which I have made.

Mr. TUCKER. If the gentleman will not withdraw his amendment I hope it will be voted down. I ask to amend his motion by striking out the words "nitrate of lead."

Mr. RANDALL. That is a different article of a different value.

Mr. TUCKER. Yes; and therefore I make the motion.

The CHAIRMAN. The Chair understands the *pro forma* amendment to be withdrawn. The question now is on agreeing to the motion of the gentleman from Virginia to amend the amendment of the gentleman from Pennsylvania by striking out the words "nitrate of lead."

Mr. TUCKER. Let me say that the purpose, I suppose the committee understands, is to make the duty on the other articles retained in the amendment at a lower rate than nitrate of lead, because they are of different values.

Mr. TUCKER's amendment was not agreed to.

The CHAIRMAN. The question recurs upon the amendment of the gentleman from Pennsylvania.

The committee divided; and there were—ayes 90, noes 54.

So the amendment was agreed to.

Mr. CARLISLE. I desire now to say, Mr. Chairman, that this amendment proposed by the gentleman from Pennsylvania escaped my attention in time or I should have made the point of order upon it. I shall object hereafter, as a matter of order under the rule to any attempt to consolidate in advance. If gentlemen can do that they can consolidate the whole bill and have one vote upon it.

Mr. TUCKER. I move now to strike out "three" and insert "two" in line 287, and I will again state my reasons. The articles litharge, orange mineral, and red lead at 3 cents a pound amount to nearly 75 per cent. ad valorem. I move to make it 2 cents, so as to bring it down to the same rate fixed for nitrate of lead, which is 48 per cent. ad valorem. Now, since the committee have consolidated these three items I insist that all of them should bear the same rate of duty, and if we keep these articles at 3 cents a pound we levy a duty of 75 per cent. ad valorem, whereas the nitrate of lead pays but 48. I hope, therefore, the amendment will be adopted.

Mr. KELLEY. I hope it will not be adopted.

The question was taken upon Mr. TUCKER's amendment.

Mr. TUCKER. I ask a division.

The committee divided; and there were—ayes 49, noes 69.

So the amendment was not agreed to.

Mr. TUCKER. Then I move, by way of compromise, to see if we can not get a general reduction of the rates or an equalization of them in some degree, to make it 2½ cents.

The committee divided; and there were—ayes 60, noes 79.

Mr. TUCKER. I demand tellers.

Mr. SPARKS. There was no quorum.

Tellers were ordered.

Mr. TUCKER and Mr. HASKELL were appointed tellers.

The committee again divided; and the tellers reported there were—ayes 68, noes 86.

So the amendment was not agreed to.

The Clerk read lines 288 and 289, as follows:

Orange mineral and red lead, 3 cents per pound.
Nitrate of lead, 3 cents per pound.

Mr. KELLEY. I move to strike out those lines.

The motion was agreed to.

The Clerk read line 290, as follows:

Magnesia, medicinal, carbonate of, 5 cents per pound.

Mr. RANDALL. I desire to suggest to the gentleman from Pennsylvania in charge of the bill the propriety of striking out the word "medicinal." This article is used in medicine and the arts, but much more in the arts than in medicine. The next line embraces the calcined magnesia, which is used as a medicine. I move to amend by striking out the word "medicinal."

Mr. KELLEY. All right.

The amendment was agreed to.

Mr. TUCKER. If gentlemen will look at the statement in this table with reference to the different classes of magnesia, they will find the rate of duty proposed on carbonate of magnesia is equivalent to 44.72 per cent. ad valorem. On the next item, "calcined magnesia," it is 34.28 per cent.; on the next, "effervescing citrate of magnesia," it is 20 per cent.; and on the next, "sulphate of magnesia or Epsom salt," it is 30.79 per cent. There is no reason I can see why there should be a higher rate on the first mentioned than on the last.

Mr. RANDALL. There is no occasion at all for the item "effervescing citrate of magnesia," for none of it is imported; it requires to be fresh.

Mr. TUCKER. I move to amend by striking out 5 cents and inserting 4 cents; so that it will read:

Magnesia, carbonate of, 4 cents per pound.

I have no remarks to make on this amendment, except that the re-

duction from 5 cents to 4 cents would bring the duty to a little below 40 per cent., which I think is enough for this article.

Mr. KELLEY. The present duty is 6 cents. The commission recommended 5 cents. The committee adopted 5 cents; and I hope the committee's report will be sustained.

The amendment was not agreed to.

The Clerk read line 291, as follows:

Magnesia, calcined, 10 cents per pound.

Mr. TUCKER. I offer the following amendment:

Strike out "10 cents per pound" and insert "20 per cent. ad valorem."

The present rate of duty is 12 cents per pound. I propose to make it 20 per cent. ad valorem, the same as the duty on the article next following:

Magnesia, effervescing citrate of.

Mr. KELLEY. There is no relation between those two articles. The present duty on calcined magnesia is 12 cents per pound. The commission recommended 10 cents. The committee adopted 10 cents, and I hope that rate will be sustained.

Mr. CARLISLE. The question is, what is the reason for having a higher duty on that item than on the next, on which there is a rate of 20 per cent. ad valorem? My friend from Pennsylvania [Mr. KELLEY] asks us to vote for the recommendations of the commission. Now, my friend has himself been voting all morning against recommendations of the commission.

Mr. HASKELL. Effervescing citrate of magnesia, it should be remembered, has to come in bottles.

Mr. RANDALL. It does not come at all.

Mr. TUCKER. If gentlemen will examine the table they will find that the rate of duty on effervescing citrate of magnesia, which is now 40 per cent., has been reduced to 20 per cent. by the committee. Why not reduce the rate on calcined magnesia, which is now 12 cents per pound, also to 20 per cent.?

Mr. KELLEY. In that case there is the tax on the bottle in addition.

The amendment of Mr. TUCKER was not agreed to.

The Clerk read lines 292 and 293, as follows:

Magnesia, effervescing citrate of, 20 per cent. ad valorem.

Mr. RANDALL. That might as well go out altogether. It is not imported, and if there is any imported it goes under the general clause.

Mr. KELLEY. The present duty is 40 per cent. and the committee recommend a reduction to 20 per cent. If you strike this out it remains at 40 per cent.

Mr. RANDALL. If any of it comes in it will come in under the general clause at 25 per cent. I move to amend by striking out those lines.

The amendment was not agreed to.

The Clerk read lines 294 and 295, as follows:

Magnesia, sulphate of, or Epsom salt, one-half of 1 cent per pound.

Mr. MILLS. I move to strike out that item.

Only 9,422 pounds of this article were imported last year, and the entire revenue from it was $94.22. Under the committee's bill the estimated revenue is $47.11. This article is chiefly used as a medicine, and I move that it be stricken out in order that it may go on the free-list.

The question being taken on the amendment to strike out the item, it was not agreed to,

The Clerk read lines 296, 297, and 298, as follows:

Potash, crude, carbonate of or fused, saleratus, calcined or pearl ash, and caustic potash, 20 per cent. ad valorem.

Mr. BEACH. I offer the following amendment:

In line 296 strike out the word "crude."

There are two good, strong, and sufficient reasons why crude potash should come in free of duty. I do not propose to discuss them but will merely state them.

In the first place the farmers of this country demand cheap manures. In the second place it is our bounden duty to preserve American forests from further destruction. I hold in my hand an article cut from the New York Herald of yesterday, from which I would like to read a few words:

IS IT IGNORANCE OR CHICANERY?

Why did Congress in its collective wisdom place lumber on the free-list for the purpose of discouraging the wanton waste of our forests and yet maintain high duties on articles which are derived from woods? Potash is an important chemical which is largely derived from the burning of wood, although in Europe it is now being obtained from the residuum of the beet-sugar manufacture. Yet potash is taxed with a 20 per cent. duty. If Congress removes the duties from lumber on the ground that the forests must be protected why retain high duties on those products which involve a large waste of wood in their manufacture? This is blowing hot and cold in the same breath.

In addition to this I call attention to the fact that the experts summoned before the Tariff Commission were unanimous in their opinion that this article should come in free of duty. Mr. Klipstein, of Philadelphia, at page 1962 of the Tariff Commission report, says:

I would advise putting potash on the free-list on account of its importance in industry and also to preserve the forests, as its production here leads to a reckless destruction of wood. Abroad it is made from the residue of the manufacture of sugar from beet-roots and other residues.

Again, another expert, Mr. Ferguson, of Philadelphia, says:

Just here let me ask if it is not questionable legislation that would protect an industry which requires exclusively for its raw material our noble forests of the Northwest? Would it not be the part of wisdom to allow our neighbors across the border to supply our potashes as cheaply as possible?

In the face of such testimony as this I do not see how we can consistently impose the duty of 20 per cent. on this article.

The question was taken upon the amendment of Mr. BEACH, and it was not agreed to.

Mr. WHEELER. I move to amend by striking out all after the word "potash" in line 296, down to and including the word "potash" in line 297, and to insert in lieu thereof the words "of all kinds;" so that it will read:

Potash, of all kinds, 20 per cent. ad valorem.

Mr. Chairman, the high honor that was conferred upon me by the chairman of the Committee on Ways and Means was entirely unexpected. The humble efforts I have made to induce the majority to consent to absolutely

ESSENTIAL MODIFICATIONS

of the bill now being considered, I hardly thought had attracted his attention. I have an earnest desire to see the tariff bill pass this session, and for that reason I have labored to have it so amended that members who regard the rights and interests of the people as paramount to all considerations will be justified in giving it their support.

I proposed the amendments to which the chairman of the committee refers because I felt that they were proper and necessary. I was not influenced by any sectional consideration, for nothing I have done, and nothing done by the people I represent, justifies any such insinuation. The people of Alabama are as free from sectional prejudice as any people in the United States. They are not sectional in a geographical view nor in an industrial view. They ask for no law to specially aid their industries, and they have not opposed any laws which seek to benefit industries of other sections. We have and always will oppose laws which attack the interest of the laboring people of any land, and I urge the pending amendment because I conscientiously believe it to be my duty to do so; and I say now to the gentlemen on the other side of the House that they can not go before the country with a law so filled with inconsistencies. You can not go before the country after supporting a bill which taxes an article of medicine nine-tenths of which is used by the less prosperous classes more than you tax precisely the same article when used by the opulent and influential.

This places the question squarely before the country. You can not say that the clause in lines 296 to 303 in any way benefits the industrial classes, and you can not escape being exposed before the people with the proof that you place a burden upon those classes, and at the same time practically and substantially exempt those who are more fortunate in their worldly circumstances. Frame the bill so as to do justice to the fifty millions of people in the United States who work with their hands for their daily bread; frame the bill so that the burden they bear shall be proportioned to the income they receive, and in some measure commensurate with the property they possess, and I will give the bill my most hearty support; but when you insist that the bill shall practically tax a man who by labor earns $6 a week the same number of dollars it taxes one whose income is princely, you must admit that it is not worthy of my support.

Page 33 of yesterday's RECORD contains these words:

Mr. WHEELER. On the statement of the chairman of the Committee on Ways and Means [Mr. KELLEY], I will withdraw that motion.

I have great respect for any assertion from the distinguished gentleman [Mr. KELLEY], but in addition I had just read from the New York press a very unjust statement, that I was delaying legislation. I had also just listened to the speech of my friend from Georgia [Mr. SPEER], pointedly charging this side of the House with obstructing the bill, and to add to this, a member on this side of the House seemed not to concur in my amendment. To have insisted upon the amendment might have consumed much time, which I particularly desired to avoid; but I desire to say that I have not yet, in the slightest degree, changed my views regarding the importance and propriety of the change I proposed.

The gentleman [Mr. KELLEY] was mistaken in saying that my figures were $150. I clearly said one dollar and a half, and our excellent and accurate stenographers so understood and so recorded it, and the gentleman from Massachusetts [Mr. ROBINSON] states that he so understood it.

On yesterday I listened with attention to the excellent speech of the gentleman from Kentucky [Mr. MCKENZIE], but I did not concur in his delicate insinuation that the Committee on Ways and Means had designs upon the lives of the good people of the malarial districts when they attempted to place so important a preventive of disease as we all know quinine to be beyond the financial reach of those of moderate means. I thought that he did the gentlemen of that committee great injustice, and I felt assured that the committee would hasten to correct so manifest an error. I chose to believe that such apparently genial and kind-hearted gentlemen would not adopt such measures to confine the use of that valuable medicine to the fortunate and wealthy.

But when the Republican members of the committee failed to vote with our side of the House upon the question, I admit my confidence

began to falter; and as I glanced a little further on in this remarkable document I was startled by the evidence it reveals, and my worst apprehensions are aroused as to the dire designs the committee may have and the deplorable fate that may be in store for the impecunious of our fellow-countrymen.

The solemn conviction that the committee has determined to allow only the more wealthy to recover from sickness was finally forced upon me when I read lines 300–303. There I found that an article when used for making soap was only taxed 20 cents on the dollar, but the same article if used to save life was taxed 25 cents on the dollar.

Mr. Chairman, why was this done? Was it because after a three weeks' sitting this measuring committee by accurate mensuration determined that life was worth just 25 per cent. more than soap? Without pausing for a reply, I assert to the gentlemen of the House that under the provisions of the bill as it now stands if the manufacturers—the class of men favored by every line of this bill—wish fleet-loads of potash they can get it of the committee by only paying a tax of 20 cents on the dollar; but if half of our poor but good honest citizens who live in New York, Philadelphia, Baltimore, or other cities were on the bed of death and a little medicine savored with potash would enable them to "straightway take up their beds and walk" not one drop of this life nectar could pass their burning lips until this 25-cent tax is exacted by the gentlemen of this inexorable committee.

Yes, Mr. Chairman, this singular feature of the bill enables a man to buy soap for 20 cents while for life he must pay 25 cents. "Your 25 cents or your life!" cries the committee, to every sick and dying man in our once free America, for whom a physician has prescribed medicine in which potash is an ingredient. With aching heart, I concluded that our poor people probably had best come at once and surrender their 25-cent lives to the committee. But I could not help wondering by what plan the committee proposed that those who had not the 25 cents to buy life were to reap any substantial benefit from the use of the 20-cent soap that the wisdom of the committee placed within their grasp. The amazement of some of my fellow-legislators causes me to fear that they doubt the correctness of my statement. Let these skeptics read. They will see that line 300 taxed potash for medicinal purposes at 25 cents on the dollar, and that line 302 taxes potash for manufacturers only 20 cents on the dollar.

Here, Mr. Chairman, the same article called potash is taxed 25 cents on the dollar if used for medicine to save life, and only 20 cents on the dollar if used by this favored manufacturer to make soap. One explanation for this discrimination might be this: that while the committee exactingly charges 25 cents for a poor man's life, they only charge the manufacturer 20 cents for the potash used by him, if he wishes to make soap of the poor man's corpse. Is this the retribution visited upon the sovereigns of our land for refusing to cast administrative tickets last November? Does the Committee of Ways and Means propose by this clause to so reduce the bone and sinew of this free country as to reverse in 1884 the terrible holocaust of Republican hopes which befell them in 1882? Has the leading committee of the House transferred itself into an electioneering body, and are these the ways and is this the means adopted by them to accomplish their purposes? I expected to see the handsome South Bend gentleman rise in his seat and lodge a point of order against this paragraph. It would have been well taken, for certainly the clause usurps the province of the Elections Committee and clearly invades its prerogative.

Mr. Chairman, precisely the same character of discrimination against life and health and in favor of the manufacturer, which I have endeavored to depict, will be found again in lines 384 and 386. There, Mr. Chairman, the committee include all chemical compounds, acids, and salts in their unjust partiality. What will be developed as we progress with this remarkable investigation? What hidden dynamite and explosive torpedoes, what pitfalls by which the lives of whole communities may be destroyed will yet be unearthed, time and perseverance alone can reveal; but keeping in mind that vigilance is the price of liberty, we will firmly, but with caution, continue the examination of the intricate mechanism which, though made with hands, shall it be eternal? That, Mr. Chairman, is the momentous question now under consideration.

[Here the hammer fell.]

The question was taken upon the amendment of Mr. WHEELER, and it was not agreed to.

The Clerk read as follows:

Potash, bicarbonate of, 25 per cent. ad valorem.
Potash, all salts of, fit for medicinal use, not otherwise provided for in this act, 25 per cent. ad valorem.

Mr. HASKELL. I move to amend the last paragraph read by the Clerk by striking out the words "fit for medicinal use," and also to strike out the word "five;" so that the paragraph will read:

Potash, all salts of, not otherwise provided for in this act, 20 per cent. ad valorem.

The amendment was agreed to.

Mr. TUCKER. If it is proper for me now to move a further amendment, I will do so by moving to strike out "twenty" and inserting "fifteen;" so as to reduce the rate of duty from what it now stands in the bill.

The amendment was not agreed to.

The Clerk read as follows:

Potash, all salts of, used in the arts and manufactures, 20 per cent. ad valorem.

Mr. HASKELL. I move to strike out the paragraph just read.

Mr. TUCKER. Will the gentleman tell us the purpose of that motion?

Mr. HASKELL. It is to include this article in the general clause.

Mr. TUCKER. What will be the rate of duty on it?

Mr. HASKELL. Twenty per cent.

Mr. ROSECRANS. I desire to move an amendment to the amendment of the gentleman from Kansas [Mr. HASKELL]. What I want is to except chloride of potassium. If the gentleman will include that in his amendment I will not offer mine.

Mr. HASKELL. I would suggest to the gentleman from California [Mr. ROSECRANS] to make a new item of his amendment. The paragraph under consideration relates to potash used in the arts and manufactures, and if this clause is stricken out that article will come in under the general clause.

Mr. TUCKER. The general clause to which the gentleman refers I understand to be the one we have just passed, which provides on "potash, all salts of, not otherwise provided for in this act, 20 per cent. ad valorem."

Mr. HASKELL. Yes; all salts used for the arts and sciences will come in at 20 per cent. ad valorem. My first amendment reduced the rate 5 per cent., and if this clause is stricken out the article will be included in the general clause.

Mr. TUCKER. I think that the duty on all these salts of potash used in the arts and manufactures should be reduced.

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas, to strike out the paragraph; and the gentleman from California [Mr. ROSECRANS] has indicated his desire to offer an amendment.

Mr. TUCKER. I desire to move to amend the clause which the gentleman from Kansas proposes to strike out.

The CHAIRMAN. The Chair will recognize the gentleman in a moment.

Mr. ROSECRANS. I move to amend the clause by inserting, after the words "all salts of," the words "except chloride of potassium."

Mr. HASKELL. That amendment has no sort of connection with my motion, which is to strike out two lines. If the gentleman will read the clause carefully he will see that his amendment will do no good.

The question was taken upon the amendment of Mr. ROSECRANS, and it was not agreed to.

Mr. TUCKER. I desire to move an amendment.

Mr. HASKELL. If the gentleman will permit the lines to be stricken out, then he can move to insert a new line.

Mr. TUCKER. I would suggest to the gentleman to withdraw his motion to strike out, and allow me to move to amend the paragraph by striking out the word "twenty" and inserting "fifteen," so as to make the rate of duty 15 per cent.

Mr. Chairman, the salts of potash are used in the arts and manufactures; and whenever you cheapen an article entering into the arts or manufactures, you thereby cheapen the ultimate product and thus benefit the consuming classes.

The question being taken on the amendment of Mr. TUCKER, it was not agreed to.

The amendment of Mr. HASKELL was agreed to.

The Clerk read as follows:

Potash, all salts of, used in the arts and manufactures, 20 per cent. ad valorem.
Chlorate of, 3 cents per pound.
Iodide, iodate or hydriodate, 50 cents per pound.
Prussiate of, red, 10 cents per pound.
Prussiate of, yellow, 5 cents per pound.
Nitrate of, or saltpeter, crude, one-half of 1 cent per pound.
Nitrate of, or refined, 1 and one-half of 1 cent per pound.
Sulphate of [potash], 20 per cent. ad valorem.

Mr. BEACH. I move to amend by inserting, after the words "sulphate of," in line 311, the words "containing over 30 per cent. of absolute potash."

In the schedule prepared by the Committee on Ways and Means the present rate upon sulphate of potash is put down at 20 per cent., and by the table showing the rates of duty under existing law I find there is no duty whatever at present upon sulphate of potash.

Now, the amendment which I have offered is intended to admit free of duty the lower grades of sulphate of potash. These sulphates are used for commercial fertilizers; and there is no object that I can see in putting a duty upon them, except to enrich the manufacturers of commercial fertilizers and despoil the farmer.

The Committee on Ways and Means has already put upon the free-list articles intended expressly for fertilizers and manures. One exception was brought to our attention the other day—acidulated phosphate of lime; and that was restored to the free-list by the almost unanimous vote of this Committee of the Whole. I now propose that we continue in the same direction and put this article, when it contains less than 30 per cent. of absolute potash, upon the free-list.

The amendment of Mr. BEACH was not agreed to.

The Clerk read as follows:

Hydrate or caustic, three-quarters of 1 cent per pound.

Mr. KELLEY. I am instructed by the Committee on Ways and Means to move to amend by striking out, in the line just read, the words "three-quarters of," so as to make the duty 1 cent per pound. The present rate is 1½ cents per pound; the rate proposed by the commission is 1 cent per pound. The amendment I now propose makes the duty conform to the recommendation of the commission.

Mr. TUCKER. The present rate of duty upon this article, as the gentleman has said, is 1½ cents per pound, which amounts to an ad valorem rate of 66 per cent. The rate of duty proposed in the bill of the committee is 33 per cent. The gentleman from Pennsylvania proposes to raise the rate to 44 per cent. I think that is too high. There is no reason why the rate should be so high as 44 per cent. I hope the amendment will be rejected.

Mr. DINGLEY. Mr. Chairman, I move to amend the amendment by striking out the last word. I hope this proposition to increase the duty as reported by the Committee on Ways and Means will not prevail. Caustic soda is the element principally used in the manufacture of wood-pulp; and the duty on wood-pulp has been decreased by the committee. It seems to me this proposition to raise the duty on caustic soda should not be adopted.

Mr. KELLEY. I desire to say that with the modification which I propose there will be a reduction of 33 per cent. upon the existing duty. The rate named in the bill is one-half of the existing rate and 25 per cent. below the rate proposed by the commission. If we reduce the duty so low as three-fourths of a cent per pound, we shall destroy the whole supply of the American article for the wood-pulp factories.

Mr. DINGLEY. I am willing to stand by the report of the Committee on Ways and Means in this matter, which makes the duty three-fourths of a cent per pound. I think it ought not to be increased.

Mr. BAYNE. Mr. Speaker, there is in my district a large establishment engaged in making this article. I am advised by the gentleman having that establishment in charge that if this duty be reduced to three-fourths of a cent per pound it will necessitate the abandonment of business at that establishment. It employs five hundred and fifty men; and there has grown up about it a town comprising a population of about 1,400.

The quantity made by this establishment is not great. It is pursuing business industriously and laboriously, competing with an immense importation of the product from Europe. This is comparatively a new industry. It is building itself up. Its inauguration in this country has had the effect of reducing prices to the consumer just about one-half. The establishment of this business in Pennsylvania and in other sections of the Union has brought down the price of this material absolutely one-half, perhaps more than one-half, to the consumers of the country.

The gentleman who has this establishment in charge, and whom I personally know—a gentleman who would not for the sake of this industry or for the sake of anything else misrepresent a fact within his knowledge—asserts most positively that if this reduction be made that enterprise will have to be abandoned.

I do hope the committee will be sustained in the amendment proposed by the chairman.

Mr. DINGLEY, by unanimous consent, withdrew his *pro forma* amendment.

The question recurred on Mr. KELLEY's amendment.

The committee divided; and there were—ayes 60, noes 61.

Mr. KELLEY demanded tellers.

Tellers were ordered; and Mr. CARLISLE and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 85, noes 78.

So the amendment was agreed to.

The Clerk read as follows:

Sulphate, known as salt cake, crude or refined, or niter cake, crude or refined, and Glauber's salt, one-quarter of 1 cent per pound.

Mr. ROBINSON, of Massachusetts. I offer the following amendment:

In lines 321 and 322 strike out "Salt cake, crude or refined, or niter cake, crude or refined, and;" so it will read: "Sulphate, known as Glauber's salt, one-quarter of 1 cent per pound."

Mr. Chairman, if I can have the attention of the chairman of the Committee on Ways and Means, and of other members of the House, I can satisfy them that has got in there by mistake. The statutes at the present time impose a duty of one-half cent per pound on the sulphate of soda known as Glauber's salt, a very common product. The rate now fixed is one-quarter of 1 cent per pound, and that is a reduction, but in making that reduction, which is entirely proper, the clause of the bill includes the words "salt cake, crude or refined," and that is a very cheap and coarse product which is now under the clause at 20 per cent. ad valorem. If it is put up to one-quarter of a cent per pound it would be at the rate of 40$\frac{3}{100}$ per cent., which is wholly unintentional that that coarse and cheap product should be put at a higher rate of duty where it does not belong. I do not think any one will claim that.

Mr. HASKELL. That is an error.

Mr. KELLEY. It is an error adopted by the committee from the report of the Tariff Commission; but it is an evident error, and the amendment should be adopted.

The amendment of Mr. ROBINSON, of Massachusetts, was agreed to.

The Clerk read as follows:

Soda, all salts of, fit for medicinal use, not otherwise provided for in this act, 25 per cent. ad valorem.

Mr. TUCKER. I move to strike out "five," so it will read "20 per cent. ad valorem." It is to put the salts of soda upon the same footing as the salts of potash.

The committee divided; and there were—ayes 49, noes 59.

Mr. TUCKER demanded tellers.

Tellers were ordered; and Mr. TUCKER and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 49, noes 80.

So the amendment was disagreed to.

The Clerk read as follows:

All dyes and colors, by whatever name known, of which the distinctive chemical structures and tinctorial qualifications are the product of artificial or synthetical fabrication, 35 cents per pound and 20 per cent. ad valorem.

Mr. BUCHANAN. I move, in line 343, to strike out "35 cents per pound and."

Now, Mr. Chairman, this is an article from which a large amount of revenue has been received in the past. It is an article which has brought in more than a million of dollars a year. It is one that is largely used in many of our manufacturing establishments. It is an article that is manufactured very little by any one in the United States. I will read from the report made by a special agent of the Treasury Department to the Secretary of the Treasury:

The experience of the last eighteen years has, I regret to say, shown that a high protective duty has not resulted in the building up of anything worthy of the name of an aniline color industry in this country, notwithstanding it is understood that there is an abundance of the raw materials here, and aniline oil and arseniate of aniline have been admitted free of duty. There are, to be sure, a few small concerns making certain classes of colors, but these employ so few people and produce such limited quantities of dyes as hardly to amount to an industry worth protecting at the expense, at least, of burdening and crippling the vast industries devoted to the manufacture of textile fabrics, as well as to putting a tax upon the consumers of such fabrics.

Having, after much inquiry and experience, ascertained beyond question that aniline dyes imported into the country have been largely undervalued, and that it is practically impossible to prevent such undervaluation so long as they are subject to an ad valorem duty high enough to present any inducement of consequence for undervaluing, I am convinced that it would be advisable to retain the specific feature with an ad valorem rate sufficient only to serve as an equalizer, and not to exceed 15 per cent. I have thought that 25 cents per pound and 15 per cent. ad valorem would be as high rate as could be asked for purposes of protection. This would amount to near 40 per cent. on a very liberal proportion of the dyes most used, and to about 60 per cent. upon some of them.

The committee here have recommended a higher duty than the commission. The commission recommended a duty only amounting to 40 per cent. ad valorem. This has been highly protected. The duty now is 50 cents per pound and 35 per cent. ad valorem, and yet with all that protection the increase in the industry has amounted to almost nothing.

This is used in the manufacture of woolen, in the manufacture of cotton, in the manufacture of paper, in the manufacture of silks, and indeed has superseded in a great degree most of the vegetable and animal dyes used in the past. It is used instead of cochineal, it is used instead of madder, it is used in almost every industry. It is a great burden for the manufacturing interests to bear and for the consumers of the country to pay.

Mr. HASKELL rose.

Mr. KASSON. Before the gentleman from Kansas proceeds, I wish to call the attention of the committee to the fact that the words "not otherwise provided under this act" are omitted, and I think they should be inserted.

Mr. HASKELL. In reference to this matter of aniline dyes, my friend has been reading from one branch of the question only.

Mr. BUCHANAN. I have three others here which I can read if the gentleman desires to hear them, if I can get the time.

Mr. HASKELL. You may find a half-dozen others; but the fact is that the manufacturers need this for the reason that this aniline dye is developing as a productive industry in this country. The entire product abroad is controlled by as great a monopoly as there is in this world; and this is to prevent them from breaking down our factories in this country; to protect the men who have invested capital and enterprise in the establishment of works here and are making vigorous efforts for the manufacture of these dyes. We have largely reduced the rate from the duty under the present tariff, as the gentleman will find; but we still hold that, at the request of everybody interested in it, this duty should be imposed of 35 cents per pound and 20 per cent. ad valorem in order that the American manufacturers may be able to go on and develop this industry. There are several large manufactories of these dyes in this country, and this provision of the bill is one that is absolutely essential to the best interests of the woolen and cotton manufacturers as they understand it. These articles enter largely into their products. There are some other measures further on in relation to these duties which I think the committee when we reach them will be willing to take action on in the direction indicated by the gentleman from Georgia. But in this case I hope the recommendation of the committee will remain, and that this will be retained as it is.

Mr. BUCHANAN. The cotton manufacturers in my part of the country are not in favor of retaining high protective duties on these aniline dyes; and it is in the interest of these cotton manufacturers of the South that I have offered this motion. I hope it will be adopted.

The CHAIRMAN. Debate upon the pending amendment is exhausted.

Mr. CARLISLE. I move to strike out the last word. For about eighteen years we have had a duty on these dyes of 50 cents a pound and 35 per cent. ad valorem, which upon the lower or cheaper classes of dyes and colors is absolutely prohibitory, and the result of these long years of high protection that the law has given to this particular industry has been the establishment of only four or five, or possibly six, manufactories in this country. Most of them, however, make very small quantities of dyes of this kind and are engaged principally in the manufacture of salts, &c. There is one large establishment in Albany which has a very extensive plant, which makes a single one of these dyes, the aniline red; and now it is proposed instead of 40 per cent. ad valorem, the rate proposed by the Tariff Commission, to make it 35 cents per pound and 20 per cent. ad valorem, preserving in this instance one of the most odious features of the present law, which is the compound rates of duty. The cost of these dyes abroad ranges from 21 cents up to five and six dollars per pound.

Mr. HASKELL. And some of them are a great deal more than that.

Mr. CARLISLE. And on the lower grades of these dyes, the cheaper classes, the duty proposed by this clause of the bill which the gentleman from Georgia proposes now to amend is over 185 per cent.

Mr. HASKELL. The trouble is not there; it is that the high-priced dyes are entered largely as medicines, paints, &c.

Mr. CARLISLE. The trouble is that the lowest rates of duty in proportion to the value of the article are imposed upon the higher and better goods, and the cheaper grades are almost invariably subjected to the very highest rates of duty, the result of which is that the duty on the lower grades are almost absolutely prohibitory. That is the case here. Take, for instance, the maroon dye, worth to-day, as I am informed, 21 cents per pound. It is proposed to impose upon that cheap article a duty of 35 cents a pound and 20 per cent. ad valorem, equivalent, as I have just said, to more than 185 per cent.

Now, Mr. Chairman, if after eighteen years of the highest kind of high protection our people have not been able to engage successfully in the manufacture of these dyes it seems to me that every consideration of sound policy, of wise statesmanship, and of justice to the other industries interested in the use of these articles in this country demands a reduction of the duties.

Mr. HASKELL. We propose to put alizarine on the free-list.

Mr. CARLISLE. Why take alizarine from the free-list and put a duty on it here?

Mr. HASKELL. I will explain to the gentleman——

Mr. CARLISLE. You have put aniline oil on the dutiable list, which is the basis of all of these dyes.

Mr. HASKELL. We propose also to put that on the free-list.

Mr. CARLISLE. Why was it not done in committee when we had the matter before us and it was proposed there? Aniline oil is the basis of these dyes; it is the material used in manufacturing them.

Mr. HASKELL. I am perfectly willing in every instance where it can be done without gross injustice to anybody else to put them on the free-list or put them on at a lower rate of duty.

Mr. ROBINSON, of Massachusetts. Aniline oil and artificial alizarine are to be put on the free-list, as the gentleman from Kansas says.

Mr. CARLISLE. But what justice would there be in putting aniline oil—the base of all these dyes—on the free-list, and giving the men who may be engaged in their manufacture in this country the advantage of the enormous rates of duty you impose upon the dyes themselves?

Mr. ROBINSON, of Massachusetts. But that is good as far as it goes, is it not?

Mr. CARLISLE. Certainly it is; but reduction on the raw material ought to be followed by reduction on the article manufactured from it. Put the chemical basis of the dyes upon the free-list and reduce the rates of duty upon the dyes themselves, so that the consumers may reap the advantage of the reduction. But you propose to put the aniline oil and alizarine upon the free-list and make the duties upon the lower priced dyes prohibitory.

The CHAIRMAN. Debate upon the pending amendment is exhausted.

Mr. CHACE. The gentleman from Kentucky is confounding the artificial alizarine with aniline oil; the monopoly is on the alizarine.

The CHAIRMAN. Does the gentleman from Rhode Island rise to oppose the amendment?

Mr. CHACE. No; I rose to correct the gentleman from Kentucky.

Mr. CARLISLE. I did not confound aniline oil with artificial alizarine. They are different articles.

Mr. ELLIS. I renew the *pro forma* amendment.

The statement was made by the gentleman from Kansas [Mr. HASKELL] of the Ways and Means Committee, as I understood him, that the manufacturers of this country were in favor of retaining the duty upon these dyes.

Mr. HASKELL. Upon the aniline dyes.

Mr. ELLIS. Now, I hold in my hand, and I presume it is genuine, a petition which comes from the consumers of these dyes throughout the United States, and which is signed by two hundred and eighty-five establishments, representing twenty-four States of the Union and every section of the Union, in which they pray for a reduction of these duties.

Mr. HASKELL. And we give it.

Mr. ELLIS. Let us see if you do.

Mr. HASKELL. They do not ask for an abolition of them.

Mr. ELLIS. They say:

The present rate of duty, which is 35 per cent. ad valorem and 50 cents per pound, was fixed when aniline dyes sold at a high price, since which time they have been very much reduced, so that the present rate of duty is not adapted to nor does it correspond with the present prices, but has been oppressive, injurious to business, and in the case of many of the cheaper dyes is almost or quite prohibitory.

Mr. HASKELL. We reduce the rates from 50 cents to 35 cents per pound and from 35 per cent. to 20 per cent. ad valorem in obedience to that petition.

Mr. ELLIS. Now, Mr. Chairman, these individuals and these corporations engaged in the manufacture of cotton and woolen stuffs in every section of the Union say that the duty upon these articles is absolutely injurious to their business, and pray for a reduction.

Mr. HASKELL. And we give the reduction.

Mr. ELLIS. These articles enter into the manufacture of cotton stuffs and woolen stuffs, the clothing of the people, especially into the manufacture of cotton stuffs, which is unquestionably the summer clothing of the poor of the country.

If there is any aspiration which the United States should have it is to control the cotton business of the world; and everything which tends to make the manufacture of these cotton stuffs cheap, everything which tends to cheapen them, is not only for the benefit of the poor people of the country, the laboring people of the country, for whose interests and rights the gentlemen on the other side seem to have so peculiar and so generous an interest, but it is in the direction of enabling the American manufacturer to compete successfully with the English manufacturer and to meet him in the markets of the world.

For these reasons I believe the rates on these dyes should be reduced to a minimum. They ought to be put on the free-list, because these duties bear heavily on the people who wear cotton stuffs, and are a stumbling-block to the triumphant march of American supremacy in controlling the cotton trade and the cotton manufacturing of the world.

Mr. KELLEY. Mr. Chairman, those who represented the cotton manufacturers and the woolen manufacturers of the country before the Committee on Ways and Means differed with the gentleman from Louisiana [Mr. ELLIS] and appeared to think that the reductions we had made here were satisfactory. They had two aspirations, one to reduce the cost of articles, and the other to make their country and its manufacturers independent of foreign monopoly. They believed that the production of aniline colors in this country is entirely possible, but that as it depends on many experiments and the slow application of chemical tests the art should be fostered. They therefore said that a reduction from 50 cents per pound specific duty to 35 cents per pound, and from 35 per cent. additional ad valorem duty to 20 per cent. ad valorem duty, would accomplish both purposes, would foster and develop a manufacture in this country which is now growing with surprising rapidity. For in 1870 there had been no attempt at manufacturing either alizarine, aniline oil, or any of their products. And now we have, as is admitted, half a dozen successful establishments.

I hope the committee will stand by the Committee on Ways and Means and maintain the present tariff on these articles intact.

Mr. ELLIS. I withdraw the *pro forma* amendment.

Mr. TUCKER. I renew it.

The gentleman from Kansas [Mr. HASKELL] has said that when the Committee of the Whole reach the matters of alizarine and aniline oil he proposes to move to put those on the free-list. Now, if the Committee on Ways and Means were justified in putting the duty on these tinctorial preparations, as they are here denominated, of 47 per cent., with the raw materials of alizarine and aniline oil at 10 and 20 per cent., if you take those materials off the dutiable list and put them on the free-list, is there any reason why you should not reduce the duties on the perfected article?

Mr. HASKELL. You can not make these dyes from aniline oil. It is not the raw material of that manufacture. This belongs to another set of dyes.

Mr. TUCKER. I go on to say if you look at the enormous extent to which these dyes enter into the value of the woolen and cotton products which are consumed in the country you will see how important it is, having regard to the consuming as well as to the manufacturing interests of the country, that the manufacturers of those goods should get these dyes, in the nature of raw material to them, at the cheapest rate possible.

Therefore I shall vote for the amendment which has been proposed by the gentleman from Georgia [Mr. BUCHANAN], in order to reduce the duty upon the foreign dyes and keep down the price of the domestic dyes. I think the amendment is important in that view, and I trust the Committee of the Whole will sustain it.

Mr. ELLIS. I ask unanimous consent to print in full the document from which I quoted a few moments ago.

There was no objection. The paper is as follows:

SIR: The undersigned, consumers of aniline dyes in the United States, earnestly request that the duty on the same be reduced, and that it be fixed at a rate

of not more than 25 per cent. ad valorem, and the following reasons why such action should be taken without delay are respectfully submitted:

I. The present rate of duty, which is 35 per cent. ad valorem and 50 cents per pound, was fixed when aniline dyes sold at a high price, since which time they have been very much reduced, so that the present rate of duty is not adapted to nor does it correspond with the present prices, but has become oppressive, injurious to business, and in the case of many of the cheaper dyes is almost or quite prohibitory.

II. That the present rate of duty is not required for protection, for the reason that a duty of 25 per cent. ad valorem would fully answer that purpose, as that rate meets the case of paints and colors now, nor is the present rate believed to be advantageous to the revenue, it being understood by those who have studied the subject that a lower rate of duty would yield a larger amount of revenue than is now collected from the articles in question.

III. That the present rate of duty has the effect to restrict the trade and seriously interfere with the operations of the American consumer, often amounting to a tax of 140 per cent. or more on aniline dyes used by them in the processes of manufacture.

IV. That the dyes in question should be regarded, in a degree at least, as being in the nature of raw material, to be worked into American manufactures, and that this view should control in fixing the duty—this has heretofore been the policy of the Government—all other dyes but aniline dyes being now admitted either free or at a rate of duty not exceeding 10 per cent.

V. That the present rate of duty on aniline dyes deprives the consumers in this country of valuable dyes, either by preventing their importation or by putting the price so high as to make it unprofitable to use them, which amounts to a hardship of such magnitude as in the opinion of the undersigned to entitle the parties interested to speedy relief.

VI. We further represent that in our opinion an ad valorem duty is preferable to a specific duty for the reason that the prices of dyes have so wide a range that a duty of 10 cents per pound would amount to 1 per cent. on one dye and to 60 per cent. on another, and it seems to us impossible that the case can be met and the rights and requirements of the trade provided for by a specific duty.

All of which is respectfully submitted.

New York.—Garner & Co., calico manufacturers, New York; Manhattan Print Works, satinet printers, Worthen & Aldrich, New York; Harmony Print Works, satinet printers, George W. Wight, New York; Empire Print Works, satinet printers, Worthen & Aldrich, New York; Bronx Company, calico printers, T. Bolton, jr., manager, New York; Empire Mill, cotton manufacturers, W. Nuttall, Cohoes; J. H. Parsons, cotton manufacturer, Cohoes; Globe Woolen Company, woolen manufacturers, Robert Middleton, president, Utica; Auburn Woolen Company, woolen manufacturers, William G. Wise, treasurer, Auburn; Canoga Woolen Company, woolen manufacturers, William G. Wise, treasurer, Auburn; Waterloo Manufacturing Company, woolen manufacturers, S. Warner, secretary, Waterloo; J. J. Joslin, woolen manufacturer, Schaghticoke; W. W. Trask, woolen manufacturer, Newburgh; Orange County Woolen Company, woolen manufacturers, James Harrison, Newburgh; James Taylor, woolen manufacturer, Newburgh; W. F. Keefer, woolen manufacturer, Camillus; Frisbie & Stansfield, woolen manufacturers, Camden; Harris Manufacturing Company, limited, woolen manufacturers, Samuel Harris, treasurer, Catskill; Hop-o-Nose Knitting Company, woolen manufacturers, Samuel Harris, treasurer, Catskill; C. W. Rockwell & Co., woolen manufacturers, Rockwell Mills; Crabtree & Patchett, woolen manufacturers Montgomery; James Roy & Co., woolen manufacturers, John F. Roy, treasurer, West Troy; Carroll & Co., woolen manufacturers, Matteawan; Hall F. Baldwin, woolen manufacturer, Yonkers; Oswego Falls Manufacturing Company, woolen manufacturers, Fulton; Stephan Sanford, carpet manufacturer, Amsterdam; Shuttleworth Brothers, carpet manufacturers, Amsterdam; Joseph Barber & Sons, carpet manufacturers, Auburn; Nye & Wait, carpet manufacturers, Auburn; C. M. & G. P. Pelton, carpet manufacturers, Poughkeepsie; E. S. Higgins & Co., carpet manufacturers, New York; Barrett, Nephews & Co., dyeing establishment, Abm. C. Wood, treasurer, New York; New York Dyeing and Printing Establishment, J. T. Young, president, New York; Barretts, Palmer & Heal, dyeing establishment, H. B. Palmer, president, New York; Louis Dejonge & Co., paper manufacturers, New York; Wilkinson Brothers & Co., paper manufacturers, New York; T. E. James, wall-paper manufacturer, New York; F. Beck & Co., wall-paper manufacturers, New York; J. S. Rockwell & Co., leather manufacturers, New York; Charles E. Johnson & Co., ink manufacturers, New York; Thad. Davids & Co., ink manufacturers, New York; James P. Barnett, paint and color manufacturer, New York.

New Jersey.—Millville Manufacturing Company, cotton manufacturers, George Wood, president, Millville; May's Landing Water Power Company, cotton manufacturers, George Wood, president, May's Landing; R. & H. Adams, cotton manufacturers, Paterson; The Gloucester Manufacturing Company, calico manufacturers, George A. Heyl, president, Gloucester; Ancona Printing Company, calico manufacturers, George A. Heyl, president, Gloucester; Reid & Barry, calico manufacturers, Passaic; Raritan Woolen Mills, woolen manufacturers, Raritan; Somerset Manufacturing Company, woolen manufacturers, Raritan; Waterhouse Bros., woolen manufacturers, Passaic; Robert Beattie & Sons, carpet manufacturers, Little Falls; The Dolphin Manufacturing Company, jute manufacturers, John Sloane, president, Paterson.

Connecticut.—Union Manufacturing Company, cotton manufacturers, North Manchester; Wasue Manufacturing Company, cotton manufacturers, South Glastonbury; J. R. Montgomery & Co., cotton manufacturers, Windsor Locks; Russell Manufacturing Company, cotton manufacturers, E. Deming, treasurer, Middletown; Gardiner Hall, jr., & Co., cotton manufacturers, South Willington; The White Manufacturing Company, cotton manufacturers, C. White, treasurer, Rockville; The Falls Company, cotton manufacturers, W. G. Ely, treasurer, H. E. Fisher, superintendent, Norwich; Palmer Bros., cotton manufacturers, Montville; A. H. & C. B. Alling, woolen manufacturers, Birmingham; Radcliff Bros., woolen manufacturers, Birmingham; The New England Company, woolen manufacturers, A. P. Hammond, treasurer, Rockville; Lounsbury & Bissel, woolen manufacturers, Winnepauk; Tunxis Worsted Company, woolen manufacturers, A. C. Dunham, treasurer, S. Metcalfe, agent, Poquonnock; Dunham Hosiery Company, woolen manufacturers, Samuel G. Dunham, treasurer, D. P. Mills, agent, Naugatuck; Rawitser & Bro., woolen manufacturers, Stafford Springs; R. G. Hooper & Co., woolen manufacturers, Montville; Aldrich & Milner, woolen manufacturers, Moosup; The Read Carpet Company, carpet manufacturers, C. H. Read, president, Bridgeport; Hartford Silk Manufacturing Company, silk manufacturers, Tariffville; Wilkinson Bros. & Co., paper manufacturers, Birmingham; James Houston, dyer, Norwich.

Vermont.—Burlington Woolen Company, woolen manufacturers, Thomas F. Patterson, treasurer, Winoosky Falls; Wells, Richardson & Co., druggists, Burlington; R. B. Stearns & Co., druggists, Burlington; B. W. Carpenter & Co., druggists, Burlington; Browitt Bros., druggists, Burlington.

New Hampshire.—Manchester Mills, calico manufacturers, John C. Palfrey, treasurer, Manchester; Amoskeag Manufacturing Company, cotton manufacturers, T. L. Livermore, agent, Manchester; Monadnock Blanket Company, woolen manufacturers, W. H. Wilkinson, treasurer, Marlborough; Hargraves Woolen Company, woolen manufacturers, Edward Hargraves, Thomas H. Roberts, agent, Great Falls; Walter Aiken, woolen manufacturer, Franklin Falls; A. P. Olzendam, woolen manufacturer, Manchester; A. H. Sulloway, woolen manufacturer, Franklin.

Maine.—Bates Manufacturing Company, cotton manufacturers, C. I. Barker, agent, Lewiston; York Manufacturing Company, cotton manufacturers, W. G. Saltonstall, treasurer, Saco; Westbrook Manufacturing Company, cotton manufacturers, W. R. Wood, treasurer, Sacarappa; Guilford Woolen Mills, woolen manufacturers, John R. Pollock, agent, Guilford; Piscataquis Woolen Mills, woolen manufacturers, John R. Pollock, agent, Guilford; Saco River Woolen Company, woolen manufacturers, F. H. Hargraves, agent, West Buxton; J. Robinson, woolen manufacturers, Oxford; Mayo & Sons, woolen manufacturers, Foxcroft; Fansworth Company, woolen manufacturers, L. B. Burrill, agent, Lisbon; Lewiston Bleachery and Dye Works, James Dempsey, agent, Lewiston.

Rhode Island.—Conant Thread Company, cotton manufacturers, H. Conant, treasurer, Pawtucket; John W. Slater, cotton manufacturer, Slatersville; Robert D. Mason & Co., dyers, Pawtucket; Clyde Bleachery and Print Works, calico manufacturers, S. H. Greene & Sons, Robert Reoch, superintendent, Riverpoint; Oriental Print Works, calico manufacturers, A. Dumaresq, treasurer, Apponaug; Richmond Manufacturing Company, calico manufacturers, F. E. Richmond, treasurer, Providence; Dunnell Manufacturing Company, calico manufacturers, William W. Dunnell, treasurer, Pawtucket; Peckham Manufacturing Company, woolen manufacturers, Coventry; American Worsted Company, woolen manufacturers, P. H. Brown, agent, Woonsocket; Daniel Day & Co., woolen manufacturers, Providence; Driver & Laraway, woolen manufacturers, Mapleville; Hughesdale Manufacturing Company, woolen manufacturers, Johnston; Taft, Weeden & Co., woolen manufacturers, Providence; Valley Worsted Mills, woolen manufacturers, W. J. Cross, treasurer, Providence; Paine & Sacket, woolen manufacturers, Providence; Charles Fletcher, woolen manufacturer, Providence; Central Falls Woolen Mill, woolen manufacturers, George A. Seagraves, treasurer, Lincoln; J. P. Campbell & Co., woolen manufacturers, Providence; Eagle Dye Works, dyers, Pawtucket; Providence Dyeing, Bleaching, and Calendering Company, S. Cornell, agent, Providence.

Massachusetts.—Lancaster Mills, cotton manufacturers, George W. Weeks, agent, Clinton; Montaup Mills, cotton manufacturers, Isaac Borden, treasurer, Fall River; Monument Mills, cotton manufacturers, John M. Seeley, agent, Housatonic; Greylock Mills, cotton manufacturers, North Adams; Plunkett & Wheeler, cotton manufacturers, W. B. Plunkett, manager, North Adams; W. C. Plunkett & Sons, cotton manufacturers, North Adams; Hadley Company, cotton manufacturers, William Grover, agent, Holyoke; Hampden Cotton Mills, cotton manufacturers, Edward S. Bradford, treasurer, Holyoke; Nashawannuck Manufacturing Company, cotton manufacturers, G. H. Newman, treasurer, Easthampton; D. Mackintosh & Sons, cotton manufacturers, Holyoke; Glasgow Company, cotton manufacturers, B. C. Brainard, agent, South Hadley Falls; Albert Curtis, cotton manufacturer, Worcester; Merrick Thread Company, cotton manufacturers, Timothy Merrick, treasurer, Holyoke; Everett Mills, cotton manufacturers, Eug. H. Sampson, treasurer, Lawrence; Whittenton Manufacturing Company, cotton manufacturers, Charles H. Lovering, treasurer, Taunton; Pemberton Company, cotton manufacturers, Lawrence; Lowell Hosiery Company, cotton manufacturers, W. F. Salmon, treasurer, Lowell; Boston Elastic Fabric Company, cotton manufacturers, J. J. Haley, jr., acting superintendent, Boston; Cochrane's Turkey Red Works, calico manufacturers, John Cochrane, jr., proprietor, Malden; Mystic Print Works, calico manufacturers, John Cochrane, jr., proprietor, Medford; American Printing Company, calico manufacturers, Thomas J. Borden, treasurer, Fall River; T. & J. H. Sanders, calico manufacturers, Southbridge; Rochdale Mills, woolen manufacturers, E. G. Carlton, agent, Rochdale; Dudley Hosiery Mills, woolen manufacturers, Thomas F. Patterson, treasurer, Newton; Pemberton Company, woolen manufacturers, F. E. Clarke, agent, Lawrence; Lowell Hosiery Company, woolen manufacturers, M. F. Salmon, treasurer, Lowell; Connor Brothers, woolen manufacturers, Holyoke; Lacowsic Woolen Company, woolen manufacturers, Hampden; Beebe, Webber & Co., woolen manufacturers, Holyoke; Avon Manufacturing Company, woolen manufacturers, A. D. Barker, agent, Boston; Byfield Woolen Mills, woolen manufacturers, Whittier, Ewing & Co., Byfield; Union Felting Company, woolen manufacturers, Woods Pierce & Co., Boston; Holliston Mills, woolen manufacturers, C. K. Darling, treasurer, Holliston; Jesse Eddy's Sons, woolen manufacturers, Fall River; Fall River Merino Company, woolen manufacturers, Fall River; B. F. Phillips & Son, woolen manufacturers, Pittsfield; L. Pomeroy & Sons, woolen manufacturers, Pittsfield; Springfield Blanket Company, woolen manufacturers, W. H. Wilkinson, treasurer, Holyoke; Farr Alpaca Company, woolen manufacturers, J. Metcalf, treasurer, Holyoke; Germania Mills, woolen manufacturers, L. Bum, superintendent, Holyoke; A. S. Morrison & Brothers, woolen manufacturers, Braintree; S. Blackinton Woolen Company, woolen manufacturers, O. A. Archer, treasurer, South Blackinton; Faulkner Mills, woolen manufacturers, L. W. Faulkner & Sons, Lowell; Faulkner, Page & Co., woolen manufacturers, Boston; Talbot Mills, woolen manufacturers, James Stott, superintendent, North Billerica; Willow Dale Mill, woolen manufacturers, Alfred Hill, treasurer, Hamilton; Palmer Carpet Company, carpet manufacturers, O. H. Sampson, treasurer, Palmer; M. J. Whittall, carpet manufacturers, Worcester; Worcester Carpet Company, carpet manufacturers, William James Hogg, proprietor, Worcester; Medford Carpet Mills, carpet manufacturers, John Cochrane, jr., proprietor, Medford; William Skinner & Son, silk manufacturers, Holyoke; S. D. Warren & Co., paper manufacturers, M. B. Mason, attorney, Boston; Holyoke Glazed-Paper Works, paper manufacturers, Alfr. A. Andrews, treasurer, Holyoke; The Bacon Paper Company, paper manufacturers, S. Kramer, Boston; Winslow Brothers, leather manufacturers, Boston; Hubbard & Blake, leather manufacturers, Boston; Pemberton & Brothers, leather manufacturers, Boston; Kennan, French & Co., leather manufacturers, Boston; C. H. Tigh, leather manufacturer, Boston; D. Woodbury, leather manufacturer, Peabody; Shawmut Manufacturing Company, leather manufacturers, Benjamin F. Jacobs, secretary, Turner Falls; Walker Bros., dyers, Chelsea; Crystal Spring, Bleaching and Dyeing Company, dyers, John P. Henry, treasurer, Fall River; John Monarch, dyer, Fall River; Fall River Bleachery, Spencer Borden, treasurer, dyers, Fall River; S. Gray & Co., dyers, Walpole; Middlesex Bleachery and Dye Works, dyers, K. M. Gilmore, agent, Boston; George N. Johnson, dyers, Lynn; Levandos French Dye House, dyers, C. F. Quincy, Watertown; R. K. Remington, dyer, Fall River; Forbes Lithographing Company, W. H. Forbes, treasurer, Boston; Mill River Button Company, George P. Warner, treasurer, Mill River; Boston Rubber-Shoe Company, Boston.

Ohio.—The F. Gray Company, woolen manufacturers, F. Gray, president, W. C. Gray, treasurer, Piqua; Defiance Woolen Company, woolen manufacturers, J. J. Jarvis, Defiance; Northern Ohio Woolen Mills, woolen manufacturers, F. Mühlhauser & Co., Cleveland; Northern Ohio Blanket Mill, woolen manufacturers, L. & S. H. Senior & Co., Cleveland; J. & H. Clasgens, woolen manufacturers, New Richmond; Cuyahoga Paper Company, paper manufacturers, Cuyahoga Falls.

Illinois.—Jesse Green & Son, woolen manufacturers, Dayton; Troup & McCulloch, woolen manufacturers, Kankakee; Warsaw Woolen Mills, woolen manufacturers, Warsaw; Jacksonville Woolen Mills, woolen manufacturers, Jacksonville; Springfield Woolen Mills, woolen manufacturers, J. T. Capps, treasurer, Springfield; F. K. Stevens, paper manufacturers, Chicago; Western Dye Works, Lisenbarth & Co., dyers, Chicago.

Indiana.—G. W. Powell & Co., woolen manufacturers, Valparaiso; Snyder & Snyder, woolen manufacturers, Monticello; South Bend Woolen Company, woolen manufacturers, South Bend; J. Schofield & Son, woolen manufacturers, Madison; A. C. Staley & Sons, woolen manufacturers, South Bend; H. C. & J. F. Sterne & Co., woolen manufacturers, Peru.

Iowa.—Davenport Woolen Mills Company, woolen manufacturers, Davenport; William Veitch, woolen manufacturer, Sigourney.

Kansas.—The Buell Manufacturing Company, woolen manufacturers, Blue Rapids.

Michigan.—Saint Joseph Spinning and Knitting Works, woolen manufacturers, Saint Joseph.

Missouri.—The Buell Manufacturing Company, woolen manufacturers, Saint Joseph; Springfield Woolen Mill, woolen manufacturers, Lord & Reyan, proprietors, Springfield; Independence Woolen Mills, woolen manufacturers, McCoy & McAfee, proprietors, Independence.

Wisconsin.—Portage Hosiery Company, woolen manufacturers, Portage; J. W. & C. Evans, woolen manufacturers, Waupaca; Appleton Woolen Mills, woolen manufacturers, Appleton; J. S. Hunt, woolen manufacturer, Racine; Grafton Worsted Mills, woolen manufacturers, L. F. Shacker, president, Grafton; Cedarburgh Woolen Mills, woolen manufacturers, D. Wittenberg, president, Cedarburgh.

Oregon.—Oregon City Woolen Mills, woolen manufacturers, Brown Bros. & Co., agents, Oregon; Brownsville Woolen Mills, woolen manufacturers, John Barrows, agent, J. P. Galbraith, secretary, Brownsville.

California.—Pioneer Woolen Factory, woolen manufacturers, A. U. Goldsmith, treasurer, San Francisco; Golden Gate Woolen Mills, woolen manufacturers, H. G. Kuhl, secretary, San Francisco; Santa Rosa Woolen Mills, woolen manufacturers, G. Whittels, agent, San Francisco; Merced Mill, woolen manufacturers, Hoffman & Co., Merced; San Jose Woolen Mills, woolen manufacturers, W. H. Peckham, agent, San Jose; California Hosiery Company, woolen manufacturers, J. A. Swenarton, manager, Oakland; Marysville Woolen Mills, woolen manufacturers, Sachs, Heller & Co., agents, Marysville; California Silk Manufacturing Company, silk manufacturers, H. M. Hale, secretary, San Francisco; Parisian Dye Works, dyers, F. Thomas & Co., San Francisco; F. C. Hagerup, dyer, San Francisco; Palace Dye Works, dyers, Charles J. Holmes, proprietor, San Francisco; Pacific Ink Factory, ink manufacturers, L. Schwabacher, proprietor, San Francisco.

Alabama.—Tuscaloosa Manufacturing Company, cotton manufacturers, B. Friedmann, treasurer, Tuscaloosa.

Georgia.—Sibley Manufacturing Company, cotton manufacturers, Wm. C. Sibley, president, Augusta; Summerville Mills, cotton manufacturers, G. P. Curry, proprietor, Augusta; Eagle and Phœnix Manufacturing Company, cotton manufacturers, G. Gunby Jordan, treasurer, Columbus; Muscogee Manufacturing Company, cotton manufacturers, Columbus; Excelsior Mills, cotton manufacturers, Columbus; A. Clegg & Co., cotton manufacturers, Columbus.

Kentucky.—January & Wood, cotton manufacturers, Maysville; Carrollton Woolen Mills, woolen manufacturers, John W. F. Howe & Co., Carrollton; O. Edlich & Bro., woolen manufacturers, Louisville.

North Carolina.—Randleman Manufacturing Company, cotton manufacturers, John H. Ferree, treasurer, Randleman; Glencoe Cotton Mills, cotton manufacturers, W. E. & J. H. Holt, Company Shops; Carolina Cotton Mills, cotton manufacturers, J. H. & W. E. Holt & Co., proprietors, Graham; Alamance Cotton Mills, cotton manufacturers, E. M. Holt's Sons, proprietors, Graham.

Texas.—New Braunfels Woolen Manufacturing Company, woolen manufacturers, New Braunfels.

Delaware.—James Riddle, Son & Co., cotton manufacturers, Brandywine Cotton Mills, Wilmington.

Pennsylvania.—Washington Manufacturing Company, cotton manufacturers, Henry N. Paul, treasurer, Philadelphia; James Smyth & Co., cotton manufacturers, Philadelphia; A. Campbell Manufacturing Company, cotton manufacturers, W. B. Stephens treasurer, Manayunk; Aramingo Mills Company, cotton manufacturers, Manayunk; Pennypack Print Works, calico printers, A. Hartel & Co., Philadelphia; Richmond Dye and Print Works, calico printers, James Martin & Co., Philadelphia; Conestoga Print Works, calico printers, James & J. Hunter, Philadelphia; John Forrest, calico printer, Philadelphia; James Long, Brothers & Co., woolen manufacturers, Philadelphia; John Greer & Co., woolen manufacturers, Philadelphia; Thomas Dolan & Co., woolen manufacturers, Philadelphia; John Culbertson & Son, woolen manufacturers, Philadelphia; Seville Schofield (Economy, Blantyre, and Eagle Mills), woolen manufacturers, Manayunk; Samuel Haigh & Co. (Bridgewater Mills), woolen manufacturers, Manayunk; G. P. Dennis (Yeadon Mills), woolen manufacturers, Chester; Ivans, Dietz & Magee, carpet manufacturers, Philadelphia; James & George D. Bromley, carpet manufacturers, Philadelphia; Thomas L. Leedam (Philadelphia Carpet Mills), carpet manufacturers, Philadelphia; Clough & Carson (Fairmount Dye House), dyers, Philadelphia; Firth Brothers & Co. (Providence Dye Works), dyers, Philadelphia; R. Greenwood & Bault (Globe Dye and Bleach Works), dyers, Philadelphia.

Mr. ELLIS. I desire further to quote very briefly from a report made by Mr. Tichenor, the special agent of the Treasury Department, and a gentleman who is supposed to be an expert in all these questions. This is from a report of the special agent of the Treasury of date October 16, 1882. He says:

The experience of the past eighteen years has, I regret to say, shown that a high protective duty has not resulted in the building up of anything worthy of the name of an aniline color industry in this country, notwithstanding it is understood that there is an abundance of the raw materials here, and aniline oil and arseniate of aniline have been admitted free of duty. There are, to be sure, a few small concerns making certain classes of colors, but these employ so few people and produce such limited quantities of dyes as hardly to amount to an industry worth protecting at the expense, at least, of burdening and crippling the vast industries devoted to the manufacture of textile fabrics, as well as to putting a tax upon the consumers of such fabrics.

Mr. TOWNSHEND, of Illinois. Mr. Chairman——

The CHAIRMAN. Does the gentleman rise to oppose the amendment?

Mr. TOWNSHEND, of Illinois. What is the amendment?

The CHAIRMAN. It is to strike out the last word.

Mr. TOWNSHEND, of Illinois. I rise to oppose that amendment. I am very much gratified to learn that there is at least one member of the Committee on Ways and Means on the other side of the House who proposes to lengthen the free-list to the extent at any rate of placing aniline oil on that list.

For the purpose of illustrating the manner in which the Committee on Ways and Means has attempted to protect certain classes at the expense of others, I desire the Clerk to read a circular presented by four different manufacturing establishments.

Mr. HASKELL. On what?

Mr. TOWNSHEND, of Illinois. Let the Clerk read and the gentleman will understand.

Mr. KASSON. We all have that circular.

Mr. RUSSELL. Aniline oil will be put on the free-list.

Mr. HASKELL. If you will only allow us to go on with the bill and vote we will put that on the free-list.

Mr. TOWNSHEND, of Illinois. I am illustrating another question. Let the Clerk read.

The Clerk read as follows:

To Gentlemen of the House of Representatives:

Facts are what we offer you.

First. Aniline oil years ago was put on the free-list because it was found impossible to make it in this country.

Second. It has never been made in this country except as a mere experiment.

Third. The material from which it comes (coal tar) does not exist here in sufficient quantity or quality to justify the attempt.

Fourth. Only one man now thinks he can make it, provided Congress will levy a duty of 20 per cent.

Fifth. To enable that one man to try the experiment it is proposed to grant his request and levy that duty.

Sixth. That same man is to-day importing it simply because he can not make it.

Seventh. Aniline oil and the arseniate of aniline are the "raw material" used by us in our manufactures of coal-tar dyes.

Eighth. The present duty on our manufactures is 50 cents per pound and 35 per cent. ad valorem. You propose to reduce that to 35 cents per pound and 20 per cent. ad valorem. That is all the reduction we can stand.

Ninth. If, in addition to this, you now place a duty on either aniline oil or arseniate of aniline, you simply drive us out of the business.

Tenth. It is a bad time to try experiments by imposing new duties which will result in the destruction of an already established and useful branch of industry.

Eleventh. We can prove every fact herein stated. We ask that aniline oil and the arseniate of aniline be placed on the free-list.

Respectfully submitted.

Mr. MILLS. I want to ask the gentleman from Illinois a question.

Mr. CHACE. By whom is that circular signed?

Mr. TOWNSHEND, of Illinois. Let the Clerk read the signatures.

The Clerk read as follows:

Read, Holliday & Sons, Brooklyn, New York; Williams Brothers & Lkin, Wood Haven, Long Island; Hoerlin & Kupferberg, Brooklyn, New York; Hudson River Aniline Color Works, Greenbush, New York, manufacturers of coal-tar dyes.

Mr. TOWNSHEND, of Illinois. The Committee on Ways and Means has placed the duty on that article at 20 per cent.

Mr. HASKELL. As I have told you over and over again, if you will let us go on with the bill we will put that on the free-list.

Mr. TOWNSHEND, of Illinois. I am glad to see that some members of the committee are becoming ashamed of their work.

Mr. MILLS. I want to ask a question of the gentleman from Illinois [Mr. TOWNSHEND]. It is this: Are these gentlemen who are asking to have these articles put on the free-list willing that the manufactured product that they are making may be correspondingly reduced?

Mr. TOWNSHEND, of Illinois. I do not know what these men want. I only call attention to the fact that they say the Committee on Ways and Means are seeking to make them pay a tax in order to help one single individual.

Mr. MILLS. Let me ask the gentleman from Kansas [Mr. HASKELL] if the Committee on Ways and Means are willing to reduce the duty on the manufactured product?

Mr. HASKELL. I will state the case as it stands. This artificial alizarine and aniline oil are already free. Under the same state of circumstances that make these things free the present duty on the other articles is 50 cents per pound and 30 per cent. ad valorem. We now propose to make aniline oil free, artificial alizarine free, and to reduce the duty on the other articles from 50 cents per pound to 35 cents per pound and from 35 per cent. ad valorem to 20 per cent. ad valorem.

Mr. TOWNSHEND, of Illinois. Why did you put 20 per cent. on aniline oil in this bill?

Mr. MILLS. I would ask the gentleman what reduction they will make upon the manufactured product?

Mr. HASKELL. I will tell gentlemen why, upon discussing this proposition in committee, we proposed to put this duty on these articles. The patents which have made the price of these dyes in the United States outrageously high are about to expire—will expire next June. American manufacturers say that if we give them the least shadow of a chance they will within a year put up dye manufactories, and will be able more than to supply the market, and will sell these articles at a quarter of the price paid for them heretofore. Acting upon that representation we thought it best to protect them to a small extent. But upon further consideration we have concluded to abandon the whole scheme and to cut down the rates proposed in the bill.

Mr. ELLIS. Do I understand the gentleman to say that some one in the United States has patents for making these dyes?

Mr. HASKELL. No, sir; foreign monopolists control the patents.

Mr. ELLIS. In reply to the gentleman let me say that these dyes are manufactured by half a dozen companies in Europe.

The question recurred upon the motion of Mr. BUCHANAN, to strike out of line 343 the words "35 cents per pound;" so as to make the paragraph read as follows:

All dyes and colors, by whatever name known, of which the distinctive chemical structures and tinctorial qualifications are the product of artificial or synthetical fabrication, 20 per cent. ad valorem.

The question was taken upon the amendment; and upon a division there were—ayes 54, noes 83.

Mr. BUCHANAN. I call for tellers.

Mr. ELLIS. No quorum has voted.

Tellers were ordered; and Mr. BUCHANAN and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported that there were—ayes 62, noes 86.

So the amendment was not agreed to.

Mr. TUCKER. I now move to strike out the words "35 cents per pound and 20," and to insert in lieu thereof "30;" so that the duty will be 30 per cent. ad valorem. The motion of the gentleman from Georgia [Mr. BUCHANAN] was to make the duty 20 per cent. ad valorem. I now propose 30 per cent. ad valorem, and think gentlemen on the other side ought to be willing to compromise on that.

Mr. PAGE. Put it where the Senate bill has it, at 35 per cent. ad valorem.

Mr. TUCKER. Does the Senate propose that?

Mr. PAGE. Yes, that is the rate proposed by the Senate.

Mr. CANDLER. I move to amend the amendment of the gentleman from Virginia [Mr. TUCKER] by substituting "40" instead of "30." That is the rate recommended by the Tariff Commission.

Mr. KELLEY. On behalf of the members of the committee about me I will accept that amendment; it will make a marked increase of duties on the higher grades.

Mr. TUCKER. You accept what?

Mr. KELLEY. Accept the 40 per cent.

Mr. HASKELL. When we make the other articles free we will equalize the matter.

Mr. TUCKER. I ask for a vote on my amendment.

Mr. CANDLER. I move to amend the amendment of the gentleman from Virginia [Mr. TUCKER] by striking out "30" and inserting "40." Forty per cent. is the rate fixed by the commission.

The amendment of Mr. CANDLER was agreed to.

The amendment of Mr. TUCKER as amended was agreed to.

Mr. KASSON. I move to amend by inserting, after the word "known," in line 340, the words "not otherwise provided for in this act." This clause, which is found in the succeeding paragraph, seems to have been omitted here by accident.

The amendment was agreed to.

The Clerk read as follows:

Aniline oil, 20 per cent. ad valorem.

Mr. KELLEY. I move to strike out the line just read.

The amendment was agreed to.

The Clerk read as follows:

Artificial alizarine, 10 per cent. ad valorem.

Mr. KELLEY. I move to strike out this line.

Mr. CARLISLE. I think the committee ought to be informed that the gentleman from Kansas [Mr. HASKELL] is mistaken when he appears to suppose that artificial alizarine is the base of any color or dye. It is itself a color.

Mr. HASKELL. Why, it is the old substitute for madder. It runs from brown to red and includes those colors.

Mr. CARLISLE. But aniline oil is a raw material.

Mr. HASKELL. It is one of the raw materials.

Mr. CARLISLE. And artificial alizarine is the dye itself.

Mr. HASKELL. Yes, sir.

Mr. CARLISLE. You propose to put 20 per cent. on the other, and this you put on the free-list.

Mr. HASKELL. It is a cheap, coarse dye.

Mr. CARLISLE. That is just the argument I made a while ago.

Mr. KELLEY. They are both on the free-list now, and my motion is to retain them there.

The amendment of Mr. KELLEY was agreed to.

The Clerk read as follows:

Ultramarine, 5 cents per pound.

Mr. CARLISLE. I move to strike out this line. I wish to ask gentlemen on the other side, who have a practical knowledge of these matters, whether the clause beginning with line 357 does not include this article of ultramarine?

Mr. BROWNE. Will the gentleman tell us what ultramarine is, and how it differs from other marine? [Laughter.]

Mr. CARLISLE. It is a color or paint. I will read the clause to which I refer:

Colors and paints, including lakes, colcothar, oxide of iron, and Venetian red, whether dry or mixed, or ground with water or oil, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.

As I understand, ultramarine is one of the colors or paints which would be included in this clause; and it is the only one, so far as I have been able to see, which has been excepted from this general provision imposing a duty of 25 per cent. ad valorem. It is proposed to subject it to a duty of 5 cents per pound, equal to 60 per cent. ad valorem.

Mr. KELLEY. Oh, no.

Mr. HASKELL. Twenty-seven per cent.

Mr. CARLISLE. The gentleman is thinking of the average value of the unit of quantity of the importations. But taking the article according to its actual value where it is produced, I am reliably informed that this duty will run from 20 or 25 per cent. to 60 per cent. ad valorem on some grades.

I see no reason why this article should be put into a separate enumeration. If struck out here it will fall under the general clause I have read and be subject to a duty of 25 per cent.

Mr. KELLEY. Ultramarine now pays a duty of 6 cents a pound.

Mr. CARLISLE. I know it does; but that does not make any difference if the rate is too high.

Mr. KELLEY. It is an article of costly and careful production. The clause which the gentleman has read is designed to provide for colors not otherwise provided for. We keep ultramarine out of that clause and provide for it separately, because it is an article involving careful preparation.

Mr. CARLISLE. What is the object of making this an exception?

Mr. HASKELL. Ultramarine of the finer sort includes the pigment used by artists. The original formation of it, as the gentleman will remember, was from a ground shell of the Mediterranean. In recent years artificial ultramarine has taken the place of the original product for all ordinary colors. But this word still covers that refined pigment used by artists, and it ought not to be put in the same list with the common grades of house paint.

Mr. CARLISLE. Why not, when the duty is ad valorem? If this article is worth ten times as much as another, the duty under an ad valorem rate will be ten times as much. This seems to have been selected out—for some purpose, I do not know what—from all these other colors and paints; and the proposition is to subject it to a specific rate which according to my information is much higher than the rate imposed upon the others.

Mr. RANDALL. As I understand, ultramarine is largely used by paper manufacturers for taking the color out of paper, just as indigo was formerly used for whitening linen or muslin.

Mr. SPRINGER. I move to strike out the last word. The present duty on ultramarine is 6 cents a pound. This bill proposes to make the duty 5 cents a pound. The effect of the motion of the gentleman from Kentucky to strike out the line would be to leave this article under the general provision for colors and paints, at 25 per cent. ad valorem. This article is used in the manufacture of writing-paper, paper hangings, and calico, and for general painting purposes. I have a statement here of the facts in this matter:

Present rate, 6 cents per pound; proposed rate, 5 cents per pound.

Prices for writing-paper, paper hangings, calicoes, &c.

Average prices in Europe.	Equivalent to ad valorem—	
	At 6 cents per pound.	At 5 cents per pound.
	Per cent.	*Per cent.*
For writing-paper, per pound, 12½ cents	48	40
For paper hangings, per pound, 10 cents	60	50
For calicoes, per pound, 13½ cents	44	37
For general painting purposes, per pound, 8 cents	75	62
For lithographing printing, per pound, 30 cents	20	16⅔

Ultramarine is made in this country by but two firms, and in a limited quantity. It should be classified under the provision for "colors and paints," at 25 per cent. ad valorem.

This is the only article taken from the class of colors and paints, to which it belongs, and provided for specially. There seems to be no adequate reason for this discrimination.

The proposed rate of duty, 5 cents per pound, amounts to a duty of from 50 to 60 per cent. ad valorem.

All arguments against a high rate of duty on articles used as raw material by the manufacturers in this country are applicable to ultramarine.

Line 354, page 15, therefore, should be stricken out, which would leave ultramarine provided for under the head of "colors and paints," at a duty of 25 per cent. ad valorem.

I would like to know in what States those two firms are located. Can the gentleman from Pennsylvania tell me where they are?

Mr. KELLEY. I can not reply to every anonymous circular which may be sent here.

Mr. SPRINGER. The gentleman is not asked to reply to any anonymous circular, but to answer my inquiry, whether he knows where these two firms are located. And it is a proper question. Can the gentleman tell us where these two manufacturing establishments are located? If he knows, he can say so; if not, he can say he does not.

Mr. KELLEY. While the subject was under consideration by the committee time was taken to inquire of colorists throughout the country whether that article was manufactured in this country, and the answer came back from establishments, yes, it was largely manufactured by many persons.

Mr. SPRINGER. The gentleman does not know where those establishments are located?

Mr. KELLEY. I know every responsible house of colorists in the country uses it and many manufacture it.

Mr. SPRINGER. My information is that there are only two establishments which manufacture it. Every argument in favor of raw material applies to this item.

Mr. KELLEY. It is an advanced manufacture.

Mr. SPRINGER. You ought to vote for the amendment of the gentleman from Kentucky.

The CHAIRMAN. The gentleman's time has expired.

Mr. SPRINGER. I withdraw my *pro forma* amendment.

Mr. CARLISLE. It will not put the article on the free-list to subject it to a duty of 25 per cent. ad valorem.

The committee divided; and there were—ayes 57, noes 78.

Mr. TUCKER demanded tellers.

Tellers were ordered; and Mr. TUCKER and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 71, noes 80.

So the amendment was disagreed to.

The Clerk read as follows:

Smalt's blue, 25 per cent. ad valorem.

Mr. KELLEY. I move to strike out "five;" so it will read:

Smalt's blue, 20 per cent. ad valorem.

The amendment was agreed to.

The Clerk read as follows:

Colors and paints, including lakes, colcothar, oxide of iron, and Venetian red, whether dry or mixed, or ground with water or oil, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. KELLEY. In order to perfect the text I move to strike out the comma in line 357, after "colcothar," and insert "or."

The amendment was agreed to.

Mr. TUCKER. Colcothar is at present on the free-list. I call the gentleman's attention to that fact.

Mr. KELLEY. I can not hear what the gentleman is saying.

Mr. TUCKER. Colcothar or the oxide of iron is in the present tariff on the free-list. This provides a duty of 25 per cent. shall be put on it.

Mr. KELLEY. What does the gentleman move?

Mr. TUCKER. I move to strike out "colcothar or oxide of iron," so as to put it on the free-list.

Mr. RANDALL. That is the red powder used by jewelers.

Mr. RICE, of Massachusetts. According to the testimony taken before the Tariff Commission Venetian red is an oxide of iron brought to a certain degree and colcothar is the same oxide of iron brought to a higher degree. The only object, then, of having colcothar on the free-list is that oxides like Venetian red may be imported under that title. There is more labor in colcothar than in Venetian red. The only effect, as stated in the testimony, of having colcothar on the free-list is to admit the other oxides free.

Mr. ROBINSON, of Massachusetts. I would like to ask my colleague, as he seems to be thoroughly posted in reference to this matter, whether upon his view of the case it is not quite clear that the "comma" and the word "or" ought to go out? I understand him to say that one of the oxides of iron is called colcothar and the other Venetian red.

Mr. RICE, of Massachusetts. I will say to my colleague that these paints are made from oxide of iron, which is copperas, or iron rust. Venetian red is that oxide of iron purified to a certain extent. Colcothar is the oxide of iron, but purified to a still further extent. There is scarcely any known distinction between the two; they are almost identically the same thing, and Venetian red is imported free of duty under the name of colcothar, which is on the free-list.

Mr. TUCKER. If colcothar is oxide of iron then of course it is hardly definite to say colcothar or oxide of iron, because there are two or more oxides of iron that we know of and a sesqui-oxide.

Mr. RICE, of Massachusetts. The "comma," in my judgment, ought not to be there.

Mr. KELLEY. I do not see why the oxide of iron need to be there in that case. I am perfectly willing, if it will cover the ground, to say colcothar and Venetian red, leaving out the words "oxide of iron."

Let me say to the committee that colcothar is the highest polishing substance for gold and silver and for fine jewelry that is known to man. It is largely used in industrial establishments for the purpose of polishing jewelry, and yet it has been on the free-list, and under it Venetian red has been imported free of duty. The article known as rouge, which colors the cheeks of some of our ladies and polishes the finest jewels which they wear, is simply colcothar.

I move to strike out from the sentence "or oxide of iron."

Mr. TUCKER. I move to strike out the whole colcothar. [Laughter.] I move to wipe it off. The gentleman says it is on, and I want to take it off altogether. Let us rub it off.

The CHAIRMAN. The question is on striking out the words "or oxide of iron."

Mr. ROBINSON, of Massachusetts. Mr. Chairman, before that motion is put, let me say, of course we want to be right about this thing, and in the structure of a tariff bill not only the phraseology but even the very punctuation is a matter of vital importance. Now, unless we are absolutely certain that we are right in this particular instance, I think it had better lie over until to-morrow and let it be framed in proper language so as to cover what is intended. The gentleman from Pennsylvania proposes, as I understand, that it shall read "colcothar oxide of iron," using the word colcothar as a descriptive name, there being other oxides of iron.

Mr. TUCKER. I will not object to that so far as the language is concerned, but I want to have a vote upon my motion.

Mr. ROBINSON, of Massachusetts. I only suggest to my friend that it be made to read "colcothar, oxide of iron, and Venetian red."

Mr. KELLEY. Let it lie over until to-morrow morning for the consideration of the gentleman from Massachusetts, if he desires it.

Mr. ROBINSON, of Massachusetts. I presume the gentleman desires to have the bill couched in proper language.

Mr. TUCKER. I would like to have a vote first on the other proposition.

The CHAIRMAN. Does the gentleman object to its being passed over informally?

Mr. TUCKER. I have no objection to that.

Mr. KELLEY. Mr. Chairman, gentlemen around me prefer that there shall be a vote upon the question. They doubt the propriety of striking out these words; therefore I stand by the phraseology of the bill.

The CHAIRMAN. The question is on the motion to strike out the words "or oxide of iron."

The amendment was not agreed to.

The CHAIRMAN. The question is now upon agreeing to the amendment proposed by the gentleman from Virginia to strike out the words "colcothar or oxide of iron."

The committee divided; and there were—ayes 36, noes 81.

So the amendment was not agreed to.

Mr. TUCKER. I move to further amend that paragraph by striking out the word "five" where it occurs in line 360, so that it will read "20 per cent. ad valorem."

My reasons for making this motion I will state very briefly. If gentlemen will look at the table placed in our hands in connection with this bill, they will find that under the phraseology of the present bill is included a large number of articles the average rates of duty on which range from 20 to 88 per cent., while colcothar is on the free-list. But when they come to group them all together in one classification they put these articles, ranging, as I have said, through a series of varying rates, down to 25 per cent ad valorem. They would raise one of these, therefore, that stands at 20 per cent. to 25 per cent,, while they raise colcothar, now on the free-list, up to 25 per cent. I propose, therefore, to make it 20 per cent. upon the whole; and that, in my judgment, is sufficient if we are reducing these rates to accomplish something in the way of an effort to equalize them.

Mr. RICE, of Massachusetts. Mr. Chairman, the labor in connection with this substance is the principal part of its cost. These paints are made from the residuum in the iron-works; taken from the iron-works and then by chemical processes made into Venetian red and colcothar. Almost the entire cost of the product is the labor involved, and 25 per cent. is a low enough rate of duty.

Mr. KELLEY. In response to the gentleman from Virginia I will say that while this grouping or classification to which he refers raises a few articles, it reduces those that pay 80 per cent. down to 25 per cent.

The CHAIRMAN. The question is upon the amendment proposed by the gentleman from Virginia.

The committee divided; and there were—ayes 47, noes 79.

So the amendment was not agreed to.

Mr. TUCKER. Will the gentleman from Pennsylvania [Mr. KELLEY] allow me to return to line 351?

Nitro-benzole or oil of mirbane, 10 cents per pound.

That item was passed over.

Mr. KELLEY. It was read distinctly.

Mr. TUCKER. I do not mean it was not read, but it was passed over. I would like to return to it to have an explanation.

Mr. KELLEY. I object.

The CHAIRMAN. The Clerk will read.

The Clerk read line 361, as follows:

Oxidizing paste, 20 per cent. ad valorem.

Mr. RANDALL. I think that line might as well go out. The article is now free. There were only $4,000 worth of it imported. It goes into textile fabrics in connection with colors. I move to strike out that line.

Mr. KELLEY. That article was made dutiable because oxidizing paste is not a generic term. It does not mean anything specifically. It may mean anything that will harden a fluid or semi-fluid substance, and it was put there under a duty in order to give the Treasury Department control of a considerable class of articles which might be used as oxidizing paste or for other purposes, but were brought in under that general name, and we propose to put it under duty, so that when an article is brought in as oxidizing paste it may be shown to be that and pay the proper duty.

The amendment was not agreed to.

The Clerk read lines 362 and 363, as follows:

The pigment known as bone-black and ivory drop black, 25 per cent. ad valorem.

Mr. TUCKER. I move to amend by striking out "25 per cent." and inserting "20 per cent."

The amendment was not agreed to.

The Clerk read lines 364 and 365, as follows:

Bone-char, or bone-black, fit for sugar refining, 25 per cent. ad valorem.

Mr. ELLIS. I move to strike out those two lines, so that this article may be added to the free-list. I do this in the interest of cheap sugar.

Mr. KELLEY. Oh, yes!

Mr. ELLIS. There was no revenue derived from this article last year. None will be obtained by this duty; and according to the rule laid down by the President of the United States and remotely referred to by my friend from Illinois [Mr. SPRINGER] occasionally, it ought to go on the free-list.

Mr. KELLEY. I can not tell what revenue this article yielded, for it came in among the unenumerated articles.

Mr. ELLIS. Now, ninety-nine hundredths, nay more, of the sugars imported into this country are below No. 13 Dutch standard. Above are all the grades of refined sugar. The slaughter of the planters' interest proposed by the committee in the reduction of the duties on sugar below No. 13 will of course make it all the better for the refiner in the future, for if he gets the cheap sugars, the low sugars, the raw elements from which he makes the table sugars, of course he will have the monopoly. I think, therefore, it is in the interest of the people, in the interest of cheap sugar, of which we hear so much, that every essential and every element that enters into the refining of sugar, so far as we can make it so, shall be free. Therefore I desire that this item be added to the free-list.

The question being taken on the motion of Mr. ELLIS to strike out lines 364 and 365, there were—ayes 59, noes 63.

Mr. ELLIS. No quorum.

The CHAIRMAN. A quorum not having voted, the Chair appoints as tellers the gentleman from Louisiana, Mr. ELLIS, and the gentleman from Kansas, Mr. HASKELL.

The committee again divided; and the tellers reported—ayes 80, noes 75.

So the amendment was agreed to.

The Clerk read line 371, as follows:

Zinc, oxide of, when ground in oil, 2 cents per pound.

Mr. CARLISLE. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out "2" and insert "1½;" so that it will read:
"Zinc, oxide of, when ground in oil, 1½ cents per pound."

Mr. CARLISLE. My amendment restores the rate to what it is under the present law. This is a proposition by the committee not to reduce rates of duty, but to increase them over the existing law.

Mr. HASKELL. I think this must be an error in the print. I have not the file with me; but it looks to me like an error in the print.

Mr. RANDALL. It arises from the increase of duty put on oil.

Mr. CARLISLE. We do not, so far as I now remember, increase the duty on any of the oils used in the preparation of this article.

The question being taken on Mr. CARLISLE's amendment, it was agreed to.

The Clerk read line 372, as follows:

Zinc, oxide of, fit for medicinal use, 10 cents per pound.

Mr. RANDALL. This under existing law comes in under the general clause of "not enumerated." It does not seem to have been enumerated by the commission at all. Under the general clause of "not enumerated" it would bear the duty of 25 per cent. ad valorem, whereas 10 cents a pound is equivalent to 50 per cent. ad valorem.

Mr. CARLISLE. Just double.

Mr. RANDALL. I move to amend by striking out "10" and inserting "5."

Mr. HERBERT. In the table the present rate of duty on this article is stated to be 1¾ cents per pound. What is the reason for raising the rate to 10 cents per pound?

Mr. KELLEY. There is a typographical error there. The gentleman will find it is put down as "not enumerated."

Mr. CARLISLE. I want to call the attention of the gentleman from Pennsylvania [Mr. KELLEY] to the fact that under the present law "zinc, oxide of, dry or ground in oil," is enumerated and is all dutiable at 1¾ cents per pound.

Mr. KELLEY. But "zinc, oxide of, fit for medicinal use," is not enumerated.

Mr. CARLISLE. But it comes in under the other enumeration.

Mr. HASKELL. Oh, no; it comes in under medicinal preparations not enumerated.

Mr. CARLISLE. In that case, at a rate of 25 per cent. ad valorem.

Mr. RANDALL. I think it comes in now among the unenumerated articles at 25 per cent. The action of the Committee on Ways and Means would make the rate 50 per cent., and I know of nobody who asks it.

Mr. KELLEY. I am willing to accept the amendment of my colleague [Mr. RANDALL] to make the duty on this article 5 cents per pound.

The amendment was agreed to.

The Clerk read the following:

Oils, essential or distilled, and not otherwise provided for in this act, 25 per cent. ad valorem.

Mr. MILLS. I want to ask the gentleman from Pennsylvania, or some member of the committee, if this includes cotton-seed oil?

Mr. HASKELL. Cotton-seed oil does not come in as an essential oil; it has a place by itself.

Mr. MILLS. It is not on your list?

Mr. HASKELL. Yes, it is.

The Clerk read the following:

Oils, all expressed, not otherwise provided for in this act, 12 cents per gallon.

Mr. RANDALL. I want to ask the gentleman in charge of this bill why it is proposed to change the rate of duty on expressed oils from 20 per cent. ad valorem to 12 cents per gallon?

Mr. HASKELL. That is just a catch-all phrase. All the essential oils which we could think of are specially enumerated; and this phrase is to embrace all the others.

Mr. RANDALL. Essential oils are produced by distillation; this refers to expressed oils.

Mr. HASKELL. I know that cotton-seed oil, linseed oil, and castor oil are expressed. And this clause is put in so that the bill might be made to cover all expressed oils.

Mr. RANDALL. I move to amend by striking out "12 cents per gallon" and inserting "25 per cent. ad valorem."

Mr. HASKELL. That would be an advance on the present rate.

Mr. TUCKER. This is an advance.

Mr. RANDALL. That is putting it higher than it now is; but it seems to me it would be preferable in a "basket" clause to make the rate ad valorem. Therefore I move to strike out "12 cents per gallon" and to insert in lieu thereof "25 per cent ad valorem."

Mr. BERRY. I move to amend the amendment so as to make the rate 20 per cent. ad valorem. I wish to say that the reason I offer this amendment to the amendment is for the purpose of ascertaining, if possible, why the duty on this article should be made higher than the present rate; especially in view of the fact that this bill is represented to be a bill proposing a reduction in the present rates of duties.

Mr. HAMMOND, of Georgia. You are mistaken about the purpose of the bill.

Mr. BERRY. I would like for some gentleman on the committee to tell me why the rate of duty on this article should be made higher than it is under the present law.

Mr. HASKELL. We propose a reduction upon the present rates.

Mr. BERRY. It is proposed to make the rate 25 per cent. ad valorem.

Mr. HASKELL. The gentleman is mistaken.

Mr. BERRY. The present rate on articles not enumerated is 20 per cent.

Mr. HASKELL. The present rate on articles not enumerated is 20 per cent., and the committee propose to make the rate 12 cents a gallon. That is simply making a change from an ad valorem to a specific rate; but it does not average as high as the old rate.

Mr. BERRY. The amendment offered by the gentleman from Pennsylvania [Mr. RANDALL] is to make the rate 25 per cent. ad valorem.

Mr. HASKELL. I do not agree to that amendment; for it is a higher rate on the average than 12 cents a gallon.

Mr. RANDALL. I do not think it is.

Mr. BERRY. If it is the purpose of the Committee on Ways and Means to change the rate of duty from specific to ad valorem——

Mr. HASKELL. That is not the purpose of the committee.

Mr. BERRY. I suppose the gentleman from Pennsylvania on this side of the House [Mr. RANDALL] is a member of the Committee on Ways and Means; and he has moved to change the rate of duty from a specific duty of 12 cents a gallon to an ad valorem duty of 25 per cent.

Now, I wish to know from that gentleman, or some other member of the Committee on Ways and Means, why a duty of 25 per cent. ad valorem is proposed, which is 5 per cent. higher than the present rate of duty. It is for that reason, if it is proposed to change the duty from a specific to an ad valorem duty, that I move the old rate of duty.

Mr. HASKELL. I want to state again (if the gentleman will listen to me and has any faith in what I say) that after enumerating these expressed oils, we propose that all other expressed oils shall come in at 12 cents a gallon, a specific rate which is less than 25 per cent. ad valorem and less than 30 per cent. ad valorem. Here is one item which comes in under the old rate of 20 per cent. ad valorem, which at 20 per cent. would be 25 cents per gallon, the item of Chinese oil. There are a half dozen fine expressed oils, of which I can not now remember the names. Twenty-five per cent. ad valorem would make a higher rate of duty than the present rate or the rate proposed by this bill.

Mr. CARLISLE. Chinese oil is 20 per cent. ad valorem.

Mr. HASKELL. Then mustard-seed oil.

Mr. CARLISLE. The present duty on that is not equal to 1 per cent.

Mr. HASKELL. You are entirely mistaken.

Mr. CARLISLE. I hold the paper in my hand.

Mr. HASKELL. I hold in my hand a paper that says it is 25 cents a gallon.

Mr. CARLISLE. Will the gentleman read it?

Mr. BERRY. All this colloquy seems to have taken me from the floor. I understood that I was recognized by the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BERRY].

Mr. HASKELL. I only wanted to answer him.

Mr. BERRY. Do not take up my time.

Mr. HASKELL. I was simply answering your question.

Mr. BERRY. I wish to say that the gentleman from Kansas has clearly misunderstood the proposition that I attempted to place before the House. It is that the gentleman from Pennsylvania [Mr. RANDALL] proposes to change the duty on this article from a specific duty to an ad valorem duty, and in doing so he proposes to make the ad valorem duty 25 per cent. I have moved to amend his amendment so that the duty shall be 20 per cent. ad valorem if it is to be changed from a specific to an ad valorem duty.

I call upon the gentleman or some member of the committee to tell me why if the duty is to be changed from a specific to an ad valorem rate it should be made 25 per cent. instead of 20 per cent., which is the present law?

Mr. HASKELL. I will state again that there are half a dozen expressed oils at 20 to 35 per cent. ad valorem, and the equivalent specific rate would be double that fixed by the committee. I ask the Committee of the Whole to stand by the Committee on Ways and Means.

Mr. CARLISLE. I move to strike out the last word. I wish to call attention to the fact that the clause proposed in the bill will include several kinds of oil which are enumerated separately in the existing law. Mustard oil under the present law pays 25 cents per gallon, which is equivalent to .70 of 1 per cent. ad valorem. Chinese oil pays 20 per cent. ad valorem under the present law; olive, not salad, 25 cents per gallon, equal to 39.71 per cent.; vegetable, not otherwise provided for, 20 per cent. ad valorem.

Now, olive-oil is provided for specially in this bill. That is the only one now paying a higher duty than 20 per cent. under the present law.

Mr. HASKELL. The gentleman is mistaken. Mustard oil, according to the statement which the gentleman has just read, pays under the present law a duty of 25 cents a gallon. The committee propose to place it at 12 cents a gallon. Is not that a reduction?

Mr. CARLISLE. But I ask you whether it is right to reduce the duty upon an article which now pays less than 1 per cent. ad valorem, while you increase the duty on articles which are paying 20 per cent. ad valorem by imposing a specific duty of 12 cents a gallon instead of an ad valorem rate as proposed in the amendment? [Here the hammer fell.] I withdraw the *pro forma* amendment.

The question being taken on the amendment of Mr. BERRY to the amendment of Mr. RANDALL, it was not agreed to.

The amendment of Mr. RANDALL was not agreed to.

The Clerk read as follows:

Oils, rendered, not otherwise provided for in this act, 25 per cent. ad valorem.

Mr. TUCKER. I move to amend the clause just read by striking out "25" and inserting "20." Some very important oils are included here, among others cod-liver oil.

Mr. KELLEY. We agree to the gentleman's proposition.

The amendment of Mr. TUCKER was adopted.

The Clerk read as follows:

All logwood extracts, and decoctions of extracts, and decoctions of fustic and redwood, and extracts of and decoctions of all other dye-woods not otherwise provided for in this act, 10 per cent. ad valorem.

Mr. KELLEY. I move to amend the paragraph just read so as to read as follows:

All logwood, fustic, and redwood extracts, and extracts of and decoctions of all other dye-woods not otherwise provided for in this act, 10 per cent. ad valorem.

The amendment was agreed to.

Mr. SPRINGER. I move to amend by striking out the pending paragraph. I see that in one of the tables furnished to us logwoods are put down as free under the present law——

Mr. KELLEY. That is a mistake.

Mr. SPRINGER. And the Tariff Commission proposes to make them free. By this bill they are taxed 10 per cent.

Mr. RUSSELL. The statement that these articles are free under the present law is a mistake, a misprint, as is shown by Heyl's Digest, which I have here. The present rate is 10 per cent.

Mr. SPRINGER. Does not the commission propose to make these articles free?

Mr. KELLEY. The same mistake that made the articles free under the present law has made them free in the commission's report.

Mr. SPRINGER. I will ask why we should not place this important dye-stuff upon the free-list?

Mr. RUSSELL. The present rate upon logwood extracts and decoctions is 10 per cent. ad valorem. This is not a raw material, but an advanced product, and 10 per cent. is as low a rate as these manufactures can get along with.

Mr. SPRINGER. I move to strike out the paragraph, in order that these articles may go upon the free-list.

The motion was not agreed to.

The Clerk read as follows:

All ground or powdered spices not specially enumerated or provided for in this act, 5 cents per pound.

Mr. CARLISLE. I move to amend by making the rate in this paragraph 3 cents instead of 5 cents. In this bill we recommend that all unground spices—pepper, cinnamon, &c.—be put upon the free-list, reducing revenue to the extent of more than one million and a quarter of dollars. I think that 5 cents a pound would be a very high rate.

Mr. KELLEY. I make no objection to the amendment.

The amendment was agreed to.

The Clerk read as follows:

All earths or clays, wrought or manufactured, not specially enumerated or provided for in this act, $3 per ton.

Mr. HERBERT. I move to strike out those lines, and I do it for the purpose of getting some information. I see, according to the tables, that the articles covered by this clause are not taxed. The proposition now is to put a duty of $3 a ton on them. I ask the chairman of the committee what is the purpose of putting a tax on these articles heretofore admitted free of duty?

Mr. KELLEY. They come in under other designations, unwrought clay and white clay, at $5 a ton.

Mr. HERBERT. The tables you print show no duty was imposed on them heretofore.

Mr. HAMMOND, of Georgia. He says not by that name.

Mr. HERBERT. I withdraw my amendment.

The Clerk read as follows:

Proprietary preparations, to wit: All cosmetics, pills, powders, troches or lozenges, sirups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or preparations or compositions recommended to the public as proprietary articles or prepared according to some private formula as remedies of specifics for any disease or diseases or affections whatever affecting the human or animal body, including all toilet preparations whatever, used as applications to the hair, mouth, teeth, or skin not specially enumerated or provided for in this act, 50 per cent. ad valorem.

Mr. WHEELER. Mr. Chairman, I send to the Clerk's desk the following amendment. [Cries of "Vote!" "Vote!" on the Republican side.]

I am surprised, Mr. Chairman, that the gentlemen on the other side of the House should cry "Vote!" "Vote!" "Vote!" before the amendment has been read, and before they can possibly know to what the amendment refers.

This impatience exhibited by the Republican members at any effort to reduce what we regard as exorbitant and oppressive taxation is very indicative of their determination. Can you, gentlemen of New England, of the North, and of the great Northwest, go before the people with the record you are making and have made since the commencement of the consideration of this bill?

All through the record we see your efforts to

CRY DOWN DISCUSSION,

and how often have you demanded that measures should be voted upon before you knew to what subject the measure referred. I begged you to change the clauses in lines 296 to 303, so as to prevent an increase in the price of drugs used in every medicine, and I thank you from the bottom of my heart for the attention you gave to my remarks upon that subject this morning, and doubly do I thank you for agreeing to the change in lines 300 and 301, by which the tariff upon potash used in medicine was reduced to 20 per cent. ad valorem. This success, together with my good fortune in receiving aid from your side of the House, by which my amendment was carried reducing the tariff upon castor-oil, encouraged me so much that I most earnestly made the same effort with regard to the articles mentioned in lines 380 to 384. Serious as this matter is, vital to the interest of the people as it is, it cost you no pang to refuse the relief which I humbly but earnestly solicited. The importation of this character of drug amounted to over $300,000 last year. The tax collected was a fraction over $60,000, and now the solid Republican party, against the solid Democratic party in the House, vote to increase the tax on these articles more than $16,000, all of which is paid by sick men and nearly all by very poor sick men.

Gentlemen, if you vote down this amendment, so long as the Republican party is one of the political organizations of this country it must bear the odium of having enacted a law which provides that chemical compounds, acids, and salts for medical use are taxed 25 per cent. while precisely the same articles if imported by a manufacturer would be taxed but 20 per cent. Besides the gross injustice of the discrimination, I should like to ask some member of the committee how the question as to which use the articles are to be applied is to be determined.

Again, suppose these articles are imported for manufacturing purposes, and after the duty at 20 per cent. is paid an epidemic should visit our country, could these drugs be used for medicines; and if not, what power could prevent it?

Again, is not this method of charging a different tax on the same article offering a premium for fraud and deception? If the statement of the importer with regard to the use he will apply the articles to is to determine the amount of duty, it seems to me it is at least offering a temptation to interested persons. So singular was this feature in the bill that I wrote to a gentleman whose evidence I found printed in the report of the Tariff Commission. The report informed me that he was the largest

importer of drugs in the United States. His reply, which has just been received, shows that he is as much at a loss regarding the matter as myself. He says:

A difference is made between chemical compounds, acids, and salts for medicinal use and those used in the arts and manufactures. Many chemicals are imported which are used both in the arts and in medicine—the same chemical. Is it just that a drug importer should pay 25 per cent. duty on any certain chemical which if it should be imported by a manufacturer would pay but 20 per cent.? How could a customs appraiser distinguish between the two? Besides, all the heavier chemicals used in the arts and manufactures are specially or rather individually rated on both the present and proposed tariff. The duty collected on chemical salts and preparations not otherwise provided for, which are the chemicals, &c., alluded to in the new bill, for arts and manufactures, in the year 1881, ending June 30, at 20 per cent., was only $59,859.63, a trifling sum; and there is, therefore, no reason why the two classes should not be covered by one and a uniform rate of duty—either 25 per cent. or 20 per cent. This would also prevent much discussion between the importer and the Government as to the proper rate of duty that should be imposed on certain chemical compounds or salts.

Another serious objection to many clauses of this section of the bill is that the same specific duty is levied upon the very expensive as upon very inferior articles.

Therefore the percentage is always greatest upon articles which are mostly used by the poorer classes. Champagne and brandy and cigars which are sold cheap are by this means taxed at a rate ad valorem from three to ten times more than the tax laid upon fine and expensive brandy, champagne, and cigars.

Is this right, Mr. Chairman? It seems to me clearly that it is not; and yet this objectionable feature we find upon nearly every page.

The rich man is better able than the poor to pay an equal percentage upon the luxuries, but under the law as it now stands, and as this bill proposes to perpetuate it, he is practically exempted from taxation.

Common champagne, which costs in France but $3 per dozen, is taxed 100 per cent., which is paid by a workingman.

Fine champagne, which costs $30 per dozen, is taxed 10 per cent., and the 10 per cent. is paid only by the rich; and the same inequality is found in very many items.

[Here the hammer fell.]

Mr. WHEELER'S amendment was disagreed to.

Mr. SPRINGER. I move to strike out "50" and in lieu thereof to insert "30." The present rate of duty on the articles here mentioned is 50 per cent. ad valorem. There is no reduction proposed by the committee.

Mr. KASSON. Let me say a word.

Mr. SPRINGER. Not in my time.

Mr. KASSON. I do not wish to make a speech. If the gentleman will look at the bill he will find it in the interest of the health of the people of the United States. Every one of these articles should be kept out.

Mr. SPRINGER. Why?

Mr. KASSON. Because we do not want their drugs and medicinal preparations from abroad poisoning the bodies of our people or their powders to spoil their complexions.

Mr. SPRINGER. I am much obliged to the gentleman for his statement. I see from the last bulletin of the Census Office (and I will give the list for fear the gentleman has not seen it) that there are in the United States of patent medicine and compounding establishments to the number of 563; that there is $20,000,000 of capital invested; that they employ 1,651,596 hands and create products to the value of $14,682,000. The gentleman from Iowa says this is a deleterious business to be engaged in, yet it seems we have within our limits manufacturing establishments of that character to the extent of a product of $14,682,000. I do not understand the medicinal preparations of the country to be deleterious. If they are why not prohibit their coming in? But they are made here and are sold to the people and sold at a profit of 50 per cent. ad valorem, so that for the insignificant revenue which we now derive from these items—$170,000 a year—the people are taxed to give this immense bounty amounting to millions of dollars a year to some favored manufacturers.

The CHAIRMAN. Debate upon this amendment is exhausted; the question is on agreeing to the amendment proposed by the gentleman from Illinois.

The amendment was not agreed to.

The Clerk read as follows:

Alcoholic preparations, alcoholic perfumery, and cologne water, $2 per gallon and 50 per cent. ad valorem.

Mr. MILLS. I want to ask what necessity there is for retaining these compound duties. I would like some member of the committee in charge of this bill to state why we may not strike out one or the other of these, increasing if necessary the remaining ones so as to simplify while retaining the rate of duty proposed? I think we ought to avoid this plan of double duties or compound duties as far as possible and simplify the bill.

The CHAIRMAN. What was the gentleman's motion?

Mr. MILLS. I rose to ask for information as to why the compound duty was on this.

The CHAIRMAN. Does the gentleman propose an amendment?

Mr. MILLS. No, I only asked for information.

Mr. RUSSELL. I will answer the gentleman that in this case it is done because of the internal-revenue tax upon alcohol.

Mr. MILLS. Why not make the duty one?

Mr. RUSSELL. Because it can not be estimated.

Mr. HASKELL. The only way to get at it with any certainty is to take the internal-revenue tax and then add the ad valorem rate.

The Clerk read as follows:

Chloroform, 50 cents per pound.

Mr. SPRINGER. I move to strike out that line. I need not call attention, I am sure, to the very estimable message of the President of the United States. [Great laughter.]

Mr. BAYNE. Let me make a suggestion.

Mr. SPRINGER. I was proceeding to say that I need not call attention to that message wherein he implores us to take off the duty upon these articles which yield but little revenue. Now, I want to put this article of chloroform upon the free-list as it is estimated to yield only some $1,200. Now I will hear the suggestion of my friend from Pennsylvania.

Mr. BAYNE. I simply want to say to my friend and for his benefit that if he persists in repeating the President he will not only fail to be elected Speaker of the next House of Representatives, but will be very apt to fail to be elected to the Forty-ninth Congress.

Mr. SPRINGER. I would rather be right than President or Speaker of the House either. [Laughter and applause.]

Mr. KELLEY. But you would rather be the echo of the President than to be right.

Mr. SPRINGER. I would rather be right, sir; and in doing this I know that I am right.

Chloroform is a very useful article. It is used to make persons insensible when they want to have their teeth extracted. [Laughter.]

Mr. BROWNE. If the gentleman from Illinois ever hopes to be right it will be when he is under the influence of chloroform. [Laughter.]

Mr. SPRINGER. You can not justify yourselves before the country in attempting to keep up this tax. I hope it will be abolished and that chloroform will be put upon the free-list.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Illinois.

The amendment was not agreed to.

The Clerk read as follows:

Collodion, medicinal, preparations of, 50 cents per pound; rolled or in sheets, but not made up into articles, 60 cents per pound.

Mr. ROBINSON, of Massachusetts. I desire to offer an amendment here simply to change the phraseology somewhat of this clause, but not the rate.

The Clerk read as follows:

Collodion, and all compounds of pyroxoline by whatever name known, 50 cents per pound; rolled or in sheets, but not made into articles, 60 cents per pound.

Mr. RANDALL. That word "pyroxoline" ought to go in.

Mr. ROBINSON, of Massachusetts. It describes the article.

The amendment was agreed to.

The Clerk read as follows:

On all finished or partly finished articles made of collodion, not otherwise provided for in this act, 60 cents per pound and 25 per cent. ad valorem.

Mr. ROBINSON, of Massachusetts. I offer a corresponding amendment to this so as to make it conform to the paragraph just passed.

The Clerk read as follows:

On all finished or partly finished articles made of collodion, pyroxoline, or compounds thereof, not otherwise provided for in this act, 60 cents per pound and 25 per cent. ad valorem.

The amendment was agreed to.

Mr. CARLISLE. I now move, Mr. Chairman, to strike out the words "sixty cents per pound," and strike out "twenty-five" and insert "fifty," so that the duty imposed upon this article shall be 50 per cent. ad valorem. I think we ought to avoid these compound rates of duty whenever it can possibly be done, and there is no difficulty about it in this instance. I would suggest a much lower rate of duty were it not for the fact the alcohol enters into the manufacture of the article and it is taxed $1.80 a gallon; that is to say, 90 cents tax on the proof-spirits per gallon, making $1.80 per gallon on the alcohol. I know of no reason whatever for retaining these compound rates in this instance, and it will be remembered that the Tariff Commission recognized the fact and recommended this simple system of imposing duty in every single schedule prepared by it except one, and in the report it is said that four members of the commission, including the late General McMahon, absolutely refused to sanction the compound rates in any instance whatever. But in that one case, in reference to wool and woolen goods, a bare majority of the commission determined to apply the compound rates. In every other instance and in every other schedule the compound rates were abolished. It is unnecessary, and in the interest of simplification these duties ought to be abolished, so that everybody who looks at the tariff law may know just what rate of duty is imposed upon an article. To abolish them would largely diminish the clerical work in the custom-houses, and consequently the expense of the collection of the duties. I believe the general rule adopted by the commission is the best that can be devised for our guidance in this case, and is one of the most valuable reforms pro-

posed by this commission; that is, the abolition of these compound duties and the simplification of the rates.

The question was taken on the amendment of Mr. CARLISLE, and it was not agreed to.

The Clerk read lines 453 to 456, as follows:

Ether, sulphuric, 50 cents per pound.
Fruit ethers, essences, or oils of apple, pear, peach, apricot, strawberry, and raspberry, made of fusel-oil, or of fruit, or imitations thereof, $2.50 per pound.

Mr. SPRINGER. I move to strike out lines 453 to 456.

The CHAIRMAN. Those lines contain two paragraphs, the former of which has been passed.

Mr. SPRINGER. I was on my feet trying to stop the Clerk in his reading.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. SPRINGER. I move to strike out the four lines which have been read.

The CHAIRMAN. The Chair will recognize the gentleman to move to strike out the first of those lines:

Ether, sulphuric, 50 cents per pound.

Mr. SPRINGER. These articles yield a very inconsiderable revenue and I want to put them on the free-list. One of them yields $466.16 of duty, and the other yields $630.50 of duty.

Mr. DUNN. What does the President's message say?

Mr. SPRINGER. That articles like these yielding an inconsiderable revenue ought to be put on the free-list.

Mr. CARLISLE. While I agree generally with the gentleman from Illinois [Mr. SPRINGER] as to the policy of taking off the dutiable list those articles which yield very small amounts of revenue, yet in this case these clauses embrace articles which are used very largely for making adulterated articles. People bring in these fruit essences and make cheap brandy, so-called apple brandy, &c.

Mr. RANDALL. The oils and essences of these fruits are used in flavoring.

The question being taken on Mr. SPRINGER'S amendment, it was not agreed to.

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] also moves to amend by striking out lines 454, 455, and 456.

Mr. SPRINGER. I withdraw the motion to strike out those lines.

The Clerk read line 457, as follows:

Fusel-oil, or amylic alcohol, $1 per gallon.

Mr. MORRISON. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out the line, namely, these words:
"Fusel-oil, or amylic alcohol, $1 per gallon."

Mr. MORRISON. Mr. Chairman, it is well known that this article is used in the manufacture of quinine, and that we have placed quinine on the free-list. I do not know upon what principle that has been done. It is the finished product, and we have refused to place on the free-list many crude and raw materials and articles that are used in the arts and in the manufactures. In fact, in this list or schedule of chemicals are to be found many articles which are at once the materials and tools of trade for manufacturing. And since we have made this article of quinine free, it seems to me we ought to give free material for its manufacture. The chairman of the Committee on Ways and Means will remember that when we were investigating another subject, and had a witness, Mr. Clark, of Peoria, Illinois, before us who gave us some information as to the manufacture of alcohol, he stated that this article was largely sold by him for use in the manufacture of quinine; that it was used instead of alcohol as a solvent.

Mr. SMITH, of New York. What article?

Mr. MORRISON. Fusel-oil. Notwithstanding it is not the best that can be used for the purpose, it is so used. It is the residuum, the dregs or what is left after making the whisky. It is an article that being too nauseous for making whisky, they use it in making quinine. And since they do so use it, and the article of quinine has been made free, this as one of the materials used ought to be free also.

The question being taken on Mr. MORRISON'S amendment, it was not agreed to.

Mr. WILLIS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out "$1" and insert "$2;" so that it will read:
"Fusel-oil, or amylic alcohol, $2 per gallon."

Mr. WILLIS. The reason I give for asking the committee to put this duty on fusel-oil back where it was before this attempted legislation is just the reverse of what my friend from Illinois has given for making it free. It is a fact well known that fusel-oil is now used, as the gentleman from Kansas [Mr. HASKELL] the other day stated, in the manufacture of quinine, and not only of quinine but of other medicinal preparations—and fruit essences, as is suggested to me by the gentleman from Pennsylvania [Mr. RANDALL].

It is equally well known that fusel-oil is a deadly poison. In consequence of the duty having been taken from quinine the manufacturers of quinine, in order to lessen the cost of its production, have substituted fusel-oil for alcohol, which is the proper solvent in the preparation of that medicine. So that instead of putting the duty at $1 in the line of protecting these manufacturers of quinine and of other medicinal preparations, who, to the detriment of the health of our people have made use of this noxious and improper solvent, I would put it back to the old duty of $2. I would even make it $4 if I could thereby prevent its coming into this country at all. In the interest of health therefore, in the interest of pure medicines, and in the interest ultimately of securing to this country free alcohol for all the arts and manufactures I move to put this duty back to $2 a gallon.

Mr. KELLEY. The gentleman from Kentucky [Mr. WILLIS] is entirely mistaken in supposing that fusel-oil enters into medicine.

Mr. WILLIS. I regret, then, that the honorable gentleman from Pennsylvania [Mr. KELLEY] differs from his colleague [Mr. HASKELL], whose speech appeared in to-day's RECORD.

Mr. KELLEY. The gentleman should hear me out. Quinine, cinchonidia, and the other salts of these two articles, are absolute results from the bark. The bark is a dirty-brown wood, and in the first processes of manufacture you would think it impossible for a clear white powder like quinine or cinchonidia, or any of the other salts, to come from such stuff. But solvents are used, costly processes are used, distillations take place in platinum retorts and vessels, and among the various agents used in the several stages of manufacture this disagreeable substance, the resultant from the manufacture of whisky, has been found to serve as a solvent.

The imposition of a duty of $2 per gallon on proof-spirit drove chemists into seeking for substitutes for nature's great solvent, alcohol; and it was found that fusel-oil, a deadly poison, could be used in the first stages of grinding this bark, or at some other stage.

Now, the reason for putting a duty on fusel-oil was this: to keep people from exporting it from the country of its manufacture, the great corn-growing and corn-distilling country of the world, the United States, and importing it back one-half alcohol, and so defrauding the revenue. A duty was put on this article as a protection to the revenue. It is not worth more than 25 cents a gallon.

Mr. HASKELL. Thirty-two and a half cents a gallon.

Mr. KELLEY. Then the use of it as a solvent has put up the price, for at the time the duty of $2 a gallon was put on they were glad to sell it at 25 cents a gallon. And the Internal Revenue Department prohibited the sale, because the Department was afraid that spirits would be bought with it and then separated from it. And I came to Washington on behalf of the manufacturers and the distillers to get American producers allowed to use this residuum of the still-houses.

[Here the hammer fell.]

Mr. MILLS. I move to amend the amendment of the gentleman from Kentucky [Mr. WILLIS] so as to make the duty on this article 20 per cent. ad valorem.

While we are constantly legislating in the interest of protecting public morals, protecting our people from being poisoned, and protecting home industry and all these other things, I think the House ought occasionally to recur to the questions of revenue and commerce. These are perhaps legitimate subjects for us to think of sometimes when we are considering the questions of duties on imports.

I concur fully with the President in his message, that all those articles on our tariff-list which yield but little revenue should be stricken off. It is one of the first steps to be taken in the reform of our cumbersome tariff, to strike off the dutiable-list all those items that produce little or no revenue at all.

When we come to apportion the tax on any article I do not think it is a legitimate question for us to ask whether the article is a poison or is not a poison. The fact, as is well known, is that it is very difficult for even scientific people to state positively what is poison and what is not. Strychnine is a poison, as we all know. It will kill dogs, crows, almost anything. Arsenic is a poison; calomel is a poison. Mercury, which enters into the composition of calomel and other things, will produce corrosive sublimate, which is a deadly poison. Yet all of these things are in one form or another healing agents; they have great curative properties. They are administered as medicines by all our physicians everywhere. There is nothing more common than for our physicians to give strychnine as a medicine in case of certain diseases.

Now, are we going to investigate everything and ascertain whether it is poisonous or not poisonous, whether it is moral or immoral, when we come to make a tariff to produce a revenue for the Government, and, if you please, to protect some home industries also, for I know that idea will prevail here? I want at least to keep within gun-shot of these two propositions; to have some reference to revenue and some reference to home industries to satisfy you people over there, not me; for I do not believe in anything of that sort.

Mr. KELLEY. I will say to the gentleman from Texas [Mr. MILLS] that it is impossible that fusel-oil can inhere in quinine or any of its salts.

Mr. MILLS. That does not alarm me a particle.

Mr. KELLEY. Again I say that the only need of a duty on this article is to protect the spirit tax of the Government.

Mr. MILLS. There is no need for a duty at all; it ought to go on the free-list. But a few years ago the duty on fusel-oil was 120 per cent.

Mr. KELLEY. Then we ought to put whisky on the free-list.

Mr. MILLS. This duty on fusel-oil brings no revenue of any consequence at all. I do not know whether there is some little manufactory somewhere——

Many MEMBERS. Vote! Vote!

Mr. MILLS. Do not be in a hurry, gentlemen; possess your souls in patience. You had better read your Bible a little and learn there how necessary it is to exercise your patience.

I do not know but there is some little manufactory stuck away down in some valley somewhere which will get the benefit of this duty. It looks to me in that way. I do not believe this is the proper way to foster and build up a manufacture.

I think the proposition stated by a Senator a few days ago is correct: that a calf will never learn to eat grass as long as you let him suck. [Laughter.]

Mr. WILLIS. I do not intend to trespass on the patience of the committee, but I believe this is one of the most important subjects before us for discussion.

What is the proposition of the gentleman from Texas [Mr. MILLS] and the gentleman from Pennsylvania [Mr. KELLEY]? The proposition of the gentleman from Texas is that fusel-oil is a beneficial remedial agent, and hence, like chloroform and other drugs, should be imported. I deny that. And I say it is an old and well-established principle of legislation that we can and should protect both the morals and the health of our people. This bill in its first section illustrates the exercise of both of these powers.

Now, I say that fusel-oil, as it is used in the preparation of these proprietary medicines and in the manufacture of quinine, is a detriment to the health of our people, and we are authorized, by establishing the highest duty, to prevent its importation and use. There is no higher duty resting upon us as representatives of the people than to protect the public health against invasion from any quarter whatever. The gentleman from Pennsylvania, the honorable chairman of the Committee on Ways and Means [Mr. KELLEY], says that fusel-oil is not used in the manufacture of quinine. I think he is mistaken in that proposition.

Mr. KELLEY. I said it was used as an agent in the process of manufacture, but it does not and can not enter into quinine.

Mr. WILLIS. It is used in precisely the way that alcohol was formerly used and as alcohol would now be used but for the fact that quinine has been made free and there is a heavy tax upon alcohol. It is used as a solvent. I ask the gentleman whether there did not appear, over eight months ago, before the Committee on Ways and Means a gentleman, the owner of a distillery, who testified that since quinine was made free he used only the imported article, because the imported article was not manufactured, as far as he knew, by the use of this poison, fusel-oil; and when asked how he knew that American manufacturers used it, replied, "Because I sell it to them?" I call attention also to the testimony given before the Tariff Commission by Mr. Robert H. Cowdery, one of the most prominent druggists in the city of Chicago, representing the druggists' association of that city. I have here his testimony. The majority in this Congress appointed this commission to take evidence. These are your witnesses. Take now their testimony and upon it render your verdict. What does Mr. Cowdery say:

Furthermore, alcohol is not used to any extent in the manufacture of quinine, fusel-oil taking its place almost entirely.

In addition to that I hold in my hand the speech of the gentleman from Kansas [Mr. HASKELL], a member of the Committee on Ways and Means—a speech published in the RECORD of this morning—in which he says:

What can you buy it for? You can buy fusel-oil to-day for 32 cents a gallon, purified and ready for use in the manufacture of quinine.

[Here the hammer fell.]

The question being taken on the amendment of Mr. MILLS to the amendment of Mr. WILLIS, it was not agreed to.

The amendment of Mr. WILLIS was not agreed to, there being—ayes 32, noes 69.

The Clerk read as follows:

Acid, tannic, and tannin, 80 cents per pound.

Mr. MILLS. I move to amend this paragraph by striking out "80 cents per pound" and inserting "50 per cent. ad valorem."

Mr. TUCKER. As an amendment to the amendment I move to make the duty 50 cents per pound.

Mr. TUCKER's amendment to the amendment was not agreed to.

The amendment of Mr. MILLS was not agreed to.

The Clerk read as follows:

Extract of hemlock and other bark used for dyeing and tanning, not otherwise provided for in this act, 10 per cent. ad valorem.

Mr. CURTIN. I move to amend by striking out "10" and inserting "20," so as to make the duty imposed by this paragraph 20 per cent. This is the present rate of duty on the extracts from barks used in tanning. There is no one engaged in tanning leather in this country who asks for this change in the duty. It is asked for by one large firm in Massachusetts who desire to introduce from Canada this extract. In their petition they declare that they have purchased a million and a half acres of hemlock lands in Canada for the purpose of making this extract, and therefore they desire a reduction of the duty to 10 per cent. But this reduction will not reduce the cost of leather to the consumer one farthing, and it will interfere directly with the business of tanning in the States where they grow hemlock and oak bark used for tanning. There are nine counties in Pennsylvania in which we have a million and a half acres of land growing bark used in tanning. Large investments have been made there in the tanning business. There are lands of the same kind in Maryland, Virginia, New York, West Virginia, and some of the States farther south. This is an industry which is growing in this country. While the reduction of duty as proposed in the bill will benefit the firm in Massachusetts who declare that they have invested a large amount of money in the manufacture of this article in Canada, it will reduce the revenues of the Government and take money from the pockets of those engaged in a legitimate branch of business in this country. The proposed reduction, it seems to me, favors neither home industry nor the capital invested in this business.

This Massachusetts firm gives as a reason for the reduction of duty that we are destroying the forests in this country. This is not the business of that firm in Massachusetts. If a man has an acre of land which produces bark the essence of which can be used in the making of leather, it is his own business whether he pleases to cut down his timber or not. Speaking for the people of Pennsylvania, my constituents, I do not desire that this firm in Massachusetts shall be the judge whether we shall or shall not destroy our forests as we may deem most profitable. I hope the reduced rate of duty proposed in the bill, which diminishes the revenue of the Government and tends to destroy a useful domestic industry, will not be agreed to.

Mr. CANDLER. I rise to oppose the amendment of the gentleman from Pennsylvania. The Tariff Commission, after carefully examining this question, recommended that it be placed upon the free-list, and the reason for this was because it concerns the great leather interest of this country. It enables the tanner to produce his leather at a lower rate. The exportation of leather is now one of the great and important exports of the country. It reduces the cost of leather to the people, and enables them to have their shoes and other products of leather at a much lower rate than heretofore.

It also, Mr. Chairman, protects the hemlock forests of this country. We hardly realize that this great tanning interest of the United States is exhausting our hemlock forests very rapidly, and the Tariff Commission were wise in considering both of these important interests. I hope there will be no increase on it. If anything is done it should be placed where the commission placed it, and that is upon the free-list.

Mr. CURTIN. Let me ask the gentleman a question?

Mr. CANDLER. Certainly.

Mr. CURTIN. Do you not know on the letter of that firm in Massachusetts the Senate put it up to 20 per cent. on the motion of the Senator of New York?

Mr. CANDLER. I want the House to legislate rightly, and I propose so to legislate in this House.

Mr. SKINNER. I offer the following amendment to the amendment:

In line 466 strike out "10" and insert "25."

I offer this amendment in the interest of protection to a young but important industry of this country.

Ever since the manufacture of the extract of hemlock bark became known to commerce the rate of duty imposed has been 20 per cent. The Tariff Commission, after hearing those interested in its manufacture, not in this country but in Canada, recommended that it be put upon the free-list. The Ways and Means Committee have reported in favor of a duty of 10 per cent. The Senate, in considering the bill now before that body, has fixed the rate at 20 per cent. The article in question is similar in its uses to the extract of sumac, the duty upon which the Senate has fixed at 20 per cent.

Mr. HAMMOND, of Georgia. I rise to a question of order. Are we to be told in every speech what the Senate did or did not?

Mr. SKINNER. I withdraw all reference to the Senate.

The CHAIRMAN. The gentleman will proceed in order.

Mr. SKINNER. The gentleman from Virginia [Mr. TUCKER], a member of the Ways and Means Committee, with an eye to the welfare of his State and its interests, which action I heartily commend, has wisely secured the retention of the duty on sumac at 20 per cent. [Laughter.] Both extracts are used in the manufacture of leather. My own district is interested in this matter, and there are manufactories in the States of Pennsylvania, Michigan, and Virginia, and I trust the Representatives from those States will join me in protecting them by a duty sufficient to keep alive the industry. It protects not only the small manufacturer but the laborer as well.

The only opposition to retaining the present duty comes from large capitalists and manufacturers of leather who within a few years have bought immense tracts of hemlock forests in Canada, and who have built expensive manufactories of this article there, and who desire to import free of duty every pound which they can produce, to the injury of smaller manufactories in the States named. One or two firms make the statement that they own and control 1,500,000 acres of hemlock lands in Canada, and have erected five extract works at a cost of $200,000 each. They bought these lands and erected these works while the duty was

fixed at 20 per cent. If they could afford to do this under the present tariff they can afford to go on if we continue the same rate. If they found its manufacture profitable then, they can not object to continuing the rate.

Mr. HORR. What is the present rate?

Mr. SKINNER. Twenty per cent. I desire to quote a statement laid upon our desks, signed by Messrs. F. Shaw & Brothers and Young, Thayer & Co., of Boston:

REASONS FOR REMOVING THE DUTY ON THE EXTRACT OF HEMLOCK BARK.

We would respectfully ask your attention to the following petition for protection of our hemlock forests, which are rapidly being depleted by one of the largest interests in our country, namely, the leather interest. As an indication of the importance this question—bark—is assuming, it may be stated that the tanners of this country use 1,250,000 cords of bark a year. An acre of hemlock land will yield about seven cords of bark. It thus takes upward of 178,000 acres of land to supply bark to the tanneries. As only nine States produce hemlock bark, it can be seen why the supply is becoming so rapidly exhausted. It ought to be understood that to get the bark the tree must be cut down, and can not be replaced.

We, the undersigned, own and control 1,500,000 acres of bark land and operate twenty-three tanneries; own nine extract works, and employ 5,000 men part of the year, 2,000 men all the time, and make 72,000 barrels of extract a year, the entire product of North America being but 100,000 barrels.

It has been stated that there are large extract factories in Canada owned by English capitalists. As a matter of fact there are seven factories in Canada, of which five belong to us, and are run, with the exception of one, to supply our own tanneries, thereby saving the forests around them, thus adding to the lives of the plants. Four of these factories have cost us $200,000 each, and in order to protect the plant and run them we must have large amounts of bark in their immediate neighborhood, and for this reason we have built extract works in Canada, thereby practically bringing our bark from another country, in a cheap and economical way, and in this manner protecting our own forests for future use.

There is a duty of 20 per cent. on this extract under the law of a manufactured article unprovided for, and the Tariff Commission recommend that the duty be reduced to 10 per cent.

We would most respectfully ask to have it put on the free-list, coming under the head of protection to our hemlock forests.

We ask this as owners of 1,500,000 acres of land and manufacturers of 72,000 barrels of extract, which is two-thirds of all the extract manufactured in North America. A memorial has been presented to Congress signed by most of the leading tanners of the country. Nearly, if not all, would have signed it had there been an opportunity to present it to them. They ask that this duty of 20 per cent. on the extract of hemlock be removed.

Very respectfully, yours,

F. SHAW & BROTHERS.

The information upon which the Tariff Commission and the Committee on Way and Means based their action recommending the reduction in the rate to 10 per cent was given by F. Shaw & Bros. and Young, Thayer & Co., of Boston, and their representative F. A. Wyman. On page 680, part 2, of the report of the Tariff Commission, Mr. Wyman states that the entire revenue collected from the importation of hemlock bark extract is less than $10,000. This statement is substantially correct. On the previous page he states that they have five extract factories in Canada and New Brunswick, and four in the United States.

In the extract above given, the writers state that in their "nine extract works they make 72,000 barrels of extract per year," an average of 8,000 barrels for each factory. The standard weight of extract is 10 pounds per gallon, and it is put up in barrels holding about 50 gallons. Calling the net weight per barrel 450 pounds, which is inside the facts, and we have for the yearly production of their Canada factories 40,000 barrels or 18,000,000 pounds, which at 2 cents per pound, the sworn valuation at which it is entered, is $360,000. The duty on this at 20 per cent. would be $72,000. The $10,000 collected is partly made up from the importations of J. & J. Miller & Co., of Canada and New Brunswick, a portion of whose product comes here. Every barrel of Young, Thayer & Co. and Shaw Bros. I am informed and believe comes to the United States. Now, if the amount collected covers all the extract imported their statement of product is an enormous exaggeration and at once discredits every statement they make. If their statement of product is true they convict themselves by their own testimony of gross frauds upon the Government's revenues.

Congress by reducing the duty would be paying a premium to these parties for making fraudulent importations, while at the same time oppressing and ruining the American manufacturers and throwing their workmen out of employment. It is also legislation in favor of great capitalists who count their lands by the million acres against numerous manufacturers of small means whose last dollar is at stake.

I now desire to quote the following:

REASONS WHY THE DUTY ON EXTRACT OF HEMLOCK BARK SHOULD NOT BE REMOVED OR REDUCED.

The undersigned respectfully ask your attention to the following reasons why the present duty of 20 per cent. ad valorem on extracts of bark for tanning should not be removed:

The manufacture of hemlock extract in the United States was induced by the levy of the existing duty, since which time extract works have been erected in Maine, Vermont, New York, Pennsylvania, Michigan, and Wisconsin, and the resulting competition has reduced the price from 8 cents per pound to an average of 3 cents per pound for the past two years, which price but little more than covers cost to American manufacturers; and as a further result, more than one-half of all such works have been forced to discontinue business.

There are but two Canadian extracts sold in the Boston and New York markets, and there are five American extracts quoted in the same markets.

On account of the difference in value of bark, labor, and materials, extracts can be manufactured in Canada 30 per cent. cheaper than in the United States.

The timber peeled for the purpose of extracting the bark is used for lumber, and there are many localities which are not suitable for tanneries, where the bark would be lost if not extracted, as the lumber interest demands and will have the timber.

Interspersed with hemlock grows pine, spruce, and hard-wood timber, which are more valuable for lumber, and when removed leave the remaining timber to certain destruction by storms and forest fires.

The lumber interests demand all the useful timber in accessible localities; and the cost of handling hemlock logs with the bark on is much greater than when peeled, which, added to the loss of the bark, will cripple hemlock lumber interests in many sections of the country.

That at the present time (January, 1883) no foreign extracts are offered in our markets, the entire product going to Europe; but in times of general depression in the leather trade, when prices are low and demand small, Canadian extracts are forced upon our markets, and, as it is a perishable article, sold for what it will bring.

In answer to the statement heretofore presented, signed F. Shaw & Bro., asking that extracts be placed on the free-list, we would say that it is no doubt profitable for them to transport their bark from remote localities in Canada in the form of extract to their tanneries in the United States, and we can raise no objection to their doing so, but we submit that injustice should not be done to the large extracting interest in the United States, both present and prospective, for their special benefit.

In conclusion we would say—

First. That the destruction of our forests is not properly attributable to the extracting industry. The demand for lumber far exceeds the supply of hemlock timber, and in many cases if the bark were not peeled for extracting it would be lost entirely.

Second. That the placing of extracts on the free-list will make its manufacture in the United States unprofitable, and will result in disaster to the present manufacturers, and prevent further investments in that business.

Third. The stoppage of the business of extracting in the United States will have the effect of encouraging the construction of extract works in Canada, and the large amounts of money now paid to American workingmen in this industry will be transferred to the Canadian laborer and the destruction of this industry rendered complete.

The facts above stated show that the American manufacturers of bark extracts now have to content themselves with very meager profits, and that any reduction therefrom will destroy their business, and that the plea for preservation of forests is fallacious.

We therefore respectfully ask that the present duty of 20 per cent. ad valorem be retained, or that a specific duty of one-half of 1 cent per pound be substituted.

L. CRAWFORD & CO.,
Manufacturers of Extract at Chase's Lake, N. Y.
N. SPENCER THOMAS,
Manufacturer of Extract at Painted Post, N. Y., and at Trout Run, Pa.
J. L. BACKER,
Agent Smethport Extract Company, Smethport, Pa.

Similar statements have been made by Byron D. Hamlin, of McKean County, Pennsylvania, and by John H. Heald & Co., of Lynchburgh, Virginia.

In conclusion I desire to say that I believe in protecting some of the smaller industries of our country which go to make up the sum total of a nation's prosperity. I am prepared to stand by the report of the Tariff Commission and of the Ways and Means Committee so far as their action stands by American industry. When I think their recommendations too low I shall vote for an increase, as I do in this instance. I am not for protection simply for protection, but only as a means of advancing the general prosperity of our country, in which manufacturer and laborer have a mutual interest. While our friends on the other side disclaim adherence to the doctrine of free trade, they have not failed as yet to vote for any and all propositions to increase the free-list. The real prosperity of our country dates from the settled establishment of a protective system, and only by maintaining that system will our progress be real and substantial.

Mr. Chairman, I withdraw my amendment and hope the amendment offered by the gentleman from Pennsylvania will prevail.

Mr. MILLS. I renew the amendment to the amendment. The gentleman from Massachusetts a few moments ago advocated this measure of reduction of duty in the interest of protection. Now, it is one of the happy qualities of the doctrine of protection that it fits every imaginable kind of a case that comes up. It is universal in its application. We have a provision in our tariff law for the protection of our forests, and that is to put high duties on all foreign goods coming into this country. You put almost prohibitory duties on goods coming into this country to protect our forests. We are now told the proper way to protect our forests is to take off the duty, in this case the duty on hemlock. The doctrine is reversed, but it is protection all round. I believe in taking off all duties on raw materials. I think that is a sound principle. I think it is one we ought to adhere to, and whenever we can serve the purpose had in view by maintaining the doctrine. What is it for? Why do we want to take off the duty on raw materials? As stated by my friend from Louisiana [Mr. ELLIS] a while ago, it is to enable our manufacturers to go into the markets and compete with the products of other countries.

And, besides that, it is to enable our own people to purchase and consume these articles at a lower rate. Our people have got to have leather, which is manufactured into boots and shoes and all of these things, and I see no reason why the Treasury should not exact some revenue from those who produce these articles. I agree that the duties ought to be at least 20 per cent.; or if we intend to put this on the free-list or reduce it 10 per cent., there should be a corresponding reduction in the manufactured product. This was the same question, involving the same principle, as the one to which I referred a few moments ago in reference to aniline dyes. Now, I agreed to put all dyes on the free-list if in doing that we carry it out legitimately to its proper consequences and bring in the manufactured product at a lower rate of duty and at the lowest price that it can be produced for here, so that our people may have the benefit of it. Either do that or let them take 20 per cent. off of their profits and I will agree to it.

I withdraw the amendment.

Mr. CARLISLE. Mr. Chairman, I move to amend by striking out the entire clause, and I desire to say that I will follow that by a motion to put it on the free-list.

Mr. SKINNER. Let me ask the gentleman a question; if he believes in putting this on the free-list why did he not make the same motion in regard to the extract of sumac in Virginia?

Mr. CARLISLE. I will state to the gentleman, unless the gentleman from Pennsylvania desires to move that the committee now rise.

Mr. KELLEY. Mr. Chairman, I promised if gentlemen would agree to it that I would move that the committee rise at 6 o'clock. I shall ask them to-morrow to stay here until the same hour. This will evidently occupy some time, and therefore I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 7313) to impose duties upon imports, and for other purposes, had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. KELLEY. I move that the House do now adjourn.

EXPENSES IN CONTESTED-ELECTION CASES.

Pending the motion to adjourn,

Mr. CALKINS, by unanimous consent, introduced a bill (H. R. 7478) to provide for the payment of expenses incurred in contested-election cases in the Forty-seventh Congress; which was read a first and second time, referred to the Committee on Elections, and ordered to be printed.

HENNEPIN CANAL—NATIONAL PARK.

Mr. DAVIS, of Illinois. I ask unanimous consent to introduce at this time joint resolutions of the Legislature of the State of Illinois, with the request that they be printed in the RECORD and properly referred.

Mr. THOMPSON, of Kentucky. To what do they refer?

Mr. DAVIS, of Illinois. One to the Hennepin Canal, and the other to the National Park.

There being no objection, the joint resolutions were ordered to be printed in the RECORD, and referred respectively to the Committee on Commerce and the Committee on the Public Lands. They are as follows:

Joint resolution.

Whereas a bill is now pending in Congress providing for constructing a canal from the Illinois River, at or near Hennepin, to the Mississippi River, at or above Rock Island; and

Whereas the people of the State of Illinois have voted to cede the Illinois and Michigan Canal to the United States: Therefore,

Resolved by the house of representatives (the senate concurring), That our Senators in Congress be, and are hereby, instructed, and our Representatives requested, to vote for and use their influence to procure the passage of said bill known as the "Hennepin Canal bill," and to secure the acceptance by the United States of the said Illinois and Michigan Canal.

Resolved, That the governor be, and is hereby, requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

LORIN C. COLLINS, JR.,
Speaker of the House of Representatives.

Adopted by the house of representatives January 12, 1883.

JOHN A. REEVE,
Clerk of the House.
WM. J. CAMPBELL,
President of the Senate pro tempore.

Concurred in by the senate January 15, 1883.

L. F. WATSON,
Secretary of the Senate.

UNITED STATES OF AMERICA,
State of Illinois, ss:

I, Henry D. Dement, secretary of state of the State of Illinois, do hereby certify that the foregoing is a true copy of a preamble and joint resolution adopted by the Thirty-third General Assembly of the State of Illinois, and filed in this office January 24, A. D. 1883.

In witness whereof I hereunto set my hand and affix the great seal of state. Done at Springfield this 25th day of January, in the year of our Lord 1883.

[SEAL.] HENRY D. DEMENT,
Secretary of State.

Preamble and joint resolutions of the Thirty-third General Assembly of the State of Illinois.

Whereas the people of the State of Illinois, having a common interest in our National Park, and the maintaining of the same free to all the people of the earth visiting this region of matchless wonders and grandeurs, and learning that a company of capitalists are trying to secure a lease of said park, with exclusive rights therein; and

Whereas the attention of Congress being called to said transaction by the report of Lieutenant-General Sheridan, made to the War Department November 1, 1882, and Senator VEST having reported a bill from committee to the Senate of the United States, making rules and regulations for the better government of said park: Therefore,

Be it resolved by the senate and house of representatives (concurring herein), That this General Assembly, acting on behalf of the people of this State, respectfully request that our Senators and Representatives in Congress use all honorable means to secure the passage of a law that will give to the people visiting said park the right of viewing the wonders therein contained free from the extortion of monopolists or hinderance from any source whatever, so far as may be consistent with the necessary protection of the scenery and objects of curiosity and the protection of the game and fish therein contained.

Resolved, That we hereby tender to Lieutenant-General Sheridan and Senator VEST the thanks of the people of this State for their timely and earnest efforts in the preventing of said park from passing into the exclusive possession of said company, to be used by them as a cattle-ranch and for the extorting of money from tourists visiting said park.

Resolved, That the secretary of state be, and he is hereby, requested to forward copies of these resolutions to our Senators and Representatives in Congress, and a copy of each to Lieutenant-General Sheridan and Senator VEST.

Adopted by the senate January 16, 1883.

WM. J. CAMPBELL,
President of the Senate.
L. F. WATSON, *Secretary.*

Concurred in by the house of representatives January 18, 1883.

LORIN C. COLLINS, JR.,
Speaker of the House of Representatives.
JOHN A. REEVE, *Clerk.*

UNITED STATES OF AMERICA,
State of Illinois, ss:

I, Henry D. Dement, secretary of state of the State of Illinois, do hereby certify that the foregoing is a true copy of a preamble and joint resolution adopted by the Thirty-third General Assembly of the State of Illinois, and filed in this office January 25, A. D. 1883.

In witness whereof I hereunto set my hand and affix the great seal of state. Done at Springfield the 25th day of January, in the year of our Lord 1883.

[SEAL.] HENRY D. DEMENT,
Secretary of State.

The motion to adjourn was then agreed to; and accordingly (at 6 o'clock p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BELMONT: Two petitions of 233 ship-owners, masters, and pilots of the port of New York, praying that a system of gas-lighted buoys be placed along the coast and inland waters of the United States—severally to the Committee on Commerce.

By Mr. COOK: The petition of Mr. Phillip Cook, for the establishment of post-route in Georgia—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIN: The petition of Alfred S. Sheller, for relief—to the Committee on Claims.

By Mr. G. R. DAVIS: The petition of the Amalgamated Association of Iron and Steel Workers, Lodge No. 14, of Chicago, Illinois, praying for legislation in their interest and asking for a duty on steel rails of not less than 1 cent per pound—to the Committee on Ways and Means.

By Mr. DEZENDORF: The petition of citizens of Berkeley, Virginia, for a material reduction of the duty on sugar—to the same committee.

By Mr. DINGLEY: The petition of the American Temperance Union, protesting against the extension of the bonded period for distilled spirits—to the same committee.

By Mr. GEORGE: The petition of citizens of Coos and Curry Counties, Oregon, for an appropriation for the improvement of Sixes River—to the Committee on Commerce.

Also, the petition of the Independent Order of Good Templars of Oregon, for the appointment of a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on the Alcoholic Liquor Traffic.

By Mr. GUENTHER: The petition of the Wisconsin State Grange, relative to the amendment of the patent laws—to the Committee on Patents.

By Mr. HARDENBERGH: The resolutions adopted by the Irish National League, relative to the threatened famine in Ireland—to the Committee on Foreign Affairs.

By Mr. HEPBURN: The petition of Edson Jeffers and 26 others, citizens of Council Bluffs, Iowa, for reduction of the duty on sugar—to the Committee on Ways and Means.

By Mr. HOBLITZELL: The petition of Henry Goodman, for increase of pension—to the Committee on Invalid Pensions.

By Mr. LEWIS: The joint resolutions of the Legislature of Illinois, relative to the Hennepin Canal—to the Committee on Commerce.

Also, the resolutions adopted by the Legislature of Illinois, urging the passage of the Smith bill making rules and regulations for the government of the Yellowstone National Park—to the Committee on the Public Lands.

By Mr. SPARKS: The resolutions of the General Assembly of the State of Illinois, for the passage of the Senate bill making rules and regulations for the better government of the Yellowstone National Park—to the same committee.

Also, the joint resolutions adopted by the Legislature of Illinois, urging the passage of the Hennepin Canal bill—to the Committee on Commerce.

By Mr. J. D. TAYLOR: The resolutions adopted by the Guernsey County (Ohio) Agricultural Institute, protesting against any reduction of the tariff on wool—to the Committee on Ways and Means.

By Mr. E. B. TAYLOR: The petition of Warren Bishop and 93 others, for reduction of the duty on sugar—to the same committee.

By Mr. P. B. THOMPSON: The petition of James M. Crawford, for relief—to the Committee on War Claims.

By Mr. WEBBER: The petition of L. H. Withey & Co. and 30 others, of Grand Rapids, Michigan, asking that lumber be placed on the free-list—to the Committee on Ways and Means.

By Mr. C. G. WILLIAMS: The petition of O. F. Bowles and 21 others, of Afton, Wisconsin, for passage of the bill to regulate interstate commerce—to the Committee on Commerce.

By Mr. WILLITS: The petition of the members of the faculty of the University of the State of Michigan, relative to the construction of a building for and the appointment of a superintendent of the United States Naval Observatory—to the Committee on Naval Affairs.

The following petitions, praying that Congress will not adopt any lower rate of duties on foreign manufactured products than that recommended by the Tariff Commission, were presented and referred to the Committee on Ways and Means:

By Mr. BARR: Of 56 laboring men of Northumberland, Pennsylvania.

By Mr. CLEMENTS: Of employés of Cherokee Iron Company, of Cedartown, Georgia.

By Mr. S. S. COX: Of 107 members of the Cotton Exchange of the city of New York.

By Mr. DAWES: Of T. A. Watson and 75 others, of Pomeroy, Ohio.

By Mr. J. HAMMOND: Of workingmen of Altona, New York.

By Mr. HILL: Of employés of the blast-furnace, Chester, New Jersey.

By Mr. MILLER: Of 90 employés of the Sharon Iron Company, of Sharon, Pennsylvania.

By Mr. SCOVILLE: Of employés of Union Iron Works, and of employés of Fletcher Furnace Company, and employés of other workshops of Buffalo, New York.

By Mr. SPRINGER: Of 600 workingmen of Ridgely, Sangamon County, Illinois.

The following petitions, remonstrating against the proposed transfer of the revenue marine to the Navy Department, were presented and referred to the Committee on Commerce:

By Mr. BELMONT: Of keepers and crews of life-saving stations Nos. 26, 27, and 28 at Oak Island and Jones Beach; of keepers and crews of life-saving stations Nos. 29 and 30, at Jones Beach, Wendana Short Beach; of keepers and crews of life-saving stations Nos. 22, 23, 24, and 25, at Bellport, Blue Point, Lone Hill, Point of Woods, and Fire Island; of merchants, owners, and pilots of Inogue; of keepers and crews of life-saving stations Nos. 32 and 33, Long Island; of merchants and owners of vessels of Northport and of the superintendent of third life-saving district, and the keepers and crews of life-saving stations Nos. 7, 8, 9, 10, 11, and 12, of Napeague, Narragansett, Georgica, New York.

By Mr. BINGHAM: The resolutions of the board of wardens of the port of Philadelphia.

By Mr. CRAPO: Of members of the Legislature of Massachusetts.

By Mr. DEZENDORF: Of citizens of Norfolk and citizens of Princess Anne County, Virginia.

By Mr. B. W. HARRIS: Of owners, agents, and masters of vessels of Massachusetts; of the resolutions of the New England Ship Owners' Association; of resolutions of the Boston Board of Trade; of resolutions of the Board of Marine Underwriters of Boston; and of resolutions of the committee on maritime affairs of the Boston Board of Trade.

By Mr. HOBLITZELL: Of owners and masters of vessels of the port of Baltimore, Maryland.

By Mr. LATHAM: Of citizens of Currituck County; of owners, masters, and pilots of vessels, and merchants of North Carolina; and of officers and men of the sixth life-saving district of North Carolina.

By Mr. O'NEILL: Of resolutions adopted by the board of wardens of the port of Philadelphia, and petition of Board of Marine Underwriters.

By Mr. C. G. WILLIAMS: Of keeper and surfmen of life-saving station No. 13, at Kenosha, and of merchants, owners, and masters of vessels of Kenosha, Wisconsin.

SENATE.

FRIDAY, *February* 2, 1883.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. MILLER, of New York. I present a memorial of the Chamber of Commerce of New York, which sets forth at length the reasons why the coinage of the standard silver dollar should be limited to the requirements of the people. I shall not detain the Senate by reading the memorial, but move its reference to the Committee on Finance.

The motion was agreed to.

Mr. MILLER, of New York, presented a petition of workingmen, employés of W. W. Wood, at Wood's Furnace, New York, praying that no lower duty be imposed on any article of foreign manufacture than that recommended by the Tariff Commission; which was ordered to lie on the table.

Mr. MITCHELL presented a petition of 34 employés of Whitehead & Swoope, Mount Allison, Huntingdon County, Pennsylvania; a petition of 36 employés of John Whitehead & Co., Elizabeth Furnace, Blair County, Pennsylvania, and a petition of employés of Ligget Spring and Axle Company (limited), Pittsburgh, Pennsylvania, praying for the adoption of no lower rate of duty on any article of foreign manufacture than that recommended by the Tariff Commission; which were ordered to lie on the table.

He also presented resolutions of the Commercial Exchange of Philadelphia, Pennsylvania, remonstrating against the transfer of the revenue-marine service, the Marine-Hospital Service, and the Life-Saving Service from the Treasury to the Navy Department; which were referred to the Committee on Commerce.

He also presented a petition of the western quarterly meeting of the Society of Friends, of Pennsylvania, officially signed, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of Grand Army Post No. 81, of Susquehanna County, Pennsylvania, and a petition of Grand Army Post No. 133, of Carbon County, Pennsylvania, praying for the passage of the bill granting an increase of pension to soldiers who have lost a limb in the service; which were ordered to lie on the table.

Mr. McMILLAN. I present the petition of George F. Brott, of Washington, District of Columbia, praying compensation for personal property taken and used by the Government of the United States. At the proper time I shall ask leave by the same request to introduce a bill granting the prayer of the petitioner. I move the reference of the petition to the Committee on Claims.

The motion was agreed to.

Mr. HOAR. I present the petition of Charles W. Eliot, president of Harvard University; Edward C. Pickering, director of the observatory there; Joseph Lonering, professor; Henry L. Eustis, professor; Asa Gray, professor of botany; Josiah D. Whitney, professor; Josiah P. Cooke, professor of chemistry in Harvard University, and other gentlemen who are well-known scholars and scientific men, praying that provision be made by law that no one but a professional astronomer of experience and reputation be hereafter eligible for the position of Superintendent of the United States Naval Observatory, and that the proposed new observatory shall be planned and built under the direction of a commission of scientific men who have a practical acquaintance with the needs of such an institution. I suppose the petition should go to the Committee on Naval Affairs. This is a very important matter and ought to go to a committee that knows something about it.

Mr. ROLLINS. That is the Committee on Appropriations.

Mr. HOAR. It proposes general legislation.

Mr. ROLLINS. They have charge of that.

Mr. HOAR. It is a petition which relates to the management and construction of the proposed naval observatory.

Mr. ANTHONY. I think it ought to go to the Committee on Naval Affairs if anything should go to that committee. But as everything relating to naval affairs has been absorbed by the Committee on Appropriations, I do not know but that it would be more appropriate to refer it to that committee.

Mr. HOAR. As the Committee on Naval Affairs are never allowed to express their opinion in regard to navigating the earth, I did not know but that navigation among the stars might be in their line. I will move the reference of the petition to the Committee on Naval Affairs.

The motion was agreed to.

Mr. HOAR presented the memorial of George A. Veeder, keeper, and the surfmen in the second Life-Saving district of the United States on the coast of Massachusetts, remonstrating against the transfer of the revenue-marine service from the Treasury to the Navy Department; which was referred to the Committee on Commerce.

HISTORICAL MANUSCRIPTS.

Mr. SHERMAN. I am directed by the Joint Committee on the Library to report to the Senate a communication to that committee from the Secretary of State containing a proposition for the procurement of copies of certain historical manuscripts formerly scattered through various offices of the British Government and now collected in the public-record office of that country, and containing also a proposition to procure such copies and to employ certain agents for that purpose. I move that the communication and the accompanying documents be printed and recommitted to the Committee on the Library.

The motion was agreed to.

BILLS INTRODUCED.

Mr. McMILLAN (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2446) to authorize the Quartermaster-General to investigate the claim of George F. Brott for logs used in the construction of Fort Abercrombie, Dakota, and pay for the same; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENDLETON (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. 2447) to amend the national bank act; which was read twice by its title, and referred to the Committee on Finance.

Mr. JACKSON (by request) asked and, by unanimous consent, ob-

tained leave to introduce a bill (S. 2448) for the relief of Emanuel Mason; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO BILLS.

Mr. ROLLINS submitted an amendment intended to be proposed by him to the bill (H. R. 7181) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1884, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL and Mr. COCKRELL submitted amendments intended to be proposed by them respectively to the bill (H. R. 7327) to establish post-routes; which were ordered to be printed.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the bill (H. R. 5538) to reduce internal-revenue taxation; which was referred to the Committee on Finance, and ordered to be printed.

Mr. MORGAN submitted an amendment intended to be proposed by him to the bill (H. R. 5538) to reduce internal-revenue taxation; which was ordered to be printed.

CHANGE OF REFERENCE.

Mr. KELLOGG. Some time since I introduced two bills, and through a misapprehension they were referred to the Committee on Commerce. They should have gone to the committee of which the Senator from Tennessee [Mr. HARRIS] is chairman, the Committee on Epidemic Diseases, as they relate to that subject. I move that the Committee on Commerce be discharged from the further consideration of the bill (S. 2318) to establish a floating ward in the port of New Orleans and the bill (S. 2319) to authorize the board of health of the State of Louisiana to establish quarantine, &c., and that they be referred to the Select Committee to Investigate and Report the Best Means of Preventing the Introduction and Spread of Epidemic Diseases.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed the joint resolution (S. R. 109) presenting the thanks of Congress to John F. Slater, and for other purposes.

The message also announced that the House insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. L. B. CASWELL of Wisconsin, Mr. J. G. CANNON of Illinois, and Mr. J. E. ELLIS of Louisiana, managers at the same on its part.

DISTRICT WATER SUPPLY.

Mr. MCMILLAN. I desire to call up the resolution offered by me two or three days since with regard to the water supply of the District of Columbia.

The PRESIDENT *pro tempore*. Is there objection to the Senator calling up the resolution?

Mr. HARRIS. I shall oppose the passage of the resolution whenever it is considered, because it is wholly unnecessary. All the information which can be obtained by the adoption of that resolution is now before the Senate and the country in the report of the engineer commissioner of the District of Columbia, in the reports of Colonel Casey, who has the aqueduct in charge, and in the reports of the Committee on the District of Columbia which have been presented during this Congress and the last Congress in respect to the very question about which the Senator's resolution seeks information.

Mr. MORRILL. Under the statement of the Senator from Tennessee it is obvious that this resolution will consume too large an amount of time, and therefore I object to its consideration now.

Mr. MCMILLAN. I do not think that it will take time. It relates to a matter which is of great public importance. So far as the statement of the Senator from Tennessee is concerned, I know there is a large amount of information in the possession of the Committee on the District of Columbia in regard to this matter, but the information all comes, and the opinions are all received, from those connected with the engineering department of the government of the District of Columbia. The resolution does not look to acquiring the information from that source, nor the opinions upon the state of facts from that source. I intend to ask a modification of the resolution, and as modified it will propose to direct the appointment of a board of engineer officers of the Army other than those now connected with the District government for the purpose specified in the resolution.

Mr. MORRILL. I move the postponement of the present and all prior orders and the Calendar for the purpose of taking up the revenue bill.

Mr. MCMILLAN. I hope that motion will not be carried, for I desire that the resolution shall be disposed of. I do not understand the Senator from Tennessee to indicate that it will lead to a long discussion. He has expressed his opinion about it, and I am willing to submit the matter to the action of the Senate with perhaps a statement that may be brief.

Mr. HARRIS. When the resolution is taken up for consideration I shall undertake to show to the Senate that upon the reports of Colonel Casey, the engineer in charge of the Aqueduct, upon the reports of the District engineer commissioner, and upon the reports of the Committee on the District of Columbia every fact that is ascertainable upon the question referred to is now before the Senate and before the country, and that it is wholly unnecessary to raise a commission of engineers to reinvestigate a question which has been thoroughly investigated continuously for the last four years.

The PRESIDENT *pro tempore*. The question is, Will the Senate set aside the Calendar in order to proceed with the revenue bill?

Mr. MCMILLAN. I desire to say further that an appropriation has already been made for supplying this District with water under a plan submitted by the engineers of the District, and the opinion exists that the plan suggested by them will be a failure or that it will cost such an immense amount of money that the United States Government will not be willing to carry out that plan. It is believed that the opinion of engineers of the Army, not connected with the District government, will suggest such a distribution of the water here as will satisfy the people of this District. I think the resolution ought to be disposed of.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont.

Mr. HARRIS. The Senator from Minnesota has now more distinctly explained the object of his resolution than was previously stated. He shows conclusively now what I had believed before, that there is some malcontent of an engineer whose plans were not adopted by the Committee on the District of Columbia, whose plans were overruled by the opinions of other and believed to be more competent engineers whose plans have been adopted. Both Houses of Congress have adopted a plan of proceeding to furnish an adequate supply of water. That plan is now being executed and carried out. Some malcontent of an engineer has induced the Senator from Minnesota to introduce a resolution to raise a commission of engineers for the purpose, I suppose, of interfering with and stopping the execution of a plan that is now being executed by which (and there is no doubt about the fact that the object will be accomplished) an adequate supply of water will be furnished to the District of Columbia and to every level in the District, which can not be done until the plan is carried out.

Mr. MCMILLAN. The Senator from Tennessee is wholly mistaken as to my reasons for offering the resolution.

The PRESIDENT *pro tempore*. The Chair will state that this subject is not before the Senate.

Mr. INGALLS. It appears to be before the Senate from the tenor of the debate.

Mr. MCMILLAN. The motion is to set aside the Calendar.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont, to set aside the Calendar with a view of proceeding with the revenue bill.

Mr. MCMILLAN. By way of explanation, since the Senator from Tennessee has made the remarks he has, I think I may be permitted to say that no engineer has conferred with me or made any suggestion in regard to this subject. It comes from sources wholly disinterested so far as the engineer department is concerned. It comes from citizens who are deeply interested in the welfare of this city and the comfort of the people who are to be supplied with water here. I think the resolution should at least receive the attention of the Senate and be considered within a reasonable time. I do not wish to interfere with the revenue bill, but the resolution ought to be considered this morning.

Mr. ROLLINS. When the resolution comes up I shall desire to occupy a few moments upon it.

The PRESIDENT *pro tempore*. The motion of the Senator from Vermont is to postpone the Calendar with a view to take up the revenue bill. The consideration of the resolution has been objected to.

Mr. BUTLER. It has been discussed.

INTERNAL REVENUE AND TARIFF DUTIES.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont [Mr. MORRILL], to postpone the Calendar until to-morrow.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Vermont now moves to take up the revenue bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. BAYARD. I desire to submit to the honorable Senator from Vermont a question, the answer to which may conduce to the convenience of members of the Senate. I ask whether it is his purpose and desire to continue the consideration of the bill straight on until late?

Mr. MORRILL. Until late in the evening, in order to finish it if possible this week.

Mr. BAYARD. I merely ask in order that we may accommodate ourselves to the lead of the Senator from Vermont on this subject.

Mr. MORRILL. We made very satisfactory progress yesterday; I

hope we shall do even better to-day; but most of our work was done in the last two hours of the session yesterday.

Mr. BAYARD. I merely wish to have it understood that we shall sit straight along—until about 10 o'clock to-night, I suppose?

Mr. MORRILL. Straight along.

The PRESIDENT *pro tempore*. Until what hour?

Mr. MORRILL. I do not name any hour.

The PRESIDENT *pro tempore*. The Chair will call the attention of the Senator from Maine [Mr. HALE] to lines 959, 960, and 961, which were passed over on account of his absence from the Chamber when reached yesterday in Schedule G.

The item from line 959 to line 961, inclusive, was read, as follows:

Potato or corn starch, 1 cent per pound. Rice starch, 2½ cents per pound. Other starch, 2½ cents per pound.

Mr. HALE. The committee has placed potato or corn-starch at 1 cent per pound, rice-starch at 2½ cents per pound, and other starch at 3½ cents per pound. The bill which is now being discussed in the other branch places the duty at 2½ cents per pound. I believe, representing as I do partially this important industry, that a medium rate between that fixed by the House committee and that fixed by the Senate committee is fair and just, and I move to make all of the starches included in this paragraph 2 cents per pound. That is no greater than the present duty. The addition to the potato-starch duty as provided by the bill would be an advantage to these manufactories, which certainly need protection, which are certainly competing with foreigners, and which certainly are not unduly making large profits, but they are working along in a meritorious fashion, making a small return on their investment and need this protection, and I hope there will be no objection to it. I trust the chairman of the committee will consent that we make a medium rate.

Mr. SHERMAN. The House bill is 2 cents.

Mr. HALE. Then there has been a change.

Mr. SHERMAN. Here is the House bill. If the Senator will put it at 1½ cents there will be no objection. I agree that there ought to be no discrimination between the kinds of starch.

Mr. MORRILL. I do not agree to that.

Mr. SHERMAN. Rice-starch costs no more than potato or corn-starch.

Mr. HALE. At the suggestion of the chairman of the committee in charge of the bill, I move to make potato or corn-starch 2 cents per pound, leaving the other kinds for the after action of the Senate in Committee of the Whole.

The PRESIDENT *pro tempore*. The Senator from Maine moves in line 959, to make the duty on potato or corn-starch 2 cents per pound, instead of 1 cent.

Mr. INGALLS. Is that an increase on the present rate of duty?

Mr. HALE. The present rate of duty is 1 cent per pound and 20 per cent. ad valorem.

Mr. INGALLS. Equivalent to what?

Mr. HALE. It is a little more than 2 cents. If you reckon the starch at 5 cents my amendment makes precisely the same duty ad valorem that there is now. The returns that have come in most recently with reference to this product make the price a little more than that.

Mr. INGALLS. What is the market value per pound?

Mr. HALE. It ranges from 4½ and 5 to 6 and 8 cents. The last returns that I have this morning show it to be about 5¾ cents a pound. So I simply seek not to increase this, but to put it back where it is now.

I do not want to take up the time of the Senate, because I was obliged to ask this indulgence last night. I hope no objection will be made to leaving the duty at 2 cents a pound.

Mr. BAYARD. There is one comment to be made, that is constantly recurring upon the policy of continuing taxation upon the articles that enter into the general manufactures of the country. It can scarcely be supposed that there will be a scarcity of breadstuffs in this country, or a scarcity of the extracts either from potatoes or rice or flour or corn; and yet the proposition, I understand, now is to advance the duty on starch in line 960. Perhaps the Secretary had better report the proposed amendment, so that I may get it precisely. There are two duties there in the two lines. I ask that the amendment be read.

The ACTING SECRETARY. In line 959 it is proposed to strike out "one" and insert "two;" so as to read:

Potato or corn starch, 2 cents per pound.

Mr. BAYARD. The uses of this article are very largely for the purpose of assisting the printer of cloth. Its principal applications are stated in the testimony of the attorney of the starch manufacturers, to be found at page 715 of the Tariff Commission testimony:

Among its principal applications may be mentioned its use in the art of printing cloth, for thickening and preparing mordants for fast colors, and generally for the finishing and stiffening of textiles. It is also used in the production of colored and tinted papers, for gumming envelopes, postage-stamps, and labels. It is a necessary ingredient in the brewing of beer, and, in general, its uses as well as its composition are identical with starch, from which it is derived.

The ad valorem equivalent of the amendment of the Senator from Maine is, I take it, about 75 per cent. at the very lowest estimate. The proposition of 2 cents per pound would be perhaps nearer 100 per cent. ad valorem than 75.

Mr. HALE. Upon what does the Senator make his reckoning?

Mr. BAYARD. I suppose the price is rather less than 4 cents a pound.

Mr. HALE. The Senator is certainly mistaken in the rating that he gives. It ranges from 4½ to 5 and 6 cents a pound.

Mr. BAYARD. I hesitate in making a statement on a subject upon which I have not definite information, but I say this: the product from which this starch is extracted, the potato, is grown in every county in every State of the United States, and everywhere almost on this continent. Its uses are very extensive, contributory to manufactures. We are proposing, at least some of us are proposing, to enable American manufacturers, by obtaining the materials of their manufacture at as low a rate as possible, thereby to pay as high wages as possible for American labor, and to go abroad with any surplus product, in order to relieve their market from that occasional overproduction which enterprise and industry almost always will create. But it seems to me that at almost every point an obstacle is interposed, and that, instead of taking weights from off the shoulders of the manufacturer, instead of giving him the subsidiary articles of his manufacture at a reasonable rate, you make it as difficult and as expensive for him to procure them as possible; and by laying continually tax after tax upon every minute article that he uses, the result is that in the end he finds himself handicapped by a series of small weights put on one after the other in regard to the articles he uses, which utterly disable him from competing in the markets of the world with those with whom he must come in contact.

Now, when you find an article of such universal capacity for production as this, the potato from which starch is to be extracted, with an abundance of it all over this country, I ask why should you put a protective or a high tax upon it for the purpose of bringing up the cost to the manufacturer?

I suppose that New England is the chief seat of the manufacture of cotton cloth. It needs to have a certain fixing process given to it for the purpose of holding dye or color, which is derived chiefly from this manufacture. If the gentlemen who are interested in cheapening the cost of American production believe they can do it by a system of vexatious and multifarious taxation upon every detail of manufacture they differ from me. When I have my way in this country the American manufacturer will be able to compete anywhere in the markets of the world with any foreign manufacturer, and the American laborer will not be subjected to the constant paralyzation of his industry by a market flooded periodically, for which there is no relief except the cessation of production.

Every man who has thought upon that subject for a moment—and this little case we are now considering is just as good a point to illustrate the doctrine as any other—will recognize this truth, that the decline in price upon a flooded market from overproduction is not to be measured only by the surplus production, but that the instant you have a surplus to almost any amount the reduction in value upon the whole of the product is in far greater percentage than the excess which has caused the difficulty.

Let me state the proposition. Suppose a thousand tons of this starch were the natural supply equivalent to the demand for its use in this country. Then you have demand and supply to give you fair rates and no diminution in price. But suppose you shall raise 1,200 tons, and have a surplus of 200 tons, or one-sixth, about 18 per cent. more than is required; instead of having your proper supply, the thousand tons, you have that and 200 tons over. Will you tell me that in human experience the practical effect is the reduction of your price upon the whole of your supply but 18 per cent? My answer to you is that by the excess of production of the 200 tons you have reduced the value of your entire amount far exceeding 18 per cent., and it is much more likely to reach 40 per cent. by breaking your market, throwing everything into consternation until men can sell more willingly to get rid of their surplus production. If you have a foreign market at such a period to which you can ship your surplus of 200 tons, your home market will have the relief; there will be no broken market then, and while you may not sell at so full a profit abroad, you will not be shut out from the foreign market absolutely, and there will be a relief to your people.

It has been said that business in such cases is an inexact science; that commerce is in that respect an inexact science. Anything that appeals to the fears and the hopes of men, anything which rests for its value upon a depressed condition of the human mind or an exalted condition of the human hopes is an inexact thing, and it is just so with the effect of supply and demand. Let a man carry his commodity around from point to point and find no demand for it and no price for it, and despair will seize him, and it will spread to all those engaged in the manufacture, and there will be what is commercially known as a broken market in that transaction. A broken market means a market not amenable to common sense or reason, a panicky market, and that is what we have witnessed here, and that is one reason why so often our manufactures have failed. I do not believe it has been from want of skill or industry or enterprise; but I believe it has been from those wild fluctuations between a high price and an unreasonably low price which have made it impossible for men to conduct business for a series of years with a regular system of demand and supply which generally gives stability.

Mr. President, this may seem, as I have said, but a small article to make this discussion on, but the principle to which I have referred I

am sure applies just as much to this subsidiary article of American production and labor as to any other. Under this system of indiscriminate taxation the Senator from Maine very naturally comes to the support of his local industry and production. It is because he sees on the northern side of the Saint Lawrence River the product of the potato in abundance, perhaps in greater abundance for one reason or other than he sees in the State of Maine, and he sees the manufacture of starch there in the very limited territory of Canadian industries and production, for where they have one we have fifty; and he in behalf of his fellow-citizens, his neighbors, his friends, naturally has a desire to give them any benefit that can be derived from this method of dealing and distributing the legislative power of taxation. It is perfectly natural. We have heard it before; we shall hear it again and we shall always hear it. Every gentleman champions and sustains a local industry in which individuals with whom he has personal acquaintance may be engaged; but I submit that we must treat this question of taxation upon a broader and upon a deeper basis than that. Otherwise if each Senator is to look to the demands of the vicinage in which he happens to live or the interest of which he has particular and personal knowledge and personal interest—I mean "personal interest" in the sense of personal acquaintance—the result will be that the enactment of tariff laws will become merely an exhibition of scramble for the distribution, and the most active and the most presistent will get the greatest share of the power that ought in all reason to be distributed and exercised only for one proper end.

Mr. HALE. Mr. President, I do not see here a local industry that is striving to be unduly protected at the expense of other industries. Let me say in a few words just what I do see in this starch-manufacturing industry; and if it does not appeal to the good sense and the fairness and justice of the Senate, then my motion ought to go overboard.

Here is a manufacture of an important product constantly brought into competition with the foreign manufacture of the like kind. The starch factories not confined to my own State, but extending into New Hampshire and largely in Northern New York, have hardly been able to hold their own for the last ten years. They are in double trouble. In a plentiful year, when the crop abroad is abundant, the starch manufacturers are in trouble because of that competition and because our markets are overloaded with the foreign product. That tends to the embarrassment of their enterprise and industry. Then in the thin years of the foreign product, when the price of the article goes up from which starch is made, the potato, then these manufacturers are confronted with a high price here.

What they want and what they fairly require is a fixed and stable duty, not oppressive upon any other industry, so that they may be enabled to continue their work. The average profit upon starch made by all of these manufacturers last year was less than $4 per ton. The interest upon the investment was less than an ordinary man would expect in any business investment and not larger than that gained from Government and municipal bonds; and the starch manufacturer is all the time confronted with this threat of the reduction of duty. The Senate bill as reported reduces this duty between 50 and 100 per cent., as you estimate the cost of the raw material. I do not say that my figures—although I have given them as nearly correct as possible—are exactly correct. I think those of the Senator from Delaware are too low. I only ask that the duty imposed upon each of these interests that have been struggling shall be maintained.

There are in one county alone in my State thirty of these manufactories that come in contact all the time with the New Brunswick, the Prince Edward Island, and with the German product that comes in here by the hundreds of thousands of pounds. In New Hampshire it is the same. In New York these industries have died, instead of living and flourishing, for the last ten years; and it is precisely in this condition that these manufacturers are found. If you reduce the duty you drive them out of the business; you paralyze and destroy them, and there is not one single cent gained in the price by lowering it of any of the product upon which this starch is used. You may drive out of existence every starch manufactory in the United States, and you may open the market to the German and provincial starch, and there never will be felt one single iota of relief either in the articles used upon the table every day by the people or upon the unmanufactured articles into which starch enters, but you will give the advantage entirely to the foreign manufacturer at the expense not only of paralyzing but destroying this industry.

If there has been a fair reasonable thing asked in the course of this discussion, running largely as it does upon local interests and local industries, if there has been one fair appeal made, it is certainly this, in my judgment, and I hope there will be no objection to putting it at 2 cents per pound.

Mr. FRYE. Mr. President, in reference to the price, I have the price-list from 1860 up to 1882. Take for instance 1864, the average price for the twelve months was 8 cents a pound; take the price in 1865, a little over 8 cents a pound; in 1866, 9½ cents a pound; in 1867, 9¾ cents a pound; in 1868, 7¾ cents a pound, the average the year through. Now go to the next decade. In 1873 the average price was 6 cents; in 1874, 6½ cents; in 1875, 5¼ cents; in 1879, 5¾ cents; in 1880, about 4 cents; in 1881, the lowest year of all just about 4 cents; in 1882, 5 cents. These were the average rates through the various years I have give. This is the list of prices in New York.

Now a word as to the locality. The Senator from Delaware says that this is a local matter in Maine. Connecticut has one starch factory, with a capital of $1,500; Florida, one, with a capital of $3,500; Illinois, two, with a capital of $391,500; Indiana, six, with a capital of $625,000; Iowa, two, with a capital of $99,350; Maine, twenty-three, with a capital of $294,200; Massachusetts, two, with a capital of $50,000; New Hampshire, twenty, with a capital of $56,256; New York, sixty, with a capital of $2,260,750; Ohio, five, with a capital of $1,400,000; Pennsylvania, one, with a capital of $45,000; Rhode Island, one, with a capital of $30,000; Vermont, thirteen, with a capital of $31,200; Wisconsin, two, with a capital of $40,000.

Mr. BAYARD. All potato starch?

Mr. FRYE. All potato starch, the whole of them. Another point is that we raise potatoes all over the United States, which is true, but you can not make starch out of potatoes that are raised within two hundred miles of any city market. It is utterly impossible. You must put your starch factory so far away from the market that potatoes can not without great expense be carried there. If the potato can readily get to market the price of the potato will be so high that you can not make use of them for starch. The consequence is in Maine they go into Aroostook County, which is almost two days from the market, and into the extreme north of New York, into the extreme northern part of New Hampshire and Vermont; they go where the potatoes can not get to the market, and there they can buy them for 25 cents a bushel; and you can not make a pound of starch unless you can purpurchase them as cheap as 25 cents a bushel.

Now as to the importations. The Senator from Delaware will see that after all it is only a tariff for revenue. When the duty was over 2 cents there was imported in 1881 of corn and potato starch 35,896 pounds, valued at $2,124, and in 1882 1,542,603 pounds, valued at $43,659.

Now take the burnt starch or dextrine from British gum, which is nothing on earth but starch carried to a higher degree of perfection, costing about 25 or 30 per cent. more.

Mr. BAYARD. That is in the present schedule we are now considering.

Mr. FRYE. In 1881 there were 849,892 pounds of it imported, and last year the importation reached 1,763,354 pounds.

Mr. BUTLER. How much revenue was derived from it?

Mr. FRYE. The duty received in 1882 from potato starch was $24,157.83, and from dextrine last year, the duty being only 10 per cent. ad valorem, it was $8,115.10. The revenue received from dextrine at that low rate, it being a starch more perfected than potato starch, was $8,115.10, while the revenue received from potato starch last year, which had a duty of 2 cents a pound, or 1 cent a pound and 20 per cent. ad valorem, was $24,157.83.

Mr. BECK. Last year was a very exceptional year. I think the crop was a failure all over this country, and I think we imported potatoes during several months of that year from Europe.

Mr. FRYE. Yes, sir.

Mr. BECK. That caused the exceptional condition of last year, I expect.

Mr. FRYE. No, sir, it did not; because the potatoes that were used in making starch last year never would have got to the market at all. They had potatoes enough in Aroostook County. All the starch factories in Maine are in Aroostook County. To get to market you have to go over to the provinces, down to the Saint John's or down to McAdam Junction, and then you must travel about one hundred and fifty or two hundred miles before you strike any potato market. The consequence is that in Upper Aroostook the potatoes can be had for 25 cents a bushel any year, I do not care how short the potato crop is, while in Southern Aroostook, where there are no starch factories, the potato crop can get to the market. The year before was the worst year. If the Senator will look at it, the lowest starch was in 1881, and while we had a short potato crop they had an immense potato crop in Germany, and the result was we could not make starch at all and our mills very largely shut up.

Mr. BAYARD. Yet we had starch cheaper then than any other time.

Mr. FRYE. Yes, because they had any quantity of potatoes in Germany in 1881 and they flooded us. If you should destroy all the starch factories in the country and then leave the price to be settled by Canada, I doubt if it would be better for the manufacturers.

Mr. BAYARD. I am not in favor of destruction. I should like to ask to have a letter read sent to me by Mr. L. A. Salomon, a gentleman engaged in the importation of this article. Before the letter is read I would say that it is not worth while to go into learned encyclopedias on this subject in settling these special matters as a basis for legislative action. It is the skill of the French chemist that rests at the basis of many of these productions. Thus the substance called dextrine, which is included in the schedule now under consideration, is taxed, according to this letter, at about 60 per cent. ad valorem, and is the invention of a Frenchman in the extraction of gluten from the starch of potatoes. It is used in almost endless connections.

The PRESIDENT *pro tempore*. The letter will be read.

The Acting Secretary read as follows:

NEW YORK, *January* 31, 1883.

DEAR SIR: We notice that the House fixed the duty on dextrine, or burnt starch, an article that pays at present a duty of 10 per cent., at 2½ cents per pound, which is equal to about 60 per cent. ad valorem. Considering this an outrageous duty, and not by any means in accord with the intention of Congress to reduce the tariff, we take the liberty to address you, and beg to call your attention to the following facts:

Foreign dextrine can be imported at present, the price in Europe being below the average, figuring duty at 10 per cent., at 5½ cents per pound. The American manufacturer can produce the same article under present very unfavorable circumstances, as potato starch, from which dextrine is made, is exceptionally high, in fact 1 cent per pound higher than usual, at 5½ cents per pound. The American manufacturer has, therefore, now, where the market is against him, an advantage of one-fourth cent per pound over the importer. At the usual rate of potato starch he has, however, an advantage of more than 1 cent per pound over the importer. We therefore can not see any reason why Congress should advance the rate on this article, as the American manufacturer is well protected by the present rate; or is it the intention of Congress to make the only two existing American manufacturers monopolists, who at their option may pocket a profit of from 60 to 80 per cent. before they have to fear the competition of the importer?

We do not think that the many manufacturing concerns consuming dextrine would be benefited by such an act, or the public at large either.

Yours, truly,

L. A. SALOMON & BRO.

Hon. THOMAS FRANCIS BAYARD,
United States Senator of Delaware, Washington, D. C.

Mr. BLAIR. It will be observed that the writer of the letter which has been read is evidently making a presentation of the subject to prevent the increase of the existing duties. The motion of the Senator from Maine [Mr. HALE] is simply that the duties be from the schedule contained in the bill increased to a point slightly less than the actual duty which is now protecting this interest. The writer does not in his letter, as I understand, ask for any reduction of the existing duties. He protests against an increase. It would seem to be, as far as the letter is to have any effect, a protest against an increase rather than any protest against the motion which has been made by the Senator from Maine.

As has been stated by the Senators from Maine, New Hampshire is considerably interested in this manufacture. Only a few years ago we made a sixth part of all the potato starch manufactured in this country. It is all, or nearly all, made in a single county, and the whole of it in the extreme northern part of the State along the Canadian line; and as the Senator from Maine has just stated, the Maine starch is made in Aroostook County, close to the provinces. The manufacture of New York is along the Canadian line. All these mills are located remotely from the cities where the great market for potatoes is found. Nearly all the potatoes imported into this country come by water, and as provisions they are sold almost wholly in the cities. Our potatoes lying along the line are adjacent to the Canadian production, where, as I stated some few days ago, they are raised at from 8 to 10 cents a bushel. On our own soil, which is comparatively sterile, no one can live cultivating this crop and realizing for it less than from 20 to 25 cents per bushel.

It will be observed that we have already passed over in the schedule of provisions the article of potatoes, and we have left the duty remaining as it has been hitherto, so that the matter of provisions, so far as potatoes are used as provisions, is not to be affected by anything we may do with reference to starch. We have left potatoes where they were. That provision will not be affected by anything we do with reference to the article of starch.

From the locality where it is manufactured, if the duty is reduced it comes in direct collision with the Canadian article raised at from 8 to 10 cents, because the Canadian soil lying along the valley of the Saint Lawrence immediately north of us is very much like the prairie country of the West and most excellently adapted to the cultivation of the potato. Coming southerly toward our own State, Northern Vermont, Northern Maine, and Northern New York, the country becomes hilly and mountainous, and the cultivation of the potato, therefore, in our own country, in the section where these starch mills exist, is brought directly in collision with a country producing at one-third the cost to us, and at that one-third cost at an equal profit to the man who produced if he can get to the market.

If now the duty on starch is reduced beyond what it has been hitherto, the existing state of things must be made even worse than that which now exists, and it does seem to me that a fair statement of the condition of the industry now is a sufficient refutation of any argument that can be made for a reduction of the duty. In my own State, and that is true with reference to the other States, those who are engaged in this manufacture are not men of large capital. Here are no gigantic factories or investments of large wealth. We are not legislating now for those men who come under the stigmatizing terms of manufacturing capitalists, bloated bondholders, or men who are getting rich out of the robbery of the tariff, if there is any such class of men. In my State there are twenty of these manufactories and their aggregate capital is less than $60,000; less than $3,000 to an establishment. The averages are higher in some other States, but not very much so. Thus we are now really legislating, if you reduce this duty, to the destruction of men of small means depending upon their personal industry for whatever they may acquire from this business.

I can only say in addition that I know that for several years past the mills in my own State have been gradually lessening in number and many have had to go out of the business under the pressure of the existing duty. As to the number of persons who depend more or less upon this industry I can not state it absolutely, but I know that in my own State there must be not far from forty to fifty thousand people who are partially, and many of them almost wholly, dependent upon the prosperity of this business. In some of the other States it must be increased, I should think without any doubt, to at least 250,000, probably a quarter of a million of people, poor people as a rule, interested in the legislation which is now proposed.

Mr. HALE. That there may be no misapprehension as to what the question is, I will say that it is upon my amendment as modified. I first proposed to make the duty 2½ cents, but afterward computing it upon the actual sales as nearly as I can fix it, so as to get the present duty in amount, I modified the amendment to 2 cents a pound. I think that is nearer to the present duty of 1 cent a pound and 20 per cent. ad valorem than the other, and I want the Senate to understand that the vote is upon that, the 2 cents a pound and not the 2½ cents.

Mr. FRYE. And that is one-half cent less than the duty on any other starch.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Maine [Mr. HALE] making the duty on potato or corn starch 2 cents a pound.

Mr. HALE. I call for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. VOORHEES (when his name was called). On this question I am paired with the Senator from Michigan [Mr. FERRY]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. GARLAND. My colleague [Mr. WALKER] is paired with the Senator from Colorado [Mr. HILL].

Mr. DAVIS, of West Virginia. I am paired with the Senator from Minnesota [Mr. WINDOM]. I do not know how he would vote, and I decline voting.

Mr. BLAIR. Are any remarks in order before a declaration of the vote?

The PRESIDENT *pro tempore*. No, sir.

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. Not knowing how he would vote, I decline to vote.

The PRESIDENT *pro tempore*. No debate is in order during a roll-call.

Mr. BLAIR. I ask unanimous consent for half a minute before the declaration of the vote——

Mr. HARRIS. It is a very bad precedent to undertake to debate a question while the roll-call is being made.

The PRESIDENT *pro tempore*. There is objection.

Mr. BLAIR. This matter will come up again.

The result was announced—yeas 28, nays 24; as follows:

YEAS—28.

Aldrich,	Dawes,	Kellogg,	Mitchell,
Allison,	Frye,	Lapham,	Morrill,
Blair,	Hale,	Logan,	Platt,
Cameron of Wis.,	Harrison,	McDill,	Plumb,
Chilcott,	Hawley,	McMillan,	Rollins,
Conger,	Hill,	Mahone,	Sawyer,
Davis of Ill.,	Jones of Nevada,	Miller of N. Y.,	Sewell.

NAYS—24.

Barrow,	Farley,	Harris,	Morgan,
Bayard,	Garland,	Jackson,	Pendleton,
Beck,	George,	Johnston,	Pugh,
Camden,	Gorman,	Jonas,	Saulsbury,
Cockrell,	Groome,	Lamar,	Slater,
Coke,	Grover,	Maxey,	Vance.

ABSENT—24.

Anthony,	Edmunds,	Jones of Florida,	Van Wyck,
Brown,	Fair,	McPherson,	Vest,
Butler,	Ferry,	Miller of Cal.,	Voorhees,
Call,	Hampton,	Ransom,	Walker,
Cameron of Pa.,	Hoar,	Saunders,	Williams,
Davis of W. Va.,	Ingalls,	Sherman.	Windom.

So the amendment was agreed to.

Mr. MORRILL. The cotton schedule comes next.

The Acting Secretary proceeded to read Schedule I, beginning in line 1120.

Mr. BAYARD. Stop at line 1126.

The PRESIDENT *pro tempore*. Will not the Senator allow the whole clause to be read through, and then it will be open to amendment?

Mr. BAYARD. If that is understood I have no objection.

The PRESIDENT *pro tempore*. That is the way it has been done.

The item from line 1120 to line 1145, inclusive, was read, as follows:

Cotton-thread, yarn, warps, or warp-yarn, whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 10 cents per pound; valued at over 25 cents per pound, and not exceeding 40 cents per pound, 16 cents per pound; valued at over 40 cents per pound, and not exceeding 50 cents per pound, 22 cents per pound; valued at over 50 cents per pound, and not exceeding 60 cents per pound, 27 cents per pound; valued at over 60 cents per pound, and not exceeding 70 cents per pound, 35 cents per pound; valued at over 70 cents per pound, and not exceeding 80 cents per pound, 40 cents per pound; valued at over 80 cents per pound, and not exceed-

ing $1 per pound, 50 cents per pound; valued at over $1 per pound, 50 per cent. ad valorem. On all cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, 2½ cents per square yard; if bleached, 3½ cents per square yard; if dyed, colored, stained, painted, or printed, 4½ cents per square yard.

Mr. BECK. I hope some Senator who is connected with this schedule will give us some accurate information. I do not mean merely of this particular item, though this changes classification very largely from the existing law, making, I believe, seven classifications instead of four, and altering the relations so that very few persons can understand what it means. I do not think there is an advance in this particular item; but on the whole schedule I think there is an advance. I desire, before proceeding to vote on this schedule, after the Senator from Rhode Island, who, I believe, knows more about the schedule perhaps than anybody else, shall state the effect of the changes, to give my views a little in detail, and then I shall be ready for a vote.

Mr. ALDRICH. Mr. President, the clause which has just been read creates, it is true, three additional classifications for fine cotton yarns. The classifications under existing law change with 20 cents difference in value, and the changes in duty are about 15 cents per class. Under the committee bill changes are made for 10 cents in value and the difference in duty is reduced about half. It will be seen that at present a farthing difference in valuation per pound on fine cotton yarns in England might make a difference of 15 cents a pound in duty, while the bill which we propose would reduce the difference one-half. The increase in classification is therefore in the direction of greater equity and to reduce to the minimum the inducements for undervaluation. The Tariff Commission, who gave this question of classification, I think, much more attention than any other part of the cotton schedule, for this reason properly increased the number.

There has been a great decline in the prices of cotton yarns abroad. This whole clause, commencing at 25 cents a pound, applies to the very fine yarns. For instance, 25 cents will buy a pound of No. 45 yarn, and this is a much finer yarn, I think, than is made in any cotton-mill in the South. A pound of No. 45 yarn, to illustrate, means a thread of cotton twenty-two miles in length. The reason why the rates are continued about as they are is that at the present time English manufacturers are sending large quantities of these fine yarns into this country. An examination of the report of the Bureau of Statistics shows that of cotton yarns valued at less than 40 cents a pound, 459,697 pounds were imported last year; of those valued at from 40 to 60 cents, 826,709 pounds; valued at from 60 to 80 cents, 678,146 pounds; and valued at over 80 cents a pound, 1,058,226 pounds.

The pending bill reduces the duties on all of these grades. The present duty on the first classification valued below 25 cents a pound is 15 to 18 cents, fixed by this bill at 10 cents; on that valued at from 25 to 40 cents, 18 cents, fixed by this bill at 16 cents; valued at above 40 and not exceeding 50, 32 cents, fixed by this bill at 22 cents; from 50 to 60 cents, 32 cents, fixed by this bill at 27 cents; from 60 to 70 cents, 46 cents, fixed by this bill at 35 cents; from 70 to 80 cents, 46 cents, fixed by this bill at 40 cents; from 80 cents to $1, 60 cents, fixed by this bill at 50 cents. The reduction from existing rates by percentages is as follows:

Twenty-five cents and under, 33⅓ per cent. reduction; 25 to 40 cents, 10 per cent. reduction; 40 to 50 cents, 14.1 per cent. reduction; 50 to 60 cents, 4 per cent. reduction; 60 to 70 cents, 18.77 per cent. reduction; 70 to 80 cents, 11.31 per cent. reduction; 80 cents to $1, 13.80 per cent. reduction.

I have already shown the very large importations of this class of goods, proving that our manufacturers are not in a position to have the rate very largely reduced. I will read a letter from one of the largest manufacturers of cotton yarns in New England, which illustrates this very fairly:

On yarns from 40 to 60 cents we are not able to compete with them at the present tariff and with the reduction will be still worse off. We lost a large contract the past year, one which we had held for nine years previously, for the reason that they found that the foreign yarns could be brought into the country for less than we could make, and with the reduction proposed we shall not be able to compete in other numbers. We regret this change, as it must eventually result in much lower wages and instead of reducing the revenue it will increase it on our class of goods.

This, it will be noticed, is a protest against the reduction which we now propose. I think the reduction is really larger than ought to be made. Manufacturers of this class of yarns—and it is a comparatively new industry in this country—desire that the present rates should be retained. The committee, however, thought otherwise, and have seen fit to recommend the reduction I have stated.

Mr. BECK. Mr. President, I am not sure that I have as accurate information as to this schedule as the Senator from Rhode Island; but I have endeavored faithfully to obtain all the information I could by calculation and examination, and I have reached the conclusion that this is not only a badly adjusted schedule, one that is calculated to deceive, but it is a large, substantial increase upon the present rate of taxation on many classes of cotton goods and very adroitly arranged so as to prevent the fact from being known. I hold in my hand the schedule prepared——

Mr. ALDRICH. Does the Senator allude now to this clause under consideration?

Mr. BECK. I allude to the whole schedule. The change in classification in this clause is one that I think operates in the same direction, because every increase of classification where a percentage is based upon an ad valorem is the most vicious system of taxation that can possibly be devised. Gentlemen on the other side have never failed from the beginning of this argument to the present time to denounce the ad valorem system as tending to undervaluation and as promotive of fraud. I have taken occasion before in this debate to call the attention of the Senate to it, and to show that not only does this bill in many particulars, notably so in this schedule, pursue the ad valorem system where it suits its framers, but they base specific duties upon an ad valorem basis at arbitrary rates, and in this cotton schedule they have changed the goods provided for in the paragraph we are now considering from four to seven subdivisions, making changes to specifics based upon ad valorems, making it that much worse than it is now and that much more liable to fraud.

I endeavored to show two or three days ago when I was discussing another question in a general way that it was a very easy matter by combinations entered into with officers, with the difference existing between 10 and 16 cents per pound, to have an article called of less value than 25 cents, when in fact it is worth 26; and as you multiply those classes, increasing the dividing lines between any two, as where you raise the duty from 10 to 16 cents or from 16 to 22 or from 22 to 27 or from 27 to 35, and so on to 40, all along the line on all those goods that are close to it, by basing the specific duty upon the ad valorem the temptation to fraud is magnified a hundred-fold over what it would be in the case of a simple ad valorem. If the duty was a simple ad valorem on one, by the reduction of a cent or two would make very little difference; but when it changes from having to pay 35 cents duty per pound down to 27 cents, then the change of a cent in value makes an immense difference on a cargo worth millions; and as you multiply these changes and arbitrary jumps you increase the temptation to fraud each time you make a new classification. In this paragraph they have made seven classifications instead of four, which under the present law are in this clause, thus adding largely to the chances of fraud over the existing system. Specific duties based on ad valorem valuation hold out temptations to defraud the Government and secure corresponding gain to the importer if he is dishonest and can in any way get the custom-house officers to aid him when his goods are in value near the dividing line of change in taxation. So all through the schedule the ad valorem is maintained and the specific based upon it when it is needless to do so for any good purpose.

I desire Senators to look at it and see if this schedule is not more vicious than the present law, bad as it is in that regard, and to see for himself if the chances of fraud are not added to by the increase of classifications. Unless this schedule or this paragraph of it is made more satisfactory to my mind than it is now, I shall move to strike it all out and provide in lieu thereof that upon all the importations of cotton goods there shall be a duty of 30 per cent. ad valorem, and then there will be very little cheating, not one-hundredth part of what is possible under the complicated classification we have now presented to us.

It has been repeatedly stated by the chairman of the Finance Committee and others that a great reduction of taxes was being made in this schedule. That I deny. Senators will, I hope, take up the table made out by the Bureau of Statistics, and furnished to the Committee of Ways and Means of the House. This bill, it will be observed, and the bill reported by the House committee, are identical in regard to this schedule. A fuller and better table was made up for the House committee than for us. I hold it in my hand, showing the amounts of importation and rates of duty under existing law, and under the present bill, which we are now considering. By reference to that comparative table this condition of things will be found, if I have not made a miscalculation, and I do not think I have; I went over it carefully last night to see that I was correct.

To simplify and make it intelligible I made separate additions as to each class in the schedule, beginning with that known as cotton threads, yarn, warps, &c., with the various values. The Bureau of Statistics says that we collect from that class under existing law $1,293,518.35. Under the proposed change of classifications and reductions made by the bill, assuming that the imports will be the same that they were for the year 1882, the same authority says that we will collect $1,270,047.75, being a reduction on the classes I am now dealing with of $23,767.60. That I think I will show is delusive. As to cotton cloth, bleached and unbleached, &c., down to the word "provided," I made another calculation. At the present rate of duty the collection is $2,326,737.14. The reductions that have been made on the cotton cloth, while in my judgment not as great as what they ought to be, are substantial reductions. The duty at the same rate of importation upon that class of goods would amount to $1,359,464.87, being a reduction of $967,272.27; or on the two classes that I have just referred to, a reduction is made of $991,039.87.

Then, after the word "provided" in the bill, the taxes upon bleached cotton cloth, stockings, hose, shirts, drawers, and other things, under the old bill imported under the head of hosiery, &c., the amount collected now upon that class of goods is $2,568,672.57. The bill now before the Senate increases the taxation upon those goods. The amount that will be collected if the imports remain the same upon hosiery,

shirts, drawers, &c., would be $2,813,331.95, or an increase of the proposed rate of taxation over the present upon that class of goods of $244,689.38. Then follows that portion of the schedule which embraces laces, braids, spool cotton, embroideries, velveteens, &c. There is now collected under the present rate of taxation upon that class of goods $7,292,942.88. Under the rate proposed by the bill, always assuming that the importations would remain the same, the tax upon these will be $8,612,084.25. It is an increase upon the two last grades of $1,563,830.75, from which deduct $991,039.87 of the other classes and the aggregate increase of taxation in this bill over the existing law according to these figures is $572,790.88. These figures are official.

Mr. HARRIS. Is that on the whole cotton schedule?

Mr. BECK. On the whole cotton schedule, unless I have made some mistake in the figures; an increase according to the table. As I say, I made them late last night after I went home, and had to work somewhat hurriedly.

Mr. HARRIS. If the importations this fiscal year are the same as the last fiscal year there will be an increase of over half a million dollars of revenue?

Mr. BECK. An increase of $572,790.88, and I believe that that is under the most favorable classification that can be imagined for the present bill, because the Bureau of Statistics has given them the benefit of assuming that the large amount would come in at the very highest rates, whereas if we take the dividing line between the two and they bring them in at the other rate of taxation it would be very much greater. In other words, I believe that under the present bill fairly made up there will be an increase of two millions over the existing condition, and under far more complicated condition in many regards in the classifications at least than exist now. There is a very valuable improvement in the simplification in the methods of imposing a plain tax of so much a yard instead of as now on so many threads to the inch, and so much by weight, and so much ad valorem, and so much specific. That is a great improvement, I agree; but why do I say there will be an increase of two millions instead of about $500,000 as my calculations show? Adding the figures that I have made together showing the collections on the four classes being $1,293,000—I desire to restate this so that each Senator can examine for himself—upon the threads and yarns of different values, $2,326,737 upon the cotton cloths, $2,586,000.68 upon the hosiery, and upon the laces, braids, gimps, and all these other things, $7,292,000, it makes a total of $13,482,167 as the amount collected this year.

Now, I turn to another statement of the tax collected last year. It may be that I do not understand the causes of the difference. I desire gentlemen to look over them.

Mr. HARRIS. Before the Senator from Kentucky leaves that point I should like to ask him if he has made the calculation so that he can state what the reduction of revenue will be if the amendment that he suggests of 30 per cent. ad valorem upon cotton shall be adopted?

Mr. BECK. The amount of reduction of taxes would be enormous. What would be the effect upon imports I am unable of course to say.

Mr. HARRIS. Assuming that the imports shall remain the same as the last fiscal year, has the Senator made the calculation to see what the reduction in revenue would be resulting from that change?

Mr. BECK. Not with perfect accuracy, but it would result at the same rate of imports in several millions, I would say two millions and a half or three millions. The rate per cent. now as shown by the table reduced down to 30 per cent. would show.

Mr. HARRIS. What is the average rate now ad valorem?

Mr. BECK. That is hard to tell; each class varies. The Senator from Tennessee will observe that on the last class there would be no trouble in stating what would be the effect of the change. It is 35 per cent. ad valorem now, and brings in $7,292,000. The proposed bill increases that rate to 40 and 45 per cent. ad valorem.

Those calculations are perfectly simple, and at the same rate the amount of importation would bring in $8,612,000, and is an increase of tax upon that last class of goods that you can approach accurately by a difference of per cent. of $1,319,141.37.

Under the bill now before us that much more tax is to be imposed upon that class of goods. As I said, I turn to the table of exports and imports, statement No. 26, furnished by the Treasury Department, and I find they say in the tables sent to us that they are guessing in regard to many things. They have guessed as much in the interest, I think, of the cotton manufacturers as possible. The Bureau of Statistics make up their figures in the exhibit sent to us at $13,482,000, yet when you look at the actual figures as to the amount collected upon cotton manufactures during the last fiscal year the same authority to which the tables relate have given on page 28 the actual amount as $12,227,103, so that it is obvious that they have been guessing to the extent of about a million and a quarter dollars as to the real facts in regard to these things, and in my judgment their guesses are all in the interest of the cotton manufacturer. So that by the change of classification that is now proposed the result will be, in my judgment, an increase of taxation of $2,000,000 in this schedule, instead of half a million, or $572,000, as I stated.

I have some calculations that I did not make myself, but requested a very well-informed gentleman to make for me, that I might test my work by comparison. That calculation is as follows: Take the cotton laces. The revenue of 1882 on cotton hosiery at 35 per cent. is $2,559,460; on cotton laces and embroideries, at 35 per cent., $3,693,306; cotton cords, braids, gimps, &c., at 35 per cent., $3,533,042. The report of the Finance Committee, the bill now before the Senate, proposes to raise the two classes to 45 per cent. and the last to 40, and upon the same basis of importation that came in last year the first would produce $3,290,734 instead of $2,559,460, or an increase of $731,274; the second would produce $4,748,537 instead of $3,693,306, an increase of $1,055,231; and the third, an increase of 40 per cent., would produce $4,037,122 as against $3,533,042, an increase of $504,086, or a total increase in these three classes of articles by the changes we are making, assuming that the same number of pounds that are imported now will continue, of $2,290,585. That is what we receive now under a promise of a reduction of 20, 30, 40, or 50 per cent. upon this cotton schedule.

I read the other day what General Banks, as a member of the Committee on Ways and Means of the House, said in his place the cotton manufacturers proposed and were willing to consent to. I will not now read it again. It will be found in the RECORD of Wednesday last, page 53, taken from the RECORD of May, 1868, in which he stated that he was authorized, and had a paper signed by one hundred and twenty of the largest manufacturing firms in New England, to make a proposition to the country and to the Committee on Ways and Means to strike down the present average rate of taxation on cotton goods in every particular except one, and on that, an important new industry, he asked for no increase, but the decrease or reduction on all else was consented to of 10, 20, 30, 40, or 50 per cent., and he furnished to the House or the committee a schedule of what they had agreed to. The schedule is as follows:

The following is a schedule of the reductions proposed by New England manufacturers:

The plan proposed by New England manufacturers in the schedule to which I have referred, and which I have not time to read at length, as I should like to do, suggests reduction of duties on the various fabrics of their manufacture substantially as follows:

1. On all manufactures of cotton, except jeans, denims, &c., not bleached, colored, or printed, &c., and not exceeding one hundred threads to the square inch, present rate 5 cents, 5½ cents, 5¾ cents specific, and 10 per cent. ad valorem, a reduction of 50, 45.45, and 27.27 per cent., and 10 per cent. ad valorem.

2. On finer and lighter goods of like description and present duties nearly the same a reduction of 40, 36.35, 18.18, and 20 per cent. ad valorem.

3. On goods of like description of higher qualities, present duty nearly the same, 20, 18.18, and 20 per cent. ad valorem.

4. On jeans, denims, drillings, ginghams, &c., bleached, stained, or printed, a reduction of 50, 46.15, 30.75, and 10 per cent. ad valorem.

5. On similar goods of lighter and finer descriptions a reduction of 28, 57, 20, 15, and 5 per cent. ad valorem.

6. On cotton thread, yarn, warps, &c., 20 per cent. ad valorem.

7. On spool thread of cotton a reduction of 30 and 35 per cent. ad valorem.

8. On cotton cords, gimps, galloons, and cotton laces, present rate 35 per cent., a reduction of 5 per cent. ad valorem.

9. On cotton shirts, drawers, hosiery, &c., present rate 35 per cent., a reduction of 5 per cent. ad valorem.

10. On cotton velvet, present rate 35 per cent., a reduction of 5 per cent. ad valorem.

11. On cotton braids, insertings, lace, trimmings, bobbinet, and all manufactures of cotton, at present rate, 35 per cent. ad valorem.

The last is the only exception made in relation to the proposed reduction of duties; they are braids, laces, trimmings, or bobbinets, comparatively new, delicate, difficult, and expensive fabrics; and other manufactures of cotton not otherwise provided for in the schedules of the manufacturers they propose shall remain at present rate, 35 per cent. ad valorem.

That important paper was laid before the Committee on Ways and Means of the House of Representatives by him as the authorized agent of those manufacturers; yet they come here now in far more prosperous times, with much better machinery than they had then, with everything in their favor, with no pretense that there is any necessity for increasing taxation for their benefit, and so far from reducing upon the schedule on cotton manufactures at the rates of 25, 30, 40, or 50 per cent., as then proposed, they come with a demand for an actual increase in any shape it can be calculated of over half a million dollars, and, in my judgment, when carefully examined, of over $2,000,000 above the present rates. After they have admitted it ought to be reduced on an average of 25 to 30 per cent. they have complicated this matter in a way that the most ingenious man is hardly able to understand the effect of it. The complication is increased by making seven classes of thread, warp, and yarn where there were only four before, especially as to its effect on the cost of all raw material out of which many of the finished goods are made. I think it is almost impossible for any man to tell what is to be the effect of it. But one effect of it will be increased taxation. Nothing will rid us of this uncertain condition of things except an ad valorem duty upon all these goods. Thus we will get clear of specifics based on ad valorems, get clear of increased classifications, get clear of the effort to raise the duty from 35 to 45 per cent. or 28 per cent. over the present rate, and thus increase burdens on consumers.

Mr. VANCE. Will the Senator allow me to ask his opinion on a matter here? Considering the closeness of the competition between the American and the English manufactures of this class of cotton goods, I should like to have the opinion, if the present duty is advanced to 45 per cent. would it not amount to prohibition and thereby increase taxation and decrease revenue?

Mr. BECK. I have not a doubt about it.

Mr. ALDRICH. Will the Senator from North Carolina repeat his question?

Mr. VANCE. My question was, considering the closeness of competition between the American spinners and English spinners in manufactures of this class of cotton, if the increase of this duty to 45 per cent. would not amount to a prohibition, thereby increasing the taxation and decreasing the revenue?

Mr. ALDRICH. I thought the Senator from Kentucky said the increase of revenue would be $2,000,000. I so understood him.

Mr. BECK. I said if the importations remained the same; but whether or not the present rate would become prohibitory and shut them off I do not know; I am not well enough informed. I think the chances are that they would be highly prohibitory from some information I received this morning. At the risk of being charged again with making exhibits that ought not to be made in the Senate, as being undignified, I will state that a manufacturing house in New York (who say they came here with letters to myself, the Senator from Delaware [Mr. BAYARD], and others; but the Senator from Delaware was absent and they failed to see me) sent me specimens of their goods. Here they are [exhibiting]. Here is a specimen of what they call cream-tarlatan. The present duty is 35 per cent. ad valorem; the proposed duty 41 cents per square yard. It costs 2¼ pence for fifty-two inches, equal to 4½ cents., and the ad valorem duty now proposed in the bill is 150 per cent.

Here is another, white tarlatan; present rate of duty 35 per cent., proposed duty 3½ cents per square yard; cost 2¼ pence for fifty-two inches, equal to 4⅜ cents; 125 per cent. ad valorem. Here is a specimen of black tarlatan; present duty 35 per cent. ad valorem, and they say that by the change proposed the duty will be 150 per cent. ad valorem. Here is another specimen, making 116 per cent. ad valorem, which is now 35 per cent. ad valorem. Here is another at 35 per cent. ad valorem which is made 105 per cent. ad valorem. Here are a number of other specimens. These gentlemen assert that the duty upon the raw material is made in some instances 140 per cent., and that the duty upon their product is only 40 per cent.; showing the inconsistencies of this proposed rate. If these statements are correct, I know nothing about that. Why they sent the samples to me particularly I do not know; I never was a merchant and do not understand these things very well; but it is perfectly obvious that if the proposed change has the effect of putting the duty up to an improper rate on thread and raw materials above what the manufactured product is taxed at, as they complain, it must be a very great injustice to the men who manufacture from these materials.

Mr. ALDRICH. Do I understand the Senator to say that is from the manufacturer?

Mr. BECK. Here it is. I will send the letter, specimens and all, to the Senator from Rhode Island and let him look at them. He will understand them much better than I. They came to me this morning by mail or express. Whether these statements are correct or not I do not know, except it might be well before this discussion is over for the Senator to look at them, as he understands those matters and I do not. Here are the specimens as they were sent to me.

I only desire to secure a fair, equitable tariff, one that will not injure the manufacturers of cotton in this country and at the same time will not unduly oppress the consumers of these goods. I do not want any class stricken down while we are keeping up taxes to aid others. I am not making war upon manufacturers, but I do say that the cotton manufacturers now have cheap raw material; certainly they get their cotton as cheap as any other people in the world; certainly they have now the best machinery in the world, built up under twenty years of high protection which we have given them by taking the money out of the pockets of the tax-payers of this country. Certainly when they went before the Committee on Ways and Means of the House and admitted that they can stand a reduction of 25, 30, 40, or even 50 per cent., and authorized their representative on the committee to say so and make the proposition I have read, now to come to Congress with a tariff prepared by themselves, the average of which is an increase over the present rates, with changes of classification that make it more difficult to understand, is to my mind altogether wrong. The Tariff Commission did a great many things that I did not approve of. I have taken occasion to say so, although I believe I said I would not say much more about them. But even the Tariff Commission, that seemed to be trying to keep everything up as high as was possible upon this class of goods that we are now considering, made its report imposing a duty upon cotton threads, yarns, warps, &c., valued at and not exceeding 25 cents a pound, 7½ cents a pound. The Senate committee and the manufacturers have now increased that from 7½ cents a pound to 10 cents a pound. The Tariff Commission said that upon all over 25 and not exceeding 40 the tax should be 15 cents a pound.

The Senate bill proposes 16 cents a pound. The Tariff Commission said that valued at 40, not exceeding 50 cents, the tax should be 20 cents. The Senate committee said 22 in the bill now before you. The Tariff Commission said valued over 50 cents a pound, not exceeding 60, 25 cents a pound was enough, yet the Senate committee propose 27 cents a pound. Over 60 and not exceeding 70, the Tariff Commission made it 30 cents a pound. The Senate bill which we are now asked to pass makes it 36 cents a pound; the Senate committee make it 40. Over 80 cents a pound, 50 cents a pound, and over a dollar, 50 cents. There is an increase even over the Tariff Commission, retaining all the vicious classification and increasing it at least 25 per cent. on the average over the duties that the Tariff Commission ventured to suggest. And all this was done at the last moment at the dictation of the manufacturers, with no reason assigned for it that I am aware of except that they want it.

As I said, I had attempted to calculate what would be the effect of the present tariff. On the lower goods up to 40 cents, because there is now no stopping at 20, the present average is 47.81 per cent. Under the Tariff Commission bill on the lower grade it is 29 per cent. and the higher is about 57, the average not varying very much from 47. Under the Senate bill the lowest is 40 and the highest is 62, if you take the value of goods anywhere close to the point of division. It all depends upon how high the per cent. would run, and you can not tell until you ascertain exactly what is the value of the goods imported; and where that division is made, that new classification is a mere arbitrary one that has been flung in, as I said, for no purpose except to aid the manufacturers. So with the next highest grade the same calculation may be made; so with No. 3 and No 4, and on to the end of that classification, showing increases or decreases all the way, depending upon how close the values are to the point where they make their division.

I repeat that one reason why I am opposed to this schedule is that no man can understand the effect of it, and it is not intended that any one not an expert shall understand it. It is so arranged by the manufacturers themselves. They set aside even the report of the Tariff Commission, high as it was compared with their former propositions, and have made a schedule to suit themselves, and even the Bureau of Statistics is obliged to figure it up, showing that many items are an absolute increase, and they have so arranged it that upon many important articles the increases are concealed, and will, I believe, prove to be infinitely greater than they appear upon the face of the schedule. Are they in earnest, and do they desire only to have their labor protected? That is the pretense upon which they claim increase of taxes, because their raw material is obtained as cheaply as by any manufacturer in the world. They get their cotton without tax. The men who suffer from taxation are engaged in raising the cheap cotton. They are the unprotected laborers of the South. They get cotton as cheap as the English manufacturer or any other manufacturer receives his, and 30 per cent. ad valorem is certainly more than they can claim as necessary to equalize them with the wages paid in any other country in the world.

I read day before yesterday from the reports of consuls of the United States and the Secretary of State what the wages were in Manchester, and what they were in Massachusetts in a report made by Secretary Blaine. I was told and we have been told here lately over and over again that these reports are not true. If we can not rely upon the official statements of the consuls of the United States and can not rely upon the statement of the Secretary of State, upon whom can we rely? We are told again that all laboring people in England are beggars and paupers who are living almost in the gutter, and that free trade in England has brought them down to the starvation point, and hence our people should be protected against that character of pauper labor, when the fact is that the English operative is certainly better paid than any other operative in Europe as compared with the French, German, Belgian, or any one else, and England is at least holding her own in the markets of the world.

Mr. MAXEY. Will the Senator from Kentucky permit me to remind him of the fact that those very consular reports have been indorsed in this body as fully as any official reports that have ever come here? The chairman of the Committee on Finance has himself on several occasions spoken of the importance of those reports to the country, and we made arrangements to have them so folded that we could send them out to that class of people who take an interest in our commercial relations.

Mr. BECK. I thank the Senator from Texas for the suggestion he has made. I have assumed that they were reliable, and that they had been quoted here on this floor. I quoted them myself and nobody had ventured to contradict them until now. I think that is about the highest evidence of their authenticity.

Mr. Benton said once that the finest figure of speech in the English language was "ding-dong." I rather believe it, and even at the expense of ding-donging the Senate I will ask them to read again the wages statement reported by Mr. Shaw, our consul in England, and by the Secretary of State, in a short extract I read before:

> The average wages of employés in the Massachusetts mills is as follows, according to the official returns: Men, $8.30; women, $5.62; male children, $3.11; female children, $3.08. According to Consul Shaw's report the average wages of the men employed in the Lancashire mills on the 1st of January, 1880, was about $8 per week, subject to a reduction of 10 per cent.; women, from $3.40 to $4.30, subject to a reduction of 10 per cent.
>
> The hours of labor in the Lancashire mills are fifty-six; in the Massachusetts mills, sixty per week. The hours of labor in the mills in the other New England States, where the wages are generally less than in Massachusetts, are usually sixty-six to sixty-nine per week.
>
> Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor. If this should prove to be a fact in practice—

This is the comment of the Secretary of State in an official communication to Congress, as I understand it—

> as it seems to be proven from official statistics, it would be a very important element in the establishment of our ability to compete with England for our share of the cotton-goods trade of the world.

In the two prime factors which may be said to form the basis of the cotton-manufacturing industry, namely, raw material and labor, we hold the advantage over England in the first and stand upon an equality with her in the second.

Having the raw material at our doors, it follows that we should be able to convert it into manufactures, all things else being equal, with more economy and facility than can be done by England, which imports our cotton and then manufactures it in her mills. The expense of handling, transportation, and commission must be an important item in this regard as compared with our turning in the fiber from the cotton-fields to our mills and shipping it in the advanced form of manufactured goods. Add to this the secondary fact that it costs us no more to handle and manufacture the same than it costs in England, and we stand on an undoubted equality thus far in the race of competition.

Again, contradicting as I have done before the statement of the charge of the pauperism of those people against whom Senators propose that they seek protection, and to deny the fact that under their free-trade system they have gone down and become poor beggars and that we can not even with all our machinery and our free Government and the low wages we are paying the cotton operatives compete with those people, I have an authority that I have read on the floor of the Senate that no man will dare deny, made under circumstances that no man would have dared to have told a lie even if he had been disposed to do so. It is the speech of Hon. John Bright, made to his own operatives and before the people in his own town, telling them what had been the effect of the liberalizing of trade in England as to their wages. I will read what he said to them. They would have known whether he was telling the truth or not. Only a year ago he said:

I walked down from the Reform Club through the park to the House of Commons one day in the past summer, three or four months ago, and a man—an intelligent, respectable-looking workingman—joined me and addressed me by name. I asked him how he knew me. He knew me because, he said, "I have been a good deal in Birmingham, and have attended your meetings there, and so I know you very well." [Laughter and cheers.] I talked to him a little about his business. He said he was then getting 7*s.* 6*d.* a day as a bricksetter, and, he added, "formerly I used to work for 4*s.* a day." There is a jump. From 4*s.* to 7*s.* 6*d.* is a considerable leap.

ADVANCE OF WAGES IN THE COTTON TRADE.

Now I should like to tell you of something—

Still speaking to his own men in his own town.

I should like to tell you of something that has happened nearer home, for I suspect there are many persons in this meeting who have not the least idea of the actual increase of wages that has taken place among the factory operatives in this neighborhood during the last forty years. I was looking the other day at one of our wages-books for 1840 and 1841.

That was in their high protective tariff times.

I will tell you what I found in it and what I found in our wages-book now. The figures are taken over an average of two months at that time and over an average of two months now, and therefore are a fair statement of what happened then and what happens to-day. Many persons here know, of course, all about the interior of a cotton factory, and therefore I shall speak as if we were in a mill and looking over the different people at work. I find that in 1839 the throstle piecers—I need not explain who they are—were receiving 8*s.* a week, and they were working twelve hours a day. I find that now the same class of hands are receiving 13*s.* a week at ten hours a day. If they worked for twelve hours, and were paid at the same rate, it would be 16*s.* a week, or exactly double what they received in 1839, 1840, and 1841. [Cheers.] The young women who worked at the drawing frames at that time had 7*s.* 6*d.* a week; they have now 15*s.*, and that is without reckoning the fact that they are working two hours a day less. The rovers and slubbers got 8*s.* a week then, and they are getting 14*s.* a week now. The doffers [laughter] are considered a class whose wits are a little too sharp [laughter], and are sometimes not very manageable. They used to have 5*s.* 6*d.* a week, and they now have 9*s.* 6*d.* The warpers in those days, as far as my recollection serves me—I am speaking of our own business—were all women. They earned on the average of the two months 17*s.* 6*d.* a week. The warpers now are all men, and they have earned in the two months an average of 35*s.* 6*d.* a week. [Cheers.] Well at that time we had a very clever man as blacksmith, whom I used to like to see strike the sparks off; his wages were 22*s.* a week. Well, our blacksmith now has wages of 34*s.* a week, and that only for factory time, which is ten hours, whereas the man of 22*s.* a week worked the then factory time, which was twelve hours. Now you see the enormous change to the people in these factories. They have two hours' leisure which they had not before, and their wages are nearly double.

That was a speech made by Hon. John Bright to the people who knew all about the facts he was speaking of.

Mr. MAXEY. That is pauper industry.

Mr. BECK. That is the pauper labor which our consuls say is almost as well paid as is paid in Massachusetts.

He went on to say:

I think it is impossible to account for this extraordinary improvement in the wages of agricultural laborers, of bricksetters and carpenters, and all your factory operatives, and all your mechanics, upon any other theory than this, that the new policy with regard to trade, which has made your trade fourfold, has been the cause which has made this stupendous and unimagined improvement in the condition of the people. [Cheers.]

I may be pursuing a very mistaken policy all through the bill, but my leading purpose is to give our people cheap raw material, to give them good wages, to give them plenty of work, to extend the trade of our manufacturers, and not protect them to death by giving them a license to rob all the people of this country and reach nobody else. Carrying out what Mr. Bright said, I have in my hand the financial condition of these poor starving people that Senators talk about as having been ruined and are beggars by free trade. Here are the imports and exports of merchandise in England for ten years in a short column, which shows that in 1881 the exports and imports of England amounted to £733,472,491, which reduced to dollars, at $5 to £1, is $3,667,362,455, an increase since 1860, the table shows, of £309,000,000, or $1,549,556,515. Observe, that is her increase in the last twenty years. We have made very gratifying progress, but let us look at our exports and imports, of which we boast so much, and when we look at it we sometimes think we are the greatest commercial people in the world. I find in the report of the Secretary of the Treasury the statement that our total exports and imports for 1882, the largest we ever had, were about $1,545,000,000. In other words, taking the exports and imports of Great Britain, her trade has increased more in the last twenty years than we have yet obtained by several million dollars. These are not pauper people who accomplish such things. I read once before what Mr. Gladstone said about it, and his authority will not be disputed that his people are being paid first-class wages and doing first-class work.

If we give the cotton manufacturer 30 per cent. ad valorem all round upon his products there can be no reasonable pretext that he would not have protection enough to compete with all the labor of Europe, and there can be no doubt that such a tax will produce more revenue with less oppression in the course of a few years than any system of specifics and classifications and hiding and dodging unequal tariffs upon raw material, often more than there is upon the finished product, or more upon one thing than there ought to be upon another, and that it will not be half as liable to fraud and undervaluation as the system proposed of specifics based upon ad valorems.

In the table furnished by the Tariff Commission which I alluded to once before it appears that there are 185,472 hands engaged in cotton manufactures, with a capital of $219,000,000. They received $45,614,000 in wages, and they pay for the material $119,000,000. Their products are worth $210,000,000, or $45,000,000 more than the material and the wages. The operatives receive on an average $246 each, or an average of 21 per cent. on the product. If we give them 30 per cent. we will receive a large revenue. They will have an ample chance of competing with all the world with 30 per cent. upon their great product, which now reaches to $210,000,000 a year. Unless you adopt some system of that sort and apply it to this paragraph, increased as it is above the Tariff Commission report, increased as it is on the average, though on some things it is a diminution, as upon cotton goods—I repeat that unless a very much better bill is made than is now presented to us, unless there are diminutions and reductions made by the Senate far beyond what I expect will be made—indeed I do not believe that the Senate can intelligently understand in all the mazes of this complicated mass of matter what ought to be done—I shall vote for a general ad valorem at some rate. I confess in many regards, with all the study I have been able to give it—and I have worked at it faithfully and earnestly, because it was my duty as a member of the committee to tell Senators who did not have the opportunities that I had exactly what I thought of it—that is the only reason why I have said anything about it, although I may be complained of again for taking up the time of the Senate; I assure Senators that I do not desire to do it—but I have looked at it carefully and I can see no way out of the tangle of this cotton schedule, with all its embarrassments, with all its concealments, with all its possibilities for wrong, with its change of classifications and its danger to the people of this country—I see no way out of it, if we expect to extend our commerce with other countries, which I greatly desire to do, except to impose a duty of, say, 30 per cent. ad valorem or 35 per cent., and thus make at least an intelligent tariff.

Mr. MAXEY. What is the general average levied by the tariff on cotton goods, according to the schedule presented by the committee?

Mr. BECK. The unenumerated articles of cotton, which are many of them the most valuable and highest priced, are under the present law 35 per cent. ad valorem. The committee, for what reason I do not know, and I do not think there is any reason for the proposition, have advanced all of that great schedule, that produces now over $7,000,000; from 35 to 45 per cent. ad valorem, and have changed their specifics in threads and other things until the Senator from Texas, no matter how good a mathematician he may be (and being a West Pointer I have no doubt he is a very good one)—it would make his head ache before he unraveled it, and he would have to make assumptions as to grades and changes of the four classes to seven, assuming what they would produce, before he would know what was the result of his labors. The plain ad valorem overcomes at least these difficulties, and is just and equal.

Why should we increase the tariff from 35 to 45 per cent. upon great items, running up to over $7,000,000, at a time when we are seeking to reduce revenues and to reduce the burdens of the people? Why should we increase this schedule 20 to 25 per cent. over the report of a Tariff Commission that everybody knows was putting up the last dollar upon every article to the highest possible point of protection? Yet we have done that in this bill at the instigation and by the orders, if you please, of the cotton manufacturers, who, as I say, have their cheap materials, who pay low wages to their hands, who have the best machinery in the world, and, as the Senator from Maine [Mr. FRYE] very well said the other day, machinery now that is doing the work of a hundred people since he first recollected how cotton machinery operated. That machinery needs no protection. That machinery can stand idle if a glutted market exists. A little oil and a little shelter is all that it wants. It is the slave of its owner; but the operative waiting for the glutted market to pass away, with his family, with the average of $246 a year,

is starving while that machinery is standing idle with only a little oil to save it. I want, if I can, to tell those men who are the manufacturers of cotton, "We have protected you for twenty years; we gave you these large bounties because we had to impose a tax upon your incomes during the war; we had to impose a tax upon your manufactures." There was a tax of 3 cents a pound upon your raw cotton, which you claim, though I think unjustly, came out of you.

All these things have passed away; your machinery is perfected; your labor is organized; your raw material is free and cheap. Why not send your goods to China and Japan, where there are hundreds of millions of people seeking cotton clothing that will trade all they have in return for it, and bring their cheap products back to us? Why not go to Mexico? Why not go to Canada? Why not go to the West Indies, instead of asking us to pile up taxation upon all of our people to enable you to sell at double the price in your own market, and you content yourself with the home market and do not seek to go outside of the United States, because you can not make anybody pay the prices you ask except the people whom Congress has compelled by odious laws to pay you the prices you demand? I say that if we give them 30 or 35 per cent., and I would give them 35 per cent. instead of 30 per cent. rather than have this complicated machinery that nobody understands be made part of the legislation of the country.

I have been amazed at this schedule from the time I looked at it, especially as these manufacturers five years ago, when they believed that the Democratic House of Congress was about to reform tariff taxation in good faith, as they said they would in their platform in 1876, though they did not I admit, came voluntarily and offered to make the reductions I have called attention to. Now, when they find that they have a Congress that is looking to protection for protection's sake, they are not content even with what the Tariff Commission had done, although they made no complaint about it at the time. Yet when they found that everybody else was getting all they wanted, of course they cried for more. There is added to the schedule in this article of thread and warp and other things 25 per cent. above what the Tariff Commission would give them, and we are asked to pass it coupled with all its changes of classification and perhaps its increased burdens. For one I do not propose to do it. While I will vote to perfect the text of the bill as well as I can, I may not get many votes, but I will propose, unless the bill is made much better than I think it will be, a general ad valorem tariff upon all the products of cotton, at least on the first and last classes, of say 30 per cent. ad valorem. Under that we will get revenue enough; under that manufactures will receive incidental protection enough; and under that they will be as prosperous as any people in this country can be and nobody will be cheated, because everything will stand upon an equality as to taxation according to its value.

I beg pardon of the Senate for having in this scattering way taken so much time, but I had to say something about it, as many Senators had asked me to give them such information as I had, and I desired to give my views as to what was best for what they were worth. If they are worthless the Senate will not follow them.

Mr. MORRILL. The Senator from Kentucky has declared over and over again that nobody can understand this bill. I take that as a confession on his part that he does not understand it, and I only regret that he has taken an hour by Shrewsbury clock to demonstrate it. But I am rejoiced to find that he understands, and that he is determined to make the Senate understand, exactly what General Banks said in 1868, and what Mr. Gladstone said a year ago. According to the Senator's own statement we derived over $12,000,000 revenue upon cotton goods last year upon an importation of over $31,000,000. That is a conclusive proof that the present duties are not prohibitory. Now, I want to show, what the Senator admits, that the bill is greatly simplified from the complications of compound duties and counting the threads that is in the existing tariff. I wish also to show at once the difference of the rates between some of these leading articles under the present tariff and by the proposed tariff, and thus present the actual reductions proposed.

Take the first paragraph, where it is proposed to put a duty on yarns, threads, warps, and so on, cost not exceeding 25 cents per pound, of 10 cents per pound. What is the present duty? It is 10 cents and 20 per cent. ad valorem. Take the next class, valued at over 40 cents per pound and not exceeding 50 cents, the present duty is 20 cents per pound and 20 per cent. ad valorem. Of course the bill is a very large reduction of the existing tariff. Coming to the next class, valued at over 60 cents per pound and not exceeding 70 cents per pound, the rate fixed by the bill is 35 cents per pound. The present duty is 30 cents per pound and 20 per cent. ad valorem. When you come to cotton cloth, bleached, dyed, colored or stained, counting the warp and filling, exceeding 100 threads to the square inch, the rate is now 5 cents a square yard, and the proposed duty is 2½ cents. Then when you come to the next clause, instead of being 5½ cents and 10 per cent. ad valorem, it is but 4½ cents per square yard.

Then when you get into the next description, on line 1149 of the bill, where it is 6 cents a square yard, it is proposed to make it 3 cents, or one-half of the present rate. In line 1151, where the duty is now 5½ cents per square yard and 10 per cent. ad valorem, it is proposed to make it 5 cents per square yard, and on line 1155, where it is now 7½ cents per square yard and 15 per cent. ad valorem, it is proposed to fix 4 cents per square yard. Are not these plain, obvious, and substantial reductions? Yet the Senator from Kentucky confesses that he does not understand it. I do not think he does.

Mr. BECK. I said that these were substantial reductions. Now, go on.

Mr. MORRILL. I merely desire to admit that on two classes of goods there is an increase; and what are these? One of them is on stockings, hose, and half-hose that are made on machines and knit by hand, composed wholly of cotton, where they are fashioned and narrowed wholly or in part by knitting-machines or on frames. These are of the higher class of hosiery, and on these a little higher rate of duty has been placed for the purpose of introducing the manufacture of these articles in this country. The present duty is 35 per cent. and it is proposed to make on these articles that are consumed mainly by the wealthy a higher rate of duty in order that we may manufacture more of our cotton at home. Then again, upon cotton, laces and embroideries, insertings, trimmings, and lace window-curtains, articles exclusively of luxury and used only by the better-to-do classes, there is an increase upon these of 10 per cent.

Let me call the attention of the Senate a moment to the amount of these articles that are imported, which is very large. Of hosiery we import $7,312,000, and obtain $2,500,000 revenue from them. Of laces, braids, galloons, cotton laces, &c., we import $6,670,000, and get $2,324,000 of revenue on these articles of higher and finer fabrics, that it is very desirable that we should make in this country. As a portion of our machinery engaged upon the cheaper articles will necessarily have to step out and be employed about something else, it is very important that they should have an opportunity to go into the enterprise of producing these articles. Take the schedule upon spool thread: the present rate is 6 cents per dozen and 30 per cent. ad valorem, and it is only placed now at 7 cents per dozen spools, without the ad valorem. That is a large reduction. Under these circumstances it is very clear that upon the great proportion of the articles embraced in this schedule there is an average reduction of not less than 30 per cent.—upon some of the goods much more and some a little less—while it is only an increase upon those two classes of goods which I have mentioned.

Mr. VANCE. I should like to ask the Senator before he sits down—he is down, though, now—if he regards cotton shirts and drawers as among the luxuries?

Mr. ALDRICH. They are only 35 per cent. in the bill, and they are 35 per cent. in the present law. There is no change.

Mr. VANCE. They are 40 per cent. under the bill. They may be considered luxuries in some countries, but I hardly think they would fairly come under that denomination. It is true, as the Senator says, that there have been some substantial reductions made, but if any one will examine the bill he will find that the reductions have been on the articles of which very few are imported, and the increase has been on the articles of which a great many are imported. According to my figuring, I make it that the total importation of the articles on which a small reduction of, say, 20 to 25 per cent. has been made amounts to about $6,000,000 in value and pays about $2,200,000 in duty, whereas the total of the articles which have been increased amounts to some $27,000,000, on which there is levied a duty of about nine and a half millions, and the per cent. of increase is greater or at least equal to the decrease.

Now, when a reduction of 25 or 30 per cent. on $6,000,000 is counterbalanced by an increase of 25 or 30 per cent. on $27,000,000, if you call that reducing the tariff I do not know what you would call increasing it. On several of the articles the increase is so great that, in my opinion, the duty would amount to a prohibition entirely and there would be a large increase of taxation on the people and no revenue to compensate for that taxation.

Mr. ALDRICH. To exhibit the knowledge of this bill by some of the Senators on the other side, if the Senator from North Carolina will look at line 1165 of the bill now before us he will find that shirts and drawers are 35 per cent. in this bill and not 40, as he has just stated.

Mr. VANCE. On what line?

Mr. ALDRICH. Eleven hundred and forty-five.

Mr. VANCE. Eleven hundred and forty-five?

Mr. ALDRICH. I think so, but I will tell the Senator in a minute. [Examining.] Line 1165 it is.

Mr. VANCE. That is one class of them.

Mr. ALDRICH. Those are all the common classes that he is talking about. Those are all the ordinary shirts and drawers to which he has alluded.

Mr. VANCE. I find, beginning on line 1169:

On stockings, hose, half-hose, shirts, and drawers, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, and composed wholly of cotton, 45 per cent. ad valorem—

The present duty being 35 per cent.

Mr. ALDRICH. These are fine goods not used by any ordinary people.

Mr. BECK. Allow me to say a word as to that. This illustrates quite as well as any suggestion which has yet been made what this bill

means. The Senator from Rhode Island takes great credit in saying it has not put up the duty on shirts and drawers woven or made on frames, &c.; that it remains just as it is now. Let us look. Of shirts and drawers woven or made on frames $23,087.49 worth was imported last year, paying a revenue of $8,080.62 at 35 per cent. The proposed rate is also 35 per cent., and on this class of goods but $8,080.62 revenue was received. That is a great concession! On "stockings, hose, half-hose, shirts, and drawers, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand," &c., the present rate of duty, 35 per cent., is increased to 45 per cent., and the imports of this class amounted to $7,312,743 in value, and $2,559,460.05 was the revenue collected, to which they have added an additional duty of $244,000, and the Senator tells how generous they are in reducing the rate of duty on that class from which only $8,080.62 in revenue was collected! Is not that true?

Mr. ALDRICH. No, sir; it is not true.

Mr. BECK. Then I will hand this to the Reporter to contradict the statement of the Senator.

Mr. ALDRICH. It is disproved by a foot-note on the very same page. If the Senator will look he will see it himself.

Mr. BECK. Let me see whether it is not true.

Mr. ALDRICH. The foot-note says "two-thirds of the importations estimated at 40 per cent. and one-third at 45."

Mr. BECK. Did I not give the exact figures, $7,312,743, as the value of the articles of this class which came in?

Mr. ALDRICH. The Senator must see that a mistake has been made there.

Mr. BECK. It makes the calculation $244,000 increase, as stated by the Bureau of Statistics.

Mr. ALDRICH. The Senator must see that some figures must be missing there, because of the higher grades $7,300,000 are put down, and for the other grades only $23,000.

Mr. BECK. All this will come in at 45 per cent. hereafter.

Mr. ALDRICH. I will merely state in addition to what I have said that the bureau reported $7,312,743 worth as two-thirds; of course one-third must be one-half of that, which would be near $3,700,000 worth, instead of $23,000, as the Senator from Kentucky has stated. Here is evidently a mistake.

The Senator from Kentucky says this is a very complicated and intricate and hard-to-be-understood schedule. I say that in this bill now under consideration there has been no schedule so improved by simplification as this schedule in relation to cotton and cotton goods, and I say further that there is no schedule in this entire bill where the duty has been so much reduced as the schedule of cotton goods, and I think before I get through I shall prove it to the Senate.

Mr. VANCE. Does the Senator pretend to say that in the aggregate there is a reduction?

Mr. ALDRICH. I do in the aggregate in the averages upon every item in the bill except two.

Mr. VANCE. Will not the increase of those two items overbalance the reduction of all the others?

Mr. ALDRICH. Not by any means, taking the figures which the Senator from Kentucky has just been reading from, and I will show that he made a mistake in his figures before I get through; but on his own statement the reduction is about $700,000.

Mr. VANCE. I do not think it is in the power of the Senator from Rhode Island on those premises to show that there has been an aggregate reduction. I do not think he can do it by the Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or open-hearth processes. [Laughter.]

Mr. SHERMAN. Give him a chance.

Mr. ALDRICH. If the Senator will give me an opportunity I will try.

Mr. VANCE. I will do so.

Mr. ALDRICH. Any Senator who can understand the English language can understand this schedule.

The Senator from Kentucky said at the commencement of his remarks that the reduction shown upon this class of cotton yarns and threads was $23,087. I think these were the figures he gave. He will find upon a re-examination that it is $123,000, a reduction, according to the Bureau of Statistics, of 10 per cent. from the present rates of duty.

The Senator says that we have increased the number of classifications and thereby increased the chance of fraud and the difficulty of understanding this schedule. Let us see whether we have or not.

Under the existing law all threads and yarns valued at from 40 to 60 cents a pound pay the same rate of duty. Under the new schedule yarn valued from 40 to 60 cents pays one rate and from 50 to 60 another rate. Is not that easily understood? Is there any difficulty, any complication, or any intricacy about that? Under existing law these rates are compound rates consisting of a specific rate per pound and an additional ad valorem rate. Under the bill they are reduced to specific rates alone, thus greatly simplifying the matter. Now, taking the class of yarn to which I have alluded, between 40 and 60 cents a pound, they now pay 20 cents a pound and 20 per cent. ad valorem, amounting to about 32 cents a pound. Under the present bill yarn from 40 to 50 pays 22 cents a pound and from 50 to 60 pays 27 cents a pound, a large reduction in both cases.

Under the bill as it now stands yarn worth 39 cents a pound abroad would pay 18 cents a pound, while yarn worth 41 cents would pay 32 cents a pound, or a difference of about 14 cents a pound. Under the bill proposed the difference would be decreased one-half. If the increase from one rate to another under the old law—and I adopt this sum for the purpose of the argument—was 20 cents, under our bill it will be 10 cents; and while an undervaluation to the extent of a farthing might by existing law defraud the revenue to the extent of 20 cents, under our bill it could not exceed 10 cents.

I have made this statement twice, hoping that I may be understood. We have made seven classifications instead of four, reducing the increase of rate from one classification to another more than one-half. Can there be any mystification about that? Can there be any misunderstanding of what it is? We have abolished the ad valorem duties entirely. We have fixed a specific rate which is much less than the old rate, and no Senator has denied this. The clause is certainly simplified. We propose no such changes in classification as were made in the metal schedule, where changes were made from measurement by wire gauge to measurement by diameter. The changes here merely relate to the price per pound abroad, and instead of having a difference as between 40 and 60 we have a difference as between 40 and 50, and another difference as between 50 and 60, the sole object being to fix what should be nearer to an equivalent ad valorem of the price of the yarn in each one of these cases up and down the scale, and the reason that we do not recommend an ad valorem duty is the same reason, only multiplied and intensified a thousand fold, that led the Senator yesterday to vote for a specific rate upon sugar.

The market price of sugar in every part of the world is known daily in New York. But here are different grades of yarn made in a thousand different places, varying in price one-sixteenth or one-thirty-second or one-fiftieth of a cent per pound; and in many cases under the law as it now stands a difference of one-sixteenth of a cent per pound would make a difference of 20 cents a pound in duty.

It seems to me it is not necessary for me to dwell upon this longer to show that this schedule as reported is in the direction of simplification instead of in the opposite direction.

Mr. VANCE. Will the Senator now oblige me by giving his idea of the amount of reductions on the yarn schedule that he has discussed?

Mr. ALDRICH. I have stated it. I will repeat it if it is desired. I thought the Senator had heard it. I have stated it on each item, and the average as shown by the Bureau of Statistics is about 10 per cent.

Mr. VANCE. What is the total amount of reduction on these items of yarns, threads, &c.?

Mr. ALDRICH. Based on the importation of last year, I say the reduction is 10 per cent. The average reduction on all grades would be even greater than that as shown by the figures which I have stated. I do not know whether the Senator from North Carolina heard them or not. Does he desire the amount in dollars?

Mr. VANCE. Yes, sir.

Mr. ALDRICH. One hundred and twenty-three thousand seven hundred and sixty-six dollars is the amount by the report of the Bureau of Statistics; but Senators must remember that the importations last year, if changes of duty are made, will be no guide whatever as to the importations for next year. Suppose, for instance, that the amendment which the Senator from Kentucky has intimated that he will offer should prevail, and the duty upon all manufactures of cotton should be reduced to 30 per cent. ad valorem, there would not be a single pound of fine yarn made in this country, and there could not be; and the importations and consequent revenue instead of decreasing would largely increase. We should receive a revenue greater on this one item of cotton yarn than we now receive on the whole cotton schedule.

The Senator has called attention to the importation of cotton goods. What are they? Seven-eighths of the cotton fabrics used in this country are made here, including the ordinary and common grades of goods, and these will be made here whether the motion of the Senator from Kentucky shall prevail or not.

Now, what does the Senator from Kentucky desire? Does he desire that the class now made abroad shall continue to be made there, and that this shall be largely increased by the class which is now manufactured in Scotland and England? With my knowledge of the Senator's patriotism I know he can not wish to destroy all the cotton manufacturing industries in this country except those for the manufacture of ordinary and common goods to benefit the manufacturers and operatives in England, whom he has justly lauded in his speech this morning.

I did not intend upon this clause to allude to the details of the other portions of the bill, but as the discussion has taken a wide range and the Senator from Kentucky has undertaken to show what will be the general effect of the bill, I think I must follow him to some extent at least. I will now read the provisions of the present law in relation to cotton cloths and then read the provisions of the bill reported by the Finance Committee, so that Senators may see at a glance the great

simplification recommended in this schedule. Existing law reads as follows:

On all manufactures of cotton (except jeans, denims, drillings, bed-tickings, ginghams, plaids, cottonades, pantaloon stuff, and goods of like description) not bleached, colored, stained, painted or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, and exceeding in weight five ounces per square yard, 5 cents per square yard; if colored, stained, painted, or printed, 5½ cents per square yard, and in addition thereto, 10 per cent. ad valorem.

* * * * * * *

On cotton jeans, denims, drillings, bed-tickings, ginghams, plaids, cottonades, pantaloon stuffs, and goods of like description, or for similar use, if unbleached and not exceeding one hundred threads to the square inch, counting the warp and filling, and exceeding five ounces to the square yard, 6 cents per square yard; if bleached, 6½ cents per square yard; if colored, stained, painted, or printed, 6½ cents per square yard, and, in addition thereto, 10 per cent. ad valorem.

In place of this long and intricate description which I have read, providing for a count of the goods by warp and filling, providing for two classes, one of denims and tickings and like goods and another of cotton cloths of other description, and providing for a test of weight of the goods as well, the Senate bill proposes to adopt this clause, which I will now read:

On all cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, 2½ cents per square yard.

There are three lines in this portion of the bill of the committee and over twenty-five lines in the corresponding portions of existing law. The cotton schedule which in this bill occupies about two pages, if it had used the classifications of existing law would have occupied at least eight or ten pages, with all of these intricate descriptions.

The next clause of the present law reads "on goods of a lighter description, not exceeding two hundred threads to the square inch, counting the warp and filling, unbleached," &c., and then goes on and repeats the clause in relation to jeans, denims, drillings, bed-tickings, &c., while under the bill of the committee this is all embraced in one simple clause—"on all cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding one hundred and not exceeding two hundred threads to the square inch," so many cents a yard. It will only be necessary for the custom-house officer to determine the count of the cloth, *i. e.*, whether it shall exceed one hundred threads to the square inch. Under existing law he has to determine whether it is embraced in the first or second clause I have read, without regard to whether it be jean, denim, bed-ticking, or like goods, or whether it be cloth of other descriptions; has then to determine the count, and in addition to that he has to determine the weight. Can any Senator say that the provisions recommended by the committee are not much more simple than this?

Let us examine the rates provided by this clause of the bill, and I would remind the Senate that the clauses to which I am now alluding include all qualities and grades of cotton cloth. They include, I venture to say, at least seven-eighths of all manufactures of cotton. Now, what are the rates which we propose as compared with the existing rates?

The committee's bill in the line of the first clause proposes 2½ cents per square yard, where under the existing law the duty is 5 cents per square yard, and 10 per cent. ad valorem on one class, and 6 cents a square yard and 10 per cent. ad valorem on the other class. This bill provides for a reduction on this large class of goods, including a large portion of the goods used in the homes of the laboring classes in this country, that is, all ordinary standard sheetings and shirtings.

Mr. VANCE. How many are imported of this class?

Mr. ALDRICH. I have said and I now repeat, that thanks to the skill and energy of American workingmen and manufacturers, not one yard is imported. There may be a very few; but I think not.

Mr. VANCE. The reduction would amount to about $6,000 in the revenue, would it not?

Mr. ALDRICH. I do not care in this connection about the reduction of the revenue shown.

Mr. VANCE. So I see.

Mr. ALDRICH. It is a reduction of duty on this large class of goods, and I desire to call the attention of the Senate to the fact that this reduction is recommended and concurred in by the manufacturers themselves.

Mr. McPHERSON. Do I understand the Senator to say that in this schedule where reductions have been made seven-eighths of the goods used are comprised?

Mr. ALDRICH. I do say and repeat that the clauses which I have just read comprise seven-eighths of the cotton goods used in this country, or very nearly so. They comprise all cotton cloths.

Mr. VANCE. I ask the Senator if the fact that there is only about $12,000 worth of that class imported does not show that the present tariff is prohibitory?

Mr. ALDRICH. These goods are not imported largely, but the reason they are not imported is not solely on account of the tariff, but because we manufacture many of them as cheaply as foreigners can. We export a considerable amount of this class of goods. Many of them can be manufactured in North Carolina as cheaply as they can be made in England, and the only reason for any tariff upon them is to prevent the possibility of bringing here the surplus of English manufactures, placing them upon our markets at ruinous prices, and thus destroying our own manufacturing industries.

Mr. McPHERSON. May I ask the Senator again what special class of goods he is now referring to?

Mr. ALDRICH. To many of the goods included in the three clauses relating to cotton cloths.

Mr. McPHERSON. What is the line of the bill?

Mr. ALDRICH. Commencing with line 1139 down to and including line 1164.

I was saying that this reduction is suggested and agreed to by the manufacturers themselves, and I was about to say that the reduction on this first class is 61½ per cent. of the present duty, and I say that there is no reduction in this entire tariff bill, whether recommended by manufacturers or not, as great as this upon any article of common use.

The reduction on the next class is from the present rate of 5½ cents a square yard and 10 per cent. ad valorem, and 6½ cents a square yard and 10 per cent. ad valorem, to 3½ cents a yard, or a reduction of 51 per cent. from the present rates.

On the next item the reduction is from 5½ cents and 10 per cent. and 6½ and 10 per cent. to 4 cents, or a reduction of 40 per cent. On the next item there is a reduction of 64 per cent.

Mr. VANCE. Will the Senator please give the lines, so that we may keep track of him?

Mr. ALDRICH. The one to which I last alluded, 64 per cent., is in line 1147 of the bill. On the next class there is a reduction of 52 per cent. I have the computations here, but I do not care to weary the Senate by reading them. On the next it is 42 per cent.; on the next it is 56 per cent.; on the next it is 45 per cent.; on the next it is 34 per cent. I have not made an average of these reductions, but it must be from 40 to 45 per cent.; and I repeat that it is a greater reduction than we have made in any class of manufactured goods by this bill.

I admit that these goods are not largely imported. Whether they will be or not under this reduction is a matter of which I can not speak. I do not think, however, that any of the lower classes of goods will be imported even if this bill is adopted. I do not desire to break down the industries of North Carolina, South Carolina, and Georgia, or of New England, by reducing these duties below a protective point. I deny emphatically (and at no distant day I will submit the proof of the assertion to the Senate) that the wages of cotton operatives in this country are as low as they are in England.

I will not say that in the State of North Carolina the wages are not as low as the average wages in England, but their manufactures are now of the coarser class of goods and unimportant. As they increase and develop, as I hope and believe they may, the operatives will demand and receive the wages paid in other communities for similar labor.

Mr. McPHERSON. May I ask the Senator another question in this connection for information only?

Mr. ALDRICH. Certainly.

Mr. McPHERSON. The cotton goods in the schedule, starting from the beginning of line 1131 down to line 1164, he avers, constitute really seven-eighths of all the goods used in this country; and as reductions have been made in the specific duty, can he inform me approximately what the ad valorem is upon all that class of goods?

Mr. ALDRICH. The present ad valorem?

Mr. McPHERSON. No; the ad valorem proposed.

Mr. ALDRICH. Upon the class of goods to which I have just been alluding?

Mr. McPHERSON. The classes named between the lines 1131 and 1164, inclusive. What would be the probable ad valorem?

Mr. ALDRICH. It is, I think, about 30 per cent. upon all the classes of ordinary manufactures of cotton which are included in this schedule. If I understand the wishes and desires of the manufacturers themselves, they would be quite willing to accept a specific duty which would be equal to 30 per cent. ad valorem upon all the class of goods to which I am now alluding.

Mr. VANCE. Now, I want to understand the Senator as to this matter of reduction—whether I am to understand that the percentage is greatly reduced or whether he claims that the total of the duty paid upon imported goods in the cotton schedule is reduced?

Mr. ALDRICH. I claim, of course, that the percentage on all the goods made is reduced.

Mr. VANCE. That the per centum, the ad valorem rate, is reduced?

Mr. ALDRICH. Very greatly.

Mr. VANCE. Is the amount of money paid by the people for those goods reduced?

Mr. ALDRICH. These goods, as I have tried to explain several times, are now made in this country. The manufacturers of New England in 1842 sent a memorial to Congress in relation to the tariff bill then pending, stating among other things that in 1816 100,000 bales of cotton were consumed in this country, and that the price of standard sheetings was 40 cents per yard; that they had increased the consumption of cotton to 400,000 bales, and reduced the price of standard sheetings and shirtings to 16 cents a yard. In the forty years which followed 1842 they have increased the amount of cotton consumed to about 2,000,000 of

bales and have further reduced the price of goods to about 7 cents per yard.

This record is one of which they have a right to be proud. We are now independent of the world on all lower and common grades of goods. The Senator knows as well as myself that any ordinary reduction would make no difference to the revenue. The revenue would not be decreased nor would it be increased unless we should reduce the duty so low on some goods that it would be impossible to make them in this country. I do not desire this result. Does the Senator from North Carolina?

Mr. VANCE. No, Mr. President, I want a little further information. If we can manufacture this lower class of cotton goods as cheaply as England can, what effect does that have upon keeping up wages? How can we afford to pay more wages than England if we manufacture goods just as cheap as she?

Mr. ALDRICH. Because of our better machinery, and because of the greater skill of our operatives.

Mr. VANCE. We do not then need any tariff duty to protect them.

Mr. ALDRICH. And we have advantages in our proximity to the cotton, thereby saving transportation.

Mr. VANCE. Then we do not need any tariff duty.

Mr. ALDRICH. We certainly do need a tariff duty.

Mr. VANCE. What for?

Mr. ALDRICH. I have already explained. We need it on the lower class of goods to prevent the English manufacturers sending over their surplus product to this country and selling it at ruinous prices, thus closing up our manufactories. We need it on the finer goods for protection and as compensation for the larger earnings of our operatives and skilled mechanics and laborers.

Mr. VANCE. If we can make it as cheap as the English can, how can the English undersell us?

Mr. ALDRICH. Why does the Senator from North Carolina want to retain the duty on turpentine and rice?

Mr. VANCE. I do not want any duty on turpentine. I have never asked the Senate to give me any.

Mr. ALDRICH. I have not noticed any manifestation of desire on the part of the Senator to have it taken off or to reduce it on rice. He does not show a fraction of the anxiety in that direction that he does to reduce duties on cotton goods.

Mr. VANCE. I submit that is not fairly answering the question.

Mr. ALDRICH. I think it is very fairly answering the question. Rice and turpentine can be produced in North Carolina, I believe, as cheaply as they can be anywhere else.

Mr. VANCE. The great argument for giving this tariff is that it enables our people to pay higher wages to our operatives than the English can pay; and now that we have got to a point where we can manufacture on a par with England, cent for cent, just as cheap as they can and pay wages still higher, I want to know—and have a candid answer from the Senator, if that does not show conclusively that the price of labor in this country does not depend upon the tariff?

Mr. DAWES. That is unjust to the English. I suppose the Senator thinks he wants the English to have a fair chance.

Mr. ALDRICH. The Senator from North Carolina either misunderstands or misapplies my statement. I have stated that as to all the ordinary kinds of cotton manufactured, the cheaper grades of fabrics, we can make them as low as anybody in the world. Where skilled labor to a large extent is required, this can not be done, as we pay much higher wages. Let me read to the Senate from the report of the Tariff Commission a very strong illustration of the point I am trying to make:

> For example, taking the reports of the day's markets, it is found that the cotton used in spinning the coarser yarns sold at below 25 cents per pound is quoted at 10¼ cents per pound. A pound of this cotton will make seven yards o cloth, which is quoted in the same paper at 3½ cents per yard, making a total value of about 24 cents, the value of the raw material having been increased about 133 per cent. On the other hand, a pound of cotton, such as is used in spinning the finer qualities of yarn, costs 30 cents per pound, and the value of the yarn per pound, when spun, is $1.50, or an increase of 530 per cent.

In one case the cost of labor that goes into a pound of manufactured cotton is 14 cents, and in the other case it is $1.20. In the one case the ordinary forms of labor can be used, in the other case skilled labor of the best class is required. It seems to me that this is a matter which can not be misunderstood. It is very easy to see how we might make a class of goods requiring a small percentage of labor, if it were more skillful, in competition with English manufacture, even if we had to pay higher wages, but where the cost of labor is five times the cost of material, and where skilled laborers are employed at largely increased prices over the wages paid in England, it would be impossible to compete unless we are protected by sufficient duties.

Mr. VANCE. I hope the Senator understands that I addressed my question to the lower grade of cotton goods, and therefore his explanation of the greater skill required in the manufacture of the higher grades does not enter into the matter at all.

Mr. ALDRICH. I think I have explained it to the satisfaction of Senators who desire to understand it.

Mr. VANCE. I do desire to understand it most earnestly. I desire to understand why, if it is necessary to keep up the wages of our people to levy a heavy tariff, when we get to the point where we can manufacture goods as cheaply as foreigners, I do not understand the necessity of keeping up the tariff, because evidently the laborers do not get it. It seems to me that it is simply to enable the manufacturers to pocket that much money and that the pretense of benefiting the laborers must be given up.

Mr. ALDRICH. It can not be possible that the Senator is so obtuse as not to understand the distinction which I have made. I have just read from the report of the Tariff Commission to try to make the matter plain to his mind that while the manufacturer in North Carolina who hires the poor white laborer of that country for 42 cents a day, about the same price paid in France and in Belgium and a little more than the price paid in Italy, might manufacture cheap cotton goods, the manufacturer in Massachusetts who pay 85 cents a day to unskilled labor and who pays $1.25 to $1.50 a day for skilled laborers, manufacturing a different kind of goods requiring five times as much labor, could not compete.

Mr. VANCE. Let me say to the Senator in relation to that schedule of North Carolina factory wages that he speaks of——

Mr. ALDRICH. I hope the Senator will explain it after I get through.

Mr. VANCE. I thought the Senator was through.

Mr. ALDRICH. I have submitted very patiently, I think, to interruptions.

Mr. VANCE. I beg the Senator's pardon. I thought he was through.

Mr. McPHERSON. Will the Senator from Rhode Island yield to me one moment to make a suggestion to the Senator from North Carolina rather in his line of argument?

Mr. ALDRICH. Yes, sir.

Mr. McPHERSON. The Senator from North Carolina says that a tariff levied of the character proposed by the Senator from Rhode Island on these goods would be absolutely prohibitory except under certain conditions; for instance, the conditions that occurred in 1873, when the industries of this country were prostrated and the industries of every country were prostrated, and a surplus of goods piled up in the warehouses abroad was flooded upon this country and sold for low prices largely below the cost of manufacturing and the prices fixed here for the sale of the goods. The result was that importations came in until our storehouses were filled with them. There was no demand for them; labor was sent adrift until the willing laborer was compelled to beg from door to door. I wish to know if under such conditions the tariff is prohibitory, as he avers, prohibitory only as regards importations that is of any immediate injury to the consumer of the country or any particular injury to the laborer of the country.

Mr. VANCE. As the Senator from Rhode Island yielded to the Senasor from New Jersey to shy a brickbat at me, I hope he will yield to me to return the compliment.

Mr. ALDRICH. Certainly.

Mr. VANCE. I want to know of the Senator from New Jersey if the high tariff of 5 cents a square yard kept out that great influx in 1873, if it did not come here all the same?

Mr. McPHERSON. If it did come here all the same, it paid a revenue to the Government, but at the same time there was an aggregation upon us from the other side. It was sent here for this market and of course found a market very slowly. During the time those goods were upon the market the American manufacturer, manufacturing them at somewhat a higher rate as I confess, a rate proportioned to the amount paid for the labor, was forced completely out of the market.

Now, I want the Senator from North Carolina to understand that there are many things upon this tariff list that bear to-day a high rate of duty which has no more effect than if there were no duty at all upon them, because home competition regulates that matter.

Mr. VANCE. Then how can a tariff increase wages and lower prices? That is very strange doctrine for a Democrat to advocate. It sounds mightily like something I have heard from the other side of the Chamber.

Mr. McPHERSON. Simply because it protects the home market and the home manufacture.

Mr. VANCE. How can it protect anybody if it has no effect on the price of the article on which it is levied?

Mr. McPHERSON. If you keep out of the market the foreign product by reason of the tariff, you certainly give to the home manufacturer all the competition and all the market at home.

Mr. VANCE. Then the tariff does affect prices?

Mr. McPHERSON. Well, Mr. President——

Mr. ALDRICH. I think I shall have to resume the floor.

Now, I protest against the idea which is constantly advanced by Senators on the other side that the only portion of this tariff bill that we are to consider is that portion which applies to goods which are largely imported. If they desire to confine the reduction of duties simply to articles that are now imported to a great extent, then we are legislating only in the interest of the importer and of the foreign manufacturer, to the exclusion of our own mechanics and manufacturers and their interests.

You ask no reduction except upon goods and articles which experience has shown can be made as cheaply or more cheaply abroad than

here. It is upon these articles that you desire to reduce duties, and you propose to confine your reduction to that class. Could there be a proposition more plainly in the interest of the manufacturers abroad and of the importers, who are sending their wares here to be exhibited on the floor of the Senate, and who are asking the American Congress to legislate in their behalf and against our own people, and who find able and eloquent advocates of their policy and of their interests in distinguished Senators who ask us when we propose to reduce duties upon protected articles, "Why are those goods not imported?"

To proceed with this schedule. The next clause is:

Stockings, hose, half-hose, shirts, and drawers, and all goods made on knitting machines and frames, composed wholly of cotton and not herein otherwise provided for, 35 per cent. ad valorem.

This is the present rate. The next two clauses propose an increased duty and are in that respect exceptions in the schedule. And I desire to call the particular attention of Senators to these two items on which the committee recommend an increase of duty. They are, first, fine hosiery, and, second, "cotton laces, embroideries, insertings, trimmings, lace window-curtains, and cotton velvet."

These two clauses of items, it is true, are largely imported. The amount manufactured here is very small. Why? Because the cost of skilled labor required in their manufacture is so great, so much greater than it is abroad, that they can not be made here as long as the duty remains at 35 per cent.

The most of these goods are made in one district in England, in the Nottingham district. There every advantage of skilled labor, fine machinery, and ample capital are to be had. With the duty at present rates they can monopolize the American market. A correspondent of the New York Times writes from Nottingham as follows:

"Your trade is good?" I asked the leading publisher of the town. "Was never better," he said. "Chiefly as regards the lace manufacture?" "Yes; but in hosiery we are still, I believe, ahead of all competitors." "I am told that much fine lace goes from Nottingham and comes back for sale in England as Calais, Brussels, Mechlin, point, and other fabrications?" "It is said so, and we believe it in Nottingham."

He goes on to say:

I found Mr. Jasper Smith, the American consul (who came here from Madeira five years ago), just as obliging and agreeable as his contemporaries of Sheffield, Manchester, Bradford, Leeds, and other towns. "As an illustration of the solid progress of the trade between Nottingham and America," he said, "here are some figures that will probably surprise you. In the year 1878 up to September 30 the total exports from Nottingham to the United States were $3,062,216.71. Prior to that date Nottingham had no consulate of its own; it was a mere agency attached to Sheffield. To-day it does a larger trade with America than Sheffield itself. For the year ending September 30, 1882, the exports from Nottingham to America registered in my returns amounted to $9,774,548.65.

And this sum was largely made up of laces, embroideries, lace window-curtains, and fine hosiery.

Now we ask the Senate to allow these goods to be made in the United States, and by this concession to transfer this trade from Nottingham to Lowell, Lawrence, and Fall River. We have skill; we have capacity for building fine machinery; we have capital; but, with present cost of plant and machinery, until our wages are reduced to the price which they are abroad, we cannot compete with Nottingham.

To show actual difference in earnings of operatives, I will now put in the RECORD a statement made by Messrs. J. & P. Coats, of Pawtucket, Rhode Island, and Paisley, Scotland, and of William Clark, of the Clark Thread Company, of Newark, New Jersey, showing the price of wages actually paid by these concerns, having mills in both countries, and showing that the rate of wages in this country is at least 100 per cent. higher than it is in Paisley.

The paper is as follows:

WAGES OF LABOR IN THE MANUFACTURE OF THREAD.

[Letters of February 2 and April 3, 1882, addressed to the Chief of the Bureau of Statistics by Messrs. J. & P. Coats, manufacturers of thread, at Pawtucket, Rhode Island, and at Paisley, Scotland.]

PAWTUCKET, R. I., *February* 2, 1882.

DEAR SIR: I have to acknowledge the receipt of your favor of the 24th ultimo, and in reply have the pleasure to hand you comparative rates of wages paid in our factories here and in Scotland.

Our manufacture is a specialty, requiring the employment of good, steady hands, it being impossible for us to maintain the quality of our goods with a floating class of help. The general average of female help in Scotland, you will observe, is under $3 per week, whereas here it averages nearer $7.50 per week. (Remember the difference in the time run between the two countries is deducted from the rates paid here to make the comparison more nearly correct.)

The difference in male help is not so great, but the great bulk of those we employ are females. We are obliged to pay high wages, as we have to employ help corresponding to the best class engaged in weaving and other highly-paid departments of labor. Unless we do so we find our help unwilling to remain with us steadily, subject to the strict discipline necessary to produce our quality of goods. These conditions apply to Scotland as well as here, where our experience proves the help to be quite as efficient and able to attend to as many machines or spindles.

The great difference in wages between the two countries affects the prices of the various descriptions of supplies required in a factory in a corresponding ratio, and coal, gas, and taxes are likewise very much lower in Scotland than here, not to speak of the average rate of interest. Coal is laid down at our furnaces there for 3*s.* 9*d.* per ton, equal to about 90 cents. It is, of course, small coal, but well adapted for handling with the automatic stoker and gives as good results as the coal used here, which averaged last year $4.70 laid down at the works. The price of 25-candle power gas is 3*s.* 9*d.* per 1,000 cubic feet, equal to 90 cents, and taxes are less than one-third of what we pay here. Income tax, of course, you do not require to pay unless you make a profit, but this does not affect the calculation, as you have to pay it on profit earned abroad as well as in Scotland. We employ there double the power we do here.

To the best of my judgment and experience a factory would cost fully twice as much to build here as in Scotland.

I deduct from the wages paid here an amount corresponding to the difference of time run during the week in the two countries.

Trusting that the information given sufficiently covers the ground, as it represents the great mass of our employés,

I am, yours, very respectfully,

JAMES COATS, *of J. & P. Coats.*

JOSEPH NIMMO, Jr., Esq.,
Treasury Department, Washington, D. C.

Schedule of wages paid in the United States and in Scotland, furnished by Messrs. J and P. Coats, thread manufacturers.

	In the United States.	In Scotland.	Difference in favor of the United States.
Wages paid cop spoolers.....per week...	$6 59	$3 40	$3.19, or 94 per cent.
Twister-tenders .....do.....	5 69	2 25	3.14, or 123 per cent.
Doffers .....do.....	4 37	1 94	2.43, or 125 per cent.
Cleaners.....do.....	2 63	1 52	1.11, or 73 per cent.
Reelers .....do.....	7 88	3 52	4.36, or 124 per cent.
Winders .....do.....	7 25	2 80	4.45, or 159 per cent.
Wrappers and boxers .....do.....	7 96	3 04	4.92, or 162 per cent.
Dyers.....do.....	9 84	6 32	3.52, or 56 per cent.
Bleachers—men .....do.....	11 81	5 10	6.71, or 132 per cent.
Bleachers—women.....do.....	5 25	2 43	2.82, or 116 per cent.
Mechanics .....do.....	13 13	7 94	5.19, or 65 per cent.
Firemen .....do.....	10 66	5 83	4.83, or 83 per cent.

PAWTUCKET, R. I., *April* 3, 1882.

DEAR SIR: Your favor of the 29th was received, with inclosure, which I return as requested. The schedule of rates is a correct copy of what I gave you.

In reply to your first question, I would say that my firm manufacture more thread in Scotland than in the United States, but our factories here are sufficiently large to obtain the most economical results of general management, requiring twenty large steam-boilers, rated at over 2,500 horse-power, to run them. The machinery is practically the same in both countries, used in the same manner and with the same efficiency.

In reply to your second and third questions, the organization and the methods possessed in the employment of labor are similar in both of our establishments.

In reply to your fourth question, I state that the great bulk of our operatives in the United States are Irish and French-Canadian, while in Paisley they are Scotch, with a sprinkling of Irish. You can not consider the physical and intellectual ability of the former superior to that of the latter. Certainly I do not.

In order to give you a more correct idea of the difference of the wages paid in the two countries I took a fortnightly pay-roll during the month of December last in Paisley, divided it by the number of operatives employed; I found the average was £1 4*s.* 11½*d.* sterling at 4.86 (exchange = $6.07), or $3.03½ per week. I then treated the last full pay-roll of 1881 (November) in the United States in the same manner, and the result, after deducting the necessary amount for the difference of time run, was $25.53, or an average of $6.38 per week. This shows conclusively that the wages we pay in the United States average 110 per cent. higher than those we pay in Scotland for identically the same class of work, the quality of work being similar.

The causes of this great difference in wages are the very high comparative rates paid for the female labor here, of which the great class of our employés is composed.

I am, very respectfully, yours,

JAMES COATS, *of J. & P. Coats.*

JOSEPH NIMMO, Jr., Esq.,
Chief of Bureau of Statistics, Washington, D. C.

[Inclosure F.]

WAGES OF LABOR IN THE MANUFACTURE OF THREAD.

[Letters of January 31, March 31, and April 3, 1882, addressed to the Chief of the Bureau of Statistics by the Clark Thread Company, of Newark, New Jersey, and Paisley, Scotland.]

CLARK THREAD COMPANY,
Newark, N. J., January 31, 1882.

DEAR SIR: Your favor of yesterday is received.

In reply to your question as to what number of hours the employés work in either place, would say that in Paisley the factories work ten hours daily five days in the week, and Saturdays to 12 o'clock noon, making a half holiday for Saturdays. In Newark we work ten and one-half hours, five days in the week, and stop on Saturdays at 1.30, making for Newark fifty-nine hours as against fifty-five for Paisley.

With regard to your question as to the effectiveness of labor here and in Paisley, would say that my experience is about equal in both places, and the employés in either place, with the same machinery, will produce about the same amount of work, and they work as steadily in the one place as in the other. This idea of the superiority of American workmen over British is humbug. It is used when a speaker wants to please an American audience, and generally has the effect he intends. But there is no doubt that both countries have their specialties in which they excel. Cotton spinning and cotton-spinning machinery is ahead in Great Britain, and most of our improvements come from there. Our business of making spool-cotton is only in process of development in this country, as there is still large quantities of six-cord imported, but is becoming less as we get our means of production extended.

Any further information I can give you will be glad to do so, as I think it is best for you people to know the true inwardness of the business.

Yours, respectfully,

WILLIAM CLARK.

J. NIMMO, JR., Esq.

CLARK THREAD COMPANY,
Newark, N. J., March 31, 1882.

DEAR SIR: Yours of the 29th came duly to hand, and contents noted, and in reply would answer the statements contained therein, as under, which we trust will be what you require to close up your report.

1. In regard to the machinery used in our two factories would say that it is used in the same manner, but in a little larger extent in Paisley than in Newark.
2. The organization of labor is similar.
3. The methods pursued in the employment of labor is similar.
4. The physical and intellectual ability of the operatives in both countries are about equal.

5. The following is a statement of the wages paid in both countries to the same class of workers, and the percentage of one over the other:

	Paisley.	Newark.	Newark over Paisley.
GIRLS.	*Per week.*	*Per week.*	*Per cent.*
Spoolers	$3 60	$8 00	122
Reelers	3 60	8 00	122
Cop-winders	3 60	8 00	122
Twisters	2 35	5 50	135
Slippers	1 65	3 00	81
Bobbin-cleaners	1 50	2 50	66
MEN.			
Carpenters	7 25	17 00	135
Machinists	7 25	18 00	148
Dyers	7 00	15 00	114
Bleachers	6 50	13 50	108
Firemen	6 00	12 50	108

Hoping above will be satisfactory, we remain, yours truly,

CLARK THREAD COMPANY,
Per CONTRELL.

JOSEPH NIMMO, Jr., Esq.

CLARK THREAD COMPANY,
Newark, N. J., April 3 1882

DEAR SIR: We did make an error in our estimate of March 31, having omitted to take the difference in time of working hours between the two countries, but having looked it over and made that correction, we find the following result, which we think correct: Girls' average Newark over Paisley, 99 per cent.; men's average Newark over Paisley, 104 per cent., or 101½ per cent. total average.

This is as near as we can get at it, and think you can safely take it as conclusive.

Yours, truly,

CLARK THREAD COMPANY,
Per CONTRELL.

JOSEPH NIMMO, Jr., Esq., *Chief of Bureau.*

Mr. ALDRICH. Now, we can manufacture these goods here, but we can not manufacture them with this difference of wages at 35 per cent. duty; we can at 45 per cent. We can, if you will give us a chance, make every dollar's worth of these goods in New England or in any of the manufacturing States. It will release that many spindles—I do not know how many, half a million, perhaps, four times as many as are now in operation in the whole South—from the manufacture of coarser and commoner goods, that can be transferred to North Carolina, South Carolina, and Georgia. Are Senators aware to what extent the manufacture of cotton is being developed in those States? Do Senators know that within the last year or two the number of spindles has nearly doubled? The time is coming—it is not, I believe, very far distant, and New England manufacturers will do nothing to delay it—when medium and common cottons will be largely manufactured in the South. The people of the State of North Carolina will not thank any of her representatives who shall in the name of free trade, but really in the interest of the manufacturers at Nottingham, in the interest of the importers in New York, prevent an important cotton manufacturing industry from coming to this country. Shall it be said that the American Senate, that yesterday by the vote of every Democratic Senator, imposed a specific duty of 45 per cent. upon sugar——

Mr. MORGAN. The Senator is mistaken about that.

Mr. ALDRICH. I except with pleasure the Senator from Alabama. That Senate, after having yesterday imposed a specific duty of 45 per cent. on sugar in the interest and for the benefit of the owners of 181,000 acres of land in the State of Louisiana, refuses now to protect to the same extent an industry that requires four times the amount of labor, yes, ten times the proportional amount of labor. Will Southern Democrats after this vote refuse to accord the same percentage of protection to an industry which must sooner or later develop to large proportions in their section, and which their people and their planters are already more interested in than are the people of any other section?

The history of cotton manufacture in this country, as I have shown, has been a history of constant reduction in prices. Take the article of spool-cotton provided for in the last clause of the bill. There were two and a half millions dozens of spools made in this country in 1870. A common 3-cord thread sold at retail for 8 cents per spool. In 1882 a superior six-cord thread could be bought anywhere at 5 cents per spool. In 1882 at least twenty million dozen spools were manufactured here. Our tariff legislation has forced the manufacturers to transfer a large portion of their manufactures from Paisley to New Jersey and to Rhode Island. Seven, eight, or ten millions of foreign capital has been brought here to build up prosperous communities. Large numbers of our people have found remunerative employment, and prices, as I have stated, have been largely reduced to the people. I say to the Senator from North Carolina that this result was a consequence of our protective tariff legislation.

I have detained the Senate longer than I intended, but I think I have shown conclusively that with the exceptions of lace and fine hosiery the schedule makes a material reduction in the duties imposed on cotton goods. Upon the theory of free trade which gentlemen on the other side advocate these articles should be taxed as luxuries. That lace, embroideries, and velvets, and the finer grades of hosiery are luxuries I think no Senator will dispute. In a number of schedules the average rate of duty is 50 per cent., and there can be no reason why in this exceptional case you should decline to give 45 per cent. to this deserving industry.

Mr. VANCE. Mr. President, I desire now to make a statement in reference to North Carolina factory operatives' wages that I tried to get in before. I want to call the attention of the Senator from Rhode Island to a fact, which I have no doubt his candor will recognize, as to the quality of the goods produced in the few factories that there are in my State, that they are of the very lowest grade and require labor the least skilled, and that the average of the labor paid in the factories in his State embraces a higher skill, so that I have no doubt that if the labor paid for the extreme low grades of cotton goods made in Massachusetts of the same kind that are manufactured in North Carolina were eliminated from the Senator's table it would be found to be about the same. I have no doubt of that.

Now, I want to say, in reply to the phrase that is very common on the other side of the Chamber, and which the Senator from Rhode Island has more than once repeated, that we who oppose these high duties favor the foreign laborer and favor the manufacturing of these things abroad, that that is a disingenuous statement. When a man stands up here and argues in favor of the home consumer, which embrace about forty-five out of the fifty millions of people in these United States, and desires to have things cheapened for their benefit, it is certainly, to say the least of it, disingenuous to claim that that man is arguing in the interest of foreign labor and the people of the Old World.

I confess that I am interested for the benefit of the people at home, and I might with just as much propriety charge him when he claims that the duty is in behalf of the American laborer when the better part of it in his country is paid to foreigners, that he is preferring the interest of the foreign paupers to the interest of the American consumers. With much more propriety might that be said.

Why is it so desirable that laces, which he says are pure luxuries, should be manufactured at home rather than abroad? Why is it so desirable that they should be made here as to require that he should abandon the business at which he is making money, at which his people are doing well, in order to enter into a business that he confesses he can not prosecute successfully without Government aid? What is the great necessity for that?

I acknowledge that it is the policy of governments in their earlier and infantile ages to encourage the manufacture of those things which would render them independent in a state of war, or would strengthen them or their institutions in some particular way. But now suppose a foreign war should intervene and these Nottingham laces should be cut off from this country, who would suffer particularly on that account? How would the lace industry of this country strengthen the American Republic, I should like to know? How would it be equivalent to forts and arsenals and ships of war? How would it render us independent of the power we were at war with?

It is simply a desire on the part of those who have acquired such skill in the manufacture of goods and are so beset with competition stimulated by high duties that they can not derive any benefit from a tariff levied for them to embark in some other branch of business where they may continue to draw a bounty from the Government, and if this thing is to continue, as soon as we make Nottingham laces as cheap in this country as they can be made in England some other branch will be brought up. In the language of the Senator from Kentucky, which I thought extremely applicable, "you never will make a calf eat grass until you break him from sucking," and you will never make these folks independent, you never will establish them and get them out of their nonage, you will never bring them to years of discretion, so long as you furnish them with pretexts for sucking at the public crib.

Mr. SLATER. Mr. President, I have been waiting an opportunity to submit some remarks of a general character, and I apprehend that no more fitting occasion than the present will occur. While what I have to say is not directly aimed at the provisions of the pending schedule, my remarks will be of that general character which will meet some of the arguments and answer some of the questions involved in the consideration of this schedule, and perhaps will be as appropriate at this point as at any other.

For some two weeks in this body and a week in the other House there has been a contest waged in these halls over the question of tariff legislation. There have been two parties arrayed here, and I wish to call attention to the attitude of these two parties in relation to the manner in which this legislation is being conducted.

During the entire debate upon the details of the pending bill the interests of the great agricultural classes of the country, upon whose prosperity every other interest and class so much depends for support, have been practically and I may say persistently ignored by those whose new-born zeal for tariff reform has spurred them to the effort of pushing through Congress in the waning hours of a short session a general revision of our tariff laws. This zeal for tariff reform, so recently inspired, comports somewhat strangely with the stubborn and determined indifference so significantly manifested in these Halls less than one year ago by the Republican side of Congress.

Then, the appeals of reason and argument were alike disregarded and

pushed aside. Even the rumblings of coming popular disapproval of longer delay, then first beginning to be distinctly manifested by the people, was insufficient to induce them to undertake at once and with determination a work of admitted necessity and importance. The only thing they would do was to shuffle off this work, so imperatively required, into the hands of a commission, which, whether so intended or not, could only serve to delay action by consuming time, and throw into the last hours of an expiring Congress the consideration of questions requiring great study, care, and prolonged discussion and examination to arrive at anything like safe or prudent action. And as the sequel has shown, the work of this commission, hide it as you may, was and is very much one-sided; that willingly or through imposition it served the convenient purpose of interested parties who had the preparation of the various schedules annexed to their report to so arrange the classification of articles as in reality to make an increase in the rates of duty in many cases where it was claimed reductions were being effected. Cleverly planned as was this device, it in a measure failed of its purpose.

And now, Mr. President, after months have been wasted that ought to have been given to this great work of revision, we are at last making haste to accomplish that which ought to have been fully completed at the last session of Congress, and those who were but recently so unwilling to undertake this work are now impatient of the necessary delay for even a decent and fair examination and discussion of the questions involved, and accuse this side of the Chamber with obstructing the passage of the bill because it is not willing to accept with little question and pass with slight discussion the tariff-reform bill as it came from the "friendly hands" of their Tariff Commission, modified somewhat, to be sure, by the action of the Committee on Finance of the Senate, but essentially in all its parts a high protective measure.

Mr. President, the country will not be deceived or misled by this virtuous display of earnestness upon the part of the Republican side of Congress. The people understand perfectly well that if the next House of Representatives had been elected with a Republican majority to control it no action looking to tariff revision would have been had at this session of Congress; there would have been plenty of reasons offered for non-action at this time. Doubtless we would have been told again and again that the time was entirely too short for the performance of so great and so difficult a work. Doubtless, too, this was the original plan and purpose; but the handwriting upon the wall which became so plainly visible in the light of the November elections struck dismay into their ranks, and the shadow of possible coming events as with a whip of scorpions has driven them to the accomplishment of the task they sought to leave unperformed. There is method in this new inspiration. This zeal and hot haste has a purpose in it, and that purpose is to lift the Republican party out of the pit into which it had fallen, through its neglect of and indifference to this and other matters for which the country voted its want of confidence in that party in the late elections, by making the country believe, if they can, that they have turned revenue as well as civil-service reformers by passing a tariff bill at this session of Congress with as little reform in it as possible.

The Republican party when in adversity always turns reformer, but as soon as its fortune improves is at its old trick again. It is sick now, and to the end that it may retain the spirit of reformation which seems to have taken hold of it, it might be well for the country that it should remain so.

Mr. President, I commend the other side for the wisdom of their course; but they must pardon me if I withhold my confidence in the sincerity of their declared motives.

And now that the tariff-revision question is at last before the two Houses of Congress, how stands the contest between opposing interests—the protected monopolies and the people who bear the burdens of taxations? Who champions the interests of the great working and consuming classes? And who champions the other side, where are ranged all the manufacturing interest pleading that the consumers of the country shall be taxed upon all that they consume in order that they, the manufacturers, may fatten upon the indirect exactions made possible through the imposition of duties levied upon foreign importations? Who has, from day to day, defended the interests of that great class scattered all over the North, West, and South, engaged in agricultural pursuits? And who have plead for high duties upon every class of manufactured products, from a slate-pencil to a locomotive, for fear that some manufacturer's income might be reduced just a little if the rate of duty was lowered, or some struggling industry, like pig-iron, might die out or perish for want of protection.

The record will show that it has been in every respect a party contest. The Republicans with a very few exceptions voting steadily and solidly for the highest rates of duty, often largely increasing present rates, while the Democrats with equally few exceptions have as uniformly urged and voted for lowering tariff rates and to increase the free-list in many cases.

How often, Mr. President, have we heard in the course of this debate some Republican Senator plead for a high rate of duty upon some article of universal use and consumption, such as soap, starch, slate pencils, or the tin-plate of which the cans for packing fruits and vegetables are manufactured, because it was so small a matter the consumers would not feel it, and to reduce or take off the tariff altogether might stop some small industry and throw some possible laborers out of employment? As if it was the business of Congress to look after each little industry and find some form of taxation that would make them productive and remunerative to those engaged in them without respect to the interest of the vastly larger class of consumers who must make forced and concealed contributions through this form of taxation to the enrichment of others.

The main and ever ready argument offered in support of high protective duties is this: it is urged that the great difference in the price of wages in the United States and other manufacturing countries, particularly European countries, requires the manufacturers of this country to pay for their labor very much higher rates of wages than rule outside in foreign countries, and that by reason of this great difference manufacturing industries can not be carried on in this country profitably except by the aid of high protective laws, so fixing the rates of customs duties that the American manufacturer shall have a sufficient margin by reason of these impositions to enable them to pay their laborers the high wages demanded in this country, and therefore it is claimed that protection is in the interest of American labor. The changes have been rung on this plea as often as the rate of duty has been attacked and sought to be lowered as we have passed through the different schedules.

It is a strong and plausible argument, well calculated to enlist the sympathy and warp the judgment, but as it is applied to our condition and to the present tariff laws and to most of the provisions of this bill it is as misleading and deceptive as it is plausible. If the per cent. of tariff duties were adjusted solely with reference to the actual difference between the wages of other countries and our own, giving no greater per cent. of duty by way of protection upon any given article of manufacture, than the ratio or per cent. that difference would bear to the value of the American production, the argument would be very much stronger and much more difficult to meet and answer.

But, sir, the rates of our present tariff and the rates of this bill bear no such relation; at least, sir, I have been unable to discover any such relation. And it is a noticeable fact that in all this debate no one has at any time essayed to show by any data or facts going to show that the rates proposed in this bill, which are not greatly variant from those existing under present laws, bear any such relation to or that they are in any degree based upon such difference, and I do not understand that it is pretended that they are so based. I know, sir, the high rate of wages in the United States as compared with wages elsewhere has been often urged as a sufficient reason for high rates and for particular rates, but nowhere has any effort been made by the advocates of this bill to show or demonstrate that the rates proposed bear any relation to the difference in the price of wages here and elsewhere.

We have been told over and over again that the wages in this country were 25, 30, 50, and 100 per cent. higher than the pauper labor of Europe; and in some instances it is said that the wages paid here are three or four times as high as the same class of labor can be had for in some of the European countries. If this is true—and I do not care to question its correctness, but accept it as a fair and correct statement of the case—and conceding this to be as stated, what follows as respects the arrangement of a schedule of tariff duties to meet these conditions as they are here given and vouched for, so that those of our countrymen who may be engaged in manufacturing industries may be placed upon a level with their foreign competitors, who have the benefit and advantage of this cheaper labor? In the solution of this question will be found the answer and refutation of the oft-repeated declaration that the high rates of duty proposed in this bill are made necessary by the high wages in the United States as compared with other countries, and it will uncover and expose the exactions and robberies which have always existed under our protective laws, which exactions and robberies it is intended shall be perpetuated by the passage of this bill.

The proposition may be stated thus: Given the excess of the cost of labor entering into the production of any manufacture of American production over the cost of like manufactures of foreign make, and the American manufacturer would need, in order to be on a level with his foreign rival, protection by way of impost duties levied upon like productions of foreign make equal to the per cent. or ratio this difference would sustain to the value of the foreign article when ready for market. For example, if the labor required to produce a given article of manufacture in this country is 30 per cent. of the value of the finished article, and cost 25 per cent. more than like labor elsewhere, the American manufacturer would need 7.47 per cent. protection by way of tariff duties levied upon the imported article to place him upon a competing level with his foreign rival so far as a difference in wages is concerned. If the cost of labor here was 50 per cent. higher than abroad he would need 11.11 per cent. protection, and if labor was 100 per cent. higher than with his rival he would need 18.68 per cent. protection. The percentage of duty, of course, would vary proportionately as the ratio of the cost of American labor to value of product rose or fell.

This, sir, is simply a matter of calculation and can be demonstrated by any one who will take the time and trouble to do it. And I will say here that I am ready to vote protection, under schedules designed to raise needed revenue, to all the manufacturing industries of the country in accordance with the proposition I have stated; and more,

sir, I do not believe that any tariff bill can be passed, in the present condition and needs of the country and the Treasury, that will raise all the revenue required and which must come from custom duties, which will not give if properly adjusted much greater protection to manufactures than such as can be based upon the mere difference of wages in this and other countries. In this, sir, I am not speaking at random, but am borne out by the statistics of the country, as I shall show.

The Census Bureau, in its bulletin No. 302, shows the total value of the product of manufactures produced in this country in 1880, the value of the material used, the amount of wages paid, and the amount of capital invested. From the data here furnished I find that the wages paid to employés of every kind engaged in the manufacturing industries of the whole country was only 17.65 per cent. of the total value of the manufactures produced in the census year. And taking from the same bulletin the data relating to the manufactures of the three largest manufacturing States, the ratio of wages paid to labor in that year to value of product is as follows: In Pennsylvania the wages paid were 18.12 per cent., in Massachusetts the wages paid were 20.32 per cent., and in New York the wages paid were 18.38 per cent. of the value of the total product of manufactures in the respective States.

Now, turning to the table found on pages 102 to 109 of the Tariff Commission's report, compiled from the census tables, where the statistics of a large number of manufacturing industries are given for 1880, embracing the number of establishments, amount of capital invested, wages paid, and the value of the finished product of the several industries named, it will be found by computation that the ratio of the cost of labor to the value of the production is in but a very few cases above 25 per cent. of the value of the finished product, and the ratio more frequently falls below 20 per cent. than it rises above 25 per cent. From these facts and statistics it will be seen that the ratio of wages to the value of manufacturing products is not nearly so high as it is often stated, but that it falls greatly below 30 per cent. upon the average of the whole.

I have here a table, compiled from the statistics furnished by the Tariff Commission embracing a number of the manufacturing industries of the country which are most concerned in protective legislation, with some not so directly interested, showing the amount of wages paid to labor employed in the respective industries named, the value of the finished product of each industry for the year named, the ratio of wages to value of the product, the ad valorem rate of duty imposed upon like manufactures of foreign make, the per cent. excess of such duty over the ratio of wages to value of the product, and in several of the industries the equivalent of such excess of protection over the total of wages paid.

Table showing the wages paid, value of product, ratio of wages to value of product, percentage of protection, percentage of excess of protection over wages paid, and equivalent of the excess of protection over total of wages of certain manufacturing industries in the United States:

	Wages.	Value of product.	Ratio of wages to product.	Percentage of protection.	Excess of protection over wages.	Equivalent of excess of protection over ratio of total wages.
Glass	$9,144,100	$21,154,571	43.60	56.99	13.39	$2,832,598
Drugs and chemicals	4,157,163	38,173,658	10.88	35.00	24.12	9,207,863
Cotton goods	45,614,419	210,950,383	21.62	39.80	18.18	38,262,924
Carpeting	24,582,077	94,097,339	21.62	53.46	32.24	30,359,982
Boots and shoes	53,995,144	196,920,481	25.99	35.00	9.01	17,742,535
Hosiery and knit goods	6,701,475	29,167,227	22.90	66.78	43.88	12,798,579
Iron and steel	55,476,785	296,557,685	18.76	49.57	31.81	93,434,999
Iron and steel bolts, washers and rivets	1,981,300	10,073,330	19.72	30.45	.....	.....
Iron and steel, forgings	1,329,151	6,492,028	20.47	57.12	36.55	.....
Iron and steel nails, spikes, cut and wrought	1,235,171	5,629,240	20.58	.....	.....	.....
Iron and steel pipes	1,783,258	13,292,162	13.45	64.18	50.63	.....
Cutlery and edged tools	4,447,349	11,682,370	38.10	42.80	4.70	.....

A slight inspection of this table will serve to show with what moderation the protectionists temper their demands upon Congress for a retention of high rates of duty in all cases, while in many instances they are pleading for an increase, so that these struggling industries may not languish and die out; and the plea always comes sugar-coated with the assertion that it is in the interest of American labor, which is so much higher here than the pauper labor of other countries, and for which laboring class these people have such a wonderful sympathy and regard that they could not think of reducing wages or closing down their factories or machine-shops, unless they found that by overproduction they were likely to stagnate the market or would be unable to declare the usual dividend.

Why, Mr. President, the wages paid to all the laborers in all the manufacturing industries in the United States in 1880 was only 17.65 per cent. of the value of the output or finished production; and the industries that were working in competition with the manufacturers of foreign countries, the product of pauper labor, enjoyed an average protection of more than 42 per cent. under our present tariff laws, or nearly 25 per cent. more protection than the equivalent of the entire cost of the labor employed by them. By reference to the table just now referred to it will be seen that the wages paid to the laborers in the glass manufactories in 1880 was 43.6 per cent. of the value of their product, and it is the highest ratio of any industry given; but the glass manufactures had a protection against foreign competition of 56.99 per cent. or 13.39 per cent. more than the ratio of all the wages paid to their laborers bore to the value of their production. The manufacturers of drugs and chemicals paid in wages to their laborers at the rate of only 10.80 per cent. of the value of their product, while they had 35 per cent. protection or 24.12 per cent. more protection than was equivalent to their entire expenditures for labor, and still they want more protection for labor.

Cotton goods paid in wages to labor employed in their manufacture 21.62 per cent. of the value of its productions, and had 39.8 per cent. of protection against the pauper labor of Europe, or 18.18 per cent. more protection than enough to put these manufacturers on a level with their competitors if the pauper laborers of their rivals worked for nothing and paid their own board. Hosiery and knit-goods manufacturers paid wages to their labor amounting to 22.9 per cent. of the value of their productions, and enjoyed an average protection of 66.78 per cent. protection against the cheap labor of other countries, or an equivalent of advantage equal to $3 for every dollar they paid out in wages, and it is one of those starving, struggling industries that has made more plaintive appeals to Congress within the last few months than almost any other; they have been just on their last legs, and all because they were compelled to compete with the pauper labor of other countries.

The iron and steel industries paid in wages to labor 18.76 per cent. of the value of their manufactured product and was secured in the possession of the home market by protective duties averaging 49.57 per cent., an equivalent in money value of $2.50 to every dollar paid out for wages and yet the iron-mongers are not happy; pauper labor is pressing them on all sides. Pig-iron, after almost an hundred years of protection is so much of an infant yet that it can not go alone and is liable to die any day of pauper labor.

Why, Mr. President, there is scarcely an industry that can be named that the ratio of protection is not from one and one-half to two and one-half times greater than the entire cost of labor entering into its production, and yet Congress is besieged to keep up the duties to substantially the old figures; every argument and plea that can be thought of or devised has been and is being used to hold all they have got and get as much more as they can; every device creditable and some not so creditable has been and is being used to make up in certain lines of manufactures what it is evident must be conceded in others.

Mr. President, is it to be wondered at that there is discontent in the country among the consuming classes in view of the conditions and exactions made possible under our present tariff laws? Is it strange that the people rose in their might and smashed the machine in the late elections? I think not; and the end is not yet. The consumers of this country have resolved to wean some of these infant industries; they are resolved that they shall stand on their own bottoms; at least that they shall not lean quite so heavily upon the people's pockets, even if some of them should die in the process of weaning or should break their necks in learning to walk.

But, sir, there is no danger of disastrous results in the experiment; they will prosper just as well, if not a little better, with less of nursing and fostering aid from the Government. Why, Mr. President, they never did so well or advanced and developed so rapidly as they did under a much lower tariff than the present one or of that proposed in this bill. Under the tariff laws in operation from 1847 to 1861 the manufacturing industries of this country prospered and extended, as they have done in no other period in the history of this country, save and except the decade from 1860 to 1870, a period wholly exceptional in its character and abnormal in the conditions which influenced the extending of manufactures.

The exceptional development of all mechanical and manufacturing industries during those years was in no proper sense due to the tariff then existing, but mainly, if not entirely, due to the enormous demands made by the late war for clothing for our soldiers, for commissary and quartermaster stores of all kinds, and for munitions of war. These demands and not the tariff was what caused the wonderful development of our manufacturing industries during that period, as will fully appear by a comparison of the statistics from 1850 to 1860, from 1860 to 1870, and from 1870 to 1880. If the tariff was the cause of the rapid development and progress in these industries from 1860 to 1870 there would have been an equal or accelerated ratio of increase shown in the census reports of 1880 with that of 1870; but this is not the case by any manner of means; and it is not to be presumed that the beneficial effects of the tariff of 1861 and its amendments had spent their force so soon. Protectionists even will hardly admit that.

The increase of capital invested in the manufacturing industries of the country in 1880 over what it was in 1870 was 31 per cent., and the

increase in the value of the manufactured product in 1880 over what it was in 1870 was 26 per cent., while the increase of capital invested in manufactures in 1870 over what it was in 1860 was 109 per cent., and the increase in the value of the manufactured product was 124 per cent.; showing clearly that the enormous increase from 1860 to 1870 must be accounted for upon some other basis than the effects of the tariff then existing and which continued through the later period.

Now, sir, contrast the increase made from 1850 to 1860 with the increase from 1870 to 1880; and it must be borne in mind that the conditions and circumstances existing at the taking of the census in the two census years of 1870 and 1880 very much favors a better relative showing in 1880 than in 1870; for, while there had been a financial crisis in each period, the crisis in the later period had wholly passed away and at least two years of great and unusual prosperity had prevailed throughout the whole country and the census year was one of very great prosperity, while in the former period the census year came in the very midst of financial disaster and when values were greatly depressed, which could not fail to be reflected in the statistics of the census, whenever and wherever values entered into the computations.

The increase of capital invested in manufacturing industries in 1860 over what it was in 1850 was 89 per cent. against an increase of 31 per cent. in 1880. The increase in the value of manufactures in 1860 over what it was in 1850 was 75 per cent. against an increase of only 26 per cent. in 1880. The Tariff Commission in referring to these same facts, and drawing comparisons between the periods to which I have referred to, says:

> The growth of industries during the last decade upon the whole has been a healthy and prosperous one, and yet it has not more than kept up with the growth of population. The increase in population during the last ten years has been about 30 per cent., whereas it has been shown that the increase of capital invested in manufactures has been 32 per cent.; in the number of hands employed, 33 per cent.; in the amount of wages paid, 22 per cent.; in the value of materials consumed, 36 per cent.; and in the value of the products, 27 per cent.
>
> It will thus be seen that, great as has been the prosperity, the increase in manufacturing in the United States during the last decade does not more than keep pace with the population, and is not more than proportionate to the home demands for our domestic products.

But, Mr. President, the commission did not cover all the ground. While it is true that the development of manufacturing industries "barely" kept pace with the increase of population from 1870 to 1880, it did not keep pace with the development of the great and unprotected agricultural industries of the country, but fell far short in the race of progress. And yet these manufacturing industries had all the benefits of high protection, and in addition the impulse given to them by great and hitherto unexampled inventions, which greatly added to and accelerated their progress and development; yet with all these favoring circumstances they scarcely held an even pace in the advance and progress of the country, while the great agricultural interests of the country had none of this protection, but, on the contrary, was saddled with the burdens of taxation, made excessive and disproportionally heavy by tariff impositions levied for the benefit of the manufacturing industries, by means of which the agricultural interests and classes were compelled to pay, and did pay, to the manufacturing industries three dollars in bounties for every dollar of tax raised from impost duty paid into the Treasury; and yet, handicapped in this way, the agricultural development of the country far outstripped the development of manufactures.

Thus, sir, under the tariff of 1847, which has been so often stigmatised as a British free-trade tariff, the ratio of increase in the manufacturing industries of the country from 1850 to 1860 was relatively three times greater than from 1870 to 1880; while the ratio of increase in population from 1870 to 1880 was about the same relatively as from 1850 to 1860. So that instead of barely holding their own in respect to the increase of population as in 1880, their development was as three to one between 1850 and 1860 as compared with the increase between 1870 and 1880. No argument or reasoning can wipe out these facts or hide them from just consideration. They are a complete answer to and refutation of all the theories and sophistries of protectionists, however fascinating they may be and however eloquently they may be sustained by the false reasoning of their advocates.

No, Mr. President, these industries will not die out if some of the fostering care of the Government shall be withdrawn from them. On the contrary, they will thrive and prosper all the better if compelled to stand upon their own resources and without the fostering support of the Government. The country will prosper all the more when all of its industries are placed upon the same level, with favors to none and with the burdens of taxation equally distributed and borne by all.

The attempt to bolster up all of the varied, multifarious, and interlacing manufactures of a great country like ours must of necessity end in failure. As well might a man attempt to lift himself over a fence by the straps of the boots on his feet. This kind of protection consumes itself; it runs in circles, and all its supposed benefits are destroyed and dissipated by a subtle law of compensation which from necessity enters into and is a part of the system itself.

The maker of pig-iron demands protection for his manufacture and gets it; his product is enhanced by the amount of the duty on foreign iron, and of necessity each higher form into which iron may be wrought must have a compensatory protection to equalize the duty laid upon the crudest form of this material, and thus from the lowest to the highest form of the product is transmitted in an increasing rate the effects of the first importation. Iron and steel forms the basis, in a large degree, of nearly every plant necessary to carry on every other industry in the land, whether mechanical, manufacturing, agricultural, or mining, and each and all of these industries are at once affected by the imposts on iron and steel.

The machinery and plant of the cotton manufacturers and of the woolen manufacturers are extensive, almost wholly of iron and steel, and come to them enhanced by the tax on iron and steel in all its forms, and they appeal to Congress for a like protection, which must take also into account the increased cost of machinery made by reason of the duties on iron and steel and their manufactures, and a compensating duty is given to them, and their manufactures start up under the new condition of things. Now, what is the result? Manufactures and business are artificially and unnaturally stimulated, everything that is consumed by the people becomes higher, living more costly, and rents advance. Soon the laborers find that the purchasing power of a day's wages is not so great as formerly; they find themselves pinched in their living, their necessities increasing, and higher wages are demanded of their employers; if not given strikes occur, and when given they find it more and more difficult, as time goes on, to make both ends meet, and new demands are made, and thus contentions, bickerings, and strife grow between the labor element and the manufacturer.

The producer of pig-iron now finds that what he gained in protection he has lost in the general advancement of everything which entered into the cost of its production. He finds himself environed with his former difficulties and confronted in his own market by his old rival, and he flees to Congress for more protection. The manufacturers of cotton and woolens and of all other manufactures find themselves in the same dilemma and they, too, rush to Congress for help; a lobby is formed, and pressure is brought to force Congress to yield to their demands. Having made it impossible for the laboring classes to work cheaply by enhancing everything that the laborer consumes, they appeal to Congress in the name of American labor, which they have already oppressed, which, if granted, is only to repeat the folly of the past.

Not only is protection self-consuming, but it serves to erect a barier between us and the markets of the world. It discourages commerce and tends to isolate us from all mankind. Its professed purpose is to hold the home market for home manufactures, and to do this it makes it impossible for our manufacturers to go abroad or enter foreign markets with their productions. While it fails to keep out foreign manufactures, it most effectually keeps our own at home, and so long as we enhance the cost of production by artificial stimulus, so long we shall find ourselves unable to enter the marts of the world upon equal terms.

The time has come when we must begin to retrace our steps and get down from the false position to which the delusive light of protection has led us, and back to sound and enduring principles of political economy. The people are demanding it in accents not to be misunderstood, and the party that fails to heed the demand will be ground between the upper and nether millstone of popular disfavor.

THE GOVERNMENT PRINTING OFFICE.

Mr. ANTHONY. Mr. President, I have the consent of my friend from Vermont to interrupt this bill by offering a resolution which I verily believe is important to the salvation of human life. The Government Printing Office has been so overloaded in the upper stories that the supports have deflected and are constantly weakening, and there is great danger that the mass of materials stored in them will break through the floors and descend upon the persons employed there. I have a letter from the Architect of the Capitol on this subject, which I shall have read if any Senator requires it, which corresponds with the information I have received from the Public Printer.

Mr. COCKRELL. I see it is a short letter. Let it be read.

Mr. HOAR. I should like to ask the Senator from Rhode Island if we have not had some survey made. I think I remember myself moving an amendment to some appropriation bill requiring a survey of the Government Printing Office with reference to its safety.

Mr. MORRILL. That was in reference to fire-escapes.

Mr. ANTHONY. I send up the letter to be read.

The Principal Legislative Clerk read as follows:

ARCHITECT'S OFFICE, UNITED STATES CAPITOL,
Washington, D. C., February 2, 1883.

DEAR SIR: Having frequent occasion to visit the Government Printing Office building, I have noticed, and spoken to those in charge, of the dangerous condition in which some portions of the upper story of the building are from being overweighted with material in store.

The floors of the old portion of this building have been so overstrained by weight that the joists are considerably deflected from the right line and in consequence are diminishing in strength. Even that portion of the extension having iron beams to support the floors is overloaded with weight. This condition is so alarming and dangerous that I consider it my duty to bring it to your attention, and earnestly hope that your honorable committee will take some immediate action by which the storing of material will be made upon the ground floor.

I will add that notwithstanding the recent extension to this building, its crowded condition remains the same, owing, I presume, to the increased amount of work done at that establishment.

Yours, very respectfully,

EDWARD CLARK,
Architect United States Capitol.

Hon. H. B. ANTHONY,
Chairman Joint Committee on Printing, United States Senate.

Mr. ANTHONY. The material stored in the Government Printing Office consists of paper, which is very heavy indeed, and of stereotype plates, which are very heavy; and the weight is becoming quite dangerous. I ask leave to introduce a joint resolution.

The joint resolution was read, as follows:

Be it resolved, &c., That the Public Printer be, and he hereby is, directed to remove forthwith from the Government Printing Office so much of the property of the United States in the upper stories thereof as shall, in his opinion and in the opinion of the Architect of the Capitol, render said building entirely safe for the persons employed therein.

SEC. 2. That the Public Printer be, and he hereby is, authorized and required to procure suitable storage room, as near said building as practicable, for the temporary storage of the property so to be removed from said building; and the sum of $5,000, or so much thereof as shall be necessary, is hereby appropriated for the purposes aforesaid.

Mr. MORRILL. I do not think the statements made by the honorable Senator from Rhode Island have been exaggerated, and it would seem that it was necessary to have instant action in relation to the matter. Therefore I hope that the resolution will be passed. I do not make any objection.

Mr. DAVIS, of West Virginia. I wish to inquire whether the $5,000 named is to purchase a building or for the rent of a building?

Mr. ANTHONY. For rent of storage room, not to construct a building.

Mr. DAVIS, of West Virginia. It does not say how long.

Mr. ANTHONY. I suppose it will have to be applicable until Congress shall make an extension of the Government Printing Office. I suppose it is necessary to the salvation of human life that that should be done.

Mr. DAVIS, of West Virginia. That I agree to, but whether proper caution is used in the expenditure of the money is the question that I was thinking of.

Mr. ANTHONY. If the Senator will suggest any caution in the expenditure I will accept it very cheerfully.

Mr. DAVIS, of West Virginia. I do not wish to interfere at all; but in justice to my friend, the chairman of the committee, I think that ought to be seen to.

Mr. ANTHONY. This resolution has not been submitted to the Committee on Printing because, from an interview I had with the Architect of the Capitol to-day, I thought the emergency was so great that it ought to be passed to-day.

The PRESIDING OFFICER (Mr. PUGH in the chair). The Chair hears no objection to receiving and considering the resolution.

By unanimous consent leave was granted to introduce a joint resolution (S. R. 132) authorizing the Public Printer to remove certain material from the Government Printing Office; and it was read three times, and passed.

BILL INTRODUCED.

Mr. McPHERSON asked and, by unanimous consent, obtained leave to introduce a bill (S. 2449) to promote the efficiency of the Naval Observatory; which was read twice by its title, and referred to the Committee on Naval Affairs.

SENATOR FROM COLORADO.

Mr. CHILCOTT. Mr. President, I rise to a question of privilege. I present the credentials of my successor, Hon. Horace A. W. Tabor, Senator-elect from the State of Colorado.

The credentials of the election by the Legislature of Colorado of Mr. Tabor, to fill the vacancy occasioned by the resignation of Henry M. Teller for the term ending March 3, 1883, were read.

Mr. CHILCOTT. Mr. President, the Senator-elect is in the Chamber and ready to take the oath of office.

Mr. TABOR advanced to the desk, escorted by Mr. CHILCOTT, and the oath prescribed by the act of July 1, 1862, having been administered to Mr. TABOR, he took his seat in the Senate.

INTERNAL REVENUE AND TARIFF DUTIES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5538) to reduce internal-revenue taxation.

Mr. BECK. When I addressed the Senate this morning I expressed, in answer to a variety of interrogatories, the difficulty I had in understanding the provisions of this bill so as to answer intelligently the questions put to me relative to the difference in ad valorem between the rates now proposed by the committee and those proposed by the Tariff Commission and the present law relative to this schedule. I am not going to make a speech in reply to anything that has been said by anybody nor even to refer to some things that I thought at one time it would be my duty to refer to, but circumstances make it unnecessary.

I rise only to say that neither the chairman of the committee nor the Senator from Rhode Island has in the least degree disputed the calculations that I exhibited as to the increase of rates, especially on all that class of goods of which there is a large importation, amounting to $7,290,000, which are raised from 35 to 40 and 45 per cent.; but I desire now to explain a little further what I meant by saying that in the schedule as now classified the percentage could not be told. I can do that in a few minutes and then let the vote be taken in any way gentlemen see fit to vote.

The present classification, it will be observed, runs up to that class of goods not exceeding 40 cents in value, and the tables show that that is 47.81 per cent. The Tariff Commission propose to make two classes of the goods running up to 40 cents a pound—one class not exceeding 25 cents a pound, which they classify at 7½ cents a pound duty, and another class from 25 up to 40 cents a pound, which they classify at 15 cents per pound duty. The Finance Committee, following the classification of the Tariff Commission, change the rate of 7½ cents a pound to 10 cents on all grades valued under 25 cents, and change the commission's recommendation of 15 cents a pound between 25 and 40 from 51 to 16 cents a pound.

When I was asked the question what I understood the ad valorem equivalent to be, I said I think very properly, "I can not understand it and I do not think anybody can." That seems to be criticised. Under the present law at 10 cents per pound and 20 per cent. ad valorem on the grade of goods valued at not exceeding 40 cents a pound the equivalent ad valorem is 47.81 per cent. The Tariff Commission in the grade not exceeding 25 cents per pound fix the rate at 7½ cents per pound, making 30 per cent. on the lower grades; in the grade over 25 and not over 40 cents, if the goods are valued at 26 cents a duty of 15 cents makes 57.60 per cent., and the increase on that class of goods is 10 per cent. above the present law. Then we come to the Finance Committee bill, which provides 10 cents a pound upon all goods valued at not over 25 cents a pound, that is 40 per cent., and for goods over 25 and not over 40 cents a pound, 16 cents. If the goods are valued at 26 cents in the class over 25 cents, the duty of 16 cents would be 62 per cent. If the goods are valued at 28 cents, the ad valorem is 60 per cent., if the goods are valued at 32 cents the ad valorem is 30 per cent., and so each change of a cent or two in the value of the goods abroad changes the per cent. upon them depending upon the value of the goods. There is an entire change of classification, and all that come in of the value of 40 cents and under are grouped in one mass, so that it is impossible for me to be able to answer any Senator what is the effect of that change, what will come in at one grade, what will come in at another, how many goods worth 26 cents which would be at 62 per cent. will come in, how many goods at 25 cents which would be at 60 per cent. will be imported, how many goods worth 32 cents which would be at 50 per cent. will be imported; but, observe, all of these rates are higher than the present law, which is 47.81 per cent. average; and I think I said very properly that no man can understand what this schedule really is.

I desire to say that the criticism upon that part of the speech that I made will hardly be regarded as a fair one. No. 2 is in the same way; and so on through, each of these items that I have made the calculation about since I sat down shows the same difficulty in being able to answer satisfactorily any question regarding a fixed ad valorem, for there can be none, as the rates vary, depending upon the actual cost of the goods as invoiced, and each cent of change makes a difference in the ad valorem.

I believe that is a correct statement. The Senator from Rhode Island will understand what I mean and will see very readily the difficulty I had, which he did not seem fully to appreciate, in making the answer I did of being unable to understand what would be the importation or what would be the percentage, because each cent of valuation makes a difference, and the change from four to seven classes aggravates the confusion.

Mr. ALDRICH. I think, if the Senator from Kentucky will allow me, it reduces instead of increases it.

Mr. BECK. If you take a certain average, it does reduce. If you take the lower grades, it is a large increase.

Mr. ALDRICH. And if you take all the grades?

Mr. BECK. If you take all the grades, a fair average, as I said this morning, it reduces upon the whole scale $23,000 and over.

Mr. ALDRICH. I think I can make the Senator understand what I mean. If he takes all the grades between 40 and 60 cents a pound under the old law, he will find that the difference in percentage is greater than it is now between 40 and 50 and between 50 and 60.

Mr. BECK. I do not care to argue that.

Mr. ALDRICH. I think there is no doubt about that statement.

Mr. BECK. The different average will change the percentage, so that it depends altogether on what the goods are valued at, and you increase the risks by the number of changes and the number of classifications. Taking them at the lowest, it is a large increase of percentage; taking them at the highest, it is a diminution; taking them at the average, it is a slight decrease.

I hope as the bill is to be perfected now that the rates will be diminished at least as low as the Tariff Commission placed them and instead of 10 and 16 cents they will not exceed 7½ and 15 cents. Indeed I think after all that has been said upon that class of goods 6 and 12 would be better than 7½ and 15. I have never been able to see why those things should be increased up to the rates at which they are put.

I said I would not repeat anything I had before stated; and I do not care to reply to the suggestions which have been made; but, as has been explained by the Senator from North Carolina, I am endeavoring to work in the interest of the great mass and at the same time do nobody any harm.

Mr. McPHERSON. Mr. President, I have been led to believe, both as a member of the Committee on Finance and as a Senator on the

floor, that there had been a very large decrease in the cotton schedule upon all the lower classes of goods that are largely used by the poorer people of the country. I have been led also to believe that with regard to certain features of the schedule while there had not been practically an increase upon the commission's report, upon the whole there had been a reclassification in the committee's bill. That reclassification proposes to do what? To place upon some goods not to-day successfully manufactured in this country, requiring skilled labor, requiring improved new machinery for their manufacture, a certain increase of duty in order to enable us to manufacture them successfully against the foreign manufacturer. They are very largely goods that are luxuries, and if any goods should bear a duty it is those. If I believed that the whole tariff schedule relating to cottons was an increase in duty above the existing tariff, I should certainly not vote for it, but the whole tariff schedule as I understand it proposes a reduction of duty.

There is one point, however, that I wish to call special attention to, which I think the Senator from Rhode Island while on his feet discussing the bill did not make entirely plain, and as he is much more conversant with this schedule than I am, I should like to have the explanation made by him. I call his attention to the paragraph beginning in line 1165:

On stockings, hose, half-hose, shirts, and drawers, and all goods made on knitting machines or frames, composed wholly of cotton, and not herein otherwise provided for, 35 per cent. ad valorem.

Now, turn to line 1169 and you find the same phraseology except the words "fashioned, narrowed, or shaped, wholly or in part, by knitting machines or frames." What is the distinction that we are to draw with respect to the manufacture of those classes of goods, one bearing a 35 per cent. ad valorem and the other 45 per cent? Does it mean that there is some special manufacture?

Mr. ALDRICH. I have two letters here from large manufacturers of hosiery, which perhaps if they are read will give the Senator the information even better than I can do myself. I can state very briefly what the writers say.

Mr. McPHERSON. That will be better.

Mr. ALDRICH. Common hosiery of that class, which will be 35 per cent. under the bill, is woven in a continuous web around cylinders of cotton and it is cut off and the foot sewed on. The other kind are fashioned so that they can be woven over a machine, and the feet are knit on instead of being sewed on. There is a very great difference, as the Senator can see at once; but I think these letters perhaps had better be read.

Mr. McPHERSON. That is sufficient for my purposes if it is sufficient for the Senator.

Mr. ALDRICH. I will submit the letters to be printed in the RECORD, in order that Senators may see them to-morrow.

The letters were submitted, as follows:

COTTON-HOSIERY.

69 STATE STREET, BOSTON, *January* 20, 1883.

SIR: The Lawrence Manufacturing Company of Lowell, Massachusetts, constituents of yours, desire through me to press upon your consideration the vital importance to hosiery manufacturers of establishing a duty of at least 45 per cent. on fashioned cotton hosiery.

The effect of the present rate of 35 per cent. on all kinds of cotton hosiery has been to establish so firmly the manufacture of the commonest sort of the same, to wit, hosiery cut from a circular knit web, sewed on sewing machines and pressed on shaping-boards, that the home market is practically supplied. The better kinds of cotton hosiery, to wit, those knit on fashioning-machines and distinguished in the trade from those cut, sewed, and pressed, are supplied by importers.

These better kinds can not be made in this country, because the 35 per cent. duty will not cover the extra cost of importing machines and paying the skilled labor required to run them. It is, therefore, to establish a new industry that the new duty of 45 per cent. is required. If, however, 45 per cent. should be proved to be insufficient to establish this new industry, it will be fully needed to keep out of this market a flood of cheap-fashioned hosiery now made in Germany and England, which would ruin the already established manufacture of the common-cut hosiery.

If I have succeeded at all in making myself understood, you will perceive the absolute necessity of an increase of duty on fashioned hosiery sufficient to keep out the foreign product.

By means thereof it is hoped that a new industry may be started, and at any rate the established industry may be protected. This end, of course, might be gained by confounding all hosiery in one class and increasing the duty to 45 per cent., and no doubt custom-house officials would prefer such an arrangement. It is suggested, however, that the true requirements of manufacturers are more clearly expressed and understood by the separation of hosiery into two classes and calling for an increase of duty for that class only which needs it.

Very respectfully, yours,

LUCIUS M. SARGENT,
Treasurer Lawrence Manufacturing Company.

COTTON AND COTTON GOODS.—*Hosiery clauses.*

I. On stockings, hose, half-hose, shirts, and drawers, and all goods made on knitting-machines or frames, composed wholly of cotton, and not herein otherwise provided for, 35 per cent. ad valorem.

II. On stockings, hose, half-hose, shirts, and drawers, fashioned, narrowed, or shaped, wholly or in part, by knitting-machines or frames or knit by hand, and composed wholly of cotton, 45 per cent. ad valorem.

The Tariff Commission in its bill proposed 40 per cent. ad valorem on all cotton knit goods. The additional 5 per cent. on the classes of goods enumerated in clause I is unnecessary, as the present rate of 35 per cent. gives all the protection needed. We desire the additional rate on the classes of goods mentioned in clause II, for the following reasons:

First. Because up to the present time all the mills in the country making cotton knit goods have been compelled to confine themselves to the manufacture of the common grades known as cut goods (made up wholly on sewing machines) on account of the great difference between the cost of labor here and in Germany and France.

Second. We believe the slight increase asked for on the classes of goods specified in clause II will enable us to make a beginning in this branch of the knit-goods industry; and,

Third. That a beginning once made our skilled mechanics will be encouraged to invent machinery adapted to the manufacture of the better kinds of cotton knit goods.

We give below a few items entering into the cost of fashioned or narrowed hose, with a comparison of rates paid abroad and here, which shows, we think, the need of the additional rate asked for:

	Saxony.	United States.
	Cents.	*Cents.*
Knitting legs.....per dozen...	.08	.32
Knitting feet.....do.....	.05	.25
Seaming.....do.....	.04	.42
Finishing.....do.....	.04½	.09¼

It may not be out of place here to state that the English manufacturers, finding the continental competition so severe, and finding that it interfered with their trade, have started works of their own on the Continent, taking advantage of the low cost of labor to knit and seam their goods; and they then carry them back to England to be finished and sold as British goods.

We refer you to the customs returns of June 30, 1882, in which it is shown that nearly $8,000,000 worth of fine cotton hosiery passed through the custom-houses during the year ending on that day, the value of which to consumers was not far from $12,000,000. The time has come when we should be making a portion of the goods of the better classes required by our people.

With the slight assistance asked for, we are confident that we can make a beginning now, and in time command the trade of the country.

AMOS A. LAWRENCE,
Ipswich Mills, Gilmanton Mills.
T. JEFFERSON COOLIDGE,
President Lawrence Manufacturing Company.
EDMUND DWIGHT,
Treasurer Boston Manufacturing Company.

Mr. McPHERSON. There is one particular feature of this cotton industry of which I wish to speak. It will be found at line 1181:

Spool-thread of cotton, 7 cents per dozen spools, containing, &c.

The existing duty, if I understand it, upon cotton spools is 6 cents per dozen and 30 per cent. ad valorem. Nobody will argue that this is not a very great reduction on the existing tariff.

I wish here to say that with respect to the price paid for labor abroad and in this country I simply offer and ask to have published as part of my statement a letter sent me by the Clark Thread Company of Newark, New Jersey, which is one of the largest establishments in this country and also the largest manufacturers abroad. They state here and show conclusively, taken from their pay schedule, the weekly pay-roll, that the average prices paid for labor in Newark above those paid at Paisley are 121½ per cent. in favor of the Newark manufactory.

CLARK THREAD COMPANY,
Newark, N. J., January 31, 1883.

DEAR SIR: Your telegram of the 30th came duly to hand. Below we send you, as requested, a statement of the average wages paid in Paisley and Newark for the same kind of work, and showing the percentage in Newark over Paisley. We sent the original telegram from which these rates were taken, together with our statement, to Senator ALDRICH, of Rhode Island, who no doubt has them now:

Work.	Paisley.	Newark.	Newark over Paisley.
	Weekly.	*Weekly.*	*Per cent.*
Winders	$3 50	$8 00	130
Twisters	2 50	5 50	120
Reelers	4 25	8 00	90
Hank-winders	3 75	7 00	88
Pickers	4 13	7 00	70
Spoolers	3 25	8 00	146
Foremen	7 00	20 00	190
Self-actors	4 00	9 50	138

An average over all of 121¼ per cent.

Yours, respectfully,

WILLIAM CLARK, *Treasurer.*

Hon. J. R. McPHERSON,
Senate Financial Committee.

It is here proposed to reduce the tariff over what is said to be the estimate of reduction made by the Tariff Commission. The present rate of duty is equal to 76.80 per cent. ad valorem, and it is proposed to reduce it under this proposed legislation to 45, or between 46 and 50 per cent. It can be said that there is an increase of duty. If I believed that there was an increase in the cotton schedule or in any schedule in the whole tariff bill before us that was in excess of a revenue basis or a revenue limit, I should be in favor of some reduction; but I want to do justice to the labor and the industries of this country. There should be sufficient discrimination made in this tariff bill particularly in those articles of industry made largely by labor and the expense and cost of which is mainly made up of labor, and we should certainly discriminate in their favor in making this tariff.

Mr. BECK. I wish to ask the Senator from New Jersey whether he does not know that in the items increased from 35 per cent. to 45 and 40 per cent., as proposed in this bill, there is an increase of $1,500,000 in those items alone, and I ask him what excuse he thinks there is for raising from 35 to 45 per cent. beyond what the present law gives as protection on that class of goods, the revenue from which is $7,000,000?

Mr. McPHERSON. I will give the Senator my answer.

Mr. BECK. I should like to hear it.

Mr. McPHERSON. My answer with respect to the particular question is that if there is any industry which is prosecuted and conducted abroad that we are conducting here, I certainly am in favor of giving to that home industry protection, particularly upon the finer grades of goods requiring improved machinery, such perhaps as we have not to-day to the same extent as they have abroad. Neither have we the skilled labor; we have not the experience; we have none of the advantages that they have by a long system and by a long series of operations, and having a market to dispose of them here without any limit whatever as to price, because there would be no competition against them, having a monopoly of the business.

I am in favor of some competition in that business, and I am in favor of creating and building up an industry that will in the end, perhaps not in the present but in the immediate future, tend to reduce the cost even of those products. At the same time the Senator will observe that we have vastly reduced the taxation upon the cheaper grades of goods.

Mr. BECK. Upon one little item that brings in hardly anything, $2,000,000.

Mr. McPHERSON. Take the items from line 1121 down to line 1164, cotton thread, yarn, yarn warp, &c., and cotton goods bleached and unbleached, &c.; we certainly have reduced the duty according to the statement made by the chairman of the committee, the Senator from Vermont. It has been very much reduced. That is substantially all I wish to say about it.

Mr. ANTHONY. Mr. President, after the clear and admirable statement of my colleague [Mr. ALDRICH] nothing is left for me to say but "ditto to Mr. Burke." I wish, however, to call the attention of some of the Senators on the other side of the Chamber to the greater importance to them than to us of protection to textile manufactures.

The States of North Carolina, South Carolina, Georgia, and Alabama are destined to be the great centers of manufacturing in this country. Their abundant water-power, their congenial climate, their proximity to the raw material, which is a matter of great importance, for it saves the expense of baling and injury to the cotton by compression of the staple, all point out that they are to be the future producers of textile fabrics. I think that a protection to the manufacturer of cotton is more important to those States than to any State in New England. The bill reduces the rates upon all the articles of common use used by ordinary people in the humbler walks of life and makes an increase upon nothing but upon fine hosiery, upon Nottingham laces, window curtains, gimps, and insertings, which are objects of luxury; and according to every theory of revenue objects of luxury should be taxed more than those of necessity.

By directing a portion of our looms and spindles into this manufacture we shall release them to the Southern States, which already surpass us in the profit of manufacturing the coarser fabrics. The mills in Georgia and in North Carolina and South Carolina have made money during the last year, while our mills have not paid the interest on the investment. It seems to me that those Senators must see the importance of continuing and extending this protection, in order that they may have the advantage. We have built up New England in a great degree by our textile manufactures. The same avenues are open and more easily to our Southern brethren. We look with favor upon the extension of the textile manufactures to the South. They assimilate us to them; they make a common interest, and tend to bind us together as one people.

Mr. RANSOM. Mr. President, I have desired very much, and almost until my friend from Rhode Island [Mr. ANTHONY] made his last remarks, to vote for the proposition of his colleague [Mr. ALDRICH], but really the impression left upon my mind now is against such a course, for, if I understand the argument just made by the Senator from Rhode Island, the result that would be accomplished by it would be this: The Southern cotton factories now make coarse cotton goods. The factories in the Senator's section of the country propose to make still finer goods. Thus it seemed to me if I voted for that proposition, and should give the vote I wished to give, I should be voting for discrimination against luxuries and in favor of the necessaries of life. But the Senator from Rhode Island has not left me that option. By his remarks he has satisfied me that the effect of the proposition is to increase the duty, the protection upon articles which the North propose to manufacture, and to reduce the protection upon that class of articles which they would leave to the South to manufacture.

With that view of the case, I can not vote for this proposition. The Senator says this scheme reduces the duty upon coarser fabrics which are to be manufactured in the South and increases the duty upon the higher order of fabrics that they propose to manufacture at the North. Really, coming from the South as I do, I can not vote for it, if I am right in that apprehension.

The PRESIDING OFFICER (Mr. PUGH in the chair). The Chair is not advised that any amendment has been offered by the Senator from Rhode Island [Mr. ALDRICH].

Mr. RANSOM. I spoke of the proposition of the Senator from Rhode Island, though it is the proposition of the committee which he has in his charge.

Mr. BECK. The Finance Committee have amended the Tariff Commission report by increasing the duty largely. That is the amendment of the committee.

Mr. RANSOM. I will state to my friend from Rhode Island [Mr. ALDRICH] that while I am anxious to vote for the proposition which he has been suggesting here, I am influenced in my action very strongly by the way his colleague put the question to the Senate.

Mr. ALDRICH. The object of the bill as proposed by the Committee on Finance is to afford protection to all classes of cotton manufacturers, and if possible to promote the business and to increase it, and we believe that this object is accomplished by the provisions of the bill. While the existing law gives ample protection to all the lower grades it gives no protection at all to the highest grades. Our desire is to have this finer class of goods manufactured in this country. It can not be done at the present rate of duty. All ordinary grades can be manufactured under the committee's bill as well as under the present law.

While my colleague says very truly that the rates upon all the lower classes of goods have been considerably reduced, they have not been reduced (and I state it frankly) to a point that would allow them to be imported to any great extent. The duties still afford, and are intended to afford, ample protection for all the lower classes of manufactured goods. The duties now are unnecessarily high. There would be no imports under our present bill of any consequence. There is a large class of goods not made in this country which may be made if we can get a little additional protection.

I desire to read upon that point very briefly from a letter written by Mr. Arthur T. Lyman, a very intelligent gentleman of Boston, and treasurer of the Hadley Manufacturing Company. He says:

> The difficulty we have in competing with England in these five yarns—

That applies to the clause now under consideration—

> arises chiefly from the vastly greater cost of machinery here, the very much higher cost of skilled labor, and the very small product. With heavy products, low-cost goods, in which raw material forms a large part of the cost, and in which common labor is chiefly employed, we can make cotton cloth to compete with England.

That is the fact to which the Senator alluded; he thinks us amply protected by this bill.

> But the case is quite different in regard to fine yarns. In this trade, which is in an early stage here, besides the disadvantages stated above, we have to make a great variety of sizes and styles in one mill. This involves many changes, and this takes time and labor and reduces product. These reasons are really conclusive, little as manufacturers even who do not make such goods can appreciate them. Mr. Whitman built the Arlington Mills specially adapted to spinning 80's, &c., and yet he has been importing 80's, and under the present tariff, and is forced down to lower numbers; but a serious reduction of duty on yarns would bring in English yarns to be put on spools here. I know you have no time to spare, but I thought some of the above points might be useful in case of discussion, and the list of prices shows a continuous decline under the influence of home competition. Under the proposed tariff, I think England could send forty 2-ply here at prices that would leave us little or no profit.

Mr. BAYARD. Mr. President, I was not present in the Committee on Finance, I was unavoidably detained from my place there, at the time this cotton schedule was under consideration; but I have endeavored to discover the meaning of the proposition now brought here, and I have not up to this time been very successful.

The Tariff Commission in their report upon this subject use the following language:

> Few industries have enjoyed such a steady and healthy growth in this country as that of cotton manufacture. The following statistical exhibit from the census reports shows the progress of cotton manufactures in the United States for forty years.

Then follows a schedule which I will not fatigue the Senate or myself by reading.

> While the other great industries, representing, as they do, hundreds of millions of dollars of annual products, have sent their representative men to furnish information for an intelligent inquiry into their present condition and needs, the cotton industry, with an annual product of $210,000,000, has only been represented by one, and that the smallest, of its branches.

That I think would indicate on the part of the cotton manufacturing interests a condition of entire security and their entire acquiescence in the present law as it now stands; but, as seems to have been the custom with the Tariff Commission, the whole subject was handed over to be arranged and reported on by interested and private experts in this particular branch of manufacture, and what has been the result? The commission complain of and criticise the present obscure and complicated condition of the tariff, and recommend reduction and simplification, but when we come to look at the numerous schedules they present, so far from having been simplified, we have on the contrary many additional shades and variations and discriminations that are not to be found even in the present complicated, obscure, and incongruous tariff law.

I doubt very much whether any but a very close and practical student of cotton manufacturing can make head or tail out of the schedule as it is presented to the Senate. There are certain figures, however, that I can scarcely suppose were intended to mislead, and between those figures there is an obvious comparison.

The scale of duties proposed by the Tariff Commission has been increased some 33 per cent. by the Committee on Finance; that is to say, take the first allocation of duty to be found on line 1125, that where certain cotton threads, yarns, &c., do not exceed 25 cents per pound, the Tariff Commission propose 7½ cents per pound, the Finance Com-

mittee now propose 10, an increase of 33 per cent. In the following case, where the valuation is from 25 cents per pound and not exceeding 40, the Tariff Commission proposed 15, the Committee on Finance increased it to 16, an increase duty of some 7 per cent. The next line shows an increase of 10 per cent., and so you have a steadily advancing rate of tax.

I am not enough of a cotton expert, nor do I think that a tariff bill should be so drawn as to require an expert to understand every feature of it. These laws are not to be administered by manufacturing experts. They are to be administered either by courts of justice or by mere administrative officers, chosen with a fair regard to their intelligence.

It is this result the people of this country might just as well understand. It is one leaf out of the whole book of proposed tariff arrangement that in affixing the duties the commission have handed the subject in question over to the parties directly in interest to arrange it as best suited their private interests and views; and what has been the result? An immense amount of intelligent, ingenious but disingenuous concealment and the aggregation of duty.

We do not know who our correspondents all are. But I take it for granted that a man may be an importer of merchandise and yet be a perfectly honorable man. I have here a circular—I suppose every other member of the Senate has received it—in which, after referring to the fact that the object for which the Tariff Commission was organized was a reduction and revision of the present tariff, and that the contrary result has been reached and that we witness an advance and a complication, the writer says:

In the present tariff on cotton goods, under the heading cotton hosiery, cotton velvets, cotton nets, cotton braids, shirts, and drawers, &c., the rate is 35 per cent., and the committee propose to advance this duty to 45 per cent.

He speaks of cotton goods very properly as "a necessity," and declares that they are fully protected by an ad valorem duty of 35 per cent., and that after you advance the duty beyond that you reach the point of prohibition. The tables read here by the Senator from North Carolina and also by the Senator from Kentucky disclose the fact that the small amount of duty collected proves the tax to be almost absolutely prohibitory.

This class of goods is the class for the great masses of the people of this country. The value which is consumed in this country of the class of goods now under consideration is counted almost by hundreds of millions of dollars, and the mere pittance, the petty fraction that your custom-house receipts disclose, will tell you what the effect of the tax has been—to yield no revenue and yet necessarily to enhance greatly the cost to the American consumer.

I am very sure that there is in the proposition of the Committee on Finance no reduction, but, on the contrary, a substantial advance in the tax, and that upon articles of popular use this falls upon the great body of the laboring or poorer people of the United States.

I shall regret to see this provision adopted. I feel, and can not but feel that I am voting in the dark in a great degree in approving of this measure or in voting at all upon it. I say that it is a commentary upon a law when a man accustomed to the consideration of laws, a man accustomed to draw laws, to vote upon and discriminate upon them, when I try my best to understand the meaning and effect of this tax law by sitting down for weeks to try to comprehend it and am yet unable to do so, it can not be called a law fit for a republic. I claim for myself an average amount of intelligence, and I claim for myself an average amount of honest intent to come at the meaning of these public provisions. I have here on my table encyclopedias; I read statistics; I open my mind to testimony and evidence from any quarter I can get it; I converse with any man I can who is competent to instruct me, and I come now to confront a measure on which I am called to vote, and I state to the Senate not only I can not understand it, but I have not heard it intelligently explained by a member of the committee. Why is it? It is because the subject has been handed over to ingenious experts in the particular manufacture, who have arranged it in such diversified and complicated fashion that its consequences and results can not be understood by those uninitiated in the mysteries of cotton manufacture.

Mr. President, where in any other range of human action do you find the man who has especial and personal interest called upon to be judge and jury and advocate in his own case? I say that in every other department of life we seek out disinterested men to adjudicate where there are conflicting interests; and in regard to this tariff, from first to last, what result has been reached? I do not condemn a man who speaks according to his interest. He has a right to be heard. Let us hear what he has to say; but I do say that I would not hand over to him the arrangement and decision of a public question, and have him return such a measure as this; and I do no injustice to my own intelligence or to that of my fellow-members in this body when I say that when they vote upon this proposition there will not be one man in the Senate scarcely who will properly understand it, or who at least seems capable of lucidly explaining its practical effects.

Mr. WILLIAMS. Mr. President, the principle of this schedule is that it reduces the tax upon all the lower grades of cotton manufacture and increases the tax upon the higher grades, upon the idea that the superiority, as is acknowledged by the gentlemen on the other side, of our machinery, of our own operatives, and of our propinquity to the source of supply, will enable our manufacturers to drive out the foreign article from our market without any tax at all; but upon the higher and better grades of cotton manufacture they propose in this schedule to drive them out by increasing the tax, and the plea is that these better grades of cotton goods are luxuries.

I ask Senators to tell me of one single manufacture of cotton that is a luxury. Fine articles are made of wool and silk, but there is not an article in this whole schedule which is not as much a luxury to our people as the lower grades of cotton manufacture. They are worn by the wives and daughters of the mechanics and laboring people of the country, and for Sunday dresses if for nothing else. They are universal in their use, and as much necessaries as brown sheeting itself to our people. It is apparent to my mind that the whole schedule is gotten up on the idea of excluding by a high tax those grades of cotton manufacture such as are produced by the superiority of our machinery and the intelligence of our operatives.

Mr. ALDRICH. Perhaps I ought to say a word in answer to the criticism of the Senator from Delaware [Mr. BAYARD]. He alluded to the changes in the present bill from the Tariff Commission report. While there may be changes upon fine cotton-wear, that is the only change in that direction in the bill. On all the kinds of goods that the Senator from Kentucky [Mr. WILLIAMS] has just been alluding to, the bill reported from the committee is a reduction from the Tariff Commission report. If the Senator from Kentucky thinks that lace and lace window-curtains are necessities, if they are to Kentucky they are not to New England. If they are used in every family in Kentucky they are not used in every family in New England. Our people do not consider them necessities; they would consider them luxuries. If lace window-curtains, embroideries, and velvets are to be included as necessities, then I have to commence the study of manufactures over again. I say they are luxuries, and entitled even from the position of a free-trader to be taxed for revenue, and from the position of a protectionist they ought to be taxed to enable them to be made here—either horn of the dilemma you may see fit to take. From either position they ought to be taxed; not taxed unduly, I submit, but taxed so as to be made to pay revenue.

Mr. WILLIAMS. I call the Senator's attention to the paragraph beginning at line 1165:

On stockings, hose, half-hose, shirts, and drawers, and all goods made on knitting machines and frames, composed wholly of cotton, and not herein otherwise provided for, 35 per cent. ad valorem.

I ask the Senator if he calls those luxuries?

Mr. ALDRICH. I have tried to explain to the Senate, and I think the Senator from Kentucky could not have been in his seat when I explained it, that that applies only to the finer class of hosiery. All the common hosiery is included at 25 per cent. in the lines preceding the paragraph which the Senator has just read.

Mr. MORRILL. I do not like to have even the Senator from Delaware [Mr. BAYARD] condemn this bill by giving it a bad name, that there is something in it that he can not understand and therefore nobody else can. The rates of duty under the phraseology of the first paragraph from line 1120 to and including 1164 are simplified from the present law. As they stand in the bill it presents simply a specific rate of duty of so much per pound or so much per yard. Under the existing law is presented the same thing with an ad valorem rate. If there is anything difficult to understand about it I do not so estimate it. All beyond that from line 1165 to line 1180 is an ad valorem rate. Is there anything incomprehensible in an ad valorem rate? Then the last paragraph upon spool thread is simply placing it at 7 cents a dozen, without anything ad valorem, as exists in the present law. It seems to me the position taken by the distinguished Senator from Delaware, that this is an incomprehensible mode of framing a bill, is entirely untenable. It is as plain as a pike-staff, ad valorem or specific, by the pound or by the yard or by the dozen.

Mr. HARRIS. I move to amend by striking out after the word "form," in line 1124, all down to and including line 1138, in the following words:

Valued at not exceeding 25 cents per pound, 10 cents per pound; valued at over 25 cents per pound, and not exceeding 40 cents per pound, 16 cents per pound; valued at over 40 cents per pound, and not exceeding 50 cents per pound, 22 cents per pound; valued at over 50 cents per pound, and not exceeding 60 cents per pound, 27 cents per pound; valued at over 60 cents per pound, and not exceeding 70 cents per pound, 35 cents per pound; valued at over 70 cents per pound, and not exceeding 80 cents per pound, 40 cents per pound; valued at over 80 cents per pound, and not exceeding $1 per pound, 50 cents per pound; valued at over $1 per pound, 50 per cent. ad valorem.

And inserting in lieu thereof "30 per cent. ad valorem;" so as to read:

Cotton thread, yarn, warps, or warp-yarn, whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, 30 per cent. ad valorem.

Mr. HARRIS. The whole object of that amendment is to fix one uniform rate for these threads and cotton-yarns and slightly reduce the rate of taxation now imposed by law. It is also a slight reduction below the report of the Tariff Commission, but within, I think very clearly, a fair and rather a high revenue point.

Mr. ALDRICH. I will only say in response that the Tariff Commission in their report make this statement:

If the rate of duty on yarns costing over 80 cents is placed below 50 per cent. ad valorem, it will be impossible for mills now in operation to continue the manufacture of these numbers, excepting at a reduction in the wages to the working people that will be oppressive, the average ad valorem rate on these goods being now 54 per cent.; and the commission suggests that all this yarn be placed at 50 per cent. ad valorem.

Mr. SAULSBURY. The raw material is in this country, whereas in England the raw material has to be carried from here there and be manufactured and brought back here before it can come into competition here; and when it comes, it comes burdened with our rate of duty, burdened with the percentage of the importing merchant before it can be sold, burdened with the cost of transportation and commissions; and I cannot see why there should be required on these articles any very large amount of duty in order to furnish protection to our industries. Certainly 30 per cent. is enough; 50 per cent. surely can not be required.

Mr. SHERMAN. Mr. President, I have examined this cotton schedule with all the industry possible, but without much intelligence in connection with it. I believe that the Senate in striking out this cotton schedule strikes at the wrong place. A duty of 30 per cent. on the manufacture of cotton yarn, if we can believe the testimony of witnesses and our experience heretofore, is not sufficient. This industry, as I am told, has only been established in the last ten or twelve years. Although we have manufactured cotton cloths for many years, yet the manufacture of cotton yarns is comparatively new.

Mr. HARRIS. Not sufficient for what? Is not sufficient to raise the amount of revenue that the Government will probably need to answer its legitimate purposes and pay its necessary expenses? Is it sufficient for that?

Mr. SHERMAN. All that I want is to make the duty sufficient to cover the difference between labor measured by the English standard and labor measured by the American standard. If anybody can satisfy me on that point I will vote for his proposition. I do not want our operatives to work at th wages that are confessedly paid in cotton-mills in England.

Let me give the Senate some figures to show that I have examined this matter. The present rate of duty is 47 per cent. and over. It is now proposed by this bill to reduce that rate somewhat. The present duty is 10 cents per pound and 20 per cent. ad valorem. This bill proposes to drop the 20 per cent. ad valorem and to leave the duty stand at 10 cents a pound. There is a palpable reduction and it seems to me it is enough. It reduces the tax 20 per cent.

Mr. BECK. The Senator will observe that there is a double classification here.

Mr. SHERMAN. I intend to show that. I have the figures. On two grades of this cotton-yarn the duty is slightly raised, one by transferring from one class to another; and on the highest grade, where the old rate was 50 per cent., it is slightly increased, so as to apply the increased rate to articles valued at over 80 cents a pound; but there is a reduction proposed on these yarns as a rule, and that is plainly and easily observed.

If 20 per cent. is thrown off the duty on these yarns it seems to me that is a reasonable reduction and all that should be asked. That reduction is not carried through all the classifications, but it is carried through those that are commonly used by our own people. The others are very fine yarns, valued at over 80 cents a pound.

This price shows that they must be of a very high grade, and on that grade the duty is slightly increased. I ask the Senator from Kentucky if it is increased in any of the other classifications except in the item where a transfer is made?

Mr. BECK. Oh, yes; I think it is. It is certainly increased very largely above the report of the Tariff Commission.

Mr. SHERMAN. I am not speaking of that now.

Mr. BECK. A complicated statement will have to be gone into. As to the increase over the present law I am not prepared to answer. The rate is increased over the Tariff Commission's report, and it is a very large increase above the recommendation of the commission.

The Senator from Ohio will allow me one other word. There is no unfairness in having a uniform rate, some per cent., instead of these changes of classification and doubling from 10 to 16 cents in value and from 35 to 45 per cent. in the duty, opening the temptation to fraud where a difference of half a cent may be shown. Let there be a uniform rate on all, increasing in amount as the value goes up.

Mr. SHERMAN. I was not mistaken. On examining further I see that the only classification on which there is an increase over the present tariff is on the last item, yarns worth more than $1 per pound, and there the duty is put at 50 per cent. ad valorem. It is true that the Tariff Commission proposed much lower rates; they proposed a much larger reduction; but the reduction now proposed by the Committee on Finance and approved, so far as we can learn, by those engaged in the business, is on thread a general reduction of 20 per cent. ad valorem, and only on the two higher grades is there a slight increase; that is to say, a 50 per cent. ad valorem is applied to all yarn worth more than $1 a pound, while the former rate was 50 cents a pound on all over 80 cents a pound. So if there were yarns of the value of a dollar and a quarter a pound this would make a slight increase on that class of yarns, but they must be, as a matter of course, of the very finest possible kind. So I cannot vote with the Senator from Tennessee. Thirty per cent. is not enough to measure the difference in the price of labor. It is less than it has ever been on this article, so far as I know.

Mr. HARRIS. Will the Senator from Ohio compromise on 35 per cent.?

Mr. SHERMAN. No, sir; I do not compromise on any ad valorem duty on an article of this kind. It should be specific. I think the rates proposed by the Committee on Finance upon yarns are about right. Where there is a fair reduction and a plain reduction there can be no controversy about it, and a plain man can understand that the present duty is changed to the extent of the ad valorem except on two grades. So there is a palpable reduction, and I think that is enough on this industry.

The coarser yarns have been manufactured in this country for a long time; but on the finer yarns, the making of which is a very beautiful process of manufacture, it is only recently that we have been able to compete with the English manufacturers. I wish to keep up that competition by giving to our laboring men a sufficient protection to enable the employers of those laboring men to pay them American instead of English wages.

Mr. BECK. The inconsistency of the position of the Senator from Ohio is illustrated in this, he is willing to let the laboring man, for whom he has a wonderful affection lately, work and compete with the English pauper at 10 cents a pound on all goods valued at not exceeding 25 cents, but if they are worth 25½ cents he is to have 16 cents a pound; when the value is not exceeding 70 cents he is to have 35 cents a pound, and if it is 17½ cents he is to have 40 cents a pound. He proposes in the interest of fairness and of labor to jump at a purely arbitrary point from 10 to 16, from 16 to 22, from 22 to 27, from 27 to 35, from 35 to 40, from 40 to 50, regardless of ad valorems when the ad valorems between the different arbitrary points where the jump is made may depend on only half a cent in value, and to open the door to all sorts of fraud in undervaluation to get in the goods at the lower rate of duty rather than the higher.

Whatever is the fair valuation of these goods let all of one class be fixed at one rate, without any arbitrary stopping-places where the increases made by the present proposition are from 4 to 7, and let us all pay a fair valuation up to the highest grade, whether it is 30 or 35 or any other per cent., instead of having the door opened to so much fraud by basing a specific upon an ad valorem and making so many arbitrary stopping-places where the duty rises 10, 15, and 20 per cent. without any assignable cause.

Mr. EDMUNDS. May I ask the Senator from Kentucky a question? I do not wish to interrupt the even tenor of this debate and have not done so very often. I ask whether his criticism about these arbitrary stopping-places, as he calls them, does not apply to every provision of a specific nature where there are classifications in this bill, and does it not necessarily apply to every species of classification? We must have an arbitrary stopping-place somewhere, just as in the courts; nobody can sue in a court of the United States unless his claim is $500. If a man has a claim of $499 he can not sue there. How can you get ever any practical legislation unless you have classifications? There is a necessity for putting the limit somewhere; and will not every limit be open to the same philosophic objection that the Senator from Kentucky has stated?

Mr. BECK. I will answer the Senator in this way: Here is a class of goods all of the same quality, being "cotton threads, yarns, warp-yarn for weaving, whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, in any other form"—all the same class of goods.

Mr. EDMUNDS. What does the Senator mean by the same quantity?

Mr. BECK. The same class of goods with different values. The present law was pronounced obscure, because it made four classes out of these yarns all of the same character though differing in value. Now, we propose to make seven classes instead of four, making seven jumps instead of four, whereas it would simplify it very greatly to lay a certain ad valorem upon all, and the ad valorem would of course increase the tax according to the value. Why make these difficulties?

Mr. EDMUNDS. If properly administered, if you could avoid fraud, the ad valorem on a home valuation would be the most philosophic of all possible methods of tariff taxation; but human experience has proved that you can not do it, and you are cheated all the time. Now if these gentlemen have increased the number of jumps from four to seven, then they must have diminished the number of the distances at each jump, and therefore they come more nearly to a classification ad valorem than they would have if they only had two classes.

Mr. BECK. The invoice of each has to settle what the ad valorem is, and wherever you base a specific upon an ad valorem, as I have stated repeatedly, the tendency to fraud is increased as you come near the point where the jump takes place to bring it to the lower rate always, and you have every difficulty of the ad valorem in this system of seven classifications, with the specific based upon an ad valorem, with a great inducement to make a false ad valorem, all of which is removed by the

proposition of the Senator from Tennessee to make each grade pay 30 or 35 per cent., according to its value. And that value is not only to be ascertained by the invoice, but all the powers that the existing law gives to all officers of the Government to see that the valuation is fair are preserved. That is better than the schedule proposed with seven grades to go through, with great temptation to commit fraud by cutting down every time a change is made.

Mr. MAXEY. The theory seems to be that as far as the specific duty is concerned that is very honest and very fair; but so far as the ad valorem part is concerned it is very dishonest. Hence, according to the theory, the schedule here proposed is a hermaphrodite, partly honest and partly a swindle.

Mr. FRYE. I simply want to remind the Senator from Kentucky that the day before yesterday he voted for twenty-five jumps on sugar and against an ad valorem duty on sugar.

Mr. BECK. We have all sorts of absurd things to do in making up a tariff, and if it has got to be the style now, as it seems to be, of gentlemen to tell everybody how inconsistent he has been, that he votes for this, that, and the other, and for lumber and for sugar and for rice, and to make it a personal issue as to how each man votes, let me tell the Senator from Maine that he voted for a pretty high tariff this morning—I think on starch. But I believe I have never thrown up to any Senator how he has voted. I may vote for a certain duty on sugar, but if I can simplify matters—and this in a clear case—why not do it, even if upon sugar I did some inconsistent thing? But there was a class of sugars ranging from the very lowest to the very highest that no one rate should reach, and it was stated that we had a polariscope test that was accurate as to sugars, and that the world was using it and the merchants were using it. It was said that we had had great frauds on the color standard alone. So I decided to do the best thing I could. I am doing the same thing now. That is all. I do not want to base specifics on ad valorems if I can help it. On sugar I base the duty upon the polariscope, which science and the consent of the country seemed to regard as the nearest approach to right that we could get. That was all there was of it. I will say to the Senator from Maine that I do a great many inconsistent things, and it would be hardly worth while for him to talk to me about consistency.

Mr. FRYE. I admit it.

Mr. MAXEY. There are a great many inconsistent things done. The other day the Senator from Mississippi [Mr. GEORGE], for a reason which I thought was very powerful, proposed to introduce machinery for the manufacture of cotton and woolen goods at a charge of 10 per cent.; and I noticed that the Senator from Maine and his colleagues generally voted solidly against that proposition; and yet I find that the Congress of the United States when it was overwhelmingly Republican in both Houses did sustain a proposition to admit machinery for the manufacture of beet-sugar free of duty. This was done at the first session of the Thirty-ninth Congress in 1867 (Statutes at Large, volume 14, page 310) for one year, and at the second session of that Congress they mended their ways, they got a good deal better, and the second section of the joint resolution passed March 2, 1867, provided:

And be it further resolved, That from and after the passage of this resolution machinery for the manufacture of beet-sugar, and imported for that purpose solely, shall be exempted from duty.

I can not see for the life of me where the consistency is in admitting free of duty machinery for the manufacture of beet-sugar, and yet refusing to admit at a low rate machinery for the manufacture of cotton and woolen goods in a country which confessedly needs all the aid in that way that can be extended to it. So when it comes to a question of consistency there are a good many things to be explained.

Mr. SHERMAN. I think I can tell the Senator the reason, because I knew something about the reason at the time the bill was passed.

Mr. MAXEY. I have no doubt the Senator from Ohio considered the reason admirable; I think the reason now is admirable.

Mr. SHERMAN. The reason is this: first, there was no manufacture of that kind in this country; and secondly, the persons wishing to try the experiment of manufacturing beet-sugar would have to import their machinery. There was no interest in this country to compete with it, there was no machinery of that kind manufactured in this country. But we have in this country very excellent manufactures of cotton machinery now in existence. There is no trouble in buying it; it is an industry already existing, and therefore it would be unfair to allow cotton machinery to be imported into this country free of duty, where it could be bought in this country at reasonably fair rates. That was the reason. Whether it was a good reason or not is for the Senate to decide.

Mr. MAXEY. That is like a good many other reasons I have heard from the protective-tariff people. If the manufacture of beet sugar was an industry that needed to be encouraged, then, according to their theory, they should have placed a protective tariff upon the introduction of beet-sugar machinery so high as to encourage an infant industry, and thus protect American labor against the pauper labor of Europe.

Mr. SHERMAN. The same principle, I may say, was applied in regard to other machinery. For years there were admitted free of duty steam-plows for sugar culture. I once saw one myself south of New Orleans; a very interesting thing. That was allowed because there was no such machinery made in this country; but if it was an established industry and the machinery could be made here, then I suppose it would not be right to allow the machinery to come in in that way duty free.

Mr. MAXEY. The only thing I object to about the Senators is that they repent after having done a good thing. I believe that the act of 1857 for the encouragement of a new industry was a good thing. They having done that, we propose to avail ourselves of the good act done by the Republican party and to get the machinery to aid our colored people and our white people down there in the development of a new industry; that is, the manufacturing of cotton and woolen goods. But when we get ready to do it, then that will not do.

It is perfectly true we do not manufacture beet-sugar down there; we do not raise the beet for that; but we have the cane, we have the cotton, and we have the wool, and these industries, it occurs to me, are about as important to the development of the great industries of this country as beet-sugar; and if we can get that machinery cheaper by introducing it free of duty, as beet-sugar machinery was introduced, the very same reason applies for introducing that machinery into our country that applied then for the machinery of the new industry of beet-sugar. Therefore there is inconsistency of course, and it can not be justified.

Mr. COKE. I hope the amendment of the Senator from Tennessee [Mr. HARRIS] will be adopted. The cotton manufacturing industry is the oldest manufacturing industry in this country. There is no other in the country that can plead infancy with so little plausibility or justice as this. Besides, we have been informed by distinguished Republican testimony, as we have also by the census figures, that the proportion of cost of labor entering into the manufacture of cotton is about 22 per cent. Mr. Burchard, a distinguished Republican, now Director of the Mint, formerly a member of Congress, prepared a table in which he gave the amount of wages and material and capital employed in the different branches of manufacture, and he put down the amount of labor in cotton manufacture at 22 per cent. Now, sir, if you will take a bolt of cotton cloth and add 22 per cent. to its prime cost, you pay to the owner every dollar, every cent, that he has expended for labor in its manufacture. Twenty-two per cent. pays back all the money expended for labor. If gentlemen desire to protect American labor, as they say, by the tariff and nothing else, they will ascertain the difference between American labor and English labor and fix the duty accordingly. Mr. Blaine and Mr. Evarts have certified officially to the country that there is no difference in the wages paid to English and American operatives in cotton manufacturing. Their figures are verified by later reports of Consul Shaw made on this very subject and by the figures of our census reports. The testimony of these gentlemen is concurrent to the fact that there is no difference between English and American labor in this industry.

Mr. MCPHERSON. Will the Senator bear with me a moment? Was his attention called to the letter which I read from the thread manufacturers of Newark, having a factory there and also at Paisley, Scotland, in which they state—and I am ready to say that whatever they state is true with regard to their own business affairs—that the difference in the labor-rate paid in Paisley and Newark amounted to 121½ per cent. greater in Newark than that paid in Paisley?

Mr. COKE. I heard the statement of the Senator from New Jersey, and I can say to him that I thought at the time when he made it he was presenting the statement of an interested party, a party interested in keeping up and preserving high protection, against the official testimony of sworn officers of the Government, gentlemen of the highest intelligence and character and occupying high and responsible positions.

Mr. MCPHERSON. Will the Senator yield to me a moment? I will state that so far as this gentleman, Mr. Clark, is concerned, he has not been interested in keeping up a high tariff on his branch of industry, because he has consented that the tariff on the manufacture of thread shall be reduced about 35 per cent. below the existing tariff, and he has offered, if he could bear any more reduction and compensate his laborers as he thought they were deserving of compensation, he would be willing to do it now. It is put here at the very lowest rate that he can possibly bear, making proper remuneration for the labor.

Mr. COKE. I give the Senator from New Jersey of course full credit for the utmost sincerity in his statements, for I know he would make no other than those he believed to be correct. At the same time I can not throw away official statements of gentlemen whose business it was from the highest official standpoint they could occupy to ascertain the facts in this matter and who were under the very highest obligation to report them truly to this Government. I can not, when they have discharged this duty, throw them aside as from any cause unworthy of belief and admit that another gentleman, interested pecuniarily in the subject, with comparatively limited means of information, however conscientious he may be, is correct. To do this would be to violate all the rules sanctioned by experience in searching for the truth. I rely upon the testimony furnished by our own Government under a Republican high protective tariff administration, being the official statements of William M. Evarts and James G. Blaine when they were respectively Secretaries of State, statements based and founded upon the reports of the consuls of the United States residing in the foreign countries of the world, which certify to the fact that in this particular industry English wages are as large, indeed greater than the wages paid in America.

In addition, while the Englishman receives the same amount of money for wages paid the American operative, one dollar paid the Englishman, because of English free trade and cheap goods, will buy as much as a dollar and a half or a dollar and three-quarters paid to the American operative.

These are facts, and yet we have a cotton schedule here imposing heavy duties upon manufactured cottons, for what? For the protection and remuneration of American labor. That is the argument. They make no argument on capital. They admit, and the Senator from Ohio admitted the other day, that capital needed no protection. Said he: "It is the labor that needs protection;" and here we confront you gentlemen with the fact that two distinguished Republican Secretaries of State, both high protectionists, have certified to facts which show that American labor needs no protection and receives none in this branch of manufacturing interest, and that every dollar of the duty goes into the pockets of the capitalists.

Mr. HOAR. May I ask my honorable friend from Texas a question?

Mr. COKE. Yes, sir.

Mr. HOAR. I do not know that I have followed his entire statement made just now, as my attention was drawn away for a moment, and therefore I should like to know if I am to understand him to affirm as his opinion that the condition of the English laborer in factories is as good as that of the American in the matter of wages?

Mr. COKE. I am speaking now with reference to the operatives in cotton factories.

Mr. HOAR. Well.

Mr. COKE. The Senator from Massachusetts will understand me to say this: I believe from the official testimony before the country that the condition of the English operatives in the cotton industry is better than that of the American operative.

Mr. HOAR. So the Senator is in favor, as far as he can, taking his limitation, of having the condition of the American operative in the cotton factories made as near like that of the English as possible in every particular of wages and social condition?

Mr. COKE. I do not know that I understand the question of the Senator.

Mr. HOAR. I ask my friend from Texas if he is in favor, and if he understands that those who agree with him in political sentiment are in favor, of making, as far as legislation can do it, the condition of the American operative in the cotton factories like that of the English operative?

Mr. COKE. Oh, no! We are in favor of giving to the consumers of this country as cheap goods as possible and thereby of increasing the purchasing power of money received for wages.

Mr. HOAR. My question to the Senator from Texas was this—he answers some other things—whether he is in favor of having the condition of the American operative in cotton factories made as near like to the English as he can? If he says yes, that I understand; if he says no, that I understand.

Mr. COKE. If the Senator desires to play on words, I will not join him in the game.

Mr. HOAR. I do not see any play on words.

Mr. COKE. I will say this to the Senator: I am in favor of well-paid labor, and in order to have well-paid labor I desire to unload it of the burdens placed upon it by the tariff. I desire to cheapen the laborer's clothing and his food, to cheapen his house rent, and in that way to make his wages buy more than they buy now.

Mr. HOAR. If the Senator will pardon me one moment, I will state to him that I do not mean any play upon words.

Mr. COKE. Will the Senator speak so that I can understand him?

Mr. HOAR. I will. There are thousands and thousands of operatives in cotton factories in this country; they are and are becoming American citizens. They have come from English cotton manufactories to ours, and they never go back. Now, no matter who makes tables of statistics, these men know what they have left and what they have come to. They have left their parents, brothers, and sisters behind them, and they communicate with them, and they know by a very terrible practical experience what it is to be operatives in English factories, and they have traveled by land and by sea to come to ours. Now, if the Senator from Texas, speaking for the party of which he is an honored leader, will enable me to tell those men whether he wants to have the condition of the English cotton factory that which he would have ours reach, there is a practical question and a practical test of the value of the statistics which he quotes.

Mr. COKE. Will the honorable Senator carry the message that I would send?

Mr. HOAR. When the Senator answers that question.

Mr. COKE. If he will, I will say to the operatives of Massachusetts, vote for a strictly revenue tariff; it will cheapen every article upon which you subsist; it will cheapen all the expenses of life; you will get the same wages then that you get now, because they can not be reduced, and one dollar that you get then will buy as much as a dollar and a half will now.

Mr. HOAR. They will test the value of that message, if I carry it, a good deal by the Senator's answer to the question which he does not answer, because that is something they understand; and if the Senator wants to put them in the condition of the operatives in English cotton factories, that they will understand and they will adopt a protective policy.

Mr. COKE. I have nothing to say about the English operatives; but will the Senator be candid enough to tell his Republican friends in Massachusetts that two great Republican leaders, Mr. Blaine and Mr. Evarts, have certified officially and solemnly upon the very highest testimony that their condition is not so good as that of English operatives?

Mr. HOAR. I do not understand that to be the case.

Mr. COKE. I do. I understand it to be the case, because they have certified that Englishmen get as good wages as Americans, get as much money; and we all know that that which they have to buy with their money comes much more cheaply in England than it does here, except the items of bread and meat. Their tea, coffee, and sugar is very much cheaper.

Mr. HOAR. I am speaking now from memory, but I can not be mistaken when I say that in forwarding the consular reports in the fall of the year 1879, I think it was, Mr. Evarts gave this certificate, that the purchasing power of the laborer's wages in this country was from a third to a half greater than that of England, and then compared it with Spain and Germany, making a still larger protection. If I am mistaken in that recollection, I shall be corrected. That is my recollection.

Mr. COKE. I will correct the Senator. I can quote exactly from Mr. Evarts and Mr. Blaine on this subject.

Mr. HOAR. And the statement of Mr. Evarts is in my hand now, in which he says——

Mr. COKE. I will quote from Mr. Evarts now. In a letter of Mr. Evarts, then Secretary of State, transmitting the reports of consuls on the state of labor in Europe, dated May 17, 1879, the honorable Secretary says, on page 36—

That the average American workman performs from one and a half to twice as much work as the average European workman. This is so important a point in connection with our ability to compete with the cheap manufactures of Europe, and it seems on first thought so strange, that I will trouble you with somewhat lengthy quotations from the reports in support thereof.

Daily work from once and a half to twice as much.

Mr. HAWLEY. In about the same time, usually.

Mr. COKE. No, sir; the number of hours worked by the American is greater.

Mr. HOAR. Has the Senator got that letter in full?

Mr. COKE. No, sir.

Mr. HOAR. He is quoting it from somebody who has picked out a sentence.

Mr. COKE. I have not the letter here in full, but have it at my room, and have quoted from it before.

Mr. HOAR. I ask the Senator if he has read that letter?

Mr. COKE. I have read it in full.

Mr. HOAR. Does not Mr. Evarts say that while the wages of the American workingmen in factories are more than a third greater than those of the Englishmen the purchasing power of those wages is from a third to a half greater?

Mr. COKE. That is not my recollection of his language.

Mr. HOAR. That is mine. I am speaking now from memory and not from an examination to-day, and I may be mistaken as to the fraction; but the substance of the statement of Mr. Evarts I can not mistake. I have an utterance of Mr. Evarts made last night in my hand at this moment.

Mr. COKE. Now I will read from Secretary Blaine.

Mr. HOAR. Will the Senator let me read this utterance of Mr. Evarts?

Mr. COKE. I give way for a moment.

Mr. HOAR. Mr. Evarts said last night:

I have not seen any enthusiastic meetings of American laboring men encouraging one Congressman to reduce American labor to the level of British labor. I do not see why anybody pretends that the American laborers do not know which side of their bread is buttered.

Mr. COKE. What is that the Senator reads?

Mr. HOAR. An address delivered by Mr. Evarts last night in New York.

Mr. COKE. A political speech. I am speaking of his official utterances.

Mr. HOAR. So am I.

Mr. COKE. I will read again from Mr. Evarts, the same letter:

Within the last fifteen years we have demonstrated our ability by the brilliant development of our own resources to exclude, by honest competition, foreign manufactures to a large extent from our shores. The question which now peremptorily challenges all thinking minds is, how to create a foreign demand for those which are left after supplying our home demands? We can not stand still, for the momentum of increase will soon become so great that it will push us outward anyway. To push us safely and profitably is of so much importance as to almost overtop all other public questions of the hour. This question appeals equally to the selfishness and patriotism of all our citizens, but to the laborer it appeals with tenfold force, for without work he can not live, and unless we can extend the markets for our manufactures he can not expect steady work, and unless our manufacturers can undersell foreign manufacturers we can not enlarge our foreign market.

The first great truth to be learned by our manufacturers and workingmen is, that the days of sudden fortunes and double wages are gone. We must realize the fact that ocean steam communication has annihilated distance and brought the nations face to face. This drawing together of the nations means equalization in trade, profits, wages, &c.; the advantage being with those who soonest

accept the situation and show the most sensible continuity in the new paths of success.

Mr. Evarts shows the absolute necessity of cheapening goods in this country, in order that we may find a foreign market for our products; and how can we cheapen them? By taxing machinery, by taxing dyestuffs, by taxing raw materials, by taxing every element that enters into their composition, an average of 45 per cent.? Can we enlarge our markets and get foreign trade in that way? Mr. Evarts did not think so.

Now, sir, with reference to the subject of wages, to which I return, here is what Mr. Blaine said in a letter dated the 25th of June, 1881, on page 95:

The hours of labor in the Lancashire mills are fifty-six, in the Massachusetts mills sixty per week. The hours of labor in the mills in the other New England States, where the wages are generally less than in Massachusetts, are usually sixty-six to sixty-nine per week.

Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor.

That is in results accomplished. He says they are more than equalized, the wages of Americans and Englishmen, by the greater efficiency and better results of American labor. What does he mean by more than equalized? He means that the advantage in the matter of wages is on the side of the American manufacturer. That is exactly what he means. That the Englishman receives the better wages. That is what he means.

If this should prove to be a fact in practice, as it seems to be proven from official statistics, it would be a very important element in the establishment of our ability to compete with England for our share of the cotton-goods trade of the world.

In the two prime factors which may be said to form the basis of the cotton manufacturing industry, namely, raw material and labor, we hold the advantage over England by the first, and stand upon an equality with her in the second.

This is James G. Blaine, an avowed protectionist, and the most distinguished leader in the Republican party, who speaks.

Having the raw material at our doors, it follows that we should be able to convert it into manufactures, all things else being equal, with more economy and facility than can be done by England, which imports our cotton and then manufactures it in her mills.

And I will add "and who imports her bread and meat to feed the operatives who manufacture and keep her mills running," our manufacturers paying no more wages than are paid in England with the cotton at their factory doors, with cheap flour, and meal, and beef, and bacon, for their operatives, and England paying the same wages, having to send her ships across the ocean for the cotton, having to send her ships across the ocean for bread and meat for her operatives.

Mr. HOAR. Mr. President——

Mr. COKE. I decline to yield.

Mr. HOAR. I have got Mr. Evarts's letter. Will not the Senator let me read that?

Mr. COKE. Let me finish my sentence, if the Senator pleases.

Mr. HOAR. Certainly.

Mr. COKE. Notwithstanding this, we find gentlemen on the other side, in the name of protection to American labor, and that alone, claiming a tariff duty of from 35 to 150 per cent. on manufactured cotton goods. Now I will yield to the Senator.

Mr. HOAR. I now have Mr. Evarts's letter, the original official document to which the Senator alluded, and I am sure he will be glad to have me read it.

Mr. COKE. I am entirely willing the Senator may have it published in the RECORD.

Mr. HOAR. But the Senator would not misstate it for the world, and I wish to show him that he is in error.

Mr. COKE. I have read the letter very carefully and very thoroughly. I quoted from it here once before, and read from it verbatim to-night.

Mr. HOAR. The Senator has totally misunderstood the letter. I have it here. It will not take me two minutes. I want to read about six sentences.

Mr. COKE. Very well.

Mr. HOAR. Mr. Evarts says:

Already the British workingmen see the necessity of getting rid of their surplus labor so as to reduce it within the actual demand therefor, the greater portion of them being working at present, where they are working, on short time, to enable all to eke out an existence.

* * * * * * *

There can scarcely be a doubt but that within the next five years half a million of English workingmen will emigrate; indeed, should the spirit of emigration once seize the English mind, there can be no reasonable limit set to the hegira.

* * * * * * *

Rates of wages.—In laying before you the following statement showing the rates of wages, as averaged from the reports herewith submitted, throughout England, as compared with those prevailing in New York and Chicago, it should be remarked that in many cases the English rates are more apparent than real, and that while nominally the English workingman appears to receive a comparatively high rate of wages, he only works on half or two-third time, thus gratifying his desire to preserve a high rate of wages at the expense of time, a sentimental fiction which is neither profitable nor substantial.

Then he goes on and gives the tables, which I will not detain the Senate to read.

Mr. COKE. High wages for the time he is at work?

Mr. HOAR. Yes, sir.

Mr. COKE. That is what I thought.

Mr. HOAR. In other words, while he thinks he is getting $2 a day, he only works half a day and gets $1. Now let me go on.

It will be seen that while the wages in New York and Chicago are about twice the average wages throughout England, the prices of the necessaries of life are lower in those two cities than the average prices throughout England.

It is well that your attention should be specially drawn to the erroneous opinions which have more or less prevailed, especially in the minds of our working people in the United States for the past few years, that wages were higher and the cost of living less in England than in this country.

* * * * * *

In regard to the question of food prices in England and in the United States, no stronger argument can be advanced to dissipate the idea that workingmen can live cheaper in that country than in this than the fact that Great Britain imported from the United States during a recent year "necessaries of life" to the following amounts: Wheat, $50,000,000; Indian corn, $43,000,000; bacon and hams, $34,500,000; cheese, $10,300,000; flour, $8,300,000; lard, $6,800,000; pork, salted, $3,000,000; butter, $2,870,000; fresh beef, $2,000,000; refined sugar, $1,650,000; pease, $1,500,000; canned and preserved meats, $1,400,000; fruits, raw, $1,243,000; molasses, $653,000; coffee, $516,000; oats, $343,000; barley, $264,000—a total food supply of over $171,000,000!

I hope the Senator has got Mr. Blaine's entire letter. This is Mr. Evarts's.

Mr. COKE. I will read another extract from the same letter:

In regard to the food-living of the English workingman, it may be said that it is regulated solely by his ability to buy. He will have as much strong and wholesome food—and he is a good eater—as he can purchase, meat entering into his fare more plentifully than into the fare of any other workingman in Europe.

That is in free-trade England.

The consul at Bristol says that the English workingman of to-day eats fully three times more meat than the English workingman of twenty years ago.

When they had high protection such as we have in this country.

Mr. HOAR. Now read the next sentence.

Mr. COKE:

It may also be remarked that American bacon is largely used by the English workingmen, as also other American meats when they can be purchased.

Mr. HOAR. Just read the next sentence. The Senator leaves out the very part——

Mr. COKE. The Senator can reply to such remarks as I may make. I shall not yield to him any further.

I have read that letter thoroughly and carefully and I will call attention to one fact particularly, and it is that Mr. Evarts does not allude to other than the expenses of eating, that is for provisions, for the English workingmen and their families. He says nothing of their blankets, their hats, their shoes, their clothing, their house-rent, their flannels, and their medicines, which constitute three-fourths of the expense of every family, and things which are about 60 per cent. cheaper in England than they are in America, the difference being made by the fact that England has free trade and we have high protection.

Mr. President, the honorable Senator from Massachusetts may take as much comfort as he pleases from this letter; but Mr. Evarts, after discussing all the testimony furnished by foreign consuls, draws his conclusion from the testimony, and this is the conclusion marked 9; he has them under different heads numbered:

9. That the average American workman performs from one and a half to twice as much work in a given time as the average European workman. This is so important a point in connection with our ability to compete with the cheap-labor manufactures of Europe, and it seems, on first thought, so strange, that I will trouble you with somewhat lengthy quotations from the reports in support thereof.

Here are two Secretaries of State, both high protectionists, both Republicans, both having control of our foreign ministers and consuls, both of whom had thorough investigations made in Europe on this subject, and they had separate reports, one made several years before the other, yet they concur in saying that labor, especially in this cotton manufacturing industry, is as well paid in England as it is in the United States, indeed better.

Mr. MAXEY. I call the attention of my colleague for a moment to the fact that since 1846 the corn laws have been repealed by the British Parliament, and the English laborer gets his meat, his flour, and all that he lives upon free of duty and at the same price that we pay here except the cost of transportation added.

Mr. COKE. The cost of transportation is all that they have to pay in addition to what our laboring men pay here for our bread and meat, and everything else they get at just one-half. Yet, Mr. President, we hear it resounded throughout this Hall that this tariff has been enacted for the protection of American labor. Indeed, for the protection of American labor! Where does the labor come in? You can not show where it does come in for the simple reason that it does not come in at all. The laborer does not receive it. The "lords of the loom" who rear palatial mansions, own railroads and bank stock, pocket it. Hence the labor strikes and the struggle of the workingmen for a pittance to live on. Who ever heard of well-paid laborers engaging in strikes as they have been doing the past year throughout our manufacturing districts?

If our enormously protective tariff would not justify the payment of good wages so as to make contented laborers, then what would? Gentlemen say they want no protection for capital, they only desire it for labor; and here is the official proof that labor does not receive it; that it receives no more than the English labor which gentlemen here say they are seeking protection against. Where does it go? It goes into the pocket of the capitalist; there is where it goes. For one hundred years this robbing process has been going on in the name of protection

to American labor against the pauper labor of Europe, and during that time pauperism has increased throughout this country, and unusual aggregations of wealth have grown up at the same time in the hands of a few. Millionaires and paupers have been the product. These results, stubborn facts, overwhelm the advocates of protection with proof conclusive of the utter hollowness and falsity of the pretext under which our people are being plundered through protective tariffs.

Will you tell me, sir, that the vast fortunes which are owned now by the millionaires could have been made by individual effort and without government aid? Oh, no.

Mr. President, in the name of the laboring man the consuming masses of this country have for a hundred years been robbed through a protective tariff, and the poor laborer has been fleeced and robbed as thoroughly as anybody else. I have here a Massachusetts paper, the Boston Post. I will read a little extract from it:

The Willimantic (Connecticut) Chronicle printed the following: "The amount of profit apportioned to the stockholders of the Willimantic Linen Company this year is $1,432,000, or 95½ per cent. on the par value of January 1, 1882. The total profit of the stockholders for the past three years is $2,525,000, which is 202 per cent. on the par value of January 1, 1880."

Mr. McPHERSON. Where is that?

Mr. COKE. I take it from the Boston Post. It is stated to have been published in the Willimantic (Connecticut) Chronicle—202 per cent. apportioned to the stockholders in two years. Oh, how eloquent gentlemen were in behalf of American labor when the tariff was pending which would enable this corporation to declare such dividends! All for American labor! That is the cry. Is it the American laborer who owns his six and eight and ten thousand miles of railroad, who owns the palatial mansions, who owns the bank stock, who does the insurance and the carrying and the mining and all that business of this great country? Where do the profits of the tariff go? The consumers pay it. The laborers do not get it, because they are poorer and nearer the condition of the English pauper now than they have ever been before; and yet behind them we see the vast accumulations of wealth such as are unparalleled in the history of the world before.

In the old countries, in England and France and Germany, where the accretions of the centuries under the laws of primogeniture have cast great wealth upon individuals, their wealth is as nothing compared to that which has grown in this country in the last twenty-five years in the hands of a few individuals. Individual energy could not have achieved such results. It has been done by the aid of the Government. The Government, which is the equal property of all, instituted for all, has been perverted from its legitimate mission to the aggrandizement of a few special and favored classes; and it is said to be done in behalf of American labor!

Ah, gentlemen, American labor is honorable. It is patient, it is long-suffering, it is not easily aroused; but mark my prediction, you will hear from it in thunder tones. I will go as far as any individual in lifting up the laboring man and placing him on his feet, in giving good food and good raiment and good wages; but I will not help you to perpetuate what I believe to be a fraud in the laboring man's name in this protective tariff. I would give the American laborer relief in increasing the value of his wages by enlarging its purchasing power. I would increase his comforts by cheapening what he must buy. The protective tariff constitutes the manufacturer his guardian and trustee, with discretion to pay what he pleases, to close the factory when he chooses and throw him out of work. We have the enrichment of the employer and the impoverishment of the laborer as the result. I would make the laborer his own master by taking away the bounty given his employer for him and in his name, and which he has never received or had the benefit of; and I would give directly, without the intervention of faithless trustees, to the laborer himself, under a tariff for revenue only, everything he must buy at one-third its present cost. This no man could take from him, as the tariff bounties have been.

You want more protection when here is the proof that you do not treat your workmen any better or pay them more than the people do against whom you seek protection. Here is the proof; it is incontrovertible. Besides, if there is all the difference you claim between English and American wages, take $100 worth of cotton manufactures, there is $22 of labor in it. Are American wages twice as high as English? If so, then 22 per cent. ad valorem will pay the difference in wages as represented in this cloth. Are they 50 per cent. higher? Then 11 per cent. ad valorem will pay the difference. Are they 25 per cent. higher? Then 5½ per cent. ad valorem will pay the difference.

If there is no difference in wages as Secretaries Blaine and Evarts and Consul Shaw say, then 22 per cent. ad valorem will pay back on this cloth to the manufacturer every cent he has paid for the labor in it. Yet protesting as gentlemen on the other side do, that they seek only to protect American labor by this bill, this cotton schedule runs from 35 to 150 and even 200 per cent., and I will add that this is a representative schedule of the entire bill in this regard. Let honest men of all parties judge for whose benefit it has been so adroitly constructed.

Now, Mr. President, there is no man in this broad country who has greater pride than I in its institutions, in its progress and achievements. There is no man who would less underrate the value of manufacturing and all manufacturing industries than I. I believe strongly in them, and as sincerely that the true road to permanent prosperity for them is to be found in throwing down the Chinese wall which the protective policy has built around this country, which while excluding foreign goods from this country, also excludes our goods from outlets to foreign markets. It is absolutely certain that glutted markets, labor strikes, wage reductions, and all the evils of overstimulated production must overtake us whenever our increase of population shall abate its present unparalleled progress, and that ruin and collapse will follow unless we find outlets to the markets of the world, which we can never do while under an artificial system our products are from 45 to 150 per cent. above the proper cost of production, made so by our tariff. We can never hope for foreign markets until we cheapen our goods so that we may compete with other nations which have no such system of taxation. Now is the time to commence an application of the proper remedy.

I would not have an abrupt reduction of the tariff to a strict revenue basis. I would come to it gradually, as Mr. Clay and Mr. Calhoun agreed to come to it, I believe in 1833, so much a year; come to it gradually, come down to a strictly revenue basis, turn our industries out to competition with the world, just as our people in all other business have to compete with the world, and let them find foreign markets as well as the home market for their products.

In order to do this they must cheapen their product. They can not find a foreign market without it. There is Mexico, right across the Rio Grande, a fordable river, within pistol-shot of the bank in Texas. The English and German merchants, the Englishman especially, under free trade absolutely control the commerce of that country, because under free trade they can carry the Mexicans cheap goods. We have no commerce there. We can sell them nothing; and right here on this continent England has absorbed everything. Although she sends here for her cotton and for the bread and meat to feed her operatives, she sells manufactured cottons all around us; she sells $370,000,000 of cotton goods a year outside her limits all around us, and we sell outside, although the raw material is here at the doors of our manufactories and in the midst of our harvest fields, a beggarly $10,000,000 worth.

Mr. MAXEY. Allow me to suggest to my colleague, in carrying out exactly what he says, that there are hundreds of thousands of English goods which pass through the American port of Galveston and go across the Rio Grande at Laredo into Mexico, crossing American soil, because Mexico can get them cheaper from England than from the United States.

Mr. COKE. Certainly, this is true. All our products are on stilts; put on stilts by this protective policy, with all the raw materials taxed, the elements of manufacture taxed, the machinery taxed, everything taxed, and the consumers must pay the cost; they can not help themselves. The man who swelters under an August sun in the cotton fields of Arkansas and Texas and South Carolina, be he black or white, with his wife and children, and the man who labors in the corn and wheat fields of the great Northwest, pay it because they are consumers. They are taxed in the name of American labor as though they were drones and not laborers, although their agricultural products constitute 83 per cent. of the exports that we send out of this country and compete besides with the products of pauper labor of the world.

Mr. MAXEY. Without which labor the cotton factories of New England would stop.

Mr. COKE. Exactly so. Our people can not avoid this tax, but foreigners can and do; and we can never have a foreign market for our surplus until this thing is changed.

Mr. COKE. But, Mr. President, I say in the interest of the manufacturers themselves you should reduce this tariff to the point proposed by the honorable Senator from Tennessee. We are told by learned men that there are 600,000,000 of people outside of Europe and the United States who make their cotton cloth without the aid of machinery, by hand. Why, Mr. President, for one hundred years the consumers in this country have been paying tribute to this industry. I ask the gentleman to give us a respite; bring down the cost of their goods and appropriate this great market that England every year is making additional inroads upon. That is what we ought to do—cheapen our goods. We ought to drive England and France, and Germany especially, from this continent. We ought to take possession commercially of the markets on our side of the water. And, Mr. President, will our machinery, said in this debate and truthfully to be the best in the world, with skill equal to any in the world, with raw material here at the doors of the factories and cheaper than elsewhere, ought there not to be enough in this to stimulate the ambition of our manufacturers and merchant princes to grasp this great commercial empire?

Mr. President, my views on the subject of laying impost duties, to those who feel any interest in knowing them, are well known. I would not protect a single avocation, a single industry, a single pursuit in all the broad limits of this country, because I can not protect one, as gentlemen use that word, without oppressing somebody else. Protection, as used in this Chamber, and as exemplified in the construction of the pending bill, means oppression, and I always did hate oppression, the oppression, too, of four-fifths for the benefit of one-fifth. I would give the people of these United States good government. I would free them from every dollar of taxation not necessary for the economical administration of the Government. I would give them protection for life,

liberty, and for property against all the world. I would give them a benediction and put them forward in the race of life free people, unoppressed save by that taxation which is necessary to pay the expenses of an economical government.

That is my idea of a tariff, and to my mind the idea that as a nation we need protection against English competition, or any other competition, is the most absurd thing I can imagine. We do not need protection against anybody. The statistics show that we are the greatest manufacturing people in the world; we are ahead of England in the products of manufacturing industry a thousand million dollars; yet we need protection; and who asks it? The same people who own our railways, who own the banks, and the capitalists who own nearly everything in this country. These are the men who come and want more protection. If anybody needed protection it would be the people in the South and West. They work hard for a living, and I say here, that the agricultural class is the poorest fed, the poorest clothed, and the hardest worked class in all this country, receives the poorest remuneration; yet can you find anything in this bill that goes to build up or to relieve that class? No. Every man of them is taxed from his head to his foot, from his birth to his grave, and not a line or an article in all the bill for his benefit.

The Senate has been kind enough, by the aid of some liberal gentlemen on the other side, to prevent the injustice being done us, as the bill as reported provides, of having the cotton-ties needed to tie up our raw material receive an additional tax under this bill which purports to reduce taxation because of the redundancy of the people's money that is flowing into the Treasury. Taxed on everything, they ask for no protection. All they ask is an open field and a fair race. They ask that the heavy hand of the Government be not placed upon them, and that they be not borne down by unjust burdens. The honorable Senator from Rhode Island appeals to Southern Senators to stand by the protective tariff for the interest of the South. Sir, I think we understand our interest in the South on this question.

Reduce this tariff to a strictly revenue basis and you make it necessary to practice all the economies in manufacturing in order to compete with European goods, and the first step in that direction will be to remove the factory to the raw material. Capital for investment in textile manufacturing especially would then flow at once into the South. Iron and steel, which can be made now cheaper in several States of the South, as has been shown in this debate, than in Pennsylvania, especially pig-iron, would be largely manufactured. It is the high tariff and its great margin before the competing point with foreign goods is reached which enables Northern and Eastern manufacturers to monopolize the manufacturing industries of the country so far from the raw material. Take away tariff protection and their capital would at once seek investment in the localities where the raw material is found.

That is my judgment. I believe that a strictly revenue tariff would give us manufacturing industries at the South and throughout the Northwest. I believe that this tariff system causes an unhealthy congestion of industries in a few favored localities. It is abnormal; it is centralizing; and the sooner we restore the equal circulation of all industries and the equal distribution of manufacturing by proper legislation, as we shall restore it by a strictly revenue tariff, the better for the whole country.

Hence it is that I for one as a citizen not only of the South but of the whole country, glorying in the fact that I am an American citizen, desire to see all inequalities created by law removed; every man, and woman, and child, every industry, pursuit, and avocation in this country left alone, subject only to general laws having in view the equal benefit of all.

If we only act upon this idea and levy taxes for the one and single purpose of collecting revenue to support our Government, and take away from the popular mind the impression that when a man wants to get rich he ought to come here to Washington and get a law to make the people buy what he happens to have to sell; let all men understand, to use a homely phrase, that every tub must stand on its own bottom, we will have done much toward the restoration of honest and just and equal government.

Senators have said in this debate, and notably the honorable Senator from West Virginia [Mr. DAVIS], that the Democratic fathers were in favor of protection. He read from Mr. Jefferson and Mr. Madison, and from Polk and Jackson, in proof of his assertion, but did not state that the tariff of the fathers was avowedly for the protection of infant industries and a temporary expedient. He did not recall the historical fact that General Jackson signed the compromise bill of 1833 agreed on between Mr. Clay and Mr. Calhoun, under which the high tariff was by gradual annual reduction to be brought down to an average of 20 per cent. in 1842. Nor did he advert to the fact that under the administration of Mr. Polk, whose great Secretary of the Treasury, Robert J. Walker, chosen with the knowledge that he was the ablest advocate in the Union of a tariff "for revenue only," we had the only strictly revenue tariff the country has ever lived under.

Sir, when the fathers favored protection it was for the great national public purpose of securing, maintaining, and perpetuating the independence of this country, then in its infancy, surrounded with perils on all sides and dependent upon Europe for warlike and other supplies. It was not to enrich monopolists, to erect an aristocracy of wealth, or to favor special interests at the expense of the whole people.

Will the Senator from West Virginia or any other Senator, now when we are confessedly the greatest manufacturing power in the world, when we have the greatest amount of capital of any country in the world, when we have the greatest resources of any country in the world, undertake to say that the reasons which prompted the fathers to enact a tariff law for the protection of "infant industries" exist today? I will quote an old law maxim for the honorable Senator's consideration: "*Cessante ratione legis, cessat ipsa lex*"—the reason of the law ceasing, the law itself ceases.

Not one of the great men who in the early days of the Republic for great national reasons favored protection ever uttered a word that would justify the same policy at the present day, and the effort made to show that the doctrine of protection accords with Democratic faith is utterly repelled by the great fact that under Democratic administrations, after the independence, commercially and in every other way, of the country had been assured and secured, the tariff in 1846 was reduced to a strictly revenue basis, and maintained, then bringing the greatest possible prosperity, until the outbreak of the civil war in 1860, when that party went out of power.

The national Democratic convention at Saint Louis and that at Cincinnati, the two last held, declared the true Democratic doctrine of a "tariff for revenue only." Upon this doctrine the State I have the honor in part to represent stands and will continue to stand immovably. We believe in Texas that the honest earnings of men belong of right to them, except so much as is their just proportion for the support of the Government, and that while our products must compete in the free markets of the world with the products of all other people's, without bounty or protection, that we have a right to buy where we can buy cheapest, subject only to the right of the Government to collect revenues for its support.

We may be wrong in this; the Senator from Georgia [Mr. BROWN], not now in his seat, the Senator from New Jersey [Mr. MCPHERSON], and the Senator from West Virginia [Mr. DAVIS], in believing that we ought to be taxed $5 for the manufacturers for every $1 that goes to the Government, may be right. It is an honest difference of opinion. If I know anything about the people of Texas, they will stand by their convictions on this subject as they ought to do, and as their last Democratic convention in its platform pledges them to do.

Mr. MAXEY. If my colleague will allow me, I will state that when that was passed it was the largest convention ever held in the State, and it was adopted without a solitary dissenting voice and with applause and was indorsed by the whole people.

Mr. COKE. This is unquestionably true.

Mr. President, I said a while ago that I was opposed to protecting any interest, because I believe the protection of any one interest means the oppression of all the rest. I do not believe that the constitutional power exists in Congress to discriminate purely for protection. Congress has the constitutional power to levy impost duties. I admit that Congress may constitutionally within the revenue standard discriminate; but I hold that such discrimination is to the last degree inexpedient and unwise, with the single exception of a discrimination against admitted luxuries. I would discriminate in favor of nobody, in favor of nothing, for protection. I would raise revenue for the Government in every legitimate way without discriminating for protection; and when you discriminate for protection you have to resort to arguments which were used a hundred years ago and which are utterly inapplicable to this time.

If the Senator from Missouri claims protection for lead and zinc because they are in his State, and the Senator from Michigan claims protection for lumber because that is the interest of his State, and the Senators from Texas claim protection for wool because it is an interest of their State, and the Senators from Pennsylvania protection for iron because that is a Pennsylvania interest, when you get through the roster and have made up your bill you have a high protective tariff which robs and plunders four-fifths of the people in the interest of one-fifth. There is but one way to avoid this result, and that is for the Government to set its face like flint against discriminating for the protection of anything or anybody, any pursuit or any industry.

Any attempt at protection even within the revenue standard has invariably resulted in an omnibus protection bill, under which all the people have been robbed for the benefit of the favored few. The "you tickle me and I tickle you" log-rolling process has always been and always will be the inevitable result of discriminating for protection. The highest protectionist on the other side of the Chamber claims, to favor only a revenue tariff, but protection within that limit. The Senator from one State will vote for protection to the interests of other States in order to secure votes for the interests of his State. The special interests desiring to fatten at the public expense will combine, and their united influence extending over the whole country, though not embracing one-fifth of the population, will be omnipotent unless the people who are to be plundered can be aroused, which can with difficulty be done.

I read from a speech made by myself on this subject on the 8th of Feb-

ruary last, in this Chamber, to show how rapidly after the taste of plunder is once had the demands of protected cormorants grow:

So it was in 1789, when the first tariff law was passed, with an average ad valorem duty of 8½ per cent., its operation limited to 1796, avowedly "to give our infant industries a start," and only temporary. The very next year tariff duties were raised to an average of 11 per cent. In 1792 they were raised to 13½ per cent. In 1816 the average rate of duties was 30 per cent. under additional legislation which had been passed in the mean time. Under the tariff of 1824 they were raised to an average of 37 per cent., and under the act of 1828, just forty years after the first tariff law had administered an aliment of 8½ per cent. as a purely temporary expedient to our "infant industries," the rations of that "infant" were increased to an average of 41 per cent. It is always thus with industries taken out of the pure, bracing atmosphere of free competition and healthy, hardy self-reliance, into the hot-house of Government protection, to be fed on the stimulus of Government bounty—the cry forever is "More! More!" On the 14th of July, 1832, the tariff was again remodeled in the interest of high protection, and out of this act grew the South Carolina nullification troubles.

I oppose discrimination for protection because it is impossible to discriminate, it is impossible to recognize that any industry has a right to Government aid without surrendering the people to be plundered at will. The present tariff law is an example of what follows a recognition of the right to demand protection in laying impost duties. Under it the people have been despoiled of billions upon billions of dollars. The pending bill is equally bad, based upon as it is and in many instances worse than that proposed by the Tariff Commission, a body of men appointed in the interest of the protected classes and in which the consumers had no representation. This bill is a fraud and a sham. It reduces slightly some of the duties which were prohibitory but not enough to produce revenue, for they are still left in most cases prohibitory.

It may reduce revenue, but does not diminish the burdens of the people, only puts more money into the pockets of the manufacturers. Its classifications are adroitly made to conceal and cover up in many instances instead of disclosing their true intent and purpose. It is sought to force it through in the expiring hours of a Congress which has been repudiated by the people, in order to forestall the next Congress from giving real relief to the 40,000,000 of consumers of this country. I would give one word of advice, whether this bill becomes a law or does not, and that is, to continue the agitation of this question, its discussion; continue to show to the people how they are being plundered under the forms of law, and continue to demand of your representatives a return to a tariff for revenue only. Victory will crown your efforts if they are persistent.

Mr. HOAR. Mr. President——

Mr. HAWLEY. Will the Senator from Massachusetts allow me to make a single correction of something said by the Senator from Texas?

Mr. HOAR. I rose for the same purpose. However, I yield to the Senator from Connecticut.

Mr. HAWLEY. I wish to call the attention of the Senator from Texas who has just addressed us to a statement he made concerning a manufacturing establishment in my State. I understood him to say that it divided 200 per cent. in the last two or three years.

Mr. COKE. I read from the Boston Post.

Mr. HAWLEY. What was the exact figure? Was it 200 per cent. of dividend?

Mr. COKE. I will read it exactly as I did before:

The Willimantic (Connecticut) Chronicle printed the following: "The amount of profit apportioned to the stockholders of the Willimantic Linen Company this year is $1,432,000, or 95½ per cent. on the par value of January 1, 1882. The total profit of the stockholders for the past three years is $2,525,000, which is 202 per cent. on the par value of January 1, 1880."

Mr. HAWLEY. That company has been enlarging its capital, calling in subscriptions, and building a new business. As to the extent of the profits, that is a comic-almanac exaggeration. I would not print it if I were in the Senator's place.

Mr. HOAR. Mr. President, the Senator from Texas has made a speech in which he has complained that the people in his State are taxed; that they want no protection, and they do not want to be taxed for the protection of other people. He claims that they pay an enormous tax for the benefit of the manufacturers of other sections of the country, and as for him and the people of Texas expressing their voice through the Democratic convention, they are for a tariff for revenue only. He says they can raise their sugar, their cotton, their wool, &c., without any protection. That Senator voted for a protection on sugar——

Mr. COKE. Mr. President——

Mr. HOAR. Let me finish my statement. The Senator will have a chance to reply.

Mr. COKE. I think it due me——

Mr. HOAR. That Senator voted for protection on sugar, only saying that he did it for revenue only, at the rate of nearly or quite 50 per cent. on the dollar ad valorem, between 40 and 50 per cent.

Mr. COKE. Will the Senator accord me the same courtesy that I accorded him?

Mr. HOAR. When I get through with my statement. The Senator desired to complete and did complete his statement before he yielded to me. I am going to state the point and then I will accord the Senator the floor.

If the amount of protection on sugar which the Senator from Texas says he votes for revenue simply were applied to all the products of this country, you would levy on the manufacturing products of the country alone $2,650,000,000 a year, and taking the entire product of every form of industry in the country, you would raise at that rate undoubtedly more than $20,000,000,000 a year. Yet the Senator covers up that protection to the industry of his State by saying it is something he does for revenue only.

Before a single manufacturing establishment in New England can work up a pound of wool into cloth it pays every year a tribute of $4,000,000,000 to the State of Texas alone; and yet the Senator undertakes to tell us that he and his people do not want any protection and do not get any, and the things that are done for them are done for revenue only.

Mr. COKE. Mr. President——

Mr. HOAR. If the Senator wishes to correct any statement I have made, I will yield to him. I do not yield, of course, for an argument. I will yield the floor for two minutes.

Mr. COKE. I simply desire to say that the Senator is utterly mistaken in attributing to me an intention to protect any interest in voting for a duty on sugar. Ninety per cent. of the sugar used in this country is imported. It goes through the custom-house, pays duty to the Government, and it goes out and is paid for by the consumer. The consumers pay the duty, it is true a large duty, but $9 out of every $10 that is paid goes to the use of the Government. I call that a strictly revenue duty. I disclaim the idea of intending to protect anything or anybody; my purpose was only to raise revenue in voting for the duty on sugar.

Mr. HOAR. I understand the Senator merely repeats what he said yesterday. I am testing whether the Senator deceives himself and whether it is not the fact that the sugar industry is in his neighborhood and is extending into his State which brings him and his people to the result.

Mr. COKE. If the Senator will permit me, I will state that there are only ten sugar plantations in Texas.

Mr. HOAR. I know; but the Senator expects a great many in the course of years, and he expects them to grow up; he spoke of it as one of the industries of his State. I say the Senator deceives himself, and he is a marvelous instance of self-delusion when he believes, as he undoubtedly and honestly does, that he has voted for a sugar tax of from 40 to 50 per cent. for revenue only and not to protect that industry in his neighborhood, when the logic of that, if it were a vote for revenue only, would require him to vote to raise on the manufactured products of this country at least $2,600,000,000 a year, and over $20,000,000,000 if it was extended to all products.

Is there any reason, if we are taxing for revenue only, why we should not tax one product of human industry, one man's property, one man's result, at the same ad valorem rate as every other man's? It makes no difference to me whether I am to buy a barrel of sugar that came through the Boston custom-house, or whether I am to buy a barrel of flour that came to Boston from the West, if it is revenue only and you tax one and not the other for the sake of protection.

There is not, as I said, a pound of wool worked up in a Massachusetts factory that the people of New England do not pay, before they do that, every year $4,000,000 to protect the wool of the State of Texas, and I have not heard of a motion from that State to put wool on the free-list. Is that revenue only?

Mr. COKE. If the Senator will allow me——

Mr. HOAR. Is that revenue only?

Mr. COKE. If the Senator will allow me, I wish to make a proposition.

Mr. HOAR. I am making my argument now.

Mr. COKE. If you will vote to put the manufactures of wool at 25 per cent., I will vote to put wool on the free-list.

Mr. HOAR. Does the Senator's vote depend upon other men's votes, or does he vote what he thinks right himself? Suppose we do not vote to put the manufactured woolens at 25 per cent. ad valorem, then he votes to keep wool on the tariff and protect it, and his vote is a protectionist vote and he represents a largely protected State clinging, whatever may be its professions, to its policy of protection. I do not mean to impute to his constituents or to him anything but a delusion in their own mind. They are an honest people.

Mr. FRYE. If the Senator will allow me a word right there, I do not believe there is a woolen manufacturer in New England who would not accept with the utmost pleasure the proposition of the Senator from Texas—25 per cent. on woolen goods and wool free.

Mr. HOAR. I rose for the sake of calling the Senator's attention not only to the case where he has misled himself but to the marvelous manner in which somebody else has misled him. He undertook to say to the Senate that Mr. William M. Evarts, late Secretary of State, had made in a letter to which he referred the declaration that the wages of the English laboring classes were as good or better than ours in regard to one class of manufacturing industry; and that the purchasing power of the English laborer's wages was considerably greater there than the purchasing power of the corresponding amount in this country. The Senator did not have the letter of Mr. Evarts before him. He read some sentences culled out by somebody else from their proper context, and those sentences certainly misled him. Let me read just where the

Senator stopped when he spoke of it. It is true that Mr. Evarts says in that statement that the English laborer has more food and better food than he had twenty years ago; that he gets more meat, three times as much; but whether that meat was then once in six months or once a month he does not state. Here are the sentences before and after the sentence which the Senator from Texas has read. Here is an extract from the consul at Bristol. Mr. Evarts says, speaking of some workmen having gone back to England:

The few Americans who did go were repaid for their venture by much humiliation and suffering, as the many reports from our consuls in England have testified; so that there is scarcely any need to refute the foregoing fallacy by any further consular testimony; but the consul at Bristol puts the question in so graphic a manner that I can not refrain from quoting his words:

"No laborer should allow himself to be enticed, by imagining that he could better his condition by leaving the United States to return to his native country, if born in Europe. A number of such laborers and also some mechanics have, during the last two years, called upon this consulate for help to get back to the United States, cursing the day when they left America for Europe, where neither milk nor honey is flowing. Compared with Europe, the United States is a paradise for a sober and faithful workingman."

Then follows the sentence which the Senator read. Here is what Mr. Evarts adds in the next sentence:

There would seem to be no disposition to lay anything by for the "rainy day," the English workingman never stinting himself in his food, as on the continent, for the purpose of laying by a reserve. This disposition of living each day in itself—coupled with the periodic strikes, which break up the even run of wages and bring so much suffering to his wife and children—renders the life of the English workingman a spasmodic struggle for existence; and it may be doubted whether the family of the average English laborer or mechanic is any better off, year in and year out, than the family of the German or French laborer or mechanic.

Then, after dealing with England still further, he comes to Ireland, and here is what he says of the food and food-prices there:

In regard to the food-prices in Ireland and in the United States it is enough to say that the principal part of the food used by the workingmen of Ireland comes from the United States.

In regard to the manner and cost of living of the working people, the consul at Cork says:

"The food is made up of a selection from tea, bread, oat-meal, potatoes, dried fish, and among the poorer classes a coarse Indian meal instead of oat-meal, at an average expense to each person of 14 cents per day. The mechanic pays something more for his lodging, but in other respects his living is the same as the laborer."

The consul at Londonderry writes:

"The food of all laborers here is Indian meal (principally), oat-meal, potatoes, and bacon next. Tea may be said to be in universal use."

With wages almost equal to those paid in England and Scotland, the food of the working people of Ireland is much inferior to the food of the English working people, lacking the solidity of meat, cheese, beer, &c., consumed in such comparatively large proportions by the latter.

Then he comes to Scotland:

In regard to the manner of life of the agricultural laborers I would specially refer you to that part of Consul Robeson's report which treats upon this subject. Their food consists of oat-meal, milk, and potatoes, with a little meat and beer sometimes added. The consul remarks that were it not for extravagance in dress the Scotch farm laborers could save considerable money, and that on the whole they are the opposite of saving and thrifty.

In turning from the agricultural to the mechanical and manufacturing classes in the great trade centers of Scotland, it will be noted by comparison that wages seem to be a trifle higher than the rates prevailing in England; but if the great depression in the manufacturing interests of Scotland are taken into consideration, together with consequent short time and enforced idleness, it might be questioned whether the average rates of wages in Scotland would equal those of England.

Then he gives the weekly wages paid in Scotland, having given England and Ireland and the cost of food, after which he says:

While the foregoing table shows the rates of wages in New York and Chicago to be on an average once and a half as much as the rates in Scotland, the prices of the necessaries of life are higher in Scotland than in the United States.

The honorable Senator stated that the British merchants and manufacturers under free trade were extending into Mexico. I dare say it is true, and if the policy which the Senator advocates were pursued they would make a Mexico of the whole of the United States.

Mr. COKE. I suggest to the Senator before he sits down that he has confined his remarks solely to what Mr. Evarts said. I also quoted Blaine. I should like to hear him on that point.

Mr. HOAR. I have not referred to Mr. Blaine's letter; and if the Senator quoted that as accurately as he did Mr. Evarts's I do not think I need to do so.

Mr. COKE. I read from both of them the very language.

The PRESIDING OFFICER (Mr. WILLIAMS in the chair). The question is on agreeing to the amendment of the Senator from Tennessee [Mr. HARRIS].

Mr. BECK. Before the vote is taken I desire to place on the record again so that there can be no mistake about it, in answer to all the argument that has been made as to the necessity of an increase of taxation upon a higher grade of goods, and the necessity of keeping up the present rate on cotton thread, yarns, &c., what the manufacturers of New England themselves have said in regard to this matter, and which was laid officially before the House of Representatives, when they furnished their schedule and sent it there by General Banks, stating that upon their thread, yarns, warps, &c., they asked and consented to a reduction of 20 per cent. ad valorem, and the present rate is 47 per cent. I read the schedule they furnished presented by General Banks, which he said was given to him by more than 120 corporations and firms of woolen and cotton manufacturers of their own choice and after repeated conferences representing all the interests of the textile fabrics of this country.

Again, and this answers the Senator from Ohio, the Senator from Rhode Island, and the Senator from New Jersey, who have been demanding in the name of labor an increase from 35 per cent. up to 45 per cent. upon the higher classes of these goods, he laid before the House a proposition to reduce the duty on cotton cords, gimps, galloons, and cotton laces 5 per cent. from the present rate, 35 per cent., asking the duty to be reduced to 30, now made 45 per cent. by this schedule. On cotton shirts, drawers, hosiery, &c., the present rate being 35 per cent., he asked a reduction of 5 per cent. ad valorem; on cotton velvet, rated at 35 per cent., a reduction of 5 per cent. ad valorem; on cotton braids, insertings, lace, trimmings, bobbinet, and all manufactures of cotton, at a present rate of 35 per cent. ad valorem, he desired that to remain; and then comes the exception that these gentlemen have clamored so to raise to 45 per cent. to keep the American laborer from starving.

Five years ago, when their machinery was not as good as it is now, when they were not as well off as they are now, for it was at the close of the five years, I think, from 1873 to 1878, when bankruptcies were increasing all over the land, they laid this proposition down and the only exception made in relation to the proposed reduction of duties was the braids, laces, trimmings, or bobbinets, "comparatively new, delicate, difficult, and expensive fabrics; and other manufactures of cotton not otherwise provided for in the schedule of the manufactures they propose shall remain at present rate, 35 per cent. ad valorem." Yet I have been told twenty times to-day on the floor that unless we increase the present rate from 35 per cent. to 45 per cent. we are laboring in the interest of English operators, of importing houses, and disregarding the interests of the laboring men of this country, and it is asserted that these one hundred and twenty firms in New England, in the schedule they themselves furnished five years ago, did not know what they wanted, and were themselves in the interest of foreign importers and English paupers when they demanded a reduction of 5 per cent. upon all these things that it is sought now to put at 45 per cent., or an increase in the duty of 28 per cent. over the present rates, when those manufacturers demanded a reduction to 30 per cent. upon all but one grade and asked that that might be allowed to remain as it was.

I said this morning that I believed in ding-dong. That is the third time I have put that in the RECORD. The country will understand it and will understand that the manufacturers do not desire to have this proposed increase made; and that it is only a body of men here who are determined to make the American consumer pay more than the New England manufacturer even asks or demands for all these classes of goods.

Mr. ALDRICH. Mr. President, I have heard the Senator from Kentucky make the statement which he now makes as many as three or four times since I have been a member of the Senate.

Mr. BECK. Yes, I have read it from the official statements.

Mr. ALDRICH. I hold in my hand a copy of the schedule prepared by certain manufacturers in New England in 1878, and which was sent by them to the Committee of Ways and Means of the House of Representatives.

Mr. BECK. In what year?

Mr. ALDRICH. In 1878.

Mr. BECK. This was in 1878, May 14, laid officially before the House by General Banks, taken from the RECORD.

Mr. ALDRICH. The report to which I refer is dated December 31, 1877, and the duties proposed by the schedule were higher than that of the committee now reported and before the Senate. On fine cotton yarns, it is true, that the first statement sent by these manufacturers did put a lower rate than the bill now before the Senate, but these people themselves, by a supplemental report and a supplemental request to General Banks, the evidence of which I hold in my hands in two letters, proposed a schedule in behalf of the manufacturers which was higher than the rates which we now ask the Senate to adopt. I will not stop to read the letters, but I will put them in the RECORD as proof that the manufacturers themselves at that time asked a greater rate of duty upon fine cotton yarns than is now proposed in this bill, and they also asked a higher rate of duty on the whole schedule of cotton cloth than we now propose in this bill.

The papers submitted by Mr. ALDRICH are as follows:

BOSTON, *January* 12, 1878.

DEAR SIR: I have your favor of the 11th instant. I had thought of the same plan as you suggest, *i. e.*, an increase of the specific duty, if the ad valorem duty was done away with; but it was under the impression that a serious reduction was to be made, with too little regard to the necessities of the case, that I suggested the retention of merely the present specific duty. I saw yesterday Mr. Barrows, of the Willimantic Linen Company, and he said he had seen Mr. Wood, and that after explaining the case to him Mr. Wood expressed himself as satisfied if only a small reduction were made. The Willimantic Linen Company propose that the ad valorem duties on both yarn and spool-cotton be done away with, and that the duty on 100-yard spool-cotton be 9 cents per dozen, and on 200-yard 18 cents; that the duties on yarns be as follows:

On yarn valued at 40 cents and under, 15 cents per pound.
On yarn valued at over 40 cents and under 60 cents, 25 cents per pound.
On yarn valued at over 60 cents and under 70 cents, 35 cents per pound.
On yarn valued at over 70 cents and under 80 cents, 45 cents per pound.
On yarn valued at over 80 cents, 60 cents per pound.

This seems to be a satisfactory schedule of rates to apply to the present clauses of the act as it now is in force. I think it will be best to advocate the schedule

of rates here stated, as suggested by the Willimantic Linen Company. They are entitled to a careful consideration by the United States as well as yourself, and both of you have a claim above that of either Clark or Coats, it seems to me.

Perhaps you can see or write to N. P. Banks on the subject. He is on the subcommittee, and I propose to write to him.

Yours, truly,

ARTHUR T. LYMAN, *Treasurer.*

TIMOTHY MERRICK, Esq., *Treasurer.*

I think the duty should be so much per hank, but in the present state of the civil service I do not believe this could or would be applied properly.

BOSTON, *January* 12, 1878.

DEAR SIR: A paper signed by many of the largest cotton manufacturing companies in this region; addressed to the chairman of Committee on Ways and Means, has been sent to you, and, at Mr. Dalton's request, I suggested a rate for reduced duties on spool-cotton and cotton yarns, warps, thread in skein, &c. Presuming that a heavy reduction would be insisted upon, I suggested that, if such reduction must be made, the ad valorem duties might be done away with. I was well aware that this left too low a rate for the adequate protection of the fine cotton yarn and fine thread trade, but signed the paper for the reason stated, and without having time to consult with the Willimantic Linen Company and the other spinners of fine yarns, as the signatures were wanted at once, and I was the only spinner near Boston interested in this particular clause of the present tariff. I should have suggested, what I find the Willimantic Linen Company has suggested, that the specific rates be slightly increased, while the ad valorem rates were done away with, except that I did not suppose that any, even nominal, advance in rate would be considered. I inclose a paper from the Willimantic Company giving the rates suggested by them. These rates I approve of. They are less than the present total rate, and in fine numbers certainly none too high for the purpose. I think that if the recent tariff acts had not actually forced over to this country the fine spinning now running here the question would be quite different. What is stated in the Willimantic Company's circular inclosed is substantially correct, only I believe that with free trade the six-cord thread, like many other things, would be very much lower; it can not be made in this country as cheap as in England. This, however, is not the point under consideration. The signers of the paper sent to you are chiefly, as you are well aware, makers of cloth, using what we in the thread and fine-yarn trade consider coarse yarns (14's to 30's largely, averaging, I suppose, under 20's). They have a slight advantage in cotton over the English manufacturer, and but little disadvantage in their plain fabrics in the matter of wages, whereas in fine work we have a very heavy disadvantage in the matter of wages and the supply of skilled operatives, and we also have a decided disadvantage in the matter of cotton, the Liverpool market offering a great variety of long-staple cotton fit for fine numbers, while there is practically no such market at all in this country. I have suggested striking out the phrase "not wound upon spools" in the yarn clause of the act, because it has been held by the custom-house that warps, &c., wound on immense spools (about two feet long) were articles not provided for, and paid only 35 per cent. Thread for winding in this country on to small spools for spool-cotton has been so imported. I think there should be no reduction in the rate on articles of cotton not otherwise provided for, because the imported articles are so complicated in their character that something clearly intended for a definite duty may by some change in mode of manufacture or method of putting up be apparently excluded from its proper place (as in the case of warps on spools) and be thrown among articles not otherwise provided for, and as the acts enter into great detail, it can be no hardship to have a decidedly high rate for unspecified articles. The Willimantic Linen Company, the Merrick Thread Company, the Coats (Conant) Thread Company, and George A. Clark & Brother all spin fine yarns, but wholly for use in thread. I also spin fine yarns for thread, but a large part of my business is making fine warps. In this branch they have perhaps a greater advantage in England than in thread, but I should be satisfied with the rates suggested in the circular of the Willimantic Linen Company herewith. They have put it "thread yarn valued, &c.," because that alone is what they were considering; the rates apply of course to the whole of clause 28 of section 2504. All of these matters are closely tied together. The demand for warps is chiefly for dress goods, alpacas, &c., large new industries started here by the tariff, and needing decided protection if to be carried on here. What I have said, with the inclosed papers, gives, I believe, the true state of the case. Personally I do not believe in the system of protection, but whatever be the correct theory, the actual state of the industries of the country, and the circumstances under which they have arisen, must be taken into consideration.

Yours, respectfully,

ARTHUR T. LYMAN,
Treasurer of Hadley Company.

Hon. N. P. BANKS, *Washington, D. C.*

Mr. BECK. I will again put side by side with that General Banks's proposition made to the House of Representatives, he himself being a member of the Committee on Ways and Means, proposing to make a reduction to 30 per cent. upon all these things, the goods that Senators now propose to make pay 45 per cent., and the two statements can go side by side. Here it is:

The following is a schedule of the reductions proposed by New England manufacturers:

The plan proposed by New England manufacturers in the schedule to which I have referred, and which I have not time to read at length, as I should like to do, suggests reduction of duties on the various fabrics of their manufacture substantially as follows:

1. On all manufactures of cotton except jeans, denims, &c., not bleached, colored, or printed, &c., and not exceeding one hundred threads to the square inch, present rate 5 cents, 5¼ cents, 5¼ cents specific, and 10 per cent. ad valorem, a reduction of 50, 45.45, and 27.27 per cent., and 10 per cent. ad valorem.
2. On finer and lighter goods of like description and present duties nearly the same a reduction of 40, 36.35, 18.18, and 20 per cent. ad valorem.
3. On goods of like description of higher qualities, present duty nearly the same, 20, 18.18, and 20 per cent. ad valorem.
4. On jeans, denims, drillings, ginghams, &c., bleached, stained, or printed, a reduction of 50, 46.15, 30.75, and 10 per cent. ad valorem.
5. On similar goods of lighter and finer descriptions a reduction of 28.57, 20, 15, and 5 per cent. ad valorem.
6. On cotton thread, yarn, warps, &c., 20 per cent. ad valorem.
7. On spool-thread of cotton a reduction of 30 and 35 per cent. ad valorem.
8. On cotton cords, gimps, galloons, and cotton laces, present rate 35 per cent., a reduction of 5 per cent. ad valorem.
9. On cotton shirts, drawers, hosiery, &c., present rate 35 per cent., a reduction of 5 per cent. ad valorem.
10. On cotton velvet, present rate 35 per cent., a reduction of 5 per cent. ad valorem.
11. On cotton braids, insertings, lace, trimmings, bobbinet, and all manufactures of cotton, at present rate, 35 per cent. ad valorem.

The last is the only exception made in relation to the proposed reduction of duties; they are braids, laces, trimmings, or bobbinets, comparatively new, delicate, difficult, and expensive fabrics; and other manufactures of cotton not otherwise provided for in the schedules of the manufacturers they propose shall remain at present rate, 35 per cent. ad valorem.

Mr. ALDRICH. The only reduction to which General Banks alluded was a taking off of the ad valorem duty, which was 10 per cent. in one case and 20 per cent. in certain other cases.

Mr. BECK. There can be no dispute about his language. He says:

The following is a schedule of the reductions proposed by New England manufacturers.

Mr. ALDRICH. The reduction to which the Senator alludes was on cotton cloth, and, as I have already shown this morning, the reduction proposed by the committee bill is over 60 per cent. on the same goods.

Mr. BECK. "Threads and yarns," it is all there. I am willing to let it stand on the record.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee [Mr. HARRIS].

Mr. HOAR. I ask for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. BECK (when his name was called). I am paired with the Senator from Maine [Mr. HALE], and I will withhold my vote to see if he enters the Chamber before the roll-call is concluded.

Mr. VANCE (when Mr. CALL's name was called). The Senator from Florida [Mr. CALL] is paired with the Senator from Iowa [Mr. MCDILL].

Mr. HAMPTON (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN].

Mr. HARRIS (when his name was called). I am paired with the Senator from Michigan [Mr. FERRY], but the Senator from Delaware [Mr. SAULSBURY] being absent I have transferred the pair to him. I vote "yea."

Mr. HILL (when his name was called). I am paired with the Senator from Arkansas [Mr. WALKER].

Mr. MCPHERSON (when Mr. JONAS's name was called). The Senator from Louisiana [Mr. JONAS] is paired with my colleague [Mr. SEWELL]. The Senator from Louisiana would vote "yea" and the Senator from New Jersey would vote "nay."

Mr. ROLLINS (when Mr. KELLOGG's name was called). The Senator from Louisiana [Mr. KELLOGG] is paired with the Senator from Florida [Mr. JONES].

Mr. FRYE (when Mr. MCDILL's name was called). The Senator from Iowa [Mr. MCDILL] is paired with the Senator from North Carolina [Mr. VANCE].

Mr. RANSOM (when his name was called). I am paired with the Senator from Minnesota [Mr. MCMILLAN].

Mr. ROLLINS (when his name was called). I supposed that the Senator from Louisiana [Mr. KELLOGG] was not paired, and I transferred to him my pair with the Senator from Florida [Mr. JONES]; but I understand he is paired with the Senator from Oregon [Mr. SLATER]; therefore I announce my pair with the Senator from Florida [Mr. JONES]. The Senator from Louisiana [Mr. KELLOGG] is paired with the Senator from Oregon [Mr. SLATER].

Mr. SAWYER (when his name was called). I am paired for the time being with the Senator from California [Mr. FARLEY]. I have a right to vote if my vote shall be necessary to make a quorum, however.

Mr. SLATER (when his name was called). I am paired with the Senator from Louisiana [Mr. KELLOGG] for the evening. If he were here, I should vote "yea."

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Nevada [Mr. JONES] temporarily.

The roll-call was concluded.

Mr. VANCE. As heretofore announced, the Senator from Florida [Mr. CALL] is paired with the Senator from Iowa [Mr. MCDILL].

Mr. HARRISON. I am paired with the Senator from Mississippi [Mr. LAMAR]. If he were present, I should vote "nay." I have a right to vote if there is no quorum.

Mr. ROLLINS. There is not near a quorum.

Mr. SAWYER. I vote "nay," to make a quorum.

Mr. PLUMB. I am paired with the Senator from Missouri [Mr. VEST].

Mr. SAWYER. The Senator has a right to vote to make a quorum?

Mr. PLUMB. Yes.

Mr. SAWYER. There is not a quorum voting.

Mr. ROLLINS. I transfer my pair with the Senator from Florida [Mr. JONES] to the Senator from Kansas [Mr. INGALLS], and vote for the purpose of making a quorum.

Mr. HARRISON. I am told there is no quorum voting, and under my arrangement I have a right to vote under those circumstances. I therefore vote "nay."

Mr. HARRIS. I hope every Democrat who is paired will vote to make a quorum. This way of voting on one side of the question while the other side is absolutely silent because of pairs I do not quite like. I hope as gentlemen are voting to make a quorum on the other side of the Chamber the gentlemen upon this side will also be allowed to vote.

Mr. ALLISON. I hope the Senator from Tennessee will vote to make a quorum.

Mr. HARRIS. I have voted, but my pair has been transferred.

Mr. ANTHONY. Has any Senator on this side voted to make a quorum where it was not in the compact that he was to vote if his vote were necessary to make a quorum?

The PRESIDING OFFICER. The Chair does not undertake to decide that question.

Mr. ROLLINS. I voted after transferring my pair to another Senator.

Mr. PLUMB. I suppose under the usage here I should have the right to transfer the pair which I have with the Senator from Missouri [Mr. VEST] to some other Senator, for the purpose of voting to make a quorum, although I understand I might have that right any way by the agreement as made. I transfer the pair to the Senator from Nevada [Mr. JONES].

Mr. ROLLINS. The Senator from Nevada [Mr. JONES] is paired with the Senator from Kentucky [Mr. WILLIAMS].

Mr. PLUMB. As a pair has been arranged between the Senator from Nevada and another Senator, I refrain from voting.

Mr. BECK. I insist on the result being announced. I shall protest against the pairs being broken in this way. I am paired, and I can not honorably vote. I am paired with the Senator from Maine [Mr. HALE].

Mr. HOAR. Has any Senator voted to make a quorum who had not reserved the right to do that?

Mr. HARRISON. Does the Senator from Kentucky intimate that any Senator who was paired has voted to make a quorum unless where the right was expressly stipulated?

Mr. BECK. Not at all.

Mr. HARRISON. Then why is the Senator talking about our violating our pairs?

Mr. BECK. I am not speaking about any individual Senator.

The PRESIDING OFFICER. Debate is not in order.

Mr. BECK. We have a *bona fide* bare majority in the Senate, and we can not transact business without a quorum on any such arrangement as that.

Mr. HOAR. I rise to a point of order.

The PRESIDING OFFICER. This debate is not in order.

Mr. HARRIS. Let the result be announced.

The PRESIDING OFFICER. The question of pairs is a matter of honor between Senators which the Chair can not decide.

Mr. SAWYER. I will state that I was paired——

Mr. COCKRELL. I insist that the list be called and the result announced.

Mr. SAWYER. But the right was expressly reserved——

Mr. COCKRELL. I insist that the list shall be called, and that excuses be made afterward. Let us have some order.

The Acting Secretary read the names of Senators voting "yea" and "nay" respectively.

Mr. RANSOM. I am paired, as I stated during the roll-call, with the Senator from Minnesota [Mr. MCMILLAN], but I feel under the circumstances, and I know that he would be satisfied with it, that I have a right to vote to make a quorum, as other Senators have done. I vote "yea."

Mr. ALLISON. The Senator from Maine [Mr. HALE] is absent necessarily for a little while, but will soon return. On his behalf I release the Senator from Kentucky [Mr. BECK] from his pair, so that he may vote.

Mr. BECK. I am paired with the Senator from Maine [Mr. HALE] without any reservation.

The result was announced—yeas 13, nays 24; as follows:

YEAS—13.

Barrow,	Coke,	Maxey,	Vance.
Bayard,	George,	Morgan,	
Call,	Harris,	Pugh,	
Cockrell,	Jackson,	Ransom,	

NAYS—24.

Aldrich,	Davis of Ill.,	Harrison,	Morrill,
Allison,	Davis of W. Va.,	Hawley,	Platt,
Anthony,	Dawes,	Hoar,	Rollins,
Blair,	Edmunds,	Lapham,	Sawyer,
Cameron of Wis.,	Frye,	McDill,	Sherman,
Conger,	Gorman,	McPherson,	Tabor.

ABSENT—39.

Beck,	Grover,	Lamar,	Saunders,
Brown,	Hale,	Logan,	Sewell,
Butler,	Hampton,	McMillan,	Slater,
Camden,	Hill,	Mahone,	Van Wyck,
Cameron of Pa.,	Ingalls,	Miller of Cal.,	Vest,
Fair,	Johnston,	Miller of N. Y.,	Voorhees,
Farley,	Jonas,	Mitchell,	Walker,
Ferry,	Jones of Florida,	Pendleton,	Williams,
Garland,	Jones of Nevada,	Plumb,	Windom.
Groome,	Kellogg,	Saulsbury,	

The PRESIDING OFFICER. There is not a quorum voting.

Mr. EDMUNDS. Call the Senate according to the rule, Mr. President.

The PRESIDING OFFICER. The Secretary will call the roll.

The Acting Secretary called the roll and the following Senators responded to their names:

Aldrich,	Conger,	Hawley,	Pugh,
Allison,	Davis of Ill.,	Hill,	Ransom,
Anthony,	Davis of W. Va.,	Hoar,	Rollins,
Bayard,	Dawes,	Lapham,	Sawyer,
Beck,	Edmunds,	McDill,	Sherman,
Blair,	Frye,	McPherson,	Tabor,
Call,	George,	Morgan,	Vance,
Cameron of Wis.,	Hampton,	Morrill,	Williams.
Cockrell,	Harris,	Platt,	
Coke,	Harrison,	Plumb,	

The PRESIDING OFFICER. Thirty-eight Senators have responded to their names—not a quorum.

Mr. EDMUNDS. I move that the absent Senators be sent for.

Mr. CAMDEN appeared and recorded his name as present.

The PRESIDING OFFICER. A quorum is now present.

Mr. EDMUNDS. I withdraw the motion, there being a quorum. Let the roll be called over again on the amendment.

Mr. BECK. It is not in order to call the absent Senators. It is obvious (and that was all I meant to say) that there is not an unpaired quorum in the Senate; and when we are dealing with paragraphs in this tariff bill involving hundreds of thousands of dollars, if not millions, a pair with a reserved right on one side to vote on the absence of the other who would vote on the other side can not by any possibility give a fair expression of the vote on that side. If a call of the Senate can be proceeded with so that gentlemen who are paired can be brought back, then the vote will be cast and counted according to the wishes of the Senate.

I did not mean to reflect on any gentleman unkindly when I said that this was unfair. If, for example, I should vote in the absence of the Senator from Maine, who is necessarily absent, it would be one more vote for the proposition of the Senator from Tennessee, and that might be the casting vote, and carry the measure merely because of my voting to make a quorum, whereas if he were here his vote would defeat it. I should not feel that that measure had been fairly carried by my voting in his absence and carrying a measure that I knew he would prevent if here. It was only for that reason that I wanted to have a quorum of unpaired Senators.

Mr. ALLISON. I desire to say that knowing the necessary absence of the Senator from Maine, knowing his views on the general subject in reference to this bill, I feel justified in absolutely releasing the Senator from Kentucky from the pair.

Mr. BECK. I ask the Senator from Iowa this one question: If the roll-call was a tie and my vote was the deciding one in the absence of the Senator from Maine, and that vote made a quorum, does he think I should be right in voting?

Mr. ALLISON. That does not happen to be the case.

Mr. BECK. It might be the case.

Mr. ALLISON. It might be; and then of course I would consider that question if it arose.

Mr. BECK. That is the question that troubles me.

Mr. ALLISON. That is not the question here.

Mr. BECK. I can not tell until the roll-call is completed that it is not the case, and I have no right to know how the vote stands.

Mr. MCPHERSON. We have now been in session since 11 o'clock this morning. Evidently there is no disposition on the part of the Senate to remain here and continue the consideration of the bill; certainly we can make no satisfactory progress in the present condition of affairs. I therefore move that the Senate do now adjourn.

Mr. MORRILL. I hope not. It was clearly understood this morning that we were to have a late session, and if there is any fault about it it is the fault of the absentees.

Mr. HAWLEY. There are gentlemen dining who will be here soon.

Mr. MCPHERSON. I think we are frittering away our time with less than a quorum present, having had one call.

The PRESIDENT *pro tempore*. There is a quorum present now.

Mr. EDMUNDS. Let the question be put.

Mr. BECK. There is not an unpaired quorum here.

Mr. MCPHERSON. We are dealing with too large a subject to be disposed of by less than a quorum.

The PRESIDENT *pro tempore* (at 6 o'clock and 54 minutes). The Senator from New Jersey moves that the Senate adjourn.

The motion was not agreed to.

Mr. DAVIS, of West Virginia. I thought it was agreed upon this morning that we should remain here until a reasonably late hour tonight. I see several Senators coming in. I hope we shall proceed with business.

Mr. EDMUNDS. Let the roll be called over again on the amendment of the Senator from Tennessee.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Tennessee [Mr. HARRIS], upon which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BECK (when his name was called). I am paired with the Senator from Maine [Mr. HALE]. I should vote "yea" if it were not for the pair.

Mr. BUTLER (when his name was called). I am paired with the

Senator from Pennsylvania [Mr. CAMERON], and therefore I decline to vote.

Mr. HAMPTON (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN].

Mr. HILL (when his name was called). I am paired with the Senator from Arkansas [Mr. WALKER].

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL].

Mr. MCMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM], unless it is necessary that I should vote to constitute a quorum. If he were here, I should vote "nay."

Mr. MILLER, of California (when his name was called). I am paired with the Senator from Ohio [Mr. PENDLETON].

Mr. PLUMB (when his name was called). I am paired with the Senator from Missouri [Mr. VEST].

Mr. SLATER (when his name was called). On this question I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were here, I should vote "yea."

Mr. WILLIAMS (when his name was called). I am paired with the Senator from Nevada [Mr. JONES]. I do not see him in the Chamber.

The roll-call was concluded.

Mr. HARRISON. I am paired with the Senator from Mississippi [Mr. LAMAR].

Mr. FARLEY. I am paired with the Senator from Wisconsin [Mr. SAWYER]. If he were present, I should vote "yea."

Mr. MCMILLAN. Understanding that there is no quorum voting, I vote "nay."

Mr. MILLER, of California. If it is necessary to make a quorum, I vote. I vote "nay."

The PRESIDENT *pro tempore*. The Senator must decide that for himself.

Mr. MILLER, of California. I vote "nay."

After a pause,

Mr. BECK said: I insist upon the result being announced.

The result was announced, as follows:

YEAS—12.

Barrow,	Cockrell,	Harris,	Morgan,
Bayard,	Coke,	Jackson,	Pugh,
Call,	George,	Maxey,	Vance.

NAYS—25.

Aldrich,	Davis of Ill.,	Hoar,	Platt,
Allison,	Davis of W. Va.,	Lapham,	Rollins,
Anthony,	Dawes,	McDill,	Sherman,
Blair,	Edmunds,	McMillan,	Tabor.
Camden,	Frye,	McPherson,	
Cameron of Wis.,	Gorman,	Miller of Cal.,	
Conger,	Hawley,	Morrill,	

ABSENT—39.

Beck,	Hale,	Lamar,	Sawyer,
Brown,	Hampton,	Logan,	Sewell,
Butler,	Harrison,	Mahone,	Slater,
Cameron of Pa.,	Hill,	Miller of N. Y.,	Van Wyck,
Fair,	Ingalls,	Mitchell,	Vest,
Farley,	Johnston,	Pendleton,	Voorhees,
Ferry,	Jonas,	Plumb,	Walker,
Garland,	Jones of Florida,	Ransom,	Williams,
Groome,	Jones of Nevada,	Saulsbury,	Windom.
Grover,	Kellogg,	Saunders,	

The PRESIDENT *pro tempore*. Twelve Senators have voted in the affirmative and 25 in the negative, no quorum voting.

Mr. EDMUNDS. I require that the absent Senators be called according to the rule.

The PRESIDENT *pro tempore*. The list of Senators will be called.

The Acting Secretary called the roll, and the following Senators responded to their names:

Aldrich,	Davis of Ill.,	Hill,	Morrill,
Anthony,	Davis of W. Va.,	Hoar,	Platt,
Barrow,	Dawes,	Jackson,	Plumb,
Bayard,	Edmunds,	Jonas,	Pugh,
Beck,	Farley,	Lapham,	Rollins,
Blair,	Frye,	McDill,	Sawyer,
Butler,	George,	McMillan,	Sherman,
Call,	Gorman,	McPherson,	Slater,
Cameron of Wis.,	Hampton,	Maxey,	Tabor,
Coke,	Harrison,	Miller of Cal.,	Vance,
Conger,	Hawley,	Morgan,	Williams.

The PRESIDENT *pro tempore*. A quorum is present. On the roll-call forty-four Senators answered to their names.

Mr. EDMUNDS. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

Mr. MORGAN. A quorum is present, I believe.

Mr. VANCE. Pending that motion I move an adjournment.

Mr. MORGAN. I desire the business of the Senate to go on if there is a quorum.

Mr. EDMUNDS. A motion to send for absentees is not debatable, I think.

The PRESIDENT *pro tempore*. But the pending motion is that of the Senator from North Carolina, who moves that the Senate adjourn.

Mr. MORGAN. That motion is in order, but the other motion, I think, is not.

The PRESIDENT *pro tempore*. The other motion is in order. The question is on the motion to adjourn.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered, and the Principal Legislative Clerk proceeded to call the roll.

Mr. HAMPTON (when his name was called). I was requested by some Senator to pair with the Senator from Illinois [Mr. LOGAN], but I have always reserved the right to vote on adjournments and to make a quorum. I therefore vote "yea."

Mr. HARRISON (when his name was called). I was paired with the Senator from Mississippi [Mr. LAMAR], but reserved the right to vote on all motions to adjourn, and I vote "nay."

Mr. PLUMB (when his name was called). I am paired with the Senator from Missouri [Mr. VEST].

Mr. SLATER (when his name was called). On party questions I am paired with the Senator from Louisiana [Mr. KELLOGG].

Mr. WILLIAMS (when his name was called). I have announced several times that I was paired with the Senator from Nevada [Mr. JONES] on several questions, but I do not construe that pair as extending to dinner. I shall vote for dinner.

The roll-call was concluded.

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. Therefore I shall not vote.

The result was announced—yeas 18, nays 27; as follows:

YEAS—18.

Barrow,	Farley,	Jackson,	Pugh,
Bayard,	George,	Jonas,	Vance,
Beck,	Gorman,	McPherson,	Williams.
Call,	Hampton,	Maxey,	
Coke,	Harris,	Morgan,	

NAYS—27.

Aldrich,	Conger,	Hawley,	Pendleton,
Allison,	Davis of Ill.,	Hoar,	Platt,
Anthony,	Davis of W. Va.,	Lapham,	Rollins,
Blair,	Dawes,	McDill,	Sawyer,
Camden,	Edmunds,	McMillan,	Sherman,
Cameron of Wis.,	Frye,	Miller of N. Y.,	Tabor.
Cockrell,	Harrison,	Morrill,	

ABSENT—31.

Brown,	Hale,	Logan,	Sewell,
Butler,	Hill,	Mahone,	Slater,
Cameron of Pa.,	Ingalls,	Miller of Cal.,	Van Wyck,
Fair,	Johnston,	Mitchell,	Vest,
Ferry,	Jones of Florida,	Plumb,	Voorhees,
Garland,	Jones of Nevada,	Ransom,	Walker,
Groome,	Kellogg,	Saulsbury,	Windom.
Grover,	Lamar,	Saunders,	

So the Senate refused to adjourn.

The PRESIDENT *pro tempore*. There are six Senators more than a quorum present now.

Mr. EDMUNDS. That does not make any difference; I insist on my motion that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

Mr. SHERMAN. I ask for the reading of the Constitution.

The PRESIDENT *pro tempore*. Rule 3 provides that—

Whenever it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators.

Mr. EDMUNDS. I do not propose to compel, but I think——

The PRESIDENT *pro tempore*. This rule says:

No Senator shall absent himself from the service of the Senate without leave of the Senate first obtained. Whenever it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request.

Mr. EDMUNDS. But that is a rule in cumulation of the power of a quorum, giving special authority to less than a quorum of the Senate to make the order. Now, I move, as a question of the highest privilege, that the Senate direct the Sergeant-at-Arms to request the attendance of absent Senators.

Mr. BAYARD. Is any debate in order at this time?

The PRESIDENT *pro tempore*. No, sir.

Mr. SHERMAN. I call attention to the clause of the Constitution which gives the power to send for absentees.

The PRESIDENT *pro tempore*. There is no question of that. The Chair does not doubt it. The Senator from Vermont moves that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

Mr. HOAR. I wish to submit a question to the Chair. I do not wish to express an opinion upon it, but it is important to have it ruled on. When there is less than a quorum present, the rule provides for this motion; but if there be a quorum present, can you displace the existing business? Is this a question of the highest privilege? That is, at any time may any Senator move it?

The PRESIDENT *pro tempore*. The Chair supposes if Senators are absent, at any time a motion is in order to compel them to attend; but business goes on when there is a quorum present.

Mr. SHERMAN. That is the point I designed to make when I asked for the reading of the Constitution.

Mr. MORGAN. Can this question be debated?

Mr. SHERMAN. I ask for the reading of the Constitution?

The PRESIDENT *pro tempore*. The Constitution provides——

Mr. MORGAN. I raise the point of order that this is not a debatable proposition.

The PRESIDENT *pro tempore*. The Chair does not think it can be debated.

Mr. MORGAN. I will not state my point, as the Chair thinks with me.

The PRESIDENT *pro tempore*. The Chair does not think debate is in order, but of course he will hear any suggestion. The Senator from Alabama, however, insists that no debate is in order.

Mr. SHERMAN. Can I not have the clause of the Constitution read? I do not want to debate.

Mr. MORGAN. Every Senator has it, and can read it for himself.

The PRESIDENT *pro tempore*. What part of the Constitution does the Senator from Ohio wish read?

Mr. SHERMAN. Article 1, section 5, page 37 of the Manual.

The PRESIDENT *pro tempore*. It will be read.

The Acting Secretary read as follows:

Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

The PRESIDENT *pro tempore*. The Chair does not think there is any question but that the Senate can compel the attendance of absent members. It is moved by the Senator from Vermont——

Mr. MORGAN. Mr. President——

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. MORGAN. The Chair must not say that no debate is in order and tolerate debate from other Senators at my expense.

The PRESIDENT *pro tempore*. The Chair did not tolerate any debate, but the Chair stated to the Senator from Ohio that debate was not in order. He requested——

Mr. MORGAN. Yet the Chair indulged him in going on with debate.

The PRESIDENT *pro tempore*. He did not, sir; the Chair denies it utterly.

Mr. MORGAN. The Chair did indulge him in going on with debate.

The PRESIDENT *pro tempore*. He simply requested the Secretary to read a clause of the Constitution bearing on the point he made; that was all. The Senate will bear out the Chair in that.

The question is on the motion of the Senator from Vermont [Mr. EDMUNDS] to direct the Sergeant-at-Arms to request the attendance of absent Senators.

The motion was agreed to; there being on a division—ayes 25, noes 17.

The PRESIDENT *pro tempore*. The Sergeant-at-Arms will request the attendance of absent Senators.

Mr. EDMUNDS. There seems to be a quorum; go ahead with business.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Tennessee [Mr. HARRIS].

Mr. BAYARD. How can that be if there is not a quorum present?

The PRESIDENT *pro tempore*. There is, and has been a quorum present all the time.

Mr. MORGAN. The question before the Senate now, as I understand it, is whether or not we shall substitute ad valorem for specific duties on the particular part of the bill that we have now under consideration, and also the rate of the ad valorem duty that is to be substituted for the specific duty. I do not desire to detain the Senate on this question; I desire merely to lay before it some facts which I have extracted from the census statistics which I think have an important bearing on this labor question.

According to Census Bulletin 302, giving the statistics of manufactures in the United States in 1880, the whole number of establishments in the United States was 253,852; capital invested, $2,790,272,606. The average number of hands employed was as follows: Males, 2,025,335; females, 531,639; children, 181,921, making a total of 2,738,895; total wages paid, $947,953,795; value of materials, $3,396,823,549; value of the products and manufactures, $5,369,579,191. Deducting the labor and materials, which together make $4,344,777,344, leaves a total balance of $1,024,801,847. Upon that my calculation is—and I think I am correct about it—that the laborers get a share of 17 per cent., while the capitalist gets a share of 20 per cent. of the profits, and that after you deduct a reasonable allowance for insurance and taxes the net profits of the capital employed in manufacturing in the United States during that year, according to that census return, were about 15 per cent.

I am not prepared to vouch for the accuracy of the census report, and yet it must be approximately true; at all events, it is the best information that we have got upon this question, and I am disposed to act upon it in the absence of information still more exact. That showing would give an advantage to the laborers employed in manufactures over those not employed in manufactures but in the production of the raw material, as I call it, to a very large excess. This difference applies in all parts of the United States wherever there is agriculture, wherever there is a production of the raw material, whether it be from the mine, from the forest, from the fisheries, from agriculture, or what not. This discrimination in favor of a certain class of industries as against the great body of the laboring community in the United States is a subject worthy of the attention of this Senate.

At the last session of this body I introduced a resolution for the purpose of raising a select committee to take into consideration the labor question in the United States, and I did so because I was impressed with the belief that just there was the point of difficulty in our political, our social, our moral, and our industrial affairs. I could not take part in that committee in consequence of certain engagements that I had, and I had no ambition to be the chairman of it. In fact I was not entitled to the chairmanship, because the majority in the body were Republicans and I was a Democrat. The motion was objected to and it was referred to the Committee on Education and Labor. That committee came back and reported that they should have charge of the inquiry, and I willingly consented that they should. So far as I am informed that committee have never had a meeting on the question.

Mr. BLAIR. Does the Senator desire to know in regard to that, or is it his purpose to make an extended comment on the matter? If so, when he is done I will explain it, or I will explain now if he desires.

Mr. MORGAN. Is that the fact that they have never had a meeting on the subject?

Mr. BLAIR. It is not by any means.

Mr. MORGAN. Have they ever made an investigation?

Mr. BLAIR. They have to some extent. They have one now going on. The witnesses are to be here on Monday.

Mr. MORGAN. Have they commenced?

Mr. BLAIR. Commenced last autumn through a sub-committee on one branch of the subject, who did what they could. This winter the Senator knows very well the condition of the public business; the investigation, however, is going on and it will be pursued as fast as it can be, and if the consent of the Senate is given, it will be pursued as thoroughly and as extensively as the committee is able to do it during the vacation coming, and they hope to arrive at some results in due time.

I should like to say, since this matter has been alluded to once or twice before by the Senator from Alabama, that he must be aware that the scope of the resolution referred to the committee is very extensive; it covers almost every important problem of legislation; it ramifies among the very fundamentals of society; it starts almost every important problem that could be suggested in human affairs, and it is about as much as the Committee on Education and Labor can accomplish, I think, in the course of a very liberal limit of time in its investigation to arrive at anything like a satisfactory conclusion, or to be able to make recommendations to the Senate and to the country which will be beneficial, and I hope that the Senator will be patient with the committee. I hope he will bear in mind that a little time is necessary in a case like this.

I remind him also that when he offered his resolution just at the close of the last session, as he very appropriately suggests himself, it was quite invasive of the jurisdiction of a regular standing committee of this body. He himself offering the resolution accompanied it with a statement that he could not attend to the matter himself on account of personal reasons, which he mentioned privately, if not publicly. It may be proper to say that other members of the Senate, not including the chairman of that committee, however, found themselves later in the season encumbered and embarrassed by like reasons, and it was impossible during the fall campaign to do anything very important more than was done in the prosecution of the investigation. As I said before, during this winter he must know that it has been quite impossible for any man attending to his other and imperative duties here in the Senate to pursue an investigation of this character very critically and thoroughly, but I wish to assure him that it has not been out of the mind of the chairman of the committee at any time, and that everything has been done in furthering this investigation that could be, and that there is not the remotest design to let up on it.

Mr. MORGAN. I am delighted to know that any progress at all has been made. I know the difficulty under which the chairman of that committee or any other committee has to get a quorum together during the vacation of Congress.

Mr. BLAIR. I wish to say to the Senator that the embarrassment has not resulted from the inability of the chairman or of the committee to assemble and to get a quorum; it has not resulted from any failure of disposition to attend to this business on the part of the committee or any member of it as far as I know. They have given their attention and their effort to the public business as fully as they could and to the consumption of their time certainly during the session and very largely, if not entirely, during the vacation.

Mr. MORGAN. Whatever the trouble may have been——

Mr. BLAIR. There has been no trouble, let me assure the Senator, excepting such as results from the nature of things. The committee have been at work upon it. They began early. A meeting was called and organized in reference to this investigation before the last session closed, and all the work was laid out which it was supposed it was possible for them to do during the vacation. The honorable Senator from Rhode Island [Mr. ALDRICH], chairman of a sub-committee, informs me that he has obtained all the information he possibly could during the vacation upon that department of inquiry which was assigned to him, which was with reference to the condition of labor and the statistics bearing upon wages and the like in foreign countries. We have had a meeting this winter. The chairman was directed, as soon

as arrangements could be made to find proper witnesses, to summon and examine them here during the rest of the session. They have been summoned and we shall examine a few during the rest of the session. So the Senator must see that there is some disposition to work when I commence as early as 9 o'clock in the morning, come to the Senate at 11, and work here all day and from 6 to 12 at night. I expect to examine witnesses during the rest of the session most of the time.

Mr. MORGAN. I was not expressing any complaint against the committee, but regret that so far as I knew or had been informed nothing had been accomplished.

Mr. BLAIR. The Senator could have ascertained correctly by inquiry of the chairman.

Mr. MORGAN. I was speaking of the importance of the subject, not with reference to any dereliction on the part of the committee.

Mr. ALLISON. Before the Senator proceeds to make his deductions from the statement of facts he has laid before the Senate as derived from the census I should be glad to ask him if he knows how this estimate, as distinguished between the wages of labor and the cost of raw material, has been made up; as, for example, the raw material of the pig-iron manufacturer must be coal and iron ore; the raw material of the steel-rail manufacturer or iron-rail manufacturer is pig-iron; and so on running down through the various manufactures of iron until we reach rivets, bolts, and so on? It seems to me that to draw any deduction from the amount, especially of raw material and labor, would require a more minute statement than he has produced here this evening.

Mr. MORGAN. The census bulletins have come out one after another without any full explanation on the part of the Superintendent of the Census as to the methods which he has employed for the purpose of ascertaining the facts he presents in tables to the public. I therefore can add nothing to the statement, except to say that this is what the bulletins tell us.

Mr. ALDRICH. I will state, if the Senator will allow me, that as chairman of a sub-committee of the Committee on Education and Labor I have been engaged, with other members of the sub-committee, on the relative rates of wages between this country and Europe in cotton and woolen mills; and I hope before this session closes, and at not a very remote day, to present a statement which will competely confute all the statements which have been made here by the Senator from Texas [Mr. COKE] to-day.

Mr. MORGAN. Mr. President, I hope that this committee will go on with its investigation, and I expect from it, of course, a full and impartial investigation of the facts relating to the relative prices of the different classes of labor in this country, and particularly as to those facts which seem to produce very surprising outbreaks among the operatives in the different manufacturing districts of the land.

And I wish here to say that among all the strikes that I have heard of in this country I never have heard of a strike of farmers. I never knew a cotton crop that could not be gathered in consequence of a strike of labor, or a sugar crop or a wheat crop or a corn crop. I have not known that farm labor has been interrupted by combination among the laborers to prevent other persons from doing what they had refused to do themselves. Nothing of that kind has occurred. And as we have that subject up now for a moment, I desire to say to the committee that I hope they will make progress in it. I shall vote to continue them in the investigation of the question during the coming interval of Congress, and I hope that they will be able to give the Senate and the country some information as to the real seat and nature of the disease which causes riots and outbreaks among the laboring population of this land.

Mr. BLAIR rose.

The PRESIDENT *pro tempore*. Does the Senator from Alabama yield?

Mr. BLAIR. Just a moment.

Mr. MORGAN. Yes, sir.

Mr. BLAIR. The Senator could not express sentiments more in accord with my own, and I wish here to say that so far as I am concerned—and I think I speak the sentiments of the committee in this regard—we design to get our information as largely as possible from the men who lead in the strikes themselves, the men who complain, who feel the wrong. It is our determination that the men who suffer shall have the opportunity to explain the causes of their suffering, the reasons for their action, before this committee, themselves in person. We do not propose to exclude any one who wishes to appear before us and who seems to have anything important to say; but we extend our invitation to the masses and mean to have information from those who think they are suffering the grievances, and who, in my opinion, are suffering grievances.

Mr. MORGAN. In 1880 there were, according to the census tables, 2,738,893 men, women, and children employed in what are called the industrial manufactures in this country. What kind of people are they? What sort of American citizens are they? Are they rabble? Are they outlaws? Are they law-breakers? Are they defiers of the peace of society and the security of property? Why, sir, I would not cast an impeachment of that kind upon them; very far from it. My opinion of them is—and I have more general acquaintance with them than might be supposed—that they are a hard-working, intelligent, and excellent class of people, taking them at large, and that they compare very favorably with any other class of the community, whether it may be the middlemen, the upper classes, or the lower classes, as we call them, of farm laborers. And yet, since I have been in this body this country has been in agony, it has been almost in the throes of despair on frequent occasions in consequence of riots and outbreaks among this very industrial population, comprising 2,738,893, in all the different parts of the country, not only in the large industrial circles merely, but all through the country wherever there were manufacturing industries.

Mr. President, the conduct of these men in their riots and the treatment they have received at the hands of the ministers of justice is one of the darkest and most shameful blots upon American history. Houses have been burned, innocent men and women have been butchered, property has been destroyed, travel and business has been suspended; all the throes and convulsions of internal strife, amounting to that degree that we characterize in our laws as insurrection, have appeared during these strikes. I again inquire what kind of people are these? I answer, in my judgment, they are good people; they are of the class of well-fed, well-clothed, well-paid American operatives spoken of so eloquently by the gentleman on the other side of this Chamber in contrast with the pauper laborers of Europe.

Why have these good people, so well fed and so well clothed and so well paid, been required to resort to this manner of stopping the business of the country? Why have they organized themselves into secret societies throughout this land which have accumulated large revenues of money to sustain each other in times of distress? Why is it that these men thus band together in the United States, in this free country, and try to prevent the just and equal operation of the laws? There must be some profound reason for it; there must be something at fault in the economic condition of our affairs which accounts for this frequent and excessive violence and agitation on the part of these laboring men. Men who are fairly treated, who get good pay for their labor, who get with the earnings of their industry a fair living out of the country, are not going to resort to strikes and violence and combination and conspiracy against the peace and the order of society, and against the proper prosecution of the industries of a land like this. They love this Government as much as we do; they are as proud of its flag, its Constitution, and its history as any other class of men. They contribute of their blood and their suffering and their tact for the support of this country in peace and in war. No demand of patriotism has ever yet been made upon this class that they have not responded to it.

Then, sir, these things being so, when these strikes occur what is the cause of them? The very men who are here to-day boasting of their liberality to the American laborer, and of the conveniences and elegances even with which they surround his home, are the men who come to us and to the governors of States for military force to quell the riots and insurrections of men who claim when they make these strikes that they are striking for bread and not for anything else.

Here, sir, is a contradiction in facts which these great statesmen ought to be able to explain, and I maintain in behalf of the character and the honor of the men whom they say they feed and clothe so well that there must be some serious fault on the part of employers, or else the laborers of this country would not resent it in the way they do.

We had as well look at the facts in this case and stop theorizing. What a consul may report from Liverpool or Berlin or Paris or Bordeaux or wherever he may be, as to how many pounds of meat, of flour or butter or whatever else it may be an operative there uses, wherewithal he is clothed, how his family appear in society, &c., amounts to nothing when we come to the fact that these outbreaks are continually occurring in this country. In thinking over this question I have been led to the conclusion that the strikes must certainly be promoted by the manufacturers; that the strikes must be set on foot of purpose by the manufacturers; that they resort to methods to compel their men to strike, in order to do what? For a pretext for shutting up their factories for a short time so as to allow an overburdened market to be consumed by the people, in order that the prices of their manufactures may again rise, not to the point of competition with foreign productions but to the higher point of competition with home productions.

A man who has got 5,000 operatives under him, and some of them have that many, has been known to close his establishment and turn out the operatives to shorten the production of a particular quality of goods. Why shorten it? In order that the price in the market may rise. Why should the price in the market rise, and to what degree should it rise? Rise to the point where the protection given by specific rates of duty may be elevated above and beyond the price for which the same article can be bought in foreign markets.

Since we have been debating this great question the newspapers give us accounts of different strikes in the country, and I have sat here asking myself the question, how can it be, in the name of common sense, that strikes should have occurred in a country protected to the extent that our industries are, and while gentlemen in this body are standing up and boasting about the happiness of the condition of our operatives? That is something that they must explain before they can get me to believe that these people are in the happy condition that they represent.

Give a man an opportunity to make money out of another, guaranteed to him by law, and he is more or less than a man if he does not make it.

The fault is in your law. The fault is in the legislation that this body has created in this country, and was fruitful of bloodshed in consequence of the violence of men who combine together to win and to keep their bread for the supply of their families. Such troubles are due to the neglect or inattention or else the cupidity of men whose special interests are represented upon this floor. Will Senators take the responsibility to themselves for bad laws? Where men are disposed to do right and have the opportunity to be well fed and to be comfortable, where they are not vicious but patriotic, and we find them engaged in these outbreaks so frequently and to such a terrible extent, we must know that the fault is in the labor system.

We see the door of opportunity opened here. We see specific rates of duty fixed for the purpose of building up one industry at the expense of another. We find that when one man goes into a particular manufacture, as recently, for instance, into the wire-fencing manufacture, and he is said to be making a fortune at it, other capitalists crowd in around him, and they increase by competition the production to a very large amount. After a while there is too much wire for fencing made. Then what? You put on a specific duty of so many cents a pound, and perhaps you load down upon the back of that an ad valorem duty. You shut out all foreign competition; but the eagerness of the men to manufacture this commodity of commerce has drawn into the business such a large amount of capital as presently the market is overburdened; and then what occurs? You shut up your factories, turn out your operatives, let men be turned out because the manufacturer can not afford to go along any further with his production. Turn them out; let them get a living as best they can. What becomes of these disappointed men? The closing of the factory does not feed their families. There is no bread, meat, salt, sugar, nor anything else that comes to them from a closed factory. They are skilled in that line of business and have no opportunity of entering upon another. They are not qualified, many of them, even for the commonest labors of life, such as digging the earth. They must stop work because the factory stops work, and when they stop work they must starve. They stop work because there has been an overproduction of wire fencing, and the reason why there has been an overproduction of wire fencing is that men were induced by a large bonus that we offered to them to put their money in the business; and when the men having this bonus offered, and desiring to realize it, find they have outstripped the little narrow market to which we have confined them, and that they have manufactured at such high prices that they can not reach the markets of the outside world, they stop the production in order that the market may catch up with them. While that is going on starvation takes place among the operatives, and when the wolf is at the door there is apt to be growling on the inside as well as the outside of the house.

These men, irritated, disappointed, and wronged, resort to their little savings in their labor-union organizations, live upon those at starvation rates as long as they will hold out, and then what occurs? Here comes another set of people. From where? From pauperdom. What did they come for? To take the place of the men who refused to work at low wages. Where did they come from? From Italy, Germany, England, Great Britain, Russia. Why do they come? Because they find, as it is said, a chance to labor here for better wages than they get over yonder. Why will they not come? Any man will come to get a better price for his labor. What occurs then? The same thing that occurred in the strike at Jersey City and in New York last summer. The railway operatives formed themselves into a compact strike and demanded that their work should not be taken away from them. What was the result? The railroads could not be run. What was the effect upon commerce? An immense accumulation of merchandise landed in New York not only from ships but from railroads. What then took place? There were threats of calling out the militia. The police were impotent to control this mass of men. There were also threats to call out the regular Army of the United States. What occurred in the northwestern part of New York State, in Pennsylvania, in Indiana, Ohio, and Illinois, in 1877? Sir, the Army of the United States was called out for the purpose of compelling men to yield up their opposition to these paupers coming in and working in their places. You have got all pauperdom to resort to with your capital to get labor. It comes free. You can not tax it. You can run it in and supply the place of the men who strike in this country, and, in doing that, what do you do but to draw down the price of labor to pauper rates, and that, too, upon this soil and under the flag that these very men have fought to defend in various battles all over the face of this land. Mr. President, there is something wrong in this business.

Mr. BLAIR. As the Senator is making suggestions that might be useful for the committee to consider, since he has referred to that committee, I should like to ask him if he means to suggest that he would exclude the laborer of foreign birth from our shores by something analogous to the protection which we impose upon the importation of foreign goods?

Mr. MORGAN. I would not, and yet I know that the labor unions of this country, many of the laborers of this country, have been addressing letters to Senators, and perhaps petitions to Congress, for aught I know, asking that we should devise some means by which to tax when imported into this country skilled labor. They are asking for it; I am not.

Mr. BLAIR. The Senator's remarks are exceedingly calculated to create disturbance in this country unless he suggests some remedy, and I hope he may be able along with these remarks to suggest a remedy.

Mr. MORGAN. The friends of the Senator in the North who are claiming high specific protective duties for themselves call out these outbreaks. They are not to be created by words. Even if I were unpatriotic or imprudent enough to make remarks which might prompt these men to action of that kind, they have too much sense, too much conservatism, too much patriotism to yield to an appeal of that sort on the part of any man in the world. But the grinding injustice which the Senator's friends have inflicted upon these men, the starvation which has been brought upon their families by bad legislation, the wrongs that these men who have been in their employment have felt, have caused them to rise. I am speaking now to try to prevent a repetition of it, not that I would encourage any man to conspire to violate the laws, but when your laws are bad I ask you to look into them and rectify them so that men will no longer have an opportunity or an excuse for their violation. A bad law produces mischief wherever it operates.

The Senator, perhaps, now will undertake to prove that the riots which sprinkled the bosom of the earth in the Middle States with blood in 1877 were caused by the *post factum* effect of the little reminder that I make to him and his friends this evening of the fact that they are the responsible men, for their very bad legislation has done it. It has not been the fault of the operative. The operative is not a criminal, he is a hard-working, industrious American citizen. If Senators have made mistakes in the past it is time to stop to rectify them, and instead of trying to patch up by new protection of interests which thus cripple, distort, and ruin the great laboring population of this country they had better go to work to correct it. Let them do this instead of putting up pretentious pleas and pathetic appeals in the name of men who have rebelled against their wrongs which they have inflicted. They had better go to work to create a better system of laws under which these men can have a fairer opportunity to live. They do not want to do wrong. I do not believe that in the population of the mining and manufacturing districts, where these outbreaks have occurred, those men are mischief-makers, conspirators, wrong-doers, and murderers. I do not believe it. I believe they are a set of men who feel that they have suffered wrong at the hands of evil legislators who have perverted the Constitution of this country for the purpose of building up a particular class of aristocratic, powerful moneyed men at the expense of the laboring poor of the entire land, agricultural as well as industrial. That is my belief about it, and, sir, I shall speak it here openly in the fear of God as to the truth of the utterance, and not in the fear of man.

In the name of the very men whom they have found so much trouble to control; in the name of the men whose happiness you boast of when the history of the country shows that half their time nearly is spent in misery—in the name of these men you come forward again to-day, and you ask to discriminate in reference to cotton manufacturers so as to put a lower rate of duty on a section of the country that is now engaged, or prosperously engaging, in the manufacture of goods of coarse and common quality, and a higher rate in favor of that section of the country whose industries have been patronized by the Government and by Government bounties and propped up for a century.

Where is the justice of that? Where is the justice of compelling the people in the South who are not prepared, who can not do it, who have not got the skill or the capital to spin and weave the higher qualities of goods—where is the justice of compelling these men to work for short wages and low protection in the South, lower than they get now under the law, while the men in the North who have prospered so greatly and have built themselves up in wealth are in the same bill demanding an increase of premium to their manufactures? Sir, there is no justice in it.

I believe that one uniform rate of duty arranged according to the value of the product, whether it is coarse or fine, whether it is common or whether it is beautiful, is the rate that the Constitution of the United States requires us to impose, and that no departure should be made from it unless we find that it is necessary for the benefiting of the American people to make a largesse or give bounties to certain of the producing industries of the country at the expense of the rest. That I am willing to do and never have refused to do, but I object to a system which casts down the manufactures of the Southern States, now attempting to get a fair start for competition with the world, and at the same time increases the duty and builds up the power of the Northern manufacturers, already strong enough. Let not that be done in the name of labor either Northern or Southern. Let not that false resort, that appeal to something that is not true (that is a mere imagination or invention for the sake of the argument), be done to excuse or to justify the wrong done to an entire section of this country.

I have not been accused by any Senator on this floor even of inconsistency about this tariff. I do not care so much about the appearance of consistency. I do not think a man's opinions are to be valued simply by their consistency with all the rest of the opinions that he may entertain or with the opinions he may have entertained years ago; but there is a line of truth in this matter. There is a way to levy a just American tariff. There is a way by which the tyrannical hand of tax-

ation may be laid smoothly and evenly upon all the industries of this country. I do not despair that the statesmanship of this country is equal to that task.

The Senator from Kentucky [Mr. BECK] said that we were compelled to do some very contradictory things in making a tariff. My friend is mistaken. With the great labors he has devoted to this subject, the intense attention he has bestowed upon it, the masterful ability that he has shown in handling it, honoring him and the Senate, I am prepared to admit that his mind has a conviction at this moment that there are some things no man can get the light through. If there is any one thing in the course of that Senator that I admire above another it is the boldness, the manhood, the honesty, the earnestness, and the sincerity with which he has defended the laboring classes of this country against the extortionate power of high protective duties. But let him not despair. There is a way to get a just tax law. That way has been already mapped out in the laws of the United States. It has been put to the test of practical experience. The Walker tariff of 1846, which was adopted by the people of the United States after one of the most enlightened debates upon that question we ever had in the United States before the people, will go through this question or any other question connected with the levy of imposts upon our importations as a line of light, and no man need have the slightest trouble in following it. The only difficulty in that case is in arranging the articles under the proper schedule. That must be a matter of agreement if we go above or below the revenue standard, but the principle is right. Tax every man's property according to its value. If you tax his industry, tax that according to the value of it. If you tax his productions of any kind, tax them according to the value. No man can complain of a tariff of that kind except some man who wants to get rich at the expense of other people.

I have heard this tariff discussed here day after day, and, as remarked by the honorable Senator from Florida [Mr. JONES] yesterday, we scarcely ever hear this subject of revenue raised at all. The question is scarcely ever asked, how much revenue will this or that tax yield? How much ought to be the burden or the tax upon the particular industry as compared with the rest of the industries of this land is not the question. How much is the labor engaged in the particular production entitled to be benefited, say Senators, by this tariff. They go back to the laborer. They go to these men who repudiate them by their strikes, who organize against them by their labor-union societies, and they use them and their name and plead their interests whenever the question is put in this body as to how much tax ought to be put upon a certain industry.

There is one thing I am glad of, and that is while we have worried through the investigation of all these different items of this great tax law the country has had its eyes upon us. Men are spelling through this trouble everywhere. Once in a while a Senator will rise and express his opinions about it and bring the facts to bear upon it. People are getting possession of the truth, and I know that when they have another opportunity to express their voice upon this question they will demand that equal justice shall be done to every man in this land by tax laws as well as by every other sort of law. Knowing that, I feel satisfied that though we may not succeed at this session of Congress in getting a tariff that anybody wants, while we may succeed in breaking down the ad valorem rate and plan of duty which everybody acknowledges it to be right and just, the American people, after their minds are fixed upon these questions, will recur to them in election after election until they will have their tax regulated according to right and justice.

The American citizen if he ought to beware of any approach of tyranny in the direction of his liberties ought to be most cautious in respect of the approach of the hand of taxation upon his property or his industry. That is the power about which we have the largest discretion here. If we choose to tax an industry 50 per cent. nobody can question our right. If we choose to tax it 100 per cent. no one can question us. If we choose to put it on the free-list no man can ask a word about it. That is the law made by the men appointed under the Constitution to use this enormous power, this power which as compared with all the rest that we use here is the greatest.

I hope that the people of the United States will keep their eyes upon this one proposition, that justice and equity and right require of the Congress of the United States that the taxes imposed upon their property, their labor, their industry, or whatever it is, shall be just and equal to all the people alike. The Congress of the United States ought to resign out of both Houses and go home and let other men come and take their places when they are compelled to get up and admit that they have not got the wisdom to pass a tax law which does secure the people in justice and equality through the entire length and breadth of this land. It can be done, and has been done at least once in our history.

Mr. President, after we have passed through this bill, and after the specific rate and ad valorem rate has been settled upon every article in it, after it has been made possible to gather exactly the sense of the Senate upon every one of these questions which are so easy to be reduced to an ad valorem rate taxation, I shall have the honor to introduce as a substitute for this bill a proposition to embody the Walker tariff with the schedules arranged according to the ad valorem rate of the specific duty which the Senate has fixed upon each dutiable article. Senators can vote as they choose upon it; I am not ambitious of bringing forward a measure of any kind, but I feel that it is my duty to present to the Senate of the United States a fair, full, and perfect opportunity to determine whether the ad valorem plan shall apply to this tariff, and the Senators can go before the country upon that proposition and receive from the people of the United States their verdict upon it.

Nearly one-half of this bill now is arranged upon the ad valorem basis, but whenever it is necessary to protect a peculiar industry that plan is dropped, it is denounced as being too weak to detect and prevent fraud, and then we fall back upon a specific duty for specific protection.

No Senator—and I have challenged them openly on this floor time and again to deny it—no man on this floor can say that if this bill contains in about one-half of its provisions the ad valorem principle, that this principle is weak and inefficient and inviting to fraud, and that for this reason the specific system has been preferred to it. That argument can not be made from the lips of the gentlemen who have reported this bill. Here stands the evidence in favor of the ad valorem plan. I shall call the attention of the Senate and of the country to it as frequently as I may think may be proper in order that they may take it up and look it over, in order also that the people of this country, the plain, thinking men of this country shall themselves have a chance to determine for themselves whether they do not prefer that ad valorem plan, which treats every man with equality and with justice, to the specific duties, which are a mere contrivance to get specific and unequal protection.

Mr. BLAIR. Mr. President, I am well aware that the time of the session is passing away, that it is passing away in talk; and nothing but a strong sense that it is my duty to say a few words in reply to some of the suggestions of the Senator from Alabama [Mr. MORGAN] would induce me to waste personally any time, but I consider that some portions at least of the observations of the honorable Senator are calculated, if not intentionally and purposely designed, to excite difficulties in this country, difficulties of a very serious kind which most probably at least would result in bloodshed. I can conceive of no remarks made on this floor which in my opinion would be more calculated to produce violence, anarchy, and difficulties of the most serious character in the United States than those to which the honorable Senator has given utterance, and in view of their nature I am impelled to say a very few words.

Mr. MORGAN. The Senator says that all my remarks are calculated, if not intended, to produce agitation and to produce an uprising among different classes of this country. It is not necessary for me to make any disclaimer about that. I said in the course of my remarks that if I were to stand here and preach as long as I chose to do I could never get these classes into antagonism with any other classes.

Mr. BLAIR. I accept the Senator's disclaimer.

Mr. MORGAN. I wish to ask, if the Senator will allow me, has he any fear that my remarks will cause a disruption or an agitation between the agricultural laborers of this country and their employers?

Mr. BLAIR. The Senator will ascertain precisely what I am apprehensive of if he will listen.

Mr. MORGAN. The honorable Senator is trying to gag me in the Senate, to keep me from expressing the truth about this thing.

Mr. BLAIR. I ask whether I have the floor, Mr. President?

Mr. MORGAN. He will never succeed at doing that.

The PRESIDING OFFICER (Mr. GORMAN in the chair). The Senator from New Hampshire has the floor, and can not be interrupted without his consent.

Mr. BLAIR. I am perfectly conscious that any human being, the Senate as an organization, the country, the universe, would find it impossible to gag the honorable Senator from Alabama. He will have his say, as he has a right to have it. I desire that he give me mine.

Mr. MORGAN. Does the honorable Senator fear that his people in the North, who are so very intelligent, will be stirred up by my remarks?

Mr. BLAIR. I have the floor, Mr. President.

The PRESIDING OFFICER. The Senator from New Hampshire declines to yield the floor.

Mr. BLAIR. Here is a wonder—that the representatives of a class of men who owned the people, among whom they live, and over whom they ruled for two hundred years——

Mr. MORGAN. We did not own them until after we got them from you.

Mr. BLAIR. Shall rise in the Senate day after day as the champions of American labor, of the liberty of the masses of men, and complain of the Northern portion of this country, with two-thirds of this population who, when liberty struggled for life, preserved it in the present generation, and these men rise on this floor day after day and charge upon them the purpose of robbing the masses of mankind not only of liberty but of their property and of all rights that are precious to mankind. These champions coming so late to the leadership of the masses of men, coming so late to champion the rights of labor, it may be well suspected whether they are entirely sincere in all that they say; but they tell us that they are. Assuming that to be so, let us see what is their own conduct as bearing upon the liberties, the rights, the development, and the prosperity of the masses of men over whom they still substantially rule in this country.

Do not those Senators know that land and liberty are synonymous terms, and is not the same aristocracy which only twenty-five years ago owned the land of the South as well as the labor of the South still in possession of the land? Have you not taken the earnings of these laboring men for six generations and appropriated them to yourselves, and did you not have the strongest aristocracy that the world ever saw, the most intellectual, the most concentrated, the best able to wield the masses of men over whom you ruled until you were able by your accumulations of capital and control to bid defiance to the Government itself in arms, and to endanger the liberties of the entire continent and of mankind? Now, after the successful prosecution of that great war, which was a war of free labor against slave labor, which was a war of the masses of men against capital, capital as you held it and as it was combined in your hands, and you were unsuccessful, after liberty has been established as the rule for the entire people, do you not still hold upon the land, upon the real estate, without a fair distribution of it among the masses? So long as this continues it is impossible that the masses shall ever be free, for no man is ever free until he is rooted in the soil. There is no freeman who does not own a homestead. No man is independent until he can dig from the bowels of the earth the necessaries of life, and until he has land, until he has the soil, he can not do that. Do you not to-day control the soil as much as you did twenty-five years ago?

Mr. BUTLER. Mr. President——

Mr. BLAIR. The Senator will excuse me; I have not taken much time of the Senate; I do not intend to take much time now; but I wish to press home one point further. The Senator from Georgia [Mr. BROWN], not now in his seat, during the last session rose here and stated as a matter of exultation on this floor, that the colored people of Georgia, during the twenty years that have elapsed since the war, while they had been nominally free, had accumulated $6,000,000. Great God, think of it—worked twenty years, earned their living and got $10 a head apiece! That has been the result of the administration of the principles of liberty in the hands of the men who rise here and constantly defame us as the oppressors of the laboring man of the North.

The Senator from Alabama has risen and complained of us because we imposed protective duties upon the industries of this country and propose to stand upon that policy now and forever; and in the same breath he complains that labor is admitted to this country and that it is admitted free, coming, the individual, the soul, the body, of the man from other countries and entering directly into competition with the American laborer upon our own soil. He complains that we protect him against the foreign manufacturer. We can not protect the American laborers and the foreign laborers when they arrive upon our soil against the labor which remains behind them unless we pursue a policy which will give them higher wages. We impose protective duties to protect us and them against the production which comes from other countries. I asked the Senator while he was speaking if he means to make the suggestion that we do the other indispensable thing which the logic of his speech, or rather of his complaint, implies and that we shall prohibit the importation or the immigration from other countries to our own of foreign laborers?

Mr. MORGAN. I said no.

Mr. BLAIR. If he means to say that he is inclined to do that, I should like to know it.

Mr. MORGAN. I said to the Senator at the time I would not do it.

Mr. BLAIR. Then what is the Senator's complaint? At the South they have dealt with their laborers as history shows and the records of the time make manifest. At the North we have pursued a system that the foreign laborer who comes to our shores as well as the domestic laborer shall be protected.

Mr. MORGAN. The Senator has asked me a question. Let me answer him.

Mr. BLAIR. We protect him for wages, we protect him against the domestic productions of other countries, and when I ask the Senator if he will protect those laborers still further after his arrival by preventing the foreign competitor from coming here and producing upon our own soil, he says no, and in the same breath he makes the assertion which justifies the imposition of these protective duties because those protective duties are the only means by which we can protect American labor and laborers from foreign products. I want the Senator to reconcile the logic of his own admission, and if he means to tell the laborers of the North that their friends in other countries shall be excluded perpetually from these shores let him do so. Let him follow his own opinions to their natural, legitimate, and logical conclusions.

Mr. Presideent, I speak of this matter with some heat; I speak of it as my colleagues on this side of the Chamber may think unnecessarily; but I know more about the labor problem than the remarks of the honorable Senator might seem to indicate that he thinks I know. I know more closely than he imagines, or than some others, how delicate and sensitive is the feeling of the laborers of this country; how false some of their views; how just are some of their views, and how but a single spark is liable in this country at this very time and during this very session to create disturbance which we would all bewail; and it is not well for Senators to rise here and to give utterance to sentiments which are calculated, no matter how honest they may be in their utterance, to produce insurrection, discord, violence, in this land of ours. At all events when Senators make such suggestions as have been made here, let them follow out to their legitimate conclusions before they express them the doctrines which they lay down.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. HARRIS], upon which the yeas and nays have been ordered.

Mr. MORRILL. I hope we may now have a vote.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BECK (when his name was called). I am paired with the Senator from Maine [Mr. HALE].

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL].

Mr. SLATER (when his name was called). On this question I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. HILL. I am paired with the Senator from Arkansas [Mr. WALKER].

Mr. COCKRELL. My colleague [Mr. VEST] is paired with the Senator from Kansas [Mr. PLUMB]. If my colleague were here, he would vote "yea."

Mr. GEORGE. My colleague [Mr. LAMAR] is paired with the Senator from Indiana [Mr. HARRISON].

Mr. HARRIS. I desire to say that having been paired with the Senator from Michigan [Mr. FERRY], and the Senator from Delaware [Mr. SAULSBURY] having to leave the Chamber this evening, I transferred the pair to that Senator. Therefore I have recorded my vote.

Mr. MILLER, of Colorado. I am paired with my colleague [Mr. FARLEY]. If there is no quorum, however, I will vote.

Mr. BLAIR (after having voted in the negative). I am paired with the honorable Senator from Georgia [Mr. BARROW]. I withdraw my vote. I could vote, however, to make a quorum.

Mr. COCKRELL. I object to any Senator asking whether there is a quorum or not. It is not in order.

The result was announced—yeas 13, nays 23; as follows:

YEAS—13.

Bayard,	George,	Morgan,	Voorhees.
Cockrell,	Harris,	Pugh,	
Coke,	Jackson,	Ransom,	
Garland,	Maxey,	Vance,	

NAYS—23.

Aldrich,	Davis of W. Va.,	Hoar,	Platt,
Allison,	Dawes,	Lapham,	Rollins,
Anthony,	Edmunds,	McDill,	Sawyer,
Cameron of Wis.,	Frye,	McMillan,	Sherman,
Conger,	Gorman,	Miller of Cal.,	Tabor.
Davis of Ill.,	Hawley,	Morrill,	

ABSENT—40.

Barrow,	Ferry,	Jones of Florida,	Plumb,
Beck,	Groome,	Jones of Nevada,	Saulsbury,
Blair,	Grover,	Kellogg,	Saunders,
Brown,	Hale,	Lamar,	Sewell,
Butler,	Hampton,	Logan,	Slater,
Call,	Harrison,	McPherson,	Van Wyck,
Camden,	Hill,	Mahone,	Vest,
Cameron of Pa.,	Ingalls,	Miller of N. Y.,	Walker,
Fair,	Johnston,	Mitchell,	Williams,
Farley,	Jonas,	Pendleton,	Windom.

The PRESIDING OFFICER. No quorum has voted.

Mr. SHERMAN. Let the roll be called.

The PRESIDING OFFICER. The roll will be called.

The Principal Legislative Clerk called the roll, and 44 Senators answered to their names.

The PRESIDING OFFICER. A quorum is present. The question recurs on agreeing to the amendment of the Senator from Tennessee [Mr. HARRIS].

Mr. HARRIS. I desire to suggest to the Senator from Vermont in charge of the bill, from half a dozen experiments that we have made I am satisfied, and I imagine he is, that we shall not have a quorum of unpaired Senators on the floor unless we resort to an order directing the Sergeant-at-Arms to compel the attendance of Senators, and that would take at least until 12 o'clock. I think we shall economize time by adjourning and meeting here to-morrow at 11 o'clock in a condition to proceed with the work. I shall not make the motion, but I do make the suggestion; and I think we shall economize if the Senator from Vermont will take that view of it.

Mr. DAWES. I suggest an adjournment until 10 o'clock to-morrow morning.

Mr. MORRILL. I notice that several Senators have come in, and they look exceedingly fresh. I think we are strong enough now to go on.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee [Mr. HARRIS], on which the yeas and nays have been ordered.

The Principal Legislative Clerk proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the

Senator from Pennsylvania [Mr. CAMERON], and therefore I shall not vote.

Mr. HAMPTON (when his name was called). I am paired with the Senator from Illinois [Mr. LOGAN].

Mr. HILL (when his name was called). I am paired with the Senator from Arkansas [Mr. WALKER].

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL]. I will announce the pair for the evening.

The roll-call was concluded.

Mr. ROLLINS. The Senator from Florida [Mr. JONES] is paired with the Senator from Kansas [Mr. INGALLS]. The Senator from Pennsylvania [Mr. MITCHELL] is paired with the Senator from Virginia [Mr. JOHNSTON].

Mr. DAVIS, of West Virginia. I am paired with the Senator from Minnesota [Mr. WINDOM], but whenever I can vote as I believe he would, I vote. I make the announcement for the evening.

The result was announced—yeas 13, nays 24; as follows:

YEAS—13.

Bayard,	Garland,	Maxey,	Voorhees.
Beck,	George,	Morgan,	
Cockrell,	Harris,	Pendleton,	
Coke,	McPherson,	Ransom,	

NAYS—24.

Aldrich,	Davis of W. Va.,	Hawley,	Morrill,
Allison,	Dawes,	Hoar,	Platt,
Anthony,	Edmunds,	Lapham,	Rollins,
Cameron of Wis.,	Frye,	McDill,	Sawyer,
Conger,	Gorman,	McMillan,	Sherman,
Davis of Ill.,	Hale,	Miller of Cal.,	Tabor.

ABSENT—39.

Barrow,	Groome,	Jones of Nevada,	Saunders,
Blair,	Grover,	Kellogg,	Sewell,
Brown,	Hampton,	Lamar,	Slater,
Butler,	Harrison,	Logan,	Vance,
Call,	Hill,	Mahone,	Van Wyck,
Camden,	Ingalls,	Miller of N. Y.,	Vest,
Cameron of Pa.,	Jackson,	Mitchell,	Walker,
Fair,	Johnston,	Plumb,	Williams,
Farley,	Jonas,	Pugh,	Windom.
Ferry,	Jones of Florida,	Saulsbury,	

The PRESIDING OFFICER. No quorum has voted.

Mr. EDMUNDS. The rule requires another call of the roll. Let it be called.

The Principal Legislative Clerk called the roll, and forty-six Senators answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. EDMUNDS. I move the following order:

Ordered, That the Sergeant-at-Arms be, and he hereby is, directed to bring in forthwith the following-named Senators, who are absent from this sitting of the Senate without its leave, namely—

I will put down their names as they occur on the roll.

Mr. McPHERSON. May I inquire if there is a quorum of Senators present?

The PRESIDING OFFICER. There is a quorum present.

Mr. McPHERSON. Then I should like to inquire why the necessity of sending for absent Senators if there is a quorum here now?

Mr. EDMUNDS. I have the floor, I believe, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont is on the floor preparing a resolution and declines to yield.

Mr. BAYARD. I suppose it is in order to move that the Senate adjourn?

Mr. EDMUNDS. Not while I have the floor.

Mr. BAYARD. Has the Senator from Vermont the floor?

The PRESIDING OFFICER. He has.

Mr. BAYARD. I was not aware that he was in the Chamber.

Mr. McPHERSON. I wish to inquire under what rule the Senator from Vermont proposes to send for absent Senators?

The PRESIDING OFFICER. The Chair suggests to the Senator from New Jersey that the Senator from Vermont is preparing a resolution which has not yet been submitted.

Mr. EDMUNDS. If Senators are unwilling to have me write out their names I will read them. I move the following order:

Ordered, That the Sergeant-at-Arms be, and he hereby is, directed to bring in forthwith——

Mr. BAYARD. That is not the rule.

Mr. EDMUNDS. It is the rule for me to state my proposition, I believe.

Mr. BAYARD. But the Senator can not make a proposition in violation of the rules of the Senate. I am sure he would not wish to do so.

Mr. EDMUNDS. I certainly can make a proposition if I have the floor, and I have the floor I believe.

The PRESIDING OFFICER. The Senator from Vermont is entitled to the floor and will submit his proposition.

Mr. EDMUNDS. Now I will begin again. I move the following order:

Ordered, That the Sergeant-at-Arms be, and he hereby is, directed to bring in forthwith the following-named Senators, who are absent from this sitting of the Senate without its leave, namely: Senator Barrow, Senator Call, Senator Camden, Senator Cameron of Pennsylvania, Senator Fair, Senator Farley, Senator Ferry, Senator Groome, Senator Grover, Senator Harrison——

Mr. HARRISON. I am here.

Mr. EDMUNDS. You stand on the roll as absent.

Mr. HARRISON. I was here, and answered to my name.

Mr. EDMUNDS. Then the Secretary has made a mistake.

Mr. HARRISON. I answered on the roll-call, and I have not been out of the Chamber.

The PRESIDING OFFICER. The Secretary did not hear the response of the Senator from Indiana [Mr. HARRISON].

Mr. EDMUNDS. I will omit the name of the Senator from Indiana.

Senator Ingalls, Senator Johnston, Senator Jones of Florida, Senator Jones of Nevada, Senator Kellogg, Senator Lamar, Senator Logan, Senator Mahone, Senator Miller of New York, Senator Mitchell, Senator Plumb, Senator Saulsbury, Senator Saunders, Senator Sewell, Senator Van Wyck, Senator Vest, Senator Walker, Senator Williams, and Senator Windom.

That is my motion, sir.

Mr. BAYARD. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Delaware will state his point of order.

Mr. BAYARD. The order asked for by the Senator from Vermont is not warranted by the rules of this body; on the contrary, it is in violation of the rules of this body.

Mr. CONGER. I desire to make this point of order——

Mr. BAYARD. I am stating a point of order, and am entitled to state it.

Mr. CONGER. I call the Senator from Delaware to order on this proposition——

The PRESIDING OFFICER. The Senator from Delaware is stating a point of order.

Mr. CONGER. I make the point of order that the Chair has not stated the proposition and therefore there is no question——

The PRESIDING OFFICER. The Senator from Michigan is not in order while the Senator from Delaware is stating a point of order. The Senator from Delaware is entitled to the floor.

Mr. BAYARD. My point of order is that where the Senate has provided by its rules for the mode in which absent Senators may be requested by order of the Senate to attend it is not in order or competent for a Senator to propose to direct the Sergeant-at-Arms to compel their attendance as has been proposed; and that it is a violation of the rule to propose a different method than that the rule itself provides.

The PRESIDING OFFICER. The Chair does not think that the point of order is well taken. The Chair will direct the Secretary to read the third rule.

The Acting Secretary read as follows:

3. No Senator shall absent himself from the service of the Senate without leave of the Senate first obtained. Whenever it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and, pending its execution, and until a quorum shall be present, no motion, except a motion to adjourn, nor debate, shall be in order.

Mr. BAYARD (at 8 o'clock and 47 minutes p. m). I move that the Senate do now adjourn.

Mr. HOAR. Has the motion of the Senator from Vermont [Mr. EDMUNDS] been stated from the chair?

The PRESIDING OFFICER. It has not been read.

Mr. HOAR. It should be stated so as to be pending if the Senate should adjourn.

The PRESIDING OFFICER. The resolution of the Senator from Vermont will be read.

The Acting Secretary read as follows:

Ordered, That the Sergeant-at-Arms be, and he hereby is, directed to bring in forthwith the following named Senators who are absent from this sitting of the Senate without its leave, namely: Senator Barrow, Senator Call, Senator Camden, Senator Cameron of Pennsylvania, Senator Fair, Senator Farley, Senator Ferry, Senator Groome, Senator Grover, Senator Ingalls, Senator Johnston, Senator Jones of Florida, Senator Jones of Nevada, Senator Kellogg, Senator Lamar, Senator Logan, Senator Mahone, Senator Miller of New York, Senator Mitchell, Senator Plumb, Senator Saulsbury, Senator Saunders, Senator Sewell, Senator Van Wyck, Senator Vest, Senator Walker, Senator Williams, and Senator Windom.

Mr. BUTLER. I make the point of order that the resolution of the Senator from Vermont is not in order. I will read the third rule under which it is offered:

No Senator shall absent himself from the service of the Senate without leave of the Senate first obtained. Whenever it shall be ascertained that a quorum is not present, a majority of the Senators present may direct, &c.

There is a quorum of the Senate present, and I submit to the Chair that the resolution is out of order.

Mr. EDMUNDS. I can not debate it as it is not in order to do so. The answer is obvious enough, but I have no right to state it now.

The PRESIDING OFFICER. The Senator from South Carolina makes the point of order that the resolution of the Senator from Vermont is not in order under the third rule. The Chair will submit the question to the Senate.

Mr. SHERMAN. I thought a motion to adjourn had been made.

Mr. BAYARD. At the request of the Senator from South Carolina [Mr. BUTLER] I withdraw the motion to adjourn which I made about ten minutes ago, and which was not acted upon.

Mr. BUTLER. I should like to have the Chair determine the point of order I make.

The PRESIDING OFFICER. The Senator from South Carolina raises the point of order that there is no authority under the third rule to send for absentees when there is a quorum present. The Chair prefers to submit that question to the Senate.

Mr. McPHERSON. Before any question is submitted to the Senate, permit me to make an explanation.

The PRESIDING OFFICER. Debate is not in order.

Mr. McPHERSON. No debate is necessary, but I wish to state with regard to my colleague [Mr. SEWELL], who is announced as one of the absentees, that he is absent from the Senate necessarily on account of illness.

Mr. EDMUNDS. All that will come up when Senators make their excuses.

Mr. BUTLER. The whole question turns upon the fact whether there is a quorum present, and I submit to the Chair that the roll-calls have developed the fact that there is a quorum present, and the Senator from Vermont has no right, under the rules of the Senate, to offer any such resolution. I should like to hear the response to that.

Mr. EDMUNDS. I do not intend to take time in debate. If the Senate want to say that they can not do anything because a majority is here, I should like to know it.

The PRESIDENT *pro tempore*. The Chair decided some time ago that it is a question of the highest privilege to compel the attendance of absent members, and that the rule of the Senate being that no member shall be absent except by the leave of the Senate, the motion to send for absent Senators can be made when a roll-call shows that Senators are absent. The Chair holds that it is a question for the Senate to decide when it shall send the Sergeant-at-Arms for absentees.

Mr. MORGAN. Before the present occupant of the chair took his seat the Chair submitted the question of order raised by the Senator from South Carolina to the Senate, and it has not been revoked so far as I have heard.

Mr. HOAR. It had not been submitted, as the record will show. The occupant of the chair merely suggested a purpose to submit it, but heard an explanation from a Senator in regard to his own decision after that. It had not been submitted.

Mr. HALE. Does the Chair submit the question to the Senate?

The PRESIDENT *pro tempore*. No; the Chair never submits anything to the Senate. [Laughter.]

Mr. HALE. How is the Senate to know upon what to vote? I understood, sitting here and listening with all attention, that the question was to be submitted to the Senate whether this motion is in order upon a roll-call by which a quorum is disclosed. I should be very glad to think that it is not in order.

The PRESIDENT *pro tempore*. If the former occupant of the chair did actually submit the question, the Chair will consider it as having been submitted to the Senate.

Mr. HARRIS. It is certainly true that the Chair announced, "the Chair will submit this question to the Senate." The Chair declined to decide it, saying that he would submit it to the Senate.

Mr. EDMUNDS. The question was not stated, however.

Mr. HARRIS. Then it was suggested from this side of the Chamber that if submitted it was debatable, and the Chair indulged more or less of debate because it was submitted.

Mr. GORMAN. The Senator from Tennessee has stated precisely what occurred. The point of order was made when I occupied the chair for a few moments, and it being comparatively a new question to me I preferred to submit it to the Senate, and announced that I would submit the question to the Senate.

Mr. CAMERON, of Wisconsin. Did the Senator submit it to the Senate?

Mr. GORMAN. I announced that it would be submitted to the Senate, and pending that the President *pro tempore* resumed the chair.

The PRESIDENT *pro tempore*. The question then will be submitted to the Senate.

Mr. CAMERON, of Wisconsin. I ask that the Reporter's notes be read, so that we may know whether it was or was not submitted. I did not understand that it was submitted. I understood the Chair to state that he would submit it, but in fact he did not.

The PRESIDENT *pro tempore*. It was at the Secretary's table understood to have been submitted.

Several SENATORS. Very well.

Mr. HALE. Will the Chair state the question?

Mr. BLAIR. Let us have the minutes.

The PRESIDENT *pro tempore*. They are immaterial. The Senator from Maryland [Mr. GORMAN] says he submitted it.

Mr. HALE. Now, will the Chair state the question?

The PRESIDENT *pro tempore*. The point of order is raised upon the resolution of the Senator from Vermont. The resolution will be read by the Secretary without reading the names.

The Acting Secretary read as follows:

Ordered, That the Sergeant-at-Arms be, and he hereby is, directed to bring in forthwith the following-named Senators who are absent from this sitting of the Senate without its leave, namely:

Mr. BUTLER. Now I ask for the announcement from the notes of the Secretary of the last call of the Senate whether there is a quorum present or not.

The PRESIDENT *pro tempore*. There was a quorum present and is. The Senator from South Carolina raises the point of order whether this resolution, there being a quorum of Senators present, is in order. He denies it, and the Senator from Vermont affirms it. Those who believe that this resolution is in order will answer "ay"——

Mr. SHERMAN. That is debatable now.

The PRESIDENT *pro tempore*. Yes, sir; and those who think it is not in order will answer "no."

Mr. McPHERSON. How can we know anything about it unless we have the record of the vote and have the names announced?

The PRESIDENT *pro tempore*. The Chair states that there was a quorum present.

Mr. McPHERSON. Very well.

The PRESIDENT *pro tempore*. Forty-seven Senators are present.

Mr. PENDLETON. Is it in order to move that all further proceedings under the call of the Senate be dispensed with?

Mr. EDMUNDS. There is not any proceeding under a call of the Senate.

Mr. PENDLETON. Is it not in order to stop this proceeding?

Mr. SHERMAN. I suppose it is the inherent right of every legislative body to compel the attendance of its members. This proceeding is not under Rule 2. That does not apply here. That only applies to cases where less than a quorum undertake to exercise this high power, but there is no question about the right of the Senate at any time to compel the attendance of absentees. A quorum being present, I do not believe myself it is wise to do further in that direction to-night than has been done.

Mr. EDMUNDS. Let us get a decision as to its being in order.

Mr. SHERMAN. To that I have no objection. So far as the point of order is concerned, I submit to the Senator from South Carolina that the question is not as to whether less than a quorum shall have the power to compel the attendance of absentees, because that power is expressly conferred by the Constitution of the United States upon less than a quorum, and Rule 3 is made to carry out that power given, the only power that is given by the Constitution to less than a quorum. But the power of a quorum when present to compel the attendance of absent Senators has never been called in question. It is inherent in every legislative body, and we can no doubt do it if we choose.

Mr. BUTLER. I have no question on that subject; but I should like to ask the Senator from Ohio if we have the right now to insist by legislative proceedings of this body on compelling the attendance of the Senator from Minnesota, the Senator from Michigan, and the Senator from Nebraska?

Mr. SHERMAN. We shall not do it; that is all about it.

Mr. BUTLER. But I am asking the Senator as to our right to do it. The Senator supposes we have the right to compel the attendance of Senators; and I put that question to him directly.

Mr. SHERMAN. A majority of the Senate if it chooses might stop to-day until every Senator was present; that is, it has the power to do it; but that would be a gross abuse of power.

Mr. BUTLER. Precisely; and it seems to me, with all due respect to the Senator from Ohio and the Senator from Vermont, that it is a great abuse of power to compel the attendance of Senators when we have a quorum present for the transaction of business, and the roll-call develops that fact. Now, we are called upon to compel the attendance of Senators when there is a quorum present in the Senate competent to transact business. I make that point of order under the rules of the Senate in all seriousness.

Mr. EDMUNDS. I have no right to debate a point of order that is made until the Chair has decided it.

The PRESIDENT *pro tempore*. The first question is——

Mr. VOORHEES. I rise to a parliamentary inquiry. I want to inquire whether, when the Senators present make a quorum, those here who can not vote by reason of pairs can compel Senators who are absent to come here?

Mr. EDMUNDS. Will the Chair state his point and give me the floor?

The PRESIDENT *pro tempore*. The Senator from Vermont has the floor.

Mr. VOORHEES. I——

Mr. EDMUNDS. I was listening to the Chair.

Mr. VOORHEES. I rose to a parliamentary inquiry, which the Chair did not answer.

The PRESIDENT *pro tempore*. The Chair can not answer it, because the Senator from Vermont [Mr. EDMUNDS] has the floor. The Senator from Vermont offered a resolution. The Senator from Maryland [Mr. GORMAN] was then in the chair. A point of order was raised by the Senator from South Carolina [Mr. BUTLER] on that resolution that it was not in order. The then occupant of the chair, not being willing to decide the point of order, submitted it to the Senate; and that is the question before the Senate now, whether the resolution offered by the Senator from Vermont is or is not in order.

Mr. EDMUNDS. On that point——

Mr. VOORHEES. I say to the Senator from Vermont, with all due respect——

The PRESIDENT *pro tempore*. Does the Senator from Vermont yield?

Mr. VOORHEES. I am acting in perfect good faith, and I have made an inquiry for my own information——

Mr. EDMUNDS. Oh, I yield with great pleasure.

Mr. VOORHEES. My only purpose is to find out the law on this matter. I wish to know from the superior experience on this subject which the Senator from Vermont has, having been in the chair often himself, whether it is any more in order for Senators on the floor in this Chamber to break a quorum by pairing with each other than it is for Senators to go home? If I can have an answer to that I shall be enlightened, and I shall be glad to be enlightened.

Mr. EDMUNDS. Mr. President, it is no part of my duty to reply to the inquiry of the Senator from Indiana; but the case is just this: We find on every yea-and-nay vote of this body that a quorum does not vote and that one-third of the Senators or one-quarter are absent. Then the rule requires the Chair to have the roll called. It is called, and it appears that a quorum is present. You take another vote and immediately, the question recurring on the previous pending amendment, you find just as you did before that no quorum votes and that one-quarter or one-third of the Senators are absent. The reason that there is not a quorum now voting upon the questions pending on this bill is because of pairs; it is not what we call filibustering, whatever that may be, but gentlemen do not feel at liberty to vote, and therefore the absentees are the ones who blockade the progress of public business. Now, therefore, independent of this rule, which has no application to this question, I move that the absent Senators be brought in. They have already been requested by a previous order of the Senate and they have not come. I now move that they be brought in, and the question is whether it is competent for the Senate——

Mr. RANSOM. Now, Mr. President——

Mr. EDMUNDS. I am not through yet, if the Senator will pardon me.

Mr. RANSOM. I want to make a suggestion to the Senator from Vermont, but I will not make it if it will trouble him any.

Mr. EDMUNDS. It does not trouble me at all. I shall be very glad to hear it.

Mr. RANSOM. I wish to make this suggestion to the Senator from Vermont. If I comprehend the rule of the Senate—and I think there is no difficulty in the judgment of Senators upon that rule—if the absence of a quorum is disclosed, then the Senators present can immediately adopt a resolution to request the presence of the absent Senators. About that there is no doubt, there being no quorum present. Now, outside of that rule entirely, in the absence of any rule upon that subject, the Senator from Vermont offers a resolution that the Sergeant-at-Arms shall be directed to compel the presence of absent Senators. I say that the Senator can not accomplish by that motion what he desires to do this evening, for I want to ask him now, if I object to that and insist that that motion shall go over one day under the rules, is it not obliged to go over for a day, being a new order not in the rules?

Mr. EDMUNDS. I do not agree with my friend from North Carolina.

Mr. RANSOM. May I suggest my reason for that idea of mine to the Senator from Vermont?

Mr. EDMUNDS. I think I comprehend it, but I shall be glad to hear.

Mr. RANSOM. The Senate has a right to compel the presence of its members, and the rule provides that in the absence of a quorum then it may do it immediately without any notice; but what is the case now? The absent Senators are not necessary to the organization of this body; they are not necessary to the ordinary transaction of business; they are not necessary really under the law and the rules of the Senate for any business we may desire to proceed with. Then I insist that a high question of that character, a proposition to send for a Senator and bring him here, certainly should have a day's notice for proper consideration. If it should not, what question should have a day's notice? If a question of the importance of bringing a Senator here who is absent, without inquiring into the reasons of his absence, without knowing what has taken him from the Senate, is not a question of sufficient dignity to require a day's notice, what question is, and why the security that is given to every Senator that he shall have a day's notice of a resolution before it can be acted on?

Mr. EDMUNDS. If it is perfectly agreeable to everybody, I will now go on with what I have to say. If anybody else wishes to submit observations before I submit mine I yield with great pleasure.

Mr. RANSOM. I asked permission of the Senator from Vermont before I said a word.

Mr. EDMUNDS. Certainly, and the Senator had my permission. I was only calling for other observations.

If somebody at this moment were to stand up here and fire a gun at you, Mr. President, and an order was moved at once that that person should be taken into custody, I ask whether the Senator would stand up and say, "That requires a day's notice?" I had supposed that a body of this character had sufficient power of self-preservation, over and above all rules, to pass any order necessary to its own existence without any notice whatever. That would not condemn any man unheard; and you do not condemn any man unheard when you send for him and bring him in to be heard. That is enough for that. It is not necessary to waste time in discussing a proposition of that kind.

When the Senate finds itself incapable of doing the business that the country has intrusted to it, although a majority is present, on account of the absence of other Senators who are not present, it is a question, in my judgment, of the highest privilege and the highest importance that the gentlemen who are absent should first be invited, as they have been, and, secondly, be compelled, as my proposition is, to attend to their duties and come into this Chamber and explain the reasons of their absence. Some may be sick—I know that two or three are—or have a correct and proper excuse which will be given at the proper time.

Then the question is whether the third rule interferes with this right of ours? The third rule is a rule giving an authority to less than a quorum to do something that nobody else could do, because the Constitution provides that a majority is necessary to the transaction of business. Then comes the exception, that in order to compel, when there is less than a quorum, the attendance of those who are not here, less than a quorum can do it in order to make a body. That does not interfere in the slightest degree with the power of a quorum here at any moment when a majority think it necessary to require the attendance of every Senator. That is all there is to it; and I shall be glad to have the Senate decide that point of order.

Mr. MORGAN. Mr. President, I recollect a very painful discussion that occurred on this question once, at a time of which I am not permitted to speak as to the details of that discussion or the action that was proposed to be taken. It was done in executive session. That question was then very elaborately considered by the Senate. Some of the best-informed Senators here gave their opinions upon it. In the course of that argument the constitutional provision which has been referred to by the Senator from Ohio was brought up and examined. It is as follows:

> But a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide.

This provision of the Constitution was not intended to be self-executing; nor was it intended to cover the whole ground that might be taken by either House in a procedure to compel the attendance of a member. What is the meaning of the words "a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members?" Authorized how? Authorized by some rule or by some law; not authorized to take up, as we are doing now it appears, the subject summarily and without notice, even a day's notice as provided for the adoption of a new rule, a proceeding of a quasi-criminal nature against an absent Senator. Why is the language "under such penalties as each House may provide" put into this part of the Constitution? Because it is necessary to a proper execution of this article of the Constitution that the law or rule should be adopted in a formal way affixing the penalties.

What penalties will attach to our action to-day if a Senator should disregard this unauthorized order that we are sending out and should say that there was still a higher question of privilege than that of a Senator on this floor, which was the privilege of personal protection to his rights. You can imagine many circumstances in which a Senator might be placed, where it would be cruelty and injustice of the highest degree to take his body—for that is the meaning of this order—and bring him before the Senate. If the power that we are exerting here is as supreme as the honorable Senator from Vermont seems to think it is, it would defy the right of a writ of habeas corpus; and if Mr. FAIR, who is absent in California or Nevada, or Mr. WINDOM, who is absent in Minnesota attending to his election, or Mr. SAUNDERS, who is absent, or any other gentleman who is absent by the tacit consent of the Senate, if not by its express leave, should become the subject of this order in his own State, if the order is valid the power of the writ of habeas corpus can not reach that man so as to take him out of the custody of the Sergeant-at-Arms, for the order of the Senate puts him in the custody of the Sergeant to bring him here; to bring him here in spite of his opposition; to bring him, if need be, in chains; to bring him at the expense of his life; because, if the order is valid, the Senator must yield.

Now, sir, until we have enacted laws or rules to meet a case like this we are transgressing the boundaries of our authority in a most serious way if we undertake to send out a missive after an absent Senator, and that, too, from a pretext which we know to be untrue, and which is, that they have been invited to come here. There is not a Senator of this body who has had personal notice served upon him of the desire or request of the Senate that he should be here; and yet it is assumed that he has been notified. This is the condition precedent of our action in this matter, and that great assumption is made for the purpose of striking down the personal liberty of a man, as well as the dignity and the honor of a Senator, and of the State that he represents.

Mr. President, we have enacted laws in pursuance of that provision of the Constitution; and what are they? Here is the rule of the Senate, which finds no other warrant at all except that provision in the Constitution. The first part of it is: "No Senator shall absent himself from the service of the Senate without leave of the Senate first obtained." That is not in the Constitution. You can not find that provision there. What is the next?

> Whenever it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when

necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and, pending its execution, and until a quorum shall be present, no motion, except a motion to adjourn, nor debate, shall be in order.

We have executed, according to our own judgment, in this rule that we have adopted this power of the Constitution. If we have not gone far enough to suit the Senator from Vermont let us stop and put in a rule giving at least one day's notice of it, debate it and settle upon it, so that we can have a law binding ourselves, as well as everybody else, in regard to the manner in which we shall adopt coercive measures against absent Senators.

Mr. COCKRELL. Will the Senator now answer this question, why the Senate would pass a rule simply requiring a majority vote of the Senate, which would be more binding than the power the Senate could exercise now?

Mr. MORGAN. I do not believe I comprehend the Senator.

Mr. COCKRELL. How could that rule give to the Senate any constitutional power or function that it does not possess to-day?

Mr. MORGAN. Nobody ever heard me contend for such a piece of folly as that. I hope the Senator from Missouri will have a better opinion of what little knowledge I have of the Constitution than to suppose I think we can enlarge the Constitution by a rule.

Mr. COCKRELL. Not enlarge the Constitution, but the power of the Senate by a rule.

Mr. MORGAN. The power of the Senate under the Constitution?

Mr. COCKRELL. Can we enlarge the power of the Senate by a rule?

Mr. MORGAN. Not at all.

Mr. VOORHEES. The Senator from Alabama having answered satisfactorily that the Senate can not enlarge its powers beyond what are given by the Constitution, I should like to ask him another question. I have asked the question in two different quarters to-night in vain. Now, I want to ask the Senator from Alabama his opinion upon this point: whether a call of the Senate followed by an arbitrary enforcement can be made when it is disclosed that there is a quorum on the floor and the trouble is caused by parties present making pairs with those who are absent, so that some of them who are here are consenting to the absence of the others, and in that way we happen to stand with less than a quorum. I asked the Senator from Vermont, and he did not deign to make any answer. I asked the Chair as a parliamentary inquiry, and could get no answer from him. Now I ask the Senator from Alabama whether in the face of the fact that there is a quorum present on this floor answering to the roll-call we have the power to order the Sergeant-at-Arms to go out and arrest Senators and bring them here? I want that question answered. I am going to keep on asking it.

Mr. MORGAN. I was about to answer that question, or at least I was proceeding to the consideration of that proposition. I was first trying to examine what was the extent of our constitutional powers, and second how far we had proceeded in the execution of them by the passage of the rule cited, and then I was about to say that in the passage of that rule we had confined ourselves to a particular method of procedure, and that method of procedure was based on the proposition that there must be a quorum absent; that is to say, if a quorum is present the power does not exist.

Mr. MAXEY. I want to get the opinion of the Senator from Alabama on that very point. The Constitution says a quorum may do business. It gives to a minority, less than a quorum, the power to compel the attendance of a quorum. What for? Because there is not a quorum to do business. Now, do we have the power here, when there is a quorum, to do that? Has that quorum the power to send for absent members when the very purpose of the Constitution is that absent Senators are sent for to make a quorum?

Mr. MORGAN. I shall be very brief in my remarks. I did not expect to stir up all this hubbub in the Senate. I wish to say merely this: that the Constitution limits our power; it requires us to adopt rules either in the shape of laws or rules of practice in the Senate defining the manner of the exercise of this power. We have done it; we have exercised that power on our part, and it has produced Rule No. 3. The second clause of that is:

Whenever it shall be ascertained that a quorum is not present a majority of the Senators present may direct the Sergeant-at-Arms to request, and when necessary, to compel the attendance of the absent Senators.

There is a power to be exercised on the condition expressed in the rule, and if a roll-call discloses that there are 39 members present in this body, then we have a lawfully-constituted Senate, and can proceed with the dispatch of business, and the rule follows the Constitution. If Senators by pairing—if 38 out of 39 Senators present, by pairing, have made it impossible that they can vote on a qnestion, nothing remains for them to do but one of two things: break their pairs or adjourn the Senate; for while there is no law that authorizes pairing at all, it is a matter of universal consent in this and in all other parliamentary bodies, I believe, which we would not dare to violate; honor would not permit it.

Here, then, is the case presented where the rule does not apply, because the condition upon which the rule is to take effect has not arisen; that is to say, there is a quorum present; there is a lawfully constituted Senate present at the time, competent to do the business of this body.

Now, one word more. Suppose we do proceed in the manner indicated by the resolution of the Senator from Vermont, do we proceed under any existing rule? We proceed outside of it. Therefore the point made by the Senator from North Carolina [Mr. RANSOM] was strictly correct, that it is a new rule and it can not be adopted by the Senate without at least a day's notice.

Mr. RANSOM. Will my friend from Alabama allow me to read the rule?

Mr. MORGAN. Certainly.

Mr. RANSOM. Rule 33 reads:

33. All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

Mr. MORGAN. I desire now to say this: The debate to which I referred a while ago, which occupied a great deal of time and caused great anxiety in this body in executive session, can never be referred to in such a way as to bring out the point that there arose and the various propositions that were made there in respect of the proper method of executing this rule. I am now glad that this subject is before the Senate, and I should like to call the attention of the Committee on Rules to this question. This provision of the Constitution has been very imperfectly provided for by rule, and when we come to execute the power which is given us in the Constitution of sending for an absent member of this body we have got no sufficient rule to justify the action or to define the action or the powers of the Sergeant-at-Arms when we send him out. He goes out with letter of marque and reprisal to catch Senators wherever he can, without affidavit, and to imprison them and to bring them here in any way that he may see proper and deliver them bound into the hands of this body.

I took occasion to speak on this subject when the Senate was occupied for a long time in hearing protests and remonstrances of gentlemen who had been called upon in this way to come in who had been put in default by action of the Senate, they having had no previous notice. Our rule says that the Sergeant-at-Arms is "to request, and, when necessary, to compel, the attendance of the absent Senators." First the request must be made. We have no jurisdiction to authorize him under this rule to take any man into custody until he has first requested him. Has the request been made here to-day of any absent Senator to come to this body? There has been no request made.

Mr. President, it may be considered by some gentlemen a slight thing to put Senators of the United States from the different States of this country in default before this body. It may be considered a very weak privilege to them that they should have the opportunity without asking the formal leave of the Senate to go and attend to matters of the greatest possible personal and private and public interest also. While they are absent and have not the right to speak, I rise to speak for them. We have got no right to send out our mandatory orders to capture them like criminals, culprits, or convicts and bring them before this body in disgrace until they can remove the impeachment.

I dare say that every Senator absent from the body to-day has a good excuse for his absence, and we should go through the formality of having first impeached them in respect of their absence and then being compelled to accept their excuse, which would be like an apology of the Senate to them for its overhasty action. I insist that before we shall ever undertake to execute the mandatory part of this rule, that part which relates to taking in custody the bodies of Senators, we shall do ourselves the credit to lay down rules here under which the Sergeant-at-Arms himself may be justified.

Sir, if I were Sergeant-at-Arms of the Senate I would not execute an order, or attempt to do it, couched in such vague and indefinite terms as that presented by the Senator from Vermont. If I could not produce a better authority than that resolution for taking a Senator into custody I would never do it, because I would know that I was violating the Constitution of the country which obtained, if in favor of nobody else, at least in favor of a private citizen; and I can not understand why the personal rights of a man under the Constitution are hampered and destroyed by the fact that a sovereign State of this country has conferred upon him the honor and entitled him to the title of a Senator.

Any man, the humblest in this land, may stand in defiance of your Sergeant-at-Arms under no better order than that of the Senator from Vermont. Suppose you should send your Sergeant-at-Arms down into the town to haul up some private citizen here who might be supposed to have treated this body with contempt. The contempt is not ascertained; no affidavit has been made; no formulation of charges has been made against him; no criminal act has been hinted at before the Senate. Sir, he would have a right to resist your authority if you should attempt such an outrage as that against a mere private citizen of this land. Does the fact of his being a Senator of the United States put him under subordination to an authority of this body which a common private citizen could resist with impunity?

This is a subject which requires attention from this body, and I am glad that it has come up in order that we may try and formulate some rule to execute properly this provision of the Constitution.

Mr. HALE. I move to lay the resolution on the table.

Mr. EDMUNDS. On that I ask for the yeas and nays.

The PRESIDENT *pro tempore*. Does the Senator from Maine mean the order?

Mr. HALE. The resolution in the form of an order.

Mr. EDMUNDS. But the question pending is upon the point of order submitted to the Senate. It is not very clear that that can be laid on the table.

Mr. BUTLER. I raised a point of order on the resolution of the Senator from Vermont, and that I understand to be pending before the Senate.

The PRESIDENT *pro tempore*. The question is whether the resolution or motion of the Senator from Vermont is in order.

Mr. BUTLER. That is the point.

Mr. HALE. Pending that, is it not in order to move to lay it on the table?

Mr. EDMUNDS. The pending question is the point of order.

Mr. BUTLER. A point of order can be laid on the table.

The PRESIDENT *pro tempore*. If the resolution is decided to be in order, then the motion to lay the resolution on the table will be in order.

Mr. HALE. I withdraw my motion until then.

Mr. HARRIS. The question before the Senate is whether or not the resolution is properly before the Senate, and until that is decided it can hardly be laid on the table.

The PRESIDENT *pro tempore*. The simple question is whether this resolution is in order or not. When it is before the Senate, it can then be laid on the table.

Mr. EDMUNDS. On that question I ask for the yeas and nays.

Mr. HOAR. Mr. President, I should like to vote with the Senator from Vermont if I could, but it seems to me his motion is out of order for this reason: I have no doubt that a majority of the Senate, a quorum being present, may do what less than a quorum may do, may compel the attendance of absent members; but the Senate has before it a pending question, and Rule 43 is:

> When a question is pending, no motion shall be received but—
> To adjourn,
> To adjourn to a day certain, &c.

Now, I do not doubt that there are questions of high privilege, like the question the Senator from Vermont supposed, in the case of an assault on the Chair or on a member of the body in its presence, not enumerated in this list of motions, which may be put when a question is pending, which might require a motion and justify it; but I do not believe that it is a question of privilege which entitles any single member of the Senate to demand that it shall lay aside its pending business. If, when it is ascertained, whether by a call of the roll or in any other way, that one Senator is absent, it is in order to make this motion without first a vote of the Senate laying aside the pending business, clearing the decks for the resolution, then the question suggested of its going over for one day would arise; but without adverting to that, if it be in order, to compel the Senate to lay aside its pending business and take up this resolution, it is in order for any member of the Senate at any time to call attention to the absence of any Senator, and to follow with a motion that he be ordered to be brought in, put the motion under debate, and compel the Senate to lay aside all its business.

The fact that there is no precedent for such a privileged question is enough almost of itself to decide it; but independent of that fact, surely the absence of a single Senator, or of any number less than a quorum, does not prevent the Senate from going on, under the Constitution, with its business. How, therefore, is a Senator's disobedience to the call a question of high privilege, which forces its way against all pending business, when such absence is not an interference with the power of the Senate to go on under the Constitution and transact its business? I shall therefore be compelled to vote that this motion, while a bill is pending, the question being on the third reading of the bill, is not a question of privilege to justify a single Senator to require the action of the Senate upon it.

Mr. INGALLS. Mr. President, may I ask the Chair whether I am present or absent? [Laughter.] I came into the Chamber voluntarily a few moments since, having been temporarily absent for a short time without leave of the Senate, and am advised that I am technically, or either technically now or about to be, in the custody of the Sergeant-at-Arms. I should feel somewhat indelicate, if I am in custody, in voting upon the question whether this resolution is in order or not. If I can be discharged from custody, and regarded as a present member of the Senate I should like to make an observation——

The PRESIDENT *pro tempore*. The Chair recognizes the Senator from Kansas.

Mr. BUTLER. I move that the Senator from Kansas be released from arrest and allowed to proceed. [Laughter.]

Mr. INGALLS. I do not understand that I have ever been under arrest.

The PRESIDENT *pro tempore*. The Senator from Kansas has the floor.

Mr. INGALLS. I was informed by the Sergeant-at-Arms that a messenger had been sent to my lodgings to notify me to attend; but I did not receive the notice and I came in voluntarily, having been absent upon an innocent errand, not knowing that I was violating the rules of the Senate or that my presence was needed here, and I respectfully ask that my name may be excluded from the resolution.

Mr. EDMUNDS. The question now is whether it is in order.

Mr. INGALLS. Yes, Mr. President, it is a question whether it is in order or not; but the question that concerns me is whether I am to be arrested or not.

The PRESIDENT *pro tempore*. Whether the resolution passes or not.

Mr. INGALLS. So far as the question of order is concerned, this is a very ancient controversy; it comes up again and again with every recurring year. The attempt is made to compel the attendance of absent members, and after a short and inglorious controversy, the proceedings are terminated and the business goes on as before.

It is useless to say that under the Constitution or under the rules of this body the business before the Senate can be interfered with if at any time it happens that a member is absent, and an order entered to bring him in for the purpose of giving an excuse as to the occasion of his absence. Under the Constitution the power is given to a smaller number than a majority to compel the attendance of absent members. Why? Simply because under the Constitution less than a majority is not a quorum to do business. Therefore, whenever there is a quorum present the only power that a majority can exercise toward an absent member is to require him to be present, and if he refuse I have no doubt there is the power to punish him for disorderly behavior, or if he continues to be contumelious there can be no doubt of the power, two-thirds of the Senate consenting, to expel him. But to say that under the rules of the Senate when it appears that a majority, which forms a quorum under the Constitution, can transact business, can continue operation under a call for the purpose of bringing in absent members, is in my judgment parliamentary nonsense.

I shall therefore, with the view I entertain on this subject, vote that this resolution is not in order, and more particularly now anyway because it includes me and directs the Sergeant-at-Arms to bring me in when I am here corporeally present in the body and ready to attend to the business of the Senate.

Mr. HALE. Mr. President, I shall vote that the order or resolution of the Senator from Vermont is not in order, first, because I believe that when the presence of a quorum is disclosed, the obstacle to doing business being removed, the reason for the rule ceases, and the part of the Senate to do at that time is to proceed to business. We have lost an hour upon this discussion, worse than uselessly, and we had better proceed with the consideration of the tariff bill. Hence I shall vote that it is not in order, because as a practical question I do not believe that the Senator from Vermont [Mr. EDMUNDS] has found an adequate remedy for the trouble that we are in. We have spent upon the debate on the tariff bill, general debate, long speech-making upon a threadbare subject, five-sixths of the time since the bill was introduced by the Senator from Vermont [Mr. MORRILL]. The remedy to be applied here, if anything is expected to be done, and I ask the Senator from Vermont [Mr. EDMUNDS] with his experience here and the influence he has to apply it, is the limited rule of debate on this bill. We shall never proceed to do any business upon it until either a five-minute or a ten-minute rule is applied. We have to-day used up nine-tenths of the time in long speeches.

Now I say to the Senator from Vermont that I will join with him in the passage of a five or ten minute rule and stand by it. I will go further than that. I will to-morrow morning introduce a new rule or resolution to apply the five-minute rule to debate upon this bill; and if that is passed I will guarantee to stay here early and late discussing the different questions that come up as different articles are reached under the five-minute rule that has been found so efficacious in the other House, until we finish this bill. But I expect when that is introduced that the Senator from Vermont will oppose it. He believes that if he comes here at any time and happens to find the floor vacant, it is the privilege of any Senator to talk always and forever—not that he does it; we listen to him with not only respect but with a gained information; but we shall never have any progress made on this bill until we apply the five-minute rule to the clauses as they come up.

Mr. BECK. Now, will the Senator from Maine before he sits down relieve me from a little difficulty that I have had in the proceedings? We had a quorum here two or three times, but it was a quorum composed of paired men. The Senator from Maine himself was necessarily absent and I was paired with him. Suppose I had voted to make a quorum and my vote had carried in the affirmative the proposition of the Senator from Tennessee [Mr. HARRIS], would the Senator from Maine who was opposed to that have thought it entirely fair? The difficulty we have is not the absence of a quorum, but the presence of a quorum not composed of unpaired men; and yet we can all answer to the roll-call as being here even if we are paired. There is the trouble.

Mr. HALE. That is one of the difficulties of the present situation. So long as so much time is occupied in what is called general debate—speeches that run hour by hour, speeches that are repetitions and repetitions on this old threadbare subject—Senators will leave the Chamber for an hour or two hours, or an entire evening, and when they go they will pair.

Now, I say that so long as we continue this sort of general debate I will take to myself the privilege of a Senator of leaving for an hour or two hours if I choose, and I will not vote when I am present (as I am

here now and expect to be) to dragoon other Senators by bringing them in; but if I can have a speedy and swift process of bringing the different subjects in the tariff bill to a head by a limited debate, I pledge myself to stay here and never be absent and never be paired, but until that is done I will exercise my discretion, and will leave the Chamber for a time if I believe no voting is to take place.

Mr. VOORHEES. It is not a question of whether we have limited or long debate. I am as anxious to close the discussion of the tariff question as anybody in this Chamber; I have looked with as much apprehension upon its prolongation as anybody here; but that does not affect the merit of the question before this body at this time. With all due respect to the Senator from Vermont, I look upon his resolution as a broad farce, and now I intend once more to interrogate this body and the last Senator on the floor, and I crave the attention of the Senator from Maine to answer me whether when a roll-call discloses the presence of a quorum there is any power in the body to send out warrants of arrest for absentees?

Mr. HALE. I will answer the Senator, that under the rules as found in the book of rules I do not believe there is the least power. That is perfectly clear. Whatever reserved power there may be aside from that is a subject that I have not investigated. Under the rules I am confident.

Mr. VOORHEES. Reserved power we have not yet reached, and I hope we shall have no necessity to reach it. I am assuming that it is a case for direct power. I am very much obliged to the Senator from Maine, for I have interrogated in every quarter here to-night to know whether Senators sitting in their chairs here not answering to their names, pairing with absentees, and making the absentees believe that they are safe in their absence, can make it lawful for this body to order the arrest of those gentlemen who are absent? That is what I desire to know.

I understand the rule to be that when the roll-call discloses the absence of a quorum then there can be a call of the Senate. The absence of a quorum may be disclosed in a vote upon a question which will result in a call of the Senate, and in that call the presence of a quorum may be disclosed here. Then I want to know what power there is to send for men who are absent when you overlook the men who are sitting here and all about? That is what I desire to know, and the Senator from Maine is the first man who has answered that.

I deny the power. I have served in a minority for years in the House of Representatives, and I know what the power of men in a minority is sitting in that Chamber and declining to vote in order to insure privileges and rights in that body, and I know that it does not warrant the arrest and procurement of those who are absent by force; I know that very well. Mr. President, here is a quorum; there is a quorum of this body present. There is a quorum here on this floor, and you have officially announced it, and I want to know whether you will arrest men because they are absent, when the Chair itself has officially announced that a quorum is here answering to the roll-call. The rule says the power shall be exercised in the absence of a quorum. There is no absence of a quorum; the Chair himself has told us there is a quorum here. Let the rule be enforced to make men vote, or if you can not make them vote, then let us go our several ways. If you can not make those vote who are here, what is the use of bringing men here who are absent, when you can not make them vote after you get them here?

Mr. BUTLER and Mr. SHERMAN addressed the Chair.

Mr. SHERMAN. I wish to ask a question. What is the pending question?

The PRESIDENT *pro tempore*. Does the Senator from Indiana yield?

Mr. VOORHEES. I think I ought to yield to the Senator from South Carolina first, because I think he rose first.

Mr. BUTLER. I was going to make this point: When my friend from Indiana animadverts rather severely on those of us who are here and paired——

Mr. VOORHEES. I do not, sir. You have a right to be paired. Has the Senate a right to order men absent that you are paired with to be arrested?

Mr. BUTLER. I misunderstood the Senator. I thought he was making some reflection on those of us who were paired.

Mr. VOORHEES. Not at all. You had a right to be paired.

Mr. BUTLER. I am paired.

Mr. VOORHEES. Undoubtedly you have the right to be paired. I now yield to the Senator from Ohio.

Mr. SHERMAN. I simply state very frankly that I sought the floor to say that we are wasting time; and so I wished first to ascertain what is the question before the Senate.

The PRESIDENT *pro tempore*. The Chair has stated the question. It is whether the resolution of the Senator from Vermont——

Mr. VOORHEES. I wish to hear the Senator from Ohio. I can not hear him.

The PRESIDENT *pro tempore*. The question is whether the resolution of the Senator from Vermont is in order.

Mr. SHERMAN. I wish to lay that question of order on the table. I make that motion.

Mr. VOORHEES. The Senator from Ohio will ask the floor from me before he gets it. I beg pardon; the Senator from Ohio has not the floor.

Mr. SHERMAN. I will make the motion as soon as I can get the floor. I have been struggling for it.

Mr. VOORHEES. I distinctly said I would yield to the Senator from Ohio or the Senator from South Carolina; but finding that the Senator from South Carolina rose first and asked a question I yielded to him, and I do not think it becoming in the Senator from Ohio, under these circumstances, on that distinct notice, to assume the floor; not that I have anything much further to say.

Mr. SHERMAN. I simply did it, as I supposed, with the consent of the Senator from Indiana, and, as I thought, to promote the views he had.

Mr. VOORHEES. No, sir.

Mr. SHERMAN. When he is through I will try to get the floor.

Mr. VOORHEES. I have the floor and the Senator can not get it in that way fom me. I simply wish to enforce for a single moment the point that I made. Will any Senator assume here that if Senators present have a right to withhold their votes, which they have, Senators who are absent can be brought here with any usefulness, any utility, when they can withhold their votes, and how are you going to compel them to vote? This is an independent body, not a body of children. It is not a puerile body, it is a body of independent men; and one of the great vices and follies of this body is to try to do business after the general mind and purpose of the body is against it. You might as well attempt, I will say to the Senator from Vermont, to compel a horse to drink after you had led him to the trough. You can not do it. So with this body. When the hour for adjournment properly has arrived adjournment ought to take place. We meet here at 11 o'clock; we have sat here now ten or eleven hours; we all desire to transact the business of the country, but there comes a time when a cessation from labor is proper.

I wish to say simply, as I did at the start, that if the Chair had answered the parliamentary inquiry when I first propounded it, whether when the Chair announced a quorum officially there could be a call of the Senate, there would have been no necessity for this subsequent debate.

Mr. SHERMAN. Mr. President, all I desire is that we may proceed to business; and as I believe that the rules plainly provide whenever any question is before the Senate that it is within the power of a majority of the Senate to lay that question aside, I do not care what the question is, I respectfully again submit the motion to lay the pending question upon the table.

The PRESIDENT *pro tempore*. The resolution is not before the Senate. A point of order is raised that it is not in order.

Mr. EDMUNDS. Any Senator can move to lay that question on the table, undoubtedly.

The PRESIDENT *pro tempore*. The point of order can be laid on the table.

Mr. SHERMAN. That is precisely what I propose to do. I move to lay the point of order on the table.

Mr. RANSOM. I rise to a point of order.

Mr. SHERMAN. I say that is not debatable.

The PRESIDENT *pro tempore*. It is not debatable; but a point of order may be stated.

Mr. RANSOM. I knew it was not debatable, and therefore I rose to a point of order. The Senator from Ohio moves to lay the point of order on the table. Does that carry with it the resolution?

The PRESIDENT *pro tempore*. It does.

Mr. SHERMAN. I intend to follow it by such a motion if it does not.

Mr. EDMUNDS. It does not carry it.

Mr. RANSOM. I understand the Chair to rule that that carries the resolution to the table too.

The PRESIDENT *pro tempore*. No; on reflection the Chair thinks it does not.

Mr. RANSOM. I did not think it did; but the Chair said so.

The PRESIDENT *pro tempore*. The Senate can lay the resolution on the table.

Mr. HOAR. How does the resolution get before the Senate? The Chair has not ruled that it is before the Senate. He has only submitted to the Senate whether it is in order. If we lay that on the table, where is the resolution?

Mr. SHERMAN. I ask for a decision on the question of the point of order.

Mr. EDMUNDS. It is clear enough that a motion to lay a point of order on the table does not carry the matter on which the point of order is raised with it. If it is laid upon the table the point of order is disposed of, and then the resolution can be laid on the table or otherwise disposed of as the Senate pleases. That has been decided a thousand times.

Mr. HALE. The Chair decided once that the motion was not in order when I made it myself.

Mr. BUTLER. Why not meet the question directly by voting on the point of order?

Mr. SHERMAN. It is not debatable.

The PRESIDENT *pro tempore*. It is moved to lay the point of order on the table. Then the resolution can be laid on the table afterward. The question is on the motion to lay the point of order on the table.

Mr. MORGAN. I raise the point of order that the motion to lay the

point of order on the table does not now reach it. The Chair having submitted the point of order to the Senate, the next order of business is to decide it.

The PRESIDENT *pro tempore*. The question is on the motion to lay the point of order on the table. The Chair overrules the point of order made by the Senator from Alabama and decides the motion to be in order. The question is on laying the point of order on the table. [Putting the question.] The ayes seem to have it.

Mr. BUTLER. I ask for the yeas and nays on that. I want that point of order determined, unless the Senator from Vermont will withdraw his resolution.

Mr. EDMUNDS. The point of order being laid on the table, I shall now, if you do not ask for the yeas and nays, withdraw the order that I have offered in order to let the Senate go on, for apparently there are enough here to do so.

Mr. BUTLER. Ah!

Mr. EDMUNDS. In ten or fifteen minutes I may have to renew it again.

Mr. BUTLER. If the Senator withdraws his resolution I withdraw the demand for the yeas and nays.

Mr. RANSOM. Of course the Senator from Vermont can withdraw the resolution and not have the point of order decided.

Mr. EDMUNDS. I withdraw, if the Chair please, the order I offered; not because I do not believe in it, but because I believe the Senate is in no condition at this present time to consider it with any sort of reflection.

Mr. MORRILL. I ask now for a vote on the pending question, on the tariff bill.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Tennessee [Mr. HARRIS].

The Principal Legislative Clerk proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the Senator from Georgia [Mr. BARROW]. If he were here, I should vote "nay."

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. GARLAND (when his name was called). I am paired on this question with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "yea."

Mr. HARRISON (when his name was called). I am paired with the Senator from Mississippi [Mr. LAMAR]; but I reserved the right to vote to make a quorum. Will withhold it for the present, to see whether there is a quorum.

Mr. HILL (when his name was called). I am paired with the Senator from Arkansas [Mr. WALKER].

Mr. JONAS (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL].

Mr. JONES, of Nevada (when his name was called). I am paired with the Senator from Kentucky [Mr. WILLIAMS].

Mr. MITCHELL (when his name was called). I am paired with the Senator from Virginia [Mr. JOHNSTON]. If he were present, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES]; otherwise I should vote "yea."

Mr. ROLLINS (when his name was called). I am paired with the Senator from Florida [Mr. JONES]; but I have a right to vote in case my vote is necessary to make a quorum.

The roll-call was concluded.

Mr. HARRISON. As I understand there is not a quorum, I record my vote "nay."

Mr. MILLER, of California. I vote to make a quorum, having reserved the right to vote to make a quorum.

Mr. BLAIR. In my pair with the Senator from Georgia [Mr. BARROW] I reserved the right to vote to make a quorum. I therefore vote "nay."

Mr. SLATER. I am paired with the Senator from Louisiana [Mr. KELLOGG]. If he were here, I should vote "yea."

The result was announced—yeas 11, nays 25; as follows:

YEAS—11.

Bayard,	Coke,	Ingalls,	Pendleton,
Beck,	Garland,	Maxey,	Ransom.
Cockrell,	Harris,	Morgan,	

NAYS—25.

Aldrich,	Davis of W. Va.,	Hoar,	Platt,
Allison,	Edmunds,	Lapham,	Sawyer,
Anthony,	Frye,	McDill,	Sherman,
Blair,	Gorman,	McMillan,	Tabor.
Cameron of Wis.,	Hale,	McPherson,	
Conger,	Harrison,	Miller of Cal.,	
Davis of Ill.,	Hawley,	Morrill,	

ABSENT—40.

Barrow,	George,	Kellogg,	Saunders,
Brown,	Groome,	Lamar,	Sewell,
Butler,	Grover,	Logan,	Slater,
Call,	Hampton,	Mahone,	Vance,
Camden,	Hill,	Miller of N. Y.,	Van Wyck,
Cameron of Pa.,	Jackson,	Mitchell,	Vest,
Dawes,	Johnston,	Plumb,	Voorhees,
Fair,	Jonas,	Pugh,	Walker,
Farley,	Jones of Florida,	Rollins,	Williams,
Ferry,	Jones of Nevada,	Saulsbury,	Windom.

The PRESIDENT *pro tempore*. There is not a quorum voting.

Mr. HARRIS. I move that the Senate do now adjourn.

Mr. EDMUNDS called for the yeas and nays, and they were ordered.

The question being taken by yeas and nays, resulted—yeas 14, nays 22; as follows:

YEAS—14.

Bayard,	Davis of Ill.,	Harris,	Ransom,
Beck,	Davis of W. Va.,	Jackson,	Vance.
Cockrell,	Garland,	McPherson,	
Coke,	Hampton,	Maxey,	

NAYS—22.

Aldrich,	Edmunds,	Jones of Nevada,	Rollins,
Allison,	Frye,	Lapham,	Sawyer,
Anthony,	Harrison,	McMillan,	Sherman,
Blair,	Hawley,	Miller of Cal.,	Tabor.
Cameron of Wis.,	Hoar,	Morrill,	
Conger,	Ingalls,	Platt,	

ABSENT—40.

Barrow,	George,	Lamar,	Saulsbury,
Brown,	Gorman,	Logan,	Saunders,
Butler,	Groome,	McDill,	Sewell,
Call,	Grover,	Mahone,	Slater,
Camden,	Hale,	Miller of N. Y.,	Van Wyck,
Cameron of Pa.,	Hill,	Mitchell,	Vest,
Dawes,	Johnston,	Morgan,	Voorhees,
Fair,	Jonas,	Pendleton,	Walker,
Farley,	Jones of Florida,	Plumb,	Williams,
Ferry,	Kellogg,	Pugh,	Windom.

The PRESIDENT *pro tempore*. There is no quorum voting. The Secretary will call the roll.

The Acting Secretary called the roll, and 45 Senators responded to their names, as follows:

Aldrich,	Edmunds,	Ingalls,	Morrill,
Allison,	Frye,	Jackson,	Platt,
Anthony,	Garland,	Jonas,	Pugh,
Bayard,	George,	Jones of Nevada,	Ransom,
Beck,	Gorman,	Lapham,	Rollins,
Blair,	Hale,	McDill,	Sawyer,
Cameron of Wis.,	Hampton,	McMillan,	Sherman,
Cockrell,	Harris,	McPherson,	Tabor,
Coke,	Harrison,	Maxey,	Vance.
Conger,	Hawley,	Miller of Cal.,	
Davis of Ill.,	Hill,	Mitchell,	
Davis of W. Va.,	Hoar,	Morgan,	

Mr. MORRILL. I move that the Senate do now adjourn.

Mr. EDMUNDS. On that question I ask for a division, as I wish in some way to show my opposition to an adjournment. I do not want to take up the time in asking for the yeas and nays, but I call for a division.

The PRESIDENT *pro tempore*. The Senator from Vermont [Mr. MORRILL] moves that the Senate adjourn.

The motion was agreed to, there being on a division—ayes 20, noes 6; and (at 10 o'clock and 11 minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February* 2, 1883.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

COINAGE OF THE SILVER DOLLAR.

Mr. McCOOK. Mr. Speaker, I present by request a memorial from the Chamber of Commerce of the city of New York, asking for a limitation on or discontinuance of the coinage of the silver dollar. As the memorial is brief and respectful in its terms I ask that it be printed in the RECORD.

The SPEAKER. Without objection the memorial will be printed as requested by the gentleman from New York, and referred to the Committee on Coinage, Weights, and Measures.

There was no objection. The memorial is as follows:

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

May it please your honorable body, the Chamber of Commerce of the State of New York respectfully represents:

That in the month of February, 1878, Congress passed a bill for the remonetization of silver. It provided for the coining of a minimum monthly amount of $2,000,000 and a maximum of $4,000,000. The standard fixed was 412½ grains troy of standard silver.

That President Hayes returned the bill with his objections thereto. He pointed out that the silver dollar of that weight was then worth 8 to 10 per cent. less than it purported to be. That the new coinage would eventually supersede gold in the payment of all duties, and consequently compel the payment of the national debt in the new silver coinage instead of in gold.

The President also referred to the public announcement made, amounting to a guarantee, that the bonds would be paid in coin not of less value than that authorized by law when the engagements were issued.

That on the 28th February, 1878, these objections were taken into consideration and the bill passed over the President's veto.

That the experience of five years has justified the opposition made to the bill.

That down to the 1st of November last 128,000,000 of standard dollars have been coined under this law, of which nearly 93,000,000 remain in the Treasury.

That every effort has been made to force the coinage into circulation—

First. By paying out these dollars for all silver bullion purchased.

Second. By exchange for gold coin.

Third. By forwarding by express parcels of $1,000 to various points at the expense of the Mint, so as to get them into circulation at distant points.

That all these efforts to increase the circulation beyond a limited amount have failed and the coin increases in the Treasury month by month, as appears by the following extract from the Treasury reports:

STANDARD DOLLARS IN THE TREASURY.

September 30, 1878	$12,155,205
September 30, 1879	31,806,774
September 30, 1880	47,784,744
September 30, 1881	66,092,667
October 31, 1882	92,946,000

That a comparison of the figures shows the amount taken into circulation. In 1878 to 30th September fourteen millions were coined, of which two only were absorbed. In the year ending September, 1879, out of twenty-seven millions of new coinage eight only were taken. In 1880 to same date twelve millions passed into use. In 1881 eight only were required; while in 1882 to 1st November only one million and a half passed out of the Treasury, showing that the public is surfeited with silver dollars and requires no more.

Had the coinage been limited to one-fourth of the minimum stated in the bill no great harm would have been done. In the settlement of internal-trade accounts the coin might be used without loss, being eventually returned to the Treasury as dues. The profit made by minting a coinage of deficient value would be lost on its return to the Treasury, and there the evil would stop.

But the coinage of vast quantities of these dollars not required in circulation tends to great evils.

First. It offers a great temptation to pay the obligations of this country in money of inferior value.

Second. It tends to make the Treasury balance monometallic and exclusively silver.

Third. At any time when the balance of trade may turn against this country it will tend to force gold to a premium, disorganize the currency, and decrease the value of real estate and every form of investment.

Fourth. The amount at present represents either an ultimate loss of twelve millions to the Treasury if retained or a loss of that amount to the holders if the coin should be forced into circulation.

Fifth. The law offers a market for all the unused silver of Europe, Mexico, and South America, which is brought here and sold to the Treasury, thus transferring the loss of foreign governments to our Treasury.

Sixth. As the European governments adopt, like Germany, monometallic and gold standards, silver must fall; and in the face of this we are piling up a stock of coin not wanted at home and useless for foreign purposes, and which we know must decline in value.

Seventh. By the continued coinage of silver beyond what the country requires we are subsidizing the silver-mining industry and creating a fictitious market for one commodity at the cost of the whole country, thus stimulating the increase and plethora of silver.

That while the country is prosperous these results are not felt, but in a moment of panic the effect might be most serious.

That it is clear from the terms of the bill at the time this act was passed that Congress contemplated an international conference in the hope of producing a common understanding between the United States and European nations as to a silver standard. This congress has met and failed to agree, and is not likely to be renewed with any hope of success.

That the whole subject of the silver currency of this country, except so far as the same is limited to subsidiary coinage, is one of great difficulty, presenting many problems as yet unsolved. That in this state of the question, both at home and abroad, whatever may be its ultimate solution, it is manifestly injudicious to continue a policy which daily increases the stock in the Treasury of a useless silver coinage—a policy under which the stamp of our Government is made use of to promote the circulation of tokens of imperfect and inadequate value.

This chamber therefore prays that this Congress will not separate without passing the bill introduced by Mr. FISHER, being a bill to limit the coinage of silver standard dollars to the requirements of the people.

And your memorialists will ever pray.

GEO. W. LANE, *President.*
[SEAL.] GEORGE WILSON, *Secretary.*

NEW YORK, *February* 1, 1883.

THOMAS D. STRATTON.

Mr. OATES, from the Committee on Claims, by unanimous consent, reported back the bill (H. R. 7311) for the relief of Thomas D. Stratton, assignee of W. B. Waldran; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

IMPROVEMENT OF MUSKINGUM RIVER.

Mr. DAWES. I desire, Mr. Speaker, consent at this time to present a communication from the chief-engineer of the board of public works and certain members of the Legislature of the State of Ohio in reference to the dam near the mouth of the Muskingum River. It is brief, and I therefore ask that it be printed in the RECORD and referred to the Committee on Commerce.

There was no objection. The communication is as follows:

STATE OF OHIO,
OFFICE OF BOARD OF PUBLIC WORKS,
Columbus, Ohio, January 27, 1883.

DEAR SIR: Your communication to Hon. T. W. Moore, representative of Washington County in the Ohio Legislature, in regard to the dam near the mouth of the Muskingum River at Marietta, I have read, and would say that the State granted the right of way at that point to the General Government on condition that navigation should not be interfered with. The Government, in building a lock for the purpose of using the pool above for an ice harbor, has contracted this dam by cutting off a portion of its east end, thus weakening it, increasing the pressure on its crest, and causing a leak and underscour, which resulted in a breach.

The State has already spent about $5,000 in building a coffer-dam for temporarily keeping up navigation. This temporary work may give way and the State be left without the revenue upon which it solely depends for the maintenance of this public work.

It is just and right that the Government should fulfill its agreement not to interfere with navigation, and appropriate the sum of $15,000 for repairing the breach and reimbursing the State for the expense already incurred in consequence of it.

Respectfully, yours,

JOHN B. GREGORY,
Chief Engineer Public Works.

Hon. R. R. DAWES,
Member of United States House of Representatives,
Washington, D. C.

We fully concur in the above statement, and respectfully ask that the request be complied with.

D. McFARLAND,
Chairman Standing Committee on Public Works, House of Representatives.
L. M. STRONG,
Chairman Committee on Public Works, Ohio Senate.

I fully concur in the within statement.

ROBT. PRICE.
Representative of Muskingum County.

The facts stated by Engineer Gregory I know in the main to be correct, and fully indorse all that he says.

HORACE WILSON,
Senator from Tenth District.

I concur fully in the within statement, and hope the General Government will do this act of justice.

F. B. POND,
Senator Marietta District.

I fully concur in the within statement.

T. W. MOORE,
Member from Washington County.
E. M. STANBERY,
Representative Morgan County.

JOHN F. SLATER.

Mr. LYNCH. I ask unanimous consent to take from the Speaker's table for present consideration Senate joint resolution 109, presenting the thanks of Congress to John F. Slater, of Connecticut, for his donation of a million of dollars for educational purposes.

The SPEAKER. The joint resolution will be read, subject to objection.

It is as follows:

Resolved, &c., That the thanks of Congress be, and they hereby are, presented to John F. Slater, of Connecticut, for his great beneficence in giving the large sum of $1,000,000 for the purpose of "upliftting the lately emancipated population of the Southern States and their posterity by conferring on them the blessings of Christian education."

SEC. 2. That it shall be the duty of the President to cause a gold medal to be struck with suitable devices and inscriptions, which, together with a copy of this resolution, shall be presented to Mr. Slater in the name of the people of the United States.

There being no objection, the joint resolution was taken from the Speaker's table, read by its title a first and second time, ordered to a third reading, read the third time, and passed.

Mr. LYNCH moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TRANSFER OF LIFE-SAVING SERVICE.

Mr. ROBESON. I desire at this time to present a petition of 47 shipping merchants, agents, vessel-owners, and others interested, protesting against the proposed transfer of the Life-Saving Service to the Navy Department, and ask its printing in the RECORD and that it be referred to the Committee on Naval Affairs.

There was no objection. The petition is as follows:

To the Senate and House of Representatives
of the United States of America in Congress assembled:

We, the undersigned merchants, vessel-owners, and others, of Camden, New Jersey, do hereby convey to your honorable bodies our protest against the proposed change in the control of the revenue-marine and Life-Saving services of the United States from the Treasury Department to the United States Navy Department.

Being in position to fully appreciate the efficiency of the services as at present controlled, we not only believe that no benefits would result from the change proposed, but that in all probability the services would be rendered less efficient than they are at present.

We are opposed to thus transferring the said services from the control of the Treasury Department, which has for nearly one hundred years kept the services in their present admirable condition, to the Navy Department, and thus experiment with the most useful and valuable services to the commercial interests of our country.

In conclusion we respectfully but earnestly request all members of Congress to use all their influence to defeat any measure tending to establish the transfer heretofore referred to.

Geo. C. Randall, 629 Market st.; Benj. F. Sweeten, 39 Market st.; R. M. Loewenstein, 839 Market st.; Reuben B. Cole, 320 Pearl st.; St. R. Le Chevalier, 324 State st.; R. F. Schmidt, S. W. cor. 2d and Federal sts.; Frank S. Jones, 427 Federal st.; John J. Barton, 216 State st.; Saml. J. Richards, 617 S. 5th st.; Alexander Titus, 429 Federal st.; M. S. Ewein, 428 Federal st.; Howard Lee, 410 Federal st.; Hiram B. Tilden, 207 Spruce st.; James C. Matthews, 901 Market st.; Wm. H. Brennan, 322 State st.; August C. Riceman, 313 Federal st.; Louis P. Riceman, 313 Federal st.; Wm. Young, 623 Vine st.; S. H. Sheer, N. E. cor. 5th and Federal sts.; Wm. H. Stevenson, 809 Reese st.; Thomas J. Duffy, 740 Mt. Vernon st.; James Deegan, 701 Kaighn's ave.; Thomas Devine, 355 Walnut st.; John Durges, 904 S. 4th st.; J. M. Marden, 324 Mt. Vernon st.; John Blowe, 1020 S. 8th st.; Charles Lederman, 1013 8th st.; Robert Maston, 1027 Chestnut st.; William Wayne, 7th and Spruce sts.; Chas. Wolpers, 8th and Sycamore sts.; Henry Paltez, 1121 9th st.; John Brown, 908 10th st.; George Jones, 7th and Walnut sts.; Philop Wydner, 810 11th st.; Rudolph Brudes, 8th and Spruce sts.; James S. Henry, 8th and Walnut sts.; George T. Smith, Broadway and Kaighn's ave.; George Anthony, Broadway and Kaighn's ave.; Wm. Anthony, Broad and Kaighn ave.; T. Green, 703 Kaighn's ave.; J. W. Saddler, Central ave.; Robbassett, 749 Kaighn's ave.; Frederick Steward, Kaighn's Point ave.; James H. Burton, 418 Market st.; Abram Carter, jr., Market st.; Moses Wilcox, Isaac Rogers, 710 Chestnut st.

Mr. O'NEILL. I have a similar petition from the Philadelphia Board of Trade, which I also ask to have printed in the RECORD and referred to the committee.

There was no objection. The petition is as follows:

The memorial of the Philadelphia Board of Trade to the honorable Senate and House of Representatives in Congress assembled.

Certain bills (H. R. 7157 and 7158) now before Congress, considered in connection with the recommendations of the Secretary of the Navy in his last report

in regard to the Coast-Survey service and the light-house service, show that an attempt is being made to place the mercantile marine of our country and matters connected therewith and subsidiary thereto under the administration of the Navy Department; and the Philadelphia Board of Trade, believing, after due consideration, that such administration would injuriously affect an important branch of our industries, and would in no way conduce to the public good, ask leave to submit the following statements in relation thereto:

I. The coast-survey service is composed of Navy officers, Army officers, and civilians, who work together more harmoniously and efficiently under a civilian than they could under an officer of the Army or of the Navy, and it is mainly for this reason that the Superintendent of the Coast Survey has always been a civilian. The surveys of this service (as is well known) have lately been extended, and they now cover the whole territory of the United States from the Atlantic to the Pacific.

II. For the light-house service, too, Army and Navy officers are detailed, and are changed and withdrawn, as in the Coast Survey. Wars are infrequent, and in the long intervals of peace such employment of these able men conduces to the public good—and to their own as well. But when war is imminent, they are at once called off to attend to their primary duties.

III. The revenue-cutter service, which the bill (H. R. 7157) proposes to transfer to the Navy Department, is for the prevention of loss to the revenue by smuggling, and for the assistance of merchant ships in distress. In time of war its cutters are transferred to the Navy Department for use there.

IV. The Navy Department being a department of war, its ships are constructed and fitted for attack and defense; its officers are trained and qualified for that service, and the Department is organized and regulated accordingly. This fact seems to be conclusive of the whole question; for the mercantile marine is altogether commercial, and the vessels composing it are built, fitted, and equipped for the transportation of merchandise and passengers—a business which certainly does not come within the province of a department of war.

In view of these statements, this board of trade respectfully remonstrates against the passage of the said bills (H. R. 7157 and 7158), and against any other acts of Congress which would place our mercantile marine, and matters related thereto, under the Navy Department. But on the contrary, this board prays Congress to continue the same under the administration of the Treasury Department until some other department is established for the express purpose of supervising and regulating the commerce of our country.

JOHN WELSH,
President of the Philadelphia Board of Trade.

GEORGE L. BUZBY, *Secretary.*

THOMAS M'BRIDE.

Mr. JADWIN, from the Committee on War Claims, by unanimous consent, reported back the bill (H. R. 1391) for the relief of Thomas McBride; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENNEPIN CANAL.

Mr. TOWNSHEND, of Illinois, by unanimous consent, presented a joint resolution of the Legislature of the State of Illinois relative to the Hennepin Canal; which was referred to the Committee on Railways and Canals.

NATIONAL PARKS.

Mr. TOWNSHEND, of Illinois, also, by unanimous consent, presented a joint resolution of the Legislature of the State of Illinois relative to national parks; which was referred to the Committee on Public Lands.

Mr. TOWNSHEND, of Illinois. I ask that those two joint resolutions be printed in the RECORD.

The SPEAKER. The Chair is informed that they have already been printed in the RECORD.

ORPHAN ASYLUM, NATCHEZ, MISSISSIPPI.

Mr. SMITH, of Pennsylvania, by unanimous consent, presented the views of the minority of the Committee on War Claims to accompany the bill (S. 1939) for the relief of the trustees of the Protestant Orphan Asylum of Natchez, Mississippi; which were ordered to be printed with the report of the majority.

BRIDGES ACROSS WILLAMETTE RIVER.

Mr. GEORGE. I ask unanimous consent to take from the Speaker's table for present consideration Senate bill No. 1681. This is a bridge bill, and I desire the House to pass it with an amendment. I think there will be no objection. It will take only a moment.

The SPEAKER. The gentleman from Oregon asks unanimous consent to take from the Speaker's table, for present consideration, Senate bill No. 1681, the title of which the Clerk will read.

The Clerk read as follows:

A bill (S. 1681) to authorize the Oregon Pacific Railroad Company to construct one or more bridges to cross the Willamette River in the State of Oregon and to establish them as post-roads.

Mr. KELLEY. I must object to the consideration of all bills that will involve any debate.

LEAVENWORTH, PAWNEE AND WESTERN RAILROAD COMPANY.

Mr. PAYSON, from the Committee on the Judiciary, reported as a substitute for a resolution submitted by Mr. ANDERSON, and referred to that committee, the following resolution; which was read, considered, and adopted.

Resolved, That the Secretary of the Interior be requested to furnish this House as early as practicable the following papers relating to the Leavenworth, Pawnee and Western Railroad Company or its legal successors, namely:

1. A copy of the assent to the act of July 1, 1862, as filed by and under the seal of said company, showing date when the same was filed.
2. Fac-simile copy of the original map with copies of other papers designating the general route of said road and date when the same were filed.
3. Copy of the record showing when the line of said road was surveyed and definitely fixed, also when the route west of the meridian of Fort Riley in Kansas was determined and approved by the President of the United States.
4. Copies of all orders withdrawing the lands from market in pursuance of said act.
5. Copies of all orders restoring to market any portion of the lands so withdrawn.
6. The number of acres of lands to which said company are entitled according to the records of the General Land Office.
7. The number of acres that have been heretofore certified to said company.
8. The number of acres withdrawn and now held by the Department for the benefit of said company, but which have not been certified.

Mr. PAYSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SAMUEL P. EVANS.

Mr. PAYSON also, from the Committee on the Judiciary, reported, as a substitute for H. R. 6349, a bill (H. R. 7479) for the relief of Samuel P. Evans; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HIRAM S. TOWN.

Mr. SMITH, of Illinois, by unanimous consent, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 7305) for the relief of Hiram S. Town; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MOLLIE B. WALDO.

Mr. SMITH, of Illinois, also, by unanimous consent, from the Committee on Claims, reported back with an adverse recommendation the bill (H. R. 3587) for the relief of Mollie B. Waldo; which was laid on the table, and the accompanying report ordered to be printed.

PRIVATE DETECTIVES IN THE DISTRICT.

Mr. NEAL, by unanimous consent, introduced a bill (H. R. 7480) to provide for the punishment of any person who may assume or practice the occupation of a private detective in the District of Columbia contrary to law; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to printed.

ELIZA I. DRAKE.

Mr. SPAULDING, by unanimous consent, introduced a bill (H. R. 7481) granting a pension to Eliza I. Drake; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

POST-OFFICE APPROPRIATION BILL.

Mr. CASWELL. I ask unanimous consent to take from the Speaker's table the bill (H. R. 7049) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1884, and for other purposes, with amendments by the Senate; and move that the House insist on its disagreement to the Senate amendments and agree to the committee of conference asked for by the Senate.

The motion was agreed to.

The SPEAKER. The Chair announces as members of the committee of conference on the part of the House Mr. CASWELL of Wisconsin, Mr. CANNON of Illinois, and Mr. ELLIS of Louisiana.

TELEGRAPH LINES BUILT BY THE ARMY.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting report of the Chief Signal Officer of the Army with accompanying maps relative to telegraph lines built by the Army of the United States; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ORDER OF BUSINESS.

Mr. KELLEY. The regular order, I believe, is the call of committees for reports. I move to dispense with the morning hour for the call of committees for reports.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. KELLEY. I now move to dispense with all private business for to-day, this being Friday.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. KELLEY. I now move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BURROWS, of Michigan, in the chair.

TARIFF.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes.

The following was the paragraph of the bill pending at the time the committee rose yesterday:

Extract of hemlock and other bark used for dyeing and tanning, not otherwise provided for in this act, 10 per cent. ad valorem.

The CHAIRMAN. The pending question is on the amendment of

the gentleman from Pennsylvania [Mr. CURTIN], to strike out "ten" and insert "twenty" before the words "per centum ad valorem." The gentleman from Kentucky [Mr. CARLISLE] also moved to strike out the entire clause. The question is first upon the amendment of the gentleman from Pennsylvania, upon which the time for debate has been exhausted.

Mr. HOLMAN. I move to strike out the last word. I have usually been so fortunate as to agree with the views of my friend from Pennsylvania [Mr. CURTIN] on general subjects of legislation. But I am forced to the conclusion that instead of increasing the duty on the extract of hemlock, or of any other kind of bark, it is the part of wisdom to put those articles on the free-list. I feel very confident that a careful consideration of this subject, in connection with other subjects of tariff legislation, will lead to that conclusion.

My friend from Texas [Mr. MILLS] has assimilated this item of taxation to the taxation imposed by this bill on sumac bark. I think they stand upon an entirely different footing. The tax on the latter involves in a very marked degree the labor of those engaged in collecting it.

Sumac is not a forest tree; it is a shrub. Whether it grows on the most fertile lands or on the poorest, it is but a shrub, and the labor involved in the collection of its bark is an important item. Such, however, is not the case in any material degree with the collection of other barks and their preparation for the uses to which they are applied.

But the main objection I have to the imposition or increase of this duty is that it will embarrass the committee in placing timber on the free-list and will be an argument againt it and against reducing the duty on leather. Why should we encourage the destruction of our hemlock forests? Why inaugurate a policy tending to the destruction of any of our forests, or encouraging their destruction, or creating a motive for their destruction, when undoubtedly the sentiment of the great body of the people of the United States is in harmony with the drift of legislation which has been going on now for many years to protect our forests?

Why should we encourage by law a policy in conflict with the public sentiment everywhere demanding that our forests should be protected from destruction? We are encouraging in every way we can, not only from an economic point of view but also from considerations of the rainfalls and health of our country, the planting of forests and their preservation. Then why, for the mere purpose of realizing a comparatively unimportant revenue and increasing the value of hemlock land, should we create a motive for the destruction of the forests in extensive regions of country? Why not protect our forests and let the vast forests of other regions promote our industries?

I am opposed to this tax and duty for another reason. When we come to deal with one of the most important subjects involved in this tariff, that of leather, we shall find an argument for increased duty upon that article based upon this increased duty on the material largely entering into its manufacture if the amendment of my friend from Pennsylvania [Mr. CURTIN] should prevail. We will be told that there should be an increased duty on leather, for the purpose of meeting the expenses incident to the crude forms of material for its manufacture.

Therefore upon both grounds, the one that I believe leather should be furnished to our people at the lowest possible rate, and the other, perhaps of equal importance, that we should protect the forests of this country and not create motives for their destruction, I am opposed to imposing any duty on this article.

[Here the hammer fell.]

Mr. DAWES. I am in favor of the proposition of the gentleman from New York [Mr. SKINNER], which is that the present rate of duty on this article, 20 per cent. ad valorem, shall be maintained.

I speak in the interest of a great number of my constituents and of the citizens of West Virginia and all that region of country where oak forests grow, and where they peel the bark off the oak for tanning purposes.

The situation there is not that protection is needed to preserve the forests. The forests are being consumed in consequence of the enormous demand of railroads for cross-ties and all that class of oak timber for railroad purposes. Within the next ten years that demand will inevitably consume these forests, independently of this question of consumption of bark.

In the production of these ties from the oak timber, and all other material, there is incidental to the business the peeling of the bark, which can be done only during one month of the year, while the sap is up. At that time this bark goes on to the market, is forced on the market, thousands of cords at a time. In the value of that bark is found the profit of the business, about all there is of profit in connection with a great bulk of the timber. Now, we do not want these people disturbed in their present business status.

In the interest of thousands of poor men all over that territory who are peeling each a few cords of bark and bringing it in the spring to market, we are afraid to introduce this new element of cheap bark produced by Canada labor from Canada lands, an interest which concerns only a few manufacturers of the extract who employ a few thousand men in the East. The introduction of this Canadian bark may impair the home market and disturb the status of this business all over that territory where the oak forests grow. Therefore we wish to be let alone in this matter. These interests have not been heard at all before the commission so far as I can find by the record. I believe it to be the interest of all this region of oak timber that the present tariff upon extract of bark should be retained.

The CHAIRMAN. Debate is exhausted.

Mr. HOLMAN. I withdraw the *pro forma* amendment.

Mr. FLOWER. I renew the amendment.

Mr. Chairman, I do not see what connection there is between the duty of 20 per cent. on the extract of sumac and this duty of 20 per cent. on extract of hemlock. I know that Virginia has different interests sometimes from New York, Pennsylvania, or Ohio. One case has come to my notice this morning. The men who deal in barytes in New York and Connecticut want that article free or wish to have the present duty of 20 per cent. retained; but Virginia, having a manufactory of the article at Lynchburgh, wants 80 per cent. duty upon the article; and gets it. I desire to call attention to the letters which I send to the desk, and at a proper time I shall ask that the Committee of the Whole go back to lines 251–253.

The Clerk read as follows.

NEW YORK, *February* 1, 1883.

SIR: We beg to refer to our respects of the 27th ultimo. We notice the subject of barytes, &c., was under discussion yesterday in the House of Representatives, and we would respectfully draw your attention to the proposed duty on crude sulphate of barytes of one-fifth of 1 cent per pound. The bill in the Senate reads 10 per cent. ad valorem. It never has been more than 20 per cent. ad valorem, but if increased as above it represents about 80 per cent. ad valorem. We think this must have been an oversight, as if passed it will stop the importation of this article and effectually close up several manufactories in the East. We beg of you to use your endeavors to prevent such a measure being passed.

Apologizing for troubling you,

Yours, respectfully,

GABRIEL & SCHALL.

Hon. R. P. FLOWER, of New York,
Washington, D. C.

NEW YORK, *February* 1, 1883.

DEAR SIR: We notice in to-day's papers that "barium was yesterday, on motion of Mr. RANDALL, struck from list of articles to pay two-fifths cent per pound. The Ways and Means Committee's bill, line 251 to 254, reads:

"Barium, baryta, or barytes, crude and sulphate and carbonate of, unmanufactured, one-fifth of 1 cent per pound."

One-fifth cent per pound equals $4.48 per ton of 2,240 pounds, equal to 70 per cent. ad valorem. Present tariff 20 per cent.

"Barium, baryta, or barytes, sulphate and carbonate of, manufactured, two-fifths of 1 cent per pound."

Two-fifths cent per pound, equal $8.96 per ton of 2,240 pounds, equal, only 60 per cent. ad valorem. Present tariff one-half cent per pound.

A mill here and one in New Haven grind about 6,000 tons of foreign ore annually, or about half of the consumption of the country, and the proposed tariff upon imported ore would probably close these mills for the benefit of Lynchburgh (Virginia) mill and mine owners.

We import most of the ore. The mills which we supply were in existence before the Southern mills were thought of, and the imported ore is better than we can get in the South in sufficient quantity, and we ask either to have the present rates retained, or to have free crude material and moderate protection on the manufactured.

It is not a large article, but this does not affect its merits.

We take the liberty of asking your attention to it, if possible, and are,

Very respectfully, yours,

W. R. PETERS & CO.

Hon. ROSWELL P. FLOWER, *M. C.*,
Washington, D. C.

Mr. FLOWER. Mr. Chairman, it is not my intention, and I presume it is not the intention of any member of the House, to destroy the industries or affect injuriously the business interests of this country.

[Here the hammer fell.]

Mr. HORR. Mr. Chairman, the letters just read come from importers of New York city; and if there is any article that those importers do not wish to have put upon the free-list I would be glad to have the gentleman name it. I will wait for him if he will name some such article.

But those letters have nothing to do with the question before the House, which relates to the extract of hemlock and oak bark. I wish to say to my friend from Indiana [Mr. HOLMAN] that his argument in reference to the preservation of the forests does not apply to this article at all. In the West, especially in the State where I reside, we make large quantities of this article; but it is made from bark from trees which would be entirely useless were it not for the production of this one article. After we cut down the pine trees out of the forests of Michigan fires sweep through them and kill all the hemlock that is left upon the lands. The bark, if taken within a year, can be manufactured into tannin, and thus we save that much of the product of the forests, which otherwise is lost forever, as anybody familiar with the forests of Michigan knows.

My judgment is that the present tariff on this article should be continued. I know that some of the manufacturing establishments in my own State, even with the present protection, have been compelled to shut up within the last five years. This is a struggling industry. In the West it is not an industry of large concerns. The maintenance of this duty helps the men with their forty or eighty acres of land all over our State. We have there no great companies like the one in Boston. This article is made upon the little farms all over our State and from the refuse left in the forests after the pine is cut down.

The reduction of this duty will not affect the preservation of our for-

ests one iota. But the retention of the present duty will protect a large and growing industry in the entire West which comes directly in competition, as my friend from Ohio [Mr. DAWES] has said, with the cheap labor and the cheap lands of Canada. I think it due to this industry that it should be placed where all the other industries of this country ought to be placed—on a fair basis for home production.

The CHAIRMAN. Debate is exhausted.

Mr. FLOWER. I withdraw my *pro forma* amendment.

Mr. BOWMAN. I renew the amendment to strike out the last word. Mr. Chairman, I submit that this duty should be left as the committee have fixed it in the bill after due deliberation—10 per cent. The theory of this whole bill, as I understand it, is that in the interest of consumers and of the people at large the tariff should be reduced to as low a point as is consistent with full and ample protection; that duties should not be raised to a point sufficient to build up monopolies or make great corporations rich, but simply to the point necessary for full and ample protection.

In my district we have large amounts of money invested in the tanning interest. The manufacturers of leather there have built up a great industry, not only for home consumption, but they export the best and most costly grades of leather to foreign countries in large quantities. Now, these tanners are desirous of protection for those who produce the hemlock extracts, but only of a protection which shall secure them in their industries, and not for protection which is not necessary for them and which will interfere improperly or unjustly with the tanning industry. So the only question here is whether that duty of 10 per cent. is not sufficient for ample protection for that industry, thus leaving the tanners to have the benefit of buying this extract at as low a price as is consistent with the full protection of that industry of the wood-cutter.

This affects, Mr. Chairman, not only the tanners, but the consumers throughout the country. For there is no one article hardly, except articles of wood, in such use among the people as leather in its various forms, not only for boots and shoes but for other purposes to which this article is applied. I submit, therefore, in the interest of the tanners, in which industry vast amounts of money are invested in this country, in the interest of the consumers, in the interest of the people who use boots and shoes, whether 10 per cent. is not sufficiently high to allow ample protection for those who make the hemlock extract, and whether we can not rest on the judgment of the committee, who, it is to be supposed, after a full and fair investigation, after hearing the parties in interest, after looking at the various industries, have decided that 10 per cent. is the proper figure. Let us rest on that figure and stand there where the committee have placed us.

[Here the hammer fell.]

Mr. CURTIN. If I can make myself heard, Mr. Chairman, in the condition of my voice this morning, I desire to say something more on this question than I said yesterday.

I wish to say, in the first place, a word in reply to the gentleman from Indiana [Mr. HOLMAN], for whose opinion I have great respect. He says it is the duty of this Congress to protect our forests. That may be all true where the Government owns the forests, but to follow out the gentleman's theory to its logical conclusion, the Government has the right to lay its hands on the property of any man and hold it for the benefit of other people. The man who owns an acre or a hundred acres of hemlock land has the right to sell his bark to the best advantage, and if this Government shall attempt to prevent him from doing that, by direction or by indirection, it is a usurpation which the American people can never suffer. That I believe to be the logical consequence of the position assumed by the gentleman from Indiana, to which, for my constituents, I enter my protest as a usurpation of the Government over the guaranteed rights of property, and a usurpation of governmental power not warranted by our Constitution.

Now, I have never heard on this floor stronger, clearer, or more forcible reason for the protection of monopolists than that uttered by the gentleman from Massachusetts [Mr. BOWMAN] who has just taken his seat. I do not propose for one to hand over the small tanners of the country or the owners of hemlock lands and the multitude of people engaged in that industry to the tender mercies of a monopoly in Boston which has purchased land in Canada and proposes to make an extract which gives them 10 per cent. profit by the direct action of this Government.

I can well understand why my friend from Texas [Mr. MILLS] is in favor of it, as it is consistent with his theory on taxation; but I can not understand why any protection advocate, why any man who will stand on this floor as I do to protect the industry and the labor of the American citizen, should fail to favor it. I would take from this bill many articles taxed which are not produced in this country and make them as free as air. And I would put the tax or tariff on all articles produced in our country where there is labor required and employed and make revenue for support of the Government by real and generous protection of the industries and the labor of the country, which lead to national enlargement and the prosperity and happiness of citizens who need protection from foreign competition. And here in this presence, as there is involved in my amendment just what is so repeatedly claimed as a paramount duty resting on the representatives of the people, and as it moderately protects a large and rapidly-growing interest employing largely labor, I trust this House will sustain it and seal it by emphatic approbation.

Mr. CANDLER rose.

The CHAIRMAN. Debate is exhausted on the pending amendment.

Mr. BOWMAN. I will withdraw my *pro forma* amendment, so that my colleague can be heard.

Mr. CANDLER. I renew the *pro forma* amendment. Now, Mr. Chairman, I desire that we shall not have legislation upon this question under any loose and exaggerated statements in regard to capitalists or monopolists. I hope this House in its wisdom will decide this question on its merits. And I have to say that when my friend from Kentucky [Mr. CARLISLE] suggested we should have this on the free-list, where the committee placed it, he must have done so with a gleam of satisfaction that he could find the true principle of legislation somewhere in this bill. If there is any question before the House that directly concerns the masses of the people it is that which refers to the giving of the prime necessities of life at the lowest prices. And when you propose to tax leather unreasonably, and thereby, too, tax the shoes of the people, you are departing from sound legislation.

A word in regard to these capitalists. Who are the men, this business firm in Boston, who have been referred to? Who are the men whom the gentleman from New York [Mr. SKINNER] and the gentleman from Pennsylvania [Mr. CURTIN] try to arraign before this House and create a prejudice against them for their enterprise? I will tell you who they are. They are a family of Massachusetts young men, born in one of the back towns, where, amid the sterile soil and rocks, found compensation and won success only through their industry and their enterprise. They began at the bottom of the ladder, working at their trade, and by their industry, perseverance, and skill, and by devoting more hours to work than other men they have become great tanners.

They have, through their enterprise and industry, reduced the price of leather and largely extended its exportation from this country; and while their wealth has increased, owing to their activity and enterprise, they have not lived in luxury and idleness, but they have invested their means again and again in tanneries in the United States, employing thousands of laborers, not in Massachusetts alone, but they have their establishments in Maine, New York, and other States. In place of being held up, then, to excite prejudice, they should be held up as examples of energy and industry to be followed and commended.

Let us look at the merits of a question involving so much of importance. We have the indorsement of the Tariff Commission, which after its investigation decided that this article should be upon the free-list, because, in their judgment, that was sound legislation and for the best interest of the people. The Committee on Ways and Means, with all of their protective ideas, have not in their best judgment decided to place upon this a higher rate than 10 per cent. Another reason is that it is a crude manufacture. It does not require skilled labor. It is taken from the trees and is ground upon the spot, and no special experience or skilled labor is required to produce the result. Freight and the expenses for bringing it from a distance were adequate protection in the opinion of the Committee on Ways and Means. I trust that this measure will be voted upon on its merits.

Mr. CARLISLE. Mr. Chairman, I should like to be heard in support of my own amendment for a few moments.

I neither know nor care anything about these Massachusetts gentlemen, who it is said have purchased large tracts of hemlock land in Canada; but I do know and care something about the necessities of the people of this country who are engaged in the manufacture of leather, and it is in their interest that I have made the motion to strike this clause from the dutiable list with a view of inserting it in the free-list when we reach it hereafter. The present duty on the extract of hemlock bark is 20 per cent. ad valorem.

Mr. ANDERSON. On the bark or the extract?

Mr. CARLISLE. On the extract of hemlock bark. The bark itself is free.

The Tariff Commission proposed to put the extract upon the free-list, and the Committee on Ways and Means here propose to put it on the dutiable list at a rate of 10 per cent. ad valorem. I supposed, Mr. Chairman, that the object of the friends of this bill was to encourage the manufacturing interests of the country. They propose to do it, according to their theory, by increasing the duties on various articles. That is the case in the present instance. I prefer, sir, to encourage the manufacturing interests of the country, wherever it can be accomplished in that way, by reducing the taxation upon the people. There are many elements which enter into the cost of production and which necessarily increase in the end the price of the finished product. The rates of interest upon capital, the cost of transportation, the price paid for labor, the cost of the raw material, and many other elements which I could enumerate if time permitted, conduce to increase or decrease the cost of production in every country. I hold it to be our duty wherever we can in the exercise of the power committed to our hands to reduce this cost to the utmost possible extent without doing injustice to any class of our people.

I apprehend that all gentlemen upon that side of the House will agree with me that in our attempt to reduce the cost of production we ought not in any manner to impair or reduce the present wages of labor. I hope the time may never come when any prominent public man or any political party in this country will seek to reduce the wages of the labor-

ing people below what they are at the present time; but for myself, I will join hands with any gentleman in any honest effort to reduce the cost of production in other ways, in order that the prices to consumers may be diminished.

Now, sir, if we can by abolishing the duty upon the extract of hemlock bark contribute something toward the reduction of the cost of producing leather in this country—one of the most important manufactures in the country, $9,000,000 worth of which is exported every year, and which enters into the consumption of every family in the land—we will have accomplished something at least in the interest of the masses of the people.

I was asked by the gentleman from New York [Mr. SKINNER] yesterday afternoon why I did not propose to put the extract of sumac upon the free-list also. Why, sir, the gentleman must know that the extract of sumac is used solely in the manufacture of the finest qualities of leather, such as morocco.

Mr. CHACE. The gentleman is entirely mistaken.

Mr. CARLISLE. I ask the gentleman from Rhode Island if the extract of sumac is used in this country in the production of the common sole-leather or the ordinary stock-leather in common use among the people—that leather which enters into the harness and all the ordinary leather manufactures of the country?

Mr. CHACE. It is used in dyeing.

Mr. CARLISLE. Ah, used in dyeing, but not in tanning the common leather.

Mr. CHACE. No; the gentleman stated that it was used entirely, as I understand him, solely in the manufacture of the finer grades of leather. That I say was a mistake.

Mr. CARLISLE. The gentleman says it is used in dyeing; but when we had under consideration yesterday the dye-stuffs I made a motion to reduce the duties proposed by the committee upon every single one of them.

Mr. CHACE. I did not hear any such motion made by the gentleman from Kentucky as to sumac, nor was such a motion made by the gentleman from Virginia [Mr. TUCKER] either.

[Here the hammer fell.]

Mr. FISHER. Let me say to the gentleman from Kentucky that the extract of sumac alone is used in dyeing. The sumac leaves are dried and ground, and are used as a tanning material after going through that process.

Mr. HASKELL. I would like to state a few general propositions concerning this matter, without any desire to influence the action of the committee otherwise than their judgment may dictate.

First, we placed a duty of 20 per cent. on sumac because sumac can be cultivated and grown as an agricultural crop. It is a fine tanning preparation used for kids and moroccos and light leather, and sometimes for heavy leather, and also in a few instances for dyes. Sumac is an agricultural product that if protected will be developed. In North Carolina preparations have been made and enterprises are being prosecuted for the cultivation of sumac.

Hemlock bark, on the contrary, is a constantly decreasing quantity in the United States. Until this hemlock extract was discovered our tanners were largely embarrassed in the production of leather. Upon the advent of hemlock extract, which permitted the cheap transportation of the tanning principle from the forest to the tannery, our tanners have taken possession of the American market; and in hemlock sole, heavy upper, and harness leather they are now selling their products in Germany, Austria, and France. The committee were of the opinion that in the near future the hemlock forests of the United States would not furnish a sufficient supply and that a rate of duty ought to be made with reference to the future. Hemlock bark to-day is worth about $8 a cord. It used to be worth $3.

Mr. HORR. Will the gentleman from Kansas allow me——

Mr. HASKELL. Let me go on with my statement. The bark is now worth about $8; it used to be worth about $3. I can say to my friends of the bark district—for I have handled many a cord of bark, and the leather business is my trade and profession as a merchant—I can say to the men who have bark interests in their districts that they need not fear a reduction in the price of bark by reason of this 10 per cent. duty. In my judgment I think the demand will keep on increasing in spite of the lowering of our duties. I think bark will be more than $8 a cord rather than less. It has been constantly increasing in value. And the committee, in fixing the 10 per cent. rate, merely said to the country that they invited the bringing in of hemlock bark, or its extract, which is the same thing, from Canada in order that our tanning industries and leather industries in the United States might avail themselves of the entire comeatable supply of this northern continent; because we are sure that in the near future not only the United States bark but the Canada bark and bark from other countries will be drawn upon to give us the tanning material necessary to tan our hides.

America, everybody will understand, is the great hide-producing country of the world. We are destined to become the controlling power in the world in the leather trade; and we fix this rate of duty as a preliminary step to aid in the development of a gigantic interest that is to-day the controlling trade of Europe in our heavy leather.

Mr. HUMPHREY rose.

The CHAIRMAN. The debate on the pending amendment is exhausted.

Mr. HUMPHREY. I move to strike out the last word.

Mr. KELLEY. I rise for the purpose of moving that the committee now rise, that we may go into the House and limit the debate on this paragraph.

Mr. HUMPHREY. Withdraw that motion for a moment.

Mr. KELLEY. I insist upon my motion.

The motion of Mr. KELLEY was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, and had come to no resolution thereon.

Mr. KELLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union and resume the consideration of the tariff bill; and pending that motion I move that all debate on the pending paragraph and all amendments thereto be limited to ten minutes.

Mr. RANNEY. Make it five.

Mr. KELLEY. No; let there be one speech on each side.

The motion to limit debate was agreed to.

Mr. KELLEY moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The motion that the House resolve itself into Committee of the Whole House on the state of Union was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, and resumed the consideration of the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes.

The CHAIRMAN. By order of the House all debate on the pending paragraph and amendments thereto is limited to ten minutes.

Mr. PARKER. Representing a district that has some interests involved in this question, I beg to say a few words upon it. The gentlemen who were spoken of so kindly by the gentleman from Massachusetts [Mr. CANDLER] are largely represented in their interests in Northern New York. They are men of high character; men of success in business; men whose ways of business are to be highly respected. But, sir, when they ask, as they do in their petition here, to have an opportunity to bring in the product of the cheap labor of Canada, which is only paid about 50 per cent. of what is paid to our own laborers in this business, I think they are asking too much.

We know very well that in Pennsylvania, in the southern district of New York, in Wisconsin, in Ohio, and in West Virginia especially, where its great chestnut oak forests are still standing, are yet remaining immense amounts of bark forests; and in Northern New York where our great Adirondack wilderness, almost as large as the good State of Rhode Island, extends down from its crowning head of mountains with a hemlock belt extending all around it, and having these tanneries in the borders of the forest; and here all about them are men who have bought farms and are paying for them by the hemlock bark supplied to these tanneries.

They are men of small means, with teams and outfits; men who have bought farms with the hope of paying for them and supporting their families by this industry.

Now, what is proposed here? It is that the cheap labor of Canada, which is only about 50 per cent. of our rate of labor, on lands costing not more than one-half of what our lands are worth, shall be brought directly into competition with all these men who are at work on these poorer lands of our country. Now, I submit that should not be done.

The gentleman from Indiana [Mr. HOLMAN] says that in this matter we may be prejudging the lumber question. I trust gentlemen will leave that lumber question of this bill, as Mr. Lincoln in one of his stories proposed about the crossing of Fox River, not to cross the stream until we reach it.

The gentleman from Massachusetts [Mr. CANDLER] tells us that this proposition is in the interest of the protection of our forests. Who is it that claims to seek in this bill to protect the forests of this country? Why do the men represented by the gentleman from Massachusetts clamor for the protection of our forests? We know that those men own immense amounts of forest lands in our own country.

Mr. CANDLER. I will say that three-fourths of the three and a half million acres of land in Canada containing these forests is owned by men in the United States who have tanneries in Maine and Massachusetts, and some in New York State. And I say further that the introducing of this extract into this country at a low rate will tend to reduce the price of leather and prevent our capitalists from going to Canada to establish tanneries.

Mr. PARKER. These are the men owning immense forests in our own country who claim that they want to protect our forests. Why do they want to protect them? Do they intend to preserve those forests forever so as to increase the water supply of the country, or is it the mere sentimental idea of protecting and preserving our forests?

No, sir; they want to keep the forests for themselves, so that when

they have bought out the other hemlock lands in their vicinity, when the local farmers and bark workmen are brought to terms, and when they shall have used up as much as they see fit of the Canadian bark, then they will come back to use and consequently to destroy the hemlock forests of our country. It is not reasonable to suppose that they wish to protect our forests except so far as it is a matter of interest to them. These men are influenced by their own interests and not by any sentimental notions of forest preservation or economic notions in favor of cheap leather.

The assertion that the admission of extract free of duty even will reduce the price of leather or goods made from it is without foundation.

First. The men who seek the extract free of duty are not for cheaper leather; they are men interested in keeping up the price of leather.

Second. The Census bulletin No. 304 shows amount of leather by us annually tanned to be over $113,000,000, and the value of boots and shoes annually manufactured, including custom work, &c., is over $196,000,000. Now, the petty duty of 10 per cent. will make about $9,000, and 20 per cent. $18,000 aggregate duty; and although this small amount will protect our home workmen, yet in the vast aggregates of leather and its products and in the additional cost of freights, rents, middle-men, insurance, and incidental expenses the trivial duty of $18,000 even will have no effect whatever upon the price of leather.

The great tanners ask that hemlock extract be admitted free of duty. They say in their memorial before us:

We would respectfully ask your attention to the following petition for protection to our hemlock forests, which are rapidly being depleted by one of the largest interests in our country, namely, the leather interest.

* * * * * * *

We would most respectfully ask to have it put on the free-list, coming under the head of protection to our hemlock forests.

We ask this as owners of 1,500,000 acres of land and as manufacturers of 72,000 barrels of extract, which is two-thirds of all the extract manufactured in North America.

We own and control 1,500,000 acres of bark land and operate 23 tanneries; own 9 extract works, and employ 5,000 men part of the year, 2,000 men all the time, and make 72,000 barrels of extract a year, the entire product of North America being but 100,000 barrels.

In the testimony submitted by the Tariff Commission we are also told that—

Hemlock extract is the product obtained by grinding and leaching hemlock bark and reducing the liquor to about the consistency of sirup or molasses by evaporation, either in vacuo or openly, as you would boil down maple sap to make maple-sugar.

One witness says:

We run four extract works in the United States and five in New Brunswick and Canada.

To show you the quantity of bark used, I can remark that last year we peeled over 150,000 cords of hemlock bark, or enough to make a pile four feet high and four feet wide that would reach from Boston to New York. We tan 750,000 hides per year in the United States, making 1,500,000 sides of hemlock sole leather.

And again:

They are shipping a great deal from Canada now, and also a good deal from this country—from Pennsylvania.

Q. Do they ship it also in the form of ground bark?

A. They do that to some extent, but they have a system of extracting the tanning material by evaporation—quite an ingenius process—making a liquid very similar in appearance to molasses. They claim to get the strength of a ton of bark in an ordinary barrel of the liquid.

Another party says to us:

A cord of bark, weighing 2,000 pounds, worth $1 to $2 on the tree (depending on its distance), is peeled, dried, and hauled to the factory, where it brings $5 to $7. Its tannin is there extracted and reduced, in a fluid form, to the bulk of forty gallons and weight of four hundred pounds, and sells at the factory for about $12. This, except the value of the bark on the tree, is the product of labor.

These facts present their argument.

Now, while providing for the millions needed annually to pay on our national debt, its interest, our pensions, and other proper expenditures, it will be fairness and justice to cause every dollar's worth of this hemlock extract to pay 20 cents toward this fund for the privilege of coming into our country.

Mr. HUMPHREY. It seems to me that in the consideration of this bill we are frequently met by an attempt to protect the large manufacturing interests of this country at the expense of the small ones. Where one large manufacturing company is engaged, as in this case, in the importation of this extract, there are a large number of persons in the country with small means who will suffer in consequence of this competition.

One gentleman rises here who represents a large manufacturing industry in his district. Another gentleman here has in his district a small industry in which people labor from day to day in peeling off this bark and selling it for tanning purposes. If you take the duty off these extracts and allow them to come in free, the result will be that you will put more money, ten dollars to one, in the hands of the large manufacturers than in the hands of any of the laborers whom he may employ.

One-quarter of the territory of Wisconsin has large interests in hemlock bark. The people there own one hundred and sixty acres of land each, and every man is interested in the industry of peeling this bark and selling it for the purpose of manufacturing leather. But he is met here by the overpowering influence of the men of the East who want this essence or extract to be admitted free of duty at the expense of the poor man and to the advantage of the large manufacturing industries.

I desire to say that we are willing to protect the interests of these large manufacturers so far as in doing so we can protect the labor engaged in other industries. But we do not wish to do so at the expense of the thousand and one small industries of the country and the people who are engaged in them personally, some upon farms and some in the production of timber, and every man, woman, and child of them interested in gaining a livelihood just as much as are those who dig ginseng and sassafras roots. I now yield to the gentleman from Massachusetts [Mr. RICE].

Mr. RICE, of Massachusetts. There are of course certain interests and industries that can make money by free trade with Canada. Several of those interests are situated in the city of Boston. They were prominent in establishing reciprocity with Canada a few years ago, which operated so disadvantageously to the United States.

There is no better illustation than that cited by my colleague from Massachusetts [Mr. CANDLER] of those gentlemen who have had tanneries in the United States, in Maine and in other States, who have gone over into Canada and bought large tracts of land there and established tanneries in that region. If those men can be permitted to import this extract of bark free it will not reduce the price of the article one cent; all the profits resulting from this duty will go into their own pockets. They sell what of this article they get in Maine; they bring over the line all they can get from Canada and sell it at the same price, thereby giving them an undue and improper advantage over the owners of the forests of our own country. I am in favor of protecting American labor and giving no exceptional advantages to those gentlemen who have been referred to here.

The CHAIRMAN. By order of the House the time for debate upon the pending paragraph and amendments thereto has expired. The *pro forma* amendment being withdrawn, the question is upon the amendment of the gentleman from Pennsylvania [Mr. CURTIN], in line 466, to strike out "10" and insert "20" as the rate of duty.

The question was taken; and upon a division there were—ayes 70, noes 67.

Mr. HOLMAN. I call for tellers.

Tellers were ordered; and Mr. CURTIN and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported that there were—ayes 98, noes 74.

So the amendment was agreed to.

The CHAIRMAN. The question now recurs upon the motion of the gentleman from Kentucky [Mr. CARLISLE], to strike out the paragraph as amended.

Mr. CARLISLE. I do not think it is necessary to have a vote on that motion, and I will withdraw it.

Mr. HOLMAN. I renew the motion to strike out.

The question was taken upon the motion of Mr. HOLMAN; and upon a division there were—ayes 24, noes 83.

So (no further count being called for) the motion to strike out was not agreed to.

The Clerk read the following:

Spirits, nitrous ether, 30 cents per pound.

Santonin, $2 per pound.

Preparations: All officinal medicinal preparations known as ethers, essences, extracts, mixtures, spirits, tinctures, and medicated wines, of which alcohol is a component part, not specially enumerated or provided for in this act, 40 cents per pound.

Mr. TUCKER. I move to amend by striking out the paragraph just read. I make this motion for the purpose of asking a question. Will the gentleman on the other side in charge of this bill favor us by stating what are the present rates upon the articles included in this paragraph?

Mr. KELLEY. There are quite a number of rates; I cannot state them all.

Mr. TUCKER. My friend from Kentucky [Mr. CARLISLE] tells me that in our statistical table it is stated at 40 per cent. Now, what is the difference between 40 per cent. ad valorem and 40 cents a pound?

Mr. KELLEY. Where does the gentleman get the statement that the present duty is 40 per cent.?

Mr. CARLISLE. It is in the table.

Mr. KELLEY. I do not know where that 40 per cent. comes from.

Mr. CARLISLE. The clause in this bill embraces two items of the present law. One of them is medicinal preparations not otherwise provided for, now dutiable at 40 per cent., and the other is extract of malt, now dutiable at 20 per cent. This proposes to put them all at 40 cents per pound, which is evidently a mistake.

Mr. KELLEY. There may be an improper classification here, but, as the gentleman will observe, this paragraph includes extracts, mixtures, spirits, tinctures, and medicated wines of which alcohol is a component part, and this paragraph applies to articles not otherwise specially enumerated.

Mr. CARLISLE. The gentleman will allow me to correct myself. I was looking at the right item in the bill, but in the statistical table I was looking at the wrong item.

Mr. TUCKER. I withdraw the motion to strike out the paragraph, and move to amend by striking out "40 cents per pound" and inserting "40 per cent."

Mr. KELLEY. I hope that amendment will not prevail. This paragraph, as I have said, applies to tinctures, medicated wines, and other alcoholic preparations.

Mr. HASKELL. The object of the provision in the bill was more especially to make these things come through the legitimate channel. They should either come in under their legitimate head, or should come in under the proprietary medicine clauses. Forty cents a pound makes the rate higher than on alcohol pure.

Mr. TUCKER. Can the gentleman from Kansas give me any estimate of the equivalent ad valorem of 40 cents per pound on these articles?

Mr. HASKELL. I can not, because it may embrace all sorts of tinctures the value of which varies very much.

Mr. TUCKER. Then we are completely in the dark in reference to this matter.

Mr. HASKELL. We know this much—that this is a dollar a gallon in excess of the alcohol tax. The idea in putting it in was to make it so much higher than the alcohol tax that there would be no danger of defrauding the internal-revenue tax.

Mr. KASSON. This is only a basket clause.

Mr. HASKELL. Yes, it is only a basket clause—a sort of penalty clause, rather than a dutiable one.

Mr. TUCKER. I move to make the duty "40 per cent."

Mr. HASKELL. Forty per cent. will not cover the internal-revenue tax on the alcohol. In this way you may let in a lot of liquors slightly medicated, which will thus evade the internal-revenue tax.

Mr. McLEAN, of Missouri. I was about to say that this paragraph covers a large number of preparations containing alcohol, and unless some such duty as that here named be fixed we are likely to facilitate an evasion of the internal-revenue tax by letting in alcohol simply colored and medicated. This duty of 40 cents per pound will have the effect of preventing such evasion of the revenue.

Mr. TUCKER. How much is the tax on alcohol per pound?

Mr. HASKELL. There are about seven and one-half pounds to a gallon.

Mr. TUCKER. Then it is about 10 cents a pound?

Mr. HASKELL. More than that. The old rule is "a pint to a pound."

Mr. TUCKER. Then this would be about 25 to 30 cents per pound above the tax on the article.

Mr. HASKELL. The duty on the mixture would be about $1 per gallon above the internal-revenue rate.

Mr. TUCKER. I withdraw my former amendment and move to make the duty 30 cents per pound. I see this is the rate allowed upon some other articles preceding this.

The amendment of Mr. TUCKER was not agreed to.

Mr. KELLEY. Before the Clerk proceeds with the reading I desire to ask the Committee of the Whole to return to lines 459 and 460 to correct a typographical or clerical error which was passed over in the confusion of yesterday. This error should be corrected while this subject is before us. In the lines I have named the words "contained in" should be "containing." I move to make this substitution in order to correct the phraseology.

The CHAIRMAN. Is there objection?

Mr. TUCKER. I am very reluctant to object to returning to any clause; but yesterday when I asked the same privilege it was denied me by the gentleman on the other side. I will, however, be kinder than the gentleman was. I agree to the request to go back.

Mr. KELLEY. The case is not analogous. If the gentleman feels he is rendering me a personal favor I decline it. I simply wanted to correct the language of the bill.

The Clerk read as follows:

Spirit varnishes, other than shellac, 40 per cent. ad valorem, and in addition thereto an amount equal to the internal-revenue tax on the alcohol contained therein.

Mr. RANDALL. I move to strike out "spirit;" so as to leave it, "varnishes other than shellac," &c.

The amendment was agreed to.

The Clerk read as follows:

Varnishes of all other kinds, 25 per cent. ad valorem.

Mr. RANDALL. I move to strike out the two lines just read. There are no varnishes imported other than those heretofore enumerated; hence these lines are unnecessary.

Mr. SPRINGER. I oppose the amendment for the purpose of referring to the amendment on the preceding paragraph moved by the gentleman from Pennsylvania striking out the word "spirit." Since the word "spirit" has been stricken out on the gentleman's motion the paragraph has been left so that varnishes other than shellac are taxed 40 per cent. instead of 25 per cent.

Mr. RANDALL. My amendment was intended to give the proper designation and was moved only for that purpose. It does not cut off an amendment as to rate of duty.

Mr. SPRINGER. If you intend by your amendment to cover these other varnishes now admitted at a rate of 25 per cent. ad valorem then you increase the duty on them to 40 per cent. ad valorem with the internal-revenue tax added thereto.

Mr. RANDALL. The present tax is 50 cents a gallon and 20 per cent. ad valorem.

Mr. SPRINGER. But by the gentleman's amendment striking out the word "spirit" and leaving it varnishes, &c., thereby including all other varnishes in the clause, you have raised it from 25 per cent. recommended by the committee to 40 per cent. ad valorem, and internal-revenue tax beside.

Mr. HASKELL. The committee did not recommend it.

Mr. RANDALL. Shellac is a foreign product. It does not grow in this country; it is imported from Calcutta and is on the free-list. There has been a practice of bringing in shellac varnish from Canada. The alcohol which is used to make shellac varnish goes to Canada free. It is mixed with one-third or one-fourth of shellac gum, and in this way escapes the internal tax on whisky, which our own citizens have to pay. The committee's bill corrects this. My amendment was for the purpose of giving the proper description of varnishes imported.

Mr. SPRINGER. Did the gentleman intend what his amendment carried, and that is to increase the duty?

Mr. RANDALL. I want this classification carried in the bill as my amendment made it, because that is the proper designation.

Mr. SPRINGER. I have no objection to the classification, but I do object to the increase of duties. If the duty is reduced to what it ought to be I have no objection to the amendment.

Mr. CARLISLE. I wish to ask the gentleman from Pennsylvania a question. Do I understand the gentleman to say there are no spirit varnishes but shellac?

Mr. RANDALL. I say the great aggregate of varnish with alcohol is shellac varnishes. This kind of varnish is used as a first coating and what is put on cabinet-ware or upon floors. It dries quickly. Other varnish is made by mixture of African gums, turpentine, and linseed-oil.

Mr. CARLISLE. But I understand there are other varnishes besides shellac varnish, and there are others which have no spirit in them. Therefore the effect of the motion of the gentleman from Pennsylvania is to put in the same clause and subject to the same rate of duty.

Several MEMBERS. No.

Mr. CARLISLE. Oh, yes! those which have spirits and those which have none, to wit, carriage varnish; that is to say, those which have no spirit in them under the bill as it now stands by the adoption of the gentleman's amendment will pay 40 per cent. ad valorem.

Mr. RANDALL. The gentleman is at liberty to reduce the rate.

Mr. CARLISLE. There being no duty on the spirits they will pay 40, whereas the committee recommends 25 per cent. ad valorem.

Mr. HASKELL. I do not think the committee intended anything of the sort.

Mr. RANDALL. The gentleman has his remedy by reducing the rate.

Mr. SPRINGER. No; we have passed by it.

Mr. RANDALL. I do not myself desire to reduce the rate below 40 per cent. ad valorem on varnishes which contain no alcohol, but if any contain alcohol then the latter clause of last classification reaches them to extent of internal-revenue tax.

Mr. RANDALL. Alcohol is used, I am informed, in connection with sandirac gum, a product of Africa, in the preparation of a varnish to a very limited extent. I know nothing of the preparation myself, but I am so informed.

Mr. CARLISLE. If the gentleman is willing to agree to an ad valorem rate of 25 per cent., and in addition the internal-revenue tax, there will be no objection, I imagine.

Mr. RANDALL. I am not able to speak for any one but myself. I am only a single member of the House, acting on my individual responsibility. I have said 40 per cent. was about right.

Mr. McCOOK. There is nothing that enters into these compositions, these varnishes to which the gentleman refers, that pays an internal-revenue tax.

The question was taken on the amendment; and the Chair decided that it was agreed to.

Mr. SPRINGER. Let the amendment be read.

The CHAIRMAN. The amendment has been read, voted upon, and adopted.

Mr. SPRINGER. I ask that it be again read. There was certainly a misapprehension when that vote was taken.

Mr. McCOOK. The gentleman from Illinois is too active and vigilant in the interest of the people to omit to observe that the vote was taken.

Mr. SPRINGER. I was not aware of the fact that the question had been submitted even, there is so much confusion in the committee.

The CHAIRMAN. The Chair will take no advantage of the gentleman. The question is on the motion of the gentleman from Pennsylvania, to strike out lines 480 and 481.

The question was taken; and the Chair decided that by the sound the amendment was agreed to.

Mr. BLOUNT. I ask a division upon that question.

Mr. SPRINGER. Now, Mr. Chairman——

The CHAIRMAN. Debate is not in order.

The committee divided; and there were—ayes 76, noes 56.

Mr. SPRINGER. I demand tellers.

Mr. MILLS. I make the point that no quorum has voted.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. CARLISLE and Mr. HASKELL were appointed tellers.

The committee again divided; and the tellers reported—ayes 92, noes 70.

So the amendment was agreed to.

Mr. RANDALL. I desire to put on record the figures under existing law. The rate of duty on low-priced varnishes is equivalent to 62 per cent. ad valorem; on the high-priced varnishes the rate is equivalent to 41 per cent., and the average rate on the aggregate of importations of varnish is 47 per cent.; showing that the clauses adopted by the bill under consideration are all reductions, varying from 7 per cent. to 22 per cent.

In addition to which, the linseed-oil which goes into varnishes other than spirit varnishes pays a duty of 50 per cent. ad valorem.

The Clerk read as follows:

Morphia or morphine, and all salts thereof, $1 per ounce.

Mr. WILLIS. I offer the amendment which I send to the desk.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Provided, That in the manufacture of all the foregoing articles known as alcoholic preparations alcohol may be withdrawn from warehouse without payment of internal-revenue tax, upon rules and regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

Mr. KASSON. I reserve the point of order upon that amendment.

Mr. WILLIS. What is the point of order?

Mr. KASSON. My impression from the reading of it is that it does not relate to the subject-matter of this bill, which is for the imposition of duties upon imports.

Mr. KELLEY. I make the point of order that it is not germane to this bill or to this paragraph.

Mr. WILLIS. Mr. Chairman, we have just been considering the subject of alcoholic preparations as embodied in this bill, and all through the list, beginning on page 19, with line 443, down to and including line 495, the subject of alcoholic preparations is embraced. Now, the duty upon these alcoholic preparations in a number of these articles, in all of them in fact, is regulated in express terms in this bill by the amount of internal-revenue tax paid upon the alcohol used in their manufacture. In all of these different lines from the beginning to the end of this clause of the bill the subject of internal-revenue tax is involved and is levied in connection with the duty imposed upon the different articles, which brings this amendment strictly within the purview of this bill. I do not see how the gentleman can make the point of order upon it under the circumstances.

Mr. KASSON. Mr. Chairman, on a closer examination of the amendment I find that it is undoubtedly subject to the point of order in this, that it refers entirely to another subject and one that is not even mentioned in this bill, namely, the withdrawal of domestic spirits from bonded warehouses for free use in the manufactures of medicines and medicinal preparations and other compounds in which it enters as an element and which when imported from abroad are subject to duty.

And upon that slight connection I suppose the gentleman desired to escape the force of the rule. I am therefore prepared distinctly to make the point of order that the amendment is not germane to this schedule, and I might go further and submit that it is not even germane to the bill.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. WILLIS] desire to be heard further on the point of order?

Mr. WILLIS. I submit it to the Chair upon the fact that these preparations contain alcohol, and that the duties levied upon them are directly connected in terms with the amount of internal tax to be paid on alcohol, and that therefore this amendment allowing the withdrawal of alcohol which is used in these preparations free is certainly germane to the bill.

The CHAIRMAN. The Chair thinks the amendment is not germane to the bill, and must so hold.

Mr. MORRISON. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 495 add the following:

"*Provided*, That from and after the 1st day of July, 1884, there shall be levied, collected, and paid on the articles of goods, wares, and merchandise in this schedule enumerated and provided for only 90 per cent. of the several duties and rates of duty imposed on the said articles severally."

Mr. MORRISON. I offer this to come in at the end of Schedule A. If I consulted my own opinions as to this amendment it would have provided that after one year, that is on and after July 1, 1884, no more than 90 per cent. of the duties levied in this schedule should be collected. After two years, or on and after July 1, 1885, no more than 80 per cent., and on this schedule after three years no more than 70 per cent. should be collected. But with a view to obtaining what should be practicable even in this House of Representatives I offer this amendment proposing a 10 per cent reduction for a single year.

I admit, Mr. Chairman, that a horizontal reduction is not the most scientific way of reducing a tariff, but I assume that in the six months' consideration of this subject by the Tariff Commission followed by the six weeks' consideration of the Ways and Means Committee it is not unreasonable to suppose that we have at least in these schedules the duties on the several articles in the right relations to each other. And I want to say, Mr. Chairman, that I believe it is more important to the manufacturing industries of the country to know exactly what the duties are to be and to have this question settled, for a time at least, than to have them 10 per cent. higher or lower, or to have a discussion and continued controversy over the question of whether they shall be 10 per cent. higher or lower.

Mr. MORSE. That is right; that is exactly where we stand.

Mr. MORRISON. The Tariff Commission has said to us and to the country—and I do not believe much of what it has said—but it has at least told us one truth when it said in its report that a due recognition of public sentiment demands a substantial reduction of taxes through a substantial reduction of the tariff. The commission has indicated, too, that that substantial reduction of the tariff, which it assures us is demanded by the best conservative opinion of the country, is not less but more than 20 per cent.

Upon this schedule classed as chemicals the reductions made are less than 12 per cent. on the average; and when this proposed 10 per cent. reduction after another year shall be added, making less than 22 per cent., the reduction will hardly be fully up to the standard of reduction which the Tariff Commission tells us ought to be made. Such a reduction will not injure; but will be a great help to the manufacturing interests of the country, because, as I said yesterday, many of the articles in this list are not only the raw materials but the tools of trade for the manufacturing industries.

Neither can this reduction be hurtful even from the standpoint of protection to industry or the wages of labor; because, looking at the census returns of what are called chemical products, we find that all together they amount to $117,407,054, and that the wages paid for all the labor in these products amounted to $11,820,728. In other words, the wages paid for the labor which made these products amount to about 10 per cent. on the value of the products. For every $100 worth of products made but $10 were paid in wages to the laborers who made them. And if this amendment which I propose shall be adopted the average rate of duties upon this schedule will still be 25 per cent., one and a half times as much more than the wages paid in producing the articles contained in it. The average rate on this schedule is now a little in excess of 31 per cent.; and, reduced as is proposed by this amendment, it will be still more than 25 per cent. The bill of the committee without this amendment will leave the average rate about 27½ per cent.

Hence it is, Mr. Chairman, that I say this amendment will help and encourage the industries of the country, and, upon the theory advanced by protectionists, can not possibly affect injuriously the rates of wages.

[Here the hammer fell.]

Mr. KELLEY. I hope the vote will be had on this question.

Mr. COX, of New York, rose.

The CHAIRMAN proceeded to put the question by a *viva voce* vote, and stated that the "noes" had it.

Mr. MORRISON. I would have called for a division, but the gentleman from New York [Mr. COX] had risen to ask for the floor in order to speak on this question.

The CHAIRMAN. The Chair did not observe that the gentleman from New York had risen. The gentleman from Illinois [Mr. MORRISON] calls for a division.

The committee divided; and there were—ayes 61, noes 85.

Mr. MORRISON. I call for tellers.

Tellers were ordered; and Mr. MORRISON and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 75, noes 94.

So the amendment was not agreed to.

Mr. TOWNSHEND, of Illinois. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out all from line 168 to line 495, inclusive, and insert as follows:

"For the two years next ensuing July 1, 1883, in lieu of the duties now provided by law, which are embraced under Schedule A, there shall be levied, collected, and paid on all the articles named in said schedule imported from foreign countries 80 per cent. of the several duties and rates of duty now imposed by law. For the two years to commence at the expiration of the two years last aforesaid, 70 per cent. of the duties and rates of duty now imposed by law on said articles; and after the expiration of the two years last aforesaid, 60 per cent. of the duties and rates of duty now imposed by law on said articles."

Mr. TOWNSHEND, of Illinois. This amendment is intended as a substitute for Schedule A of this bill. It is my purpose, if some other gentleman does not do so, to offer a similar amendment for each of the other schedules as we reach them, proposing the same rate of reduction of tariff duties, thereby reducing the whole list to the same basis.

The whole country is crying out for reduction of taxation and relief from onerous burdens; and the President of the United States, echoing the sentiment of the country, has recommended to Congress that there be a reduction. The Secretary of the Treasury——

Mr. HASKELL. Mr. Chairman——

Mr. TOWNSHEND, of Illinois. I do not wish to be interrupted.

Mr. HASKELL. Then I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HASKELL. I want to ask if this amendment is offered as a

substitute for the whole of Schedule A of the bill? I did not understand distinctly the statement of the gentleman.

The CHAIRMAN. The gentleman so stated.

Mr. HASKELL. Then I raise the point of order that under the five-minute rule for the consideration of this bill item by item a substitute of that sort is not in order.

Mr. TOWNSHEND, of Illinois. I think the point of order comes too late, even if there is anything in it, which I do not believe.

The CHAIRMAN. The Chair thinks the point of order is made too late.

Mr. TOWNSHEND, of Illinois. I was proceeding to say that the Secretary of the Treasury in his annual report has shown this House how a material reduction might be made without detriment to the business interests of the country. That report shows that during the past year the receipts from customs increased over $22,000,000, and in the aggregate was about $220,000,000; and it is estimated that in 1884 the customs receipts will amount to over $235,000,000. The Secretary further estimates that for that year there will be a surplus over all expenditures of $119,792,000, and, after deducting for the sinking fund, he estimates there will still be a surplus lying in the Treasury, over and above all the needs of the Government, of $74,719,000.

The Tariff Commission recommended to this Congress what is claimed by its friends would be a reduction of some 20 per cent. upon the present tariff rates. In view of all these facts it is clear that we have reached a period when we can reduce the revenue, can reduce taxation to the extent indicated in my amendment. It therefore becomes our solemn duty to the country to adopt some such provision as I have suggested.

If gentlemen on the other side were governed by a desire to relieve the country, were desirous of carrying out the will and sentiment of the people of the country, they would vote in favor of the amendment I have offered. I intend here and now to put it squarely before them and let the country see whether the voice of the people and the recommendations of the President are more powerful than the dictum of the secret conclave that assembled here with closed doors but recently and declared that this bill, or it substantially, shall become a law; whether a caucus of Republican members of this House is potent enough to override the will of the people and disregard the recommendations of the President, or whether this House has patriotism enough to rise above mere partisan action and carry out the will of the people and promote the prosperity and interests of the people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KASSON. I rise to oppose the amendment; and without submitting any remarks I call for a vote.

The CHAIRMAN. Debate upon the pending amendment has been exhausted.

Mr. SIMONTON. Then I move to strike out the last word.

I have listened most attentively during this discussion to hear some valid reasons for the high duties that characterize this bill. It is certainly not because of any demand for revenue, for the trouble is we have too much of that. Still, as the various articles in the schedules of the bill are reached our proposed reductions are uniformly, I might with propriety say universally, resisted by the majority, not because the revenue to be derived therefrom is needed, but on the plea of the necessity of protecting the industry to which the article in question belongs. Protection! How often have we heard that term in this discussion! It is constantly urged as the plea for these high duties. Well, sir, it is a name that sounds well. I do not wonder that the advocates of the system have adopted such a fair-sounding word. It is suggestive of benevolence and paternal kindness.

But many a wrong has been perpetrated under the color of a fair name. Some of the blackest crimes that stain the annals of our race were committed in the sacred names of liberty and religion. And I fear, sir, that great wrong and cruel injustice is about to be perpetrated in this bill upon the great body of our people, the tax-payers, the consumers, under this fair-sounding name of protection.

Protection is a very fine thing for the protected, but I would have gentlemen remember it costs something. Everything of value to anybody costs something. All the aid, the protection, which gentlemen vote so graciously is at the expense of somebody else. Protection, in the very proportion it protects, is just that much burden to some other citizens. I lay this down as an incontrovertible proposition that the enhanced price which protection enables a manufacturer to charge must be paid by some other citizen. Now, my constituents are engaged in this paying business and some of yours in receiving what they pay. It makes a wonderful difference what standpoint you view protection from. On the receiving side it is very delightful; on the paying side it is a burden—it is worse than a mere burden, for it is taking by operation of law a part of the property and wages of one class of citizens and giving the same to others without a consideration.

Why, Mr. Chairman, protection can not add, it never did add, a single dollar to the aggregate capital of the country. Enactments can not create money, and protection is money to the protected. All that protection can do is to give direction to capital, to divert it out of the ordinary channels of business where it is remunerative, and induce it to enter those which, protectionists themselves being the judges, are unprofitable, and in which it can not maintain itself without the aid and interference of government. You vote protection to the iron interests of Pennsylvania; that is very kind to the Pennsylvanians. You vote protection to the woolen manufacturers of Massachusetts, and that is very kind to them. You have just voted protection to the lead interest of Michigan, Missouri, and Colorado, and that is very kind to them. But who pays for all this kindness? These favors cost; they are valuable. They are taxes on my people; and on behalf of them, in view of the overflowing Treasury, and of the recommendation of the President to reduce taxation, and of the Secretary of the Treasury that his Department is embarrassed in disposing of the surplus revenue in any lawful way, and of the universal demand of the tax-payers of the country for a reduction of taxation, I protest against the schedule of duties in this bill, which contains no substantial reduction of taxes. I have constantly voted to reduce duties. I supported the amendment of the gentleman from Illinois [Mr. MORRISON], and I will support the amendment of the gentleman from Illinois [Mr. TOWNSHEND] now pending.

Mr. ANDERSON. Mr. Chairman, I rise to oppose the amendment. I did not hear all the remarks of my friend from Illinois [Mr. TOWNSHEND]; but I understood him to be reading a lecture to this side of the House in the matter of caucus dictation. I suppose, perhaps, that I know something about any subject that may have been discussed in Republican caucus; but I never yet heard any proposition made looking in the most remote degree to the control of the individual judgment and action of members in reference to this bill.

Mr. TOWNSHEND, of Illinois. The gentleman will allow me to ask whether questions relating to this bill were not under consideration in caucus?

Mr. ANDERSON. What question?

Mr. TOWNSHEND, of Illinois. Any question relating to this bill.

Mr. ANDERSON. I understood the gentleman to mean that the Republican party had fixed upon some specific bill and agreed in caucus to pass it. So far as I know it never did.

Mr. TOWNSHEND, of Illinois. The gentleman begs the question; he does not answer my question.

Mr. ANDERSON What is it?

Mr. TOWNSHEND, of Illinois. My question is this: whether the caucus did or did not take some action in regard to the passage of this bill or the action upon it?

Mr. KASSON. They never passed upon a clause of it.

Mr. ANDERSON. No, sir; they simply considered the reduction of the tariff; and that was all.

Mr. TOWNSHEND, of Illinois. Then my point is proven that this subject has been considered by a Republican caucus.

Mr. ANDERSON. My friend makes a mistake. The reduction of the tariff is one proposition and the passage of this specific bill is another. But I desire to say that I am opposed to the principle upon which the gentleman's proposition rests, that is, a sliding scale ending in bald free trade. I am opposed to fixing, by iron legislation, machinery which settles questions that should be dealt with by the best judgment and the wisest discernment of men.

I favored the proposition of the other gentleman from Illinois [Mr. MORRISON] to reduce this schedule 10 per cent, because what I want is a competitive tariff. But this is a wholly different proposition. This proposes a sliding scale and runs clear into the old abstract proposition of Democracy, free trade. There is a difference between these two things. I am willing to vote for a reduction of 20 per cent. on these articles, but not for the proposition of the gentleman from Illinois [Mr. TOWNSHEND].

The CHAIRMAN. Debate is exhausted.

The *pro forma* amendment being withdrawn, the question was taken on the amendment of Mr. TOWNSHEND, of Illinois; and it was not agreed to.

Mr. WHEELER. I ask unanimous consent to have printed in the RECORD, following the remarks of the gentleman from Kentucky [Mr. CARLISLE] a circular in reference to the subject of varnish.

The CHAIRMAN. Is there objection?

Mr. PAGE. We do not know what the paper is.

The CHAIRMAN. The Clerk will read the title.

Mr. WHEELER. I do not ask that the paper be read; I wish it printed in the RECORD, to follow the remarks of the gentleman from Kentucky [Mr. CARLISLE] on the subject of varnish.

Mr. PAGE. We do not know what the paper is, and can not tell whether it ought to go into the RECORD.

The CHAIRMAN. It is a circular on the question of varnish.

Mr. BROWNE. I object.

The Clerk read as follows:

SCHEDULE B.—*Earthen-ware and glass-ware.*

Brown earthen-ware, common stone-ware, gas retorts, and stone-ware not ornamented, 25 per cent. ad valorem.

Mr. COX, of New York. I move to amend the paragraph just read by striking out "25" and inserting "20." In behalf of my colleague [Mr. HEWITT], who, as gentlemen know, is detained from the House by illness, I would like if possible that this schedule as to earthen-ware should be passed over and considered at the end of the bill. My colleague may possibly be here at that time. I presume that both sides of the House regret his absence when propositions of so much importance as this and others which will follow come before us for consideration.

But since I have made the application in vain to the chairman of the committee, I ask leave now, as my colleague is ill in New York, that I may fulfill his request and publish in the RECORD some bills of lading and invoices, together with letters which have been written to him in reference to this matter of earthen-ware. I do not as yet touch the subject of glass-ware

Mr. KASSON. Allow me to make a proposition which may facilitate our action. These rates down to line 513 are intended to connect with each other——

Mr. COX, of New York. I know they are.

Mr. KASSON. And I therefore ask that the portion of this schedule down to line 513 may be considered as one paragraph and may be open to amendment anywhere.

Several members objected.

Mr. COX, of New York. My proposition was that these four paragraphs, embracing all sorts of common earthen-ware, be considered at the end of the bill, as my colleague may possibly be well enough to be here next week.

Mr. CARLISLE. I must object, for the reason that by that time debate may be closed.

Mr. COX, of New York. Now, I ask attention to these four items of common earthen-ware coming to this country from abroad. The Committee on Ways and Means has raised the rate on this ware all the way through. Any member looking at the list will see how duties are raised. I think we ought to commence our reductions on this very article.

Mr. McKINLEY. There is, in fact, a reduction in the line to which the gentleman's amendment refers. The rate of duty, it is true, is the same as at present; but we have already repealed the charges and transportation sections of the present law——

Mr. COX, of New York. Making a difference of about 3 per cent.

Mr. McKINLEY. So there will be a decrease of duty on brown earthen-ware.

Mr. SPRINGER. The gentleman from Ohio forgets to state that we only imported $123 worth last year.

Mr. COX, of New York. Mr. Chairman, I presume that I speak on this subject—and I wish to speak with moderation—for the great body of the people of this country who use earthern-ware, and not for the few people who manufacture it in particular localities. I believe, sir, every one of those four items requires careful consideration by this House, and the House can not give it in the five-minute debate we have here. To-morrow morning, when the House will read how much of these tariffs are 40 per cent., 65 per cent., and 55 per cent., and so on, they will likely reverse their opinion when too late; and this with all these other large items will at last go to a committee of conference made up of a few men representing a few interests, and they will concoct a tariff for which nobody, sir, including yourself, will have any respect. [Laughter and applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. COX, of New York. Let me make a request to print these documents. I am representing my colleague [Mr. HEWITT], and I ask that in his favor.

The CHAIRMAN. The Chair hears no objection.

The documents referred to are as follows:

NEW YORK, *January* 27, 1883.

MY DEAR SIR: It is now certain that I can not come to Washington next week, and I may not get there at all during the tariff discussion. I wish, therefore, that you would go to my room, where, on the desk, you will find two brown envelopes marked "tariff." Out of the papers in these envelopes please select all that have any reference to pottery or china and hand them to Mr. S. S. COX, with the request from me that he will take charge of the subject and fight the battle of reasonable duties on pottery in the House. I have informed the pottery association that I have turned the matter over to him. They will probably write to him on the subject. Please send me all the other papers not relating to pottery here, so that I may arrange them for the use of some member as the discussion progresses. Ask Mr. COX also to take a convenient opportunity during the discussion to state that I am utterly disabled from returning to Washington, and deeply regret my enforced abstinence from the work of revenue reform.

Truly yours,

ABRAM S. HEWITT,
Per S. C. N.

C. H. RIDENOUR, Esq.,
(Care of Hon. A. S. HEWITT, House of Representatives, Washington, D. C.)

TARIFF REVISION.

SCHEDULE B.—*Earthen-ware and glass.*

To the Editor of the New York Times:

My analysis of the meager additions to the free-list, as proposed by the Tariff Commission, will make it very clear that, if we are to have a tariff revision at all, it will certainly have to be done in a much more liberal way than the painstaking commission recommend, anxious as all tariff reformers are to accept the report of the commission.

First. As an acknowledgment that our tariff system should and must be amended as soon as possible.

Second. That compound duties are swindles and must be swept away, although on account of certain pressures these compound duties are still retained in the woolen schedule, which of course will be swept away by Congress. And lastly, tariff reformers are glad to see some tariff measure before Congress, and feel satisfied that public opinion will shape reform in the right direction.

I shall to-day point out the shortcoming of the commission in "not" revising the duties on window and plate glass. In retaining the present rate of duty on window-glass, one is of the opinion that this schedule must have been agreed upon several months before the late elections. The average rate of duty on the poorest kind of window-glass is from 70 to 75 per cent. Considering that the ostensible reason for reducing taxation is that the Treasury suffers from a plethora of money, it remains to be seen how many legislators will be found in Congress willing not only to retain such a monstrous duty on an article of first necessity, but whether they are ready to squeeze some $4,000,000 or $5,000,000 of taxes from the people on window-glass, of which the Treasury gets about $1,000,000 and the glass monopolies the rest. It is also the more preposterous when we consider that this window-glass tax is upon the dwellings of the poor, and the commissioners do not even make an attempt of an apology to justify this outrage. Strange to say, in order to simplify the collection of duty on window-glass, the 50-feet box of glass is arbitrarily raised in weight, which actually increases the duty in a small degree on this commodity. The commissioners further recommend the retention of the present duty on plate-glass, including all above 24 by 60 at 50 cents per square foot, which means the modest little duty of 109 per cent. It remains to be seen how this recommendation will be received and acted upon. It requires no prophet to foretell that such duties, when a tariff revision is made, can not be maintained. I regret to see that the commission has allowed itself to be led astray in recommending an increase of duty of some 15 per cent. on the better class of chinaware. I am the more mortified because it is made on the baby plea. My opinion, however, is that it is more likely that Congress will reduce the duties 15 per cent. than increase them. This is certainly not an increase duties season. Upon the whole, the commissioners might as well have spared their labors on this schedule. It will surely be revised and adjusted much more liberally in the House, if it has not been already in the Committee of Ways and Means.

J. S. MOORE.

NEW YORK, *Friday, December* 8, 1882.

NEW YORK, *January* 6, 1883.

DEAR SIR: At the request of our mutual friends, Messrs. Early & Lane, of this city, we beg to hand you an invoice of cheap printed earthen-ware in toilet sets, which are largely in demand by the poorer or middle classes in this country, showing the cost with the duty as now levied at 40 per cent., and also that with the duty at 65 per cent., as proposed to be levied under the new tariff as recommended by the Ways and Means Committee.

We may say that a large quantity of these goods are purchased by grocers, who give them away to the public as chromos against purchases of low-class teas at a high price, and hence such a demand increases the revenue of the United States to an extent that can not be covered by domestic manufacture.

Should you require any further explanations on this matter we shall be happy to render it on hearing from you.

Yours, faithfully,

BURGESS & GODDARD,
Per DAVID DOCTOR.

Hon. ABRAM S. HEWITT, *Washington, D. C.*

NEW YORK, *January* 23, 1883.

DEAR SIR: We wrote you on 6th instant, with our invoice of printed ware, showing the comparative statement between the cost here and at the factory in England.

We find, however, that we made a mistake in not including packages with the charges, because in this country the domestic manufacturers return the money charged on the return of the packages, and in some cases no packages are charged, because they can load up the cars which are run in alongside the potteries. We therefore inclose fresh calculations showing what the true geographical protection is on these goods, and if in time to be of any service to you in the discussion on the tariff on crockery, we shall be pleased.

Hoping you will excuse any unnecessary trouble we may be giving you,

Yours, faithfully,

BURGESS & GODDARD,
Per DAVID DOCTOR.

Hon. ABRAM S. HEWITT, *Washington, D. C.*

NEW YORK, *December* 20, 1882.

Cost of twelve packages printed earthen-ware, imported under a duty of 65 per cent.:

To Burgess & Goddard, Dr.

	Charges, £. s. d.	£. s. d.	$. c.
To invoice, £101 19s. 2d., at $4.86 exchange			496 52
Twelve packages, 2 at 19s. and 10 at 19s. 6d	11 3 0		
Less 5 per cent	11 2		
		10 11 10	
Inland carriage		3 6 10	
Dock and town dues		3 0	
Bills of lading		2 0	
Fowarding commission		12 0	
Certified invoice		15 0	
Freight on 748 feet at 9 and 10 per cent. per ton		9 5 2	
		24 15 10	
At $4.86 exchange			120 49
Duty on $582 at 65 per cent			378 30
Custom-house entry and fees			4 00
Marine insurance on $680 at 1 per cent			6 80
Interest, 30 days, at 6 per cent			2 75
103.39 per cent. on cost of goods at factory			512 34
Cost of goods on dock at Boston			1,007 86

NEW YORK, *December* 29, 1882.

Cost of twelve packages printed earthen-ware, imported under a duty of 40 per cent.:

To Burgess & Goddard, Dr.

	Charges, £. s. d.	£. s. d.	$. c.
To invoice, £101 19s. 2d., at $4.86 exchange			496 52
Twelve packages, 2 at 19s. and 10 at 18s. 6d	11 3 0		
Less 5 per cent	11 2		
		10 11 11	
Inland carriage		3 6 10	
Dock and town dues		3 0	
Bills of lading		2 0	
Fowarding commission		12 0	
Certified invoice		5 0	
Freight on 748 feet at 9 and 10 per cent. per ton		9 5 2	
		24 15 10	
At $4.86 exchange			120 49
Duty on $585 at 40 per cent			232 80
Custom-house entry and fees			4 00
Marine insurance on $680 at 1 per cent			6 80
Interest, 30 days, at 6 per cent			2 75
74.03 per cent. on cost of goods at factory			366 84
Cost of goods on dock at Boston			862 97

Invoice of earthen-ware shipped at Liverpool by Goddard & Burgess of Longton, Staffordshire, on board the Victoria, Capt. ——, for Boston. Insured and consigned to ——, for account and risk of Messrs. Burgess & Goddard, of New York.

LONDON, *November* 22, 1882.

Claims must be duly certified & presented within 6 months from date for transmission to the manufacturer.

[Mark D. B. & Co., ◇B◇. Terms ——. B. L., dated —— 18—.]

	£ s. d.	£ s. d.
Hhd. 48:		
5 toilet sets, 9-11 pcs. 3006, Indian, at 10s. 6d	2 12 6	
5 toilet sets, 9-11 pcs. 3005, Vintage, at 10s. 6d	2 12 6	
5 toilet sets, 9-11 pcs. 3077, Oriental, at 10s. 6d	2 12 6	
5 toilet sets, 9-11 pcs. 3021, Pomp. at 10s. 6d	2 12 6	
3 toilet sets, 9-11 pcs. 3015, Roses, at 10s. 6d	1 11 6	
2 toilet sets, 9-11 pcs. 3012, Aquatic, at 10s. 6d	1 1 6	
		13 3 6
Hhd. 49:		
1 hhd. same		13 2 6
Crate 58, 30 toilet sets, 9-11 pcs.:		
3 bro., 2 peacock, 1 black, Oriental, at 6s	1 16 6	
3 bro., 1 peacock, 1 black, Pomp., at 6s	1 10 6	
2 bro., 1 peacock, 2 green, Roses, at 6s	1 10 6	
2 bro., 2 peacock, 1 green, Vintage, at 6s	1 10 6	
2 bro., 1 peacock, 1 green, Hawthorn, at 6s	1 4 6	
2 bro., 2 peacock, 1 black, Indian, at 6s	1 10 6	
		9 2 6
Crates 59-65:		
7 packages same		63 2 6
Crate 66, 30 toilet sets 9-11 pcs.:		
3 brown, 2 peacock, 1 black, Oriental, at 6s	1 16 6	
3 brown, 1 peacock, 1 black, Pompadour, at 6s	1 10 6	
2 brown, 1 peacock, 2 green, Roses, at 6s	1 10 6	
2 brown, 2 peacock, 1 green, Vintage, at 6s	1 10 6	
2 brown, 1 peacock, 1 green, Hawthorn, at 6s	1 4 6	
2 brown, 2 peacock, 1 black, Indian, 6s	1 10 6	
6 slop-jars:		
Brown, 1 Oriental, 1 Pomp., 1 Indian, at 5s	15 6	
Peacock, 1 Pompadour, 1 Vintage, at 5s	10 6	
Green, 1 Roses, at 5s	5 6	
		10 10 6
Crate 67:		
1 package same		10 10 6
		119 5 6
10 per cent.		11 18 6
		107 6 6
5 per cent.		5 7 4
		101 19 2

NEW YORK, *December* 20, 1882.

Cost of twelve packages printed earthen-ware imported under a duty of 40 per cent.:

To Burgess & Goddard, Dr.

To invoice, £112 11s. at $4.86 exchange $547 00

Charges.	£ s. d.	
Inland carriage	3 6 10	
Dock and town dues	3 0	
Bills of lading	2 0	
Forwarding commission	12 0	
Certified invoice	15 0	
Freight 748 feet at 9 and 10 per cent. per ton	9 5 2	
	14 4 0	
At $4.86 exchange	$69 01	
Duty on $582 at 40 per cent.	232 80	
Custom-house entry and fees	4 00	
Marine insurance on $680 at 1 per cent.	6 80	
Interest, 30 days, at 6 per cent.	2 75	
		315 36
Or equal to 57.65 per cent. on cost of goods at factory.		
Cost of goods on dock at Boston		862 36

NEW YORK, *December* 20, 1882.

Cost of twelve packages printed earthen-ware if imported under a duty of 65 per cent.:

To Burgess & Goddard, Dr.

To invoice, £112 11s., at $4.86 exchange $547 00

Charges.	£ s. d.	
Inland carriage	3 6 10	
Dock and town dues	3 0	
Bills of lading	2 0	
Forwarding commission	12 0	
Certified invoice	15 0	
Freight on 748 feet at 9 and 10 per cent. per ton	9 5 2	
	14 4 0	
At $4.86 exchange	$69 01	
Duty on $582 at 65 per cent.	378 30	
Custom-house entry and fees	4 00	
Marine insurance on $680 at 1 per cent.	6 80	
Interest, 30 days, at 6 per cent.	2 75	
		460 86
Or equal to 84.25 per cent. on cost of goods at factory.		
Cost of goods on dock at Boston		1,007 86

Invoice of earthen-ware shipped at Liverpool by Goddard & Burgess, of Longton, Staffordshire, on board the steamship Victoria, Captain ——, for Boston, insured and consigned to ——, for account and risk of Messrs. Burgess & Goddard, of New York.

LONGTON, *November* 12, 1882.

Claims must be duly certified and presented within six months from date for transmission to the manufacturer.

[Mark D., B & Co. ◇B◇. Terms: ——. B. L., dated ——, 18—.]

PRINTED WARE—IVORY BODY.

	£ s. d.	£ s. d.
Hhd., 48:		
5 toilet sets, 9s, 11 pces., Fch. & Glad., No. 3006 Indian, at 10s. 6d	2 12 6	
5 toilet sets, 9s, 11 pces., Fch. & Glad., No. 3005, Vintage, at 10s. 6d	2 12 6	
5 toilet sets, 9s, 11 pces., Fch. & Glad., No. 3017, Oriental, at 10s. 6d	2 12 6	
5 toilet sets, 9s, 11 pces., Fch. & Glad., No. 3021, Pomp., at 10s. 6d	2 12 6	
3 toilet sets, 9s, 11 pces., Fch. & Glad., No. 3015, Roses, at 10s. 6d	1 11 6	
2 toilet sets, 9s, 11 pces., Fch. & Glad., No. 3012, Aquatic, at 10s. 6d	1 1 0	
		13 2 6
Hhd., 49:		
Same		13 2 6
Crates, 58:		
6 toilet sets, 9s., 11 pces., Fch. & Glad., 3 cuve, 2 peacock, 1 blk., Oriental, at 6s	1 16 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 3 cuve, 1 peacock, 1 blk., Pomp., at 6s	1 10 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 1 peacock, 1 green, Roses, at 6s	1 10 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 2 peacock, 1 green, Vintage, at 6s	1 10 0	
4 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 1 peacock, 1 green, Hawthorne, at 6s	1 4 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 2 peacock, 1 blk., Indian, at 6s	1 10 0	9 0 0
Crate, 59-65:		
7 crates—the same		63 0 0
Crate, 66:		
6 toilet sets, 9s, 11 pces., Fch. & Glad., 3 cuve, 2 peacock, 1 blk., Oriental, at 6s	1 16 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 3 cuve, 1 peacock, 1 blk., Pomp., at 6s	1 10 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 1 peacock, 2 green, Roses, at 6s	1 10 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 2 peacock, 1 green, Vintage, at 6s	1 10 0	
4 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 1 peacock, 1 green, Hawthorne, at 6s	1 4 0	
5 toilet sets, 9s, 11 pces., Fch. & Glad., 2 cuve, 2 peacock, 1 blk., Indian, at 6s	1 10 0	
3 slop-jars, cuve, 1 Oriental, 1 Pomp., 1 Indian, at 5s	15 0	
2 slop-jars, peacock, 1 Pomp., 1 Vintage, at 5s	10 0	
1 slop-jar, green, Roses, at 5s	5 0	
		10 10 0
Crate, 67:		
Same		10 10 0
		119 5 0
Discount, 10 per cent.		11 18 6
		107 6 6
Two strong oak hhds., 19s.; 10 strong crc. crates, 16s. 6d		11 3 0
		118 9 6
Discount, 5 per cent.		5 18 6
		112 11 0

NEW YORK, *January* 4, 1882.

DEAR SIR: This letter will introduce to you W. R. Wright, esq., President of "The Association of Dealers in Pottery in the United States."

Mr. Wright is anxious to explain to you in person the effect which the proposed increase on duties would have on the general business of the importers and dealers in earthen-ware. Commending him to your favorable consideration,

We remain,

EARLY & LANE.

Hon. ABRAHAM S. HEWITT, M. C.,
Washington, D. C.

Cost of E. R. 51-70, 20 packages printed ware in Staffordshire, England, £148 3s. 6d $721 09

Protection:		
Twenty crates, £17	$82 73	
Inland carriage and Liverpool charges, £8 13s. 6d	42 21	
Consul's certificate, 15s	3 65	
Ocean freight, £19 15s. 8d	96 27	
Marine insurance	6 37	
Interest, 30 days, $849.68	4 25	
	235 48	
Duty, 40 per cent. on $867 (C. H. value)	346 80	
Total present protection, 81 per cent.		582 28
Cost now on the dock in New York		1,303 37

Calculated on above invoice according to the tariff bill now before Committee of Ways and Means:

Cost of the goods in Staffordshire, England		$721 09
Geographical protection	$235 48	
Duty, 65 per cent. on $867	563 55	
Total proposed protection, 111 per cent.		799 03
Cost (then) on the dock in New York		1,520 12

The above calculations are exclusive of custom-house expenses and loss by breakage between Staffordshire, England, and New York.

NEW YORK, *January* 3, 1883.

BLEAK HILL WORKS,
Burslem, Staffordshire, July 5, 1882.

Mr. S. Quincy, New York, bought of F. I. Emery, potter.
No goods to be returned without instructions. Empty packages are not allowed for, but will remain at the risk of the sender and be packed subject to charges. Errors or faults must be reported without delay.
Marked E. R. 61-70; forwarded per S. N. Co. to Ellesmere port to order of J. Edwards & Co., for shipment to New York.

C. BROWN CYPRUS.

	£	s.	d.	£	s.	d.
4 dozen twifflers, 1s. 6d			6	0		
3 dozen soups, 8, 1s. 6d			4	6		
10 dozen muffins, 7, 1s. 4d			13	4		
8 dozen muffins, 6, 1s. 1d			8	8		
3 dozen muffins, 5, 1s			3	0		
6 dozen fruit-saucers, (12), 9d			4	6		
6 dozen Ind. butters, (12), 9d			4	6		
10 dozen London teas, Bute, 2s. 6d	1		5	0		
4 dozen breakfasts, 4s. 6d			18	0		
18 dishes, { 4 4 4 4 2 / 9 10 12 14 16 / 3s. 4s. 6s. 9s. 12s. }			9	4		
12 bakers, { 6 6 / 7 8 / 3s. 3s. 6d. }			3	3		
6 c. dishes, 8, Minton, 11d			5	6		
3 soups compt, Minton, 5s. 3d			15	9		
3 sauce compt, Minton, 1s. 2d			3	6		
4 boats, Minton, 3d			1	0		
6 casseroles, 1s. 3d			7	6		
6 pickles, 3d			1	6		
6 cov'd muffins and dras., 1s			6	0		
4 comports, 1s. 6d			6	0		
4 teapots, 8¼			2	9		
6 sugars, 7¾			3	10½		
6 creams, 3d			1	6		
18 jugs { 2 4 4 4 4 / 6 12 24 30 36 / 8s. 9s. 6d. 10s. 6d. }			9	5½		
12 bowls, 30, 2d			2	0		
2 salads, 1s			2	0		
			8	8	5½	
9 crates same					75	15 11½
					84	4 4½
Five per cent. discount					4	4 2½
					80	0 2
Five per cent. discount					4	0 0
					76	0 2
10 crates straw, &c., 17s					8	10 0
Net					84	10 2

BLEAK HILL WORKS,
Burslem, Staffordshire, June 29, 1882.

Mr. S. Quincy, New York, bought of F. I. Emery, potter.
No goods to be returned without instructions. Empty packages are not allowed for, but will remain at the risk of the sender and be packed subject to charges. Errors or faults must be reported without delay.
Marked E. R. 51-60; forwarded per S. N. Co. to Ellesmere port to order of J. Edwards & Co. for shipment to New York.

C. BROWN CYPRUS.

	£	s.	d.	£	s.	d.
4 dozen twifflers at 1s. 6d			6	0		
10 dozen muffins, 7, at 1s. 4d			13	4		
8 dozen muffins, 6, at 1s. 1d			8	8		
2 dozen muffins, 5, at 1s			2	0		
2 dozen soups, 7, at 1s. 4d			2	8		
6 dozen soups, 4, at 11d			5	6		
6 dozen Ind. butters (12), at 9d			4	6		
15 dozen London teas, Bute, at 2s. 6d	1		17	6		
3 dozen breakfast teas, Bute, at 4s. 6d			13	6		
16 dishes, { 4 4 4 2 2 / 9 10 12 14 16 / 3s. 4s. 6s. 9s. 12s. }			7	10		
12 bakers, { 6 6 / 7 8 / 3s. 3s. 6d. }			3	3		
6 casseroles, 8, at 1s. 3d			7	6		
6 c. dishes, 8, Minton, at 11d			5	6		
1 soup compt., Minton, at 5s. 3d			5	3		
1 sauce compt., Minton, at 1s. 2			1	2		
1 salad, Minton, at 1s			1	0		
6 pickles, at 3d			1	6		
6 teapots, 24, at 8¼d			4	1½		
8 sugars, at 7¾d			5	2		
8 creams, at 3d			2	0		
12 bowls, 30, at 2d			2	0		
1 comport, 8, at 1s. 6d			1	6		
4 covered muffins and dras., 5, at 1s			4	0		
22 jugs { 4 6 6 6 / 6 12 24 36 / 8s. 9s. 9s. 6d. 10s. 6d. }			13	5½		
4 boats, Minton, at 3d			1	0		
					7	19 11
9 crates same					71	19 3
					79	19 2
Five per cent. discount					3	19 11
					75	19 3
Five per cent. discount					3	15 11
					72	3 4
10 crates and straw, &c., at 17s					8	10 0
					80	13 4

28, IRWELL CHAMBERS, WEST,
Liverpool, July 14, 1882.

Samuel Quincy, esq., New York, to John Edwards & Co., Dr.

Shipping charges on 20 packages and samples earthen-ware per Wisconsin (s) for New York.

	£	s.	d.	£	s.	d.
Canalage on—						
1 p'kge A. W. & Co., 3, s'ples					1	2
20 p'kges E. R., 51-70					7	3 4
20 p'kges and sp'les.						
Charges:						
Dock and town dues			8			
Customs' entry and forms		1	6			
Bills of lading, 2s		2	0			
Cartage and porterage		0	0			
Insurance on £—— and stamp at		0	0			
Commission	1	0	0			
				1	10	2
				8	14	8

GUION LINE OF MAIL STEAMERS—AGENTS IN NEW YORK, WILLIAMS & GUION.

Shipped, in good order and well conditioned, by John Edwards & Co., in and upon the steamship called the Wisconsin, now lying in the port of Liverpool, and bound for New York, via Queenstown, twenty packages earthen-ware and one package samples, being marked and numbered as in the margin, and are to be delivered in the like good order and well-conditioned at the port of New York.

(The act of God, the Queen's enemies, pirates, robbers, thieves, vermin, barratry of master, or mariners, restraint of princes, rulers, or people, loss or damage resulting from insufficiency in strength of packages, from sweating, leakage, breakage, rust, decay, rain, injury to or soiling of wrappers or packages, however caused, or from stowage or contact with, or smell or evaporation or taint from other goods, or from any of the following perils (whether arising from the negligence, default, or error in judgment of the master, mariners, engineers, or others of the crew, or otherwise howsoever) excepted, namely, risk of craft, explosion or fire at sea, in craft, or on shore, boilers, steam, or machinery, or from the consequences of any damage or injury thereto, howsoever such damage or injury may be caused, collision, stranding, or other peril of the seas, rivers, or navigation of whatever nature or kind soever and howsoever such collision, stranding, or other peril may be caused, with liberty in the event of the said steamer putting back to Liverpool, or into any port, or otherwise being prevented from any cause from proceeding in the ordinary course of her voyage, to transship the goods by any other steamer, and with liberty to sail with or without pilots, and to tow and assist vessels in all situations) unto Samuel Quincy, esq., or to his assigns. Freight for the said goods being paid at New York, as per margin with primage. General average, if any, payable according to York and Antwerp rules. In witness whereof, the master or agent of the said ship hath affirmed to three bills of lading all of this tenor and date, the one of which bills being accomplished the others to stand void. Freight, if payable in New York, to be paid at the current rate of exchange for bankers' bills at sight on the day of the ship's arrival.

Weight, contents, measure, quality, brand, and value unknown. The goods to be taken from alongside by the consignee immediately the vessel is ready to discharge or otherwise they will be landed by the master and deposited at the expense of the consignee, and at his risk of fire, loss, or injury on the dock or wharf, or in the warehouse provided for that purpose, or sent to the public store, as the collector at the port of New York shall direct, and when deposited in the warehouse to be subject to storage, the collector of the port being hereby authorized to grant a general order for discharge immediately after entry of the ship. The owners of these ships will not be accountable to any extent for bullion, specie, precious metals, manufactured or unmanufactured, plated articles, glass, china, jewelry, articles used for jewelry, precious stones, trinkets, watches, clocks, timepieces, mosaics, bills, bank notes of any country, orders, notes, or securities, for payment of money, stamps, maps, letters, writings, title deeds, paintings, engravings, pictures, statuary, silks, furs, lace or cashmere, manufactured or unmanufactured, made up into clothes or otherwise, contained in any package or parcel, whatever may be the value of such articles, nor for any other goods of whatever description above the value of £100 per package, unless the value be herein expressed, and extra freight as may be agreed on be paid.

The United States Treasury having given permission for goods to remain forty-eight hours on wharf in New York, any goods so left by consignee will lie at his risk of fire, loss, or injury.

In accepting this bill of lading, the shipper or other agent of the owner of the property carried expressly accepts and agrees to all its stipulations, exceptions, and conditions, whether written or printed.

A. W. & Co., 3 samples (free) E. R., 51-70.

	£	s.	d.
Freight on 1,150 feet 11 inches at 12s. 6d. per ton	17	19	8
Primage 10 per cent	1	16	0
Total	19	15	8

Dated in LIVERPOOL, *July* 14, 1882.

J. J. MACK.

Mr. SPRINGER. I move to strike out the last word. I desire to support the amendment to reduce tariff duties on these articles from 25 per cent. to 20 per cent. ad valorem. We have practically reduced the tariff by abolishing commissions and charges on imported articles. Let us see how much relief has been granted to the consumers of this country by that. According to the statement of imports of merchandise contained in the Treasury tables, there were only $36,000 worth of articles imported under this heading, and the duties amounted only to $9,000. There could not, then, have been a very heavy burden taken from the people by taking off the charges and commissions in the custom-house on so insignificant an item.

Mr. TOWNSEND, of Ohio. Would it not be very heavy to take it all off?

Mr. ROBINSON, of Massachusetts. Would it not be as heavy as to reduce it 5 per cent., as you propose?

Mr. SPRINGER. The whole amount of earthen-ware manufactured in this country, if gentlemen will observe the last census bulletin, was in value $7,942,729. Now, the whole amount of wages paid to laborers in this industry was $3,279,000. The number of laborers employed in this industry was 9,994, including women and youths. Therefore it will be seen that the wages of labor employed in this industry amounted to $345 a year.

Here is an industry protected to prohibition of the foreign product

almost, and in this greatly protected industry the manufacturers pay wages of less than $1 a day. That is the information we have in the census bulletin. The gentleman from New Jersey shakes his head. When he gave his return and when the others engaged in this manufacture gave their returns they gave the figures I have stated.

The CHAIRMAN. The gentleman's time has expired.

Mr. SPRINGER. I withdraw my *pro forma* amendment.

The question recurred on the motion of Mr. COX, of New York.

Mr. COX, of New York. I demand a division.

Mr. WILSON. I wish to be heard; but if it has been decided in the negative, I do not care to detain the House.

Mr. ROBESON. It has been decided in the negative.

The committee divided; and there were—ayes 39, noes 75.

Mr. COX, of New York. No quorum has voted, and I ask for tellers.

Tellers were ordered; and Mr. COX, of New York, and Mr. ROBESON were appointed.

The committee again divided; and the tellers reported there were—ayes 57, noes 72.

Mr. COX, of New York. I withdraw the point that no quorum has voted.

So the amendment was rejected.

Mr. SPRINGER. I move to strike out "twenty-five" and insert "twenty-two;" and I make that amendment, Mr. Chairman, for the purpose of calling the attention of the committee to the fact that the other items in this schedule in regard to stone and earthenware have been increased as to the rates over those of the present year from 50 per cent. ad valorem to 65 per cent. ad valorem and from 45 per cent. ad valorem to 55 per cent. ad valorem. The increase proposed by this bill it is estimated by experts of the Treasury Department will produce an increase of revenue to the Treasury, as for instance on the next item in the bill the duty collected at 50 per cent. amounted to $1,037,000, and the experts of the Treasury estimated at the rate of 65 per cent. the revenue will be increased to $1,347,000. This illustrates very forcibly the delusive character of the reductions proposed by this bill. Here is a proposition where the Treasury Department assumes an increase of revenue because the rate has been increased, when everybody knows there will be a decrease of revenue and an increase of burdens upon the people.

Was there any such demand went up from the people of this country at the last November election? Has any organization, protected or otherwise, demanded an increase of the burdens upon the American people and a decrease of the revenues for that purpose? The demand was for a decrease in the burdens of taxation; but this proposition is an effort to increase the burden on the American people, while it decreases absolutely the amount of revenue to be derived from it for the support of the Government.

Mr. WILSON. Let me ask the gentleman a question.

Mr. SPRINGER. The gentleman will have five minutes of his own. I must decline to be interrupted.

During the last census year the products of stone and earthen ware factories in this country, according to the tabulated reports from the Census Bureau, amounted to $7,900,000, or in round numbers say $8,000,000. If the increase of duties upon these articles is intended to increase the value of the product or the price of the product to the consumer in order to still further favor the manufacturers of this country, to enable them to compete successfully with the manufacturers of the Old World, they increase the rate of duty by this item to such an extent as to impose an additional burden upon the people amounting to $4,000,000 a year. This is a response to the demands of the people that there shall be a reduction of the heavy rates of duty which now oppress them! In this way, in place of acceding to their demand, under a pretended reduction you absolutely increase their burdens $4,000,000 upon this item alone, while the loss of revenue to the Government will amount to several hundred thousand dollars.

I want to know, Mr. Chairman, what justification there is in the present condition of things, what justification there is in the condition of the industries of this country anywhere, that demands this large increase upon the burdens of the people. Gentlemen assume or seem to assume that the more the people are taxed the richer they become; according to the theory which they seem to advocate upon this floor, the larger the bounty you give to the manufacturer and the larger burdens you thereby impose upon the laboring and producing elements of the country the greater benefit you confer upor the people. If that be the case, if there be any truth or statesmanship or wisdom in such a policy, then levy your taxes with unstinted hand, for the more the people are taxed the richer they will get.

Mr. Chairman, I say this is a vicious theory. It is one that would bring discredit upon any man's intelligence to attempt on this floor to sustain it for one moment.

Mr. HOLMAN addressed the Chair.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard in opposition to the amendment?

Mr. HOLMAN. I believe the subject is still open to debate.

The CHAIRMAN. Debate is not in order except in opposition.

Mr. HOLMAN. I rose for the purpose of moving an amendment to the pending paragraph by striking out the words "earthen, stone, and crockery ware."

The CHAIRMAN. The Chair will state to the gentleman from Indiana that these are contained in the clause succeeding the one now under consideration. We have not reached the clause to which the gentleman referred.

Mr. HOLMAN. I had before me at the time the classification of the Treasury Department, and was under the impression that that paragraph had been reached.

The CHAIRMAN. It has not yet been reached. The lines now under consideration are 497, 498, and 499.

Mr. HOLMAN. I thought the amendment submitted by the gentleman from New York [Mr. COX] had reference to this paragraph.

The CHAIRMAN. That has been voted upon, and voted down.

The question now is upon the amendment of the gentleman from Illinois, to strike out "25," in line 498, and insert "22."

The amendment was not agreed to.

The Clerk read as follows:

China, porcelain, parian, bisque, earthen, stone, and crockery ware, including plaques, ornaments, charms, vases, and statuettes, painted, printed, and gilded, or otherwise decorated or ornamented in any manner, 65 per cent. ad valorem.

Mr. CARLISLE. I move to amend this paragraph by striking out the words "earthen, stone, and crockery." And I will, with the permission of the committee, make a brief statement in support of the amendment.

Mr. BERRY. You do not wish to strike out the word "ware?"

Mr. CARLISLE. No; the amendment is to strike out the words "earthen, stone, and crockery."

Mr. Chairman, the present rate of duty upon these articles when printed or painted is 40 per cent. ad valorem, and in addition to the duty upon the value of the article itself there is under the law the same duty of 40 per cent. ad valorem on the commissions, cost of packages, and the charges for transportation from the place of purchase to the port of shipment in the foreign country. This bill proposes to repeal the duties on the packages, commissions, and charges; but of course it can not repeal or abolish the commissions, cost of the packages, or the charges themselves, because the purchaser of the goods in the foreign country must still pay these charges in addition to the cost of the article. So far, however, as it repeals the duty upon commissions, charges, &c., it makes a reduction on the duty as it stands under the existing law. But the Tariff Commission reported that this common earthenware, some specimens of which I exhibited to the House last Saturday, if gentlemen will remember, should be subject to a duty of 55 per cent. ad valorem; that is to say, the Tariff Commission included that class of ware in the class now beginning on line 508, which will be admitted at that rate.

The Committee on Ways and Means struck out this classification from that clause and inserted it in the clause just read, thereby increasing the proposed rate of duty from 40 per cent., the present statute rate, to 65 per cent., as it appears now on the face of this proposition. On last Saturday I exhibited two or three specimens of this ware, and if gentlemen gave the matter any attention they noticed that it is the cheapest and most common class of goods, used by the poorer classes of the people, the laborers and working people of the country, and yet it is proposed by this bill to put it in identically the same classification and subject it to the same rate of duty as the very finest china, parian, and porcelain ware, 65 per cent. ad valorem, a very much larger rate of duty upon this article than is imposed by the bill upon the finest grades of silk or upon champagnes or the most costly wines and liquors. The gentleman from New Jersey [Mr. BREWER], who is himself a manufacturer of pottery, rose in his place when I exhibited these specimens on Saturday and stated that such goods were not used in this country and had not been for twenty years past; and I was then followed by the gentleman from Kansas [Mr. HASKELL], who made the same statement. Now, I ask these gentlemen when they go to their homes this afternoon to stop in at some store engaged in the sale of these articles on the Avenue, and they will find this identical class of goods there exposed for sale along with other more costly manufactures. And I am informed this morning by a gentleman from Cincinnati, well known by reputation at least to the gentleman from Ohio [Mr. MCKINLEY], and by another gentleman from Boston, whose names I can give if required, that this article is kept for sale in all the crockery and pottery stores in the country, and that it is in common use among our people.

But if it is not used here, I ask the gentlemen why they desire to make this enormous increase in the rates of duty upon it, an increase amounting to over 30 per cent? Why take it out of the classification to which it properly belongs, and where the Tariff Commission placed it, and insert it here among the very finest and most costly class of china, parian, and porcelain ware?

Mr. Chairman, not only does this clause propose to make an enormous increase on this common ware, but it proposes to increase the duties on the china-ware embraced in it from 50 per cent. to 65 per cent. ad valorem. If gentlemen will look at the importations during the last fiscal year they will find that the duties derived from these articles were over a million dollars.

It is a direct blow at the trade in this ware, the purpose of which is to prevent the people from procuring it at low prices from foreign com-

panies and to compel them to purchase it here at high prices from the domestic manufacturers, and thereby to diminish the revenue received by the Government and increase the burdens of taxation upon the people.

Mr. BUTTERWORTH rose.

The CHAIRMAN. Does the gentleman from Ohio rise to oppose the amendment?

Mr. BUTTERWORTH. I rise technically to oppose the amendment, but rather to call the attention of my colleague [Mr. MCKINLEY] and also of the gentleman from New Jersey [Mr. BREWER] to the item under consideration.

A large number of my constituents are importers of the different wares mentioned in the item under consideration. They are in favor of fair protection to American industries, but assert that the rate fixed in this bill is unnecessary for that purpose. I confess I am not advised in that behalf. The testimony is conflicting. I agree that no man knows so well as the man engaged in a business whether the protection afforded is sufficient to enable him to make a profit in his calling. But these gentlemen assert, and one of them is here now and represents a very large establishment, and is, I think, dedicated to the services of American industries, this gentleman asserts that his investigation leads him to believe that the rate fixed, as I have suggested, is more than is necessary to fully, adequately, and justly protect this industry. I have handed to my colleague [Mr. MCKINLEY] an invoice furnished to me by that gentleman.

I have little knowledge of these industries, but I want to call the attention of my colleague [Mr. MCKINLEY] to this invoice and this industry generally, and to ask him, from his knowledge of the industry, whence he derives his information as to whether the rate fixed in this bill does substantially increase the cost of these various articles. I mean those in common use.

I am aware that, after all, each citizen, in the nature of things, purchases very little each year of this kind of ware. But whether little or much is purchased, in the nature of things it is clear a rate should not be fixed above what is necessary to protect our industries. For such a rate I shall vote even if it increases the rate in this bill. But I should like to hear on that behalf my colleague [Mr. MCKINLEY], to whom I have handed the invoice to which I have referred.

Mr. MCKINLEY. I had hoped it would be unnecessary to say anything upon this schedule, having on last Saturday expressed myself fully not only upon the clause under consideration but upon the one which follows. I stated then what I state now that on all the higher classes of goods, the goods used by the rich and wealthy classes of society, there was an increase of duty; but that upon the ware used by the majority classes, by the poor people, by the great masses of the people of this country, there has been practically no increase, as I shall be able to show.

My colleague [Mr. BUTTERWORTH] hands me two invoices furnished to him by an importer, a gentleman living in my own State and in the city of Cincinnati, copies of actual invoices of imported goods which he received himself. On the first page I find this:

Actual cost of seventy-one packages of white granite-ware imported on the steamship Missouri.

The net cost of the goods, according to this invoice, was $2,200.02. Added to that under the present law are the dutiable charges, 2½ per cent. commission, inland freight and transportation and the cost of package, making the dutiable total, which at 40 per cent. gives us $1,171 as the amount of duty collected by the Government under this actual invoice—$1,171.67 that the importer had to pay under existing law at 40 per cent.

Now, under the proposed bill of the Committee on Ways and Means we have repealed all dutiable charges; we have repealed the duties on commissions, on inland charges and transportation, on the cost of packages, whatever they may be. So that if you want to ascertain the duty that would be paid now under the proposed law you want to take the actual net cost of the goods in Europe, which is $2,200.02. Fifty-five per cent. is the proposed duty under this invoice given to me by the gentleman from Ohio [Mr. BUTTERWORTH]. The article it covers is not in this section, but in the following one; but each section is in relation with the other. Fifty-five per cent on $2,200.02 is $1,200, as I figure it. That is, under the present law the duty paid by this importer was $1,171. Under the proposed law he would pay $1,210, $39 more than under the present rate on seventy-one packages of seven and nine meakins, or about 50 cents of an increase on each package.

[Here the hammer fell.]

Mr. BUTTERWORTH. If I can be recognized I will yield four and a half minutes of my five minutes to my colleague.

The CHAIRMAN. The time for debate upon the pending amendment has been exhausted.

Mr. BUTTERWORTH. Then I will move to strike out the last word, and yield to my colleague.

Mr. MCKINLEY. I do not ask the suspension of any rule in order to give me any extension of time. So far as I am concerned I am ready and willing that the vote shall be now taken.

But in deference to the request of gentlemen around me, I desire now to restate my proposition. Under the present law the invoice given to me by my colleague [Mr. BUTTERWORTH] yielded $1,171.67; and under the 55 per cent. rate of duty proposed by this bill there would be a duty collected of $1,210.

Now let me go to the next invoice which the gentleman gives me. The actual cost of ten crates of common ware—and I want gentlemen to mark this—the net cost at the pottery of ten crates of common ware is $226.37. Add to that the charges which are dutiable, and calculate the duty at 40 per cent., the present rate of duty, and it will amount to $128.80. Take the duty proposed by this bill, 55 per cent. upon the net cost of the goods at the factory, and it will amount, if I am not mistaken, to $122.50. Under the present rate of duty there will be paid $128.80; under the proposed rate of duty, $122.50, a clear reduction of over $6 under the present law.

Mr. ANDERSON. Will the gentleman allow me to ask him a question?

Mr. MCKINLEY. Certainly.

Mr. ANDERSON. Suppose that the ware imported is of the most expensive kind?

Mr. MCKINLEY. Certainly; I will answer the question of the gentleman. If the ware imported is of the most expensive kind, then the duty will be considerably increased by the proposed bill; nobody denies that. The most expensive kind is an article of luxury; and the reason for the increase is because the cost of the crate is just as much for the cheap goods as for the expensive goods; the rate of commissions is precisely the same upon the cheap goods as the expensive goods, and so it is with all the other dutiable charges.

Mr. ANDERSON. One more question; I am asking for information.

Mr. MCKINLEY. Very well.

Mr. ANDERSON. Why did not the committee fix a certain rate, without taking an uncertain factor in the shape of freights, &c.?

Mr. MCKINLEY. I do not know that I understand the gentleman exactly.

Mr. ANDERSON. As it is now you claim a reduction because of the repeal of the duties on freights, packages, &c.

Mr. MCKINLEY. Yes.

Mr. ANDERSON. Why did not the Committee on Ways and Means propose a schedule of rates so that we should know just what it was?

Mr. MCKINLEY. In answer to my friend from Kansas [Mr. ANDERSON] I will say that it was done for the purpose of simplification. The section of the statute that will be repealed by the proposed bill was found to be very difficult of execution. You had to ascertain not only the cost of the goods at the manufactory, but the cost of transportation, charges, and various other items, which you had to add to the actual cost of the merchandise. That is the reason for the repeal of that section. It would hardly have done to have made an exception in the case of crockery. The gentleman will see the wisdom of that. We now propose to assess the duty on the actual cost of the merchandise at the manufactory, and every man, therefore, will know just what duty he will have to pay.

As I was about saying when interrupted by the gentleman from Kansas, there will be an increase of duty under this bill on painted, printed, and decorated ware. We have asked that that increase be made in the interest of American manufacturers and in the interest of American workingmen. We can not compete with the well-established potteries of England, with their large capital and expensive plants, with their free art schools open to everybody to learn the art of decoration. We can not compete with them in that class of ware without this increase of duty.

Mr. BUTTERWORTH. I would like my colleague to give a moment's attention to the subject to which I called attention—that is, as to the condition of this industry. We are advised that those engaged in it are waxing fat under the existing duty, and that an increase is unnecessary.

Mr. MCKINLEY. I am obliged to my colleague for that question. The pottery manufacturers in the United States to-day are making no money, and they have made no money for the past twelve months. I am informed of these facts by the potters themselves, who make these statements with genuine candor and frankness. Fifteen potteries have been closed up within the last two years because of the sharp and ruinous competition of foreign potters.

And I say here to-day, Mr. Chairman, that unless the relief can be given which is proposed in this bill many of the best potteries in the United States will be compelled to suspend operations, and the American consumer will be at the mercy of the foreign manufacturer.

The case presented by this industry is strong and unanswerable. Practically everything which enters into pottery is dutiable. Clay, kaolin, feldspar, carbonate of lead, Paris white, and only yesterday we took from the free-list by a vote of the committee boracic acid, another essential element in this industry, and made it dutiable at 3 cents per pound. They only ask what they accord to other interests in this country. This interest is not local in its character. The materials come from Maine, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, North and South Carolina, Virginia, Georgia, Alabama, Missouri, Tennessee, Illinois, Indiana, Ohio, Kansas, and Texas. Labor is paid more here than in England, and labor in our potteries is not adequately paid, not so much as in other branches of skilled labor. Every consideration, therefore, appeals to you to maintain the duty proposed by the Ways and Means Committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAY. Mr. Chairman——

Mr. CHACE. Before the gentleman from Ohio [Mr. MCKINLEY] takes his seat I would like to ask him a question.

The CHAIRMAN. The time of the gentleman has expired, and the Chair has recognized the gentleman from New Hampshire [Mr. RAY].

Mr. RAY. I would like to have the amendment of the gentleman from Kentucky [Mr. CARLISLE] read; I did not hear it distinctly.

The amendment was read, as follows:

In line 500 strike out the words "earthen, stone, and crockery."

Mr. RAY. Mr. Chairman, I favor the amendment proposed by the honorable gentleman from Kentucky [Mr. CARLISLE]. Indeed I had already prepared and designed to offer precisely the same amendment. While I believe in the principle of protecting our home industries to a reasonable extent, there is a limit beyond which I think it is unwise to go. In order to understand the situation exactly we should bear in mind the present duties on crockery, which have been in force since 1864, and which are as follows: First, gilded, ornamented, or decorated china, porcelain, and parian ware, 50 per cent ad valorem; second, plain white china, porcelain, and parian-ware, 45 per cent.; third, all other earthen, stone, or crockery ware, not otherwise provided for, 40 per cent. (Revised Statutes, page 464, Schedule B.)

The Tariff Commission, having heard the parties interested in this question, and notably the manufacturers of earthern-ware, recommended a substantial increase of these duties and likewise a change to some extent in the statutory classifications. The rates reported by the Tariff Commission (Report, 52, 53) are as follows:

1. China, porcelain, parian, *and bisque ware, including plaques, ornaments, charms, vases, and statuettes, painted, printed*, and gilded, or otherwise decorated or ornamented in any manner, 65 per cent. ad valorem.

2. Plain white china, porcelain, parian, and bisque ware, not ornamented or decorated in any manner, 60 per cent.

3. All other earthern, stone, and crockery ware, &c., not specially enumerated or provided for, 55 per cent.

But the majority of the Committee on Ways and Means, not satisfied either with the duties prescribed by law and in force for nearly twenty years or with the substantial increase recommended by the Tariff Commission, have made a classification differing from that contained in the Revised Statutes and in the report of the commission, as follows:

1. China, porcelain, parian, bisque, *earthen, stone, and crockery* ware, including plaques, ornaments, charms, vases, and statuettes, painted, printed, and gilded, or otherwise decorated or ornamented in any manner, 65 per cent. ad valorem.

2. Plain white china, porcelain, parian, and bisque ware, not ornamented or decorated in any manner, 55 per cent.

3. All *other* earthen, stone, and crockery ware, &c., not specially enumerated or provided for in this act, 55 per cent.

The Revised Statutes make three grades of crockery, namely: white stone, printed or painted earthen-ware, 40 per cent.; white china and parian, 45 per cent.; decorated china and parian, 50 per cent. ad valorem. The Tariff Commission adopted the same grades, but recommended an increase of 15 per cent. in the duties upon each class, to wit, white stone, printed or painted earthen-ware, 50 per cent.; white china and parian, 60 per cent.; decorated china and parian, 65 per cent., while the bill reported by the Ways and Means Committee reduces the classification to *two* grades, making the cheap grade of printed or painted earthen-ware subject to the same duty as the more expensive decorated china and parian, to wit, 65 per cent.; and the white china and parian, with the white stone earthen-ware, 55 per cent.

I support this amendment because the effect of it if adopted will be to leave the duty on painted or printed earthen, stone, and crockery ware just where it was fixed by the Tariff Commission. These kinds of crockery are largely used all over the country, and are such as poor people, as well as people of moderate means, commonly buy in preference to any other. I am told that the women are interested in this matter, and that their taste and fancy induce the selection of the painted or printed earthen-ware in most cases over the plain white ware. As I have already said, let us fix the duty on this cheap class of goods precisely as the Tariff Commission did; no more, no less. This will be the effect of adopting Mr. CARLISLE's amendment. The commission has proposed an increase of duty amounting to 15 per cent. If it be true, as a matter of fact, that the cost of packing and transportation to the port of shipment amounts to 10 per cent. of the value of such goods, as has been suggested by the honorable chairman of the Ways and Means Committee [Mr. KELLEY], there is still left a net increase of 5 per cent.; in other words, an addition of one-eighth to the present rate of duty. It will leave a net duty of 45 per cent. on this kind of crockery, more than 6 per cent. above the average rate imposed by the bill before the House.

I do not object to a duty of 65 per cent. or of 55 per cent. net on china, porcelain, parian, or other costly wares. But gentlemen can not fail to see that the object of the large increase of duty proposed by the committee on cheap printed earthen and stone ware, such as may be found for sale at the present time in almost any city or country store, is to prevent the importation of such ware into the United States.

I have computed the estimated amount of duties that would be collected under the two paragraphs, beginning with line 500 and ending with line 507 of this bill, and find that according to the statistics given and estimates made on page 10 of the table showing articles, amounts, and rates of duty under existing law and those reported in this bill the increase of duty proposed by the Committee on Ways and Means would amount to $977,091.81, or nearly a million dollars. The increased duties on the cheap printed or painted ware are estimated at $665,735.62. Now, while I am in favor of the principle of protection, as a general rule it seems to me that the rates recommended by the commission, which heard and considered all the evidence of these crockery manufacturers, are ample and sufficient and will give them protection enough. In our anxiety to protect producers we ought not wholly to forget consumers.

I have been hoping somebody else on this side of the House would join with my friend from Kentucky [Mr. CARLISLE] and raise his voice in behalf of those who are obliged to buy crockery. It has been suggested that the increased rate of duty was only 30 per cent. The increase is over 30 per cent. in value, while the increase of duty on the cheaper kind is over 50 per cent. I object to the increase proposed by the committee. We ought to have a substantial reduction of duties somewhere before we reach the end of this bill. While I am not sure that the present rates on crockery ought to have been changed at all, I am quite clear we ought not to go beyond the rates proposed by the Tariff Commission.

Mr. BAYNE. Where does the supply now come from?

Mr. RAY. I do not care where this printed ware comes from if it can only be bought cheap.

Mr. BAYNE. Is it not a home production?

Mr. RAY. No, sir. This kind is not manufactured here to any great extent, as I am advised. Some gentleman on the floor interested in the manufacture of earthen-ware has suggested that it is not manufactured in this country. I do not know whether it is or not.

Mr. BAYNE. They do manufacture it.

Mr. RAY. Very well; then I submit that 45 per cent. net duty, excluding from the account the cost of packing and transportation, is high enough. A man engaged in the crockery business who manufactures this kind of ware and has the advantage to start with of $45 on a hundred dollars' worth over the importer, ought to be satisfied. I protest against excluding this low-priced imported ware from our market, and compelling our people to pay one-third more than present prices for what they are obliged to buy. Every family uses crockery. It is constantly being broken. People have to purchase it frequently. Why add so much to their expenses? Why not be satisfied with the rate proposed by the Tariff Commission? I am in favor of that rate and hope it will be adopted by the House in accordance with the amendment of the gentleman from Kentucky.

The CHAIRMAN. Debate is exhaused. If there be no objection the *pro forma* amendment will be regarded as withdrawn.

There was no objection.

Mr. MORRISON. I move to amend formally that I may say a word. The Tariff Commission in its classification of these articles proposed a duty of 55 per cent. By the action of the Ways and Means Committee this rate is increased from 55 to 65 per cent. This rate of duty is to be paid on the cost price of the goods in the foreign country from which they are exported to this.

The gentleman from Ohio [Mr. MCKINLEY], and may be other gentlemen, says that notwithstanding this is an apparent increase it is offset by the repeal of the law which makes the cost of transportation from the place of production, growth, or manufacture to the seaboard and the cost of commissions a part of the dutiable value, and that the duty remains about the same. These articles are dutiable under existing law at 40 per cent., increased by whatever duty is added for the packages, transportation, and commissions. The increase from 40 per cent. to 65 per cent., or 25 on 40, is 62½ per cent. increase. The average duty on account of packages, commissions, &c., I have already estimated to average 17½ per cent. on pottery.

I believe it is conceded, after inquiry, that 17½ per cent is a reasonable estimate; on cheaper goods of same bulk and weight it is more, but it is less on the more costly article. If, therefore, we subtract 17½ per cent., which is repealed, from 62½ per cent., which is added, we still have an increase of 45 per cent. on this description of earthen-ware, which is in common use among the laboring people everywhere. This, too, is a large increase over the rate proposed by the commission.

But, Mr. Chairman, whether we look at this question with a view to revenue or to protection, it is not so important to determine what the duty is or has been, but what it ought to be. Even protectionists claim that all they require in the way of duty for protection is enough to compensate for the difference in the cost of labor in this as compared with foreign countries. This bill proposes a duty of 65 per cent. Besides this duty of 65 per cent. the importer must pay 17½ per cent. to get his products from the place of production to the seaboard—at the place of exportation. In other words, 82½ per cent. must be paid on the foreign product before it comes into competition with the home-made product. And this does not include the cost of carrying over the sea.

But the gentleman says that on this particular class of the cheaper ware the cost of commissions, charges, and transportation to the sea-

board is largely in excess of 17½ per cent.; he claims that on this it amounts to 40 per cent., which the importer must pay to get his goods to the seaboard. If, then, on this estimate, we add 40 per cent. to the 65 per cent. duty which must be paid when the goods reach this side, we have 105 per cent. In other words, upon the false pretense of protecting labor, the importer must pay $105 in the form of cost of importation and tariff duties (not counting the cost of crossing the sea) before he can sell $100 worth of goods in competition with the producers in our own market.

[Here the hammer fell.]

Mr. ROBESON. Mr. Chairman, here is a proposition which presents the issue fairly. Here is a struggling American industry, born in 1860, on our soil, an industry which employs 10,000 workmen, and which, though not specially prosperous to the capitalist and employer, has since its establishment reduced the price of the crockery consumed by our people from 40 to 65 per cent.; an industry which in the last five years has scarcely been able to live; which only found its establishment from 1860 to 1870, under the duty as it now stands, by reason of the premium on gold; and which, since gold has come down to par, has been so straggling and so weakened under the concentrated attacks of the gigantic capital of foreign earthen-ware producers, aided by the importing interests of the great cities, that it has been almost beaten down.

The Tariff Commission in its opening sentence on this subject says:

> An examination of the following tables in relation to earthen-ware and glass-ware, as furnished by the Census Office, indicates that these two industries have not been very prosperous during the last ten years.

The commission then goes on to give its reasons, and after investigating the whole subject of the difference in wages, says that the actual difference between the wages of workmen employed upon this kind of goods in this country and the wages of workmen similarly employed in foreign countries, where these goods are produced, is 125 per cent.

Mr. RAY. Will the gentleman let me ask him a question?

Mr. ROBESON. Yes, sir.

Mr. RAY. Does not the gentleman believe that any crockery manufacturer in this country, with one-half of that 125 per cent. in his favor, could go to any part of the old country where these goods are manufactured and depopulate it?

Mr. ROBESON. Yes, sir; but we do not ask one-half. As the gentleman from Illinois says, there is a reduction of 17½ per cent. by taking off all the duties on freight, packages, and charges. Then with your 55 per cent. we have not one-half of 125 per cent. American skill, American industry, and American activity can, with an advantage of 50 per cent., beat the foreign manufacturers. But when this industry is struggling to the point of death, we do not want an extra 5 or 6 per cent. taken off, which will break the back of the camel. But the moment you take it off you will leave this thing to the mercy of foreign interests, and the price to the poor man goes up to the place where it was before American industry entered into the competition.

[Here the hammer fell.]

Mr. MORRISON. I withdraw my *pro forma* amendment.

Mr. WILSON. Mr. Chairman, I renew the *pro forma* amendment. A duty of 50 per cent. is now imposed by law upon foreign painted, printed, gilded and otherwise decorated china, porcelain, parian, bisque, earthen, stone, and crockery ware. The bill under consideration proposes to increase the duty to 65 per cent. I am opposed to the gentleman's amendment to strike out a portion of these articles. The Tariff Commission, to which this subject was referred, have reported in favor of increasing the duty to 65 per cent. They say:

> The commission's justification for recommending this increase is that the condition of this industry is such as to make the increase absolutely necessary to its maintenance, and we are convinced that without the relief proposed there must be a very material reduction—if not an absolute destruction—of the manufacture of earthen-ware in the United States.

Thus we have, Mr. Chairman, the recommendation by that commission, which is based upon a careful examination and study of the subject. They inform Congress that that increase is *absolutely necessary* to the maintenance of that industry in this country, and that without such relief there must be a material reduction, if not an absolute destruction of the manufacture of earthen-ware in this country. The Committee on Ways and Means have carefully and anxiously reviewed and approved the recommendation of that commission, and I for one am not disposed to disturb it.

It has been stated by the gentleman who preceded me that this industry prospered when it had the advantage of the premium on gold; but since that premium has gone down it has become greatly embarrassed. I undertake to say, to a large extent from personal information and observation of the business where it is carried on extensively in my own district, that with the present tariff it can not exist.

Large amounts of capital have been invested in the enterprise, and those most skilled in the pottery business tell me, and I am sure they tell me truly, that it can not be kept up unless it has some further relief from tariff duty.

It is one of the great industries of the country. From Maine on the north to Georgia on the south, passing through the great central States to Illinois and Missouri and on to Kansas, the people are interested in it, because they are the producers of the raw material which makes up these wares.

The question, Mr. Chairman, may naturally be asked, and can be easily answered, why an increase of duty is required for the success of this industry? The difference between the price of labor in the United States and England engaged in this business is 125 per cent., and yet we do not pay skilled labor so engaged larger wages than are paid to bricklayers, carpenters, and other mechanics. In fact about 90 per cent. of the cost of these wares is paid out for labor, and who upon this floor would degrade his constituents by cutting them down to the miserable pittance paid to the workingmen of Europe?

In the district I have the honor to represent and in the city of Wheeling we have an extensive pottery manufactory, which is under the management of a gentleman of English birth and education, Edward M. Pearson. He grew up in the business in England and became skilled in the art. I hold in my hand a table furnished by him to the Tariff Commission. From that table we learn that the amount of work in his establishment during the previous six months cost $27,283. And that the same amount of work at the same time in England would have cost $12,037. This aptly illustrates the difference between the cost of labor in the two countries.

No country can boast of finer pottery material than we have in this country, and, in the language of Mr. Pearson, "No country does or can produce a finer quality of stone china than America."

Now, the question is presented to us, shall this enterprise go down or shall we foster and encourage it?

The demand for articles of earthen-ware in this country amounts to millions of dollars annually. Now, shall these millions be expended in Europe or retained in America? Shall we encourage European enterprise or American enterprise; encourage European labor or American labor; feed European subjects or American citizens?

Mr. Chairman, who is to be benefited by the development of this industry? Let the American Congress answer to the American people the question, for whom do you legislate?

Mr. HAMMOND, of Georgia. Mr. Chairman, I rise to favor the amendment. I really know very little about the thing, but the crockery dealers in my district have thought proper to call my attention to this matter, and I am representing their views.

I am glad to be able to say there is nothing in the argument against the proposition favored by the motion.

The gentleman from Ohio [Mr. MCKINLEY] says these industries have been languishing for two years. The gentleman from New Jersey [Mr. ROBESON] has improved on that by saying they have been sick for five years, and as he warmed in debate he said they have been very ill since 1870. The gentleman from West Virginia [Mr. WILSON] says they have been quite ill for five years. This is the common complaint from these interested manufacturers. If what they testify to be true there never was as sickly a set on earth. They will all die soon, I am afraid. [Laughter.] Yesterday every one of us had a card placed in our hands from Rosengarten & Son, in which they use this language:

> We respectfully ask that you will vote for a duty of 10 per cent. on "quinia, sulphate and salts of," and 25 per cent. on "cinchonidia, sulphate and salts of." These rates are as low as will allow the business to be maintained here.

Now, either this committee did not wish to keep the manufacture of quinine here alive or did not believe that statement was true. They did not believe the interested witnesses, I think, for they made quinine free and did not wish to destroy its manufacture in America.

I rise to call attention to another matter. The gentleman from West Virginia [Mr. WILSON] says that the present protection increases taxation. There is the rub. It does increase taxation, not as he meant, but puts a burden on every man who uses this kind of ware, not for the Government, but for the manufacturers. And that is the complaint we have against this bill. We do not wish this kind of taxation to be increased. We wish it reduced.

But I desire, Mr. Chairman, to call attention to another view of the subject. Every time a rate is stricken here somebody rises here, there, or elsewhere and says, "This is my infant, that has to be taken care of; take care of mine and I will take care of yours."

Substitute the word "protections" for "appropriations," and you will find a fine comment on this kind of legislation in an extract from the President's message on the late river and harbor bill, which I send to the Clerk to be read.

Mr. SPRINGER. I am glad that I have succeeded in bringing out the President's views at last. [Laughter.]

The Clerk read as follows:

> Appropriations of this nature, to be devoted purely to local objects, tend to an increase in number and in amount. As the citizens of one State find that money, to raise which they in common with the whole country are taxed, is to be expended for local improvements in another State, they demand similar benefits for themselves, and it is not unnatural that they should seek to indemnify themselves for such use of the public funds by securing appropriations for similar improvements in their own neighborhood. Thus as the bill becomes more objectionable it secures more support. This result is invariable and necessarily follows a neglect to observe the constitutional limitations imposed upon the law-making power.

Mr. HASKELL. I propose now moving that the committee rise for the purpose of limiting debate on this section unless we can have a vote upon it. [Cries of "Vote!" "Vote!"]

Mr. TUCKER. I desire to be heard.

Mr. HASKELL. I move that the committee do now rise.

Mr. TUCKER. I desired to be heard now.

Mr. HASKELL. Then I withdraw the motion.

Mr. TUCKER. I move, Mr. Chairman, to strike out the last word. I propose to address myself to the facts of this case, and in the brief time that is allowed to me I hope I shall not be interrupted. In 1842, under the tariff of that year, 35 per cent. was the duty on this article now under consideration. That was continued by the tariff of 1846. In 1857 the duty was reduced to 24 per cent. ad valorem, and in the Morrill tariff bill of 1861 it was again advanced to 30 per cent.

Now, sir, this class of articles, gentlemen will see, had a protection of 24 per cent. and 30 per cent. when it was in its infancy, and now it asks 65 per cent. when it has reached its manhood.

Mr. McKINLEY. Will the gentleman permit me to interrupt him for a moment?

Mr. TUCKER. I should be very glad to yield to the gentleman, but have but five minutes.

Mr. McKINLEY. I only wanted to say that there was no manufacturing at all under the 30 or 24 per cent. duty of white, granite, or decorated ware.

Mr. TUCKER. We have only this evidence from the Tariff Commission, that in the pottery and stone-ware business from 1850 to 1860 there was an actual increase of production amounting to nearly 100 per cent.

Mr. McKINLEY. Yes, sir.

Mr. TUCKER. And under the low tariff there was a little over 100 per cent. between 1860 and 1870, and there has been only an increase of 16 per cent. in this manufacture in the last decade under the present high tariff.

Mr. McKINLEY. The report of the commission shows that this industry commenced after 1860.

Mr. TUCKER. After I am done I shall be very glad to hear my friend, but I hope he will not insist on occupying the floor during the brief time that I have.

Mr. McKINLEY. I will not interrupt the gentleman again.

Mr. TUCKER. I have a list which I desire to incorporate in full in my remarks of articles which are to be made free or reduced by the proposed House bill, articles not changed and articles already free which are used in the process of manufacturing and which enter as raw material into this tariff. It is as follows:

Articles reduced by proposed House bill 7313.

Articles.	Duty at present.	Proposed by Tariff Commission.	Proposed by Ways and Means Committee.	Percentage of reduction from present duty.
				Per ct.
China-clay, or kaolin	$5 per ton	$3 per ton	$3 per ton	40
Feldspar	20 per cent	Free	Free	100
Borax, refined	10c. per lb	3c. per lb	5c. per lb	50
Hair pencils	35 per cent	30 per cent	30 per cent	14⅔
ARTICLES NOT CHANGED.				
Litharge	3c. per lb	2c. per lb	3c. per lb	
Carbonate of soda	¼c. per lb	¼c. per lb	¼c. per lb	
Sponges	20 per cent	20 per cent	20 per cent	
Cobalt, oxide of	20 per cent	20 per cent	20 per cent	
Plaster of Paris	20 per cent	20 per cent	20 per cent	
ARTICLES ALREADY FREE AND SO CONTINUED.				
Borax or tincal, crude				
Cobalt, ore of				
Stilts and spurs				
Flint stones and ground flint stones.				
Bolting cloths				
Magnets				

Furthermore, I desire to say that between 1850 and 1860 the profits upon this class of manufacture under the low duty was 65 and 75 per cent. It fell in 1870 to 40 per cent. and in 1880 to 30 per cent., so that under a high tariff the very profits of the manufacturers themselves have decreased, while they were higher under the free-trade policy or the low tariff.

Again, you will find that wages are very little changed. In 1860 they were $330 per annum average; in 1880 they rose to $345; in 1870 they were $365; and considering the paper currency you will find that the wages of labor have not been increased at all in this class of manufacturing, so that the laborer has not been benefited nor has the manufacturing product been increased. And yet we are told by the gentleman from New Jersey and others that labor is benefited while this industry is growing under the fostering care of the Government.

What I have got to say further on this subject is only in reference to the great interests of the consuming classes. Mr. Chairman, I understand that the purpose expressed by the Tariff Commission and expressed by some of the members of the Ways and Means Committee is that there shall be a reduction of the burdens upon the people. What kind of reduction of burdens? Your tabulated statement shows with an increase of duty from 40 per cent. to 65 per cent. you will increase your revenue. Gentlemen know it will not increase the revenue. It will fall off, because the duty becomes prohibitory and stops the flow of revenue into the Treasury. But do you thereby diminish the burdens on the people? Not at all. What otherwise would go into the pockets of the Government would under this prohibitory duty go into the pockets of the manufacturers.

[Here the hammer fell.]

Mr. BREWER rose.

Mr. HASKELL. I desire to move that the committee rise.

Mr. BREWER. I yield to the gentleman from Kansas to make that motion.

Mr. HASKELL. I move that the committee rise for the purpose of asking the House to limit debate.

Mr. TUCKER. I appeal to the gentleman from Kansas not to stop debate on this

Mr. HASKELL. Let us close it on this clause. There are other clauses relating to the same subject.

The motion of Mr. HASKELL was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURROWS, of Michigan, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, and had come to no resolution thereon.

ENROLLED JOINT RESOLUTION.

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a joint resolution of the following title; when the Speaker signed the same:

Joint resolution (S. R. 109) presenting the thanks of Congress to John F. Slater, and for other purposes.

TARIFF.

Mr. HASKELL. I move that the House resolve itself into the Committee of the Whole House on the state of the Union to resume the consideration of the tariff bill; and pending that motion I move that all debate on the pending paragraph and amendments thereto be limited to ten minutes.

The SPEAKER. The Chair understands the motion to limit debate to include lines 500 to 504.

Mr. HASKELL. Yes, sir.

Mr. HOLMAN. I move to amend by making the time twenty minutes instead of ten.

Mr. MORRISON. I trust the gentleman from Kansas will confine his motion to the pending amendment, so as to limit debate only on the proposition now under consideration.

Mr. HASKELL. My motion only includes the pending clause.

Mr. MORRISON. It may be necessary to offer other amendments concerning classification.

Mr. HASKELL. There is nothing in the motion limiting debate to prevent such amendments being offered.

The SPEAKER. The gentleman from Indiana moves to amend the proposition of the gentleman from Kansas so as to make the time twenty minutes.

Mr. HASKELL. Say fifteen and I will accept it.

Mr. SPRINGER. Make this apply to the pending amendment only and there will be no objection.

The question being taken on Mr. HOLMAN'S amendment, there were—ayes 55, noes 94.

Mr. MORRISON. I call for the yeas and nays.

Mr. HASKELL. Will you accept fifteen minutes?

Mr. SPRINGER. Yes; if you will confine it to the amendment now pending.

Mr. McKINLEY. I suggest that twenty minutes be conceded.

Mr. SPRINGER. We want to confine the proposition to limit debate to the amendment now pending.

The yeas and nays were ordered.

Mr. HOLMAN. I hope that by unanimous consent this may be arranged.

Several members called for the regular order.

Mr. HASKELL. We will agree to twenty minutes.

The SPEAKER. The yeas and nays have been ordered, and the call of the roll must proceed unless by unanimous consent.

Mr. SPARKS. I demand the regular order.

The SPEAKER. The regular order is the call of the roll.

Mr. SPEER. I move to reconsider the vote by which the yeas and nays have been ordered.

Mr. MORRISON. And I move to lay that motion on the table.

The question being taken on the motion of Mr. MORRISON, the Speaker stated that the "noes" seemed to have it.

Mr. HAMMOND, of Georgia. On that motion I call for the yeas and nays.

Mr. VALENTINE. That is not filibustering!

The question being taken on ordering the yeas and nays, there were ayes 29.

The SPEAKER. Not a sufficient number.

Mr. SPARKS and Mr. SPRINGER called for tellers on the yeas and nays.

Tellers were ordered, 33 members voting therefor—more than one-fifth of a quorum.

The SPEAKER. The gentleman from Georgia, Mr. HAMMOND, and the gentleman from Kansas, Mr. HASKELL, will take their places as tellers.

Mr. WASHBURN addressed the Chair.

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. WASHBURN. It seems to me some understanding might be come to.

Mr. CLARK. I call for the regular order.

The House divided; and the tellers reported—ayes 44, noes not counted.

So (the affirmative being more than one-fifth of the last vote) the yeas and nays were ordered.

Mr. CARLISLE. It has been suggested on that side that some arrangement may be made——

The SPEAKER. But the gentleman from Illinois insisted that unanimous consent should not be given.

Mr. CARLISLE. What I objected to was the proposition——

The SPEAKER. It was not the gentleman from Kentucky who objected, but the gentleman from Illinois.

Mr. CARLISLE. What was objectionable to me and other gentlemen on this side was the proposition to limit debate on the whole clause, a part of which had never been discussed.

Mr. McKINLEY. How much time do gentlemen want?

Mr. SPRINGER. On the pending amendment we are willing to close debate now.

Mr. CARLISLE. I think we should have thirty minutes on this clause.

Mr. McKINLEY. I ask that thirty minutes be granted on this clause and all amendments thereto.

The SPEAKER. The gentleman from Ohio [Mr. McKINLEY] asks unanimous consent that all proceedings upon the motion relating to the limitation of time be set aside; and that by order of the House all debate on the pending paragraph and amendments thereto be limited to thirty minutes. Is there objection?

Mr. SPARKS. I withdraw any objection which I made.

The SPEAKER. In the absence of objection it will be considered as ordered that all debate upon the pending paragraph and amendments thereto be limited to thirty minutes.

Mr. McKINLEY. Fifteen minutes on each side.

There was no objection, and it was so ordered.

The question being taken on Mr. HASKELL'S motion that the House resolve itself into Committee of the Whole House on the state of the Union, it was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. BURROWS, of Michigan, in the chair) and resumed the consideration of the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes.

The CHAIRMAN. By order of the House all debate on the pending paragraph and amendments thereto is limited to thirty minutes.

Mr. BREWER. Mr. Chairman, I move to strike out the last word. While listening to the debate on this floor I have been astonished to find how little a man knows about something that he knows nothing about. [Laughter.] Now, I feel in relation to this pottery business very much like the German who was a manufacturer of sauerkraut. If there was anything in the world he understood it was sauerkraut; if there is anything that I understand it is pottery. And it is one of the infant industries of this country which has been so often spoken of here, and which was referred to by the gentleman from Georgia [Mr. HAMMOND] a few moments ago. I desire to say that pottery is my infant and the only infant I have. [Laughter.]

The gentleman from Kentucky [Mr. CARLISLE] the other day held up two plates, one a common toy plate, partly printed and partly painted, and very little in use; the other an old-fashioned painted plate, printed with cobalt, blue, and not in use for very many years until lately, and practically not now in use.

What I desired to say at that time was that that class of printed goods was placed in this schedule along with decorated ware because you can not draw the line between these low grades of printed goods and the higher grades of printed goods. Even the goods which he held up, the printed plate which he said was used by the common people, is not used by the common people; what little is used is bought by well-to-do people.

Mr. CARLISLE. Does the gentleman say that he can not distinguish between the decorated china-ware and the decorated common earthenware? I can do that myself, and I am not a manufacturer of pottery.

Mr. BREWER. The gentleman can not do it. I can give him a specimen of decorated earthen-ware, and he can not tell whether it is earthenware or china-ware. That is the reason why we desire to place the two in the schedule together. And it is so with plain china-ware and plain earthen-ware. There has recently been a decision in the Boston custom-house upon this subject, and the custom-house authorities decided that an article of plain earthen-ware, made by John Maddock & Sons, of Staffordshire, and made thin (which we manufacture largely in this country), was china-ware.

Inasmuch as the gentleman from Kentucky has asked for an example, I desire to show him the difference between common printed ware and the better class of printed ware. I have here a specimen of printed ware manufactured in my city, which, in my judgment, can not be excelled on the other side of the water. While I state that there has been in this country no considerable amount of it yet manufactured, I know that if we will take care of this industry in a very short time all of these things can be and will be manufactured in this country.

The purpose of the importers in fighting this particular item in the bill (and gentlemen on the other side know how much they have been importuned by them) is simply to get a low rate of duty placed on these printed goods of all classes, fine and coarse, so that they can crowd our plain goods out of the market. They are seeking, as I can show by extracts from English trade-papers which I have here, if I have time to do so, to change the taste of the people of this country, so that before we can gather about us the designers, engravers, and transferers of this ware to enable us to manufacture these goods they will take the market completely away from us and drive us out of the market for our white goods.

There are a great many grades of these printed goods. I think I can handle this ware better than the gentleman from Kentucky did, for I noticed that the other day he did not handle it very gracefully. [Laughter.] I have been handling this ware for the past seventeen years. My life has been devoted to building up this industry in this country.

Mr. CARLISLE. For seventeen years?

Mr. BREWER. Yes.

Mr. CARLISLE. Is that an infant? [Laughter.]

Mr. BREWER. It is an infant. An industry but seventeen years old is an infant industry.

Mr. HUMPHREY. It is not twenty-one years old; and in the eye of the law it is an infant.

Mr. BREWER. Here is a piece of printed goods, part printed and part painted; part hand-made and part printed by transfer from paper. Here is a piece of ware similar to that which the gentleman held up the other day. It is a much neater pattern, embellished, as it usually is, with a gold band.

[Here the hammer fell.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KASSON. As we are now getting facts, I ask unanimous consent that the gentleman may have five minutes more.

There was no objection; and the additional time was accordingly granted.

Mr. BREWER. The gentleman from Kentucky [Mr. CARLISLE] can not now tell whether this is china-ware or earthen-ware. I want to say in relation to this item of printed goods that the English Government protects this very grade of goods with a higher rate of duty than that now proposed for its protection by this bill. They protect it by a specific duty of 10 shillings on the hundred pounds.

There is another reason why it is desirable to protect this particular line of goods. It is very easy for you all to understand and to know, and every housewife does know, what a dozen of plates and a dozen of cups and saucers of plain earthen-ware are worth. And everybody knows, too, that when you put a solitary line on it, gold or color or band, then no one can tell about the actual cost and value of the goods. And there is where the foreign manufacturer and importer makes his money on the goods imported into this country.

Mr. MILLS. Will the gentleman be kind enough to inform us of the price of these goods in England and the price in the United States?

Mr. BREWER. I can not tell the gentleman that. I will say that goods of this kind manufactured in England are manufactured almost wholly for the American market, such goods as we get; there is no value on them in the English market. I will say, however, that of the class of goods which the English manufacturer sends to the United States, he sends none or but little to Australia and South America.

I am informed by a son of one of the English manufacturers that for selling to Australia they have a different list from that by which they sell to this country, and the difference is from 15 to 25 per cent. I think every gentleman on this floor will concede that if we did not manufacture these articles in this country they would sell from the same list here that they adopt for selling to Australia.

Mr. MORSE. What is the amount of the sales of the firm in New Jersey to which the gentleman's remarks refer?

Mr. BREWER. The gentleman asks me the amount of the sales of the firm I represent. We sold last year about $200,000 worth of goods. I may add, inasmuch as the question has been raised here as to the profits of this industry, that last year I did not make 3 per cent. upon the capital invested in my business.

Mr. SPRINGER. How much did you make in previous years?

Mr. BREWER. I will state to the gentleman that for five or six years we have made no money. We are struggling to live. I believe gentlemen on this floor want to deal fairly with this industry. I be-

lieve that if they thoroughly understood this question they would have no difficulty about the matter. The difference in the cost of labor, as conceded by the Tariff Commission, which went into this question very thoroughly, is 125 per cent. It is more than that in the labor used to make these common printed goods, as they are called. They are made abroad by children, boys and girls, who receive 6 shillings a week, while we pay four or five dollars a week, a difference of 300 or 400 per cent.

A MEMBER. What is the total value of the American product?

Mr. BREWER. About $5,000,000; and we import about $7,000,000 worth.

A MEMBER. Will keeping up the duty make the goods any cheaper?

Mr. BREWER. It will have the same effect in the future as it has had in the past. The profits of the English manufacturers will be cut down; they will reduce the price of their goods; and the consumers will get the advantage of the competition between the foreign and the domestic manufacturer.

Mr. FLOWER. I would like to ask the gentleman a question.

[Here the hammer fell.]

Mr. KASSON. I hope the gentleman from New Jersey may be allowed to answer questions.

Mr. FLOWER. I have been told by a gentleman in this branch of business in my district that a set of white crockery-ware of English manufacture, such as you use on your breakfast table, sold in 1860 for $5 and now sells for $2.50 under the present tariff. Does the gentleman know anything about that?

Mr. BREWER. I will show the gentleman the difference in the cost of the ware if I am allowed one minute longer.

The CHAIRMAN. Is there objection to allowing the gentleman from New Jersey to proceed?

Mr. CARLISLE. I must object to any extension of time if it comes out of the thirty minutes.

The CHAIRMAN. It must come out of the thirty minutes.

Mr. BREWER. I hope I may be allowed to answer the question of the gentleman from New York [Mr. FLOWER].

Several MEMBERS. Answer it.

Mr. BREWER. I have been asked whether this ware is any cheaper to-day on the other side of the water than it was formerly. I wish to say that in 1852—and this information I obtain from a New York importing house which has been in this business for forty years (Davenport & Brother)—in 1852 a crate of assorted crockery-ware was sold to the consumer at $95.30, and a similar crate would sell to-day for $57.80. In other words, from 1850 to 1860 these goods were sold 65 per cent. higher than they are to-day. I know these figures are correct, because Mr. Davenport gave them to me himself, and he is well acquainted with the facts, having the English and American samples on his tables. Of late years he also informs me that he sells English and American ware at the same price, and that he sells more American than English. This not only accounts for the truth of the statement made to Mr. FLOWER as to the present cheapness of a tea-set, but it speaks volumes for the quality of the American product.

Allusion was made to the fact that raw material had been reduced or was proposed to be reduced in this bill. That argument would be good if we used any foreign material, but we do not, with the single exception of boracic acid (a very inconsiderable amount), and even for that we can substitute California borax.

Our materials are better than the foreign materials, and with our processes and knowledge of the art as we have it we could not use to advantage English raw material. Besides, we potters have always taken a pride in developing our nation's material resources. The wisdom of this course has made good the old argument that, as in the days of Horace Greeley, "home competition lessens prices;" nor is this all, for the development of our clays and spars and flints has made rich nearly every State in the Union from California to Maine. No benefit, then, is afforded us in the raw material placed on the free-list; and boracic acid is not free at 5 cents per pound. It has been stated that the revenue will be increased in Schedule B under the proposed bill $1,300,000. This is not so. I have figured, or rather estimated (for that is all any one can do), what the increase would be on the different grades of goods (for the Department does not keep the duties separate upon the various goods), and I find that the increase is not over $400,000. I am informed that the expert of the Treasury agrees with me, upon information recently obtained.

Much has been said about taxing the people through this tariff, and figures have been made showing how much "blood-money has been wrung from the toiling millions." I have shown that English goods have been brought down in price enormously since we began manufacturing in the United States; that goods were sold over 60 per cent. higher before the advent of our home potteries. I claim and know that nothing but American competition has done this, because the cost of pottery-ware in England has increased, and it is not denied by any one. For one year, then, on the consumption of earthen and china ware of the United States, $12,000,000, we save 60 per cent., or $7,200,000, an amount more than twice as much as the duties collected upon imports. I am aware that all the information as to the condition of our industry furnished by the opposition to Schedule B comes from the importers or English manufacturers' agents and their allies, the jobbers. The motive of the former is apparent. Let us look for the motive of the jobber. It is said he is interested as an American citizen alike with the American manufacturer. To show where the jobber's "heart and treasure" is I quote from an article recently written by S. W. Davenport, of New York, in reply to an article in the New York Commercial Bulletin:

WHO IS THE INTERESTED PARTY?

First, let us settle who is the interested sophist, he or I. Our firm have been about forty years, without variation, importers and jobbers of earthen-ware. As incidental to our main business, we purchased five years since an interest in a Trenton pottery. We are now closing that business, and in no probable contingency will we ever again be connected with any domestic pottery; so certainly my pecuniary interests do not lie in that way, but rather in that of my critic.

"MIDDLEMEN" AND FOREIGN DEALERS UNITED.

There are reasons, however, why many of our dealers chime in with these importers and their foreign allies in decrying and working up a prejudice against domestic manufactures. When first our ware was offered to the trade, people generally were suspicious of it, as they ever have been of all domestic products, and the jobbers gave such small encouragement that makers were driven to sell direct to the retailers. This action was so successful that in a few years a large proportion of the retailers left the jobbers and bought directly of the potters, so that to-day there is not above half the number of jobbers in our great cities that there were twenty years ago. Hence, when they attempted to sell to the retailers they had to meet the prices of the potters; then they resorted to the familiar cry of "American goods being inferior, would crase," &c., and so induced many dealers to pay them from 10 to 15 per cent. more for English goods, no better, if as good. And this is what is very generally being done to-day. Working on a prejudice to deceive and cheat the people, and are exerting superhuman energy, with ample funds at their command, through chicanery and fraud, to induce Congress to legislate in a manner to break up this great national industry. A short time since, the largest crockery jobber in the West, who had purchased largely of us in the past, when urged by me to sell American along with English ware, replied thus: "I shall be frank with you, and say what I would not to my trade and general customers. My reasons for not selling American ware are these: they are not because I don't think it is as good as the English, for I have thoroughly tested it, and believe it every way its equal; but my customers are buying of the potters about as low as I can buy, and I sell the English to more advantage, encouraging the general prejudice that foreign goods are better than domestic. Hence I am able to make 10 to 15 per cent. more on the English ware." One of the largest dealers in the East told me substantially the same.

We can always find a man's motive when he is doing an unpatriotic thing. Here we have the jobber's motive—American manufacturing potters reduce his profits.

The following letter from an importer and jobber of Baltimore speaks volumes also. This firm has had some manufacturing experience and know whereof they speak:

BALTIMORE, *January* 24, 1883.

DEAR SIR: Thanks for yours 23d. We do not like class legislation; do not desire protection simply because we are manufacturers of crockery, for we are large importers of English earthen-ware; but we believe in reasonable protection on broad grounds of public policy, as bringing the greatest good to the greatest number. We are sure the agriculturist is most of all interested in protection, for the more we increase our artisan population the better and surer market he has for his produce of every kind. The manufacture of crockery should be encouraged. We send you a sample to-day of our own manufacture, a parian placque; it shows what 1 cent's worth of raw material will produce when there has been expended upon it $2 or $3 worth of well-paid beauty-producing labor. Our industry is the one which *par excellence* distributes nearly all the cost of its product to artisans and artists, and they spend the money received and the whole community thrives. Now, the workmen employed in manufacturing the specimen we send were the best hands in the best factories in England, earning what was considered the best wages there; but under a free-trade policy there was but one out of the whole lot we brought out who could raise the money to pay his passage; they could only get enough to come in steerage. On arriving here they demand and readily get just twice the wages they got in England, and at once begin to live on the scale that an industrious thrifty artisan ought to, making for themselves comfortable homes.

Theories are useful, but facts are God's arguments; and I think we are wise in accepting the patent fact that under a protective policy we have increased in all the elements as no other nation ever did. I think any one of the propositions for china, crockery, &c., under discussion, not far out of the way.

I hope you will consider the placque I send worthy of a place in your home. Please accept same.

Yours, truly,

D. F. HAYNES & CO.

Mr. F. L. BODINE, *Arlington House, Washington, D. C.*

This petition also speaks from the stand-point of a jobber and importer and points an argument so frequently made—home products lessen English profits:

To the honorable the House of Representatives of the United States:

We, the undersigned, dealers in plumbing or sanitary earthen-ware, desire to call the attention of your honorable body to the fact that the prices at which we are now supplying this class of goods to the public are fully 40 per cent. less than they were in the year 1872, when the business of their manufacture was established in this country. We are of the opinion that the manufacture of these goods here has been the main cause of this reduction, and also that the development of home manufactures has always the tendency to reduce prices to the consumer.

John McShane & Co., 1344 Broadway; Mayorhare & Co., 42 and 44 Mott street; John Simmons, 108 and 110 Centre street; T. L. Seesemihl, 62 John street; Peck Board Company, New Haven, Connecticut., and 73 Beekman street, New York; Adam Carr, 62 John street; Wm. G. Creamer & Co., 96 John street; Creane, Ronalds & Co., 54 Cliff street; Myers Sanitary Depot, 94 Beekman street.

NEW YORK, *January* 24, 1883.

To illustrate more fully what I said a few moments ago about the qualities of printed goods sought to be cared for by the importers and their jobbing allies, I desire to quote from several of the English trade papers; and they will also prove another thing, that the printed goods which are so cheap for the "poor man," as repeatedly suggested here upon this floor, is not a class of goods used by the poor man at all, but a much more valuable class of goods.

I quote first from a paper called the Potteries' Examiner, of Staffordshire, England, November 15, 1873:

In the first ten months of 1872 there were 84,264 packages sent to the United States as against 71,906 in the same period of this year, or 12,358 packages less than last year, which is about 15 per cent. of a decrease. Taking this fact along with the other fact, the exports for the last year of earthern-ware to the United

States amount to £44,023 more in value than the year before, or more than 5 per cent. more, we are able to gather that for 15 per cent. less in the number of packages above 5 per cent. more money was paid.

Again, from the Staffordshire Advertiser of November 20, 1875—and here is the cream of the opposition's argument:

The progress made by American manufacturers in the production of white granite ware is indisputable, but beyond plain gilding and lining in enamel colors they have as yet done scarcely anything in decoration. The spirit of enterprise which animates the American people may in time bring about a revolution in this respect, but for years to come the English manufacturers must have a great advantage over them. It would take the American firms a very long time to surround themselves with engravers, printers, transferers, gilders, and painters, and to adapt their works to the production of decorated goods. Meanwhile a change in the fashion may once more take place, printed and enameled goods may become "the thing," and then the English manufacturers will be again masters of the situation.

Again, from the Staffordshire Sentinel, November, 1877:

Perhaps the best branch of trade during the past year has been the American, but it has assumed rather a different aspect. Formerly the United States took more white granite from Staffordshire than any other manufacture. Now, however, American agents and merchants go in extensively for fancy goods and ware of a high-class character.

Again, from the Staffordshire Advertiser of November 6, 1880:

Printed goods of chaste and elegant styles have been produced in great variety, and ready sales have been made, while the same character of goods in the higher branches of art have secured ready buyers. Speaking generally, for best goods of choice patterns the supply has not met the demand. At the same time there is no doubt that in some cases, with a view of effecting sales, manufacturers have parted with their wares at a figure which would not only not allow of a fair profit, but which would leave hardly any profit at all.

Again, from the Staffordshire Advertiser, November 27, 1880:

It is stated that two-thirds of the total increase in the exportations of ware to the United States of the decorative and more costly description, for which a new demand has sprung up since the exhibition at Philadelphia—

Surely these are not the "poor man's goods" so feelingly alluded to by the opposition.

Again, from the Staffordshire Advertiser, November 6, 1880:

The Americans have for some months taken a larger quantity of such goods as have usually been sold in the home markets; indeed their demand for printed ware has been greater than in any previous year, and it is this description of ware that has so largely swollen the exports from the port of Liverpool.

If these were the "cheap" grades of goods alluded to, the exports would not be swollen in value when the number of crates are so much reduced. Let us produce these goods in this country (and, as I have shown, we can do it if fairly protected) and soon, as with white-ware, our American price-lists, our American traveling men, our Yankee enterprise, will so educate the American distributor of these goods nearest the consumer as to redound to the enormous profits of all concerned. To illustrate this would be no theory, but a demonstrated fact.

I will incorporate in my remarks the following petition or reasons given by the manufacturing potters of the United States:

WHY SHOULD EARTHEN-WARE BE PROTECTED?

First. Because the manufacture of white earthen-ware is a new industry, having been developed by the high premium on gold between 1860 and 1870, all wares made previous to 1860 having been red earthen-ware, common stone-ware, drain-pipe, &c.

Second. Because every State in the Union, so far as known, contains the materials for making it, which are now supplied from Maine, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, North and South Carolina, Virginia, Georgia, Alabama, Tennessee, Missouri, Illinois, Indiana, Ohio, and Kansas.

Third. The preparation of these materials gives employment to a large amount of capital and labor, and adds to the value of the material from 1,950 to 2,500 per cent., the mining right being 50 cents per ton, while the prepared material is worth from ten to fifteen dollars per ton at the place where it is mined and prepared.

Fourth. Manufacturing these goods is almost all done by hand, "the machinery being incapable of material improvement," as reported by the honorable the Tariff Commission, who took the trouble to visit the Trenton potteries in order to be correctly informed on this important manufacture.

Fifth. Because at least 90 per cent. of the cost of manufacture is labor in preparation of and transportation of materials and in making the goods.

Sixth. Because the difference between the price of labor in the United States and England in our branch of business is 125 per cent., as reported by the Tariff Commission on page 14.

The Hon. ABRAM S. HEWITT, in his speech in the House on March 30, 1882, says a rate of duty should be established "which will compensate for the difference of the cost of labor" in the United States and foreign countries.

Seventh. We pay no more for our skilled labor than is paid to carpenters, bricklayers, plasterers, painters, &c., employed where our factories are located.

Eighth. We ask the same rate of duty on decorated earthen-ware as on decorated china, because it costs as much to decorate one as the other, and the improvement in the quality of earthen-ware being such that in some cases it is hard to distinguish it from china.

Ninth. We ask this duty on decorated and ornamental goods, because we have in this country much talent for the production and decoration of faience, limoges, barbotine, and other earthen-ware, as shown by the "ladies' art associations" in Philadelphia, New York, Cincinnati, Boston, Saint Louis, and other cities, opening up a new and elevating field for female employment.

Tenth. It is the interest of the American people to preserve this industry, because its development has reduced the cost of these goods at least 50 per cent. below the prices in 1860, when the duty was only 24 per cent.

Eleventh. The duty proposed by the Ways and Means Committee is an advance of scarcely 5 per cent. on white granite goods, and no advance on common white-ware used by the poor man's family (owing to the recommendation of the Tariff Commission abolishing duties on packages and other charges), and is not sufficient, and at best is the very least that will enable the potters to continue their business, a number of white-ware manufacturers having either failed or been compelled to suspend business during the past year.

All of which is respectfully submitted.

Thomas Maddock & Sons, Coxon & Co., East Trenton Pottery Company, Greenwood Pottery Company, City Pottery Company, Isaac Davis, Crescent Pottery Company, Eureka Pottery Company, Mercer Pottery Company, American Crockery Company, John Moses, Ott & Brewer, Joseph H. Moore, Union Pottery Company, the Willets Manufacturing Company, Burroughs, Mountford & Co., International Pottery Company, Dale & Davis, Enterprise Pottery Company, Trenton China Company, Trenton, New Jersey; West, Hardwick & Co., William Brunt, jr., & Co., Knowles, Taylor & Knowles, Wiley & Sons, G. S. Harker & Sons, Godwin & Flintke, Goodwin Brothers, Flentke, Harrison & Co., Homer Laughlin, C. C. Thompson & Co., Burford & Brothers, Wallace & Chetwynd, East Liverpool, Ohio; Edward Bennett, Baltimore, Maryland; Hammill, Brown & Co., Baltimore, Maryland; Onondaga Pottery Company, Geddes, New York; James Carr, New York city, Griffin, Smith & Hill, Phœnixville, Pennsylvania; Morley & Co., Wellsville, Ohio; Wheeling Pottery Company, Wheeling, West Virginia; Steubenville Pottery Company, Steubenville, Ohio; L. B. Beerbouer & Co., Elizabeth, New Jersey; New England Pottery Company, East Boston, Massachusetts; Mayer Brothers, Beaver Falls, Pennsylvania; George Scott, Cincinnati, Ohio; Tempest, Brockman & Co., Cincinnati, Ohio.

I am a manufacturing potter; I am proud that I employ, that I have been enabled thus far to find work for hundreds of honest, intelligent, and industrious people, that I have been enabled thus far to pay them fair wages, as compared with other mechanics. My ambition for seventeen years has been to see the pottery industry of the United States develop into a great national art industry equal to that of any foreign countries, ancient or modern. With all the risks and perplexities incident to its discoveries and its developments, it is a fascinating business. To me it has been a labor of love. Anything I can do to aid in this development will be my glory and my pride. I will assume that no one upon this floor desires to see this or any industry destroyed. Upon the soil and from the earth of every State in this Union could this industry thrive. Adapted to this country beyond all others, an unhealthy and unfair foreign competition is destroying its foundation. Now, it must be borne in mind that we have never had "protection," not even "incidental protection," because 40 per cent. ad valorem duty can never protect a new industry where there is from 100 to 200 per cent. difference in labor. When the 40 per cent. duty was put on there was no white-ware made in the United States, practically none. It was for revenue only. When England had no competition here crockery was high, at least 100 per cent. higher than at present.

Prices of crockery, taken from the books of Oscar Cheesman, importer and jobber, New York, in 1860 *and in* 1882, *as sold to the Southern trade, to general stores.*

Crockery.	Prices.	
	1860.	1882.
4 dozen w. g. jugs.... ($\frac{1}{4}$ 4 \$9; $\frac{1}{2}$ 6 \$5.50; 1 12 \$4; 2 24 \$3)	\$17 25	\$9 38
1 gross w. g. teas, handled	6 75	5 00
1 gross w. g. teas, unhandled	5 25	4 25
3 doz. w. g. oval dishes... ($\frac{1}{4}$ 9 \$2.25; $\frac{1}{2}$ 10 \$3; 1 11 \$4.50; $\frac{1}{2}$ 12 \$6; $\frac{1}{2}$ 14 \$9; $\frac{1}{4}$ 16 \$12)	18 38	10 17
3 doz. w. g. bakers... ($\frac{1}{4}$ 6 \$1.50; 1 7 \$2.25; 1 8 \$3; $\frac{1}{4}$ 9 \$4)	8 00	4 59
9 doz. w. g. plates... (2 6 85; 5 7 95; 2 8 \$1.05)	8 55	5 85
1 doz. w. g. bowls, 24's	1 50	95
1 doz. w. g. cov'd dishes... ($\frac{1}{2}$ 8 \$9; $\frac{1}{2}$ 9 \$10.50)	9 75	4 75
1 doz. w. g. sugars, 24's	4 50	3 00
1 doz. w. g. ewers and basins, 9's	12 00	9 00
1½ doz. w. g. chambers, 9's, \$9	13 50	5 25
½ doz. w. g. soaps and trays, ½ each, \$6.50	3 25	1 62
	108 68	63 81

It will be noticed that the prices in 1860 were 41½ per cent. higher than in 1880, or over 70 per cent. higher from 1850 to 1860 than to-day.

Prices in 1859–1860 *and in* 1882 *of an assorted crate of crockery sold to the Northern and Eastern trade.*

[Copy from books of Davenport & Brothers, importers and jobbers of crockery in New York, 1860.]

Crockery.	Prices.	
	1860.	1882.
4 dozen w. g. jugs.... ($\frac{1}{4}$ 4 \$8; $\frac{1}{2}$ 6 \$5.50; 1 12 \$4; 2 24 \$3)	\$16 75	\$9 38
1 gross w. g. teas, hd	6 50	5 00
1 gross w. g. teas, unhd	5 00	4 25
3 dozen w. g. dishes... ($\frac{1}{4}$ 9 \$2.25; $\frac{1}{2}$ 10 \$3; 1 11 \$4; $\frac{1}{2}$ 12 \$5.50; $\frac{1}{2}$ 14 \$7.50; $\frac{1}{4}$ 16 \$10.50)	16 38	10 17
3 dozen w. g. bakers... ($\frac{1}{4}$ 6 \$1.25; 1 7 \$2; 1 8 \$2.50; $\frac{1}{4}$ 9 \$3.50)	6 87	4 59
9 dozen w. g. plates... (2 6 75; 5 7 87½; 2 8 \$1)	7 87	5 85
1 dozen w. g. bowls, 24's	1 37	95
1 dozen w. g. cov'd dishes... ($\frac{1}{2}$ 8; $\frac{1}{2}$ 9)	8 50	4 75
1 dozen w. g. sugars, 24's	4 00	3 00
1 dozen w. g. ewers and basins, 9's	11 00	9 00
1½ dozen w. g. chambers, 9's, at \$8	12 00	5 25
½ dozen w. g. soaps and trays, \$6.50	3 25	1 62
Total	99 49	63 81

Prices of above assorted packages to general country merchants are over 35 per cent. cheaper in 1880 as compared with those of 1860; or, to put it in another way, the goods were sold 55½ per cent. higher in 1850 to 1860 than they are to-day. The largest dealers are sold 5 to 7½ cheaper still.

American manufacturer's prices in 1882 to general stores.

4 dozen w. g. jugs...	½ ¼ 1 2 / 4 6 12 24 / $11.25 $8 $5.10 $3	$20 70
1 gross w. g. teas, hd		10 00
1 gross w. g. teas, unhd		8 50
3 dozen w. g. dishes...	½ ea. / 9 10 11 12 14 16 / $2.50 $3.60 $4.75 $6.30 $9 $14.40	20 27
3 dozen w. g. bakers...	½ ea. / 6 7 8 9 / $1.75 $2.40 $3.50 $4.60	6 12
9 dozen w. g. plates...	2 5 2 / 6 7 8 / $1.10 $1.30 $1.50	11 70
1 dozen w. g. bowls...	1 / 24 / $1.85	1 85
1 dozen w. g. cov'd dishes...	½ ¼ / 8 9 / $9 $10	9 50
1 dozen w. g. sugars, 24's, at $5.75		5 75
1 dozen w. g. ewers and basins, 9's, at $16.50		16 50
1½ dozen w. g. chambers, 9's, at $10.25		15 37
½ dozen w. g. soaps and trays, ½ ea., $6.50		3 25
		129 53
Sixty per cent. discount		77 80
Net		51 73

It will be noticed that the prices above are 53 per cent. lower than those of O. Cheesman's in 1860; or, that is to say, that jobbers of crockery in New York in 1860 sold ware over 109 per cent. higher than to-day.

At first gold protected us, and English high prices; now both these are taken away. What then stands between our labor and foreign cheap labor? It must be remembered that the pottery district of England is a thriving district compared with some others. This industry above all others has the tender solicitude and the nurturing attentions of the government and the people. It is an old and honorable industry there. Her operatives swarming to our shores indicate it—their intelligence, their culture, their refinement is in marked contrast with some branches of tradesmen from foreign lands. The artistic development has been no less marked in the production of wares than has been the development, the culture, the refinement of the operatives. So if we must build up our industry here we must pay proportionately more for labor. We must offer adequate inducements, or we can not expect such labor to come to our shores. This industry can not be built up without this labor to educate us.

It is proposed to build this wall of protection about this cultivated labor, this useful and artistic industry, just high enough for foreign competition with foreign cheaper products to flow over the wall in a perfect deluge whenever the English market desires. Must she be permitted to flood us with her surplus products, created by cheaper labor and sold for less than cost, to suit the whims of her workmen or the convenience of her manufacturers or the policy of her government? Are we to compensate for low tariff by low wages first, and by loss of an industry afterward? A tariff that forces labor down is not a compensatory tariff. Is this the way we are expected to compensate? Is this the reward labor is to expect from a reform of the tariff?

While I am anxious and ambitious to have our industries built up in this country, I am not anxious to see them built up upon the degradation and debasement of labor. If we can not protect and elevate labor let us pronounce ourselves dependent, abject beggars for foreign wares and fabrics; let us close up our factories and our workshops.

Let us warn the flood of immigration to cease its ever-increasing tide and to turn its flood to other shores. Let our millions upon millions of artisans return to their homes across the water or to their homes upon the hillside or on the plain. Let us acknowledge that we are to be a nation of farmers, and that without a market for our grain or any of our perishable products. How far will that be removed from the condition of the American Indian?

But we are called upon to reduce duties on crockery; and who are these claimants for the markets of the United States? Are they Americans? No! Do they pay taxes? No! Have they ever declared their intentions to become citizens? No! They are English importers, English manufacturers' agents, sometimes English manufacturers themselves. They are English subjects. What a title they do present to the goodly heritage of labor's estate in this country! Petitions emanating in English importers' offices in New York and Boston and other large cities are pouring in here, asking for a reduction of duty on earthenware.

Fearing that Congress will see the existing necessity of protecting this industry, they have the brazen effrontery to petition for a reduction. In order that this necessity may not be seen they throw sand in the eyes of the people's representatives, thinking to retain thereby the existing inadequate rate of duty.

Have English citizens the right to petition the American Congress? Are we all fools that we hesitate about this tariff duty on pottery? Are we to stand idly by and allow the agents of English manufacturers to poison the well-springs of our industrial life? Are we blind, that we can not see the deception? Are we children, that these figures and facts can not teach us what to do? When we have an industry saving to our people millions of dollars each year by its competition, by its existence, can not we see the necessity of protecting it against rival governments and rival accumulations of capital, and against labor enslaved by inadequate wages? There is a way to compete with the present unhealthy prices of English pottery. That way is by robbing labor, by reducing wages. Shall we permit this thing to be done? Must the American Congress be made a party to this process of debasement of American workingmen? Shall we acknowledge that we have done this thing with our eyes open? It shall not be done without my indignant protest. It shall not be done by my vote. No member within the sound of my voice shall have ignorance of the situation for an excuse if I can help it here to-day.

No industry is so worthy in my judgment, none more necessitous. Here we have an industry around whose history in this day and generation clusters some of the greatest triumphs of scientific and industrial art in every nation on earth; an industry which has, by accident of war, sprung into existence marvelously in the United States, cultivating and enriching every household by its forms of beauty and utility; producing in white-ware alone $5,000,000 worth of ware 60 per cent. cheaper than it was produced before the war, and forcing England and France to sell the other $7,000,000 worth of our consumption 60 per cent. cheaper than was charged us under the old revenue duty of 24 per cent. before the war, and when no pottery existed in this country—a clean saving of $7,200,000 per annum to the people. And are we to sit supinely by while this "foreign vampire" sucks the last drop of blood from this child of fortune and of chance? Shall we allow Judge KELLEY'S English vampire (so dramatically described by him on this floor), fattened and strengthened with accumulated capital, to fasten its fangs upon the neck of this industry and utterly destroy it before our eyes? Are we friends of labor, are we representatives of the people to suffer such dishonor?

Mr. CARLISLE. Mr. Chairman, as I am representing or endeavoring to represent in this discussion the great body of American consumers, and not the manufacturers, I am not able to compete successfully in this exhibition of earthen-ware with the gentleman from New Jersey. [Laughter.] The ware which I have exhibited to the House is not used on the tables of the rich and influential classes of our people, but it is to be found in the cabin of every colored man throughout the whole South. Upon this ware it is now proposed to impose a duty of 65 per cent., equivalent to the rate proposed to be put upon the very finest ware which the gentleman can produce in his establishment or which can be produced anywhere in the oldest establishments of Europe. It is an ad valorem rate, it is true, but there is no semblance of justice or equity in the imposition of such an enormous rate of duty on this cheap and common class of goods.

The gentleman to-day concedes what he denied last Saturday, that this ware is in use in this country, although he says not to a very great extent. His statement last Saturday, when he interrupted my remarks, was that this ware had not been in use in this country for twenty years.

Mr. BREWER. Painted ware?

Mr. CARLISLE. To-day he states it is in use, although not to any great extent.

Mr. BREWER. Not the painted ware we use to-day.

Mr. CARLISLE. Is not this in use to-day? The gentleman can go into any store and he will find it in every one of them.

Mr. BREWER. They will not sell 50 cents of that ware to $1,000 worth of the other.

Mr. CARLISLE. They may not in the gentleman's country, but they do in certain sections of the country where the people are poor and not able to buy the ware which the gentleman sees on the tables of his constituents in Trenton.

You now propose for the protection of struggling American industries to impose this enormous duty. Yes, sir; they are struggling, and we find them here day after day struggling to wring the last possible cent out of the consumers who are compelled to use their products.

The gentleman himself has been engaged in this particular manufacture for seventeen years, and says he can make no profit out of it. He presents to us another instance of an attempt on the part of the Committee on Ways and Means to tax the people of the country to support an unprofitable industry.

Mr. BREWER. Are the people taxed when they get their ware 65 cents cheaper?

Mr. CARLISLE. If the imposition of this duty would have the tendency to bring down the price of this ware the gentleman from New Jersey would be the last one who would ask to have it imposed. [Laughter and applause.] His interest lies in another direction. He proposes to tax its importation in order to increase the price and make a profit out of the business which he says now yields only 3 per cent.

Mr. KELLEY. Mr. Chairman, the gentleman from Kentucky ex-

hibited the lowest grade of the ware to be touched by this amendment, a low grade which is passing away under the improving and refining influence of protection. I show here another specimen of earthen-ware. Here, sir, is an article in which there are 50 cents worth of American clay and more than $74 of wages to American labor; and had not gentlemen been told it was our white earthen-ware the production of which we are trying to stimulate, they would have supposed it was imported china-ware.

Here is another specimen of the same kind; and small articles like this are made so cheap they not only stimulate and reward American labor but grace the homes of well-paid American laborers.

Sir, this ware was made at Green Point, New York, and the labor of which I spoke was exclusive of the designing which had been prepared in advance for these and other articles.

Here, sir, is employment for the gifted child, gifted with the qualities of the artist, trained in Ohio in the school of art, established by generous men and women for training the children from the public schools who disclose that kind of genius and for the training of women, and all that is asked is that American labor and American genius shall be protected in the American market, that we may have free trade among ourselves by guarding our material, our skill, our genius, our industry, while they are infants, against the imperial results of France and Germany.

Gentlemen sneeringly ask if this is an infant; and they are answered, yes, it is only 17 years old. Read the history of the Sevres works, of France, that have had the patronage of monarchies and empires and of all the schools of art in France. Let us by a liberal protective policy enable our own people to proceed with these works. Let us make forms of beauty and grace familiar to our own people. Let us manufacture these beautiful goods on the scale of American wages, and we shall attract the best porcelain artists from France and Germany and Austria and the best workmen in this department of industry from the ancient establishments of Great Britain.

[Here the hammer fell.]

Mr. MILLS. Mr. Chairman, we are told in Roman history that when Cato wanted to rouse the Roman senate and excite them to a raid on Carthage, he brought the beautiful Carthagenian figs to the senate and paraded them in view of the senate and the populace of Rome, telling them, "Senators, behold the beautiful growth of that land; behold the figs of Carthage, growing in a country but three days' sail from the Roman Empire, and not yet under the dominion of the Roman senate." And all students of history will remember that he invariably closed his eloquent speeches with the words, "*delenda est Carthago.*"

Mr. Chairman, history is repeating itself in our day. We are shown in this which should be the audience chamber of the people of this country the magnificient vases of pottery which are brought in here and exhibited to the great council of the nation. Its lawgivers here assembled making laws for the people, for the vast masses of our countrymen, are treated to a sight of the productions of elegance and refinement, and the only question to be submitted is, how much robbery will you exact from the people to build up these magnificent establishments, and how much further will you go to take possession of the "Carthagenian figs" which are thus temptingly held out to your gaze?

Mr. Chairman, there is somebody else in the United States interested in the subject of taxation besides these gentlemen who manufacture and use such articles. There is a class that does not appear at the bar of this House. They do not come into this audience presence and press here the appeal for their struggling industries and for the labor of their hands. They are excluded from this presence, and their petitions generally have little effect. They are the great mass of the people of the United States. For them and in their behalf I desire to raise my voice to-day. They are men who do not make 3 per cent. by their toil. It is their proud privilege alone to support the great burdens of taxation which you impose upon them and which you extort from them by this most infamous system of duties—not for revenue, not for the support of the Government, not for the amelioration of their condition, but to enlarge certain individual interests, to build up protected industries, to help non-paying and non-prosperous undertakings, and to make the monopolists richer at the expense of the public purse.

We have no right to do anything of the kind. Our province here pertains to an entirely different sphere, and I confess that I am unable to conceive how any man can stand upon this floor in justification of that miserable policy which makes these raids upon the public purse of the country. You do not give anything in this way to the laborer. You do not benefit him by your protection. You go into the market and hire him at the cheapest farthing that you can possibly get him at, and cut down his wages time after time and year after year, under that beautiful protective system, and then turn him out to starve when he is no longer able to be of service to you. Or your associations of capital can make combinations to bring about a higher market; then they will put out the fires of their furnaces and their founderies and their workshops, in all of the industries of the land, never hesitating for a moment to turn loose three or four thousand laboring men upon the country without work, without wages, and whose families must suffer and starve for want of the actual means of life. This is plunder, and nothing else, of the laboring men, and you are doing it for the benefit of the manufacturing and the protected classes.

But it is not only wrong in that respect, Mr. Chairman. When we come down to the question of our foreign commerce we do a double wrong to our people who are exporting our American products and who need the foreign market. Look at the great body of that exportation and see the fact, the startling fact, that 85 per cent. of our products is sent from the men who toil in the fields. What do our manufacturers add to the great bulk of that foreign commerce? You are protecting them; you are offering them large inducements. They are at our doors here, and stick like leeches to the public Treasury. They do not help foreign trade. They do not build up your country. It is the men who till the fields, the farmers of the country, raising and shipping their cotton, their wheat, and corn, and all other agricultural products, which make the bulk of our foreign commerce and which give wealth and importance to us as a nation. They are the men that need protection, and these are the men that you are piling taxation upon to-day without stint. Do you afford them profitable employment by your system, onerous, unjust, burdensome, and oppressive as it is? Where is the benefit that you confer upon them, unless it is, as I have said, the proud privilege that they enjoy of standing under all your burdens and supporting the Government by your oppressive and unjust system of taxation?

[Here the hammer fell.]

Mr. SPRINGER. I rise to favor the amendment of the gentleman from Kentucky, and I desire to call the attention of the committee to the pending amendment. We have been entertained by exhibitions of beautiful pottery and vases and other things by the gentleman from Pennsylvania, one of which he has on his desk now before him, and I really do not know what you would call it.

Mr. KELLEY. I suppose the gentleman from Illinois would call it a cuspidor. [Laughter.]

Mr. SPRINGER. A cuspidor. For the laboring people of this country, I suppose. [Laughter and applause.]

Mr. HUMPHREY. Do not they want clean floors?

Mr. SPRINGER. The laboring men that I represent have no such costly spittoons in their houses. [Great laughter.]

Mr. BREWER. That is the difference. They have in my district.

Mr. SPRINGER. Yes; that is just what is the matter. The gentleman from New Jersey represents capitalists and monopolists who can afford spittoons worth $100 apiece.

Mr. BREWER. But the gentleman says the laborers are not benefited.

Mr. SPRINGER. And he is one of the gentlemen here who is asking us to impose a burden upon the people in order that those whom he represents, the aristocrats and the monopolists, may spit in a vase that costs $125. [Great laughter.] To use cuspidors, as the gentleman from Pennsylvania calls them, that are dazzling to the eyes.

Mr. REED. It does not dazzle your eyes, but it attracts your attention.

Mr. SPRINGER. The gentleman can have that brilliant remark recorded in the midst of my speech. I do not know what it was.

Mr. REED. It will shine beautifully in such surroundings by contrast. [Laughter.]

Mr. SPRINGER. Everything the gentleman does shines beautifully, even his 20 per cent. duty on lumber.

The object of the pending amendment is to transfer from the clause in question the articles of crockery and stone ware, the cheap articles, to the other paragraph, in which they would be taxed under the present law 40 per cent. ad valorem.

The gentlemen say they are representing the labor interests of the country. There appeared before the Tariff Commission a gentleman authorized to represent the Metropolitan Industrial League. That league was composed of very rich manufacturers and protectionists, and they prepared a schedule which they desired to have adopted for the guidance of the Committee on Ways and Means of this House. That schedule proposed that these two items be put under the clause to be taxed 40 per cent. ad valorem, as under the present law. That was a protectionist organization. It had an expert to examine all of these questions, and that expert and that organization made a report to the Tariff Commission and recommended that these two items be put in the clause taxed at 40 per cent. ad valorem. The Committee on Ways and Means has increased it from 40 per cent. to 65 per cent. ad valorem. That is, the majority of the committee has done so.

As a reason for proposing this rate this Metropolitan Industrial League submitted a statement of Mr. Thomas C. Smith, president of the Union Pottery Works, in which, in reference to the clause next following this, but upon the same subject, he said:

> The present duty of 45 per cent. on white china should not be altered, as it is preferable to have a low and permanent rate of duty than a temporary high rate of duty, with the certain prospect of a lowering of that high rate in a few years and again agitating this question.

That is what is proposed now in regard to this rate.

The CHAIRMAN. The time of the gentleman from Illinois has expired; and the time for debate allowed by order of the House on the pending paragraph and amendments thereto is exhausted. The ques-

tion is on the amendment of the gentleman from Kentucky [Mr. CARLISLE], which the Clerk will again report.

The Clerk read as follows:

In line 500 strike out the words "earthen, stone, and crockery."

The question being taken, there were—ayes 77, noes 110.

Mr. TUCKER. I call for tellers.

Tellers were ordered; and Mr. CARLISLE and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 78, noes 105.

So the amendment was not agreed to.

Mr. CARLISLE. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 503 strike out "65" and insert "55;" so it will read:

"China, porcelain, parian, bisque, earthen, stone, and crockery ware, including plaques, ornaments, charms, vases, and statuettes, painted, printed, and gilded, or otherwise decorated or ornamented in any manner, 55 per cent. ad valorem."

Mr. CARLISLE. The rate is now 50 per cent. ad valorem.

The question being taken on Mr. CARLISLE's amendment, it was not agreed to.

Mr. CARLISLE. I now move to amend by striking out "65" and inserting "60;" and on that I want a division.

The committee divided; and there were—ayes 72, noes 107.

Mr. CARLISLE. I call for tellers.

Tellers were ordered; and Mr. CARLISLE and Mr. HASKELL were appointed.

The committee again divided; and the tellers reported—ayes 77, noes 100.

So the amendment was not agreed to.

The Clerk read the following paragraph:

China, porcelain, parian, and bisque ware, plain white, and not ornamented or decorated in any manner, 55 per cent. ad valorem.

Mr. TUCKER. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out "fifty-five" and insert "forty-five."

Mr. TUCKER. Mr. Chairman, the rate in my amendment is the present rate upon this article. I have already said in a few remarks I made a while ago that there has been by the proposed bill a reduction of rates upon the raw materials that enter into this manufacture. I want to say another word upon that subject.

The amount of raw material that enters into these manufactures is on the average from 45 to 50 per cent., and the amount of labor from 50 to 55 per cent. Now, sir, the amount of duty upon the raw material that enters into these manufactures—a great amount of it is free—does not average more than 15 per cent. upon that raw material. If, then, you take $45 of raw material, 55 per cent. upon that will be about $7—the advantage that the foreign manufacturer has over the domestic manufacturer in the raw material. Then upon $100 worth of the manufactured article you must give an advantage to the home manufacturer of $7 for his raw material. Now, take $7 for the raw material from the $45, and you leave $38 for the labor. But $38 on 50 per cent. of labor in the product is largely over 75 per cent. of advantage to the laborer of this country. And I apprehend it can not be shown by any labor statistics that can be produced that the difference between the price of labor abroad and of labor here in this work is as great as 75 per cent. So the duty I propose of 45 per cent. will fully protect the laborer and manufacturer against the enhanced price of the raw material he uses. But the duty proposed by this bill, 55 per cent., would raise the amount of protection demanded for labor to something over 90 per cent. on the labor involved in it. We know that will not go into the laborer's pocket, because the laborer in this branch of industry never gets more than $340 a year, which for fifty-two weeks in a year is less than $7 a week; and there can not be that difference between the wages given American labor in this manufacture and the wages given to the foreign labor. Therefore 45 per cent. will fully protect the American laborer and give the manufacturer a fair profit. But if you take the percentage of duty asked for by this bill you give the laborer no more, but enhance the profits of the manufacturer at the expense of the great consuming class of the country.

Mr. MCKINLEY. I want to say only a single word and then I shall ask for a vote. The proposition of the gentleman from Virginia [Mr. TUCKER] is to reduce the duty proposed by the Tariff Commission by 15 per cent. and the duty proposed by the Committee on Ways and Means by 10 per cent. I trust the amendment will not prevail.

The amendment of Mr. TUCKER was not agreed to upon a division—ayes 52, noes 56.

The Clerk read as follows:

All other earthen, stone, and crockery ware, white, glazed, or edged, composed of earthy or mineral substances, not specially enumerated or provided for in this act, 55 per cent. ad valorem.

Mr. MORRISON. I move to strike out "55" and insert "50," as the rate of duty ad valorem on the articles mentioned in the paragraph just read.

The importer of these goods, besides the 50 per cent. duty which he would be compelled to pay for the privilege of importing them, will be required to pay in addition the cost of transportation, charges, and all such expenses, about which we have sufficient information to enable us to state that they will amount, as generally conceded, to at least 17½ per cent. Therefore, before these goods can be sold in our market in competition with the home production, the importer must pay a tax amounting to 67½ per cent.

Now, it seems to me that we are forgetting what 50 per cent. duty means. When we impose a duty of 50 per cent. that which without the duty would cost $2 with the duty will cost three. Then it means simply that whoever earns $3 in other employments and invests it in earthen-ware gives $1 in duty to the Government or pays the bounty it yields to the potter. In other words, out of every three days' earnings or wages invested in this earthen-ware one goes for taxes or for profit—not for wages.

It does seem to me that any industry which is not and can not be made self-supporting when you compel those who sell in competition with it to pay a tax or duty of 50 per cent. is hardly worth protecting. Industries that can not be and are not sustained when you give them the benefit of one-third of the earnings of other industries, which are invested in them, are hardly worth sustaining. If it is true that this industry is still so feeble and we are so deficient in skill or natural advantages that we can not produce these articles with such a bounty, then it is hardly worth being protected at all, and we had better go into some other business. But it is not true.

Mr. MCKINLEY. That bounty has reduced the cost on this article to the consumer 50 per cent. already.

Mr. ROBESON. I want to ask the gentleman from Illinois [Mr. MORRISON] a simple question. I understand this to be a nominal increase of 15 per cent. on this ware.

Mr. CARLISLE. Fifteen per cent. added to 40 per cent., the present rate of duty, is more than a 15 per cent. increase.

Mr. ROBESON. I understand that this bill proposes to take off of this ware present duties and charges amounting to 17½ per cent.; so that it is in fact a reduction from the present rate of duty of 2½ per cent.

Mr. MORRISON. Oh, no.

Mr. ROBESON. Oh, yes. And that is the reduction on the plainest ware, the commonest ware, the ware which comes home nearest to the poor people.

Now, I have heard a great deal about taxing the consumers when you raise the price of labor. Sir, if you keep up the price of labor you keep up the profit of everybody that works. If you tax the consumer you do no injury to any one except to those who do not labor; that is all. If you increase the wages of an American laborer by keeping him employed, he can afford to buy the necessaries of life, and the increased tax, if there be any, on the consumer will fall upon the man who does not work, upon the man who has an independent income and purchases the articles he desires without labor.

Mr. MORRISON. I have answered the argument of the gentleman so often that I do not care to answer it again. I merely want to controvert his facts, as he affords me that privilege.

He says that the rate proposed here in this bill is an actual reduction of duties by 2½ per cent. In that the gentleman is mistaken. This bill proposes to increase the rate of duty from 40 to 55 per cent. Now, if he will correct his arithmetic a little he will find that that is an increased rate of duty at 37½ per cent. And if he will subtract 17½ per cent. from 37½ per cent. he will see that there is still an increase of duty of 20 per cent.

Mr. ROBESON. Yes; but it is 17½ per cent. on the whole value; not upon the duty.

Mr. MORRISON. Not at all.

The CHAIRMAN (Mr. ROBINSON, of Massachusetts). The time for debate upon the pending amendment has been exhausted.

Mr. SPRINGER. I move to strike out the last word. The gentleman from New Jersey has argued that we must so protect these industries that they can compete with like industries in other countries, and that in order so to do we must compensate for the difference in wages between this country and others by means of duties.

The gentleman from New Jersey [Mr. BREWER] was one of the witnesses before the Tariff Commission. In the remarks which he made before that commission he submitted a statement of the average earnings of laborers in the potteries of England and laborers in the potteries of this country. He stated that the average earnings of laborers in the potteries of England was $8.69 per week; and in this country the average was $18.50 per week. Now, that is the statement which was made by the gentleman from New Jersey before the Tariff Commission, and I presume he adheres to it now.

Mr. BREWER. That is correct.

Mr. SPRINGER. Now, if that rate of wages was paid in this country to laborers, there being employed now in the potteries of this country 9,000 laborers, the whole amount paid for wages of pottery laborers in a year would be $8,644,000. The value of all the products of the potteries of this country has been stated at $7,942,729, $700,000 less than the amount of wages paid to the laborers in that industry.

Now, it is an utter impossibility that these manufacturers, besides paying for raw material and insurance, and besides the interest on their money, should have paid out in wages to their laboring men $700,000

more than the total value of the products which they created. It seems, therefore, that there are a class of witnesses who prove too much for their case. What is shown by the table submitted by the Census Bureau? It shows that the whole amount of wages paid by the potteries of this country to laborers during the census year was $3,279,000, and that the average was only $345 per annum for each laborer. That is less than $1 a day, counting Sunday; it is less than $7 a week.

These are the facts obtained when the officers of the Government go around to collect information; but when you come before the Tariff Commission with a lot of statements for the purpose of building up a gigantic system of monopoly, you attempt to prove that wages are 113 per cent. more in this country than they are in Europe for the same class of labor; and then you ask a tariff amounting to the exclusion of the foreign article in order to enable these industries to prosper.

As was said by the gentleman from Iowa [Mr. KASSON] yesterday, it is not the policy of this Government to foster industries local in their nature and which are unprofitable without it. This is an unprofitable industry, as stated by the gentleman from New Jersey himself. He stated that he has been in business the last seventeen years.

Mr. KASSON. I hope the gentleman will not quote me in that form.

Mr. SPRINGER. I quoted you in the form in which you stated your position yesterday.

Mr. KASSON. No, sir.

Mr. SPRINGER. The gentleman I knew would not stand to it very long; but still it ought to be good for twenty-four hours. [Laughter.]

This industry, according to the statement of the gentleman from New Jersey, who is largely interested in it, does not pay. He said that he has been losing money in this business for the last five years. Now, if this industry, with a protection of 50 per cent. ad valorem, does not pay him for the capital and labor and skill which he has invested, I invite him to "go West" and raise corn, and "grow up with the country." He can go into the farming business there and make something at least, while in the business he is now engaged in he says he can make nothing. It seems to me it is impossible to devise a system of national protection which will make profitable that which the gentleman says, from his own experience, is not profitable as an industry of this country.

I withdraw the *pro forma* amendment.

Mr. MULDROW. I renew the amendment. Mr. Chairman, I have watched with some degree of interest the progress of this debate, and have been struck from time to time with the inconsistency of members when their speeches and their conduct is compared. We have found too little consistency upon both sides of this Chamber in regard to the cardinal principles underlying this tariff bill.

Whenever you strike one peculiar interest in any section the members living in the region where that interest is located rally to its support, and whenever any such interest is thus touched upon you generally find that same general principle which has been contended for is ignored.

In regard to the question whether we should reduce or increase taxation I stand in favor of reduction, and whenever we reach any branch of industry touched by this bill I intend to attempt to be consistent. I stand for a reduction of duty all along the line wherever it can be made without injury to material interests which ought to be regarded to some extent, and perhaps incidentally protected, where that follows in establishing a revenue tariff.

Sir, why should the advocates of a tariff for revenue favor protection on sugar or on rice or on turpentine when they are in favor of no protection or anything else? [Applause.]

I stand here to advocate those ideas which I believe to be right upon principle; and favoring reduction of taxation, I shall favor it whether it pinch the toes of a man from the South or one from the North.

I want cheap machinery for the benefit of the Northern manufacturer and cheap machinery for the benefit of the struggling manufactures of the South. I want cheap machinery so that we can have cheap products for the consumer North and South.

In reference to the proposition now before the committee, we find that wherever there is already under the present tariff a duty so high as to prohibit importation there is no increase, but in almost every case where the duty is not prohibitory or nearly so the bill now under consideration provides for a greater duty. Why, sir, the importation of common earthen-ware yielded last year to the Government only about $9,000 of revenue, and there the present rate is unchanged. But when we come to the next article, which yields a substantial revenue for the support of the Government, this bill proposes to increase the rate of duty so as to practically inhibit the importation of that.

How can this be in the interest of the consumers of this country? You propose not only to levy a tax which will prohibit the introduction of the commonest class of these earthen-ware goods, but you go a step beyond that and levy a tariff upon the common iron-stone china and crockery which are in the households of many laboring men among us.

Now, sir, let us, if we favor the protection of labor, have some regard for all the labor in the country and not one particular class of labor. The people must be fed all over this land who are not engaged in manufacturing industries, who are not found at the forges, nor in the iron and coal mines of Pennsylvania, Alabama, and elsewhere. The farmers of the land should have some consideration and their interests in some degree subserved by the legislation of this Congress.

[Here the hammer fell.]

By unanimous consent the *pro forma* amendment was withdrawn.

Mr. MORRISON's amendment was rejected.

The Clerk read as follows:

Brick, fire-brick, bath-brick, and roofing and paving tile, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Mr. CARLISLE. I move to strike out "20" and insert "10." It seems to me that 10 per cent. on an article of this character is sufficient. It is a heavy article, the cost of transportation is very great, and the consequent natural and geographical protection is very large. I do not think there is much to be gained to the laboring men of this country by imposing a duty of 20 per cent. on fire-brick, and I hope gentlemen will consent to let it go at 10 per cent.

Mr. CARLISLE's amendment was rejected.

The Clerk read as follows:

Green and colored glass bottles, vials, demijohns, and carboys (covered or uncovered), pickel or preserve jars, and other plain, molded, or pressed green and colored bottle glass, and not specially enumerated or provided for in this act, 1½ cents per pound; if filled, and not otherwise in this act provided for, said articles shall pay on their weight, exclusive of contents, 1½ cents per pound in addition to the duty on the contents.

Mr. GUENTHER. I move to strike out in line 526 the words "one and one half cent per pound," and in lieu thereof to insert "35 per cent. ad valorem."

Mr. Chairman, I am in favor of protecting our home industries to such an extent as to enable our citizens engaged in them to compete with the products of foreign manufacturers and make a fair and legitimate profit after paying the laborer such wages as are considered reasonable and just in the United States. I am, however, decidedly opposed to a protective tariff which does more, believing that thereby nobody is benefited but the capitalist who furnishes the money to carry on the business—that the laborer will not receive a cent more whether his employer makes 25 or 100 per cent. on his investment. That class of legislation enables a few to shift the people's money into their own pockets—it makes the rich richer, the poor poorer.

When the people of this country asked for a revision of the tariff, it was done because they felt that the time had passed when it was necessary to protect and encourage our industries as much as we deemed advisable during and after the war when many industries were in their infancy and the necessaries of life were very high. I never heard it said until very lately, that the glass industry required more protection than it enjoyed already.

Take this item under consideration. We imported last year of empty bottles of all kinds $219,743.72 worth. The duty thereon was 35 per cent. I do not know how much of this class of goods we manufactured. All I can find is that we manufactured $21,154,571 worth exclusive of cut, stained, and ornamented glass.

Mr. Bodine, the president of the National Glass Manufacturers' Association, whom I met in this Capitol last week looking after the interests of the poor glass manufacturers, informed me that there were manufactured in the United States last year of quart bottles alone, used—*horribile dictu*—for bottling beer, 25,000 gross. I am informed that the quantity of pints is ten times as great, which would be 2,500,000 gross. Besides, there were many other kinds and sizes of green and colored bottles, vials, demijohns, carboys, pickle or preserve jars, and other plain, molded, or pressed green and colored bottles.

The importation of the very small amount, $220,000 worth, of glassware, embracing all these articles just enumerated, served to keep prices made by our manufacturers in somewhat reasonable bounds.

That is exactly what these gentlemen of the National Glass Manufacturers' Association object to. They want the field all for themselves, so that their combination can dictate prices *ad libitum*. Of course they profess to have solely the interests of the poor workingman at heart; he is always pushed to the front when the interests of the capitalists require it. But these gentlemen knew that Congress would not consent to have the tariff increased. So some sleight-of-hand performance, some hocus-pocus must be resorted to. The world wants to be deceived; *ergo*, *decipitur*. A change from an ad valorem to a specific duty in this case might accomplish the purpose. "Eureka!" cries the poor, down-trodden glass-king. Now, what will be the result of this change?

A specific duty of 1½ cents per pound amounts to over 100 per cent. ad valorem. I could show it to the satisfaction of every gentleman on this floor had I the time. As I have not, you will have to take my word for it. I can assure you that I have investigated this subject fully, accurately, and dispassionately. This proposed specific would raise the price of preserve-jars per dozen, costing the consumer now $1.50, to at least $1.75. A dozen of "Protector" preserve-jars weighs about nineteen pounds. The additional duty being 1 cent per pound, these jars would cost the dealer 19 cents more. He, of course, would charge the consumer at least 25 cents over present prices. Now, if you impose the indefensible, high specific duty, a farmer's wife buying in the fall of the year a dozen——

[Here the hammer fell.]

Mr. ERRETT. I rise to oppose the amendment. The gentleman

from Wisconsin, in presenting his figures, presented the figures of importers and not of the custom-houses.

Mr. GUENTHER. I have not presented the figures of importers.

Mr. ERRETT. Nothing else, because there is no other authority for them. That is where they came from; I have seen them before. In the returns to the Treasury Department from the custom-houses there is no separate account kept of bottles imported. They come in under the general glass schedule at 30 per cent. ad valorem as glass and all descriptions of glass, and not as bottles. There is nothing in the returns of the Treasury Department to show the number of bottles imported and the rate per cent. of duty on them, and hence the gentlemen's figures are entirely delusive.

Now, Mr. Chairman, the history of the importation of bottles from Belgium, where all these bottles are made, is that they are not sent here to purchasers at all, but shipped by the manufacturers of Belgium, who form a syndicate themselves, to their agents in New York at whatever price they choose to put in their invoices, and they pay 30 per cent. ad valorem on that price; and that is all the duty they pay. And to impose an ad valorem duty is simply to play into the hands of the Belgium manufacturers, who employ the cheapest labor to be found on the continent of Europe.

Now, Mr. Chairman, in the manufacture of glass bottles nearly all the money employed is paid for labor. About 60 per cent. of the expense of manufacturing glass bottles goes for labor, and 30 per cent. for materials and the other 10 per cent. for incidental expenses.

And the difficulty——

Mr. BAYNE. The labor on the material.

Mr. ERRETT. Yes, the labor on the material, so that whatever protection is afforded here is afforded to the laborer and not to the monopolist. Now, instead of making an appeal here for the poor manufacturer of this country, the gentleman is really making his appeal for the manufacturer of Belgium and the beer bottlers of this country who get their bottles by an evasion of the duties and the customs through the agency of the Belgian manufacturers and their agents in this country. [Mr. DUESTER rose.] Has my time expired?

The CHAIRMAN. The gentleman has one minute remaining if he desires to occupy it.

Mr. ERRETT. I wish only to say that the manufacturers of glass bottles here have proposed a specific duty upon bottles, because of the impossibility of collecting a fair rate of duty upon the ad valorem basis. For it is true that the manufacturer in Belgium, who employs women and children in labor, ships his bottles and is shipping them at a nominal rate to an agent in New York and paying 30 per cent. ad valorem on the nominal rate as well as the charges, and they are sold through his agent in this country; so that not a bottle imported in that way comes in under the tariff system or has been bought directly in Belgium.

Mr. DEUSTER. I move to strike out the last word.

I desire to say but a few words in support of the amendment, and to present before doing so the following petition, signed by a large number of importers of bottles, showing the remarkable increase of duty by changing the present rate to 1½ cents per pound:

NEW YORK, *January* 5, 1883.

To the honorable the Committee on Ways and Means,
House of Representatives, Washington, D. C.:

The undersigned, importers of glass bottles, and merchants, doing business in the United States, respectfully represent to your honorable committee that the proposition made in paragraph 10 of Schedule B of the report of the Tariff Commission, to levy a duty of 1½ cents per pound on green and colored glass bottles, will work so great an injury to our business and increase the duty on such bottles so enormously that we can not bring ourselves to believe that it was made intentionally and with a full knowledge of its effect.

The whole value of the quantity of bottles, paying 35 per cent. duty, imported into the United States during the fiscal year ended June 30, 1881, was $112,600, upon which the duties collected amounted to $39,473. We can not conceive of any reason that the commission could have had to arbitrarily increase the duty upon them from 35 per cent. to over 100 per cent.

The present duty is, say:

	Marks.	
One gross bottles, value	13.00	
Commission, 2½ per cent	.33	
	13.33	=$3 17
Duty, at 35 per cent		1 11

The mark equals 23.80 cents.

The proposed new rate of 1½ cents per pound would be as follows: weight of 1 gross bottles = 216 pounds; at 1½ cents, $3.24; which is an increase in duty of very nearly 200 per cent.

As it seems evident that, in view of the fact that the intention of the measure was to decrease duties, there must have been some misapprehension on the part of the commission, and as the present duty of 35 per cent. imposes an entirely unnecessary burden upon American producers using our bottles, we respectfully urge upon your honorable committee the reduction of the duty on these bottles to 25 per cent. ad valorem.

And your petitioners will ever pray.

Mr. Chairman, the remarks of my friend from Wisconsin [Mr. GUENTHER] and his carefully collated facts deserve fullest consideration for the thought and study that have been given to the subject. I will add but a few facts and figures showing that this increase of duty amounts to nearly 200 per cent. Let us compare the prices of bottles under the present and the proposed rate:

A gross of bottles is valued at New York at $3.17, or 2.20 cents per bottle. The duty at 35 per cent. ad valorem is $1.11, or .77 cent per bottle. Add that to the $3.17 and we obtain a total of $4.28 per gross, or 2.97 cents per bottle, the present market price.

The bottles which our brewers use weigh 1½ pounds each, or two hundred and sixteen pounds per gross. That makes the duty on the gross $3.24 instead of $1.11, as now, or 2½ cents per bottle instead of .77 cent. Add the $3.24 to the New York value of $3.17 per gross and we obtain $6.41 per gross instead of the present price of $4.28, a difference of $2.13 per gross. A brewer wants for every 6,000 barrels of beer bottled exactly 1,000,000 bottles, or 6,952 gross. Add to the price of the gross, by putting to it the new proposed rate of increase of duty of $2.13 per gross, and we increase the expense of bottling for every 6,000 barrels $14,807.86. There are brewers who bottle over 100,000 barrels annually.

I have failed so far to learn upon what valid ground the proposed enormous increase of duty upon that particular article is based. The Tariff Commission in its report refers to the subject simply in this way:

In the matter of glass manufactures we have recommended a change in the wording of the paragraph covering plain, mold, and pressed glass, and flint or lime glass-ware, and the adoption of a specific instead of an ad valorem duty, which we believe to be as low as it can be put and permit the continuance of the manufacture here. (Report of Tariff Commission, Mis. Doc. 6, part 1, page 14.)

I believe, Mr. Chairman, the thinking portion of our people are entitled to some more substantial proof of the necessity for a change from a protective tariff of 35 per cent. ad valorem, which has been the rate for so many years, and during which this industry has not met with the threatened destruction, to the prohibitive rate of 1½ cents per pound, or nearly 200 per cent. increase, than the mere statement that we thereby only "permit the continuance of the manufacture here." With the exception of tobacco and liquors, upon which as the most important taxable articles of luxury the duties are necessarily highest, all our tariff schedules fall singularly close on an average ad valorem rate of duty of 50 per cent., which is also the maximum rate accepted by those favoring an average ad valorem rate of duty.

A perusal of the debate upon the same subject in the Senate some days ago would give one almost the impression that the advocates of this prohibitive measure had thought it more prudent not to acknowledge at first the full extent of the increase. In proposing the establishment of the rate of 1½ cents per pound, Senator MILLER, of New York, said:

One and a half cents per pound is the rate recommended by the commission.

Mr. WILLIAMS. Will the Senator tell me what is the difference really between the specific duty he proposes and the ad valorem duty of 30 per cent. in the bill?

Mr. MILLER, of New York. *I am scarcely able to answer that question.* I have sought for information upon it; but I find that in the importation of all this class of goods, or the greater portion of them, the same condition of affairs exists as does in regard to porcelain-ware, that the manufacturers on the other side refuse to make a price in Europe, and make it delivered in New York or at the works where the bottles are to be used in this country.

Mr. WILLIAMS. I ask the question simply because as a general proposition I prefer the ad valorem where it can be properly applied; but sometimes there are special reasons why a specific duty might be better than an ad valorem one.

Mr. BECK. My information is on a card I have in my hand, to this effect:

"The proposition is to increase from about 30 per cent. to nearly 100 per cent."

* * * * * * *

Mr. MORRILL. I move to amend the proposition made by the Senator from New York by making the rate 1 *cent a pound* instead of 1½ cents.

The Committee on Finance examined this question very thoroughly and I think were quite willing that the duty should be made 1 cent a pound, but *were equally unwilling to go beyond that*, believing that 1 cent a pound was an adequate duty upon these articles.

Mr. Chairman, as I was not prepared to discuss this subject to-day, I have not the data on hand to prove what I believe to be a fact, that the amount of duty derived from this article at the present rate equals the entire amount of the product of the same in this country. But that being the case, the question presents at once a very different aspect. For here we propose to go to work "protecting" a comparatively small industry, one that has been able to get along so far without a prohibitive import duty, and by doing so we endanger a far greater and more important home industry, that of the manufacture of export beer.

That industry has grown to enormous proportions during the past few years. Our American beer goes to Mexico, South America, Australia, and even to Europe. It can only be exported safely in bottles. Thus the latter become to this important industry exactly what to others raw materials are, namely, one of the constituent elements of the exported article. If protection does at all "protect," it should permit some equitable way of harmonizing conflicting interests by imposing highest rates where the more important industries demand it, and lowest rates where these interests permit it. Our American beer must compete in the foreign markets with the products of England, of Germany, and other countries where these same glass-wares are manufactured cheaply, and to compel them to pay such an exorbitant rate upon bottles would therefore virtually be a blow against our exporting interests, and make that competition abroad difficult, if not cripple it very seriously. I hope the amendment will prevail.

MESSAGE FROM THE SENATE.

The committee rose informally; and Mr. REED having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a joint resolution (S. R. 132) authorizing the Public Printer to remove certain material from the Government Printing Office; in which the concurrence of the House of Representatives was requested.

TARIFF.

The Committee of the Whole resumed its session.

Mr. BAYNE. I rise to oppose the amendment. One of the very best opportunities that will be given to Congress is now given to vote their

sympathy with labor. I have heard on both sides of this Hall, and I am glad to hear it from gentlemen on the Ways and Means Committee, and from others on that side of the House, as well as from gentlemen on this side, an avowed sympathy with American labor. And I say, knowing the facts and knowing them well, that they will not have a better opportunity throughout this whole tariff legislation for voting their sympathy with American labor than they will have by supporting the report of the committee on this particular paragraph of the bill.

There is no work, sir, I think in which our people are engaged in this country that is more trying to the men employed in it than this work of glass-blowing and manufacturing bottles. The average of life of the glass blower is very short; the rate of wages is high but the labor severe in every particle of it. Ninety per cent. of the cost of the product is pure, unadulterated labor.

Mr. DUNN. That seems to be the rate on everything.

Mr. BAYNE. That may or may not be as to other things. I am not speaking of them now. I have not so stated, because machinery enters largely into the manufacture of many other things enumerated in this tariff legislation; but in this article it bears but little part. This particular kind of work must be done almost wholly by labor.

Now, sir, the rate of duty proposed by this bill is simply equivalent to the rate of duty that has been imposed upon ordinary window-glass, and yet the labor in manufacturing this particular kind of glass into bottles is more consuming, trying, and far greater than the manufacture of the ordinary window-glass. The rate per cent. on these bottles is just the same as it is on the ordinary window-glass, and yet the labor of making them, as I have said, is far greater.

Sir, I want to call the attention of Congress to this fact, that although the rate of duty has been 1½ cents per pound on ordinary window-glass since the enactment of the Morrill tariff bill, one-fourth of the ordinary window-glass consumed in this country during the last ten years has been imported into the country, and the home factories have only produced about three-fourths of what was consumed in this country. What does that argue? It argues to the inevitable conclusion that there is nothing whatever prohibitory in the duties proposed to be put on these articles, but on the contrary that these articles can be imported and will be imported very largely under the duty proposed.

Now, sir, there is another thing to which I want to call the attention of the committee. In thirteen States of the Union this manufacture is under way, and the consumption of bottles is going to be largely augmented by reason of the fact that the manufacture of beer has become a very large industry in this country. Many men now import their bottles from Belgium, from France, and from Germany with the view of exporting and distributing for home consumption their beer. It has got to be a very large industry in this country. If you adopt the amendment of my friend from Wisconsin you will simply open the door to the perpetration of frauds that never can be checked, and which will defraud the Government and deplete the revenue of the country. And why? Because the mode by which these bottles are brought into the country is to purchase them from the manufacturer abroad duty paid, and the article is shipped to the consumer in this country with the duty paid, and the invoice price may be whatever he chooses to make it, or whatever the parties contracting may choose to make it as between themselves.

I say if we wish to save the revenue and protect the Government against frauds we must adopt the specific rate of duty.

One word more. My friend's argument was directed only to one aspect of this proposition; only its aspect in relation to the large bottles used for the bottling of beer. He must remember that this paragraph applies not only to those large bottles but to small vials. And I say to him that so far from his statement being correct and true, the average duty, the corresponding ad valorem rate—and I know whereof I speak—based upon the cost of American production is not over 33 to 35 per cent. Any gentleman who will investigate this matter and analyze it will find that the rate of duty on all the articles embraced in this paragraph does not exceed 33 to 35 per cent. on the cost of the production of this article in the United States.

[Here the hammer fell.]

Mr. BLAND. I desire in what few remarks I have to make just to notice the lecture given us some time ago on this side of the House by the gentleman from Mississippi [Mr. MULDROW], in which he stated that there was a disposition when some local interest was concerned for those claiming to be for a tariff for revenue purposes to seek the protection of local interests. That difficulty to some extent, Mr. Chairman, is inherent in this system of taxation. Our Republican friends are the assessors. They propose to assess and collect a tax from the people; and every interest that gets into this bill is an exemption from taxation. So you exempt wool manufacturers, cotton manufacturers, iron manufacturers. You exempt all the manufacturing interests in this country, the mining interests and all other interests that get upon this bill that can be protected by preventing the importation of foreign articles. To that extent you exempt that interest from taxation. And it is but natural when the tax-collector comes round for all to attempt in some way to escape his exactions. That is the difficulty, and it is inherent to the system of taxation by duties on imports.

Hence it is we find gentlemen on this side of the House although willing to reduce taxes, although willing this shall be taxation for revenue purposes, still when they ascertain it is the determination of the majority on the other side of the House to protect certain industries and thereby relieve those industries from taxation, it is but natural that certain gentlemen on this side of the House having local interests should seek to have those interests relieved from the burdens of taxation also.

I have no pet interest in this or in any other measure. I do not want to father any particular infant that is in the womb of this bill demanding to be brought forth into existence and to be nurtured in the cradle of protection.

There is only one interest in this country that can not be protected by duties on imports, and that is the great interest of agriculture. That can not be protected. Why? Because you might put your duty on wheat at 100 or 1,000 per cent. and the same on corn, meats, &c., and it would not amount to any protection more than if it were a duty of 1 per cent. or nothing, because we are exporting all the while these products and because you can not protect them by legislation. Every interest you put on this bill stands on agriculture. Agriculture must stand under to support all this infamous fraud of taxation called protection. When you talk of protecting labor and of filling up the gap between the laborer of this country and the laborer of Europe, who proposes to fill up the gap between the agricultural laborer of this country and the pauper laborer engaged in agriculture in Europe? Yet of all the labor that is underpaid in Europe the worst paid is agricultural labor.

And yet we can not and do not propose to protect the agricultural labor of this country against the pauper labor of Europe; not at all. If agriculture in this country, although it is bearing all these burdens of taxation, still survives, what is the reason that our manufacturing interests can not do the same without protection? If there is any common sense in the argument that American industry can not survive without protection it will apply equally to agriculture.

This humbug and fraud about protecting labor comes from men who represent manufacturers that swallow all the bounties given to them, while, as I stated yesterday, the laborers in your large cities are starving.

[Here the hammer fell.]

Mr. MCLEAN, of Missouri. I represent a district largely interested in the manufacture of glass-ware; a large amount is made in that district. Glass-ware in this country being made from soda-ash, upon which we have a tariff, the labor which is placed upon it makes it a question of the difference between the wages of the laborer in this country and of the laborer in Europe. It is a fact that the laborer in Europe gets a smaller rate of wages than the laborer in this country. If you take into consideration the question of the tariff on soda-ash, then you will find that the question involved in this subject is whether you will protect labor or not.

Glass manufacturers pay their laborers fair wages, but none of them make fortunes as I know. It is not a monopoly, for any one who chooses can enter into the business of glass-making in this country. The manufacturer must pay the glass-blower a certain percentage for his labor, and then he must pay the duty on the soda-ash which goes into the manufacture of the glass itself.

The very moment you permit the importation of glass-ware from Europe you will reduce the wages of thousands and thousands of laborers in this country. I am myself a heavy consumer of glass and know whereof I speak. I know that the glass-ware made by the laborers of Germany comes in competition with the glass-ware made in this country.

Mr. GUENTHER. In answer to the statement of my genial friend from Pennsylvania [Mr. BAYNE], whom I love so much and esteem so highly, I am sorry to see that his vision is so impaired by the smoky monopoly atmosphere of Pittsburgh and Allegheny City that he can not distinguish between protection to monopolists and protection to American labor. If the gentleman would only display as much zeal and courage in opposing the monstrous demands of these monopolist constituents of his as he always exhibits in his attitude toward the President of the United States, I would look up to him with admiration as the foremost champion of the laboring and producing masses of our country. [Laughter.]

When I was up before I was speaking about the farmer's wife buying fruit-jars for which she now pays $1.50 a dozen, and for which if this proposed duty shall become a law she will be obliged to pay $1.75 a dozen. In answer to her inquiry how this could be, the dealer asks her whether she has not learned that the Forty-seventh Congress has revised the tariff. Arriving home the good wife tells her honest farmer husband that she could not buy him the 25-cent package of tobacco, or the little toys for their first-born, or some other little thing that tends to gladden the hearts of the families of the hard-working tiller of the soil, because she ran out of money, having made no calculation for the 25 cents she had to pay more on her dozen jars over last year. Of course they will all bless this Congress for what it has done to protect the poor, starving members of the National Glass Manufacturing Association, and will gladly forego any little luxury or necessity of life to buy the wine, the diamonds, the carriages, to help build the palatial residences of the pauper glass manufacturers of Pittsburgh and Philadelphia! [Applause.]

Mr. BAYNE. Will the gentleman permit me to ask him a question?

Mr. GUENTHER. Certainly.

Mr. BAYNE. To get away from the very interesting story which the gentleman is telling, I will ask him if he has heard anybody complain of the price of ordinary window-glass in this country?

Mr. GUENTHER. I am not talking about window-glass; I am talking about bottles and jars.

Mr. BAYNE. I have no prejudice against beer bottles at all.

Mr. GUENTHER. Mr. Bodine also informed me that one glass-blower will blow in a day two and a half gross of quart bottles, or three hundred and sixty. Three hundred and sixty such bottles weigh five hundred and forty pounds. The increase of tariff over present rates per pound is in this case 1 cent, so that you propose to grant an additional protection to the glass manufacturer of $5.40 per day for one glass-blower. Do you think the blower will receive this amount?

Mr. BAYNE. Let me tell the gentleman what the glass-blower does receive.

Mr. GUENTHER. I have not time now.

Mr. BAYNE. I will tell the gentleman that this increase of duty will go into increase of wages.

Mr. GUENTHER. On a gross of such bottles imported the tariff duty now amounts to $1.11. The proposed tariff would make it $3.24, an increase of nearly 200 per cent. This $3.24 would be levied on a gross of quart bottles, costing in Germany, with 2½ per cent commission added, $3.17, so that you will see that the duty of 1½ cents per pound would be 102½ per cent. ad valorem.

The showing is even worse on pint bottles:

Value of a gross of pints	$1 80
Two and one-half per cent. commission	4½
	1 84½
Duty 35 per cent.	64½

Weight of a gross of pint bottles, 144 pounds; 1½ cents per pound, $2.16, which is an ad valorem duty of 117 per cent., an increase of over 235 per cent. over the present tariff duty.

Mr. Chairman, in the interests of the fifty millions of people who are consumers of these articles I hope that the duty on them will not be increased, but left at the present ad valorem duty of 35 per cent. or fixed at one-half cent per pound.

In reply to the gentleman from Pennsylvania [Mr. ERRETT] I will say that the statement I have made is one which I have received from the Bureau of Statistics. It is an advance sheet and is official, and the gentleman can look at it if he desires. It is said that there are a number of idle glass-furnaces in the country shut down on account of this foreign competition. This is another misstatement. A number of glass-furnaces have been erected during late years in some of the Western States. After they were in operation the wreckers of the glass-ring of New Jersey and Pennsylvania would rush into their territory and glut the market with the articles these new furnaces manufactured, by temporarily selling below cost in order to crush out these embryo industries.

Mr. BAYNE. I understand now the animus of my friend's proposition.

Mr. GUENTHER. That may be, but what I have said is true nevertheless. These wreckers of the glass-ring of New Jersey and Pennsylvania went into districts where these new furnaces were established and by temporarily selling below cost endeavored to crush out these embryo industries. After they succeeded so well in most cases these self-same buccaneers now have the sublime audacity to point to these abandoned wrecks, the result of their own damnable piracy, as reasons why this Congress should grant them additional protection and give them increased privileges to plunder and fleece the people. I for one, Mr. Chairman, as a Republican, a protectionist, the friend of the laborer, of the people, and one of them, shall never by my vote help to put more of the money of the people into the bottomless pockets of these insatiate ringsters and monopolists.

Mr. LORD. As a substitute for the pending amendment I move to amend by striking out in line 526 the words "and one-half;" so as to make the duty 1 cent per pound. I think there ought to be no objection to this amendment. If any confidence is to be placed in the estimate of these gentlemen that a proposed duty of 1½ cents will increase the existing duty of 30 per cent. to 75 per cent. or 150 per cent., the rate proposed in the bill certainly is too high. These articles are most extensively used. As it was stated by some gentlemen on the other side that white lead goes into every house and every factory, these fabrics of glass in the form of bottles and jars go into universal use. I believe that a duty of 1 cent per pound will be equal to 75 per cent. I hope, therefore, that the amendment will prevail; and it seems to me the Committee on Ways and Means should accept it.

Mr. BERRY. Mr. Chairman, I am very desirous to vote properly on this question; and I must confess that I am very much at a loss to determine which of these propositions I should support, or whether I should seek to reject them both, that a new proposition more just may be presented. I have been taught during the progress of this discussion by the gentleman from Kansas [Mr. HASKELL] and the gentleman from Pennsylvania [Mr. KELLEY], the honored chairman of the Committee on Ways and Means, and in fact by gentlemen generally on the other side of the House, that a protective tariff cheapens products. If this be the fact, it would certainly be to the interest of my people that this duty should be increased 200 per cent., which I understand would be the effect of substituting a duty of 1½ cents per pound for the existing duty of 30 per cent. ad valorem as proposed in this bill. Some gentlemen say that this increase would amount to 300 per cent. Be this as it may, it is acknowledged on all hands that it is a large increase.

My people use glass bottles to a large extent, and use also glass jars for the canning of fruits. I do not wish to cast any vote which will increase the cost of these articles. We have been told by the gentleman from Wisconsin [Mr. GUENTHER] that if this legislation be enacted the price of every bottle and jar will be largely increased, thus laying a burden upon every household in the land. If the price of bottles and jars is increased in cost it will be a serious blow to our rapidly-growing fruit and wine interest upon the Pacific coast, in which large quantities of these articles are used. On this question a division has appeared.

In the ranks of the majority here, some of those gentlemen telling us that this increase of duty will cheapen the product, and others telling us that it will increase the cost of the product, how am I to decide this question if I take their counsel? How shall I cast my vote if I am to be guided by this divided wisdom?

Mr. Chairman, I have a large constituency who are lovers of beer; and, in fact, I like that wholesome drink myself. I do not want to increase the price of that cooling beverage, lager beer, which we have in California, and which is the finest in the world. Perhaps I had better qualify that last expression, for they have excellent beer in Philadelphia, known as "Philadelphia beer." But I do not wish the price on bottles to be increased so that we of California will be compelled to pay an increased price for this beverage as also our wine.

Mr. Chairman, it seems to me clear, in fact it must be apparent to every candid individual, that the doctrine which gentlemen on the other side are endeavoring to preach to this House and the country that an increased tariff will cheapen the article is false. If there were not something fallacious in this doctrine of protection, why should protectionists be divided in their councils about bottles? Some of the protectionists on the other side protest against this increase of duty as calculated to increase the cost of the article, while others insist that if domestic industries are protected the commodity will be cheapened.

Mr. HASKELL addressed the Chair.

The CHAIRMAN. Debate is closed.

Mr. HASKELL. I ask the gentleman from Michigan to withdraw his amendment and I will renew it.

Mr. LORD. I withdraw it with that understanding.

Mr. HASKELL. The gentleman formally withdraws his amendment and I renew it. Mr. Chairman, the difficulty in this case is not in the rate; no one cares especially to increase the rate. The difficulty has been the impossibility of getting at the real value of the article. Every foreign manufacturer of glass is pooled with every other and with the importers in the city of New York. Now, if you adopt a mere ad valorem rate, no matter what it is, if you were to impose a duty of 100 per cent. or 200 per cent. you would collect no duty which would be such as would protect either the revenue or the manufacturer. Whatever is done by the Committee of the Whole on this subject ought to be done on a specific basis. Take the figures of the importers of bottles themselves; and I have them here.

Without counting the ocean freight and taking the most favorable figures that you can, the large, heavy green bottles cost on the other side 2 cents and a fraction apiece. This I have from an importer's invoice. Consequently the rate named in the bill is neither 200 per cent. nor 100 per cent., but in my judgment it is heavier than it need be. I hope this ad valorem rate will not be agreed to. For one I will support a proposition to fix the rate on these bottles at 1 cent per pound. This is as low as I dare go, and I am afraid it is a little too low. But in any event it will be safe to the Government and safe to the interests represented by my friend from Wisconsin.

And the reason why I state it will be safe to my friend from Wisconsin is because I am now talking from a Belgium invoice, not from any importer's nonsense. I know I have an accurate invoice and there is no 200 per cent.

Mr. GUENTHER. In answer to the statement of my friend from Kansas I will say that I have just received from the Chief of the Bureau of Statistics a statement from the office of the American Pottery and Glassware Reporter, the organ of the glass manufacturers, which states the present duty at 35 per cent. ad valorem on one gross of bottles is $1.44, and that the proposed duty of 1½ cents per pound would be $3.24. While the latter statement is correct the first is not, because they base their calculation on the price of a gross of bottles in New York, which my friend from Kansas knows is incorrect. The true amount of 35 per cent. ad valorem would be about $1.11 and the proposed duty would be $3.24.

Mr. HASKELL. I take the heavy green bottle in the bill and my statement is made from a Belgium invoice made by a Belgian. Now a cent is low enough.

[Here the hammer fell.]

Mr. SPARKS. This clause of the bill in relation to the duties on glasswares presents the doctrine of "protection" in a light that all can see its ruinous grasping tendencies. The specific rate of 1½ cents per pound fixed here may be perfectly fair for the collection of a fair revenue upon

a certain class of very light bottles and vials, but on another class of larger bottles and pickle and preserve jars it certainly approximates if it is not fully up to the point of a prohibitory tax. Now, I take it that this duty of 1½ cents per pound on all that class of bottles mentioned here, such as are used for beer-bottles, wine-bottles, fruit-jars, pickle-jars, and all the other kinds of bottles used by those who bottle beer and other malt drinks and wine, and who put up the various kinds of fruits, would be substantially a prohibitory tax. Hence in my judgment this duty ought clearly to be adjusted upon an ad valorem basis reasonable in its rate. But, sir, it serves to show most clearly the fallacy of this whole species of discriminative legislation.

There is a class of men in a few localities of the country engaged in the manufacture of glass-ware, bottles, &c., and they are here besieging Congress for a tariff so adjusted as to protect them in that business so that all reasonable competition in the way of foreign imports of these articles shall be prohibited. Nothing less they claim than a tax on imports virtually prohibitory will protect this glass-blowing industry. Now, sir, the question with me is will not the protection thus afforded to this glass manufacturing industry seriously cripple if it does not destroy other interests and other industries? There are establishments in the cities of Saint Louis, East Saint Louis, Chicago, Milwaukee, and other cities of the West, which bottle annually millions of cases of beer and other malt drinks which enter into commerce and go all over the civilized world. There is also a vast industry in this country engaged in bottled wines and in pickling and preserving fruits and vegetable products, and I believe also fish, in the class of bottles and jars here mentioned, as to all of which this oppressive tax would result in almost if not quite irreparable disaster. Therefore it will be easily seen that while it is undoubtedly in the interest of some of the constituents of my friend from Pennsylvania [Mr. BAYNE] who are as a class engaged in the manufacture of glass, it is at the same time destructive of the interests of other classes of men who are engaged in other and more valuable industries.

But, as before remarked, sir, it shows plainly the fallacy as well as injustice of Congress attempting to single out this or that particular industry out of all the varied industries of the country and legislating for its benefit when such action must result necessarily to the injury of others. Why not let them all stand upon a common, equal plane and take care of themselves, and lay your tariff on imported glass bottles, jars, &c., as on everything else for the collection of a needed revenue? Lay an honest, fair ad valorem duty on all kinds of bottles, and on the contents of bottles, and all else with an eye single to that purpose for the legitimate and economical uses of Government. When you have done that you will not have discriminated in favor of this or that particular industry and to the prejudice and against any other industry or industries, but will have caused all classes to bear an equal share of the burdens of government, and will have left all upon the common plane of fairness and equality, or as nearly so as it is possible to do under our indirect system of taxation for purposes of national government.

Mr. Chairman, the whole of the evil of this pernicious "protective" system is seen just here. You cannot by tariff rates discriminate in favor of the glass-blowers of Pittsburgh, or of Wheeling, or anywhere else, without injuring other industries and other interests which demand the use in their pursuits of the class of goods manufactured by these men, and whenever you attempt to do so you necessarily arouse the opposition and just indignation of all that class of men whose pursuits in life you thus cripple.

And, sir, in the case here presented candor compels the statement that this favoritism for the glass-blowers and manufacturers is a discrimination in favor of the minor interests and against the far more extensive industries engaged in the use of these bottles and jars. The bottling and canning industries of this country are far more numerous and involve much more of labor and capital than the glass manufacturing industry.

I would do the latter industry no injustice, but would give it the benefit of all that protection which results to it as an incident of a legitimate and fair tariff adjusted upon the basis of needed revenue. I would be willing to adjust an ad valorem rate of duties on these bottles, jars, &c., at 30 per cent., which is, I believe, the present law. These glass-men and their advocates on this floor ought to be satisfied with that.

Sir, an industry which can not successfully compete with foreign importation at 30 per cent. duty, or to use truer and plainer words, on a 30 per cent. bounty, ought to die, and the men engaged in it ought to go into some other honest business in which they can make a living. [Applause.]

[Here the hammer fell.]

Mr. HASKELL. I withdraw my *pro forma* amendment.

Mr. HATCH. I move to strike out the last word. I understand the gentleman from Kansas withdraws his proposition.

Mr. HASKELL. I will, if you will renew it.

Mr. HATCH. I will not renew it, as it is an increase over the present rate of duty. It proposes 1 and one-half of 1 cent per pound on these heavy, cheap bottles, of which the price is not over 2½ cents. It is an increase of 200 per cent., and amounts to absolute prohibition. And that is the reason it is recommended by the Committee on Ways and Means.

Mr. LORD. Let me interrupt the gentleman for a moment.

Mr. HATCH. I have only five minutes, and this is the first time I have risen to take part in the debate, but I promise, gentlemen, it will not be the last.

Mr. LORD. I wish to make a correction.

Mr. HATCH. I do not desire correction. I state the facts. I hold in my hand a letter from one of the most intelligent manufacturers in the United States—one who is at the head to-day of a manufacturing establishment in the State of Missouri that employs more labor and capital than any five bottle-making establishments in the United States, and pays more wages every Saturday night than any five bottle-making establishments in Pennsylvania or anywhere else, and here is what he says about this:

> We learn there is a movement afoot to raise the duty on bottles from 40 per cent. ad valorem to 1½ cents per pound. While the present high duty of 40 per cent. ad valorem is a great impediment to the exportation of American bottled beer, we have nevertheless managed to compete with some success with Europe for the trade of Mexico, Central America, Sandwich Islands, and parts of Brazil and Australia, and the demand for the better American brands is constantly increasing.
>
> If there was no duty at all on bottles, as should be the case, nearly the entire trade of the countries named, which is considerable, could be diverted to these United States, where it properly belongs. We have now to contend against this drawback of 40 per cent. higher bottles than the European bottler pays. But a prohibitory tariff of 1½ cents per pound would result in driving out all American competition from such foreign lands, damage the trade immensely, and simply create and enrich a monopoly of a few bottle manufacturers, while yielding no revenue to the country.

Mr. McLEAN, of Missouri. What is the name of the writer?

Mr. HATCH. Adolphus Busch, president of the Anheuser-Busch Brewing Association of Saint Louis.

Mr. McLEAN, of Missouri. He does not manufacture a single bottle that I know of.

Mr. HATCH. I did not say that he did. I only say that he uses more bottles and employs more labor in his trade than any five manufacturers of bottles in any other place.

Mr. McLEAN, of Missouri. I did not understand the gentleman correctly, then. I understood him differently.

Mr. HATCH. Well, the gentleman is on the wrong side of this question. If he would come a little closer over to this side of the House he would hear better.

But, Mr. Chairman, the proposition of the Ways and Means Committee incorporated in this bill is to cripple some of the largest industries of the land for the benefit of a few chosen manufacturers engaged in making bottles, and is a fair sample of this bill in all of its details, which has been characterized by one of the leading Republican newspapers of the city of New York as a sham and a fraud. And there is not a better indication of this fact throughout its entire substance from beginning to end than that which is proposed here, the proposition to take this from the ad valorem rate and put a tax upon the bottles of 1½ cents a pound.

Mr. BAYNE. Will the gentleman allow me to ask him a question?

Mr. HATCH. With the greatest pleasure.

Mr. BAYNE. Now, the rate of duty being 1½ cents per pound on ordinary green window-glass, the cost of manufacturing the same being largely done by machinery, whereas these bottles are made by labor without machinery, I wish to ask has the American consumer suffered in consequence of that reduction on the price of window-glass? And further——

Mr. HATCH. Life is too short for the advocates of Pennsylvania glass manufactories to display all of the wonderful requirements of that manufacture upon the floor of this House. My friend from Pennsylvania and those who are with him on the tariff question have been looking too long through green bottles or green glass to have a very clear perception of the wants of this country in framing a bill of this character. They do not trouble themselves to get the information which is necessary. You ought to come out of your own State a little. You ought to learn that there is something else in this country besides Pennsylvania and Pittsburgh. You ought to know that there is a large empire west of you which is also interested in some of these things.

Mr. BAYNE. Yes, and there is a large quantity of material for making glass out there if you would only utilize it.

Mr. HATCH. If you would come out there and visit us more frequently you would know more of the importance of this question to other parts of the country.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HASKELL. I would like to move that the committee rise to limit debate, unless we can come to some understanding about a vote.

Mr. ANDERSON. I would like to say to my colleague that I have an amendment.

Mr. HASKELL. I will propose in limiting the time to make an arrangement by which my colleague may have time.

Mr. ANDERSON. But I have a substantive amendment which I would like to submit and have the privilege of being heard upon. I could not offer it while this amendment is pending.

Mr. HASKELL. The amendment can be offered and the speech made, and I will then move that the committee rise.

Mr. TUCKER. I desire to be heard on this amendment.

Mr. TOWNSHEND, of Illinois. I have also a substantial amendment which I desire to offer, and I hope the motion that the committee rise will not be submitted at this time, because I do not wish to be cut off from the opportunity of offering it.

Mr. ANDERSON. My amendment, Mr. Chairman, will be to strike out of line 523 the words "pickle or preserve jars" and insert the words "at 30 per cent. ad valorem" as an independent paragraph.

I do not care one solitary straw about the beer question. I have no interest in it whatever. But I do care something about what I conceive to be an increase in the cost of these jars for pickles and preserves to the people who use them, and I do not desire that there shall be any change in that item. I expect the facts in this case will be found to be about as follows, at least I have been so advised: that there has been perhaps a monopoly in the manufacture of these glass jars to be used for this purpose; that recently the several companies entering into the combination have disagreed or have fallen apart. Now, whether this duty is increased by this provision or reduced remains to be seen. It is at all events a doubtful point. If that be the status of the case I am unwilling that it shall be increased or that it shall run any risk of an increase. But at the same time I am perfectly willing to open up to all the world this business rather than to put the farmers of this country in the hands of the very best men that ever came from Western Pennsylvania or anywhere else.

Everybody knows, all over this country, that these manufacturers have been in the habit of combining, and we do not know what may be the result of the change proposed here. Therefore I want to be understood as opposing it and favoring the amendment which I have suggested. What I want is simply that that class of articles shall be left just as the present law is. I do not want to take any chance as to an increase of rates, as a Republican, as a man trying to look to the best interest of the people who use these articles, rather than looking to the interest of some corporation somewhere who are engaged in making these things. The interests of the people are far more important in my judgment than these other interests.

That, Mr. Chairman, is the amendment I want to offer, when it becomes in order, that these things shall be left just as the law now provides, because I believe that under all of this talk about monopoly abroad you really are building up here at home a monopoly which when anybody attempts to break it down or to enter into the manufacture of these jars in this country at a lower price so that the people may get them at fair rates, underruns and undercuts so much that they can not do it. That being the case, I hope the amendment which I have suggested will meet the favorable consideration of the committee.

The *pro forma* amendment was withdrawn.

Mr. TUCKER. I renew the formal amendment.

Mr. HASKELL. I would like to move that the committee rise for the purpose of having the House limit debate.

Mr. TOWNSHEND, of Illinois. I have a substantial amendment to offer. I hope the gentleman will not insist on the committee rising at this time.

Mr. HASKELL. The gentleman from Virginia [Mr. TUCKER] can speak after debate has been limited.

Mr. TUCKER. Oh, no; I have been there once before. [Laughter.]

Mr. Chairman, I am not going to take up much of the time of the House, and what I shall say will be of a practical character. The gentleman from Pennsylvania [Mr. BAYNE], who is defending this interest so zealously, has been kind enough to tell me in private, and I shall use the information he gave me, for it was given in perfect candor, that the amount of the bottle manufacturing interest in this country will certainly run largely over a million of dollars' worth.

Mr. BAYNE. Yes, sir; I think it exceeds that.

Mr. TUCKER. Now, the whole value of bottles introduced into this country under the present duty and under this particular clause is $230,000. If the present duty of 35 per cent. enables the manufacturer here to make four times more than can be imported, in God's name is not that protection enough?

Mr. ERRETT. Will the gentleman allow me to make a correction?

Mr. TUCKER. Certainly.

Mr. ERRETT. My colleague did not speak of the bottle manufacturing interest alone.

Mr. TUCKER. I understood the gentleman to say the bottle business.

I say if the duty of 35 per cent. has had the effect of only letting in $230,000 worth of bottles, when more than $1,000,000 worth are made in this country, that is ample protection.

But, Mr. Chairman, look at it in another point of view. The gentleman from Pennsylvania [Mr. BAYNE] has stated that the ad valorem rate permits fraud and permits people to bring in bottles under false invoices. Why, sir, if it has only had the effect of permitting them to bring in one-fourth of the amount of the home product it can not be very detrimental to the home manufacture.

Now, the duty on a gross of bottles, worth, as has been stated, about $3.17, if increased to 1½ cents a bottle will amount to over 100 per cent. ad valorem instead of 35 per cent. ad valorem. The consequence is you are trebling this duty. And this trebling of the duty, as the importation is small compared with the amount of the home product, will be absolutely prohibitory. And therefore all engaged in beer manufacture, and all other manufactures where bottles are used, will be left to depend entirely on the home-manufacture monopoly.

Mr. BAYNE. Will the gentleman yield to me for a question?

Mr. TUCKER. Yes, sir.

Mr. BAYNE. What would be the rate of duty on one-ounce vials embraced in this paragraph?

Mr. TUCKER. I ask the gentleman from Pennylvania what would it be?

Mr. BAYNE. Not 15 per cent. ad valorem.

Mr. TUCKER. Then you put a low duty on the higher-grade article. But what would it be on the cheapest bottle?

Mr. BAYNE. Very much more than 33 per cent.

Mr. TUCKER. What would 1½ cents be on the lowest-priced bottle?

Mr. BAYNE. Sixty or 70 per cent.

Mr. TUCKER. Would it not be more?

Mr. BAYNE. I think not.

Mr. TUCKER. Then if it be 60 or 70 per cent. you increase the duty.

Mr. BAYNE. The 60 or 70 per cent. duty is on the cost of production abroad. On the cost of American production it will not exceed from 33 to 35 per cent.

Mr. TUCKER. Then the bottle here is worth so much more in this market than the foreign bottle costs. That is just what we say, and you make that additional cost come out of the pocket of the consumer of the bottle.

I am glad the gentleman from Pennsylvania has at last made that confession, that the effect of the increase of duty is to enhance the price to the home consumer.

The *pro forma* amendment was withdrawn.

Mr. HASKELL. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. ROBINSON, of Massachusetts, reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 7313) to impose duties upon foreign imports, and for other purposes, and had come to no resolution thereon.

Mr. HASKELL. I yield for a moment for a privileged report from the Committee on Appropriations.

LEGISLATIVE ETC., APPROPRIATION BILL.

Mr. CANNON, from the Committee on Appropriations, reported a bill (H. R. 7482) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1884, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. MILLS. I reserve all points of order.

Mr. CANNON. I desire to say I have the authority of the Committee on Appropriations to state to the House that if I can be recognized on Monday for that purpose I will move to suspend the rules and put the bill just reported on its passage.

Mr. McMILLIN. What is the amount appropriated by the bill?

Mr. CANNON. About $20,000,000.

Mr. BLACKBURN. The gentleman from Illinois [Mr. CANNON] in reporting this bill to the House will be candid enough to state to the House that the authority given him to move a suspension of the rules to pass that bill without debate, explanation, or amendment on next Monday was not the unanimous action of that committee at all.

Mr. CANNON. I want to say in reply to the gentleman from Kentucky [Mr. BLACKBURN] that I voice the action of the committee. The committee acts by its majority, and if he desires it and it is proper for me to so state, I am perfectly willing to say that I was so instructed by a strict party vote.

Mr. TOWNSHEND, of Illinois. And you want to vote away $20,000,000 without any opportunity for debate.

Mr. HISCOCK. That is just exactly what we propose to do. This is a bill providing for the pay-rolls of the several Executive Departments; and we are willing to take the responsibility of passing it without debate.

Mr. ROBINSON, of Massachusetts. That is just what you did in the Forty-sixth Congress, when you passed the sundry civil appropriation bill in the same manner, with only five minutes' debate on each side.

ORDER OF BUSINESS.

Mr. HASKELL. I desire now to move that the House go into Committee of the Whole on the state of the Union for the further consideration of the tariff bill.

Mr. SPRINGER. I ask the gentleman to yield to me for a moment.

Mr. HASKELL. For what purpose?

Mr. SPRINGER. The Committee on Public Printing have instructed me to ask unanimous consent of the House to take from the Speaker's table and pass at this time a Senate joint resolution authorizing the Public Printer to remove certain material from the Government Printing Office. The material in that office has so accumulated that there is fear of an accident which will endanger the lives of the employés.